



Committee and date
South Committee
20 th September 2021

Item
Public

Development Management Report (**Referral back to committee**)

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Summary of Application

<u>Application Number:</u> 19/05560/OUT (Update Report Following Deferral)	<u>Parish:</u>	Buildwas
<u>Proposal:</u> Outline application (access for consideration comprising formation of two vehicular accesses off A4169 road) for the development of (up to) 1,000 dwellings; retirement village; employment land comprising classes B1(A), B1(C), B2 and B8; retail and other uses comprising classes A1, A2, A3, A4, A5, D1 and D2; allotments, sports pitches, a railway link, leisure uses, primary/nursery school, a park and ride facility, walking and cycling routes, and associated landscaping, drainage and infrastructure works		
<u>Site Address:</u> Ironbridge Power Station, Buildwas Road, Ironbridge, Telford, Shropshire TF8 7BL		
<u>Applicant:</u> Harworth Group Plc		
<u>Case Officer:</u> Grahame French	<u>email:</u> planningdmsw@shropshire.gov.uk	

Recommendations:

- 1) To Grant Permission subject to the conditions set out in Annex 2, Appendix 1 and the amended legal agreement schedule set out at the end of this report.
- 2) That the Committee authorises the Assistant Director for Economy and Place to enter into negotiations with Telford & Wrekin Council, if necessary, in order to secure a Memorandum of Understanding to deliver the cross-boundary infrastructure listed in Appendix 1 of this report (legal agreement clauses).
- 3) That Members note that if this cross-boundary application is approved arrangements will need to be entered into whereby Shropshire Council as the 'lead authority' can accept authority for onward delegation of planning control for the proposals from Telford & Wrekin Council. This will allow Shropshire Council to issue a single planning permission for the application and to assume sole responsibility for determining subsequent discharge of conditions and reserved matters applications relating to the application, whilst retaining Telford & Wrekin Council as consultees.

1. Background

- 1.1 This cross-boundary outline application for redevelopment of the former Ironbridge Power Station site was considered by the committee on 15th June 2021 following an

earlier (18/05/21) approval resolution by Telford & Wrekin Council. Members resolved to defer a decision to a later date to allow further clarification of the following matters:

- Viability including clawback review timing;
- The level and timing of affordable housing;
- Transport issues, especially in and around Much Wenlock, including the Gaskell Arms junction;
- The capacity of primary care facilities.

1.2 The application was subsequently reported back to committee on 10th August 2021 with further information. However, Members were not satisfied that the applicant had adequately addressed their concerns and resolved to refuse the application for the following reason:

The application does not provide adequate funding for healthcare provision or to mitigate the effects of the proposed development on highway infrastructure at Much Wenlock. Additionally the 5% level of affordable housing falls significantly below the requirements of Core Strategy Policy CS11 (20%) and is considered inadequate for a significant development of this nature. Accordingly the development is considered to be unsustainable and in conflict with development plan policy. (Core Strategy Policies CS6, CS7, CS8, CS9, CS11; SAMDev policies MD2, MD8)

1.3 A refusal notice was prepared but the applicant, Harworth Group Ltd lodged a legal complaint before this could be issued. The complaint referenced the fact that Members had received an email from an objector during the committee meeting on 10th August which contained an allegation that the Council's viability consultant had a conflict of interest. It was alleged that the email was in breach of the Council's rules on probity and public speaking and that the applicant had been given no opportunity to respond and further that the committee had failed to provide reasons for the refusal at the meeting itself.

1.4 It was established that despite the email, these matters had been addressed at committee and in any event the applicant had an alternative remedy (appeal). Hence the refusal notice could be issued. In the meantime, a further amendment to the proposal was submitted seeking to address the issues referred to in the refusal notice. Where a new material consideration arises between the resolution to grant permission and the issuing of the decision notice regarding a matter that has been considered by committee, the matter ought to be brought back before that committee as the decision taker has to take into account all material considerations. The amendments are material and so it is appropriate to report the application back to the committee.

1.5 The content of the previous reports has been reassessed and is considered to remain valid insofar as it relates to material land use issues, and subject to the amendments now proposed. Accordingly, the current report deals specifically with the issues referred to in the refusal reason listed above and should be read in conjunction with the previous two reports. The report to the 10th August committee is included below as Annex 1 and the original 15th June committee report is included as Annex 2. The associated additional representation reports are included as Annex 3.

1.6 It should be emphasised that a unique set of circumstances has led to the application being reported back to committee following the original refusal resolution on 10th August.

This should not be interpreted as establishing any wider precedent for reporting back to committee. The committee is entitled to expect that its decisions will be actioned expediently by officers and this is normally the case though in this case there is a valid reason.

2. The proposed amendments

2.1 In summary Harworth are now proposing that the scheme and its obligations are redistributed to provide the following:

1. A legal agreement clause confirming a commitment to deliver a minimum of 10% affordable housing (obligating the proposed Specialist Accommodation) as opposed to the original offer of 5%;
2. To provide the full level of capital funding being requested by the Clinical Commissioning Group (£913k as opposed to the £500k originally proposed) by removing the obligation for the onsite plot which was not requested;
3. To increase the funding contribution for improvements to the Gaskell Arms junction at Much Wenlock by £100k to £350k.

The company emphasises that no new funding has been identified and the proposed amendments have been possible due to increased confidence with respect to item 1 being delivered by a Registered Provider and re-distribution of existing / anticipated funds with respect to items 2 and 3. Additional details relating to the improved offer are discussed below.

2.2 Additionally, following discussion with officers and Councillor Claire Wild Harworth is now willing to agree to the following:

- i. Facilitating a speed restriction and provide vehicle activated signage on approaches to the site's T junction onto the Wenlock Road prior to occupation of the 50th home;
- ii. Implementing a road and pedestrian traffic safety scheme for the B4380 at Leighton prior to occupation of the 50th home;
- iii. To agree to re-distribution of a further £20k from the sustainable transport fund in order to fund an upgrade to parking provision at Buildwas School.
- iv. To agree to an amended wording for draft condition 20 set out in Appendix 1 of Annex 2 below in order to provide for submission of a technical report reviewing additional options for improving the B4380;
- v. To support the Council in facilitating local community liaison groups considering options for further highway improvements in Much Wenlock and on the B4380, to be potentially delivered with the help of other funding options including the viability review clawback mechanism.

Proposed increase in affordable housing to 10% minimum:

2.3 Harworth has had ongoing discussions with a Registered Provider for Social Care (RP) and the grant funding body Homes England since the early stages of the application. Recent discussions have given the company increased confidence on the ability to deliver additional affordable housing through a range of measures which are not limited by the viability constraints of the site. Accordingly, the company is now able to commit to a legal agreement clause stipulating a minimum of 10% affordable housing within the scheme. This improved offer is to be welcomed and is a consequence of Harworth's

increased confidence in affordable housing delivery mechanisms rather than in any increase in available funding.

- 2.4 The RP who Harworth has been in discussion with specialises in providing extra care ('assisted living') facilities. This is a specialist type of 'housing with care' whereby occupants retain independence whilst being assisted with some tasks such as washing, dressing and taking medication. The Council's Housing Enabling Team particularly welcomes this type of affordable accommodation given Shropshire's aging profile and the significant benefits that these developments can bring to residents (see section 5.3 below).
- 2.5 Extra care facilities normally are configured as apartments in communal buildings. As such, the accommodation is relatively denser, and the buildings can use modern construction techniques. This means that whilst the accommodation meets the definition of affordable housing the social housing provider also has the potential to compete for serviced plots sold on the open market by a 'master builder' such as Harworth without an essential need for grant funding. This process may be assisted by clawback funding from the proposed viability review mechanism (for instance, to subsidise discounted sales) but it is not dependent on this. It is already implicit in the financial schedule agreed with Harworth and Telford & Wrekin Council that affordable home delivery would be a key priority for such funding.
- 2.6 The development proposals already include provision of assisted living accommodation outside of the S106 obligation and this has already been assessed in Harworth's viability assessment. This is a specialist type of housing that has a limited number of private and affordable providers, and therefore creates a level of uncertainty as to who would come forward to develop these units. Initially Harworth could not offer this accommodation as affordable but following lengthy discussions with the RP they are now willing to commit to this on the understanding that the accommodation is exclusively for Assisted Living and not any other tenure.
- 2.7 In the event an RP is not secured, Harworth is willing to transfer the units to the Government's recently defined 'First Homes' initiative (May 21), where properties can be discounted up to a maximum by a minimum of 30% of the open market value. These units would be discounted by 30%. This meets the Government's definition for affordable housing and would be accepted as such by the Council. Any delivery mechanism would need to be sufficiently flexible to accommodate both mechanisms and with respect to timing, to ensure that viability is not impacted.
- 2.8 The sales value of the Assisted Living accommodation ('retirement village') has already been factored into the viability assessment by the applicant's consultants, Tustain Associates as assessed by the Council's independent viability consultant, Matt Spilsbury. It was always assumed that the development block comprising the 'retirement village' would be sold either to a registered social landlord ('RSL') an RP or to a private operator. As RSL's RP's have access to additional funding, combined with factors such as not for profit organisations, their business models ensures they use any surplus, and housing benefits this allows them to compete in the same market as private operators. All Harworth is now proposing is to limit the sale to an RSL RP instead of a private operator. This does not affect previous assumptions about viability though it will impact on the range of people that could occupy those units.

- 2.9 Paragraph 65 of the NPPF (July 21) states that “where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership”. The footnote states “as part of the overall affordable housing contribution from the site”. The Harworth proposals are now capable of delivering 10% affordable homes. For the avoidance of doubt the 10% is based on the total number of residential units proposed at the site which includes (up to) 1000 homes and the 75 units in the retirement village or 1075 units in total. This equates to 107.5 affordable homes. Additionally, the company has committed to work with registered social landlords, other RP’s and Homes England to apply for grant funding and deliver further affordable housing which is only available outside of the provisions of the S106 agreement. This has the potential to further increase affordable delivery above the currently proposed 10% level.
- 2.10 In summary, Harworth are proposing to deliver a further 5% of affordable units as assisted living accommodation under an amendment to the proposed s106 legal agreement, leading to a total of 10% affordable accommodation. This proposal is supported by the Council’s housing team and is consistent with the outline masterplan which shows a retirement village to the immediate north of the village centre. The principal change is that Harworth now have sufficient confidence to designate / ring fence this accommodation as affordable (Assisted Living) following their discussions with a Registered Provider social housing provider. Harworth’s commitment to deliver a minimum 10% affordable housing on this viability constrained scheme is to be welcomed and is in accordance with the NPPF paragraph 65.

Proposal to increase healthcare funding

- 2.11 Harworth are now proposing to increase capital funding for healthcare from the originally proposed level of £500k to £913k which is the level requested by the CCG. Harworth is intending to find the additional funding in two ways:
- i. Firstly, the original offer to make a serviced plot within the site available for healthcare use has been withdrawn. This was not accorded much weight by the CCG as they were not able to confirm whether such a plot would be needed. Instead, the value of the plot has been converted back to capital funding to add to the original £500k. This value is given as £325k in paragraph 5.5 of the update report for the August 10th committee (see Annex 3) based on a 2500m² area. This gives a total of £825k.
 - ii. Secondly Harworth has indicated that the balance of the capital sum requested by CCG (£88,750) should be taken from the £1m sustainable transport fund (effectively a bus subsidy) which has previously been agreed with the company and Telford & Wrekin Council. This is acceptable to the Shropshire Highway Authority and to Telford and Wrekin Council. Re-distributing funding from this source is discussed further below.

- 2.12 Funding from both the above sources yields an additional £413,750k which together with the original £500k meets the CCG’s request for a capital sum of £913,750. Accordingly, the CCG has now written in support of the proposals.

Proposal to increase funding for improvements to Gaskell Arms junction

- 2.13 Harworth is also proposing to provide an extra £100k towards the cost of junction improvement works at the Gaskell Arms in Much Wenlock, giving a total of £350k. The Highway Authority has advised that the original sum of £250k is appropriate and

proportionate given the anticipated level of traffic from the Harworth development (10% by the final construction year). However, the company has listened to the concerns of the committee and this additional funding is to be welcomed. This is not new money. Harworth is proposing that as with a proportion of the additional CCG funding the extra £100k should also come from the £1m bus fund. The justification for this is discussed further below.

- 2.14 It should be emphasised that there are long-standing and pre-existing issues with the Gaskell Arms junction, and this would continue to be the case irrespective of whether this scheme proceeds. It would not be reasonable to expect this scheme to deal fully with these issues which are not a consequence of the proposed development. Such a requirement would fail the Government's legal tests associated with the use of planning conditions and legal agreements.
- 2.15 The applicant has already agreed to front load £50k of the funding so that it is available for use to commission an early feasibility study and this offer remains. Additionally, it is confirmed that a local liaison group would be set up to agree the scope and report on the findings of the feasibility study and to discuss identified options.
- 2.16 Further development is planned in the local area including c1600 homes in total at Tasley near Bridgnorth and 150 homes in Much Wenlock. Such development will also generate CIL funding and the Highway Authority has advised that it will be seeking appropriate contributions from these developments towards a comprehensive highway improvement scheme for Much Wenlock.
- 2.17 Updated highways technical note: Harworth's traffic consultant has provided an updated technical note on the Gaskell Arms junction which has been published on the Council's online planning register. This reiterates that there are long-standing issue at the junction which is predicted to be at capacity in 2036 without the Harworth development proceeding.
- 2.18 Modelling predicts that as a 'worst case' scenario the proposed development could increase traffic flows by up to 51 two-way trips in a morning peak hour (less than one two-way trip per minute). The evening peak could add an additional 74 two-way trips, or slightly more than one two-way trip per minute. Therefore, the proposed development would not significantly increase traffic flows at the Gaskell Arms junction during the peak hours in 2036. Any additional delays would amount to a relatively minor impact which would not be 'severe' in the way meant by Paragraph 111 of the NPPF.
- 2.19 Mitigation at this junction was therefore proposed of a scale commensurate with the relatively low levels of development traffic forecast to route through the junction. The technical note emphasises that it is not the responsibility of Harworth to address long-standing issues with the junction and that any mitigation should be proportionate to the impact of the scheme. A signalised junction scheme was put forward but was not supported by the Highway Authority. It was agreed instead to offer equivalent funding (£250k) with the first £50k front loaded to produce a feasibility study. That funding has now increased to £350k under Harworth's amended proposals.
- 2.18 The technical note also advises that the Transport Assessment accompanying the application provides a range of mechanisms promoting alternative modes of transport which have the potential to further reduce levels of traffic at the junction which are

attributable to the proposed development. This includes funding for public transport, a very light railway (VLR) initiative and a travel plan procedure to promote sustainable transport modes. The technical note advises that VLR has the potential to help the 600,000 annual visitors to the Gorge travel sustainably and use the proposed park and ride facility at the power station site.

2.19 It is advised that if Harworth Group are successful in opening up the branch line for VLR, this has the potential to help new and existing residents travel to Telford and Birmingham and in this regard an application for funding has been submitted in a partnership between Telford and Wrekin Council and Harworth. The traffic impact assessment work undertaken in the TA and TAA does not take into account the public transport or VLR strategies and therefore represents a worst-case scenario. If successfully delivered, the sustainable transport provision could materially reduce the number of vehicle trips generated at the proposed development and hence reduce off-site impacts.

2.20 Improvements to the A4169 Much Wenlock road and the B4380 Buildwas-Atcham Road
Councillor Claire Wild has requested that planned improvements to the above routes are carried out early, prior to completion of the 50th home and has questioned the amount of funding allocated for these routes. This matter has been discussed with the Highway Authority and the following provisions requested by Councillor Wild are now agreed prior to occupation of the 50th home:

- i. Provision of a reduced speed limit on the A4169 at its approach to the Buildwas Bank junction with the B4380;
- ii. Provision of vehicle activated speed signage to support the reduced speed limit at the above location;
- iii. Implementation of a traffic calming and pedestrian improvement scheme at Leighton on the B4380;
- iv. Commitment to convene a local community liaison group to consider options for improvement of the A4169 and the B4380.

2.21 Councillor Wild advises that the £65k funding allocated to the B4380 under a Grampian condition is in her opinion is insufficient to cater for the potential increase in vehicle movements along the B4380. The Chair of Leighton Parish Council has also written recently to the Highway Authority to reiterate concerns about increased HGV movements and pedestrian safety issues through Leighton.

2.22 An original safety improvement scheme for Leighton was designed in 2017 with a cost then of @£17,500. However, the Highway Authority had insufficient funding to progress this at the time. The £65k allocated from the Harworth scheme under a Grampian Condition would allow an equivalent or more comprehensive scheme to be put forward for Leighton with a commitment to early delivery, though some of this money would also need to fund additional parking provision at Buildwas Academy school (see succeeding section). Additionally, as stated in the previous committee report of 10th August there is a commitment from planning and highway officers to support the use of viability review clawback funding on this route in the event that further schemes can be identified and justified through the local liaison group process referred to above. The operation of the viability review process is referred to in a succeeding section.

2.23 The £65k was expected to deliver both the improvement at Leighton and provision for additional parking at the Buildwas Academy school. The latter is necessary in order to

respond to the expected increase in parking pressure from parents who are new residents of the Harworth scheme before the proposed new school becomes operational in construction year 6. Further work has since been undertaken on this additional parking provision and it has been agreed with the Highway Authority that an additional £20k should be taken from the sustainable transport fund to cover the cost of these works. Hence, the total indicative amount now proposed for improvements to / adjoining the B4380 at Buildwas, Leighton and Atcham is now £85k.

- 2.24 It should be noted that Buildwas Parish Council will also receive neighbourhood funding estimated to be £1m in total over the build-out period of the proposed development. The Parish Council is expected to have access to this funding source from construction year 2 and will have the option of funding further improvements within the Parish from this money. However, the improved parking at the existing Academy school is required before the initial payment is due. Hence, the additional £20k from the sustainable transport fund is justified. Delegated authority is requested to update the relevant planning condition to reflect this (Condition 20).

Justification for re-allocation of some bus subsidy funding

- 2.25 As stated above, the applicant is proposing that a total of £208,750 should be reallocated from the sustainable transport fund which had an original agreed value of £1m. Both the Shropshire and Telford Highway Authorities are supportive of this.

- 2.26 The £1m bus subsidy fund had previously been identified as necessary by both Highway Authorities to enhance the existing bus provision to and from the site. The level of contribution was set following consultation by the applicant with Arriva. However, it should be noted that whilst both authorities' current policy promotes sustainable travel, the majority of new routes are not supported unless they can be shown to be financially viable. It is likely that a full bus service to the Harworth site would not be viable until the middle of the build-out period in year 7 as there would be insufficient occupied homes for a viable self-funding scheme before then. However, there would in principle be sufficient money remaining within the sustainable transport fund for a smaller shuttle service to operate between Ironbridge and the proposed park and ride site before then. Other funding streams would be available for establishing a school bus service linking to the proposed new primary school. There is no intention at this stage to re-imburse this money from the viability review process, though this would remain an option should there be a subsequent justification.

- 2.27 It should be noted that Harworth has made significant progress in their dialogue with a light railway operator and permission is expected to be issued shortly by Shropshire Council for use of an unused sidings area within the site as a demonstrator track for this use. The system in question has the capacity to run on normal gauge rail tracks, so could therefore potentially link to Telford Central station. This progress in light rail and the intention to deliver a park and ride site supports the sustainable travel objectives which the original £1m fund was designed to address.

3. Funding and viability review

- 3.1 The applicant had initially suggested that consideration might be given to borrowing the additional £300k for the CCG and the Gaskell Arms from the Local Neighbourhood Fund payable to Buildwas Parish Council. This is suggested in the original letter from Harworth's agent Pegasus Group dated 31st August 2021 which has been published on

the Council's website. However, officer discussions established that this would not be feasible and the applicant was advised accordingly. To address this the applicant suggested that a proportion of this money could be taken from the £1m sustainable transport fund as referred to in the preceding section and this has been supported by both highway authorities. This amendment is included in a subsequent letter from Pegasus dated 9th September 2021 which has also been published on the Council's website.

- 3.2 Members will recall that there was an approval resolution for the mineral working at the initial committee meeting on 15th June 2021. However, in their viability model Harworth has not attributed any assumed profit to the proposals for sale of sand, gravel and PFA from the proposed development. This is given that there remain significant unknowns regarding the ability to export this material off site and sell to the market. The company has adopted the position that the primary purpose of the mineral and PFA extraction is to establish level platforms for future development. It advises that any actual profit from these activities would be captured by the viability review process.
- 3.3 Investigations by the case officer establish that the average wholesale price for processed sand in Shropshire is currently around £20-£22 per tonne. The proposal involves excavation of 1.9mt of sand and gravel so even a pessimistic cost to profit ratio of 90% - 10% should in principle generate a significant profit which would need to be declared at the first viability review, though the mineral operator would take a proportion of this. The level platform left by the mineral operation would also remove the need for significant groundworks which would otherwise be required. Thereby achieving a cost reduction for the applicant. The same conclusion applies for the PFA removal operation.
- 3.4 Additionally, as is normal practice, Harworth's viability review incorporates contingency funding for measures such as complications with ground conditions. The Council's viability consultant advises that as major sites such as this are built out it is normal for them to be progressively de-risked so that contingency money may become available for other uses. On the converse side it should be noted that determination of the application has taken significantly longer than had been assumed in Harworth's viability model and a correction for this will need to be applied under the viability review process.
- 3.5 Notwithstanding this and based on available information it is concluded that there are reasonable grounds for optimism that the viability review process will generate additional funding over the build-out period of the proposed development, with the potential for this to be used to support further appropriate infrastructure improvements in the local area. This is why the Councils' viability consultant has placed a significant emphasis on this in his recommendations to Shropshire and Telford & Wrekin Councils.

4. Integrity of viability advice

- 4.1 An objector to the proposals circulated an email and documents to members of the Committee whilst the meeting on 10th August was in progress. This alleged that the Council's viability consultant Turleys Matt Spilsbury was not impartial as his then the company (Turleys) had a business relationship with the Applicant. The applicant objected to this on the basis that this was contrary to public speaking protocols and that they had not had the opportunity to respond. Having considered this the Council's position is that no injustice was done as the allegations were addressed by the officer in committee. It

was not a feature of the reason for refusal and the planning appeal process provided an alternative remedy.

4.2 The opportunity is now taken to put the record straight on this matter in order that the Committee can have full confidence in the advice provided by the independent consultant, Mr Spilsbury. The following observations are made by the planning case officer in consultation with the consultant:

- i. SC and T&W had appointed Turleys following a formal and open tendering process. Turley and the associated quantity surveyor firm RLB both conducted internal conflict checks that confirmed there was no actual or potential conflict of interest in acting objectively for the Councils.
- ii. Turleys & RLB (the quantity surveyor firm who advised Turleys) are bound by a professional code of conduct which requires them to declare any conflicts of interest. Turley conducted a thorough internal review of any prospective conflict of interest – including where acting for Harworth Estates. Prior to instruction it was confirmed to the Councils that Turley had acted in a ‘Planning Consultancy’ role for Harworth previously, but not in any capacity as viability advisors. The personnel involved in the Ironbridge Power Station review had not previously acted for Harworth Estates in any capacity and did not know – nor had ever previously met – the representatives from Harworth Estates.
- iii. Turleys is a large multi-disciplinary consultancy, and it was not unexpected that it has undertaken some work for Harworth in the past. However, the google search presented by the objector did not indicate that this was in the field of viability assessment or that there was a more formal business connection between the companies.
- iv. The Council’s viability consultant had since left Turleys to work for another consultancy CBRE and had provided independent advice to the Council’s planning committee in June prior to the committee meeting on 10th August. This advice given by the consultant was consistent with the advice given when Mr Spilsbury was working at Turleys and at CBRE. In both cases the consultant was subject to the professional code of conduct requiring conflicts of interest to be declared. The consultant advises that if he had been instructed by the Councils from the outset whilst at CBRE, his advice would have been consistent and prepared in accordance with the relevant Government and RICS Guidance and Professional Standards at the time.

5. Consequences of refusal

5.1 In their letter advising of the amended proposals Harworth indicate that they would need to appeal if the application is refused and that their estimated costs at an Inquiry would be of the order of £0.5m.

5.2 The applicant has invested over £20m in the Power Station site over the past 5 years and has liaised to an unprecedented extent with the local authorities and other stakeholders. Given this substantial investment the company would be obliged to pursue

an appeal if the application is refused. Their cost estimate is considered plausible for an appeal on a major application of this nature which would need to be heard at Inquiry over an extended period with experienced planning barristers and multiple expert witnesses and could take 2 years for an outcome to be known.

- 5.3 The applicant has advised that in the context of an appeal and/or free-go re-submission they would need to re-run their viability model. This would need to take account of additional interest charges over the 2 years it could take for the outcome of an appeal to be known. Additionally, it would need to take account of the fact that the application has taken 9 months longer to determine by Shropshire Council than the company's viability model had assumed. Hence, assumptions about the timescale for recovery of the first revenue from the sale of serviced plots would need to be re-visited.
- 5.4 In the applicant's view re-running the viability model at this stage would be likely to result in a significant reduction in available S106 funding relative to the amount currently on offer. This would inevitably affect the infrastructure which the scheme would be able to deliver, including potentially affordable housing. Additionally, payment of the new homes bonus, community charge and business rates to the Council would be delayed by c2 years and there would be a similar delay before the beneficial infrastructure proposed by the scheme could be delivered, where funding remains. Furthermore, this is a key strategic site in the emerging Shropshire Local Plan which is scheduled to be considered at Inquiry in early 2022.

6. Consultee comments

- 6.1 The amendments put forward by Harworth relate specifically to the refusal reason given at the meeting on 10th August and do not involve any physical changes to the indicative design or layout of this outline application. As such, the amendments do not meet the criteria for widespread public consultation. It should be noted in this respect that the proposals have already been subject to extensive public consultation. Notwithstanding this, the amendments have been placed on the Council's online planning register and consultations have been undertaken with relevant selected consultees. The following comments have been received:
- 6.2i. CCG (supports): The CCG understands that the revised submission now contains, amongst other requests from the Committee, an improved offer in support of healthcare provision of £913k, which is in line with our calculations based on the number of proposed houses and the proposed retirement village to be built on the site.
- ii. The CCG welcomes this improved offer and, based on this, can now confirm its support for the revised submission to the Committee.
- 6.3i. SC Housing (No objection): There are a small number of cases where schemes are unviable to deliver the policy requirement of affordable dwellings and there are other instances, where provision exceeds policy requirements. Increased numbers of affordable homes are delivered by registered providers as 'additionality' on market developments with the assistance from a Homes England grant.
- ii. Paragraph 58 of the NPPF provides the opportunity for a Local Authority to reassess developments that are unable to deliver in accordance with adopted policies, as is the case in this situation. Due process has been undertaken and an independent appraisal

has verified that the scheme is unable to meet policy requirements. It should be remembered that affordable housing is an umbrella term, which encompasses a range of tenures from rented through to low-cost home ownership. They are all relevant to Shropshire residents and particularly more so now as we respond to challenges brought about by the pandemic.

- iii. There are several mechanisms that could enhance delivery of affordable housing on this development, one being Homes England grant funding. However, positive discussions can only progress once planning permission has been granted, given there needs to be certainty that a scheme will be developed within a specified timeframe.
 - iv. The Housing Enabling Officer is aware and encouraged by positive discussions that have taken place between Harworth and a leading and not for profit retirement living and extra care provider. The opportunity for an extra care facility is particularly welcomed given the aging profile of Shropshire and the huge benefits that these developments can bring to residents of Shropshire. Existing extra care schemes in Shropshire are acknowledged to have waiting lists.
 - v. There is a realistic assumption that the proposed development can deliver a minimum of 10% affordable housing using one or more mechanisms. Harworth's willingness to commit to a legal agreement clause delivering 10% minimum of affordable housing is welcomed in this respect. In addition, overage clauses within a S106 can respond to any uplift to development viability.
- 6.4 Telford & Wrekin Council (no objection): Correspondence between officers and Telford & Wrekin Council has highlighted the need to ensure that the additional now commitments being offered by Harworth fall within the remit of the existing funding model agreed by the Councils and do not involve any new money which has not been previously disclosed.
- 6.5i. Highway Authority (no objection): The highway authority welcomes the applicant's proposal to provide an additional £100k towards the cost of improvement works at the Gaskell Arms junction and £20k towards the cost of improvements at Buildwas and Leighton through re-distribution of existing funding.
- ii. Previous Highway advice relating to the levels of highway infrastructure which the scheme can deliver is reaffirmed. It should however be recognised that these provisions have been agreed with Harworth and Telford & Wrekin in the context of the financial constraints of the scheme.
 - iii. The opportunity has been taken to review the funding apportionments and it is now considered appropriate that money previously allocated to the sustainable transport fund ('bus fund') should be re-allocated in the way proposed. This reflects the Council's policy which requires all new routes to be self-funding. The residual amount remaining in the sustainable transport fund is considered sufficient at this stage to facilitate the objectives of the fund.
 - iv. As previously advised, additional funding mechanisms may be available to address pre-existing issues which the Harworth scheme cannot address on its own, including the Gaskell Arms junction at Much Wenlock and additional improvements to the B4380 Buildwas to Atcham Road.

6.6i. Letter from registered Provider: The following letter has been received from the Registered Provider (RP) who is in discussion with Harworth. For commercial reasons the identity of the provider is not disclosed here. The letter is worded as follows:

- ii. *I am writing to you to express the interest of (RP company) in delivering an extra care court at the site of the former Ironbridge Power Station Site in Shropshire. As a registered provider we are one of the largest developers of specialist housing for older people and the largest provider of extra care housing in England. We are proud to be a not-for-profit housing association with Royal British Legion roots that stretch back over 55 years. We operate in nearly 200 local authority areas, managing around 20,000 extra care and retirement living properties.*
- iii. *As discussed, there is a recognised demand and future requirement for a court in Ironbridge. In this location we would require you to provide a court development of between 60 – 90 apartments, with the numbers of one bed to two bed apartments guided and informed by local need. This in turn means we will require a serviced, roadside development plot in the range of 1.5 to 2.5 acres.*
- iv. *One of the most important lessons of the last 16 months of the pandemic, and the various levels of lockdown, has been the increased importance of the green space, the garden, around each of our courts. For our residents it is important that the identified plot is near to local amenities, including shops, a GP or other primary care facility as these would be used regularly by the residents, their visitors, and staff. We also require good access to public transport for use by both the residents and staff. A court would normally provide both a bistro and hairdressing facilities which are usually open to the public, enhancing the sense of community wherever a new court is developed.*
- v. *We offer a positive alternative to residential care and by preference we do this via our integrated housing management and care model. We recognise the difference living in specialist housing can make to residents, allowing them to retain their independence with support available as and when required.*
- vi. *We worked with the Alzheimer Society to launch the Dementia- friendly housing charter and ensure that where possible all our properties are dementia-friendly. Our extra care schemes are designed for independent living, to be safe and secure. Typically, a scheme will provide the following:*
 - *Private and self- contained apartments designed to allow residents to live independently within a community setting.*
 - *Communal facilities including a communal lounge and kitchen.*
 - *A court manager. A key element of our service is the on-site court manager who is there to ensure day to day life at the court runs smoothly. They are also there to help by organising any necessary repair work with tradespeople, allowing residents peace of mind.*
 - *A 24-hour emergency alarm. If help is summoned the court manager will be alerted and come to residents' assistance. Outside of working hours the alarm is answered by a professional support service that will ensure a quick and appropriate response.*
- vii. *Given the demographic changes that are taking place, and the ageing of the UK population, delivering an appropriate range of new dwellings for older people is growing*

in importance. In addition, widening the choice in alternative housing options for older people will also help the overall operation of the housing market providing households with the ability to trade up into properties released by older people.

- viii. (RP company) extra care courts are designed to enable residents to live safely and independently at home. A new court can offer affordable dementia friendly housing for those who need it most, making it attractive to residents and enabling them to stay in their community for longer. We are delighted that (RP company) have been given the opportunity to discuss the provision of accommodation on this site. The ongoing conversations and the recent site visit have helped to understand the setting and context of the overall scheme. The opportunity of being consulted on matters such as the master plan will be most useful. It is reassuring that the needs of our residents and their families are being considered from the outset.*
- ix. We will deliver this scheme under a land and build package with (housing developer company) and look forward to working with them and yourselves to establish the timelines and phasing sequence envisaged by the master plan, and the delivery of our extra care court.*
- x. As we begin to exit lock down, we would like to extend an offer to (housing developer company) and Harworth to view one of our existing extra care courts so that you can witness how (RP company) operates.*

6.7 Homes England: In Harworth's cover email enclosing the RP letter above the company also advises that Homes England has confirmed that funding may be available for additional affordable homes above the 10% level which would be stipulated in the S106 legal agreement.

7. Conclusion

- 7.1 Members resolved to refuse the application at the meeting on 10th August. However, the applicant has subsequently come back with an amended scheme which proposes material improvements to the company's original offer, and this is to be welcomed.
- 7.2 The NPPF recognises that there will be circumstances where a scheme cannot deliver a full level of affordable housing as required by local plan policy. In such circumstances the NPPF advises that an appropriate correction should be made for viability issues where sufficient evidence has been provided in the form of an independent viability review.
- 7.3 The applicant has provided a viability assessment which confirms that the scheme is financially constrained, though they are now able to commit to 10% affordable housing. The company's viability assessment has been subject to an independent review by a consultant appointed by Shropshire and Telford & Wrekin Councils. The impartiality of this advice has been challenged by an objector and a strong rebuttal has been provided by the consultant in question. The advice received is impartial, bound by a professional code of conduct and Members should accordingly attribute full weight to this advice.
- 7.4 Notwithstanding the viability constraints of the site the applicant has worked hard with the planning authorities and other stakeholders over the past 3 years to devise an optimal scheme which has the potential to deliver substantial benefits to local communities in

Shropshire, Telford & Wrekin through development of the site of the former Ironbridge Power Station which is allocated in the Council's emerging Local Plan Review. Members are advised to give significant weight to the benefits of developing this site as set out in the previous reports to Committee attached at Annexes 1 and 2

- 7.5 In particular, there is potential through various mechanisms to deliver affordable housing at well above the currently proposed 10% level and the company is committed to pursue this objective under the terms of a proposed legal obligation. The affordable housing team has written in support of the proposals and recognises that viability issues have been appropriately demonstrated.
- 7.6 Additionally, the CCG would now receive the full extent of capital funding which they are requesting and an additional £100k of funding would be directed towards improvement works at the Gaskell Arms junction in Much Wenlock. Furthermore, the viability review clawback mechanism offers the potential for additional investment in infrastructure from the end of construction year 5 onwards, as acknowledged by the Council's viability consultant. As such it is considered that the company has now appropriately addressed the reason for refusal given by the Committee on 10th August. Officers therefore recommend approval subject to the conditions set out in Appendix 1 of Annex 1 attached hereto (as amended by the revised highway commitment referred to in paragraph 2.16 above) and subject also to the amended legal agreement clauses set out in section 8 below.

8. Legal Agreement Clauses (as amended)

- i. On-site provision of primary/nursery school (£5,000,000);
- ii. Financial contribution of £4,400,000 towards expansion at William Brookes School for 160 pupils;
- iii. On-site provision of affordable housing (10%);
- iv. Financial contribution of £350,000 (increased from £250k) towards improvements at the A4169 Smithfield Road/Victoria Road/Bridgnorth junction (i.e. the Gaskell Arms at Much Wenlock);
- v. Travel Plan Monitoring at a cost of £100,000;
- vi. Financial contribution of £791,250 towards Transport/Bus Strategy (in liaison with Arriva) and to include education transportation requirements;
- vii. Financial contribution of £640,000 towards provision of Sports Pavilion and Sports pitch upgrades including implementation timetables of £640,000;
- viii. Financial contribution of £550,000 towards Severn Valley Way improvements to provide improvements/upgrades to facilitate a multi-use route;
- ix. Financial contribution of £200,000 towards Severn Way improvements to provide connection to Buildwas (towards Buildwas only);
- x. Financial contribution of £913,000 (increased from £500k) towards healthcare requirements highlighted by the CCG (previous offer of serviced plot is withdrawn);
- xi. Financial contribution of £96,000 towards Public Realm improvements for Play / Recreation;
- xii. Financial contribution of £350,000 towards Public Realm improvements for Heritage;
- xiii. Financial contribution of £128,226 towards tree management/safety inspections/planting relating to increased pressure/footfall within land under the management of SGCT;

- xiv. Financial contribution of £262,509 towards tree management / safety inspections / planting relating to increased pressure/footfall in the Gorge, in addition to climate change offsetting and biodiversity net gain;
- xv. Financial contribution of £87,065 towards S106 Monitoring;
- xvi. On-site serviced plot for potential Park & Ride Facility;
- xvii. Implementation timetable for NEAP/LEAP;
- xviii. Additional £20k towards parking improvements at Buildwas to supplement the £65k improvements to the B4380 required under Grampian Condition 20 set out in Annex 2, Appendix 1;
- xiv. Implementation of viability review mechanism with reviews due within 4 months of the end of construction years 5, 10 and 15.

Note on viability review mechanism:

- a. The viability review shall make provision to claw back additional profit above the level specified in the applicant's viability review so that this is available for use by Shropshire Council and Telford & Wrekin Council under a Memorandum of Understanding MOU. This will support additional infrastructure delivery in the local area which meets agreed spending priorities in the MOU but cannot presently be delivered by the scheme for viability reasons.
- b. The first viability review shall include amongst other matters a comprehensive review of profit from mineral extraction and PFA sales.
- c. The priority for use of any claw back funding shall be given in the first instance to securing a minimum 15% of affordable housing for the development if this cannot be delivered through other mechanisms.
- d. Subsequent priorities for use of claw back funding shall be agreed between Shropshire Council and Telford & Wrekin Council under the terms of a Memorandum of Understanding (see below). For Shropshire, identified priorities at this stage would include funding for additional highway improvement works on the B4380 Atcham Road and at the Gaskell Arms junction.

Note: Buildwas Parish Council is expected to receive a CIL Neighbourhood Fund of £1m in total over the build-out period of the proposed development. This is a requirement of the CIL regulations and accordingly does not form part of the s106 Agreement.

Memorandum of Understanding

- i. Memo of Understanding between Telford & Wrekin Council and Shropshire Council to formally agree the distribution of the above contributions and thereafter, how any monies received from the viability review mechanism will be distributed.

9. ADDITIONAL INFORMATION

View details online:

<https://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=Q2YLFWTD06Z00>

List of Background Papers: Planning application form for application reference 19/05560/OUT and accompanying environmental statement documents and plans
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Cabinet Member (Portfolio Holder) Cllr Ed Potter
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Local Member: Cllr. Claire Wild (Severn Valley)

ANNEX 1 – REPORT TO COMMITTEE ON 10/08/21



Committee and date
South Committee
20 th September 2021

Item
Public

Development Management Report (Referral back to committee)

Responsible Officer: Tim Rogers
 email: tim.rogers@shropshire.gov.uk Tel: 01743 258773 Fax: 01743 252619

Summary of Application

Application Number: 19/05560/OUT (Update Report Following Deferral)	Parish:	Buildwas
Proposal: Outline application (access for consideration comprising formation of two vehicular accesses off A4169 road) for the development of (up to) 1,000 dwellings; retirement village; employment land comprising classes B1(A), B1(C), B2 and B8; retail and other uses comprising classes A1, A2, A3, A4, A5, D1 and D2; allotments, sports pitches, a railway link, leisure uses, primary/nursery school, a park and ride facility, walking and cycling routes, and associated landscaping, drainage and infrastructure works		
Site Address: Ironbridge Power Station, Buildwas Road, Ironbridge, Telford, Shropshire TF8 7BL		
Applicant: Harworth Group Plc		
Case Officer: Grahame French	email: planningdmsw@shropshire.gov.uk	

Recommendations:

- 1) To Grant Permission subject to the conditions and legal agreement clauses set out in Annex 1, Appendix 1.
- 2) That the Committee authorises the Head of Planning Services to enter into negotiations with Telford & Wrekin Council, if necessary, in order to secure a Memorandum of Understanding to deliver the cross-boundary infrastructure listed in Appendix 1 of this report (legal agreement clauses).
- 3) That Members note that if this cross-boundary application is approved arrangements will need to be entered into whereby Shropshire Council as the 'lead authority' can accept authority for onward delegation of planning control for the proposals from Telford & Wrekin Council. This will allow Shropshire Council to issue a single planning permission for the application and to assume sole responsibility for determining subsequent discharge of conditions and reserved matters applications relating to the application, whilst retaining Telford & Wrekin Council as consultees.

1. Background:

1.1 This cross-boundary outline application for redevelopment of the former Ironbridge Power Station site was considered by the committee on 15th June 2021 following an earlier (18/05/21) approval resolution by Telford & Wrekin Council. Members resolved to defer a decision to a later date in order to allow further clarification of the following matters:

- Viability including clawback review timing;
- The level and timing of affordable housing;
- Transport issues, especially in and around Much Wenlock, including the Gaskell Arms junction;
- The capacity of primary care facilities.

The application is now reported back to committee with further information on the above matters.

1.2 The original 15th June committee report is included as Annex 1. The content of the report has been reassessed and is considered to remain valid. As such, this update report deals specifically with the four deferral issues and other relevant updates. The current update report should therefore be read in conjunction with the previous report.

2. Issue 1 – Viability including clawback review timing

2.1 The Government's planning practice guidance on Viability (updated Sept 2019) advises (Paragraph 10) that 'viability assessment is a process of assessing whether a site is financially viable, by looking at whether the value generated by a development is more than the cost of developing it. This includes looking at the key elements of gross development value, costs, land value, landowner premium, and developer return'. The Guidance advises (Paragraph 4) that in assessing viability policy makers should take account of the types of site (brownfield or greenfield, and size) in order to define their viability characteristics. It is 'important to consider the specific circumstances of strategic sites. Plan makers can undertake site specific viability assessment for sites that are critical to delivering the strategic priorities of the plan' (Paragraph 5). Paragraph 58 of the NPPF (2021) states that 'the weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force'

2.2 The applicant Harworth Ltd produced a viability report by their consultants Tustain Associates in support of the outline planning application. This found that there were significant additional costs associated with redevelopment of this large mainly brownfield site which affected the viability of the proposals. Tustain concluded that the scheme would only be financially viable in the following circumstances:

- i. The total fund available for off-site infrastructure through a s106 legal agreement should not exceed £16.75m, including all CIL revenues generated by the scheme;
- ii. The level of affordable housing which the scheme can support is 5% or 50 homes (70% intermediate & 30% social rent tenure split) - a reduction from the policy compliant level of 20%.

- 2.2 Officers appointed an independent viability consultant in collaboration with Telford & Wrekin Council in order to assess the Tustain report. The consultant, Matthew Spilsbury (now of CBRE Ltd) reviewed relevant documentation and concluded that Tustain's methodology and conclusions could be supported. The application was reported to the June committee on this basis.
- 2.3 At the committee Members were concerned at the reduction in affordable housing and queried how viability had been calculated. An inconsistency was identified between the Tustain work and the more optimistic viability assessment of this proposed strategic site allocation which was site carried out in connection with the emerging Shropshire Local Plan. Accordingly, Members resolved to defer the application so that further clarification could be provided on these and other issues.
- 2.4 Members subsequently received a briefing from the Council's viability consultant Matthew Spilsbury on 7th July 2021. This described the viability assessment process and responded to queries raised by Members. Prior to the briefing the full Tustain report was circulated to Members and the Spilsbury presentation was also circulated after the briefing.
- 2.5 Normal procedures for calculating viability for the purpose of affordable housing delivery are as follows:
- 1) Calculate the Gross Development Value (the total sales value of all the units in the development with fully compliant affordable housing levels);
 - 2) Calculate the Residual Land Value (how much the developer could actually afford to pay for the site);
 - 3) Calculate the existing use value (EUV) of the land (the value of the land in its existing use);
 - 4) Calculate the Benchmark Land Value based on the EUV (the value of a site in its existing use plus a margin - 15-20% - which recognises the potential for uplift in value from development "existing use plus");
 - 5) Compare the Residual Land Value and the Benchmark Land Value (When the benchmark land value is higher than the residual land value it would not be viable for the developer to deliver the Council's target level of affordable housing).
 - 6) Calculate how much affordable housing the developer can actually afford to deliver factoring in the benchmark land value. Then work backwards from the benchmark land value to calculate what sales revenue the developer needs to generate in order to turn a reasonable profit.

Harworth's viability model:

- 2.6 Mr Spilsbury explained that Harworth /Tustain has adopted a 'Land Trader Model' for its viability assessment whereby the company has a role as 'Master Developer' acquiring, demolishing and remediating land which is then made available to housebuilders / developers in phases as a series of land parcels. This approach both de-risks the land parcels for developers and provides the opportunity for Harworth to control the strategic infrastructure provision. He indicated that this is a common model for delivery of large / complex sites where there may be more than one developer involved and is consistent with the methodology set out above, which effectively sits within the Land Trader model.

The serviced land prices are calculated using a traditional Residual Land Value model in which land sales count as the revenue.

- 2.7 Mr Spilsbury advised that there is a lead-in period of 3-4 years before the first revenue can be expected, by which time the Harworth scheme will have incurred £21m of capital outlay. It will be almost 10 years before the scheme returns a profit based on an assumed internal rate of return of 15% (the assumed average annual profit over the whole development). This 'abnormal cost' underscores the significant 'up front' financial commitment which Harworth have assumed in taking on the former power station site.
- 2.8 Harworth's Benchmark Land Value: Tustain advise that the purchase price for the site was £6,479,200 (£18,208 gross per acre) and the existing use+ value has been calculated as £125,000 per acre. Once site specific abnormal costs (demolition and contaminated land management) have been deducted this leads to a benchmark land value of £7,798,417. This is more than the purchase price and as such, Tustain's Benchmark Land Value figure can be accepted. This in turn supports Tustain's conclusions about affordable housing.
- 2.9 Mr Spilsbury indicated that the viability assessment conclusions are not fixed but will be subject to formal reviews during the build-out of the development under the s106 legal agreement which would accompany any permission. The first review would take place by the end of development year 5 by which time over 300 houses plus some serviced land will have been made available for sale to developers. This will allow data from land sales to be used in the viability review and forecasting, together with data about the actual costs of remediation and infrastructure provision. Any profit from sand and gravel and PFA sales will also need to be declared as part of the first viability review. Any surplus profit up to policy compliant levels will be clawed back and made available:
- i. To increase the supply of affordable housing on site in later phases;
 - ii. As a S106 commuted sum for the Council's use (e.g. for highway or healthcare funding).
- 2.10 On the discrepancy between the Tustain viability assessment of the site by and the assessment in the emerging Local Plan Mr Spilsbury advises as follows:
- i. Whilst the Local Plan assessment concluded that the site was viable and policy compliant this conclusion was caveated that this was subject to remediation and infrastructure costs which were to be confirmed;
 - ii. The local plan assessment also makes no allowance for the timeframe for demolition, site clearance and remediation and, as such, assumes a lead in time of just 6 months with 9 months to build each unit. (Demolition work has actually been ongoing for 4 years and each development parcel will require further ground remediation before any development can proceed);
 - iii. The local plan assessment makes a nominal allowance for abnormal work of 5% and correspondingly assumes a much higher Benchmark Land Value than the level adopted by Tustain which is considered to be realistic and evidence-based .
- 2.11 Additionally, the Local Plan assessment assumes optimistic land values of £326 per square foot for the site as opposed to the Tustain assumption of £265 per square foot. By comparison recent data from local estate agents Knock Deighton confirms an average house value per square foot in urban Ironbridge of £209 and values of £225 per square

foot have been reported for Shrewsbury. The Tustain estimate is considered realistic in this context.

- 2.12 In conclusion, the viability assessment supporting the local plan is a more generalised study which does not have the benefit of the more detailed understanding of costs which the Tustain report does. The Tustain report has been validated by the Council's independent consultant. It is considered to be a reliable indicator of the viability of the scheme which supports Harworth's conclusions on the deliverability of affordable housing.

Further Clarifications on Viability:

- 2.13 Harworth has provided an email response on 6th July 2021 to specific questions raised by Councillors following the Planning Committee meeting. The following clarifications were provided:

- i. Question: Why was the traditional approach to viability assessment was not adopted?
Answer: *There is a significant difference between a single-phase site and a complex multiphase brownfield development such as Ironbridge. The traditional residual land value model is not appropriate here (see section 2.1 of the Tustain Development Viability Review).*
- ii. Question: Why is there a discrepancy between the Local Plan viability model by HDH for the site and Harworth's model?
Answer: *The HDH residual land value model was used for Shropshire Local Plan viability however this was very high level and did not have all the facts in terms of costs and remediation required on site. A power station is specialist use which makes it difficult to value and identify what the replacement cost would be.*
- iii. Question: Why did Tustain use the Land Trading Model and not the EUV method?
Answer: *EUV is not a viability approach but how the threshold land value is determined. A Land Trading Model is used because it reflects how the scheme will be delivered 'on the ground' and enables a transparent open book review to be carried out in the future.*
- iv/v. Question: What would the Tustain viability assessment look like if the EUV approach was used?
Answer: *A residual land value model was tested however it resulted in a significant deficit. The Land Trader Approach is appropriate for a development of this type. See Section 6 and Appendices A-E and H of the Tustain Development Viability Review.*
- vi. Question: What is the finance charge in the Tustain model and why is it so high? In Scenario 1 of their report, the 20% compliant section, this charge is shown as £25.9M, in Scenario 4, the 5% non-compliant scenario it's shown as £7.3M? Why the difference?
Answer: *The scheme incurs high costs at the beginning of development before receipts come, hence the cost of finance is high. The finance charge reflects the cost of money in terms of opportunity cost of where we invest, over and above the pure cost of money.*
- vii. Question: In looking at income Tustain only show 28% of the site as providing income, the housing and new industrial use. There is no income shown associated with the sale of the sandstone once quarried from the site. Why?

Answer: The extraction of the sand and gravel is necessary to make the site acceptable in planning terms. The extraction will generate very low profit per annum but will enable a plateau to be created in this location. Any profits that do arise from the sand and gravel extraction will be captured in the viability review.

- viii. *Observation: The income from housing looks low.
Response: The sales rates and prices are based on evidence provided, please refer to the Tustain Development Viability Review. The evidence is based on a snapshot in time and both houses prices and costs of materials are subject to change. Harworth are taking a risk by being more optimistic on sales values than evidence suggests.*
- ix. *Observation: Tustain did a VA on the former Coalite Smokeless Coal site in Bolsover, Derbyshire for the St Modwen Group in 2015/16, seeking to build 630 houses without meeting requirements for affordable housing etc. North East Derbyshire District Council took the view that if the developer was not able to meet their minimum standards that the development would not be sustainable.
Response: Each site is assessed on its own merits. The Tustain Development Viability Review sets out the costs and income of the scheme and that the total the scheme can provide a contribution of £16.75 million and 5% affordable housing provision.*
- x. *Question: Why are Harworth concerned re affordable housing? In many of their UK projects they make good the land and then sell parcels of land to be developed by independent house builders? Are they planning to develop the site themselves?
Answer: Harworth do not build housing. Based on our experience of developing brownfield sites in the north of England (where values are comparatively less) achieving policy compliant affordable housing is often difficult. Affordable housing is treated as a cost rather than profit as it does not generate the same income as market housing, impacting on the total contributions being paid. It is important to note that Policy CS11 of the Shropshire Core Strategy – Type and Affordability of Housing seeks to ensure that all new open market housing development makes appropriate contributions to the provision of affordable housing having regard to the viability of developments. The supporting text states that this approach is “realistic with regard to economic viability, but flexible to variations between sites and changes the market conditions over the plan period.”*

The Tustain Viability Assessment has been independently reviewed by Turleys and found to be acceptable. On this basis, the development makes an appropriate contribution to affordable housing and is realistic having regard to the £16.75 million required for infrastructure funding. Accordingly, the development is in accordance with Policy CS11. It is also relevant to note that some of the major infrastructure works would be provided through the use of Grampian conditions. These would require Harworth to directly carry out certain highway works rather than to provide a financial sum for the local authorities to carry out the works. (Para 6.20.6 of the report to Committee).

Para 6.20.9 of the report to Committee notes that “a robust viability review mechanism linked to phasing/period reviews will also be required as part of the Section 106 Agreement. This will provide a mechanism to clawback any future uplift in viability, thereby allowing areas where funding has had to be reduced to be revisited/re-addressed, particularly to onsite affordable housing delivery.”

- 2.14 Harworth has also provided a further statement on viability in response to a request from the case officer following the previous committee meeting. This advises as follows:

Background

- i. *Harworth purchased the Ironbridge site in June 2018 and over the last 3 years we have worked closely with both Telford & Wrekin and Shropshire Councils. We have been open with all information during the public consultation, meetings with Councillors, Parish Councils, Statutory Consultees and Officers at both Councils. We have created a masterplan which we are proud of which is a result of the consultation responses and technical inputs from the consultees. We have set out to resolve the huge number technical issues in a proactive way during the preparation of the planning application and during the consideration of the application. We have worked hard to have a positive relationship with Officers and Councillors at both Councils. Senior Officers from Telford/Shropshire and staff at Harworth have spent the last 9 months working through the viability discussions which are complex, required skill and professionalism from all involved to negotiate and agree a package of mitigation which is satisfactory to both Councils and Harworth.*
- ii. *In reaching agreement we have all had to accept compromise bearing in mind the Viability Assessment concludes that there are significant challenges given the extensive legacy of the former industrial use which specifically leads to high infrastructure and abnormal costs in redeveloping the site. The discussions have been made more complex as they involve both Section 106 and CIL contributions. In addition to the 5% affordable housing the viability assessment makes provision for £16.75m to be delivered through a combination of S106 and CIL payments. The mitigation package covers a wide range of issues in both Council's administration areas.*
- iii. *Harworth submitted a Development Viability Review in September 2020 and this was independently assessed by Turleys in November 2020 following instruction from Telford/Shropshire Officers. Harworth were not part of these discussions. Turleys produced a written response for both Councils and this is available for the public to view.*

Further work since 15th June 2021

- *Harworth has provided an email response on 6th July to specific questions raised by Councillors following the Planning Committee meeting. The Viability Executive Summary, Cost Plan and Development Viability Review have always been fully available to Officers and Councillors. The Viability Executive Summary has always been available for public inspection. Following the Planning meeting on 15th June the full package of Viability information has also been made available for public inspection.*
- *A viability briefing session was organised by Shropshire Officers for Councillors on 7th July 2021. The independent expert from Turleys presented the viability briefing session and answered specific questions from Councillors-Harworth were not part of the briefing.*
- *The Turley independent viability review concludes that the Tustain DVR is fair, reasonable and the assumptions made within the evidence can be relied upon to determine the application.*

Review Mechanism

- iv. *Harworth has always proposed that a Review Mechanism ('RM') is incorporated into the S106 Agreement and we have submitted details of previous examples where a similar mechanism has been used. Harworth is willing to enter into a dialog with the Council's solicitor on precise wording. Harworth has used a RM on two other major schemes which*

were granted planning consent over the last few years. The RM was linked to the delivery of a specific number of dwellings or a certain number of years of development. In both examples the time period has not yet arisen to complete the review mechanism. Each major site is different, and, in our opinion, it is wrong to try and compare one with another as they have different technical and planning policy constraints. Harworth has submitted all the relevant information necessary for Officers to complete their planning report and for Councillors to make a planning decision on the application.

- v. Harworth are fully committed to the redevelopment of the site in line with the Shropshire Local Plan Review, which Councillors agreed on 15th July to submit to the Secretary of State. This is a key milestone in the preparation of the Local Plan. Harworth has the track record and experience to undertake the redevelopment and we will be involved for the next 10-15 years. Harworth is continuing with the demolition of the power station and the chimney is expected to come down in early Autumn.

Viability and sand and gravel extraction:

- vi. In terms of the sand extraction this is essentially being proposed to satisfy the mineral safeguarding allocation that covers the western part of the site. This is not a commercial venture that Harworth would normally enter into as we have no experience of sand extraction. The sand is a mortar sand and as such it has a limited appeal within the market. At present Harworth does not have agreement with an operator for the site. However, there is interest from a national operator. The commercial arrangements have not been agreed at this stage as the operator is still trying to understand how the site can be operated profitably. From a viability point of view the extraction is part of a wider redevelopment scheme to enable development and as such no value has been attributed to it. The true value of the mineral extraction will materialise in the future once we have secured a commercial operator and this value will be fed into the review mechanism as agreed with the Council.

Harworth conclusion on viability:

- vii. From Harworth's point of view we want to continue to work with Officers and Councillors but financially there is nothing more we can offer at present than the package set out. We face huge technical and cash flow challenges over the years ahead to deliver this site. It is in Harworth's interest to make the site as attractive as possible to encourage development and if the site turns out to be more profitable than anticipated then this will be picked up through the first Review Mechanism after 5 years to the benefit of Shropshire Council/Harworth which can be invested into the redevelopment over the following 10 years.

Officer conclusion on viability

- 2.15 The NPPF 2021 explicitly acknowledges that there will be circumstances where viability considerations may limit the ability to deliver affordable housing (Paragraph 58). Harworth's report on viability has been assessed independently by the Council's consultant Matthew Spilsbury of CBRE Ltd who has validated the conclusions. Mr Spilsbury has given a briefing to Members which has addressed a number of concerns on viability which have been raised. Full copies of the Harworth viability assessment have been circulated to Members. Mr Spilsbury has endorsed the methodology used by Harworth's viability consultant and has clearly explained the reason why different conclusions were reached by consultants working in connection with the emerging Shropshire Local Plan. Harworth has provided answers to some additional questions on viability and these are listed above.

- 2.16 Mr Spilsbury has recommended that the proposals are subject to a periodic viability review process in accordance with Paragraph 9 of the Government's viability guidance (ID: 10-009-20190509). Harworth has confirmed that two existing sites which it is developing are also subject to an equivalent review process though neither are sufficiently developed yet for any clawback money to have arisen. Mr Spilsbury has advised that he is aware of many other examples where viability review has yielded clawback money. He indicates that this is normally to be expected as ongoing development has the effect of de-risking the site allowing the release of contingency money put aside to cover potential risks. In his briefing he placed emphasis on the first viability review of the Harworth scheme in development year 5 when any profit from sand and gravel and PFA sales must also be declared.
- 2.17 Officers have carefully reviewed the submitted information on viability in the context of the Government's practice guidance on viability. It is considered that the proposals comply fully with this Guidance having regard also to the advice of the Council's independent consultant. It is unfortunate that the scheme is unable to deliver a policy compliant level of much needed affordable housing. However, the substantial costs associated with remediating this complex previously developed site must be acknowledged. Notwithstanding this, a viability review mechanism will apply, allowing any excess profit to be clawed back for use by the Council with a priority for affordable housing.
- 2.18 It should be noted that, the proposals are still capable of delivering substantial benefits both for Shropshire and for the adjoining area of Telford & Wrekin. In their executive summary of viability dated September 2020 Harworth summarises the following elements and benefits of the proposals which are material planning considerations:

Economic Benefits:

- Additional Council Tax Payments - £1.7m per annum
- New homes bonus revenue - £6.7m
- Business Rates - £520,500 per annum
- Net additional jobs 546 (FTE).

Development benefits:

- Up to 1,000 dwellings, including a mix of types, styles and sizes (1 – 5 bed), to include affordable housing, apartments and a retirement village.
- A local centre.
- A new rail connection based on the site's historic rail infrastructure.
- Leisure uses, including sports pitches, children's play areas, river-based activities, community allotments/orchard, the retention of pumphouse as a restaurant/ bar with community uses/ cultural events, and ancillary sports facilities.
- Associated landscaping.
- A park and ride facility.
- Extraction of sand and gravel to create development platforms.
- A new primary school (including nursery provision).
- Walking and cycling routes including into Ironbridge by re-purposing previous rail corridor.
- Employment land comprising light industry, general industry, and storage and distribution uses.
- Drainage, infrastructure and highways works.

In particular, significant local highway improvements are proposed under the proposed legal agreement and recommended Grampian conditions and these will provide a general improvement to the local road network.

Note: The funding available for the application would potentially reduce significantly in a scenario whereby the applicant needed to attempt to secure consent through the planning appeal route.

3. Issue 2 - The level and timing of affordable housing

- 3.1 The preceding section explains that the level of affordable housing which can be delivered is determined by a viability assessment by Harworth's consultant, the conclusions of which have been independently validated by the Council's consultant. It has been established that the site can only support 5% affordable housing at the required tenure mix at the present time (50 homes plus allowance for proposed retirement village) as opposed to a policy compliant level of 20% (200 homes plus allowance for proposed retirement village). The homes would be delivered in a proportionate way during each phase of the development.
- 3.2 Notwithstanding this Harworth advise that it has held discussions with Homes England and Shropshire Council about levering in funding to try and secure additional affordable housing into the redevelopment plans. This will be dependent on discussions with potential providers and Harworth has met Housing 21 who are a leading not for profit provider of retirement housing and extra care for older people. Harworth confirm that they are willing to continue discussions with Homes England, Shropshire Council and Housing 21 to explore opportunities though these will need to reflect the findings of the viability assessment.
- 3.3 Additionally, a viability review mechanism would be included in a s106 legal agreement linked to any planning permission. This would allow clawback of excess profit below levels of policy compliance. The first review would occur in development year 5 and any clawback funding would be prioritised towards affordable housing provision and heathcare (see CCG section below).

4. Issue 3 - Transport especially around Much Wenlock, including the Gaskell Arms junction

- 4.1 Harworth's transport consultant ADC Infrastructure produced a Technical Note summarising their assessment work at the Gaskell Arms junction which was submitted to Shropshire Council on 2nd July. The note summarises the extensive work undertaken by ADC and the consultations with the Highway Authority. The Highway Authority have confirmed that the planning condition and S106 contribution agreed with Harworth is appropriate for the scale of impact of the Harworth development at this location. Harworth is happy for part of the contribution to be earmarked to fund a study into a longer-term solution for Much Wenlock.
- 4.2 The conclusions of the technical note are as follows:

- 5% of traffic generated by the proposed development would route through the Gaskell Arms junction, giving an increase in traffic at the junction in 2036 of 51 two-way trips in the morning peak hour and 74 two-way trips in the evening peak hour, the traffic increase at the junction attributable to the Harworth development would not, therefore, be severe;
- The results of detailed modelling show that, without the proposed development, the Gaskell Arms junction suffers from congestion during peak times, with delay to vehicles on the A4169 Smithfields Road approach;
- The modest increase in traffic flows due to the development would have a slight impact on junction capacity and delay would increase on the A4169 Smithfields Road approach;
- A mitigation strategy was proposed commensurate with the relatively low levels of development traffic forecast to route through the junction and its impact on the capacity. However, SC requested that rather than deliver the identified mitigation, Harworth should provide a Section 106 contribution equivalent to the cost of implementing the identified highway works at the Gaskell Arms junction;
- SC also requested that the contribution be split in two parts, with a smaller part of the agreed sum used being released early to fund a study led by SC to consider options for providing long-term improvements at the junction. The remaining contribution would be used towards delivering the identified junction scheme.
- This approach, the resulting draft condition and the associated Section 106 contribution has been agreed by Harworth Group.
- Harworth Group have confirmed that the funds for the future improvement study could be made available shortly after signing the Section 106 so that SC can begin the study at the earliest convenience.

4.3 The ADC research indicates pre-existing capacity issue at the Gaskell Arms junction which are not the result of the Harworth proposals and would not be significantly exacerbated by them, even in 2036 which is the assumed completion date for the development. The traffic modelling agreed by the Highway Authority has indicated that only a small percentage (5%) of the traffic generated by the development would route through the Gaskell Arms junction with the greater majority being directed towards Telford. As such, it would not be reasonable to expect the Harworth development on its own to fully address these pre-existing issues. Instead, a proportionate contribution has been agreed with the Highway Authority which is designed to fairly reflect the potential impact of the proposals at the junction.

4.4 Much Wenlock Town Council and some local residents have strongly objected to the Harworth proposals on the basis that they consider that the development should not proceed unless issues at the junction have been fully addressed. They express concerns that introduction of additional traffic from the development will lead to increased delays and will increase the possibility of drivers using inappropriate short cuts on minor routes in order to avoid the junction.

4.5 It has not so far been possible for the Highway Authority to identify, fund and implement an improvement scheme for the Gaskell Arms junction and submission of the Harworth application which has acted as a focal point for local highway concerns. However, it is unreasonable to expect Harworth to fund the entire cost of upgrading the junction when there is a pre-existing issue and only a small proportion of the traffic using the junction would ultimately be derived from the Harworth scheme.

- 4.6 Any improvements to the junction would need to be secured by either a Grampian planning condition or a legal obligation. In this respect Paragraph 57 of the National Planning Policy Framework (2021) makes clear that planning conditions should only be used where they satisfy the following tests:
1. necessary;
 2. relevant to planning;
 3. relevant to the development to be permitted;
 4. enforceable;
 5. precise; and
 6. reasonable in all other respects.
- 4.7 Specific circumstances where conditions should not be used include amongst other matters:
1. Conditions which unreasonably impact on the deliverability of a development;
 2. Conditions which place unjustifiable and disproportionate financial burdens on an applicant (having regard to policies in the National Planning Policy Framework and supporting guidance on viability).
- 4.8 Furthermore, the Government's practice guidance on the use of planning obligations advises that planning obligations may only constitute a reason for granting planning permission if they are:
1. necessary to make the development acceptable in planning terms;
 2. directly related to the development; and
 3. fairly and reasonably related in scale and kind to the development.
- 4.9 Any planning condition or obligation which required Harworth to fund a full scheme to resolve the identified issues at the Gaskell Arms junction would not meet relevant tests for planning conditions and legal obligations. This is because it would not be 'fairly and reasonably related in scale and kind to the development' and would place 'unjustifiable and disproportionate financial burdens on an applicant'.
- 4.10 Additionally, Paragraph 111 of the NPPF (2021) advises that 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'. The Highway Authority has clearly advised that the proportionate impact of the Harworth development on the Gaskell Arms junction would not be sufficient to justify planning refusal and that the contribution being offered by Harworth is appropriate to the impact of the development on the junction.
- 4.11 Notwithstanding this, the concerns of the Town Council are noted and the funding which the Harworth scheme would deliver would allow a feasibility study to be prepared at an early stage. It is expected that any study would cover both the junction itself and wider traffic movements in the Much Wenlock area. Whilst the Harworth scheme could not on its own fund a full upgrade to the junction it should be noted that the emerging Shropshire Local Plan envisages significant additional planned residential development in the local area including 150 homes at Much Wenlock and a total of up to @1650 homes at Tasley, Bridgnorth. If these developments proceed then a significant amount of additional CIL

funding would be released. Some of this could be directed towards the Gaskell Arms, which the Harworth application has clearly identified as a significant local concern.

4.12 Harworth's consultant ADC has already identified potential improvement options for the junction (see plan below), although the any final scheme plan would be subject to agreement between the Highway Authority and the Town Council. The ADC work does indicate that practical options are available to improve the existing situation.

4.13 To provide further reassurance on this matter it is recommended that a local liaison group covering the Gaskell Arms junction scheme is formed, with representatives from the Town Council and the highway and planning authorities. This will allow reporting of progress regarding the improvement scheme design, funding options and implementation timescales.

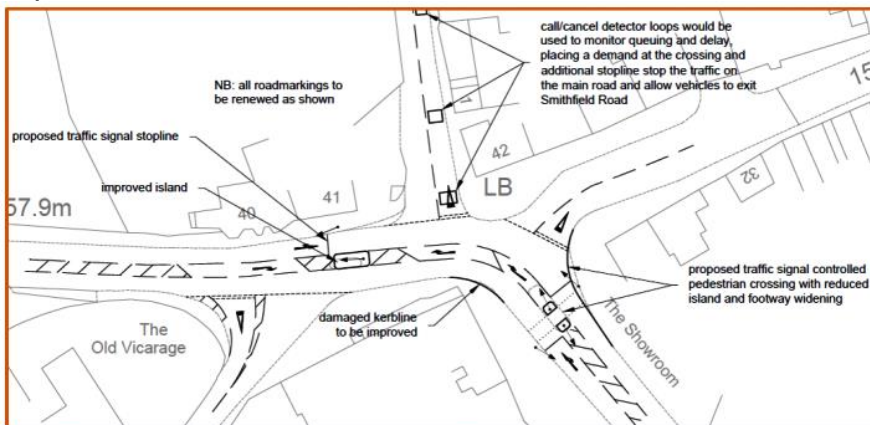


Figure 3: proposed improvement option 1

Potential improvement for Gaskell Arms Junction (by ADC)

4.14 In conclusion, requiring Harworth to fund the whole cost of an improvement scheme for the Gaskell Arms Junction would be unreasonable and disproportionate given the very limited contribution the Harworth development would make to existing issues at the junction. This would be the case even after the scheme is fully built-out in @2036. Any such requirement would fail to meet relevant legal tests for use of planning conditions and legal agreements. The viability issues discussed at the beginning of this report further underscore the sensitivity of the proposals to additional cost.

4.15 The funding offered by Harworth has been accepted as appropriate by the Highway Authority based on the limited level of impact on the junction identified in Harworth's traffic modelling. The Highway Authority has confirmed that the impact of the proposals on the Gaskell Arms junction is insufficient to justify planning refusal. This is having regard to the stringent test set out for highway related planning refusals in Paragraph 111 of the NPPF. Notwithstanding this, the Harworth scheme is able to fund an early feasibility study and to contribute towards the cost of a wider improvement scheme, the progress of which could be overseen by a dedicated local liaison group.

4.16 **B4380:** Councillor Wilde (Severn Valley Ward) has indicated that in her opinion additional funding should be made available for improvements to the B4380 between Buildwas and Atcham. The current proposal is for £65k to be allocated to this route with the majority of this being spent on traffic calming and pedestrian improvements at Leighton. Buildwas Parish Council will be receiving @£1m over the development lifespan of the site under the neighbourhood fund (the local CIL fund) with the first instalments becoming available in development year 2. The expectation is that if the Parish Council wishes to progress

pedestrian improvements in the Parish then some of this money could be put towards this objective.

- 4.17 As with the Gaskell Arms junction the Highway Authority has accepted the conclusions of the applicant's traffic modelling that the proportion of traffic from the Harworth site using this route would be relatively low with over 80% of all traffic from the site predicted to turn towards Telford. The Highway Authority has raised no objections, including with respect to use of the B4380 and has confirmed that the level of funding being offered for this route is reasonable and proportionate having regard to limited amount of traffic from the Harworth site which is predicted to use the route. Moreover, in contrast with the Gaskell Arms junction there is currently no evidence of significant pre-existing capacity issues with this route.
- 4.18 The same criteria apply to the B4380 as to the Gaskell Arms in terms of the use of planning conditions and legal agreement clauses. It is not considered on the basis of currently available information that any requirement for a significant increase in funding above the currently identified level for this route would meet relevant legal tests for conditions and legal agreement clauses as referred to above. This is notwithstanding that no further legal agreement funding is available given the significant viability constraints of the Harworth proposals. Nor is it considered that refusal on highway grounds would be justified given the lack of highway authority objection and the strict test set out in NPPF paragraph 111.

5. Issue 4 – The capacity of Primary Care facilities

- 5.1 The CCG were first consulted on the Harworth outline application 18 months ago in January 2020 and ongoing discussions have occurred between them, Harworth and officers since this time. However, it was only in the week before the Telford & Wrekin outline application was reported to committee on 18th May 2021 that the first request for a specific amount of capital funding (£1.27m) was received from the CCG following a number of office requests. The CCG advised that the sum requested was based on an NHS formula which is starting to be applied nationally.
- 5.2 By this time detailed discussions between Shropshire and Telford & Wrekin Council officers and Harworth regarding how the available funding should be spent had necessarily concluded. The parties agreed as a contingency measure that a capital sum of £0.5m plus a serviced plot should be provided for healthcare. Telford & Wrekin and Harworth strongly resisted any increase above this level given the limited funding available and the significant competing funding priorities, including in the Telford & Wrekin area.
- 5.3 Three subsequent written communications have been received from the CCG, the most recent of these on 30th June 2021. These provide further evidence of existing healthcare capacity limitations at local practices, and particularly at the Ironbridge practice. This has highlighted the pressure which recent major development in Telford & Wrekin has placed on the local practices and where no equivalent healthcare funding has been sought. In their most recent communication CCG have reduced the requested capital sum to £913,750 to bring it into alignment with Harworth's site at Thoresby in Nottinghamshire.

- 5.4 Following this submission officers attended a further meeting with the CCG where they reiterated that there was no additional funding available and no scope to re-distribute previously agreed funding allocations. Any such re-distribution would require Telford & Wrekin to take their application back to committee with the possibility of refusal if less funding was directed towards their area.
- 5.5 At the meeting the CCG reiterated that a survey of healthcare needs was currently being conducted and it was not yet clear whether a new medical practice would be required at Ironbridge. They confirmed that the capital sum being requested relates specifically to the demand on healthcare which is likely to result from the Harworth scheme and does not take any account of pre-existing capacity imitations of the existing practices. They also consider that the proposed serviced plot at the Harworth site should not be attributed a financial value as it may not be utilised by the CCG. Notwithstanding this the officer understands that a serviced plot of 2500m³ may potentially attract a value of @£325k and considers that this should be acknowledged.
- 5.6 The CCG consider that if new residents of the Harworth scheme are given the right to choose their preferred practice then the majority are likely to prefer the Ironbridge practice as this is slightly nearer to the site (4km as opposed to 5.25km for Much Wenlock / Cressage practice). They conclude that this would compound existing capacity issues at Ironbridge. It is not clear whether residents could be directed to the Much Wenlock and Broseley practices instead which are also relatively close to the Harworth site. The evidence provided by the CCG suggests to officers that there may be some limited additional buffer capacity available to take some residents from the Harworth development in the Much Wenlock and Broseley practices if they are directed to these practices.
- 5.7 The CCG's capacity calculations assume a 10-year build-out period for the Harworth development when this is stated by Harworth as being @14 years. This gives some reduction in the rate at which the Harworth development is likely to contribute to any pre-existing capacity issues relative to the timings assumed by the CCG. The CCG are unable to advise on how such pre-existing issues would be dealt with as a study into this is yet to be concluded.
- 5.8 The additional information and recent meetings between officers and the CCG have provided evidence of capacity limitations at the existing practices which supports the CCG's requests for additional capital funding. Unfortunately, these requests have come too late in the resource allocation process and against a backdrop of limited and competing funding priorities. The Governments practice guidance on viability advises (paragraph 29) that 'the total cumulative cost of all relevant policies should not be of a scale that will make development unviable'. It is not possible at this stage to redistribute available funding following conclusion of the very detailed discussions between officers, Telford & Wrekin and Harworth.
- 5.9 Notwithstanding this, officers have informed the CCG that the healthcare capacity issues they have demonstrated will be notified to the Much Wenlock Place Plan officer in order that this can be identified as a priority for any future CIL funding which may become available in the Much Wenlock Area. The Plan will be updated on this basis. CCG have also been advised that healthcare will, together with affordable housing, be identified as a priority for any clawback funding which becomes available from the viability review

mechanism including for the first review in development year 5. Officers have committed to provide a 'comfort note' to the CCG to this effect.

- 5.10 In conclusion, the capital funding which it is currently possible to offer to the CCG is not able to fully meet their expectations, though officers would contend that it is legitimate to include the value of the serviced plot in this package. Officers would acknowledge that the CCG has now provided sufficient evidence of capacity limitations at existing practices and has justified its calculation methodology with respect to the requested capital sum.
- 5.11 Unfortunately, this information has been provided too late relative to the detailed discussions on resource allocation between officers, Telford & Wrekin and Harworth. The viability constraints of the proposals must be acknowledged and, in this respect difficult decisions and compromises have had to be made on many of the spending priorities agreed by the parties. It should also be recognised that major development in Shropshire and Telford & Wrekin have not previously attracted healthcare funding and there are no currently adopted policies or guidance which specifically require this. The Harworth application has come forward at a time when the NHS and CCG's are seeking to establish this principle at a national level, but it has not yet been widely adopted.
- 5.12 Notwithstanding this, any capital funding shortfall relative to CCG expectations has the potential to be addressed through either CIL funding or profit clawback under the viability review mechanism. Officers are preparing a 'comfort letter' which advises the CCG that Shropshire Council will be prioritising healthcare in both potential funding streams. Any further comments from the CCG will be reported to the committee.

6. National Planning Policy Framework

6.1 A new version of the NPPF was published in July 2021 and supersedes the 2019 version referred to in the original committee report included as Annex 1. The majority of the working remains unaffected relative to the previous 2019 version though paragraph numberings have changed. There are 10 key changes relative to the 2019 NPPF:

1. Measures to improve design quality
2. Inclusion of trees in new developments
3. Adjusting the presumption in favour of sustainable development for plan-makers.
4. Development plan policies for proposed large new settlements should have a 30-year timescale rather than the former 15.
5. New limits on the use of Article 4 directions to restrict PD rights
6. Councils should restrict the removal of statues.
7. Encouraging faster delivery of further education colleges, hospitals and prisons
8. The United Nations climate change goals have been added.
9. Planning and Flood risk should be managed by development opportunity.
10. Tightened rules governing the acceptability of isolated homes in the countryside.

6.2 Members should note this updated national policy guidance and points 1, 2, 8 and 9 are of particularly relevant to the current proposals:

1. Measures to improve design quality: Updated policies aim to improve the design of new developments, in response to the findings of the government's Building Better, Building Beautiful Commission. These include:

- Changes to the overarching social objective of the planning system (paragraph 8b) to include the fostering of “well-designed, beautiful and safe places”. The old version had required “a well-designed and safe built environment”.
- A new paragraph 128 states that in order to “provide maximum clarity about design expectations at an early stage”, all local planning authorities “should prepare design guides or codes. This new demand is consistent with the principles set out in the National Design Guide and National Model Design Code, and which reflect local character and design preferences. It says design codes can be produced as either part of a local plan or as a supplementary planning document. They can also be prepared at an area-wide, neighbourhood or site-specific scale – and can be prepared by landowners or developers for their own sites.
- A new paragraph 133 is introduced which focusses on ‘beautiful’ development. A test that development should be well-designed, confirming that development which “fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes” should be refused.
- Paragraph 133 continues to confirm that “significant weight” should be given to “development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes”. Significant weight should also be given to “outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area”, the new paragraph 133 says.

Note: This requirement has been anticipated by the sustainable development brief which forms part of the outline application.

2. Inclusion of trees in new developments: A new paragraph 131 is introduced, stating that “planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments, that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible”. This paragraph continues to confirm that applicants and local planning authorities “should work with local highways officers and tree officers to ensure that the right trees are planted in the right places”.

Note: Trees have been fully factored into the outline application and significant planting is proposed in the indicative masterplan.

8. The United Nations climate change goals have been added: Paragraph 7 in the section on “Achieving sustainable development” states that “the purpose of the planning system is to contribute to the achievement of sustainable development”. It now adds: “At a similarly high level, members of the United Nations – including the United Kingdom – have agreed to pursue the 17 Global Goals for Sustainable Development in the period to 2030. These address social progress, economic well-being and environmental protection.”

Note: The applicant’s sustainable development brief provides an appropriate overarching mechanism to ensure that climate change is dealt with appropriately as the development is built out.

9. Planning and Flood risk should be managed by development opportunity: The section on “planning and flood risk” now confirms that plans should manage any residual flood risk by using opportunities provided by new development and “improvements in green and other infrastructure to reduce the causes and impacts of flooding (making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management)”.

Note: The outline proposals take full account of flood risk issues at this stage including through appropriate use of green infrastructure. Further detail on flood risk will be provided at the outline stages.

- 6.3 Officers have however reviewed the updated guidance and it is not considered to materially affect the conclusions reached in the original committee report included as annex 1 below. The conclusions of the report are therefore considered to remain current and valid in the context of this updated guidance.

7. Conclusion

- 7.1 The application was deferred from the June 15th Committee in order to address the four issues identified in section 1 of this report. Further detailed information has now been provided on these issues in order to assist Members in determining the application. The proposed development is supported as a strategic site in the emerging Shropshire Local Plan and comprehensive consultations on the planning application have not identified any outstanding objections from technical consultees.

- 7.2 The applicant has demonstrated viability constraints and the Council’s independent consultant has ratified these conclusions. The current lack of compliance with respect to affordable housing has the potential to be addressed through the viability review mechanism and / or by grant funding obtained from Homes England. Healthcare funding provision for £500,000 and a serviced plot within the legal agreement. The viability review mechanism and other non-Harworth CIL revenues provide the potential to add to this as and when justified by the build-out rate of the proposed development.

- 7.3 The Highway Authority has confirmed that the applicant has made a reasonable and proportionate contribution with respect to the Gaskell Arms junction and the B4380 based on the proportion of traffic from the development which is predicted to use these routes and has advised that refusal on highway grounds cannot be justified. Other funding mechanisms are available to address pre-existing concerns linked to these routes and planning and highway officers are committed to working proactively with the local community to address these concerns.

- 7.4 Overall and notwithstanding the viability constraints the scheme will facilitate remediation and productive re-use of a major brownfield site and has the potential to deliver significant benefits to the local area.

8. **ADDITIONAL INFORMATION**

View details online:

<https://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=Q2YLFWTD06Z00>

List of Background Papers: Planning application form for application reference 19/05560/OUT and accompanying environmental statement documents and plans

Cabinet Member (Portfolio Holder) Cllr Ed Potter

Local Member: Cllr. Claire Wild (Severn Valley)

Appendices: APPENDIX 1 – Conditions and legal clauses

ANNEX 2 – REPORT TO COMMITTEE ON 15/06/21



Committee and date
 South Committee
 15th June 2021

Item

 Public

Development Management Report (Referral back to committee)

Responsible Officer: Tim Rogers
 email: tim.rogers@shropshire.gov.uk Tel: 01743 258773 Fax: 01743 252619

Summary of Application

Application Number: 19/05560/OUT	Parish:	Buildwas
<p>Proposal: Outline application (access for consideration comprising formation of two vehicular accesses off A4169 road) for the development of (up to) 1,000 dwellings; retirement village; employment land comprising classes B1(A), B1(C), B2 and B8; retail and other uses comprising classes A1, A2, A3, A4, A5, D1 and D2; allotments, sports pitches, a railway link, leisure uses, primary/nursery school, a park and ride facility, walking and cycling routes, and associated landscaping, drainage and infrastructure works</p>		
<p>Site Address: Ironbridge Power Station, Buildwas Road, Ironbridge, Telford, Shropshire TF8 7BL</p>		
<p>Applicant: Harworth Group Plc</p>		
Case Officer: Grahame French	email: planningdmsw@shropshire.gov.uk	

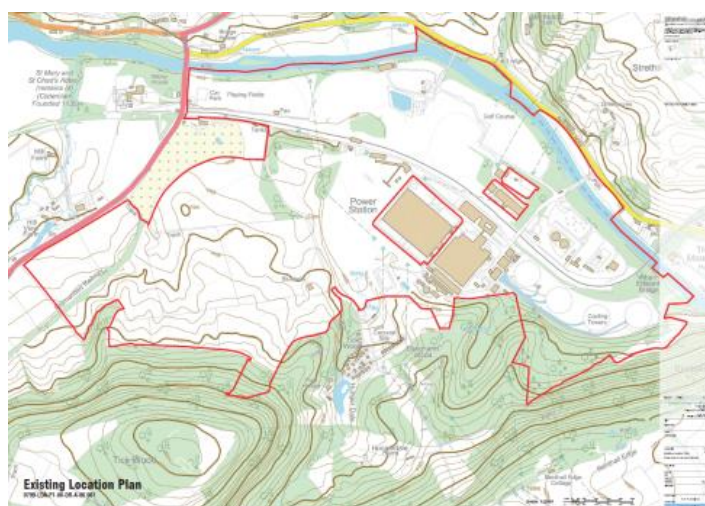


Figure 1 - Location

Recommendations:

- 1) To Grant Permission subject to the conditions and legal agreement clauses set out in Appendix 1.
- 2) That the Committee authorises the Head of Planning Services to enter into negotiations with Telford & Wrekin Council, if necessary, in order to secure a Memorandum of Understanding to deliver the cross-boundary infrastructure listed in Appendix 1 of this report (legal agreement clauses).
- 3) That Members note that if this cross-boundary application is approved arrangements will need to be entered into whereby Shropshire Council as the 'lead authority' can accept authority for onward delegation of planning control for the proposals from Telford & Wrekin Council. This will allow Shropshire Council to issue a single planning permission for the application and to assume sole responsibility for determining subsequent discharge of conditions and reserved matters applications relating to the application, whilst retaining Telford & Wrekin Council as consultees.

EXECUTIVE SUMMARY

- i. The application site is included as a strategic site under Policy S20 of the emerging Shropshire Local Plan (Pre-Submission draft 2021). The policy sets out a range of criteria which must be satisfied under a masterplan for the site for the development to proceed.
- ii. The application has been submitted in advance of adoption of the new local plan (anticipated in late 2022) due to practical and operational considerations linked to the acquisition of the site by the applicant, Harworth Group Ltd. However, it is not considered to be premature in advance of plan adoption for reasons set out in this report. Extensive stakeholder engagement has been undertaken by the applicant and a comprehensive planning consultation process has taken place involving three separate formal consultation exercises.
- iii. This is a cross-boundary application as a small part of the site comprising the existing road bridge into the site falls within the administrative area of Telford & Wrekin Council (T&W). Accordingly, the applicant has submitted an application for the outline masterplan development to both authorities. T&W subsequently resolved to approve its application at a meeting on 18th May 21 subject to conditions and legal agreement clauses. Shropshire is the 'lead authority' and is expected to determine any future applications linked to the current proposals.
- iv. A related application to extract mineral in the western part of the site has been received by the Council and forms a separate item on this agenda (19/05509/MAW). The objective is to create a level development platform for the masterplan housing proposals and to avoid sterilisation of mineral beneath the site. This would only be worked if the current scheme proceeds.
- v. A viability assessment provided by the applicant concludes that the masterplan development is financially constrained given the significant costs of remediating the brownfield areas of the site. This conclusion has been accepted by an independent viability consultant appointed jointly by Shropshire Council and Telford & Wrekin Council. Accordingly, there is limited funding available for infrastructure delivery and it is not possible to deliver the full policy compliant level of affordable housing at the site. Additionally, it will be necessary to 'ring fence' all CIL revenues expected from the scheme in order to deliver infrastructure which is required specifically in order to deliver

a sustainable scheme. The viability assessment supports the inclusion of proposals for housing in the western 'greenfield' part of the site within the application and under emerging Policy S20. This is in order to ensure a financially viable scheme which can subsidise the significant costs of remediating the brownfield area of the site.

- vi. Shropshire and T&W officers have worked hard in order to identify the infrastructure spending priorities needed to support the scheme, based on detailed discussions with relevant consultees and a spending schedule is set out at the beginning of Appendix 1 of this report. Notwithstanding these financial constraints officers are satisfied that sufficient funding is available to deliver a sustainable scheme which has the potential to deliver significant benefits both to the public and to the local environment which include a number of sensitive protected designations at both national and international levels.
- vii. The masterplan for the site prepared by the applicant has been informed by a considerable amount of stakeholder engagement and planning consultation, with numerous modifications taking place in response to this. Together with a sustainable design brief prepared by the applicant this will inform the future reserved matters phases of the development if the current application be approved. This would give reassurance that the sustainable design principle established at this stage can be carried forward to subsequent development phases.
- viii. The proposals have attracted opposition from some local stakeholders including Parish Council's in particular, regarding highway impact. A detailed traffic modelling exercise has been undertaken by the applicant's highway consultant in close consultation with the two Highway Authorities and Highways England. This has demonstrated to the satisfaction of the highway bodies that the highway impacts of the proposals can be made acceptable having regard to the mitigation proposals being put forward by the applicant. The scheme has been amended and further information has been provided in order to take account of detailed comments received during the planning consultation process. Whilst the parish council objections referred to above remain there are no outstanding objections from other technical consultees including SC Ecology, Historic Environment, Drainage and Trees.
- ix. This is a significant scheme which has the potential to deliver major benefits to Shropshire in terms of housing, employment, environmental enhancements and remediation of a major brownfield site which might otherwise become derelict. Officers are satisfied that the further information and amendments now received are sufficient to facilitate a sustainable development which will be informed by the applicant's masterplan and sustainable design brief. The proposals are considered to be compliant with the development plan overall and relevant national guidance and also with the development criteria set out in emerging Policy S20. The proposals are therefore recommended for approval subject to the conditions and legal agreement terms listed in Appendix 1.

REPORT

1.0 THE PROPOSAL

- 1.1 Outline planning permission is sought by the applicant, Harworth Group Ltd for redevelopment of the former Ironbridge Power Station site including for the following uses:
- (up to) 1,000 dwellings (950 open market and 50 affordable (5%);
 - retirement village (of circa 70 units);
 - employment land comprising of circa 6ha (approx. 16000sqm of commercial space) comprising classes B1(A), B1(C), B2 and B8;
 - A Local centre comprises of 2,200sqm of retail and other uses including farmers market, comprising classes A1, A2, A3, A4, A5, D1 and D2; and a 400sqm convenience foodstore,
 - Allotments of circa 0.4 hectares,
 - Sports pavilion, formal and informal recreational land including sports pitches, open space and a central village green
 - a railway link,
 - primary/nursery school,
 - Combined NEAP/LEAP;
 - A railway link (with rail to trail option should funding not be achieved for a passenger light rail)
 - Serviced plot for park and ride/ shuttle facility;
 - Serviced plot for on-site healthcare provision (at discretion of CCG);
 - walking and cycling routes, and
 - associated landscaping, drainage and infrastructure works
- 1.2 All matters are reserved for later approval, except for access, in respect of two new vehicular accesses into the site from the A4169 Much Wenlock Road. Following completion of the first phase (250 dwellings) the existing vehicular access point off Buildwas Road will be closed to vehicular traffic and retained as a pedestrian and cycle link and as a public transport corridor.
- 1.3 An Illustrative Masterplan has been submitted as part of the planning application. This identifies the overall development strategy across the whole site, including the key elements such as housing, local centre and community facilities and employment land. A substantial area of green infrastructure has been included within the scheme, including sports pitches and pavilion, parkland, informal open space, woodland and ecological mitigation areas. SuDS techniques are to be incorporated into the scheme and will be set out within the detailed drainage strategy for each reserved matter application.
- 1.4 A Sustainable Design Brief has been submitted and will be used to inform and guide the delivery of sustainable development through subsequent reserved matters applications. The document sets out a series of sustainability goals for the development and a condition is imposed which requires all subsequent reserved matters applications to provide a Design Code which, inclusive of other elements, seeks to establish how each phase will meet those aims. Harworth have made a commitment to establishing a "Sustainable Working Panel" which would be made up of representatives from Harworth Group and the Council (and the new community when established), to review and consider the measures proposed. This could form part of the proposed Stakeholder Group, which is required by the Construction & Habitat Environment Management Plan (C&HEMP) condition imposed.

- 1.5 The Sustainable Design Brief gives a commitment from the applicants to provide a healthy community incorporating the following:
- Increase and improved cycle links
 - retain existing trees and tree belts
 - additional footpaths and nature trails
 - new employment opportunities within walking distances of residences
 - use of SuDS throughout the site
 - growing local produce in the allotments and offering a local farmers market
 - park and green spaces
 - electric charging points across the site
 - reinstatement of sports pitches
 - riverside area include hospitality facilities
 - retention of heritage assets
- 1.6 Additionally, in order to minimise the use of energy, the site will consider the following:
- 18kVa of electricity will be provided ;
 - electricity supplier chosen based on its green credentials
 - No gas services will be provided on-site
 - Domestic solar energy will be encouraged
 - On-site energy creation will be explored
 - Explore solar energy for on-site lighting, charging points etc
 - Battery storage located on-site for excess power
 - Air/water sourced heating/cooling would be explored
 - A study into the feasibility of a small CHP plant using biomass from onsite/local resources and estate management could be explore
- 1.7 Buildings will meet 'better than' building regulations on all building typologies by considering the following:
- Modern methods of off-site construction to minimise on-site activities;
 - modular building using modern methods of construction to maximise efficiency (possible on-site factory)
 - use of sustainable carbon capture materials and minimise use of concrete and steel
 - low energy site lighting
 - reuse existing roads if possible and reuse demolition materials as part of foundations
 - use of smart technology and metering to reduce water/energy usage
 - on-site water storage and reuse of grey water
 - homes for life
 - promote and enable home working in light of recent lifestyle changes, reducing commuting
 - Zero carbon use, by delivering buildings which are nett energy neutral or positive during occupation - for example by using high insulation standards plus solar power.
- 1.8 The overall net density for housing achieved is approximately 25-30 dwellings per hectare over the designated housing zones.
- 1.9 Whilst the majority of the former Power Station buildings will be demolished, within the north of the application site a 1930's pumphouse and the Station A bridge will be retained. Both structures are related to the first phase of the power station which

operated from the 1930's until the 1960's, when the plant was upgraded. These structures represent the only extant buildings from this phase of the power station's operation. In addition, the existing National Grid building will be retained as part of the redevelopment proposals, together with the Western Power Distribution switching station. These buildings are strategically important electricity infrastructure that will remain in operation and are therefore located outside of the red line planning application boundary.

1.10 A Development Viability Review by Tustain Associates Limited (September 2020) was submitted by the applicant. This was independently reviewed by Turleys jointly on behalf of Telford & Wrekin Council and Shropshire Council and found to be acceptable.

1.11 The Viability Assessment concludes that given the extensive former industrial uses and the legacy of these operations, the site is subject to significant viability challenges. Specifically, the high infrastructure and abnormal costs amount to £62.84 million. As a result, the development is only viable with the provision of 5% affordable housing and £16.75 million toward Section 106 and CIL contributions.

1.12 An Environmental Statement has been submitted in support of the application under Schedule 1 of the EIA Regulations 2017 and includes a suite of reports dealing with the key environmental, social and economic issues raised by the proposals. The applicant has also submitted further information under Regulation 25 of the EIA Regulations.

1.13 Since the application was submitted there has been a change to the Use Class Order which affects a number of the use types referred to in the application title, although there is no change to the proposed uses in the application. The use class changes applicable to the application can be summarised as follows:

- B1(a) amended to E(g)
- B2 and B8, not amended.
- A1/A2/A3 amended to E(a, b, c)
- D1 amended to E(e) and E(g)
- D2 amended to E(d)
- A1 convenience foodstore amended to E(a)
- A4 amended to sui generis
- A5 amended to sui generis

1.14 The application is reported to Committee with a related application for mineral extraction which forms a separate item on this Agenda:

19/05509/MAW - Phased extraction and processing of sand and gravel including the erection of processing plant and ancillary infrastructure, temporary storage of minerals, utilisation of existing rail siding and creation of new access road on to Much Wenlock Road; restoration of the site. Proposed Quarry To The East Of Much Wenlock Road Buildwas Telford Shropshire

2.0 SITE LOCATION/DESCRIPTION

2.1 The 139.3ha site is located in the parish of Buildwas and comprises the landholding of the former Ironbridge Power Station also including redundant sports pitches, pulverised fuel ash, landfill waste tips, a rail siding and agricultural land to the west. The applicant

Harworth purchased from Uniper UK Limited in June 2018, following closure of the power station in November 2015.

- 2.3 The site is bounded by River Severn to the north and the A4169 Much Wenlock Road to the west (see figure 1). Tick Wood and Benthall Edge Site of Special Scientific Interest (SSSI) is located to the south with a small section included within the application site itself. The settlement of Ironbridge is located ½ mile to the east.
- 2.4 The grounds of Buildwas Abbey scheduled monument extend to within 90m to the west of the site. The buildings themselves are located 470m to the north of the nearest area of proposed development within the site. The Shropshire Hills AONB is located to the immediate west of the site on the other side of the A4169. On the eastern edge of the application site lies the Grade II Listed Albert Edward Bridge, which forms the westernmost limit of the Ironbridge Gorge World Heritage Site and Severn Gorge Conservation Area.
- 2.5 Pool View Park, a residential and holiday park for circa 70 homes/lodges is located to the south of the site boundary. This is the only occupied residential land use in the vicinity of the site, to the south of the river. On the northern side of the River Severn are a cluster of residential properties, guest houses and a few static homes. To the south east sits the Ironbridge Rowing Club adjacent to the southern limits of the Albert Edward Bridge.
- 2.6 A small sand and gravel quarry is located to the north west of the site. A separate planning application for the extraction of minerals and the subsequent restoration of the western part of the application site has also been submitted to Shropshire Council (application reference: 19/05509/MAW). This proposal is not an extension of this existing site. It instead forms a new operation to facilitate the currently proposed mixed use development, whilst appropriately removing a natural sand and gravel resource in order to prevent its sterilisation.
- 2.7 At the time of submission of the application, the main buildings and structures on site comprised of four 115m high cooling towers, a 205m high chimney, turbine hall, National Grid building and a railway line. The four cooling towers were subsequently demolished on 6th December 2019, the bunker bay was demolished on 17th July 2020, and the tank bay was demolished on 22nd January 2021. Demolition of the Chimney is anticipated in the coming months.
- 2.8 The majority of the site is located within the administrative boundary of Shropshire Council but part of the existing site access from Buildwas Road lies within the boundaries of Telford and Wrekin Council (T&W). Accordingly, a separate application has been submitted to by Harworth to T&W (reference TWC/2019/1046).
- 2.9 T&W's planning committee resolved to approve the application on 18th May 2021. This is subject to a legal agreement and appropriate planning conditions which have been discussed by officers of both councils and also to T&W entering into a Memorandum of Understanding with Shropshire Council relating to the planning obligations, if required.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

- 3.1 As schedule 1 EIA development the application is automatically referred to committee under the Council's scheme of delegation.

4.0 COMMUNITY REPRESENTATIONS

4.1 Consultee Comments

THE FOLLOWING COMPRISES A SUMMARY OF COMMENTS RECEIVED IN RELATION TO THE APPLICATION WHICH CAN BE REVIEWED IN DETAIL FROM THE LINK REFERRED TO IN SECTION 10 OF THIS REPORT. ISSUES RAISED BY CONSULTEES ARE REFERRED TO IN SECTION 6 OF THIS REPORT.

- 4.1.1 Buildwas Parish Council: Object. Highway impacts; safety concerns over Buildwas Bank junction – do not support the urbanisation of the traffic signalisation proposed; increase in vehicular movements and impact on existing residents; concern over proposed public transport links; concerns over impact on ecology and existing deer population; support Sports England comments; concern over light pollution and how lighting strategy will monitor this; concerns over viability appraisal – requirement for full 20% affordable housing provision, concerns over reduced CIL/S106 contributions; objection to scale and impact on open countryside/heritage assets; do not support development of greenfield land; Parish already reached development prescribed by SAMDev; against closure of existing primary school; if closed, site should be retained as a community asset/hall; sustainable travel plan required; concerns over capacity of existing healthcare facilities; on-site treatment plant should be proposed; commercial proposals should not be of a loud nature; if approved the design of the buildings should be sympathetic to the area. Additional concerns regarding ecology, leisure, light and sound pollution.
- 4.1.2 Much Wenlock Town Council (adjoining parish): Development cannot be seen to be aligned with Shropshire Local Plan in respect to climate change and the protection/enhancement of both the natural and historic environment; flooding; land slips; consequences of mineral extraction in proximity to natural and historic assets; contrary to Policy CS18; would like to see an alternative use such as eco holiday site.
- 4.1.3 Barrow Parish Council (adjoining parish): Objection. Concerns about use unclassified 'rat run' roads through the parish to avoid congestion at junctions in Ironbridge and Much Wenlock.
- 4.1.4 Easthope Shipton and Stanton Long Parish Council (adjoining parish): Objects. The Gaskell Corner and Buildwas Bank junction are essential to the residents of the parish for access to work, motorway and hospital care.
- 4.1.5 Wroxeter & Uffington Parish Council (adjoining parish): Neutral. Concerns about traffic volumes on the B4380 Ironbridge Road.
- 4.1.6 Broseley Town Council (adjoining Parish): Neutral. Concerns about traffic rerouting towards Broseley.
- 4.1.7 Leighton And Eaton Constatine Parish Council (adjoining Parish): Neutral. Concern about traffic, including on the B4380 Ironbridge Road.
- 4.1.8 Cressage Harley & Sheinton Parish Council (adjoining Parish): Objection. Concern about traffic on local roads. Need for Network Rail to make intentions clear. Healthcare. The 2

surgeries serving the catchment already have significant waiting times. What is the extent of any employment benefit? Effect on tourism and local environment.

- 4.1.9 Gorge Parish Council (adjoining parish): Object: Impact on both the probability, scale and frequency of flooding issues; noise, light and air pollution during construction/remediation phases; management of foul drainage; traffic issues are known at junction of A4169 causing long delays; main access (roundabout) should be built earlier; negative impact on WHS; concern over local infrastructure and increased pressures i.e. GPs; request long term commitment for passenger rail; number of suggested conditions are provided.
- 4.1.10 Ironbridge Gorge World Heritage Site Steering Group: Object: WHS, AONB and SSSI adversely affected by the scale of development; not enough consideration given to OUV/WHS within Heritage Impact Assessment; FRA doesn't address the concerns of the community adequately; drainage remains a serious concerns as the development will place a significant strain on the capacity of the facilities at Coalbrookdale and Coalport as well as within the WHS; impact of Noise and light pollution; impact of local highway network within the Gorge; greater consideration to be given to light rail to assist in reducing car use; series of projects within the WHS Management plan that require funding to help mitigate the impacts the development would have on the WHS.
- 4.1.11 Councillor Claire Wild (Severn Valley) – Objection on grounds of traffic impact. Conditions and legal clauses controlling traffic / highways are requested if permission is granted.
- 4.1.14 Councillor Dan Thomas (Much Wenlock) – Concern about traffic in Much Wenlock (verbal communication).
- 4.1.15 Highway Authority: No objection subject to conditions and legal obligations.
- 4.1.16 Ecology: No objection subject to conditions. Broadly agrees with the comments made by Telford & Wrekin Ecology in relation to the planning application. A number of detailed conditions have been proposed to ensure clarity and certainty at Reserved Matters. Consideration of the Habitats Regulations '3 derogation test's will not be required because no works to Albert Edward bridge are proposed as part of this planning application. The submission of a future planning application where works are proposed to the bridge will need to include the results of the hibernation survey and a mitigation strategy for bats.
- 4.1.17 SUDS: No objection subject to conditions covering drainage. The Flood Risk Assessment is acceptable.
- 4.1.18 Learning & Skills: No objection subject to provision of a new primary school at the site and funding for 160 extra places at the William Brookes secondary school in Much Wenlock.
- 4.1.19 Rights of Way: No objection subject to appropriate rights of way provision.
- 4.1.20 Conservation: No objection.
- 4.1.21 Archaeology: No objection.

- 4.1.22 Public Protection: No objection subject to conditions covering noise and dust control and contaminated land.
- 4.1.23 Trees: No objection subject to conditions.
- 4.1.24 Historic England: No objection. Have requested that consideration is given to mitigation for effects on the setting of Buildwas Abbey.
- 4.1.25 Environment Agency: No objection subject to conditions.
- 4.1.26 Highways England: No objection. Requested further information on capacity of Junction 6 of the M54 which has been provided by the applicant.
- 4.1.27 Sport England: No objection subject to conditions and legal agreement securing sporting provision.
- 4.1.28 Severn Trent Water: No objection subject to the inclusion of conditions requiring prior approval of surface water and foul drainage details. Has indicated a preference for on-site sewerage provision whilst acknowledging the applicant's right to request a mains connection.
- 4.1.29 Network Rail: No objection. Has confirmed that the Albert Edward Bridge will be upgraded by Network Rail to facilitate future rail movements.
- 4.1.30 National Grid: No objection. Development in proximity to overhead lines, guidance to be followed.
- 4.1.31 Cadent Gas: No objection.
- 4.1.32 Clinical Commissioning Group: No objection subject to contribution towards healthcare provision.
- 4.1.33 Forestry Commission: No objection.
- 4.1.34 Shropshire Fire Service: No objection. Refers to general guidance.
- 4.1.35 West Mercia Police: No objection. Refers to general guidance.
- 4.1.36 Telford & Wrekin Council (T&W) – No objection subject to conditions, informative notes and legal agreement clauses delivering necessary infrastructure to support the development within the T&W administrative area. Detailed discussions have taken place at officer level between Shropshire Council and T&W.
Note: As a cross boundary application Harworth submitted an outline application for the masterplan development to T&W which received an approval resolution at a meeting on 18th June 2021 subject to conditions and legal agreement clauses.

4.2 Public Representations:

4.2.1 The application has been publicised through site notice(s), press notice and direct neighbour notification. Three stages of consultation have taken place, following Regulation 25 requests issued to the applicant for further/additional information.

4.2.2 The Local Planning Authority has received 60 objections 6 neutral comments and 3 comments in support. These representations can be summarised as follows:

- Flooding. How will run-off of water will be dealt with once the natural soakaways have been removed? There will be less green space for water absorption. Inadequate sewerage provision. Intensive development such as that proposed should not be considered at all in this area unless adequate flood mitigation measures are undertaken;
- Traffic impact. The local road network is not adequate to support the additional loads/stress. Concerns about Much Wenlock, A4169 and Atcham road. Delays at Gaskell Arms Junction. Concerns about rat-running. Difficulty accessing property at Buildwas Bank. Other committed residential developments will add to traffic. With the Ironbridge road, Cressage Bridge and Atcham Bridge cut off each year with flooding the traffic over Buildwas Bridge is the only route passable locally across the river and the queues of traffic already cause huge local disruption. Danger to pedestrians. Impact of proposed accesses on local residents. Questioning accuracy of highway modelling. Future growth at the key centre Shrewsbury should also be considered when assessing any impacts at Atcham and Emstrey junctions and traffic movements all along the B4380. All HGV traffic during construction and afterwards should not be allowed to use the B4380;
- Impact on open countryside / tranquillity and AONB. Introduction of large residential development into a rural area of high landscape value;
- Sensitive location including World Heritage site, AONB, SSSI, scheduled ancient monument and local nature reserve. How is our unique World Heritage Site going to be protected?
- Visual impact. The site is visible from both Buildwas village, the bypass and a number of properties located on the Much Wenlock road
- Impact of quarrying and transport of gravel on approaches to Landscape of Outstanding Natural Beauty and a landscape of National Importance
- Impact on heritage including Buildwas Abbey. Contributions towards repairs and maintenance of Buildwas Abbey;
- Building 1000 properties on the site is excessive it's 1,000 new homes plus a retirement village, so it's even bigger. The number of houses proposed almost doubles the existing housing in this area. Allowing this application will set a very dangerous precedent for neighbouring agricultural land. The brownfield site obviously needs developing following the decommissioning of the power station. However, most of the residential development is to be placed on what is currently green fields;

- Risk to flora and fauna;
- Noise and light pollution. Noise will carry;
- Current sewage network won't be adequate, and Severn Trent Water have stated an on-site solution will be needed but where is this to be located within this site;
- Best and most versatile land should be protected;
- Need for quality design, ecological sustainability and carbon neutrality;
- Concern at low level of affordable housing provision;
- The new residents will need medical facilities on-site because the current GP practices are already full;
- Schools. The local schools (secondary especially) would not be able to cope with the additional load the proposed housing development would bring;
- Concern about justification for greenfield development within the site. Visibility of greenfield area;
- Support the re-introduction of rail services to the site. The strengthening of the Albert Edward Bridge and Coalbrookdale Viaduct should be prioritised;
- Potential for significant improvements to rights of way network.

4.3 Other Stakeholders:

- 4.3.1 David Turner (Former Ward Member for Much Wenlock) – Object: Concerns over use of A4169 – surfacing, queuing vehicles and geography; concern over highways impact in Much Wenlock and potential 'rat running', specifically at the Gaskell Arms; concerns over noise/air quality impact on Much Wenlock residents.
- 4.3.2 Cllr Carolyn Healy (Ward Member for Ironbridge Gorge – T&W) – Object: Scale of development is too large and will double Ironbridge community size; proximity of development is too close to WHS; highway impact on Gorge and through rat running; visual impact on WHS/CA; pressure on local schools; play provision insufficient and will impact on Ironbridge provision; consideration of walking/cycling improvements; welcome potential use of railway link; concerns regarding noise impact due to geography of site as a valley; demolition has caused disturbance to locals – concern going forward; full provision of affordable housing should be provided.
- 4.3.3 Cllr Jayne Greenaway (Ward Member for Lightmoor and Horsehay – T&W) – Object subject to conditions: Primary school is welcomed and a necessity as no provision locally; concerned about provision for secondary school pupils; support inclusion of healthcare facility on-site; support use of railway during construction stages to minimise use of roads; better provision of public transport required to employment areas of Telford particularly during peak times; consideration of renewable energies. Support many elements of the scheme but without financial contributions towards highways,

healthcare, schools, public transports, public rights of way, site will become isolated. Object subject to conditions to cover these points.

- 4.3.4 Coalbrookdale Flood Action Group: Object on basis of inadequate local drainage and sewerage provision and flood risk.
- 4.3.5 Much Wenlock Civic Society: Objects on grounds of highway impact to Much Wenlock and associated air quality concerns.
- 4.3.6 The British Horse Society: concerned that the development plans mention only 'walking and cycling routes' and do not mention new equestrian routes. Non-vehicular routes suitable for equestrian use should link up throughout and across the site.
- 4.3.7 Ironbridge Clarion Cycling Club: support both proposed cycleways. However, to establish a good pedestrian and cycle link through to Ironbridge from the west, the surface of the disused railway needs to be improved. also support the proposal to ensure the current Power Station bridge onto Buildwas Road is restricted for use by public transport, cycle and pedestrians only. While there are positive elements in the proposals so far, the benefits to encourage cycling are far too limited for this significant new development.
- 4.3.8 Telford & East Shropshire Ramblers (Ramblers Association): Concern that most of the new routes suggested in the planning application are described as footpaths and cycleways. They are not always described as Public Rights of Way. Would support formal rights of way with improvements / good access. Welcomes the statements in the Residential Travel Plan.
- 4.3.9 Ironbridge and Much Wenlock Medical Practice: Both local Practices are currently at the limit of their resources in terms of buildings. We feel that the development of a medical facility is essential to meet the needs of the estimated increase in patient population for our two practices and this would need to be a priority at the start of the development rather than some five years down the line as would appear to be case.
- 4.3.10 Shropshire Riding & Carriage Driving Forum: Objects. Improved equestrian provision is needed.
- 4.3.11 Telford Bridleways Association: Objection: The planning application does not include any public rights of way. Proposed links with other public bridleways in the area have been ignored. The application fails to consider the surrounding land use which is heavily biased towards equestrian use.
- 4.3.12 Telford and Wrekin Local Access Forum: Neutral. After very useful and productive discussions, the developer has agreed to the provision of new public rights of way through the site. Many of these would create excellent and vital links to the network, especially through the site from west to east. There seems to be some confusion on the attached plans as the status of these new routes - footpath and cycle way? This needs amending to make it clear that these are Public Rights of Way.
- 4.3.13 Shropshire Playing Fields Association: We are pleased that in the proposal the existing playing fields are intended to be retained as part of the green infrastructure provision, although it is not clear what design, access, maintenance and management will be

afforded to this green space and whether it is intended to be retained as sport pitches or a mix of informal recreational space. We would expect the council to consider both sporting and recreational needs including play needs arising from the development to deliver new and improved facilities.

5.0 THE MAIN ISSUES

- Principle of development
- Masterplan principles
- Highways impacts
- Foul & Surface Water Drainage
- Ecological Matters
- Arboriculture
- Noise & Air Quality
- Ground Conditions
- Heritage
- Landscape
- Sport/Recreation
- Education
- Healthcare
- Railway
- Public Rights of Way
- Impact on the amenity of adjacent properties / uses
- Mineral Extraction
- S106 contributions/Memo of Understanding
- Cumulative Impact
- Alternatives

6.0 OFFICER APPRAISAL

6.1 Principle of development

6.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that any application for planning permission must be determined in accordance with the Development Plan (DP) unless material considerations indicate otherwise. Consideration also needs to be given to this presumption in favour of sustainable development in determining whether a site is suitable for release.

6.1.2 The site is not allocated in the current SAMDev plan but forms part of Shropshire Council's Pre-Submission draft Local Plan (2021) and is identified as a Strategic Settlement allocation in emerging Policy S20. The policy identifies the following criteria which a planning application will need to comply with under a site masterplan. The full wording of this emerging policy is set out in Section 10 of this report:

- Integral employment provision;
- An appropriate range of commercial uses in the village centre;
- Significant and high-quality green infrastructure provision;
- Appropriate community facilities and buildings including a new primary school and medical centre;
- Suitable pedestrian and cycle links / provision;

- Improvements to the local and strategic road network;
- High-quality design and layout minimising landscape and visual impact;
- Sympathetic retention / reuse of the Grade II listed Albert Edward railway bridge and buildings and structures associated with the Ironbridge A power station;
- Protection of natural assets, designations and protected species;
- Management of any contaminated land;
- Investigating mineral extraction opportunities (to avoid sterilisation);
- Sustainable drainage avoiding flood zones.

6.1.3 The pre-submission draft of the Shropshire Local Plan has passed through a final consultation period (Feb 2021). The Plan is expected to be submitted to the Secretary of State in late July 2021 with adoption envisaged in summer 2022. The new Shropshire plan is emerging and therefore has limited weight although there is general recognition of the need to redevelop the site. Whilst there is local opposition to the Harworth scheme no significant challenges to the principle of allocation have been received from technical consultees. It should also be noted that the NPPF supports redevelopment of brownfield sites and strategic housing provision.

6.1.4 The comprehensive consultations which have taken place on the current outline planning application have allowed relevant sustainability issues to be considered and addressed in detail prior to plan adoption. Issues raised by the application have been considered in detail and for control and mitigation measures to be progressively refined. As such, there is now a general lack of objection from technical consultees, notwithstanding the continuing local opposition to the scheme referred to in Section 4 above.

6.1.5 It is considered that the planning consultations on the application supports the conclusion that the proposals are sustainable and accord with the current development plan when taken as a whole. The proposals are also considered to be fully compliant with the draft policies of the emerging Shropshire Local Plan which cover the same subject areas as the currently adopted plan. Whilst the Harworth proposals are significant in a sub-regional context the outline application is not considered to be prejudicial to the outcome of their SAMDev review process.

6.1.6 The greater part of the site comprises brownfield land. In accordance with Chapter 11 of the NPPF (specially paragraph 117 and 118(b)), substantial weight should be afforded to the value of using suitable brownfield land for homes and other identified needs. Furthermore, opportunities should be taken to remediate derelict and contaminated land. This is a significant material consideration in assessing compliance with national planning policy. It is considered that the development is acceptable in principle, in relation to the NPPF, the current SAMDev Plan and the emerging Shropshire Local Plan.

6.2 Masterplan principles

6.2.1 In accordance with emerging policy S20 a comprehensive masterplan has been submitted in support of the current application and this addresses the development guideline criteria of the policy as summarised in 6.1.2 above.

6.2.2 During the course of the application, a number of revisions were made to the originally submitted Masterplan, as outlined below:

- Retention of strategic planting around the existing (retained) commercial buildings providing a mature natural screening of the units from both within the wider and in the wider context;
- Agreement to a minimum 15m buffer around the southern ancient woodland;
- Reduction of built form in the 'Woodland Character Zone' to minimise loss of woodland and ecological habitats;
- Rearrangement of the Local Centre to appropriately integrate facilities within the community and in association with the surrounding open space;
- Reduction of built form in the north to create a green corridor to the sports pavilion, open space and pumphouse beyond – creating a central green space for the community at the heart of the development.

6.2.3 Following receipt of revised and additional information during the life of the application, both Local Planning Authorities are now satisfied that the indicative masterplan in conjunction with other supporting documentation satisfactorily meets the guidelines set out by emerging Policy S20.

6.2.4 Whilst a small part of the site is located in Telford & Wrekin officers of that council advise that they are also satisfied that the site meets relevant criteria of the Telford & Wrekin Local Plan. Telford Policy SP3 states that development in rural areas should be directed to the reuse of previously developed land and to settlements where there is good infrastructure. The site is well connected to existing infrastructure and seeks to provide an optimum viable use for a highly constrained brownfield site, as is set out within the NPPF.

6.2.5 Delivery of the masterplan principles has been supported by planning conditions and financial contributions which have been agreed following detailed discussions between officers of Telford & Wrekin and Shropshire Council. These matters are discussed below.

6.3 Highways and Traffic

Local Road Network

6.3.1 Local residents and Parish Councils have raised concerns about the traffic impact of the proposals on the local road network. This matter has been discussed in detail by the Local Highways Authorities at Shropshire and Telford & Wrekin Councils in association with Highways England and the applicants' Infrastructure Consultants, ADC.

6.3.2 A strategic model has been employed to assess the vehicular impact of the proposed development within a 5km radius of the site (not dependent on delivery of rail facilities). This has allowed vehicles movements around the wider network to be predicted up to 2036, based on a 'worst case' heavy car use scenario. The Highway Authorities are satisfied that the traffic generation figures are robust, and that the necessary information has been provided to make an informed appraisal.

6.3.3 The traffic analysis predicts that around 20% of the traffic generated by the development would use the Shropshire network at peaks hours (8am-9am and 17pm-18pm), travelling mainly towards Much Wenlock on the A4169 with lesser movements towards Shrewsbury on the B4380. 80% of the traffic generated by the development would access the Telford network at peaks hours, equating to 700 new two-way vehicular trips at peak times. Without deterrent mitigation around 80 of these new trips are expected to

route through Coalbrookdale and Ironbridge with the remainder entering the Telford network via A4169 at Buildwas Bank.

- 6.3.4 There are two main phases in the access strategy for the site. An initial pocket of 250 dwellings would be served off Buildwas Road via the existing road bridge over the river. Subsequently this access would be closed to public vehicles and the site would be served instead by two principal accesses off the Much Wenlock Road (A4169).
- 6.3.5 The first development parcel served via Buildwas Road is predicted to generate up to 150 two-way vehicle trips or just over two new trips a minute at peak hours. It is expected that 30 of these would use Shropshire roads with the remainder using the Telford network. When the two main accesses on the Much Wenlock Road become operational (in construction year 5-6) the model indicates that some traffic through Ironbridge to Much Wenlock may reroute instead via Broseley.
- 6.3.6 A number of off-site highway works have been agreed with Harworth in order to mitigate the effects of traffic from the development. These works are distributed equally in Shropshire and Telford & Wrekin. The Shropshire works include funding for improvements to the Gaskell Arms junction in Much Wenlock, provision of a roundabout at the bottom of Buildwas Bank north of Buildwas Bridge, traffic calming measures on the A4169 Much Wenlock Road and traffic calming and pedestrian safety measures on the B4380 Buildwas Road. The Telford works include improvement to the Castlefields Roundabout and traffic calming in Ironbridge. Additional funding has been set aside for public transport subsidies, travel management plan monitoring and improvement to non-vehicular routes (see legal obligation section below for financial details). These improvements are considered in further detail below:
- i. The A4169/B4380 Buildwas Bank junction is identified as requiring early improvement. The intervention trigger has been agreed to be prior to the occupation of the 180th dwelling. The improvement will take the form of a new roundabout which will include a physical restriction on right turn movements to discourage drivers from turning towards Ironbridge. A pedestrian crossing point will be provided to facilitate linkages to Buildwas village.
 - ii. Harworth's highway consultant initially recommended signalisation for the Gaskell Arms junction at Much Wenlock but this was not supported by the Shropshire Highway Authority. The company has agreed instead that equivalent funding should be ring fenced for use in a comprehensive improvement scheme for the junction incorporating additional funding anticipated from other sources. The details of this scheme will be confirmed following stakeholder engagement exercise. It will be some time before traffic from the proposed development begins to have any material impact at the junction, during which time details of the scheme can be finalised.
 - iii. The Shropshire Highway Authority has identified the need for some traffic calming and pedestrian safety improvements at Buildwas, Leaton and Atcham on the B4380 and funding has accordingly been identified to facilitate these improvements.
 - iv. Telford & Wrekin the need for improvement of the Castlefields Roundabout has been identified. This junction already experiences queues and delays at peak periods and Harworths have agreed to a full scheme to mitigate both the extant issues and the

future impact of the power station site and other committed developments in the local area. This is likely to involve part signalisation of the roundabout.

- v. The primary non-vehicular connection between the site and Ironbridge is the Severn Valley Way which runs from the location of the former cooling towers, along the bottom of the river and through to the southern side of Ironbridge. This is already a well-used and maintained Public Right of Way but Harworth have agreed to provide a substantial upgrade to facilitate its increased use and promote sustainable travel choices to and from the site. There is also an option to improving pedestrian safety for the footways along Buildwas Road under the future traffic management proposals for the site.
- vi. The railway will be utilised for transporting material off the site and the requisite structural improvements to the route are being secured with Network Rail. A future long-term strategy for the use of the line will also need to be agreed under the reserved matters procedure. The Council is currently considering an application by Harworth to trial a light railway use within the site (with the potential to link to Telford Central station). If this is subsequently found not to be feasible then plans to use the rail corridor as a sustainable non-vehicular route will need to be agreed with Harworth.
- vii. Harworth are proposing to fund a bus service between the site and Telford and to provide a site from which to operate a park and ride service into Ironbridge. Officers from both Council's will liaise appropriately on these matters.

6.3.7 The Local Highways Authority are satisfied that the contributions and off-site works which have been agreed will ensure that traffic from the proposed development can be appropriately managed. Accordingly, they have no objection to the application.

Strategic Road Network

6.3.8 Highways England has required additional information regarding the effect of the proposals on the strategic road network and specifically, junctions 4, 5 and 6 of the M54. The applicant provided further information and Highways England acknowledged in September 2020 that the impact on Junction 4 and 5 was relatively low. However, Junction 6 was shown to have a greater impact than envisaged and, as such, a junction capacity assessment was required.

6.3.9 Further information was subsequently provided by the applicant and Highways England raised additional concerns over the modelling, whilst acknowledging that this would not have a significant impact on the overall conclusions for the opening year or 15 years later. Overall, the modelled scenarios show that both of the Junction 6 slip roads would operate below full capacity in all modelled scenarios. Hence there would be no significant increases in queueing or delay due to traffic from the proposed development. Highways England subsequently removed their holding objection and recommended a condition requiring submission of a phased construction management plan which is included appendix 1 below.

6.3.10 Highways conclusion: The most common concern expressed by the local community with respect to the Harworth scheme is the effect of the proposals on the local road network. Detailed consideration has been given to this by both Local Highway Authorities

who are satisfied that appropriate mitigation has been secured to acceptably manage the effects of the development on the local highways network. Paragraph 109 of the NPPF advises that 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'. It is considered that the proposals will deliver an acceptable scheme in highway terms subject to the recommended conditions and legal agreement.

6.4 Foul & Surface Water Drainage

6.4.1 Foul Drainage: The applicants have a right to connect to the existing foul drainage system that exist in the vicinity of the site, and have therefore submitted a right to connect to Severn Trent Water (STW) under a section 106 of the Water Industry Act 1991. The proposals will require significant capacity upgrades to the existing sewerage system at Ironbridge, potentially, also including surface water removal. The design will be complex and is likely to take some time to build within a sensitive World Heritage Site area.

6.4.2 STWs initial hydraulic analysis indicates that connection without appropriate mitigation would increase the risk of sewer flooding in the catchment that drains to the treatment works at Coalport. As such, a phased approach to the development is necessary, with appropriate mitigation being secured by condition for each development phase.

6.4.3 A 'Foul Drainage Requisition Technical Note' has been produced by the applicants to outline the necessary requirements, which STW have considered. This advises the following key points:

- i. The applicants have a right to connect to the existing sewer network;
- ii. The closest adopted foul sewer is in Buildwas Road and is a 150mm combined sewer (increasing to 600mm before it reaches the nearest pumping station);
- iii. The existing Buildwas Road sewer discharges to the Dale end Pumping Station adjacent the co-op;
- iv. A new pumping station will be erected within the application site and two new foul water rising mains will be laid across the bridge and up Buildwas Road. One main will be 90mm and another 225mm;
- v. The 90mm main will be utilised for the first 100 dwellings, when foul flows will be minimal;
- vi. At the point when a sufficient level of development has been constructed and occupied to generate foul flows to achieve self-cleansing velocity of the 225mm diameter rising main, the pumped foul flows will be switched to the larger main and the smaller 90mm main abandoned;
- vii. The new rising mains will connect to the existing pumping station at Dale End;
- viii. The discharge of foul flows from the development site will be via a new on-site pumping station, therefore the flow rate to the existing sewers can be controlled to a rate determined by Severn Trent, as well as to meet the constraints present on the existing sewer network;
- ix. For the initial phase of development, a pumped discharge rate in the order of 1.0 – 1.5 l/ s will be used. It will be possible to vary the pumped discharge rate for later development phases and in-line with any future sewer reinforcement works. Separate below ground storage will be provided at the pumping station to cater for periods when a lower flow rate is required.

- x. Chemical dosing will be provided at the pumping station for periods when the storage is utilised or low flow rates in the rising main occur. The chemical dosing will mitigate any septicity of the foul effluent; the timings of the discharge from the development site can be set to off-peak periods during the day or night when existing flows are low, if required by Severn Trent. This will minimise the impact on the existing sewer network;
 - xi. The new foul drainage system and pumping station on the site will be offered for adoption by Severn Trent under a Section 104 agreement, so the pumping regime will be controlled by Severn Trent to suit its network, once it becomes operational;
- 6.4.4 The Telford & Wrekin drainage authority has advised that should a connection to the existing network be considered acceptable by Severn Trent Water, they would wish for any improvements to incorporate off-peak pumping and cut-off during storm events to minimise impacts downstream. This would be required by condition with the first reserved matters application. Whilst Severn Trent would prefer there to be an on-site provision it is recognised that there are existing capacity issues with the main system at Ironbridge which will need to be addressed irrespective of the current application, as highlighted by Telford & Wrekin drainage authority.
- 6.4.5 Flood Risk and Surface Water: There is a history of flooding in the local area and objectors have expressed concerns that the proposals should not increase the risk of flooding. The site is located mainly in Flood Zones 1 (low flood risk) but some parts nearer to the river are located in zones 2 and 3 (medium and high-risk zones respectively). These more flood susceptible areas have broadly been utilised as public open space/recreation. A small area in flood zone 3 is still shown with some development in the masterplan, though any reserved matters application will need to avoid development in this area. This is unless the sequential test for development in flood zones can be met and compensatory flood storage / betterment can be provided.
- 6.4.6 The Environment Agency are satisfied that ensuring development is located within Flood Zone 1 and exploring betterment opportunities will ensure that there will be no increase on the risk of flooding downstream. They advise that Finished Floor Levels for any properties are set no lower than 600mm above the 100 year plus climate change flood event.
- 6.4.7 In terms of flooding related to sewer capacity issues STW have commissioned in-house feasibility studies to ensure that there is sufficient capacity in the sewer network to accommodate sewerage from the proposed development, including measures to allow introduction of site sewerage at a controlled rate during off-peak times when the receiving capacity is greatest.
- 6.4.8 Officers consider that the proposal is acceptable in terms of flood risk subject to mitigation measures controlled through conditions. This includes require any initial improvements works set out by STW to be undertaken prior to occupation, with detailed design and flooding strategies provided for each subsequent phase.
- 6.5 Ecology
- 6.5.1 Habitats: There are designated and non-designated woodlands within the site boundary along with hedgerows and a veteran tree which is proposed for retention. The Hedgerows are habitats of principal importance for nature conservation under the NERC

Act. A 40% loss of hedgerows will occur in the minerals working phase (under the separate application) and a further 65m loss would occur as part of the residential development. The required mitigation to compensate for this loss will come forward as part of the landscaping schemes for subsequent reserved matters applications.

- 6.5.2 Designated Sites: A number of designated sites are located within and/or close to the site. Tick Wood and Benthall Edge SSSI is immediately adjacent to the site boundary and partially inside the boundary. The proposal recognises the importance of this habitat and includes protection and buffering of this area. The buffer of open space would be fenced off to protect the woodland edge and would generally be 50m in width. There are two pinch points where this would reduce to 40m but these areas are where existing buildings/structures and hardstanding scheduled for removal already exist. The geological SSSI at Buildwas Quarry site is outside of the working area of the site and will be retained.
- 6.5.3 The applicant has prepared a Recreation and Urbanisation Strategy which sets out the provision of three circular walking routes within the site which are intended to reduce recreational pressure on the ancient woodland and SSSI at Tick Wood. These largely involve walking in the built environment, or in close proximity to it. Hence it is considered that they would not be equivalent to the walking routes available in Tick Wood SSSI. On this basis, the Severn Gorge Countryside Trust (SGCT) are seeking a monetary contribution to facilitate infrastructure improvements within the SSSI (which they manage) in order to mitigate for anticipated increased visitor numbers. This would be delivered by a s106 legal agreement. The Lydebrook Dingle SSSI and two Local Nature Reserves on the opposite side of the river have been scoped out.
- 6.5.4 There are also seven local wildlife sites nearby. A Construction Environmental Management Plan (CEMP) will be developed as each phase comes forward to ensure that nearby environmental designated sites are not adversely affected by construction works, including establishing controlled lighting zones.
- 6.5.5 Bats: Bat roosts were found in several of the buildings on the site prior to any demolition and clearance works and accordingly, the applicant has obtained a bat mitigation licence from Natural England. A bat house has been provided as mitigation within a retained habit area and work is ongoing to remove the roosts. The Ironbridge A Pump House building has a known bat roost but is proposed for retention and reuse. The license covering this building will require further consideration when a future use for this building is explored at a subsequent reserved matters stage.
- 6.5.6 There are three bridges to the site which have been assessed for potential to support roosting bats: The old A station bridge is low potential and the main road bridge is moderate potential but neither of these will be impacted.
- 6.5.7 The Albert Edward rail bridge would not be directly affected by the current application. However, strengthening works would be required to accommodate rail movements linked to the quarrying proposals. These works would be undertaken by Network Rail under an application for listed building consent. The bridge has been assessed in 2020 as having bat roosting potential including potential to support hibernation roosting. Three activity surveys in 2020 revealed 3 pipistrelle roosts in the structure. Any works on the listed Albert Edward Rail Bridge under a future application for listed building consent will need to occur under a European Protected Species Mitigation Licence from Natural England

supported by a full set of bat surveys and an appropriate mitigation strategy. At present there is no risk of an offence occurring.

- 6.5.8 The applicant's ecologist FPCR confirms that the application site has potential to support any additional mitigation required by Natural England linked to the bridge refurbishment. It is considered that the impacts upon bats can be appropriately controlled and that requiring additional surveys prior planning would not be proportionate. Appropriate conditions are set out below as well as a European Protected Species 3 tests matrix.
- 6.5.9 Trees on the site have been assessed for bat roosting potential: two high potential, 15 moderate potential and 7 low potential trees have been identified. The Environmental Chapter confirms that all these trees are proposed for retention within areas of green infrastructure on the site, the Provisional CEMP sets out requirements for surveys, licencing and ecological supervision for any works on these trees and those measures are sufficient.
- 6.5.10 Bat activity transect surveys have been carried out across the site and have identified moderate levels of activity from a range of bat species. The biodiversity chapter talks of strong green infrastructure links across the site allow continued foraging after development.
- 6.5.11 In response to the Council's regulation 25 further information request the applicant amended the masterplan in order to improve the connectivity of green infrastructure from north to south within the site. Officers are satisfied that the connectivity being provided is sufficient to support the movement of wildlife through the site and to the river.
- 6.5.12 Great Crested Newts (GCN), Amphibians and Reptiles: Reptiles and amphibians have been excluded from the site under a GCN European Protected Species (EPS) Licence from Natural England and a mitigation area has been provided to the south of the former power station within the application boundary (application reference 18/03597/FUL. There are 20 ponds with terrestrial habitat which are currently surrounded by deer fencing and semi-permanent amphibian fencing. The amphibian fencing would be removed at the end of the development phase and the area would be sympathetically managed by a management company appointed by the applicant.
- 6.5.13 Wider areas of reptile and amphibian habitat will be provided on the site following development and additional information on these areas will be provided as part of the reserved matters process. The applicant has provided a Wildlife Connectivity Parameters Plan (Figure 7.26) which identifies areas of the site where ecological connectivity measures such as underpasses, sensitive lighting, wildlife friendly drainage and other measures will be required. A great crested newt mitigation strategy relevant to each phase of the development will be required by condition.
- 6.5.14 Dormouse: It is considered unlikely that this species is present on the site or in the surrounding woodlands. It is therefore considered that the proposed development will not adversely affect the species.
- 6.5.15 Breeding Birds: The breeding and wintering bird surveys on the site identified 60 bird species present with 20 species breeding including 8 notable species. Three pairs of little ringed plover were recorded breeding on the site. An area of habitat managed for the Little ringed plover has been identified on the Wildlife Connectivity Parameters Plan and

this approach is supported. The site is of local value for assemblages of woodland and farmland birds and the proposed site layout provides suitable opportunities for these species to continue to be present. Peregrine Falcon are breeding on the site. Mitigation for the loss of this breeding site is has been addressed through provision of a Peregrine tower under a separate planning application (20/04930/FUL).

- 6.5.16 Otters: The submitted reports evidence otters using parts of the site along the River Severn as resting places. Two potential Holts and six couches were identified in 2018. The consultants have recommended an updated survey is provided in advance of works commencing around the Water Pump House. The need for an otter licence will be kept under review as part of the CEMP. The consultants also recommend that a Reasonable Avoidance Measure Method Statement including measures to protect otters. These measures can be secured by condition.
- 6.5.17 Badgers: The site is occupied by badgers so a badger disturbance licence and provision of artificial setts and other measures will be required. Some setts have been closed linked to the mineral extraction and PFA removal proposals. A Badger Mitigation Strategy (2020) sets out the potential impacts upon the remaining setts resulting from the residential development phase. Badger mitigation can be secured through appropriate conditions.
- 6.5.18 Biodiversity Net Gain: Whilst not yet a legislative requirement officers have requested a Biodiversity Net Gain Calculation, and this has been provided. The applicant's consultants have calculated that the site has an existing value of 613.55 biodiversity units in habitats and 17.70 units in hedgerows. The proposed development results in 621.28 biodiversity units in habitats and 18.75 units in hedgerows. The outcome of the assessment is a net gain of equivalent to an uplift of 1.26% in habitat units and 5.92% in hedgerow units. Whilst this is a limited uplift given the size and strategic nature of the site it is considered that further opportunities can be secured through condition to increase the quality and value of this uplift.
- 6.5.19 In conclusion, officers are satisfied that the impact of the proposals on the natural environment have been considered in detail and appropriate mitigation measures are being proposed to manage the impacts on the natural environment. On this basis it is considered that the proposed principles for this outline application are acceptable in ecological terms and further enhancements and protection measures can be secured through condition and under subsequent reserved matters applications. It is therefore considered that the proposed development complies with Core Strategy Policy CS17, SAMDev Policy MD13 and the NPPF in relation to ecological matters.

6.6 Arboriculture

- 6.6.1 The application is supported by an Arboricultural Impact Assessment, which looks at the site in the context of the indicative masterplan and the ongoing demolition works. Previous tree management and maintenance at the site has been limited, resulting in a tree stock that is of high value but requires management. There are a number of Poplar trees within the site that have been strategically planted in a linear fashion and are now achieving their purpose of shielding the commercial buildings from views along Buildwas Road. Whilst these were originally shown for removal a subsequent August 2020 revision shows their partial retention. A condition is recommended to secure retention of the linear poplar groups in their entirety, so landscaping continues to be provided around the

retained commercial structures. Groups of poplars within the flood plain area should also be retained given the screening of retained structures which they provide as one of a few trees able to withstand waterlogged soils.

- 6.6.2 The August 2020 masterplan revision also shows a greater retention of tree belts to the west of the village centre, creating a woodland character area forming an enhanced connection between the north and south green infrastructure.
- 6.6.3 Riverbank planting between the Pump House and the Ironbridge A bridge contains ash showing signs of dieback. Recommendations for retention and/or mitigation planting should be provided in any future reserved matters application.
- 6.6.4 The proposals are likely to lead to increased footfall in Dale End Park (T&W) to the north-east of the site. In recognition of this a financial contribution towards the increased management and enhancement of this facility has agreed between Shropshire and Telford & Wrekin officers (to be secured by s106 agreement).
- 6.6.5 Officers are satisfied that in its outline form, the development is acceptable from an arboricultural perspective subject to conditions and financial contributions towards offsite improvements in the public realm and is therefore compliant with development plan policies CS17 and MD12 and the NPPF.

6.7 Noise & Air Quality

- 6.7.1 The NPPF (paragraph 180) recommends that “planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.
- 6.7.2 Chapter 12 (Noise & Vibration) of the Environmental Statement (December 2019) and its addendum (August 2020) provide details of the baseline noise monitoring results. The location of the noise sensitive receptors is acceptable to the Local Authority. The Noise Impact Assessment concludes that “No significant residual effects from noise and vibration are anticipated as a result of the construction or operation of the Proposed Development.” Officers concur with this view and support the application subject to appropriate conditions, outlining further noise assessment/mitigation on a phased basis.
- 6.7.2 Construction Vibration: Construction vibration has the potential to impact upon occupants of buildings within the vicinity of the works. It is anticipated that piled foundations will only be necessary in some localised areas and this will be determined at the detailed design stage. In addition to human annoyance, building structures may be damaged by high levels of vibration which are far in excess of those that may cause annoyance. Consequently, if vibration levels are limited to avoid annoyance then it is highly unlikely that buildings will be damaged by construction vibration.
- 6.7.3 Noise: It is considered that the rating level of fixed plant noise sources should not exceed the prevailing background sound level when measured at the nearest noise sensitive receptors (NSRs). The cumulative effect of all external plant should be specified so that the rating level is less than or equal to the lowest prevailing background noise level. It is considered that the effect of construction noise will be moderate adverse at worst for

existing and proposed NSRs, with the potential for a major adverse effect over a short-term period as a result of works taking place close to the receptors around the access points on Much Wenlock Road and Buildwas Road.

- 6.7.4 With respect to vibration, there is the potential for effects at existing and proposed NSRs without mitigation. However, given likely separation distances and proposed mitigation techniques any effects would be temporary and minor adverse. Mitigation against these impacts will be controlled through a CEMP for each phase of the development, including amongst other matters specifying types of plant and working hours.
- 6.7.5 In terms of road traffic noise The Basic Noise Level (BNL) has been calculated for the roads nearest to the NSRs in order to predict the change in noise level between 2023 opening year and 2038 with and without the development. For a small area of the western edge of the proposed residential parcel facing out onto Much Wenlock Road, unmitigated noise levels in gardens facing out onto the road are likely to marginally exceed the upper desirable limit in BS8233. In order to reduce this it is recommended that the first line of dwellings facing Much Wenlock Road are orientated so that garden areas are screened by the dwellings themselves. Adopting this approach should provide at least 10 dB reduction in resultant noise levels in gardens and would ensure that suitable noise levels would be achieved in garden areas across the Proposed Development.
- 6.7.6 For proposed dwellings closest to either Much Wenlock Road or Buildwas Road, with partially opened windows the BS noise criteria are predicted to be exceeded by up to 7dB without mitigation. Installation of typical double-glazed windows with trickle vents will ensure comfortable residential amenity within these properties. With the above exceptions no additional mitigation is considered necessary to control the effect of development generated road traffic noise. Therefore, any effects would be minor adverse at worst in the long-term.
- 6.7.7 Noise effects on future residents/uses: Noise from existing sources has the potential to affect proposed residential and educational uses on site. The upper limit for a newbuild primary school is 35 dB LAeq, 30mins. Given the distance between the proposed school and the new accesses onto the Wenlock Road no traffic noise related problems are anticipated. A rated noise level of 26dB LAr,15m during the night-time is acceptable in bedrooms under BS4142 and is unlikely to cause an adverse impact Provided that future buildings are designed to acceptable noise standards there should be no significant adverse noise effects for future occupants / users and further mitigation is not considered warranted. It should be noted that an intervening employment area which will provide additional acoustic screening within the site.
- 6.7.8 Noise and vibration from the railway line: The railway line is not currently in use so it is not possible to quantify in detail the potential noise and vibration effects on the nearest sensitive uses though the potential effect has been considered at a high level. Additional noise assessments will be required as and when any application comes forward for the use of the line as a passenger railway. In respect of its use commercially to remove materials off-site, this is not anticipated to be significantly greater than the former use. No more than 2/3 movements a day are expected.
- 6.7.9 Shropshire Council Public Protection have agreed with the applicant that the reserved matters planning stage would be the appropriate point at which to assess the potential effect of the railway line on nearby existing and proposed sensitive receptors. Given the

lack of current detail it is considered that a condition should be attached to any permission, requiring a further noise and vibration assessment once more detailed information is available. Such a condition would provide an opportunity to mitigate / design out any potential issues associated with rail noise (for instance through specifying hours of use and type of rail plant).

- 6.7.10 Noise in Ironbridge Gorge: Some residents have expressed concern that noise from the site will travel and become intensified due to the shape of the Ironbridge Gorge. The applicant's noise report accepts there will be some change in the local noise climate. However, given the existing baseline noise levels, it is not considered that the operational form of the development will have any greater noise impact than what is currently experienced by residents within the gorge area. Whilst some periods of noisier activity may cause some noise disturbance, this will be closely monitored and managed through the CEMP.
- 6.7.11 Future noise baseline: It is considered that the future baseline will continue to be dominated by road traffic noise with some contribution from the retained transformers and generator plant on site for areas close to those sources. Therefore, the modelled scenarios for the opening year and future year without the development are generally considered to be representative of the future baseline noise conditions. The site will be subject to construction hours, as will be set out and agreed in the CEMP, as well as specific hours stipulated for any "noisy activities". This is generally accepted as 08:00-18:00 Monday to Friday, 08:00-13:00 on Saturdays and no noise activity on Sundays or Bank Holidays.
- 6.7.12 It is concluded that noise and vibration from the site are likely to give rise to minor adverse effects at worst during and after the construction period with opportunities to design out issues under future discharge of conditions and reserved matters submissions linked to the current application.
- 6.7.13 Air Quality: - Without mitigation the construction phase of the proposed development is predicted to pose a 'risk of medium impact' on dust soiling of nearby sensitive receptors and a low risk to human health from dust emissions. The Environmental Statement air quality report recommends implementation of a dust management plan which would form part of the CEMP to be detailed at reserved matters stage.
- 6.7.14 The impact of vehicle emissions during the construction and operational stages is predicted to be negligible from the three main pollutants (PM2.5, PM10 and NO2). The effect at sensitive human receptors is not considered to be significant or to exceed UK Air Quality Objectives upon first occupation and completion of the development. Telford & Wrekin's environmental health team have an air quality monitor at a site in a similar setting approximately 1.5km from the site boundary which broadly supports this conclusion.
- 6.7.15 It is considered that matters associated with air quality and dust management would not have an adverse impact on the environment or adjacent amenities and can be adequately controlled through conditions. The proposals therefore comply with of the local plan and the NPPF. Officers consider that the proposal is acceptable subject to mitigation measures controlled through conditions and is therefore compliant with the NPPF and local plan policies BE1 and ER1.

6.8 Ground Conditions

- 6.8.1 Paragraph 179 of the NPPF advises that “where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner”. The site falls within the Coal Authority Development Low Risk Area. The Council’s scoping response (ref 19/01779/SCO) emphasises the need to manage low level contamination in the brownfield part of the site and advocates the use of clean soil from the western greenfield site area to remediate low level contamination.
- 6.8.2 Contamination: The applicant’s ground investigations have identified sources of chemical contamination in the brownfield part of the Site including elevated concentrations of inorganic and organic contaminants and the presence of asbestos within made ground soils. Adjacent and future site users may be exposed to contamination without appropriate mitigation measures. The risk assessments have also identified low risks to groundwater from contamination at the site, although a low to moderate and moderate risk to groundwater within the Glaciofluvial Deposits from PFOS and inorganic contaminants respectively has been identified. Piling activities may also create a preferential pathway for the downward migration of contamination within shallow perched groundwater and this will need to be monitored.
- 6.8.3 A consultants’ risk assessment has have identified low risks to groundwater from contamination at the site. Elevated concentrations of contaminants have however been identified in groundwater within the Glaciofluvial Deposits, at locations close to the River Severn. A Detailed Quantitative Risk Assessment has however concluded that there is no risk to water quality in the River Severn
- 6.8.4 A number of measures will be implemented during the construction phase to minimise potential contamination impacts associated with the development. These in the contractor’s Construction Environmental Management Plan (CEMP). A remediation strategy will be developed to mitigate risks to future site users, construction workers and adjacent site users. This will include a methodology for the implementation of appropriate remedial measures such as capping, based on additional detailed ground investigation and monitoring works. If foundation piling is proposed a risk assessment will be undertaken to determine the most suitable piling technique to minimise the potential for mobilising contamination.
- 6.8.5 Public Protection have recommended a condition to monitor and deal with any ground contamination issues experienced in each phase of the development and this has ben included in Appendix 1. Subject to this it is concluded that the proposals can be accepted in relation to local policies and national guidance covering ground contamination.
- 6.8.6 Land Stability: Without mitigation, there is risk of land instability at the Site. Appraisals will be undertaken to demonstrate that the proposed landform is stable in the permanent state. A consultant’s site walkover in August 2019 indicated no global indications of significant instability. Along the southern boundary of the former power station site, local evidence of possible slope movement was observed, through titling trees and curved tree trunks.
- 6.8.7 Based on previous desk based RPS reports a moderate to high risk has been identified for landslides on site, particularly along the south-western and southern boundaries of the Site. No on-site records are held for landslides on-site however they are shown to

have affected both sides of the Severn Valley/Ironbridge Gorge. The hazard potential map for natural landslides indicates that there are areas classified as Level C and D within the Site, which indicate a 'possibility of instability problems after major changes in ground conditions' and 'significant potential for slope instability with relatively small changes in ground conditions' respectively. Areas of potential instability are located primarily along the bank of the River Severn north of the Site and along the southwestern boundary of the Site.

6.8.8 Construction will involve re-profiling of the Site to generate a series of development platforms. Typically, these works will be minor on the steeply sloping southern boundary of the Site. The exception to this is within the south west of the Site where major reprofiling works will be undertaken creating a 1 in 3 slope of circa 25 m height. This slope will be designed to be stable in accordance with the relevant quarry regulations and guidance. A condition requiring ground stability monitoring has been recommended linked to the proposed quarry development. Stability will also be addressed as part of the CEMP for the current application.

6.9 Hydrogeology and Hydrology

6.9.1 Hydrogeology: A hydrogeology report confirms that the site is underlain by Silurian mudstones which the Environment Agency (EA) designate as a Secondary B aquifer unit. As such the bedrock is not expected to be a significant water bearing unit but is expected to support perched groundwater when overlain by permeable geological units such as the glaciofluvial deposits (GFD) which overlies the western part of the site. The GFD is expected to constitute a locally important unconfined aquifer unit that may contain significant groundwater. As such it is designated as a Secondary A aquifer by the EA with permeable layers capable of supporting local water supplies.

6.9.2 Investigations have confirmed perched water within the former power station area in coarser made Ground and sandy alluvium with a deeper groundwater body in the Glaciofluvial Deposits and also within weathered upper layers of the Coalbrookdale Formation (shallow bedrock). The ground investigation undertaken on the proposed mineral extraction area comprised twenty-four boreholes to a maximum depth of 24.80 mbgl and fourteen machine excavated trial pits to up to 4.50 mbgl. Groundwater strikes were not recorded during formation of these exploratory holes which penetrated both GFD and the Coalbrookdale Formation. A 6-month programme of groundwater monitoring found groundwater to be generally absent to depths of up to 22 m below ground level. and a minimum topographic elevation of 40.35 metres above Ordnance Datum (mAOD).

6.9.3 Groundwater contained in the Glaciofluvial Deposits will likely flow north towards, and be in hydraulic continuity with, the River Severn which represents the principal groundwater receptor present in the vicinity of the Site. Previous ground investigations at the Site have indicated perched groundwater to be limited in extent and discontinuous. This information suggests overall that significant amounts of permeable strata exist and will remain above the groundwater table within the site. This includes within the proposed mineral extraction area. As such, it is to be expected that the site and the proposed development would have the potential to continue to absorb surface water effectively provided appropriate SUDS techniques are employed.

6.9.4 Hydrology: The nearest surface water features to the Site are the River Severn and a brook running close to the western Site boundary. In addition, a brook is culverted underneath the former coal stockyard area in the central part of the Site.

6.9.5 The Site is not located within a groundwater Source Protection Zone (SPZ) and there are no licensed groundwater abstractions within 500 m of the Site. There is one surface water abstraction licence from the River Severn and is associated with non-evaporative cooling, lake and pond throughflow and boiler feed for the former power station. There are a total of 16 discharge consents into surface water within 500 m of the Site, the majority of which are for sewage / effluent related discharges. The Environment Agency not objected subject to monitoring conditions and will exercise control on water discharges through the environmental permitting regime. The Council's drainage team has not objected subject to a surface water management condition. Officers conclude that the site is acceptable with reference to hydrological considerations subject to the recommended conditions. (Core Strategy Policy CS18).

6.10 Heritage

6.10.1 The site lies immediately adjacent to the Ironbridge Gorge World Heritage Site (WHS) and the Severn Gorge Conservation Area (CA) and is within 60m of the grounds of Buildwas Abbey scheduled ancient monument. Also located within the application site are the grade II listed 'Albert Edward' railway bridge, and other non-designated heritage assets related to the earlier 1930s Ironbridge A power station including a former pump house building and a steel road bridge. The adjoining WHS/CA contains a number of grade II, II* and local interest buildings.

6.10.2 At a national level the NPPF recognises that these assets are an "irreplaceable resource and should be considered in a manner appropriate for their significance." Para 192 states: "In determining applications, local planning authorities should take account of:

- a. the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b. the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c. the desirability of new development making a positive contribution to local character and distinctiveness."

6.10.3 The NPPF advises that in considering the impact of a development on the significance of the heritage asset, appropriate weight should be given to the conservation of the asset. The more important the asset the more weight is attached. Para 196 advises that any harm to the significance of the asset should require clear justification, and any substantial harm to an asset of a Grade II listed structure should be 'exceptional' and "wholly exceptional" in the case of a scheduled monument or World Heritage Site.

6.10.4 Heritage – Buildwas Abbey: The buildings of Buildwas Abbey nestle in a secluded and wooded setting set back from the Wenlock Road. Historic England has suggested that the proposals could result in increased disturbance in the vicinity of the Abbey (noise / traffic), thereby affecting the setting of this scheduled ancient monument.

6.10.5 The nearest built part of the proposed development is the existing T-junction leading to Pool View Caravan Park and Buildwas Quarry which is some 150m from the Abbey

buildings and some 50m north of the access to the Abbey site. The T junction would be upgraded to provide access to the proposed temporary quarry and subject to a further upgrade subsequently when it becomes one of the two principal accesses to the site from the Wenlock Road. As an existing access this T-junction already generates some disturbance in the local area. The proposed junction improvements would include speed limits and signalisation.

- 6.10.6 The second site access would be a roundabout located on the Wenlock Road some 500m south of the Abbey buildings. This was moved a further 80m away from the Abbey buildings under the December 2020 masterplan revision and is now behind a group of farm buildings relative to the Abbey. It should have the effect of slowing vehicles down on the Wenlock Road including past the Abbey access. Additionally, it is proposed to convert the existing junction at the bottom of Buildwas Bank into a traffic island. This would allow a smoother flow of traffic from the Ironbridge Bypass onto the Wenlock Road and on the Buildwas Road.
- 6.10.7 Whilst the proposed development would result in increased traffic in the vicinity of Buildwas Abbey it is considered that the proposed highway works would slow down, even out and provide improved safety for local traffic movements relative to the current situation. The officer would expect this to have a neutral or positive effect overall on local highway noise in the vicinity of the Scheduled Ancient Monument. It is however considered that a noise monitoring condition should be imposed on any subsequent reserved matters approval to allow this situation to be assessed at the appropriate time against the baseline noise monitoring linked to the current application.
- 6.10.8 The amended Built Heritage Assessment describes the significance of the Buildwas Abbey Scheduled Monument and the three associated listed buildings (the main structural remains of Buildwas Abbey itself). The amended Built Heritage Assessment then considers, at paragraphs 6.40 – 6.44, what contribution the setting of these assets, in terms of their surroundings and including the application site, make to their significance. It accepts (para 6.40) that the application site may have formed part of the wider land holding of the Abbey but considers that this was likely severed at the Dissolution, and any continuation of agricultural management when Abbey House was altered to form a minor country house in the 19th century. Thus, it considers (at para 6.44) that whilst the association with the River Severn to the north and west, and with the historic settlement of Buildwas to the north, make a contribution to their significance, the contribution made by agricultural land to the west, south and east (including the application site) makes "...at most, a very minor contribution.", which was further eroded by the construction of the former railway line.
- 6.10.9 In terms of the impacts of the proposed development, the amended Chapter 8 of the Environmental Statement notes (at para 8.4.33) that the proposed masterplan development site would be located beyond the corridor of the Much Wenlock Road and the existing sand and gravel site, and would also be located with the footprint of the mineral extraction area proposed within the separate mineral application (ref. 19/05509/MAW). It also anticipates (at para 8.4.33) that any impacts from noise, vibration and drainage changes upon the designated heritage assets at Buildwas Abbey would be negligible.
- 6.10.10 Paragraph 8.4.34 acknowledges that the masterplan development would result in increased traffic on the Much Wenlock Road, although it considers that this would be

partially offset by the proposed public transport measures and cycling and pedestrian linkages. It therefore considers that there would be very minor changes as a result of increased traffic to the setting of Buildwas Abbey, such that any harm to its significance would be minimal. With regard to the post construction and operational phase of the masterplan development, it considers that there would be only very minor changes to views from a limited part of the Scheduled Area (para 8.4.36). It considers that the "...historic, archaeological, and architectural/aesthetic interest of the asset would be retained along with a general appreciation of the wider, predominantly rural setting which would only be very slightly eroded.". Consequently, the amended heritage statement considers that there would be minimal harm to the Scheduled Monument.

6.10.11 The amended Chapter 8 of the Environmental Statement therefore considers (at para 8.4.37) of the proposed development will have a neutral effect upon the designated heritage assets at Buildwas Abbey. The amended Built Heritage Assessment places this in NPPF terminology, stating that the proposed development will cause only a very minor level of harm to their significance, which it considers would "...would represent less than substantial harm, at the lowermost end of the spectrum." (para 6.49).

6.11.12 In their consultation response of 17 September 2020 Historic England state that they do not agree that the land on the proposed development site was not important to the significance of Buildwas Abbey. Instead they consider that, because Cistercian monasteries were often deliberately sited in remote locations and noted for holding large rural estates, "...the abbey still retains an essentially rural setting now, and this does contribute to its significance as well as overall visitor experience.". Historic England therefore agree with the conclusion contained in the amended Built Heritage Assessment that the proposed would cause in less than substantial harm to the significance of the Scheduled Monument. They therefore advise the Decision Taker to ensure that they apply tests contained within the NPPF (i.e. those contained in 193, 194 and 196 of the Framework).

6.11.13 The Council's historic environment team leader concurs with the amended Built Heritage Assessment's and Historic England's conclusions that the proposed development will cause less than substantial harm to the significance of the designated assets of Buildwas Abbey as a consequence of changes to their setting. Therefore, if the decision taker is minded to approve the application, then the tests contained within and Paragraphs 193, 194 and 196 of the NPPF and Local Plan policy MD13 should be applied. This states where there is less than substantial harm the LPA should consider the application as a whole, making a balanced judgement which weighs any harm on the heritage asset against public benefits including securing the optimum and viable use for a development site.

6.11.14 The officer acknowledges that the less than substantial harm that would arise to the significance of the Scheduled Monument at the lower end of the scale. This is as a consequence of traffic and general change to the character of the land on the western side of the proposed development site. A condition securing the implementation of the Framework Travel Plan is recommended in order to mitigate any effects on the setting of Buildwas Abbey arising from increased traffic. This would also support the following measures which have been put forward by the applicant in consultation with the Local Highway Authorities:

- improved pedestrian and cycle connections to existing off-site networks;

- a public transport strategy;
- a proposed park and ride facility;
- re-instatement of the existing railway line.

6.11.15 A condition securing implementation of the following is also recommended in order to address concerns about residual visual and landscape impacts of the development on the landscape and setting of Buildwas Abbey:

- implementation of the Proposed Masterplan,
- the Sustainable Design Brief and
- the Green Infrastructure and Landscape Strategy.

6.11.16 It is clear that there that the masterplan development would deliver significant public benefits including new housing, employment and remediation of brownfield land which are strongly supported by the NPPF. This will allow the power station site to secure an optimum viable use. Conversely, if the site were to become derelict then significant adverse effects on the setting of the scheduled monument and other local heritage features might be anticipated.

6.11.17 The Council's historic environment team leader has suggested that consideration might also be given to use of CIL funding to provide some enhancements within the grounds of the Abbey such as improved car parking and visitor facilities. The officer would support this in principle but does not consider this essential in order to deliver a sustainable development. This is having regard also to the significant financial constraints of the development (referred to below) which will require that all CIL money from the scheme is ring fenced for spending on essential infrastructure to support the scheme. A review mechanism will however apply whereby any additional unpredicted profit from the development can be clawed back for spending on other identified infrastructure priorities. Whilst the priority would be to reinstate policy compliance on affordable housing provision the officer recommends that Buildwas Abbey is included any clawback spending list should additional funding become available in the future.

6.11.18 Overall it is concluded that the test set by Paragraph 196 of the NPPF is met with respect to Buildwas Abbey. Accordingly, the equivalent test set out in SAMDev policy MD13 is also met.

6.11.19 Heritage - The Albert Edward Railway Bridge: The significance of the Grade II listed Albert Edward Railway Bridge, and the contribution that is made to that significance by its setting detailed in paragraphs 5.14 – 5.20 of the amended Built Heritage Assessment. Built in 1863-4, the bridge is noteworthy as an example of the work of the renowned railway engineer John Fowler, together with Messrs Brassby and Field, and was cast and erected by the Coalbrookdale Company of Ironbridge. The bridge was subsequently altered in 1933, when the original timber and wrought iron deck was replaced by one in structural steel in order to accommodate freight traffic for the Ironbridge A Power Station. However, other than the railway line, the area of the proposed development site is not considered to make any contribution to its setting. The effect of the re-instatement of the railway line and re-use of the bridge are considered by the amended Chapter 8 of the Environmental Statement to be minor beneficial.

6.11.20 Paragraphs 5.17 – 5.19 of the amended Built Heritage Assessment consider the setting of the bridge and the effects the proposed masterplan development would have upon it.

Those elements of its setting that are considered to contribute to its significance are the River Severn and the railway line on either side, together with the settlement of Ironbridge and Coalbrookdale due to their historic association. However, other than the railway line, the wider proposed masterplan development site is not identified as contributing to its significance. In terms of effects it is noted, because that the intervening woodland on the southern side of the bridge will be retained, views will remain largely unchanged (para 5.18). Likewise, the introduction of residential development into the eastern parts of the masterplan development site will not harm the significance of the bridge as a consequence of changes to its setting (5.19).

- 6.11.21 The proposed re-use of the bridge by a reinstated railway are welcomed because this will ensure that it has a viable use in accordance with its original purpose that will provide for its long-term maintenance. It is noted that in order to achieve this, repairs will be required to the bridge to enable it to be re-used. In relation to this, Telford and Wrekin Council expressed concerns regarding the need for further details of the necessary repairs. However, following further clarifications from the applicant, it is accepted that the bridge remains within the control of Network Rail, who are engaged in ongoing discussions with both Local Planning Authorities regarding the scheme of repairs, and have committed to provide them with full details of the proposed works once available. Works to listed buildings are in any case restricted under Section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and it will therefore be a matter for the Local Planning Authorities to confirm and agree whether Listed Building Consent is separately required by Network Rail.
- 6.11.22 The amended Built Heritage Assessment concludes that the proposed development will not cause harm to the significance of the listed railway bridge. This conclusion is accepted.
- 6.11.23 Heritage – World Heritage Site (and associated Conservation Area); The WHS which borders the site is designated for its ‘Outstanding Universal Value’ (OUV), having “cultural or national significance which is so exceptional as to transcend national boundaries. As such the protection of this heritage is of the highest importance to the international community as a whole”. The WHS Management Plan (adopted in 2017) recognises that after the closure of the Power Station any large scale development on the site may cause a potential threat to the setting of the WHS, and specifically requests that new development does not harm the OUV.
- 6.11.24 The updated Built Heritage chapter of the Environmental Statement includes additional views showing the wider setting of the proposed site and the resultant change in character/landscape. This information indicates that there are some open views of the site from within the WHS/CA. The Landscape & Visual Impact Assessment (LVIA) and Heritage Statements both conclude that there would be a ‘neutral’ effect on the WHS/CA given that ‘any such views will be distant, partially screened and seen alongside the existing large 1970s switch house’.
- 6.11.25 The Heritage Statement and LVIA acknowledge that the setting contributes to the significance of the WHS and that the ‘pioneering intense industrial past within its green landscape’ (ICOMOS) is a key part of the Outstanding Universal Value of the WHS. The statement concludes however that there would be very limited inter-visibility between the WHS and development, and subsequently a low impact upon significance. Historic

England (in their September 2020 comments) advised that they agree 'that the local topography will prevent significant views between the development and WHS.

- 6.11.26 The T&W heritage officer questions the conclusion of a 'neutral' impact on setting given that a major housing development would have a quite different character. They advise that limited inter-visibility does not necessarily equate to a very low impact on setting, whilst also acknowledging that this is an outline application and change does not necessarily equate to harm. The officer has studied the applicants heritage and visual submissions and concludes that any impact to the setting of the WHS would be likely to result in less than substantial harm at the lower end of the scale, given the likely scale, nature and positioning of the proposed masterplan development within the landscape.
- 6.11.27 Funding has been set aside for a number of positive environmental interventions in the local area including additional planting, woodland management, right of way improvements and a heritage contribution for Ironbridge. The detailed design of the development will also be important, both in terms of overall layout, and the design of individual buildings and will need to be addressed appropriately at the reserved matters stage.
- 6.11.28 In conclusion, the change in character from industrial to residential is not considered to result in any material harm to the setting of the WHS, none of which would be physically affected by the proposed development. The environmental enhancements referred to above are sufficient at this stage to fully mitigate any less than substantial harm when the ability to control the detailed design of the scheme at reserved matters stage is also taken into account. As with Buildwas Abbey it is clear that the public benefits of the site's redevelopment are significant and provide a viable end use, without which the site would become derelict and dangerous. As such the tests of the NPPF paragraph 196 are met.
- 6.11.29 In conclusion officers consider that the proposal is acceptable in heritage terms subject to mitigation measures controlled through conditions and is therefore compliant with the NPPF and local plan policy MD13.

6.11 Archaeology

- 6.11.1 An archaeological assessment including physical evaluations concludes that the site has low potential for preservation of in-situ archaeological remains and concludes that no further archaeological mitigation would be required. This conclusion has been accepted by the Council's archaeology service. A condition has however been recommended which affords access for recording of any archaeological remains which may be recovered. This is given in particular the large size of the site and the presence of some Neolithic pottery remains within it.

6.12 Landscape

- 6.12.1 Landscape Setting: The site is over 350 acres (141ha) in size, of which about 110 (44.5) is greenfield. Only around half of the greenfield area will be developed, the remainder will be used for ecological and open space purposes. Over 70 acres (28ha) within the brownfield area would be open space in the form of sports pitches, parkland and woodland.

- 6.12.2 A landscape survey considers a number of viewpoints within a 3km radius of the site and identifies key sensitive receptors (both landscape and visual), considering any significant effects arising from the proposed development. The site sits within a transitional part of the landscape where the broader rolling slopes and agricultural parts of the River Severn valley, passes into the steeper sided wooded slopes of Ironbridge Gorge. The scale of the site is such that it sits across a relatively broad area of the landscape and is influenced by different parts of the transition, as well as the different context of the river valley base, sides and hills.
- 6.12.3 The site itself is not subject to any specific landscape designations but is in proximity to the World Heritage site and Conservation Area with associated listed buildings, the AONB, Buildwas Abbey Scheduled Ancient Monument, SSSI's, local wildlife sites and nature reserves and ancient woodlands (one extending locally into the site).
- 6.12.4 In terms of Landscape Character most of the site is within the National Character Area (NCA) 65: Shropshire Hills with part of the eastern area being located within NCA 66: Mid Severn Sandstone Plateau. At a County level the majority of the site falls within the Wooded Estatelands Landscape Description Unit (LDU), with sections of the northern area located within the Riverside Meadows LDU and a small part of the southern area in the Principal Wooded Hills LDU. Emerging Shropshire Council Policy S20 sets out guidelines for the masterplan development to meet and the applicant advises that this has informed the Landscape Chapter of the Environmental Statement.
- 6.12.5 The Shropshire Hills AONB Management Plan 2019-24 sets out that it seeks to define the approach to conserving and enhancing the natural beauty of the AONB through the application of 'local solutions to local challenges'. In respect of the setting of the AONB (Policy P1), the Management Plan suggests measures to consider and mitigate such impacts. These include:
- care over orientation, site layout, height and scale of structures and buildings
 - consideration of the landscape, land uses and heritage assets around and beyond the development site; and
 - careful use of colours, materials
- 6.12.6 The LVIA concludes that overall the proposed development will result in some limited impacts at a localised level. Effects on landscape character are not considered to be significant. For visual effects a small number of individual receptors (including ones 'on site') have been identified as significant, however in the balance of the wider views/visual amenity these are not considered significant overall. The Council's landscape consultant WSP has reviewed the LVIA and has accepted these conclusions. Officers are satisfied that that the development is acceptable at this stage in wider landscape and visual terms.
- 6.12.8 On-site Landscape Strategy: The application is supported by an indicative masterplan and a landscape strategy. Whilst this is an outline application and details of proposed landscaping are not yet known, these plans provide a framework to which subsequent reserved matters applications will follow and form a series of documents that would be conditioned to any consent. The Landscape Strategy plan sets out 7 key areas relating to the on-site Green Infrastructure:
- Enhancement of the existing blue corridor (i.e. River Severn frontage);

- Central green corridor to link the north (River Frontage/Sports facilities) to the south (woodland) of the site;
- Central green corridor along the rail infrastructure to provide a link from the north (River Frontage/Sports facilities) to the east (woodland and Severn Valley Way)
- Green corridor to link the centre of the site to the Shropshire AONB (south-west);
- Green corridor to link areas of existing woodland along the southern boundary where pinch points currently arise;
- Public open space (throughout the site) retaining existing vegetation where possible;
- Ecological enhancement area to the south (existing bat house and GCN ponds).

6.12.9 The proposed landscaping strategy has been designed taking account of site constraints and the proposed character areas, as well as incorporating mitigation measures for biodiversity. Use is made of planting, stand-offs and topography / landform to provide screening. Further detail on landscaping and design measures and the ability to provide effective screening from landscape designations including the AONB will be provided at the reserved matters stage. The Landscape Strategy is considered to provide a sound framework for any subsequent reserved matters application. Overall, officers consider that the proposal is acceptable subject to future landscaping details being controlled through conditions. The proposal is therefore compliant with the NPPF and development policies CS17, MD12 and MD13.

6.13 Sport and Recreation

6.13.1 New developments should make full provision for the infrastructure/amenities and services which they create. The development will bring new residents to the area, leading to an increased demand on existing recreational resource. As such it triggers the need for onsite sporting and recreational facilities.

6.13.2 The need for increased sporting and recreational provision was highlighted by Sport England and Telford & Wrekin Council in response to the original planning application including:

- Need for a Neighbourhood Equipped Area of Play (NEAP) incorporating a Multi-use games areas (MUGA);
- Need to demonstrate how the development will meet children's play needs;
- Reinstatement of existing sports field within site;
- Provision of a central village green;
- Provision of Leisure Strategy indicating how highlighted local needs are met.
- Conditions to deliver sporting and recreational facilities.

6.13.3 A Playing Pitch Strategy (PPS) being prepared by Shropshire Council is at an advanced stage. It sets out that the site contains a disused sports field that previously accommodated two adult football pitches and a 5-wicket grass cricket square in addition to a poor-quality clubhouse. The PPS is likely to include recommendations to protect the supply of existing pitches and bring lapsed sites (such as the playing fields within the application site) to address the identified provision shortfalls.

6.13.4 The applicants subsequently provided a Leisure strategy to supplement the revised masterplan, taking account of the above points and factored them into the development. A new combined NEAP/LEAP, and a multi-use sports pitch and pavilion (including parking area) will be provided. A more central village green now adjoins the sports

pitches and provides an improved connection to both the Local Centre and surrounding green infrastructure. The applicants have also accepted the proposed conditions and S106 trigger points for the matters raised above.

- 6.13.5 It is considered that the provision for both football and cricket pitches within the site would make a positive contribution to meeting local needs for these sports. The commitment to providing suitable changing provision is also noted and should include as a minimum 4 team changing rooms and a social space with a kitchen. The management of the pitches is to be confirmed with the preference to be managed by a local club. These details can be secured via a suitably worded s106 agreement and associated planning conditions.
- 6.13.6 Officers consider that the proposal is acceptable subject to conditions and appropriate S106 triggers, that the site is compliant with the NPPF and development plan policies CS6, CS8, CS16 and MD2.

6.14 Education

- 6.14.1 The proposals would involve the provision of a new primary school within the site plus funding for additional secondary provision. The development site sits in the catchment area for Shropshire Local Education Authority (LEA) and therefore the associated primary school catchment of Buildwas Academy, and secondary catchment of William Brookes (Much Wenlock). Buildwas Academy currently has 19 surplus places, which will be filled on completion of the first 100 dwellings, by pupils from the development. It should be noted that currently 53% of pupils attending Buildwas Academy are Telford and Wrekin Pupils. William Brookes School currently has 12 surplus places and so will fill on completion of the first 100 dwellings. Currently 30% of pupils attending William Brookes are Telford & Wrekin pupils approximately 49 per academic year group.
- 6.14.2 Upon initial consideration of the application, Shropshire LEA estimated that school places will be required to meet the needs of an additional 103 nursery pupils, 177 primary pupils and 141 secondary pupils. Existing nursery and primary provision is unsuitable and consequently new provision will be required. It was also highlighted that additional secondary school classroom capacity may also be required at the William Brookes School.
- 6.14.3 Telford & Wrekin LEA raised concerns that this approach would result in a significant pushback with Telford & Wrekin pupils having to be accommodated elsewhere in the Borough. They therefore sought additional provision from the Shropshire LEA to avoid this pushback effect. The initial differences in the two LEA positions is shown below.

	Shropshire LEA estimated pupils based on 1000 units	T&W LEA estimated pupils based on 1000 units	Variation
Early Years	103	120	17
Primary	177	280	103
Secondary	141	160	19
Post 16	0	70	70

- 6.14.4 Shropshire LEA subsequently undertook discussions with Buildwas Academy in relation to the short-term impact of Primary School pupils to identify if this could be catered for

by the existing school at Buildwas. It became apparent that the capacity at Buildwas School was greater than anticipated with the ability to increase this capacity by providing a demountable and also relocating pre-school children to the village hall. As such, it has been agreed between the LEA's that there will be no impact on the primary school provision and no pushback on Telford & Wrekin pupils in the short-term, ahead of the new primary school being constructed.

6.14.5 The secondary school calculations for the LEA's however remained at odds. Therefore T&W commissioned an independent survey to define secondary educational provision needs linked to the application. This was to ascertain the correct demographics to be utilised, the impact the development would have on education, and whether as non-lead authority, Telford & Wrekin Council had the right to contributions to mitigate against this impact. Their ideal scenario was that the William Brookes School (Much Wenlock) should be expanded to accommodate 160 pupils, rather than 141 set out by Shropshire Council.

6.14.6 The Shropshire LEA subsequently agreed to seek an extension to William Brookes to accommodate the anticipated 160 secondary school pupils arising from this development and an appropriate uplift of £400K in the education contribution has been included within the S106 agreement. Both LEA's are now satisfied that the application can be supported, subject to the appropriate s106 contributions and an appropriate trigger point for construction of the new primary school.

6.15 Healthcare

6.15.1 The Clinical Commissioning Groups (CCG) submitted a late formal comment before the application was reported to the T&W planning committee on 18th May 21. This advised that it was undertaking a review of healthcare facilities in the area. The CCG advise that:

1. A review was being undertaken of healthcare facilities in the area;
2. Existing local healthcare facilities are stretched;
3. The proposed development should fund healthcare improvements to support the increased population;
4. The CCG are investigating the option of establishing a healthcare hub located within the site, subject to a stakeholder engagement process.
5. They are suggesting a capital sum of £1.27m may be required in order to facilitate necessary healthcare improvements plus, if required, a serviced plot within the site.

6.15.2 Officers note the CCG comments and support the principle of healthcare provision. However, the CCG have not yet fully defined or evidenced the nature of the increased healthcare requirements linked to the proposed development or how this relates to the sum being requested or the existing healthcare capacity issues they refer to. Instead a generic calculation has been adopted based on estimated floor area / consulting room requirements.

6.15.3 Telford & Wrekin officers advise that whilst the CCG controls medical provision they have received concerns that any merging and relocation of existing medical practices should not involve closure of the existing Ironbridge practice. They would view this as detrimental to the existing population.

6.15.4 In terms of the mitigation funding which the CCG are requesting this is not yet considered to be fully evidence based. Additionally, there is no wider precedent for this level of health care contribution taking account of other major development within Shropshire and Telford & Wrekin. Without a detailed evidence base the ability of the LPA's to accommodate the CCG's request is limited, taking account also of the significant viability issues raised by the proposals (referred to below). It is concluded therefore that this figure cannot be achieved, but that the proposal should provide a serviced plot alongside a contribution of £0.5m. The officer would note that depending upon its size (which would be evidenced by the CCG) any serviced plot would potentially have a significant value in its own right.

6.15.5 The CCG have responded to this as follows:

... 'This is a concern to us because a recent review of the three closest Surgeries to the development site (Broseley, Ironbridge and Much Wenlock) has concluded all three are already at over- capacity and investment needs to be made to meet current demand. Therefore, there is no surplus capacity to allocate to the new development and the funds earmarked via the Section 106 are clearly not going to be sufficient to meet the healthcare need that the scheme will generate. We would be grateful if this situation can be brought to the attention of the Planning Committee members please and would therefore ask if they would consider helping us to meet future need by giving us confirmation they will make CIL funds available to us to meet the need'.

6.15.6 The officer has responded to the CCG advising that all future predicted CIL monies linked to the proposed development would be ring fenced to committed infrastructure required to deliver the scheme. However, a clawback mechanism would apply as part of a periodic viability review process whereby any increase in profit above that assumed in the applicant's viability assessment would become available to fund other infrastructure needs in connection with the site. The first call on any clawback funding would go to reinstating a policy compliant level of affordable housing within the development. However, the officer would recommend that additional healthcare funding is made a spending priority should clawback funding become available.

6.15.7 Additionally, the officer has urged the CCG to engage with the Council in order to include healthcare as an agreed spending priority in the annually reviewed Much Wenlock Area Place Plan. This would potentially allow other CIL funds not linked to the current site to be accessed should a properly evidenced need for additional healthcare funding subsequently be demonstrated.

6.15.8 It is concluded that the proposal is acceptable with respect to healthcare subject to the contributions set out in the S106 agreement and is therefore compliant with the NPPF and relevant development plan policies.

6.16 Railway

6.16.1 The existing rail access to the power station site is to the east of the site, over the River Severn by the means of the Grade II listed Albert Edward Bridge. The Railway bridge is made of cast iron and built in 1863 by Engineer John Fowler. The bridge was designed to carry a load of 20 tons per carriage and has a main span across the river of 160ft. The identified span was provided in order to give free and unobstructed flow through the bridge when the river is in flood. Another reason was to make rail the only access point

to the site for heavy plant and fuel deliveries, as the roads surrounding the site are very hilly. After the bridge connection, the railway track extends within the site through an internal rail system leading to and between the discrete elements of the site.

6.16.2 The applicant proposes that the existing railway will provide a means to export material out of the site, both during mineral extraction and the construction phases. This would also support the status of the bridge as a maintained and operational heritage asset. Network Rail are currently reviewing the works necessary to repair the Albert Edward Bridge and this will be subject to a separate listed building application which is expected to be submitted in summer 2021.

6.16.3 The potential for a passenger light rail service connecting to Telford Central station is currently being explored by the applicants who are working with both Councils to seek funding for a feasibility assessment. In addition, an application has recently been submitted by Harworth which seeks to trial a light rail system within the site (Reference 21/02012/FUL). It should however be made clear that at this stage the passenger rail is only aspirational and does not form part of the current application. However, the potential for a sustainable connection between the site, the WHS and Telford Town Centre is recognised.

6.16.4 Should passenger light rail not prove to be feasible then it is expected that the applicants would work with both Councils to create some form of 'rail to trail' green infrastructure along the rail line which compliments existing green routes in the area.

6.17 Public Rights of Way

6.17.1 There are a number of public rights of way which both dissect the site and surround its boundaries:

- A restricted byway enters the site and goes beyond the entrance to the Park View caravan park (0409/16/4) and upto the existing access gates into the Power Station. This will form a new adopted highway and will be incorporated into the designs for this highway;
- A bridleway (0409/UN1/1, 0409/156/5, 0409/16/6) follows along the lines of the access track to the caravan park and will be unaffected by the development but with possible enhancement/resurfacing if necessary;
- Two footpaths cross the western field (0409/13/1 and 0409/14/1) and will be impacted by the development and require rerouting;
- A network of footpaths surrounds the site, with key routes being the Severn Way and the Severn Valley Way and it has been closely considered how the development will both impact these and provide enhancement.

6.17.2 On-site it is proposed that a new pedestrian/cycle corridor will pass through the open-space to the south of the site, providing a direct sustainable connection from the east of the site (the Severn Valley Way) to footpaths located on the west of Much Wenlock Way (0409/4/1) and further afield. This corridor will pass alongside the ancient woodlands, passed the proposed allotments and alongside the habitat mitigation areas. A further on-site pedestrian/cycle corridor will pass through the open space to the north of the site, along the river frontage. This will provide access to possible river/leisure activities and also to the enhanced sports pitches/pavilion.

- 6.17.3 Furthermore, the 'A' station bridge is intended to be reopened for pedestrian movement, providing a direct connection to the Severn Way on the opposite side of the river. Both these proposed routes will connect to the Severn Valley Way on the far east of the site and it is recommended that they are added to the Definitive Map of Public Rights of Way by way of a creation agreement made under section 25 of the Highways Act 1980.
- 6.17.4 The Severn Valley Way is the primary sustainable route leading occupiers/users of the development into Ironbridge. It is already a widely utilised route but with increased footfall mitigation will be required to support the increased demands and enhance the opportunities to make the route more multi-functional, providing a sustainable connection that can reduce car journeys into Ironbridge. A financial contribution for enhancement of this route has been discussed by Shropshire and T&W officers and is included as a recommended legal agreement clause.
- 6.17.5 In further recognition of the increased footfall associated with this development, and the likely impacts on public rights of way contributions are also being sought for the upgrade of the Severn Way (leading from the site towards Buildwas only) and also towards management/maintenance of the Benthall Edge and Tick Wood SSSI managed by Severn Gorge Countryside Trust (SGCT) as discussed above.
- 6.17.6 Subject to the above matters it is considered that the proposals are compliant with the NPPF and will succeed in promoting alternatives to the car and addressing the impact of the development.
- 6.18 Residential and general amenity
- 6.18.1 Noise and dust are referred to above. The site is a major development and the change in character of the site and the increased usage will inevitably have some impact on adjoining properties/uses. However, the potential for direct impact on the amenity of adjoining residential properties is considered to be limited.
- 6.18.2 The nearest residential properties to the development are the Pool View Park residential and holiday park which are located on the southern boundary of the site. The nearest of these properties is located over 50m from the site boundary and a greater distance from the nearest proposed dwelling shown on the indicative masterplan (separated by open space). It is therefore considered that the impact to the residential amenity of these properties is limited.
- 6.18.2 On the northern side of the River Severn are a number of residential properties and guest houses, all of which are located some distance from the site boundary (in excess of 60m) and separated by existing mature planting and proposed areas of open space. It is therefore considered by Officers that the impact to the residential amenity of these properties is limited.
- 6.18.3 There are a number of properties on the western edge of the site adjoining the A4169 Much Wenlock Road. Two properties are located at the entrance to Buildwas Abbey and whilst they will experience some impact from the development, it is not considered that this will be significant or direct. The properties face towards the existing/proposed sports pitches. Additionally, there is a small cluster of properties located on the south-western edge of the development (Mill Farm, Hill View Farm) which are in close proximity to the proposed roundabout into the application site. During the course of the application

officers held site meetings with the landowners to assess the impact on these properties. As part of these considerations an amendment to the application was sought which saw the proposed roundabout moved 80m further south west. This results in an improved amenity situation for Mill Farm and Hill View Farm. Coinciding the roundabout with the minor access to these properties also results in a highway improvement.

6.18.4 It is considered that the proposal at this outline stage complies with the development plan policies CS6 and MD2 and relevant amenity guidance in the NPPF.

6.19 Mineral Extraction

6.19.1 The current proposals are linked to an application for minerals extraction (Ref: 19/05509/MAW). This encompasses a 49ha area within the western part of the current application site, including agricultural fields and derelict brownfield land. The application forms a separate item on this Agenda.

6.19.2 The proposed extraction will release 1.9 million tonnes of saleable sand and gravel over a period of 5 years. The site will be extracted and restored in a phased manner. The proposal involves transporting the 75% of the mineral via rail utilising the existing infrastructure of the Power Station and 25% via HGV.

6.19.3 There are two key reasons why the sand and gravel resource underlying the application site requires extraction.

- Firstly, prior extraction will prevent sterilisation of the safeguarded mineral resource.
- Secondly, the Economic Growth Strategy for Shropshire and Shropshire Councils current Local Plan (Core Strategy) recognise the opportunity to redevelop the Former Ironbridge Power Station site and identify it as a preferred strategic site. The proposed masterplan redevelopment scheme involves the construction of residential dwellings, employment land, infrastructure, internal roads, etc within the application area and will require an engineered development platform to be created.

6.19.4 The applicant advises with regard to the principle of development, if no mineral extraction takes place prior to the proposals for non-mineral development, it will result in the unnecessary sterilisation of the mineral resource. Furthermore, the 'do nothing option' prevents the creation of the development platforms required to deliver the Masterplan development. Objections have been received from the AONB Partnership and the local community including some Parish Councils However, no statutory technical consultees have outstanding objections and no unacceptable impacts have been identified after mitigation is applied.

6.20 Financial Contributions / Legal agreement requirements

6.20.1 A Development Viability Review by Tustain Associates was submitted by the applicant in September 2020. This was independently reviewed by Turleys jointly on behalf of Telford & Wrekin Council and Shropshire Council and found to be acceptable.

6.20.2 The Viability Assessment concludes that the site is subject to significant viability challenges given the extensive legacy of former industrial uses. Specifically, there are high infrastructure and abnormal costs amounting to £62.84 million. As a result, the

development is only viable with the provision of 5% affordable housing and a maximum £16.75 million for infrastructure funding including both Section 106 and CIL contributions.

- 6.20.3 Following the receipt of final consultee responses, a list of financial contributions was constructed by officers in consultation with the applicant. This needed to be considered in the context of the site viability, accepting that the level of contributions requested was much greater than the amount actually available.
- 6.20.4 To maintain a viable scheme it is necessary to accept a reduction in affordable housing to 5% as opposed to the fully compliant level of 20%. It is hoped that this shortfall can be addressed subsequently through grant funding from Homes England.
- 6.20.5 In addition to affordable housing, the viability assessment makes provision for £16.75million to be achieved through a combination of S106 payment and anticipated future CIL revenues from the scheme. CIL is applicable within Shropshire Council and is calculated on the creation of new floor area. Unlike S106 funding a CIL requirement cannot be reduced and must be provided without exception. For the scheme to remain viable all CIL revenue from the development would need to be ring-fenced for use specifically in funding infrastructure linked to the proposals.
- 6.20.6 Given the tight financial constraints of the scheme detailed discussions have been ongoing between Officers at Shropshire and Telford and Wrekin Council to determine how the available sum will be distributed. Additionally, it has been agreed that some of the major infrastructure works would be provided through use of 'Grampian Conditions'. These would require the developer to directly carry out certain highway works rather than to provide a financial sum for the local authorities to carry out the works. As such the cost of this infrastructure has been deducted from the infrastructure finding list agreed by officers.
- 6.20.7 The funding required to mitigate the scheme is set out in the table below.

Item	Agreed Amount	Notes
Education - Primary	£5,100,000	To provide a new primary school on site, and for the S106 to require the provision of land for a school
Education – Secondary	£4,400,000	Towards an extension of William Brookes School
Gaskell Arms Improvements (Wenlock)	£250,000	Directed to SC
Atcham/Leighton/Buildwas highway improvements	£65,000	Grampian condition supported by legal agreement
Castlefields Way Roundabout (T&W)	£871,200	Grampian condition supported by legal agreement
Ironbridge traffic calming improvements (T&W)	£150,000	Grampian condition supported by legal agreement
Buildwas Bank Roundabout	£1,000,000	Grampian condition supported by legal agreement

Travel Plan Monitoring	£100,000	Legal agreement
Sustainable Transport/Bus Strategy	£1,000,000	To include Education transportation requirements
Sports Pavilion & Pitches	£640,000	Directed to SC to provide the facilities/pitch upgrades on site.
Severn Valley Way improvements	£550,000	Directed to TWC
Severn Way improvements	£200,000	Directed to SC
Healthcare	£500,000	Directed to the CCG, and a S106 to require the provision of an on-site serviced plot; in the event this is not required by the CCG can be released
Public Realm – Play/ Recreation	£96,000	Directed to TWC to be spent within the WHS
Public Realm - Heritage	£350,000	Directed to TWC to be spent within the WHS
Trees	£262,509	Directed to TWC to facilitate mitigation and enhancements in proximity of the site
Trees - SGCT	£128,226	Directed to SGCT to facilitate mitigation and enhancements in proximity of the site/adjacent woodland.
Neighbourhood Fund	£1,000,000	As required by CIL
CIL/ S106 monitoring	£87,064.88	Approx. 0.5% - directed to SC
Provision of Affordable Housing	5%	To be delivered on site, through the S106.
	£16,750,000	

6.20.8 Officers from Shropshire and Telford & Wrekin consider that that the contributions set out above are justified based on the relevant tests set out in National Planning Practice Guidance and are appropriately directed towards mitigating the effects of the proposed development as outlined in this report. The primary focus is the impact on highways and education. Appropriate consideration has also been given to other impacts including healthcare, play/recreation, built heritage, trees and public rights of way.

6.20.9 The contributions will come forward through both CIL and S106. As a cross boundary application TWC has requested a Memorandum of understanding between the two authorities to ring-fence these requirements. A robust viability review mechanism linked to phasing / period reviews will also be required as part of any S106 agreement. This will provide a mechanism to clawback any future uplift in viability, thereby allowing areas where funding has had to be reduced to be re-visited / redressed, particularly with regard to onsite affordable housing delivery. It is considered that in the circumstances of the proposed development the viability review mechanism should occur at a frequency of no less than 4 years.

- 6.21 Cumulative and in-combination effects - The Environmental Statement (ES) has not identified any additional projects in the local area which would have the potential to give rise to cumulative effects. The mineral extraction proposals would proceed within the first 5 years of the development when other operations would be taking place at the site if the current proposals are approved. However, the earlier phases of the current development are physically separated from the mineral site (and its ancillary operations) and appropriate safeguards would apply in both these operational areas. Both operations would be subject to Construction Environmental Management Plans. As such it is considered that the masterplan and mineral developments are capable of being controlled individually so as to avoid any unacceptable cumulative impacts.
- 6.22 In-combination effects could arise for instance from a combination of noise, dust and visual impacts occurring at the same time. The ES puts forward measures to control and mitigate individual impacts arising from the proposed development and concludes that each identified issue is capable of being controlled to avoid unacceptable impacts. These conclusions have generally been accepted by relevant technical consultees. There will be times when a particular operation within the site may have the potential to generate both noise and dust or other combination of impacts at the same time. However, given the applicant's mitigation proposals, the phased nature of the development and the large size of the site it is considered that the potential for any in-combination effects is correspondingly limited.
- 6.23 Consideration of alternatives: It is not considered that there are any practicable alternatives to developing the application site. Without this the redundant infrastructure within the site would become dangerous and potentially prone to vandalism and the site would become an eyesore. The applicant has already invested significant money in demolishing redundant structures and remediating the site in advance of development. Had the structures not been demolished within the timescales adopted by the applicant then the structures would have become increasingly dangerous, leading to greater complications for any future demolition and redevelopment process.
- 6.24 The applicant's viability appraisal demonstrates that it is necessary to include the western greenfield part of the site within the development in order to secure a viable redevelopment scheme for the whole site. The masterplan proposals put forward by the applicant are the subject of extensive consultations and stakeholder engagement. It is not considered that a materially different masterplan scheme would be deliverable within the development parameters of the site.

7.0 CONCLUSION

- 7.1 It is considered that the proposals represent sustainable development of previously developed land securing an optimum viable use. Provided an appropriate Design Code is followed at the reserved matters stage the proposals will respect and respond positively to the site and the wider area.
- 7.2 The proposals are considered to be compliant overall with the NPPF, Shropshire Core Strategy, the SAMDev Plan, with the emerging Shropshire Local Plan (in particular policy S20).

8.0 RISK ASSESSMENT AND OPPORTUNITIES APPRAISAL

8.1 Risk Management

8.1.1 There are two principal risks associated with this recommendation as follows:

- As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal, i.e. written representations, hearing or inquiry.
- The decision may be challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However, their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or perverse. Therefore, they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be made a) promptly and b) in any event not later than three months after the grounds to make the claim first arose.

8.1.2 Both of these risks need to be balanced against the risk of not proceeding to determine the application. In this scenario there is also a right of appeal against non-determination for application for which costs can also be awarded.

8.2 Human Rights

8.2.1 Article 8 gives the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community. First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents. This legislation has been taken into account in arriving at the above recommendation.

8.3 Equalities

8.3.1 The concern of planning law is to regulate the use of land in the interests of the public at large, rather than those of any particular group. Equality will be one of a number of 'relevant considerations' that need to be weighed in Planning Committee members' minds under section 70(2) of the Town and Country Planning Act 1990. The officer has reviewed available evidence to determine whether these outline proposals would raise any issues with respect to the Equalities Act 2010. No specific issues have been identified. However, subsequent reserved matters applications will need to make appropriate provision for people with disabilities including for wheelchair access where appropriate.

9.0 FINANCIAL IMPLICATIONS

9.1 There are likely financial implications if the decision and / or imposition of conditions is challenged by a planning appeal or judicial review. The costs of defending any decision will be met by the authority and will vary dependent on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining this planning application – insofar as they are material to the application. The weight given to this issue is a matter for the decision maker.

10.0 BACKGROUND

Relevant Planning Policies

Central Government Guidance:

- National Planning policy Framework

Shropshire Core Strategy:

- CS4: Community Hubs and Clusters
- CS5: Countryside and Greenbelt
- CS6: Sustainable Design
- CS7: Communications and Transport
- CS8: Facilities, services and infrastructure provision
- CS9: infrastructure contributions
- CS11: Type and affordability of Housing
- CS13: Economic Development, Enterprise and Employment
- CS16: Tourism, Culture and Leisure
- CS17: Environmental Networks
- CS18: Sustainable Water Management

SAMDev Plan:

- MD1: Scale and Distribution of Development
- MD2: Sustainable Design
- MD3: Delivery of Housing Development;
- MD4: Managing Employment Development
- MD7a: Managing Housing Development in the Countryside
- MD7b: General Management of Development in the Countryside
- MD8: Infrastructure Provision
- MD12: The Natural Environment
- MD13: The Historic Environment
- S13: Much Wenlock Area

Emerging Policy:

Regulation 19: Pre-Submission Draft of the Shropshire Local Plan 2016 to 2038

S20. Strategic Settlement: Former Ironbridge Power Station

1. The Former Ironbridge Power Station site will be remediated and redeveloped to form a new strategic settlement which will contribute towards strategic growth aspirations in the east of the County. The part brownfield site is around 140ha and consists of the former Power Stations, associated uses and agricultural land. The location and extent of the site are identified on the Policies Map.
2. The new settlement will be formed through a comprehensive mixed-use redevelopment of the site to provide a range of local services and facilities, around 1,000 dwellings, around 6ha of employment land and extensive green infrastructure.

3. To inform this redevelopment, a comprehensive masterplan will be prepared for the site and then adopted by Shropshire Council. The masterplan and resultant redevelopment will comply with the following site guidelines:
 - a. The quantity, quality, design, mix and layout of housing provided on the site will be informed by site constraints and opportunities, identified local needs and relevant policies of this Local Plan.
 - b. Employment provision will represent an intrinsic element of the site's redevelopment, occurring alongside the provision of housing. Employment provision will be of an appropriate quantity and quality to contribute towards the objectives of the Shropshire Economic Growth Strategy.
 - c. The village centre will comprise of an appropriate range of commercial uses to serve the new settlements community. As the local centre will ensure future occupiers of the site benefit from access to local facilities, its timely provision is an important consideration and will be directly linked to provision of housing on the site.
 - d. Green infrastructure provision will be of an appropriate quantity and quality. Its location will protect and enhance key green infrastructure corridors and networks on and around the site and existing areas of public open space.
 - e. Appropriate community facilities and buildings will be provided on the site, such as a community hall, art gallery and heritage centre. 2ha of land will be provided for a primary school to serve the needs of the new community on the site. If required by the relevant CCGs, a medical centre will also be provided on the site. These facilities and buildings will tap-into the heritage of the site.
 - f. A suitable number of appropriately designed and constructed pedestrian, cycle and vehicular access/egress points will be provided. If current access/egress points to the site are retained, they may need to be upgraded to ghost island right turn and/or roundabout junctions, as determined through appropriate modelling and engagement.
 - g. Any necessary improvements to the local and strategic road network will be undertaken, informed by consultation with Highways England and an appropriate Transport Assessment (including consideration of cumulative impact).
 - h. Appropriate pedestrian and cycle links will be provided to and through the site, particularly to the proposed nursery, primary school and village centre.
 - i. Site design and layout will be high-quality, reflecting and respecting the sites proximity to the Shropshire Hills Area of Outstanding Natural Beauty and minimising landscape and visual impact. This is particularly important to the development of the greenfield elements of the site.
 - j. The high-quality design and layout of the site will also reflect and respect the sites heritage, heritage assets on the site and its relationship with heritage assets within the wider area, including the Ironbridge Gorge World Heritage site, Buildwas Abbey Scheduled Monument, the Severn Gorge Conservation Area and Listed Buildings.
 - k. The Grade II listed Albert Edward railway bridge on the sites boundary and buildings and structures associated with the Ironbridge A interwar power station will be sympathetically retained, enhanced/maintained and adaptively reused.
 - l. Natural environment assets on and in proximity of the site, including Buildwas Sand Quarry Site of Special Scientific Interest (SSSI), Local Wildlife Site and Local Geological Site, Buildwas River Section SSSI, Tick Wood and Benthall Edge SSSI, three areas of ancient woodland, other Local Wildlife Sites and any

- priority habitats will be retained and appropriately buffered. A sustainable juxtaposition will be created between built form and trees.
- m. Acoustic design, layout and appropriate building materials (including where necessary appropriate glazing, ventilation and acoustic barriers) will be used to appropriately manage noise associated with retained National Grid and Western Power Distribution substations and equipment and nearby roads.
 - n. A sustainable juxtaposition will be created between built form and trees. Where possible trees and woodland should be incorporated into areas of open space and planting should occur to connect to / expand adjoining wooded areas.
 - o. The site supports a large population of Great Crested Newts; bat roosts and is likely home to other protected species. Appropriate assessment and provision on the site will be required for these species.
 - p. Any contaminated land on the site will be appropriately managed.
 - q. Mineral extraction opportunities associated with the site will be investigated and where appropriate extraction works undertaken.
 - r. The site will incorporate appropriate sustainable drainage, informed by a sustainable drainage strategy. Any residual surface water flood risk will be managed by excluding development from the affected areas of the site, which will form part of the Green Infrastructure network. Development will also be excluded from the small portions of the site located in Flood Zones 2 and/or 3. Flood and water management measures must not displace water elsewhere.

Other relevant considerations:

- Much Wenlock Neighbourhood Plan 2013-2016 (adjoining parish);
- Shropshire Hills AONB Management Plan 2019-2024
- Ironbridge World Heritage Site Management Plan (Feb 2017)

10. RELEVANT PLANNING HISTORY:

- SA/88/1489 Import and grading of fly ash from the power station adjoining the quarry. WDN 30th November 1988
- SC/MS2006/1376/SY Variation of conditions 4 and 5 attached to planning permission MS1996/0056/SY to extend for a further 10 years the life of the existing recycling facility for inert construction and civil engineering waste materials PERMIT 29th June 2007
- SC/MS1996/0056/SY Development of a permanent recycling facility for inert construction and civil engineering waste materials PERMIT 3rd September 1996
- SA/77/0095 Construction of a car park for 12 cars. PERCON 10th March 1977
- SA/74/0618 Permanent retention of existing site office to be used as administrative offices. PERCON 26th November 1974
- SA/84/0784 Scheme of landscaping involving deposit of pulverised fuel ash produced. PERCON 8th November 1984
- SA/77/0472 Erect an 132KV Overhead Line via two steel towers over the railway to connect existing transformer (adjacent to 400KV switch house) to existing 132KV switch house. PERCON 12th July 1977
- SA/75/0524 Erection of pump house and oil overburn installation (amendment to previous planning permission 74/642). PERCON 29th July 1975
- SA/77/0981 Erection of a primary electricity sub-station for electricity distribution. PERCON 20th December 1977

- SA/00/0040 Installation of new precipitators and ductwork in connection with dust abatement project. PERCON 23rd February 2000
- SA/77/0009 Extension of existing vehicle servicing building (30' x 12'). NOOBJC 25th March 1977
- PREAPP/11/01444 Proposed Covered Fuel Store PREAIP 18th October 2011
- 12/00032/MAW Construction and operation of a fuel store for the storage of wood pellets GRANT 5th April 2012
- 12/02134/DIS Discharge of Condition 8a (Dust Management Scheme) 10 (Complaints Procedure) 12a (Construction Management Plan) 12c (Construction Workers Compound) 13 (Fuel Store Design) 15 (Water Drainage) 16B (Site Contours) attached to planning reference 12/00032/MAW - Construction and operation of a fuel store for the storage of wood pellets GRANT 10th July 2012
- 12/02648/AMP Application for Non Material Amendment following grant of planning permission ref. 12/00032/MAW to alter the dimensions of the building. Construction and operation of a fuel store for the storage of wood pellets GRANT 10th July 2012
- 12/04934/DIS Discharge of Conditions 6b, 7b and 17a (Lighting) attached to planning ref. 12/00032/MAW. Construction and operation of a fuel store for the storage of wood pellets DISAPP 3rd December 2012
- 14/00905/DIS Discharge of condition 22a. Construction and operation of a fuel store for the storage of wood pellets. DISAPP 23rd July 2014
- 15/00922/DIS Discharge of Condition 22a (Biofuel Procurement Report) on Planning Application 12/00032/MAW for the submission of report discharging annual reporting requirement under Condition 22a DISAPP 17th February 2016
- 15/05594/VAR Variation of Condition No. 23b attached to Planning Permission 12/00032/MAW dated 5th April 2012 - The building should be removed from site by 31st December 2017 unless a scheme has been submitted to and approved in writing by the Local Planning Authority. GRANT 17th February 2016
- 16/01583/VAR Variation of conditions 4 & 5 (time period) attached to planning permission SC/MS1996/0056/SY (varied on SC/MS2006/1376/SY) to allow for continuation of use as a recycling centre GRANT 9th November 2016
- 16/02486/CPE Importation and storage of a range of aggregates in 20 tonne loads. Sale to local builders in small loads for use in the construction industry. Storage areas have been located around the outside of the central inert waste recycling area, as shown on the Site Plan. Annual inputs of 8,000 to 10,000 tonnes. LA 21st March 2017
- 16/00926/DIS Discharge of Condition 22a (Biofuel Procurement Report) on Planning Permission 12/00032/MAW for the construction and operation of a fuel store for the storage of wood pellets DISAPP 2nd March 2016
- 16/02868/SCR Request for a Screening Opinion under Regulation 5 (2) of The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 (As Amended) EAN 26th July 2017
- 17/02079/VAR Variation of Condition 23b of permission reference 12/00032/MAW (as varied by 15/05594/VAR) to allow a further 2 year extension for retention of former fuel store building (to 31/12/19) GRANT 22nd June 2017
- 17/02314/DEM Application for prior notification under Schedule 2 Part 11 of the Town & Country Planning (General Permitted Development) Order 2015 for the demolition of Ironbridge power station conveyors 6 and 7 and associated structures PNR 14th June 2017
- 17/04439/DEM Application for Prior Notification under Schedule 2 Part 11B of The Town and Country (General Permitted Development) (England) Order 2015 for the

demolition of: Zone 1 - four, natural draft, hyperbolic cooling towers and the cooling water supply channels and pipework; Zone 2 - the turbine hall and boiler house, electrostatic precipitators, chimney and admin block including adjacent workshops and stores; Zone 3 - the auxiliary boiler and associated tanks, and the area of land previously used for contractor welfare during outages; Zone 4 - two heavy fuel oil (HFO) tanks and the water treatment plant, the main site gatehouse, sewage treatment plant, storage buildings; Zone 5 - biomass store, coal stock conveyors, coal plant stores and workshop, the sports pavilion and bungalow REP3J 6th November 2017

- 18/03597/FUL Construction of 20no wildlife ponds GRANT 2nd November 2018
- 19/00627/DIS Discharge of Conditions 9 (Landscaping Plan) and 10 (Habitat Management Plan) on Planning Permission 18/03597/FUL for the construction of 20no wildlife ponds DISAPP 26th March 2019
- 19/05509/MAW Phased extraction and processing of sand and gravel including the erection of processing plant and ancillary infrastructure, temporary storage of minerals, utilisation of existing rail siding and creation of new access road on to Much Wenlock Road; restoration of the site PDE
- 19/01346/DIS Discharge of Condition 4 (Stakeholder Engagement) 5 (Noise Monitoring Scheme) 6 (Dust Management Plan) 7 (Asbestos Management Plan) 8 (Water) 9 (Drainage Scheme) 11 (HGV Routing) 14 (Protected Species/Habitats) 15 (Great Crested Newt) 16 (Reptile Mitigation Strategy) 17 (Badgers) 18a & 18b (Bat Survey) 19 (Otters & Peregrines) 21 (Site Waste Management Plan) attached to planning permission 17/04439/DEM Application for Prior Notification under Schedule 2 Part 11B of The Town and Country (General Permitted Development) (England) Order 2015 for the demolition of: Zone 1 - four, natural draft, hyperbolic cooling towers and the cooling water supply channels and pipework; Zone 2 - the turbine hall and boiler house, electrostatic precipitators, chimney and admin block including adjacent workshops and stores; Zone 3 - the auxiliary boiler and associated tanks, and the area of land previously used for contractor welfare during outages; Zone 4 - two heavy fuel oil (HFO) tanks and the water treatment plant, the main site gatehouse, sewage treatment plant, storage buildings; Zone 5 - biomass store, coal stock conveyors, coal plant stores and workshop, the sports pavilion and bungalow DISAPP 12th June 2019
- 19/01779/SCO EIA Scoping Opinion for construction of around 1,000 residential dwellings, 20ha of commercial floorspace and associated infrastructure, to include a village centre (to potentially include a primary school, health provision and local commercial development) Park and Ride Scheme and leisure facilities SCO 17th July 2019
- 19/02723/FUL Erection of a bat house GRANT 19th July 2019
- 19/03477/SCO Environmental Impact Assessment Scoping Opinion request relating to proposed extension of Buildwas Quarry as part of redevelopment proposals on land at Ironbridge Power Station GRANT 4th October 2019
- 19/04048/DIS Discharge of condition 20 (Construction Ecological Management Plan) on planning application 17/04439/DEM DISAPP 18th October 2019
- 19/04208/DIS Discharge of Condition 13 (Land Stability) on Planning Permission 17/04439/DEM for the application for prior notification under Schedule 2 Part 11B of The Town and Country (General Permitted Development) (England) Order 2015 for the demolition of: Zone 1 - four, natural draft, hyperbolic cooling towers and the cooling water supply channels and pipework; Zone 2 - the turbine hall and boiler house, electrostatic precipitators, chimney and admin block including adjacent workshops and stores; Zone 3 - the auxiliary boiler and associated tanks, and the

area of land previously used for contractor welfare during outages; Zone 4 - two heavy fuel oil (HFO) tanks and the water treatment plant, the main site gatehouse, sewage treatment plant, storage buildings; Zone 5 - biomass store, coal stock conveyors, coal plant stores and workshop, the sports pavilion and bungalow
DISAPP 18th October 2019

- 19/05509/MAW Phased extraction and processing of sand and gravel including the erection of processing plant and ancillary infrastructure, temporary storage of minerals, utilisation of existing rail siding and creation of new access road on to Much Wenlock Road; restoration of the site PDE
- 19/05560/OUT Outline application (access for consideration comprising formation of two vehicular accesses off A4169 road) for the development of (up to) 1,000 dwellings; retirement village; employment land comprising classes B1(A), B1(C), B2 and B8; retail and other uses comprising classes A1, A2, A3, A4, A5, D1 and D2; allotments, sports pitches, a railway link, leisure uses, primary/nursery school, a park and ride facility, walking and cycling routes, and associated landscaping, drainage and infrastructure works PCO
- 19/05509/MAW Phased extraction and processing of sand and gravel including the erection of processing plant and ancillary infrastructure, temporary storage of minerals, utilisation of existing rail siding and creation of new access road on to Much Wenlock Road; restoration of the site PDE
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- 20/01792/DIS Discharge of Condition 4 (Landscaping) and 5 (Habitat Management Plan) associated with planning application number 19/02723/FUL DISAPP 20th August 2020
- 20/04930/FUL Erection of a peregrine falcon tower GRANT 18th February 2021
- 20/05301/FUL Phase 1 Earthworks - enabling works to commence upon grant of outline planning permission for the wider redevelopment proposals GRANT 8th March 2021
- 21/02012/FUL Change of use of existing railway track to a demonstrator track for very light rail (temporary permission for 3 years), construction of platform and associated hardstanding area to accommodate temporary buildings for use as office; welfare facilities; and maintenance building INV
- 21/02607/FUL Erection of Electricity Substation. REC

11. ADDITIONAL INFORMATION

[View details online:](#)

<https://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=Q2YLFWTD06Z00>

List of Background Papers: Planning application form for application reference 19/05560/OUT and accompanying environmental statement documents and plans
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Cabinet Member (Portfolio Holder) Cllr Ed Potter
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Local Member: Cllr. Claire Wild (Severn Valley)

Appendices: APPENDIX 1 – Conditions and legal clauses

APPENDIX 1

Legal Agreement Clauses

- i. On-site provision of primary/nursery school;
- ii. Financial contribution of £4,400,000 towards expansion at William Brookes School for 160 pupils;
- iii. On-site provision of affordable housing (5%);
- iv. Financial contribution of £250,000 towards improvements at the A4169 Smithfield Road/Victoria Road/Bridgnorth junction (i.e. the Gaskell Arms at Much Wenlock);
- v. Travel Plan Monitoring at a cost of £100,000
- vi. Financial contribution of £1,000,000 towards Transport/Bus Strategy (in liaison with Arriva) and to include education transportation requirements;
- vii. Financial contribution of £640,000 towards provision of Sports Pavilion and Sports pitch upgrades including implementation timetables of £640,000
- viii. Financial contribution of £550,000 towards Severn Valley Way improvements to provide improvements/upgrades to facilitate a multi-use route;
- ix. Financial contribution of £200,000 towards Severn Way improvements to provide connection to Buildwas (towards Buildwas only);
- x. Financial contribution of £500,000 towards healthcare requirements highlighted by the CCG;
- xi. On-site serviced plot for healthcare facility;
- xiii. Financial contribution of £96,000 towards Public Realm improvements for Play/Recreation;
- xiii. Financial contribution of £350,000 towards Public Realm improvements for Heritage;
- xiv. Financial contribution of £128,226 towards tree management/safety inspections/planting relating to increased pressure/footfall within land under the management of SGCT;
- xv. Financial contribution of £262,509 towards tree management/safety inspections/planting relating to increased pressure/footfall in the Gorge, in addition to climate change offsetting and biodiversity net gain;
- xvi. Financial contribution of £1,000,000 towards Buildwas Parish Neighbourhood Fund;
- xvii. Financial contribution of £87,065 towards S106 Monitoring;
- xviii. On-site serviced plot for potential Park & Ride Facility;
- xix. Implementation timetable for NEAP/LEAP;
- xx. Implementation of viability review mechanism.

Memorandum of Understanding

- i. Memo of Understanding between Telford & Wrekin Council and Shropshire Council to formally agree the distribution of the above contributions and thereafter, how any monies received from the viability review mechanism will be distributed.

Conditions

STANDARD CONDITIONS

- 1a. Application for approval of the appearance, layout, scale and landscaping (hereinafter called "the reserved matters") for Phase 1 of the development as shown on the approved phasing plan shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission. The reserved matters shall be approved in writing by the Authority before any development commences.
- b. Each reserved matter application shall be prepared following the principles set out in the Design and Access Statement, Sustainable Design Brief and the other documents that supported the application and shall include the following information for the prior approval of the Local Planning Authority.
 - i. The number of units
 - ii. The means of enclosure of the site
 - iii. The levels of the site
 - iv. The means of access for disabled people
 - v. The drainage of the site
 - vi. The finished floor levels
 - vii. Sustainability Design Statement
- c. Subsequent reserved matters submissions shall be substantially in accordance with the approved masterplan (Plan Ref 0799-LDA-P1-00-DR-A-08 100).

Reason: No particulars have been submitted with respect to the matters reserved in this outline permission

- 2a. The development shall be commenced not later than 3 years from the date of this permission and or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
- b. Following approval of the first reserved matters applications for each subsequent development phase hereby approved shall be submitted not later than 2 years from the date of approval of the last reserved matters for the preceding phase.
- c. Development shall be commenced on each successive development phase not later than three years from the date of approval of the last reserved matters for the preceding phase unless an amended phasing plan and development timescale has first been submitted to and approved in writing by the Local Planning Authority.

Reason: In accordance with Section 92 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 (2a) and to ensure an orderly and progressive development in accordance with the approved phasing plan (2b).

3. The development shall be implemented in strict accordance with the approved documents and plans accompanying the application which are listed in Appendix 1 attached to this decision notice.

Reason: To define the permission.

4. Concurrent with the first reserved matters application, an updated phasing plan shall be submitted to and agreed in writing by the Local Planning Authority, which shall indicate vehicular access roads and footways to be provided sufficient to serve each agreed phase. The sequencing of the development shall be in general accordance with the Phasing Plan 2021-2031 submitted in August 2020.

CONDITIONS THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

Design Code

5. Notwithstanding the Indicative masterplan and Design & Access Statement, no development, hereby approved, shall commence until a Design Code has been submitted to and approved in writing by the Local Planning Authority. The Design Code shall address all pertinent matters associated with the following subject areas:

- 1) Strategic Design Principles:

- i. The approach to design quality and its consistent implementation;
- ii. The overall vision and character of the development and its setting;
- iii. The form and character of the site and the vision for Ironbridge Power Station Development and the surrounding area of Buildwas and Ironbridge.
- iv. Design objectives for key areas of the development including local centre, park and ride, retail and heritage assets.
- v. Sequential design principles for the 'approach, entrance and arrival' to key gateways from the existing transport network, internal junctions and primary destinations such as the local centre, primary school, retail and park and ride facilities.
- vi. The approach and design principles to urban form, space and architectural styles to respect the contextual analysis of Ironbridge and Buildwas characteristics.
- vii. The rationale of character districts identifying primary characteristics and differences.
- viii. The approach to designed traffic speeds.
- ix. The approach and design of blocks, the principles of their structure, building typologies, back-to-back distances, car parking, cycle parking and storage, refuse storage and collection, and servicing for commercial properties.
- x. The approach, hierarchy, design principles, species and pallet of materials of hard and soft landscaping in the townscape.

- 2) Detailed Design Elements

- i. The creation of character areas and neighbourhoods addressing the principles of the mix of uses;
- ii. The location, mass, density, heights, form and design parameters for the buildings in each character area/phase;
- iii. A design framework, including material palettes, landscaping, site constraints, and historical influence for each architectural character area;
- iv. The conceptual design and approach to the public realm, including enclosure, natural surveillance, public art, materials, street furniture and signage, the incorporation of utilities and landscaping;

- v. The principles of, the street and public spaces hierarchy to address, movement and permeability, mobility and visually impaired users and traffic calming measures and making reference to the phasing of land parcels;
- vi. Direction on the creation of an integrated street-scenes along the busway and primary streets, through the consistent use of scale, enclosure and massing, by providing direction on building scale and massing, the proportion of built frontage, house and plot width, associated house types, building heights, and eaves heights;
- vii. The design of the transport network hierarchy, streets, cycle routes, footpaths and public spaces, providing typical street cross-sections, which should include details of tree planting and tree species, underground utility/service trench routes, type and specification, and on street parking, including design details;
- viii. The principles and structure of the blocks addressing key groupings or individual buildings, building form, massing, heights, scale and legibility, building typologies, density and use. This shall include the design principles addressing primary frontages, fronts and backs, pedestrian and vehicular access points, on plot car and cycle parking, threshold definition and surveillance of public realm areas, building materials and performance standards and design features;
- ix. Details of the materials to be used to create design consistency that are sensitive to the local area and provide legibility of the street hierarchy throughout all phases of delivery.
- x. Details of any noise attenuation/mitigation measures where necessary which may impact on the design;
- xi. Approach to incorporation of ancillary infrastructure/buildings such as substations, pumping stations, waste and recycling provision for all building types and recycling points. Approach to the provision of electric vehicle charging points/infrastructure, pipes, flues, vents, meter boxes, external letterboxes, fibres, wires and cables required by statutory undertakers as part of building design;
- xii. Details of the approach to vehicular parking across the entire site including the amount of parking, location and layout of parking for all purposes, including but not restricted to parking for people with disabilities and visitors' parking.
- xiii. Details of the approach to cycle parking for all uses, including the distribution (resident/visitor parking and location in the development), type of rack, spacing and any secure or non-secure structures associated with the storage of cycles.
- xiv. The approach to the character and treatment of the structural planting to the development areas within the primary open land, secondary open land, hedge or footpath corridors and retained trees (including the approach to SUDS design integration into the green ways);
- xv. An outline of the conservation of flora and fauna interests, landscape and open space needs, nature conservation mitigation measures and the timing of such provisions;
- xvi. The approach to the lighting strategy and how this will be applied to different areas of the development with different lighting needs, so as to maximise energy efficiency, minimise light pollution and avoid street clutter;
- xvii. Measures to demonstrate how the design can maximise resource efficiency and climate change adaptation through external, passive means, such as landscaping, orientation, massing, and external building features,
- xviii. Details of measures to minimise opportunities for crime,
- xix. An understanding of the context of the development in respect of the impact on the setting of the surrounding designated heritage assets including views from or towards the Ironbridge Gorge World Heritage Site and Buildwas Abbey. This should

include sections and modelling of views from key locations within or towards the World Heritage Site/Conservation Area/Scheduled Monument];

xx. Details of the Design Code review procedure and of circumstances where a review shall be implemented.

- b. The Design Code shall explain its purpose, structure and status and set out the mandatory and discretionary elements where the Design Code will apply, who should use the Design Code, and how to use the Design Code. All subsequent reserved matter applications shall accord with the details of the approved design code and be accompanied by a statement which demonstrates compliance with the code.

Reason: To ensure design consistency through the site, to ensure users' needs are met and the design is sensitive to the adjacent World Heritage Site. The Design Code shall explain its purpose, structure and status and set out the mandatory and discretionary elements where the Design Code will apply, who should use the Design Code, and how to use the Design Code.

Flexible uses

6. In accordance with The General Permitted Development Order, Schedule 2, Part 3, the development hereby approved is granted a flexible use for the following buildings for a period of 10 years, allowing a change of use between any of the following classes as defined under the Use Class Order as amended:

- a. Employment land comprising the following uses:

- Offices - Use Classes E(g)(i) and E(g)(ii);
- Light industry - Use Classes E(g)(iii);
- General industry - Use Class B2;
- Storage and distribution - Use Class B8.

- b. A local centre comprising the following uses:

- Non-food retail and other facilities - Use Classes E(a), E(b), E(c), E(d), E(e), E(f);
- Convenience foodstore - Use Classes E(a);
- Public house and hot food takeaways – Use Class sui generis;
- Leisure uses – Use Classes E(d);

For the avoidance of doubt the Units excluded from this change of use include:

- residential dwellings - Use Classes C3;
- primary school - Use Class F1(a);
- sports pavilion - Use Class F2(c);
- retirement village.

Reason: For the avoidance of doubt and to ensure the appropriate amenity and sustainability of the site.

Historic Environment

7. The following approved document and plans shall be implemented strictly in accordance with the approved details:
- i. Proposed Masterplan,
 - ii. The Sustainable Design Brief,
 - iii. The Green Infrastructure and Landscape Strategy,
 - iv. The Framework Travel Plan,
 - v. The proposed public transport improvements.

Reason: To enable the impacts upon the significance of the Ironbridge Gorge World Heritage Site and Conservation Area, Buildwas Abbey Scheduled Monument and local listed buildings to be minimised.

- 8a. Prior to the commencement of development on this site, a method statement to secure the safety and stability of the pump house shall be submitted to the LPA for approval. The method statement shall be supported by a structural survey and include measures to protect the building against weather damage and unauthorised access, and any necessary support for walls, floors or roofs. The works shall be carried out in accordance with the approved schedule of works within 12 months of the date of this permission.
- b. Prior to 180th occupation a scheme for the repair and re-use of the pump house for community and leisure use shall be submitted to the LPA for approval, to include proposed new use, elevations, plans, method of repairs, joinery details, details of external services and any other external fixtures, hard and soft landscaping, and any boundary treatments.

Reason: To enable the impacts of subsequent reserved matters schemes on local heritage assets to be reviewed (8a) and to sustain and enhance the significance of the heritage assets and putting them to viable uses consistent with their conservation, as required by the NPPF (8b).

9. Prior to the commencement of development on this site, a method statement for to secure the safety, stability and use of the bridge 170m east of the pump house as a pedestrian route, shall be submitted to the LPA for approval. This shall include repairs to masonry, ironwork and lighting units, replacement hard surfacing, and any landscaping. The works shall be carried out in accordance with the approved scheme before the occupation of the 180th dwelling.

Reason: To sustain and enhance the significance of the heritage assets and putting them to viable uses consistent with their conservation, as required by the NPPF.

10. The Senior Archaeologist at Shropshire Council shall be notified not less than one week prior to the commencement of soil stripping operations in each new phase of the development hereby approved. Sufficient access and time shall be afforded to allow the recording of any archaeological remains which may be uncovered

Reason: To allow sufficient access and time to record any archaeological remains which may be uncovered at the Site.

Drainage and sewerage

11. No construction of residential properties including groundworks shall commence within the first residential phase of the Site until a written report providing a full hydraulic and operational assessment of the performance of the public sewerage system has been submitted to and approved in writing by the Local Planning Authority in consultation with Severn Trent Water Ltd and the LLFA. Information to demonstrate that the new development will not contribute towards an increased risk of sewer flooding must be submitted including:
- i. Identification of the current capacity of the proposed point of foul discharge from the point of connection up to and including the sewerage treatment works
 - ii. Consideration of the most suitable point of connection to the public sewer, not just in terms of capacity, but in terms of the impact of sewer flooding, with particular reference to the Dale End area, which is topographically vulnerable.
 - iii. Suitable onsite mitigation measures to offset the impacts of any new connection to the public sewerage network
 - iv. A foul drainage phasing plan which identifies key thresholds for onsite and offsite works to be completed in order to mitigate flood risk impacts before additional areas of foul drainage for each phase are brought online.
 - v. The report shall demonstrate that adequate sewerage facilities will be provided to cater for the requirements of the development without ecological damage or an increase in flood risk will be in place prior to the occupation of each phase of development.

Reason: To avoid exacerbating or creating flooding and pollution from foul/ combined sewers and associated ancillaries including the sewage treatment works and to protect residents and the environment.

- 12a. No construction of residential properties including groundworks shall commence within the first residential phase of the Site until a written report providing a full hydraulic and operational assessment of the performance of the public sewerage system has been submitted to and approved in writing by the Local Planning Authority in consultation with Severn Trent Water Ltd.
- b. Within each phase of the development no construction of residential properties including groundworks shall commence until a scheme detailing the proposed foul drainage / sewerage provisions to apply for that specific phase has been submitted to and approved in writing by the Local Planning Authority in consultation with Severn Trent Water Ltd. The submitted schemes shall have appropriate regard to the report required under Condition 11a and shall be designed to cater appropriately for the additional sewerage and foul drainage capacity requirements which each successive phase of the permitted scheme will generate. This shall include details of all offsite works that will be completed prior to occupation in order to prevent an increase in downstream flood risk, as set out under Condition 12a. The submitted schemes shall be implemented in accordance with the approved details.
 - c. Within each of the main residential phases of the site no properties shall be occupied until the corresponding onsite and offsite foul drainage and sewerage scheme required under Condition 12b above has been implemented to the written satisfaction of the local planning authority in consultation with Severn Trent Water Ltd.

Reason: To avoid exacerbating or creating flooding and pollution from foul/ combined sewers and associated ancillaries including the sewage treatment works and to protect residents and the environment.

Informative Notes:

- i) *The developer has indicated an intention to connect the development to the mains sewerage system in accordance with section 106 of the Water Industry Act 1991. Given the capacity limitations of the existing system this is likely to require appropriate upgrades on land which falls both within and outside the current application site. Accordingly, this planning condition is supported by an associated legal agreement clause.*
 - ii) *The development will be built in a phased manner and over an indicative construction period of 14 years. During this time the number of houses and the corresponding demand on the existing sewerage and drainage system is expected to increase progressively. For the avoidance of doubt this planning condition is designed to ensure that the capacity of the existing sewerage and drainage system is increased appropriately prior to the anticipated increase in demand caused by the occupation of each successive housing phase. It is expected that initial upgrades where the level of on-site housing is relatively low may concentrate more on infrastructure provision within the site whilst off-site improvements to the existing sewerage / drainage system will occur progressively as housing numbers increase*
13. Each Reserved Matters application shall include detailed Flood Risk Assessments for each Phase. This shall include details identifying each flood risk and identifying how fluvial (main river and ordinary watercourse), pluvial and groundwater flood risks shall be safely managed within the development site, as well as detailed plans for how each culverted watercourse/ordinary watercourse shall be safely accommodated within the development. Plans showing the extent of Flood Zone 2 within the new development shall also be submitted, identifying which new properties would be affected and setting out the required flood risk mitigation for the proposed new properties and infrastructure, as well as identifying and mitigating any flood risk impact on downstream communities. The Flood Risk Assessments shall be agreed in writing by the Local Planning Authority.

Reason: to ensure that flood risk to the new development site can be safely managed and that flood risk offsite is not adversely affected.

- 14a. Development shall not take place on that phase until a scheme for surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The proposed scheme shall reduce the surface water discharge rate to as near to greenfield rates as possible or by a minimum of 50% of that existing. Any attenuation feature should be designed to attenuate all flows up to and including the 1 in 100 year event +30% for climate change. The approved details shall be implemented in full prior to the first occupation of the development.
- b. No development shall take place on that phase until confirmation of the additional modelling allowance set to address future urban creep as set out in Table 14 in TWC Local Flood Risk Management Strategy has been submitted to, and approved in writing by the Local Planning Authority. The approved scheme shall be completed before the development is occupied.

Reason: To reduce the impact of this development on the surrounding surface water infrastructure and avoid flooding.

15. Development shall not take place on that phase until a SUDS management plan which will include details on future management responsibilities, along with maintenance schedules for all SUDS/attenuation features and associated pipework has been submitted to and approved in writing by the Local Planning Authority. Any SUDS feature shall be located in appropriate POS and the approved SUDS management plan shall be implemented in full in accordance with the agreed terms and conditions.

Reason: To ensure the continued operation and maintenance of drainage features serving the site and avoid flooding.

Highways

Highways - External Lighting Impact Assessment

16. Not later than at the submission of the first of the reserved matters applications for the development the submitted external lighting impact assessment shall be updated and submitted to Local Planning Authority for approval. The updated lighting assessment shall relate to the entirety of the residential development and shall reflect phasing and the comments of relevant consultees as appropriate.

Reason: to ensure a consistent design approach throughout the development and in the interests of ecology and amenity.

Note- see also ecological condition 46 below.

Highways - Infrastructure phasing and completion plan

17. With the exception of enabling works, earthworks and strategic engineering works no development shall commence until a highway infrastructure phasing and completion plan applying within the permitted site has been submitted to and approved in writing by the Local Planning Authority. The plan shall ensure that the vehicular access roads, footways and other highway infrastructure necessary to service the permitted development is provided at appropriate times throughout the permitted development. Highway infrastructure shall be delivered in accordance with the approved phasing plan unless variations to this are first agreed in writing by the Local Planning Authority.

Reason: To clarify how delivery of highway infrastructure within the site is to be phased to assist with the determination of subsequent reserved matters applications and in order to ensure that infrastructure provision and environmental mitigation are provided in time to cater for the needs and impacts arising from the development.

Highways – Management plan for on-site Construction

18. No development shall take place on that phase until a construction management plan incorporating a method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be based on the approved outline construction management plan submitted in support of the application and shall provide for:

- i. A construction programme including phasing of works;
- ii. A 24-hour emergency contact number;
- iii. Expected number and type of vehicles accessing the site:
 - Deliveries, waste, cranes, equipment, plant, works, visitors;
 - Size of construction vehicles;
 - The use of a consolidation operation or scheme for the delivery of materials and goods;
 - Phasing of works;
- iv. Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction):
 - Programming;
 - Waste management;
 - Construction methodology;
 - Shared deliveries;
 - Car sharing;
 - Travel planning;
 - Local workforce;
 - Parking facilities for staff and visitors;
 - On-site facilities;
 - A scheme to encourage the use of public transport and cycling.
- vi. Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residential roads;
- vii. Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
- viii. Locations for storage of plant/waste/construction materials;
- ix. Arrangements for the turning of vehicles, to be within the site unless completely unavoidable;
- x. Arrangements to receive abnormal loads or unusually large vehicles;
- xi. Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;
- xii. Any necessary temporary traffic management measures;
- xiii. Measures to protect vulnerable road users (cyclists and pedestrians);
- xiv. Arrangements for temporary facilities for any bus stops or routes;
- xv. Method of preventing mud being carried onto the highway;
- xvi. Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

The plan shall be adhered to throughout the construction period

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development

Highways - Construction Access

- 19a. Prior to the first occupation of the permitted development full engineering details of the proposed construction access on to A4169 Much Wenlock Road as shown on drawing ADC1776-DR-101 P2 shall be submitted to and approved in writing by the Local Planning Authority. The works shall be fully implemented in accordance with the approved details before the occupation of the 250th dwelling.
- b. CCTV shall be installed at the proposed construction access on to the A4169 Much Wenlock Road so that all construction vehicles are traceable.

Reason: To ensure a satisfactory means of access to the highway.

Highways - Traffic Calming works at Buildwas, Leighton and Atcham

20. Prior to the occupation of the 150th dwelling full engineering details of the proposed traffic calming works on B4380 at Buildwas, Leighton and Atcham shall be submitted to and approved in writing by the Local Planning Authority. This is in accordance with the legal agreement accompanying this permission. The works shall be fully implemented in accordance with the approved details prior to the occupation of the 250th dwelling within the permitted site.

Reason: To ensure a satisfactory means of access to the highway.

Highways - Buildwas Bank Roundabout

21. Prior to occupation of the 180th residential property a scheme for the implementation of a roundabout, and other associated works at the A4169 Buildwas Bank/Much Wenlock Road junction shall be submitted to and approved in writing by the Local Planning Authority. This is in accordance with the legal agreement accompanying this permission. The scheme shall be implemented with the approved details and shall be in general conformity with the approved indicative roundabout plan ref ADC1776-DR-007 P3.

Reason: In the interest of highway safety and to avoid congestion in the surrounding area

Highways - Bridge Access onto Buildwas Road

22. At not later than the submission of the first reserved matters application a full plan and timetable for the proposed use of the extant road bridge serving the development from Buildwas Road shall be submitted for the approval in writing of the Local Planning Authority. The submitted details shall include:
- i. A timetable for the implementation of use and the subsequent cessation or part cessation in use of the bridge, once primary vehicular site access is fully operational from the Much Wenlock Road.
 - ii. Details of the specific users of the bridge at each phase of the development programme prior to any cessation or part cessation and the measures proposed to control such uses.
 - iii. The specific engineering measures to be implemented, following the requisite bridge condition surveys, to ensure the bridge is to the necessary structural standards for the uses proposed in part (ii)
 - iv. A plan for the private management and/or highway adoption of the bridge including any financial arrangements and/or commuted payment sums for its ongoing maintenance.

- v. Details of the specific secondary vehicular access solution onto the Much Wenlock Road, prior to the installation of the primary site accesses, in the event that Buildwas Road is closed and the bridge access is unusable.
- vi. Details of the strategy and timetable review procedure and of circumstances where a review shall be implemented.

The plan shall be implemented in accordance with the approved details and timetable.

Reason: To ensure a satisfactory access strategy for the site

Highways - Travel Plan

- 23a. Notwithstanding the submitted Employment Framework Travel Plan, before the 250th residential dwelling is occupied details of a new Travel Plan for the development including an implementation timetable shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Local Authority Travel Plan Co-ordinator. This is in accordance with the legal agreement accompanying this permission. The Travel Plan shall set out proposals, including a timetable and bus strategy, to promote travel by sustainable modes which are acceptable to the Local Planning Authority.
- b. The Travel Plan shall be implemented in accordance with the approved details and timetable unless the Local Planning Authority has previously provided written approval for proposed changes to the plan. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually to Local Planning Authority for approval for a period of ten years from the 250th occupation of the development.

Reason: To promote sustainable modes of transport in line with both local and national objectives

Highways - Railway Link

- 24. Prior to first occupation a long term strategy for the sustainable use of the extant railway line shall be submitted for the approval in writing of the Local Planning Authority in accordance with the legal agreement linked to this permission. The submitted details shall include:
 - i. Details of connection to the main line at Stafford Park 12 following the export of mineral and PFA from the site.
 - ii. A timetable for the implementation of uses, other than those for the industrial removal of material from the site.
 - iii. The full scheme and extent of works to facilitate the uses proposed in part (i)
 - iv. Details of the strategy and timetable review procedure and of circumstances where a review shall be implemented.

The scheme shall be implemented in accordance with the approved details and timetable.

Reason: To promote sustainable modes of transport in line with local and national objectives and to ensure the long-term sustainable use of the railway asset.

Highways - A4169 Much Wenlock Northern Access

25. Prior to the occupation of the 250th dwelling full engineering details of the proposed signalised junction on to A4169 Much Wenlock Road and traffic calming measures on the approach to the junction as shown on drawing ADC1776-DR-006 P2 shall be submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved details before the occupation of the 400th dwelling.

Reason: To ensure a satisfactory means of access to the highway.

Highways - A4169 Much Wenlock Southern Access

26. Within 5 years of commencement or prior to the occupation of the 400th dwelling, whichever is the sooner, full engineering details of the proposed roundabout junction on to A4169 Much Wenlock Road as shown on drawing ADC1776-DR-002 (Phase 6) shall be submitted to and approved in writing by the Local Planning Authority. The works shall be fully implemented in accordance with the approved details.

Reason: To ensure a satisfactory means of access to the highway.

Highways – Castlefields Way

27. The 250th residential occupation of the development, authorised by this permission, shall not begin until a full scheme of highway improvement works for the implementation of partial traffic signal control, lane widening, incorporated pedestrian crossing facilities and all other necessary and associated works, at the A4169/B4373 Castlefields Way Roundabout, as broadly propounded in submitted drawing ADC1776-DR-012, have been delivered in full and certified in writing by the Local Planning Authority as complete. The Local Planning Authority is to approve in writing the detailed design for the full scheme of these aforementioned works, which shall be in accordance with a modelled design year of 2036, prior to the commencement of its delivery.

Highways - Road construction

28. A scheme detailing the design and construction of all new internal roads, footways and accesses together with measures for the disposal of highway surface water shall be submitted to and approved in writing by the Local Planning Authority. No development shall take place in any phase until these details have been approved for the corresponding phase. The scheme shall be fully implemented in accordance with approved details.

Reason: In the interests of highway safety.

Highways - Electric Vehicle Charging Points

29. No building hereby permitted shall be occupied until details of the total number of car parking spaces, the number/type/location/means of operation and a programme for the installation and maintenance of Electric Vehicle Charging Points and points of passive provision for the integration of future charging points for that phase has been submitted to and approved in writing by the Local Planning Authority prior to construction of the above

ground works. The Electric Vehicle Charging Points as approved shall be installed prior to occupation and retained in that form thereafter for the lifetime of the development.

Reason: To promote sustainable travel, aid in the reduction of air pollution levels and help mitigate climate change.

Rights of Way

- 30a. Development of the site and its connection to existing sustainable green routes, shall be in general accordance with the “Existing Public Rights of Way network with proposed links and diversions” plan (ref: ADC1776-DR-008-P1) dated 10/12/2019 submitted within the “response to comments on Public Right of Way” dated 17th August 2020.
- b. A scheme confirming arrangements for dedication of the public rights of way and timescales for bringing them into use shall be submitted to and approved in writing by the Local Planning Authority within 12 months of the date of this permission.

Reason: To deliver sustainable green routes in line with both local and national objectives

Construction Environmental Management Plan

- 31a. Development, ground clearance and remediation on any individual phase shall not take place until a Construction Environmental Management Plan (in respect of that phase) has been submitted to and approved in writing by the Local Planning Authority. The plan shall take account of the principles set out in the Environmental Statement and should comply with the Considerate Constructors Scheme, as well as the principles set out in the Provisional Construction Environmental Management Plan by FRCR and ADC Infrastructure dated December 2020. The CEMP should also take into account the results of the update ecology surveys undertaken for that phase, and any adjacent phases. The proposed scheme shall include the following details:

- i. Location of site compound
- ii. Parking of vehicles of site personnel, operatives and visitors
- iii. Defined routes for construction vehicles
- iv. Protection to pedestrians and cyclists
- v. Proposed temporary traffic management
- vi. Arrangements for the turning of construction traffic within the site
- vii. Loading and unloading of plant and materials
- viii. Storage of plant and materials in constructing the development
- ix. Storage of oil, fuel and chemicals
- x. Protection of archaeology
- xi. Prevention of mud being deposited on highway
- xii. Measure for the control and reduction of noise from construction works
- xiii. Measures for control of construction traffic within the site and on the surrounding highway network
- xiv. Hours of operation of construction works and others works on the site
- xv. Measures for the monitoring and enforcement of the plans
- xvi. The erection and maintenance of security hoarding, including decorative displays and facilities for public viewing, where appropriate
- xvii. The establishment of a stakeholder group that shall meet at regular intervals throughout the construction period

- xviii. Procedures for maintaining good public relations including complaint management, public consultation.
- xix. Dust management plan
- xx. Construction lighting
- xxi. Protection of ecology – including:
 - Pollution prevention measures;
 - Risk Assessment of potentially damaging construction activities;
 - Identification of 'biodiversity protection zones';
 - Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
 - The location and timing of sensitive works to avoid damage to biodiversity features;
 - The times during construction when specialist ecologists need to be present on site to oversee works;
 - Responsible persons and lines of communication;
 - The roles and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person; and
 - Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

- b. Subject to Condition 31c construction work shall not take place other than between the hours of 7.30am – 6.00pm, Monday to Friday and 8am until 12 noon on Saturdays and there will be no Sunday or Bank Holiday working. This is unless details of extended working proposals have first been submitted to and approved in writing by the Local Planning Authority.
- c. Notwithstanding Condition 31b noisier operations capable of generating noise levels exceeding 10dBA above background levels at nearest noise sensitive properties shall not be undertaken outside the hours of 08:00-18:00 Monday to Friday and 08:00-13:00 on Saturdays.
- d. A bower shall be employed on site during the construction phase in order to control dust and adequate water shall be made available for this purpose.

Reason: In the interests of amenity protection, highway safety and wildlife protection.

Tree protection

- 32. No phase or part of the development hereby approved shall commence until a tree survey, an Arboricultural Impact Assessment, an Arboricultural Method Statement and a Tree Protection Plan specific to that part or phase of the development, prepared in accordance with British Standard 5837: 2012 Trees in Relation to Design, Demolition and Construction – Recommendations, or its current version, have been submitted to and approved in writing by the LPA. Thereafter the development shall be carried out strictly in accordance with the recommendations of these approved plans and reports.

Reason: to safeguard the amenities of the local area and to protect the natural features that contribute towards this and that are important to the appearance of the development.

Note: In this condition 'retained tree' means an existing tree, woody shrub or hedge which is to be retained in accordance with the approved plans and particulars; and any tree, woody shrub or hedge planted as a replacement for any 'retained tree'.

33. Notwithstanding the conclusions set out in the Arboricultural Impact Assessment by FPCR and associated Tree Retention Plans (revised August 2020), the strategic trees which were planted for the purpose of softening the appearance of existing building(s) shall be retained. These include the following trees/groups as annotated in the AIA:

G42(B), G46(C), G58(C) and G60(C) in their entirety;

These tree groups shall be protected from damage for the duration of works on the site, by the erection of protective fencing in accordance with British Standards 5837 : 2012. Any trees removed without the Local Planning Authority's consent or which die or become, in the opinion of the Local Planning Authority, seriously diseased or otherwise damaged within five years following completion of the approved development, shall be replaced as soon as is reasonably practicable and, in any case, by no later than the end of the first available planting season, with plants of such size and species and in such positions as approved in writing with the Local Planning Authority.

Reason: To ensure the continuity of amenity afforded by existing trees.

34. No retained tree shall be wilfully damaged or destroyed, uprooted, felled, lopped, topped or cut back in any way other than in accordance with the approved plans and particulars, without the prior written approval of the LPA. Any approved tree works shall be carried out in accordance with British Standard 3998: 2010 Tree Work - Recommendations, or its current version.

Reason: to safeguard the amenities of the local area and to protect the natural features that contribute towards this and that are important to the appearance of the development.

- 35a. No ground clearance or construction work shall commence within each phase of the development until a scheme has been approved in writing by the Local Planning Authority to safeguard trees to be retained on site as part of the development. The submitted scheme shall include the provision of a tree protection plan that reflects the guidance given in BS5837:2012. The approved scheme shall be implemented for the duration of the construction works.
- b. No works shall commence until the Local Planning Authority has approved in writing that the Tree Protection Measures have been established in compliance with the final approved tree protection plan (Photographs of it in place might suffice).

Reason: To safeguard existing trees and/or hedgerows on site and prevent damage during building works in the interests of the visual amenity of the area.

36. No ground clearance or construction work shall commence within each phase of the development until a detailed tree, woodland and hedgerow management plan for the phase has been submitted to and approved in writing by the Local Planning Authority in

accordance with the legal agreement accompanying this permission. The plan shall cover the sustainable management of these features in the long term, beyond any post-planting aftercare period stipulated in the approved landscape plans and/or governed by planning conditions.

37. The destruction by burning of any materials during the construction period shall not take place within 6 metres of the furthest extent of the canopy of any tree groups or hedgerow to be retained on site.

Reason: To prevent trees and hedgerows on site from being damaged during building works.

38. The soil levels within the root protection zone of the retained trees shall not to be altered, raised or lowered, without the prior written approval of the Local Planning Authority.

Reason: To prevent trees or hedgerows on site from being damaged during building works.

Ecology

Ecology - Updated Surveys

- 39a. Each submission of Reserved Matters shall include a complete set of updated ecological surveys for the site area covered by that Reserved Matters permission (and beyond for appropriate species e.g badger). The update surveys shall be used to update and amend, as necessary, the approach to ecological mitigation where appropriate.
- b. If the approved development, or any phase thereof, does not commence within 3 years of the date of the outline planning consent the approved ecological measures secured through the planning conditions shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to (i) to establish if there have been any changes in the presence and/or abundance of any protected species or priority habitat and (ii) to identify any new ecological impacts that might arise from any changes.
- c. Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of development or the relevant phase of development.

Works shall then be carried out in accordance with the approved new ecological measures and timetable.

Reason: To ensure the protection of biodiversity in accordance with NPPF.

Ecological Method Statements

40. Each submission for Reserved Matters shall include the submission of an Ecological Mitigation Strategy and Reasonable Avoidance Measures Method Statement to be

approved in writing by the Local Planning Authority. The information required by this condition shall cover:

- i. Great crested newts;
- ii. Amphibians'
- iii. Reptiles;
- iv. Badgers;
- v. Breeding birds;
- vi. Protected notable plants;
- vii. Otter;
- viii. Bats;
- ix. Invasive species;
- x. Protection of retained habitats;
- xi. Protection of the riparian zone; and
- xii. Protection of designated sites.

All works shall then be carried out in accordance with the approved details.

Reason: To ensure the protection of biodiversity in accordance with NPPF

Ecology - European Protected Species

41. Prior to works to any tree with low, moderate or high bat roosting potential as identified on ecology figure 7.11 by FPCR a reasonable avoidance measures method statement for the protection of bats shall be submitted to, and approved in writing by, the Local Planning Authority. Works shall then be carried out in accordance with the approved details.

Reason: To ensure the protection of bats, a European Protected Species.

- 42a. All works on the site shall be carried out in accordance with the European Protected Species (EPS) Mitigation Licences already in place with respect to bats (in buildings) and Great Crested Newts. Copies of the required European Protected Species Mitigation Licences shall be provided to, and acknowledged in writing by, the Local Planning Authority prior to the works covered by the licence(s) commencing.
- b. Works within 50m of the former pump house which will impact upon individual otters shall not commence until a copy of the European Protected Species Mitigation Licence with respect to otter has been obtained from Natural England and submitted to the Local Planning Authority.
- c. Works shall be carried out strictly in accordance with the granted EPS Mitigation Licence and the associated method statement and shall be supervised, where appropriate, by an experienced, licensed ecologist.

Reason: To ensure the protection of bats, great crested newts and otter, which are European Protected Species

Ecology - Badger update surveys

- 43a. Each submission of reserved matters shall include an updated badger survey and an accompanying update to the Badger Mitigation Strategy by FPCR (2020) which shall be

approved in writing by the Local Planning Authority. Works shall occur in accordance with any Badger Disturbance Licences already in place on the site following on from the demolition phase, the minerals extraction phase or any phase of residential development already permitted.

- b. Works shall be carried out strictly in accordance with agreed mitigation strategy, the granted Licence(s) and the associated method statement and shall be supervised, where appropriate, by an experienced, licensed ecologist.

Reason: To ensure the protection of badgers

Ecology - Erection of artificial nesting/roosting boxes

- 44. Each submission for reserved matters shall include details of the provision of artificial nesting and/or roosting boxes to be erected within that phase. The type and location of the features shall be submitted to and agreed in writing with the Local Planning Authority and the scheme shall then be undertaken in accordance with the agreed details. Across the whole outline permission the following artificial nesting/roosting boxes shall be provided:
 - i. A total of 200 integral bat boxes suitable for nursery or summer roosting for small crevice dwelling bat species
 - ii. A total of 200 bat boxes suitable for nursery or summer roosting for small crevice dwelling bat species
 - iii. A total of 50 bat boxes suitable for winter/hibernation roosting for small crevice dwelling bat species
 - iv. A total of 250 artificial nesting boxes suitable for a range of bird species, including robin, blackbird, tit species, starling, woodpecker, grey wagtail and stock dove
 - v. A total of 70 artificial nesting boxes suitable for house sparrow
 - vi. A total of 100 artificial nesting boxes suitable for bird species such as swallows, house martins and swifts
 - vii. A total of 3 artificial nest boxes for tawny owl
 - viii. A total of 20 kingfisher nest tunnels incorporated into bridges or vertical banks beside the river
 - ix. A total of 10 hedgehog boxes and 5 hedgehog hibernation boxes
 - x. A total of 10 hedgehog boxes and 5 hedgehog hibernation boxes
 - xi. A total of 50 invertebrate bricks.

Reason: To ensure the provision of roosting/nesting opportunities for wildlife in accordance with the National Planning Policy Framework

Ecology - Reptile and Amphibian Mitigation

- 45. The first submission of reserved matters shall include a site wide Reptile and Amphibian Mitigation Strategy to be submitted to, and agreed in writing by, the Local Planning Authority setting out:
 - i. The principles of proposed aquatic and terrestrial habitat provision across the whole site;
 - ii. The provision of hibernacula and refugia including number and approximate locations of features;

- iii. The provision of amphibian and reptile friendly road crossing features;
- iv. The provision of amphibian friendly highway drainage features in appropriate locations on the site;
- v. The proposals relating to the long term management of the offsite great crested newt and reptile mitigation area (including roles and responsibilities and ongoing funding mechanisms);
- vi. The proposals (including working measures and timing) relating to the eventual integration of the offsite mitigation area into the completed scheme through the sensitive removal of semi-permanent amphibian fencing

Each subsequent reserved matters application shall include a detailed Reptile and Amphibian Mitigation Strategy for that phase to be submitted to, and approved in writing by, the Local Planning Authority. All works carried out in line with the relevant detailed strategy which will link to the landscaping proposals, habitat creation proposals and landscape and habitat management plans as appropriate.

Reason: To ensure the provision of appropriate aquatic and terrestrial habitat for reptiles and amphibians and to ensure appropriate connectivity of those habitats across the whole site.

Ecology – Wildlife Connectivity Strategy

- 46. Each submission of reserved matters shall include a Wildlife Connectivity Strategy for that phase setting out measures including, but not limited to, wildlife underpasses, wildlife crossing points, amphibian friendly gully pots, sensitive lighting, protective fencing and other wildlife friendly design measures to be submitted to, and approved in writing by, the Local Planning Authority. The Wildlife Connectivity Strategy for each phase will have regard to the principles set out on the Wildlife Connectivity Parameters Plan by FPCR Figure 7.26 and the scheme will then be undertaken in accordance with the agreed details.

Reason: To ensure the provision of appropriate wildlife mitigation design measures and to ensure appropriate connectivity for species across the whole site.

Ecology – Little Ringed Plover

- 47. Prior to commencement of development full details of the creation, maintenance and ongoing management of the little ringed plover habitat provision indicated on the Wildlife Connectivity Parameters Plan by FPCR Figure 7.26 shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall then be undertaken in accordance with the agreed details.

Reason: To ensure the provision and appropriate management of suitable habitat for little ringed plover.

Ecology - Lighting Plan

- 48. Prior to the erection of any external lighting on the site a lighting plan shall be submitted to and approved in writing by the Local Planning Authority. Lighting shall be designed to have particular regard to the Light and Light Spill Avoidance Mitigation Zone shown on the FPCR Figure 7.18a. The development shall be carried out in accordance with the approved details and thereafter retained for the lifetime of the development. The submitted

scheme(s) shall be designed to take into account the advice on lighting set out in the Bat Conservation Trust's Guidance Note 08/18 Bats and artificial lighting in the UK.

Reason: To minimise disturbance to bats, a European Protected Species.

Note – See also highway lighting condition 14 above.

Ecology - Habitat Creation and Management Plan

49a. A habitat creation and management plan shall be submitted to and approved by the Local Planning Authority prior to the commencement of each phase of development on the site. The plan shall be prepared by an experienced ecologist and shall include:

- i. Description and evaluation of the habitat features to be retained and managed;
 - ii. Description and location of habitat features to be created;
 - iii. Aims and objectives of habitat creation;
 - iv. Mechanisms and timescales for habitat creation including soil levels and types, seed mixes, tree and shrub specifications and planting specifications;
 - v. Procedures to deal with failures;
 - vi. Personnel responsible for implementation of the plan;
 - vii. Monitoring and remedial/contingency measures.
 - viii. Appropriate management options for achieving aims and objectives;
 - ix. Mechanisms for ensuring funding in perpetuity;
 - x. Identification of the parties responsible for all elements of management;
 - xi. Prescriptions for management actions for establishment, ongoing maintenance and repairs to both hard and soft landscaping, habitat and woodland features;
 - xii. Preparation of an ongoing works schedule, detailed for the first 5 years with review and agreement of ongoing work planning with the LPA at least every 5 years in perpetuity;
- b. All hard and soft landscape works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with the timetable agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years after planting, are removed, die or become in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced with others of a similar species, size and number by the end of the first available planting season.

Reason: To ensure the provision of amenity afforded by appropriate landscape design and to enhance biodiversity.

Note: Landscaping details will be determined at reserved matters stage. Submitted details should include:

- i. Existing and proposed finished levels or contours;
- ii. Means of enclosure;
- iii. Car parking layouts;
- iv. Other vehicle and pedestrian access and circulation areas;
- v. Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting);

- vi. *Proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines, etc. indicating lines, manholes, supports, etc.);*
- vii. *Retained historic landscape features and proposals for restoration, where relevant;*
- viii. *Highways features designed to make the site permeable to reptiles and amphibians (particularly great crested newts) including offset or sumpless gully pots, dropped kerbs and newt underpasses;*
- ix. *Planting plans;*
- x. *Woodland planting plans;*
- xi. *Planting plans for aquatic features;*
- xii. *Written specifications including cultivation and other operations associated with plant and grass establishment;*
- xiii. *Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate. The planting scheme shall include a mix of native species of local provenance, berry-producing shrubs and/or nectar-rich flowers;*
- xiv. *Implementation timetables;*
- xv. *Procedures to deal with failures.*

Ecology – Protection of SSSI and Ancient Woodland

50. Development shall occur in accordance with the SSSI and Ancient Woodland Buffers Plans by FPCR Figures 7.23a through to 7.23e. The 15m buffer zone will be fenced prior to the commencement of development and fencing will remain in place with no access to the buffer during the construction phase. Works will generally remain over 50m from the woodland edge with the exception of the 3 'focus areas' identified on figure 7.23a where demolition, reinstatement and infrastructure construction activities are required.

Reason: To ensure the protection of designated sites and irreplaceable habitats

Ecology – Biodiversity Net Gain

51. Each submission of reserved matters shall include a detailed assessment of Biodiversity Net Gain for that phase based on the detailed habitat creation and landscaping proposals for that phase to be submitted to, and approved in writing by, the Local Planning Authority. Each phase will be required to demonstrate delivery of a net gain in biodiversity units in line with local and national policy and shall then implement the net gain as agreed. Assessments of Biodiversity Net Gain will be linked to detailed habitat creation and landscaping proposals for each phase as well as to long term management mechanisms and financial arrangements to ensure that the unit gains can be delivered. A schedule of monitoring and arrangements for interventions will also need to be submitted and agreed.

Reason: To ensure the delivery of appropriate net gains for biodiversity

52. No development shall take place, including ground works and vegetation clearance, until a biodiversity monitoring strategy has been submitted to, and approved in writing by, the local planning authority. The purpose of the strategy shall be to ensure the delivery of species and habitat mitigation measures and the implementation of the required Biodiversity Net Gain set out in the planning conditions. The strategy shall include the following:

- i. Aims and objectives of monitoring to match the stated purpose;
- ii. Identification of adequate baseline conditions prior to the start of development;

- iii. Appropriate success criteria, thresholds, triggers for intervention and targets against which the effectiveness of the various conservation measures being monitored can be judged;
- iv. Method for data gathering and analysis;
- v. Location of monitoring;
- vi. Timing and duration of monitoring;
- vii. Responsible persons and lines of communication; and
- viii. Review, and where appropriate, publication of results and outcomes.

A report describing the results of monitoring shall be submitted to the local planning authority at intervals identified in the strategy. The report shall also set out (where the results of the monitoring show that conservation aims and objectives are not being met) how contingencies and/or remedial action will be identified, agreed with the local planning authority, and then implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The monitoring strategy will be implemented in accordance with the approved details.

Reason: To ensure that the proposed development delivers the fully functioning biodiversity outcomes set out, firstly, in the planning application and then approved in the planning consent. Monitoring is also required to: a) determine whether any conservation actions have been ineffective, leading to failure (in full or part) to achieve stated conservation objectives, and b) identify contingencies and/or remedial measures required to ensure that biodiversity outcomes comply with the originally approved scheme.

Pollution control

- 53. Development shall not take place on any individual phase other than that required to be carried out as part of an approved scheme of remediation until parts a. to d. have been complied with, unless otherwise agreed by the Local Planning Authority. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until part d has been complied with in relation to that contamination.

Site Characterisation

- a. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include (where applicable):
 - i. a survey of the extent, scale and nature of contamination
 - ii. an assessment of the potential risks (where applicable) to:
 - human health
 - property (existing or proposed) including buildings, crops (including the location of the proposed allotments), livestock, pets, woodland and service lines and pipes

- adjoining land
 - groundwaters and surface waters
 - ecological systems
 - archaeological sites and ancient monuments;
- iii. an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Submission of Remediation Scheme

- b. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Implementation of Approved Remediation Scheme

- c. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reporting of Unexpected Contamination

- d. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of part a, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of part b, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with part c.

Long Term Monitoring and Maintenance

- e. A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority. This must be conducted in accordance with DEFRA and the

Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Noise Mitigation

54. The use of any commercial or industrial development, or fixed plant or machinery, within the site shall not commence until a written scheme for noise assessment (and where necessary) mitigation has been approved by the Local Planning Authority in respect of the potential noise impact from that development to existing or proposed noise sensitive receptors. The proposed mitigation methods shall take account of the principles identified within the Environmental Statement submitted with the application, and any associated documents. The approved scheme shall be carried out in full and maintained/ retained for the life of the development.

Reason: In order to protect amenity of the area in respect of noise pollution created by the proposed development.

55. Development (excluding any ground clearance and remediation) on any individual phase shall not commence until a detailed scheme for appropriate noise mitigation relevant to that phase has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be prepared taking account of the principles as set out in the Environmental Statement and include any or all of the following:
- i. Location and orientation of noise sensitive receptors
 - ii. Location, orientation, specification and details of any noise barriers
 - iii. Noise insulation and noise protection schemes to noise sensitive receptors (specifications and other details as appropriate)
 - iv. Identification and mitigation of noise sources introduced into the development (specification and mitigation as appropriate).

The approved scheme shall be carried out in full prior to first occupation of any individual unit within that phase and thereafter maintained / retained in perpetuity.

Reason: In order to protect amenity of the development in respect of noise pollution from the surrounding sources.

56. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect ground and surface waters ('controlled waters' as defined under the Water Resources Act 1991).

Ground Stability

57. Development shall not take place in any individual phase until details of any earthworks relating to that phase have been submitted to and approved in writing by the Local Planning Authority. These details shall include any proposed grading and mounding within the site including the existing and proposed levels and contours to be formed, and the relationship of proposed mounding to existing vegetation and surrounding landform and for their future maintenance. Such details shall have particular regard to the proximity of the railway line, ensuring the safety of the wider area. The development shall be carried out and maintained in accordance with the approved details.

Reason: In the interest of maintaining the amenity value of the area, and to protect the adjacent railway line.

PFA Removal

58. A scheme detailing how PFA will be excavated and removed from the permitted site including any processing operations shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any PFA excavation operations at the permitted. The scheme shall set out the measures which will be put in place to ensure that the PFA removal operation does not impact adversely on the local environment and nearby land uses (including existing residential uses and new homes which may be constructed at the site during the PFA operation) through control of noise, dust and visual impact. The scheme shall be implemented in accordance with the approved details.

Reason: In the interests of environmental protection and to protect local amenities.

Sports and Recreation Provision

59. No development shall take place until a scheme which sets out proposals for the provision of a sports pavilion on the site have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the following matters:
- i. Programme for the implementation of the sports pavilion (which shall ensure that the pavilion is fully constructed on site prior to the 251st dwelling)
 - ii. Detailed specification of the building and associated facilities
 - iii. Finished levels and contours
 - iv. Means of enclosure
 - v. Vehicle and pedestrian access and circulation
 - vi. Hard surfacing
 - vii. Landscaped areas

The approved scheme shall be implemented in full in accordance with the approved implementation programme.

Reason: To ensure provision of new pavilion on the site and to ensure that the pavilion is provided in a timely manner in the interests of the amenity of future residents.

60. Before the commencement of each phase of the development the following details relating to on-site open space and recreation shall be submitted to and approved in writing by the Local Planning Authority:

- i. A long-term landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned domestic gardens.
- ii. A schedule of long-term landscape maintenance including details of the arrangements for its implementation and management.

The landscape management plan shall identify the principle of public access and who is to manage the landscaped areas (e.g. resident management company), how it is to be managed and how it is to be funded (e.g service charge). The landscape management plan shall be carried out in full as approved. The landscape implementation and maintenance shall be carried out in accordance with the approved schedule.

Reason: To ensure that due regard is paid to the continuing enhancement and long-term maintenance of amenity afforded by landscape features of communal public, nature conservation or historical significance.

61. No development shall take place until a scheme which sets out proposals for the provision of a combined Locally Equipped Area of Play (LEAP) and Neighbourhood Equipped Area of Play (NEAP) within that phase have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the following matters:

- i. Programme for the implementation of the combined LEAP/ NEAP (which shall ensure that the LEAP/NEAP is fully constructed on site prior to the first occupation of any approved dwelling overlooking (and within 30 metres of the LEAP/NEAP)
- ii. Detailed specification of the equipment to be provided
- iii. Finished levels and contours
- iv. Means of enclosure
- v. Vehicle and pedestrian access and circulation
- vi. Hard surfacing
- vii. Landscaped areas

The approved scheme shall be implemented in full in accordance with the approved implementation programme.

Reason: To ensure provision of new play facilities on the site and to ensure that the play area is provided in a timely manner in the interests of the amenity of future residents.

62. Reserved matters consent for the relevant phase, inclusive of the local centre, shall include full details of the allotments, and associated parking areas (to include the timing of the implementation of those details).

Reason: In order for the full consideration of the layout and interaction of these facilities with the proposed dwellings, and that the development is of an appropriate standard.

63. Prior to the occupation of the 150th dwelling the following details will be submitted to and approved in writing by the local planning authority following consultation with Sport England:

- i. A detailed assessment of ground conditions (including drainage and topography) for playing pitches which identifies any constraints which could adversely affect playing field quality;
- ii. A detailed Scheme for the establishment of the playing pitches which also addresses any constraints identified by the assessment carried out under (i) above. The scheme shall include a Written Specification of the proposed soil structure, proposed drainage, cultivation and other operations consistent with the standards and methodologies set out in the Technical Guidance Note "Natural Turf for Sport" (Sport England 2011) and the design guidance of the relevant National Governing Bodies for Sport;
- iii. a phased programme of implementation for the playing field and pavilion which shall be fully constructed on site prior to the 251st dwelling or before the first occupation of the education establishment (whichever is earlier);
- iv. A Schedule of playing field maintenance allied to the programme of implementation and for a minimum period of five years in relation to each phase.
- v. Details of the pavilion / changing rooms including car parking, and which shall be fully constructed on site prior to the 251st dwelling.

The approved Scheme shall be carried out in full and in accordance with the approved programme of implementation. The land shall thereafter be maintained in accordance with the approved Schedule and made available for playing field use in accordance with the approved Scheme.

Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to accord with Development Plan Policy.

64. No development shall commence on Phase 3, or the 251st dwelling, until a Management and Maintenance Scheme for the playing fields and associated ancillary facilities, including management responsibilities, a maintenance schedule including a long term programme for implementation for a minimum period of [five] years starting from the commencement of use of the development [or other specified time period], and a mechanism for review has been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. Following the commencement of use of the development the approved schedule shall be complied with in full.

Reason: To ensure that the playing field is first established as a functional playing field to an adequate standard and is fit for purpose and to accord with Development Plan Policy.

65. No development shall commence until details for the phasing of the development, including the provision of the playing fields and ancillary facilities have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The details shall ensure that the works comprised in (specified part) of the development hereby permitted shall not be commenced before the works comprised in (specified part) are completed. The development hereby permitted shall not be carried out other than in accordance with the approved details.

Reason: To ensure the satisfactory quantity, quality and accessibility of compensatory provision which secures a continuity of use [phasing provision] and to accord with Development Plan Policy.

66. No development shall commence on Phase 3, or the 251st dwelling, until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the playing fields and ancillary facilities and include details of pricing policy, hours of use, access by community users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy.

Notes:

- i. *Guidance on preparing Community Use Agreements is available from Sport England. <http://www.sportengland.org/planningapplications/> For artificial grass pitches it is recommended that you seek guidance from the Football Association/England Hockey/Rugby Football Union on pitch construction when determining the community use hours the artificial pitch can accommodate.*
- ii. *It is recommended that the maintenance schedule and programme for implementation is developed by a specialist turf consultant. The applicant should be aiming to ensure that any new or replacement playing field is fit for its intended purpose and should have regard to Sport England's technical Design Guidance Note entitled 'Natural Turf for Sport' (2011) and relevant design guidance of the National Governing Bodies for Sport e.g. performance quality standards produced by the relevant pitch team sports, for example the Football Association.*

Linkage with mineral application reference 19/05509/MAW

(Condition to be included if application reference 19/05509/MAW is permitted)

67. No development, apart from the preliminary works involving the construction of the new access road onto the Much Wenlock Road shall take place within the limit of mineral extraction shown on drawing No. HE014_D.1003B until all approved mineral extraction works have been completed in accordance with application reference 19/05509/MAW. This is unless a scheme setting out the details of the proposed additional preliminary works has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that mineral extraction and associated restoration has been completed in accordance with approved details prior to commencement of other development under this permission within the area of permission reference 19/05509/MAW.

Informative Notes

Ecology

- i. *Badgers, their setts and the access to the setts are expressly protected under the Protection of Badgers Act 1992. It is a criminal offence to kill, injure, take, possess or control a badger; to damage, destroy or obstruct access to a sett; and to disturb a badger whilst it is occupying a sett. No development works or ground disturbance should occur within 30m of a badger sett without having sought advice from an appropriately qualified and experienced ecologist and, where necessary, without a Badger Disturbance Licence from Natural England. All known badger setts must be subject to an inspection by an ecologist immediately prior to the commencement of works on the site. There is an unlimited fine and/or up to six months imprisonment for such offences. Items used to commit the offence can also be seized and destroyed.*
- ii. *All bat species found in the U.K. are protected under the Habitats Directive 1992, The Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended). It is a criminal offence to kill, injure, capture or disturb a bat; and to damage, destroy or obstruct access to a bat roost. There is an unlimited fine and/or up to six months imprisonment for such offences. If any evidence of bats is discovered at any stage then development works must immediately halt and an appropriately qualified and experienced ecologist and Natural England (0300 060 3900) contacted for advice on how to proceed. The Local Planning Authority should also be informed.*
- iii. *Bat roosts are present in the structure of Albert Edward Bridge. No works to the bridge are proposed as part of this planning application. Works to the bridge will require a European Protected Species Licence from Natural England and Shropshire Council will have to consider the Habitats Regulations '3 derogation tests' as part of a planning application where works to the bridge are proposed. The submission of a future planning application where works are proposed will need to include the results of the hibernation survey and a mitigation strategy.*
- iv. *Great crested newts are protected under the Habitats Directive 1992, The Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended). It is a criminal offence to kill, injure, capture or disturb a great crested newt; and to damage, destroy or obstruct access to its breeding and resting places (both ponds and terrestrial habitats). There is an unlimited fine and/or up to six months imprisonment for such offences. If a great crested newt is discovered at any stage then all work must immediately halt and an appropriately qualified and experienced ecologist and Natural England (0300 060 3900) should be contacted for advice. The Local Planning Authority should also be informed.*
- v. *Japanese knotweed and Himalayan balsam are listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended). It is a criminal offence to allow this species to be released into, or cause it to grow, in the wild and landowners should not allow it to spread onto neighbouring land, although they may not be obliged to remove or treat it on their own land. Treatment of Japanese knotweed and Himalayan balsam should be carried out by an experienced contractor and development cannot commence until the plant has been completely removed from the site. Use of herbicides alongside water courses should only be undertaken by experienced, licensed contractors following advice from the Environment Agency. Japanese knotweed and Himalayan balsam are classed as a controlled waste and should be disposed of by an experienced contractor to an approved waste site in accordance with the Environmental Protection Act (Duty of Care) Regulations 1991).*

- iv. *The active nests of all wild birds are protected under the Wildlife and Countryside Act 1981 (as amended). An active nest is one being built, contains eggs or chicks, or on which fledged chicks are still dependent. It is a criminal offence to kill, injure or take any wild bird; to take, damage or destroy an active nest; and to take or destroy an egg. There is an unlimited fine and/or up to six months imprisonment for such offences. All vegetation clearance, tree removal and scrub removal and/or conversion, renovation and demolition work in buildings or other suitable nesting habitat should be carried out outside of the bird nesting season which runs from March to August inclusive. If it is necessary for work to commence in the nesting season then a pre-commencement inspection of the vegetation and buildings for active bird nests should be carried out. If vegetation or buildings cannot be clearly seen to be clear of nests then an appropriately qualified and experienced ecologist should be called in to carry out the check. Netting of trees or hedges to prevent birds from nesting should be avoided by appropriate planning of work. See guidance at <https://cieem.net/cieem-and-rspb-advise-against-netting-on-hedges-and-trees>. If during construction birds gain access to any of the buildings and begin nesting, work must cease until the young birds have fledged.*
- vii. *Otters are protected under the Habitats Directive 1992, The Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended). It is a criminal offence to kill, injure, capture or disturb an otter; and to damage, destroy or obstruct access to its breeding and resting places. There is an unlimited fine and/or up to six months imprisonment for such offences. On sites close to river banks, alongside streams and around pools, otters may occasionally be encountered and contractors should be vigilant when working on site. No night-time lighting should be used in such locations and trenches and open pipework should be closed overnight. If any evidence of otters (holts, scats, footprints or direct sightings) are discovered then the development work must immediately halt and an appropriately qualified and experienced ecologist and Natural England must be contacted (0300 060 3900) for advice. The Local Planning Authority should also be informed.*

Drainage:

- viii. *As part of the SuDS, the applicant should consider employing measures such as the following to ensure that, for the disposal of surface water drainage, the development is undertaken in a sustainable manner:*
- *Water Butts*
 - *Rainwater harvesting system*
 - *Permeable surfacing on any new access, driveway, parking area/ paved area*
 - *Attenuation*
 - *Greywater recycling system*
 - *Green roofs*
- ix. *Urban creep is the conversion of permeable surfaces to impermeable over time e.g. surfacing of front gardens to provide additional parking spaces, extensions to existing buildings, creation of large patio areas. The appropriate allowance for urban creep must be included in the design of the drainage system over the lifetime of the proposed development. The allowances set out below must be applied to the impermeable area within the property curtilage:*

Residential Dwellings per hectare Change allowance % of impermeable area

Less than 25 10
 30 8
 35 6
 45 4
 More than 50 2
 Flats & apartments 0

Where the inclusion of the appropriate allowance would increase the total impermeable area to greater than 100%, 100% should be used as the maximum. 'Curtilage' means area of land around a building or group of buildings which is for the private use of the occupants of the buildings.

- x. *Highway gully spacing: Close spacing of gullies on a development will increase maintenance liability for both emptying and of the road surface around the ironwork. Amending the vertical profile or installing kerb drains should be considered where spacing's are less than 20m. Alternatively, to reflect the increased liabilities, a commuted sum would be applied to any gully within the minimum 20m spacing. Vulnerable areas of the development, where exceedance is likely to result in the flooding of property, or contribute to flooding outside of the development site, highway gully spacing should be doubled over the entire length of highway contributing to the vulnerable area to ensure a 100mm/hr storm event is managed or attenuated on site.*
- xi. *Exceedance flows: Shropshire Council's 'Surface Water Management: Interim Guidance for Developers, paragraphs 7.10 to 7.12' requires that exceedance flows up to the 1 in 100 years plus climate change should not result in the surface water flooding of more vulnerable areas within the development site, or contribute to surface water flooding of any area outside of the development site. Therefore the proposed management of exceedance flows generated by this return period must also be considered and catered for.*
- xii. *Urban creep: Urban creep is the conversion of permeable surfaces to impermeable over time e.g. surfacing of front gardens to provide additional parking spaces, extensions to existing buildings, creation of large patio areas. The appropriate allowance for urban creep must be included in the design of the drainage system over the lifetime of the proposed development. This is to ensure that the proposed surface water drainage systems for the site are designed for any future extensions of impermeable surfaces. The allowances set out below must be applied to the impermeable area within the property curtilage:*

<u>Residential Dwellings per hectare</u>	<u>Change allowance % of impermeable area</u>
Less than 25	10
30	8
35	6
45	4
More than 50	2
Flats & apartments	0

Right of Way Diversion:

- xiii. *Footpath 7 is affected by the development at its northern end. If it is not possible to keep, the footpath open and available at all times then the applicant will have to apply for a temporary closure of this route and the applicant will need to apply to the Mapping and Enforcement Team for such a closure.*

Highways:

- xiv. *Protection of visibility splays on private land: The applicant's attention is drawn to the need to ensure that the provision of the visibility splay(s) required by this consent is safeguarded in any sale of the application site or part(s) thereof.*
- xv. *Disabled needs: The attention of the applicant is drawn to Section 175A(3) of the Highways Act 1980 within which the Highway Authority shall have regard to the needs of disabled persons when considering the desirability of providing ramps at appropriate places between carriageways and footways. Public rights of way affected A public right of way crosses the site of this permission. The permission does not authorise the stopping up or diversion of the right of way. The right of way may be stopped up or diverted by Order under Section 257 of the Town and Country Planning Act 1990 provided that the Order is made before the development is carried out. If the right of way is obstructed before the Order is made, the Order cannot proceed until the obstruction is removed.*
- xvi. *Waste Collection: The applicant's attention is drawn to the need to ensure that appropriate facilities are provided, for the storage and collection of household waste, (i.e. wheelie bins & recycling boxes). Specific consideration must be given to kerbside collection points, in order to ensure that all visibility splays, accesses, junctions, pedestrian crossings and all trafficked areas of highway (i.e. footways, cycleways & carriageways) are kept clear of any obstruction or impediment, at all times, in the interests of public and highway safety. <https://new.shropshire.gov.uk/planning/faqs/>*
- xvii. *Landscaping: Should any proposed trees or shrubs be located in close proximity of any proposed or existing public highway infrastructure (>3 m), appropriate root protection systems will need to be submitted and approved prior to construction. In order to mitigate against any future root damage to roads, footways and the utility services beneath. Also any other landscaping/planting adjacent to the future highway will require appropriate maintenance and service arrangements, in perpetuity. In order to maintain any required visibility splays and to keep leaf litter clear of footways and drains, etc., in the interests of highway safety.*
- xviii. *Works on, within or abutting the public highway: This planning permission does not authorise the applicant to:*
- *construct any means of access over the publicly maintained highway (footway/verge) or*
 - *carry out any works within the publicly maintained highway, or*
 - *authorise the laying of private apparatus within the confines of the public highway including any a new utility connection, or*
 - *undertaking the disturbance of ground or structures supporting or abutting the publicly maintained highway*

The applicant should in the first instance contact Shropshire Councils Street works team. Please note: Shropshire Council require at least 3 months' notice of the applicant's intention to commence any such works affecting the public highway so that the applicant can be provided with an appropriate licence, permit and/or approved specification for the works together and a list of approved contractors, as required.

- xix. *Section 278 Agreement (off site highway works): No work on the site should commence until engineering details of the improvements to the public highway have been approved*

by the Highway Authority and an agreement under Section 278 of the Highways Act 1980 entered into. Please contact: Highways Development Control, Shropshire Council, Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND to progress the agreement. No works on the site of the development shall be commenced until these details have been approved and an Agreement under Section 278 of the Highways Act 1980 entered into: <http://www.shropshire.gov.uk/hwmaint.nsf/open/7BED571FFB856AC6802574E4002996AB>

- xx. *Section 38 Agreement details (internal roads) If it is the developer's intention to request Shropshire Council, as Highway Authority, to adopt the proposed roadworks as maintainable at the public expense, then details of the layout, alignment, widths and levels of the proposed roadworks, which shall comply with any plans approved under this planning consent unless otherwise agreed in writing, together with all necessary drainage arrangements and run off calculations shall be submitted to: Highways Development Control, Shropshire Council, Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND, No works on the site of the development shall be commenced until these details have been approved and an Agreement under Section 38 of the Highways Act 1980 entered into: <http://www.shropshire.gov.uk/hwmaint.nsf/open/7BD73DBD0D733532802574C6002E65E6>*

Sporting Provision

- xxi. *It is recommended that the maintenance schedule and programme for implementation is developed by a specialist turf consultant. The applicant should be aiming to ensure that any new or replacement playing field is fit for its intended purpose and should have regard to Sport England's technical Design Guidance Note entitled 'Natural Turf for Sport' (2011) and relevant design guidance of the National Governing Bodies for Sport e.g. performance quality standards produced by the relevant pitch team sports, for example the Football Association.*
- xxii. *Guidance on preparing Community Use Agreements is available from Sport England. <http://www.sportengland.org/planningapplications/> For artificial grass pitches it is recommended that you seek guidance from the Football Association/England Hockey/Rugby Football Union on pitch construction when determining the community use hours the artificial pitch can accommodate.*

West Mercia Police

- xxiii. *As part of the planning process, West Mercia Police encourage the applicant to aim to achieve Secured by Design (SBD) status for the development. Appropriate guidance can be found here: <https://www.securedbydesign.com/guidance/design-guides>*

Fire Authority

- xxvi. *As part of the planning process, consideration should be given to the information contained within Shropshire Fire and Rescue Service's 'Fire Safety Guidance for Commercial and Domestic Planning Applications' which can be found at <<https://www.shropshirefire.gov.uk/safety-at-work/planning-applications>>.*

Coal Authority

- xxv. *The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during*

development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: <http://www.gov.uk/government/organisations/the-coal-authority>

Scope of Consent - Section 106 Agreement

xxvi. The land and premises referred to in this planning permission are the subject of an Agreement under Section 106 of the Town and Country Planning Act 1990.

National Design Space Standards (Ndss)

xxvii. Applicants are advised of their obligations under the Governments Technical Guidance on National Design Space Standards (NDSS) and the need to meet minimum requirements set out in the current publication of this guidance. A compliance statement should be submitted with all reserved matter applications; templates can be made available upon request from the Local Planning Authority.

APPENDIX 2:

SUPPORTING DOCUMENTS SCHEDULE:

December 2019 submission (original planning application):

- i. Planning Application Forms
- ii. Community Infrastructure Levy Forms
- iii. Site Location Plan (drawing no: 0799-LDA-P1-00-DR-A-20001)
- iv. Illustrative Masterplan (drawing no: 0799-LDA-P1-00-DR-A-08100)
- v. Illustrative Masterplan – with uses key (drawing no: 0799-LDA-P1-00-DR-A-08101)
- vi. Proposed Site Sections (drawing no: 0799-LDA-P1-SZ-DR-A-08102)
- vii. Proposed Phasing Strategy (drawing no: 0799-LDA-P1-00-DR-A-08103)
- viii. Proposed Visualisation (drawing no: 0799-LDA-P1-LL-DR-A-08104)
- ix. Landscape Strategy Plan (drawing no: P17-1052_15)
- x. Initial Sustainable Drainage Appraisal by RPS
- xi. Much Wenlock Road (Northern Access) (drawing no: ADC1776-DR-006-P1)
- xii. Much Wenlock Road (Southern Access) (drawing no: ADC1776-DR-006-P4)
- xiii. Design and Access Statement by Leonard Design
- xiv. Planning Statement by Pegasus Group
- xv. Consultation Statement by Pegasus Group
- xvi. Arboricultural Assessment by FPCR
- xvii. Lighting Assessment by RPS
- xviii. Environmental Statement, (including a Non-Technical Summary) incorporating:
 - Chapter 1 Introduction
 - Chapter 2 Assessment Methodology
 - Chapter 3 Application Site
 - Chapter 4 Proposed Development and Alternatives
 - Built Form Parameters Plan
 - Chapter 5 Socio Economic
 - Chapter 6 Landscape
 - Figure 6.1 Preliminary Zone of Theoretical Visibility
 - Figure 6.2 Site Location and Planning Designations
 - Figure 6.3 Topography
 - Figure 6.4 Landscape Character
 - Figure 6.5 Viewpoint Locations and PROW
 - Figure 6.6 Viewpoint Photographs
 - Figure 6.7A Landscape and Visual Analysis
 - Figure 6.7B Landscape and Visual Analysis
 - Figure 6.7C Landscape and Visual Analysis Site Specific
 - Figure 6.8 Green Infrastructure and Landscape Strategy
 - Chapter 7 Biodiversity
 - Figure 7.1 Consultation Results Plan - Designated Sites
 - Figure 7.2a Consultation Results Plan - Species Records - Mammals
 - Figure 7.2b Consultation Results Plan - Species Records - Notable Invertebrates
 - Figure 7.2c Consultation Results Plan - Species Records - Notable Plants
 - Figure 7.2d Consultation Results Plan - Species Records - Herptiles
 - Figure 7.2e Consultation Results Plan - Species Records - Birds
 - Figure 7.2f Consultation Results Plan - Species Records - Invasive Non-Native Plants

- Figure 7.3a Shropshire Ecological Network - Core Areas
- Figure 7.3b Shropshire Ecological Network - Corridors
- Figure 7.3c Shropshire Ecological Network - Buffers
- Figure 7.3d Shropshire Ecological Network - Sustainable Land Use
- Figure 7.4 GCN European Protected Species Licence Area
- Figure 7.5 Otter Survey Plan
- Figure 7.6 Badger Survey Plan
- Figure 7.7 Breeding Bird Survey Plan - Distribution of Notable Species
- Figure 7.8 Winter Bird Survey Plan - Distribution of Notable Species
- Figure 7.9a Habitat Survey Plan (East)
- Figure 7.9b Habitat Survey Plan (West)
- Figure 7.10 Invasive, Non-native Plant Plan
- Figure 7.11 Bat Roost Plan
- Figure 7.12a Bat Transect Survey Plan - August 2018
- Figure 7.12b Bat Transect Survey Plan - September 2018
- Figure 7.12c Bat Transect Survey Plan - October 2018
- Figure 7.12d Bat Transect Survey Plan - April 2019
- Figure 7.12e Bat Transect Survey Plan - May 2019
- Figure 7.12f Bat Transect Survey Plan - June 2019
- Figure 7.12g Bat Transect Survey Plan - July 2019
- Figure 7.13 Bat Static Detector Survey Plan
- Figure 7.14 Effect on the Shropshire Ecological Network
- Appendix 7.1 Phase 1 Habitat Report
- Appendix 7.2 Hedgerow Assessment Report
- Appendix 7.3 Bat Report
- Appendix 7.4 Breeding Bird Report
- Appendix 7.5 Wintering Bird Report
- Appendix 7.6 Barn Owl, Hobby and Red Kite Report
- Appendix 7.7 Great Crested Newt Report
- Appendix 7.8 Brown Hare Report
- Chapter 8 Cultural Heritage
 - Appendix 8.1 Built Heritage Assessment
 - Appendix 8.2 Historic England Consultation Response
- Chapter 9 Archaeology
 - Appendix 9.1 Archaeological Desk Based Assessment
- Chapter 10 Transport
 - Appendix 10.1 Transport Assessment
 - Appendix 10.2 Travel Plans
- Chapter 11 Air Quality
 - Figure 11.1 Construction Phase Dust Study Area and Distance Buffers
 - Figure 11.2 Operational Phase Traffic Emissions Study Area
 - Figure 11.3 Operational Phase Traffic Emissions Existing Receptor Locations - Much Wenlock
 - Figure 11.4 Operational Phase Traffic Emissions Existing Receptor Locations - Ironbridge
 - Figure 11.5 Operational Phase Traffic Emissions Existing Receptor Locations - North of Site
 - Figure 11.6 Operational Phase Traffic Emissions Proposed Receptor Locations
 - Appendix 11.1 Glossary
 - Appendix 11.2 Traffic Data Utilised in the Air Quality Assessment

- Appendix 11.3 Wind Rose
- Appendix 11.4 ADMS-Roads Model Verification
- Appendix 11.5 Operational Phase Road Traffic Emissions Assessment Sensitivity Analysis
- Appendix 11.6 Construction Phase Dust Assessment
- Chapter 12 Noise and Vibration
 - Figure 12.1 Noise Sensitive Receptors
 - Figure 12.2 Noise Monitoring Locations
 - Figure 12.3 Daytime LAeq,16h road traffic noise contour
 - Appendix 12.1 Glossary
 - Appendix 12.2 Policy
 - Appendix 12.3 Baseline Noise Monitoring Results
 - Appendix 12.4 Third Octave Noise Data from Plant Source Measurements
 - Appendix 12.5 Low frequency noise at nearest existing NSR
- Chapter 13 Hydrology
 - Appendix 13.1 Flood Risk Assessment
- Chapter 14 Ground Conditions
 - Appendix 14.1 Prelim Risk Assessment and Ground Investigation Report
 - Appendix 14.2 Landslide Report
 - Appendix 14.3 Geological Report and Mineral Resource Assessment

August 2020 submission (Regulation 25 response):

- i. Illustrative Masterplan (drawing number: 0799-LDA-P1-00-DR-A-08100_Rev01), supersedes drawing number: 0799-LDA-P1-00-DR-A-08100;
- ii. Illustrative Masterplan – annotated (drawing number: 0799-LDA-P1-00-DR-A-08101_Rev01), supersedes drawing number: 0799-LDA-P1-00-DR-A-08101;
- iii. Much Wenlock Road (Northern Access) (drawing number: ADC1776-DR-006-P2), supersedes drawing number: ADC1776-DR-006-P1;
- iv. Much Wenlock Road (Southern Access) (drawing number: ADC1776-DR-002-P5), supersedes drawing number: ADC1776-DR-002-P5;
- v. Proposed Phasing Plans (dated 05/08/2020);
- vi. Green Infrastructure and Landscape Strategy Plan (drawing number: P17-1052_15A), supersedes drawing number: P17-1052_15);
- vii. Landscape Sections (drawing number: P17-1052_20) – new drawing;
- viii. Public Rights of Way Network (with proposed links and diversions) (drawing number: ADC1776-DR-008_P1);
- ix. Construction Environmental Management Plan (Provisional) by FPCR (Confidential);
- x. Deculverting Technical Note by RPS;
- xi. Planning Statement (updated) by Pegasus Group, supersedes previously submitted version;
- xii. Leisure Strategy by Pegasus Group – new document;
- xiii. Sustainable Design Brief by Leonard Design – new document;
- xiv. Arboricultural Assessment (updated) by FPCR, supersedes previously submitted version;
- xv. Combined Tree Survey Plans by FPCR – new document;
- xvi. Combined Tree Retention Plans by FPCR – new document;
- xvii. Environmental Statement Addendum, (including a Non-Technical Summary) incorporating:
 - Chapter 1 Introduction (to be read in conjunction with the original ES chapter)

- Chapter 2 Assessment Methodology (no change)
- Chapter 3 Application Site (no change)
- Chapter 4 Proposed Development and Alternatives (no change)
- Chapter 5 Socio Economic (no change)
- Chapter 6 Landscape (supersedes the previously submitted version)
 - Figure 6.5A Viewpoint Locations and Public Rights of Way
 - Figure 6.5B Viewpoint Photographs
 - Figure 6.6A Location of Reg 25 Requested Viewpoints
 - Figure 6.6B Reg 25 Viewpoint Photographs
 - Figure 6.8 Green Infrastructure and Landscape Strategy
 - Figure 6.9 Landscape Sections
 - Figure 6.10 Landscape Vignettes
- Chapter 7 Biodiversity (supersedes the previously submitted version)
 - Figure 7.9a Habitat Survey Plan (East)
 - Figure 7.9b Habitat Survey Plan (West)
 - Figure 7.14a Effect on the Shropshire Ecological Network
 - Figure 7.15a Recreation and Urbanisation Mitigation Strategy – Zone of Potential Recreation Impacts
 - Figure 7.15b Recreation and Urbanisation Mitigation Strategy – ‘within development’ Circular Walks
 - Figure 7.17a Phase 2 Botanical Survey (East)
 - Figure 7.17b Phase 2 Botanical Survey (West)
 - Figure 7.18a Light and Light Spill Avoidance Mitigation Zone
 - Figure 7.18b Light and Light Spill Key Zones for Sensitive Lighting Design
 - Figure 7.19 Badger Survey Results (Confidential)
 - Figure 7.19a Badger Sett Closures (Confidential)
 - Figure 7.19b Retained Created Proposed Badger Sett Closures (Confidential)
 - Figure 7.20 Provisional Construction Environmental Management Plan (Confidential)
 - Figure 7.21 Air Quality (Ecology) Assessment Scoping Plan
 - Figure 7.22 Peregrine Nest Location (Confidential)
 - Appendix 7.9 Regulation 25 Response (and Appendices A – E):
 - Appendix 7.9A Recreation and Urbanisation Mitigation Strategy
 - Appendix 7.9B Phase 2 Botanical Survey
 - Appendix 7.9C Peregrine Strategy (Confidential)
 - Appendix 7.9D Badger Mitigation Strategy (Confidential)
 - Appendix 7.9E Provision CEMP (Confidential)
- Chapter 8 Cultural Heritage (supersedes the previously submitted version)
 - Appendix 8.1 Built Heritage Assessment
- Chapter 9 Archaeology (no change)
- Chapter 10 Transport (supersedes the previously submitted version)
 - Appendix 10.3 Transport Assessment Addendum
- Chapter 11 Air Quality (supersedes the previously submitted version)
 - Appendix 11.1 Glossary
 - Appendix 11.2 Traffic Data Utilised in the Air Quality Assessment
 - Appendix 11.3 Wind Rose
 - Appendix 11.4 ADMS-Roads Model Verification
 - Appendix 11.5 Operational Phase Road Traffic Emissions Assessment Sensitivity Analysis
 - Appendix 11.6 Construction Phase Dust Assessment

- Chapter 12 Noise and Vibration (supersedes the previously submitted version)
- Chapter 13 Hydrology (supersedes the previously submitted version)
 - Appendix 13.1a Flood Risk Assessment Addendum
 - Appendix 13.2 Ground Water Monitoring
 - Appendix 13.3 EA Response
 - Appendix 13.4 Drainage Strategy
- Chapter 14 Ground Conditions (supersedes the previously submitted version)
 - Appendix 14.1a Prelim Risk Assessment and Ground Investigation Report
 - Appendix 14.2a Landslide Report
 - Appendix 14.3a Geological Report and Mineral Resource Assessment
 - Appendix 14.4 EA Response Letter
 - Appendix 14.5 Ground Water Monitoring

December 2020 submission (Further clarifications following Regulation 25 submission):

- i. Illustrative Masterplan (drawing number: 0799-LDA-P1-00-DR-A-08100_Rev02), supersedes drawing number: 0799-LDA-P1-00-DR-A-08100_Rev01;
- ii. Illustrative Masterplan – annotated (drawing number: 0799-LDA-P1-00-DR-A-08101_Rev02), supersedes drawing number: 0799-LDA-P1-00-DR-A-08101_Rev01;
- iii. Green Infrastructure and Landscape Strategy Plan (drawing number: P17-1052_15A)
- iv. Residential Sections (dated December 2020) by Leonard Design;
- v. Leisure Strategy (dated December 2020) by Pegasus Group – updated document;
- vi. Heritage Clarification Note (December 2020) by Pegasus Group – new document;
- vii. Combined Tree Retention Plans by FPCR (December 2020) – updated document, supersedes previously submitted plans;
- viii. Landscape and Visual Issues – Response to Further Clarification Request (December 2020) by Pegasus Group – new document;
- vix. Albert Edward Bridge Bat Report (December 2020);
- x. Technical Note – Outline Biodiversity Impact Assessment (December 2020) by FPCR;
- xi. Technical Note – Great Crested Newt Mitigation Strategy (December 2020) by FPCR;
- xii. Technical Note – General Response (December 2020) by FPCR;
- xiii. Preliminary Biodiversity Metric Calculation 2.0 by FPCR;
- xiv. Appendix 7.9 Provisional Construction and Environmental Management Plan (CEMP) (Revision B – December 2020) – please note that this document contains sensitive information and should not be placed in the public domain;
- xv. Appendix A Recreation and Urbanisation Mitigation Strategy (Revision B – December 2020);
- xvi. Figure 7.20 Construction and Environmental Management Plan (CEMP) (drawing number: 8258-E-MD-35_RevA)– please note that this document contains sensitive information and should not be placed in the public domain;
- xvii. Figure 7.23(a-e) SSSI and Ancient Woodland Buffers (drawing numbers: 8258-E-MD-38a-e);
- xviii. Figure 7.24(a-b) BIA Calculation Baseline (East and West);
- xix. Figure 7.24a BIA Calculation Baseline (East) (drawing number: 8258-E-MD-39a);
- xx. Figure 7.24b BIA Calculation Baseline (West) (drawing number 8258-E-MD-39b);
- xxi. Figure 7.25 Albert Edward Bridge Bat Roost Location Plan (drawing number: 8258-E-MD-40);

- Figure 7.26 Wildlife Connectivity Parameters Plan (drawing reference: 8258-E-MD-41).

ANNEX 3 – ADDITIONAL REPRESENTATIONS TO COMMITTEE ON 15/06/21 & 10/08/21

REPRESENTATIONS ON 15/06/21

Item No.	Application No.	Originator:
5	19/05560/OUT	Buildwas PC – further comments
<p>The development of former Ironbridge power station site presents major problems primarily due to its geographical position. It is contrary to findings and advice found in the document 'Transport for New Homes.' If this guidance were adopted and followed the development would not go ahead. Aspects of 'a fifteen-minute neighbourhood' are proposed e.g. school, local, shop etc. The relationship to the surrounding area is the problem. If the development it is to proceed these issues should be addressed:</p> <ul style="list-style-type: none"> - with regard to both private and public transport - Arguments regarding the impracticability surrounding an additional 2000 vehicles using this geographically restricted site on the available road systems recorded elsewhere. - Connectivity for cycle tracks is poor, meaning cyclists once off the redeveloped site must take a chance on main roads. <ul style="list-style-type: none"> - The same is true for pedestrians unless travelling to Ironbridge. - If the plan for 1000 new homes were to go ahead a reduction of the two-car per family dependence should be encouraged. <ul style="list-style-type: none"> This might be achieved by an electric minibus route to both Shrewsbury and Telford. However, it may be difficult to implement this successfully from an isolated developed area with single destinations. (encouraging take up poses some problems) - Encouraging cycling and walking - cycleways and pedestrian links these should be perceived as 'safe routes' overlooked by houses, public buildings etc - Safe lock ups for cycles readily available - Minimise visual impact of vehicles around new houses - an obligation to emphasise sustainable travel options in sales material to encouraging travel options to be considered. -an electric vehicle car club to encourage car sharing established from the beginning. - Electric points for charging vehicles should be integral to the site from the beginning - The apparent northern facing aspect of much of the development <p>The northerly aspect of housing shaded by Benthall Edge and Tickwood Hill is an area where fields and gardens keep frost or shadow all day when elsewhere. The extraction of ten metres depth of sand and gravel may exacerbate this. Orientation of housing has to maximise natural heating and cooling.</p>		

Zero carbon housing

With a legally binding target (Climate Change 2008) to reach net zero carbon emissions by 2050, this housing, built from 2025 onwards can be expected to be net zero carbon. Otherwise expensive retrofitting will be required just a few years later. With such a large development ground source heat pumps should be the way forward. On site energy production is essential. Solar panels where sensible should be standard. Orientation of housing should maximise this possibility.

Embedded carbon issues

Consideration must be given to minimising the carbon footprint of the development. Wooden construction is better in this respect: both brick and concrete have high carbon footprints. There are increasingly materials available using recycled materials. Decisions should demonstrate the construction aims for lower embedded emissions, a whole life carbon plan.

Lighting

Lighting a large development would have a major impact on the valley with regard to dark skies which predominate affecting humans and wild life. Low level lighting would be essential.

Ecology

The failure of the plan to protect and move newts has obviously engendered a lack of confidence in possible future plans.

Fauna

A large-scale development cannot avoid major impact on wildlife which has been established during the last fifty plus. Biodiversity plans should aim to minimise this.

- Culverted stream to enable free movement for otters in addition to the establishment of holts and couch.
- Mammal tunnels for badgers.
- Reduced lighting near woodland, (no roads etc) to avoid disturbing bat activity.
- Plans mention an attempt to accommodate little ringed plovers

Management of four tiers of green spaces

Management of three tiers of open space is briefly mentioned. This is expected to be done by establishing a service charge deed to finance a Management company such as The Land Trust to care for

1. built development green infrastructure space
2. multifunction green space
3. public open space used quote 'by residents and occupiers of the site'

Reassurance is needed that use of 2 and 3 is not limited to users and occupiers of the site. It is not clear from this how the management of the buffer and wildlife areas is financed.

Item No.	Application No.	Originator:
5	19/05560/OUT	Applicant

Summary of financial context of the proposed development including viability and CIL / s106 considerations:

A Development Viability Executive Summary prepared by Tustain Associates Ltd dated September 2020 was submitted to Shropshire and Telford and Wrekin Councils and draws the following conclusions:

- The Ironbridge Power Station was purchased in June 2018. Application was submitted in December 2019. The Strategic Allocation is emerging through the Shropshire Local Plan which is likely to be Adopted in 2022.
- Given the site's former extensive industrial use and the legacy of it's operations the viability is critical to the redevelopment of the site-very few Developers would take on the risk of redeveloping this site bearing in mind the complex nature of demolition, remediation, specialist management, the extraction of sand and gravel, the long lead in times, costly enabling works, huge cash flow issues. It is estimated that the sale of the first dwelling is likely to be 5 years from the purchase of the site and circa £32m will have been spent before the first land parcel is sold. This is a huge financial risk.
- During the preparation of the Development Viability- 4 viability scenarios were tested:
 1. 20% Affordable and fully compliant 106/CIL
 2. 10% Affordable and fully compliant 106/CIL
 3. 10% Affordable and non-compliant 106/CIL
 4. 5% Affordable and non-compliant 106/CIL
- Only Scenario 4 is Viable and gives a reasonable financial return to the Developer-all the other scenarios would have meant that no developer would have taken on the redevelopment of the site as they would all have lost £ms. Scenario 4 was then tested by independently appointed viability experts Turleys-the appointment was made jointly by Shropshire and Telford and Wrekin Councils.
- The Development Viability conclusions were supported by Turleys.
- The Development Viability allowed for £16.75m for 106/CIL and 5% Affordable Housing.
- There were then 6 months of complex discussions and negotiations between Shropshire/T&W/Harworth. The discussions centred on how to fairly and appropriately distribute the 'pot' of money to mitigate the impacts of the development. None of this was known at the start of the planning process as we all had to wait for the Consultee responses. Both LPA's had different aspirations but a priority list was agreed which put education and highway mitigations at the top. Compromise has been shown by both LPAs and by Harworth to address the complicated matter where one LPA has CIL and the other does not.
- The Costs and Revenues which feed into the Viability can only be estimated at this stage but the estimations are based on comparable evidence of developing similar sites elsewhere and likely sales revenues.
- Harworth accepts that there should be a Review Mechanism which will review the total costs, revenues and actual spend at a future point in time. The review will be based on accurate financial figures. If the review demonstrates that there is more money available then this can be distributed on mitigation which wasn't policy compliant such as Affordable Housing.
- A Review Mechanism is completely normal and accepted by LPA's on complex and lengthy developments. The timings of the RM will be controlled by the S106 Legal Agreement.
- In addition discussions have already taken place and will continue to take place with Shropshire/Harworth and Homes England to explore alternative additional ways of investing into the delivery of AH on the site.

Item No.	Application No.	Originator:
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5	19/05560/OUT	Case Officer
<p>This is to inform Members that the case officer received an email from the Ministry of Housing, Communities and Local Government (MHCLG) on 10th June 2021 indicating that they have received a request from a third party to call the application in for determination by the Secretary of State. The MHCLG has indicated that no decision should be issued on the application until they have had time to consider this request. The officer has responded confirming that no decision will be issued until then and advising additionally that the recommendation is subject to a legal agreement. Therefore, if the officer recommendation is supported than no decision could be issued in any event until the associated legal agreement is completed.</p> <p>It should be noted that this does not in any way affect the ability of the Committee to consider and determine the application at this stage.</p>		
Item No.	Application No.	Originator:
5	19/05560/OUT	D Turner - Objector
<p>I write as a concerned resident ahead of the Planning Committee considering these applications on 15th June. As Shropshire Councillor for Much Wenlock until May, I have commented extensively on a range of issues, including education, medical facilities and highways concerns. My comments have been summarised very briefly along with many others in the planning officer's report/recommendation.</p> <p>In this letter I will focus on the apparent unwillingness of the applicants and Shropshire Council to look at the wider implications of traffic heading through Much Wenlock, to and from the development. Please note the appendices at the end of this letter. Vehicle movements associated with the minerals extraction activities will be the subject of conditions imposed by Shropshire Council. It is vital that such conditions are implemented and monitored over the life of the quarrying activities for the protection of local residents and other road users, and also to ensure that minor roads are damaged no further than they are already. Much Wenlock has suffered for years from quarry vehicles, now much larger than when limestone was extracted locally, and articulated rigs running through the narrow streets. These quarrying activities are, however, time-limited. My greatest concerns are about the mixed-use development.</p> <p>The development of 1,000 homes etc. will mean considerably more than 1,000 vehicles on the site whether or not there is a new bus and/or train service. They will be wanted for shopping, employment and taking children to school. It is appreciated that many homeowners will look towards Telford and the West Midlands conurbation for these activities. Transport links, once out of Buildwas, are good and facilities are, by and large, modern. By the applicant's own admission, however, a proportion will be heading for Bridgnorth, Stourbridge, Shrewsbury and elsewhere. What is becoming clearer since Telford & Wrekin Council considered the mirror applications recently is that the demand on William Brookes School in Much Wenlock will be greater than was envisaged when the stakeholder engagement sessions were hosted by the applicants many months ago. 2/11 Concerns that emerged since the mixed-use planning application was first filed have focused on the junction of the A4169/A458/B4378 and High Street in Much Wenlock by the Gaskell Arms. I will leave it to others to spell out the detail here but suffice to say during the busy periods morning and evening and when school buses are taking students home mid-afternoon, delays occur. This has many impacts, amongst them rat-running through the town's narrow streets, some of which have no footway where pedestrians can seek safety, and others where vehicles large and small mount the</p>		

pavement when confronted with opposing traffic. The applicant has submitted no acceptable proposals to improve the Gaskell Arms junction, nor have they submitted any plans to prevent the traffic rat-running through the town.

By the applicant's own admission, wait times at this five-ways junction will double. There appears to be an expectation that the situation will be 'self-regulating' i.e. motorists will seek an alternative route to avoid hold-ups. This will exacerbate the propensity to seek alternative routes. We already have experience of motorists using narrow lanes to reach their destination on occasions. Road closures for remedial works, and the closure of The Wharfage in Ironbridge, especially during flooding of the River Severn, are not uncommon events. In 2020, when Ironbridge was 'closed', one occasion saw traffic from Bridgnorth on the A458 backed up to the Merrywell Lane junction, from Shrewsbury up to the brow of Harley Hill, and from Buildwas down the A4169 to Farley (see map - Appendix 3A). Under these and similar circumstances it is inevitable that some motorists, seeking to keep moving, will attempt different routes. I ask that you give careful consideration to the use of local lanes by through traffic. Agricultural vehicles and local residents need to be able to access their farms and their homes without having to resort to the grass verge, or to have to repeatedly reverse their vehicles - it happens frequently enough already. They deserve not to have their ancient dry stone walls damaged by careless drivers of vehicles, and walkers and riders of both horses and bicycles should be allowed to enjoy the countryside without having to dive out of the way of drivers unfamiliar with the byways. For those on their way to work in Shrewsbury, and dropping their son or daughter off at William Brookes School, a diversion through Homer and Wigwig to Harley on the A458, or via Sheinton to Cressage also on the A458, might seem like a wise move. This is not the case - as the housing ends in Homer, the lane becomes a single-track holloway which leads to the ford (not always passable) before reaching the A458. The Sheinton route is capable of two cars passing (not at its junction with the A4169m - see photo in Appendix 3) with care for much of its route, but passes the medical practice and primary school in Cressage. This part of the lane becomes single track due to parked vehicles dropping off children. The lane through Tickwood, Wyke and on to the B4376 at Posenhall is single track for all of its route, with a few informal and muddy passing places. Those seeking to reach Bridgnorth 3/11 and Stourbridge via Broseley will find themselves having to reverse frequently to negotiate farm vehicles and others where walls or ditches preclude passing.

The same applies to those vehicles leaving the A4169 at Crossing Cottage, passing the equestrian centre and Downs Farm to reach Wyke en route to Bridgnorth. After the equestrian centre there are only three places where vehicles can pass (gateways) and for a significant length the road is under water during the winter months.

Of course, those seeking to reach their home in Buildwas from these towns may well use the shortcut routes in the opposite direction at different times of the day.

The surface condition of all four of these lanes is poor at present, and they are rarely in good order. Increased traffic will simply impose further cost on Shropshire Council's limited highways budget and greater impact on local residents' car tyres and suspension. Also, in poor weather it is worth noting that all four routes include very steep sections that are best avoided in icy conditions.

The current proposals pay no regard to these concerns and there appears to be no demand from Shropshire Council for them to be considered. The impact on local residents' quality of life cannot be over-emphasised. I urge the Committee to consider my concerns alongside others and to refuse the mixed-use application until a sensible and costed solution is found for all of the highways impacts that will arise from additional traffic. Should you have any questions about the contents of this letter, please don't hesitate to make contact with me. I can make myself available to conduct you around

these lanes at any time before the Committee meeting to demonstrate local residents' concerns.

Yours sincerely, David Turner

Item No.	Application No.	Originator:
5	19/05560/OUT	Case Officer

Officer clarification on Gaskell Arms Junction, Much Wenlock.

Members are requested to note that the legal agreement recommended in Appendix 1 of the main report makes provision for the applicant to pay a sum of £250,000 towards the cost of improving the Gaskell Arms junction at Much Wenlock with this becoming due at an early stage of the development. The applicant had initially proposed a signalisation scheme for the Junction. However, following correspondence between the Highway Authority, the case officer and Much Wenlock Parish Council the applicant has agreed that this should take the form of a financial contribution instead.

It is recognised that there can be pre-existing capacity issues with this junction at peak times of the day. However, it would not be reasonable to expect the current applicant to address any pre-existing issues which pre-date any anticipated effects arising from the proposed development and this would not meet relevant guidance for planning legal agreement. Any pre-existing issues are instead the concern of the local highway authority.

If the officer recommendation is accepted, then the traffic modelling by the applicant's highway consultant indicates that it will be at least 3 years before build-out at the proposed development site begins to have any material impact on traffic levels at this junction. By this time, it is anticipated that a comprehensive proposal for upgrading the junction will have been prepared by the Highway Authority following local community consultations using money from the proposed legal agreement and other available sources.

The Highway Authority is fully aware of the need to ensure that the improvement scheme for the junction is implemented as a priority at the appropriate time. This will offer the potential to deliver a significant betterment at the junction which may not otherwise be possible without funding secured from the proposed development and other committed development in the local area. It does not therefore follow in the opinion of the officer that the proposals would be likely to lead to an increase in rat-running on unsuitable local minor roads.

Further guidance in relation to this matter has been prepared by the Local Highway Authority and will be available for the Committee.

Item No.	Application No.	Originator:
5	19/05560/OUT	Case Officer

It is recommended that Condition 20 in Appendix 1 is amended in order to introduce an earlier trigger timescale for completion of the highway improvement works. The condition currently stipulates that the works shall be completed prior to occupation of the 250th home. It is recommended that this is amended so the works are completed prior to occupation of the 180th home. This is in accordance with highway officer advice and has been agreed with the applicant. The condition shall be amended as follows:

Highways - Traffic Calming works at Buildwas, Leighton and Atcham:

20. Prior to the occupation of the 150th dwelling full engineering details of the proposed traffic calming works on B4380 at Buildwas, Leighton and Atcham shall be submitted to and approved in writing by the Local Planning Authority. This is in accordance with the legal agreement accompanying this permission. The works shall be fully implemented in accordance with the approved details prior to the occupation of the ~~250th~~ 180th dwelling within the permitted site.

Reason: To ensure a satisfactory means of access to the highway.

Item No.	Application No.	Originator:
5	19/05560/OUT	Clinical Commissioning Group

NHS Shropshire, Telford and Wrekin Clinical Commissioning Group (CCG) additional evidence base relating to the application

Existing GP Premises Capacity – Evidence Base

Shropshire, Telford and Wrekin CCG has commissioned an independent study to identify the current capacity of existing GP practices across its administrative area. This information has only just become available to the CCG which is why it has not been provided previously to the Council. A comprehensive study has been undertaken to identify the current capacity issues carried out by Community Ventures who specialize in advising the Healthcare sector on strategic planning and estate management as well as design and development of Healthcare facilities. They have visited the three Surgeries in this locality and have concluded all three are operating with over capacity issues.

The three practices associated with the Ironbridge development were found to be at a level of over capacity as follows;

- Broseley 80% over capacity
- Much Wenlock 55% over capacity
- Much Wenlock Branch 55% over capacity
- Ironbridge 45% over capacity

In the case of Broseley the key findings of the Community Ventures study are as detailed below;

Premise	Tenure	Main (M)/ Branch (B)/ Single Site (S)	Current No. Clinical Rooms (by type)			Calculated current Provided NIA (sqm)	Current Provided GIA (sqm)	Advised GIA (sqm) based on current list size (i.e. List size x 0.08)	Variance from advised GIA (i.e. Current - Advised)	Current patient list size (SHAPE Oct 2020)
			Consult/ Exam 12 mins	Treatment Rm 20 mins	Total Rooms					
Broseley Medical Practice	Leasehold	S	2	5	7	181.2	206	373.60	-167.70	4,670

Therefore Community Ventures findings have concluded the Broseley surgery would require an additional 167 square metres of accommodation to meet their current need. This does not take into account any capacity need for future developments but merely to provide suitable services to their current patient list.

In relation to the Ironbridge Surgery Community Ventures drew the following conclusions;

Premise	Current No. Clinical Rooms (by type)			Calculated Current GIA based on Provided NIA (sqm)	Current Provided NIA (sqm)	Advised GIA (sqm) based on current list size	Variance from advised GIA (i.e. Current - Advised)	Current patient list size (SHAPE Feb 2020)
	Consult/Exam 12 mins	Treatment Rm 20 mins	Total Rooms					
Ironbridge Medical Practice	3	1	4	263.3	235.11	377	- 142	4,710

The above calculations undertaken by Community Ventures for the Ironbridge Surgery were measured against their patient list size as of February 2020 which shows a deficit of required accommodation equivalent to 142 square metres. We are advised this patient list has increased since that date to 5,061 which will have had the effect of applying greater pressure on their over capacity issue.

Finally, with the Much Wenlock and Cressage Surgeries Community Ventures have confirmed the following;

Premise	Tenure	Main (M)/ Branch (B)/ Single Site (S)	Current No. Clinical Rooms (by type)			Calculated current Provided NIA (sqm)	Current Provided GIA (sqm)	Advised GIA (sqm) based on current list size (i.e. List size x 0.08)	Variance from advised GIA (i.e. Current - Advised)	Current patient list size (SHAPE Oct 2020)
			Consult/Exam 12 mins	Treatment Rm 20 mins	Total Rooms					
Much Wenlock & Cressage - Shrewsbury Rd	Freehold	M	5	2	7	183.3	208	651.04	-233.00	8,138
Much Wenlock & Cressage - Clifton Lodge, Sheinton		B	3	2	5	184.8	210			

Their findings have concluded the Cressage and Much Wenlock surgeries would require an additional 233 square metres of accommodation to meet their current need. Once again, this does not take into account any capacity need for future developments but merely to provide suitable services to their current patient list.

The outcome of this study has provided empirical evidence that the existing practices do not have the capacity within their existing premises to take on any additional patients. The existing issues which have been identified will be dealt with by the CCG as a separate matter to the Ironbridge development.

Ironbridge Power Station Development – Future healthcare infrastructure needs

On the basis that the existing practices are unable to take on additional patients from any new developments the CCG have considered the needs of the future new residents that will be generated from the Ironbridge Power Station development on its own merits.

The Department of Health and Social Care issues national guidance provides the basis of calculating the required accommodation for Primary Care Premises, (GP surgeries).

We have used this standard calculation, (this evidence base has already been provided to the Council) and based upon the population increase from the Ironbridge development of 2,550 patients this generates a requirement of £1,277,000 to provide the building required to accommodate the new patients.

It is important to note that there is currently no other funding available to address this future need.

The level of the contribution requested is reasonable and linked to the increase in healthcare demand arising directly from the Ironbridge scheme and not from the existing capacity issues at the 3 practices.

(Note – The officer response to the CCG is set out below)

Item No.	Application No.	Originator:
5	19/05560/OUT	Case officer

Officer response to CCG representation:

I acknowledge receipt of your letter providing further information on local healthcare demand and have included your letter in the late representations report which will be circulated to Members in advance of the planning committee next Tuesday.

As I have previously indicated, the funding available within the Harworth scheme is limited due to significant viability issues and all available funding has currently been allocated to essential infrastructure under a detailed financial model which has been carefully negotiated between Shropshire Council, Telford & Wrekin Council and the applicant.

In terms of healthcare the CCG has requested a significant sum at a very late stage in the application process and at the time the officer reports were being written the planning authorities concluded that there was insufficient information available to fully justify the request, though I note the further information you have provided today.

Notwithstanding this, the model makes provision for a capital payment of £0.5m plus an on-site serviced plot. I'm afraid there is no additional funding at this stage which can be identified or re-allocated to Healthcare as this would have major implications for other previously agreed areas of committed infrastructure spend.

I have previously indicated to you that a periodic review mechanism will apply which will allow any additional profit above that assumed in the applicant's financial model to be clawed back for use as additional infrastructure spending. The Councils will need to agree a provisional list of spending priorities with the applicant for any clawback funding as part of the discussions on the planning legal agreement. I appreciate that you will be disappointed that the amount which it has been possible to allocate to healthcare is less than you are requesting. I would however reassure you that health care would be fully considered for such funding where the evidence base m/ justification can be agreed by the Councils and the applicant.

The Planning Authority has informed the applicant that it will seek to secure the first viability review within 5 years following the commencement of any development. This would be a condition of the planning legal agreement. By this time the applicant's phasing plans indicate that up to 300 homes are likely to have been occupied at the site as opposed to the full 1000 properties upon which your funding request is based. I would hope and expect that the existing £0.5m capital sum for healthcare included in the legal agreement would go a significant way towards addressing any additional healthcare needs arising from the development within this timescale. The need for any additional funding to cater for new housing beyond this stage can then be reviewed in the context of any clawback or other funding which may subsequently become available within the remaining build-out period of the development.

As previously stated I would also recommend that the CCG engages with Shropshire Council with the objective of seeking to introduce healthcare as a spending priority in the Much Wenlock Place Plan as this will determine where CIL money from other future local development can be spent.

I look forward to working with the CCG with these objectives in mind.

Item No.	Application No.	Originator:
5	19/05560/OUT	Cllr Claire Wild

The following conditions and legal agreement clauses have been requested by Councillor Wild. Some of the condition requests have been accepted prior to the Planning Meeting, these are marked in red. Where there are further requests, these are in italic and marked **.

1. Provision for ongoing traffic monitoring for the speed, volume and size of traffic on the A4169 and the B4380 – **S106**
2. Vehicle Activated Signage for traffic calming on the A4169 and the B4380. – **S106**
***By the occupation of the 50th home or earlier.*
3. A review mechanism to secure further highways improvements if deemed appropriate by the highway authority in consultation with the local community following traffic monitoring. – **S106**
4. That an air quality monitoring scheme for the bottom of Buildwas Bank should be agreed including for PM10's. – **S106**
5. A Highways Liaison Group (including pedestrians and cyclists) to be established which shall meet quarterly or at an agreed interval from the start of the construction work until the completion of the site. – **S106**
6. That the affordable housing should be subject to a legal agreement clause providing for a regular ongoing review for options to increase the provision of affordable housing within the site. This should include appropriate stakeholder engagement. – **S106**

7. That a Local Allocations policy for the affordable housing is attached to any legal agreement to ensure that local people from Buildwas Parish benefit first. – S106
8. The construction site operating hours are 7.30am – 5.30pm, Monday to Friday and 8am until 12 noon on Saturdays and there will be no Sunday or Bank Holiday working. - **Cond 30b**
9. That CCTV is installed at the main site entrances so that all construction vehicles are traceable. **Cond 19b.**
***That CCTV is also installed at the bottom of Buildwas bank to ensure that construction vehicles and construction staff do not use the B4380.*
10. A strict routing agreement for construction vehicles is agreed and adhered to so that there is no construction traffic entering or leaving the site via the A4169 or the B4380 with a “three strikes and your out” policy. – **S106**
***That the routing agreement includes construction staff.*
11. That Harworth’s, as part of the 106 agreement contribute £20,000 to create 10 parking spaces at the rear of Buildwas Primary School within an agreed early timescale to alleviate parking problems in the period before the new primary school is delivered. – **S106**
***This should be delivered by the occupation of the 50th dwelling.*
12. That a management plan for the open space and biodiversity of the site is agreed in consultation with Shropshire Council’s Great Outdoor Strategy Board, including provision for an annual monitoring statement defining progress to date and planned future works. **Covered by Conditions 39, 44, 45, 48, 49, 50, 51 and 53 for biodiversity. Condition 61 for landscape management and Conds 66 and 67 for sport.**
13. Sufficient water on the site so that dust can be controlled by mist spray. **Covered by Cond 30c.**
14. A Puffin Crossing to allow children to cross the road safely in Buildwas shall be installed and operational by the occupation of the 50th home on site or earlier if possible. - **S106**
***This will need to be two crossings, one on the A4169 and one on the B4380 to enable children to walk to School. The pavements will also need to be improved*
15. A legal agreement clause providing for the traffic calming measures for Atcham, Buildwas and Leighton identified by the highways report to be installed within an agreed early timescale following consultation with the Parish Councils. - **S106**
***These traffic calming measures to be installed by the occupation of the 50th home or earlier if possible. The mitigation monies should be increased from £65k to £265k to include engineering works to reduce traffic speeds.*
16. ***An Electric bus or similar carbon natural bus should be provided from the site and include stops in local Villages all the way to Shrewsbury. There is a conditioned service to Telford but not any provision in Shropshire*

17. ***There should be an agreed number of homes built on the Greenfield (sand and gravel site). This should be agreed now and should be a specific percentage of the total dwellings number.*

Item No.	Application No.	Originator:
5	19/05560/OUT	Case Officer

Case officer response in consultation with Highway Authority to additional conditions / legal clauses requested by Councillor Claire Wild (case officer comments in italic):

2. Vehicle Activated Signage for traffic calming on the A4169 and the B4380. – S106
***By the occupation of the 50th home or earlier.*

Officer: This trigger is not considered to be feasible. The vehicle activated sign will be delivered as part of the roundabout works. However, the Highway Authority can look to implement a temporary traffic regulation order in the vicinity of the quarry access including mobile signage:



3. A review mechanism to secure further highways improvements if deemed appropriate by the highway authority in consultation with the local community following traffic monitoring. – S106.

Officer: The scope to secure further contributions is limited due to the lack of CIL. There will be monitoring however, and proposed works along the B4380 will be subject to consultation.

9. That CCTV is installed at the main site entrances so that all construction vehicles are traceable. **Cond 19b.**

***That CCTV is also installed at the bottom of Buildwas bank to ensure that construction vehicles and construction staff do not use the B4380.*

Officer: This is not considered reasonable. CCTV at the quarry access should pick up traffic at Buildwas Bank it is positioned and angled appropriately.

10. A strict routing agreement for construction vehicles is agreed and adhered to so that there is no construction traffic entering or leaving the site via the A4169 or the B4380 with a “three strikes and your out” policy. – S106

***That the routing agreement includes construction staff.*

Officer: This is not considered appropriate for non-HGV traffic. However, it is recommended that an advisory note is provided which states that the Construction Management Plan required by condition in Appendix 1 should include an instruction encouraging staff to use the construction route.

11. That Harworth's, as part of the 106 agreement contribute £20,000 to create 10 parking spaces at the rear of Buildwas Primary School within an agreed early timescale to alleviate parking problems in the period before the new primary school is delivered. – S106

**This should be delivered by the occupation of the 50th dwelling.

Officer: It is recommended that a condition covering this matter is included as a Grampian Condition in Appendix 1. Officers have discussed this with the applicant who has agreed in principle though the suggested trigger level for these works has not yet been agreed.

14. A Puffin Crossing to allow children to cross the road safely in Buildwas shall be installed and operational by the occupation of the 50th home on site or earlier if possible. - S106

**This will need to be two crossings, one on the A4169 and one on the B4380 to enable children to walk to School. The pavements will also need to be improved

Officer: The northern access will provide a toucan crossing point on the A4169, this is shown on the layout drawing and ADC1776-DR-008. The toucan crossing will be provided on the A4169 as part of the northern access signalisation works, but the trigger point is later than first anticipated. As previously outlined, a signalised crossing on the B4380 arm of the roundabout will be provided as part of the roundabout works. The traffic calming in Buildwas could be the widening of the footway outside the school as discussed previously.



15. A legal agreement clause providing for the traffic calming measures for Atcham, Buildwas and Leighton identified by the highways report to be installed within an agreed early timescale following consultation with the Parish Councils. - S106

**These traffic calming measures to be installed by the occupation of the 50th home or earlier if possible. The mitigation monies should be increased from £65k to £265k to include engineering works to reduce traffic speeds.

Officer: The 65k is indicative as the scope of works have not yet been agreed. However, due to limited funding this figure is restricted and cannot be increased in the financial context of the application.

16. **An Electric bus or similar carbon natural bus should be provided from the site and include stops in local Villages all the way to Shrewsbury. There is a conditioned service to Telford but not any provision in Shropshire

Officer: This forms part of the transport strategy funding referred to in the schedule of legal agreement clauses in Appendix 1. It is not possible to insist at this stage on electric busses though this would be supported in principle by officers. The details will need to be agreed with the applicant under the provisions of the legal agreement.

17. **There should be an agreed number of homes built on the Greenfield (sand and gravel site). This should be agreed now and should be a specific percentage of the total dwellings number.

Officer: This is an outline application so the detailed distribution of housing within the site cannot be agreed until the reserved matters stage. The outline masterplan does however indicate that about 45-50% of the housing is likely to be located on the greenfield part of the site.

Item No.	Application No.	Originator:
5	19/05560/OUT	Ironbridge Railway Trust

The Department for Transport has indicated that Chris Heaton-Harris MP will announce the outcome of the Restoring Your Railway tranche 3 bidding round this month and that we have the Power Station-Ironbridge-Bridgnorth bid within that – supported by SC and Worcs CC and the 4 MPs.

The Ironbridge Railway Trust previously commented on this application advocating:

- protection of the route from the Power Station towards Ironbridge for prospective future rail use (TWC Policy C2 – Safeguarding railway and transport corridors, which specifically includes the route) or
- design/capacity within the Power Station site for sufficient Park & Ride capacity for access to the World Heritage Site via any such restored railway (principally illustrated at section 3 of IRT’s commentary).

In the ‘one-off opportunity context’ of the Power Station re-development I think IRT’s suggestions were essentially about ‘passive provision’ ensuring that such future sustainable transport developments were not *precluded* by the Harworth plan. The absence of any reference to these issues or any suggested protection of the route may well mean that any such corridor restoration will be permanently prevented (and I’m assuming TWC officers and members were not concerned about this themselves in advance of their own application determination on 18th May).

At this 11th hour is there anything that can be done to ensure committee members are aware of these issues and the potential that this major strategic opportunity for the County, TWC and the World Heritage Site could be lost for good?

Officer note: The planning application is in outline and the indicative masterplan would not preclude the IRT proposals from coming forward at a future date though clearly there would need to be a funding package around this at that time.

Item No.	Application No.	Originator:
5 & 6	19/05560/OUT & 19/05509/MAW	Case Officer

The enclosed photos of key highway junctions may assist Members in understanding the highway issues referred to in the committee report:

Gaskell Arms Junction, Much Wenlock (£250,000 funding for upgrade):





Buildwas Bank Junction (To be upgraded to roundabout in year 6):







T-Junction onto A4169 Wenlock Road (Proposed quarry and development access – to be upgraded):



Item No.	Application No.	Originator:
6	19/05509/MAW	Councillor Claire Wild

Conditions and legal agreements requested by Councillor Wild

1. The sand and gravel site operating hours are 7.30am – 5.30pm, Monday to Friday and 8am until 12 noon on Saturdays and there will be no Sunday or Bank Holiday working. No noisier operations outside of 8am – 5pm weekdays and none on weekends or Bank Holidays.
2. That CCTV is installed at the main site entrance and on the Buildwas Bank junction so that all vehicles are traceable.
3. A strict routing agreement for sand and gravel vehicles is agreed and adhered to so that there is no sand and gravel traffic entering or leaving the site via the A4169 or the B4380 with a “three strikes and you’re out” policy.
4. There shall be no vehicles waiting on the side of the road for the quarry to open.
5. There shall be sufficient water on the site to enable continual spraying to reduce the dust.
6. Site preparation works including bunding should be expediated and not dragged out. The reason is to reduce the noise nuisance and visual impact on neighbouring properties.
7. The 25% of the sand and gravel supplied to the local market by road should not exceed 100,000 tons per year.
8. In the event of the repairs to the Albert Rail Bridge being delayed, there should be a condition placed on the development to ensure that no extra sand and gravel is removed from site by road.
9. Installation of permanent traffic monitoring for the speed, volume, and size of traffic on the A4169 and the B4380 before any mineral exports from the site.
10. Vehicle Activated Signage for traffic calming on the A4169 and the B4380 installed prior to any mineral exports from the site.
11. That a reduction in the speed limit on the A4169 and B4380 to 40mph is introduced prior to any mineral exports from the site.

***Officer Note:** The officer has discussed these recommendations with Councillor Wild and appropriate Conditions and legal agreement clauses are recommended in Appendix 1 of the committee report.*

ADDITIONAL REPRESENTATIONS ON 10/08/21

Item No.	Application No.	Originator:
5	19/05560/OUT	Case officer
<p data-bbox="86 365 1091 398"><u>Update on meeting with Homes England regarding affordable housing:</u></p> <p data-bbox="86 436 1422 544">A virtual meeting took place between senior Council officers and Homes England and the applicant on 5th August 21 to seek clarification on the circumstances in which Homes England would consider funding an affordable housing gap at the Harworth site.</p> <p data-bbox="86 582 1445 801">Homes England confirmed that if the affordable housing is required through a Section 106 legal agreement or planning condition, then they would not be able to fund it. However, funding may be available for any additional affordable homes provided on the site above those required by the s106/planning condition. Where the s106/planning condition does not require policy compliant levels of affordable housing, robust and independent viability reports must be in place to support the reduced developer contribution.</p> <p data-bbox="86 840 1442 1021">Homes England confirm that whilst they will not fund any affordable housing which is required by a Planning Obligation funding can be given where the scheme cannot deliver at a policy compliant level for viability reasons. This is provided that the reduced contribution is supported by a robust and independent viability report. Homes England have funded ‘additional’ homes with affordable tenures on a number of developments throughout the county.</p> <p data-bbox="86 1059 1382 1205">Harworth have confirmed that they are committed to submit an application to H.E. but they cannot do so until the current outline planning application has been determined. They have agreed to enter into a legal undertaking with the Council to submit an application to Homes England as soon as possible after the application is determined.</p> <p data-bbox="86 1243 1414 1350">The Harworth application has been supported by a robust viability report which has been independently validated by the Councils’ viability consultant. As such, the eligibility criteria for HE funding are met.</p> <p data-bbox="86 1388 1434 1534">At the meeting HE indicated that there is no cap on the amount of funding potentially available. As such, the full 15% shortfall in affordable homes relative to policy compliant levels could potentially be funded by HE, providing this conforms with the viability criteria established by Harworth.</p> <p data-bbox="86 1572 1406 1718">HE indicated at the meeting that there is the potential for them to become involved as an investor partner in the Harworth development and potentially a strategic partner in the future. They cite Harworth’s development at Waverley, Rotherham as a good example of recent constructive collaboration between Harworth and HE:</p> <p data-bbox="86 1718 732 1751">https://harworthgroup.com/projects/waverley/</p> <p data-bbox="86 1789 1442 2045">It should be noted that delivery of affordable homes up to and potentially above policy compliant levels would not just be dependent on Homes England funding or clawback funding from the viability review mechanism. Other registered providers of social housing have the ability to add social housing to the Harworth scheme and to compete with developers of open market housing for plots within the site. This has happened at other major development sites in Shropshire and it is to be expected that Harworth will receive communications from such providers following any planning permission. One example could be the provision of older</p>		

persons accommodation such as extra care apartments. These units can often be delivered on a relatively smaller footprint which does not affect viability.

In conclusion, there are realistic grounds for optimism that the current deficit in affordable home delivery at the Site has the potential to be addressed by Homes England grant funding. Addressing the affordable homes deficit in this way would increase the ability to utilise any clawback funding from the viability review process to address other infrastructure priorities such as healthcare (CCG) and highway issues (Gaskell Arms, B4308) which have been clearly highlighted during the planning consultation process. These other priorities will be specifically listed in the viability review clause of the s106 legal agreement to accompany any planning permission.

Item No.	Application No.	Originator:
5	19/05560/OUT	Clinical Commissioning Group

Message sent on behalf of Claire Parker, Director of Partnerships, NHS Shropshire, Telford and Wrekin CCG

Dear Ian and Grahame, Thank you for your time on Friday to meet with Tom, Darren and PJB Associates. Hopefully the additional information that we were able to present (attached) utilising the data from a national piece of work provided the full picture for you on existing capacity issues and dispelled some myths around practices not fully utilising their estate or working “part time hours”. We request that this report is shared with members of the Committee.

On this front, we would like to formally record our concern to the Committee over some of the comments made both during direct conversations between the CCG and the Council and more worryingly by officers and members at the Shropshire Planning Committee in June.

Specifically we are frustrated that there continue to be comments around the CCG making late representations to the Committee and having had several months to consider specific outcomes of the scheme, particularly finance. We categorially dispute this, feel misrepresented and that our concerns around these comments made verbally to officers have not been recorded and as such request that these are presented formally to the Committee.

For clarity we maintain that the narrative of the meetings with the Council and Harworths that had been taking place for over a year, suddenly changed from discussing high level principles and opportunities to a request for detailed technical/ financial requirements in the weeks prior to the June meeting. In addition we would like to point out that we have no record of a formal request for feedback being made to the CCG by either local authority as part of the consultation process and have no historic evidence of any discussions taking place between the CCG and Telford and Wrekin Council .

Throughout these high level discussions we have outlined that several strategic workstreams were underway to help us fully understand the impact of this (and all other) developments is on Primary Care Estates and that we would be unable to respond in detail before this work is complete. We have also been explicitly clear about the limited role of the CCG in Primary Care Estates throughout these meetings, specifically that we have limited influence or control as the practices are individual businesses and have individual estates arrangements.

We feel that none of this dialogue has been reported to the Committee and again we request that this concern is formally made to the committee.

In terms of the request for a specific response to the financial offer towards healthcare provision by midday today, we would like to reiterate the points made on Friday that this specific offer and the complexities around it must go through a specific governance process within the CCG prior to any decision being made. As such, we can confirm that we are not able to make any formal response at this stage other than the view that the outline financial contribution fails to provide sufficient funds to address the inevitable impact the development will have on local healthcare provision.

We would politely request sight of the officers' report in advance of the August 10th Planning Committee so that we can be assured that our concerns are highlighted as requested.

Many thanks
 Claire Parker
 Director of Partnerships, NHS Shropshire, Telford and Wrekin CCG

Item No.	Application No.	Originator:
5	19/05560/OUT	Clinical Commissioning Group

Dear Ian and Grahame

I refer to the proposed meeting later today to discuss the Ironbridge Power Station development and hopefully the information provided below will shed more light on the query you raised during our last discussion in terms of opening times and capacity issues at the Ironbridge Surgery. Firstly, below is a quick re-cap to give you the background in terms of current patient numbers at the respective local practices;

Patient Population

Practice	Q1 2021/22	Q4 2020/21	Q3 2020/21	Q2 2020/21	Q1 2020/21	Q1 2019/20
Ironbridge	5,061	4,923	4,847	4,793	4,773	4,568
Broseley	4,660	4,673	4,670	4,669	4,684	4,686
Much Wenlock (split with Cressage)	8,184	8,249	8,138	8,147	8,149	8,111
Total	17,905	17,845	17,655	17,609	17,606	17,365
<i>Variance</i>	<i>60</i>		<i>239</i>			<i>241</i>

The suggestion is that the new housing development would create around 2,550 additional patients by 2032. Based on the current rate of increase of around 240 patients per year across all 3 practices that would mean an overall population of **23,500** by 2032 – or an increase of approx. **31%** over current levels.

Practice Opening Times

Practice	Main/Branch	Mon	Tue	Wed	Thur	Fri	Sat	Sun
Ironbridge	Main	0830-1800	0830-1800	0830-1800	0830-2030	0830-1800	Closed *	Closed *
Broseley	Main	0830-1800	0830-1800	0830-1800	0830-1800	0830-1800	Closed *	Closed *
Much Wenlock	Main	0830-1800	0830-1800	0830-1800	0830-1800	0830-1800	Closed *	Closed *
Cressage	Branch	0830-1800	0830-1800	0830-1800	0830-1800	0830-1230	Closed *	Closed *

* Patients are still able to access appointments over the weekend via the Extended Access/Extended Hours services – appointments can be provided by own GPs or GPs from other practices either at patient's own practice or, more usually, at another practice location

As far as the Ironbridge Surgery is concerned you can see that the Surgery is open between the hours of 08:30 and 18:00 each day of the working week apart from on a Thursday where they have a late night opening until 20:30. Therefore it is clear this is a full time Surgery and not part time as was the implication from our previous meeting.

Practice Staffing

Actual vs WTE

Actual Headcount @ 31st March 2021					WTE @ 31st March 2021				
	Admin	Direct Patient Care	GPs	Nurses		Admin	Direct Patient Care	GPs	Nurses
Ironbridge	10	1	5	2	Ironbridge	6.4	0.2	3	1
Broseley	11	2	5	4	Broseley	6.8	1.1	2.2	2.1
Much Wenlock	14	6	7	4	Much Wenlock	10.5	4	5.3	1.9

At Ironbridge we currently have 3 consulting rooms and 1 treatment room and the staffing figures provided in the table above confirm there are 5 GPs and 2 nurses based there. However, in terms of WTE (whole time equivalent), this translates to 3 GPs and 1 nurse. On the assumption each would need exclusive use of a room to ensure patient privacy and confidentiality then this inevitably means 4 rooms are needed (i.e. the current room capacity).

Therefore this seems to clearly establish the surgery is effectively open full time throughout the week and there are 4 consulting/treatment rooms to allow 4 WTE clinical staff to deliver their services. Therefore, it would not be physically practical to treat any more patients without the addition of new treatment/consulting rooms.

The fact Ironbridge has no further capacity was confirmed following the review of surgeries undertaken by the independent medical services specialists Community Ventures, who advised Ironbridge needed 5 rooms based upon current capacity and therefore they are already a consulting/treatment room down. This review did not take into account the impact the redevelopment of Ironbridge Power Station would have on local healthcare facilities.

Current Staffing Levels (WTE per 100,000 Patients)

Practice	Admin / Non Clinical			Direct Patient Care			GP			Nurses			Total Clinical Staff				
	Practice	CCG	England	Practice	CCG	England	Practice	CCG	England	Practice	CCG	England	Practice	CCG	England		
Ironbridge	127	126	115	3	28	25	60	48	46	19	32	28	82	108	99	-26	-17
Broseley	145	126	115	24	28	25	48	48	46	46	32	28	118	108	99	10	19
Much Wenlock	128	126	115	49	28	25	65	48	46	23	32	28	137	108	99	29	38
Average	133	126	115	25	28	25	58	48	46	29	32	28	112	108	99	4	13
Variance		7	18		-3	0		10	12		-3	1		4	13		

It should also be taken into account an increase on patient numbers does not just impact on clinical accommodation, but it also results in a knock-on effect of the need for more non-clinical

space to accommodate, for instance, additional administrative staff and space to store the additional records and so on.

As a cross check on staffing levels the above table has been prepared which provides details on how the Ironbridge Surgery compares with other local surgeries as well as providing comparative averages for the CCG as well as England as a whole.

If we just take the Ironbridge Surgery into account, on the basis this is where the additional patient numbers would naturally fall from the new development, the WTE per 100,000 patients for Ironbridge for all clinical staff is only 82 as opposed to an average of 108 for the CCG and 99 across England. This would suggest that the fact all consulting and treatment rooms at Ironbridge are currently occupied by WTE clinical staff is not down to the Surgery being over staffed.

We look forward to discussing the finer details of the figures provided above during today's meeting but hopefully you will see the Surgery is at capacity without the influx of new residents.

Developer Contribution to Healthcare

As you are aware we have already provided details of the national calculator which is used elsewhere in the country to determine a suitable level of healthcare development contributions. We are of course aware this particular development is coming under a lot of competing pressures for Section 106 funding and there are concerns as a result around the viability of the development.

We believe there is effectively a current offer on the table from the developer to provide a cash contribution for healthcare of £500,000 plus the provision of an on site serviced plot for a new Surgery (with an estimated value of £375,000). As the CCG has not yet had chance to consider all of its options at this stage it would not wish to be tied to a commitment to take a serviced plot on site in case another alternative was pursued and would instead prefer at this stage to keep the agreed Section 106 contribution as a straight monetary arrangement.

We have previously been advised by Grahame that Harworth's were expecting their healthcare obligation on this site to be along the lines of a development they are undertaking in Thoresby in Nottinghamshire where they agreed a flat rate of £850 per unit. In order to try to make headway in this matter the CCG would consider accepting this arrangement be applied to the Ironbridge Power Station which would equate to 1,075 units x £850 = £913,750.

We look forward to hopefully agreeing a way forward at today's meeting.

Kind regards,

Rob Elliott

Item No.	Application No.	Originator:
5	19/05560/OUT	Case officer
<u>Case officer response to CCG representation</u>		

The further information submitted by the CCG indicates that there is a pre-existing healthcare capacity issue in the local area which will need to be addressed by the CCG irrespective of the outcome of the current application. It supports the conclusion that without s106 funding for new healthcare provision the Harworth scheme would be likely to exacerbate this pre-existing situation over time, though the pressure from new residential development within the Telford is significantly greater. The officer understands that none of the new Telford housing developments mainly responsible for this growth have been required to make a healthcare funding contribution in their respective planning applications.

The CCG information indicates that there are particular capacity issues at the Ironbridge surgery. The CCG considers that if residents from the Harworth scheme are given the choice they would be likely to register preferentially for the Ironbridge surgery rather than with Much Wenlock / Cressage or Broseley, thereby compounding issues at Ironbridge. However, the Much Wenlock practice at King Street is also relatively close to the Harworth site and the CCG could potentially close the Ironbridge surgery to new admissions. The CCG has not so far indicated that these other local practices would not have some buffer capacity to accommodate residents from the Harworth scheme during the initial stages of the development.

The committee report confirms that the draft legal agreement makes provision for £0.5m of capital funding plus a serviced plot (potential value >£300k). The capital sum is less than the £0.913m being requested by the CCG who have reduced this from an initial request of £1.27m.

Officers held a recent virtual meeting with the CCG at which they reiterated that the capital funding request came too late for it to be taken into account as part of the detailed consultations between SC and T&W officers and Harworth and that, accordingly, it was necessary to make contingency measures of £0.5m plus a serviced plot in order to finalise the infrastructure funding agreement. (It should be noted that the initial planning consultation to the CCG was sent out in January 2021 and subsequent communications made the May 2021 response deadline to the CCH clear). The financial discussions took place in a difficult context of limited funding and competing priorities. This included funding items put forward by T&W council which were necessary in order to secure an approval resolution for their equivalent outline application.

Notwithstanding this, and the fact that there is no precedent for healthcare funding from major planning applications in Shropshire, officers have indicated to the CCG that healthcare funding will be identified as a priority for any clawback funding which may become available from the viability review process. Additionally, healthcare will be identified as a priority for the next review of the Much Wenlock Place Plan in order that other non-Harworth CIL funding within the place plan area can potentially be accessed for healthcare purposes. This would be in addition to the £0.5m capital sum and serviced plot provided for in the draft legal agreement.

It is considered that the funding proposals in the current draft legal agreement represent an appropriate contribution in the difficult circumstances of the application and that any current shortfall relative to the amount requested by the CCG can be addressed and through the viability review mechanism and by other CIL funding. The Government's practice guidance on Viability advises in this respect that the cumulative cost burden of a s106 agreement should not be so great as to render the scheme unviable.

Item No.	Application No.	Originator:
5	19/05560/OUT	Case officer
<p data-bbox="86 264 1114 302"><u>Case officer update on highway matters raised by Councillor Claire Wild</u></p> <p data-bbox="86 338 1382 412">Councillor Wilde has made a further representation relating to local traffic issues which has been assessed by the Highway Authority as follows:</p> <p data-bbox="86 448 523 486"><u>Requested planning condition:</u></p> <p data-bbox="86 486 1426 703">Councillor Wilde has requested that draft condition 21 (Buildwas Bank Roundabout) in appendix 1 is amended to provide a Puffin Crossing prior to occupation of the 50th dwelling at the Site. This is to ensure that a suitable crossing facility is in place to accommodate any pedestrian movements of school children from the Harworth site towards Buildwas Academy School in the first 5 development years prior to construction of the new primary school. The highway officer has not supported this request for the following reasons:</p> <p data-bbox="86 739 1439 960">The timing trigger for provision of the roundabout and associate works (including the puffin crossing) has been agreed with Harworth as prior to the occupation of the 180th house and this is set out in the draft condition. Bringing the puffin crossing works forward has cost implications which have not been agreed with Harworth and means that the crossing would be delivered in advance of the wider roundabout works and potentially before the associated speed limit reduction could be legally secured.</p> <p data-bbox="86 996 1445 1290">Experience with other highway schemes has shown that early / premature delivery of pedestrian crossings can have safety implications as drivers become accustomed to low levels of pedestrian use and may disregard the crossings. Additionally, the first residents will be located at the west side of the site a 20-25 minute walk from Buildwas village. In this location it is considered that parents of school children will be more likely to drive to school, notwithstanding the desire to promote sustainable non-vehicular transport options. It is with subsequent residential development further to the east that the greatest potential for pedestrian linkage exists, by which time the puffin crossing will have been delivered.</p> <p data-bbox="86 1326 1426 1435">As an interim measure the highway officer has confirmed that a reduced speed limit could be prioritised on the approach to the Buildwas Bank junction - a temporary traffic regulation order could be imposed to expedite this, supported by mobile variable messaged signage.</p> <p data-bbox="86 1471 453 1509"><u>Legal Agreement Clause:</u></p> <p data-bbox="86 1509 1430 1839">Councillor Wilde has requested a legal clause providing for traffic calming measures to be installed at the centre of Buildwas village and at Leighton in accordance with the approved highways report and within an agreed early timescale, in consultation with Leighton and Eaton Constantine Parish Council. Draft condition 20 addresses this matter and is backed up by a recommended legal agreement clause. The timing trigger for the works is prior to the occupation of the 150th home. This has been agreed with Harworth and is considered to be an appropriate timescale having regard to the locations in question and the cost implications. It is confirmed that Leighton and Eaton Constantine Parish Councils would be consulted by the Highway Authority as a matter of course prior to the commencement of any works.</p>		
Item No.	Application No.	Originator:
7	20/00820/FUL Proposed Pig Farm South West of Manor Farm, Sheriffhales	Case Officer

At 7.2.1 of the report it is stated that the design details of the two store storage buildings have been queried with the agent. Revised details have subsequently been submitted on which the raised ridge ventilators originally shown on these buildings have been deleted, the northern gable ends amended to be completely open to allow for unobstructed access and the internal layout amended to show single straw storage spaces.