

TWC/2018/0757

Land rear of Hadley Park House Hotel, Hadley Park East, Hadley, Telford, Shropshire,
Erection of 6no. industrial buildings (providing up to 26 units) B1 use with ancillary access roads, parking and landscaping ***Amendments to site layout – reduction to 26 units***

APPLICANT

Liz Lowe

RECEIVED

07/09/2018

PARISH

Hadley and Leegomery

WARD

Hadley and Leegomery

THIS APPLICATION HAS BEEN REFERRED TO PLANNING COMMITTEE AS IT CONTAINS A S106 AGREEMENT RELATING TO FINANCIAL CONTRIBUTIONS

1.0 SUMMARY RECOMMENDATION

It is recommended that DELEGATED AUTHORITY is granted to the Development Management Service Delivery Manager to GRANT FULL PLANNING PERMISSION subject to conditions, informatives and a Section 106 agreement securing financial contributions.

2.0 SITE AND SURROUNDINGS

2.1 The application site is located on land at Hadley Park East, on the northern edge of the Telford urban area. The site is located immediately south of the A442 Queensway on land within the Hadley Park East business park. The site also forms part of the wider North Telford Strategic Employment Area comprising Donnington, Hadley Park and Hortonwood trading estates and business parks.

2.2 The site area extends to 2.02 hectares and is currently pasture land with strong, tree lined boundaries along the north and west sides. A public right of way (PROW) runs along the inside of the south boundary which connects with another PROW running alongside the west boundary. The surrounding area is generally characterised by commercial and industrial units, however, three residential properties and a hotel are located immediately to the south. Of these, the Hadley Park House Hotel and Hadley Park Windmill are both Grade II listed buildings.

2.3 The Queensway Business Park is located to the west. Four light industrial units are located to the east of the site and permission has recently been granted for a further 7 units (B1 use class) together with a Petrol Filling Station and drive thru coffee shop (under TWC/2017/0427).

3.0 PROPOSAL

3.1 The application seeks permission for the erection of six industrial buildings (B1a, B1b or B1c uses class), together with associated access, landscaping and infrastructure. The buildings will either be occupied as 6 larger units, or subdivided into a maximum of 26 smaller units. The proposal will provide a total of 5,828 sq metres (62,741 sq feet) of floorspace.

3.2 The application includes the following supporting documents:

- Design and Access Statement
- Ground Investigation report
- Transport Assessment
- Ecological Impact Assessment
- Tree Survey and Protection Report
- Flood Risk Assessment

4.0 RELEVANT PLANNING HISTORY

4.1 TWC/2017/0801 - Erection of 8no. industrial buildings (providing up to 32 units) B1, B2 and B8 uses with 10% trade counters, ancillary access roads, parking and landscaping – Withdrawn 4/9/18

5.0 PLANNING POLICY CONTEXT

5.1 National Guidance:

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)

5.2 Telford & Wrekin Local Plan:

6.0 SUMMARY OF STATUTORY CONSULTATION RESPONSES

6.1 Hadley and Leegomery Parish Council: Objection

At the time of writing, the comments in response to a 14 day neighbour reconsultation had not been received. These will be reported as an update prior to the committee meeting. However, the previous comments raised objections on the following grounds:

- Location of site – poor accessibility and connectivity and heavy reliance on car for access,
- Impact on highway network - will place additional demand and stress on existing network,
- Design Criteria – design of proposal fails to provide a positive spatial structure, fails to exploit local landmarks and views to and from the site.
- Noise, light nuisance, dust and disturbance to hotel and nearby residents
- Impact upon Listed Buildings – proposal will cause harm to the setting of the adjacent heritage assets

6.2 Highways: Support subject to conditions

Raise no objection subject to conditions and a financial contribution of £141,548.96 towards highways improvements to the A442 section between Leegomery Roundabout and Hadley Roundabout.

6.3 Drainage: Support subject to conditions

Raise no objection subject to conditions

6.4 Trees: Comment

Raise no objections subject to the establishing of root protection areas for retained trees and hedgerows.

6.5 Ecology: Support subject to conditions

No objection subject to conditions and informatives

6.6 Built Heritage and Conservation: Comment

Some impact on the setting of the two listed buildings, but any impact would be minor and 'less than substantial' given their existing degraded settings, and would need to be balanced against other public and planning benefits of the scheme.

6.7 Planning Policy: Comment

Confirms that the site is allocated for employment use and was previously committed for development in the Wrekin Local Plan 1995-2006. Also has consent under the New Towns Act. Its allocation in the current Local Plan is justified in the Technical Paper, based on its assessment against site selection criteria and having been subject to consultation during preparation of the Local Plan. The Local Plan Inspector concluded that the employment site selection process has been soundly based.

6.8 English Heritage: No comment

Do not need to be notified under relevant statutory provisions

6.9 West Mercia Police: Comment

No comment

6.10 Shropshire Fire Service: Comment

Consideration should be given to the information contained within Shropshire Fire and Rescue Service's "Fire Safety Guidance for Commercial and Domestic Planning Applications"

7.0 NEIGHBOUR CONSULTATION RESPONSES

7.1 The application has received a total of 13 objections from local residents and members of the public. The key concerns are summarised below, however, comments can be viewed in full on the planning file:

<https://secure.telford.gov.uk/planning/pa-applicationresponses-public.aspx?ApplicationNumber=TWC/2018/0757>

7.2 Objections:

- Contains too many units and is far too dense
- Not appropriate close to family homes
- Impact upon listed buildings
- Concerns over 24/7 operations
- Area has suffered from gypsy and traveller influx recently which may be exacerbated by proposal
- Concrete bollards have been installed to prevent traveller caravans parking on site but these will be removed.
- Impact upon traffic flows
- Will lead to heavy traffic flows at Hadley Park Roundabout
- Will harm the route of a much used walk along Silkin Way
- Concerns over noise levels close to residential properties

8.0 PLANNING CONSIDERATIONS

8.1 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
- Highways and Access
- Design and Layout
- Impact upon Listed Buildings
- Residential Amenity
- Trees and Ecology
- Drainage and Ground Conditions
- Planning Obligations

8.2 Principle of Development

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 development plan consists of The Telford & Wrekin Local Plan (TWLP). The National Planning Policy Framework (NPPF) sets out policy guidance at a national level and is a material consideration in planning decisions.

8.3 The site is an allocated employment site (E11) within the local plan, with a preference for B1a, B1b and B1c use classes. In addition, the site is located within the North Telford Strategic Employment Area, where Policy EC1 confirms that B use classes, sui generis uses associated with B use class activity and supportive ancillary uses will be supported. The proposal will provide 5,828 sq metres (62,741 sq feet) of B1a, B1b or B1c floor space and therefore complies with both the site allocation and the requirements of Policy EC1.

8.4 Hadley & Leegomery Parish Council (HLPC) have questioned the location of application site, its sustainability and suitability for development, however, given that the site is allocated for employment development, the principle of development has already been established. The Councils' Planning Policy Officer has confirmed that the site has historically been committed for employment development in the Wrekin Local Plan 1995-2006 and also has consent under the New Towns Act. More recently, the site has been carried forward into the new local plan having been through a review process informed by the Employment Technical Paper (June 2016). Such a review process would have considered factors such as location, connectivity and sustainability credentials. The selection process was considered sound by the Local Plan Inspector who accepted the inclusion of the site within the local plan. The principle of development and location of the site has therefore been agreed and is not up for consideration as part of this application.

8.5 Whilst HLPC make reference to the requirements of Policy EC2 in their objection, this policy is intended to be applied to applications for sites located outside Strategic Employment Areas. Given that the suitability of the application site has already been agreed, this policy is not relevant to the consideration of this application.

8.6 Highways and Access

The application has been accompanied by a Transport Assessment (TA) which considers the likely impact on the local highways network. The TA demonstrates that the key junction in proximity to the site, Hadley Park Roundabout, will continue to function within its operational capacity during peak network hours, inclusive of the anticipated development traffic from both the proposals and adjacent scheme approved under planning ref.

TWC/2017/0427. A highways contribution will be secured for the Telford Growth Point Package, to go towards highway infrastructure improvement works on the A442 between Leegomery Roundabout and Hadley Park Roundabout, proportional to the additional PM peak trips generated by the development.

8.7 The proposal includes on-site parking provision in excess of the parking requirements laid out within the Local Plan, based upon the revised GFA of approximately 5828sq metres, with a subsequent requirement for 194 spaces and 209 provided. The Highways Officer has also considered the technical aspects of the proposal and is satisfied that the access and layout can accommodate HGV movements and deliveries and includes suitable provision for pedestrians and cyclists along the Silkin Way frontage to the east. The proposal includes 52 cycle parking spaces but there is room for more should demand require it.

8.8 As a result of the above considerations, the Local Highway Authority makes no objection and the proposal is considered to comply with local plan policies C3, C4 and C5.

8.9 Design and Layout

The proposed development has been the subject of several revisions in order to address officer concerns in respect of the site layout, density, scale, massing and design. The proposal has been reduced from 32 units and 6946 sq metres of floor space (previous submission) to a development comprising 26 units and 5828sq metres with associated reconfiguration of site layout. Units have also been repositioned in order to increase the separation distance from the listed buildings to the south and the modern addition to the rear of the Hadley Park Hotel. The proposal therefore now consists of a layout with a lower density which includes a landscaped buffer to the south and north east corner and areas of planting in between parking bays to provide relief from the extent of hard surfacing across the site. Officers consider this layout to be more in keeping with the general character of the Hadley Park East business park.

8.10 The units themselves have also undergone revisions in order to provide a design solution which is more sympathetic to the site and its surroundings. Despite a need to provide functional, commercial buildings, officers were keen to ensure that the design and treatment were respectful of the surroundings which include the residential properties, hotel and listed buildings to the south and the commercial properties to the east. As a result, each unit will now contain facing brickwork up to first floor level with cladding panels in a

Beigestone colour above. Each unit will contain double height glazing at the front with individually coloured door recesses and surrounds giving each unit an element of individuality.

- 8.11 Whilst officers note the concerns raised by the Parish Council and adjacent businesses in respect of design, officers are satisfied that the design solution proposed is of a sufficiently high quality for the site, taking into account the context, is respectful of its surroundings and appropriate in terms density, massing, layout and building design. Open areas of parking along the Silkin Way and in the north east corner have been omitted from the layout in response to concerns regarding traveller parking in the area. Accordingly, the proposal is considered to meet the requirements of local plan Policy BE1 and the requirements of the NPPF in terms of requiring good design.

8.12 Impact upon Listed Buildings

Two grade II listed buildings, Hadley Park House and Hadley Park Windmill are located immediately to the south of the site. Historically, the buildings were part of an isolated cluster of rural farm buildings within the open countryside, forming part of the historic Hadley Park Estate, however, their historic and aesthetic setting has been much eroded in recent decades. The buildings are now partly surrounded by a number of industrial units to the west, south and northeast, and the A442 arcs around about 150m to the north. The sense of isolation within the open countryside has therefore been all but lost, as has the functional and historical association between House and Windmill.

- 8.13 Hadley Park House was designed to have an outlook to the west, facing out across private pleasure grounds, however, the open aspect and principal views from building have been lost, with a dense boundary of trees and vegetation planted to the west, presumably to screen the site from the industrial development. This has already transformed the building's setting. Furthermore, viewpoints from which the value of the building as one of historic and architectural interest is appreciated, are now very much confined to the most immediate views within the curtilage of the listed building and from the adjacent roadside to the south. To the north, between the application site and the listed building, is a large modern annexe to the hotel which already disrupts the sense of being within a rural setting, and screens the listed building in views from the north. In the revised scheme the industrial units have been pulled back significantly from the boundary with the hotel and additional tree planting would be provided to soften the appearance of its elevations in relation to and from the listed building.

- 8.14 Turning to the windmill, this building was designed purely for functional reasons and was not designed to have any particular outlook. Nevertheless an exposed and open setting and rural location were essential characteristics arising out of its function. Again these have largely disappeared. Views of the windmill have also been largely compromised by its existing surroundings including the recently constructed Staubli House, whilst further development has been approved between the Hadley Park roundabout and the site under application TWC/2017/0427. To the north, views from the A442 are virtually

obscured by the existing tree boundary. Otherwise, the tower is only appreciated at closer quarters from the Hadley Park East road. The proposed units would be orientated in line with the windmill along the Silkin Way and would undoubtedly represent a change to its setting, however, the design has been much improved from the previous scheme, with more attention to the architectural detailing of the buildings. A mixed palette of materials breaks down the mass of the buildings, with brick ground floor elevations and a warmer "beigestone" coloured cladding above, in place of the previously proposed mass of monotonous grey cladding. The side-on orientation in relation to the windmill ensures a less dense appearance, with spaces between the buildings and the roof pitches sloping down presenting a lower and less intrusive appearance than the previous continuous mass of rear elevations. Some tree planting is proposed to the southeast corner of the site, which would provide additional screening and softening of the appearance of the units in relation to the windmill. The garden to the converted windmill and the access road would provide some buffer of open space from the application site.

- 8.15 In conclusion, the Conservation Officer acknowledges there would be some impact on the setting of the two listed buildings, but given the degree of change already experienced in this area, 'setting' can no longer be said to be a major contributor to their significance. Instead, this should now be focussed more on their individual architectural and aesthetic characters and built forms, and historic values which would not be affected by the proposed development. As such, the impact of the proposal on their significance would be minor and 'less than substantial' given their existing degraded settings, and would need to be balanced against other public and planning benefits of the scheme, as required by Paragraph 196 of the NPPF.
- 8.16 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities, when exercising their planning powers, to have special regard to certain matters including the desirability of preserving a Listed Building or its setting or any features of special architectural or historic interest which it possesses. An assessment of the impact upon the two listed buildings has been carried out by the Conservation Officer (as set out in paragraph 8.15 above) which concluded that any impact on their significance would be minor and 'less than substantial'. Nevertheless, in accordance with the relevant sections of the Planning (Listed Buildings and Conservation Areas) Act 1990, any impact upon the listed buildings concerned needs to be given considerable importance and weight. In this instance, the allocation of the site for employment development is a material consideration where the benefits in terms of supporting local growth, job creation and inward investment are significant benefits which must be given significant weight in the determination process. Therefore, on balance, it is considered that the significant benefits provided by the proposal would outweigh the less than substantial harm identified above with considerable importance and weight attributed to the later.
- 8.17 Concerns raised by Hadley & Leegomery Parish Council in this respect are also noted. HLPC contend that the proposals fail to protect local listed

buildings and will cause real and lasting harm to their setting. They also suggest that the applicants Heritage Impact Assessment fails to recognise or place any value upon the special significance and local importance of Hadley Castle in establishing a sense of place in the locality of Hadley and North Telford. As noted above, the Council's Conservation Officer agrees that in this instance, factors such as architectural and aesthetic character, built form and historic value will contribute to historic significance and the proposal has been assessed accordingly. However, the Conservation Officer concludes that any harm to the significance of the heritage asset would be less than substantial and Officers recommend this is outweighed by the significant economic and social benefits.

8.18 Residential Amenity

Concerns raised in respect of the potential impact upon residents and the hotel to the south of the site are noted. Whilst end users of the buildings have not yet been identified, the use class proposed is B1 which is unlikely to generate levels of noise, activity and disturbance which would be harmful to the occupants of those properties. Furthermore, operating hours restrictions will be imposed to ensure that noise and activity does not occur at unreasonable hours. Additional tree planting will be provided along the southern landscaped buffer which over time will act as a further visual and acoustic screen. On this basis, officers are satisfied that the proposal complies with the requirements of Policy BE1.

8.19 Trees and Ecology

The proposal will retain the trees along the north and west boundaries and will involve the provision of additional planting across the southern part of the site and in the areas of landscaping in the centre and north east of the site. No objection has been raised by the Council's Trees Officer.

8.20 The application has been accompanied by an Ecological Impact Assessment which found that the site offered no suitable roosting features for bats and two ponds within the vicinity of the site were of low potential for supporting Great Crested Newts. Suitable habitat for nesting birds was found around the site and it is recommended that vegetation clearance is undertaken outside of the bird nesting season. No objection is raised by the Planning Ecologist subject to conditions requiring artificial nesting/roosting boxes, an external lighting plan and habitat management plan.

8.21 On this basis, officers are satisfied that the proposal complies with the requirements of Policies NE1 and NE2.

8.22 Drainage and Ground Conditions

The supporting Flood Risk Assessment (FRA) identifies that a small part of the northern part of the site falls within Flood Zone 2, however, the majority of the site lies in Flood Zone 1, meaning that the majority of the site is unlikely to flood except in extreme conditions. Although the risk has been identified as minimal, the proposal has needed to include measures to overcome the flood risk within the building design. It was not considered desirable to raise the finished floor levels due to a need to minimise the visual impact of the

buildings, therefore alternative measures have been provided such as water resistant materials and seals and the use of a flood warning and evacuation plan. The site entrance and surrounding areas are located within Flood Zone 1 and would not be inundated with floodwater therefore; safe access and egress can be maintained in accordance with the NPPF and Environment Agency guidance

8.23 No objection is raised by the Drainage team who have assessed the proposal and request conditions requiring a detailed drainage plan and SUDs Management Plan. The proposal is considered to comply with local plan ER12.

8.24 A Ground Investigation Report has been submitted which does not highlight any potential contaminant concentrations on the site which would pose a risk to a commercial development. There are also no constraints in terms of ground gas emissions.

8.25 **Planning Obligations**

A highways contribution will be secured for the Telford Growth Point Package, to go towards highway infrastructure improvement works on the A442 between Leegomery Roundabout and Hadley Park Roundabout, proportional to the additional PM peak trips generated by the development. A contribution of £141,548.96 will be secured through a S106 agreement.

8.26 In determining the required planning obligations on this specific application the following three tests as set out in the CIL Regulations (2010), in particular Regulation 122, have been applied to ensure that the application is treated on its own merits:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development;
- c) fairly and reasonably related in scale and kind to the development.

8.27 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. It is considered that the financial contributions required for this application meet the relevant tests. The above obligations will be secured by a S106 agreement attached to the planning permission.

9.0 CONCLUSIONS

9.1 This application concerns land which has been allocated for employment (B1a,b,c) development within the Telford & Wrekin Local Plan and also falls within the North Telford Strategic Employment Area and is therefore considered acceptable in principle. The proposal can be accessed safely and without detriment to local or strategic network, will not result in any significant adverse impact upon the amenities of nearby residents, will retain existing trees and hedgerows and will not harm wildlife habitats or protected species. Any harm to the significance of the nearby listed buildings will be less than substantial and outweighed by the public benefits in terms of employment development.

9.2 There are no technical issues that would prevent the development from proceeding and no issues that cannot be mitigated against through the use of conditions. Accordingly it is considered that the proposal represents a sustainable form of development which complies with the National Planning Policy Framework, together with relevant policies within the Telford & Wrekin Local Plan.

10.0 RECOMMENDATION

Based on the conclusions above, the recommendation to the Planning Committee on this application is that **DELEGATED AUTHORITY** be granted to the Development Management Service Delivery Manager to **GRANT PLANNING PERMISSION** subject to the following:

A) The applicant/landowners entering into a Section 106 agreement with the Local Planning Authority (with indexation applicable to the contributions from the date of the committee resolution to grant permission) terms to be agreed by the Development Management Service Delivery Manager) relating to:

i) Highways £141,548.96

B) The following conditions (with authority to finalise conditions and reasons for approval to be delegated to the Development Management Service Delivery Manager):-

Conditions

Time limit - Full

Materials

Highways details

Foul and Surface Water drainage

SUDs Management Plan

Boundary fencing details

Trees – Protective Fencing

Habitat Management Plan

External Lighting Plan

SEMP

Land Contamination

Landscape Management Plan

Parking/Turning/Loading

Artificial nesting/Roosting Boxes

Approved Plans

Opening/Operating Hours restrictions