

TWC/2018/1019

Land south of Newcomen Way, Woodside, Telford, Shropshire

Outline application for up to 55no dwellings with access and all other matters reserved \*\*\* Amended red line boundary \*\*\*

**APPLICANT**

Telford and Wrekin Council and Homes England

**RECEIVED**

26/03/2019

**PARISH**

Madeley, The Gorge

**WARD**

Ironbridge Gorge, Woodside

**THIS APPLICATION HAS BEEN REFERRED TO PLANNING COMMITTEE AS THE COUNCIL ARE THE APPLICANT AND IT SUBJECT TO A S106 LEGAL AGREEMENT RELATING TO FINANCIAL CONTRIBUTIONS**

**1.0 SUMMARY RECOMMENDATION**

1.1 It is recommended that DELEGATED AUTHORITY be granted to the Development Management Service Delivery Manager to GRANT OUTLINE PLANNING PERMISSION subject to conditions, informatives and a S106 agreement.

**2.0 SITE AND SURROUNDINGS**

2.1 The application site comprises 4.22ha of agricultural pasture land located in the Rough Park area of Woodside. The site sits to the east of Castle Green Cemetery and to the south east of the Rough Park Local Nature Reserve. It is accessed from Newcomen Way to the north. The nearest residential properties are located beyond Newcomen Way to the north and Woodside Avenue to the east.

2.2 The site is bordered on all sides by substantial tree species and a large mature Oak is located in the centre of the site. A public footpath runs alongside the eastern site boundary and a bridleway runs along the northern boundary.

**3.0 APPLICATION DETAILS**

3.1 This application seeks outline planning permission for the erection of 55 dwellings on the site, together with associated access. All other matters are reserved for later consideration.

3.2 The application is accompanied by the following supporting documents: -

- Planning Statement
- Design and Access Statement
- Flood Risk Assessment
- Transport Assessment
- Tree Survey
- Ground Investigation Report
- Protected Species Survey Report

**4.0 RELEVANT HISTORY**

4.1 None

## **5.0 RELEVANT POLICY DOCUMENTS**

### **5.1 National Guidance:**

National Planning Policy Framework (NPPF)

### **5.2 Local Development Plan:**

Telford & Wrekin Local Plan

Madeley Neighbourhood Development Plan

## **6.0 SUMMARY OF CONSULTATION RESPONSES**

### **6.1 Local Member & Town/Parish Council Responses:**

#### **6.1.1 Madeley Town Council:** Support subject to conditions

- Disappointed that the TA concludes that no controlled pedestrian crossing is needed.
- Would expect the existing hedgerow and trees on site to be retained and protected.
- Support request for a contribution towards Rough Park Nature Reserve

#### **6.1.2 Gorge Parish Council:** Support subject to conditions

Supports the comments made by Madeley Town Council

### **6.2 Standard Consultation Responses**

#### **6.2.1 Highways:** Support subject to conditions

#### **6.2.2 Drainage:** Support subject to conditions

#### **6.2.3 Trees:** Object

Further information required in relation to the impact upon trees onsite and on neighbouring land.

#### **6.2.4 Ecology:** No objection

No objection subject to conditions and informatives and a commuted sum of £25,000 towards the local nature reserve.

#### **6.2.5 Urban Design:** No comment

#### **6.2.6 Healthy Spaces:** Support subject to conditions

Requests a financial contribution of £600 per 2 or more bedroom property, towards the upgrade of a nearby play facility at The Saplings.

#### **6.2.7 Education:** Comment

Requests a contribution of £162,453 towards primary school provision and £68,495 towards secondary school provision.

#### **6.2.8 Affordable Housing:** Comment

An appropriate S106 agreement will be required to secure the affordable housing and confirm that the above development standards will be achieved. A Local Lettings & Sales Plan will also need to be agreed between the Council and the Registered Provider. Whilst the DAS states that the dwelling mix will be determined at reserved matters stage, the affordable housing

scheme - including dwelling type, tenure, bedroom sizes, location and space/development standards – should be agreed in principle with the Council prior to the submission of an application for Reserved Matters. The affordable homes should be transferred to an appropriate Registered Provider.

6.2.9 The Coal Authority: No objection

6.2.10 Shropshire Fire Service: Comment

Requires consideration to be given to advice provided in Shropshire Fire and Rescue Service's "Fire Safety Guidance for Commercial and Domestic Planning Applications"

6.2.11 West Mercia Police Crime Prevention Design Advisor: Comment

Offers advice on opportunities to design out crime. The applicant should aim to achieve Secure by design (SBD) status.

## 7.0 SUMMARY OF PUBLIC RESPONSE

7.1 Eleven objections received from members of the public. The comments are available in full on the planning file, but key points have been summarised as follows:

- Gradual erosion of green buffer on edge of WHS
- Increased traffic in wider area
- Newcomen Way is already too busy
- Loss of habitat and green corridors for wildlife
- Concerns over noise and disruption during construction period
- Impact on local nature reserve

## 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
- Highways and Access
- Flood Risk and Drainage
- Trees and Ecology Issues
- Other Matters
- Planning Obligations

### 8.2 Principle of Development

8.2.1 The site has been allocated for residential development within the Madeley Neighbourhood Development Plan (MNDP). The site, which is known as 'Rough Park 3', covers 4.22 hectares and is allocated for in the region of 50 units. MNDP Policy H6 sets out a number of criteria which the development should satisfy including the requirement for buildings to front onto the public space, creating a well-defined edge to the park; to incorporate a new linear green space; to provide a controlled crossing point over Woodside Avenue; to incorporate the Ironbridge Way; consider new pedestrian links, improved access and visibility; to retain and enhance established trees and hedges; and to provide affordable housing.

- 8.2.2 The site is white land in the Telford & Wrekin Local Plan and therefore contains no policy protection preventing its development. The site is located within the Telford urban area where the principle of new residential development is acceptable, subject to satisfying all other relevant policies. The site also benefits from a historic residential consent under Section 7(1) of the New Towns Act. Local and national policy requires development sites to be located in accessible areas in order to achieve sustainable development. The site is located 550m from the nearest primary school, 700m from the Abraham Darby secondary school and 800m from the nearest supermarket. A bus stop is located on Woodside Avenue immediately to the east of the site which provides a link to Telford Town Centre and beyond.
- 8.2.3 The proposal will provide up to 55 units which is 5 more than the MNDP allocation, however, the indicative plan submitted demonstrates that such a number could be accommodated without appearing cramped or overdeveloped. The more detailed elements of MNDP Policy H6 concern the site layout which will be considered at the reserved matters stage. The site is located within the Telford urban area, is close to a range of goods, services, and public transport links and is considered to be in a sustainable location. Officers are satisfied that the principle of development is acceptable.

### **8.3 Highways and Access**

- 8.3.1 It is noted that a number of representations received raise concerns regarding the means of access to the site, potential impacts on the road network resulting from increased usage, the need for a second access and the requirement for a pedestrian crossing on Woodside Avenue. The Council's Highways Officer has considered the proposal which is supported by a full Transport Assessment. The TA found that the proposal would generate approximately 28 traffic movements in the AM peak and 26 in the PM peak and junction capacity assessments indicate that Woodside Avenue/Newcomen Way roundabout will continue to operate within the normal design threshold for capacity with minimal queuing and delays. Accordingly, any increase in traffic resulting from the development will have no material impact upon the normal operation of the highway network or highway safety. Highways Officers concur with the findings of the assessment and do not therefore consider there to be any justification to provide a second vehicular access directly onto Woodside Avenue.
- 8.3.2 Vehicular access to the development will be provided from the end of Newcomen Way where an existing section of un-adopted highway has been included within the development boundary. Officers are satisfied that the proposed access position and layout is acceptable. Precise details of the highway layout, including tracking for an 11.347m length refuse vehicle and parking provision will need to be provided at the reserved matters stage.
- 8.3.3 Officers have also given consideration to the Parish Council request for the provision of enhanced pedestrian crossing facilities on Woodlands Avenue. The submitted TA includes a detailed assessment of the existing pedestrian crossing facilities alongside traffic flow and speed data, with reference to relevant guidance. It is considered that this exercise adequately demonstrates

that the existing pedestrian infrastructure remains fit for purpose, and that the proposals will be of no detriment to pedestrian delay times and resultant pedestrian safety. Accordingly, officers do not consider that there is sufficient justification to request that a controlled crossing is provided as part of the development.

- 8.3.4 The existing public right of way (PROW) which crosses the eastern part of the site will be retained as part of the development and footpath links to the PROW will be provided in the north east and south east corner. A PROW also runs alongside the northern site boundary linking Newcomen Way to Woodside Avenue. A financial contribution of £10,720 has been requested towards improvements to these footpaths to be secured through S106 agreement or appropriate mechanism.
- 8.3.5 On the basis of the above, officers are satisfied that this outline proposal satisfies the requirements of local plan policy C3, however, whilst Madeley Neighbourhood Plan Policy H6 requires that the development provides a new controlled crossing over Woodside Avenue, the applicant has demonstrated through the submission of a Transport Assessment that this would not be necessary and officers concur with this conclusion, considering that such a request would not be reasonable.

#### **8.4 Flood Risk and Drainage**

- 8.4.1 The application has been accompanied by a Flood Risk Assessment which confirms that the site is located in Flood Zone 1 where the principle of a residential use is acceptable. The site is at negligible risk from fluvial, surface water and groundwater flooding but does contain standing water. Ground conditions mean that infiltration drainage is unlikely to be possible, therefore a detailed drainage scheme will need to connect to surface water sewers with runoff restricted to greenfield rates. Any development of the site will need to consider the use of SuDS.
- 8.4.2 A detailed drainage design has not been provided with the outline application, however, the Council's Drainage Officer raises no objection in principle subject to the submission of further drainage details as part of a reserved matters application or a planning condition. At this stage, officers are satisfied that the proposal complies with local plan Policy ER12.

#### **8.5 Trees and Ecology**

- 8.5.1 Trees: The application has been accompanied by a Tree Survey and Arboricultural Impact Assessment which have categorised the trees on site in terms of their quality, condition and suitability for retention and indicated root protection and shading areas where development should not be provided. The report confirms that the majority of trees located around the perimeter of the site will be retained together with the mature English Oak in the centre of the site.
- 8.5.2 The Council's Trees Officer has objected to the application on the grounds that the site layout shows development encroaching within the root protection zone of the Oak in the centre of the site, however, as the site layout is

indicative only the layout does not form part of the approval and will be considered at the reserved matters stage. The concerns of the Trees Officer regarding the siting of development in proximity to retained trees is noted and will be considered as part of the layout proposals at the reserved matters stage.

8.5.3 At this stage, officers are satisfied that the proposal will not result in the loss of trees or hedgerows with amenity value and the application therefore complies with local plan policy NE2.

8.5.4 Ecology: The application has been accompanied by a Protected Species Report undertaken by Shropshire Wildlife Surveys (April 2018) which found no evidence of protected species on the site, however, the mature Oak was assessed as having medium potential for roosting bats. The semi-mature woodland surrounding the site contained low potential for use by roosting bats. The Council's Planning Ecologist has considered the application and supporting information and raises no objection subject to conditions requiring the erection of artificial nests/roosts, landscaping details and an external lighting plan. It is also requested that a £25,000 contribution is provided towards the mitigation and enhancement of the Rough Park Local Nature Reserve.

8.5.5 Accordingly, it is considered that the proposal complies with local plan policy NE1.

## **8.6 Other Issues**

8.6.1 Layout and design: Members are reminded that the submitted site layout plan is indicative only and a detailed consideration of layout, scale and design will take place at the reserved matter stage. The reserved matters application will be subject to normal consultation procedures therefore local residents and interested persons will have the opportunity to comment, once an application has been submitted.

8.6.2 Residential Amenity: A number of representations received have raised concerns over the likelihood of disruption and disturbance to local residents during the construction period. Whilst these concerns are noted, any development will be subject to a Site Environmental Management Plan which will impose controls on factors such as permitted construction hours, dust emissions and wheel washing, to ensure the quality of life of local residents is not unacceptably affected. Furthermore, it should be noted that the site is located at the end of Newcomen Way, well to the south of the majority of existing properties which are also separated from the site by a field and an existing woodland belt. Only two properties located at the far end of Newcomen Way (No's 30 and 32) directly overlook the development site.

### **8.6.3 Ground conditions:**

The application is supported by a Desk Study Report and a Ground Conditions Report, both dated December 2018 prepared by the Council's Engineering Services team. The report concludes that mine entries or shallow mining activity should not be a constraint to development on the site. The

Coal Authority have reviewed the reports and raise no objection to the proposal. The reports also confirm that the site does not contain any signs of ground contamination or slope instability. As such, the proposal complies with local plan Policies BE9 and BE10.

## **8.7 Planning Obligations**

8.7.1 The proposed development meets the requirement to provide the following contributions: -

8.7.2 Education: Local Plan Policy COM1 recognises that major new housing development will generate additional demands upon existing levels of education provision. The application meets the trigger to provide a contribution of £162,453 towards the upgrade of a local primary school and £68,495 towards secondary school provision.

8.7.3 Highways: As required by Policy C3, the Local Highways Officer has confirmed the application meets the trigger to provide a contribution of £10,720 towards the upgrade of the Public Rights of Way running along the north and eastern edges of the site.

8.7.4 Children's Play/Recreation: Local Plan Policy NE4 requires that the development provides a contribution towards the enhancement of public open space. The Council's Healthy Spaces Officer has confirmed the application generates a contribution of £600 per two or more bed dwelling towards the upgrade of nearby recreational play facilities at The Saplings (a maximum of £33,000).

8.7.5 Ecology: The Council's Planning Ecologist has requested a contribution of £25,000 towards the mitigation and enhancement of the Rough Park Local Nature Reserve.

8.7.6 Affordable Housing: Local Plan Policy HO5 requires that residential developments provide affordable housing at 25% within the Telford area. This will be imposed in a legal agreement with details of the tenure split to be confirmed at the reserved matters stage.

8.7.7 The applicant has confirmed there are no viability issues and they are able to meet the contribution requirements set out above in full.

8.7.8 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.

8.7.9 In addition account has to be taken of the changes to the CIL Regulations in April 2015 that now restrict the "pooling" of financial contributions to no more than five contributions to a single type of infrastructure. It is considered that

the financial contributions required for this application meet the relevant tests. The above obligations will be secured by a S106 agreement attached to the planning permission.

## **9.0 CONCLUSIONS**

- 9.1 This application seeks outline permission for the erection of up to 55 units on land at Rough Park, Woodside. The site is located within the Telford urban area, has been allocated for development in the Madeley Neighbourhood Plan and contains a historic commitment for development under Section 7(1) of the New Towns Act. The principle of development on the site is considered acceptable in terms of technical drainage, trees, ecology and ground stability issues. Details of the development layout, scale and design will be provided at the reserved matters stage.
- 9.2 The indicative plans confirm that up to 55 units can be accommodated on the site and the supporting Transport Assessment confirms that the proposal will have no material impact upon the normal operation of the highway network or highway safety. Officers are satisfied that the proposed vehicular access will be acceptable with a single access being sufficient and no requirement to provide a second access or the provision of a controlled pedestrian crossing on Woodside Avenue.
- 9.3 The proposal generates the requirement for financial contributions towards education, children's play/recreation, PROW enhancements, Local Nature Reserve enhancements and affordable housing which will be secured through a S106 agreement.
- 9.4 Having regard to the above considerations, the proposal represents a sustainable form of development and complies with the National Planning Policy Framework, together with relevant policies within the Telford & Wrekin Local Plan and Madeley Neighbourhood Development Plan.

## **10.0 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 OUTLINE PERMISSION** subject to the following:
- A) The applicant/landowners entering into a S106 Agreement with the Local Planning Authority (subject to indexation from the date of committee with terms to be agreed by the Development Management Service Delivery Manager) relating to
- i) Total Education contribution of £230,948 towards improvements to a local primary and secondary school,
  - ii) PROW contribution of £10,720 towards enhancements to footpaths to the north and east of the site,
  - iii) Children's Play/Recreation contribution of up to £33,000 based on £600 per 2 bed (or more) property,



- iv) Contribution of £25,000 towards the enhancement of the Rough Park Local Nature Reserve,
- iv) Affordable Housing to be provided at 25%

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

1. A01 Time limit – Outline
2. A03 Time Limit - Submission of Reserved Matters
3. B001 Standard Outline
4. B150 Site Environmental Management Plan
5. B034 Highways details
6. B061 Foul and Surface Water Drainage
7. B076 SUDS Management Plan
8. B126 Landscape Management Plan
9. C013 Parking, Loading, Unloading and Turning
10. B145 Lighting Strategy
11. C100 Artificial Bird Boxes/Bat Roosts
12. C38 Approved plans
13. C40 No approval of layout