

TWC/2017/0427

Land adjacent Sigma & Staubli House, Hadley Park East, Hadley, Telford, Shropshire,

Plot A - Erection of a petrol filling station and associated facilities with a drive thru building for A3 use (Use Class A3 - Restaurants and cafes) and associated landscaping, access and parking

Plot B - 6 Units to be used for B1 uses (Use class B1 -offices, research and development, light industrial) with associated landscaping, access and parking (amended description)

APPLICANT

Euro Garages LTD

RECEIVED

25/05/2017

PARISH

Hadley and Leegomery

WARD

Hadley and Leegomery

OFFICER Steven Drury

THIS APPLICATION IS BEFORE COMMITTEE BECAUSE THE COUNCIL HAS A FINANCIAL INTEREST AND THE APPLICATION IS FOR A MAJOR DEVELOPMENT.

1.0 PROPOSAL

1.1 This application seeks full planning permission for the erection of a petrol filling station and shop, a restaurant/café unit (A3 use class) with drive thru facility and 6 commercial units (B1 use class - offices, research and development, light industrial) together with associated accesses, landscaping and parking.

1.2 The development will be split into two parts, with Plot A comprising the petrol station, shop and drive thru unit and Plot B containing the 6 commercial units. Plot A will be accessed directly off Hadley Park East, which runs along the south of the site. Plot B will be accessed off the Silkin Way via the existing commercial development to the west of the site.

1.3 The application is accompanied by the following supporting documents:-

- Transport Assessment
- Planning Statement
- Flood Risk Assessment
- Ecological Assessment
- Design and Access Statement
- Great Crested Newt Survey
- Outdoor Lighting Report

2.0 SITE AND SURROUNDINGS

2.1 The site is located on the northern edge of the Telford urban area, immediately to the south of the A442 'ring road', in an area predominantly characterised by commercial and industrial development. The area to the

west contains the Hadley Park East commercial development, to the east is the Hortonwood Business Park and to the south are major industrial sites such as Denso Manufacturing, BAE Systems and Stadco.

- 2.2 The site currently sits as an empty field but is bordered by recent developments to the east and west. The site to the east contains a Travelodge Hotel and a public house and restaurant 'The Fallow Field'. The hotel is located alongside the boundary which contains a 1 metre high post and rail fence. The hotel is a two storey, red brick building containing a red tiled, pitched roof. The post and rail fence continues along the north of the site, forming the boundary with the A442. To the north west and west of the site are 4 existing commercial units, Sigma House, Lambda House, Quantum House and Staubli House, each containing offices and light-industrial uses. A children's day nurse is located to the south west of the site, on the opposite side of Hadley Park East. Further to the west is the Grade II listed Hadley Park House Hotel and Hadley Park Windmill.

3.0 RELEVANT PLANNING HISTORY

- 3.1 TWC/2015/0386 - Erection of 6 units to be used for B1/B2/B8 Uses with associated landscaping, access and parking – granted 11th September 2015
- 3.2 Adjacent buildings approved under the following reference numbers:
- Staubli House - TWC/2012/0922: Construction of new unit with B1 use and associated parking at Land off Hadley Road East – Granted - 04/01/2013
 - Quantum/Lambda/Sigma House - W2005/0257: Erection of three two-storey office buildings and associated car parking - Granted - 16/05/2005
 - The Fallow Field Public House - TWC/2012/0165: Renewal of extant permission W2009/0089 for the development of a public house with car park and beer garden – Granted - 20/04/2012
 - Fallow Field Public House (Original Application) - TWC/2013/0008: Erection of a Public House/restaurant and hotel and associated works - Granted 21/05/2013.

4.0 PLANNING POLICY CONTEXT

- 4.1 National Guidance:
National Planning Policy Framework (NPPF)
- 4.2 Telford & Wrekin Local Plan:
SP1: Telford
SP4: Presumption in Favour of Sustainable Development
EC1: Strategic Employment Areas
NE1: Biodiversity and geodiversity
NE2: Trees, hedgerows and woodlands
C3: Impact of development on Highways

C5: Design of Parking
BE1: Design Criteria

5.0 SUMMARY OF CONSULTATION RESPONSES

5.1 Parish Council response

5.1.1 Hadley and Leegomery Parish Council: Object

1. Overdevelopment of the site - does not contribute to the protection or enhancement of local features of architectural, historical, and landscape value in the area, notably 'Hadley Castle', while the units proposed for Plot B which would be adjacent to A442 Queensway, are not of the 'high visual quality' expected of development proposals on or adjacent to the main transport corridors and gateways through and into Telford.

2. Traffic and Highways - development would place additional demand on A442 Queensway

3. Ecology and Protected Species - notes the comments of the Ecology & Green Infrastructure Specialist

5.2 Standard consultation responses

5.2.1 TWC Ecology: Support subject to conditions

Following the submission of the Ecological Assessment by TEP (January 2017), the email from TEP dated 7th June 2017, the Great Crested Newt Survey by TEP (June 2017) and additional lighting specifications provided, raises no objection subject to conditions and informatives.

5.2.2 Environmental Health (Contaminated Land): Support subject to conditions

Requests a condition requiring any imported soil to be chemically tested prior to use on site

5.2.3 Environmental Health (Pollution Control): Support subject to conditions

Following confirmation that the proposed petrol station meets the necessary requirements in terms of hazard zones for vapour emissions, raise no objection subject to a condition requiring a noise assessment.

5.2.4 Drainage: Support subject to conditions

Raise no objection subject to conditions requiring details of surface water drainage has been submitted to and approved in writing by the Local Planning Authority.

5.2.5 Aboricultural: Comment

The landscaping plan contains a concentration of too few species and should contain a greater variety.

5.2.6 Highways: Comment

Raise no objection subject to conditions covering visibility splays, provision of parking, access and footway details and securing of financial contribution through S278 or appropriate mechanism.

5.2.7 West Mercia Police: comment

Strongly recommends that all fuel pumps are pre-payment only, as fuel theft is a significant problem for retailers across the country.

5.2.8 Shropshire Fire Service: Comment

Request consideration is given to the information contained within Shropshire Fire and Rescue Service's "Fire Safety Guidance for Commercial and Domestic Planning Applications".

5.3 **Neighbour consultation responses**

5.3.1 The application has received 6 objections from members of the public, including from adjacent businesses, Staubli (UK) Ltd and Quorum Logistic Support, citing the following concerns:

- Safety risk from Petrol Filling Station
- Will generate extra traffic
- Design will not fit in with high specification of buildings expected in the area.
- Questioning the principle of and need for a PFS at the site.
- Also potential health risks to children located within 100m of a petrol station
- Part of the site falls within green network therefore landscaping should be provided to a high quality and maintained for a minimum of 5 years
- Suitability of access - How can applicants be sure that no larger delivery vehicles will access the site
- Potential issues with deliveries and refuse collections at PFS and drive-thru.
- Not clear where petrol tankers will park

6.0 **PLANNING CONSIDERATIONS**

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

- Principle of Development
- Design Issues
- Access
- Trees and Landscaping
- Ecology
- Other Matters

6.2 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. The Telford & Wrekin Local Plan (T&WLP) was adopted on the 11th January 2018 and as such it now forms the development plan. The saved policies within the Wrekin Local Plan (WLP), Central Telford Area Action Plan (CTAAP) and the Core Strategy (CS) are now superseded.
- 6.2.2 The vision of the T&WLP aims to realise the economic potential of the borough to help make it a more prosperous place. To deliver this the plan recognises a minimum requirement for 76 hectares of employment land until 2013. Policy SP1 (Telford) states that Telford will be the principal focus for growth to meet the borough's housing and development needs.
- 6.2.3 The application site is located within the built up area of Telford and the proposal is therefore broadly acceptable in terms of Policy SP1. The site is also within the Hortonwood Strategic Employment Area and as such Policy EC1 (Strategic employment sites) is also relevant to the principle of the proposal.
- 6.2.4 Policy EC1 (Strategic employment sites) recognises the importance of these areas throughout the borough and the policy states that these areas are expected to deliver B Use Classes along with sui generis uses and ancillary uses that support the Strategic Employment Area. The site (E12 within the T&WLP) is also specifically allocated for employment uses, with Use Classes B1 (a), (b) and (c) (offices, research and development and light industry) being preferred.
- 6.2.5 The six employment units contained within the northern section of the site (Plot B), would all fall under Use Class B1 and the principle of this element of the proposal is clearly acceptable when assessed against Policy EC1 of the T&WLP. The proposed petrol filling station (a sui generis use) and the proposed drive thru coffee facility, are considered to be ancillary uses that would support the Strategic Employment Area.
- 6.2.6 The proposed development is acceptable in principle when assessed against policies EC1 (Strategic employment sites), SP1 (Telford) and SP4 (Presumption in favour of sustainable development) of the T&WLP.

6.3 Design and appearance

- 6.3.1 The six employment units would be arranged in a courtyard towards the northern section of the site. Units 1 to 4 would be arranged along the northern boundary of the site and units 5 and 6 would be sited between the neighbouring hotel to the east and the proposed petrol filling station. They would all face in towards the centre of the courtyard.

- 6.3.2 The design and appearance of these units has been amended and improved during the course of the planning application at the request of officers. The units would have a similar appearance and would each have a sloping curved roof profile that adds interest to their appearance whilst reflecting the design of the Staubli House to the west of the site. The design of the proposal has been improved to ensure that the rear elevation of the units backing onto the north of the site would have large panels of glazing which would provide visual interest as well as ensuring that the development positively addresses the A442.
- 6.3.3 The petrol filling station would consist of four pump islands (each containing two pumps), a shop with a gross floor space of approximately 500 square metres, two ATMs, a separate HGV access and re-fuelling facility and a total of twenty eight car parking spaces. The building would have a maximum height of approximately 5.2 metres and the roof would slope down from front to back. The front elevation would face south with the pumps, customer parking areas and access to the south of the building.
- 6.3.4 The drive-thru coffee shop would be located to the south east corner of the site, with the building backing onto the eastern boundary of the site with thirty one car parking spaces being provided to the front. The building would be single-storey and would have active elevations facing south and west.
- 6.3.5 The materials for the employment units would consist of a dark grey standing seam roof, grey and silver cladding, dark grey aluminium window frames and grey/blue brick. The petrol filling station and drive-thru coffee shop building would be built from similar external materials to the employment units which would ensure that there is a cohesiveness to the development. The materials would also reflect those used on the existing employment buildings to the west of the site.
- 6.3.6 It is considered that the design and appearance of the proposed development, following the amendments that have been made to the scheme, would be acceptable and appropriate for this designated employment site. The proposal is acceptable in this regard when assessed against Policy BE1 (Design criteria).

6.4 Access and Highway matters

- 6.4.1 As stated above, the proposed development has essentially been split into two distinct sections, and this also applies to the access to the site. The proposed employment units would be accessed through the end of an existing turning head to the north western corner of the site. The existing road also serves Staubli House, Quantum House, Lambda House and Sigma House to the west of the site.
- 6.4.2 The petrol filling station and drive-thru coffee shop would be accessed from a new vehicular access point that would be created along Hadley Park East to the south of the site. Once within the site traffic would turn either right into the drive-thru coffee shop section of the site, or left into the petrol filling station,

with separate accesses to be provided for general traffic and HGVs. The internal road for the petrol filling station would operate as a one-way system and would loop round this section of the site and exit at the new access onto Hadley Park East.

- 6.4.3 As stated above, twenty eight car parking spaces would be provided for the petrol filling station, thirty one spaces would be provided for the drive thru coffee shop, and seventy three spaces would be provided for the employment uses to the north of the site. This level of parking provision would comply with the parking standards as set out in Appendix F of the T&WLP.
- 6.4.4 One of the concerns raised during the consultation related to the proposal resulting in an increase in traffic. It is clear that the proposed use would generate more traffic than the current use of the site, however the site is allocated for development within the T&WLP as part of a strategic employment area, and any development would increase the level of traffic from the current situation. The relevant test is not whether there would be any increase in traffic but whether the increase that would occur can be satisfactorily accommodated within the existing or proposed highway infrastructure and whether there would be an unacceptable impact on neighbouring uses as a result of that increase.
- 6.4.5 The Council's Highways engineers have been involved in discussions on the proposal and provided comments on the access for the site at both the pre-application stage and during the course of the planning application. They have raised no objections to the scheme subject to the areas shown for parking, loading and unloading being fully laid out prior to the development being brought into use, the provision of a visibility splay of 2.4 metres by 43 metres at the junction with Hadley Park East, and the creation of a footpath along the proposed access road to serve the drive-thru coffee shop. They have also requested a financial contribution of £106,161.72 towards strategic highway infrastructure improvements within the vicinity of the site. This would be secured through a S278 legal agreement (of the Highways Act 1980) and the applicant has agreed to this.

6.5 Trees and Landscaping

- 6.5.1 The application includes the planting of approximately 100 trees across the site and includes species such as Hornbeam, Birch and Maple. The plans also include areas of grass, a wildflower meadow, native shrub planting, shrub beds and a native hedge to the northern boundary of the site.
- 6.5.2 During the consultation period a response was received stating that the proposal would result in the loss of Green Network and that as such the landscaping should be of a high quality. A small section towards the north of the site was previously included within the Green Network but following the adoption of the T&WLP, which included a review of the land designated as Green Network, no part of the application site falls within that designation. Notwithstanding this, it is considered that the proposed landscaping is

acceptable and that the proposal would accord with Policy NE2 (Trees, hedgerows and woodlands) in this regard.

6.6 Ecology Issues

- 6.6.1 The application has been accompanied by a number of documents including an Ecological Assessment by TEP (January 2017), email from TEP dated 7th June 2017, Great Crested Newt Survey by TEP (June 2017) and additional lighting specifications.
- 6.6.2 Initial investigations found an onsite pond having average suitability for Great Crested Newts together with 2 additional ponds within 500m of the site. The subsequent Great Crested Newt Survey did not find any GCN's present and it is not recommended that further surveys are required. With regard to bats, the site was found to contain no roosting features and some limited value for foraging around the central pond and the woodlands close to the site. No bat activity surveys were recommended and this approach is acceptable for the site. Lighting proposals have been provided which show the use of LED lighting fixtures around the edges of the site to illuminate the central area and minimise light spill.
- 6.6.3 The surveys also found the site has potential for nesting wild birds, but TEP are satisfied that basic precautionary measures to protect nesting birds are sufficient along with the provision of 4 bird boxes and 4 sparrow terraces. The site does not contain suitable habitat for reptiles and there was no evidence of badgers on the site.
- 6.6.4 The Council's Planning Ecologist has viewed the proposal and supporting information and raises no objection subject to conditions and informatives requiring the development to be carried out in accordance with the recommendations of the submitted surveys. It is also recommended that the proposed landscaping scheme incorporates artificial bird and bat boxes as recommended by the applicant's Ecologist.
- 6.6.5 The proposal will not harm any wildlife habitats or protected species on site and will comply with the requirements of Policies NE1 (Biodiversity and geodiversity) and NE2, and the requirements of the NPPF.

6.7 Other Matters

- 6.7.1 Noise Impacts: It is noted that the Councils' Environmental Health Officer has requested the submission of a noise assessment in order to quantify the impact the proposed development could have on the surrounding area. Normally this information would be requested in advance as part of the planning application but as the occupants of the 6 commercial units are not yet known, this will not be possible and will need to be requested as a planning condition prior to occupation of the units. Officers are mindful that the proposed commercial units will operate within the B1 use class and are unlikely to emit significant levels of noise (the definition of B1 within the Town and Country Planning (Use Classes) Order refers to uses that can be carried

out in any residential area without detriment to the amenity of that area), however, the proximity of the hotel along the east boundary and potential for disturbance of its occupants needs to be taken into account. Officers therefore consider it necessary for details of noise emitted by the future occupants of Unit No. 5 to be taken into consideration and controlled through the submission a noise report to the local planning authority, prior to its occupation. This provides the opportunity for mitigation measures to be provided if necessary by the LPA.

6.7.2 Health Risks: Concerns have been raised regarding the health and safety risks associated with the storage of petrol. Petroleum Enforcing Authority (PEA) (Regulator) function sits within the Public Protection service at the Local Authority. In relation to the proposed petrol station, the applicant will need to apply for a Petroleum Storage Certificate; Petroleum Storage Certificates are issued under the Petroleum (Consolidation) Regulations 2014 As this matter is assessed and licensed through specific legislation it is not necessary to consider it as part of the planning application. The council's Public Protection Team have assessed the proposed development and, following consultation with Public Health England, are assured that the necessary separation distances will be achieved. It should be noted the applicant, Euro Garages, is an established petrol filling station operator across Europe.

6.7.3 All other objections raised in the consultation process have been considered but do not raise any issues that would warrant a review of the analysis of this proposal.

7.0 CONCLUSIONS

7.1 The proposed development is acceptable in principle, and would fully accord with the preferred uses for the site as set out in the recently adopted Telford & Wrekin Local Plan, and its position within a Strategic Employment Area. The proposal, as amended, is of a high quality design that would complement and enhance the visual appearance of the area. Subject to the imposition of appropriate conditions, and the applicant entering into a S278 agreement, the proposal would be acceptable in terms of its impact on the highway network and the means of access to the site as well its ecological impact. It is considered that the proposed development would play a positive role in the provision of new jobs within the Telford area. The site is allocated for Employment Uses and proposal would not result in a detrimental impact on adjoining uses or the character of the area and it is acceptable in relation to Policies SP1, SP4, EC1, NE1, NE2, C3, C5 and BE1 of the adopted Telford & Wrekin Local Plan.

8.0 RECOMMENDATION

8.1 Based on the conclusions above, it is recommended that the Committee **GRANT PLANNING PERMISSION** subject to the following conditions (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager):

To be listed

Informatives

I40 Conditions

I41 Reason for Grant

S278

RANPPF1 Approval - National Planning Policy Framework.