

TWC/2015/0864

Plot 5, Telford 54, Nedge Hill, Telford, Shropshire

Erection of an industrial building (Use class B1, B2 & B8) with associated parking, access and landscaping

APPLICANT

Telford & Wrekin Council

RECEIVED

29/09/2015

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 a full application for the erection of an industrial building (Use Classes B1, B2 and B8) on vacant land within the wider development known as 'Telford 54'.
- 1.2 Vehicular access would be taken from a new access point that would be created through an existing turning head on Naird Lane. The development would include on-site parking for one hundred and eighteen cars plus space for HGVs and cycle parking.
- 1.3 The building would provide 5,233 square metres of floorspace. The proposed uses are for general industrial (B2), storage and distribution (B8) and ancillary office accommodation (B1). The building would have a footprint measuring approximately 52 metres by 92 metres and it would have a maximum height of approximately 8 metres.

2. SITE AND SURROUNDINGS

- 2.1 This is a greenfield site on the eastern edge of Telford but within the built up urban area. The site extends to approximately 1.6 hectares and forms part of a larger swathe of land that is allocated for employment use in the Wrekin Local Plan that is known as 'Telford 54'.
- 2.2 The site lies off Naird Lane, which in turn is accessed off the A464 and A442 and Naird Roundabout. The site lies approximately 1km south of Junction 4 of the M54 motorway.
- 2.3 The site is currently laid to grass and there are trees to the sites boundaries.

3. RELEVANT HISTORY

- 3.1 TWC/2015/0863: Erection of an industrial building (Use Class B1, B2 and B8) with associated parking, access and landscaping at Plot 3 T54. Application not yet determined.
- 3.2 TWC/2015/0862: Erection of an industrial building (Use Class B1, B2 and B8) with associated parking, access and landscaping at Plot 2 T54. Application not yet determined.

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
- 4.4 Telford & Wrekin Local Plan (Publication Version January 2016):
- SP1: Telford
 - SP4: Presumption in favour of sustainable development
 - EC1: Strategic employment areas
 - NE1: Biodiversity and geodiversity
 - C3: Impact of development on highways
 - BE1: Design criteria

5. SUMMARY OF CONSULTATION RESPONSES:

5.1 Ward Member / Parish Council

- 5.1.1 Hollinswood and Randlay Parish Council: Support the proposal and welcome the job opportunities.

5.2 Standard Consultee Responses

- 5.2.1 Highways England: No objection subject to conditions.
- 5.2.2 Shropshire Fire Service: No objection subject an informative being added to the decision notice.

- 5.2.3 Environmental Services (Arboricultural): No objection subject to a condition relating to protective fencing to safeguard trees.
- 5.2.4 Environmental Services (Drainage): No objection subject to conditions relating to surface water drainage and the design of attenuation features.
- 5.2.5 Environmental Services (Highways): No objection subject to the payment of a financial contribution of £43,520 towards off-site highway improvement works.
- 5.2.6 Ecology: No objection subject to conditions and informatives relating to the submitted protected species survey, a European protected species licence, an ecological mitigation strategy, hard and soft landscaping design, a lighting plan and a pre-commencement inspection for badgers.
- 5.2.7 West Mercia Police: No objection. A comment has been made regarding the single track country lanes and the size of vehicles that could access the site.

5.3 Neighbour consultation responses

- 5.3.1 Notification letters were sent to thirteen neighbouring properties in the vicinity of the site. 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,
- Ecology,
- S106 contributions,

6.2 The principle of development

- 6.2.1 Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires that planning applications must be determined in accordance with the adopted development plan unless material considerations indicate otherwise. In this instance, the development plan consists of the Telford & Wrekin Core Strategy, together with saved policies within the Wrekin Local Plan. The National Planning Policy Framework (NPPF) is a material planning consideration but is not development plan policy. The Telford & Wrekin Local Plan (Publication Version) is an emerging local plan and is not the development plan for the purposes of determining planning applications but advice contained in the NPPF states that weight may be given to relevant policies as a material planning consideration.

- 6.2.2 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.

6.2.3 The site is designated as part of a wider Strategic development area within the Telford & Wrekin Local Plan (Publication Version) which lists the preferred uses of the site as falling within the B1b, B1c, B2 and B8 Use Classes. As the application is for a B1, B2 and B8 use this would accord with the emerging plan

6.3 Access and highways matters

6.3.1 As stated above a new access is proposed from an existing turning head on Naird Lane which would provide access into the site for servicing and delivery vehicles as well as staff and customers. The development would provide a total of one hundred and eighteen car parking spaces in addition to HGV parking spaces and cycle parking facilities.

6.3.2 The Council's Highways Officers have considered the proposal and are satisfied that the level of parking proposed is acceptable for a development of this scale.

6.3.3 The Council has recently completed a Transport Growth Strategy that sets out the transport infrastructure and investment that is required to accommodate future housing, business and population growth within Telford & Wrekin. The Council recognises that the quantum of development proposed for the Borough will necessitate improvements to the local highway network. The A446/A4640 corridor has been identified as one area of constraint (as confirmed by applicant's Transport Assessment) and 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 draft Local Plan. Based on the proposed floor area and mix of uses, the contribution for this plot would be £43,520 and the contributions would be directed towards identified schemes in the LEP/SEP such as Randlay Interchange, Naird Roundabout and M54 J4.

6.3.4 Further information is required in relation to the provision of footway and cycleways to link the site to the wider area. In relation to public transport the application proposes to utilise existing services on Stafford Park rather than investigate new stops on the A464. The 8/8A service stops in Stafford Park and the bus stops need to be improved. The south bound stop needs bus boarder kerbs and the footway link leading to it is poor. There is also no dropped crossing point from one side of the road to the other and as such improvements are also required. The Council's Highways Officers have advised that a figure of £10,000 would be sufficient to deal with these issues and this can be secured through the S106 agreement.

6.4 Layout/design and visual impact

- 6.4.1 The building will be orientated towards the west of the site with the blank rear and north facing elevations being screened by the existing vegetation. The car park and servicing areas would be located to the front of the building and the proposed block plan also shows soft landscaping to the site.
- 6.4.2 The building would have a rectangular footprint and would incorporate a traditional modern steel portal framed structure which will be clad with composite panels. To provide a contrast separating the main Factory / Production facilities from the office accommodation, it is proposed to clad the building using in two different materials. Details of the materials have not been provided and this would need to be controlled through condition.
- 6.4.3 The office accommodation would be located within the south east corner which will be the most visible part of the building when seen from outside of the site. A series of pitches would be used for the roof which would help to limit the overall height of the building. The design of the building is a simple and fairly standard industrial building of the types generally found on industrial estates, and therefore will not be out of keeping with the type of development expected on this allocated employment area. Taking into account the building's location within the site, its design and facing treatments, the development is acceptable for this location and will be in accordance with the NPPF and the Council's design policies UD2 and CS15.

6.5 Ecology

- 6.5.1 The site comprises semi-improved neutral grassland with boundary trees. There are adjacent areas of plantation and semi-natural broadleaved woodland and a pond to the north of the site. The Ecological Impact Assessment submitted in support of the application states that works on the site may need to occur under a European Protected Species Mitigation Licence for great crested newts and further information has been submitted that clarifies that reasonable avoidance measures are likely to be sufficient to protect great crested newts since the pond is 140m away and surrounded by good quality habitat. The applicant's ecologist has also advised that sloped kerbs and sumpless gully-pots will be used around this site to avoid creating barriers for great crested newts.
- 6.5.2 It is recommended that a condition is included which requires a detailed reasonable avoidance measures method statement to be submitted with respect to great crested newts. This method statement can then confirm that a non-licensed approach is still considered by the licensed ecologist to be sufficient, will set out works which require ecological supervision, training for site contractors and any necessary precautionary methods of working particularly during site clearance and throughout the construction phase.
- 6.5.3 There are 6 trees on the site boundary with bat roosting potential and they are all shown as being retained on the submitted plans. A condition is proposed to ensure that the trees are retained and that protective fencing is erected

before construction work commences. In addition the installation of artificial roosting boxes for bats and nesting boxes for birds will also be secured through the use of conditions which would represent a biodiversity enhancement for the site.

6.5.4 A number of conditions and informatives have been requested by the Council's Ecology Officer relating to the works being carried out in accordance with the protected species survey and under a European protected species licence; the submission of an ecological mitigation strategy and method statement; the submission of detailed landscaping details and a lighting plan and a pre-commencement site inspection for badgers. Subject to the imposition of those conditions there are no objections to the development with regards to its potential ecological impact.

6.6 S106 contributions

6.6.1 As stated above the Council has recently completed a Transport Growth Strategy that sets out the transport infrastructure and investment that is required to accommodate future housing, business and population growth within Telford & Wrekin. This recognises that the quantum of development proposed for the Borough will necessitate improvements to the local highway network and that contributions from development will be required. The requirement for a highway funding strategy is recognised in the Telford & Wrekin Local Plan (Publication Version).

6.6.2 It is proposed to have a single S106 agreement to cover this application and those proposed for Plot 2 (TWC/2015/0862) and Plot 3 (TWC/2015/0863).

6.6.3 Funding through planning contributions towards the required improvements to the highway network has been secured through recent planning applications around the Borough. The contributions requested have been based on the traffic generated to the highway network based on the scale of the particular proposal. This application is for a gross internal floor area of 5,233 square metres which would result in a financial contribution of £43,520 to be secured through a s106 legal agreement. The contributions would be directed towards identified schemes in the LEP/SEP such as Randlay Interchange, Naird Roundabout and M54 J4.

6.6.4 A financial contribution of £10,000 is also required to improve the bus stops close to the application site within Stafford Park. This figure would be paid by which ever plot (2, 3 or 5) was implemented first and the S106 would be worded accordingly.

6.6.5 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.

6.6.6 In addition account has to be taken of the changes to the CIL Regulations in April 2015 that now restrict the “pooling” of financial contributions to no more than five contributions to a single type of infrastructure. The Council’s Highways Officers have confirmed that although some contributions have been secured for the Randlay Interchange, Naird Roundabout and M54 J4 improvement works five contributions have not yet been pooled.

6.6.7 It is considered that the requested contribution would meet the above tests and that as such the applicant should enter into an agreement to provide the financial contribution on the commencement of the development.

7. CONCLUSIONS

7.1 In conclusion, the erection of a new industrial unit 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 is considered to be acceptable. Whilst there are some highway capacity concerns this can be mitigated through a financial contribution to help bring forward the identified necessary improvements to the local highway network.

8. RECOMMENDATION:

Based on the conclusions above, the recommendation to the Planning Committee on this application is to GRANT 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 £43,520 towards improvements to the local highway network in the vicinity of the application site, and
- (ii) A financial contribution of £10,000 towards improvements to the existing bus stops within the vicinity of the application site be paid by which ever plot (2, 3 or 5) is implemented first and the S106 would be worded accordingly.
- (iii) The monies are to be indexed to start from the date of this Planning Committee and any unspent monies after 5 years refunded to the applicant.

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. Surface water drainage
3. Landscaping
4. Trees – protective fencing
5. European Protected Species (EPS) Mitigation Licence
6. Implement in accordance with ecology surveys
7. Ecological mitigation strategy and method statement
8. Pre-commencement inspection for badgers
9. Bat friendly lighting strategy
10. Cycle parking
11. Parking, loading, unloading areas
12. Highways England conditions
13. Cycle way and footpath details
14. Details of materials to be submitted
15. Development in accordance with plans

Informatives

1. Nesting wild birds
2. Great Crested Newts
3. Badgers
4. Fire Authority