

TWC/2015/0830

Land adjacent Caravan Site, Lodge Road, Donnington Wood, Telford, Shropshire,
Change of use of grazing land to a gypsy and traveller site including access roads,
provision of 1no. toilet block and landscaping *****AMENDED RED LINE PLAN
RECEIVED*****

APPLICANT

Telford & Wrekin Council

RECEIVED

28/10/2015

PARISH

Donnington and Muxton

WARD

Muxton

OFFICER Daniel Owen

OBJECTIONS RECEIVED: Yes.

1. PROPOSAL

- 1.1 This is a full planning application for the change of use of the site from grazing land to a Gypsy and Traveller transit site with a toilet block, access road and landscaping. The access road would be taken directly from Lodge Lane to the south east of the site.
- 1.2 The site would provide 11 pitches, each of which has the potential to accommodate two caravans and two cars. A toilet block would be provided towards the rear of the site that has been converted from a steel shipping container. The pitches would be created on crushed stone and would be enclosed by a 2 metre high palisade fence that would run around the edge of the pitches and along the edges of the access road. No other permanent structures would be present on the site as the application is for a transit rather than a permanent site. The applicant has advised that the average stay at the site is around 2 weeks.
- 1.3 The site would essentially replace the existing gypsy and traveller site on land off Holyhead Road, Snedshill. Planning permission was granted for the use of that site for a temporary 2 year period in December 2013 and that permission is due to expire soon.
- 1.4 The application was amended in order to allow for additional landscaping to be provided to the north east and north west boundaries of the site.

2. SITE AND SURROUNDINGS

- 2.1 The site is located to the north east of the built up area of Telford, to the east of Wrockwardine Wood and the south of Donnington Wood. It is located off Granville Road in Donnington to the north of an industrial unit, to the east of Asda supermarket and adjacent to the recently extended permanent Gypsy and Traveller site which provides pitches and facilities for permanent residents.

- 2.2 There are no residential dwellings adjacent to the site, with the closest houses being situated approximately 250 metres away on the opposite side of Donnington Wood Way. Lodge Road is a public highway that is used to access the Shropshire Golf Centre and the Telford Equestrian Centre. The Granville Local Nature Reserve is located to the north east of the site.
- 2.3 A public right of way runs along the south west boundary of the site linking Lodge Road to Donnington Wood Way. There is an existing landscaped bund to the south east of the site.
- 2.4 The site is designated for Employment Development in the saved Wrekin Local Plan.

3. RELEVANT PLANNING HISTORY

3.1 Planning Applications:

There are no previous planning applications that relate to this site, however there are relevant gypsy and traveller applications nearby.

Adjacent site

- TWC/2013/0936: Extension and refurbishment of traveller and gypsy caravan site including the erection of 25no. single storey utility pods, 17no. pitches, community building, substation and associated roads and works on land off Lodge Road, Telford. Granted: 26/02/2014.

Nearby

- TWC/2013/0821: Change of use of vacant employment land to a two year temporary gypsy and traveller caravan site with the provision of 15 pitches and portable toilet facilities on Land adjacent to Kiyokuni Europe Ltd, Holyhead Road, Snedshill, Telford. Granted: 19/12/2013.
- TWC/2015/0973: Change of use of vacant employment land to a two year temporary gypsy and traveller caravan site with the provision of 15 pitches and portable toilet facilities until February 2016 on Land adjacent to Kiyokuni Europe Ltd, Holyhead Road, Snedshill, Telford. Undetermined and on this agenda.

4. PLANNING POLICY CONTEXT

- 4.1 National Planning Policy Framework (the NPPF) – the NPPF is not the development plan for Telford and Wrekin but it is a material consideration in this case because all of the borough's development plan policies have to be viewed in the light of this more recent national guidance.

- 4.2 Planning policy for traveller sites
- Published by the Department for Communities and Local Government in August 2015.
- 4.3 Core Strategy policies
- CS3: Telford
 - CS15: Urban Design
- 4.4 Saved Wrekin Local Plan policies
- UD2: Design Criteria
 - T22: Planning Obligations

5. SUMMARY OF CONSULTATION RESPONSES

Standard consultation responses

- 5.1 Donnington and Muxton Parish Council: No objection.
- 5.2 Shropshire Fire Service: No objection.
- 5.3 The Coal Authority: No objection subject to condition.
- 5.4 Shropshire Council: No comment.
- 5.5 West Mercia Police: No objection providing the site is built to the same standard as the existing site.
- 5.6 Environmental Services (Arboricultural): No objection subject to condition.
- 5.7 Environmental Services (Drainage): No objection subject to condition.
- 5.8 Environmental Services (Highways): No objection subject to conditions.
- 5.9 Affordable Housing: A recent Gypsy and Traveller Accommodation Needs Assessment (GTAA) for Telford & Wrekin (November 2014) identified a requirement for additional provision for Gypsies and Travellers. This included further permanent site accommodation and the need to replace the existing transit site when the temporary planning consent for this expires in late 2015. The GTAA stated that there was a need for at least eleven transit pitches in Telford & Wrekin, together with a plan to manage larger encampments from time to time.
- 5.10 Ecology: No objection subject to conditions.
- 5.11 Planning Policy: No objection.

5.2 Neighbour consultation responses

Letters were sent to the occupiers of neighbouring properties and the application was also advertised with a site notice. In response one letter of objection has been received raising the following issues:

- The application is premature and would pre-empt fundamental decisions that should be taken through the Local Plan process,
- There is no evidence that consideration has been given to alternative sites which may be more suitable,
- The application proposal amounts to a unsustainable form of development,
- The development proposal will have an adverse impact on local businesses,
- It would result in the development of an area of greenfield land that forms part of the Green Network,
- Aesthetically the development is poor and the impact on the character and appearance of the surrounding area will be adverse, and
- The application site performs poorly against the DCLG document 'Planning Policy for Traveller's sites.

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 the development / need;
- The design and layout of the proposal;
- The impact on neighbours;
- Highway matters;
- Other matters

The principle of the development / need

6.2 The NPPF encourages the effective use of land by reusing land that has been previously developed. The application site consists of an area of land that is currently green in appearance and is used for grazing but has been developed in the past and this site, along with the wider area, is affected by a legacy of coalmining use.

6.3 The site is within the built up boundary of Telford as defined in the Wrekin Local Plan. Core Strategy Policy CS3 (Telford) states that Telford will be the focus for the Borough's development and that it will accommodate the majority of new homes, jobs and services.

6.4 The Council is required to address the requirements of national planning guidance on traveller site provision. Current evidence (set out in the Gypsy and Travellers Availability Assessment 2014) suggests the need for 32

additional pitches in the borough up to 2031. Some of this need has already been met, but additional pitches are needed.

- 6.5 The provision of additional pitches will also contribute towards reducing the likelihood of unauthorised encampments, which cause problems for local residents and businesses, as well as meeting identified needs.
- 6.6 The council is currently preparing a Local Plan (Telford & Wrekin Local Plan), which will, in time, address this deficiency. The letter of objection received states that the determination of this planning application should be regarded as premature until the emerging Local Plan process has been completed. However planning law states that applications for planning permission must be determined in accordance with the development plan and also that planning applications should be assessed and determined in accordance with the presumption in favour of sustainable development. It should be also noted that the 2014 GTTA Needs Assessment will provide the evidence base that will be used to inform the preparation of the Local Plan and that assessment has identified a need for a permanent transit site within the Borough.
- 6.7 The site is currently designated for Employment Development in the saved Wrekin Local Plan. The application is a departure in this regard as the proposal is not for a recognised employment use. However saved Policy E9 does allow for the development of non-employment uses in such areas. Whilst the policy refers to uses within the A and D Use Class (that would include retail, cafes, take-away, non-residential uses and assembly and leisure) it does not state that other uses would not be considered acceptable. The criteria against which proposals need to be assessed relate to whether the proposal would adversely affect the supply of employment land, whether it would be in keeping with the environmental, retail, leisure and transport policies of the plan and if there is a demonstrable need for the proposal in that area. In addition the site has been an allocation since 2000 but with no take up for an employment use.
- 6.8 The application site covers a small area of a much wider employment land allocation and it is not considered that it would result in an adverse effect on the supply of employment land within the Borough. The proposal would not conflict with any environmental, retail, leisure or transport policies within the development plan and as stated above the 2014 GTAA Needs Assessment has identified a need for a transit facility within the borough. It is therefore considered that the proposal is acceptable in this regard despite being a departure from the development plan.
- 6.9 As stated above, the site is within the urban development boundary of Telford. The site is situated in a location that provides relatively easy access to a range of local facilities and services, including a supermarket and leisure facilities, as well as easy access to the wider countryside for recreation. There are also employment areas nearby

- 6.10 The development would result in the loss of a relatively small parcel of open land that is currently designated for employment use. However the development would assist in the managed provision of additional pitches, whilst relieving pressure and costs for unauthorised encampments elsewhere.

The design and layout of the proposals

- 6.11 Policy UD2 of the Wrekin Local Plan relates to design criteria and states that development proposals need to be of an appropriate design quality and relate positively to their context. The DCLG Planning policy for traveller sites provides specific criteria that should be taken into account when considering such applications. This includes ensuring the effective use of previously developed land, sites being well planned or soft landscaped, promoting opportunities for healthy lifestyles and not enclosing sites with so much hard landscaping that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community.
- 6.12 The application site is previously developed land despite its current appearance. The internal boundary of the site will be fenced and a landscaped bund, approximately 9 metres wide would be provided between the fence and the wider area. There is also a well landscaped buffer to the lodge road end of the site and along the existing public footpath which would be retained. The visual impact of the site on the wider area would be minimal. It is considered that the proposed site layout and design would be acceptable when assessed against the DCLG policy, the Core Strategy and the Wrekin Local Plan.
- 6.13 Given that the site is for the creation of homes they should not be located adjacent to hazardous uses or refuse sites which would be detrimental to health and safety of residents. Whilst this site is adjacent to other industrial and commercial uses, none of these are hazardous or inappropriate to be adjacent to residential uses.

The impact on neighbours

- 6.14 There would be high degree of landscaping between the proposed site and the existing permanent Gypsy and Traveller site on the land to the south west and the proposal would not directly impact on the living conditions of the occupiers of that site. The closest houses are approximately 250 metres away to the north in Eastwood Drive which is on the opposite side of Donnington Wood Way. Given the separation distance the proposal would not directly impact on the living conditions of the occupiers of those houses.
- 6.15 The letter of objection received makes reference to the potential for the development to have a negative impact on neighbouring businesses due to the connotations that the use has with crime and anti-social behaviour. No information has been provided to suggest that the existing Gypsy and Traveller site to the south west has resulted in any increase in crime or anti-social behaviour and West Mercia Police has advised that they do not envisage any issues arising from the proposed development. The pitches will

be set well back from the edge of the site and would be well screened by the existing bund and landscaping when viewed from the employment uses to the south. It is not considered that there would be a detrimental impact on those businesses as a result of the development.

Highway matters

- 6.16 The proposal includes a new access that would link the site to Lodge Road. A gate would be erected at the site entrance to ensure that the site cannot be accessed without consent. The proposal would result in a limited number of vehicular trips to and from the site and the application has been considered by the Council's Highways Engineers who have raised no objection to the proposal subject to the imposition of conditions to ensure that an adequate visibility splay is provided and in relation to the construction and laying out of the access and parking areas.
- 6.17 Subject to the requested conditions there are no objections to the proposal with regard to highway safety.

Other matters

- 6.18 Reference has been made in the letter of objection that has been received to the loss of Green Network land. The application site is not designated as Green Network in the Wrekin Local Plan although some parts of the wider area are. The Telford & Wrekin Local Plan (consultation version) does show a section of the site within the Green Network however the draft plan can only be afforded very limited weight at this stage. As the proposal does not result in the loss of any Green Network land the proposal is acceptable in this regard.
- 6.19 The proposal has been supported by a preliminary Ecological Appraisal and has been considered by the Council's Ecologist. The development would result in the loss of approximately 0.6 ha of habitats, predominantly poor semi-improved grassland, with smaller areas of species poor scrub and hedgerow and the loss of these habitats is not considered to be ecologically significant. Subject to the imposition of conditions ensuring that a pre-commencement badger inspection of the site is undertaken and that further details of the proposed landscaping and lighting for the site and submitted the Council's Ecology officer not raised any objection to the proposal.
- 6.20 The site falls within the defined coal mining Development High Risk Area. A Statement for Planning for Lodge Road Earthworks has been submitted in support of the application and that has been considered by the Coal Authority. No objection is raised to the proposal by the Coal Authority subject to the implementation of a scheme to prevent vehicular access or the siting of any caravan or other structure within the zone of influence of the two mine entries until further information is submitted. This can be controlled through a suitably worded planning condition.

7. CONCLUSIONS

- 7.1 The proposed development is located within a sustainable location and is acceptable in principle despite the proposal being a departure due to the loss of designated employment land. The site has been allocated for employment uses for 15 years without any take up. There is evidenced need of a gypsy and traveller transit site to meet the Borough's gypsy and traveller needs and it is considered that this outweighs the designation of the site for employment uses. It is considered that the scale and design of the site accords with national guidance for gypsy and traveller sites and the site would be well screened from adjacent land uses to ensure no conflict or adverse impact. The new road in to the site is acceptable and there will be no adverse impact on highway safety. Ground conditions, impacts on trees and ecology can all be mitigated and controlled through appropriate conditions

8. RECOMMENDATION

- 8.1 Based on the conclusions above, the recommendation to the Planning Committee on this application is that **PLANNING PERMISSION IS GRANTED** subject to the following conditions:

1. Time limit for commencement of development
2. Site shall be occupied by gypsies and travellers
3. 28 days limit for occupancy by any family
4. The pitches shall be laid out before the site is brought into use
5. Development in accordance with plan Nos.
6. No commercial vehicles
7. No commercial or industrial activities
8. Drainage attenuation details
9. Highways – access improvements
10. Highways – parking and turning details
11. Ecology – Site clearance
12. Ecology – Badgers
13. Ecology – external lighting
14. Details of play equipment to be agreed

Informatives

1. Conditions
2. Highways
3. Ecology
4. Fire Safety
5. Coal Authority