

TWC/2021/1179

Land at Hadley Quarry, Hadley Road, Hadley, Telford, Shropshire
Erection of 186no. dwellings together with formation of new vehicular accesses,
landscaping, attenuation pond and associated infrastructure**amended plans and
description**

APPLICANT

Persimmon Homes West Midlands

RECEIVED

08/12/2021

PARISH

Hadley and Leegomery

WARD

Hadley and Leegomery, Oakengates
and Ketley Bank

THIS APPLICATION IS A MAJOR APPLICATION AND REQUIRES A SECTION 106 AGREEMENT, THIS APPLICATION IS TO BE DETERMINED BY MEMBERS OF THE PLANNING COMMITTEE

Online planning file:

<https://secure.telford.gov.uk/planning/pa-applicationsummary.aspx?ApplicationNumber=TWC/2021/1179>

1.0 SUMMARY RECOMMENDATION

1.1 It is recommended that **DELEGATED AUTHORITY** be granted to the Development Management Service Delivery Manager to **GRANT PLANNING PERMISSION** subject to Condition(s), Informative(s) and s.106 Contributions.

2.0 APPLICATION SITE

2.1 The 6.43 hectare application site is located within the former Hadley Quarry Site, within Hadley and within built up area of Telford as defined in the Policies Map.

2.2 The application site is located to the west of the recently re-aligned Hadley Road. To the south of the site is the Birmingham to Shrewsbury main railway line and to the north is an existing residential area off Far Vallens. To the west of the site is Waterloo Road beyond which is the main Local Centre, including Community Centre. To the east of the Hadley Road is the remaining active quarry, as part of Blockleys Brickworks.

2.3 The site has been largely cleared and now consists of mainly short perennial habitat with a mix of broadleaved and mixed woodland mainly along the northern edge. Some trees have been removed since the application was submitted and this is noted in updated Arboricultural Assessments.

3.0 APPLICATION DETAILS

3.1 Following the receipt of Amended Plans, the application proposes the construction of 186 dwellings, with Public Open Space (POS) and play area. Access would be off Hadley Road to the east with pedestrian access

proposed to the northwest corner of the site. An attenuation pond to the north east of the site is included to serve the development, although this pond was previously approved under a separate application as it was required to serve the new highway.

3.2 The development would provide a mix of 2, 3 and 4-bedroom houses along with 2-bedroom bungalows at density of approximately 41 units per hectare (ha). Following the Council's Independent Assessment of the Viability Assessment submitted, the Applicant has agreed to provide the required 25% Affordable Units within the development.

3.3 The application is supported with the following documents:

- Design and Access Statement
- Planning Statement
- Heritage Statement
- Tree Survey and Arboricultural Impact Assessment
- Coal Mining Risk Assessment
- Ecological Appraisal and Biodiversity Impact Assessment
- Noise and Vibration Assessment
- Air Quality Assessment
- Ground Contamination Assessment
- Flood Risk Assessment
- Viability Report
- Transport Assessment

3.4 The Full Application is subject to the following Financial Contributions:

- £65,100 (£350 per dwelling) towards improvements of nearby NEAP and play facilities;
- £120,900 (£650 per dwelling) towards nearby sport and recreation facilities;
- £879,364 Primary School Education Works within 2-mile radius;
- £366,888 Secondary School Education Works within 3-mile radius;
- £160,506.41 Strategic Highways Contribution;
- £36,000 towards off site cycle/pedestrian route alongside Sommerfield Road;
- £5,000 Travel Plan Monitoring;
- £15,000 towards PRow works;
- £225,420 towards off-site bio-diversity;
- £56,800 Tree Replacement Standard

4.0 PLANNING HISTORY

4.1 TWC/2021/1167 - Creation of Attenuation Pond - Full Granted 08 February 2022

- 4.2 W2009/0881 - Erection of 168No. dwellings with associated infrastructure on the same parcel of land - Planning Permission was granted 17 January 2011 - Consent was not implemented and has since Expired
- 4.3 W98/0714 - Quarrying development, restoration by importation of inert waste and re-alignment of Hadley Road **Amended Plans Received** - Full Granted 20 May 2005

5.0 RELEVANT POLICY DOCUMENTS

5.1 National Guidance:

National Planning Policy Framework (NPPF)

5.2 Local Development Plan:

Telford & Wrekin Local Plan

SP1: Telford

SP4: Presumption in Favour of Sustainable Development

HO1: Housing Requirement

HO4: Housing Mix

HO5: Affordable Housing Thresholds and Percentages

HO6: Delivery of Affordable Housing

NE1: Biodiversity and Geodiversity

NE2: Trees, Hedgerows and Woodlands

NE4: Provision of Public Open Space

NE5: Management and Maintenance of Public Open Space

C3: Impact of Development on Highways

C4: Design of Roads and Streets

C5: Design of Parking

B1: Design Criteria

BE9: Land Stability

BE10: Land Contamination

ER8: Waste Planning for Residential Developments

ER12: Flood Risk Management

6.0 SUMMARY OF CONSULTATION RESPONSES

Local Member and Town/Parish Council Responses:

6.1 Hadley and Leegomery Parish Council: Support Subject to Condition(s):

- The Parish support the scheme subject to the contributions requested by the Healthy Spaces Officer being provided and the provision of 25% Affordable Units on the Site.

Standard Consultation Responses:

6.2 Highways: Support subject to Condition(s) and s.106 Contribution:

- Amended Plans have been received omitting the grass verge along main access road. Matters relating to site drainage have also been identified and addressed within Amended Plans.

6.3 Drainage: **Support subject to Condition(s)**

6.4 Ecology: **Support subject to Condition(s) and Off-site Biodiversity Contribution.**

6.5 Environmental Health: **Support subject to Condition(s)**

6.6 Arboriculture: **Object:**

- Notes the loss of Category A and Category B-Trees to facilitate the scheme and consider that the scheme provides no suitable on-site mitigation for these losses.

6.7 Education: **Support subject to s.106 Contribution**

6.8 Healthy Spaces: **Support Subject to Condition(s) and s.106 Contribution:**

- Concerns raised in comments indicating there is too much landscaping screening around the proposed LEAP have been overcome by the applicant with amended plans received.

6.9 The Coal Authority: **Support subject to Condition(s)**

6.10 Network Rail: **Comment:**

- Objections noted in original comments and all points have been clarified by the Applicant and confirmed by Network Rail.

6.11 Shropshire Fire Service: **Comment** that consideration should be given to Shropshire Fire and Rescue Service's 'Fire Safety Guidance for Commercial and Domestic Planning Applications.'

6.12 Crime Prevention Officer: **Comment** that the developer should aim to achieve the Police Crime Prevention initiative award of Secured by Design.

7.0 SUMMARY OF PUBLIC RESPONSE

7.1 Full copies of consultation responses are available on the Council's Planning online website.

7.2 Objections have been received from six neighbouring properties during the initial consultation and two following a further consultation following the receipt of amended plans, these can be summarised as follows:

- Existing Road Infrastructure not suitable with narrow roads in area;
- Loss of trees within site;
- Unsuitable parking;
- Play area not sufficient for need;
- Issues with bin collections;
- Houses poorly designed;
- Impact upon wildlife/biodiversity;
- Loss of privacy/loss of light;
- Are drainage proposals correct;
- Flood Risk;
- Construction Management;
- More affordable homes should be provided

7.3 One of the objections raises concerns that a vehicular junction is to be created onto Waterloo Close/Waterloo Road. Officers confirm that this is not the case and that any access would be for pedestrian access only.

7.4 Comments have also been received from the Ramblers Association who have raised that the application should make improving the Rights of Way Network and Footpaths around the site, a condition of approval. They also note there are no local bus stops and much better provision is required.

8.0 PLANNING CONSIDERATIONS

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
- Layout and Appearance
- Highway Implications
- Trees and Biodiversity
- Impact upon Neighbouring Amenity
- Noise and Air Quality
- Planning Obligations

8.2 Principle of Development

8.2.1 In accordance with National Planning Policy Guidance, applications that accord with an up to date development should be supported without delay unless material planning considerations indicate otherwise. The application site sits in the built up area of Telford where residential development is supported in accordance with Telford & Wrekin Local Plan Policy SP1. This indicates that Telford will be the principal focus for growth to meet the borough's housing and employment development during the plan period and supports the delivery of approximately 14,950 net new homes up to 2031.

8.2.2 As part of a former quarry, the site is brownfield land with previous planning consent for residential development. Officers therefore consider that the principle of development on this site is acceptable and accords with the Local Plan.

8.2.3 The main considerations are therefore the design and layout of the development and the technical considerations such as highways, impact upon neighbouring residents, trees, biodiversity and drainage. These matters are discussed in the report below.

8.3 Layout and Appearance

8.3.1 The proposed site layout is considered appropriate and takes into account constraints such as the need for the previously approved and implemented SuDS feature, stand off from the railway line, mineshafts and the existing rights of way around the edges of the site. It is noted that despite additional dwellings being proposed, the general layout has some resemblance to the previous, unimplemented, scheme on the site, with the main change being the location of the attenuation pond.

8.3.2 Overall, the development respects and responds positively to its context and will enhance the quality of the built environment. It demonstrates an integrated design approach combining the layout, building form, landscape, green infrastructure, access and parking whilst respecting the landscape setting and topography of the site.

8.3.3 The applicant has provided a mixture of house types from 2-bedroom bungalows to 4-bedroom houses, and ensures a mix of tenures included the need to provide first homes within the 25% Affordable Housing required on this site. As such Officers are satisfied the scheme complies with Policy HO4 in respect of housing mix. The layout of the scheme is considered acceptable with suitable amenity space for each property along with suitable areas for parking.

8.3.4 The new build dwellings comply with NDDS standards. It is noted that the standard does not provide a specific requirement for 2.5 storey units, however, in this case the 2.5 storey Saunton units provides 96.15 sq. metres which is between the 93 sq. metres and 99 sq. metres required for both 2-storey and 3-storey equivalents. As such Officers are satisfied that the proposal complies in this respect. Garden depths average approximately 10 metres with garden sizes ranging from approx. 40sq.m to 150sq.m. Due to smaller garden sizes, Permitted Development Rights have been removed from Plots 83-87 for extensions and detached outbuildings to ensure adequate garden sizes are retained.

8.3.5 To ensure the site is sustainable, permeable pedestrian routes are proposed including one from Far Vallens to the north and links towards Waterloo Road to the west which provides convenient links towards the main community centre.

8.3.6 As a result, the proposal, through careful design will ensure a secure environment that is legible, safe and attractive, particularly noting the Public Open Space Areas and LEAP. The proposal is therefore compliant with Policy BE1 of the Local Plan.

8.4 Highway Implications

8.4.1 The Council's Highways Officer has assessed the application, including consideration of the submitted transport assessment and raises no objections subject to Condition(s).

8.4.2 In addition to a requirement to submit full highway details, requirements also include the need to provide two bus stops on Hadley Road within the vicinity of the site and for the submission of a Travel Plan. When also considering the permeability of the site for pedestrians, it is considered that this will assist in making the site sustainable.

8.4.3 Furthermore, the Highways Officer has sought a contribution of £36,000 towards footway/cycleway enhancements on Sommerfield Road in addition to £160,506.41 towards the strategic highways network.

8.4.4 The proposed works require alterations to the existing PROW network routes 8A and 9A. Those works can only be carried out following amendments to Definitive Rights of Way under the relevant legislation and with agreement of the Rights of Way Officer. In order to facilitate these works, the Applicant will provide a s.106 Contribution of £15,000.

8.4.5 Sufficient parking is provided for each dwelling in accordance with the requirements of the Local Plan. Whilst it is noted that there is a significant length of frontage parking towards the centre of the site (Plots 138-147) this would be broken up by intermittent landscaping and ensures each dwelling is provided with two easily accessible parking spaces.

8.4.6 As such, notwithstanding comments received in respect of the local highway network it is considered that the proposal would not have any detrimental impact upon the existing highways and based upon the above it is considered that the proposed development complies with Policies C4 and C5 of the Local Plan.

8.5 Drainage

8.5.1 The Council's Drainage Officer raises no objections to the proposed development subject to Condition(s) requiring further details of foul and surface water drainage for the development. Officers are satisfied that a scheme can be provided that ensures that there would be no risk of flooding and that surface water can be dealt with through the use of SuDS.

8.6 Trees and Biodiversity

- 8.6.1 The Council's Biodiversity Officer has considered the application along with the submitted Ecological Appraisal and Biodiversity Metric. Whilst the site is a former quarry, left untouched for some time it has created a scrub habitat that would be lost as a result of the proposed development, in addition to the loss of trees within the site. Whilst the scheme provides some mitigation through landscaped areas and the attenuation pond, there is a net-biodiversity loss of 8-units.
- 8.6.2 In order to compensate for this loss, the Biodiversity Officer has calculated the requirement against DEFRA's standard charging. In this instance it requires an off-site payment of £225,420 which will be used by the Council to provide/improve and maintain a suitable site within the Borough over a 30-year period. The actual location of the improvements will be determined by the Council's biodiversity officers at a later date.
- 8.6.3 A number of Condition(s) recommend by the Biodiversity Officer are attached as listed at the end of this report including the need to work in accordance with the submitted protected species survey.
- 8.6.4 The Applicant has submitted an Arboricultural Statement which has been amended following comments from the Council's Arboricultural Officer and ensures that tree losses which occurred after the submission of the application are taken into account. Policy NE2 seeks the retention of trees where possible but acknowledges that where it can be demonstrated that any proposed removal or damage to trees, hedgerows or woodland is outweighed by the wider benefits of the scheme and where trees, hedgerow or woodland cannot be retained without prejudicing the economic viability of the development could be supported. The policy indicates that where a development will cause significant harm to an irreplaceable habitat including ancient woodland and veteran trees which, by its nature, cannot be mitigated or compensated for permission will be resisted. In this instance, none of the trees to be lost are considered as ancient woodland or veteran trees, however it is noted that 15 individual trees and 2 groups, and part of another group would be lost as part of this proposal.
- 8.6.5 Since the submission of the Arboricultural Officer's comments, further amended plans have been received which now retains two of the Category A-Trees, with the one still removed, partly mitigated through the replanting of two Oak trees. Two further Category B-Trees are also retained compared to previous schemes. In addition, amendments have been made to provide an enlarged area of POS around the T13 Category A-Oak to provide it with further protection.
- 8.6.6 Whilst some mitigation planting is proposed, there is a need to mitigate against tree losses within the site. As a result, a tree replacement standard is applied which amounts to £56,800. This will be used by the Council to provide replacement tree planting on a suitable site within the Borough.
- 8.7.7 A soft landscaping scheme has been submitted with the application and as such, no further information will be required in this respect. A Condition

ensuring compliance with these details will be attached along with a further Condition requiring the submission of a Landscape Management Plan.

8.7.8 As a result, Officers are satisfied that the scheme complies with Policies NE1, NE2 and NE6 of the Local Plan.

8.8 Impact upon Neighbouring Amenity

8.8.1 Officers are satisfied that there is adequate separation distances between proposed building plots to ensure no loss of privacy between units. There is a minimum of 21 metres between direct facing rear elevations with all properties avoiding direct overlooking of neighbouring gardens. Further mitigation is provided by 1.8 metre high close boarded fences between gardens.

8.8.2 Officers are satisfied that there is satisfactory separation distances between proposed dwellings and the existing units and ensures that there would be no adverse loss of light or loss of privacy.

8.8.3 Existing residential properties are located to the north of the site along Far Vallens. It is noted that some of the dwellings have extended gardens beyond their boundary line, and as a result encroach into the application site land. The Applicant, whilst noting this, has not sought to alter this arrangement and instead have created their site boundary along the line of these extended gardens.

8.9 Environmental Health

8.9.1 The application has been submitted with a variety of reports including ground surveys, coal mining risk assessment, noise, vibration and air quality reports. These have been considered by an environmental expert who raises no objections subject to a number of Conditions.

8.9.2 In respect of the potential for ground contamination it is required that a standard contaminated land condition is attached which requires the submission of a site investigation report and if required a remediation strategy.

8.9.3 In regards to Air Quality, the consultation response notes that the only creation of dust will be during the construction phase in which case a suitable Construction Management Plan that takes into account dust management will be required.

8.9.4 The Noise Assessment submitted has stated that the quarry operations in the locality will be likely to continue until 2032 and it is also noted that there is an active rail line to the south. As such there is likely to be some noise impact upon proposed residents. The Noise Assessment for external amenity areas has concluded that with 1.8 metre high garden walls in place, no additional mitigation is required to meet the upper limit of 55dB LAeq,16hr with most properties meeting the standard of 50dBLAeq,16hr. Internal noise levels have been assessed and found to require mitigation in some circumstances. A

suitably worded condition will be attached to ensure that glazing specifications and locations marked in Figure 5.1 and 5.2 of noise assessment produced by WSP is implemented in full.

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 and in this instance ensure funds are put towards nearby public recreation and education.

8.10.2 The proposed Contributions to be sought via a s.106 Agreement are therefore as follows:

- £65,100 (£350 per dwelling) towards improvements of nearby NEAP and play facilities;
- £120,900 (£650 per dwelling) towards nearby sport and recreation facilities;
- £879,364 Primary School Education Works within 2-mile radius;
- £366,888 Secondary School Education Works within 3-mile radius;
- £160,506.41 Strategic Highways Contribution;
- £36,000 towards off site cycle/pedestrian route alongside Sommerfield Road;
- £5,000 Travel Plan Monitoring;
- £15,000 towards PRoW works;
- £225,420 towards off-site bio-diversity;
- £56,800 Tree Replacement Standard

8.10.3 In determining the required Planning Obligations on this specific (Full) 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 CONCLUSION

9.1 The Local Planning Authority have taken all matters into account in order to determine whether the proposed application is acceptable in planning terms and in doing so has worked closely with the Applicant to resolve issues that have arisen. This has resulted in a scheme that provides a suitable layout with a mix of dwelling types, useable areas of POS including a play area and sustainable links to the wider area.

- 9.2 The scale and layout of the scheme has taken into consideration the main constraints of the site and will make positive use of what is a previously developed site (former Quarry).
- 9.3 The proposal would have no adverse impact upon the local highway network and dwellings within the site are provided with adequate levels of parking.
- 9.4 The development would not have significant detrimental impact upon the occupiers of existing neighbouring occupiers. Suitable Condition(s) will be attached to ensure that the construction phase of the development is considered prior to the commencement of development.
- 9.5 Outstanding Drainage, Highways and Ecology matters can be sufficiently dealt with through appropriate Condition(s). Furthermore, the proposal provides contributions towards education, highways, sports and local play, bio-diversity and tree planting totalling over £1.9m.
- 9.6 The proposals therefore comply with the relevant policies contained within the Local Plan and National Planning Policy Guidance and should be approved.

10.0 DETAILED RECOMMENDATION

- 10.1 Based on the Conclusions above, the recommendation to the Planning Committee on this application is that **DELEGATED AUTHORITY** be granted to the Development Management Service Delivery Manager to **GRANT PLANNING PERMISSION** subject to the following:

- A. The following contributions to be agreed through a s.106 Agreement:
- £65,100 (£350 per dwelling) towards improvements of nearby NEAP and play facilities;
 - £120,900 (£650 per dwelling) towards nearby sport and recreation facilities;
 - £879,364 Primary School Education Works within 2-mile radius;
 - £366,888 Secondary School Education Works within 3-mile radius;
 - £160,506.41 Strategic Highways Contribution;
 - £36,000 towards off site cycle/pedestrian route alongside Sommerfield Road;
 - £5,000 Travel Plan Monitoring;
 - £15,000 towards PRow Works;
 - £225,420 towards off-site bio-diversity;
 - £56,800 Tree Replacement Standard
- B. **Condition(s):**
Time Limit - Full
Details of Materials
Landscape Design
Landscape Management (areas other than private gardens)

Highway Conditions (incl. (i) highway construction details works; (ii) parking and roads to be completed to each property prior to occupation; (iii) demolition/construction Management Plan; (iv) drainage solution for existing ditch adjacent Hadley Road; (v) provision of bus stops and (vi) submission of Travel Plan)

Highways details of pedestrian link to Waterloo Close

Drainage Conditions (incl. (i) Foul and Surface Water Scheme; (ii) Exceedance Routing and (iii) SUD's Management)

Ecology Conditions (incl. (i) European protected species licence; (ii) bird and bat boxes; (iii) bio-diversity net gain plan; (iv) pre-commencement walkovers; (v) lighting plan; (vi) Work in accordance with protected species survey

Noise Survey Condition (work in accordance)

Tree Protection Implementation (in accordance with Arboricultural Method Statement)

Development in Accordance with Plans

Removal of PD rights for extensions to Plots 83-87