

TWC/2011/0871

Land to the East and West of Station Road, Newport, Shropshire,
Erection for up to 350 no. dwellings (Use Class C3); extra care housing (Use Class C2); 4.5ha of employment land (Use Classes B1, B2 and B8); public open space and landscaping provision including sports pitch and landscaped park; demolition of existing industrial buildings; highway works and associated infrastructure development (Outline to include Access)***AMENDED DESCRIPTION, AMENDED PLANS AND SUPPORTING DOCUMENTS & REVISED ENVIRONMENTAL STATEMENT***

APPLICANT

Davidsons Dev. Ltd & St Modwen Dev. Ltd,

RECEIVED

04/11/2013

PARISH

Chetwynd Aston and Woodcote, Church
Aston, Newport

WARD

Church Aston and Lilleshall, Newport
South and East

1.0 Purpose of this Report

- 1.1 This is an Outline Application for a mixed use major scheme on 23.9 hectares of land to the east and west of Station Road, Newport and linking through to Audley Avenue. The Outline Application includes access. Issues relating to layout, scale, appearance, and landscaping would be Reserved Matters for later consideration.
- 1.2 The amended application now comprises the following components:-
- 23.9 hectares of land;
 - Up to 350 dwellings, with 35% Affordable Housing (10.6ha);
 - New industrial estate comprising B1, B2 and B8 Uses (4.5ha);
 - Extra Care Home for the elderly (0.4ha);
 - Highway alterations and infrastructure provision - via a new 3-arm roundabout off a realigned Station Road followed by a short section of new highway serving the site and adjoining land connecting to a 4-arm roundabout that leads to the rest of the estate, with a blank arm that could link to the land to the north that has been excluded from the application;
 - Informal and formal public open space, including sports pitch and equipped NEAP and LEAP play areas (6.6ha).
- 1.3 This report is to update members with regards to recent changes in circumstances and new material considerations affecting the previous Committee Resolution in 2015 and to ask members to ratify that Resolution to Grant subject to amendments.
- 1.4 The legal position is that Local Planning Authorities (LPA's) should have regard to new material factors that arise between the date of a Committee Resolution and the formal grant of planning permission. Officers have therefore decided to take the prudent course of providing this update to enable Members to reconsider the application in the light of the new factors.

- 1.5 This report will summarise the new considerations, including the fact that the application site is now within the built up area of Newport under the new Telford & Wrekin Local Plan, and will set out proposed changes to the (section 106) Planning Obligations. The report will also provide references to previous reports and planning files to help Members fully understand the current planning context.
- 1.6 Officers are of the view that there is no reasonably justifiable basis for refusing this outline application in the light of the new factors.
- 1.7 An illustrative masterplan for the above development is attached to this report.

2.0 Background and Update

- 2.1 Members are referred to the meeting of Planning Committee on 24 June 2015 which resolved to grant Outline Planning Consent (ref.: TWC/2011/0871) for up to 350no. dwellings; extra care housing; 4.5ha of employment land; public open space and landscaping provision including sports pitch and landscaped park; demolition of existing industrial buildings; highway works and associated infrastructure development on Land east and west of Station Road, subject to a s.106 legal agreement, which is nearing completion. The full 2015 Report can be read [here](#) and Minutes are available upon request from Democratic Services.

The 2015 resolution was as follows:

RESOLVED - that with respect to planning application TWC/2011/0871 that authority be delegated to the Development Management Service Delivery Manager to grant Outline Planning Permission, subject to:

(a) the Applicants/Council as landowner entering into a Section 106 agreement/Memorandum with the Council (terms to be agreed by the Service Delivery Manager of Development Management) relating to:

- £820,596 towards Highway works to the A518 Station road roundabout and its approaches and the links along the A518 up to Audley Avenue (but not contributing towards the cost of works the proposed new access for the Station Road site (ref: TWC/2011/0871));
- £10,000 for public transport infrastructure for bus stops along Station Road;
- £7,500 for Public Rights of Way diversions and associated enhancements and footway improvements for on-site sections;
- £360,000 for public transport service enhancements towards diverting local bus services into both parcels of the site;

- £10,000 for Travel Plan monitoring (comprising £5,000 (C Class Uses) + £5,000 (B Class Uses));
- Commuted maintenance sum for the Station road PUFFIN crossing;
- £100,000 for Public Art within the site or within vicinity of site;
- Primary Education element (£474,425) for remodelling of Church Aston Primary School and Secondary Education element (£388,166) to Burton Borough Expansion;
- Open space/landscape maintenance sums to be agreed, depending if land to be transferred to the Council;
- 35% Affordable Housing;
- £20,000 towards planning & Financial monitoring of planning conditions and section 106 (this is a maximum figure and may be changed if, in the opinion of the Service Delivery Manager of Development Management, such change is required);
- In the event that the North Audley Avenue application TWC/2011/0827 does not commence, that land for the sports pitch for joint community/school use at Burton Borough school be transferred and a memo of undertaking is produced by the council as land owner, requiring the provision of the sports pitch before the 75th dwelling is constructed;
- An appropriate obligation (if required) to secure that a four-arm roundabout is constructed on Station road to ensure that adequate highway features are in place to address potential traffic arising from this development in the context of other developments which may or may not involve accesses on to Station Road in this location; and

(b) *The Condition(s) and Informative(s) set out in the report and the update report.*

2.2 At the same Committee Meeting it was resolved to grant Outline Planning Permission (subject to a Section 106) for a 215 dwelling development on at land North of Audley Avenue (ref.: TWC/2011/0827) for 215no. dwellings ([Link to report here](#)). The planning obligations relating to the Audley Avenue permission require the developer to create a new sports pitch at Burton Borough School for dual school/community use and offer to transfer it to the Council before occupation of more than 75no. dwellings. This obligation deliberately overlapped with the penultimate bullet point of the above resolution for this Station Road site because the Council wanted the pitch but did not then know which development was going to come first. Since 2015, the Audley Avenue development has been commenced, work has started to

create the sports pitch and the transfer to the Council is expected to take place soon - please see para. 3.3 below for further detail.

- 2.3 Also at the same committee meeting it was resolved to grant Outline Planning Permission TWC/2013/0855 for a 51 dwelling Shropshire Homes development on land on the opposite side of Station Road behind Willow Tree Cottage ([Link to report here](#)). The resolution to grant permission for TWC/2013/0855 required an appropriate obligation (if necessary) to secure that a four-arm roundabout is constructed on Station Road to ensure that adequate highway features would be in place to address potential traffic issues. This obligation deliberately overlapped with the final bullet point of the above resolution because the Council wanted the roundabout but did not then know which development was going to come first. Since 2015, the Willow Tree Cottage permission has now been built out and uses a different access such that the 4 arm roundabout is no longer required - please see para. 3.4 below for further detail.
- 2.4 Since the 2015 Committee, a residential scheme (TWC/2015/0057) at land West of Station Road ([Link to report here](#)) has been granted permission for up to 120no. dwellings subject to a Section 106 agreement. In addition, a major industrial development has been approved at Newport Innovation Park (ref.: TWC/2018/0568) and work has started on this site located immediately to the south of Phase 2 of TWC/2011/0871.
- 2.5 Since the 2015 Committee, the Telford & Wrekin Local Plan (TWLP) has been adopted (January 2018) and identifies the application site as sitting within the urban boundary of Newport. The development is therefore in accordance with the adopted Local Plan.
- 2.6 Alongside this, the Council's approach to the provision of appropriate public art features on new developments has changed in that they are not necessarily secured via planning obligations - please see para. 3.2 below for further detail.
- 2.7 Furthermore, since the 2015 Committee, the Council's approach to the calculation of the amount of education contribution required to make a development acceptable has changed. Further, the Council requires more flexibility regarding where, within the Newport area, the education contribution should be spent - please see para. 3.1 below for further detail.
- 2.8 The Newport Neighbourhood Development Plan (NNDP) ([Link to NNDP here](#)) has been adopted since the previous resolution was made by committee in 2015. It establishes a long term view for the Newport area to help deliver the local community's aspirations and needs for the plan period 2017-2031. It sets out a number of key objectives and planning policies which the Newport Town Council wishes to be used to help determine planning applications in the Newport area. The policies set out in the NNDP are either met by the Outline application or any permission granted pursuant to a full, detailed application

where no matters are intended to be left outstanding or (i.e. residential design).

- 2.9 At the time of the 2015 Committee, it was expected that any future development on the application site would come forward in 6 to 8 Phases. It is more likely now that it would come forward based on 3 Phases. The land owners for Phases 1 and 2 (the larger sites immediately west and east of Station Road, respectively) are keen to progress. The various owners of Phase 3 (the site furthest to the east and adjoining/to the south of Audley Avenue) are co-operating in the progression of this application.

3.0 Financial and Other Contributions

- 3.1 In 2015 the education contribution approved by Committee was £862,591. Since 2015 the education contribution has increased because the latest methods of calculation have produced this revised figure to properly reflect the need arising as a consequence of this development. It now totals £1,531,581. The Council now also requires more flexibility regarding where the education contribution is spent whilst still ensuring that it is spent in and around Newport - these changes are reflected in the amended recommendation below.
- 3.2 The resolution to grant also sought £100,000 towards a scheme of public art. The applicant is prepared to deliver the public art on-site through future detailed planning applications and therefore it is more appropriate to secure this via a planning Condition rather than a financial contribution. This change is reflected in the amended recommendation below.
- 3.3 With regards to planning consent ref.: TWC/2011/0827 at Land North of Audley Avenue, as explained in para 2.2 above, there is no longer a requirement for the delivery of the Burton Borough School sports pitch to be included in the Section 106 for this application. The explanation for this is because the nearby development on Land North of Audley Avenue has been implemented, and there is an obligation on the owner of that development site to provide this sports pitch. By way of a further update, work on the provision of that pitch has commenced. The removal of the sports pitch obligation is reflected in the amended recommendation below.
- 3.4 With regards to the obligation to provide a 4 arm roundabout onto Station Road, officers advise this can be removed because the developers on the other side of Station Road, Shropshire Homes, have now relocated the access into their site (TWC/2013/0855) which has removed the potential need for a 4 arm roundabout on Station Road. The removal of the 4 arm roundabout obligation is reflected in the amended recommendation below.

4.0 Conclusion

- 4.1 This site is now included within the urban boundary and the scheme remains compliant with the Development Plan. The proposed increase in education contributions and the proposal to deliver the public art via planning condition

are commensurate with Local Plan policies and the NPPF. These material considerations do not warrant a change to the decision to grant made by Planning Committee in 2015. Similarly the removal of requirements to deliver the sports pitch and a 4 arm roundabout is necessary as these matters are, or have already been, addressed by the owners of adjoining developments.

- 4.2 It is important for Members to be made aware of these changes in material considerations since 2015. However, taking into account all the circumstances described above in this report, the Officer position has not changed since 2015 in that this Outline Planning Permission for the 350-dwelling scheme (TWC/2011/0871) subject to planning Condition(s) and Obligations, is policy compliant and should be granted.

5.0 RECOMMENDATION

- 5.1 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 OUTLINE PLANNING PERMISSION** subject to the following:

- A. The following contributions to be agreed through a s.106 Agreement (with authority to finalise the planning obligations to be delegated to Development Management Service Delivery Manager):
- £820,596 towards Highway works to the A518/Station Road roundabout and its approaches and the links along the A518 up to Audley Avenue (but not contributing towards the cost of works the proposed new access for the Station Road site (ref: TWC/2011/0871));
 - £10,000 for public transport infrastructure for bus stops along Station Road;
 - £7,500 for Public Rights of Way diversions and associated enhancements and footway improvements for on-site sections;
 - £360,000 for public transport service enhancements towards diverting local bus services into both parcels of the site;
 - £10,000 for Travel Plan monitoring (comprising £5,000 (C Class Uses) + £5,000 (B Class Uses));
 - Commuted maintenance sum for the Station Road PUFFIN crossing;
 - £1,042,685 towards the provision of Primary Education within Newport, or within 3 miles of the Development Land;
 - £488,897 towards the provision of Secondary Education within Newport, or within 3 miles of the Development Land;

- Open space/landscape maintenance sums to be agreed, depending if land to be transferred to the Council;
- 35% Affordable Housing;
- £20,000 towards planning & financial monitoring of planning conditions and section 106 (this is a maximum figure and may be changed if, in the opinion of the Service Delivery Manager of Development Management, such change is required).

(NB: All financial contributions referred to above, with the exception of the Primary and Secondary Education Contributions, shall be increased by an amount equivalent to the increase in the Retail Prices Index from 11 December 2013 until the date on which such sum is paid. The Primary and Secondary Education Contributions shall be shall be increased by an amount equivalent to the increase in the Retail Prices Index from the date of this Committee until the date on which such sum is paid).

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

Time Limit – Full

Materials Conditions

Landscaping Conditions including landscape management

Highway Conditions including highways details, lighting and construction management.

Drainage Conditions

Ecology Conditions

Tree Protection

Public Art Condition

Affordable Housing Condition

Development in Accordance with Plans

Background Papers and Previous Minutes:

- a) Report to Planning Committee – 11 December 2013 (ref.: TWC/2011/0871) & Minute (Link to report provided above; minutes available upon request from Democratic Services)
- b) Report to Planning Committee – 24 June 2015 (ref.: TWC/2011/0871) & Minute (Link to report provided above; minutes available upon request from Democratic Services)
- c) Report to Planning Committee – 28 February 2018 (ref.: TWC/2011/0871) & Minute (Link to report provided above; minutes available upon request from Democratic Services)

- d) Report to Planning Committee – 24 June 2015 (ref.: TWC/2011/0827) & Minute (Link to report provided above; minutes available upon request from Democratic Services)
- e) Report to Planning Committee – 20 July 2016 (ref.: TWC/2013/0855) & Minute (Link to report provided above; minutes available upon request from Democratic Services)
- f) Report to Planning Committee – 30 August 2017 (ref.: TWC/2015/0057) & Minute (Link to report provided above; minutes available upon request from Democratic Services)
- g) Report to Planning Committee – 05 December 2018 (ref.: TWC/2020/0568) ([Link to report here](#))
- h) Planning Application TWC/2019/0723 (Granted 11 October 2019) ([Link to report here](#))
- i) Telford & Wrekin Local Plan ([Link to Local Plan here](#))
- j) Newport Neighbourhood Development Plan (Link to NNDP provided in report above)