

TWC/2022/0162

Former Dairy Crest Ltd (Phase 3), Crudgington, Telford, Shropshire,
Erection of 55no. dwellings with associated amenity space and car parking with the
formation of new roundabout to the existing cross roads**AMENDED PLANS &
REPORTS RECEIVED - AND AMENDED DESCRIPTION**

APPLICANT

Shropshire Homes Limited

RECEIVED

23/02/2022

PARISH

Waters Upton

WARD

Edgmond and Ercall Magna

**THIS APPLICATION HAS BEEN REFERRED TO PLANNING COMMITTEE AS IT
REQUIRES A S106 AGREEMENT.**

Online planning file:

<https://secure.telford.gov.uk/planning/pa-applicationsummary.aspx?applicationnumber=TWC/2022/0162>

1.0 SUMMARY RECOMMENDATION

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

2.0 SITE AND SURROUNDINGS

2.1 The application site is located to the east of the former Dairy Crest site, Crudgington. The site is Greenfield agricultural land and is located on the north-west of the B5062/A442 crossroads.

2.2 Vehicular access to the site is via the B5062, and via a road through the recently developed former Dairy Crest site to the west. The site is bound by this residential development to the west, and open agricultural fields on the other immediate boundaries. The village of Crudgington encompasses properties both to the east and west of the crossroads, albeit the A442 now segments this. Residential development in the area is mixed in character and design, but primarily includes detached and semi-detached dwellings.

3.0 PROPOSAL

3.1 The application seeks full planning permission for the erection of 55 dwellings, having a mix of 2, 3, 4 and 5 bedrooms units in the form of bungalows, detached and semi-detached units, to include the provision of 4-arm roundabout and SuDS. The proposed buildings range from 1 to 2.5 storeys in height but primarily 2-storey. The proposed dwellings are traditional in style, picking up features from both the recently approved development and other more historic buildings in the local area.

- 3.2 A total of 190 parking spaces are provided to serve the development. An area of open space, including play provision, are incorporated into the earlier phases of the Dairy Crest redevelopment and it is anticipated that future residents will utilise this facility.
- 3.3 The application has been subject to amendments, to response to comments from the Planning and Highways Officer in respect to design and parking numbers, as set out below.

4.0 PLANNING HISTORY

- 4.1 There is no planning history relevant to this specific site.
- 4.2 The redevelopment of the immediately adjacent former Dairy Crest site was secured through the following consents:
- TWC/2015/0157** - Outline application for the demolition of existing commercial buildings and erection of 111no. dwellings with associated amenity space and car parking and erection of commercial units, creation of public open space with attenuation ponds, play space, landscaping and highway improvements – Outline Granted 13/11/2015.
- TWC/2018/0472** - Variation of conditions 4 and 22 of planning permission TWC/2015/0157 to relocate the commercial units to the north east part of the site – Outline Granted 14/09/2018
- TWC/2018/0760** - Reserved matters application for the erection of 111no. dwellings with associated garages, 16no. commercial workshop units with associated parking, creation of public open space with an attenuation pond, play space and landscaping including details for appearance, landscaping and scale pursuant to outline application TWC/2018/0472 – Reserved Matters Granted 20/12/2019.
- TWC/2020/0218** - Erection of 7no. dwellings with associated parking and roads – Full Granted 17/07/2020.
- TWC/2020/0219** - Erection of 1no. two storey dwelling, amendments to plot 1 plans and elevations and repositioning of the plots 3, 4 and 5 and their parking arrangements – Full Granted 17/07/2020.
- TWC/2020/0288** - Development of 800 square metres of rural workshops with associated parking spaces and roads – Full Granted 17/07/2020.
- TWC/2020/0591** - Variation of condition 9 (deposited plans) of planning permission TWC/2018/0760 to allow amendments to house types – Reserved Matters Granted 19/10/2020.
- TWC/2021/0060** - Variation of condition 9 (full scheme of offsite highway works for the installation of a toucan crossing) to planning permission TWC/2018/0472 to modify condition terms for the construction of the crossing, from first occupation, to occupation of the 28th dwelling (25% of the entire development site) – Granted 19/04/2021

5.0 RELEVANT POLICY DOCUMENTS

- 5.1 National Planning Policy Framework (NPPF)
- 5.2 Telford and Wrekin Local Plan (TWLP) 2011-2031
SP1 Telford

SP3 Rural Area
SP4 Presumption in favour of sustainable development
HO1 Housing requirement
HO4 Housing mix
HO10 Residential development in the rural area
NE1 Biodiversity and geodiversity
NE2 Trees hedgerows and woodlands
C3 Implications of development on highways
C4 Design of roads and streets
C5 Design of parking
BE1 Design criteria
ER8 Waste planning for residential developments
ER11 Sewerage systems and water quality
ER12 Flood risk management
Waters Upton Neighbourhood Plan

Homes for All: Providing Accessible, Supported and Specialise Housing in Telford and Wrekin Supplementary Planning Document (SPD) – adopted January 2022.

First Homes Policy Position Statement – published January 2022.

6.0 NEIGHBOUR REPRESENTATIONS

6.1 16 letters of representation (from 15 households) have been received raising the following issues. Please note that comments relating to design, relate to the originally submitted scheme:

- Impact on highway/increase in traffic;
- No capacity at primary school;
- Housing numbers go beyond Neighbourhood Development Plan aspirations;
- Design not in-keeping with local area;
- Encroachment into open countryside/ green belt/ farm land;
- No affordable housing;
- No attenuation pond as identified in Drainage Strategy;
- Heavily reliant on private vehicle trips;
- No objection to construction of the roundabout, but not at the price of a further 57 dwellings;
- Not one of the five named settlements in the TWLP to provide residential development for the plan period;
- Noise disturbance
- Would set precedent for further greenfield development in the open countryside;
- Pollution of landscape.

6.2 1 letter of support has been received raising the following points:

- Desire to not build on open countryside locations;

- Also acutely aware of crossroads being an accident hotspot and the Ward Members/Parish Councils campaign for highway improvements here;
- On balance, support.

7.0 STATUTORY REPRESENTATIONS

7.1 Waters Upton Parish Council - Support:

Ercall Magna Parish Council have raised concerns over the safety aspects of the Crudgington Crossroads for many years and representative have attended meetings with TWC and the police where the provision of an island has been proposed to improve the safety at this strategic junction. With recent developments at Crudgington, Tibberton, Allscott and further afield, and the provision of HGV companies at nearby Osbaston and High Ercall, the volume and size of traffic has increased. This is also a main strategic route from Liverpool to Birmingham and Shrewsbury to Stafford, often used by commuters and companies who prefer not to use the motorways. Members recalled a number of serious accidents and many collisions at the junction, with at least one fatality. Whilst recognising that road infrastructure is the responsibility of the Highways Authority, Members recognise that the funding required for the island is not likely to be available via the Local Authority in the near future. This application will bring about this much needed improvement sooner rather than later. Finally, Members have asked that TWC ensures that the proposed island is appropriate in size and location to cope with the amount and size of vehicles. They are aware that nearby Shawbirch was recently extended and it is vitally important that this island is correct when first constructed.

7.2 Highways, Arboricultural, Healthy Spaces, Ecology, Drainage, Education, Public Protection (Noise), Housing – Support subject to conditions / S106 contributions.

7.3 Historic Environment, Natural England – No comment.

7.4 Cadent Gas – Support subject to informative required due to proximity of existing infrastructure.

7.5 Severn Trent – support subject to conditions and informative relating to proximity of existing infrastructure.

7.6 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.

7.7 West Mercia Police – No objection:
Standard informative for ‘Secured by Design’

8.0 APPRAISAL

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

- Principle of the development
- Design
- Ecology and Trees
- Drainage & Flood Risk
- Other matters
- Highway impacts
- Viability
- Planning obligations

8.2 Principle of the development

8.2.1 Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires that planning applications must be determined in accordance with the adopted development plan unless material considerations indicate otherwise. In this instance, the development plan consists of the Telford & Wrekin Local Plan (TWLP). The National Planning Policy Framework (NPPF) sets out policy guidance at a national level and is a material consideration in planning decisions.

8.2.2 The site is a Greenfield site located outside of the built up area of Telford and therefore needs to be considered against Policy SP3. SP3 advises that the Council will support development in the rural area where it addresses the needs of rural communities, and where development is proposed on agricultural land, the economic and other benefits of the land will be taken into account.

8.2.3 Policy HO10 in that the Council will generally only support a limited amount of infill housing in the five named settlements and Crudgington is not one of these settlements. Elsewhere in the rural area, residential development will be strictly controlled and will only support applications provided they meet the four criteria listed.

8.2.4 It is not considered that this application meets those exceptions, and is therefore a departure from the Local Plan and has been advertised as such.

8.2.5 The applicants are aware that it's a departure from the plan and have considered that the new roundabout junction proposed as part of the application would be of substantial public benefit, both locally and on the wider highways network. As such, they consider that this changes the

planning balance, to one which weighs in favour of the proposed development.

- 8.2.6 The applicant has submitted a viability assessment that demonstrates that the costs to facilitating the roundabout would render a number of contributions usually requested for such a development, to be unviable. This is discussed further below.

8.3 Design

- 8.3.1 Of the 55 dwellings now proposed, they are all fully NDSS compliant and the private amenity space provided exceeds the standards set out at local level.

- 8.3.2 Following consideration of the original scheme, significant amendments have been made by the applicants to respond to concerns raised by the Case Officer. Amendments have included, but are not limited to:

- Significant changes to the streetscene along the A4422 to provide variety in housetypes, materials and rooflines (see Streetscenes);
- Improved community integration by spreading housetypes across the entirety of the site;
- Changes to the landscaping to include a greater diversity of species, rustic chestnut fencing and mature tree specimens to the site frontage, box hedgerows to all front gardens; fencing around SuDs features;
- Improvement to housetypes to include porch detailing, active frontages, bay windows, variety in material palettes.

- 8.3.3 The development would be able to utilise a large area of communal space and play area approved on the earlier phases. This meets the requirements for the quantum of development proposed.

- 8.3.4 It is considered that the applications responds to the local character and site context, and therefore complies with the requirements of Policy BE1.

8.4 Ecology & Trees:

- 8.4.1 The application was supported by an Ecological Assessment which concludes that the habitat on the site is an intensively managed arable field, partly bounded by hedges and fences and therefore is of low ecological value.

- 8.4.2 It is however considered that the site may be used by bats, badgers and hedgehogs for traversing and/or foraging; and the northern boundary hedge provides small breeding bird nesting habitats.

- 8.4.3 A Biodiversity Metric Report supports the application and demonstrates a net gain. Currently policy requires no net loss and therefore the application is compliant with current expectations in this regard.

- 8.4.4 The proposals have been considered by the Council's Ecology Officer who raises no objections to the proposals subject to conditions and informatives. As such, the proposals comply with Policy NE1.
- 8.4.5 There are no mature tree specimens on or immediately adjoining the site that are affected by the development and as such, an Arboricultural Impact Assessment was not necessary to support the application.
- 8.4.6 The application is however supported by an Arboricultural Impact Assessment (AIA) which confirms that all existing tree specimens are located outside of the site boundary and are retained in earlier phases. To avoid any impact on these retained trees, a Tree Protection Plan (TPP) has been provided and the site layout designed around this. Additionally, the hedgerow to the north will also be retained and protected, in its entirety.
- 8.4.7 Subject to the conditioning of the AIA and TPP, the proposal complies with the requirements of Policy NE2.

8.5 Drainage & Flood Risk

- 8.5.1 The application site is located within Flood Zone 1, the area least likely to be affected by flooding and subject to satisfactory surface water drainage proposals, there will be no flood risk to the site or other nearby properties.
- 8.5.2 The proposals have been assessed by both Severn Trent (ST) and the Lead Local Flood Authority (LLFA) who have raised no objections to the proposals, subject to conditions for a detailed drainage strategy. As such, the proposals are in accordance with Policy ER12.
- 8.5.3 An informative is also recommended, referring to the proximity of the public sewer and the need for the applicant to consult with ST Asset Management Team.

8.6 Other Matters:

Healthy Spaces

- 8.6.1 Healthy Spaces have confirmed that they raise no objection to the application subject to a condition requiring the submission of a Landscape Management Plan (LMP).
- 8.6.2 Initially, a contribution of £650/dwelling (as per policy requirement) towards recreation facilities was requested. The intention was to provide further equipment at the play area on the earlier phases of the Dairy crest redevelopment. This contribution is not included in the below recommendation, as is discussed and set out below in relation to viability.
- 8.6.3 However, the applicants have committed to providing two additional pieces of outdoor gym equipment to the existing LEAP and the installation of these are to be secured by S106.

Noise

- 8.6.4 The application is supported by a Noise Assessment which concludes that the noise levels in this location are considered reasonable should acoustic ventilation be provided to sensitive rooms facing roads. In addition, a proposal to include acoustic fencing to the westerly edge of the development along garden areas is proposed with a specification outline on the approved plans.
- 8.6.5 As such, it is considered that noise is not a constraint to development subject to the conditioning of the mitigation measures outlined in the Noise Report.

Education

- 8.6.6 Schools within the vicinity of the development are largely full and there is increasing pressure on the Education Department to expand the school at Crudgington, in addition to secondary schools in North Telford to facilitate both growth at this site, and other recent development in the north of the Borough.
- 8.6.7 Based on the 55 dwellings proposed, contributions are being sought towards both primary and secondary provision, with a view to expanding Crudgington Primary specifically for a further 40 pupils. This would accommodate children from this development in addition to a 5% surplus, as per general practice.
- 8.6.8 There will also be a secondary school transportation contribution, as per previous phases.

Affordable Housing

- 8.6.9 Development in the rural, in order to be policy compliant, would require a provision of 35% (i.e. 19 dwellings and a 0.25 off-site contribution).
- 8.6.10 Based on the Viability Appraisal submitted and the independent assessment undertaken, the site will not be providing affordable housing.
- 8.6.11 Officers have discussed with the applicants to ascertain whether all opportunities for alternatives means of low-cost housing had been explored. In liaison with the Councils Development Delivery Specialist, they have been advised that as a Greenfield site, it would not qualify for any grant funding to assist in these regards and therefore any on-site affordable housing would have a knock-on effect on viability, as discussed below.

8.7 Highway Impacts

- 8.7.1 Proposed access to the site will be via the existing (recently constructed) access off the B5062, via Phase 1 of the adjacent development. However, to support the provision of this development site coming forward, when located outside the Telford built up area, the applicants are offering significant highway improvement by way of the provision of a 4-arm roundabout.
- 8.7.2 The Local Highways Authority (LHA) have been consulted upon the application and advise that the wider benefits for highway safety, as a result of the proposed roundabout at the extant Crudgington Crossroads, cannot on any credible level be dismissed. This betterment far outweighs the highways

impact of 55 new dwellings on the local highway network. The current junction arrangement has been a matter of local concern for generations but it is only the release of this development land which unlocks the footprint required to provide a roundabout in this location.

- 8.7.3 It must be noted that in highway terms the roundabout is necessary for this proposed housing development to be acceptable. The LHA would not be supportive of any new sizeable development in the area without strategic mitigation at the adjacent crossroads. Therefore it must be made clear that the wider benefits of the scheme are windfall in nature but as a result are a material consideration in a positive recommendation from the LHA on this application.
- 8.7.4 The existing crossroads arrangement has little stagger between the B road arms, leading to often difficult opposed turning movements, frequent driver confusion and vehicles having to sit in the main running carriageway, to wait to turn, as a central ghost lane to negate lane blocking, cannot be provided. The provision of a roundabout here eliminates all of these issues and will result in a significantly safer section of the highway network for all road users in this location and across the local highways network as a whole.
- 8.7.5 The newly installed toucan crossing outside Crudginton School will not be interfered with as a result of the proposed roundabout works and will sit neatly upstream of the roundabout to maximise pedestrian safety between the school, Waters Upton village and the new housing development sites.
- 8.7.6 The LP requires 182 spaces and 189 are being provided. Two of these are replacements for what is lost next to the existing sub-station, so technically 187 are being provided for the proposed development. The garages provided meet the minimum size requirements of 6m x 3m for a single and 6m x 6m for a double.
- 8.7.7 Accordingly the LHA raise no objection to the development and considered it to be in accordance with Policy C3 and C5 of the Local Plan, subject to the conditions and informatives outlined in the recommendation.

8.8 Viability

- 8.8.1 In support of the application, a Viability Appraisal has been carried out by the applicants, which has been independently assessed by CBRE acting on behalf of the Council.
- 8.8.2 The Viability Appraisals submitted by the applicants sought to demonstrate that an open-market scheme remains unviable and the return for the developers/sales risk would not be sufficient should S106 contributions be sought from the Council.
- 8.8.3 Undoubtedly, the costs associated with the creation of the roundabout (and the associated relocation of utilities within the adopted highway) are significant (circa £2million) and a review of the costings has been undertaken by the independent assessors.

- 8.8.4 Planning Practice Guidance - Viability (PPGV) states that an appropriate range for developer's return (for the purpose of Plan-making, which should subsequently inform decision-taking) equates to a range of 15-20% on Gross Development Value (GDV), with the rate appropriately adjusted for risk.
- 8.8.5 The Viability Assessment undertaken by CBRE, subject to some adjustments to the figures produced by the applicants, concluded that the scheme could generate a healthy profit, as is defined by the NPPG, whilst still being able to offer some financial contributions.
- 8.8.6 In this respect, the assessment sought to re-run the figures on the basis of the provision of 10% affordable housing (i.e 5no on-site affordable rent and 1no first homes dwelling), and was still considered viable.
- 8.8.7 Following reflection of this assessment and in light of the concerns raised by the Education Department with respect to lack of provision at the local primary school, and shortage of places in the north Telford secondary schools, Officers asked CBRE to re-run the assessment on the basis of the applicants making an education contribution, with 0% affordable housing.
- 8.8.8 CBRE concludes that there would be sufficient headroom for the contribution of £354,000 for education in total (split into the two equal instalments), plus the sum towards open space of £37,050 which is assumed payable on commencement.
- 8.8.9 The figure of £354k did not cover the entirety of the education contribution which was being sought, and it was put to the applicants that they instead pay the full education contribution (as set out in the recommendation below) in addition to the installation of two pieces of outdoor gym equipment at the existing LEAP. Both the applicants, and Healthy Spaces are satisfied with this balanced approach.
- 8.8.10 Consultation was also undertaken with the Planning Policy Officer with respect to the impacts this may have on rural housing need. On balance, Officers considered that the need for education provision to facilitate the growth of this development (and future proof growth at the school) outweighed the need for affordable housing in these circumstances.
- 8.8.11 It is CBRE's recommendation to the Council that provision of the education contributions within the proposed development site is viable, and in accordance with National Planning Policy Framework.

8.9 Planning obligations

- 8.9.1 Any planning consent would be conditional on the agreement of a S106 agreement to secure the following (plus indexation):
- £286,711 towards primary education works.
 - £131,452 towards secondary education works.
 - £46,854 towards secondary school transportation.

- Installation of two pieces of outdoor gym equipment at the existing 'Former Dairy Crest' LEAP;
- £9,300.34 towards S106 Monitoring.

8.9.2 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.

9.0 CONCLUSIONS

9.1 Having regard to the above considerations, and in the overall planning balance taking account of the significant benefit the proposed roundabout would have on the local highway network, including significant highway safety benefits, the proposal represents a sustainable form of development and complies with the National Planning Policy Framework, together with relevant policies in the Telford and Wrekin Local Plan.

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 FULL PLANNING PERMISSION** (with the authority to finalise any matter including conditions, legal agreement terms, or any later variations) subject to:

- A) The applicants entering into a S106 agreement to incorporate a
 - i) Financial contribution of £286,711.00 towards primary school expansion at Crudgington Primary School;
 - ii) Financial contribution of £131,452.00 towards secondary school expansions in the North Telford Planning Area;
 - iii) Financial contribution of £46,854.00 towards secondary school transportation;
 - iv) Installation of two pieces of outdoor gym equipment at the existing 'Former Dairy crest' LEAP, and;
 - v) S106 Monitoring Fee of £9,300.34.
- B) The following conditions (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager):-

A04: Time Limit Full

B010: Materials

B011: Samples of materials

B032: Road Design

B126: Landscape Management Plan

B150: Site Environmental Management Plan
C38: In accordance with plans
CUSTOM: Roundabout Design
C013: Parking & Turning Areas
CUSTOM: Noise Mitigation
B121: Landscaping Design
B016: Landscape Management Plan
B145: Lighting Plan
B061a: Foul & Surface Water Drainage
B078: SuDS Evidence
B141: Ecological Mitigation Strategy & Method Statement
B141a: Bat & Bird Boxes
B143: Habitat Creation & Management Plan
CUSTOM: In accordance with AIA & TPP
C073: Hedge Protection
C074: Tree Protection

Informatives:

S106
Nesting Wild Birds
Badgers
Hedgehogs
Otters
Trenches & Pipeworks
Storage of materials
Great crested newts
Shropshire Fire Authority
Street Name & Numbering
S38
S278
Parking standards
Suds Adoption
West Mercia Police
Severn Trent – proximity of public sewer.
Cadent Gas – proximity of infrastructure.