

TWC/2018/0775

Land adjacent Building B8, MOD Donnington, Hortonwood 37, Hortonwood, Telford, Shropshire

Erection of industrial development of new Production Facility, and Distribution Centre, along with associated storage, service yards, and car and lorry parking areas

APPLICANT

Epwin Group

RECEIVED

21/09/2018

PARISH

Donnington and Muxton

WARD

Donnington

THIS APPLICATION HAS BEEN REFERRED TO PLANNING COMMITTEE AS IT CONTAINS AN 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 Condition(s), Informative(s) and a Memorandum of Understanding securing Financial Contributions.

2.0 SITE AND SURROUNDINGS

- 2.1 The site is located on land to the east of Hortonwood 37 and north of the A518, in the Hortonwood area of north Telford. The site is located within the Hortonwood Strategic Employment Area.
- 2.2 The site extends to 7.85 hectares, and comprises a mixture of undeveloped pasture land and an existing large portal framed building previously occupied by the MOD. The undeveloped part of the site contains a variety of trees and hedgerows including a row extending across the centre of the site and a mature tree belt along the west and south site boundaries. The land topography is fairly level, however, it sits lower than the adjacent highways.
- 2.3 The surrounding areas comprise a mixture of commercial and industrial development with residential properties located to the south beyond the railway line and A518.

3.0 PROPOSAL

- 3.1 This application seeks Full Planning Permission for the refurbishment of an existing portal framed building and erection of a new building to provide a new production facility, warehouse and distribution centre together with the provision of associated storage and service yards, car and HGV parking, vehicular access and landscaping. The total development will comprise 31,075 sq. metres GFA.
- 3.2 The applicant, Epwin Group are the largest manufacturer of PVCu window profile systems in the UK and have been established in the Telford area for

approximately 30 years, employing around 500 staff. The group are looking to expand its portfolio of products and have identified the proposed site for the development of its manufacturing processes and distribution capabilities. The proposed development will include a manufacturing and finishing process to include powder coating, assembly, painting and lamination of products, together with a warehouse and distribution process. The proposed plant will operate 24 hours a day, 7 days a week.

3.3 The application has been accompanied by the following supporting documents:

- Planning, Design and Access Statement
- Transport Assessment
- Flood Risk Assessment and Drainage Strategy
- Preliminary Ecological Appraisal
- Noise Assessment Report
- Travel Plan

4.0 RELEVANT PLANNING HISTORY

4.1 TWC/2014/0054 - Outline application for construction of a 26,000 sq. metres (279,862 sq. ft) warehouse and distribution facility (Use Class B8) and the erection of a 232 sq. metres (2,947 sq. ft) office hub and associated container storage with associated infrastructure and landscaping - Outline Granted 21 April 14 - Now Expired

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 STATUTORY CONSULTATION RESPONSES

6.1 Donnington & Muxton Parish Council: **Object** due to the impact it would have on current road infrastructures causing more heavy goods vehicles in the area which, in turn, will add to traffic pollution and congestion.

6.2 Drainage: **Support** subject to Condition(s) requiring a foul and surface water drainage scheme, SUDS Management Plan and details of final point of discharge to watercourse system.

6.3 Highways: **Support** subject to Condition(s). Based on information provided in the supporting Transport Assessment, the proposed development is considered acceptable, subject to conditions controlling the number of vehicles entering/leaving the site, access design, submission of travel plan and a financial contribution towards strategic network improvements and travel plan monitoring.

6.4 Arboricultural: No comment.

6.5 Ecology: **Support** subject to Condition(s) and Informative(s).

6.6 Shropshire Fire Service: Comment. Recommend consideration is given to information contained within 'Fire Safety Guidance for Commercial and Domestic Planning Applications.'

7.0 NEIGHBOUR CONSULTATION RESPONSES

7.1 The application has received two comments from members of the public which are available in full on the planning file, but the key points have been summarised below.

7.2 Concerns raised regarding:

- Fumes and emissions from the production facility
- Noise and pollution resulting from increased HGV movements.

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
- Trees and Ecology
- Drainage and Ground Conditions
- Residential Amenity
- 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. In this instance, 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 located within a Strategic Employment Area in the Telford & Wrekin Local Plan, where TWLP Policy EC1 supports the provision of B Use Classes along with sui generis and ancillary uses which support the Strategic Employment Area. The proposed development comprises a mixture of B2 and B8 Uses and is therefore considered acceptable in principle subject to addressing all relevant planning policies and technical issues. Permission has

previously been granted at the site for a 26,000 sq. metre industrial building, which although now expired, has established the principle of an industrial use.

8.4 Highways and Access

The proposal will be accessed from Hortonwood 37 via a new purpose built priority junction serving all vehicles entering the site. The site will operate a one-way system with HGV's travelling in a clockwise direction around the perimeter of the site. Cars will be kept separate from HGV traffic, with cars directed to parking areas in the south east corner of the site. A security barrier will operate at the site entrance.

8.5 A Transport Assessment has been submitted with the application which provides details of the nature of the proposed operations including shift patterns and staff numbers, delivery patterns, etc., and this has been considered in detail by the Highways Officer. The assessment found that the existing Hortonwood 37/Hortonwood 7 junction is operating close to theoretical capacity, however, the proposed development is for a very specific end user which operates a unique set of shift patterns and lower than usual levels of staff. As a result there are quite low vehicular movements to/from the site during the peak periods and the proposal includes lower parking provision than would be usual for a development of this size. The supporting assessment concludes that the development can be accommodated on the highway network and that the proposed site access will function satisfactorily. This, however, is only due to the way the site is proposed to function and if this is to be accepted there would be a requirement to personalise the permission and to control the movements to/from the site daily and during the peak periods as well as regular monitoring of this and the car park management. It is suggested that this is carried out through imposing suitable planning Conditions.

8.6 In terms of the proposed site access, a new priority junction will need to be provided on Hortonwood 37 and details have been provided in the supporting Transport Assessment. The ghost right turn is compliant to relevant standards in terms of its geometry and officers are satisfied with the design. Any works on Hortonwood 37, including footway links, would need to be delivered under S278 Highway Act and will need to include a yellow hatch box to keep the junction clear for right turning traffic into the site.

8.7 Within the site, amendments have been made to the position of barriers, fences and gatehouse and the layout is now generally considered acceptable. As discussed above, the amount of car parking provision does not meet local plan standards but is sufficient for the needs of this specific business, as demonstrated in the applicants Transport Assessment. On this basis, Highways Officer are prepared to support the proposal subject to appropriate controls being imposed.

8.8 T&WLP Policy C3 requires that major development contributes to the mitigation of any site specific impacts together with the wider strategic road network. The development will be expected to make a proportional

contribution to the strategic highway network improvements and on the basis that the level of trips at peak periods can be controlled, this contribution would be £64,455.33, to be secured through a memorandum of understanding.

- 8.9 On the basis of the above considerations, officers are satisfied that the proposal complies with the requirements of Local Plan Policies C3 and C4 and whilst not fully meeting the parking requirements as set out in Appendix F, the location, quantity and quality of car parking will reflect the density, nature and context of the proposed development and operational needs for lorry parking and access by service vehicles as required by Policy C5.

8.10 **Design**

The proposal will involve the refurbishment of Unit 1 which is situated on the eastern part of the site. Works to the building will involve the insertion of a roller shutter door in the west elevation and demolition of attached smaller structures. A new canopy structure will be added to the north end of the building measuring 36 metres by 15 metres and rising to the height of the existing building. Unit 2 will be a new portal framed building erected on the western part of the site. The building will be substantial in size, covering a floor area of 15,296 sq. metres and rising to a height of 15.5 metres. The building will be clad in profiled metal sheeting on the sides and roof. The proposed design is considered to be functional but in keeping with the majority of buildings found within the Hortonwood area and therefore in keeping with the character of the area. Officers are satisfied that works to both buildings will respect the character and appearance of the surrounding area as required by Policy BE1.

8.11 **Trees and Ecology**

Trees: The site benefits from a dense line of mature trees extending along the west and south boundaries which help to screen the site from the adjacent highways corridors and vantage points beyond. The majority of those will be retained with the exception of those to be removed to accommodate the new site entrance and visibility splays.

- 8.12 Until recently the site also contained extensive tree coverage, laid out in lines running roughly in a north-south pattern, however, the majority of these have now been felled to accommodate the proposal. A tree report has been submitted which confirmed that none of the trees to be removed were 'high quality' or protected by Tree Protection Orders. Officers are mindful that the site is located within a Strategic Employment Area and is expected to deliver employment development in order to meet the Council's strategic employment needs. As such, any development of the site will inevitably require the removal of those trees. It is also worth noting that the previous permission granted in 2014 permitted a similar level of tree clearance and has therefore set a precedent on this issue. Local Plan Policy NE2 requires that any removal or damage to trees, hedgerows or woodland is outweighed by the wider benefits of the scheme. In this instance, whilst the trees have now been removed, they were not 'high quality' or protected and their loss was required

in order to facilitate significant commercial development on the site. Officers would therefore have raised no objection to their removal.

8.13 **Ecology:** The application has been accompanied by a Preliminary Ecological Appraisal and Bat Survey Report which have been considered by the Council's Planning Ecologist. Surveys revealed no evidence of great crested newts, bat or badger activity, however, conditions are requested to carry out a pre-commencement badger check and to ensure the works are carried out in accordance with the findings of the protected species survey.

8.14 On balance, officers are satisfied that the proposal complies with the requirements of Local Plan Policies NE1 and NE2.

8.15 **Drainage and Ground Conditions**

Drainage: The Council's Drainage Officer has reviewed the submitted Flood Risk Assessment and is satisfied that the flood risk to and from the proposed development has been satisfactorily considered. Accordingly, no objection is raised subject to Conditions requiring details of the surface water and foul drainage schemes prior to the commencement of development.

8.16 **Contamination/Stability:** The site is not known to suffer from contamination or ground instability issues. Significant site clearance works will need to take place to facilitate the development and this will require alterations to levels to provide a flat surface which is accessible from Hortonwood 37. This will result in the lowering of the northern half of the site and the raising of the southern half of the site and will require a 2 metre high concrete retaining wall being erected around the south east perimeter of the site. Whilst these works are likely to be substantial, they will not be visible from any external vantage points and are necessary to facilitate the proposal. As such no objection is raised and the proposal is considered to meet the requirements of Local Plan Policies BE10 and ER12.

8.17 **Residential Amenity**

The nearest residential properties to the site are located on Stanmore Drive, at least 175 metres to the south. Those properties are separated by the A518 which is raised as it crosses the railway line and contains a dense tree screen along both sides. Officers are mindful that the A518 is a busy arterial route which dominates background noise during daytime hours. The site is also in a Strategic Employment Area where nearby industrial uses could also be noisy. The proposal is for an unrestricted, 24 hour facility and will therefore involve activity during the night time when background noise will not be as dominant. A Noise Assessment Report has been submitted which has measured background noise levels and concludes that noise from predicted vehicle movements would be below background levels and would meet the requirements of World Health Organisation guidance. With regard to plant and machinery, the report recommends that a condition is imposed requiring noise levels to not exceed the measured background noise levels measured at the nearest residential receptors.

- 8.18 A neighbouring resident has raised concerns regarding the potential emissions of odour and fumes from the proposal. In response, the applicant has provided an Emissions Statement which confirms that emissions from both processes to take place at the site have been classed as low risk, but an element of extraction and filtration will be required in order to prevent the emission of some chemicals required as part of the powder coating process.
- 8.19 On the basis of the above information, Officers are satisfied that the proposal would not have a significant adverse impact upon residential amenity and would meet the requirements of Policy BE1.

8.20 **Planning Obligations**

As a major development, the application meets the trigger to provide a financial contribution towards Strategic Highways Improvements on the highways network as required by Policy C3. Based on trip rates generated by the proposal, a contribution of £64,455.33 will be required, to be secured by a memorandum of understanding.

- 8.21 In determining the required planning obligation 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.

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 contribution required for this application meets the relevant tests. The above obligations will be secured by a Memorandum of Understanding attached to the Planning Permission.

7.0 **CONCLUSIONS**

- 7.1 The proposal will result in the provision of a significant industrial development on a site within a Strategic Employment Area in the Telford urban area. The proposal will result in significant social and economic benefits in terms of employment generation and inward investment in Telford area. The proposal can be accessed safely and without detriment to local or strategic network, will retain trees and hedgerows around the perimeter of the site, will not result in any significant adverse impact upon the amenities of nearby residents, can be drained satisfactorily and will not harm local wildlife or protected species. The benefits of the proposal will therefore outweigh any harm identified and 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.

8.0 RECOMMENDATION

8.1 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 Council entering into a Memorandum of Understanding relating to:

- (i) Highways – Strategic Network Contribution
- (ii) Limiting vehicle numbers permitted to enter and leave the site each day.

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

- 1. A04 Time limit
- 2. B010 Details of Materials
- 3. B034 Highways Details
- 4. B049 Highways Details
- 5. B042 Parking/Turning/Loading
- 6. B045 Travel Plan
- 7. B049 Car Park Management Plan
- 8. B061 Foul and Surface Water
- 9. B076 SUDS Management Plan
- 10. B139 Tree Protection Plan
- 11. B141 Mitigation Strategy and Method Statement
- 12. B149 Pre-Commencement Badger Inspection
- 13. C100 Artificial Nest/Bird Boxes
- 14. B145 Lighting Strategy
- 15. C109 In accordance with Ecology Survey
- 16. B150 S.E.M.P
- 17. C023 Land Contamination
- 18. C38 Approved Plan
- 19. D13 Noise levels