

## INFORMATION RECEIVED SINCE PREPARATION OF REPORT

Application number	TWC/2018/0600
Site address	Land East of Queensway HLC, Queensway, Hortonwood, Telford, Shropshire
Proposal	Variation of conditions 7 and 8 of planning permission TWC/2017/0905 to allow a variation of working hours between 0800 and 1930 hours on weekdays and 0800 and 1300 hours on Saturdays with no working or activities on Sundays or Public Holidays ***AMENDED DESCRIPTION RECEIVED***
Recommendation	Full Grant

### 1.0 PARISH COUNCIL RESPONSE TO AMENDED PROPOSAL

- 1.1 Hadley & Leegomery Parish Council consider the applicant has not provided sufficient justification for varying the original conditions. However, the Parish Council acknowledges that small and medium enterprises and start-up companies often operate more flexibly than larger, more established businesses.
- 1.2 Consequently the Parish Council accepts the requested amendment to condition 7 to permit operating hours until 1930 on weekdays.
- 1.3 The Parish Council maintains its objection to Condition 8 and proposes the existing restrictions on deliveries to/dispatches from the site until 1800 on weekdays remains unaltered to ensure compliance with policy BE1.

### 2.0 PUBLIC REPRESENTATION

- 2.1 Since the committee report was prepared 3no. additional objections have been received in response to the re-consultation in respect of the amendment of the hours of operation and deliveries to/from the site until 1930hours. They can be summarised as follows:
  - The amendments and applicant comments fail to address the issue of light pollution and wildlife disturbance.
  - The application fails to identify or restrict the ultimate user of the various building on site and fails to make the case that extending the hours of operation will attract more potential tenants.
  - The choice of site adjacent to domestic properties and a residential school should require the planning restrictions to remain as originally approved.
  - The revised application does not address policy BE1 which clearly states that the Council will support development which demonstrates that there is no significant adverse impact on nearby properties by noise, dust, odour or light pollution.
  - Residents with young children will have their bed time routine disturbed and evening meals will be adversely impacted.
  - Normal business working hours are 09.00 to 17.00 and one hour either side can be demonstrated to be fair and reasonable.
  - The appropriate bunds and screens that were promised must be in place prior to any permanent work commencing.
  - Noise during development is causing disturbance.

### **3.0 APPLICANT RESPONSE**

- 3.1 The applicant has responded to concerns raised by the public relating to the planting of the bund by bringing forward the proposed timescale for planting. The applicant has advised via a plan that a stretch of 76m will be planted with semi-mature trees during winter 2018 with planting of the shrubbery and wildflowers to follow in the next appropriate planting season, which begins in March 2019 and runs until September.
- 3.2 The 76m stretch of bund runs in front of the properties on Wheat Leasows and is therefore the most relevant section of the bund in mitigating the impacts of development within Hortonwood upon the residential properties. The remainder of the bund will be planted in due course when construction of the bund has been completed.

### **4.0 OFFICER COMMENTS**

- 4.1 The original hybrid consent for Hortonwood (TWC/2015/1064) required full details of the bund to be provided under condition A10. These details, including a planting scheme, were provided and the condition was formally discharged on 27<sup>th</sup> February 2018.
- 4.2 Furthermore, the hybrid consent required a landscaping scheme to be submitted under condition A26. A landscaping scheme was submitted and condition A26 formally discharged for this phase on 23<sup>rd</sup> October 2018. The latter part of condition A26 states:
- “All hard and soft landscape works shall be carried out in accordance with the approved details prior to the occupation of any part of the relevant phase of the development or in accordance with the timetable agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years after planting, are removed, die or become in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced with others of a similar species, size and number by the end of the first available planting season.”
- The applicant’s proposed planting of the bund meets the requirements of condition A26 and establishes a timetable for planting the section of the bund that faces onto properties along Wheat Leasows. On the basis that the applicant has committed to planting semi-mature trees by the end of December 2018 along this 76m portion of the bund and the planting of remaining species will follow from March 2019 onwards, it is considered that appropriate mitigation measures have been put in place to protect residential amenity, to be completed in a timeframe that is reasonable. As such the proposed variation of condition is considered acceptable in terms of policy BE1.
- 4.3 It is proposed to remove condition A04 from the recommendation. This condition refers to a reserved matters development commencing within three years of the grant of permission. As construction of the development has already commenced this condition is null and void.

### **5.0 RECOMMENDATION**

5.1 Based on the conclusions above, it is recommended that DELEGATED AUTHORITY be granted to the Delivery Management Service Delivery Manager to GRANT FULL PLANNING PERMISSION subject to:

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

B089 Noise assessment

C089 Bund to be planted in accordance with agreed plan and timetable

D11 Hours of operation

D12 Hours of lorry operation

C38 Development in accordance with deposited plans

Informatives

I40 Conditions

I41 Reason for grant of planning permission

I32 Fire Authority