



OT100-058-473

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David Jackson
Savills (L&P) Ltd
Wytham Court
11 West Way
Oxford
OX2 0QL

Our Ref: APP/C3430/A/06/2027165,
APP/C3430/A/06/2027177,
APP/C3430/A/07/2046907

30 October 2008

Dear Sir,

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 78
APPEALS BY TAYLOR WOODROW DEVELOPMENTS LTD (NOW TAYLOR WIMPEY
DEVELOPMENTS LTD) AND BAE SYSTEMS
CAT AND KITTENS LANE, FEATHERSTONE, STAFFORDSHIRE, WV10 7PR
APPLICATION REFERENCES 05/00677/OUT, 06/00048/OUT AND 07/00244/OUT**

1. I am directed by the Secretary of State to say that consideration has been given to the report of the Inspector, S J Emerson, BSc DipTP MRTPI, who held a public inquiry between 7-23 August 2007 into your clients' appeals:
 - Appeal A (TW1): against the failure of South Staffordshire Council to determine an application for outline planning permission for a bus and rail-based park and ride including: principal access from the A449 (Stafford Road) as shown in drawing 12577/PA/003; secondary access from Paradise Lane, Coven as shown in drawings 12577/PA/004 & 005; replacement access to former Royal Ordnance Factory; interchange building accommodating passenger facilities, ticket office and ancillary uses including retail kiosk; 1,620 metres of railway track and associated embankment, platforms and passenger shelters to effect partial realignment of WCML; vehicle parking areas (up to 1,500 car parking spaces and associated vehicle manoeuvring areas); highway works including realignment of Cat and Kittens Lane and closure of Brinsford Lane; landscape works; earthworks, involving the winning of material from within the former Royal Ordnance Factory to form necessary embankments; and other associated engineering works, in accordance with application number 05/00677/OUT dated 8 June 2005.
 - Appeal B (TW2): against the failure of South Staffordshire Council to determine an application for outline planning permission for development including: residential development (Class C3): up to 1,000 dwellings in total on 24.1 ha; employment development: classes B1, B2 and B8 on 9.3 ha; local centre of 1 ha comprising a mix of uses including: foodstore (class A1) up to 1,500m², GP's practice (Class D1) up to 750m², additional retail (Classes A1-A5) up to 200m², public house (Class A4) up to 700m², residential (Class C3) 12 flats; primary school (Class D1)

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41. The Secretary of State has had regard to the concerns of many local residents about increased pollution mainly from increased traffic and she has had regard to the existence of the designated Air Quality Management Area at New Road, Featherstone. However, for the reasons given in IR13.86, the Secretary of State agrees with the Inspector that there is no creditable basis for any concern in relation to pollution. The Secretary of State therefore agrees with the Inspector that the proposals are consistent with the advice in PPS23 (IR13.87).

Protected species

42. The Secretary of State notes that recent survey work by the appellants has found a small population of Great Crested Newts at two water bodies immediately to the north of the embankment of the bridge over the West Coast Mainline and, whilst the proposals would not directly affect these water bodies, the habitat to the south would be lost. However, for the reasons given in IR13.88-13.89, the Secretary of State agrees with the Inspector that the proposed mitigation measures represent a benefit to Great Crested Newts rather than harm and that there is no conflict with national or development plan policies for the protection of biodiversity.

Highways

43. For the reasons given in IR13.90, the Secretary of State agrees with the Inspector that despite concerns raised by many local residents about increased traffic congestion, in the absence of any technical evidence to the contrary, there is no highway objection to the proposal. She also agrees, for the reasons given in IR13.91, that the proposals would not make the use of the lay-by on the A449 materially worse.

Health care

44. The Secretary of State notes that the appellants' commitment to the proposed GP's practice/health centre is solely to offer the Primary Care Trust a free site for such a facility if they want to establish one. She agrees with the Inspector that the issue of funding any additional GP(s) is very much a matter for the PCT and not something that can reasonably be expected to be funded by the appellants. She therefore agrees with the Inspector that this issue does not amount to harm to weigh against the appeal proposals (IR13.92).

Design and layout

45. For the reasons given in IR13.93, the Secretary of State agrees with the Inspector that there would be a poor geographic relationship with Featherstone. However, for the reasons given by the Inspector in that paragraph, the Secretary of State shares his view that the poor physical relationship with Featherstone should not be regarded as material harm weighing against the proposals.

The park and ride proposals

46. The Secretary of State considers that realising the longstanding proposal for a strategic park and ride development at Brinsford, and achieving it sooner rather than later is an important material consideration in her determination of this appeal. The Secretary of State agrees with the Inspector that the appellants have already made an important contribution to advancing the proposal and that their contribution to realising the scheme if the appeals were to be allowed would be considerable (IR13.96-13.98). Like the Inspector, the Secretary of State considers that the