

TWC/2016/0033

Telford Town Park, Hinkshay Road, Dawley, Telford, Shropshire

Change of use of former coal yard to wood storage compound and erection of 2.4m high fence (part retrospective)

**APPLICANT**

Telford & Wrekin Council, Derek Owen

**RECEIVED**

09/02/2016

**PARISH**

Stirchley and Brookside, Great Dawley

**WARD**

The Nedge

**OFFICER** Vijay Kaul

**1.0 THE PROPOSAL**

- 1.1 This application proposes retrospective change of use of a former coalyard to a wood storage compound.
- 1.2 It is also proposed to erect a 2.4m high palisade fence, with single point of gated access on the existing access point off Stirchley Lane.
- 1.3 A current informal footpath through the yard would be diverted to the outside of the perimeter fence, maintaining a link to Silkin Way.
- 1.4 Telford and Wrekin Council's Park and Open Spaces (which includes the Tree and Woodlands Section) have made this application to support the Council's arboricultural / woodland operations, as a secure area for storage of wood.
- 1.5. The supporting Management Plan includes the following information;
  - The amount of wood that is brought into the yard from Arboricultural operations is approximately 350 tonnes per annum. A similar amount of wood leaves the yard to be sold on as firewood or into the timber trade.
  - The access into the compound will be via the existing gateway off Stirchley Lane.
    - articulated lorry (5 per year)
    - timber forwarder (up to 5 per month)
    - pick/ups / trailers (up to 3 per week)
  - The general time frame for wood deliveries and collections would be Monday to Saturday 7.30am – 5pm. A visit will take around an hour for collection / delivery.
  - On occasion it is necessary to operate outside this time period, for example when large tree felling programmes mean that wood has to be delivered at weekends to clear sites, or when trees have to be offloaded quickly due to stormy weather, this may on very rare occasions lead to visits in the middle of the night when the police require a road to be cleared quickly, but this is very much the exception.
- 1.6 During the course of the application, amended plans were received to show;
  - Revised fence position around the wood storage area and sited at the bottom of the embankment adjacent to Stirchley Lane.

- New native species whip planting in areas of weak coverage along Stirchley Lane
- New footpath link to Silkin Way outside of fence line

## **2.0 SITE AND SURROUNDINGS**

- 2.1 The application site is Telford Town Park is situated to the south of Junction 5 of the M54 and the main Town Centre facilities for Telford which include Telford Shopping Centre, Telford Ice Rink and The International Centre. The north of the Park lies immediately on the edge of the Town Centre and is almost all enclosed by built development, with residential communities to the east, west and south.
- 2.2 The Park is owned and managed by Telford and Wrekin Council and covers 170 hectares, of which 62 hectares was designated as a Local Nature Reserve in 1992.
- 2.2 The area subject of this planning application is a clearing which accommodates a a longstanding Council wood storage yard accessed off Stirchley Lane, which has been in continuous operation since 1994 and forms the hub for wood storage for material generated from both woodland and arboricultural operations in the Borough. Prior to this use, the site operated as a coal yard following the original use as railway sidings.
- 2.3 Though generally level at the point of access, going further west, Stirchley Lane is elevated above the application site, such that a well wooded embankment drop largely screens the facility from this highway.
- 2.4 Running generally level along the west of the application site, is Silkin Way which is a public footpath, this being adjacent to a recently restored section near to the Stirchley and Dawley station.
- 2.5 To the east of the site is a Council leased open field, currently used for equestrian activities. There is a mature hedgerow running approximately north to south along this boundary, which masks the application site from westward views.

## **3.0 RELEVANT PLANNING HISTORY**

TWC/2015/0434   Erection of a 2.4m fence to form   Withdrawn   14/12/2015  
                           a compound for timber and  
                           wood storage.

- 3.1 The above application was withdrawn so that the change of use to a wood storage compound could be formally considered.

## **4.0 PLANNING POLICY CONTEXT**

- 4.1 National Planning Policy Framework (NPPF)

- 4.2 Telford & Wrekin Local Plan (Publication version).
  - NE1 Biodiversity and geodiversity
  - NE6 Green Network
  - BE1 Design Quality
  - C3 Impact of development on highways
- 4.3 Core Strategy
  - CS11 Open Space
  - CS15 Urban Design
- 4.3 Wrekin Local Plan
  - UD2 Design criteria
  - OL2 Designated Areas
  - OL3 Green Network
  - OL4 Development in the Green Network
  - OL5 Extensions and Redevelopment in the Green Network
  - OL9 Species Protection

## 5.0 SUMMARY OF CONSULTATION RESPONSES

### Standard consultation responses

- 5.1 Stirchley and Brookside Parish Council: Acknowledge site has been used as storage for wood for nearly 20 years. However, objection raised on following grounds
  - Information regarding the quantity of loss and value of the timber has been requested and not received.
  - Difficult to understand how the balance of the installation of this fence and loss of visual amenity compares to the financial gain to the borough.
  - Stirchley Lane is a narrow road accessed through residential areas (Stirchley Village / Brookside) – large vehicles would block / damage road
  - The site is right next to the Silkin way opposite the historic Dawley and Stirchley station platform, creation of a compound using 2.35m high palisade fencing would be detrimental visual amenity of the site.
  - Site is partially a local nature reserve.
- 5.2 Arboricultural Officer: No objection
- 5.3 Planning Ecologist: No objection subject to informative
- 5.4 Highways Officer: No objection, subject to condition relating to visibility splay and parking layout.
- 5.5 Shropshire Fire: General advice provided for Fire Safety Guidance

## Neighbour consultation responses

- 5.7 Single representation received from residential dwelling 'Finders Keepers' directly opposite to access point. Original objections with regards to the siting of the palisade fencing and potential impacts on the highway have been retracted following submission of the amended plan. As long as management plan is followed no objections are raised.

### **6.0 PLANNING CONSIDERATIONS**

- 6.1 Having regard to the development plan policy and other material considerations, the planning application raises the following main issues;

- Principle of development
- Layout, scale and design
- Impact upon residential amenity
- Impact upon Ecology
- Impact upon highway safety

### Principle of development

- 6.2 By way of background the applicant has made it clear that the use of this site has been operational for a period over 20 years and, this is even confirmed by the representation received by the Parish Council and nearby resident. However, the site has never been subject of a formal planning application. It must be noted, that there is arguably enough evidence for a Lawful Development Certificate available to demonstrate the minimum 10 year continuous period of an unauthorised use. If this route was pursued, Members would be aware that the merits of the use operation or activity in the application would not be relevant.
- 6.3 The application has been submitted to ensure that Telford and Wrekin Council have an authorised and continued facility for the storage of wood, arising for council tree felling / woodland operations. The activity described is not an intensive use, with the most frequent vehicular movements largely occurring by pick ups / trailers up to 3 per week.
- 6.4 Given the planning history associated with the site and in particular the length of time the existing use has operated, the principle of using the land for wood storage is considered acceptable. Development in the Green Network is permissible where community benefits are integral to the proposal. In this instance, the ability to have a secure facility to store trees that may have been removed following adverse weather conditions or where police required a road to be cleared would be considered a necessary facility and does not undermine the aims of the Green Network. Furthermore, trees removed as part of woodland management, which are then sold on generates an income for the Council. The applicant advises that this would equate to an approximate amount of £10,500 annually.
- 6.5 In respect of the fencing, it is not desirable to have open access timber stacks which could be hazardous to children. The applicant advises that there is

evidence that individuals have been selectively taking wood from the stacks; this may mean that they become unstable and could then pose a hazard to the individual taking the wood and to the general public. The fencing itself is being provided free of charge from existing Council sites (Woodlands School site, also Matlock Avenue school site once built out). Only the cost of labour would be applicable, the applicant estimating this to be in the region of £20-25 per metre, but this element will be tendered to get best value.

- 6.6. The nature of the proposed use as a wood storage compound in a woodland setting is considered to accord with adopted and emerging Local Plan policies, in particular OL2, OL3, OL4 and OL5 of the adopted WLP, Core Strategy Policy CS11, and NE6 Green Network of the emerging Local Plan 2031.

#### Layout, scale and design

- 6.7 As alluded to above, the proposed fencing is a requirement both on health and safety grounds to prevent accidents to the general public, but also for site security to deter people entering the site to pilfer Council stored wood.
- 6.8 Initially submitted plans wrongly indicated the position of a fence immediately adjacent Stirchley Way, and located beyond an existing hedgerow to the east. Following objections raised by the Parish Council and a local resident, your officers visited the site with the applicant to discuss these concerns and potential amendments.
- 6.9 This resulted in an amended proposal, such that the position of the fence would be sited within the existing tree/hedge line so as not to be visually prominent from adjacent land. Along the Stirchley Lane frontage the stretch of fencing would be erected at the bottom of the embankment. This would be well set back and screened by existing trees and hedgerow planting. The applicant has offered to provide native whip planting each side of the access gate where the present screen is limited.
- 6.10 The fencing is set between 5-12m away from the public footpath along Silkin Way, with the extent of an existing treed buffer. It is not considered that the green colour fencing would be visually intrusive or harmful to its setting.
- 6.11 Members would be aware that the erection of any fencing up to 2m high can be undertaken under permitted development rights (i.e. without a planning application). Therefore, this application is really only considering the additional 40cm height, it would therefore be difficult to sustain refusal of this element of the proposal.
- 6.12 In light of this improved fencing layout sited within existing well established landscaping, the area for wood storage and fencing would not result in unacceptable levels of visual harm to the character and appearance of the area. Adopted and emerging Local Plan policies, in particular UD2 and OL4 of the adopted WLP, Core Strategy Policy CS15, and NE6 Green Network of the emerging Local Plan 2031 would be complied with.

### Residential amenity

- 6.13 The applicant is keen to point out that this facility has operated for the past 20 years without complaint or incident, which indicates the existing good management of the site.
- 6.14 Given the relatively low key operation of the proposal, it is not considered that the residential amenity of the nearest neighbours would be unduly harmed by the continued use of the site. This is mainly due to the low intensity of activity on the site. Furthermore, there are only exceptional circumstances whereby the site would be used outside of normal working hours (i.e. storm events and emergency police requests to remove trees on road). To enable effective control of the site, it is considered necessary and appropriate to restrict the operation to the applicant only (i.e. T & W Council). This can be done so by imposition of condition.
- 6.15 The additional planting along Stirchley Lane would improve the outlook for the closest resident at 'Finders Keepers' directly opposite.
- 6.16 The proposed development would not harm the residential amenity of existing occupiers and would therefore comply with Wrekin Local Plan Policy UD2 and Policy BE1 of the emerging Local Plan 2031 would be complied with.

### Ecology

- 6.17 The Council's Ecological Officer advises that as the application site relates to an active wood storage yard, and has been for at least 20 years, and would not be lit, it is not considered that the continuation of the use will be detrimental to the Local Nature Reserve and its continued wildlife value and community use.
- 6.18 There is potential for nesting wild birds to be present in vegetation on the site and works should occur outside of bird nesting season where possible or a check for nesting birds should be carried out prior to the commencement of works, an informative could secure this.
- 6.19 The proposal would not have an adverse impact upon protected species, and therefore Wrekin Local Plan Policy OL9 and Policy NE1 of the emerging Local Plan 2031 would be complied with.

### Highway safety impacts

- 6.20 Given the low key activity which has already been in operation for the last 20 years, the Highways Officer confirms that as long as the planning approval is limited to the applicant to prevent a more intensive operation, there is no in principle objection.
- 6.21 Replacement planting along Stirchley Lane would also need to take account of the visibility splay taken from the access point; a condition can secure this provision.

- 6.22 An informal right of way which currently runs through the site would be retained adjacent to the fencing along Stirchley Lane, this would continue to supplement existing public right of way linkages to Silkin Way.
- 6.23 The continued use of the wood storage compound would not cause harm to highway or pedestrian safety, and therefore the proposal would comply with adopted and emerging Local Plan policies, in particular Core Strategy Policy CS15, and BE1 and C3 of the emerging Local Plan 2031.

## **7.0 CONCLUSIONS**

- 7.1 The existing wood storage compound and its continued use in a woodland setting is acceptable, it has been designed to be compatible both visually and functionally with the local area and would not harm the residential amenity of existing occupiers or highway safety. The development is considered to be acceptable and compliant with local planning policy and the guidance contained within the National Planning Policy Framework.

## **8.0 RECOMMENDATION**

- 8.1 Based on the conclusions above, it is recommended to **GRANT PLANNING PERMISSION** subject to the following conditions:

### Conditions

1. A04 Time limit
2. C002 Finishing materials to match submitted detail
3. Cus Personal permission
4. Cus New footpath link to Silkin Way
5. Cus Planting scheme and maintain visibility splay
6. C38 Development in accordance with plan Nos.

### Informatives

1. I25m Nesting birds
2. I35 (custom) Ecology site clearance
3. I40 Conditions
4. I41 Reason for grant of planning permission
5. RANPPF1 Approval - National Planning Policy Framework.