



Telford & Wrekin  
C O U N C I L

Addenbrooke House Ironmasters Way Telford TF3 4NT

## PLANNING COMMITTEE

Date	Wednesday, 24 February 2016	Time	6.00pm
Venue	The Haybridge Restaurant, Telford College of Arts and Technology, Haybridge Road, Wellington, Telford TF1 2NP		

### Enquiries Regarding this Agenda:

Democratic Services	Jayne Clarke	(01952) 383205
Media Enquiries	Corporate Communications	(01952) 382406
Lead Officers	David Fletcher – Development Management Service Delivery Manager	(01952) 384133
	Katherine Kynaston – Assistant Director: Business, Development & Employment	(01952) 384591

**Committee Membership:** Councillors J C Minor (**Chairman**), C R Turley (**Vice Chairman**), N A Dugmore, I T W Fletcher, J Loveridge, N C Lowery, P Scott and M J Smith

**Substitutes:** Councillors, G H Cook, J A Francis, K R Guy, R T Kiernan, C P R Mollett, S J Reynolds and H Rhodes

## AGENDA

1. **Apologies for Absence**
2. **Declarations of Interest**
3. **Minutes** Appendix A  
To confirm the minutes of the meeting of the Planning Committee held on 3 February 2016.
4. **Deferred/Withdrawn Applications**
5. **Site Visits**
6. **Planning Applications for Determination** Appendix B  
Please note that the order in which applications are heard may be changed at the meeting. If Members have queries about any of the applications, they are requested to raise them with the relevant Planning Officer prior to the Committee meeting.

## **PUBLIC INFORMATION**

### **Accessing Agendas, Reports and Minutes**

All public committee papers are available for inspection at Addenbrooke House during normal office hours, and also on the internet from the day of publication, accessed from the Council's website at [www.telford.gov.uk/meetings](http://www.telford.gov.uk/meetings).

### **Enquiries regarding meeting arrangements**

Please contact Democratic Services using the contact details shown on the agenda to obtain information concerning the agenda or meeting arrangements.

### **Queries on reports**

Please contact report authors prior to the meeting if you have questions on the reports or wish to inspect the background documents stated in the report. The name and telephone number of the report author is shown at the end of each report.

### **Meeting Procedures Rules and Speaking Rights**

Details of meeting procedures and the Council's public speaking policies can be downloaded from the Council's website [www.telford.gov.uk/meetings](http://www.telford.gov.uk/meetings) or by contacting Democratic Services using the contact details shown on the front page.

Terms of Reference can be viewed in the Council's Constitution which can also be downloaded from the Council's website: [www.telford.gov.uk/constitution](http://www.telford.gov.uk/constitution).

### **Representation**

Find contact details for your local Ward Councillor on the Council's website: [www.telford.gov.uk/councillors](http://www.telford.gov.uk/councillors).

### **Audio/Visual Recording of Meetings**

Members of the public are welcome to attend and observe the proceedings of all public meetings whilst in open session. The filming, recording or taking of photographs of proceedings is allowed, as well as the use of social networking and micro-blogging to communicate with people about what is happening at the meeting. These activities are subject to a protocol, which can be accessed from the Council's website [www.telford.gov.uk/meetings](http://www.telford.gov.uk/meetings).

### **Calendar of Meetings**

Dates of future meetings for all of the Council's meetings can be accessed from the Council's website [www.telford.gov.uk/meetings](http://www.telford.gov.uk/meetings).

### **Social Media**



[www.facebook.com/telfordwrekin](http://www.facebook.com/telfordwrekin)



[www.twitter.com/telfordwrekin](http://www.twitter.com/telfordwrekin)



[www.flickr.com/telford-wrekin](http://www.flickr.com/telford-wrekin)



Take Pride in your Community, report issues using the Everyday Telford app  
[www.telford.gov.uk/everydaytelford](http://www.telford.gov.uk/everydaytelford)

## PLANNING COMMITTEE

### Minutes of a meeting of the Planning Committee held on Wednesday, 3 February 2016 at 6.00pm in the Telford Suite at Shropshire College Hotel School Ltd (The Telford Whitehouse Hotel), Watling Street, Wellington, Telford TF1 2NJ

**PRESENT:** Councillors J C Minor (Chair), N A Dugmore, I T W Fletcher,  
J Loveridge, N C Lowery, P J Scott, M J Smith and C R Turley.

**ALSO PRESENT:** Councillors A Lawrence (for planning application  
TWC/2015/1082) and J M Seymour (for planning applications TWC/2015/0694 and  
TWC/2015/1110)

#### **PC-079      APOLOGIES FOR ABSENCE**

None

#### **PC-080      DECLARATIONS OF INTEREST**

Councillor N A Dugmore declared that, in respect of planning application  
TWC/2015/1082, he was one of the local Ward Members and a member of  
Donnington and Muxton Parish Council but he indicated that he had not engaged in  
any prior discussions and, therefore, he would not be withdrawing from the meeting  
for that item.

Councillor I T W Fletcher declared that, in respect of planning application  
TWC/2015/0530, he was the local Ward Member and a member of St Georges and  
Priorslee Parish Council but he indicated that he had not engaged in any prior  
discussions and, therefore, he would not be withdrawing from the meeting for that  
item.

Councillor M J Smith declared that, in respect of planning application  
TWC/2015/1119, he was a member of Hadley and Leegomery Parish Council but he  
indicated that he had not engaged in any prior discussions and, therefore, he would  
not be withdrawing from the meeting for that item.

#### **PC-081      MINUTES**

**RESOLVED** – that the minutes of the meeting of the Planning Committee held  
on 13 January 2016 be confirmed and signed by the Chairman.

#### **PC-082      DEFERRED/WITHDRAWN APPLICATIONS**

None.

#### **PC-083      SITE VISITS**

None.

**PB-084      PLANNING APPLICATIONS FOR DETERMINATION**

Members had received a schedule of planning applications to be determined by the Committee and fully considered each report and the supplementary information tabled at the meeting regarding planning application TWC/2012/0530, TWC/2015/0694, TWC/2015/1082 and TWC/2015/1110.

- (a)      TWC/2012/0530 Off Priorslee East, Gatcombe Way/York Road/Hereford Drive, Priorslee, Telford, Shropshire

The Committee was asked to consider a variation to the existing S106 agreement for this site to alter the triggers and timescales of when contributions should be paid. The proposed variations, as detailed in the report, would better reflect the size of each of the respective plots within the wider development and allow for the planning and provision of a Neighbourhood Equipped Area for Play (NEAP) on nearby Council land rather than within the boundary of plot D3 where the potential developer proposed to deliver a scheme of 100% affordable housing. An update report was tabled at the meeting to clarify that the proposals for affordable housing at Plot D3 were not included as a requirement in the S106 Agreement and there were no proposals to change existing requirements for affordable housing across the development.

Councillor V A Fletcher, the local Ward Member, spoke in opposition to the proposed changes to plot D3. She noted a lack of play facilities in the Priorslee area and sought an upgrade of the NEAP to a Multi Use Games Area (MUGA) to be sited on plot D3. She also opposed the affordable housing at the site, which she argued should be pepper-potted throughout the whole development in accordance with policy to avoid concentration in this area. She also sought confirmation of the timescale of development

The Planning Officer commented that the planning permission had been renewed in September 2014 with a requirement to submit a reserved matters application by September 2017. She noted that if Members were minded to support the upgrade to a MUGA as sought by Councillor V A Fletcher, further consultation with Parks and Recreation Officers would be required.

Members were concerned at the delay in bringing this site forward for development and the Planning Officer confirmed that the consent included conditions for a phasing plan which would be submitted by whoever sought to progress development. Some Members were concerned that this meant that developers could seek to delay payment of the S106 contributions. Members were also concerned that the proposed NEAP would be moved off the site and its location was not certain. The opinion that viability issues were caused by the high cost of the land imposed by HCA was also expressed but some Members welcomed the provision of 100% affordable housing and felt that on balance the variation was acceptable.

Upon being put to the vote, it was by a majority:

**RESOLVED – that the Section 106 Agreement relating to planning application TWC/2012/0530 be varied as follows:-**

- (a) amend triggers for education contribution of £405,000 to:**
  - (i) 5% on commencement of plot D3;**
  - (ii) 60% on commencement of plots I or F (whichever is earlier); and**
  - (iii) 35% on commencement of plots J1 or J2 (whichever is earlier).**
  
- (b) amend triggers for recreation contribution of £122,000 to:**
  - (i) £29,200 within 12 months of commencement of plot D3 (towards adoption and maintenance of the NEAP on either council owned land of plot J2)**
  - (ii) £42,500 within 12 months of commencement of plots J1 or J2 (whichever is earlier) (towards upgrade of existing NEAP on Kesworth Drive)**
  - (iii) £50,600 on commencement of plots I or F (whichever is earlier) (towards construction of a NEAP within 1,000m of the development on Teece Drive)**
  
- (c) amend location, requirement for a programme, specification and timescale for construction for the NEAP to:**
  - (i) Local authority to provide costing and design layout for location of NEAP on local authority owned land to the south of the existing LEAP or on plot J2;**
  - (ii) Prior to submission of a Reserved Matters application for plot J2 agree NEAP location with the council;**
  - (iii) Provide agreed funding, a maximum of £55,000, for construction of NEAP within 12 months of the commencement of plot D3;**
  - (iv) Agree programme, specification and timescale for construction; and**
  - (v) Construction of NEAP to be procured and completed by local authority.**
  
- (d) amend triggers for POS contributions to:**
  - (i) Provide plan, design and programme for delivery of POS of plots I and F before commencement on I or F (whichever is earlier); and**
  - (ii) Provide plan, design and programme for delivery of POS of plots J1 and J2 before commencement on J1 or J2 (whichever is earlier).**
  
- (b) TWC/2015/0694 - Halfway House, The Wrekin, Telford, Shropshire, TF6 5AL**

This was an application seeking full planning permission for residential alterations to Halfway House on The Wrekin, including installation of new timber cladding, four dormer windows, four rooflights, three windows, erection of a detached car port and an outbuilding to house a vending machine. An update report was tabled at the

meeting which detailed a consultation response received since preparation of the report.

Councillor J M Seymour, Ward Member, had requested that the application be determined by the Planning Committee. The application had been deferred at the meeting of the Committee on 13 January 2016 to enable Members to undertake a site visit which had taken place prior to this meeting.

Councillor J M Seymour spoke to support the application noting that it was a solitary house and, whilst the design was not to all tastes, she did not feel it was out of keeping with the area and noted the comments of Natural England that the application did not affect the setting of the Site of Special Scientific Interest. She considered that the property offered much needed facilities for walkers, and whilst concerns regarding the car port, vending machine and bins could be more easily addressed, significant investment in the roof had taken place and, she feared that if it was required to be removed or replaced, the applicant may find himself in such a financial position that he had to abandon the property.

The applicant, Mr S Seward, thanked the Committee for undertaking the site visit and stated that the comments he made at the previous Planning Committee stood. He considered that the visual impact of the application only affected walkers on the Wrekin. He pointed out the service offered to walkers and asked that the project be allowed to move forward.

The Planning Officer referred to the key points, comprehensively explained in the report, relating to:

- the harm caused to the dwelling by the timber cladding
- the failure of the dormer extensions to respect and reinforce the original dwelling house and failure of the dormer windows to meet building regulations
- the alien location of the vending machine and associated collection of rubbish due to a lack of bins
- the lack of evidence forthcoming regarding land stability and whether the erection of a car port would be structurally safe due to the dramatic slope of the land; and the lack of detail associated with the ground levels of the proposed car port.

She also noted that from the site visit a hip roof to the rear elevation had been replaced with a gable roof but this had not been specifically addressed in the application and needed planning consent. She went on to state that whilst investment in the site was encouraged, it was important that any development was sympathetic in this exposed site within the Area of Outstanding Natural Beauty. Members were informed of the importance of this designation, and that they had the same level of landscape quality and protection as a national park; hence why permitted development rights were limited in such areas. She reminded Members that the cost of removal of unauthorised works and the fact that this is a retrospective application should not impact on their decision, which had to be made on the merits of the application before them. In addition to outlining the issues around the proposed alterations she reminded members of the aspects set out on the site visit, in particular the location of the car port which would be set on a gradient and the issues relating to any additional fill, or excavation at this point that could adversely

affect the hillside of the Wrekin. The proposed alterations failed to meet building regulations, and in order to address these, amendments would be required which would alter the proposals currently being considered by Members. Whilst officers had tried to negotiate during the application process no amendments had ever been received.

Whilst all Members supported development at this site and concern was shared regarding the land stability for the car port, Members held polarised views regarding the timber cladding, roof and dormer extensions. Members hoped that further negotiations between the Planning Officer and applicant may resolve these issues but the Development Management Service Delivery Manager pointed out that Officers had thus far been thwarted in their attempts to negotiate with the applicant due to his lack of engagement and failure to provide any requested evidence. Although he discouraged deferral of the application the Development Management Service Delivery Manager reminded Members that if they were minded to refuse permission, negotiation could take place alongside any appeal lodged, Members were keen to provide the applicant with a final opportunity to revise the application to an acceptable standard and it was unanimously:

**RESOLVED – that planning application TWC/2015/0694 be deferred until 16 March 2016 for further negotiation between the applicant and the Planning Officers in relation to the planning considerations and issues set out in the report.**

(c) TWC/2015/0997 - Former Malinslee Primary School, Matlock Avenue, Dawley, Telford, Shropshire

This application sought full planning permission for the erection of a residential development comprising 92 dwellings on the site of the former Malinslee Primary School together with associated parking, highway works and landscaping.

Mrs J Middleton, the Council's Housing Investment Programme Manager spoke to support the application made by Nuplace, a Council initiative to build and manage more than 400 homes for the private rental market to support the delivery of the Council's long term capital investment programme by developing stalled and brownfield sites. It was hoped that the provision of a high quality landlord service would drive standards in the sector. In addition to these wider benefits, Mrs Middleton referred to viability, traffic assessment and building on the Green Network.

The Planning Officer highlighted aspects of her report relating to the Green Network, planning history, layout and density, highways, drainage and viability issues resulting in a lack of affordable housing. She also pointed out that the recommendation was to grant full planning permission rather than outline planning permission as mistakenly indicated in the report.

In response to comments regarding affordable housing, the Planning Officer advised that this application formed part of a suite of sites coming forward for development under the Council Housing Investment Programme and, with some sites returning 100% affordable housing, the total affordable housing across this programme was around 20%. Additionally, Wrekin Housing Trust were developing a nearby site as

part of the Dawley Regeneration Masterplan with 100% affordable housing in the form of much needed bungalows.

The Planning Officer offered further clarification on the exceptional circumstances which permitted development on the Green Network due to compliance with the Dawley Regeneration Masterplan which identified replacement community benefits for the loss of the playing fields and which had received the support of Sport England.

Members asked a number of further questions, to which the Planning Officer responded that a new access road would be provided in the location of the existing school entrance, the density of the development reflected the surrounding area, the site was in a sustainable location, a landscaping scheme would be subject to conditions and conditions regarding contamination were standard and did not indicate any specific problems on site.

Whilst some Members remained disappointed by the lack of affordable housing at this site, the wider benefits of the scheme were recognised and it was unanimously:

**RESOLVED** – that with respect to planning application TWC/2015/0997 the Development Management Service Delivery Manager be authorised to grant full planning permission subject to:-

- (a) continued discussions with the applicant to achieve an acceptable surface water drainage scheme
- (b) the applicant submitting a signed Memorandum of Understanding relating to: -
  - (i) Education Contribution of £165,916 (towards the expansion of Old Park School)
  - (ii) Highways contribution of £44,234 (towards the Telford Town Centre Connectivity Package)
- (c) the conditions set out in the report (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager).
- (d) TWC/2015/1082 - 10 Pine View, Muxton, Telford, Shropshire, TF2 8QX

This was a proposal for the erection of a two storey and first floor side extension and a detached games room. Councillor A Lawrence, Ward Member, had requested that the application be determined by the Planning Committee. An update report was tabled at the meeting which set out further comments received from a neighbouring objector and proposed a further condition to prevent the future conversion of the games room into living accommodation.

Councillor A Lawrence, the local Ward Member, spoke to oppose the proposals on the grounds of overdevelopment, impingement on the street scene, and the impact

on neighbouring properties. He welcomed the additional condition to restrict use of the games room.

Mr R Rees, a neighbouring resident, spoke against the proposals in terms of the impact on the street scene, overbearing on his property, future policing and enforcement of use, noise, traffic issues, disturbance during construction, not in keeping with the character of the area, permitted development rights, existing covenants and the effect on the quality of life of neighbours.

The Planning Officer referred to aspects of the report regarding the principle of development, scale and design, overlook, construction and permitted development rights. Upon request, she refreshed Members' understanding of the size of development allowed by permitted development rights.

Due to the addition of a condition to restrict the future use of the games room, the majority of Members were of the mind that the modest proposals were acceptable and upon being put to the vote it was by a majority:

**RESOLVED – that with respect to planning application TWC/2015/1082 planning permission be granted subject to the conditions as set out in the report and further subject to the condition set out in the update report tabled at the meeting.**

(e) TWC/2015/1110 - 1 Broomfield Barn, Allscott, Telford, Shropshire, TF6 5EQ

This was an application for retrospective planning consent for the erection of a detached garage. Councillor J M Seymour, Ward Member, had requested that the application be determined by the Planning Committee. An update report was tabled at the meeting which detailed two letters received in support of the application.

Councillor J M Seymour, the local Ward Member, spoke to oppose the application on the grounds that the applicant had been aware of the need for planning permission and his new neighbour had based her decision to purchase the neighbouring property on the plans for the existing permission. She contended that the existing permission made provision for adequate garage space and there had been no consultation on the revised plans which she stated impacted upon the neighbour's right to peaceful and quiet amenity.

Miss E Mackenzie, the neighbouring resident, spoke to oppose the application on the grounds that the building differed from existing planning permission and, whilst she appreciated loss of view was not a material planning consideration, she had not anticipated the current structure when she recently purchased her property based on the existing consent. She questioned the planning officer's contention that there were no habitable windows which overlooked the newly erected triple garage and considered that the increase in size and location caused noise and disturbance to her which could be exacerbated further if the use of the garage changed over time.

The applicant, Mr A Taylor, explained the work he had undertaken on site as a retirement project and apologised that he had misinterpreted guidance on the government's Planning Portal which had led to him believing planning permission

was not required for the new garage. He commented upon the lack of overlooking and presence of a boundary wall and advised that the angular stone material used for the driveway had been chosen to minimise noise when driven over. He agreed to enter into a section 106 agreement as set out in the report.

The Planning Officer noted that the principle of development had been established by a previous planning approval and also commented on scale, siting and impact on neighbouring properties as detailed in the report. She commented upon separation distances, evidencing the approved floor plans for the barn conversion and noted that the visible windows at the neighbouring property did not serve habitable rooms (ie they were not a lounge or bedroom). She pointed out that, if Members were minded to grant planning permission, the existence of the earlier planning permission meant that there would be consent for two garages at the property but that this could be rectified by the proposed section 106 agreement to rescind the previous permission.

Following a request by Members, the Planning Officer displayed the plans for the existing garage and workshop permission and contrasted these with the plans for the current building works. Whilst Members were disappointed that the application was being received in retrospect and acknowledged the points made by speakers, they considered that the application was acceptable and on being put to the vote it was unanimously:

**RESOLVED – that with respect to planning application TWC/2015/1110 the Development Management Service Delivery Manager be authorised to grant planning permission subject to the applicants/landowners entering into a Section 106 Agreement preventing the implementation of planning permission TWC/2013/0295 – Erection of a detached garage, upon the issuing of this permission and to agree not to claim compensation in the event of revocation; and further subject to the conditions set out in the update report (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager).**

(f) TWC/2015/1119 - 1 Waterloo Road, Hadley, Telford, Shropshire, TF1 5NX

This was a full planning application seeking retrospective planning permission for the creation and enclosure of an external storage area compound to the side of the 'Badhan Factory', an established industrial unit situated off Waterloo Road in Hadley. Hadley & Leegomery Parish Council had requested that the application be determined by the Planning Committee.

Councillor W A M McClements spoke on behalf of Hadley & Leegomery Parish Council to oppose the application due to its prominent location and the history of untidiness at the site which did not meet the aspirations of regeneration in the area. The Parish Council sought a condition to limit storage in the area to keep the associated car park tidy.

The Planning Officer noted that the factory was an established industrial unit and there were currently no conditions in relation to storage on the car park area and, therefore, it would be inappropriate to impose one as part of this application. The

Legal Advisor noted that the applicant appeared to be trying to alleviate storage problems with this application and that any conditions to restrict storage elsewhere on site would be vulnerable on appeal. Although Members initially considered deferring the application to seek assurances from the applicant regarding storage on the car park, this did not form part of the application before them and Members felt that it may be more prudent for the Parish Council to formalise any complaints regarding storage in the future. It was, therefore, unanimously:

**RESOLVED – that with respect to planning application TWC/2015/1119 planning permission be granted subject to the conditions as set out in the report.**

(g) W2007/1254 - Plot E, Pool Hill/Doseley Road, Dawley, Telford, Shropshire

*Cllr I T W Fletcher left the room during consideration of this application. The meeting adjourned until his return.*

The Committee was asked to consider a variation to the existing S106 agreement for this site to remove all financial contributions and affordable housing requirements to allow this site to come forward in 2016. It had previously been intended for Wrekin Housing Trust to deliver 100% affordable housing across the site, however, due to the impact of the government's budget announcement in July 2015, the Trust had decided that they could no longer progress with the scheme. Given the very high development costs associated with the site, the applicant had defined that an open market scheme would not be viable with the requirements of the current section 106 agreement and the variation was sought.

Members lamented the loss of affordable housing on this site together with the loss of play facilities and education contributions. The Planning Officer explained the viability issues and, reluctantly the majority of Members accepted that the variation was necessary in order to move development forward at the site. It was by a majority:

**RESOLVED – that the Section 106 Agreement relating to planning application W2007/1254 be varied to:-**

- (a) **remove the Recreation Contribution of £600 per dwelling (excluding one bedroom units) for improvements, enhancements, upgrading and maintaining recreation and leisure facilities at Dawley Park or within 1,000 metres of the development**
- (b) **remove the Education Contribution of £1250 per dwelling (excluding affordable housing and any one bedroom units) to primary school facilities in the vicinity**
- (c) **remove Affordable Housing Units requirement of 22.5%**

**whilst retaining the Highways Contribution of £12,000 (with indexation) towards street improvements to facilitate pedestrian movements to the Captain Webb School and Phoenix Secondary School.**

The meeting ended at 8.31pm

**Chairman:** .....

**Date:** .....

**PLANNING COMMITTEE**

**24th February 2016**

Schedule 1 - Planning applications for determination by Planning Committee

<b>TWC/2015/0505 Lower Huntington Farm, Little Wenlock, Telford, Shropshire, TF6 5AP</b> Change of use from agricultural and caravan park to plant hire storage (sui generis), conversion of 2no. brick barns to storage (building B) and offices (building D) and the erection of 2no. buildings (E and C) following demolition of existing derelict agricultural buildings, and associated 2.0m high fencing ***AMENDED DESCRIPTION, PLANS AND INFORMATION RECEIVED*** (Part Retrospective).....	<b>17</b>
<b>TWC/2015/0950 Site of Honey House, Tibberton, Newport, Shropshire</b> Outline application for the erection of 2no. detached dwellings with all matters reserved ***AMENDED PLANS RECEIVED*** .....	<b>36</b>
<b>TWC/2016/0033 Telford Town Park, Hinkshay Road, Dawley, Telford, Shropshire</b> Change of use of former coal yard to wood storage compound and erection of 2.4m high fence (part retrospective).....	<b>48</b>



## PLANNING COMMITTEE LIST OF BACKGROUND PAPERS

The Background Papers taken into account when considering planning applications on this list include all or some of the following items. Items 1 to 4 are included on the file for each individual application.

1. Application: includes the application form, certificate under Section 65 of the Town and Country Planning Act, 1990, plans, and any further supporting information submitted with the application.
2. Further correspondence with applicant: includes any amendments to the application – including any letters to the applicant/agent with respect to the application and any further correspondence submitted by the applicant/agent, together with any revised details and/or plans.
3. Letters from Statutory Bodies: includes any relevant letters to and from the Parish Councils, Departments of Telford & Wrekin Council, Water Authorities and other public bodies and societies.
4. Letters from Private Individuals: includes any relevant letters to and from members of the public with respect to the application, unless the writers have asked that their views are not reported publicly.
5. Statutory Plans and Informal Policy Documents: some or all of the following documents will comprise general background papers taken into account in considering planning applications in the administrative area of Telford and Wrekin (“Telford and Wrekin”)
  - (a) The Telford and Wrekin LDF Core Strategy (adopted December 2007)
  - (b) Saved policies of Wrekin Local Plan (adopted February 2000)
  - (c) Saved policies of Shropshire and Telford and Wrekin Joint Structure Plan (adopted November 2002)
  - (d) Saved policies of Shropshire, Telford and Wrekin Minerals Local Plan (adopted April 2000)
  - (e) Government Planning Guidance – National Planning Policy Framework and Circulars
  - (f) Town and Country Planning legislation, case law and other planning decisions and articles
  - (g) Telford and Wrekin Supplementary Planning Documents: Design for Community Safety SPD (adopted June 2008) and Telecommunications Development SPD (adopted May 2009)
  - (h) LDF Central Telford Area Action Plan (adopted March 2011 )
6. Past decision notices and reports referred to in specific reports.
7. The following additional documents (if appropriate):-

TWC/2015/0505

Lower Huntington Farm, Little Wenlock, Telford, Shropshire, TF6 5AP  
Change of use from agricultural and caravan park to plant hire storage (sui generis), conversion of 2no. brick barns to storage (building B) and offices (building D) and the erection of 2no. buildings (E and C) following demolition of existing derelict agricultural buildings, and associated 2.0m high fencing \*\*\*AMENDED DESCRIPTION, PLANS AND INFORMATION RECEIVED\*\*\* (Part Retrospective)

**APPLICANT**

Corley Plant Ltd, Bernard Corley

**RECEIVED**

05/06/2015

**PARISH**

Little Wenlock

**WARD**

Wrockwardine

**OFFICER** Libby Harper

THIS APPLICATION HAS BEEN REFERRED TO PLANNING COMMITTEE BY  
COUNCILLOR SEYMOUR

**1. THE PROPOSAL**

- 1.1 This is a full planning application seeking the change of use from agricultural and caravan park to accommodate the relocation of a plant hire storage business (sui generis). Development entails the erection of 2no. buildings further to the demolition of existing derelict agricultural buildings, one of which has already been removed from the site due to health & safety reasons, together with associated 2.0m high fencing around the majority of the perimeter of the site. The proposal has been amended during the course of the application to encompass the conversion of two brick built barns, one for the purpose of storage and the second to an open plan office, meeting room, staff kitchen and WC facilities (buildings B and D respectively, usage related to the business) further to the undertaking of more detailed ecology surveys accounting for bat related investigations.
- 1.2 The replacement new build units would be all-purpose with shutter door provision to enable access for the larger scale equipment. Proposed new building C (storage and vehicle lockdown) would be positioned closest to the neighbouring listed farmhouse, sat between the two office buildings. It would comprise a square shaped symmetrical duo pitched roof steel portal frame unit, measuring just over 22 metres wide, 21 metres long and 3m to the eaves and 8 metres high to the ridge. Vehicular access would be from the inner yard area, with pedestrian access to the eastern side towards neighbouring office building D, then from rear southern elevation through to the farmhouse.
- 1.3 Proposed new building E (used for maintenance) would be positioned towards the rear of the site at the northern edge, with vehicular access from the

eastern side onto a yard area, pedestrian access to the front and side towards the central yard and a storage area. The unit would be a shallow pitched roof rectangular steel portal framed building just over 12 metres in width, 15 metres in length, and 8 metres high to the ridge. The block plan outlines the position of the replacement buildings related to the previous units. Building C is shown almost parallel in width but set away from the road fronting barn (building B), whilst further set back in line with the neighbouring barn thus allowing for circulation. New building E would present a particularly scaled back unit being over half the width and in the region of a third shorter in length.

- 1.4 The application is accompanied by a Planning Statement, Coal Mining Risk Assessment, Ecology Report, traffic movement data for the existing site together with a Management Plan for the proposed site. The foremost document sets out the background to the proposal, relating to an existing business operation, namely Corley Plant Limited (Ltd.) cited at Doseley. The business has operated on the site for over 20 years, now needing to relocate due to anticipated redevelopment of the parcel of land entailed (benefitting from planning permission), the existing site is not owned by the applicant. Corley Plant Ltd. specialises in all types of Plant Hire (mini diggers, dumper trucks, excavators, tipper lorries, etc.) for commercial and domestic situations, generally on long term hire, as well as, providing drivers if required, also entailing repair and servicing of vehicles and machinery. The application material identifies that the business and yard will typically operate from 7.00am – 7.00pm during the summer months and 7.30am – 5.30pm during the winter months. Saturday working is generally from 7.30am – 1.00pm. The yard is generally closed during Bank Holidays and Sundays. Further, that the applicant and business use separate haulage contractors to move the plant and machinery to and from the site, with hirers using their own transport to move between sites when vehicles are on long term hire.
- 1.5 The buildings on site that are the subject of this application were originally part of the farm identified as being used in the rearing of pigs as well as dairy cattle housing. The front yard was used for silage storage and the rear yard was used as a modest scale holiday caravan park. The farmhouse was occupied until last year; however the farm yard and buildings have been vacant for a number of years and is now derelict.

## **2. SITE AND SURROUNDINGS**

- 2.1 Lower Huntington Farm sits in the small hamlet of Huntington located in the rural west of the Borough. Lawley is located 2 miles to the east, providing a number of services and facilities,, with Telford Town Centre beyond at 3.5 miles. Wellington district centre is situated 3 miles away to the north, with the

villages of Little Wenlock and Horsehay 1.0 mile to the south and east respectively. The Shropshire Hills Area of Outstanding Natural Beauty (AONB) is located in the region of 450 metres north of the site, with part of the latterly reworked UK Coal site between, this area is presently subject to restoration works (and to the west).

- 2.2 The farmhouse is a substantial detached two storey property believed to date back to the 17th Century and is a Grade II Listed Building, benefitting from a substantial side and frontage garden with parking at the rear, a small area of paddock sits beyond the garden. The farmyard and farm buildings are located to the north of the dwelling. The site is accessed via an adopted road which serves the application site and Upper Huntington Farm only, the latter being situated 100m to the west of the site. The residence of The Fold sits 140 metres to the south west, then Damson Tree Cottage 215 metres to the south.
- 2.3 The site is generally flat comprising a collection of dilapidated red brick and steel framed agricultural buildings sitting to the north of the listed farmhouse, a yard area is located beyond the buildings being part hardcore and part unsurfaced. A 2-2.5m high landscaped bund sits along the northern boundary adjacent to the UK Coal site, and together with post & wire fencing, trees and leylandii hedging, demark the boundaries of the site.

### **3. RELEVANT PLANNING HISTORY**

- 3.1 W90/0622 - Renewal of Temporary Permission for 4 Residential and 2 Touring Caravans. Full Granted 17/08/1990
- 3.2 W88/0489 - Renewal of Temporary Permission to Site Two Mobile Homes Used for Holiday Accommodation. Full Granted 07/07/1988
- 3.3 W88/0486 - Siting of a Mobile Home. Full Granted 07/07/1988
- 3.4 W86/0309 - Use of Land for the Stationing of 1 Residential and 2 Tourer Caravans for Temporary Holiday Accommodation. Full Granted 26/06/1986
- 3.5 W85/0338 - Use of Land for the Stationing of Two Living Vans for Holiday Accommodation
- 3.6 Pre-application enquiry PE/2015/0038 - Alterations to existing listed building and the change of use from redundant farm and caravan site to machinery storage and plant hire including the conversion of outbuilding to office and erection of agricultural barn for workshop/maintenance.

## **4. PLANNING POLICY CONTEXT**

- 3.7 National Planning Policy Framework (the NPPF)
- 3.8 Saved Wrekin Local Plan policies
  - UD2 Design Criteria
  - E6 Rural Employment General
  - OL11 Woodland and Trees
- 4.3 LDF Core Strategy policies
  - CS2 Jobs
  - CS7 Rural Area
  - CS12 Natural Environment
  - CS14 Cultural, Historic and Built Environment
  - CS15 Urban Design
- 4.4 Telford & Wrekin Local Plan (Publication Version, January 2016)
  - SP3 Rural Area
  - SP4 Presumption in favour of sustainable development
  - EC3 Employment in the rural area
  - NE1 Biodiversity and geodiversity
  - C3 Impact of Development on Roads
  - BE1 Design Criteria
  - BE4 Listed Buildings
  - BE9 Land Stability
  - BE10 Land Contamination

## **4. SUMMARY OF CONSULTATION RESPONSES**

Two rounds of consultation have taken place, the 2<sup>nd</sup> following the inclusion of the two brick barns proposed to be converted.

### Standard consultation responses

- 4.1 Little Wenlock Parish Council: Object  
Initial objection due to the unsuitability of the narrow road from Lower Huntington Farm for Low Loaders/Heavy Vehicles. Objection reaffirmed through 2<sup>nd</sup> consultation, identifying that there is a listed building on the site close to the proposed development; the lanes to the proposed development are too narrow to allow any turning circle for the planned traffic of 23 tonne low-loaders; that there is no highway report, and that there has been no caravan park business on the site since 1990 when the license expired.
- 4.2 Highways: Comment

Identify that the Planning department have confirmed that the existing consented use would allow the site to operate as an agricultural enterprise, which could in turn generate regular HGV and farm traffic movements over the course of a year. When considering this scenario against the proposed use of the site it is clear from the information submitted that HGV vehicle movements associated with the Plant Hire, at just 86 vehicle movements per year, would not be unusual in respect of the use of the site for farming. The use of Low Loader HGVs to transport plant is noted but the tracking footprint of such a vehicle is almost identical to that of an articulated milk tanker. Under these circumstances, the Highway Authority (HA) state that it has no grounds to recommend refusal based on the HGV movements associated with the proposals.

A concern is however expressed that they feel there is a possibility of HGVs associated with the plant hire site to route through New Works when travelling to the M54. To combat this, the HA consider advisory and directional signing is needed to inform motorists that these roads are unsuitable for heavy goods vehicles and to re-enforce the appropriate routes the low loader drivers need to take. Traffic signing and lining at the junction of Lower Huntington Farm Lane and the unnamed road between Lower Huntington Farm Lane and the Dog in the Lane is also considered to need improving in order to clearly define priority at the junction. It is also felt that a Weight Restriction Traffic Regulation Order may be necessary depending on how effective the advisory signing proves to be. The intention would be to monitor the advisory signs and if they prove ineffective, put in place a weight restriction traffic regulation order which would then legally prohibit vehicles of a certain size travelling along it.

A routing agreement is required to support the proposals above.

Conditions are requested for the timely provision of the parking, loading, unloading and turning arrangement, together with any gates set a minimum distance of 5 metres from the carriageway edge. This is in conjunction with a S106 agreement comprising:

- (i) A contribution of £5,500 towards implementation of advisory and directional traffic signing along New Works Lane, Church Hill and Dog in the Lane and signing and lining improvements to the junction of Lower Huntington Farm Lane and the unnamed road between Lower Huntington Farm Lane and the Dog in the Lane. The contribution will also cover the implementation of a weight restriction along New Works Lane and Church Hill if required.
- (ii) All Heavy Good Vehicle movements associated with the site shall be routed via Lower Huntington Farm lane, the unnamed road between

Lower Huntington Farm Lane and the Dog in the Lane, then to Dog in the Lane and Coalmoor Road (and vice versa).

- 4.3 Environmental Health Contaminated Land: Support subject to conditions  
Bearing in mind the agricultural and caravan park context of the site, which contains a number of derelict agricultural buildings, and in relation to Paragraphs 109 and 121 of the National Planning Policy Framework, the imposition of a land contamination condition is recommended should permission be granted.
- 5.4 Environmental Health Pollution Control: Support subject to conditions  
In order to minimise the impact of noise on the surrounding residents, Pollution Control suggest that a suitably worded condition to restrict the hours of use be applied to the development. After meeting with the applicant on site, it is understood that all maintenance will be carried out within a building, and advise that the LPA may also be minded to condition this.
- 5.5 Ecology: Comment  
Initially objected due to the lack of a Preliminary Roost Assessment for the buildings on site. Further to the submission of phase 2 bat surveys, Ecology comment on the proposal including identifying from the survey information that none of the buildings affected by the current proposals contain any evidence of bat roosting and no adverse impacts are expected. However, some of the buildings remain suitable to support roosting bats so works to the roofs should be undertaken carefully and by hand. Furthermore, no concerns were raised in relation to amphibians, reptiles, nesting birds, or small mammals which can be controlled through reasonable avoidance measures. No badger setts have been identified on the site, nor were any badgers found on site.
- On the basis of the above, Ecology request conditions for the development to occur in accordance with the ecology survey, the erection of artificial nesting and roosting boxes for bats, swallows and swifts, provision of a landscaping design, and provision of a lighting plan prior to the erection of any external lighting. Informatives are also requested setting out a precautionary approach for the protection of widespread reptiles, the legislation applying to the protection of bats and nesting wild birds.
- 5.6 Drainage: Support subject to conditions  
Request conditions for the submission of a scheme of surface water drainage, which shall include proposals for sustainable urban drainage; controlling the runoff produced by vehicle washing and cleaning activities to be classed as

trade effluent, and should be disposed of to a foul water drainage system, a sealed system is required for the effluent where this is not available for off-site removal as a liquid waste, or a new private foul system constructed to convey the waste to an existing foul outfall, with details to be submitted.

5.7 Arboricultural: No objection

5.8 The Coal Authority: No objection

Confirm that the application site falls within the defined Development High Risk Area; where records indicate that the site is in an area of likely historic unrecorded underground coal mine workings at shallow depth. The Coal Authority concurs with the recommendations of Coal Mining Risk Assessment; that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site.

The Coal Authority has no objection to the proposed development subject to the imposition of a condition requiring these site investigation works prior to commencement of development for:

- The submission of a scheme of intrusive site investigations for approval;
- The undertaking of that scheme of intrusive site investigations;
- The submission of a report of findings arising from the intrusive site investigations;
- The submission of a scheme of remedial works for approval; and
- Implementation of those remedial works.

5.9 Shropshire Fire Service: Comment

Advise that as part of the planning process, consideration should be given to the information contained within Shropshire Fire and Rescue Service's "Fire Safety Guidance for Commercial and Domestic Planning Applications". In this instance, a request is made for specific consideration to be given to the following: Enclosed Agricultural Buildings over 280m<sup>2</sup> Access for Emergency Fire Service Vehicles, with sufficient access for fire service vehicles to within 45 metres of every point on the projected plan area or a percentage of the perimeter, whichever is less onerous.

Neighbour representations

5.10 One neighbour representation objecting to the proposal has been received relating to the first period of consultation, no representations were received relating to the second period of consultation following the addition of the

proposed converted brick buildings. The objection raises the following summarised issues:

- Noise arising from proposal – Lower Huntington Farm same distance to workings of Huntington Lane Opencast Mine with noise reducing requirements but noise suffered significant, noisy operations entailed exceeding farm work / building work / mining site or landfill site
- Inappropriate access to the site, greater level of traffic movement and low loaders wider and heavier than tractors/lorries, vehicles in addition to farm vehicles as surrounding land still farmed, use daily with heavy farm traffic seasonal / comparatively short periods, impact stretch between end farm lane and Dog in the Lane main exit used by residents Huntington / bus service / walkers / horse riders and cyclists with issues of bends and context of contractor drivers, poor condition road surface
- Out of date Google Earth imagery fronting application
- Risk of pollution through water disposal – understood mine development unable to proceed with plans for washing machinery on site because of concerns relating to water disposal, site near to brook subject to previous flooding due to blockage by waste materials, no information as to disposal of waste other than waste oil to be disposed of by specialist contractor
- No mention made restriction on hours of operation
- Plant hire not a rural business per se, better location for proposed development in Telford
- No reference to job creation with reference to business expansion, if intended then transport and environmental concerns expand
- Request for conditions if approved - environmental conditions similar those specified for the recent mining operations i.e. no vehicle movements in or out of the site or maintenance operations on the site outside of the hours 07:00 to 17:00 Monday to Friday and 07:00 to 13:00 on Saturday with no movements or maintenance from 13:00 Saturday to 07:00 Monday and on Bank Holidays together with such other conditions as are necessary to minimise noise and avoid pollution to water courses.

## **5. PLANNING CONSIDERATIONS**

5.1 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:

- the principle of change of use at this site
- the impact on the character and appearance of the area
- Highway safety
- , The impact on the living conditions of neighbours and

- Drainage
- Ecological factors
- Other matters

The principle of change of use at this site

- 6.2 The economic role of the planning system is notably emphasised in the NPPF, contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation (paragraph 7.) Significant weight should be placed on the need to support economic growth through the planning system (paragraph 18.) including supporting existing business sectors, taking account of whether they are expanding or contracting (paragraph 21.). Section 3 of the framework is specifically dedicated to supporting a prosperous rural economy seeking to support the sustainable growth and expansion of all types of business and enterprise in rural areas both through conversion of existing and well designed new buildings.
- 6.3 Local policy CS2 gives emphasis to meeting the needs of existing businesses whilst minimising the impact of new development on existing uses, the environment and local amenity. Policy CS7 defines that development within the rural area will be limited to that necessary to meet the needs of the area focussed on the settlements of High Ercall, Tibberton and Waters Upton, outside of these settlements being limited and within the open countryside will be strictly controlled. Saved Wrekin Local Plan policy E6 identifies that development must be related to local agriculture or forestry or assist in the diversification of the rural economy; be of an appropriate scale, type and design sensitive to its location; located in existing rural buildings a) in or adjacent to a settlement or b) within a farm unit for purposes of farm diversification, or c) to enable, where appropriate the expansion of an existing employment use, with development in the open countryside strictly controlled. The emerging Telford & Wrekin Local Plan is also a material consideration, which has recently been published under regulation 19; this reflects the Councils priorities and strategy for development in the Borough based on appropriate evidence and therefore some weight should now be attached to this. Policy SP3 sets out this spatial strategy for the rural area, directing development to previously developed land, and the delivery of employment through policy EC3. Policy EC3 supports the creation of new employment development in the rural areas where it involves the re-use of previously developed land and sets out the criteria for this including the development assists in the diversification of the rural economy, the capacity of the highway network and an appropriate business case.

- 6.4 The proposal relates to the vacant Lower Huntington Farm comprising the Grade II listed farmhouse and neighbouring farmyard with 2no. brick built single storey barns and 2no. double height steel portal framed buildings, one of which has been demolished due to health & safety reasons. The proposal would bring back in to active use a property in a poor state of repair for an established form of business (having been operating in Telford for over 20 years with a keenness to stay within the Borough where he has a successful client base, family ties and connections). Provision here would enable a consolidated live-work operation with the applicant as business owner (and his family) to reside in the farmhouse, notably proposed to be renovated, with the co-ordination of the business operation taking place in the converted brick built barns in office/WC and storage use at a relatively modest level, and usage can be tied to the plant business. The storage and practical management of the machinery fleet would then arise in the proposed new replacement buildings and yard areas, securing the jobs of the existing 12 members of staff. Whilst subsequent sections of this report deal with the design and technical implications of the proposal, Officers are satisfied that the principle of development in supporting the relocation of an established local business and related to the diversification of the rural economy is supported in this location by both national and local planning policy.

#### The impact on the character and appearance of the area

- 6.5 Lower Huntington Farm sits in an elevated position in the wider landscape, and whilst much of the site is screened by established stretches of leylandii trees, there are elements of the site that are visible in the wider landscape. This application also necessitates consideration to the impact of the proposal on the setting of the neighbouring listed building. Amendments to the scheme have been sought in both respects, the storage areas of the site have duly been divided into zones relating to the height of equipment. It is proposed that larger equipment be positioned at the rear of the site adjacent to the existing 2-2.5 metre high bund, comprising equipment up to 4.3 metres (typical height for the larger 25 ton excavator), with a low & medium equipment zone also at the rear in the north western corner at a maximum of 3 metres, flanked by a mix of the bund and a proposed mixed species native hedge. A medium equipment storage area is indicated in the north eastern corner, to a maximum of 3 metres, which would then be flanked by the existing bund on one side and proposed mixed species native fencing on the eastern side. A low level equipment storage zone is proposed adjacent at the south eastern edge of the site closest to the listed building and where views to the wider landscape towards Lawley are evident with a maximum height of 2.5 metres for equipment stored. This zoning seeks to minimise any potential visual impact of the development on the wider landscape, and it is acknowledged that the scale of the equipment entailed shares parallels with what could well

be present on a modern agricultural unit. The staff parking area has also been further defined through the amendments and located at the western frontage of the site with a presence of existing landscape.

- 6.6 Officers also note the emphasis of the business is to have limited equipment present on site, focussed around maintenance works when on-site repairs are not possible by mobile mechanics, and severe in nature thus requiring more specialist attention. This is together with the festive season where numbers tend to be greatest, with sites utilising the plant mostly shutting down. Vehicles on site are off-hire and not generating income; the applicant typically operates within the Midlands area and Welsh Borders due to logistics in servicing and management of the machinery and plant.
- 6.7 Notwithstanding this limited context, a need to make revisions to the boundary treatment has been taken forward by the applicant further to concern by Officers as to proposed provision of palisade fencing and a palisade gate to the western yard area. Alternatively, a form of paladin mesh fence with planting to the outer edge, together with a revised powder coated framed gate with finials is now proposed. This is considered to be more sympathetic with the setting of the site adjacent to the listed building, whilst appreciating a desire for improved security related to the use. Whilst these revisions stepping away from palisade form are welcomed, further amendment is required immediately adjacent to the listed building, with 2.0 metre high close boarded fencing and matching gates suggested and is not considered to represent a sufficient enhancement and would be duly controlled through a landscaping condition.
- 6.8 Provision of the new buildings (C and E) will improve the appearance of the site, providing alternative business accommodation to replace particularly dilapidated structures. The design, scale and materials are in keeping with the setting of the site, block work dado walls would be clad with olive green profiled sheeting with contrasting moorland green trims and fascias, with asymmetrical roof goosewing grey profiled sheet cladding interspersed with 10% translucent sheeting to provide natural lighting. The north elevation of Building C would have four 4.0m wide by 5.0m high roller shutter doors to allow access for large vehicles, with a further two on the east elevation of Building E. Officers are satisfied that the new buildings fundamentally adopt the appearance of modern agricultural buildings set between the existing brick built office units or the rear landscaped bund. The scale, massing, form, density, orientation and layout together with the proposed materials therefore accord with the requirements of policy UD2. Further, that they will provide an enhancement to the site whilst helping to meet the needs of an existing business in line with policy CS2 and a limited context of development according with CS7.

- 6.9 The two brick built farm buildings are showing signs of wear and tear, including broken windows, missing roof tiles, and overgrown with vegetation. The intention is to make good with the inclusion of replacing areas of translucent roof sheeting with roof tiles, thus enhancing the building with the use of traditional materials in line with policy UD2 and in keeping with the setting of the listed building as per the emphasis of paragraph 129. of the NPPF. The proposed conversion would ensure the future of the buildings related to an employment use, and at a point prior to becoming in too poor a state of repair to warrant conversion. Again the function of the buildings would help to meet the needs of an existing business in line with policy CS2.

#### Highway Safety

- 6.10 The nature of the business operation necessitates the movement of large scale equipment e.g. excavation machines, on HGV low loaders. As part of this application evidence has been submitted defining the level of movements attributed to the existing business at Doseley which this site seeks to replace. Evidence has been provided of the traffic movements during the period July 2014 – June 2015 in terms of traffic movements associated with either returning plant to the yard or taking plant to site. The summary of the assessment from invoiced payments shows 43 one way movements, equating to 86 movements overall over the course of the year.
- 6.11 Traffic figures have also been provided in association with the neighbouring farm – Upper Huntington Farm, and Lower Huntington Farm itself when working, to show typical traffic use that could be generated from agricultural activities. Noting the dairy unit context of each, the milk collection alone would typically equate to 365 HGV movements one-way, with other movements associated with feed deliveries and unlimited tractor and trailer movements 7 days per week tending and preparing the ground for crops, harvesting and the movement of stock. Specific coverage of the caravan park context is not provided, the planning history of the site indicates a maximum of four residential and two touring caravans being approved.
- 6.12 At the request of the LPA, a Management Plan has been submitted in order to demonstrate the controlled management of the site – including traffic movement and zoning arrangements to ensure that the site has minimal impact on the locality. In respect of the former, the plan affirms that managed receipt of vehicles attending the site would arise by the applicant; they would then have good space to drive on to the site, make deliveries or collections and leave in a forward gear. Close control by the applicant of the timing for these journeys would mean that the business and the traffic generated by the site would have minimal effect on the highway network. The overall traffic

movements indicated would be significantly less than those evidenced with the former uses of the site. The consultant who prepared the plan sees no reasons why the business will not continue in the same pattern irrespective of an alternative base and site.

- 6.13 The Highways Authority have commented on the scheme, appreciating the level of movements would not be unusual in respect of the use of the site for farming, and the tracking footprint evidence provided. A highways report has not been requested acknowledging the objection of the Parish Council, with use specific level of movement evidence provided and a Management Plan. Nonetheless, they do have concern around the scheme, focussing on a possibility of HGVs associated with the plant hire site routing through New Works when travelling to the M54. In response, a request is made for a S106 agreement for a package of highway measures comprising advisory and directional signing to inform motorists that a number of specific roads are unsuitable for heavy goods vehicles and to re-enforce the appropriate routes the low loader drivers need to take; together with improved traffic signing and lining in the locality in order to clearly define priority at the junction; and, a routing agreement.
- 6.14 The need for the S106 has been questioned by the applicant. The LPA concur that in this instance an alternative line of mitigation is required and that the request does not satisfy the tests for planning obligations as set out in the NPPF and CIL compliant in being necessary to make the development acceptable in planning terms, whilst also being fairly and reasonably related in scale and kind. Specifically, the LPA is mindful of the agricultural use that could be initiated on the site. Whilst the existing buildings are in a poor state of repair, and likely necessitating replacement provision which would require planning permission due to proximity to the listed farmhouse, the LPA would be likely minded to support provision to aid the farming enterprise, meaning daily and seasonal HGV movement to and from the site could arise. The nature of such movements would be similar in that comprising a mix of daily farm specific HGVs, and recurring collection/deliveries, with the same potential concern of routing through New Works. Thus a routing agreement is deemed appropriate, but would be controlled through condition. This would then work in conjunction with a personal permission related to Corley Plant that the applicant is willing to accept, again reinforcing the nature of the property as a live-work proposition whilst accounting for potential future change in ownership.
- 6.15 The LPA have suggested to the Highways Authority that the routing agreement be conditioned alongside the conditioning of offsite works to improve the junctions and signage in the vicinity of the site at the end of the track to Lower Huntington Farm and at the northern end of Dog in the Lane

only. The Highways Authority advises that the full S106 requirements requested are necessary, they have identified that were the LPA minded to remove the Traffic Regulations Order, then the contribution would be reduced to a minimum fee of £3,500 secured through a S106 agreement.

- 6.16 On balance, the LPA consider that the historic and potential use of the site for agricultural purposes would extend beyond the level of HGV traffic to be generated through this development. This is a fundamental determinant as to what form of request can be made in terms of expenditure by the applicant and what in turn it addresses. Here a measure of control over the route is deemed acceptable through condition to ensure the most appropriate access of the site is utilised. The application relates to a specific business operator (family run business) with the applicant residing on site and for whom it is in their interests for transportation of equipment to be managed and not diverge from the approved position. The road lining at the above locations is showing evidence of wear and tear that would in turn be worsened through the development, thus localised improvements to clearly define priority at the junctions, together with signage to reinforce the appropriate route, represents a clear link with the proposal and is proportionate to the development entailed. Officers therefore recommend the imposition of a condition for a scheme of works to be submitted for road lining and the installation of signage addressing the route to be taken by HGVs serving the development up to £1,000 to be implemented by the applicant – who is agreeable to this position.

#### Implications to Residential Living Conditions

- 6.17 Paragraph 123 of the NPPF directs planning decisions to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development; mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions; recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established.
- 6.18 In such a respect, the potential impact of the development in terms of noise and the impact on the living conditions of neighbours raises similar issues as to the highways context with consideration of the historic and consented use being material to the nature of the current proposal. Fundamentally, the noise or activities would be comparable to those as if the site was operating as a working farm with unrestricted 24/7 hours of operation. Environmental Health has requested a condition to restrict the house of use to be applied to the development, which the applicant has questioned the need for this condition. Assuming all the maintenance work is carried out within the buildings, and an

appropriate condition is in place to control this, the proposal will result in the only external noise being associated with the vehicle movements; Environmental Health have therefore confirmed that they are satisfied that the proposal will not have an adverse impact and that the hours of use to be unrestricted; however it is considered reasonable to control highway movements into and out of the site to ensure these are not unneighbourly, and remain in a similar vein to that of a farmstead, which can be reasonably controlled through condition.

- 6.19 Bearing in mind the distances entailed with residences exceeding 200m away, with the exception of the applicant's own property and Upper Huntington Farm (170m+) which is in itself a generator of noise with unrestricted operational hours, the site is unlikely to create any significant adverse impacts in respect of noise or disturbance subject to conditions controlling the location of maintenance and repair works to equipment recognising the neighbour representation. The new buildings have been designed at a scale to accommodate the range of equipment operated by the business with Building E proposed for maintenance, including provision of roller shutter doors for ease of access.

#### Drainage

- 6.20 The application identifies the means of disposing foul sewage as unknown and surface water to soakaway, with vehicle access and hardstanding as concrete and stone. In turn, Drainage have requested the submission of a scheme of surface water drainage, together with any runoff produced by vehicle washing and cleaning activities to be classed as trade effluent and in turn disposed of to a foul water drainage system, and where not available, the effluent should either be stored in a sealed system with details to be submitted; this recognises the neighbour concern as to potential pollution to the local water environment. As the scheme now includes the provision of new staff facilities, it is felt appropriate that details of both the foul and surface water system be requested to ensure a satisfactory drainage approach is available and meet requirements of CS13 to avoid the increasing the risk of flooding.

#### Ecological implications

- 6.21 The proposal entails redevelopment of a number of vacant buildings, there is a presence of wildlife refuge areas including an area of tyres, and proximity of the site to a number of ponds, in turn necessitating the assessment of a number of ecological species to take place and survey work submitted. With the exception of evidence of nesting wild birds, potential roosting opportunities for bats and refuges for amphibians, presence of voles within a patch of

grassland and passage of badger and deer through the area, no evidence of bats/amphibians/reptiles/badger setts were present on site. A number of recommendations were made through the Ecology reports submitted, a number of these have been taken forward by the representation of Ecology. These conditions seek to ensure the protection of wildlife during the construction phase of the development, to mitigate the potential loss of nesting and roosting opportunities, to provide enhanced landscaping, and ensure any new lighting would not impact on bats. Such measures are considered to be in keeping with the location of the site and the form of development entailed, in turn the protection of biodiversity as required by policy CS12 is deemed to be achieved. This policy requires the protection of the natural environment in the wider sense with the existing mature trees retained through development, further according with policy OL11.

### Other matters

- 6.22 Reference is made to the Google Earth imagery affronting the Planning and Design & Access Statement as being out of date. This is appreciated but the statement is clear that the previous use – including the caravans as present on the imagery have vacated the site, with the recommendation to Members based upon a visit to the site with an appreciation of the altered context from that shown to depict the location of the site. 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. CONCLUSIONS**

- 7.1 It is considered that the proposed development complies with Government guidance in that it represents a sustainable development proposal for a derelict brownfield site within the rural area. The business will contribute to the local economy by allowing the applicant to stay in Telford, the relocation of the well-established business will ensure the continued employment of the existing staff and will provide a live-work opportunity for the applicant. The investment in the site will ensure the future of the listed farm house, and the associated vehicular movements are no more significant than if the use was as a working farm. There will be no adverse impact upon the adjacent land uses and the removal of the derelict buildings and the tidying up of the site will result in a positive impact upon the visual quality of the area and the setting of the listed building. Through the use of appropriate conditions the proposal will not pollute the environment, adversely affect residential amenities nor adversely affect any protected species. Accordingly it is considered that proposal is in accordance with the principles set out in the NPPF, adopted local plan, and the emerging local plan.

## 8. 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):

1. A04 - Time Limit – Full
2. A08 – Personal Permission
3. B011 – Samples Materials
4. B049 – Scheme of signing and lining undertaken by applicant
5. B050 - Shallow mineworking
6. B057 - Land contamination
7. B061 - Foul and Surface Water including details of disposal of effluent generated from vehicle washing and cleaning activities
8. B121 - Landscaping Design
9. B149 - Lighting Plan
10. Bcustom - Routing plan
11. C13 - Parking, loading, unloading and turning
12. C16 - Gates
13. C091 - Works in accordance with ecological survey
14. C109 - Erection of artificial nesting/roosting boxes
15. DCustom - No onsite maintenance / repairs of plant hire equipment outside of Building E or C
16. DCustom - Maximum height equipment storage zones as per Site Management Report and Proposed Site Plan A.03 Rev. C
17. Dcustom - Hours of operation – HGV vehicle movements into and out of site 07.00-19:00 Monday –Saturday

Informatives

I23 Bats

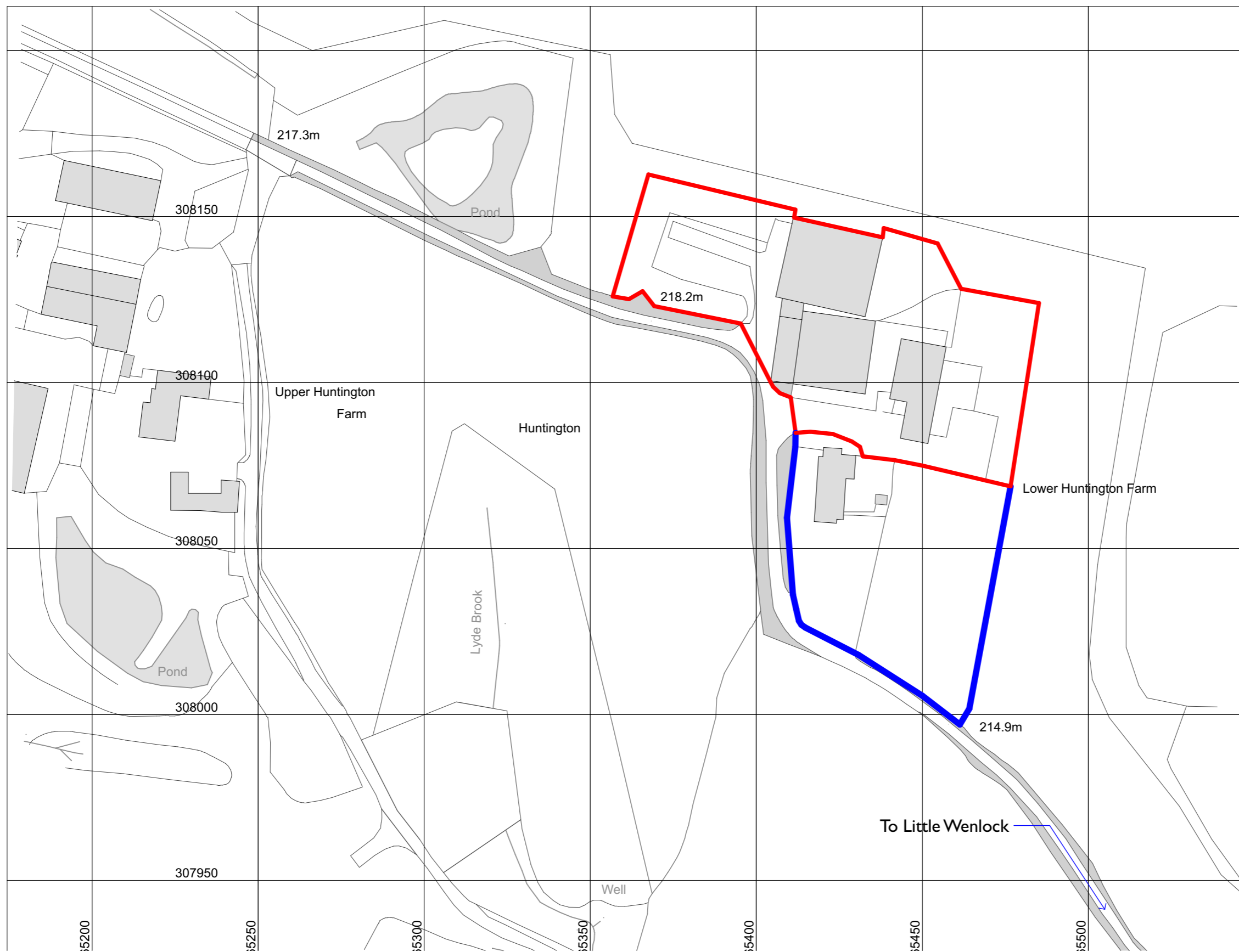
I25a Nesting birds

I32 Fire Service

I40 Conditions

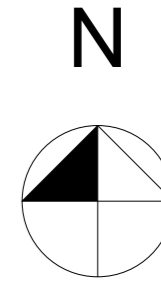
I41 Reasons for Grant of permission

RANPPF1 Approval NPPF



**NOTE**

1. Do not scale this drawing
2. All dimensions to be checked on site and any discrepancies to be reported to Gareth Hickman Architectural Limited immediately
3. Any indication of services is approximate only and full investigation should be carried out on site prior to commencing the works
4. It is the responsibility of the contractor to comply with building regulations whether or not wholly depicted on this drawing
5. To be read in conjunction with any specialist Structural, Geotechnical or Mechanical design by others.



W-01

**Existing Site Plan**

1:1250

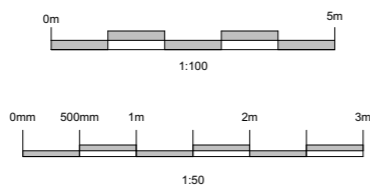
Revisions	Date	Desc.

PLANNING ISSUE

A3

This drawing and the works depicted are the copyright of Gareth Hickman Architectural Limited and may not be reproduced or amended except by written permission. No liability is accepted for amendments made by other persons.

Scales:-

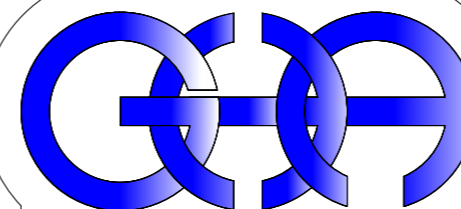


The Poplars  
Lightmoor,  
Telford,  
Shropshire,  
TF4 3QN

t) 01952 590039  
info@garethhickman.co.uk



Chartered Institute of  
Architectural Technologists



GARETH HICKMAN ARCHITECTURAL LTD

Client Corley Plant

Project Proposed Business Relocation

Drawing Site Location Plan

Scale 1:1250@A3 Date 18/05/2015 By A. Hudson

Checked

Proj. Ref #Pln Dwg No. A.01 Rev. A

[www.garethhickman.co.uk](http://www.garethhickman.co.uk)



TWC/2015/0950

Site of Honey House, Tibberton, Newport, Shropshire  
Outline application for the erection of 2no. detached dwellings with all matters reserved \*\*\*AMENDED PLANS RECEIVED\*\*\*

**APPLICANT**

Les Harris

**RECEIVED**

14/12/2015

**PARISH**

Tibberton and Cherrington

**WARD**

Edgmond and Ercall Magna

**OFFICER** Marie Smyth

**1. THE PROPOSAL**

- 1.1 The application seeks outline consent for the erection of two dwellings on land at Honey House, Cherrington Road, Tibberton. All matters relating to access, appearance, layout, scale and landscaping will be dealt with later at the Reserved Matters stage.
- 1.2 The indicative site layout illustrates two detached, two storey dwellings. Plot 1, to the front of the site, would be located on a lawned area adjacent to Cherrington Road and accessed via a new driveway. Plot 2 would be to the side of the existing Honey House, which currently comprises garden land, a drive and a garage/workshop/store. This proposed dwelling will share the existing access. Following comments from a neighbouring resident during the application process the site boundary has been amended to exclude a piece of land that was incorrectly identified as being within the applicant's ownership.
- 1.3 The application is accompanied by a Planning Statement, Phase 1 Environmental Survey and an Arboricultural Report.
- 1.4 A provisional enquiry was submitted for the development of the site for two dwellings where the principle of the proposal was supported subject to the scheme being of an appropriate design. The applicant's attention was also drawn to the location of three trees within the site subject to a Tree Preservation Order.

**2. SITE AND SURROUNDINGS**

- 2.1 Tibberton is a village to the north of Telford and approximately 5 miles to the west of Newport. The village benefits from a shop, church, primary school, public house and a bus service.
- 2.2 The application site is located to the west of the village along Cherrington Road, within a short walking distance of local services and facilities. To the north of the site is Honey House, an extended Duke of Sutherland property. Directly to the north of this property is a strip of land which is classed as garden following the grant of a planning application in 2005 to change the use

from agricultural land. This area of land includes a row of sheds and outbuildings and also extends to the west of the property, just beyond the applicant's existing garage. Beyond this to the north and west is further land within the applicant's ownership, laid out as a paddock. There is no formal boundary between the garden land and paddock. Beyond this to the north, east and north west is agricultural land. Cherrington Road is located to the south east with the boundaries of neighbouring bungalows and gardens to the south west of the site. The neighbouring dwelling to the south west is The Brambles, identified on the application site plan as 'New Bungalow'.

- 2.3 The site wraps around the east, south and west of Honey House. The site comprises residential curtilage, both originally associated with the host property and a small section to the north west which was granted planning permission to change to garden from agricultural land. The site is relatively flat and the existing garage/outbuilding to the north west is proposed to be removed to accommodate plot 2. There are three TPOd trees within the site; a Sycamore located to the south, adjacent to the road, and two Common Oaks located to the north east corner of the site. There is a Leylandii hedge to the front boundary with the road which continues round to the east of the site.

### **3. RELEVANT PLANNING HISTORY**

- 3.1 W2005/1413: Change of use from agricultural land to garden land. Full Granted 11/01/2006.
- 3.2 W98/0533: Erection of a single storey extension and new chimney to the rear of existing property. Full Granted 124/07/1998

### **4. PLANNING POLICY CONTEXT**

- 4.1 National Guidance:  
National Planning Policy Framework
- 4.2 Telford and Wrekin Core Strategy:  
CS1 Homes  
CS7 Rural area  
CS9 Accessibility and Social Inclusion  
CS15 Urban Design
- 4.3 Saved Wrekin Local Plan:  
H9 Location of New Housing  
H10 Scale of Development  
UD2 Design Criteria
- 4.4 Telford and Wrekin Local Plan (Publication Version):  
SP3 Rural area  
SP4 Presumption in favour of sustainable development  
HO10 Residential Development in the Rural Area  
BE 1 Design Criteria

## 5. SUMMARY OF CONSULTATION RESPONSES

### Standard consultation responses

- 5.1 Tibberton & Cherrington Parish Council: Object
- Design of two storey houses among a row of bungalows is out of keeping.
  - One of the houses will be built too close to the road.
  - Next to an open field and open countryside and cannot be considered infill, contrary to policy H10 of the Wrekin Local Plan.
- 5.2 Drainage: Support subject to conditions  
Condition to require a surface water drainage scheme, including details of the location of soakaways and soakaway tests.
- 5.3 Highways: Support subject to conditions  
No objection in principle subject to a S106 contribution and conditions. The S106 relates to a contribution of £500 per dwelling towards a Traffic and Speed Management Scheme on the B5062 within the vicinity of the Back Lane/ B5062 Junction. The requested conditions require details of means of access and visibility splays, as well as areas for the parking, turning, loading and unloading of vehicles. Details of the design and construction of any new roads, footways or accesses are also required and the means of surface water drainage disposal. An informative is also requested advising the applicant of the duty to obtain a Section 184 licence to construct the new access.
- 5.4 Ecology: Support subject to conditions  
The application must be considered under the Habitats Regulations Assessment process in order to satisfy the Local Authority duty to adhere to the Conservation of Species and Habitats Regulations 2010 (known as the Habitats Regulations) since it is within 10km of the European Designated Site at Aqualate Mere Midland Meres and Mosses Ramsar Phase 2. Planning permission can only legally be granted where it can be concluded that the application will not have any likely significant effects on the integrity of any European Designated site. In this case it has been concluded that there will be no likely significant effect and no effect on the integrity of the European Designated Site from this proposed development. The assessment has been attached to the application file.
- Conditions have been requested relating the submission of an ecological survey, erection of artificial nesting/roosting boxes and a lighting plan, with recommended informatives providing advice on bats and nesting wild birds.
- 5.5 Arboricultural: Comment  
Conditions requested relating to the submission of a tree protection and removal plan, a landscaping scheme, specification for the drive adjacent to T2 (a TPOd Sycamore) and use of 'no dig' technologies.
- 5.6 Shropshire Fire Service: No comment

### **Neighbour consultation responses**

5.7 Following consultation with neighbouring residents, both originally and on the revised plans amending the site boundary, 1 letter of objection and 3 with comments have been received, which are summarised as follows:

- Residential noise and noise from vehicle movements
- Overlooking and loss of privacy.
- Impact on character of Honey House.
- Two storey properties out of keeping with character of the area.
- Consideration needed regarding proximity of proposal to the road, to ensure that it doesn't appear unduly prominent.
- Scale and design should blend in as much as possible.
- Removal of hedge will make plot 1 more visible.
- Increased road traffic.
- Sewer system not sufficient for more dwellings.
- Tibberton school is at full capacity.
- Houses are not affordable.
- Borough has exceeded the required housing quota.

5.8 The following, non-material matters have also been raised:

- Impact on view.
- Poor broadband connectivity.

## **6 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
- Suitability of site
- Impact on character and appearance of the area
- Impact on living conditions of neighbouring properties
- Access and highway safety
- Trees
- Ecology
- Drainage

### **Principle of development**

6.2 Telford and Wrekin Council now has in excess of a 10 year housing land supply (*Telford and Wrekin Five Year Housing Land Supply Statement 2014-2019*). This position has previously been considered by an Inspector at an appeal in Tibberton to be credible, up to date and that it presents 'a cogent argument that it [the council] can currently demonstrate a five year housing land supply'. This is therefore sufficient to demonstrate that, in accordance with paragraph 49 of the National Planning Policy Framework (NPPF), the council's housing land supply policies are up to date and that 'housing applications should be considered in the context of the presumption in favour of sustainable development'. A neighbour has identified the council having a sufficient housing supply as grounds for objection. However, it should be

noted that this it does not restrict the approval of any further applications in appropriate locations.

- 6.3 The relevant development plan policies to consider are policy CS7 of the Core Strategy and saved policies H9 and H10 of the Wrekin Local Plan. Policy CS7 states that within the rural area residential development will be focussed on the three settlements of High Erroll, Tibberton and Waters Upton. Directing development to these three rural settlements, that offer rural residents a number of key local services and facilities, should help sustain rural communities. By focussing housing, employment, and service and facility development within these settlements, a pattern of development should be created that maximises the accessibility of services and facilities to rural residents, whilst reducing the need to travel by car and enhancing local identity and character. The emerging Telford & Wrekin Local Plan (Publication Version) can be afforded some weight
- 6.4 Policy H9 of the Wrekin Local Plan is acknowledged by officers to be somewhat subservient to CS7 as it is older and less strategic. However, it also includes Tibberton within its list of suitable settlements. Policy H10 then goes on to state that, within suitable settlements, development will be permitted where the development does not cause the loss of an important area of open space, nor cause an extension into open countryside.
- 6.5 It should also be noted that Policy H010 of the new Telford and Wrekin Local Plan (Publication Version) relates to residential development within the rural area and retains Tibberton as one of the key settlements where limited amounts of infill will be allowed.
- 6.6 The site is therefore located within a suitable settlement as identified within the adopted Local Plan and Core Strategy, and also within the publication version of the new Local Plan. Paragraph 55 of the NPPF reinforces that sustainable development within the rural area should be supported. In a similar vein policy CS9 aims to improve social inclusion and accessibility by making sure that everyone is afforded reasonable opportunity to access homes, work, schools, recreation facilities, food shops and other key services. The application site is within walking distance of the hub of the village where a local shop, school, church and public house is located in addition to a daily bus service. Tibberton is therefore considered to be a sustainable settlement. Accordingly officers conclude that, in principle, a development for two dwellings on this site can be supported subject to the further consideration of the requirements of Wrekin Local Plan policies H9 and H10, Core Strategy policy CS7 and emerging policies SP3, SP4 and HO10 and other materials considerations.

**Suitability of site**

- 6.7 The Parish Council has objected to the application considering that the site cannot be considered infill development as it is adjacent to open countryside, and is therefore contrary to policy H10 of the Local Plan.

- 6.8 The application site is classified as garden land. This is predominantly that originally associated with the curtilage of Honey House and also includes a section of land to the north west of the site which was granted planning permission for the change from agricultural land to garden land. It is therefore considered by officers that the proposed site would not extend into the open countryside but is within the confines of the residential curtilage.
- 6.9 The agent's supporting statement considers that 'neither plot would encroach into open countryside, but instead, would be within the curtilage of the existing house and within the recognisable physical and visual confines of the settlement'. Officers concur with this position and that the proposal would be viewed in the context of the existing built development adjacent, specifically Honey House and The Brambles. Officers also consider that there is an apparent line of development created east to west by the rear of Honey House. If this line is continued the proposed dwellings would not extend beyond this, maintaining the open paddock beyond. It is also worth noting that a strip of land classified as garden land is retained for Honey House along much of the north boundary of the site and Honey House itself. This provides a buffer between the paddock, which in turn provides a buffer between the development and the open agricultural land beyond.
- 6.10 There is also a clear visual divide to the east boundary of the site by the existing boundary hedge, which serves as a defined end to development and the countryside beyond. The site is therefore considered to be appropriate and not encroaching into the countryside and is in effect an 'infill' site and is suitable under Local Plan policies H9 and H10, Core Strategy policy CS7 and emerging Local Plan policies SP3, SP4 and HO10.

**Impact on the character and appearance of the area**

- 6.11 The detailed design of the dwellings will be considered at the later, reserved matters stage although the indicative layout submitted demonstrates the likely position of two detached dwellings; plot 1 fronting the road with plot 2 towards the rear of the site. The supporting statement advises that these would be two storey with integral garages. Concern has been raised by The Parish Council and some neighbours regarding the proposed dwellings being out of character with the neighbouring bungalows, with plot 1 being too close to the road and the removal of the hedge making it more prominent. It is also considered that the proposals would impact upon the character of Honey House. Conversely some neighbours have not raised specific objections on these grounds, instead commenting that consideration should be given the proximity of the proposal adjacent to the road to ensure that it does not appear unduly prominent and that the scale and design of the dwellings should blend in as much as possible.
- 6.12 Officers are satisfied that the site can adequately accommodate two dwellings, with the appropriate levels of parking and garden land, which would not be unacceptable within the context and character of the surrounding area. While the adjacent street frontage to the south west of the site presents bungalows (The Brambles, Aura Dene and Larkswood), Honey House is two storey, as are properties on the opposite side of the road. Therefore it is

considered that appropriately designed two storey dwellings would be acceptable in this location and within the context of the wider area, without detriment to the character or appearance of the village.

- 6.13 Plot 1 would front the road with the indicative layout suggesting a similar set back to the adjacent bungalows. The hedge to the front boundary will be removed to provide a street frontage for this plot. Officers do not consider that, in principle, plot 1 would have an unacceptable relationship with the street. Officers also do not consider that the proposal would have an unacceptable impact on the character of Honey House, which will retain a sufficient curtilage.
- 6.14 It is therefore considered that appropriately designed dwellings could be accommodated on the site which would not cause undue harm to the quality of the local environment, although this would be considered fully at the reserved matters stage against the requirements of policies UD2, CS15 and also BE1 of the new Local Plan.

#### **Impact on the living conditions of neighbours**

- 6.15 The indicative position of plot 2 to the rear of the site suggests an L shaped dwelling with a section located opposite the side boundary with neighbouring The Brambles. The boundary is defined by an approximately 2.3m high conifer hedge. This neighbouring bungalow is located forward within the plot, towards Cherrington Road to the south east, and the proposal would therefore sit principally adjacent to the bottom of The Brambles rear garden. The bottom of the garden of the neighbouring Gable End is also adjacent. Given these relationships and that the indicative position suggests the dwelling would be over 25m from neighbouring properties, officers are satisfied that there would be no unacceptable impact on the privacy of The Brambles or Gable End. It is also not considered that these properties would be unacceptably impacted through loss of light or the proposal appearing overbearing.
- 6.16 The dwelling within plot 2 has a close relationship with the host property, Honey House, at a right angle to the side elevation. However, officers are satisfied that at reserved matters stage a dwelling could be suitably designed that would not adversely impact on Honey House through loss of light, appearing overbearing or resulting in overlooking and loss of privacy.
- 6.17 Plot 1 to the front of the site would be located a sufficient distance from the side elevation of The Brambles, beyond the existing driveway and garden. Again, officers are satisfied that at the reserved matters stage this dwelling could be suitably designed so as not to adversely impact on the amenity of neighbouring properties.
- 6.18 Finally, the occupant of the neighbouring The Brambles has raised concern regarding noise associated with the proposed properties and vehicle movements. It is not considered by officers that the introduction of two dwellings would have an unduly harmful impact on total traffic movements. It is also worth noting the dwelling within plot 2, the closest to the neighbouring

property, will utilise the existing driveway which serves Honey House and will replace an existing garage.

### **Access and highway safety**

- 6.19 The site will create a new access point from Cherrington Road to serve plot 1, with plot 2 utilising the existing access and drive to Honey House. An objector has raised concerns regarding increased traffic.
- 6.20 However, highways officers have raised no objection in principle to the application subject to a number of conditions; including further details of the new access, visibility splays and a plan to show areas for parking and turning. In addition a S106 contribution is also required of £500 per dwelling towards a Traffic and Speed Management Scheme on the B5062 within the vicinity of the Back Lane/ B5062 Junction. The applicant is happy to meet this requirement and therefore the development would help to fund improvements to the highway in the area. Accordingly there is no objection to the application in respect of access or highway safety.

### **Trees**

- 6.21 The application proposes the removal of the Leylandii hedge to the front boundary as well as five trees, one of which the submitted tree report conclude is already dead. There are three trees on site protected by a TPO, although none of these are directly affected by the proposed development.
- 6.22 The Arboricultural officer has raised no objection subject to conditions requiring the submission of a tree protection and removal plan, a landscaping scheme, specification for the drive adjacent to T2 (the TPOd Sycamore) and use of 'no dig' technologies. These will accordingly be applied to any permission.

### **Ecology**

- 6.23 The council's ecologist has considered the application and Phase 1 Environmental Survey. No objections are raised subject to conditions requiring the submission of an ecological survey, the erection of artificial nesting/roosting boxes and a lighting plan. Informatives are also recommended providing advice on bats and nesting wild birds.
- 6.24 It is noted that the required Habitats Regulations Assessment has been undertaken by the Ecology officer, which concludes that there will be no likely significant effect and no effect on the integrity of the European Designated Sites at Aqualate Mere Midland Meres and Mosses Ramsar Phase 2 from this development. The assessment has been attached to the file.

### **Drainage**

- 6.25 An objector has stated that the sewer system is insufficient to accommodate two new dwellings. Officers are aware of drainage issues in the village with regard to the capacity of the Severn Trent Water (STW) foul sewer network in Tibberton. This could be resolved only if STW upgrade their asset.

6.26 Drainage officers do not object to this development proposal but have also recommended a surface water drainage scheme, including details of the location of soakaways and soakaway tests be provided too.

### **Other matters**

6.27 Comments have been raised by objectors relating to loss of views and the poor broadband in the area, however these are not material planning matters. Another comment suggests that Tibberton primary school is at full capacity, however, financial contributions towards education would not be expected on a scheme of this scale. 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.

6.28 The S106 request from highways will secure £500 per dwelling towards a Traffic and Speed Management Scheme on the B5062 within the vicinity of the Back Lane/ B5062 Junction.

6.29 In identifying the required planning obligations on this application the following three tests as set out in the CIL Regulations (April 2010), in particular Regulation 122, have been applied (in addition to saved Wrekin Local Plan Policy T22) to ensure that the application is treated on its own merits and that the obligation is:

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

6.29 In addition account has been 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 requested contribution towards highway improvements would meet the above tests and reflect the features of the site and its location relative to highway network and the negotiation of these contributions is also consistent with Local Plan Policy T22.

## **7 CONCLUSIONS**

7.1 The application site is within one of the identified rural settlements where rural development is to be focussed and is considered to be sustainable, within walking distance of the local services and facilities within the village. The site is within existing residential curtilage and considered appropriate, and not an encroachment into the open countryside. Officers are satisfied that appropriately designed two storey dwellings can be achieved at the reserved matters stage so as not to adversely impact on the character and appearance of the area. In addition designs can be achieved that do not harm the residential amenities of neighbouring properties. There is no objection to access or highway safety and a S106 would secure funds towards highway improvements. Matters relating to trees, ecology and drainage are to the satisfaction of officers and there are no technical reasons upon which to warrant refusal. The development would therefore be in accordance with policies H9, H10 and UD2 of the Local Plan, policies CS7, CS9 and CS15 of

the Core Strategy, policies SP3, SP4, HO10 and BE1 of the emerging Local Plan (Publication Version) and national policy guidance.

## 8. 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 OUTLINE PLANNING PERMISSION** subject to the following:

- A) The applicant/landowners entering into a Section 106 agreement with the Local Planning Authority (terms to be agreed by the Development Management Service Delivery Manager) relating to:
- (i) Highways contribution of £500 per dwelling towards a Traffic & Speed Management Scheme on the B5062 in the vicinity its junction with the access roads into Tibberton. The monies are to be paid upon commencement of the development, indexed and any unspent monies after 5 years refunded to the applicant.
- B) The following conditions:
1. A01 Time limit outline
  2. A03 Time limit- Submission of Reserved Matters
  3. B001 Standard Outline- all matters reserved
  4. B003 General details required
  5. B011 Samples of materials
  6. B012 Sample brick panel
  7. B019 Details of windows and doors
  8. B041 Visibility splays (details to be submitted)
  9. B042 Parking/turning/loading details
  10. B049 Design of new road/footpath and drainage
  11. B061 Foul and surface water
  12. B130 Trees- protective fencing
  13. B132 Trees- no dig method
  14. B133 Trees- replacements
  15. B145 Lighting strategy
  16. B149 Erection of artificial nesting/roosting boxes
  17. B150 Site Environmental Management plan
  18. C040 No approval of layout
  19. C091 Works in accordance with ecological survey

### Informatives

- I06 S106 agreement  
I08 Highways licence  
I23 Bats  
I25m Nesting wild birds  
I40 Conditions  
I41 Reasons for grant of permission  
RANPPF1 Approval - National Planning Policy Framework

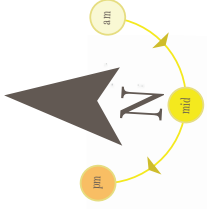
SITE LOCATION PLAN  
AREA 5 HA  
SCALE 1:1250 on A4  
CENTRE COORDINATES: 367793, 320257



**LAND ADJACENT TO HONEY HOUSE, TIBBERTON TF10 8NZ**



- SCHEME SUBJECT TO:
- TOPOGRAPHICAL SURVEY
  - PLANNING NEGOTIATIONS
  - HIGHWAY NEGOTIATIONS
  - ARBORICULTURAL REPORT
  - ECOLOGICAL REPORT



**white ridge**  
 architecture  
 hilton hall hilton lane essington staffordshire WV10 2BQ  
 tel: 01822 287808 e: info@whiteridgearchitecture.co.uk www.whiteridgearchitecture.co.uk

Proposed dwellings at honey house tibberton  
 CONCEPT SKETCH - SK004-A

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.



- 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**

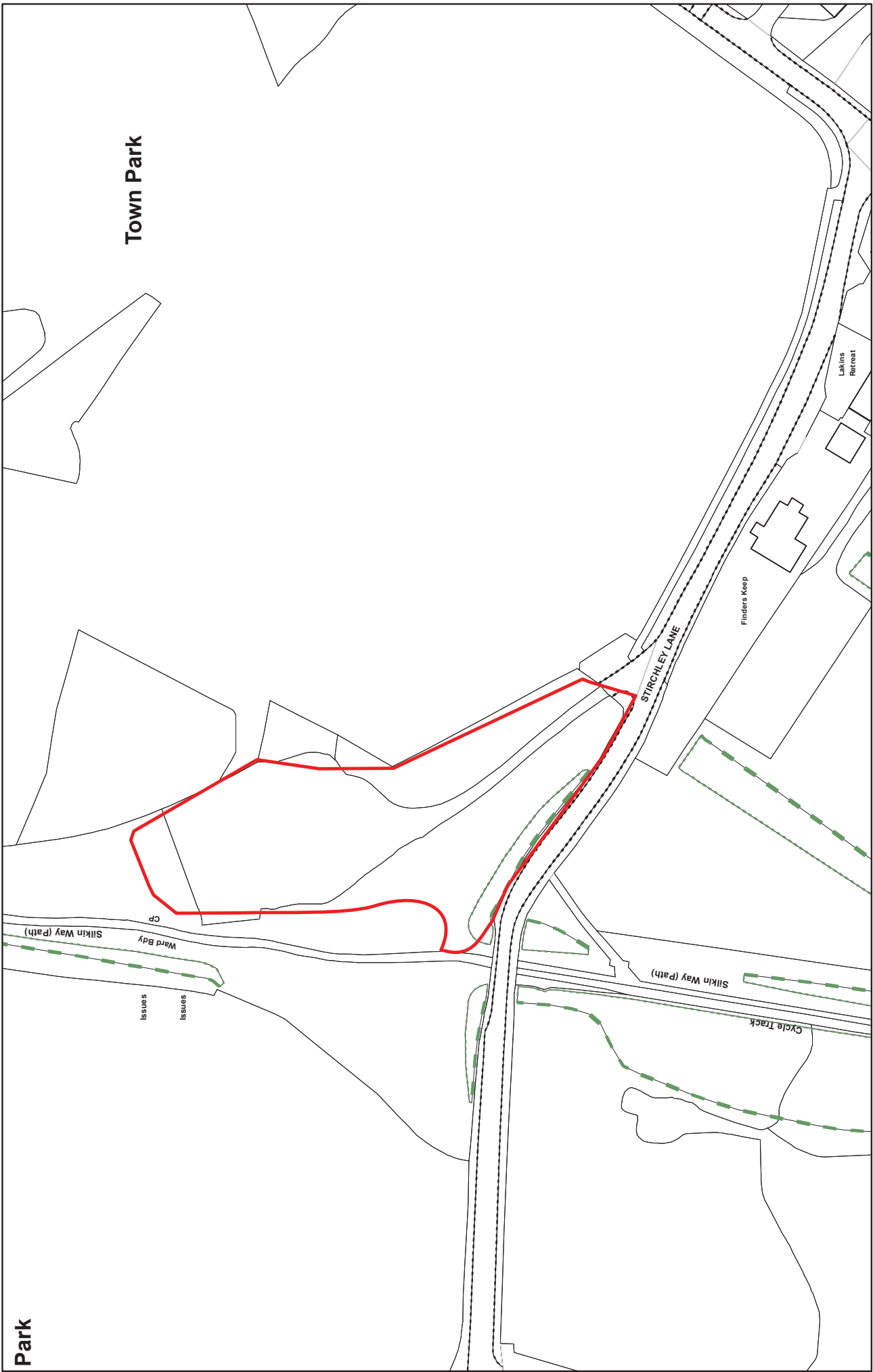
- 8.1 Based on the conclusions above, it is recommended to **GRANT PLANNING PERMISSION** subject to the following conditions:

### 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. I25 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.



<p><b>Title:</b> Location plan</p> <p><b>Drawn By:</b> 1:1,250</p> <p><b>Scale:</b> 1:1,250</p> <p><b>Date:</b></p> <p>Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings Borough of Telford &amp; Wrekin Licence No. 100019894. Date: 2012</p>	<p><b>Borough of Telford &amp; Wrekin</b>          Granville House          St Georges Road          Donnington Wood          Telford TF2 7RA</p>
---	---



Fenceline to be located at bottom of embankment within existing trees.

New fenceline to be placed up against existing hedgerow and hedgerow allowed to grow through it

New footpath link to Silkin Way

Vehicular access gate and pedestrian Access point to new path

New Native Species whip planting as buffer

Fenceline

STIRCHLEY LANE

Silkin Way (Path)

Silkin Way (Path)

Issues

Issues

CP

Ward Bay

Title: **Woodyard revision A**

Drawn By:

Scale: 1:1000

Reproduced from:

the Ordnance Survey mapping

Controller

with the permission of the

© Crown copyright and may

Unauthorised reproduction infringes



Borough of Telford & Wrekin  
Granville House  
St Georges Road  
Donnington Wood  
Telford TF2 7RA





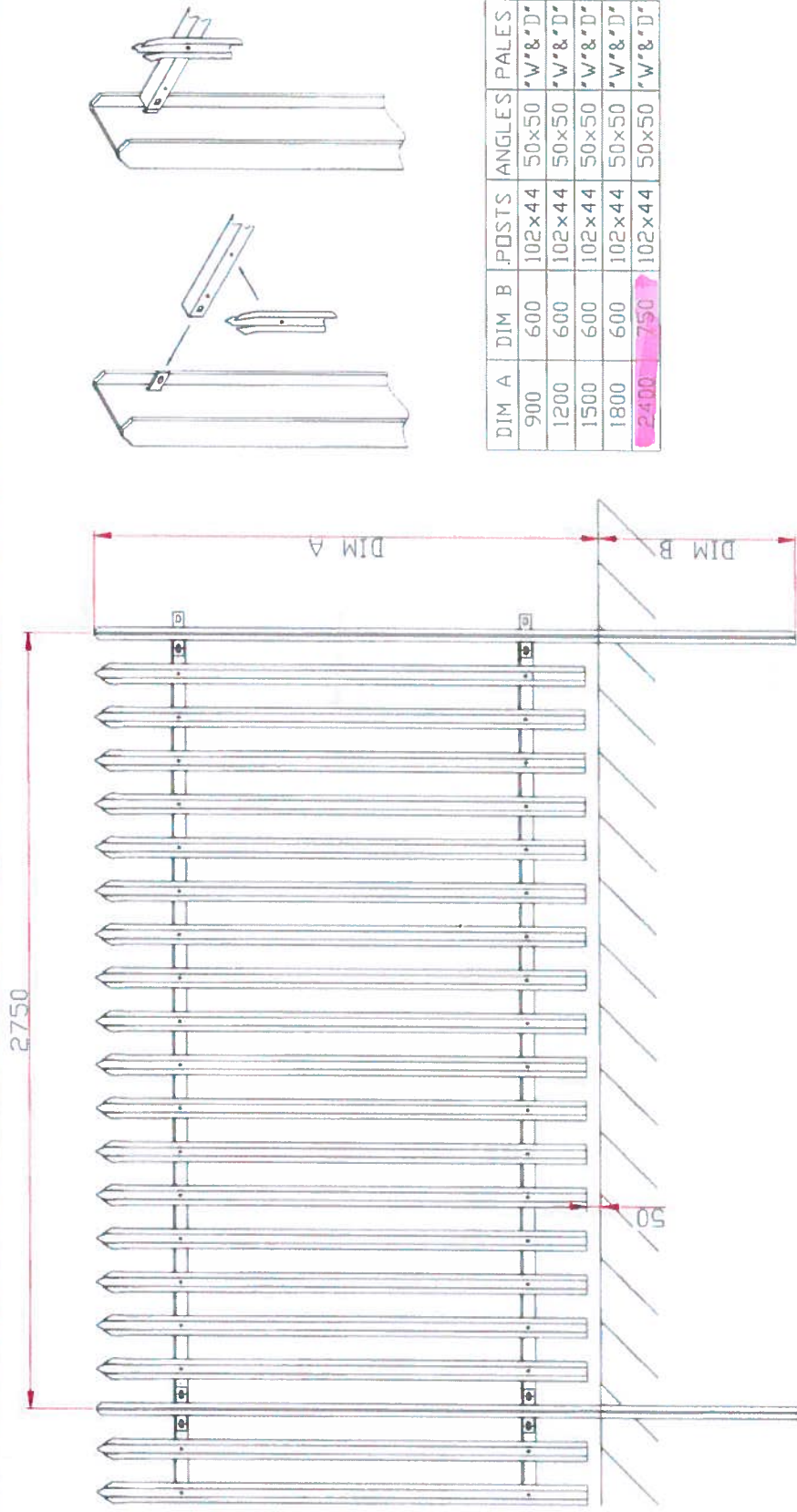
Telford & Wrekin Council  
 Building Control  
 RECEIVED  
 13 JAN 2016



PLAN No .....

PR-PAL

Palisade Fencing Panel



Procter Fencing Systems.  
 Ash Lane, Aberford Road,  
 Garforth  
 Leeds LS25 2HQ  
 Tel. 01132 862586 Fax. 01132 867376  
 Sales@fencingmaterials.co.uk  
 www.fencingmaterials.co.uk

Procter Fencing Systems.  
 11. Pantglas Ind Est,  
 Bedwas  
 Caerphilly. CF83 8XD  
 Tel. 02920 855753 Fax. 02920 888 544  
 Sales@fencingmaterials.co.uk  
 www.fencingmaterials.co.uk

PR-PAL