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W2008/0799 Erection of 32,484m² of Class B1 floorspace and associated roads infrastructure and landscaping *****Amended Description*****
Land at, Castle Farm Way, Priorslee, Telford, Shropshire.
Recommendation Code: FG
Ward: Priorslee

APPLICANT:
Castle Farm Telford LLP

RECEIVED ON:
04/07/08

PARISH
St. Georges & Priorslee

WARD
Priorslee

CASE OFFICER:
Rob Price

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Green Network, Policy, Economic Development, Regeneration and Scheme Viability.

BACKGROUND:

The applicant's overall scheme was submitted as an outline planning application in June 2006; reference W2006/0966 – outline application for 51,095 sq m of Class B1/B2, hotel, 550 dwellings and open space.

In June 2006 the applicant also submitted an associated outline application for the construction of a new access, internal roads and other infrastructure (reference W2006/0968).

At its meeting on 31st October 2007, Plans Board resolved to grant planning permission for the overall outline scheme and the outline application for infrastructure, subject to a S106 Obligation. The applications were reconsidered at Plans Board on 27 January 2010 and at this meeting members resolved to refer application W2006/0966 to Government Office for the West Midlands for consideration and if the application is not called in, delegate the Head of Planning & Transport in consultation with the Chairman of the Plans Board to grant planning permission subject to clear design principles and a S106 Obligation.

Members should be aware that the purpose of this related full application is to enable the developer to deliver a large portion of the proposed employment development at Castle Farm on an early basis, without the need to submit a reserved matters application. The application will in effect provide the same information as would be required by a reserved matters submission under an outline planning permission. The full planning permission would provide certainty to the funders of the development and also enable an early start to be made on providing the necessary infrastructure for the wider development scheme.

Members are reminded that under the resolution to grant outline planning permission, the applicant is committed to providing a scheme in accordance with the approved masterplan. This includes significant benefits including the provision of significant employment opportunities on a previously developed site formerly in employment use.

The West Midlands Regional Assembly (WMRA) was consulted on the full application in terms of conformity with the Regional Spatial Strategy (RSS). In short the WMRA comments note that the planning applications are in general conformity with the RSS but need to have regard to the desire to locate office Class B1 (a) uses within the Town Centre in order to protect the viability and vitality of the Town Centre. The WMRA go on to suggest that a limit in extent of office floorspace be imposed at this out of centre location, with a suggested maximum 5,000 sq m. which would be in line with the RSS. Members will note that their resolution on 27th January 2010 imposed 20,000 sq m limitation on the amount of B1 (a) floorspace.

There have been protracted negotiations between your officers and the agents for the proposal regarding the appropriate level of B1 (a) office space for the scheme, with officers initially requiring that the total office floorspace be limited to 5,000 sq m in accordance with RSS policy, unless the applicants could demonstrate otherwise via sequential information that sites within or adjoining the town centre would not be available or viable. A final version of the sequential analysis was lodged with the Council on 5th October 2009.

The applicant is willing to offer sustainable transport measures as part of the S106 Obligation. This is also referred to in the report to Plans Board on the overall outline application in January 2010. In accordance with the practice of the Council, the commercial arm of the Valuation Office Agency (DVS) was instructed in October 2009 to assess the information provided by the applicant regarding the viability of the scheme and its request to reduce the level of planning contributions.

The DVS findings in a report dated 16th December 2009 is that in the current market the scheme the subject of outline planning permission is not viable if the full package of planning obligation contributions previously offered is still required by the Council. The DVS go on to note that whilst the scheme may not be viable at the present time with the level of Section 106 contributions, over the anticipated timescale of the scheme (7 to 10 years), market conditions will inevitably change and this should be kept under review. The DVS suggest for instance that if there is a growth in sales values of in excess of 15% (which is a reasonable prospect given the current slump in values and prospects for recovery), the scheme may revert to being viable. It is considered reasonable therefore that future upturn in land values is reflected in the level of Section 106 contributions.

DVS state that a number of Councils are now considering the introduction of a system of 'overage' or 'review' although it is acknowledged that only a few Section 106 agreements have been completed that include overage provisions.

The principle of overage is to claw-back monies if the market improves to an extent that the developer is making 'super profit'. Any overage is normally shared with the developer, so he has an incentive, with a ceiling of the monies you would have received if the scheme was policy compliant at the outset. Any mechanism needs to be simple but also to include growth in costs in order to be totally fair.

The base level is that the Section 106 is framed to include contributions that equate to that required to fulfil planning policies – in this instance to the package that Plans

Board agreed in 2007 but then proceeding to acknowledge that current sales values would make the scheme unviable and thus leading to the reduced package on offer. Review dates can be inserted where sales values would be reviewed by the original assessor at the applicants cost and if viable Section 106 obligations would be amended in so far as they apply to those elements of the development which remain to be constructed e.g. where it can be demonstrated that uplift in site values has occurred. The applicants have provided the Council with a phasing plan received 13th January 2010 and this may be used as part of the review condition and clause in any Section 106 Agreement to impose a prior to the commencement of development on each phase after an initial three year period of "grace". Again it should be noted that the principle of deferring the requirements of a S106 obligation was accepted at Plans Board on 27 January 2010.

APPLICANT'S SUBMISSIONS:

The agent describes the principal economic and regeneration benefits of the scheme as follows:

- That not all of the office space anticipated in forthcoming years can be accommodated within the town centre of Telford and that furthermore, not all of the town centre sites are currently available. In addition there are no suitable sites for office development in the district centres of Telford.
- The planning application site constitutes previously developed land within the urban area of Telford. As such the development proposal constitutes the reuse of brownfield land within the urban area and accords with all levels of planning policy. The benefit of reusing such sites is that pressure to release Greenfield sites is reduced.
- The application is an employment led scheme.
- The site is situated in an excellent location in terms of the Telford to Wolverhampton High Technology Corridor. It is also in close proximity to Wolverhampton University thereby providing the opportunity for businesses who wish to be associated with the University to find accommodation in close proximity to that institution. The provision of commercial floorspace on the High Technology Corridor and in close proximity to the University will help to fulfil RSS policy objectives for employment in the region.

The number of jobs that are expected to be created on the site include some 1,700 approximately (Class B1/2)

- The development will provide a wide range of job types to suit a variety of skill levels providing job opportunities for a wide cross-section of the community.
- The expenditure from these jobs which could be spent in the town centre to be some £7 million of expenditure on retailing. There will be additional expenditure on leisure activities, pubs and restaurants. It follows that if the scheme is not supported then the expenditure will not arise in the catchment, with a consequent disbenefit to the vitality and viability of the town centre.

- The overall development of which this application forms a part will obviously generate considerable capital investment into Telford and the following estimated figures have been provided by the applicants:
 - £140 million capital cost
 - £15.4 million infrastructure cost (demolition, roads, junction improvement)
 - £645,000 estimated S106 planning obligations

In a letter received 15th January 2010 the applicant sets out a résumé of the relevant policies and objectives in PPS4 and identifies how these matters have already been addressed in the material submitted.

Furthermore, upon careful review of the new document it can be seen that the approaches regarding the location of main town centre uses, the use of the sequential test for schemes involving town centre uses that are not in an identified centre and the application of an impact test are, effectively, the same as before in so far as they relate to the application proposal at Castle Farm.

First they note PPS4 widens the description of what is to be regarded as an economic development. It includes not only Class B uses but any other use which provides employment and, as such, the hotel element of the scheme can also be confirmed as economic development.

At paragraph 10 it is stated that, in order to achieve sustainable economic growth, the Government wishes to build prosperous communities which can improve the economic performance of settlements and can help to reduce the gap in economic growth rates between regions. Economic development can also promote regeneration. The applicant's proposals clearly will provide economic development, will regenerate a Brownfield site and will help the West Midlands economy to compete effectively with other regions.

They conclude that although PPS4 does provide a framework for the determination of planning applications such as those proposed at Castle Farm, the material which it requires to be assessed is in fact already before the Council and has been considered in bringing the project to this stage.

PROPOSAL: 32,484 sq m of Class B1 development

SITE AND SURROUNDINGS:

The site is irregular in shape and is to accommodate the first phase of the employment development within the overall Castle Farm development. It is previously developed land, forming part of the former Celestica works site.

The southern boundary of the site adjoins the existing landscape areas on the northern side of Priorslee Lake. The lake is a man made structure and is part of the overall drainage infrastructure serving Priorslee and the wider area.

HISTORY:

W2006//0966 – outline application for 51,095 sq m of Class B1/B2, hotel, 550 dwellings and open space – Resolution to Grant – 27/01/2010

W2006/0968 - construction of a new access, internal roads and other infrastructure – Resolution to Grant – 27/01/2010

W2008/0172 - Removal of trees identified in plan – Delegated TPO Grant – 28/03/08

W2008/0457 – Earthworks – Delegated Full Grant – 03/07/08

W2008/0749 - Road network – Delegated Full Grant - 02/12/2008

W2008/0752 – Sales/Visitor Centre – Delegated Full Grant – 06/08/08

W2008/1063 - Signage – Delegated Advertisement Consent Grant - 29/10/08

PLANNING POLICY

Regional Spatial Strategy

UR3 Enhancing the Role of City, Town, and District Centres
PA11 the Network of Town and City Centres

Telford & Wrekin Core Strategy

CS3 Telford

CS4 Central Telford

CS5 District and Local Centres in Telford

CS9 Accessibility and Social Inclusion

CS15 Urban Design

Wrekin Local Plan (saved policies)

E4 Development on Unallocated Employment Sites in the Urban Areas
TC1 Town Centre

OL3 Green Network

OL4 Development in the Green Network

National Planning Guidance PPS4 Planning for Sustainable Economic Growth

CONSULTATION RESPONSES:

Statutory Consultees:

West Midlands Regional Assembly

The full application W2008/0799 for 32,484 square metres of B1 floorspace falls within the West Midlands Regional Assembly's criteria upon which they are to be consulted as a statutory consultee.

The Regional Assembly's advice to Telford and Wrekin raises concern that the application does not provide details on the scale and nature of proposed office development. As a consequence, there is a concern that large scale office development could ensue and that this could prejudice office development within Telford town centre. The Regional Assembly's concluding remarks are that the proposed development is considered to be in general conformity with adopted Regional Spatial Strategy. However, this view is subject to (officer emphasis): the imposition of a condition limiting Class B1a office development to a maximum of 5,000m² to accord with WMRSS Policy PA11. The Regional Assembly was aware that the applicant's agent has already indicated to the Council that they do not find the restriction acceptable. On 31st October 2007 no limit was imposed and ultimately, the Assembly was concerned that without any limit on the B1 (a) floorspace the applicant could feasibly develop the whole of the employment element as B1 (a) offices. Clearly this is a worse case scenario, but without any restriction on the outline permission it is a credible outcome. This is a large amount of out-of-centre office floorspace which could therefore end up being built. When comparing this amount of floorspace against some of the requirements for the Region's strategic centres over the next twenty years (as set out in Policy 13A of the RSS Phase 2 document), the potential scale of office development is significant from a regional perspective.

The Regional Assembly note there appears to be clear local, regional and national policies supporting a position on restraining the amount of B1 (a) development on this site. Also of relevance is what you are trying to achieve through the Central Telford Area Action Plan.

The Regional Assembly pointed out their concern that large scale office development could prejudice office development within Telford Town centre. Policy PA3 High Technology Corridors does not override Policy PA 11 considerations. No site specific justification has been provided to relieve these concerns and remove the risk.

In conclusion, the Regional Assembly stated that the proposed development is in general conformity with adopted Regional Spatial Strategy but that this position is subject to the imposition of a condition limiting Class B1 (a) office development to a maximum of 5,000m² to accord with WMRSS Policy PA11.

Highways Agency

The Highways Agency placed holding directions on planning applications W2006/0966 and W2006/0968 by letter dated 6th September 2006. These objections were eventually removed subject to a number of conditions received by letter on 2nd March 2009.

Environment Agency

The Environment Agency in a letter dated 12th August 2008 recommends deferral of the planning application on drainage grounds, but indicates the matter may be overcome by possible conditions. Members will be provided with an update on this matter prior to Plans Board.

Non-Statutory Consultees:Parish Council

Recommend approval as agreed with previous outline but the following points should be raised:

- With the present traffic problems on Castle Farm Way it is considered that the new road junction with Castle Farm Way should be an island and not a junction
- There should be free flow of traffic on Castle Farm Way during construction work
- There should be protection of the environment and wildlife in this area
- There should be protection of all the existing public footpaths

Development Plan Team

The main Planning policy issue arising from this proposal, is the location and potential scale of Class B1a Uses. There is a definite issue of conformity with Development Plan policies contained in the Regional Spatial Strategy for the West Midlands, due to the potential for large scale office development outside Telford strategic centre (policy PA11). The application should be referred to the West Midlands Regional Assembly for their consideration.

Telford's Town Centre and District Centres are recognised in the Borough's Spatial Development Strategy and core policies (policies CS4 and CS5) as the key centres on which development, particularly employment development is to be focussed. To ascertain consistency or otherwise with Development Plan policy, to avoid undesirable precedent, and to enable comprehensive consideration of this proposal, a material consideration to the determination of this application is the national Planning policy contained within national Planning Policy Statement 6. The applicant's should meet PPS6 requirements, particularly an analysis of the proposal's impact on Telford Town Centre and District Centres.

Subject to the above, it is important to recognise that the proposal site lies in close proximity to the campus of The University of Wolverhampton, and the proposed development can be seen to have the potential to assist the delivery of certain types of development that could reinforce the potential of the Wolverhampton Telford High Technology Corridor (policy PA3). The contribution of the proposal to the potential of the Corridor needs to be carefully secured through the use of legal agreements or other appropriate mechanisms applied prior to or as part of any Planning approval.

To ensure consistency with Development Plan policy, legal agreements secured prior to or as part of a Planning approval should ensure that Class B1a Uses within the development;

- have a demonstratable relationship to research & development capabilities and advanced technologies within the West Midlands region, preferably those delivered through the University of Wolverhampton; and

- are involved in the development of high technology products / services (as opposed to the provision or use of such products/services).

For B1a Uses on the site that do not meet the criteria above:

- their cumulative gross floorspace across the site should not exceed 5000sqm; and
- within any one building on the site, should remain ancillary to other B1 Uses contained within that building.

Whilst the proposal site lies in close proximity to the University campus, the proposal site is distant from any locally defined centre and exhibits poor sustainable travel links to any of these centres. As a local regeneration area (policy UR2) access improvements should be secured through this development. To be consistent with Development Plan policy (policies CS9, T1 and T2), the requirements of national Planning Policy Guidance note 13 should be met to ensure the site is accessible by the most sustainable modes of travel. Consultation with the local Highway Authority will be important in this regard.

Economic Development

The Council's Head of Economic Development supports the proposal noting:

Telford town centre currently presents a number of sites with development potential for offices. However, it is unlikely that these sites are appropriate for the types of use being proposed at Lakeside.

The development at Lakeside Technology Park seeks flexible floorspace suitable for high technology / knowledge intensive employers, involving research and development activity related to the adjacent University and its strengths in engineering, ICT and polymers. The ambition for Telford town centre relates to different economic development clusters such as specialist business and professional services appropriate for a town centre location.

The relationship between the proposed development and the specialist research expertise of the adjacent University has a significant bearing on the development potential of the site, particularly the connection with the University's e-IC incubator facility; the proposed Learning and Innovation Centre; linkages to a regional ICT gigaport; and the potential for a renewable energy/combined heat and power facility.

Taking into account the above, B1 use on the Lakeside site will contribute to delivery of the Borough Economic Strategy and, subject to exploiting the full development potential and opportunities afforded by the site, the Head of Economic Development believes this would not negatively impact on the development of the town centre. This development potential would be realised by maximising the amount of B1 (b) use on the site – research and development, studios, laboratories and high technology. Unrestricted B1 (a) general office use would potentially negatively impact on the development of the Town Centre.

The Regional Assembly, whilst not objecting to the application have indicated the view that B1(a) be restricted to 5,000 square metres in conformity with the Regional

Spatial Strategy requirement to limit out of town centre office development to protect the development of the Town Centre.

In the current market restriction to 5,000 square metres of B1 (a) use could deter commercial investment and have a negative impact on achieving the full development potential of the site to contribute to the Borough Economic Strategy. However, the current market also suggests that the development will need to be brought to market in phases. Assuming phased development that would be consistent with a development of this size and nature, the Head of Economic Development's advice is to support a condition limiting use class B1 (a) use to 20,000 square metres. In his view this would be sufficient to enable the development and marketing of the site (in the current commercial climate) and not unduly impact on the development of the Town Centre and balance permission granted for similar use at the Wolverhampton business park i54. The Head of Economic Development also supports the proviso that this could be varied by written agreement at a point in the future where commercial conditions could be re-assessed.

Local Highway Authority

No objections subject to conditions and planning obligations.

Provision of off-site highways infrastructure:

The highways works have been designed to facilitate the release of the wider site of which the proposal site forms a part. There will be one junction improvement at Priorslee Avenue and two new junctions for the residential and commercial areas of the site. A phasing plan for delivery of the 3 junctions will need to be agreed. The Section 106 Agreement will not be used to secure these works. It will be by Grampian Condition(s) with the works on the highway secured by Section 278 Agreement. The works will include two new bus shelters and associated base works on Castle Farm Way (CFW) near the commercial access and the works will be designed for a 40mph speed limit. A Traffic Regulation Order securing this new speed limit along CFW up to J4, M54 will also be secured through the Section 278 Agreement. I can confirm that WS Atkins have included these elements in their highway design.

Contribution to public transport:

The original discussions secured £300,000 and it is now £150,000. This funding was earmarked to improve the frequency of the Service 891 between Telford and Wolverhampton for a fixed period of time; 3 years from memory. Public Transport is the most likely form of sustainable transport to instigate a modal shift away from the private car and thus secure a measure of success for the Travel Plan. This is something that the Highways Agency will wish to see as well. I would also ask that a Travel Plan monitoring sum of £10,000 is included in the S106 Agreement.

Engineering Services

No objections subject to conditions

Advantage West Midlands

Supports the application and wishes to note it is working with the applicant to try to ensure that the aspirations of the High Technology Corridor business strategy are incorporated in the development of the site.

NEIGHBOUR REPRESENTATIONS:

One objection letter has been received with regard to the following issues:

- Increase in traffic
- Increase in noise
- Burden on local community facilities
- Effect on ecology

PLANNING CONSIDERATIONS:

RSS Policy PA11 refers to a network of town and city centres in the West Midlands of which Telford is included. This network of 25 town and city centres will be the focus for among other things large scale leisure and office (Class B1a) developments (i.e. those of 5,000 square metres or more gross floorspace). This Policy is designed to protect the vitality and viability of the Town Centre.

This site is clearly out-of centre and as such your officers have sought to limit the amount of B1 (a) floorspace, firstly to comply with regional guidance (5,000 sq m) but later, and as a compromise, to 10,000 sq m. However the applicants maintain that a minimum of 20,000 sq m is necessary to secure continued funding investment. Your officers are mindful of the advice of the Head of Economic Development and on balance, are prepared to recommend that a limitation be imposed for B1 (a) offices of up to 20,000 sq m. The conditions will need to be worked to ensure that later phases of employment development do not lead to the total of 20,000 sq m of B1 (a) floorspace agreed to at Plans Board on 27 January 2010 in respect of W2006/0966 being exceeded. However, Members should be mindful that by setting a limit that has little planning policy basis, it will be extremely difficult to resist future requests for additional office floorspace at this location irrespective of how the condition is worded.

The Government published PPS4 'Planning for Sustainable Economic Development' on 29 December 2009 and supersedes the following documents that are cancelled by virtue of adoption of PPS4:

- Planning Policy Guidance 4: Industrial, Commercial Development and Small Firms
- Planning Policy Guidance 5: Simplified Planning Zones
- Planning Policy Statement 6: Planning for Town Centres; and
- The economic development sections of Planning Policy Statement 7: Sustainable Development in Rural Areas

The Government no longer requires applicants to demonstrate “need” for the development at edge/out of centre locations, giving instead additional emphasis to sequential analysis and town centre impact considerations, providing for a ‘town centres first’ approach to retail developments that promote vitality and viability of centres. Town Centres are defined in the Annex as a “defined area, including the primary shopping area and areas of predominantly leisure, business and other main town centre uses within or adjacent to the primary shopping area”. The extent of the town centre should be defined on the proposals map. Edge of Centre sites are defined as locations that are well connected to and within reasonable walking distance (300 metres) of the Primary Shopping Area (PSA).

This raises an important first consideration for Members in that the extant Local Plan clearly defines the Town Centre – very much along the lines of PPS4 in terms of nature of uses and activities normally associated with town centres and then goes on to define the PSA.

Policy EC10 provides general support for employment generating development.

In respect of the sequential test policy EC15 confirms that applicants need to:

- assess sites for their availability, suitability and viability;
- ensure in-centre options are assessed before less central sites are considered;
- where no town centre sites can accommodate the development preference should be given to edge of centre sites which are well connected to the centre by easy pedestrian access
- Demonstrate flexibility in terms of reducing floorspace, innovative layouts and configurations, car parking provision and the scope for disaggregation (albeit those LPAs should not seek arbitrary subdivision of proposals). In this regard, LPAs should take into account genuine difficulties demonstrated by an applicant in operating their business model for a sequentially preferable site (e.g. "where a retailer would be limited to selling a significantly reduced range of products).

The matter of the new PPS4 is an important additional material planning consideration for Members and must be given full weight. A copy of PPS4 and its associated Guidance is available for perusal in the Members’ Reading Room). The need to protect town centres is given additional weight and the need to undertake sequential analysis to demonstrate that more central sites are not available or are not viable must be carried out. The applicants have undertaken a sequential analysis but your officers are of the view that the analysis undertaken is not particularly rigorous and the application, at least on the face of it, could prejudice the bringing forward of more central sites for office uses.

At present, the Central Telford Area Action Plan does not hold any weight in terms of development control decisions. However, the Council is investing heavily into its town centre, with Southwater Core offering substantial office floorspace opportunity.

PPS4 advocates a 'town centre first' approach and this proposal if left entirely open ended in terms of B1 (a) office use has the potential to undermine efforts to promote genuine town centre locations. In addition, Members will need to balance the economic development opportunity at Lakeside with the risk of establishing an undesirable precedent.

Officers recognise that this proposal is a significant regeneration, investment and job creation opportunity at a time when few genuine economic development proposals are coming forward. Members will also be aware that this site competes head on with the i54 business park on the edge of Wolverhampton, which has also faced similar policy implications with regard to out of centre office accommodation and which there has been some support from the respective authorities to accepting larger office floorspace than RSS policies would normally tolerate subject to stringent conditions. Telford is also directly competing with other out of centre business parks such as Shrewsbury where, due to historic planning permissions, there is no restriction in terms of volume of office floorspace. Under these circumstances, your officers consider that Telford must remain competitive and continue to be able to offer a selection of sites both in-centre and out-of-centre.

It is clear that the viability of the scheme has been threatened by the recent economic downturn. Your officers have been keen to avoid a situation where the development places undue strain on public services. The planning obligation package is reduced from the level originally envisaged. A viability assessment has been undertaken and independently assessed by the DVS. The viability of the scheme is in the balance at present, although with a modest upswing in residential values, the situation could change.

PLANNING OBLIGATIONS PACKAGE:

The planning obligations as well as infrastructure improvements offered by the developers now include the following respectively:

- Contribution to public transport - £150,000
- New junction serving the employment land - £1,323,000
- New residential junction - £912,000
- Priorslee Avenue junction - £776,000
- M54 junction 4 improvements - £603,000

It is also recommended by your Officers that the Section 106 Obligation contributions include a further £10,000 towards monitoring the Travel Plan and a contribution of £10,000 towards the ongoing monitoring and administration of the Agreement.

It is important for members to understand the proposed terms and conditions of any S106 agreement in respect of this application. It is your officers view that, if the application is approved, the agreement needs to achieve the following viability related objectives:

1. identify the package of obligations that would normally be required in respect of this development proposal as referred to in the report. This would be the

“maximum S106 package” and the Council would not be able to ask for more than this even if there was a large upturn in profit from the development.

2. identify the “minimum S106 package” of obligations that, in view of the position on viability as understood by DVS and outlined in the report, will be imposed upon grant of the planning permission

3. clarify a viability review mechanism, linked to the phasing of the development and/or periodic reviews, which will ensure that a review of the viability of the development proposals will be undertaken at appropriate times to assess whether the minimum section 106 package can be enhanced in the light of the later assessment

4. clarify that, in any event, there will be a viability review no later than immediately after the expiry of 3 years from the date of this Board meeting to assess whether the minimum section 106 package can be enhanced

5. provide that the Council will decide how any enhancement of the section 106 package shall be applied and this may include a requirement to build affordable housing on site

6. all viability reviews will be undertaken by DVS (or another consultant with similar expertise) at the expense of the owner/developer

7. all the financial contributions will be appropriately index linked

8. any enhancement of the minimum S106 package shall not exceed the amounts and levels identified in the maximum S106 package mentioned at paragraph 1 above

9. any enhancement of the minimum S106 package shall be applied to the remainder of the development at the time of any review on a pro rata basis

CONCLUSIONS:

Having considered the evidence put forward by the applicant notwithstanding the policy considerations regarding location of office space and requisite planning obligations, it is felt on balance the benefits of the scheme to the Borough as a whole in investment, regeneration, best use of previously used land and job creation are considerable and constitute significant material considerations. On balance it is felt that the scheme should be recommended for approval with a limiting condition restricting the amount of B1 (a) floorspace to a maximum of 20,000 square metres in association with other B1 proposals on the wider Castle Farm site in order to help safeguard the future of the town centre as the primary focus for office development.

Given recent appeal decisions and the advice given by the DVS, it is your officers firm opinion that strict review (to be carried out by DVS for continuity purposes and paid for by the applicant) clauses on planning obligations tied to the phasing of the proposal should encourage development of the site now and safeguard the public purse should the market improve.

RECOMMENDATION: The application be referred to the Government Office for the West Midlands for consideration and if not called in, to delegate authority to Head of Planning and Transport in consultation with the Chair of Plans Board to **GRANT FULL PLANNING PERMISSION** subject to the receipt and written approval of clear design codes/rules/principles and the signing of a S106 agreement to provide financial contributions for sustainable transport, travel plan monitoring and S106 agreement monitoring together with terms to ensure that the 9 viability related

objectives for the section 106 agreement as mentioned in this report are achieved and subject to appropriate conditions to be prepared by the Head of Planning and Transport.

CONDITIONS: Members will be advised of recommended conditions in a written update prior to Plans Board

REASONS FOR APPROVAL: On balance the significant material benefits for the Borough of investment, regeneration of previously used land, job creation and the viability of the scheme going ahead lead to a positive recommendation.

Notes

W2009/0911 Erection of extensions and associated alterations for creation of lower ground floor of accommodation and excavation to create double garage and alterations to access following removal of existing garage

26, Quarry Lane, Ketley, Telford, Shropshire.

Recommendation Code: FG

Ward: Ketley & Oakengates

APPLICANT:
Sir & Lady K Satchwell

RECEIVED ON:
22/10/09

PARISH
Ketley

WARD
Ketley & Oakengates

CASE OFFICER:
Phil Baker

THE PARISH COUNCIL HAS REQUESTED THAT THIS APPLICATION BE CONSIDERED BY THE COUNCIL'S PLANS BOARD

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Design, Appearance, Access, Parking

THE SITE AND THE PROPOSAL

This planning application relates to extensions and alterations to an existing bungalow in Quarry Lane, Ketley, to create a two storey house.

The existing two bedroom bungalow, which dates back to the 1930s, is of brick construction, with a hipped and tiled roof. The property is in a poor state of repair and it is understood that it has remained empty for some considerable time.

The proposed development would entail a small single storey extension on the southern side of the property and a larger two storey extension on its western side. This two storey extension is made possible because of the change of ground levels within the site boundary. The proposed eaves height of the building will remain as existing and the overall height of the dwelling will only increase by 0.5m. The two storey extension would have a hipped roof which matches that on the existing bungalow.

The proposed dwelling would have three bedrooms, bathroom, snug and living room on the ground floor, and a kitchen and dining/family room on the new lower ground floor. The existing bungalow has a floor area of 98 sqm and the proposed dwelling would have a floor area of 196 sqm. The proposed external materials to be used for the extensions and alterations will match those used on the existing dwelling.

An existing flat roof single garage would be replaced by a new double garage which would be set into the garden embankment. The existing driveway would be widened to allow vehicles to turn round and exit the site in a forward gear.

CONSULTATION RESPONSES

One letter has been received from a neighbouring resident. Whilst welcoming and supporting the application, given that the property has been unoccupied for almost 12 months, he makes the following comments:-

- One window has been missed off the existing elevation plans (This has now been rectified)
- Is it intended to stop up the existing rear gateway and access? (It has now been confirmed that this will be retained)
- Invasive ivy and sycamore is endangering the stability of the existing boundary walls, and these should be replaced with shrubs in keeping with the existing hedges in Quarry Lane
- The design would be improved by capping and lowering the existing chimney
- Conditions should be imposed relating to site working hours and the access route for construction and delivery vehicles

The Parish Council has expressed concern that the proposed building was out of scale with the existing dwelling and its surroundings, and was therefore inappropriate.

The Council's Geotechnical Engineer has no objections, subject to conditions relating to shallow mineworkings, untreated mineshafts, slope stability analysis, design of retaining structures, and re-profiling of ground levels.

The Council's Drainage Engineer has no objections to the application.

The Council's Highways Engineer has no objections to the application.

PLANNING POLICY

The following statutory policies are relevant in the determination of this application:-

Wrekin Local Plan
H6 – Windfall sites in Telford and Newport
UD2 – Design criteria
EH14 – Land stability

LDF Core Strategy
CS1 – Homes
CS5 – District and Local Centres in Telford
CS15 – Urban design

PLANNING CONSIDERATIONS

The existing bungalow on this site is in a poor state of repair and is in need of refurbishment. The proposed development will improve the overall appearance of the property and provide modern facilities for the future occupants.

Quarry Lane contains a mixture of houses and bungalows, with a large variety of different designs, styles, and external materials. It is considered that the proposed extensions and alterations are sympathetic to, and in keeping with, the appearance of the existing bungalow on the site.

It is considered that the size of the resulting dwelling would be commensurate with the size of the application site. Moreover, as the present bungalow possesses no particular architectural quality it is believed that the extended dwelling will positively enhance the character and appearance of the site and the surrounding area.

It is considered that the extensions and alterations to the dwelling will not adversely affect the residential amenities presently enjoyed by the occupiers of adjoining and existing development by virtue of any undue overlooking, loss of light, or any overbearing effect.

RECOMMENDATION: GRANT PERMISSION subject to the following conditions:-

1. A3 – Full permission
2. C120 – Amended plans
3. B15 – Samples of external materials
4. B41 – Shallow mineworkings
5. B42 – Untreated mineshafts
6. Slope stability analysis and design of retaining structures
7. Re-profiling of ground levels
8. C86 – Car parking to be provided and retained
9. D129 – Use of garage
10. Hours of working

REASONS FOR APPROVAL

The proposed extensions and alterations are sympathetic to, and in keeping with, the appearance of the existing bungalow on the site.

The size of the resulting dwelling would be commensurate with the size of the application site. As the present bungalow possesses no particular architectural quality the extended dwelling will positively enhance the character and appearance of the site and the surrounding area.

The extensions and alterations to the dwelling will not adversely affect the residential amenities presently enjoyed by the occupiers of adjoining and existing development by virtue of any undue overlooking, loss of light, or any overbearing effect.

Notes

W2009/0914 Outline planning application with means of access (part) for a mixed use development comprising Offices and Civic offices (B1a/sui generis); Residential (C3) (up to 330 units); Retail, Cafes/Restaurants, Financial and Professional Services, Drinking Establishments (A1,A2,A3,A4);

Land at, Southwater, St Quentin Gate, Telford Town Centre, Telford, Shropshire.
Recommendation Code: OLG

Ward: The Nedge

APPLICANT:
TWC & Southwater Event Group

RECEIVED ON:
20/10/09

PARISH
Great Dawley

WARD
The Nedge

CASE OFFICER:
Gareth Thomas

MAIN ISSUES

Environmental Impact Assessment, Town Centre Regeneration, impact on town centre, access, site levels, Green Network, impact on the Town Park

Section 1: SITE DESCRIPTION

The planning application covers a site of 21.82 ha in area and is located between the Telford Shopping Centre and the Town Park. It extends from Southwater Square, eastwards to the Telford International Centre (TIC). The entire southern boundary is shared with the Town Park.

For the avoidance of doubt, this planning application retains a number of existing buildings on the site, such as bingo/bowling, the Telford Ice Rink and The International Centre, although there are extensions to these buildings.

The majority of the Application Site (hereafter referred to as the 'Site') is located within the defined Telford Town Centre as defined in the Adopted Wrekin Local Plan, and abuts Coach Central, St Quentin Gate, the St Quentin Gate roundabout and Stirchley Avenue. The south eastern part of the site, that fronts the Stirchley Avenue, lies outside the Local Plan Town Centre boundary and outside the emerging Central Telford Area Action Plan boundary. This land is proposed for residential purposes.

The Site is bordered to the north east by the Coach Central road, with an overhead pedestrian link connecting Southwater with the Telford Shopping Centre. To the north, the site is bordered by the Hollinswood residential area. To the west the Application Site is bordered by the Range Outlet Store and the Indoor Market. To the east is St Quentin Gate and roundabout, Stirchley Avenue and Dale Acre Way. This infrastructure is also within the Application Site (in part), where it relates to the east of the Site. In particular, the St Quentin Gate access is included within the Site because of the proposed works to improve access in this part of the development.

The Southwater area is designated as a mixed use redevelopment site and retail (Class A3/D2 uses) in the Wrekin Local Plan. The TIC is designated for Class D2 (Assembly and Leisure) use.

The Application Site is split into two parts and although essentially linear in shape, it does contain a secondary area on the northern side of St Quentin Gate. The north western portion of the Site is located adjacent to the Primary Shopping Area (essentially the Telford Shopping Centre), directly opposite Coach Central. Vehicular access to the northern part of the Site is gained from Coach Central, and Southwater Way via the Malinslee Roundabout. The eastern part of the Site is accessed via St Quentin roundabout and currently provides access to the Holiday Inn and International Hotels, and access to additional car parking at the rear of TIC.

The Site includes Telford Library, Meeting Point House, Bowling and Bingo Hall, Telford Ice Rink and The International Centre, the International Hotel and the Holiday Inn, and Randlay car park as well as Southwater Lake and the public space of Southwater Square and land north of St Quentin Gate, south of Hollinswood. There is a fall across the site running from west to east, of some 18 metres which is particularly challenging as the intention is to create a new main ('High') street in order to provide a spine to the development and to deliver an improved connectivity through Southwater. The site also falls from north to south, which equally provides challenges for the access road and connecting to the west-east main street and also in improving connectivity across Coach Central and St Quentin Gate, into the rest of the Town Centre.

The Site benefits from access to a range of town centre services and facilities. The strategic road network is in close proximity to the site and can be accessed off the M54. The main bus terminal for Telford Town Centre is located adjacent to the site along Coach Central and provides links to the surrounding towns and villages. Telford train station is located within walking distance, approximately 1km north from the Site.

SECTION 2: RELEVANT PLANNING HISTORY

W2000/1061: A full planning application was granted planning permission in February 2001 (ref: W2000/1061) for the "erection of extensions to form additional conference, exhibition & storage facilities, construction of public concourse & supporting accommodation and modification to existing external works". This full application was part of a series of developments proposed to the then existing International Centre to enhance the function and appearance and to provide additional exhibition/conference floor space. Application W2000/1061 refers to the first two phases of a four phased application.

Phase 1 relates to the extension of the TIC with Phase 2 the external works, including a new access roundabout designed for heavy goods vehicles.

W2000/1060: Outline planning permission granted in February 2001 for phases 3 and 4 for an extension to TIC to provide a conference/exhibition hall, two storey parking increasing spaces to 899 and relocation of existing toilet block.

W2004/0154: Approval of reserved matters pursuant to planning permission W2000/1060 granted in April 2004. This application also included details required by Condition 4 of the outline planning permission.

In December 2005, approval was given for the modification of Condition 1 of Reserved Matters approval W2004/0154 to allow the commencement of development to be extended to seven years from the date of grant of outline permission (ref: W2005/0141), giving in an expiry date of 7 February 2008.

W2008/0141 'Variation of pre-commencement conditions of outline application W2000/1060 to enable commencement of development prior to submission of details'. This application remains with the Council awaiting determination.

W2008/0142 'Variation of pre-commencement conditions of outline planning application W2004/0154 to enable the commencement of development prior to submission of details and incorporating changes approved in application W2005/1218 to extend time limit for submission of details'. Planning permission was granted for W2008/0142 on 29th December 2005.

The planning history relating to the TIC confirms the principle of development on the eastern part of the Site, notably additional exhibition space of almost 5,000 sq.m. Development of some 2,000 sq.m in the form of an Events Box is suggested on the Illustrative Masterplan and is comparable to the 4,850 sq.m facility currently permitted under the extant permission. Further, the Council has previously accepted car parking on this part of the Site, permitted under the applications, to the level of 899 spaces.

SECTION 3: THE APPLICATION

The application is subject to Environmental Impact Assessment Regulations, with the proposals accompanied by a full Environmental Statement.

The application is for outline planning permission with access in part. The access for which planning permission is sought is on the northern boundary of the site, from Coach Central/St Quentin Gate. This access is currently in operation and serves the Telford International Centre and customers for the Ice Rink and Bowling facility, in addition to providing vehicular access to Meeting Point House. This access will be remodelled and improved to cater for the volumes of traffic associated with the proposals, but will continue to serve these existing functions once remodelled.

An Illustrative Master Plan is also submitted with the application to illustrate the way in which the site could be developed, although planning permission is not sought for the layout indicated. In addition a Public Realm Design Guide has been submitted that seeks to define the quality of Southwater's public realm that will aid the design process later. At the heart of this latter document is a description of the key spatial principles which allow the spaces

to successfully meet the needs of their users and ensure a unity of design approach and consistency across Southwater.

For the purposes of the planning application, the Site has been divided into twelve 'Development Zones', which are also cross-referenced in the Master Plan. The Master Plan helps illustrate one way in which the quantum of development can be achieved.

The principal elements of the development proposal within each of the Development Zones are included in the plan attached to this report and comprise:

Development Zones	Uses
1	Mixed Use
2	Mixed Use
3	Leisure Use
4	Hotel/Mixed Use
5	Mixed Use
6	Mixed Use/Hotel Use
7	Leisure Use
8	Hotel Use
9	Residential Use
10	Residential Use
11	Residential Use
12	Hotel Use

Quantum of Development across the whole Application Site

Use Class	Types of Uses	Quantum of Development*	Notes
Proposed Floor space			
Classes A1, A2, A3 and A4	Shops, Professional Services, Cafes/ Restaurants, Drinking Establishments	5000 sq.m.	Class A1 - 1,500 sq.m. max; Classes A2, A3 & A4 – 3,500 sq.m.
Class B1(a) offices/sui generis (Civic Offices)	Offices	32,480 sq.m.	Sui generis (Civic Offices) to be a maximum of 10,000 sq.m within the overall 32,480 sq.m
Class C3	Residential	31,200 sq.m.	330 dwellings - 240 flats; 90

			town houses
Classes C1, D1 and D2	Learning and Media Centre, Leisure Pool, Cinema, Hotels, Event Facilities including outdoor events space and a Medical Centre	44,290 sq.m.	
Sui Generis	Energy Centre	1,800 sq.m.	2 centres of 900 sq.m. each
Proposed floor space sub-total		114,770 sq.m.	
Existing Floor space to be retained			
Classes C1, D1 and D2	Telford Ice Rink, Bowling & Bingo, Conference and Events Centre, International Hotel and Holiday Inn Hotel	42,338 sq.m.	
Existing floor space to be retained sub-total		42,338 sq.m.	
Total floor space		157,108sq.m.	

The application is subject to an Environmental Impact Assessment and is accompanied by supporting information as follows:

- (i) Design and Access Statement;
- (ii) Public Realm Design Guide;
- (iii) Infrastructure Technical Report;
- (iv) Transport Assessment and Travel Plan;
- (v) Flood Risk Assessment;
- (vi) Ecological and Nature Conservation Assessment;
- (vii) Land Quality and Geotechnical Appraisal;
- (viii) Arboricultural Survey;
- (ix) Statement of Community Engagement;
- (x) Sustainability Assessment including the West Midlands Sustainability Checklist;
- (xi) Environmental Statement (including Technical Appendices and Non-Technical Summary);
- (xii) Draft Heads of Terms for S106 Agreement

In response to issues raised during the consultation period, further information was requested by the Council under Regulation 19 of the Town & Country Planning (England & Wales) Environmental Impact Assessment Regulations and on 5th February 2010, the following “environmental” information was submitted to the Council:

- (i) Addendum to Planning Statement
- (ii) Revised Design and Access Statement
- (iii) Public Realm Design Guide
- (iv) Statement of Conformity Letter – Environmental Statement
- (v) Transport Assessment – Revised Conclusions
- (vi) Revised Travel Plan (December 2009)
- (vii) Information provided to the Highway Agency in response to their current Holding Direction
- (viii) Revised Draft Heads of Terms for S106 Agreement

SECTION 4: PUBLICITY AND CONSULTATION

The application has been advertised in the local press and on site as an Application the subject of EIA, as a departure Application and of major significance. In addition, 107 immediate neighbours (including businesses) have been notified of the planning application.

A Statement of Community Engagement as been submitted with the application, summarising the measures taken to consult and involve the community prior to the submission of the application.

The applicants explained the process followed as (in summary)

- Wrote to all identified stakeholders informing them of the application, by way of seeking their views on the EIA Scoping Report submitted to the Council;
- Organised a three day exhibition in Southwater Square with a dedicated website to encourage further feedback;
- Handing out leaflets
- Organising a second consultation event in the Telford Shopping Centre, complete with a 3D model of the proposals and handing out leaflets
- Organising two stakeholder events for business interests and the community
- One to one meetings with identified stakeholders including the Highways Agency, Shropshire Wildlife Trust, Wonderland, Apollo & Hark (Owners of Telford Shopping Centre) and Meeting Point House.

SECTION 5: CONSULTATION RESPONSES

Environment Agency: No objections - recommend conditions.

Highways Agency: Holding Objection. This is currently being addressed by the submission of further information to respond to the Highways Agency's

initial concerns in respect of the Site Wide Travel Plan, impacts on the M54 and an audit trail of information exchanged with the Highways Agency, the Council and the applicant in respect of modelling. A formal response from the Highways Agency is awaited. An update will be provided at the meeting.

Natural England: No objection

Severn Trent Water: No objections - recommend conditions.

West Mercia Police: Members are asked to note that substantial representations have been lodged in relation to this issue, including an original substantive report, a consultant's additional representation and a further consultant's response to the applicants' submissions in respect of the issues raised in the substantive report and consultant's submission. In essence, the Police Authority seeks a contribution to provide new custody facilities at Malinslee to compensate for potential impacts of the development: West Mercia Police consider that:

1. The proposed development will require WMP to provide two distinct types of policing services at a significant level.
2. Leisure/Entertainment areas, associated night-time economies, directly create a large number of crime and disorder incidents that necessitate a Police response.
3. WMP's existing infrastructure will not be able to accommodate the additional demands that will be placed upon it if the proposed development is granted planning approval.
4. There is clear basis in national legislation and planning policy at the national, regional and local levels for WMP's request.
5. Proactive management of Leisure/Entertainment area with associated night-time economies is not sufficient to reduce the overall need for custody suite facilities
6. There are no alternative sources of funding available from Local or Central Government.

Members' attention is drawn to the consultant's second letter dated 24 February 2010. This letter emphasises that this application will not be the only proposal to redevelop the Town centre; however should the Council fail to impose a requirement on this application it would be impossible to require private developers to contribute. The contributions requested meet the Circular 05/2005 tests and conforms to the emerging CTAAP which allows for such contributions to be made on the basis of both residential and other forms of development. Problems of anti-social behaviour arising from the night time economy should be planned for before they become unmanageable. The Core Strategy and national policy require that infrastructure is robust enough and in place to cope with the ramifications. The viability of the project proposals have not been shared and if necessary, the Police Authority would consider reduced contributions. Residential element of the scheme is not the only factor that should be considered for the purposes of identifying level of contributions. Secured by Design proposals are insufficient by themselves. It is what happens to people who cause anti-social problems after the event when taken into custody. There are adequate

revenue resources but no funds available for new facilities. It is not true to suggest that resources are available. The available resources equate to £950k and will deliver planned facilities only. Other police stations do not have cells or have limited capacity. CTAAP is a material planning consideration and does include provision for contributions; the Police Authority has engaged in the RSS process.

Shropshire Fire Authority – no objections, Recommend conditions

Planning Ecologist:

- Bats - Phasing of the development to be implemented so as to allow for bats etc to adapt to changing foraging patterns, as a result of current habitats being lost. Southwater Lake - the proposed redevelopment will result in the loss of important foraging habitat over Southwater Lake. A lighting strategy is needed to minimise impacts on bats.
- Great Crested Newts- Southwater Lake was assessed as having a low potential to support GCN
- Nesting Birds - Mitigation to minimise disturbance of nesting birds, will be required.
- Designated Sites - A formalised approach will be necessary that achieves a single mitigation 'strategy' to ensure no adverse impacts on the Local Nature Reserve. Planning Ecologist / Shropshire Wildlife Trust agree that issues can be addressed by planning conditions including the submission of a Mitigation Strategy.

Drainage Engineer: an assessment of surface water "catchments" affected by the proposed development has been undertaken

- Catchment C1: The link between Southwater Lake, Spout Pool, Withy Pool and Randlay Pool should be investigated before any approval can be granted. Attenuation in Southwater lake should be utilised to reduce the volume of flows to this flow route.
- Catchment C2, C3, & C4: Porous paving that utilises direct infiltration may not be suitable. For this reason if porous paving is to be utilised, below ground storage will be required. Details of future adoption and maintenance proposals of the drainage systems should be submitted.
- Catchments C5 & C6: The use of attenuation tanks should be avoided due to issues with future maintenance.
- Catchment C7: Details of the open water attenuation feature should be submitted.
- Catchment C9 & C10: Attenuation should be provided in swales before discharging into Randlay Pool.

- St Quentin's Roundabout: The attenuation proposed at St Quentin Gate is welcomed.
- Entire site: There should be a reduction from the existing surface water runoff by a minimum of 30% not the 20% as stated in the Drainage Strategy.

Evidence will be required to be provided in the form of a full flood routing exercise and Micro Drainage calculations once the drainage design has been completed. Due to the significant overland flows that affect the site, basement parking below ground level should be avoided unless evidence can be provided that adequate protection can be provided.

The above issues can be addressed by planning conditions.

TWC Highways Section: No Objection subject to conditions, including the submission of a phasing plan to deliver all accesses, the closure and reinstatement of any existing site access and all off site highway and transportation infrastructure, together with details of means of access etc , the signalisation of Malinslee Roundabout and the new signalised junction at St. Quentin's Gate/Ice Rink/Cherry Pink CP and Travel Plan. In terms of the Plan-led approach to providing strategic highway improvements, the modelling exercise undertaken indicates a level of additional trip generation that would equate to a total CTAAP contribution figure of £1,999,685. It is suggested that this could be dealt with through phased payments related to the phasing of the development. The phasing plan should link to this through the S106.

TWC Environmental Health: Evidence that noise will be a significant issue, particularly given the fact that the proposed residential developments are much closer to the noise sources than the existing noise sensitive locations.

- Noise: Notes the mixed uses proposed which could give rise to noise issues. The uses can include noise associated with plant/equipment, storage/movement of possible biomass associated with CHP, traffic, events/entertainment and night time economy etc, The proposal should therefore be carefully considered such that the detailed submission provides robust evidence that the uses can be mixed without loss of amenity to any of the intended uses. Recommend appropriate conditions requiring noise management plan(s) for the development/development zones. It is important that the noise management plan(s) take account of cumulative noise impact and remedial measures (management and physical solutions).
- Air Quality: Biomass boilers proposed (two in number) together with other plant. Air quality modelling necessary. Recommend conditions.
- Odour: Restaurants/fast food outlets. Recommend condition to encourage careful design integration.
- Night Time Economy: Dedicated pedestrian routes designed to avoid night time economy affecting local and new residents. One of the options for residential next to the events cube proposed may not be

feasible. Design of this is crucial. Night Time Economy management committee should be formed and funded from section 106 contribution. Large scale outdoor events are envisaged – need for careful location of street vendors. Recommend conditions

- Construction phase: construction management plan necessary given the scale of development and likely differing timeframes for phasing of development. Recommend condition.

Land Contamination Officer: Applicants have provided detailed summary of past intrusive investigations but necessary that a full site investigation be undertaken in accordance with PPS23. Recommends the following condition be imposed to ensure that the risks from land contamination are minimised:

Land Contamination Condition

- a) Site Characterisation – An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed
- b) Submission of Remediation Scheme – A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks.
- c) Implementation of Approved Remediation Scheme – the approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development.
- d) Reporting of Unexpected Contamination – In the event that contamination is found at any time when carrying the approved development that was not previously identified it must be reported in writing.

TWC Sustainability Officer

- CHP - The Energy Assessment is very broad
- Energy Assessment – What are the targets based upon – Building Regulations?
- Energy Viability Study – one is needed for an accurate statement.
- BREEAM – There is not a guarantee of energy efficiency across the development. The Leisure Pool has been proposed at BREEAM ‘Good’ – should be ‘Very Good’.
- Sustainability Statement/Energy Assessment – neither make references to passive design mechanisms.
- Waste Facilities – more details are required with regards to the facilities and storage space required to encourage the recycling of waste.

TWC Urban Design

Comments to be read in conjunction with those made by the TWC Energy Conservation Officer. The driving codes and principles enshrined in the D&A, the public realm guide and the relevant design briefs need to be in place before any detail design work is undertaken.

TWC Landscape

- Southwater Open Spaces with Development - A minimum area/proportion of development area allocated for open spaces. Open spaces should have their own identity. Each space needs to have a brief. Public realm guidelines/brief should determine function and quality of open space areas.
- Integration with Town Park - good philosophies proposed but not explored sufficiently. The concept of linkage, connectivity and quality is not extended beyond the red line on the plan to the wider Park. The concept MUST be extended to the formal part of the Town Park to ensure integration/transition of function and quality; otherwise there will be a sudden divide and a lack of continuity. The constraints and opportunities of the Park should be considered in relation to the opportunities and constraints of the Southwater development. This will involve bringing together the Southwater Project and the Town Park Plan.

Applicants have contacted Officers and Identified that a mitigation strategy/package of documents would cover ecology and also landscape. This would be a pre commencement condition of development.

Affordable Housing Officer - Officer response sought affordable housing provision. An element of affordable housing is to be provided on/off site and is detailed within the Section 106 Heads of Terms.

Historic Environment Team (Archaeologist) Planning Condition recommended

Lawley & Overdale Parish Council: No Objection – and agree in principle. Seek strict observations that there is no unnecessary tree loss.

Great Dawley Parish Council: No Objection. The Council would appreciate the swimming pool facilities be named after the Dawley born Captain Matthew Webb.

Meeting Point Trust Limited:

Object – any replacement of Meeting Point House would need to be a detached building and not be part of a multi occupancy/ multi-use building. The Applicants have since submitted further details within the Planning and Design and Access Statements to provide MPH with a separate building.

Council for Voluntary Service (Tenant of Meeting Point House) :

Object – there is no mention of a separate and freestanding replacement for Meeting Point House. There has been a previously agreed principle that Meeting Point House would be replaced on a 'like for like' basis.

Further letter received on 23rd November suggesting that that LPA have the responsibility for ensuring the retention of existing resource, community and worship facilities and that any development should not be allowed that would adversely affect the delivery of the services delivered to the Telford & Wrekin Community at MPH.

The Applicants have since submitted further details within the Planning and Design and Access Statements to provide MPH with a separate building.

Home-Start Telford & Wrekin (Tenant of Meeting Point House): MPH own building/ Access to own meeting rooms/ own car parking/ access to a church on site.

The Applicants have since submitted further details within the Planning and Design and Access Statements to provide MPH with a separate building.

Catholic Children's Society (Tenant of Meeting Point House). Seek a separate building for MPH.

The Applicants have since submitted further details within the Planning and Design and Access Statements to provide MPH with a separate building.

Stay

(Tenant of Meeting Point House)

The proposed location of the new MPH does not present any significant issues. Concerned that MHP retains its independence from TWC Services. Important that any relocation of the Chapel required by the proposals is undertaken in full consultation and with the full agreement of all the churches that make use of the Chapel.

The Applicants have since submitted further details within the Planning and Design and Access Statements to provide MPH with a separate building.

Charities Aid Foundation: The planning application does not make provision for an independent building to replace MPH, and does not replace the free standing, free-hold building that currently occupies a prominent site.

The application does not outline enough zones for the construction of a replacement MPH that would allow repositioning of the building. The zones do not make provision for a replacement Church building in a fitting and appropriate setting. The zones do not appear to accommodate the replacement c.18 free car parking spaces within MPH.

The Applicants have since submitted further details within the Planning and Design and Access Statements to provide MPH with a separate building.

A4U: Dismayed at the proposals not to accommodate MPH in the new plans. A community learning site instead of the existing, effective MPH will not meet the needs of the community and in particular people with disabilities, learning difficulties, mental illness or older people.

The Applicants have since submitted further details within the Planning and Design and Access Statements to provide MPH with a separate building.

Individual householders:

Mr & Mrs Rance, 8 Delbury Court, Holinswood

Anne Bailey, 6 Delbury Court, Holiswood

Basis of objection:

Object to residential development on small strip of land opposite TIC – this land is used for recreation and is pleasant amenity space containing trees which shields noise from TIC activities. Question type of houses proposed; access

SECTION 6: PLANNING POLICY CONTEXT

Saved Wrekin Local Plan Policies

TC1 Town Centre

TC2

TC3

TC4

TC6

E7

OL3

OL4

UD2

UD4

UD5

Core Strategy 2007:

Policy CS4 – Central Telford

Policy SR3 – Sustainable Design and Construction

Policy CF2 – Housing beyond Major Urban Areas

Policy CF3 – Level and Distribution of New Housing Development

Policy PA11 – The Network of Town and City Centres

Policy PA12A – Comparison Retail Floor space Requirements 2006-2026

SECTION 7: PLANNING POLICY BACKGROUND

Wrekin Local plan (1995-2006) – This Plan together with the Structure Plan and Core Strategy form the Development Plan. The Structure and Local plans are however becoming increasingly out of date and being superseded by LDF documents. However the ‘saved policies’ of the Local Plan will continue to have weight in the determination of planning application.

The majority of the Application Site is located within the defined Town Centre boundary directly opposite the junction between Coach Central and St Quentin Gate. In respect of retail, the Adopted Local Plan does not identify a primary shopping area. It does however identify an area for ‘Retail, A3 and D2 use (TC2&3)’, which encompass both Telford Shopping Centre as well as the western parts of the Application Site. The accompanying text within the Local Plan states that additional shopping floor space should be developed around and integrate with the existing Telford Centre. The Proposed Development accords with this. Vehicular access to the north of the Site is gained from Coach Central, and Southwater Way via the Malinslee Roundabout, provides a south western point of access. The eastern part of the Site is accessed via St Quentin roundabout and currently provides access to the Holiday Inn and International Hotels, and access to additional car parking at the rear of TIC. The only part falling outside the defined Town

Centre boundary is the proposed residential use on the Randlay Car Park rather than main town centre uses.

Policy E7 permits major new hotels and conference related activities and facilities only within Telford Town Centre. The proposals accord with this policy, with conference, events and hotel faculties' being part of this application and facilitating the expansion of the Telford International Centre.

Policy OL3 (protects the Green Network - the aims of which are explored later in this report under Key Issues and Planning Considerations) and OL4 (Development in the Green Network) covers the Green Network sites, and these are Borough wide policies. The existing Southwater Lake and a strip to the south of TIC, and the proposed residential areas north of St Quentin Gate and Randley car park are in the Green Network, to which Policies OL3 and OL4 apply. Policy OL4 states that the Council may permit development in the Green Network provided that it demonstrates:

- a) There are exceptional circumstances;
- b) It contributes or is complimentary to the aims of the Green Network;
- c) Environment and community benefits are an integral part of the proposals.

Telford Core Strategy - The Core Strategy Development Plan Document (DPD) was adopted in December 2007 and is the key strategic LDF document that sets out the vision and spatial development strategy for the area and for subsequent DPS to follow.

Telford is identified as a Strategic Town Centre under the adopted Revised RSS 2008 and a Town centre in the Core Strategy. PAS11 of RSS states that the Strategic town centres will be the focus for major retail development. This proposal includes just 5,000 sqm of A1-A4 uses, of which 1,500 sqm is proposed to be limited to A1 use. Therefore there is no conflict with this regional policy.

'Policy CS4 – Central Telford' in the adopted Core Strategy, identifies Telford as a strategic town centre which acts as a service centre for the sub-region and Borough. It aims to strengthen and enhance its role as the hub of the service centres hierarchy by:

- Creating more shops, homes, offices, cafes and restaurants; sport, recreation and leisure facilities;
- Containing a mix of uses, developed at a higher density;
- Encouraging more people into the town centre especially during the evening;
- Creating a safer and more pleasant environment in which to walk, and limiting the impact of car use by improving public transport links;

- Promoting the role of Telford Town Park as a significant sport, recreational, open space, and leisure asset for the Central Telford area, the town, the Borough and the wider sub region.

The development proposals are in conformity with the Core Strategy in meeting its aims for Telford town centre by providing a vibrant mixed use development, and in particular would enhance the town centre's role in the wider area.

The Council is currently pursuing a more up to date spatial development approach through the LDF process and has submitted the Central Telford Area Action Plan (CTAAP) document to the Secretary of State following a period of consultation. As Members will be aware CTAAP has been the subject of further evidence gathering and further revisions lodged with the Secretary of State in preparation for Examination later in the year. CTAAP in its current form has limited weight as a tool for development control at this particular time. Nevertheless it reflects the Council's spatial planning ambitions and is worthy of mention.

The emerging CTAAP sets out a strategy and policies for the spatial development of Central Telford including the town centre, and the other areas of Hollinswood, Malinslee, Central Park and Old Park. The Southwater area lies within the identified Central Southwater Character Area (Policy TC1b), which also includes land to the west, including the two green retail buildings currently occupied by former Spencer's Market and Range Outlet Store. This policy suggests that development within this area needs to create a vibrant mixed use scheme focussing on an enlarged and improved Southwater Square and links to the Town Park and the Shopping Centre.

The International Centre is designated within the identified Conference Quarter sub character area under Policy TC3 which lies immediately adjacent to the east of East Southwater which focuses on the TIC. This policy is to be renamed 'Events Quarter' following as described in the Council's Statement relating to Representations' issued in September 2009. It provides major conference, exhibition and entertainment provision. Development in this area should focus on improving its existing functions, including the expansion of TIC, and to incorporate a small element of office, bar, restaurant and hotel development on a small scale. Similarly to Policy TC1b, Central Southwater there is the need to improve the interface with the Town Park.

Policy TC2 East Southwater includes the surface car parking between Southwater and TIC and also comprises 'The Arena' a formal area of open space. This policy identifies there should be an improved interface between the redeveloped Southwater, Telford Town Park and the Conference Quarter. Furthermore this policy seeks to introduce more recreation and leisure activity to the area.

The Hollinswood sub character area is within the CTAAP boundary but not within the defined Telford Town Centre and does not have specific policy

relating to the area. The Vision for the area is to support the ongoing regeneration of the area and encourage measures to achieve greater connectivity to the town centre for local people, by securing better physical links to the town centre.

Policy CT1 refers to Mixed Use development, in particular that developments must bring forward a range of uses to improve pedestrian connections between areas. Further policies are included for particular uses. Policy CT2 refers to Retail and the fact that no more than 70,000 sq.m (gross) comparison retail development will be provided in the Town Centre Core over the period to 2016.

Policy CT3 – Employment refers to the need to develop 109,700 sq.m. of B1a office floor space in Central Telford up to 2016, and policy CT4 – Residential, requires a total of 2,500 dwellings to be developed also in the Central Telford Area.

CT13 requires housing development to be at an average density of 75+ units/hectare within the Telford Town Centre Character Area, which includes the Southwater part of the application. Policy CT6 refers to Leisure, Culture and Tourism development where development of this type will be supported provided that they include entertainment venues, restaurants, pubs and cafes and other leisure-oriented activities. In particular they will need to be designed in a way that facilitates the opening up of interactions between Southwater, the Primary Shopping Area and Telford Town Park.

SECTION 8: KEY ISSUES AND PLANNING CONSIDERATIONS

The Development Plan

(See also Section 7 above for detailed appraisal of relevant planning policies)

Before considering the key planning issues in detail, consideration should be given to the status of planning policy documents that have been described above and what weight should be given to the various documents in the determination of the application.

The Development Plan comprises the following documents:

The Regional Spatial Strategy (RSS) for the West Midlands. The RSS contains policies that apply to development generally and which need to be taken into account when preparing the Local Development Framework (LDF). LDF documents are required to be in general conformity with the RSS.

Shropshire and Telford & Wrekin Joint Structure plan 1996-2011. By Direction of the Secretary of State in September 2007, a number of Structure Plan policies were saved until expressly replaced by new LDF policies.

Telford Core Strategy – The Core Strategy Development Plan Document was adopted in December 2007 and is the key strategic LDF document that sets

out the vision and spatial development strategy for the area and for subsequent DPDs to follow.

The Wrekin local Plan was prepared in the mid /late 1990s and adopted in February 2000 with an end date of 2006. In September 2007 certain policies were saved, recognising that they were consistent with national policy and up to date. Whilst not part of the LDF these policies remain in force and form part of the Development Plan.

The 'Principle' of the Development Proposals

The Application Site is located almost entirely within the town centre (with the exception of the Hollinswood area located in the north east of the Site). The town centre is defined by the Adopted Wrekin Local Plan (2000). Policies within that Plan, and summarised in the previous section, support the principle of the proposals. The Plan supports development within the town centre that will contribute to its multi purpose sub regional role. Retail, office, hotel and conference, leisure and commercial uses are all supported.

The emerging Central Telford Area Action Plan, whilst emerging as a policy document, sets a series of development parameters within character areas that define the Central Telford area. The emerging policies support a vibrant mixed use scheme of retail and employment to be developed within the Southwater area, with opportunities for events, expansion of the existing TIC, recreation and leisure.

The principle of development is entirely consistent with both adopted and emerging policy against which the proposals will be assessed.

Although objections have been received to certain elements of the proposal, overall the principle of development has been well received. Aspects of the proposals, for example housing development at north of St Quentin Gate have been the subject of objection by two local residents. When concerns have been raised, these have generally related to objectors seeking further clarification, or mitigation/compensation for suggested effects.

As stated elsewhere, the application was the subject of further 'Environmental Information' in February 2010 when the Applicants sought to overcome many of the initial issues raised by consultees to the original submission in October 2009. The proposals have been further 'refined' in respect of the following "outstanding" areas of potential conflict that arose during the consultation process, as follows:

- Meeting Point House – working with MPH to provide that important facility with a separate building
- Further consideration of local environmental issues including a willingness by the Applicants to enter into a Mitigation Strategy in respect of local environment issues, and the widening of the opening hours of the new development to enable a planned and managed night time economy.

In order to better promote the principle of development in a design quality sense, the Council can rely on the Design & Access Statement and Public Realm Design Guide to some extent. As an outline application, it has been difficult to require the agreement of Design Codes for each Development Zone. However, to achieve design quality, the Applicants have agreed that the D&A and Public Realm Guide will provide the base requirements, followed in turn and prior to the submission of Reserved Matters applications of individual Development Briefs. This sequence can be controlled by planning condition.

Highway and Transportation Issues

The proposals show a retention of some existing access points to the site, alongside improved and also, new access points. The main access to the development utilises the existing access that serves the Telford Ice rink and the International Centre development, via Coach Central/St Quentin Gate. This is currently a traffic light controlled junction and would continue to serve the development in the early phase. The Transport Assessment demonstrates that initial phases of the proposals can be developed without requiring improvements to this junction but a new junction layout will be necessary, eventually. The S106 Agreement will incorporate a covenant requiring the applicant to enter into a Section 278 Agreement under the Highways Act to improve this junction.

The access points, proposed and existing are detailed as follows (references to development Zones correspond with submitted plan RG05 rev G):

- i) access off Southwater Way, at the western end of the site, into Zone 1 - the existing controlled access will be opened up to enable public vehicular access to the buildings in Zone 1 and could also provide a potential bus link through the Application Site;
- ii) potential access off St Quentin Gate/ Coach Central, on northern side of the main site, into Zone 2 – this would provide access to proposed car parking to the rear of Telford Ice Rink and bingo/bowling facilities, and continue to provide access and servicing for these buildings;
- iii) access off St Quentin Gate/ Coach Central, on northern side of the main site, into Zone 4 – this existing access will be retained, and upgraded and extended when triggered by a quantum of development;
- iv) access off St Quentin Roundabout, on eastern side of site, into Zones 7 and 8 – this existing access will be retained and extended to enable access to Zone 9 via Zone 8;
- v) two access points off Deercote, on the northern site boundary, into Zone 10 - new accesses will be created to serve this (residential and hotel) Zone;

- vi) access off Randlay Avenue, on south eastern edge of site, into Zone 11 – a new access will be created to serve this (residential) Zone; and,
- vii) access off Dale Acre Way, on the north eastern edge of the site, into Zone 12 - a new access will be created to serve this Zone

On site, pedestrian and cycle movements are given high priority and high level of permeability and connectivity are proposed. This responds to the current issue of physical barriers that limit movement, particularly north – south through the site and perceptions of “convoluted” routes for those wishing to cross the site to either access the Town Park, the Town Centre or the International Centre.

Strong pedestrian and cyclist links are proposed and these are detailed below:

- Southwater Way as it enters the site is proposed as a shared space in order to cater for all transport modes and provide an extension of the public realm;
- An upgraded pedestrian/cycle link between Randlay Lorry Park and the Southwater site;
- Minor realignment of National Cycle Route (NCR) 55 through the site, crossing St. Quentin’s Gate at the St. Quentin Gate/Site Access signalised junction; and
- Levels of new cycle parking will be provided consistent with CTAAP (2009) which proposes cycle parking standards.

Access to, from and within the Application Site is key to the success of the proposals. The aim of the Southwater development is to create a sustainable urban space that reduces the site’s reliance on the private car, and caters for pedestrians, cyclists and public transport users.

The site is currently served by three vehicular access points, and numerous pedestrian access points around the site’s perimeter. National Cycle Route (NCR) 55 crosses through the site and other cycle routes are aligned along Coach Central and from the Randlay Lorry Park towards Southwater. The key issue in terms of vehicular access is to manage these three points, distribute the traffic through them, and where necessary upgraded and create new access to the site. The key issue for pedestrian and cycle movements is for maximum use to be made of these modes, and for these routes to penetrate the site and provide key linkages to, from and within it. Public transport connection currently operate around the site’s northern boundary, along Coach Central and St Quentin Gate. Maximising the opportunities for those using the site to frequent public transport is another ambition for the proposals. The illustrative Masterplan depicts how buses can be routed through the heart of the Site.

Vehicular access will be managed through a series of existing, proposed and upgraded junctions. These have been assessed within the Transport Assessment. The scope of the Transport Assessment (TA) has been agreed with Telford & Wrekin Council (T&WC) Highways Department and the Highways Agency (HA) have also been provided with details of the TA scope, agreed trip rates and Accessibility Audit Report (which was undertaken to inform the site Master Planning). The two main elements of the TA are the provision of a stand alone Travel Plan for the site and a detailed junction capacity analysis for the site accessed and a number of off-site junctions.

This package of new, existing and upgraded vehicular access points will manage and distribute the traffic entering and exiting the site, and minimise adverse impacts on the local network. This has been demonstrated through the Transport Assessment and Travel Plan.

The TA does not propose any mitigation measures for the offsite junctions, (with the exception of the possible signalling of the Malinslee roundabout access at Southwater Way), given that there is an agreement in place that T&WC Highways Department will assess necessary mitigation measures.

The Highways Agency initially objected to the proposals and sought clarity on a number of detailed points relating to trips data, the Site Wide travel Plan and the modelling used for the TA. Following a series of meetings with the Agency, the position appears to have been resolved and your Officers are expecting the Holding Direction to be lifted before the Plans Board meeting. Members will be aware that the Council is pursuing a 'plan-led' approach (through CTAAP) to mitigate for potential traffic impacts that will arise from strategic developments proposed within the Town Centre, including a wider package of infrastructure improvements that will necessitate section 106 contributions for this Site (and other developments that will come forward). The section 106 package offered by the Applicants includes contributions towards improvements to the M54 junction thereby allowing the Highways Agency to be in a position to support the proposals.

Interface with the Town Park

The Town Park is a dominant influence on the southern boundary of the site and a key issue has been to address this positively through design principles and to ensure that the proposed built development does not encroach into the defined Town Park boundary.

Part of the Application Site includes land just within the Town Park. These two areas are within Development Zones A and B. Zone A will include the remodelling and re-positioning of Southwater Lake. The new Southwater Lake creates an opportunity for the integration of the edge of Town Park and the new development. Working positively with the existing contours the new water body defines a gently curving new route linking Southwater Square to Southwater Green (as defined on Figure 18.6 of the Design and Access Statement). This broad pedestrian route will provide a positive and direct link into the park. On the lakeside edge of the park the ground drops gently away

to a richly vegetated lakeside margin, rich in ecological potential. To the south the new route is sensitively integrated with the existing park landscape. New wildflower meadows and groves of birch planting provide a backdrop.

The proposed development of Zone A to facilitate a new Southwater Lake will have an impact on the existing toddler play area to the south of the new Southwater Lake. It is proposed to relocate this play area to a new location adjacent to its current location and this will be secured through the Section 106 Agreement.

Zone B is also within the Town Park and the Local Nature Reserve boundary and links the existing Holiday Inn hotel and the Randlay Lorry Park. No built development is proposed for this Zone. Rather, however this area of the Park currently provides a key pedestrian/cycle route towards the town centre and the proposals seek to upgrade that route, to include improved surfacing for pedestrians and cyclists, sensitive lighting and landscaping to enhance safety and encourage its use.

The Design and Access Statement provides a landscape strategy. At its heart is a refinement of the physical relationship between the Town Centre and the Town Park. It is recognised that the Park represents one of Telford's most positive and cherished attributes. The physical relationship between park and town however demands improvement. Poorly defined spaces, gateways and bland overbearing built form detract from the park edge while not maximising the potential offered by views over the park.

A new series of buildings along the edge of the park, but not within it, (Zones 1, 5, 6 and 7) will address this poor spatial definition. The proposals seeks to create an interface between the park and town that 'fuses' landscape with built form. 'Fingers' of landscape interact with architectural elements to create a "serrated" edge.

The proposals for the Zones adjoining the Town Park and for those two Zones within it, are considered to positively address the issue of interface between the Park and the Application Site, and blend the two edges constructively and allow for elements of the Park to creep into the proposals, and elements of the design to reflect upon the Park's natural openness and light.

Detailed responses to the proposals were also made by officers within Parks and Landscaping teams, regarding the Town park interface and tying these proposals into the recently submitted planning Application for improving the Town Park.

The proposals within this planning application for Southwater do remove a number of elements on the northern edge of the Town Park including Spout Farm house, the public toilets, the play area, and ranger base. However these are either being replaced within the proposals or addressed by financial contributions secured through the section 106 Agreement. This ensures the

planning application is in accordance with Local Plan policies OL10 and OL12 that seeks to safeguard the replacement of recreation facilities.

The section 106 will include financial contributions to provide for a new play area within the Town Park to replace the children's play facility being removed, and ensure continuity of provision. The toilets, ranger's offices and facilities offered currently by Spout Farm House will be provided by replacement buildings within Zone 1 of the proposals. The potential relocation of Civic Offices within Zone 5 of the development proposals also provides further opportunities for Council functions to operate from this Zone.

Ecology and Nature Conservation

An Environmental Impact Assessment has been undertaken following an earlier scoping exercise and included the following habitat and species surveys:

Extended Phase 1 habitat surveys of the Proposed Redevelopment Site were undertaken in December 2008 and during June and July 2009, as a result of progressive changes to the scheme.

Surveys detailed the habitats present, based on their plant species composition, and classified according to Phase 1 methodology of the Joint Nature Conservancy Council, JNCC 2007. The potential presence of protected and rare or notable species was considered. Particular attention was given to presence of badgers, water vole, great crested newts, reptiles, invertebrate assemblages and bats. Any invasive species present were also noted.

Following the results of the extended Phase 1 Habitat surveys, dedicated protected species surveys were recommended for foraging and commuting bats. Subsequent bat activity surveys were undertaken between May and September 2009. In addition a Habitat Suitability Assessment for Southwater Lake was completed in July 2009.

Arboricultural Surveys did not highlight the retention of on site trees as being a particular issue for the proposed development. For this development to succeed, a comprehensive redevelopment of the site to include the development of key buildings along a new Main Street must take place and will result in the removal of existing trees (which lie outside of the Town Park boundary). This vision in the view of your Officers overrides the need to retain urban trees of low to moderate value.

Initially concerns were expressed by the Council's Planning Ecologist and the Shropshire Wildlife Trust regarding the impact of the proposals on the Town Park and Local Nature Reserve. There are no proposals to develop in the Town Park or LNR and following meetings between the Applicants and Officers/Trust it has been agreed that a Mitigation Strategy should be prepared and submitted that details how the proposals will be delivered and

mitigate/compensate for potential effects on the Town Park, LNR and the on site environment. These are not foreseen to be significant.

The redevelopment of both the natural and built environment has been assessed within the Environmental Statement, and principally the key issue that has arisen has been the potential for impact upon bats. The proposals will mitigate the potential impact on the bat habitats and foraging areas by way of a Bat Mitigation Strategy, to be submitted pursuant to a pre-condition on any planning permission.

The remodelling of Southwater Lake has the potential to create an environment that is supportive of a wider range of habitats than at present. The Phase 1 Habitat Survey undertaken for this planning application did not identify any protected species within the Lake or its environs. The new Lake would form part of a Landscaping Strategy.

Flood Consequences

PPS25 'Development and Flood Risk' 2006 emphasises the importance of taking into account the consequence and not just the probability of future flooding events and adopts a risk based approach to steer development to areas of least probability of flooding, taking account of climate change. The Council has produced a strategic Flood Risk Assessment. The Applicants have prepared a site specific Flood Risk Assessment for the planning application. The Site is located within Flood Zone 1.

The submitted FRA focuses primarily on surface water disposal and demonstrates that the run-off from the site can be managed, attenuated and reduced in accordance with the Environment Agency's (EA) requirements. The assessment demonstrates that the requirements of the drainage undertaker for the area, Severn Trent Water Ltd (STW), can be met.

The risks posed to downstream areas by the development are minimal as the on-site drainage infrastructure will be designed to accommodate the 1 in 100yr plus climate change event by utilising porous paving, surface and/or underground attenuation facilities. The allowable discharge from the bulk of the site will enter one of the existing surface water drainage systems in St Quentin Gate. Any infrastructure failure or event exceeding the design standard will result in overland flow running from the site along St Quentin Gate or Stirchley Avenue to St Quentin roundabout and the Randley Watercourse. A small area to the south west of the site will drain to an existing/proposed connection between Southwater Lake and Spout Pool.

The FRA concludes that the development, in drainage terms, is sustainable and does not increase flood risk to any off-site areas.

The Environment Agency and Officer for the Council have not objected in principle to the development and have recommended conditions that should be attached, should planning permission be granted for the proposals.

Noise and Pollution Control issues

The report accompanying the ES aimed to identify background noise levels, and proposed noise levels from the new development. The following effects were considered:

- Increase in noise from demolition, earthworks and construction activities on nearby noise-sensitive receptors;
- Increase in vibration from demolition, earthworks and construction activities on nearby vibration-sensitive receptors; and
- Increase in noise from demolition, earthworks
- Current road traffic noise from local road traffic routes on noise sensitive aspects;
- Breakout of amplified music from concert events held at the TIC on proposed new noise sensitive aspects;
- Noise generated by outdoor events to be held within the TIC proposed outdoor events space (Although it should be noted that at the present time, no live amplified music performances are proposed);
- Noise generated by fixed plant associated with the operation of Telford Ice Rink located within the Site itself on proposed noise sensitive receptors;
- Noise generated by the operation of the proposed CHP plant, A1, A2, A3, A4, C1, D1 and D2 uses to be incorporated into the Proposed Redevelopment on nearby existing and new noise sensitive receptors;
- Increase in noise from development generated road traffic movements on the local road network immediately surrounding the Site on existing nearby noise sensitive receptors; and
- Noise generated by existing and proposed new car parks on existing and proposed noise sensitive receptors.

The assessment and methodology is based on PPG24 Planning and Noise: (1997). The assessment was based upon a 24 hour modelling period and identified potential noise impacts over that period. Officers have met with the Applicants and have broadly agreed that appropriate mitigation for the new development is to be secured through a planning condition if a grant of planning permission is forthcoming through Noise Management Plans.

In an ideal situation, a single Noise Management Plan would have been required for the entire site. However given the scale of the development and the mix of development being brought forward in discreet stages over a lengthy period of time, the Applicants suggest that a single NMP is not feasible. Furthermore, it is recognised that the existing operations comprising the Bingo/Bowling buildings, the Ice Rink, the existing hotels and the TIC have extant planning permissions and will want to continue to operate under their existing consent/licensing regimes. This principle is understandable. However it is also recognised that cumulative noise impact can be problematical and noise from existing development may impact on the ability of new development (in this case - within other Zones) to meet reasonable noise limits/reasonable amenity levels

This has raised something of a conundrum as it is evident that the existing TIC facility in particular and despite careful management struggles on certain major event occasions to meet existing control levels. It is feared that if existing uses are not brought together under an umbrella NMP the ability of neighbouring Zones to meet acceptable noise standards may be compromised. On balance however, your Officers accept that it would be difficult and unreasonable to revoke existing permissions or introduce new or additional controls. However the noise emitted by existing operations will form the baseline noise data for new development and will inform Noise Management Plan Zones.

The Night Time Economy

The application expressed as an outline application for a mixed development including cafes and restaurants, places of entertainment, offices and residential aims to provide a town centre which is vibrant day and night. Your Environmental Health and Public Protection Officers have been closely involved in discussions on how best to design out potential problems. In addition, the Police Authority has sought to explain the problems that may emerge and the impact such development will have on the ability of the Force to properly manage the night time economy satisfactorily and safely.

The EHO appears satisfied that the Design & Access Statement as revised now provides dedicated pedestrian routes as a way of mitigating noise from people participating in the night time culture. The EHO warns however that it may not be feasible to locate residential development immediately adjacent to the proposed Event Cube at the TIC. This is a matter of detail to be addressed at the Reserved Matters stage and within the Noise Monitoring Plan(s). The EHO suggests that the section 106 Agreement includes provision for the formation and operation of a Management Committee involving the participation of occupiers of premises and the regulatory bodies. The provision of dedicated area(s) for mobile food vendors is also suggested.

Turning to the Police concerns, they suggest that there is a need to upgrade the Malinslee DHQ custody suite and that there is a causal relationship between this development and the need to expand facilities and that this intensity of night time uses will necessitate the provision of a new purpose built custody suite at an estimated cost of £5 million. They claim that there is no other way of raising the necessary funds. The Applicants believe that the arguments put forward that this development will give rise to the need have been exaggerated as no account has been taken of other developments planned or otherwise within the Borough that may also give rise to the need for additional facilities. It is understood that the Applicants believe that a £5m contribution would affect the viability of the scheme overall. Your Officers believe that the Development Plan (in particular the Wrekin Local Plan) only requires section 106 contributions for community facilities arising from housing developments. Police facilities have not

featured in the triggering of section 106 contributions previously, although it is acknowledged that the emerging Government policy in relation to the Community Infrastructure Levy (CIL) may change the situation. Simply and regrettably, your Officers consider that the request is premature and that there is no planning policy requirement to insist that such contributions be made.

Air Quality and Odour

The air quality of the site is mainly influenced by emissions from road transport. The impact on air quality at the site is most likely to be heavily influenced by the number of main roads located within the vicinity of the site. They include the M54 (located approximately 900m north of the site) and A442 Queensway/Hollinswood Interchange (located approximately 580m northeast of the site). There are also a number of smaller roads located in the immediate vicinity of the site, including Coach Central and Southwater Way. The proposed development has sought to minimise the number of car based trips and maximise the Site's accessibility to cyclists and pedestrians, and take advantage of existing public transport connections at the Site's boundary. By association, the proposals will not significantly affect air quality and odour as a result of traffic.

Officers have recommended a condition be attached should planning permission be granted, to ensure that proposed Combined Heat and Power provision within the development is controlled in respect of air quality. The proposals include provision for up to two CHP facilities within the site to contribute towards the renewable energy and green credentials of the scheme. Whilst biomass boilers can provide a sustainable source of heat and power, officer advise that they have been linked to air quality problems and have therefore recommend a planning conditions to control this, and ensure reserved matters applications for such development, address this issue.

The Council incidentally is required to provide formal assessments on air quality within the Borough. This requires a mix of modelling of air quality and monitoring of key pollutants to demonstrate compliance. Conditions are suggested requiring the submission of an Air Quality Plan and appropriate funding under the section 106 Agreement be set aside to carry out this work on an ongoing basis. The Applicants are unwilling to meet these costs believing that they should be paid for through core budgetary processes and that the type and extent of work is too uncertain at this point in time.

Your Officers believe that the above matters can be dealt with by way of condition. No section 106 contribution(s) is/are deemed reasonable for the reasons explained above.

Archaeology and Cultural Heritage

An Archaeological Desk Based Assessment accompanies the Environmental Statement. The report identifies low potential for post medieval industrial

activity on within the application site and the immediate vicinity. The County Council Historic Environment Officer has therefore suggested a condition be attached should planning permission be granted, that requires a Written Scheme of Investigation (WSI) (essentially an archaeological watching brief) oversees certain developments on the application site.

Affordable Housing

The application is in outline form and proposes that 330 dwellings are provided on site in four areas. Three are distinct residential Zones – north of St Quentin Gate; south of the Holiday Inn hotel and on Randlay car park. A fourth residential element is proposed within the centre of the site, on the southern boundary, as part of a mixed use Zone (Zone 6) where it would be located alongside a proposed hotel or possible office development.

The applicants propose that a minimum of 10% of dwellings are affordable, and these could be provided both on and off site. The provision of 10% is to be secured through a Section 106 agreement. The applicants have expressed a willingness to increase this to 20% subject to HCA funding being available.

In relation to affordable housing the 'Central Telford Area Action Plan - Preferred Options', Policy CT5(C): Percentage of Affordable Housing states that 30% is regarded as a minimum level of provision for affordable housing in Central Telford. The justification given is due to the '...anticipated influx of population into the town centre strengthens the argument for providing at least 30% as opposed to 20% as there is a need to attract and retain a range of social groups to Central Telford.' The latest Housing Needs Assessment (2004) also identifies a need for 30% affordable housing provision across Telford.

The adopted Core Strategy does not include specific policies on affordable housing, however Policy H23 (Affordable Housing) in the adopted Wrekin Local Plan is currently a saved policy. It states that 'On new housing land allocations in Telford of 0.5ha or above 15 dwellings or above, throughout the plan period, the Council will pursue, through negotiation, an overall target of 38% of dwellings for affordable housing, both social housing and low cost market housing', in addition a proportion of affordable housing will be sought on other sites in Telford, where there is identified local need.

The emerging CTAAP policy of 30% is the most up to date policy and also applies geographically to the Application Site which is situated within Central Telford. However following the submission of this planning application (2009/0914), the submission version of the CTAAP has been questioned by the Planning Inspectorate in terms of the robustness of the evidence base. The Council have been charged with preparing further evidence to support the CTAAP and make revisions where appropriate.

In December 2009 the Council published a report entitled, Affordable Housing Viability Study, December 2009. Paragraphs 7.26 to 7.33 of the Affordable Housing Viability Study are most relevant to development in Central Telford.

The study advises that a 20% affordable housing target is appropriate for Telford overall but that many schemes would require a HCA grant to achieve this. Where such funding is available then this target should be achievable from the start of development in Central Telford.

If the prospect of securing grant funding appears uncertain, the study suggests that an affordable housing target of 10% or 15% across Telford is more realistic, and in Central Telford the Council may wish to consider waiving the affordable housing requirement in the interests of enabling development to establish a housing market in the area.

The Applicants suggest the scheme can stand 10% provision with details of the mix and type, and tenure to be agreed through reserved matters applications. Homes & Community Agency funding is being sought for this development to secure 29% but, at this time, it has not been secured.

The Applicants also suggest that an on site affordable housing provision may be appropriate, notably on the town centre fringes but in other circumstances, where more central zones are to be developed, an off site affordable housing contribution should be considered.

There is a requirement to ensure the provision of mixed and balanced communities. It is your Officers' opinion that 20% should be sought as a matter of principle and may well be achieved through HCA Social Housing Grant funding. This should be our starting point but inevitably the Applicants can seek to demonstrate later on a case by case basis that the economics do not 'stack-up'. The recommendation therefore is to seek a minimum of 20% on-site provision allowing HCA funding application process to continue and enabling the Applicants to seek a reduction according to evidence of viability later.

Retail Impact Considerations

The proposals for up to 5,000sqm of Class A1-A4 uses within the development are not considered significant to impact on the existing town, district or local centres. Further, the Applicants have sought to limit the provision of A1 retail to just 1,500sqm to be spread across development Zones thereby avoiding the concentration of A1 units in any one location.

All of the main town centre type uses proposed fall within the Adopted Local Plan defined Telford Town Centre boundary, and all accord with development plan policy. On this basis your Officers do not consider that the application proposal should be require a sequential analy under Policy EC17 of PPS4.

Wider Impact Considerations

- PPS 4: Policy EC10

Policy EC10 requires all planning applications for economic development to be assessed against a series of wider impact considerations, which are dealt with in turn below:

a) whether the proposal has been planned over the lifetime of the development to limit carbon dioxide emissions, and minimise vulnerability and provide resilience to, climate change;

The core aspiration for Southwater is to deliver a highly sustainable and attractive town centre development that opens up Central Telford for future investment and creates a vibrant, attractive community that provides a high quality of life for residents. The high green credentials that will be provided by this low carbon development through the provision of biomass CHP will assist greatly in delivering this vision.

b) the accessibility of the proposal by a choice of means of transport including walking, cycling, public transport and the car, the effect on local traffic levels and congestion (especially to the trunk road network) after public transport and traffic management measures have been secured;

Pedestrian and cycle movement is given high priority on-site with strong pedestrian and cyclists links to/from the site being proposed. Vehicle access has been designed in such a way as to minimise vehicle trips through access points to the site.

As part of the submitted Site Wide Travel Plan, measures are proposed to increase the attractiveness of public transport use including information provision and subsidies on public transport travel for site uses.

c) whether the proposal secures a high quality and inclusive design which takes the opportunities available for improving the character and quality of the area and the way it functions;

The redevelopment of Southwater will add a new mixed 'quarter' to the Town Centre. This will provide leisure, community, employment and residential land fully integrated to create a new piece of townscape. The 'quarter' is anticipated to respond to its wider context and deliver benefits for the wider community.

d) the impact on economic and physical regeneration in the area including the impact on deprived areas and social inclusion objectives;

Telford Town Centre does not currently have a successful and vibrant evening economy. To ensure Telford acts as the principal centre for the area, successful regeneration with the associated commercial retail and leisure uses will go towards delivering a vibrant and safe economy. In addition, the proposed commercial space within the Town Centre aligns to a number of agendas aimed towards focussing investment and the revitalisation of the Town Centre. Furthermore, Southwater is a sustainable office location with its proximity to public transport.

e) the impact on local employment.

It is anticipated that the proposed regeneration of Southwater will deliver the regeneration and redevelopment of a significant element of the Town Centre, providing much needed capital investment by both the public and private sector, all of which will positively impact on the economic activity, increasing the GVA of the area, and contributing towards reducing the regional output gap. The Southwater proposals have been assessed against a series of wider impact considerations contained in Policy EC10 of PPS4 and it is believed that they fully conform as described above.

Key Main Town Centre Use Tests

- PPS 4 (Policy EC15 & EC16)

Policies EC15 and EC16 of PPS4 require that any planning application for a main town centre use should demonstrate acceptability against the sequential approach, and that there will be no detrimental impact on surrounding centres. However, PPS4 only requires applications to be tested against each of these policies where the proposed main town centre uses are not in a centre and not in accordance with an up to date development plan.

Therefore, in considering the implications of Policy EC15 and EC16 on the application proposal, it is first important to establish the extent to which the main town centre uses proposed fall within the defined centre, or accord with development plan policy.

Paragraph 7 of PPS4 details the main town centre uses by specific category, which broadly comprise, retail; leisure (including restaurants, cinemas, bars and pubs and other indoor leisure facilities); offices and arts, culture and tourism (including theatres, museums, hotels and conference facilities). Whilst the TIC is an events facility, it may be perceived as conference facility, but in any event the location of the TIC within the defined town centre boundary accords with PPS4 policy, as detailed below.

In determining which of the proposed main town centre uses fall within a defined centre, it is important to understand the extent of the defined centre. Annex B of PPS4 provides a set of definitions, and in respect of locations, PPS4 describes a town centre as a:

“Defined area, including the primary shopping area and areas of predominantly leisure, business and other main town centre uses within or adjacent to the primary shopping area. The extent of the town centre should be defined on the proposals map.” (Annex B, PPS4)

PPS4 further describes the primary shopping area as a:

“Defined area where retail development is concentrated (generally comprising the primary and those secondary frontages which are contiguous and closely related to the primary shopping frontage).

The extent of the primary shopping area should be defined on the proposals map. Smaller centres may not have areas of predominantly leisure, business and other main town centre uses adjacent to the primary shopping area, therefore the town centre may not extend beyond the primary shopping area.” (Annex B, PPS4)

The definition of edge of centre locations provides further clarification of the extent of a defined centre for of each of the main town centre uses. In this respect PPS4 states:

“For retail purposes, a location that is well connected to and within easy walking distance (i.e. Up to 300 metres) of the primary shopping area. For all other main town centre uses, this is likely to be within 300 metres of a town centre boundary.” (Annex B, PPS4)

By definition therefore, PPS4 confirms that it is entirely acceptable to locate all other main town centre uses (comprising Class A2, A3, A4, B1a, C1 and D2 uses) within the defined town centre boundary. Whilst the Application Site does extend beyond the Telford Town Centre boundary (as defined within the Adopted Wrekin Local Plan), this is proposed for residential use at the Randlay Car Park i.e. a non main town centre use in PPS4.

Annex B of PPS4 also provide a definition of the different forms of development, and in respect of retail confirms that it comprises, convenience shopping; supermarkets; superstores; comparison shopping; retail warehouses; retail parks; warehouse clubs; factory outlet centres; and regional and sub-regional shopping centres. It is therefore clear it is only the Class A1 element which PPS4 seeks to locate within the defined primary shopping area.

In respect of retail, the Adopted Local Plan does not identify a primary shopping area. It does however identify an area for ‘Retail, A3 and D2 use (TC2&3)’, which encompass both Telford Shopping Centre as well as the western parts of the Application Site. The accompanying text within the Local Plan states that additional shopping floor space should be developed around and integrated with the existing Telford Centre. For the purposes of PPS4 and assessing the most appropriate location for future retail development, this policy allocation equates to the primary shopping area.

However, in addition Policy TC4 of the Local Plan identifies an area on the western edge of the Application Site as a ‘Mixed Use Redevelopment Site (TC4)’. The text accompanying this allocation confirms that the site offers major development and redevelopment opportunities which if developed for additional leisure; catering and retail uses would strengthen the image of the centre as a leisure destination and would further support the retail function of the town centre.

It is proposed that Zones 1, 2, 3, and 5 could all comprise an element of Class A1 floorspace, to a maximum of 1,500 sq m. Zones 2, 3 and 5 are either fully or partially covered by policy allocations TC2 and TC3 being the

defined primary shopping area, whilst Zone 1 almost entirely lies with policy allocation TC4 (mixed use redevelopment site) as shown on the Adopted Local Plan and therefore any retail development within this area accords with development plan policy.

Given the nature of the proposed development in providing a mixed use scheme disaggregation of elements of the proposed retail floorspace is not considered feasible, or viable, particularly given the fact that the retail components will be at least partially located within the defined primary shopping area.

Given the level of Class A1 floor space proposed (at only 1,500 sq m), its location, and its contribution to the wider mix of uses which are proposed are all in accordance with development plan policy, there is no requirement to demonstrate acceptability of the sequential approach (Policy EC15 of PPS4). Furthermore, given the proposed location of the other main town centre uses which all fall within the defined town centre boundary, there is again no requirement for the application to be tested against Policy EC15 (PPS4).

Section 9: PLANNING OBLIGATIONS REQUIREMENTS

As joint landowner, the Council is an interested party so the traditional approach of a section 106 Obligation under the Planning Act is not open to Plans Board as far as the Council's land is concerned. A different approach is recommended - rather than entering into a formal Section 106 Agreement with itself, commitments will be made on behalf of the Council as landowner to abide by the planning 'obligations' and, should the land be transferred to make it a condition of that transfer that the new owner will have to enter into a Section 106 agreement to ensure that the obligations bind future owners. The matter in relation to the other joint Applicant, Southwater Events Group is simpler in that a straightforward section 106 Obligation can be sought. The matter then rests with the various landowners to apportion the contributions as necessary.

The Council as both local planning authority and local highway authority intend to adopt a plan-led approach to planning contributions, particularly in terms of infrastructure provision and this is entirely consistent with the Government's Community Infrastructure Levy (CIL) approach. In relation to local highway network, the Council is using both a VISUM and VISSIM model to ascertain the impact of future development proposals on the adjacent highway network that will lead to an improved understanding of corresponding mitigating highways and transportation measures that will ameliorate these impacts.

Members will be familiar with the scale of developments that will emerge over the next few years within the town centre in particular. Clearly developments cannot be allowed to proceed without contributing to infrastructure improvements and it is now becoming accepted practice to seek financial contributions towards major highway schemes based on the number of additional trip generation. The level of contributions has been assessed based on this methodology, which of course has been used elsewhere, most recently, with the Asda proposal.

The LHA has assessed the impacts arising from the development using their own methodology and traffic modelling and advise that in accordance with the plan-led approach, a financial contribution of £2m will be necessary towards the provision of Major (highway, transport and traffic) Schemes. In addition the provision of pedestrian/cycle way between Randlay car park and the Holiday Inn will require a contribution of £30,000.

The affordable housing percentage of 20% proposed in CTAAP should be applied but with the understanding that this could be reduced if justified later on evidence regarding economic viability. Given that 20% would only be achieved with HCA grant, if grant is not available then the option of a lower percentage such as 10% should be considered as a short term measure and viability reappraised at a later date. Regarding tenure, a split of 80% social rented and 20% shared ownership should be used.

In addition a contribution of £1,000 per dwelling unit on units of 2 or more bedrooms will be required, linked to the implementation of Reserved Matters approvals.

In addition, the Council should seek a contribution to public art in line with Local Plan Policy. Known as the percentage for art approach, it is recommended that a sum of £200,000 be required to commission public art on the site.

In addition, a children's play area contribution, linked to continuity of provision will necessitate a contribution of £75,000. Landscape maintenance amounting to £600 per dwelling unit (2+ bedrooms) is proposed.

In addition, and in line with recent developments a sum of £80,000 be sought to monitor and enforce section 106 Agreement and conditions. This will be split across the Development Zones and payments triggered as the first Reserved Matters are submitted for each Zone.

Section 10: CONCLUSIONS

The application has been the subject of an Environmental Statement under the Town & Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. The impacts have been fully assessed by the Local Planning Authority and the conclusions reached that any outstanding environmental effects can be satisfactorily mitigated with the use of planning conditions.

The majority of the proposed development lies within the Town Centre and a mixed commercial use development that will include residential would be entirely in accord with planning policy – both existing and emerging, particularly reflecting the role of this town centre as a 'Strategic Centre'. The proposals have been fully considered and assessed to be in accordance with guidance in PPS4, the RSS and Core Strategy policies CS3, CF2, CF3 and CS4. It will help provide a vibrant mixed use development thereby enhancing the town centre's role serving the wider area. The proposals help regenerate Malinslee and Hollinswood areas and help create mixed communities. In terms of the Town Park, these proposals at long last help improve and enhance the interface with the Park and takes maximum advantage of this quite splendid setting. It is vital that regard is paid in future to the Design & Access

Statement and Public Realm Guide. These documents whilst not exactly 'Design Codes', nevertheless provide a template for future development coming forward in future Reserved Matters Applications. There will be a requirement that requires the submission of Development Briefs prior to the submission of Reserved Matters as each Zone comes forward for development.

The proposed development seeks to reinforce pedestrian linkages to produce a safe and secure environment in accordance with the urban design policies in the Core Strategy and Wrekin Local Plan. The traffic movements generated by the development can be accommodated without detriment to the highway safety. The outline layout (not for approval here, but rather is in illustrative form) also provides adequate car parking provision. Issues of ground conditions, flooding, drainage, ecology, noise and pollution have been fully assessed and it is considered that any impacts can be adequately mitigated through the imposition of suitable conditions. The proposal creates a demand for off-site infrastructure requirements and for planning contributions towards Education, Affordable Housing, Play and Landscape improvement, which can be adequately achieved through planning obligation contributions. Although Outdoor Leisure & Recreation has sought additional funding towards Town Park improvements, it is felt that the main improvement/enhancement is confined to the Town Park margins and the Reserved Matters applications will need to pay full regard to this interface. It is not considered that the part of the site's Green Network designation has any significant impact on the following recommendation and planning policies in this regard have been met.

Finally, the application submitted by two of our major landowners in partnership is commendable and secures the future of one of our prestigious commercial operations thereby contributing significantly to economic development.

Section 11: RECOMMENDATION: that provided the Highway Agency has withdrawn its Holding Direction and subject to the Council as landowner agreeing that the land will be bound by the obligations in respect of the provision of a sum of monies included in the table at the end of this report at Appendix A and upon the signing of a section 106 Obligation with SWEG agreeing to same, and to the following planning conditions, the Head of Planning & Transportation is authorised to **GRANT planning permission**, subject to the following conditions, in summary (a detailed list will be tabled at Plans Board):

1. A1 - Fifteen year time limit condition
2. A2 – Submission of Reserved Matters
3. C119 – List of approved drawings/documents
4. NS – Maximum 1500 sq m retail floorspace with no units exceeding 500 sq m
5. NS – Defining maximum floorspace within each development category
6. B16 - Materials
7. NS – Lighting strategy
8. NS – Construction Method Strategy for waste
9. NS - Servicing Management Strategy for each building
10. NS – Surface Water Drainage

11. NS - Demolition traffic
12. NS – Demolition Working Method to be agreed via Construction Environmental Management Plan
13. NS - Ecology mitigation strategy
14. NS – Land Contamination Risk Assessment, site investigation and remedial requirements.
15. NS – Treatment of unforeseen land contamination
16. NS – Surface water and foul drainage proposals for each building
17. NS – Site wide Energy Viability Study
18. NS – BREEAM standards
19. NS – Code for Sustainable Homes
20. B23 – Landscaping
21. B25 – Landscaping Management
22. NS- Submission of reserved Matters to include Development Briefs to ensure Building/Design Codes
23. NS – Archaeological watching brief in relation to Zones 8 , 9 and 12 only.
24. B46 – Slope Stability
25. B43 – details of mineshaft treatment and appropriate stand-offs
26. NS – Environmental Health noise management scheme
27. NS – Environmental Health air quality monitoring and modelling
28. NS- Environmental Health time odour emissions – air quality plan and odour management plan requirements
29. NS - Highways phasing plan for site accesses, closure and reinstatement of existing accesses
30. NS – Highways means of access etc full details
31. NS – Highways Off-site highway improvements, signalling of junctions, cycleways etc
32. NS – Highway – Travel Plan
33. NS – No dig method
34. NS – Drainage Ground water and Surface water limitation.
35. NS – Environment Agency Land contamination risk assessment
36. NS – Environment Agency Land contamination monitoring
37. NS – Drainage of Southwater Lake – EA recommended condition

SOUTHWATER SECTION 106

ITEM	PROPOSED COVENANT	PROPOSED TRIGGER
Affordable Housing	<ul style="list-style-type: none"> • Minimum 20% on site, to be achieved as an average across the development 	<ul style="list-style-type: none"> • Linked to each residential phase. • Payment triggered by completion of the Xth unit, that is equivalent to 50% of that phase.
Education	<ul style="list-style-type: none"> • £1,000 per dwelling on units of 2 or more bedrooms. 	<ul style="list-style-type: none"> • Linked to each residential phase • Payment triggered by completion of the Xth unit, that is equivalent to 50% of that phase.
Children's Play Area	<ul style="list-style-type: none"> • £75,000 	<ul style="list-style-type: none"> • Payment linked to the implementation of the Reserved Matters Application, that would result in the play area being removed. Provision of play area provision to be continuous.
Public Art	<ul style="list-style-type: none"> • Maximum of £200,000 	<ul style="list-style-type: none"> • Payment linked to the commissioning of the artists to produce the public art
Pedestrian / Cycle link between Randlay car park and Holiday Inn	<ul style="list-style-type: none"> • £30,000 	<ul style="list-style-type: none"> • Provision of improved footpath / cycleway – design / details to be agreed with TWC. (path to link Randlay Car park development in zone 11 with the centre of the development) • Payment upon commencement of development of Zone 11.
Other Highway Improvements	<ul style="list-style-type: none"> • £2 million 	<ul style="list-style-type: none"> • Payment will be phased in accordance with the phased delivery plan which will need to be submitted prior to the commencement of development.

Landscape	<ul style="list-style-type: none"> • £600 per dwelling of 2 or more bedrooms, towards open space maintenance. 	<ul style="list-style-type: none"> • Linked to each residential phase. • Payment triggered by completion of the Xth unit, that is equivalent to 50% of that phase.
Monitoring of Conditions attached to the Outline Planning Application	<ul style="list-style-type: none"> • £80,000 	<ul style="list-style-type: none"> • Linked to each residential phase. • Payment triggered by submission of the Reserved Matters Application for each Zone

Notes

W2009/1067 Erection of 5no. dwellings to include access, layout and scale (Outline Application)
21, Bratton Road, Bratton, Telford, Shropshire.
Recommendation Code: OLG
Ward: Wrockwardine

APPLICANT:
Mr G Lindsay

RECEIVED ON:
11/12/09

PARISH
Wrockwardine

WARD
Wrockwardine

CASE OFFICER:
Anna Robinson

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Principle of development, Access, Character and appearance, Impact on adjoining residential amenities

THE PROPOSAL: The application seeks outline planning permission for the erection of 5no. dwellings to include access, layout and scale.

The application follows a previous approval for 5 dwellings (ref: W2005/1419), a refusal for planning permission for 6 dwellings and subsequent appeal dismissal (ref: W2007/0352) and pre-application discussions in 2009 involving the Area Planning Officer and Highways Engineer.

THE SITE AND SURROUNDINGS:

The site lies within the established residential area of Bratton. The site is accessed off the existing highway, Bratton Road, and was previously occupied by a modern detached split level bungalow, which has been demolished and the site is now a vacant plot. To the north of the site is a private unadopted narrow track access to Moor Farm and rear access to a number of other properties that front Bratton Road.

Bratton Road is located on the urban fringe of Telford. There are a variety of house types on Bratton Road, with older terraced and detached properties in the vicinity. There has been recent new build development to the south of Bratton Road, with adjacent large modern residential estates (Dulwich Grange and Whiteway Drive/Holt Coppice). Located directly to the west of the application site is Moor Farm Cottage, a modern dwelling with dormer windows overlooking the site, and a more recently built property is located to the south. To the east of the site there is an area of public open space adjoining the new residential estates.

PLANNING HISTORY:

A number of applications relate to development on the site:

W89/1079 Erection of Detached Bungalow with Integral Garage and Formation of Vehicular Access, Full granted;

W2005/0164 Application to Discharge S106, Full refused;

W2005/1419 Demolition of Existing Dwelling and Erection of 5no. Dwellings, Outline granted;

W2007/0352 Erection of 6no. Dwellings And Alterations to Existing

Vehicular/Pedestrian Accesses (Outline Application), Full refused; Appeal dismissed

(Ref: APP/C3240/A/07/2054518/NWF). The application was refused on character, neighbouring amenity and highways grounds, and these reasons for refusal were upheld by the Planning Inspector in the appeal decision.

Extensive pre-application discussions between the Agent, the Area Planning Officer and the Council's Highways Engineer to resolve the reasons for refusal and Planning Inspector's Appeal decision.

CONSULTATION RESPONSES:

The Council's Highways Engineer has no objection to the development subject to highways conditions relating to visibility splays of 2m x 25m to be provided prior to the development being brought into use. Furthermore there shall be no obstructions above 800mm within the visibility splays. Other conditions regarding submission of a scheme for accommodating construction vehicles and materials on site and measures to prevent mud on the highway should be imposed. In addition, details on future reserved matters application shall indicate retention of the visibility splay, access and parking to be laid out prior to first occupation, along with the general highways informative to contact Highways & Transport Maintenance prior to commencing work on the highway.

The Council's Drainage Engineer requests a condition is imposed for submission of full drainage layout and results of soakaway test. Any soakaway should be no less than 5m from any building or boundary, and details of the location of the soakaway shall be submitted.

The Arboricultural Officer has no objections to felling of T1, T2 & T3 to facilitate access into the development. The 3 remaining trees on site have adequate Root Protection Areas and must be protected by HERAS fencing in accordance with BS:5837 Trees in Relation to Construction Recommendations, before any construction work takes place or begins on site. He does have concerns that T6 and T7 may be affected by the development due to the position of Unit 5 and the turning area. In this instance, details will be required in the Construction Methodology of the driveway showing its composition, depths, and how it will not affect the roots of T6. The proposal is to fell 4 out of the 7 trees onsite, and replace them with 14 new trees. No specification has been given as to what size & species the replacements will be.

The Environmental Planner advises that if the site is overgrown, there is potential for reptiles to use the land, therefore before works commence, all vegetation should be cut back to prevent reptiles from inhabiting the site.

Wrockwardine Parish Council has no objection in principle; however Members raise concern over the likely increase in traffic and the nature of the access to the property. There are concerns that the safety of vehicles and pedestrians may be compromised due to the nature of the access and egress design. The Parish Council wished their concerns to be brought to the attention of the Traffic Management Officer.

9 letters of objection have been received from residents on Bratton Road. Their comments are summarised below:

- Impact of development on access and egress from Moor House Farm Lane – loss of existing layby area which enables turning space, and visibility will be replaced by landscaping
- Loss of lay-by area leading to problems for emergency vehicles, farm vehicles, deliveries etc. on Moor House Farm Lane.
- Covenant re: maintaining layby for farm (stand for milk churns)
- Proximity of development to adjoining properties, restricting light
- Impact of three-storey development on privacy, overlooking and character of area
- Density, height and position of proposed dwellings
- Notional building line is incorrect – Unit 1 positioned in line with garage at adjacent property, rather than the dwelling
- Substantial boundary screening required
- Devalue property

POLICY CONTEXT:

National Guidance:

PPS1 Delivering Sustainable Development

PPS3 Housing

Core Strategy:

CS1 Homes

CS15 Urban Design

Wrekin Local Plan:

UD2 Design Criteria

H6 Windfall sites in Telford & Newport

PLANNING CONSIDERATIONS:

The application seeks outline planning permission for the erection of 5no. dwellings. Matters of access, layout and scale are to be determined at this stage. The central position of the site access, and the layout, position and orientation of the dwellings have been designed according to pre-application discussions.

National Planning Policy Statement 1 (PPS1) asserts that development must be of a high quality design, reflecting the context of the area and enhancing the character and quality of the locality. PPS3 reflects policy in PPS1, referring to the requirement that development should be of good design and appropriate in its context, enhancing the distinctive character. It should be well integrated and complementary to neighbouring buildings and the locality with regard to scale, density, layout and access.

In terms of local planning policy, Local Development Framework policy CS1 states that housing development will seek to provide every household with an affordable, decent and appropriate home with a range of type, size and tenure to meet local need. CS15 outlines design of development will create and sustain safe places and strengthen local identity, positively influencing the appearance and use of the local environment.

Policy UD2 of the Wrekin Local Plan asserts that development must respect and respond positively to the context, and enhance the local environment through high quality design, and it will be assessed in relation to its scale, form, density, orientation, layout, proportions, materials and access etc. Policy H6 states that housing development within the built up area is permitted if it complies with certain criteria relating to parking, access, drainage, ground issues, impact on adjacent use and high quality design.

The principle of 5 dwellings on this site has already been granted outline planning permission by W2005/1419, albeit for a substantially different layout of development than the proposal, with 4 of the units forming frontage development, parking to rear and Unit 5 beyond, adjacent to Moor Farm Cottage. The proposal for a higher density of development comprising 6 dwellings orientated north-south with no frontage development and site access to northeast corner directly adjacent the private access road was refused and the appeal dismissed. The application was refused for a number of reasons:

- The development was inappropriate in its context and failed to improve the character and quality of the area due to its siting, uniform design and layout and inactive frontage, the uncharacteristic hipped roof design and highway-dominated proposal
- Impact on privacy and amenity of the adjoining properties due to the scale and orientation
- Proposed access arrangements would be detrimental to highway safety.

The Applicant has since been negotiating a revised scheme with the Area Planning Officer and the Highways Engineer which has incorporated a number of revisions to improve the scheme and address these reasons for refusal.

The repositioned site access to a central location on to Bratton Road has addressed the previous highways objections, and the Highways Engineer has no objections subject to imposing appropriate conditions. The access driveway would curve around the frontage of Unit 1 and continue running parallel to the private access road from Unit 2. The application forms state 12 parking spaces would be provided (integral garages and on front driveways) and the plans indicate turning space within the site.

Unit 1 would front both the main highway and private access road, providing an active frontage and addressing the street; and the remaining properties would be orientated north-south. The layout of development would be slightly staggered and comprise individual housetypes, with gable roofs. The position of the site access means Unit 1 would be located 9 metres from the shared boundary of the site with the adjoining property, No.22 Bratton Road, although the outlook of the new dwelling would be on to the garden frontage and garage of No.22, thus not adversely affecting the private amenity of the adjoining property. Unit 1 would be located forward of the adjacent dwelling, which is set back more than 20 metres from the highway, but Unit 1 would be positioned in line with the building line of No.20 Bratton Road and the garage at No.22.

Unit 1 would be a relatively prominent building, in a slightly elevated position to the highway; however the building addresses the street, and reflects the scale and

character of modern properties located opposite to the northeast of the site area. The remaining 4 units would be located at least 14 metres from the southern boundary of the site, ensuring no detrimental impact to No.22. Existing dormer windows on the rear elevation of Moor Farm Cottage will overlook the garden of Unit 5; however, indicative planting (boundary hedge) shown on the plans will help to maintain mutual privacy. The indicative streetscene suggests Unit 5 would be designed to have minimum impact on light and outlook to Moor Farm Cottage, with catslide style roof and low eaves adjacent to shared boundary, and similar ridge height to the adjoining property. Units 2 to 5 are indicated with accommodation within the roofspace. This is indicative only, but the distance to the boundary and the private access road would be some 12.5 metres, thus it would not lead to overlooking of No.'s 18 to 20 Bratton Road.

With regard to the Parish Council and neighbour concerns, the existing lay-by area is within the ownership of the Applicant. The covenant is a legal matter and is not within the remit of the planning system. However, the landscaping shown on the plans is indicative only, with this and the appearance of the development reserved for consideration in a further application. Therefore, the Local Planning Authority would be able to assess and control the type and scale of landscaping at the northeast corner of the site. The Highways Engineer has requested a condition is imposed to restrict obstructions to a maximum of 800mm in height within the visibility splays of the proposed site entrance. With regard to highway safety issues, the Highways Engineer considers the revised submission with the central access point will not be detrimental to other highway users.

The other objections regarding density, height, position and impact on adjoining residential amenity have been assessed in this report and officers consider the development would not have a significant detrimental impact on adjoining properties, the streetscene or the character of the area.

The Applicant has requested that the time limit for submission of the reserved matters is extended from 3 years to 5 years; however officers do not consider that sufficient justification has been submitted as to the reasons for extending the time limit. Therefore the standard time limit of 3 years would be imposed.

Whilst the proposal comprises a similar layout of development to the refused scheme, officers consider the amendments to the design – the repositioned site access, the reduction from 6 to 5 units providing larger, more spacious plots, which are more characteristic of the area, the orientation of Unit 1 to front Bratton Road and the private access road, the position of the dwellings and the variety of housetypes within the development – ensures the creation of a more appropriate scheme which better reflects the prevailing character of development along Bratton Road and on the adjacent modern residential estates. It is considered that the revised scheme now meets the criteria of both the national and local planning policies and is an acceptable proposal.

RECOMMENDATION: GRANT OUTLINE PLANNING PERMISSION subject to the following conditions:

1. A2 Submission of Reserved Matters

2. B10 Standard Outline
3. B11 General Details Required
4. B15 Samples of Materials
5. B18 Details of Windows and Doors
6. B23 Landscape Design
7. B33 On-site Construction
8. B34 Mud on Road
9. Highways condition re: visibility splays
10. C86 Car Parking
11. D125 Removal of Permitted Development Rights
12. D129 Restriction on Conversion of Domestic Garages

Reason for Approval

The principle of residential development on the site has been agreed by previous outline planning permission for 5 dwellings. The proposal is considered acceptable in terms of the layout, access and scale of the development and will not have a detrimental impact on adjoining residential amenity, and will relate to the character and appearance of the streetscene and area.

Notes

W2010/0055 Reconfiguration of existing car parking and creation of new car parking at and adjacent to the Telford International Centre, including the erection of new fencing and lighting and relocation of footway and associated works
Telford International Centre, St Quentin Gate, Telford Town Centre, Telford, Shropshire.

Recommendation Code: FG –
Ward: Malinslee

APPLICANT:
Southwater Event Group

RECEIVED ON:
03/02/10

PARISH
Great Dawley

WARD
Malinslee

CASE OFFICER:
Emma Green

OBJECTIONS RECEIVED: No

MAIN ISSUES: Impact on highways, impact on trees and impact on character and appearance of area.

PROPOSAL:

The proposal is for the extension and reconfiguration of parking arrangements at and adjacent to Telford International Centre. The works include new fencing, footpath link and lighting. The existing parking provision comprises 547 spaces over the two car parks and coach parking. The proposal is for 734 spaces with 15 accessible spaces.

SITE AND SURROUNDINGS

The site comprises three existing car/coach parks, with landscape and planting area. The site is bounded to the south by Telford Town Park, which has 2m high railings and planting forming the boundary with the site. To the east of the site is the TIC building and other car parking associated with the building. To the north is St Quentin's Gate, which is a main route into Telford Town Centre and whose boundary is formed by 2m high railings. To the west of the site is the access road, with the Ice Rink beyond.

There are a number of trees within the site, which collectively add to the visual amenity of the area and have a softening effect on the car parking.

PLANNING HISTORY

This site is within the boundary of the larger Southwater core application site for which a separate outline planning consent is being sought. The land subject to this application is indicated for parking as part of the wider scheme.

CONSULTATION RESPONSES

Great Dawley Parish Council has no objections to the proposal.

The Council's Highways Engineers: comments awaited

The Council's Environmental Engineering has raised no objections subject to conditions for soakaway tests.

Fire Services : no objections subject to an informative regarding access for emergency vehicles.

POLICY CONSIDERATIONS

The following planning policies are relevant in the determination of this application

National Planning Policy

PPS1 – Delivering Sustainable Development

PPS4 – Planning for Sustainable Economic Growth

PPG13 – Transport, with particular reference to car parking standards

Core Strategy

CS15 – Urban Design

Wrekin Local Plan (saved policies)

UD2 – Urban Design

PLANNING CONSIDERATIONS

Temporary planning consent is sought for the extension and reconfiguration of parking provision for Telford International Centre (TIC). With the continuing success of the Centre, additional parking provision is required now and into the future, when the centre is intending to be extended (as detailed in the Southwater Core application W2009/0914). This consent is temporary to give a solution to current parking issues in advance of changes proposed under the Southwater Core application. The larger scheme will see a number of multi storey car parks, and the car parks relating to this application will be retained, with one being undercroft to a new hotel or office development and the other will have multiple uses as an outdoor events area and parking.

The design and layout of the parking proposal has taken into consideration the long term aims of Southwater Core, including leaving adequate land for any potential alteration to junction on St Quentin's Gate.

The proposal is create a larger car park to the front of TIC by incorporating the existing coach park and reconfiguring the parking spaces. This area will be enclosed by a landscaping strip including fencing to create a visually attractive, whilst secure environment. A number of trees within the site are to be removed, but sufficient numbers are to be retained and supplemented by new planting. Officers consider that, overall, the character and appearance of the area will be retained and the approach up the access drive enhanced, subject to a condition for tree protection for those trees to be retained.

There is an existing footpath link to the TIC across the coach park which is to be relocated to run adjacent to the road and will continue to provide and reinforce

pedestrian linkages from St Quentin's Gate/ Coach Central and the wider Town Park as well as TIC.

The other car park is to have a new entrance created off the existing road, to reduce queuing of traffic on busy event days and retain adequate traffic flows. An existing embankment is to be cut back and regraded to allow for a reconfiguration of the parking spaces and increase the parking capacity of the site. An existing landscape strip is to be retained to ensure the softened green corridor into the Town Park is retained and enhances the visual amenities of the area.

The extent and level of new lighting is considered acceptable and will ensure that the ambience of the area is in keeping with the surrounding area and will not have a detrimental impact on adjacent Telford Town Park.

Originally, the proposal included moving the security cabin and entrance barrier, however following concerns about access to the park, and potential queuing impacting on the St Quentin's Gate Junction, the applicants have now omitted this element from the scheme and will implement alternative method of payment collection for parking provision.

In conclusion, the level of parking provision is acceptable for current use and will facilitate the expected future expansion over the next 15 years. The design reflects the interim period for the Centre, which will remain in operation through the implementation of the Southwater Core development and a temporary consent of 2 years is sought in accordance with the phasing for Southwater Core. The proposal will improve pedestrian links between TIC, the Town Centre and Town Park.

Accordingly, the proposal will positively influence the appearance and use of the local area in accordance with Policy CS15 of the LDF core Strategy. Furthermore the proposal respects and integrates with the setting, protects and enhances pedestrian movements and will produce a safe and secure environment in accordance with policy UD2 of the Wrekin Local Plan.

RECOMMENDATION: that the Head of Planning and Transportation be authorised to **GRANT TEMPORARY PLANNING PERMISSION** subject to the following conditions;

Conditions:

1. A6 – Temporary Permission Use of Land for 2 years
2. B65 – Soak away Test
3. NS – Tree protection
4. C80 – Landscaping Implementation
5. C120 – development to be implemented as amended

Informatives:

1. Sie22 - Conditions
2. NS - Access for Emergency Fire Service Vehicles
3. Reason for approval

The proposed alterations to the car parking are acceptable in principle; the design will create an integrated layout, with protected and improved pedestrian linkages. A number of trees and associated landscaping will be retained and enhance with further planting to ensure the visual amenities and character and appearance of the area is retained and enhanced.

Notes