

TWC/2016/0263

Ketley Community Recycling Centre (CRC), Whitchurch Drive, Telford, Shropshire, TF1 5AB

Change of use of existing recycling centre to a gypsy and travellers site and provision of 1no. toilet block \*\*\* Amended plans and information \*\*\*

**APPLICANT**

Telford & Wrekin Council

**RECEIVED**

24/03/2016

**PARISH**

Ketley

**WARD**

Ketley and Overdale

**OFFICER** Daniel Owen

OBJECTIONS RECEIVED: Yes.

This application is before the Planning Committee following a request from Councillors Mark Boylan and Joy Francis that it be determined by Committee.

**1. PROPOSAL**

- 1.1 This is a full planning application for the change of use of the Ketley Community Recycling Centre (CRC) to a Gypsy and Traveller site and the provision of a toilet block, access road and landscaping. The site would be used for transit use rather than for permanent accommodation. The existing access road that serves the community recycling centre would be used for the development.
- 1.2 The site would provide a total of fourteen pitches, each of which has the potential to accommodate one caravan and space for two vehicles. A brick and tile built toilet block would be built towards the front of the site which would be the only permanent structure. The pitches would be created on crushed stone and would be enclosed by a two metre high palisade fence that would run around the edge of site.

**2. SITE AND SURROUNDINGS:**

- 2.1 The site is located within the built up area of Telford, between Wellington, Arleston, Ketley and Hadley. It is situated off Whitchurch Drive between Haybridge roundabout and Ketley Brook roundabout. It is currently used as a Community Recycling Centre. To the north of the site is Taurus Metals, a scrap metal yard, which is in operation. Telford College of Arts and Technology (TCAT) is on the opposite side of Whitchurch Drive to the west.
- 2.2 There are no houses immediately adjoining the site and the closest properties are situated approximately 120 metres away to the east in Wedgewood Crescent. The site is not designated for any particular use within the saved Wrekin Local Plan.

### **3. RELEVANT PLANNING HISTORY:**

#### **3.1 Planning Applications:**

- W85/1052: Use of land as Civic Amenity Site: Approved 12/03/1986.

### **4. PLANNING POLICY CONTEXT:**

#### **4.1 National Planning Policy**

- National Planning Policy Framework (NPPF) - this 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.
- Planning policy for traveller sites - Published by the Department for Communities and Local Government (August 2015).

#### **4.2 Core Strategy policies**

- CS3: Telford
- CS15: Urban Design

#### **4.3 Saved Wrekin Local Plan policies**

- UD2: Design Criteria

#### **4.4 Telford & Wrekin Local Plan (Publication Version)**

- HO9: Gypsy and Traveller developments

#### **4.5 TWC Gypsy, Traveller & Travelling Showpeople Accommodation Needs Assessment (Nov 2014)**

### **5. SUMMARY OF CONSULTATION RESPONSES:**

#### **5.1 Standard consultation responses**

5.1.1 Councillor Mark Boylan objects on behalf of local residents and businesses on the grounds that consultation has not been broad enough and that the proposal could impact with regards to traffic issues.

5.1.2 Councillor Joy Francis objects as the local residents were not consulted, and on the viability and deliverability of the proposal.

5.1.3 Ketley and Overdale Parish Council: The Parish Council object to this application on the grounds that it is considered that the Recycling Centre should not be closed in any event, as this will result in residents having to travel further to other re-cycling provision and the resultant extra adverse environmental aspects. The Parish Council believe that this will result in extra fly tipping in the area. It is believed that the proposed site is too small for the proposed number of caravans and accordingly constitutes over development, issues of highway safety will be evident to and from the site, together with increased disturbance to local residents. Although it is noted that travellers will

only be permitted to remain on the proposed site for a maximum period of three months the Parish Council is concerned how this limit would be enforced. Finally the Parish Council is concerned as to whether there is the appropriate identified level of demand for this particular proposed site.

- 5.1.4 Shropshire Fire Service: No objection and request that an informative is attached to the decision.
- 5.1.5 West Mercia Police: No objection. A request has been made to attach a condition requiring the applicant to aim to achieve the Secured by Design award status for the development.
- 5.1.6 Environmental Services (Arboricultural): No comment.
- 5.1.7 Environmental Services (Drainage): No objection subject to conditions.
- 5.1.8 Environmental Services (Highways): No objection subject to condition.
- 5.1.9 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.
- 5.1.10 Ecology: No objection subject to conditions.

## **5.2 Neighbour consultation responses**

- 5.2.1 The application has been advertised in the local press and through the posting of site notices in the surrounding area. As a result a total of 15 letters of objection have been received (although one of the objections has now been rescinded) raising the following issues:
- The closure of the recycling facility which is well used and this could result in additional fly tipping,
  - The site, adjacent to a scrap yard, is not suitable for residential use,
  - The cost of construction and maintenance should be covered by those who will use the site.
- 5.2.2 In addition, a petition of objection has been received containing 142 signatures. The petition refers to the closure of the recycling centre and the loss of that facility.
- 5.2.3 A number of additional neighbour objections have been received about the proposed use, however they contained discriminatory or offensive language and have not been taken into consideration.

## **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 loss of the existing recycling facility
- 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 is previously developed land and is currently used as the Ketley Community Recycling Centre that is due to close later this year. 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.
- 6.3 The Council is required to address the requirements of national planning guidance on traveller site provision. Current evidence, set out in the Gypsy, Traveller & Travelling Showpeople Accommodation Needs Assessment (GTAA), suggests the need for 32 additional pitches in the borough up to 2031. Some of this need has already been met as the Planning Committee granted planning permission for a gypsy and traveller site at Lodge Road (TWC/2016/0159) in April 2016, but additional pitches are still required. The Borough's dedicated gypsy and traveller transit site at Snedshill closed in 2015. The provision of additional pitches will also contribute towards reducing the likelihood of unauthorized encampments, which cause problems for local residents and businesses, as well as meeting identified needs.
- 6.4 The emerging Telford & Wrekin Local Plan will address this deficiency and although this is not yet part of the development plan it is a material planning consideration that should be given limited weight. It should be also noted that the 2014 GTAA 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.
- 6.5 The site is not designated for any particular use in the saved Wrekin Local Plan and the proposal will not conflict with any environmental, retail, leisure or transport policies within the development plan. 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 principle.
- 6.6 The site is located within the current development boundary of the Telford urban area. The site is situated in a location that provides relatively easy access to a range of local facilities and services, including a supermarket, retail park and Wellington town centre. The development would assist in the managed provision of additional pitches, whilst relieving pressure for unauthorised encampments elsewhere leading to incurred costs of clearing the site.

### The loss of the existing recycling facility

- 6.7 The main issue raised within the representation letters that have been received relate to the closure of the existing recycling facility. This in itself is not a material planning consideration as the closure of the facility is not dependent on the outcome of this planning application. However it is considered appropriate to set out why the existing facility is due to close.
- 6.8 In October 2013 Veolia were awarded the Council's waste contract to handle the Borough's municipal waste for the next 20-25 years. The construction of a purpose built facility within Hortonwood formed part of their submitted bid and underwent an assessment of its suitability. Municipal waste includes waste from household collection rounds, schools, street litter, waste delivered to Council recycling points and other CRC's, waste from public bins, Council office waste and some commercial waste from small-scale shops and services where collection agreements are in place. The approved bid proposed two larger community recycling centres (a new facility in Hortonwood and the existing facility in Halesfield) and the closure of the existing smaller facilities in Newport, Ketley and Granville.
- 6.9 Planning permission was granted in May 2014 (application reference TWC/2014/0181) for the erection of a new integrated waste management centre at Hortonwood that includes a new community recycling centre. Work is underway on the construction of that facility and it is due to open later this year. It is important to note that the Ketley CRC facility will remain open until the new facility in Hortonwood opens. The new facility will also open seven days a week and for longer hours than the current facility and will also offer a greater amount of services.

### The design and layout of the proposals

- 6.10 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.
- 6.11 The site is well screened by existing trees and soft landscaping to the south and east and is set well back from Whitchurch Road. There is an existing palisade fence to the perimeter of the site that would be retained. The existing skips and containers would all be removed from the site which would improve its visual appearance when viewed from the wider area. There would be one permanent structure on the site, a brick and tile built building that would contain toilets and an electricity and water supply control room. 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.

#### The impact on neighbours

- 6.12 There is a high degree of landscaping between the site and the existing houses to the east of the site within Wedgewood Crescent and this would be retained. As stated above those houses are approximately 120 metres away from the application site and proposal would not directly impact on the living conditions of the occupiers of those houses.
- 6.13 Some of the representations received make reference to the potential for the development to have a negative impact on neighbouring houses and businesses due to the connotations that the use has with crime and anti-social behaviour. No information has been provided to suggest that Gypsy and Traveller sites result in any increase in crime or anti-social behaviour.
- 6.14 The owner of the neighbouring scrap yard has also raised concerns that the change of use could have a detrimental impact on that business. Reference has been made to a lack of parking, the lack of control of the number of people using the site and concerns over the site becoming a 'permanent resident' site. The use of site will be controlled by the Council (through the Gypsy and Traveller Officer). Parking is provided for each pitch and there is adequate space for each of the pitches to contain a caravan and two other vehicles. The maximum length of stay by law is three months, this is also monitored by the Council, but the Council's Gypsy and Traveller Officer has advised that to date nobody has stayed for more than two weeks. It is not considered that there would be a detrimental impact on those businesses as a result of the development.

#### Highway matters

- 6.15 This proposal would utilise the existing access onto Whitchurch Road and a gate would 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 it is likely that there would be significantly less traffic associated with the proposed use when compared against the existing use as a recycling centre. The application has been considered by the Council's Highways Engineers who have raised no objection to the proposal subject to the imposition of a condition to ensure that the parking areas are laid out. Subject to the requested condition there are no objections to the proposal with regard to highway safety.

#### Other matters

- 6.16 West Mercia police has requested that a condition is attached in relation to secure by design. The criteria referred to in the consultation response relate to windows in blank elevations, remote car parking areas, lighting on the door of each property, maintenance of open space, permeability through the site and dwelling boundaries. Given that the site would be occupied by caravans

rather than fixed dwellings it is not considered necessary to attach conditions relating to the matters raised. This matter was not conditioned on the previously approved scheme and it is not considered necessary in this instance.

- 6.17 There are no natural habitats or trees within the footprint of the site but the wider area has potential for foraging and commuting bats which should be protected from the impacts of new lighting associated with the proposed development. It is considered appropriate to attach a condition to ensure that a lighting plan is submitted and approved prior to its installation.
- 6.18 Comments have been received regarding the operation of the site. Any gypsy or traveller who stays at the site would be required to pay a deposit and a weekly rent and the responsibility for collecting the money rests with the Council.

## **7. CONCLUSIONS**

- 7.1 The proposed development is located within a sustainable location and is acceptable in principle. The proposal will help address the identified deficiency of gypsy and traveller pitch provision in the Borough. 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. There will be no adverse impact on highway safety and any potential impact on ecology can 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
2. Site shall be occupied by gypsies and travellers
3. Development in accordance with plan Nos.
4. No vehicles over 3.5 tonnes
5. No commercial or industrial activities
6. Details of foul and surface drainage
7. Highways – parking and turning
8. Ecology – external lighting

### Informatives

1. Conditions
2. Fire Safety