



## Borough of Telford and Wrekin

### Planning Committee

Wednesday 24 July 2024

6.00 pm

Council Chamber, Third Floor Southwater One, Telford TF3 4JG

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**Committee Members:** Councillors S J Reynolds (Chair), G Luter (Vice-Chair), G H Cook, F Doran, N A Dugmore, A R H England, T L B Janke, A S Jhavar, J Jones and P J Scott  
Substitutes Councillors K T Blundell, N A M England, S Handley, G L Offland, R Sahota, J Thompson and R Tyrrell

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## INFORMATION RECEIVED SINCE PREPARATION OF REPORT

Application number	TWC/2024/0334
Site address	Site of Coronation Bungalow, Station Fields, Oakengates, Telford, Shropshire
Proposal	Outline application for the erection of 2no. self build dwellings to include layout and scale with all other matters reserved following demolition of existing dwelling and structures ***Amended Plans Received***
Recommendation	Outline Grant

### 1. ADDITIONAL PLANNING CONDITIONS – STATION FIELDS

- 1.1 Following the publication of the Officer Report, the Local Planning Authority (LPA) have been in discussions with the Public Right of Way Officer and the Local Highway Authority regarding the status and condition of Station Fields (and the Local Authority's powers to enforce against any potential conditions concerning this road). Whilst the road is not an adopted highway, it is a public right of way.
- 1.2 The public right of way extends from the woodland to the north-west of the property along Station Fields and runs South (towards Holyhead Road), runs North (towards Bradshaw Gardens) and over the bridge over the railway line.
- 1.3 The nature of vehicles using the road for construction purposes could realistically cause further damage to the road. As such, the LPA consider it reasonable and enforceable to include the requirement for a dilapidation survey to be submitted as part of the Construction Management Plan which will determine the existing condition of Station Fields (this should be the entirety of the unadopted road or the construction vehicle route specified in the CEMP). This is to set a bench mark for the condition of Station Fields prior to any construction activity over it so that any damage is identifiable and rectified prior to the occupation of the properties.
- 1.4 Whilst the LPA recognise that the current condition of Station Road is not to an adoptable standard, Paragraph 55 of the National Planning Policy Framework makes clear that planning conditions should be kept to a minimum, and only used where they satisfy the following tests:
  - necessary;
  - relevant to planning;
  - relevant to the development to be permitted;
  - enforceable;
  - precise; and
  - reasonable in all other respects.
- 1.5 Given that there are a number of other properties that use Station Fields, it would be unreasonable, and not relevant to the development permitted, to ask the applicant to bring the road up to adoptable standards by virtue of the development only (uplift of 1 dwelling).
- 1.6 Following construction, a post-development survey should be submitted to ensure that any remedial works are carried out prior to occupation:

*“Prior to occupation of the development hereby approved a post-development survey of the condition of Station Fields shall be submitted to and approved in writing to the Local Planning Authority. Any remedial works required to make good Station Fields (in line with the baseline position as determined in the CEMP condition) shall be submitted to and approved in writing by the Council’s Senior Rights of Way Officer. The works shall be completed in accordance with the approved scheme prior to the occupation of the development. Reason: To protect the public right of way.”*

- 1.7 The LPA consider that with the inclusion of the above conditions to be required to make the development acceptable.

## **2. APPLICATION FORM AND CERTIFICATE**

- 2.1 An ownership certificate must be completed stating the current ownership of the land to which the application relates under Article 14 of The Town and Country Planning (Development Management Procedure) (England) Order 2015. The Agent completed the Application Form and submitted Certificate A as part of the Planning Application.
- 2.2 Certificate A relates to sole ownership and no agricultural tenants. Certificate A should only be completed if the applicant is the sole owner of the land to which the application relates and there are no agricultural tenants.
- 2.3 During the determination period, the Location Plan was amended to demonstrate access up to the adopted highway. The Location Plan now includes the extent of Station Fields up to Holyhead Road (to the south). Following the LPA’s request for further evidence over the ownership of Station Fields the Agent now believes the land to be unregistered. As such, Certificate A is not correct and the Applicant should prepare Certificate D.
- 2.4 Certificate D should be completed if the applicant does not own all of the land to which the application relates and does not know the names and addresses of any of the owners and/or agricultural tenants. Certificate D requires the Applicant to publish a notice in the local newspaper.
- 2.5 As a result of the above, the Applicant/Agent is preparing an amended Certificate and Application Form and will publish the notice in the local newspaper. However, as this process will not take place before the determination at planning committee, it is recommended that delegated authority be granted to the service delivery manager with the authority to finalise matters relating to the certification (and due publication for 21 days) and the amended application form prior to granting planning permission.

## **3. RECOMMENDATION**

- 3.1 Based on the conclusions above, the recommendation to the Planning Committee on this application is that **DELEGATED AUTHORITY** be granted to the Development Management Service Delivery Manager to **GRANT PLANNING PERMISSION** (with the authority to finalise any matters relating to the certification, and due publication for 21 days and amended application form prior to the grant) and subject to the following:
  - A) The following Condition(s) (with authority to finalise conditions, informatives and reasons for approval to be delegated to Development Management Service Delivery Manager):

**Condition(s):**

Time Limit Outline  
Reserved Matters  
Details of Reserved Matters  
Details of Materials  
Surface Water Drainage Scheme  
Construction Management Plan (including dilapidation survey)  
Intrusive Site Investigations  
Verification Report  
Post Construction Remedial Work (Station Fields)  
Means of Access  
RAMS  
Lighting Plan  
Erection of Artificial Nesting / Roosting Boxes  
Tree Retention  
Development in Accordance with Plans

**Informative(s)**

Coal Authority – High Risk Area  
Biodiversity Net Gain  
Nesting Wild Birds  
Replacement Planting  
Fire Authority  
Conditions  
Reason for Grant  
RANPPF2 Approval following amendments – NPPF

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