

TWC/2015/0666

Plot 6, Telford 54, Nedge Hill, Telford, Shropshire

Outline application for up to 60,000sqm employment development (Use Classes B1b, B1c, B2 and B8) with the creation of 2no. access points off Naird Lane, with all other matters reserved

APPLICANT

Homes and Communities Agency, Nick Bird

RECEIVED

22/07/2015

PARISH

Hollinswood and Randlay

WARD

The Nedge

OFFICER

Daniel Owen

OBJECTIONS RECEIVED: No.

This application is before Committee as a Section 106 agreement is required.

1. PROPOSAL

- 1.1 This is an Outline planning application for up to 60,000m² of floorspace of a number of uses. Consent is sought for research and development (Use Class B1(b)), light industry (Use Class B1(c)), general industry (Use Class B2)) and storage and distribution (Use Class B8)) in addition to ancillary offices (Use Class B1(a)). The means of access to the site is included within the application and all other matters of detail (the scale and appearance of the building and the layout and landscaping of the site) have been reserved for subsequent consideration.
- 1.2 By applying for a variety of uses it provides flexibility in marketing and to allow for up to one single use in a single building or for several different uses within the scheme. The applicant has advised that it is unlikely that there will be more than 3 or 4 different users on this site given the availability of smaller plots within T54.
- 1.3 Indicative plans have been submitted within the Design and Access Statement to demonstrate how the site could be developed and includes two layout options. Option 1 shows a single rectangular building that would sit centrally within the site. Option 2 shows two smaller rectangular buildings that would occupy a similar position in the site but would allow for more landscaping to be provided. Both options indicate a maximum building height of 22 metres and a maximum building footprint of 200m by 370m.
- 1.4 The proposed vehicular access, that forms part of the application, proposes two access points into the site - one directly from Naird Lane at the northern end of the site and the other from a proposed roundabout to the north eastern corner of the site where Naird Lane heads south. Between 435 and 500 car parking spaces could be provided on the site.

- 1.5 There is scope for landscaping to the edges of the site but as this has been reserved for subsequent consideration only limited information has been submitted at this stage.

2. SITE AND SURROUNDINGS

- 2.1 The site extends to approximately 15.5 hectares and is situated approximately 1.25 kms to the south of Junction 4 of the M54, approximately 200m to the south of the Naird Roundabout and 600m to the east of the Randlay Interchange Roundabout and the A442. Stafford Park is located to the north of the site on the opposite side of the A464.
- 2.2 The borough boundary between Telford & Wrekin and Shropshire Council forms the south eastern boundary of the site. There is a 19 metre difference in ground level between the lowest point at the northern end of the site and the highest point at the southern end.
- 2.3 The site has previously been in agricultural use and is bound by trees and hedgerows. There is woodland to the west of the site, agricultural land to the east and a covered reservoir to the south.
- 2.4 The site is allocated within the Wrekin Local Plan as an employment area along with land to the north and west of the site where recent employment developments have recently taken place.

3. RELEVANT HISTORY

- 3.1 TWC/2015/0148: Application for removal of 620m of hedgerow. Approved 01/04/2015.
- 3.2 EIA/2014/0011: Environmental Impact Screening Opinion. Confirmed that the council does not consider the proposal to be an EIA development 26/09/2014.

4. RELEVANT POLICIES

- 4.1 National Planning Policy Framework (NPPF)
- Core planning principles
 - Section 1: Building a strong, competitive economy
 - Section 4: Promoting sustainable transport
 - Section 7: Requiring good design
- 4.2 Core Strategy:
- CS2: Jobs
 - CS3: Telford
 - CS12: Natural Environment
 - CS15: Urban Design
- 4.3 Wrekin Local Plan:
- UD2: Design Criteria

5. SUMMARY OF CONSULTATION RESPONSES:

5.1 Ward Member / Parish Council

5.1.1 Hollinswood and Randlay Parish Council: Support the proposal.

5.2 Standard Consultee Responses

5.2.1 Environment Agency: No objection.

5.2.2 Highways England: Recommended that planning permission should not be granted until further information and clarification is provided by the applicant regarding the potential impact on the strategic road network and the necessary mitigation.

5.2.3 Shropshire Fire Service: No comment.

5.2.4 Shropshire Council: No objection. If the development is granted permission, then the surface water sewer should be used to reduce flood risk in the Wesley Brook downstream in Shifnal.

5.2.5 Environmental Services (Drainage): No objection subject to conditions ensuring that the surface water is discharged to the public sewer and that various details relating to foul and surface water sewage, soakaways and SUDS be submitted and approved by the local planning authority prior to the commencement of development.

5.2.6 Environmental Services (Highways): No objection to the principle of the development or to the examples provided of the potential site layout. The Highway Authority disagrees with the Applicant's conclusion that there is no material impact on the local highway network arising from this proposal and that no mitigation is required. The Highway Authority has advised that a financial contribution up to £486,880 could be required to mitigate the impact of the development. This would be directed towards identified schemes in the LEP/SEP such as Randlay Interchange, Naird Roundabout and M54 J4. This should be secured in a Section 106 agreement and would need to be drafted in a manner that would allow for the range of potential development variables possible from the permission being sought. Other conditions are also required regarding matters including improvements to bus facilities and footways and cycleways.

5.2.7 Ecology: No objection subject to conditions relating to the submission of an ecological mitigation strategy and method statement, a lighting plan, pre-commencement inspections for badgers, a detailed landscaping design. Informatives relating to bats and nesting wild birds are also requested.

5.2.8 Public Protection: Pollution Control: No objection subject to the submission of a noise assessment and a construction environmental management plan.

5.3 Neighbour consultation responses

5.3.1 Notification letters were sent to 11 neighbouring properties in the vicinity of the site and the application was also advertised within the local press and with a site notice. As a result no representations have been received.

6. PLANNING CONSIDERATIONS:

6.1 Having regard to the development plan policies and other material planning considerations, including comments received during the consultation process, the planning application raises the following main issues:

- The principle of development,
- Access and highways matters,
- Layout/design and visual impact,
- Landscaping and ecology,
- Drainage,
- S106 contributions,

6.2 The principle of development

6.2.1 The NPPF is the most up to date national policy guidance that all development needs to be assessed against and paragraphs 13 and 196 advise that the NPPF is a material consideration in determining applications. Paragraph 14 of the NPPF (and which para 197 reiterates) states that “At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking” and that development proposals that accord with the development plan should be approved. Paras 11 and 196 advise that planning law requires all applications to be determined in accordance with the development plan unless material considerations indicate otherwise, which in this case is the saved policies in the Wrekin Local Plan and the Core Strategy, together with the guidance in the NPPF.

6.2.2 The government seeks to promote economic growth, and in pursuing sustainable development has identified three mutually dependant economic, social and environmental dimensions. The NPPF should also be read as a whole. There are also some 12 core planning principles, which include “proactively drive and support sustainable economic development to deliver homes, business and industrial units...” and “seek to secure high quality design”. The NPPF also advises at para 19 “significant weight should be placed on the need to support economic growth”.

6.2.3 The site has been earmarked for industrial development by its allocation in the Wrekin Local Plan since at least 2000. Boosting economic growth is one of the keystones of the NPPF and at a local level the Council’s Development Plan seeks to encourage and promote new business within Telford to boost the Borough’s economy and provide jobs for its growing population (Core Strategy policies CS2 and CS3). New development is also to be focussed on Telford (policy CS3). Therefore the principle of an employment use and

building on this site is in accordance with the NPPF, Wrekin Local Plan and Core Strategy policies CS2 and CS3.

6.3 Access and highways matters

- 6.3.1 As stated above approval of the means of access to the site is being sought as part of this outline application. Permission is sought for two access locations, one priority junction to the north on Naird Lane for staff car park access and one new roundabout access to the east for HGV access to the site. No objections have been received to the proposal in relation to the position of general design of the proposed access points and it is considered that subject to conditions relating to their detailed design they would be acceptable.
- 6.3.2 Both the Council and Highways England engaged with the applicant in pre-application discussions and offered advice at that stage. The applicant was directed towards the Telford Strategic Transport Model (TSTM) which reflected the Council's wider development aspirations as they were understood at the time. Since then the local planning authority has refined the development proposals to be included in the consultation version of the Telford & Wrekin Local Plan and as such the TSTM has also had to be revised. As a result the model information relied on within the Transport Assessment (TA) submitted in support of the application has been superseded. That is not to say the development cannot be accommodated on the local highway network, just that it has not been proven with the wider development proposals now being promoted by the Borough through the draft Local Plan and in the revised TSTM.
- 6.3.3 The Council recognises that the amount of development proposed for the Borough over the plan period will necessitate improvements to the local highway network. The A446/A4640 corridor has been identified as one area of constraint that requires improvements. The Council has bid for LEP/SEP funding but this requires contributions from development. The requirement for a highway funding strategy is recognised in the Telford & Wrekin Local Plan.
- 6.3.4 The Council's Highway Officers disagree with the applicant's conclusion that there would be no material impact on the local highway network arising from this proposal and that no mitigation is required. This view is also shared by Highways England who placed a holding objection on the application until further information was provided regarding the likely highways impacts of the development and level of mitigation that would be required.
- 6.3.5 The Council's Highways Officers have calculated that based on the worst case scenario (60,000sqm of Use Class B8 (storage and distribution)) a financial contribution of £486,880 is necessary to mitigate the impact of the development and to make it acceptable in planning terms. This has been based on a similar approach that has been taken to other developments across the Borough. The contribution would be directed towards identified schemes in the LEP/SEP such as Randlay Interchange, Naird Roundabout and junction 4 of the M54. The S106 agreement would need to be drafted in a

manner that would allow for the range of potential uses and scale of development proposed by the applicant.

- 6.3.6 The applicant has advised that there is currently serious interest in the site from a major manufacturer and whilst they understand the need to undertake the additional work and to agree its implications and the subsequent mitigation that is required they are keen to ensure that there are not any unnecessary delays to the proposed development. The site owner (Homes and Communities Agency) has accepted that they will be required to make a financial contribution towards highways improvement schemes but they have queried the level of contribution being sought and have asked for clarity on how the figure has been calculated.
- 6.3.7 The applicant has requested that the application is presented to the Planning Committee on the understanding that further work will be presented to Highways England and the Council's Highways Officers to enable the level of financial contribution to be agreed. Highways England have confirmed that they would find this approach acceptable and as a result they have lifted their holding objection and have instead requested that a condition be attached to any approval ensuring that the information is submitted and agreed.
- 6.3.8 In light of the acceptability of the principle of the development and the positions of the proposed access points in terms of the impact on highway, and due to the lifting of the objection from Highways England it is considered that this would be an appropriate way to proceed with the application. The purpose of this report is therefore to request that Members support the recommendation for approval but delegate authority to the Development Management Service Delivery Manager to agree the terms of the S106 agreement in terms of the financial contribution that is required to mitigate the highways impact of the development.

6.4 Layout/design and visual impact

- 6.4.1 The site has a gradually sloping topography that rises from the northern boundary at 140m AOD to 159m AOD at the southern boundary (a 19m change in levels). Beyond the site land continues to rise briefly toward Nedge Hill (166m AOD), which forms the high point within the surrounding area. Overall, the site and its immediate surroundings occupy an elevated position in the area with land falling away in all directions toward surrounding valleys associated with the Wesley Brook and its tributaries. To the south and west, land falls away towards the A442 Queensway and rises again through Randlay Wood. Land to the north and east slopes more gradually as it reaches valleys associated with the Wesley Brook.
- 6.4.2 A Landscape and Visual Impact Appraisal was submitted with the planning application. This concludes that only a very small number of locations are predicted to experience any potential adverse impacts from the development in terms of its visual impact; these effects are experienced predominantly to the south and east where views are more open and from elevated parts of the landscape. Those affected include public footpath users, local road users, and isolated residents. The limited number of people that will experience

effects will typically view the upper parts of the built development appearing above the tree cover surrounding the site, and breaking the skyline. These are often oblique, passing views. For the majority of these receptors, Stafford Park and other large industrial buildings associated with Telford, already feature within the view and it is considered that the impacts will be minimal.

6.4.3 The detailed design and layout of the proposed building(s) has been reserved for subsequent consideration and would form part of a later reserved matters application should outline planning permission be granted. The applicant has provided indicative layout plans to demonstrate how the development could be provided in a single building and also in two separate buildings. Information has also been provided to set the parameters of the development that includes a maximum height of 22m. The parameter plan also makes reference to maximum building dimensions of 370m by 200m however the overall size of the development would be limited to 60,000m².

6.4.4 In addition mitigation measures are suggested for the design stage that could be used to reduce the visual impact that the proposed development on the wider area. This includes the use of building colour (a combination of greys and light greys that harmonise the building against the skyline), material (non-reflective), and roof design (utilising curved or low pitched roofs and simply detailed overhanging eaves to reduce apparent mass and scale). Overall it is considered that where views are available effects will not be material.

6.4.5 It is considered that subject to the detailed design of the proposed building(s) at the reserved matters stage a development of the scale proposed could be accommodated on the site without it resulting in a detrimental impact on the visual amenity of the area.

6.5 Landscaping and ecology

6.5.1 The majority of the site comprises fields that are separated by gapped hedgerow boundaries with older mature trees and tree groups located along their length. To the peripheries of the site, The Nedge woodland (adjacent to the south-western/western boundary) forms a shallow wooded ridge and is a prominent feature within the local landscape. A compact, structural tree belt, set on a steep bank, forms a dense screen along Naird Lane (adjacent to the northern boundary) and hedgerows form the southern and eastern boundaries. These combine with additional small wooded areas and dense hedgerows (with trees) located within the immediate surroundings to visually enclose the site.

6.5.2 Due to the requirement for construction of a large development platform through a cut and fill process, both development options will require the removal of similar areas of land cover and vegetation within the central part of the site, as follows;

- Arable fields (approximately 11ha removed);
- Tree/tree groups (approximately 89no. removed);
- Hedgerows (approximately 220 linear meters removed);

- Semi-improved grassland (approximately 2.5ha removed); and
- Ponds (approximately 638m² – 3 small ponds removed).

6.5.3 The applicant has stated that the loss of the above features will be at least part compensated for by the introduction of new woodland, tree belts, grassland and surface water features (i.e. swales and ponds) set within a comprehensive landscape framework. The HCA is also transferring a large area of woodland that adjoins the site to the west to the Council for protection.

6.5.4 The hedgerows and ponds are Section 41 habitats and whose loss should be prevented where possible and mitigated/compensated for where loss is unavoidable. The loss of these habitats without mitigation or compensation would constitute a biodiversity loss. The applicant has submitted an Ecological Impact Assessment that concludes that the hedgerows are species poor and not 'Important' under The Hedgerow Regulations and that the ponds are in poor condition, one holding water only in winter, one being largely dry and only one holding water for most of the year and that they do not currently support Great Crested Newts. As such the Council's Ecologist has advised that in this case the provision of mitigation on a less than 1:1 basis would be acceptable provided that the quality of the features provided could be an improvement on the existing. The Council's Ecologist has requested that a condition be attached to the outline approval to ensure that an ecological mitigation strategy and method statement is submitted prior to the commencement of the development to ensure that there is no net biodiversity loss as a result of the development.

6.5.5 The detailed landscaping of the site would be considered at the reserved matters stage. It is considered that subject to the submission of a suitable landscaping scheme and the ecological mitigation strategy as requested by the Council's Ecologist then the proposal would be acceptable with regard to its impact on the landscape and with regard to its ecological impact.

6.6 Drainage

6.6.1 Reference has been made in the representations received to the potential for the development to impact on Shifnal due to the presence of the Wesley Brook between the application site and the town. It is understood that there is a surface water sewer within the application site that discharges into Wesley Brook downstream of Shifnal. Whilst it is preferable to discharge surface water to a watercourse rather than a sewer the Council's Drainage Officers have confirmed that this would be acceptable in this instance to ensure that the flood risk in Shifnal is not increased as a result of the development. This can be controlled by a suitably worded planning condition and subject to this it is considered that the proposal is acceptable with regards to its impact on drainage and potential flooding.

6.7 S106 contributions

6.7.1 As already stated highway improvement works are required to facilitate the development and schemes that have been identified include the Randlay Interchange, Naird Roundabout and Junction 4 of the M54. It is proposed to

ensure that a financial contribution towards those works is secured through a S106 agreement.

- 6.7.2 The Council's Highway Officers have calculated that works have been calculated that a financial contribution of **up to** £486,880 would be appropriate based on the worst case scenario of the proposed development (60,000 sqm floorspace of Use Class B8 (distribution)).
- 6.7.3 In identifying the required planning obligations on this application the following three tests as set out in the CIL Regulations (April 2010), in particular Regulation 122, have been applied (in addition to saved Wrekin Local Plan Policy T22) to ensure that the application is treated on its own merits and that the obligation is:
- necessary to make the development acceptable in planning terms;
 - directly related to the development; and
 - fairly and reasonably related in scale and kind to the development.
- 6.7.4 The applicant has confirmed that they are willing to make a financial contribution but they have asked for further clarity from Highways Officers on how the figure referred to above has been calculated. In addition, as stated above, the applicant has been asked by the Council's Highways Officers and Highways England for more information regarding the impact of the proposal and the necessary mitigation that is required.
- 6.7.5 The applicant (Homes and Communities Agency) has requested that the application be presented to the Planning Committee at this stage and that delegated authority is granted to the Development Management Service Delivery Manager to enable this matter to be discussed further before a final level of financial contribution is agreed and the S106 can be completed and signed. For the avoidance of doubt the decision notice will not be issued until the Council's Highways Officers and Highways England are satisfied with the level of financial contribution to be secured and the S106 has been signed and sealed.

7. Conclusions

- 7.1 In conclusion, the erection of a new industrial unit(s) on an allocated employment site is an acceptable form of sustainable development and is in accordance with the NPPF and the development plan. Subject to appropriate mitigation there would be no net loss of ecology and the proposal would not have a detrimental impact on any protected species. The design and layout of the development would be considered in detail at the reserved matters stage but it is considered that the site is of sufficient size to accommodate a building(s) of the scale proposed without having a detrimental impact on the visual amenity of the area. Whilst there are some highway capacity concerns this can be mitigated through a financial contribution necessitate improvements to the local highway network.

8. RECOMMENDATION:

Based on the conclusions above, the recommendation to the Planning Committee on this application is that DELEGATED AUTHORITY be granted to the Development Management Service Delivery Manager to GRANT OUTLINE PLANNING PERMISSION subject to the following:

- A.) The applicant/landowners entering into a Section 106 agreement with the Local Planning Authority relating to:
- (i) A financial contribution of up to £486,880 towards improvements to the local highway network in the vicinity of the application site (exact figure to be agreed).
- B.) The following conditions and informatives (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager):

Conditions

1. Time limit
2. Submission of reserved matters.
3. Phasing plan
4. Samples of materials
5. Surface water to discharge to public sewer
6. Scheme of foul and surface water drainage
7. Soakaway test
8. Restriction of surface water runoff to 5 litres per second per hectare
9. Scheme for surface water treatment
10. SUDS management plan
11. Submission of a noise assessment and mitigation
12. Construction Environmental Management Plan
13. Ecological Mitigation Strategy and Method Statement
14. Lighting Plan
15. Pre-commencement inspection works – Badgers
16. Landscaping design
17. Tree protection
18. Highways related conditions – to be finalised following updated comments from Highways England and the local highway authority.
19. Development in accordance with plan Nos.

Informatives

1. I40 Conditions
2. I41 Reason for grant of permission
3. Ecology Bats and trees
4. Ecology Nesting wild birds
5. Environment Agency Informatives
6. RANPPF1 Approval – National Planning Policy Framework