

TWC/2020/1056

Land North East of Stirchley Interchange, Nedge Hill, Telford, Shropshire
Outline planning application for the erection of up to 350 new dwellings (Use Class C3) with all matters reserved

APPLICANT

Telford & Wrekin Council

RECEIVED

14/10/2021

PARISH

Hollinswood and Randlay, Madeley,
Stirchley and Brookside

WARD

The Nedge, Madeley and Sutton Hill

AS THE COUNCIL IS THE LANDOWNER/APPLICANT AND INVOLVES S106 FINANCIAL CONTRIBUTIONS, THIS APPLICATION IS TO BE DETERMINED BY MEMBERS OF THE PLANNING COMMITTEE.

Online planning file: <https://secure.telford.gov.uk/planning/pa-applicationresponses-public.aspx?ApplicationNumber=TWC/2020/1056>

1. SUMMARY RECOMMENDATIONS

- 1.1 It is recommended that **DELEGATED AUTHORITY** be granted to the Development Management Service Delivery Manager to **GRANT OUTLINE PLANNING PERMISSION** subject to conditions, informatives and the applicant entering in to a S106 agreement to secure financial contributions.

2. APPLICATION SITE

- 2.1 The site is located North East of Stirchley Interchange, Nedge Hill and lies on the far east of Telford where it adjoins the Shropshire Council boundary.
- 2.2 The site is located within the built up area of Telford and is an allocated housing site (allocation H7 of Policy HO2). There are no nearby statutorily Listed Buildings or Conservation Areas. To the north lies Nedge Farmhouse a 'Building of Local Interest' classified as a 'non-designated heritage asset'.

3. APPLICATION DETAILS

- 3.1 This application seeks outline planning permission, with all matters reserved, for the erection of upto 350 dwellings.
- 3.2 The application is supported by an illustrative masterplan to demonstrate how the site could be developed, but is not a formal layout for approval at this stage.

4. PLANNING HISTORY

- 4.1 **EIA/2020/0001** – Screening Opinion for outline application for the development of upto 350 no dwellings with all matters reserved – Environmental Impact Assessment not required – Decision issued: 10th February 2020.
- 4.2 **T90/0021** – Authorisation under New Towns Act for Residential Development – 14th December 1990.

5. RELEVANT POLICY DOCUMENTS

- 5.1 National Planning Policy Framework (NPPF)
- 5.2 National Planning Practice Guidance (NPPG)
- 5.3 Telford and Wrekin Local Plan (2011-2031)
- SP1 Telford
 - SP4 Presumption in favour of sustainable development
 - HO1 Housing requirement
 - HO2 Housing Allocations
 - HO5 Affordable housing thresholds and percentages
 - NE1 Biodiversity and geodiversity
 - NE2 Trees hedgerows and woodlands
 - NE4 Provision of public open space
 - NE5 Management and maintenance of public open space
 - C1 Promoting alternatives to the car
 - C2 Safeguarding rail and transport corridors
 - C3 Implications of development on highways
 - C4 Design of roads and streets
 - BE1 Design Criteria
 - BE6 Buildings of local interest
 - ER11 Sewerage systems and water quality
 - ER12 Flood Risk Management

6. NEIGHBOUR REPRESENTATIONS

- 6.1 The application has been publicised through a site notice, press notice and direct neighbour notification.
- 6.2 The Local Planning Authority received 80 neighbour representation objecting to the scheme, the following summarised issues were raised:
- Loss of riding school/community facility.
 - Loss of green spaces

- Pressure on local services
- Impact on local wildlife
- Loss of riding school
- Impact on local highway network
- Loss of walking routes/land
- Possible complaints from future residents over commercial uses to the south

7. STATUTORY REPRESENTATIONS

7.1 **Stirchley & Brookside Parish Council (HRPC)** – Object:
Need to retain green space.

7.2 **Hollinswood & Randlay Parish Council** – comment

Members were disappointed comments made in the consultation were not taken into consideration – this is an ideal opportunity to create an outstanding development.

- Protect the existing woodland, particularly at Nedge Hill and create a corridor from the Valley to the Nedge.
- Revisit issues around cars, parking and charging facilities. Access to Nedge Farm should not be through the estate. Access to the countryside should include cycle paths, bridleways etc.
- Conditions to prevent HMOs and car repairs from home, other small businesses etc.
- A health and wellbeing centre is likely to be required – GP surgery, outreach NHS provision, play and recreation facilities, adult gym etc.
- Affordable warmth initiatives and house-for-life adaptable dwellings.
- Development should be within the Hollinswood and Randlay Parish Council and HRPC will work with developers to continue their work in Randlay Valley, whilst linking this development to TWCs Strategy.

7.3 **Highways, Arboricultural, Healthy Spaces, Ecology, Drainage and Environmental Health, Archaeology, Education, Affordable Housing** – Support subject to conditions / S106 contributions

7.4 **Built Heritage** – object

The proposed development to the north side of Nedge Lane would have a detrimental impact on the setting of Nedge Farmhouse, a Building of Local Interest, contrary to policy BE 6 iii. The harm to the setting of the non-designated asset is considered to be less than substantial.

7.5 **Environment Agency** – comment

Site lies predominantly in FZ1; a low risk zone, and falls within the remit of the Local Lead Flood Authority to provide comment. The EA would however

recommend consideration, at detailed design stage, of flood risk betterment on site through the management of surface water and also the use of natural flood risk management techniques.

7.6 Natural England - support

The proposed development will not have a significant adverse impact on designated sites and therefore raise no objection. The proposed development would not appear to lead to the loss of over 20 ha 'best and most versatile' agricultural land (paragraph 174 of the National Planning Policy Framework).

7.7 Shropshire Fire Service – Comment:

As part of the planning process, consideration should be given to the information contained within Shropshire Fire and Rescue Service's "Fire Safety Guidance for Commercial and Domestic Planning Applications" document, and a robust swept path analysis required.

7.8 West Mercia Police – Comment:

General design guidance provided as an Informative.

7.9 CPRE Shropshire – object

Conflicts with housing targets and site yield within the LP of 300; detail on how carbon emission reduction will be achieved through design; NE Land map classifies the land as Grade 3 (good and moderate) – how will the loss be offset; commitment to the recommendations of the AIA; threat to the Green Belt and sets an undesirable precedent for erosion of this asset; impact on local businesses including the Riding Centre; LVA admits that suburban light levels will intrude eastwards but no mitigation is proposed; analysis of impacts on schools and GPs needs to be addressed. Short consultation process.

8. APPRAISAL

8.1 Having regard to the development plan policy and other material considerations including comments received during the consultation process, the planning application raises the following main issues:

- Principle of development / Policy Background
- Design
- Heritage
- Impact on the amenity of adjacent properties / uses
- Highways impacts
- Drainage
- Arboriculture and Ecology

- Other matters – Archaeology, Environmental Health, Healthy Spaces, Coal Mining, Contamination, Landscape & Visual Appraisal.
- Planning obligations

8.2 Principle of development/ Policy Background

- 8.2.1 The site is an allocated housing site (ref: H7) as identified in Policy HO2 of the Telford & Wrekin Local Plan. The site was approved under section 7(1) of the New Towns Act and has been allocated in all superseded local plans since 1990.
- 8.2.2 The site was shown for residential development within the Telford New Town Masterplan of 1965.
- 8.2.3 Appendix D of the Local Plan, which supplements Policy HO2, identifies the application site as H7 (Land at the Hem, Telford). The site is shown to be an approximate size of 42.37hectares with an indicative yield of 300 dwellings.
- 8.2.4 The indicative dwelling yield in the Local Plan was based on a 60% net site area being applied in the site assessment process to take account of infrastructure, services provision, landscaping and constraints. However, technical matters are for consideration during the planning application process which includes the proposed yield.
- 8.2.5 Reference is made within consultation responses regarding concern over the erosion of the Green Belt. The application site does not fall within designated Green Belt but does fall alongside the allocation within the Shropshire Council Local Development Framework. Shropshire Council were consulted on this application but provided no formal comments.
- 8.2.6 The illustrative Masterplan demonstrates in principle that a development of upto 350 dwellings is possible taking account of site constraints, however the matter of design and layout are reserved for later approval. Planning permission is recommended for upto 350 dwellings and it will be for the applicant(s) to demonstrate whether this is achievable without negatively impacting on the overall design ethos and taking account of site constraints. The 350 dwellings is a maximum yield, rather than an aspiration.
- 8.2.7 In principle the residential development of this site is considered acceptable at outline stage, based on the parameters outlined.

8.3 Design

- 8.3.1 The application is supported by an Illustrative Masterplan to demonstrate how the site could be capable of accommodating upto 350 dwellings.
- 8.3.2 The application has been submitted in outline with all matters reserved and as such, this layout is not for approval at this stage. Consideration has therefore

not been given to specific matters such as garden amenity standards, car parking standards or Nationally Described Space Standards (NDSS) however, any reserved matters applications(s) are expected to meet these standards, as a minimum.

8.3.3 There are however areas and features of note on the Masterplan which would be expected to come forward with any reserved matters application(s). A number of these key aspects are also outlined within the Landscape Visual Appraisal which is conditioned. These include the following:

- i) Provision of a 4-arm roundabout off Halesfield 1, as agreed with the LHA;
- ii) Provision of sustainable corridor from the application site towards Stirchley, via Nedge Lane;
- iii) On-site play provision;
- iv) Appropriate landscaping/transition of the eastern boundary where it lies adjacent the Shropshire Green Belt;
- v) Meadow buffer adjacent to, and connectivity to with the Nedge woodland on the north-east boundary;
- vi) Extensive open space buffer to the frontage of Nedge Farmhouse (a local interest building);
- vii) Retention and improvement of the vista towards Nedge Farmhouse from Nedge Lane;
- viii) Protection of all existing veteran/ancient tree specimens and hedgerows, in addition to the enhancement of adjoining woodlands.

8.3.4 The applicant has noted that the site is likely to be developed in no more than two phases. To provide appropriate flexibility in this respect, the conditions will be worded to allow appropriate conditions to be discharged on a phased basis.

Sustainability

8.3.5 Whilst only in outline form, the submitted Design & Access Statement does make some commitments towards the sustainability credentials of the site that the applicants intend to impose as highlighted below:

- Solar orientation and wind sheltering;
- Composters, internal and external bin provision for recycling;
- Targets to minimise waste production during construction;
- Sustainable water supplies to homes;
- Optimising the use of reclaimed/recycled products as well as naturally and locally sourced products;

- Provide attractive sunlit public and private amenity spaces at ground level.
- Optimise passive solar gain by providing natural shading and cooling to minimise overheating.
- Ensure good levels of daylight within dwellings at every floor level.
- Optimise the potential for collecting solar energy at roof level.
- Position taller buildings to the north of any perimeter blocks to prevent overshadowing.
- Make use of street trees to provide shelter and shade;

8.3.6 The reserved matters should provide a long-term commitment to the climate crisis, by installing measures such as solar panels, electric charging points and 5G internet connections from the onset; avoiding future retrofitting, as well as all other commitments made in the supporting Design & Access Statement described above. The applicants aim is to seek to achieve 'better than' building regulations standards for all housetypes.

8.3.7 Any reserved matters would be supported by a Character Plan to demonstrate how these design aspirations have been fed into the detailed design stage. This is conditioned accordingly.

8.4 Heritage

8.4.1 The site does not fall within any Conservation Area or other statutory protected areas. Additionally, there are no listed buildings on or adjacent to the site which may be impacted by this development.

8.4.2 Nedge Farmhouse is a mid-19th century farmhouse identified on the TWC Register of Buildings of Local Interest, i.e. a 'non-designated heritage asset'. It is set in an isolated location surrounded by green fields and accessed from a long driveway from Nedge Lane. Its setting emphasises its historic agricultural origins and gives it a particular presence within the landscape. The farm buildings to the west of the house have seen many alterations and losses over the years, but some residual historic buildings and the ongoing agricultural use of the site continue to add to the setting of the Building of Local Interest.

8.4.3 The Built Heritage Team raise no objection to the development south of Nedge Lane on historic environment grounds. There would be some suburbanisation of distant views from Nedge Farmhouse, but this would be a very minor impact.

8.4.4 With reference to the development north of Nedge Lane, the applicants Heritage Statement states: *"The presence of the development [north of Nedge Lane], with houses, gardens and associated infrastructure to the south of the principal elevation would alter the open agricultural character of the assets' setting, as well as dominate views to and from the principal elevation of the*

farmhouse. The historic and architectural interest of the farmhouse as a mid-19th century gothic-style farmhouse, would be retained, however the development would diminish the understanding of the buildings' relationship to the surrounding landscape and reduce the contribution of setting to their significance..." (7.3 para 1).

- 8.4.5 This summary of the impacts on the Building of Local Interest is supported by the Council's Built Heritage Specialist, adding that the key view of the farmstead from Nedge Lane across open fields would be transformed to a formal avenue of detached suburban housing. The buffer of green space between farmstead and housing development would affect only the closest views of the Building of Local Interest, and not address the harm to this key view and experience of its wider setting.
- 8.4.6 The Heritage Statement identifies the harm as 'less than substantial'. Again this view is supported by the Council's Built Heritage Specialist. The Built Heritage Specialist considers that the proposed development to the north side of Nedge Lane would have a detrimental impact on the setting of Nedge Farmhouse, a Building of Local Interest, contrary to policy BE 6 iii.
- 8.4.7 Whilst recognising the concerns raised by the Council's Built Heritage Specialist, the principle of development in proximity to the non-designated heritage asset was previously considered and found to be suitable through the Local Plan adoption process.
- 8.4.8 In accordance with para 203 of the NPPF (2021), proposals for development which would have 'less than substantial harm' that directly or indirectly affects a non-designated heritage asset, should form "*...a balanced judgement ... having regard to the scale of any harm or loss and the significance of the heritage asset.*"
- 8.4.9 It is recognised that the development of housing in the near vicinity of the farmhouse could have some impact upon the historic and established open agricultural setting to its south, however this could be reduced through appropriate design and layout.
- 8.4.10 The masterplan has been adapted since pre-application discussions to include a green buffer of over 60m to the north end of the site; retaining a sense of openness to the frontage of the farmhouse which should follow through to any reserved matters application. Additionally, the proposed access has been aligned so as to retain a direct vista of the farmhouse from Nedge Lane. It is appreciated, and expected at detailed design stage, that further effort will be made to improve this vista; setting proposed dwellings back further from the highway, creating a wide green corridor which softens views through to the farmhouse and avoids the appearance of a formal avenue; a feature not supported by TWC's Built Heritage Specialist.
- 8.4.11 It is considered that the scale of harm can be mitigated so as to ensure that the farmhouse still retains some of the open setting which it currently enjoys; with the north, south and eastern boundaries remaining unaltered. As such,

on balance, the scale of the impact on the non-designated heritage asset in consideration of para 203 of the NPPF, is considered acceptable.

8.5 Impact on neighbouring properties/uses

- 8.5.1 Given the site's location, the impact on nearby residential amenity is limited.
- 8.5.2 The nearest residential property is Nedge Farmhouse and based on the illustrative Masterplan, any proposed dwelling will be sited in excess of 60m from the existing residents. As such, no impact on amenity or issues of overlooking/overbearance are considered likely to occur. Detailed design stage will need to ensure appropriate separation distances are carried through to the final layout.
- 8.5.3 It is recognised however that the proposal will have a marked change on the landscape to which the current residents enjoy and are accustomed too. However, there is no right to a view and this site has been allocated for housing for in excess of 30 years and part of the Telford New Town plan since its creation.
- 8.5.4 In consideration of the impact on the Riding School, with the loss of fields to the north of Nedge Lane which are currently utilised by the Riding Centre, this is a civil matter outside of the control of planning.
- 8.5.5 The land associated with the Riding School has been subject to short-term leases for many years, with it borne in mind that the fields would likely be developed at some stage due to their allocation in the current and previous local plans. The current lease expires in early 2023 and it has been confirmed by the applicants that this will not be renewed.
- 8.5.6 The Nedge Farmhouse itself is in private ownership and will remain.

8.6 Highways Impacts

- 8.6.1 The application is supported by a Transport Assessment, Outline Travel Plan, Road Safety Audit and Road Safety Review (all received Nov/Dec 2020); in addition to the Stage 1 Road Safety Audit Response, Proposed Roundabout - Earthworks and Sections; and proposed 4 arm roundabout details received in March 2021.
First Principles
- 8.6.2 The site is located adjacent to the A442 offering excellent vehicular connectivity to the wider area and this ensures no material attributable impact on any local residential areas or streets.
- 8.6.3 Nedge Lane provides an opportunity to form a sustainable corridor through to Stirchley, Randlay and Telford Town Centre without having to cross Stirchley Interchange.
- 8.6.4 The development is making substantial financial contributions towards strategic highway infrastructure, green routes and CCTV installation on Nedge Lane.

Site Access

- 8.6.5 The application is outline with all matters reserved, including access. However, the application does propose a 4 arm roundabout as the junction form to access the site from Halesfield 1. The arrangement is supported by the LHA and is conditioned to this recommendation.
- 8.6.6 Pre application consideration was given to both a traffic signal and roundabout solution at this location but ultimately it was decided that the roundabout option was the most suitable for the following reasons:
- It forms a more attractive gateway to the site, better delineating a residential development from the industrial nature of the landscape to south;
 - The signal junction would have involved a staggered crossroads arrangement with Halesfield 24 opposite, creating an urbanised and also somewhat convoluted arrangement;
 - A roundabout suits the pattern of the network in this location and there are no other traffic signals in the vicinity;
 - In capacity terms the roundabout is more future proof than a signal arrangements
- 8.6.7 The roundabout has been comprehensively modelled and received a preliminary safety assessment. Therefore the LHA is happy that the general design principle proposed is acceptable but a full detailed design will be required prior to any development taking place.

Wider Impact

- 8.6.8 The wider traffic impact of the development was modelled in the Telford Strategic Transport Model. This allows for all existing committed development, background growth and future Local Plan sites to be accounted for to ensure a robust cumulative appraisal of the network.
- 8.6.9 In road safety terms, a detailed appraisal of the adjacent highway network was undertaken for accidents occurring in the last five years. The spatial analysis indicates that there is no evidence to suggest that there is a specific existing safety issue which would be influenced or exacerbated by this development.

Sustainability

- 8.6.10 The key proposal which unlocks the sustainable merits of this site is the Nedge Lane connection that runs through the centre of the site and links directly onto Stirchley Avenue to the west providing easy access to Stirchley, Randley and Telford Town Centre. Options on Nedge Lane range from a full non-vehicular downgrade of the route for exclusive pedestrian, cycle and bridleway status, through to a hybrid solution where priority is given to non-motorised users but a form of low level vehicular corridor is left available if required.

8.6.11 The LHA has specifically asked for a detailed planning condition to be included on any consent given to detail the specific option and the methodology for its implementation prior to any occupation of the development. The LHA does not under any circumstances want the primary sustainable connection to the west of the site being across the Stirchley Interchange.

8.6.12 A sustainable corridor on Nedge Lane delivers the following benefits:

- High frequency Bus Stops on Stirchley Avenue can be reached on foot within 10 minutes. Stirchley Local Centre, Grange Park Primary School, Telford Park Secondary School, Doctors and local convenience shops are all within a 20 minute walk;
- The above walking times can be cut by 2/3rds for cycle use and Telford Town Centre, Stafford Park, Madeley, Brookside and Dawley are become within a 15 minute journey time;
- Through a S.106 contribution the route can be surveyed by CCTV to ensure safe passage for all users;
- A high quality route to promote health, wellbeing and an alternative to the car.

Internal Layout

8.6.13 As the application is all matters reserved the internal layout submitted is just a high level Masterplan to provide a concept as to how the site could be delivered. However, some efforts have been made to prescribe parameters with the submission of documents for access and movement in and around the site. The principles set within these documents do have merit and fulfil many of the expectations of the LHA for an overall modern context with defined street types, hierarchy and function.

8.6.14 There is of course a lot of detail to be added at the revised matters stage where specific requirements for parking numbers and refuse and emergency servicing will need to be met.

8.6.15 Accordingly the Local Highway Authority could not defend any objection to the proposals on highways grounds, in that the NPPF 'severe' impact test is not met on any level and the proposal is considered to be compliant with local and national policy.

8.7 Drainage

8.7.1 The application is supported by a Flood Risk Assessment, Drainage Assessment, Flood Risk Assessment Addendum (all received Nov/Dec 2020), as well as a Drainage Overview received on the 15th November 2021 and associated plan outlining indicative flood compensation areas.

8.7.2 Following discussions with the developer the Lead Local Flood Authority (LLFA) is now satisfied in principle with the proposals, subject to the conditions in the recommendation below.

- 8.7.3 It is understood by the LLFA that in order to access the site, a crossing will be necessary for the watercourse. It was initially assumed that this would be in the form of a bridge crossing with the indicative masterplan not stipulating any specific proposals.
- 8.7.4 During the course of the application however, it has come to the light that the crossing is likely to take the form of a culvert due to viability constraints. Policy ER12 (viii) requires developments to demonstrate “...no loss of open watercourse with culverts being opened up where possible to improve drainage and flood flows. Proposals involving the creation of new culverts (unless essential to the provision of access) will not be permitted”.
- 8.7.5 It is understood from the applicants that neither the culvert or bridge is a viable option, but that the culvert is the more viable option of the two and is therefore, on balance, considered ‘essential’ to bring forward this allocated housing site and the provision of its access (as per the exception to policy). It is understood that the landowners accept the viability concerns and that it is ultimately going to have an effect on the land receipt.
- 8.7.6 It is important that as much watercourse as possible on site is left open, to reduce the impact of culverting. It is vitally important that any loss of floodplain storage is compensated for on a level for level, volume for volume basis, to ensure that flood risk is not increased elsewhere. Multiple benefits of the storage areas should be provided where possible, and consider biodiversity and amenity as well as their primary flood function.
- 8.7.7 The flood risk assessment supporting the application should be updated at reserved matters stage to include the final models and details relating to the culvert and the flood compensation areas.
- 8.7.8 The surface water drainage for the site as set out in the submitted information is accepted in principle. Further information on this will be required at later stages of planning and is conditioned accordingly.

8.8 Arboriculture & Ecology

Arboriculture

- 8.8.1 The application is supported by an Arboricultural Impact Assessment (AIA) which surveys all existing trees on the site, categorising their quality and their likely Root Protection Area (RPA).
- 8.8.2 A number of Tree Protection Plans support this assessment and are prepared on the basis of the illustrative masterplan. As layout is not for approval at this stage, these protection plans are not to be approved as part of this application.
- 8.8.3 The illustrative masterplan highlights a number of locations where the RPAs of veteran trees are showing as being encroached, and this would not be supported. Additionally, the standing advice from Natural England should be

utilised (i.e. an RPA of at least 15 times the diameter of the tree), and not a diameter of 12 times, as is currently set out within the submitted AIA.

- 8.8.4 There are 3 very large trees described as being veteran trees and over 1400mm in diameter (T24, T32 and T68). These specifically need to be considered as a constraint to the development and the detailed layout created to make features of them; positioning them within pockets of incidental open space.
- 8.8.5 There are also other tree groups/hedgerows of ancient quality which should be made a feature within areas of open space, rather than encompassed into highway verges and gardens as is shown on the illustrative masterplan.
- 8.8.6 It is therefore recommended that whilst an AIA has been completed having assessed the quality of tree specimens on site, any subsequent reserved matters applications(s) should be accompanied by an updated AIA which takes account of the proposed layout put forward at the time, in addition to the comments and concerns outlined above. This AIA should also include a shading assessment for any proposed dwellings positioned in proximity to existing and proposed woodlands.

Ecology

- 8.8.7 The application is supported by an Ecology Impact Assessment (Nov 2020), Impact Assessment and Conservation Payment Certificate (July 2021) and Biodiversity Net Gain (BGN) assessment (Oct 2021) and subsequent emails clarifying details on the watercourse culvert.
- 8.8.8 The site comprises grassland, cropland, woodland, sparsely vegetated land, heathland and shrub, urban land, hedgerows and rivers and streams. The EIA sets out that priority habitats on site will be retained and protected and the development has demonstrated that NE1 can be satisfied in terms of protection of priority habitats and that achieving no net biodiversity loss, and in fact biodiversity net gain, is possible across all habitat types on the site.
- 8.8.9 There are two SSSI's in 5km of the site but the development is outside of the Impact Risk Zones for these sites and no impact is considered likely. There is a Green Guarantee site adjacent to the site which is appropriately buffered in the landscaping design to ensure no impact upon this woodland.
- 8.8.10 There are a number of badger setts within 30m of the site boundary and the EIA sets out that these have been appropriately buffered within the site design and pre-commencement badger inspections have been conditioned.
- 8.8.11 Surveys and eDNA data confirmed no presence of GCN on-site. However, as a precautionary measure the scheme is going to enter the Strategic Newt Licencing Scheme (Telford's District Level Licencing). The Conservation Payment and Impact Assessment Certificate has been fully signed and the payment will be made upon the grant of planning.

- 8.8.12 Three red list bird species (barn owl, skylark and yellowhammer) are present on the site along with a range of other breeding bird species. The EIA sets out that the habitat retention and provision on the site is sufficient to provide opportunities for these species and that a range of bird boxes and appropriate landscaping design.
- 8.8.13 A single building was assessed for roosting potential but was deemed not to be suitable. 17 dusk emergence surveys were carried out to assess bat roosting within trees on the site, a single tree at SJ7141907193 was identified as a roost for 2 common pipistrelle and 1 brown long-eared bat. This tree is identified for retention and protection within the development. Conditions would secure its retention along with precautionary measures of working for trees on the site with some bat roosting potential.
- 8.8.14 The EIA sets out Biodiversity Net Gains across habitats and hedgerows based on current landscape masterplanning for the site and losses and gains relating to streams are set out in a separate document. The position, which will be subject to a planning condition, is that there will be an 18.34% increase in biodiversity units across a range of habitat types on the site, a 12.58% uplift in hedgerow biodiversity units and a 1.36% uplift in river biodiversity units. Each of the reserved matters applications will need to demonstrate how they are feeding into delivering those site wide uplifts.
- 8.8.15 The Ecology Team have been involved in the emerging proposals for this site since the pre-application stage. Throughout those discussions it was understood that the crossing of Nedge Brook would be achieved with minimal impacts upon the brook and retaining the watercourse in its current form across most of the site. More recently it has been advised of the need to culvert around 70m of the watercourse in order to effect the highway crossing of the brook.
- 8.8.16 Discussions have clarified that while a bridge remains a theoretical option it is prohibitively expensive and that a large culvert with a partly naturalised channel flowing through it is likely to be the option taken forward (although the costs associated with this are also significant).
- 8.8.17 The Ecological Impact Assessment for the site states that the stream is considered to be a priority habitat type. The Rivers and Streams Biodiversity Net Gain Assessment (2021) provides a high level assessment of the stream habitat by carrying out a River MORPH survey which deems the stream to be in a 'moderate' condition. This survey, along with the two versions of the Defra Biodiversity Metric which have been provided for the development sets out the potential for onsite mitigation which would address the loss to this Priority Habitat.
- 8.8.18 The result is that the whole length of the Nedge Brook on site is valued at 15.01 biodiversity units (including an existing short culvert). The proposed culvert would result in a loss of 0.72 biodiversity units.

- 8.8.19 There are opportunities on site to provide an increase in river biodiversity units by daylighting areas of the watercourse through tree removal, excavating side channels, back waters and linked wetlands, increasing river morphological diversity, forming side bars in the channel and planting trees and otherwise reinstating the riparian corridor. By applying these measures across the site the Applicant conclude that it will be possible to achieve a 1.36% uplift in river biodiversity units on the site (alongside the uplift being achieved for other habitat types), which is sufficient to satisfy policy NE1.
- 8.8.20 A recommendation of support is provided for the application on ecology grounds, subject to the conditions outlined below.

8.9 Other matters - Archaeology, Environmental Health, Healthy Spaces, Contamination, Coal Mining.

Archaeology:

- 8.9.1 The proposed development site lies in an area with a background of archaeological remains of the prehistoric through to post-medieval periods. There are a number of non-designated heritage assets in the vicinity of the proposed development site. The proposed development site therefore may be considered to have some archaeological potential and historical interest.
- 8.9.2 In accordance with para 194 of the NPPF, a Heritage Impact Assessment and Geophysical Survey have been submitted.
- 8.9.3 The geophysical survey identified a number of small anomalies of potential archaeological interest, including a number of linear features in the northeast and southern parts of the site. The majority of these features of interest are located in proposed area of open space on the illustrative masterplan.
- 8.9.4 The Historic Environment Team have recommended that a phased programme of archaeological works should take place, in accordance with a Written Scheme of Investigation (WSI) to include limited trial trenches, prior to commencement.

Environmental Health – Noise

- 8.9.5 The application is supported by a Noise Assessment (November 2020) and additional commentary provided by the applicants Noise Consultants in March 2021, at the request of Environmental Health.
- 8.9.6 The Assessment concludes that the site is suitable for the proposed residential use, with a low to medium risk of adverse effects due to existing nearby noise sources (road traffic on the A442 / Halesfield 1). It is likely that any adverse noise impacts could be fully mitigated through a process of good acoustic design as outlined in the Noise Assessment.
- 8.9.7 Given the noise information available in the initial assessment and the additional commentary it is clear that the assessor has considered the impact

of noise thoroughly at this stage in the planning system and proposes additional information at reserved matters stage. This approach is considered to be acceptable to Environmental Health.

- 8.9.8 Consideration of positioning of affordable dwellings has been acknowledged by the applicants, and it is advised that affordable dwellings would be located in areas where they can be provided with levels of noise which meet BS8233:2014 standards in all cases including any external amenity area. The occupants of such properties may not have the financial means to compensate against the impacts of environmental stressors, and this consideration therefore future proofs these properties. This has been conditioned accordingly.

Environmental Health – Air Quality

- 8.9.9 The application is supported by an Air Quality Assessment (Nov 2020) and additional commentary in respect of air quality in the document referred to as Technical Note – AQ response to EHO, dated 16/03/2021.
- 8.9.10 The Air Quality Assessment concludes that a review of existing air quality conditions indicated that the proposed development is situated in an area of relatively good air quality and that the development would not exceed the AQS objectives.
- 8.9.11 It further concludes that the construction phase of the Proposed Development has the potential to generate dust and emissions, which may have a short term adverse impact at nearby human receptors but as with all development, these will be managed through the Construction Environmental Management Plan.
- 8.9.12 On the basis that this is not an Air Quality Monitoring area, no further information is considered necessary at this time. It is suggested however that a compliance condition is imposed to ensure that the development accords with the submitted AQA.

Healthy Spaces

- 8.9.13 In accordance with LP Policy NE4 this size of development triggers the need for a Neighbourhood Equipped Area of Play (NEAP) and Local Equipped Area of Play (LEAP). The current indicative proposal provides an onsite Neighbourhood Equipped Area of Play (NEAP) and a Local Equipped Area of Play (LEAP). This is acceptable in principle subject to details.
- 8.9.14 There is little reference in the application to what the NEAP is to include, but it is appreciated that this is an outline application. A NEAP facility should include equipped play for older children, a ball court and wheeled sport (BMX or skate park) or outdoor gym. The indicative area proposed for the NEAP is sloping and these facilities need to be relatively level (particularly a ball court). As the proposed locations for the LEAP and/or NEAP are only 'indicative' at this stage, these facilities and/or contributions would need to be secured

through a S106 agreement. If it isn't possible to secure a NEAP on-site, then we would secure an off-site financial contribution.

8.9.15 Please note that the landscape detail also impacts upon equipped play use, in that the access to these facilities need to be made accessible to all (DDA).

8.9.16 There is insufficient detail provided for landscape proposals to determine whether these are acceptable at this outline stage, but this is a matter reserved for later approval.

8.9.17 Given the current indicative layout, constraints plan and site levels it is not believed possible to meet the needs arising from the development for sport with onsite provision. It is therefore recommended would therefore suggest that the development should provide off-site contributions of £650 per 2 bed property, to meet these sporting needs in accordance with Policy NE4.

8.9.18 There is no detailed phasing plan proposed for the development and Healthy Spaces would wish to clarify specifically when the NEAP and/or LEAP are proposed within the phasing of the development, by use of conditions and/or S106 agreement. The S106 agreement with secure the implementation and timetable of this facility, with the recommended condition ensuring its construction prior to the commencement of any development overlooking (or within 30m) or the play area.

Contamination & Coal Mining

8.9.19 The application is supported by a Land Contamination Assessment and Coal Mining Risk Assessment (CMRA).

8.9.20 The Land Contamination Assessment advises that the results of the contamination testing on-site indicate that the risks to human health are low and no remedial measures are required.

8.9.21 The site falls within a Coal Mining Development Low Risk Area and the Coal Authority were therefore not consulted.

8.9.22 The submitted CMRA concludes that *"based on the information available, it is highly unlikely that the development would be affected by mine workings"*

8.9.23 As such, it is considered that contamination and coal mining are not a constraint to development and can be conditioned accordingly.

Agricultural Land Classification

8.9.24 Natural England concluded in their consultee response that the development would not appear to lead to the loss of over 20ha of 'best and most versatile' agricultural land and therefore complies with paragraph 170 and 171 of the NPPF.

8.10 Planning obligations

8.10.1 The proposed development meets the requirement to provide contributions as directed through the Local Plan. Officers consider that these contributions are necessary to mitigate the impacts of the development.

8.10.2 The proposed contributions to be sought via a S.106 agreement are therefore as follows:

- i) On-site provision affordable housing (25%);
- ii) Financial contribution towards primary & secondary education provision (*figure TBC dependent upon number and mix of housing proposed at REM*)
- iii) Financial contribution of £121,328.00 towards the Telford Transport Growth Strategy;
- iv) CCTV Provision at a cost of £42,500.00 along Nedge Lane ;
- v) Financial contribution of £10,000.00 towards the Green Routes Strategy;
- vi) Travel plan monitoring at a cost of £5,000.00;
- vii) Financial contribution towards the planting and management of street trees at a cost of £350/tree, plus 5 year management plan;
- viii) Financial contribution towards off-site sports provision (*figure TBC dependent upon number and mix of housing at REM - £650/dwelling of 2bed or larger*)
- ix) Financial contribution of £32,700.00 towards woodland management at Halesfield 1;
- x) Financial contribution of £70,200.00 towards woodland management and safety surveys/management at The Nedge;
- xi) S106 monitoring fee (*1% of the total value of S106 contributions, or capped at £20,000.00*)
- xii) Implementation timetable for the on-site play provision and/or financial contribution towards off-site NEAP provision (*figure TBC dependent upon number and mix of housing at REM*)

8.10.3 The applicant has confirmed that despite the viability issues facing the scheme that in order to mitigate the impact of the development, these contributions will be met.

8.10.4 In determining the required planning obligations on this specific application the following three tests as set out in the CIL Regulations (2010), in particular

Regulation 122, have been applied to ensure that the application is treated on its own merits:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development;
- c) fairly and reasonably related in scale and kind to the development.

8.10.5 It is considered that the financial contributions required for this application meet the relevant tests. The above obligations will be secured by a S106 Agreement attached to the planning permission.

9 CONCLUSIONS

9.1 The Local Planning Authority have taken all matters into account in order to determine whether the proposed (outline) application is acceptable in planning terms and in doing so worked closely with the applicants and technical consultees to resolve issues that have arisen.

9.2 The impact on the setting of the non-designated asset (the locally listed building known as Nedge Farmhouse) has been quantified as less than substantial and this is considered to be outweighed by the significant public benefits of the scheme, in addition to the efforts made within the indicative masterplan to retain an open-setting to its frontage. As such, on balance, the scale of the impact on the non-designated heritage asset in consideration of para 203 of the NPPF, is considered acceptable.

9.3 The proposal is considered to be a sustainable form of development on an allocated housing site, which is deemed to be compliant with the Telford & Wrekin Local Plan 2011-2031 and the guidance contained within the NPPF.

10.0 DETAILED RECOMMENDATION

10.1 Based on the conclusions above, it is recommended that Delegated Authority be granted to the Service Delivery Manager to **GRANT OUTLINE PLANNING PERMISSION** (with the authority to finalise any matter including conditions, legal agreement terms, or any later variations) subject to:

- A) The applicants/landowner entering into a Section 106 agreement with the Local Planning relating to the following (subject to indexation from the date of committee with terms to be agreed by the Development Management Service Delivery Manager):
 - xiii) On-site provision affordable housing (25%);
 - xiv) Financial contribution towards primary & secondary education provision (*figure TBC dependent upon number and mix of housing proposed at REM*)
 - xv) Financial contribution of £121,328.00 towards the Telford

Transport Growth Strategy;

- xvi) CCTV Provision at a cost of £42,500.00 along Nedge Lane ;
- xvii) Financial contribution of £10,000.00 towards the Green Routes Strategy;
- xviii) Travel plan monitoring at a cost of £5,000.00;
- xix) Financial contribution towards the planting and management of street trees at a cost of £350/tree, plus 5 year management plan;
- xx) Financial contribution towards off-site sports provision (*figure TBC dependent upon number and mix of housing at REM - £650/dwelling of 2bed or larger*)
- xxi) Financial contribution of £32,700.00 towards woodland management at Halesfield 1;
- xxii) Financial contribution of £70,200.00 towards woodland management and safety surveys/management at The Nedge;
- xxiii) S106 monitoring fee (*1% of the total value of S106 contributions, or capped at £20,000.00*)
- xxiv) Implementation timetable for the on-site play provision and/or financial contribution towards off-site NEAP provision (*figure TBC dependent upon number and mix of housing at REM*)

B) The following conditions (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager):-

A01: Time Limit Outline

A03: Time Limit – Submission of REM

B0001 – Standard Outline – all reserved matters

B0003: General Details Required

CUSTOM: Internal Highways Network

CUSTOM: Roundabout Details

CUSTOM: Non-vehicular Sustainable Corridor

B045: Travel Plan

B150: SEMP

B106: Greenfield Foul & Surface Water

B076: SUDS Management Plan

CUSTOM: Modelling for Future Urban Creep

CUSTOM: Exceedance Flow Routing Plan

CUSTOM: Mapped Surface Water Flood Risk

CUSTOM: Culvert Design & Modelling

CUSTOM: Riparian Ownerships

B141: Ecological Mitigation Strategy & Method Statement

CUSTOM: Bat/Bird Boxes

B142: Habitat Management Plan

B145: Lighting Plan
CUSTOM: Badger pre-commencement inspection
CUSTOM: Updated Site Surveys
CUSTOM: Biodiversity Net Gain
CUSTOM: Biodiversity Monitoring Strategy
B110: Archaeological WSI
B126: Landscape Management Plan
B155: Details for LEAP and/or NEAP
CUSTOM: Air Quality Monitoring
CUSTOM: Affordable Housing Noise Levels
CUSTOM: Updated AIA & Shading Assessment
CUSTOM: Character Plan
CUSTOM: Phasing Plan
CUSTOM: Non-approval of Layout
CUSTOM: Approved plans/general principles
CUSTOM: Maximum Housing Numbers
CUSTOM Specifying: Strategic Newt Licensing – EPS
CUSTOM Specifying: Land Contamination Assessment
CUSTOM Specifying: Landscape & Visual Appraisal