

TWC/2019/0724

Site J (East & South of Westminster Way), Gatcombe Way, Priorslee, Telford, Shropshire
Erection of 94 dwelling houses, with associated garages, parking, landscaping and
infrastructure *** AMENDED PLANS AND INFORMATION RECEIVED *****AMENDED
LAYOUT RECEIVED**

APPLICANT

Lioncourt Homes (Development No.1) Limited

RECEIVED

30/08/2019

PARISH

St. Georges and Priorslee

WARD

Priorslee

CLLR. VERONICA FLETCHER HAS REQUESTED THAT THIS APPLICATION BE DETERMINED BY MEMBERS OF PLANNING COMMITTEE AND FINANCIAL CONTRIBUTIONS ARE SOUGHT TOWARDS EDUCATION, PLAY AND OPEN SPACE AND HIGHWAYS

1.0 SUMMARY RECOMMENDATION

1.1 It is recommended that subject to support (subject to any Condition(s)) from the Council's Drainage Officers being received 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 SITE AND SURROUNDINGS

2.1 The 3.05 hectare application site is located within Priorslee and within the built up area of Telford and Wrekin. The site is white land within the Telford and Wrekin Local Plan although this particular site has been earmarked for residential development for some time. In recognition of this, there are three pre-constructed bell-mouth junctions off Gatcombe Way into the site. The site is currently owned by Homes England and the sale of the land to the applicant is subject to planning consent being granted.

2.2 The overall site is split into two on either side of Gatcombe Way and is commonly known as site J (J1 to the south and J2 to the north). This refers to plot numbers allocated through a previous Outline Consent Granted in 2009 (originally submitted in 2002) and which only recently expired. The site is located approximately 1 mile north of M54 Junction 4 to the south and accessed via Castle Farm Way which links to the A5 just north of the wider Priorslee estate.

2.3 To the north of the application site and also off Gatcombe Way is Redhill Primary School and a small Local Centre including a GP Practice. Immediately to the north of the application site and separated by hedging there is a locally equipped play area.

2.4 'J1' sits adjacent to Westminster Way to the west with existing residential development facing towards the site. Further residential units are located to the south east of the site, separated by a pedestrian access which leads to Castle Farm Way. A band of trees mark the southern edge of the site along the boundary with Castle Farm Way.

2.5 'J2' to the north of Gatcombe Way sits immediately to the south of a village green which includes the small play area. Pathways run through this green including one which adjoins the application site (currently gated). These paths continue to the east

and west through the wider estate. Just off Gatcombe Way and to the east of the site is a small open auditorium built as part of the original development.

- 2.6 The site falls gradually to the south east with an overall level change of approximately 8 metres.
- 2.7 There are bus stops on either side of the road serving the No.14 bus route which travels to Telford Town Centre via Stafford Park. According to the Arriva Travel website this runs approximately every half hour on weekday mornings then hourly after 1000.

3.0 APPLICATION DETAILS

- 3.1 This application is for Full Planning Consent for the erection of 94 dwellings including associated parking, garages, infrastructure and landscaping. The application has been subject to amendments following Officer and consultee comments. A re-consultation process has taken place following these amendments.
- 3.2 The development would provide a mixture of 1, 2, 3 and 4 bedroom homes including 4No. bungalows, two of which would be built to M4 (3) wheelchair standard. The development would provide a density of approximately 31dph.
- 3.3 It is proposed to provide 25% of the development as Affordable Housing (24 units) which would be spread in smaller clusters across the development.
- 3.4 The development would provide a total of 231 parking spaces (including garages).
- 3.5 Both on-plot and Public Open Space (POS) landscaping would be provided and indicate a range of trees, hedging and planting. Boundary treatment is proposed as garden walls where visible from the highway and close boarded fencing between plots. An acoustic fence is proposed along the southern boundary adjacent to Castle Farm Way. A pathway connecting to the existing path to the north of site is proposed.
- 3.6 Two SUD's ponds are proposed, one in each south eastern corner of either plot.
- 3.7 The application is supported with a full planning pack including the following:
- Design and Access Statement
 - Planning Statement
 - Transport Assessment
 - Flood Risk Assessment (FRA)
 - Noise Impact Assessment (NIA)
 - Arboriculture, Ecology and Ground Investigation Reports

Reports have been updated following consultee comments and the submission of amended plans.

- 3.8 The application is subject to the following financial contributions:
- Strategic Highway Network Contribution of £79,621.29

- Traffic Regulation Order Contribution of £5,000
- Secondary Education Contribution of £107,050
- Primary Education Contribution of £284,547
- Recreation Contribution £42,500

Site History

- 4.0 The application site originally formed part of a larger Outline Consent which included two nearby plots known as Plots I (1, 2 and 3) and Plot F. This Outline Consent was granted in July 2009 (W2002/1421). This was approved subject to planning contributions towards affordable housing, education, open space and maintenance and play facilities and maintenance (both on and off site).
- 4.1 A later outline application was submitted (TWC/2012/0530) which modified the condition to extend the time limit for implementation of the permission from the original 2002 Outline Consent. This application was approved in September 2014 subject to a revised S.106. The financial contributions remained as per the original agreement but changes of wording and terminology were required to reflect the time that had elapsed since the original application came to Committee in 2003.
- 4.2 In February 2016, a Deed of Variation (DoV) of the original S.106 Agreement was approved by Planning Committee. This Variation altered the triggers and timescales of when contributions should be paid, with a number of these triggers linked to the commencement of development. At the time, The Home and Communities Agency (now Homes England) who were the owners of the site, had marketed plot D3 and advised that this was likely to be the first plot where development would commence. A Reserved Matters Application for 20 Affordable Housing units for Plot D3 was approved by Committee on 11 January 2017 and has since been completed. Reserved Matters for Plots I and F (220 units) was approved 10 August 2017 and is currently being built out by Lovell's.
- 4.3 No Reserved Matters Application was submitted for Plot J (current application site) before the Outline Consent expired. As such, this is the reason why a new full planning application is now required. The Applicant has sought pre-application advice prior to the submission of the application.

5.0 RELEVANT POLICY DOCUMENTS

5.1 National Guidance:

National Planning Policy Framework (NPPF)

5.2 Local Development Plan:

Telford & Wrekin Local Plan

6.0 SUMMARY OF CONSULTATION RESPONSES

Local Member and Town/Parish Council Responses:

6.1 St Georges and Priorslee Parish Council: Comment:

The Parish Council request information as to how the proposed S.106 Contributions will be spent. They also ask for stringent controls on construction traffic.

6.2 Cllr Veronica Fletcher: Object and Call-in Request on the following grounds:

- Highway issues, increase in traffic movements from site;
- Lack of facilities i.e. only hourly bus service Monday – Saturday, nearest shop 1.7 km away, doctors service is poor, schools are overcrowded;
- No provision for cycle parking;
- No community facilities.

Standard Consultation Responses

6.3 Highways: Support subject to Conditions.

The Amended submission has address a number of concerns originally raised. As such the Highways Officer raises no further Objections subject to Condition(s) and S.106 Contributions.

Condition(s) to include, prior to development, the submission of full road details including lighting and the resurfacing of the footpaths fronting the site and the details of the bus stops which will be relocated. It also includes the requirement to submit a Travel Plan for the development and a Construction Management Plan.

Contributions are requested towards the Strategic Highway Network in accordance with plan policy and a further £5,000 towards the potential for a TRO along the frontage of the site, if a problem arises with on road parking.

Further to previous highways comments made relating to planning application ref.: TWC/2017/0882, the Local Highway Authority (LHA) acknowledges the absence of any existing restriction on vehicle sizes associated with the extant permission. Nonetheless it is considered that the proposed increase in throughput of material will necessitate an increase in use of larger vehicles and as such, the previously requested mitigation measures are considered proportionate to the likelihood of an increase in larger vehicles.

The proposals also require the removal of a defunct junction bellmouth and this will need to be made good, along with the southwest footpath into the amphitheatre.

6.4 Drainage: Objection subject to Condition(s) (on first Consultation). No comments received on second Consultation.

The FRA states that the ditch along the northern side of Gatcombe Way is not a drainage ditch. This is not the case and this system is known to be conveying drainage. The developer will need to identify any incoming connections to this ditch and what they are serving, as well as identifying how these existing systems will be addressed as part of the development site. In addition to this, the two proposed attenuation basins have been designed as impounded structures and the dam serving the southern pond is 1.7 metres high. Looking at the levels of the existing

sewer connections, which are all at a reasonable depth, there is no reason for these attenuation basins to be impounded above ground level and the proposals should be revised to remove the need for this. This will also reduce the cost of maintaining these features and remove the unnecessary additional risk to downstream properties and infrastructure of embankments failing.

The FRA and site layout have not considered the existing drainage systems within the site and will need to be revised to accommodate these systems. The proposed SUD's Ponds are impounded about ground level, creating unnecessary risks in the event of embankment failures and additional ongoing maintenance costs. Should information identifying the existing drainage systems and demonstrating how they can be suitably be accommodated within the development site be submitted, alongside a revised drainage layout removing the dams impounding the SUD's we would be willing to support this development subject to Condition(s).

The Applicant has submitted revised information and comments from the drainage team are awaited.

6.5 Ecology: Support subject to Condition(s) and Informative(s):

Condition(s) requested as follows:

- Lighting Plan;
- Landscaping Design;
- Bird and Bat Boxes;
- Reasonable Avoidance Measures Method Statement.

6.6 Arboriculture: **Object (on first Consultation) No comments received on second Consultation:**

The tree officer raises concerns on grounds that trees and hedging (Council maintained) along the southern boundary would be difficult to access. It is noted that some dwellings on the original layout were slightly within tree protection zones however, this appears to have been amended in the most recent amendments. No further comments have been received.

6.7 Education: **No objection subject to S.106 Contributions.**

6.8 Healthy Spaces: Support subject to Condition(s),

The amended submission resolves issues with a 30m stand off to the proposed location of a MUGA north of the site. Conditions required for landscape management.

6.9 Affordable Homes: **Comment**

The revised Affordable Housing Tenure Mix is 75% Social Rent and 25% Shared Ownership.

Comments on the bungalows have not been taken into account and the revised proposal is therefore not acceptable. Require the balanced mix of size and accessibility standard set out in previous comments, which in itself is an adjustment to the original S106 requirement.

The communal type car parking arrangements for the seven Plots 75-81 are not acceptable and are not compliant with Council Planning Policy. Not all car parking

spaces for the Affordable Homes are numbered. Some car parking spaces are not immediately adjacent to the property.

The clustering arrangements are acceptable and these are mixed by affordable tenure.

6.10 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.'

7.0 SUMMARY OF PUBLIC RESPONSE

7.1 A total of 19 objections were received on the first round of consultation and 8 on the second and are summarised as follows:

- Highways issues including difficulty to park on roads and highways capacity, notably when existing estate;
- Schools at capacity;
- Doctors at capacity;
- Local area cannot support more housing;
- Loss of green spaces;
- Flooding Issues;
- Location of affordable homes opposite private housing unacceptable;
- Properties along Westminster Way should match existing detached housing;
- Impact on wildlife and local environment.

7.2 Full copies of consultation responses are available on the Council's planning online website: <https://secure.telford.gov.uk/planning/pa-applicationresponses-public.aspx?ApplicationNumber=TWC/2019/0724>

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
- Scale and Appearance
- Highway Implications
- Impact upon Neighbouring Amenity
- Ecology and Trees
- Drainage
- Planning Obligations

8.2 Principle of Development

8.3 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.

8.4 The application site sits in the built up area as supported by Telford & Wrekin Local Plan Policy SP1. As noted in the site history earlier in this report, the site has been earmarked for residential development since the submission of an original Outline application in 2002 (approved 2009). Since then the site has remained unallocated

white land in both the previous and current versions of the local plan and is therefore suitable for development subject to the relevant planning policies contained within the Telford and Wrekin Local Plan. It is therefore considered that the principle of residential development within the application site is acceptable.

8.5 Scale, Appearance and Layout

- 8.6 Officers are satisfied that the scale and appearance of the proposed development is acceptable. The proposal provides a mixture of property types, sizes and tenures as required by TWLP Policy HO4 with properties built to the Governments nationally described space standards. The development provides an attractive layout that seeks to use the constraints of existing vehicular and pedestrian access points, location requirements of SUD's features and existing landscaping.
- 8.7 Whilst concerns are noted that development along Westminster Way should match the detached style of properties opposite, Officers do not share this view and are satisfied that the development would provide a suitably varied street scene along this route. Officers are also satisfied that the mixture of Open Market, Affordable Rented and Shared Ownership dwellings across the site is acceptable and is not contained to one particular area. Concerns raised by the Affordable Housing Officer in regards to bungalow sizes are noted however, the nearby Lovell's development provided the bungalows as required by the original outline consent. As such, providing 4 bungalows, two of which are to wheelchair standard on this development alone is considered to be acceptable.
- 8.8 Following Officer comments, amendments have been made to ensure that a 30 metre stand-off to the site of a proposed MUGA (Multi Use Games Area) is provided in the north east part of the site. The MUGA itself is obligated through the previous Outline Consent and is proposed in land adjacent to the existing play area to the north of the application site. The stand-off is required to provide suitable separation to avoid conflicts between users of the ball court and local residents. In order to cater for this, parking for nearby properties has been provided in this area.
- 8.9 The proposals indicate a well landscaped scheme which compliments existing planting around some of the edges of the site and new tree planting, notably within plots along the main highway.
- 8.10 The proposal is therefore compliant with Policy BE1 of the TWLP.

8.11 Highway Implications

- 8.12 It is acknowledged that one of the most significant concerns raised by local residents is the impact the development would have upon the existing highway network.
- 8.13 The application is supported by a Transport Assessment which has been considered, along with the application plans, by the Council's Highways Engineers. The Assessment has been updated following the original submission in line with comments made by Highways Officers, to take account in changes to the number of vehicles using the local roads since the previous Outline Application was approved. Whilst it is acknowledged that there will be an increase in vehicle numbers using local roads, it cannot be demonstrated that this would cause such harm as to refuse the application on highways grounds.

- 8.14 It is noted that the current application requires a contribution of £79,621.29 towards the Strategic Highways Network. This can be used to support the upkeep and improvements of the existing road network.
- 8.15 In addition to the above, it is also noted that parking along sections of Gatcombe Way is problematic during school drop off and pick up times. There are concerns that this could be exacerbated by the proposed development with vehicles parking along the highway. To mitigate for this, the Highway's Officer has request a sum of £5,000 towards a TRO along the site frontage should this problem arise.
- 8.16 The development provides a suitable level of parking across the site in accordance with guidance contained within the Local Plan. This requires 205.8 spaces (based on suburban area) and a total of 231 spaces have been provided.
- 8.17 The application site is also located immediately adjacent to bus stops (No.14) which provide a half hour to an hourly service depending on the time of day. To take account of the position of proposed housing, the bus stops will be relocated, but remain adjacent to the development. Further details of the location and type of bus stops will be submitted through the Highways technical details submission.
- 8.18 Concerns relating to construction management are noted and is also recognised by the Highways Officer. A suitable worded Condition will be attached to control on site construction including parking and materials storage. It will also seek details of mud control on the roads along with suitable construction times.

8.19 Impact upon Neighbouring Amenity

- 8.20 The proposed development would not directly affect the amenities of neighbouring occupiers. Officers are also satisfied that the development provides suitable levels of private amenity within the site including adequately sized private gardens.

8.21 Ecology and Trees

- 8.22 Within their report Environmental Dimension Partnership Ltd (August 2019) note that birds could potentially nest in the scrub and trees along the boundary.

Reasonable avoidance measures for nesting birds will be required for any vegetation removal and a suite of artificial nesting opportunities will be required by condition.

- 8.23 The report also concludes that there are no buildings or trees within the application site containing features suitable for roosting bats and foraging habitat is restricted to the scrub and trees along the boundary. Lighting on the site should avoid illuminating the site boundaries and a suite of artificial bat roosting boxes will be required by condition.
- 8.24 There is no record of reptiles on the site and the habitat present has negligible suitability. The habitat within the site has limited terrestrial value for great crested newts and is maintained at a short sward by horse grazing. The site itself is considered to have negligible value for terrestrial amphibians and the report recommends that a reasonable avoidance measures approach to site works will be sufficient to address any small remaining risk.
- 8.25 It is noted that there are trees and hedging to the south of the site. Amendments to the application ensure that all dwellings now fall outside the root protection areas.

8.26 Concerns raised by the Tree Officers in respect of maintenance to trees/hedge to the rear of proposed gardens adjacent to Castle Farm Way are noted. Such access is currently done across the third party land and whilst access to this side of the hedge would be made more difficult, access across third party land would still be required. There are no planning grounds to refuse the application in this respect. All dwellings are now outside of root protection areas following the submission of amended plans.

8.27 Drainage

8.28 Following the initial submission, the Council's Drainage Engineers objected on grounds that there were errors within the submitted Flood Risk Assessment by RACE and issues surrounding the SUD's design. The comments from the drainage officer was an objection, subject to conditions that the FRA is amended and some amendments made in regards to the SUD's design. Based on the comments received it appears that these matters can be suitably overcome and conditions can be attached for the submission of a Foul and Surface Water scheme prior to development. However, no further comments from the Council's drainage team have yet been received following consultation on the submission of amended plans and supporting information. On this basis, the recommendation to Members is provisional on the support of Drainage Officers being received.

8.29 Play and Open Space

8.30 Through the now expired Outline Consent, contributions were required towards the upgrade of existing play facilities off Kesworth Drive in Priorslee in relation to the development of Plot J. The applicant has agreed to match this contribution within this current application. As a result, the Local Authority will not miss out on contributions that may have otherwise been lost following the expiration of the previous Outline Consent.

8.31 It should also be noted that contributions required from the commencement of previous Plots (D2, I and F) as part of the original Outline Consent will go towards the creation of a NEAP to the north of the application site. This should overcome some of the concerns raised in respect of the lack of facilities for school aged children in the area.

8.32 Planning Obligations

8.33 The proposed development meets the requirement to provide the following contributions as directed through the local plan. It should be noted that since the previous outline consent has expired, Officers have been able to negotiate contributions in line with current policy and this includes a significant increase in education contributions (including secondary in addition to primary) and a highways contribution that was previously not required through the previous consent. The S.106 requirements are as follows:

8.34 Highways:

- Strategic Highway Network Contribution of £79,621.29 (index linked);
- Traffic Regulation Order Contribution of £5,000 (index linked) if, within 5 years of practical completion of the Development, it becomes necessary to prohibit on-street parking on Gatcombe Way.

8.35 Education:

- The Secondary Education Contribution of £107,050 (index linked) to be used within 3miles of the development;
- The Primary Education Contribution of £284,547 (index linked) to be used within 2miles of the development.

8.36 Recreation:

- £42,500 (index linked) toward the upgrade of the existing NEAP on Kesworth Drive.

8.37 Affordable Housing

- To provide within the Development that 25% of all Dwellings constructed shall be the Affordable Housing Units of which 75% will be Social Rented housing and 25% Shared Ownership housing.

8.38 In determining the required Planning Obligations on this specific application the following three tests as set out in the CIL Regulations (2010), in particular Regulation 122, have been applied to ensure that the application is treated on its own merits:

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

9.0 CONCLUSION

9.1 The principle of residential development on this site is considered acceptable. The site is available white land within the local plan and has previous Outline Consent for residential.

9.2 The scale, design and layout of the development is considered acceptable and with a density of approximately 31 dwellings per hectare it would be consistent with other development approved in the surrounding area. The development provides reasonably sized gardens for all dwellings and parking requirements comply with guidance contained within the Local Plan. Officers are satisfied that the development would provide a good mix of house types, sizes and tenures.

9.3 Officers are satisfied that the mix of dwellings includes a range of Affordable Homes, including bungalows spread across the development.

9.4 Although the development will create additional traffic, it is not considered that this would cause sufficient detriment to warrant refusal of the application. The applicant has provided a cycle storage plan which demonstrates that dwellings will be provided with either a secure bike shed or space within a secure garage to encourage the use of sustainable transport methods. The site is located immediately adjacent to bus stops and a travel plan will be required through conditions. In regards to on-street parking, the applicant has agreed to contribute towards a TRO to the front of the site should issues arise.

- 9.5 Tree and Ecology matters can be sufficiently dealt with through appropriate Condition(s).
- 9.6 Officers note that Drainage Officer Comments have not been submitted following the submission of amended information and plans. The recommendation by officers is on the basis that the scheme is supported by the Council's Drainage Officers subject to any Condition(s) proposed.
- 9.7 Based on the above, and subject to the Contributions required to mitigate the impacts of the development, there are no grounds to warrant refusal of the application. The proposal therefore complies with policies contained within the Local Plan and National Planning Policy Guidance.

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 PERMISSION** subject to the following:

- A) That the application receives support, subject to Condition(s) from the Council's Drainage Officers.
- B) The following contributions to be agreed through a S.106 Agreement:
1. Highways:
Strategic Highway Network Contribution of £79,621.29 (index linked)
Traffic Regulation Order Contribution of £5,000 (index linked) if, within 5 years of practical completion of the Development, it becomes necessary to prohibit on-street parking on Gatcombe Way.
 2. Education:
The Secondary Education Contribution of £107,050 (index linked) to be used within 3miles of the development.
The Primary Education Contribution of £284,547 (index linked) to be used within 2miles of the development
 3. Recreation:
£42,500 (index linked) toward the upgrade of the existing NEAP on Kesworth Drive
 4. Affordable Housing:
To provide within the Development that 25% of all Dwellings constructed shall be the Affordable Housing Units
- C) The Following Conditions:
- Time Limit – Full
 - Materials Conditions (as submitted)
 - Landscaping Conditions incl. Landscape Management
 - Highway Conditions including Highways Details, Lighting and Construction Management.

Drainage Conditions

Ecology Conditions including Reasonable Avoidance

Tree Protection to be in accordance with plans and no dig where required

Noise Attenuation completed prior to Occupation

Development in Accordance with Plans