

TWC/2021/1220

Land adjacent Lion Inn, 1 Newport Road, Edgmond, Newport, Shropshire
Erection of 24 entry-level affordable homes (6no. shared ownership and 18no. affordable rent) and associated access, landscaping and drainage works

Amended plans received and amended description

APPLICANT

Upper Langley Homes

RECEIVED

21/12/2021

PARISH

Edgmond

WARD

Edgmond and Ercall Magna

THIS APPLICATION HAS BEEN CALLED IN BY EDGMOND PARISH COUNCIL AND CONTAINS A SECTION 106 IS TO BE DETERMINED BY MEMBERS OF THE PLANNING COMMITTEE

Online planning file:

<https://secure.telford.gov.uk/planning/pa-applicationssummary.aspx?applicationnumber=TWC/2021/1220>

1. 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 Condition(s), Informative(s) and the Applicant entering into a Section 106 Agreement in respect of Education Contributions, Off-site improvements to playing fields and open space, the delivery of off-site highway works and Section 106 Monitoring Contributions.

2. APPLICATION SITE

2.1 The application site comprises a Greenfield site to the rear of the Lion Inn Public House which is located on the junction between Chetwynd Road and Newport Road, Edgmond. Access to the existing site is via Chetwynd Road. The currently vacant Public House and associated car park is largely excluded from the red line plan, with the exception of the access road which is partly located on the existing public house car park and partly on the existing public house's pub garden. An explanation for the segregation of the applications is provided within the body of the report. The application site extends to 0.98 hectares.

2.2 The site remains largely undeveloped (with the exception of the access point), comprising of a relatively flat field, delineated by hedgerows on the eastern and northern boundary. A number of neighbouring property gardens directly adjoin the site to the south and north.

2.3 The surrounding area, generally to the south and west is characterised as residential, with the Lion Inn Public House located directly to the south-west. The area to the east comprises open countryside. The Lion Inn Public House is an Asset of Community Value (ACV). Part of the site is located within a Mineral Safeguarding Area.

3. APPLICATION DETAILS

- 3.1 The application is for the erection of 24 entry-level Affordable Homes (6no. Shared Ownership and 18no. Affordable Rent) and associated access, landscaping and drainage works. The application description was altered during the determination period to reflect the latest proposals. The initial proposal was for 27 Affordable Homes.
- 3.2 An application for an extension of car parking area to the Lion Inn Public House has been submitted alongside this application (ref.: TWC/2021/1208).

4. PLANNING HISTORY

- 4.1 The following applications are relevant to the application site:

W97/0699 - Change-of-Use to Beer Garden and associated equipment and facilities - Granted 20 October 1997

W2002/0465 - Erection of a single-storey extension to provide additional restaurant area - Granted 17 June 2002

W2008/0889 - Change-of-Use to include Hot Food Take-Away Use (A5) at existing Restaurant/Pub (Retrospective) - Granted 16 March 2009

TWC/2022/0801 - Demolition of existing store with chimney and erection of new boundary wall and access gate - Granted 20 December 2022

5. RELEVANT POLICY DOCUMENTS

- 5.1 *National Planning Policy Framework (NPPF)*

- 5.2 *Telford and Wrekin Local Plan (2011-2031):*

SP3 Rural Area

SP4 Presumption in Favour of Sustainable Development

HO1 Housing Requirement

HO4 Housing Mix

HO5 Affordable Housing Thresholds and Percentages

HO6 Delivery of Affordable Housing

HO10 Residential Development in the Rural Area

HO11 Affordable Rural Exceptions

NE1 Biodiversity and Geodiversity

NE2 Trees, Hedgerows and Woodlands

NE4 Provision of Public Open Space

NE5 Management and Maintenance of Public Open Space

COM1 Community Facilities

C3 Impact of Development on Highways

C4 Design of Roads and Streets

C5 Design of Parking

BE1 Design Criteria
BE4 Listed Buildings
ER1 Renewable Energy
ER2 Mineral Safeguarding
ER4 Sand and Gravel
ER6 Mineral Development
ER8 Waste Planning for Residential Developments
ER10 Water Conservation and Efficiency
ER11 Flood Risk Management

5.3 *Edgmond Neighbourhood Development Plan:*

RES1 Residential Development within Edgmond Village
RES2 New Housing Development Outside Edgmond Village
RES3 Design of New Housing
RES5 Type and Tenure of Housing
G2 Ecology and Landscape
G3 Linkages and Connections
COM1 Community Facilities

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

5.5 First Homes Policy Position Statement, January 2022

5.6 Following the adoption of the Homes for All SPD (January 2022) and the publication of the Council's Policy Position Statement on First Homes (06 January 2022), the matters arising from these documents are considered and discussed in the Committee Report, below.

6. NEIGHBOUR REPRESENTATIONS

6.1 The application has been publicised through a Site Notice, Press Notice and direct neighbour notification. A re-consultation was undertaken in mid-June on the revised proposals.

6.2 The Local Planning Authority received 163 objections and 5 comments to the scheme during the first consultation and 106 objections, 1 no. comment and 1 no. representations of support during the second consultation. The representations raised the following matters which have been categorised by the LPA:

Principle of Development

- Application is contrary to Policy HO11;
- Application is contrary to Policy HO10 and not infill development;
- Application is contrary to Edgmond Neighbourhood Plan (RES1, RES3(a));
- No 'local identified need' for the housing proposed (as required by Policy HO11);

- 19 rented houses unsuitable for Edgmond's needs;
- Housing need/population figures skewed by Harper Adams University;
- Density of development unacceptable;
- Development is out of keeping with the surrounding houses and rural community/character of Edgmond;
- Edgmond is not a sustainable location given lack of public transport;
- Scale of development is unacceptable;
- Greater need for affordable accommodation for the older generation (not younger as referred to in application);
- Land surrounding the village is integral to the village's identity and character

Highways

- Increased traffic on Shrewsbury Road at peak times;
- Access is dangerous with Chetwynd Road, Newport Road, Shrewsbury Road, High Street all converging in the same area as the proposed access point;
- Mitigation required for the proposed access;
- There are blind corners, no pavements, and poor visibility which already make it hazardous for pedestrians and the elderly;
- Traffic speed survey done during school holidays;
- Visibility Splays not acceptable;
- Pedestrian safety, including for users of the public house (pavement is not wide enough).

Infrastructure

- Impact on the infrastructure of the village (drainage, highways, primary school oversubscribed);
- No employment opportunities in Edgmond;
- Doctors are over-subscribed;
- Edgmond doesn't have amenities or bus service to support the development;
- Development would be car dominant given the limited public transport serving Edgmond.

Design and Amenity

- Design not in keeping with the local area;
- Design and scale will change the character of the village;
- Proposal does not provide appropriate mix of dwellings;
- Proposal is too urban in appearance;
- Insufficient green space to add to the village character;
- Inappropriate massing in the rural area;
- Proposal shows an access point to the next field (to the east);
- Amendments are cosmetic only;
- Loss of privacy to no. 12 Chetwynd Road;
- Loss of privacy and sunlight to no. 14 Chetwynd Road

Heritage

- Harm to the Listed Building (Priory)

Drainage

- Applicants SuDS testing done in April (2022) which was dry;
- SuDS may be overwhelmed during period of heavy rain and puts pressure on sewer system (Severn Trent);
- Site susceptible to flooding

Other

- Loss of trees and wildlife;
- Proposal does not guarantee reopening of the Lion Inn;
- Refurbishing the Lion Inn should be priority as an asset of community value;
- Access works will result in loss of parking for the Public House;
- Fields are susceptible to flooding;
- No sustainability credentials (solar panels, EV charging points);
- Loss of views over the countryside, including towards the Deer Park;
- The proposed housing estate is a detriment to the village;
- Construction impact (noise, dirt and disruption);
- Properties will be devalued;
- Properties aren't for local people;
- Refurbishment works are already underway;
- Noise Assessment shows that the 10th highest maximum noise level will exceed with limits Clause 3.3 in Approved Document O if relying on an open windows per the Simplified Method to remove excess heat. No strategy to remove excess heat during the night;
- No reference to the grid connection demands;
- Revised proposals do not address previous issues raised;
- Proposal will set precedent for future development in Edgmond;
- Development is unsustainable;
- Development will lead to urban sprawl towards Newport.

7. STATUTORY REPRESENTATIONS

7.1 Edgmond Parish Council: **Object and Call-in:**

- Proposal fails to satisfy Policy BE4 given the impact on the Grade II Listed Priory. The density, massing and detailed design fails to protect the settings of the listed building and the ACV (Lion Inn, a non-designated heritage asset);
- Proposal is contrary to planning policy (NPPF, TWLP, Edgmond Neighbourhood Plan);
- No evidence of identified housing need therefore proposal is contrary to Policy HO11;
- The site is not sustainable; there is no public transport and no access to local employment and amenities;

- Proposal contains inappropriate style housing; more suited to an urban area and would detract from the Conservation Area and rural setting of Edgmond;
- Proposals lacks essential design criteria to meet the needs of the TW Climate Change Plan;
- Further consideration to speed restrictions outside of the site to be provided;
- Insufficient school places for children/future residents;
- Significant flooding risks on the site;
- Revised plans and descriptions do not address the fundamental reasons for not supporting a development of this scale, density, size and design at this location.

7.2 Local Highway Authority: **Support subject to Condition(s) and s.106 Agreement** in respect to off-site highway works and access proposals.

7.3 Heritage: **Object, based on less than substantial harm at low level to heritage assets.**

7.4 Planning Policy: **Comment** subject to an assessment of the application in respect of local design policies and standards, the principle of the development should be supported in accordance with the NPPF. To ensure the housing proposed is provided for first-time buyers and/or renters an appropriately worded s.106 would be required. This should also secure the housing as affordable in perpetuity.

7.5 Housing: **Support, subject to s.106 Agreement.**

7.6 Arboriculture: **Support, subject to Condition(s).**

7.7 Healthy Spaces: **Support subject to Condition(s) and s.106 to secure Financial Contributions** of £650 for improvements to nearby play/recreation facilities and £650 per dwelling for sport and recreation facilities.

7.8 Education: **Support, subject to a s.106 to secure Financial Contributions** of £131,407 (£91,279 for Primary School places and £40,127 for Secondary School places).

7.9 Ecology: **Support, subject to Condition(s).**

7.10 Drainage: **Support, subject to Condition(s).**

7.11 Environmental Health (Noise): **Support, subject to Condition(s).**

7.12 Shropshire Fire Service: **Comment, referring to Guidance.**

7.13 West Mercia Police: **Comment**

8. PLANNING 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
- Design of the Development
- Impact on Heritage Assets
- Highway Safety
- Flood Risk and Drainage
- Ecology
- Arboriculture
- Residential Amenity
- Infrastructure
- Sustainability
- Mineral Safeguarding
- Financial Contributions

8.2 Principle of Development

Section 38(6) of the Planning and 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 and Wrekin Local Plan (TWLP) and the Edgmond Neighbourhood Development Plan (January 2018). The National Planning Policy Framework (NPPF) sets out policy guidance at a national level and is a material consideration in planning decisions.

- 8.2.1 The application site is located within the rural area, within one of the five named settlements. Policy SP3 (Rural Area) addresses the needs of rural communities. It directs development to previously developed land and to settlements with good infrastructure. Where development is proposed on best and most versatile agricultural land (Grade 1, 2 and 3a) the economic and other benefits of the land would be taken into account.
- 8.2.2 The application is accompanied by an Agricultural Land Classification (ALC) which demonstrates that the site, in its entirety, has an ALC Grade of 3a for the site. Grade 3a land is described as “*Good quality agricultural land capable of producing moderate to high yields of a narrow range of arable crops or moderate yields of a wider range of crops*”. Para. 174 (b) of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by recognising the wider benefits from natural capital and ecosystem services, including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland. The NPPF defines ‘*best and most versatile agricultural land*’ as land in Grades 1, 2 and 3a of the Agricultural Land Classification. Although at the time of determination the application site is not currently in active agricultural use, the proposed development would result in a permanent loss of Best and Most Versatile Land (BMV) (Grade 3A), and as such the economic benefits of the scheme need to be considered in the planning balance.
- 8.2.3 Policy HO10 (Residential Development in the Rural Area) identifies Edgmond as a rural settlement where a limited amount of infill housing would be supported where it can be demonstrated that they would help meet the rural

housing requirement. Owing to the scale of the proposals, the LPA does not consider the proposal to represent infill development and finds that the proposal does not meet any of the exceptions within Policy HO10. Similarly, Policy RES1 of the Edgmond Neighbourhood Plan (ENP) states that proposals for new housing development will be supported on suitable infill sites where they contribute positively to local character and distinctiveness. As such, the proposal is not compliant with Policy HO10 of the TWLP and RES1 of the ENP.

8.2.4 Policy HO11 of the TWLP states that the Council will support small-scale affordable housing schemes, as an exception to normal rural housing policy provided that:

- i) The proposal demonstrates that it will address an identified local housing need and ensure that adequate occupancy controls are in place, in line with Policy HO6; and
- ii) The proposal is of an appropriate scale and design for the location.

8.2.5 In the LPA's assessment of the proposals against Policy HO11, it considers the proposal would not constitute a '*small scale affordable housing scheme*' by virtue of its scale, and that the applicant has failed to demonstrate that the proposal will meet '*an identified local housing need.*' As such, the proposals are considered contrary to Policy HO11 of the TWLP.

8.2.6 Notwithstanding the above, the applicant is seeking to erect 24 no. entry-level affordable dwellings as an exception site. Telford and Wrekin Local Plan and Edgmond Neighbourhood Plan were both adopted prior to the first appearance of the provision for entry-level exception sites in the July 2018 revision of the National Planning Policy Framework. As such, there are no development plan policies specifically relating to entry-level exception sites and para. 72 of the Framework is a material consideration in the determination of this application.

8.2.7 The National Planning Policy Framework sets out at para. 72 that local planning authorities should support the development of entry-level exception sites, suitable for first time buyers (or those looking to rent their first home), unless the need for such homes is already being met within the authority's area.

8.2.8 The Framework goes on to say that these sites should be on land which is not already allocated for housing and should:

- a) comprise of entry-level homes that offer one or more types of affordable housing as defined in Annex 2 of this Framework; and
- b) be adjacent to existing settlements, proportionate in size to them, not compromise the protection given to areas or assets of particular importance in this Framework, and comply with any local design policies and standards.

8.2.9 The Framework defines entry-level exception sites as no larger than one hectare in size or exceed 5% of the size of the existing settlement. The

application site measure 0.98 hectares and the site is located on the edge of the rural village of Edgmond, with open agricultural fields located to the east. However, to the south, west and north there is built development of various different ages. The population of Edgmond as of the 2011 census was 2,062. As such, the proposal (for 24 dwellings) does not exceed 5% of the population size of the existing settlement (which would be 103 dwellings).

8.2.10 A concurrent planning application for works to the Pubic House car park was submitted to the LPA under application TWC/2021/1208. The 1 hectare threshold set within the NPPF is therefore the reason for the applicant's segregation of these applications.

8.2.11 The applicant has specified that the proposal would provide a mix of Affordable Housing for rent and shared ownership, satisfying criterion (a) of para. 72 of the Framework. The application site is adjacent to the settlement of Edgmond, is smaller than 1 hectare in size, does not exceed 5% of the existing settlement and is not located within a National Park, Area of Outstanding Natural Beauty or Green Belt. As such, the acceptability of the proposal rests with the LPA's assessment against part (b) in terms of compliance with local design policies and standards. The relevant policies to design are BE1 of the TWLP and RES3 of the ENP which are addressed in the next section of the report.

8.2.12 In respect to the need case, para. 72 of the Framework specifically states that LPAs should support the development of entry-level exception sites '*unless the need for such homes is already being met within the authority's area.*' Telford and Wrekin Council have consistently delivered over its Affordable Housing target within the authority area, as documented within the Council's Annual Monitoring Statements. However, the Affordable Housing target is not a maximum and the Council are generally supportive of appropriately located affordable housing proposals in the rural area (subject to compliance with local design). The Council do not hold any accurate or up-to-date evidence to suggest the need for '*entry level homes*' has been specifically met on an authority wide basis already and therefore cannot evidence that this need has been met. This approach to assessing need has been established through appeals¹.

8.2.13 Policy HO4 of the TWLP requires a mix of housing types, sizes and tenures to meet a range of household needs. The Council has published its First Homes Policy Position Statement. It is expected that developments provide 25% first homes unless exempt. In this case, as the proposal is for a 100% affordable rural exemption site, the proposal is exempt from the First Homes requirements. The Council generally looks for a tenure split of 80% affordable/social rent and 20% intermediate affordable housing including Shared Ownership where First Homes is not a requirement. The proposal is for 18 no. affordable rented dwellings and 6 no. shared ownership dwellings. The proposal provides a 75/25% split in affordable rent / shared ownership dwellings (in the form of 2 and 3-bedroom dwellings) which is considered largely acceptable to the LPA.

¹

8.2.14 The applicant has submitted an Affordable Housing statement, by Green Square Accord. The Statement suggests the mix of housing has been carefully considered and that there is strong demand for 2 and 3-bedroom properties for affordable rent and shared ownership tenures, particularly for entry level housing which allows flexible housing options for single people, young couples and growing families. Policy RES5 of the Neighbourhood Plan states that homes for smaller households, suited to the younger and older generations will be supported. The LPA are satisfied that the proposal is compliant with Policy HO4 of the TWLP and RES5 of the ENP in terms of the mix of housing.

8.2.15 The application would result in the loss of part of the Public House's existing car park and the loss of a portion of the Public House's pub garden (to facilitate the access to the rear of the site and provide a car park extension). The pub is designated as an Asset of Community Value (ACV) and is protected under Policy COM1. An application (TWC/2021/1208) for the reconfiguration of the Public House car park has been submitted concurrently.

8.2.16 Policy COM1 states that '*development will be expected to preserve existing community facilities and sustain, enhance and provide new social infrastructure to meet demand arising from new development. Development which detrimentally affects existing social infrastructure such as its removal or reduction will not be supported unless a lack of need is demonstrated or acceptable alternative provision exists or is proposed concurrently.*' The re-configuration of the car park under application TWC/2021/1208 would provide 27 no. car parking spaces (including 2 no. disabled bays), 3 no. motorcycle spaces and 25 no. cycle bays. Whilst there would be a reduction in the pub garden area, it is considered that the remaining pub garden area is still significant enough to serve the public house (at 850 sq. metres in area). Minor works to the Public House have been consented under application TWC/2022/0801 and otherwise the public house remains unaffected by the proposal and is currently being marketed by the landowner. Given the concurrent application for the car park works, officers are satisfied that Policy COM1 is satisfied, subject to a legal agreement securing the delivery of these works prior to the commencement of the development (excluding access works).

8.2.17 In terms of decision-taking, para. 11 of the NPPF states at criteria (d) that where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, this means granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

8.2.18 In summary, the Framework states that Local Planning Authorities should support entry level exceptions sites, suitable for first time buyers or those

looking to rent their first home unless the need is already being met within the authority's area. Para. 72 of the Framework states that sites should be on land that is not already allocated for housing and sets out two further criteria that should be met (para. 72 a) and b)). As the TWLP and ENP were adopted prior to the provisions for entry-level exception sites first set out in the 2018 revision of the Framework, there are no development plan policies relating to such sites. The LPA consider that the acceptability of the proposal rests with the LPA's assessment against part (b) in terms of compliance with local design policies and standards. The relevant policies to design are BE1 of the TWLP and RES3 of the ENP which are addressed in the next section.

8.3 Design of the Development

Policy BE1 of the adopted Local Plan is concerned with securing high quality design in new development. It is criteria based and expects new development to be influenced by and respond positively to its context, demonstrating an integrated approach to design and layout, respecting landscape and creating a sense of place. New development should be energy efficient and promote sustainable building techniques.

8.3.1 Policy RES3 of the ENP states that where residential development is in line with the principles of policies RES1 and RES2, and the TWLP, the following criteria are to be met:

- a) It demonstrates high quality design that is in keeping with the scale and character of buildings and layout in the area;
- b) It complements the existing external materials seen locally;
- c) It provides variety in house design and elevation treatment;
- d) It provides high quality boundary treatment;
- e) It provides good pedestrian and cycle connections to existing routes;
- f) It provides adequate storage for bins and recycling;
- g) It does not result in loss of amenity for neighbouring properties;
- h) Appropriate street lighting is provided if required;
- i) Traffic generation and parking does not adversely affect road and pedestrian safety. Proposals that exceed the parking standards in Appendix F of the Local Plan will be supported

8.3.2 The ENP resists suburban style build forms which could irreparably damage the rural character of the village.

8.3.3 The LPA expressed concerns with the initial design of the development and considered the proposal inappropriate in design for the location, contrary to Policy BE1 of the TWLP and RES3 of the ENP. In particular, the LPA expressed concerns with the density, the parking arrangements, the lack of green space, the contemporary appearance of the properties and the plot sizes. Overall, the LPA considered that the proposal failed to relate well to the character and appearance of the village.

8.3.4 The LPA received revised plans in June 2022 which reduced the number of units from 27 no. dwellings to 24 no. dwellings, reconfigured the layout and

revised the elevations. In summary, the following amendments were made to the proposals:

- I. Amendments to the windows – removal of the contemporary style-windows and replacement with windows of a traditional form with centre bars.
- II. Introduction of window detailing (sills and lintels) on the front elevation in reconstituted stone.
- III. Introduction of gables on the front elevation of some of the housetypes.
- IV. Amendments to the roof form and the introduction of chimney stacks.
- V. Substitution of flat roof canopies with pitched roof porches.
- VI. Removal of the grey render and the use of two different brick types (details to be agreed).
- VII. Changes to the layout to include more spacing between properties and larger front gardens, resulting in the properties being set back from the street scene.
- VIII. Improved garden depths and sizes to comply with LPA private amenity standards.
- IX. Removal of terrace housing and 2 no. bungalows and delivery of 24 no. semi-detached properties.
- X. Relocation of the pumping station to the south-east corner of the site.
- XI. Reduction in the carriageway width from 5.5m to 5m.
- XII. Introduction of active overlooking of spaces (to the side of plot 11, 14 and 15).

8.3.5 The latest layout of the proposal is of a regular cul-de-sac form with closely spaced semi-detached housing (albeit the spacing has increased from the original plan). The proposal provides:

- 14 no. 2-bedroom dwellings; and
- 10 no. 3-bed dwellings

8.3.6 The housing mix would comprise of four different styles of semi-detached properties all of which would be two-storey. The housetypes would be pepper potted throughout the development. Each dwelling is proposed to face onto the internal access road with dedicated front parking and a private garden to the rear. It is regrettable that the proposal no longer delivers bungalows as part of the proposed mix. The applicant states that these were removed due to the higher construction costs associated with bungalows and that their removal was necessary for the viability of the scheme due to the reduction in unit numbers.

8.3.7 The land above the proposed infiltration tank is to remain as a wildflower meadow for residents. Details of the management of this area are proposed to be covered in the landscape management plan which is proposed to be conditioned.

8.3.8 When assessing the proposals against Nationally Described Space Standards, the 2bedroom dwellings meet the 70 sq. metre minimum requirement for a 2b

3p dwelling and the 3 bedroom dwellings meet the 84 sq. metre minimum requirement for a 3b4p dwelling. As such, the proposal is compliant with Policy HO4. All dwellings also meet the LPA's private amenity standards.

- 8.3.9 With regard to the M4(2) and M4(3) issue, the Homes for All Supplementary Planning Document was adopted in January 2022. The SPD requires proposals for affordable housing to provide a minimum 45% provision of M4(2) Category 2 (Accessible and adaptable dwellings) and a minimum provision of 5% of M4(3) wheelchair user dwellings on site. The Applicant contends that Green Square Accord would not be looking to fulfil this requirement, referencing costs and unfamiliar layouts as reasons for not providing this provision. The SPD did not come into force until 6 January 2022 and the application was submitted before this date. Full applications that have not been determined or sites with planning permission, on the above date, are therefore not subject to this guidance.
- 8.3.10 The character of the immediate locality of the application site in Edgmond is varied with more ribbon-form development along the main routes to the south-east, whilst the historic core is located to the south-west and the most densely populated area to the north-west. The application would result in a density of 25 dwellings per hectare. Whilst this is denser than the immediate surrounding context, it is not dissimilar to other areas within the village of Edgmond.
- 8.3.11 Edgmond is also characterised by the open spaces that contribute to the village's rural character. The application site with its undeveloped field currently contributes to the character of Edgmond, providing vistas of the open countryside beyond the settlement. The application proposal would result in the loss of the current uninterrupted open field by severing the pub garden and the erection of the built form beyond the existing built development boundaries of the village. The LPA has encouraged the applicant to consider this characteristic in the layout of the proposal, by increasing front garden sizing and spacing and maintaining a natural boundary to the east of the site to continue to provide some visibility of the rural countryside, particularly from the internal access road.
- 8.3.12 The properties within the vicinity of the site are largely varied in character and appearance, whilst the historic core of Edgmond is located to the south-east of the site. The revisions to the house types, through amendments to window sizing, window detailing, roof form, introduction of chimneys stacks and revisions to materials would improve the appearance of the properties (as listed at para. 8.3.5). Whilst the LPA still have some concerns with the scale of the development and mono-tone appearance of the development, when viewed as a whole, the LPA are satisfied that the amendments made to the appearance of the properties and the site layout is compliant with Policy BE1 of the TWLP and RES3 of the ENP on balance.
- 8.3.13 As such, the proposals are considered compliant with part (b) of para. 72 of the NPPF and as such, the principle of development is supported.

8.4 Impact on Heritage Assets

The Site is located c. 100m to the north-east of the Edgmond Conservation Area and to the northeast of The Priory, a Grade II listed building. The Grade II Listed Building is a circa 17th century timber framed house that was remodelled in the 19th century with a brick facing, now rendered in roughcast.

- 8.4.1 The building is orientated to face north across its immediate garden setting and the lane towards the space to the east of the Lion Inn on Newport Road. Map evidence shows that historically it enjoyed a spacious setting surrounded by fields and orchards with a handful of agricultural buildings scattered along the lane (Newport Road) to the east and south, which are likely to have belonged to The Priory as the farmhouse of a smallholding. This north-eastern part of Edgmond developed throughout the 19th and 20th centuries, but predominantly along the east side of High Street and Chetwynd Road, and maintaining a linear pattern of development of detached individual plots along the historic routes.
- 8.4.2 Despite recent development, this broad pattern has been maintained to the east of The Priory, with some new dwellings located within the boundaries of the former farmstead, but maintaining a loose spacious setting which allows views out across the lane and gardens to the field beyond, i.e. the application site, as well as using the basic materials, forms and detailed design of the neighbouring historic buildings.
- 8.4.3 Although not statutorily listed or on the TWC Register of Buildings of Local Interest, the Lion Inn itself has been identified as a non-designated heritage asset. It appears to have originated in the late-18th century in a vernacular brick-built style (now painted) with prominent chimney stacks, later Victorian two-storey gabled bay window projection and moulded timber gabled porch. It is one of a cluster of 18th or 19th century buildings loosely arranged around the crossroads which form part of the wider historic environment identified above, and enjoys a similar rural backdrop and setting to that of The Priory.
- 8.4.4 The application site (currently a field) continues to contribute to the wider setting of The Priory, as a last vestige of its rural setting, evident in views from the building and its curtilage, as well as views of the building travelling east or west along the lane.
- 8.4.5 The applicant has submitted a basic and selective visual analysis, which doesn't take account of wider and kinetic views of the Priory, especially travelling east along Newport Road. Although there are trees and hedges intervening, this would not totally screen the proposed development site.
- 8.4.6 The layout fails to pick up on the characteristic of detached units and spacious gardens characteristic of this part of Edgmond. The replacement of the bungalows with two-storey dwellings in the gap between the Garden House and No.3 Newport Road would also clearly be a retrograde step from the point of view of the setting of the listed building.

- 8.4.7 In detail, the proposed designs are very basic and simple. Although it is acknowledged that there is a wide variety of building forms and types in the general locality, the immediate context of the application site is more historic in character, with more traditional designs generally adopted for more recent buildings in close proximity to the heritage assets.
- 8.4.8 The more 'traditional' approach to design including side opening casement windows and splayed stone headers and sills is appreciated. The fascia boards and bargeboards would be out of character with the immediate historic environment, although clearly the context of the development relates to more modern buildings along Chetwynd Road as well.
- 8.4.9 The development proposals would have a negative impact on the setting of the Grade II listed The Priory, due to the loss of open space that contributes to its setting, including views of and from it. It would therefore fail to satisfy Policy BE4 (i) and (vii). The density, massing and detailed design of the scheme would fail to protect the settings of both listed building and the Lion Inn non-designated heritage asset, whilst failing to respect the context and quality of the local built environment, thus contrary to TWLP Policy BE4 (i & vii).
- 8.4.10 Although the impact on the significance of the listed building is considered to be less than substantial, the NPPF is clear that this harm should be weighed against the public benefits of the proposal (para. 202), and that the significance of designated heritage assets should be given 'great weight' (para. 199), thus according with the 'special regard' to preserving the setting of Listed Buildings required by the Planning (Listed Buildings and Conservation Areas) Act 1990 (S.66(1)).
- 8.4.11 In accordance with the NPPF para. 203, the impact on the non-designated heritage asset should also be taken into account in the balanced judgement of the application.

8.5 Highway Safety

Access to the site is currently obtained via Chetwynd Road to the west. It is proposed that the existing access, serving the Lion Inn Public House and associated car park, would be used and reconfigured to serve the development (see linked application TWC/2021/1208 for the re-configuration works to the car park). As part of the proposal, the existing boundary wall would be removed to improve visibility and a 2 metre footway is proposed across the site frontage for pedestrians. The proposed new access would lead into an internal estate (dividing the public house and its car park) and lead to a turning head arrangement to the south-east and a stub road to the field to the east.

- 8.5.1 The Telford & Wrekin Local Plan set out the parking standards in Table 26 Rural areas, based on the housing mix a total of 58 parking spaces is required to serve the development. The proposed layout provides a 2 spaces per property at a total of 48 spaces, with 10 no. visitor spaces identified over three locations. The proposal therefore meets the TWLP parking standards.

- 8.5.2 Concerns were identified initially with the layout of the site and in particular, the visibility splays of the access arrangement. The Transport Assessment submitted with this application details an assessment of the proposed visibility splay using data from a traffic survey carried out during the time period 30 September 2021 to 06 October 2021. The 85th Percentile speed is shown as 31mph Northbound and 30.2mph Southbound. The applicant has used this information to calculate the Sight Stopping Distance (SSD) using the formula from Manual for Streets and Manual for Streets 2. The applicant has calculated 41 metres to the North and 43 metres to the South the visibility splay drawing shows an achievable splay of 37.6 metres 1 metre offset from the kerb line which would be a shortfall of 3.4 metres.
- 8.5.3 This LPA identified that this calculation has not been adjusted for bonnet length as per 7.6.4 of Manual for Streets. This adjustment changes the SSD to 43.6 metres to the North and 45 metres to the South and takes account of the distance between the driver and the front of the vehicle. As such, the difference between the achievable visibility splay shown on the drawings and that required is 6 metres and greater than set out in the Transport Assessment.
- 8.5.4 The Applicant's highway consultant disputes that this would not have a material impact on the safe operation of the junction and contend that the existing access has operated historically without any recorded highway safety issues. Whilst the proposal would result in a betterment from the current position, the LPA still had concerns in respect to highway safety grounds owing to the visibility splay and the context of the application (with the introduction of 24. No dwellings which is a material change in the use of the access from the current position).
- 8.5.5 Concerns were also raised with the proposed layout with the over-engineered internal road layout, not being sub-servient to the main arterial routes. The LPA suggested that it should be amended by reducing the overall corridor width by 2.5 metres, by reducing the road width to 5 metres and removing the footpath along the north side. This would ensure that the internal road appear more subservient to the main road (Chetwynd Road). The applicant reduced the road width to 5m within the site during the determination period.
- 8.5.6 During the determination period, the applicant presented an off-site mitigation scheme (drawing reference SK07 Rev A) which was accompanied by an Independent Road Safety Audit of the junction design. The proposed highway mitigation scheme incorporates a dropped kerb tactile pedestrian crossing point on Chetwynd Road located to the north of the new site access junction, at a point identified where suitable pedestrian visibility splays can be achieved commensurate with recorded speeds and taking account of the location of existing private drives. The scheme also incorporates a vehicle activated sign (VAS), proposed to be located on the new WPD LV pole located adjacent to the pub building (albeit this could be located in a different position mounted on a standalone post if deemed more suitable).
- 8.5.7 The dropped kerb crossing will provide for pedestrians walking along Chetwynd Road and encourage pedestrians to cross the road at a safe location. Furthermore, the presence of the dropped kerb crossing itself should help

reduce vehicle speeds generally in the vicinity, as drivers/riders will be alerted to the fact that pedestrians could be crossing the road here. The coloured tactile paving is proposed to alert drivers/riders to the presence of the crossing and the white bar markings parallel to the kerb on either side would further highlight its presence, as well as discouraging on-street parking from obstructing the crossing point.

- 8.5.8 The detail of the VAS is proposed to be conditioned. However, it is envisaged that it could display the approaching vehicle speed and an associated message, depending on whether the speed of the vehicle is below or above the 30mph speed limit. The presence of the VAS should encourage and remind drivers/riders to slow down, whether they are travelling above or within the speed limit.
- 8.5.9 In addition to the above, the introduction of the new site access junction would alter the highway in the vicinity, with the new junction formalised and the mitigation scheme proposed, which should together contribute to reducing vehicle speeds generally in the vicinity.
- 8.5.10 The scheme has been prepared to try and mitigate concerns raised with regards to the shortfall in the visibility of the proposed new access serving the public house and development proposals. The LPA consider that the mitigation scheme alleviates its concerns with the visibility of the new junction. The mitigation scheme shall be subject of a s.106 Agreement.

8.6 **Flood Risk and Drainage**

The application is accompanied by a Flood Risk Assessment (FRA) and a drainage strategy. The proposals only means of draining storm water proposed initially was via infiltration, via a SuDS basin located in the north-east corner of the site. The LLFA initially objected to the planning application as no infiltration testing had been submitted to prove the viability of the drainage strategy proposed. It was requested that infiltration testing, in line with BRE digest 365, be submitted to the LPA. This testing needed to appraise an appropriate drain down time and the level of winter groundwater in relation to the bottom of the proposed basin. The side slopes of the proposed basin are steeper than recommended by national SuDS guidance and would pose a health hazard as well as make future maintenance of the feature difficult.

- 8.6.1 The LPA were unable to support the proposal in the absence of drainage evidence given the known high water table issues in the area and the absence of any reasonable groundwater testing to demonstrate that the know proposed deep infiltration tank would not lose storage capacity during periods of high groundwater levels. Note that the deep infiltration tank is located in the same location as the previously proposed SuDS basin. It was requested that groundwater levels are monitored over a period of a year.
- 8.6.2 In August 2022, the agent submitted a letter to the Council and requested that the LPA Condition the drainage details at a later stage. The LPA disagreed with

this approach given that a viable drainage solution still had not been demonstrated.

- 8.6.3 On 07 October 2022, the Applicant submitted a document detailing the drainage design proposals, plus details regarding the installed boreholes and proposals for data capture. The document detailed that two boreholes were installed, at a depth of 8 metres below existing ground level (one in the location of the infiltration tank and one to the south-east of the site). Having reviewed the groundwater monitoring proposal, the LLFA accepted that winter monitoring until April 2023 would provide a sufficient dataset in order to determine the viability of a large soakaway system to drain the site.
- 8.6.4 Prior to this additional monitoring, Patrick Parsons advised that the water table in the region of the location of the underwater tank has historically been at 1.8 metres below current proposed tank level (c 66.0 metres) and following the most recent monitoring, the groundwater in the wettest autumns on record the groundwater level reached 66.23 metres (in September). Further monitoring was undertaken using continuous logging from November 2022 to January 2023 where the highest groundwater level recorded was 65.44 metres. The Applicant's consulted project this through to April 2023 with continuously wet months and state that groundwater levels could possibly reach a maximum of 66.75 metres before naturally starting to fall during the summer months. Using the consultant's theoretical maximum of 66.75 metres would mean a maximum level of 67.75 metres for the base of any infiltration tank. The level of the tank within the Applicant's latest drainage strategy is set at 67.8 metres high is above the 1 metre freeboard requirement above the groundwater levels. If it remained the same area and depth, the soffit level of the tank would be 69.30 metres with a cover level of 72.65 metres, so over 3 metres of cover to protect the tanks.
- 8.6.5 It was originally requested that this data collection is continued for a year (i.e. until April 2023). Whilst it is understood that the Applicant is still monitoring this information until April 2023, based on the latest evidence the LPA are satisfied that sufficient sets of site investigations undertaken have provided a sufficiently detailed dataset to conclude that soil conditions at this depth are conducive to infiltration being used as a drainage solution, that the tank is sufficiently deep. The LLFA support the planning application, subject to a Condition on the detailed design and an informative on the soakaway design.

8.7 Ecology

- 8.7.1 The application is accompanied by a Preliminary Ecological Appraisal (PEA) by Pearce Environment, dated July 2021 and has been reviewed by the Council's Ecologist who are supportive, subject to Condition(s). The site mainly comprises of hardstanding and maintained or grazed grassland of low ecological value. A number of hedgerows are found on site, varying in quality but mostly in a poor condition. Some mature trees, notably an apple and cherry tree are also present.
- 8.7.2 A Preliminary Roost Assessment (PRA) found high roosting potential for bats in the main pub building on site and negligible potential in another structure and

trees on site. Further assessment found all potential roosting locations with no evidence of any bat presence. The rest of the site is likely to be of good value to bats for foraging and commuting. A condition for some bat boxes has been included to enhance this site for bats after development.

8.7.3 Two waterbodies exist within 500 metres of this site, no access was granted for the PEA but the site for development was found to be of low suitability as terrestrial habitat for Great Crested Newts (GCN). A hand search was conducted on some existing potential amphibian refuge on site however nothing was found. The Natural England Rapid Risk Assessment came out as 'Highly Unlikely' that any GCN would be present on site. An informative has been included for awareness of this protected species on site.

8.7.4 This site has a high potential for nesting wild birds, in the built structures as well as the 'natural' area. An informative has been included to raise awareness about these species, and some nesting boxes have been included as a condition to provide some nesting compensation on site post-development.

8.8 **Arboriculture**

The Application is accompanied by a Tree Constraints, Tree Impact and Tree Protection Method Statement. The Report states that the proposal would result in the removal of 7 no. Category C-Trees, groups and hedges and the cutting back of Hedge (H13) on the eastern boundary of the site.

8.8.1 The current indicative landscaping scheme falls short of amount of trees proposed to be planted compared with the amount of trees that are being lost to facilitate the development. Species, sizes, numbers planting pit details & root mitigation products would also be required. In the absence of this detail, the LPA propose to condition this element of the proposal.

8.9 **Residential Amenity**

There are existing properties to the north and south of the proposed development and as such the LPA has considered separation distances between the proposed development and the existing properties. The proposals meet the minimum separation distance of 21 metres between building faces for two-storey dwellings and 5 metres per storey set back where new development has main windows overlooking existing private space Garden depths are all being a minimum of 10 metres.

8.9.1 The site is also located adjacent to the Lion Inn public house. Although vacant at the time of determination, the public house and its adjoining garden and car park could be a source of noise, once operational. As such, a noise assessment has been submitted with the application by Parker Jones Acoustic, first issue dated 18 November 2021. The report has noted that the nearest noise source, the Lion Inn, is not currently open. As such the noise levels captured in the background noise assessment do not take this potential noise source into consideration. To compensate for this, the noise assessment has assumed that a beer garden noise level of 70dB LAeq is typical. This noise level is considered

to be acceptable although would not necessarily be considered to be a worst case scenario. The night time L_{Amax} noise level inputs were not however included in the original assessment. It is advised that the night time L_{Amax} noise levels are provided to enable these to be considered in full. A revised Noise Impact Assessment has been submitted to account for these levels.

- 8.9.2 The assessment has concluded that in order to create acceptable noise levels a glazing specification with acoustic trickle ventilation as found in Figure 5.2 and Table 5.1 is required.
- 8.9.3 In addition to glazing a 2 metre acoustic barrier, a minimum of 10kg/m³ density is proposed in locations marked on in Figure 5.1. Details of this provision is also proposed to be conditioned.
- 8.9.4 The LPA are satisfied with the residential amenity of the proposals, subject to conditions controlling the above elements.

8.10 Infrastructure (Open Space and Education)

New developments are required to make full provision for the infrastructure/amenities and services which they create. New residents to the area would increase demand upon the existing play and recreational resources as well as demand on nearby sport provision. However, the scale of the proposal does not trigger the need for open space infrastructure on site. As such, off-site contributions are requested to make the proposal acceptable when assessed against Policy NE4 (secured via Condition). The following sums:

- I. £650 per dwelling towards improvements of nearby play/recreation facilities at the nearby Edgmond playing field.
- II. £650 per dwelling towards improvements to nearby sport and recreation facilities at the nearby Edgmond playing field.

8.10.1 There are also shared areas / open space (hard and soft landscaping, outside of resident ownership) which require maintenance/management. It is proposed that a long term Landscape Management Plan be secured via Condition, which covers the lifetime of the development to ensure these areas are managed appropriately in the future. This plan should include who is to manage these areas (e.g. resident management company), how ongoing maintenance is to be financed (e.g. service charge), a schedule of maintenance operations, a monitoring and review schedule (requires a section which states the LMP cannot be changed without the written approval of the LPA) as well as how maintenance is to be carried out. This should be provided prior to commencement of development and is in accordance with Local Plan Policy NE5.

8.10.2 The Council's Education Department have reviewed the proposal and identified that the proposal would trigger a Financial Contribution of £131,407 towards education spaces. This figure can be broken down into £91,279 for Primary School places and £40,127 for Secondary School places). Subject to the

provision of these contributions (prior to commencement) within the Section 106 Agreement, the Council's Education Department supports the proposal.

8.11 **Sustainability**

The application is accompanied by a Sustainability Statement. The properties would be constructed using off site fabrication for the external envelope, which ensures minimal waste with exceptional levels of thermal performance and air permeability. The closed panel timber frame manufacturing process incorporates 140mm of sustainable earthwool thermal insulation, with a high efficiency vapour control barrier.

8.11.1 The Statement goes on to state that the following:

- The properties would be provided with integrated mechanical ventilation with heat recovery, which ensures controlled sustainable ventilation and minimises energy consumption;
- The properties would be provided with a non-gas heating system, which comprises electric heating and hot water systems;
- The properties would be provided with double glazed windows, incorporating argon filled low eglazed units;
- High efficiency LED lighting would be provided throughout the property both minimising internal heat gains and energy consumption;
- Each property would be provided with rainwater storage, which will minimise water consumption.

8.11.2 Electric Vehicle Charging Point Infrastructure would be provided to each property.

8.11.3 The new homes would be constructed using MMC SIP panels which provide very high levels of thermal insulation and exception air permeability levels. In conjunction with MVHR, the Applicant states that this results in very low projected energy consumption. The current assessment shows that the homes would be fully compliant with Building Regulations L2A without the need to provide sustainable features. However, if detailed design requires sustainable to be provided to meet building regulation compliance, photovoltaic panels would be considered by the provider in more detail.

8.12 **Mineral Safeguarding**

8.12.1 The application site partly falls within the MSA on the proposals map and is safeguarded for sand and gravel. The designation defines the broad extent of MSAs.

8.12.2 Policy ER2 states that the Council will support non-mineral development providing it does not threaten, lead to the loss of or damage to, the functioning of established planned or potential minerals related infrastructure unless:

I. An alternative site within an acceptable distance can be provided, which is at least as appropriate for the use as the safeguarded site; and

II. It can be demonstrated that the infrastructure no longer meets the current or anticipated future needs of the minerals, building and construction industry

8.12.3 The supporting text of Policy ER4 (Sand and Gravel Resources) acknowledges that due to the ready availability of an adequate and steady supply of sand and gravel resources from existing proximate sites in other parts of the Shropshire sub-region it is considered there is no need for the plan to identify additional sites. Additionally, paragraph 10.2.3.3 of the TWLP identifies an alternative potential site, in the event that there is a need for additional extraction (which there isn't at this point in time).

8.12.4 In considering the requirements of Policy ER2, and the scope of any planning application, the LPA had due consideration to Policy ER6 (Mineral Development). The Policy recognises that mineral development, particularly mineral extraction, can have a considerable impact on its surroundings. The impacts on the quality of life of local people and on the environment are key considerations when deciding where to locate new minerals development. A wide range of potential adverse impacts can arise, depending on the site context.

8.12.5 The LPA do not consider it reasonable to request an assessment of the site for mineral extraction against Policy ER2 in this instance, owing to the likely impact of any potential mineral extraction from this site on existing residential properties and the public house, as well as heritage assets within the vicinity. Moreover, the LPA can also demonstrate that it is maintaining an adequate supply of sand and gravel resources from existing sites, and an additional potential site has been identified through the TWLP for future allocation should it be required.

8.13 Financial Contributions

Any planning consent would be conditional on the finalisation of a Section 106 Agreement to secure the following:

- I. 24 no entry-level affordable dwellings (6 no. shared ownership dwellings and 18 no. affordable rent dwellings) in perpetuity;
- II. Off-site open space contributions of £31,200 (£650 per dwelling for improvement to nearby play/recreation facilities and £650 per dwelling for improvements to nearby sport facilities);
- III. Education Contributions of £131,407 (£91,279 for Primary School places and £40,127 for Secondary School places);
- IV. Delivery of Car Park extension improvements (under TWC/2021/1208) (Prior to commencement);
- V. Off-site highway improvement works;
- VI. Monitoring Contributions at 2% of the value of the s.106

8.13.1 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.

8.14 Planning Balance

The introduction of the development in this location would have a negative impact on the setting of the Grade II Listed Building, The Priory, due to the loss of open space that contributes to its setting, including views of and from it. It would therefore fail to satisfy Policy BE4 (i) and (vii) of the TWLP. The density, massing and detailed design of the scheme would fail to protect the settings of the Listed Building and the Lion Inn non-designated heritage asset, whilst failing to respect the context and quality of the local built environment, thus also contrary to Policy BE4 (i & vii).

8.14.1 Although the impact on the significance of the Listed Building is considered to be less than substantial, the NPPF is clear that this harm should be weighed against the public benefits of the proposal (para. 202), and that the significance of designated heritage assets should be given 'great weight' (para. 199), thus according with the 'special regard' to preserving the setting of listed buildings required by the Planning (Listed Buildings and Conservation Areas) Act 1990 (S.66(1)). In accordance with the NPPF para. 203, the impact on the non-designated heritage asset should also be taken into account in the balanced judgement of the application.

8.14.2 When considering this harm, the decision-maker must balance this harm against the benefits of the scheme. In this regard, the proposal would deliver the following benefits:

- 24 no .entry-level affordable dwellings (18 no. for affordable rent and 6 no. shared ownership) in perpetuity;
- Off-site open space contributions of £31,200 (£650 per dwelling for improvement to nearby play/recreation facilities and £650 per dwelling for improvements to nearby sport facilities) to be spent in Edgmond;
- Education Contributions of £131,407 (£91,279 for Primary School places and £40,127 for Secondary School places) to be spent locally;
- Off-site highway mitigation improvement scheme and improvements to the proposed access;
- Delivery of temporary construction employment and supply chain opportunities.

8.14.3 When considered cumulatively, the LPA considers that the benefits of the proposals outweigh the harm to the heritage assets identified.

9. CONCLUSION

- 9.1 The proposed development is located within the rural area, within a defined settlement. The site comprises undeveloped land adjacent to the built-up area of Edgmond. It is located to the rear of the Lion Inn public house and access would be provided through the Lion Inn car park to the site, from Chetwynd Road.
- 9.2 The development would result in the loss of Grade 3A agricultural land. Policy SP3 requires the decision-maker to take into account of the benefits (including economic) of the proposal when assessing the loss of Grade 3a agricultural land.
- 9.3 The Framework states that Local Planning Authorities should support entry level exceptions sites, suitable for first time buyers or those looking to rent their first home unless the need is already being met within the authority's area. Para. 72 of the Framework states that sites should be on land that is not already allocated for housing and sets out two further criteria that should be met (para. 72 a) and b)). As the TWLP and ENP were adopted prior to the provisions for entry-level exception sites first set out in the 2018 revision of the Framework, there are no development plan housing policies relating to such sites. The LPA consider that the acceptability of the proposal rests with the LPA's assessment against part (b) in terms of compliance with local design policies and standards. The LPA are satisfied that the amendments made to the appearance of the properties and the site layout is compliant with Policy BE1 of the TWLP and RES3 of the ENP, on balance. As such, the proposals are considered compliant with part (b) of para. 72 of the NPPF and, the principle of development is supported.
- 9.4 The proposal would result in a negative impact on the setting of the Grade II listed The Priory, due to the loss of open space that contributes to its setting, including views of and from it. It would therefore fail to satisfy policy BE4 (i) and (vii) of the TWLP. The density, massing and detailed design of the scheme would fail to protect the settings of both the Listed Building and the Lion Inn non-designated heritage asset, whilst failing to respect the context and quality of the local built environment, thus contrary to Policy BE4 (i & vii).
- 9.5 Although the impact on the significance of the Listed Building is considered to be less than substantial, the NPPF is clear that this harm should be weighed against the public benefits of the proposal (para. 202), and that the significance of designated heritage assets should be given 'great weight' (para. 199), thus according with the 'special regard' to preserving the setting of listed buildings required by the Planning (Listed Buildings and Conservation Areas) Act 1990 (S.66(1)). In accordance with the NPPF para. 203, the impact on the non-designated heritage asset should also be taken into account in the balanced judgement of the application.
- 9.6 The LPA have balanced the harm caused to the heritage assets against the public benefits of the scheme and consider that the benefits outweigh the harm

identified to the setting of the Grade II listed property (The Priory) and the non-designated heritage asset (Lion Inn) in this instance.

- 9.7 The LPA raised initial concerns with the proposal owing to the visibility splays of the proposed new access. During the determination period, the applicant presented an off-site mitigation scheme (drawing ref.: SK07 Rev. A) which was accompanied by an Independent Road Safety Audit of the junction design. The proposed highway mitigation scheme incorporates a dropped kerb tactile pedestrian crossing point on Chetwynd Road located to the north of the new site access the LPA are satisfied that the proposed mitigation scheme is acceptable, subject to Condition(s).
- 9.8 Sufficient sets of site ground investigations undertaken have provided a sufficiently detailed dataset to allow the LPA to conclude that soil conditions at this depth are conducive to infiltration being used as a drainage solution, that the proposed infiltration tank is sufficiently deep.
- 9.9 To conclude, the LPA consider the proposal compliant with para. 72 of the NPPF and attaches significant weight to this in the decision-making process. On balance, the LPA consider the benefits of the proposed scheme outweigh the heritage harm and loss of Grade 3A agricultural land.

10. RECOMMENDATION

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

A) The Applicant/Landowners entering into a Section 106 Agreement with the Local Planning Authority (items (i) to (vi) subject to indexation from the date of committee), relating to:

- I) 24 no. entry-level affordable dwellings (6 no. shared ownership dwellings and 18 no. affordable rent dwellings);
- II) Off-site open space contributions of £31,200 (£650 per dwelling for improvement to nearby play/recreation facilities and £650 per dwelling for improvements to nearby sport facilities);
- III) Education Contributions of £131,407 (£91,279 for Primary School places and £40,127 for Secondary School places)
- IV) Delivery of Car Park extension improvements (under TWC/2021/1208) (Prior to commencement);
- V) Off-site highway improvement works;
- VI) Monitoring contributions at 2% of the value of the s.106 - Prior to commencement

B) The following Condition(s) and Informative(s) (with authority to finalise Condition(s) to be delegated to Development Management Service Delivery Manager

Condition(s)

Time Limit

Full Site Environmental Management Plan

Foul and Surface Water Surface Water Treatment Scheme

SuDS Management Plan

Materials

Landscape Management Plan

Landscaping (incl. boundary treatment)

Substation Details

Ecology Report Compliance

Nesting/Roosting Boxes

Lighting Plan

Parking, Loading, Unloading and Turning

Off-Site Highway Works (details to be approved)

Delivery of Public House Car Parking Works

Highway Details (roads, footways, accessing, street lighting)

Protection of Highway Land from Mud

Barge Boards to be Black (notwithstanding approved plans)

Finished Floor Levels

EV Charging (Compliance)

Glazing Details

Acoustic Barrier (location and details)

Noise Assessment (Compliance)

Tree & Hedge Protection

Removal of Permitted Development Rights

Approved Plans

Informative S278

Information SUDs Layout

Informative Protective Species