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Borough of Telford and Wrekin

Planning Committee

Wednesday 23 October 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 Jhawar, J Jones and P J Scott
Substitutes Councillors N A M England, S Handley, R Sahota, J Thompson and R Tyrrell

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INFORMATION RECEIVED SINCE PREPARATION OF REPORT

Application number	TWC/2024/0612
Site address	Land north/east of Greenways Farm Shop, Off Church Street, St Georges, Telford, Shropshire
Proposal	Outline application for the erection of up to 100no. dwellings with associated infrastructure and landscaping works on land North of St Georges Bypass, St Georges, Telford, TF2 9LF ***AMENDED DESCRIPTION AND ILLUSTRATIVE LAYOUT PLAN***
Recommendation	Outline Grant

1.0 CLARIFICATION OF DETAILS IN COMMITTEE REPORT

- 1.1 Members are asked to note the following corrections to the committee report.
- 1.2 Para 1.1 under **SUMMARY RECOMMENDATION** says **GRANT FULL PLANNING PERMISSION** and it should instead say **GRANT OUTLINE PLANNING PERMISSION**.
- 1.3 Para 7.16 lists the NHS as a statutory consultee, however, Officers have been advised the accurate title is Telford Integrated Care Board (ICB). This update is reflected in references to the ICB Planning Obligation request in the **DETAILED RECOMMENDATION** below, in Para 4.1(A)(vi).
- 1.4 Para 8.1 states the proposed speed limit along A5 Telford Way would be 45mph. This should read 40mph.
- 1.5 Para 8.39 lists the proposed Planning Obligations. The financial contribution towards Secondary Education says £238,298. It should read £230,288. The total Education contribution of £880, 741 remains unaffected. This detail also applies to Para 10.1(A)(i) in the **DETAILED RECOMMENDATION**.

2.0 RECEIPT OF FURTHER PARISH COUNCIL AND PUBLIC COMMENTS

- 2.1 Since the Committee Report was prepared a further representation has been received from St Georges & Oakengates Parish Council objecting to the application. No new material planning issues have been raised that have not already been addressed in the main report.
- 2.2 Since the Committee Report was prepared a further 28no. letters of objection have been received.
- 2.3 The issues raised in the additional letters of objection reflect the comments made previously and summarised in the committee report within Para 6.2.
- 2.4 One new issue has been raised concerning the legitimacy of the Planning Obligations to be sought via Section 106 Agreement. As Para 9.3 of the committee report explains, Financial Contributions (or Planning Obligations) are deemed

necessary to mitigate the impact of any major scale development where those impacts cannot be accommodated on site (such as additional school places or GP services, for example).

- 2.5 Para 8.40 of the committee report explains how Planning Obligations are set out in planning legislation and states:

“In determining the required planning obligations on this specific application the following three tests as set out in the CIL Regulations (2010), in particular Regulation 122, have been applied to ensure that the application is treated on its own merits: a) necessary to make the development acceptable in planning terms; b) directly related to the development; c) fairly and reasonably related in scale and kind to the development.”

The Planning Obligations set out in the committee report are considered necessary to help the development mitigate its potential impact upon physical, social and environmental infrastructure by contributing towards delivering the public services outlined in the committee report.

3.0 OFFICER COMMENTS

- 3.1 No additional material planning considerations are raised in the additional letters of representation.
- 3.2 The Council’s Healthy Spaces Specialist has requested that, with regards to Planning Obligations, the term ‘allotments’ is updated to ‘community grow spaces’ to accommodate a broader range of types of healthy space linked to food production (for example, orchards). This change is reflected in Para 4.1(A)(iv) of the **DETAILED RECOMMENDATION** below.
- 3.3 None of the changes or further information outlined above warrant a review of the recommendation contained in the main report.

4.0 DETAILED RECOMMENDATION

- 4.1 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** (with the authority to finalise any matter including conditions, legal agreement terms, or any later variations) subject to the following:

- A) The applicant/landowners entering into a Section 106 agreement with the Local Planning Authority (subject to indexation from the date of committee), with terms to be agreed by the Development Management Service Delivery Manager, relating to:
- i) Education: £880,741 (Primary £650,453; Secondary £230,288);
 - ii) Highways: £85,940;
 - iii) Affordable Housing: 25% to be provided on-site;

- iv) Healthy Spaces: £260,253.06 (Play); £65,000 (Sport and recreation);
£9,814.85 (Community Grow Spaces);
- v) Ecology: £100,000 (The Flash Local Nature Reserve);
- vi) Telford & Wrekin ICB: £89,576;
- vii) Bus Shelter upgrades - £20,000

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

Condition(s)

- Time Limit Outline
- Time Limit Reserved Matters
- Time Limit – Submission of Reserved Matters
- Standard Outline – Some Matters Reserved
- General Details Required
- Details of Materials
- In accordance with Ecological Survey
- Erection of artificial nesting/roosting boxes
- Lighting Plan
- Site Environmental Management Plan
- Landscaping Plan
- Landscape Management Plan
- Scheme for Foul and Surface Water Drainage
- SuDs Management Plan
- Provision of Sewer Easement for Severn Trent Water
- Exceedance Flow Routing Plan
- Interim/Temporary Drainage and Sediment Run-off Control Measures
- Full details of the main access to be submitted and agreed prior to commencement of development
- Full details of off-site improvements to the PROW linking the site to Church Road (north) and Dean Close (south) to be submitted and agreed prior to commencement of development
- Phasing and completion plan to be submitted
- Construction of any new streets shall not be commenced until details of the proposed arrangements for future management and maintenance of the proposed street/s within the development have been submitted
- Construction of any new estate street to be adopted shall not be commenced until full engineering details have been submitted and approved
- Construction of any new estate street shall not be commenced until full details of the proposed street tree locations, species and planting method have been submitted to and approved
- No dwelling shall be occupied until private roadways have been fully constructed
- Any reserved matters application to include details of diversion of PROW
- Written scheme of investigation for a programme of archaeological work
- Detailed design to maximise the surviving earthworks as a feature of the amenity space
- Management Plan to ensure the long-term survival of the moated site and its legibility within the proposed area of public open space
- Noise assessment to accompany any reserved matters application
- Details of acoustic noise barrier

- Geotechnical desk study, ground investigation and mitigation report
- Development in accordance with plans

INFORMATION RECEIVED SINCE PREPARATION OF REPORT

Application number	TWC/2024/0633
Site address	Breffni House, Farm Lane, Horsehay, Telford, Shropshire, TF4 2NE
Proposal	Change of use from Residential Dwelling (Use Class C3) to Residential Care Home (Use Class C2) ****AMENDED DESCRIPTION**** ****AMENDED PLANS & ADDITIONAL INFORMATION RECEIVED****
Recommendation	Full Grant

- 1.1 Following publication of the LPA's Committee Report, additional neighbour representations have been received, objecting to the proposed scheme. These representations include the following material planning considerations.
- 1.2 Firstly, a query has been raised regarding the neighbouring properties that have been consulted during the course of the application. Whilst this has previously been commented on within the Committee Report, Officers would like to reiterate the following. From a planning perspective, the consultation requirements are set out within the Development Management Procedure Order (2015), which gives the Local Planning Authority the option of either displaying a site notice or sending letters to neighbours with a boundary that adjoins the red line of the application site. Telford & Wrekin Council's Statement of Community Involvement goes above the statutory requirements and states that the Local Planning Authority should consult neighbours with an adjoining boundary to the application site by way of neighbour notification letter. Officers are therefore satisfied that the correct procedure has been followed and the correct properties have been formally consulted during the course of the application. This being said, all representations received have been taken into consideration and all material planning considerations raised have been addressed accordingly within the Committee Report.
- 1.3 A comment has also been raised regarding other applications within the Borough for similar works, one of which was withdrawn in 2023, in Tibberton. Officers can confirm that each site has different characteristics and each proposal is slightly different. In terms of the 2023 application in Tibberton, this is believed to have been TWC/2023/0625 and whilst a number of objections were received, this appears to have been withdrawn at the request of the Applicant, as per the correspondence on the planning file.
- 1.4 As outlined within the Committee Report, Officers have assessed the use proposed at Breffni House, as well as the characteristics of Breffni House and its surrounding area. The proposal is considered to meet the policy tests for which the application must be determined against and Officers consider that the operation can be suitably controlled through suitably worded conditions, alongside regulation by Ofsted.
- 1.5 A comment has also been made about works already taking place at the Application Site. Officers did obtain clarification from the Applicant in relation to what works have already been undertaken on the application site and these are understood to be internal works only, which would not have required planning permission. Had the works required planning permission, this would have been included in the application and planning law requires retrospective/part-retrospective works are assessed in the same manner as proposed works.

- 1.6 Concern has been raised regarding the existing driveway layout and the fact that this could result in cars having to reverse off the driveway, leading to highway safety concerns. During the course of the application, the Applicant has provided additional information showing the anticipated car parking layouts throughout a normal working day. The Local Highways Authority have been formally consulted and based on the level of parking available and the number of staff members proposed, the parking provision is considered satisfactory; in the opinion of the Local Highways Authority given the size of the existing driveway, space is available for manoeuvring of vehicles prior to egressing onto the highway in a forward gear. Furthermore, the trip rates proposed in this instance are not considered to be substantially greater than those that would be evident if the site remained as a large family home, rather than the C2 use currently proposed.
- 1.7 Finally a comment has been made regarding the information included within the supporting documents received, in terms of staff shift patterns, and how this will be controlled. Officers are satisfied that the proposal can be suitably controlled through the inclusion of conditions on the decision notice; specifying that the works shall be carried out in accordance with the submitted details. Whilst timeframes have been given in this instance (i.e. 7 - 9 am), rather than specific times, in terms of staff shift patterns, Officers are satisfied that the proposal would not lead to detrimental harm given the staff numbers proposed and the level of information provided is considered satisfactory.
- 1.8 In addition to the above, the representations received do also raise some points which are not material considerations. These include the following:
- 1.9 A query has been raised as to whether the Applicant is funded by the Local Authority either directly or indirectly. This is not a material planning consideration and is given no weight in the planning recommendation.
- 1.10 A comment has also been raised in relation to the residents of Farm Lane having one of the highest paid Council tax band charges; again this is not a material planning consideration and can therefore be given no weight in the overall planning balance.

1. DETAILED RECOMMENDATION

- 1.1 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 matter including conditions, legal agreement terms, or any later variations) subject to the following:

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

A04 - Time Limit Full

CO13 – Parking, Loading, Unloading and Turning Area

C038 - Development in accordance with plans

Custom – Development in accordance with Planning Statement

Custom – Restrict use and number of children in care (4)

Informatives:

I17b COAL AUTHORITY – Low Risk Standing Advice

I32 Fire Authority

I40 Conditions

I41 Reason for Grant