



## Borough of Telford and Wrekin

### Planning Committee

Wednesday 19 October 2022

6.00 pm

4th Floor Meeting Room, Addenbrooke House, Ironmasters Way,  
Telford TF3 4NT

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**Democratic Services:** Jayne Clarke / Rhys Attwell 01952 383205 / 382195

**Media Enquiries:** Corporate Communications 01952 382406

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**Committee Members:** Councillors C F Smith (Chair), G L Offland (Vice-Chair), G H Cook, N A Dugmore, I T W Fletcher, A S Jhawar, J Jones, J Loveridge and P J Scott

**Substitutes Councillors** V A Fletcher, E J Greenaway, J E Lavery, I Preece, G C W Reynolds, K S Sahota, W L Tomlinson, B Wennington and D R W White

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### Agenda

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1.0 Apologies for Absence

2.0 Declarations of Interest

3.0 Minutes of the Previous Meeting

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To confirm the minutes of the previous meeting.

4.0 Deferred/Withdrawn Applications

5.0 Site Visits

6.0 Planning Applications for Determination

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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.

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|------------|--|----------------|
| <b>6.1</b> | <b>TWC/20022/0210 - Site of 2 Elim Terrace, Trench Road, Trench, Telford, Shropshire</b> | <b>13 - 32</b> |
| <b>6.2</b> | <b>TWC/2022/0804 - Land west of, Hollinshead Way, Old Park, Telford, Shropshire</b>      | <b>33 - 58</b> |

## PLANNING COMMITTEE

### Minutes of a meeting of the Planning Committee held on Wednesday 21 September 2022 at 6.00 pm in 4th Floor Meeting Room, Addenbrooke House, Ironmasters Way, Telford TF3 4NT

**Present:** Councillors N A Dugmore, I T W Fletcher, A S Jhawar, J Jones, J Loveridge, K S Sahota (as substitute for G H Cook), P J Scott and C F Smith (Chair)

**In Attendance:** R Attwell (Democracy Officer (Democracy)), J Banks (Planning Officer), J Clarke (Senior Democracy Officer (Democracy)), K Craddock (Principal Planning Officer), C Edgington (Planning Officer), A Gittins (Area Team Planning Manager - West), S Hardwick (Lead Lawyer: Litigation & Regulatory) H Rea (Legal Advisor) and V Hulme (Development Management Service Delivery Manager)

**Apologies:** Councillors G H Cook and G L Offland

#### **PC304     Declarations of Interest**

In respect of planning application TWC/2022/0515, Councillor N Dugmore advised that he was a member of Muxton Parish Council but had not been involved in any discussions on this application.

#### **PC305     Minutes of the Previous Meeting**

**RESOLVED** – that the minutes of the meeting of the Planning Committee held on 31 August 2022 be confirmed and signed by the Chairman.

#### **PC306     Deferred/Withdrawn Applications**

None.

#### **PC307     Site Visits**

None.

#### **PC308     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/2022/0390.

#### **PC309     TWC/2022/0390 - Site of former New College Telford, King Street, Wellington, Telford, Shropshire**

This was an application for the erection of 22no. dwellings, a retirement living complex containing 66no. units and 10no. bungalows, indoor sports facility and community hall with associated car parking, additional parking for local community organisations, alterations to 2no. existing accesses and provision of 2no. new vehicular accesses, associated landscaping, attenuation pond, public open space and infrastructure on the site of former New College Telford, King Street, Wellington, Telford, Shropshire.

This application was presented to committee as it required financial contributions via section 106.

An update report was tabled at the meeting.

Mr S Thompson, Applicant, spoke in favour of the application which was part of a £27m investment in the Wellington area over the next three years. Viability of the application had been challenging due to construction costs and it was asked that there be no affordable housing secured via a 106 on this application. A Homes England Grant to bring the project forward was being applied for and this could not be granted if affordable housing was sought via the S106. The development would fulfil 78% affordable housing via the Homes England Grant.

The Principal Planning Officer gave a brief overview of the application which met NDSS required space standards. Although there was slightly less outdoor space attached to the bungalows, space was provided for each of the bungalows in the form of a private outdoor space or a balcony as well as a communal garden. Access was from Regent Street and King Street and there was an additional 21 bay car park to serve an existing community group in order to address local congestion and parking issues. There was also an addition of a parking space for staff attending at the apartments. An amended site plan has been agreed showing the additional staff parking space. Concerns had been raised regarding the impact of the development on setting of the former listed girls' school from the proximity of the retirement apartments and although it had not been possible to fully address these concerns it was considered that the benefits outweighed the harm and on balance could be accepted subject to conditions. Following a viability appraisal the scheme was not viable for 25% affordable housing secured via the S106 and therefore Members were being asked to approve the scheme with 0% affordable housing to allow the applicant to access Homes England Grant Funding to deliver 78% affordable housing on site. Contributions via the S106 would be sought towards healthy spaces and education and it was agreed by the applicant that these would be paid in full.

During the debate some Members asked for clarification on the use of the indoor sport facility and whether it would be used for community use and would this be manned by a paid member of staff. Other Members asked for clarification in relation to the additional car park for community use. Further clarification was sought on the Homes England Grant Funding and how this would be monitored. Other Members asked if the tree to be planted at the rear of Durban could be a semi-mature specimen and raised concerns on the

length of the opening hours and the condition that the winders and doors be closed at all time and where the bin storage would be housed and would refuse vehicles have sufficient access. Other Members felt that this application was good for Wellington and the local community and that this was the right type of application in the right place, supported by the Town Council with very few negatives.

The Principal Planning Officer confirmed that the running of the sports facility did not sit with Planning but with the Council's Estates Team. Tennis and netball had previously been provided on site for the community and the Section 106 contributions would replace these facilities as part of a wider strategy drawn up with Sport England. In respect of the community use car park, a new 21 bay car park would be created to assist with the community group opposite the development on King Street. With regard to Home England Grant Funding, should Members agree to 0% affordable housing there would be no means for the Local Planning Authority to monitor or revise this, however by way of reassurance to Members Wrekin Housing Group had designed the site to provide adaptable apartments and bungalows that would meet affordable housing design standards. A recent application that had been approved with 0% affordable housing has received grant funding as intended and it was hoped that would give some reassurance. The opening hours were standard and a noise mitigation plan and management place would be required and Environmental Health had suggested the closing of windows and doors due to not knowing who would be utilizing the space.

On being put to the vote it was, unanimously:

**RESOLVED – that delegated authority be granted to the Development Management Service Delivery Manager to grant planning permission (with the authority to finalise any matter including Condition(s), 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 (items i) to ii) subject to indexation from the date of Committee), relating to:**
  - i) **Financial Contribution towards Healthy Spaces of £105,000 (£10,000 towards study into netball provision, £10,000 towards study into tennis provision, £10,000 towards delivering netball strategy, £10,000 towards delivering tennis strategy and £65,000 towards the nearest free to use publicly accessible Multi Use Games Area at Millfields Park to incorporate street cricket, basketball and 5-a-side football in a replacement purpose built facility);**
  - ii) **Financial Contribution towards Education of £136,306 (£96,178 towards Primary Education and £40,127 towards Secondary Education);**

- iii) **Car Park off King Street to remain in use for associated community group in perpetuity to accommodate user parking for events;**
  - iv) **s.106 Monitoring Fee of £4,852.10 (1% of the total value of contributions, or capped at £15,000).**
- b) Submission of Proposed Site Plan showing addition of 1no. staff parking space in association with the retirement apartments**
- c) The conditions contained in the Report and Update Report.**

**PC310 TWC/2022/0515 - Site of 23 Wellington Road, Muxton, Telford, Shropshire**

This application was for the felling of 1no. Monkey Puzzle tree and 3no. Pine trees on the site of 23 Wellington Road, Muxton, Telford, Shropshire.

The application was before Members at the request of Donnington & Muxton Parish Council.

Councillor L Dugmore spoke against the application on behalf of the Parish Council who raised concerns regarding the conditions from the previous three applications being ignored and damage had been caused to the trees which had caused them to be in a desperate state and dangerous. She felt approving the application was a reward for the applicant's behaviour. Further concerns were also raised that enforcement had not taken place and how could they be confident that action would be taken against the Developer for their flagrant disregard of planning consent.

The Planning Officer informed Members that a Tree Preservation Order (TPO) had been placed on four trees in 2018 in relation to the proposed development and following a compliance visit it was apparent from the condition of the trees that the conditions of the TPO had not been adhered to protective fencing had not been implemented and there had been soil interruption to the tree roots. The damage to the Pine trees had meant they had become unstable with dead wood present and the surrounding ground compacted. Long term stability of the trees was of concern. The Arboricultural Specialist had confirmed that the Monkey Puzzle tree had declined and the roots of the Pine trees had been damaged irrecoverably. The Council's Tree Officer had confirmed that in the interest of safety and future amenity that the trees needed to be felled.

It was requested that consent was approved, subject to the conditions that trees were replaced in line with the Tree Officer recommendations of a 20-25cm girth and the submission of an aftercare management plan for five years in order for successful tree survival.

The Tree Officer commented that conditions were not adhered to and ground works, the storage of concrete blocks and changes to soil levels had all

impacted the trees. In August this year there was some stem bleeding and honey fungus and it was a question of when the trees would come down. A power company had recently taken a chunk out of the Pine tree and it was suggested that these trees be removed and replaced with similar large trees.

During the debate some Members raised concerns regarding the state of the Monkey Puzzle tree as well as the Pine trees and felt that the Tree Officer had a better knowledge of the state of the trees and that they should be replaced with like for like trees with an aftercare plan in place in order to ensure that it was adhered to. Other Members felt concerned that the trees had been destroyed and asked what actions could be taken, whether the replacement trees would be semi mature and what conditions could be put in place. It was also asked if there was a timescale for action to be taken.

The Tree Officer confirmed that there were a number of factors involved with the TPO legislation and that if the TPO was not adhered to other agencies would follow this up and that TPOs were very important. The investigation was currently with the Legal Team. The damage to the trees was being monitored.

The Legal Advisor commented that there were investigations currently ongoing into the offences committed and it was difficult to estimate a time as this depended on the case being brought, but that this was not for consideration by Members

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

**RESOLVED – that delegated authority be granted to the Development Management Service Delivery Manager to grant Tree Preservation Order consent subject to the following:**

- a) The Condition(s) and Informative(s) (with authority to finalise Condition(s) to be delegated to Development Management Service Delivery Manager) contained within the report.**

**PC311 TWC/2022/0552 - 16 Avondale Road, Wellington, Telford, Shropshire, TF1 2HD**

This application was for a change of use from residential dwelling (Use Class C3) to children's residential accommodation (Use Class C2) at 16 Avondale Road, Wellington, Telford, Shropshire TF1 2HD

This application was before Planning Committee at the request of Wellington Town Council.

Councillor M Hosken (Ward Councillor) spoke against the application and on behalf of local residents who had raised concerns regarding the change of use from use class C3 to use class C2. This was a residential property and should not be used for a commercial enterprise and a family would be removed from their home and moved elsewhere in order to accommodate a

pseudo family. He raised concerns regarding the ages of the residents, the sex of the residents, social and educational welfare area outside of the property, staff qualifications and who would monitor their performance and that this money making venture would affect the lives of local residents and devalue surrounding properties.

Mrs H Barker, a member of the public, raised concerns regarding the consultation process and she had made further representations prior to the committee meeting. She was not against the idea of the scheme but felt that issues had not been fully addressed in relation to the bedrooms and sleeping arrangements for up to four people on a 24 hour basis. Some of the downstairs space was being converted into work space and this would limit the living space which would be unfair on the children. The back garden was of a decent size but adjoined five other gardens spaces and this, together with the weather, would limit the use in that sense. She felt that this application would be more suitable for a detached house in order to meet the needs of the children.

The Planning Officer confirmed that this was a three bedroom, two storey house with parking at the front and around the side of the property. The change of use to a C2 residential institution would be for a maximum of two children from the ages of 8-18 years with two carers on a rota basis. There would be up to two children sleeping overnight with six carers on for 48 hours and the off for 60 hours with no more than three carers at any one time. There would be a changeover at 8am with a manager visiting between the hours of 8am to 5pm Monday to Friday. Changes to the living room into an office/study was proposed and there was sufficient parking space at the property. Policy HO7 regarding specialist housing needs proposed that it met the needs of local residents and required local community shops, services and transport. Policy BE1 confirmed there was no significant adverse impact. The proposed use would simulate a typical family and was close to amenities and services in Wellington. A balanced view had been taken as planning could not differentiate between children, there was a strict match making process for vulnerable children and a short of supply of housing with children often being move to another authority losing their local family connection. The application could not be considered on suitability but on its own individual merits. In relation to parking and highway impact, there were no objections in relation to trip generation. There was no detrimental impact in relation to overlooking and noise on neighbouring properties and due to adequate garden space and on-site parking the application was compliant with the Local Plan.

During the debate some Members raised that this was an opportunity for two children to be looked after and brought up in a proper manner and that the property could be sold and difficult children could move in and it was felt that it was a family replacing a family and there was no reasons to object. Other Members felt that the property was not physically suitable in relation to small domestic living conditions and the conversion of a living room into an office space and it was asked where the second carer would sleep. It was asked if the close family contact would take place at the residence and that the application did have unanswered questions in relation to parking and the



domestic situation. Other Members re-iterated concerns regarding visitors to the property ie psychologists, social services, police and at all times of day and night and that this could have a detrimental impact to neighbouring properties, the size of the property as it was a only a semi-detached house.

The Planning Officer confirmed that there were three bedrooms, one for each of the children and one for the carer. Due to the nature of the shift patterns, only one carer would be asleep during the night with the other carer on hand to support the children with any issues on a rota basis and the office space would be used for this purpose.

The Development Management Service Delivery Manager confirmed that Planning related to the land use and there was no detrimental impact to amenities. The property had previously been extended to house a family unit and had been smaller. Ofsted would oversee any potential provider for the children in care and that they would have to provide a safe and satisfactory environment.

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

**RESOLVED – that delegated authority be granted to the Delivery Management Service Delivery Manager to grant full planning permission subject to the conditions contained within the report (with authority to finalise Condition(s) to be delegated to Development Management Service Delivery Manager).**

The meeting ended at 7.13 pm

**Chairman:** .....

**Date:** Wednesday 19 October 2022

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## **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) Telford & Wrekin Local Plan 2011-2031 (adopted 11th January 2018) including any Neighbourhood Plans
  - b) Telford and Wrekin Supplementary Planning Documents:
    - Design for Community Safety SPD (adopted June 2008);
    - Telecommunications Development SPD (adopted May 2009); and
    - Shop Fronts, Signage and Design Guidance in Conservation Areas SPD (adopted April 2012)
  - c) Government Planning Guidance – National Planning Policy Framework(NPPF), Planning Practice Guidance and Circulars
  - d) Town and Country Planning legislation, case law and other planning decisions and articles
6. Past decision notices and reports referred to in specific reports.
7. The following additional documents (if appropriate):-

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TWC/2022/0210

Site of 2 Elim Terrace, Trench Road, Trench, Telford, Shropshire  
Erection of 1no. dwelling for use as a house of multiple occupation \*\*\*\*\*amended  
plans received\*\*\*\*\*

**APPLICANT**

Granville Construction & Maintenance Ltd

**RECEIVED**

09/03/2022

**PARISH**

Wrockwardine Wood and Trench

**WARD**

Wrockwardine Wood and Trench

**THIS APPLICATION HAS BEEN CALLED IN TO BE DETERMINED BY  
PLANNING COMMITTEE AT THE REQUEST OF CLLR. SHIRLEY REYNOLDS**

On-line Application File:

<https://secure.telford.gov.uk/planning/pa-applicationssummary.aspx?applicationnumber=TWC/2022/0210>

**1. SUMMARY RECOMMENDATION**

- 1.1 It is recommended that **DELEGATED AUTHORITY** be granted to the Development Management Service Delivery Manager to **GRANT FULL PLANNING PERMISSION** subject to Condition(s) and Informative(s).

**2. SITE AND SURROUNDINGS**

- 2.1 The site is located in the centre of the historic area of Trench, approximately 2.2 miles from Telford's Town Centre District. The site is located to the side and rear of No. 2 Elim Terrace.
- 2.2 Elim Terrace is located on Trench Road in Trench, close to the Trench Lock interchange highway system. The street includes a variety of property types, including a large number of terraced dwellings immediately adjacent to and opposite the site, and some detached and semi-detached dwellings further along Trench Road. The area has a strong building line, with predominantly frontage led development facing Trench Road.
- 2.3 The site backs onto a dense area of woodland to the south, owned by the Canal & River Trust which separates the site from Trench Pool. There is also a parcel of Council owned land containing trees to the west.

**3. PROPOSAL**

- 3.1 This application is for a full planning application for the erection of 1no. Dwelling on the site of No 2 Elim Terrace to be used as a House in Multiple Occupation (HMO) with a maximum of 3no. lettable bedrooms.

- 3.2 The proposal seeks approval for 1no. Detached dwelling, proposed to be located in the side and rear garden of the existing property No 2 Elim Terrace. The property would be set back within the site, and an access track would be provided leading to the rear of the property where a parking area is proposed for the application property and No. 2 Elim Terrace. A rear garden is also proposed, providing private amenity space.
- 3.3 The site would be accessed from Trench Road, utilising the existing access which is in place to serve No. 2 Elim Terrace.
- 3.4 To the south and west of the site there exist areas of well-established trees, outside the application site boundary. The trees in the parcel to the east of the site are owned by Telford & Wrekin Council. The area to the rear (south) is privately owned by the Canal & River Trust. Both parcels surrounding the site are designated as Green Network land.
- 3.4 Through the course of the application, an amended Block Plan was submitted to provide more detail on the access arrangements and proposed landscaping. A re-consultation was carried out accordingly.

#### **4. RELEVANT PLANNING HISTORY**

- 4.1 TWC/2020/0992 - Erection of 1no. Dwelling for use as a House in Multiple Occupation - Full Refused
- 4.2 TWC/2015/0534 - Erection of 1no. Dwelling for use as House in Multiple Occupation - Full Refused

#### **5. PLANNING POLICY CONTEXT**

- 5.1 National Planning Policy Framework (NPPF)
- 5.2 Telford & Wrekin Local Plan 2011-2031 (TWLP):

SP1: Telford  
SP4: Presumption in Favour of Sustainable Development  
HO1: Housing Requirement  
NE1: Biodiversity and Geodiversity  
NE2: Trees, Hedgerows and Woodlands  
NE6: Green Network  
C3: Impact of Development on Highways  
BE1: Design Criteria  
ER11: Sewerage Systems and Water Quality  
ER12: Flood Risk Management

#### **6. CONSULTATION RESPONSES SUMMARY**

As a result of the submission of additional information, the comments below have been summarised from across two separate consultation periods.

6.1 Standard Consultation Responses

6.2 Wrockwardine Wood & Trench Parish Council: Object:

- Raised concerns regarding overdevelopment of the site, parking and proximity to the Trench Lock junction.

6.3 Cllr Shirley Reynolds Object:

- Request determination by the Council's Planning Committee should it be recommended for approval;
- Concern regarding the proximity of the development to the Trench Lock interchange and the increase in vehicles utilising the site on a busy road;
- Consider the HMO would be out of keeping with the character of the area;
- Cannot see any change from previous applications which were refused;
- Limited notification of consultees within the area.

6.4 Highways: Support subject to Condition(s):

- Amended parking layout is considered to be acceptable as it would provide sufficient parking provision to accommodate the use and allow vehicles to exit the site in forward gear;
- Recommend the inclusion of a Condition requesting that the parking and turning area is provided prior to the occupation of the building.

6.5 Drainage: Support subject to Condition(s):

- Condition recommended requesting a scheme of foul and surface water drainage is submitted to and approved in writing by the LPA prior to works commencing on site.

6.6 Ecology: Support subject to Condition(s):

- Request Condition for a lighting plan to be submitted and approved in writing prior to the dwelling becoming occupied.

6.7 Shropshire Fire Service: Comment:

- Consideration should be given to information contained with Shropshire Fire Safety Guidance document.

6.8 Canal & River Trust: Comment:

- Development be carried out in accordance with relevant legislation in relation to dust pollution or wind-blown waste to limit impact upon the canal;
- Should protective fencing for the trees to the south be required, the Applicant shall contact the Canal Trust's first.

6.9 Arboriculture: **Support subject to Condition(s)**:

- Following receipt of a Tree Survey and Arboricultural impact assessment, the previous objection is withdrawn;
- The existing fencing would act as tree protection in this case;
- A tree replacement condition will be required for the Applicant to replace the Silver Birch they felled prior to the application being submitted;
- A full landscaping scheme should also be submitted so the location of the replacement tree can be viewed as part of the overall landscape strategy.

6.10 Neighbour Consultation Responses

6.11 Eight consultation letters have been sent to the immediately surrounding neighbours in order to advertise this proposal and as a result, five letters of objection from three residential properties have been received raising the following material planning concerns:

- Overdevelopment of the site;
- HMO out of keeping with the surrounding area and inappropriate;
- Impact upon nature and wildlife;
- Removal of trees;
- Concerns regarding the number of cars utilising the site and the impacts on the already heavily congested Trench Lock interchange adjacent;
- Poor drainage and water pressure in the area.

The following comments have also been received, however are not material planning considerations:

- Rights of access to the rear not shown on the plans and interested parties in the right of access have not been consulted;
- The boundary fence of the site has had a change of position since the last application has been submitted, and a query raised as to whether the Applicant has purchased additional land.

## 7. **PLANNING CONSIDERATIONS**

7.1 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
- Scale and Design of the Proposal
- Impact on Neighbour Amenity
- Highways Considerations
- Response to Neighbour Comments



### Principle of Development

- 7.2 Section 38(6) of the Planning and Compulsory Act (2004) states that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 7.3 The application site is located in Trench, an established residential area and is located within the built up area of the borough as shown within the Telford & Wrekin Local Plan Policies Map. Here, the principle of new residential development is considered to be broadly acceptable. However, to be supported, sites would need to be suitably sized, appropriately located, and accessed safely in addition to satisfying other relevant local plan policies. Any development will also need to satisfy the amenities of adjacent residents and land users.
- 7.4 It is noted that the application is for the erection of a dwelling to be used as a House of Multiple Occupation (HMO) with three bedrooms rather than a traditional family dwelling. A small HMO falls under Use Class C4 and can accommodate between three and six residents. Under Permitted Development, a home owner can change a property from a family property (Use Class C3) to a small HMO (Use Class C4) without requiring planning consent, and the same applies to the reverse.
- 7.5 As such, whilst the application is specifically for a HMO, as it has three bedrooms it would fall under Use Class C4 as a small HMO and would therefore be assessed under the same considerations as a three bedroom family dwelling.
- 7.6 A number of comments have been raised during the consultation period raising concerns over the use of the property as a HMO rather than a family dwelling. Whilst the LPA acknowledge there may be concerns surrounding HMO properties, as the property would be for a small HMO, the impacts from a planning perspective would be no different to those associated with a typical three bedroom dwelling. In addition, the land owner could construct the property as a family dwelling and then change the use to a small HMO once the property has been finished and occupied, the same of which could be applied to any of the properties nearby, provided they have no more than 6 residents. As such the change would be a permitted use once the property has been completed, and the LPA has no reasonable grounds to object to the proposal on this basis.

- 7.7 It is acknowledged that there have been two previous planning applications submitted on the site for the same proposal, one in 2015 and another in 2020. Whilst both applications were refused, none of the reasons for refusal related to the principle of new residential development. The reasons for refusal related to concerns raised by the Council's technical consultees, namely Highways and Trees, and due to the siting, design, scale and massing of the building.
- 7.8 With regards to the technical reasons for refusal, the highways refusal will be addressed within the 'Highways Considerations' section. In respect of trees, the application was previously refused as the Applicant had failed to provide a Tree Survey and Arboricultural Impact Assessment (AIA), which assessed the impact of the proposal upon the trees located on the adjoining land, in particular to the West. With the absence of this information, an informed decision could not be made by the LPA. The current application has been submitted with a Tree Survey and AIA, which concludes that the development put forward would not adversely impact upon the neighbouring trees, provided adequate protective measures are put in place prior to commencement. The site is already enclosed with close board fencing which would act as the protective fencing in this instance and shall be conditioned to remain in place to protect the trees. A Tree Replacement condition and full landscaping scheme will also be required. The LPA consider as a result that there are no longer any reasonable grounds to object to the proposal in relation to trees and the previous reason for refusal has been addressed.
- 7.9 Based on the conclusions above, the site is considered to be in a sustainable location for new residential development, close to shops, schools and services in Trench and as such is in accordance with the aims of Policy SP4 of the Telford & Wrekin Local Plan. The principle of development on this site is therefore considered to be acceptable.

#### Scale and Design of the Proposal

- 7.10 The scheme put forward is for the erection of 1no. Dwelling for use as a HMO and would be a three bedroom property, with private amenity space and parking spaces located to the rear and an access track running from the front of the site, down to the parking spaces at the rear.
- 7.11 Policy BE1 of the Telford & Wrekin Local Plan advises that developments should respect and respond positively to their context, whilst also retaining historic street patterns and representing an integrated design approach. It is acknowledged that the 2020 application, ref.: TWC/2020/0992, was refused on three grounds, one of which related to the siting, scale and design of the property. The positioning of the property, along with the elevation and floorplans for the property have not changed since the submission of the 2020

however the Applicant's Agent has submitted a report addressing the reason for refusal.

- 7.12 The Local Planning Authority (LPA) previously advised that the siting, scale, design and massing of the proposed development was considered to be inappropriate as it would fail to address the traditional street pattern and as a result of lack of information relating to trees and highways, the scheme would appear cramped within the site overall, failing to comply with policies SP4 and BE1 of the Telford & Wrekin Local Plan. The Applicant's Agent has submitted a report in support of the current application which highlights a number of similar arrangements across Trench Road, demonstrating that the streetscene includes a variety of property types and designs and a number of developments set-back from the highway have been approved by the LPA in recent years. The Applicant's Agent also highlighted that without the set-back, appropriate parking and access arrangements would not be able to be provided, and that the set-back is the only appropriate solution to address all previous comments.
- 7.13 The LPA have taken on board the evidence submitted and consider that whilst the development would be set-back from the row of terraced houses, it would have a similar arrangement to other properties further down Trench Road where the building line is less prominent and therefore, on balance, will not have a significant detrimental impact upon the character of the wider area which exhibits a more varied street pattern. The LPA also acknowledge that the access and parking arrangements proposed would not be possible without the setback position.
- 7.14 The property put forward has been designed to take reference from the terraced dwellings adjacent to it along Elim Terrace whilst also maximising the use of the space on site, and whilst it would be set-back, from the streetscene it would still be viewed as an integrated design and be sympathetic to the existing development. In addition, as adequate private amenity space and parking provision have been provided and it has been demonstrated that the trees on site would not be significantly affected by the proposal, the scheme would not result in such a cramped proposal as previously envisaged. Whilst the property would be set-back, it would still represent an integrated design approach and therefore would not present significant harm to the character of the area.
- 7.15 Conditions will be applied to the consent to request full details of hard and soft landscaping and external materials to ensure the property is constructed to a high quality and is sympathetic to the traditional terraced houses adjacent.
- 7.16 Whilst concern was previously raised regarding the siting, scale, design and massing of the proposal, following the assessment of the additional evidence submitted, the LPA consider the scheme can be supported on balance as it would not have an adverse impact upon the character of the area and would not present significant harm to warrant a refusal in respect of siting, scale and design. When viewing the application overall, taking into account both the

design context and highways requirements, the scheme can be considered consistent with Policies SP4 and BE1 of the Telford & Wrekin Local Plan.

#### Impact on Neighbour Amenity

- 7.17 Policy BE1 of the TWLP states that development should not prejudice existing properties or uses. The property has one directly adjoining neighbour, No. 2 Elim Terrace which is included within the Application blue line which therefore falls within the same ownership. It is considered that due to the set-back position of the property, the distance between the property proposed and those existing adjacent, and that there would be no first floor windows facing towards the garden of No. 2 Elim Terrace, it is considered the scheme would result in no significant detrimental impacts upon the residential amenity of neighbouring residents.
- 7.18 As a result, the scheme is considered to be compliant with Policy BE1 in this respect.

#### Highways Considerations

- 7.19 The proposal includes a revised Block Plan which provides more detail regarding the access and parking arrangements. The property would utilise an existing access off Trench Road which is currently used by No. 2 Elim Terrace, forming a new access track down the side of the property to form a parking area to the rear, which would sit alongside the private amenity space. The parking area would provide off-street parking spaces for both No. 2 Elim Terrace and the 3no. bedroom HMO proposed.
- 7.20 Whilst as part of the 2015 and 2020 applications, the Council's Highways Officer did raise an objection, this was due to a number of reasons which have been addressed by the current submission. In the 2015 application, the dwelling was proposed to be located directly off the highway, not set back and only provided one parking space to the front of the property with no turning area, which the LPA considered appropriate as it would result in occupants reversing out onto Trench Road, resulting in a highway safety concern. During the 2020 application, the dwelling was set back from the highway, creating an improvement from a highways perspective however there was significant lack of detail provided on the access arrangements.
- 7.21 The current application is considered to be appropriate from a highways perspective as it addresses the previous reasons for refusal and creates a betterment to the existing arrangement on site. The area at the front of the site is currently used as a driveway for No. 2 Elim Terrace and whilst it has capacity to accommodate at least 4no. cars, when all spaces are filled there is no ability to turn within the site to allow cars to exit in forward gear. The proposal put forward would remove parking at the front of the site by narrowing the hard surfacing and encourage users to utilise the parking spaces and turning area at the rear of the site, therefore ensuring vehicles leave the site in forward gear.

- 7.22 Due to the improved situation proposed, the LPA consider that there would be a reduced impact upon traffic to and from Trench Road, despite the additional cars using the site as occupants would be able to exit more safely, in forward gear.
- 7.23 A number of comments have been raised during the consultation period regarding highway safety surrounding the access due to the proximity to the Trench Lock Interchange junction. Due to the arrangements described above, and that the cumulative impact of one additional dwelling would not result in a significant detrimental impact upon the highway network, the Local Highways Authority has raised no objection to the revised scheme, subject to the inclusion of a condition requiring the parking and turning area to be carried out prior to the occupation of the building.
- 7.24 Overall the revised scheme addresses the previous reasons for refusal, creates a betterment to the existing arrangements on site and is therefore consistent with Policy C3 of the Telford & Wrekin Local Plan.

#### Response to Neighbour Comments

- 7.25 With regards to the comments raised during the consultation period, a number of these have been addressed throughout the report, namely the overdevelopment of the site, the use of the building as a HMO and the concerns regarding parking and congestion.
- 7.26 In respect of the other issues raised, these will be addressed below. A number of concerns were raised regarding the removal of trees on site prior to the grant of any formal approval and the impact the scheme may have upon wildlife in the surrounding woodland. It does appear that some works were undertaken to a limited number of trees inside the application site and those overhanging the boundary to the west of the site, owned by the Council, prior to the application being resubmitted. As none of the trees on the site are subject to Tree Preservation Orders (TPOs), the Council could not prevent the Applicant removing these, as they do not require consent to be removed. With regards to trees overhanging the boundary, legally the Applicant is allowed to cut back anything overhanging from a neighbour's land, and this would be a civil agreement between themselves and the land owner. The Tree Survey covers a large number of trees on and adjacent to the site boundary and it does not appear any significant tree removal has taken place. Where trees have been removed, for instance a Silver Birch which was felled prior to the application being submitted, the Council's Tree Officer has requested a Tree Replacement Condition so the LPA can ensure a suitable replacement is planted.
- 7.27 With regards to the impact upon nature and wildlife, the development would be taking place on land which is existing garden land to No. 2 Elim Terrace and would not encroach into the woodland to the south or west. The Council's Ecology Officer was consulted on the proposal and did not consider any further information was required regarding protected species in this instance, given the existing status of the land as garden land and recommended

Condition(s) only for a lighting plan to be submitted, should the Applicant wish to install any external lighting. Whilst the land surrounding the site is Green Network land, as the development would not encroach into it, the Green Network would not be affected by the development.

- 7.28 A comment has been raised regarding poor drainage and water pressure in the area, and concerns over how the development will impact the existing drainage system. At this stage the Applicant has indicated that the foul drainage will be disposed of using the mains sewer, and the surface water by using a soakaway system. The Council's Drainage Officer has been formally consulted on the proposals and has raised no objection to this arrangement on the provision that a full scheme of foul and surface water drainage, including plans and calculations is submitted to and approved by the LPA prior to works commencing on-site. As such the LPA has no reason to object to the scheme on drainage grounds. In respect of water pressure this is a matter which sits outside of planning control with a statutory duty falling on the provider, Severn Trent Water, to provide a satisfactory supply.
- 7.29 A number of other comments came forward which are not material planning considerations, predominately consisting of queries relating to land ownership and rights of access. The LPA do not hold records of land ownership or rights of access, unless they are a designated Public Right of Way (PRoW) and the LPA rely on the Applicants to submit an ownership certificate declaring the correct ownership details. In this instance, the LPA have no reason to question the ownership of the site as it has been declared that the Applicant owns the whole site.
- 7.30 With regards to rights of access, a neighbour has declared that there is a right of access around the rear of the site and therefore they should be consulted on applications relating to this site as they have an interest in the land. Cllr. Shirley Reynolds has also raised concerns that sufficient consultation was not carried out. The LPA do not hold any records of rights of access as these are civil matters between land owners, and public consultation is not based on land ownership. Any issues relating to rights of access would be civil matters between the Applicant and interested parties, and would not be considered as part of the planning process.
- 7.31 In respect of consultation, legally the Government requires the LPA to consult all parties who adjoin the red line boundary of the application site, which in this instance would consist of No. 2 Elim Terrace. However the Council's Statement of Community Involvement states that properties adjacent the development site will be consulted which in this instance involved Nos. 1 and 2 Jubilee Terrace opposite. In this instance, as concern was raised regarding consultation during the 2020 application, the LPA has gone beyond the typical requirements and also consulted all those who commented on the earlier application for consistency, including Nos. 4, 6 and 8 Elim Terrace, and a number of properties on Jubilee Terrace opposite the site. As such, the LPA consider adequate consultation has taken place and the legal requirements for the exercise have been satisfied.

7.32 As a result of the points made above, the LPA considers the concerns submitted as part of the consultation period have been satisfactorily addressed.

## **8. CONCLUSIONS**

8.1 The principle of new residential development on the site is considered to be acceptable as it would see the delivery of 1no. additional housing unit in a sustainable location. When weighing up the benefits of the proposal through improvement of the access and parking arrangements on site, overall the scheme can be accepted and the siting, scale, massing and design would not introduce any significant adverse harm to the character of the area or neighbouring properties. The previous reasons for refusal have been addressed, and the scheme is consistent with the Telford & Wrekin Local Plan policies and national guidance contained within the NPPF.

## **9. RECOMMENDATION**

9.1 Based on the Conclusions above, the recommendation to the Planning Committee on this application is that **DELEGATED AUTHORITY** be granted to the Development Management Service Delivery Manager to **GRANT PLANNING PERMISSION** subject to the following Condition(s) and Informative(s):

### **Condition(s):**

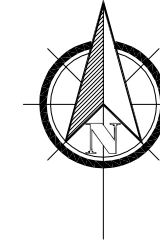
- Time Limit
- Details of Materials to be Submitted
- Foul and Surface Water Drainage
- Landscape Design
- Tree Replacements
- Details of External Lighting to be Submitted
- Site Environmental Management Plan
- Parking, Turning, Loading and Unloading
- Tree & Hedge Protection
- Works in Accordance with the Approved Plans
- Removal of all Permitted Development Rights

### **Informative(s):**

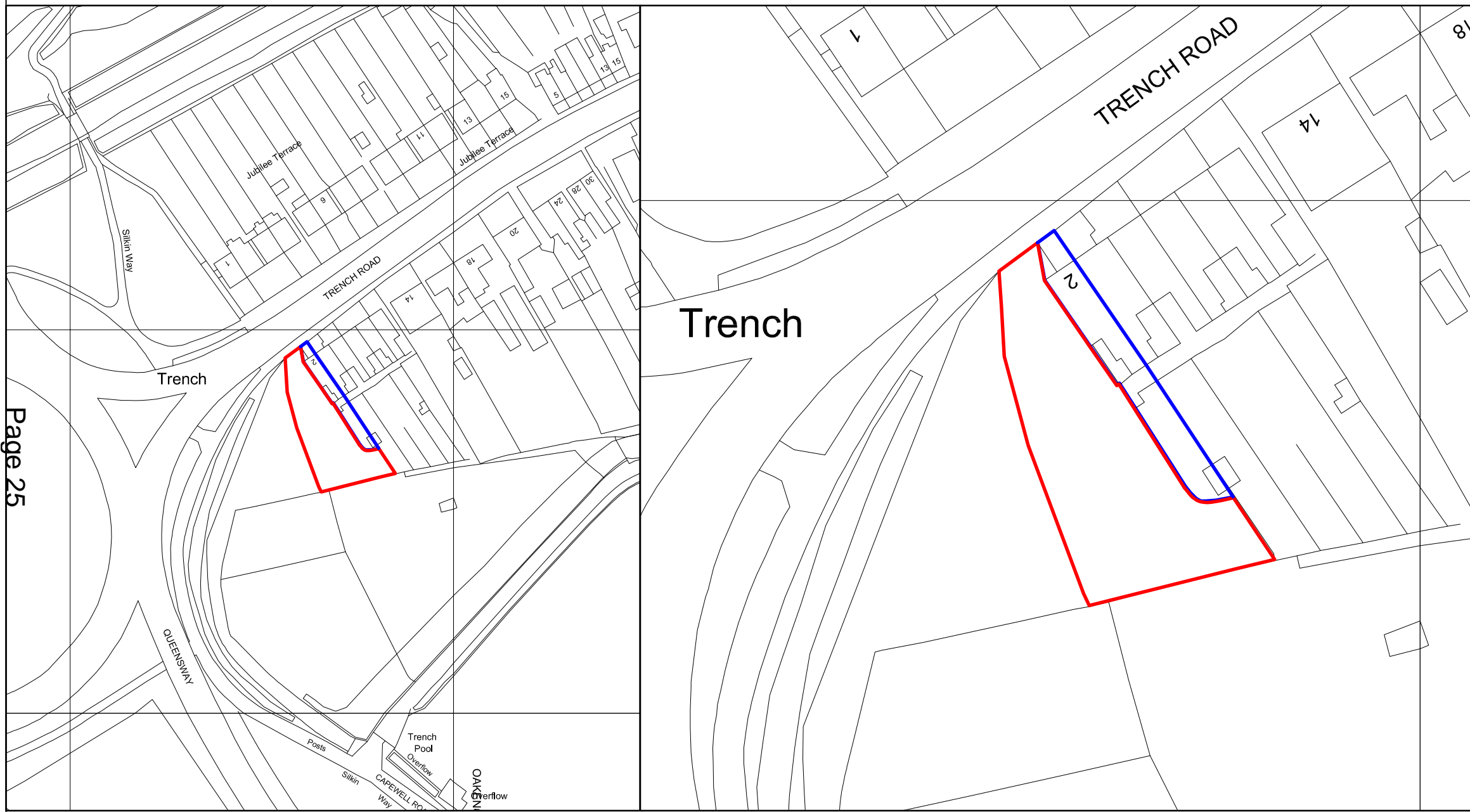
- Nesting Wild Birds
- Fire Authority
- Conditions
- Reasons for Grant of Planning Permission

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Page 25

Drawing  
**Location & Block Plan**

Title  
Single Dwelling  
Elim Terrace  
Trench Road  
Trench  
Telford  
TF2 6NZ

Client  
Granville Construction

Location Plan 1:1250

Block 1:500

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scale	paper size	drawing no.	date
shown	A3	2099/1	Feb 15

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revision a - amended scheme  
revision b - access width confirmed  
revision c - singles access/egress width provided for vehicles.

### Drawing Proposed Block Plan

Title  
Single Dwelling  
Elim Terrace  
Trench Road  
Trench  
Telford  
TF2 6NZ

Client  
Granville Construction

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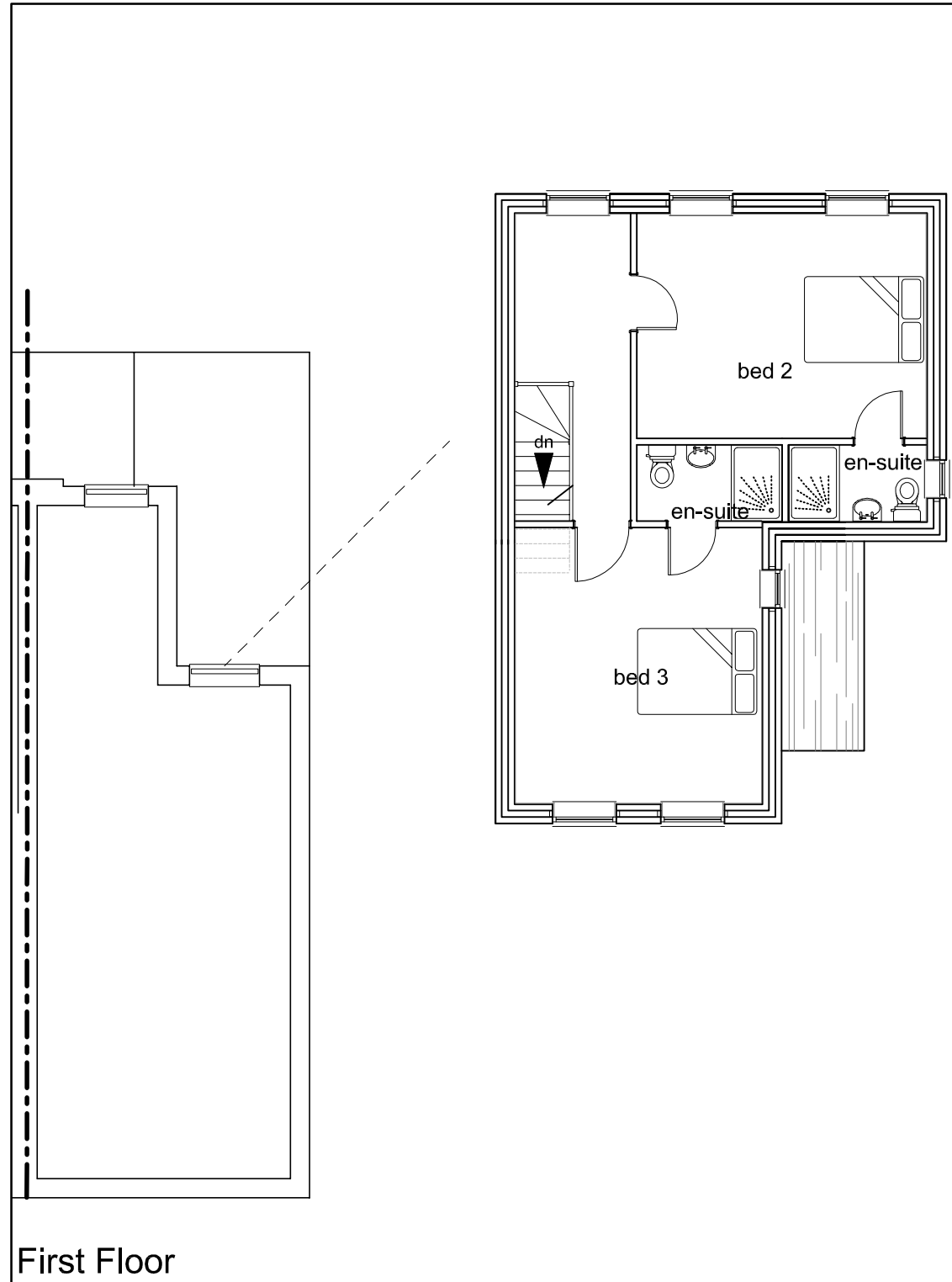
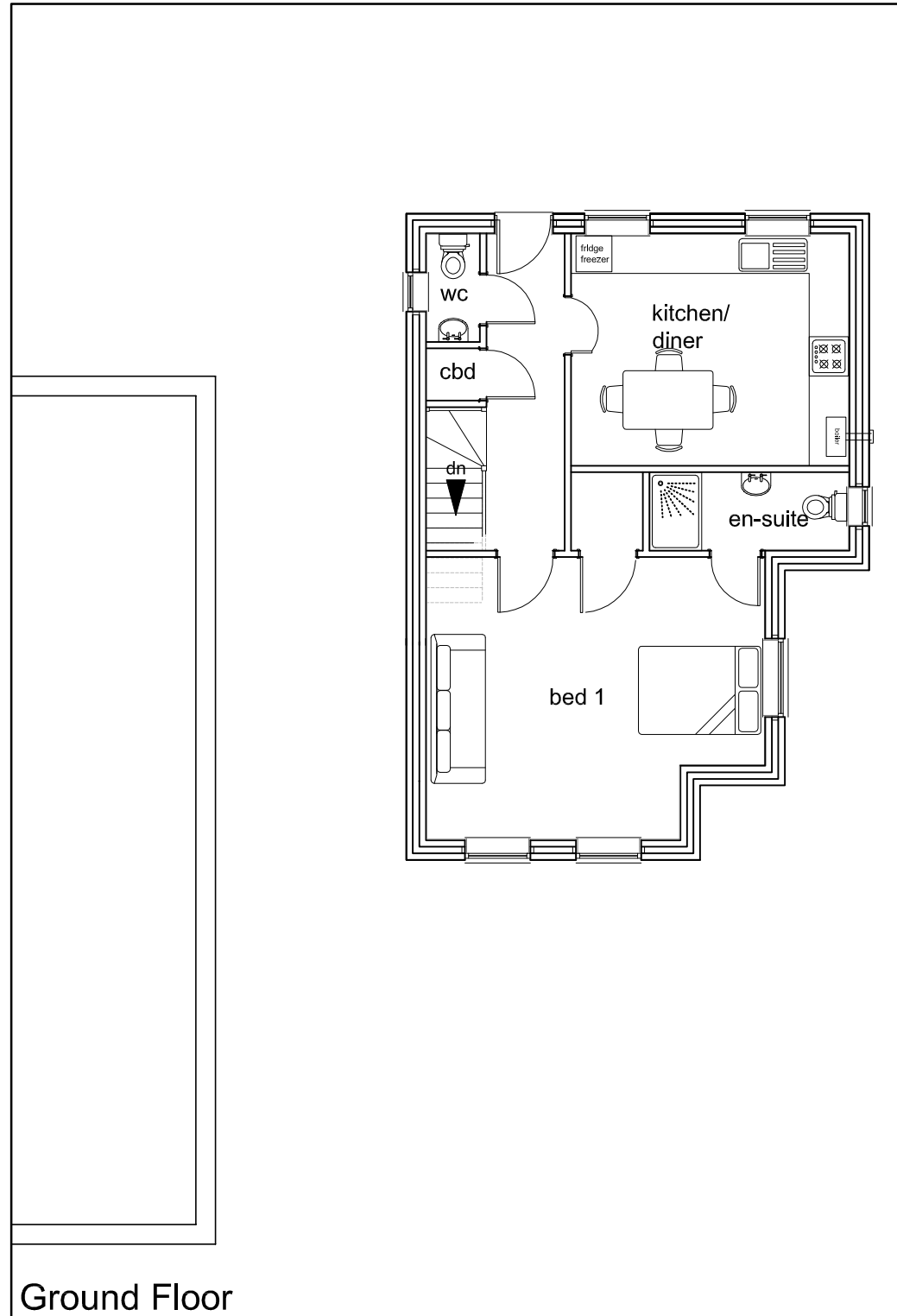
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scale	paper size	drawing no.	date
1/200	A3	2099/2c	Dec 15

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## Drawing Proposed Floor Plans

Title  
Single Dwelling  
Elim Terrace  
Trench Road  
Trench  
Telford  
TF2 6NZ

Client  
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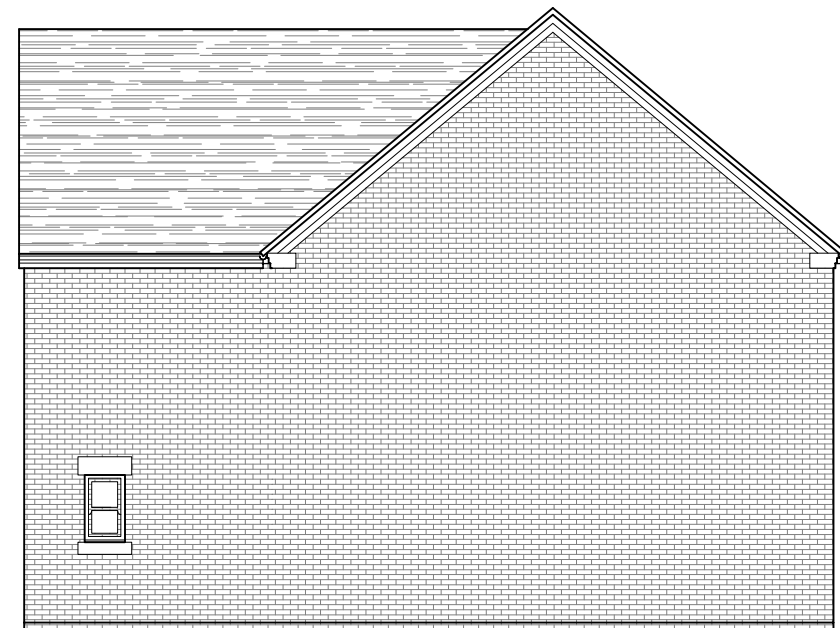
All dimensions are in mm. Do not scale. This plan has been prepared for planning and building regulations only. All dimensions should be checked on site.



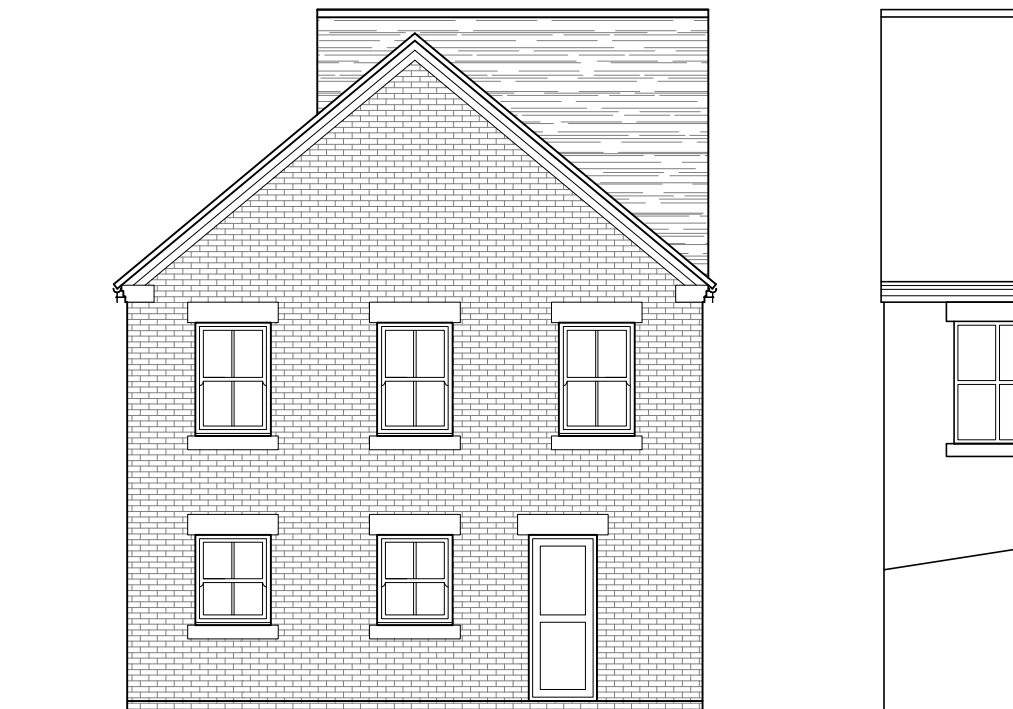
Front Elevation



Side Elevation



Side Elevation



Rear Elevation

Drawing  
**Proposed Elevations**

Title  
Single Dwelling  
Elim Terrace  
Trench Road  
Trench  
Telford  
TF2 6NZ

Client  
Granville Construction

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SY3 8PL



scale	paper size	drawing no.	date
1/100	A3	2099/5	Dec 15

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TWC/2022/0804

Land west of, Hollinshead Way, Old Park, Telford, Shropshire  
Removal of condition no2 and variation of condition no3 of planning permission  
TWC/2016/1119 (Importation of clean soil to test ground stability) to show the  
precise location within which materials will be tipped and rolled to create a  
surcharged mound and new stockpile area (Mound B)

**APPLICANT**

Telford and Wrekin Council

**RECEIVED**

28/09/2022

**PARISH**

Lawley and Overdale

**WARD**

Ketley and Overdale

**THIS APPLICATION HAS BEEN REFERRED TO PLANNING COMMITTEE AS  
THE COUNCIL IS THE APPLICANT AND LANDOWNER AND THE PROPOSAL IS  
A MAJOR APPLICATION (SITE AREA MORE THAN 1HA)**

Online planning file: <https://secure.telford.gov.uk/planning/pa-applicationsummary.aspx?applicationnumber=TWC/2022/0804>

## 1. SUMMARY RECOMMENDATIONS

It is recommended that **DELEGATED AUTHORITY** be granted to the Development Management Service Delivery Manager to **GRANT FULL PLANNING PERMISSION** subject to conditions and informatives.

## 2. APPLICATION SITE

- 2.1 The application site is located to the west of Hollinshead Way and the north of West Centre Way in the Old Park area of Telford. The site is located approximately 1km west of Telford Town Centre.
- 2.2 The proposed development would sit on a site measuring 4,500sqm within a larger 10.8 hectare parcel of open land. It can be accessed either from a roundabout junction in Hollinshead Way to the east or an existing field gate from Old Park Way to the west. The wider site is enclosed on 3 sides by a mature tree belt.
- 2.3 Thomas Telford Secondary School and The Wrekin Housing Group offices are located to the east. The nearest residential properties to the site are located approximately 130 metres to the west beyond Old Park Way, approximately 200m to the south west on Cambridge Close and to the north across Colliers Way

## 3. APPLICATION DETAILS

- 3.1 The application proposes the importation of clean soil to the site in order to carry out surcharging works to improve ground strength and to monitor the

settlement of the ground. All works will be carried out within the 4,500sqm site identified on the submitted Block Plan as 'Mound B.'

#### **4. PLANNING HISTORY**

- 4.1 TWC/2016/1119 - Importation of clean soil to test ground stability - Granted 23 January 2017
- 4.2 TWC/2018/0804 - Importing of clean soil to surcharge the ground and improve the ground strength – Granted 1 November 2018

#### **5. RELEVANT POLICY DOCUMENTS**

- 5.1 National Planning Policy Framework (NPPF)
- 5.2 Telford & Wrekin Local Plan 2011-2031

#### **6. NEIGHBOUR REPRESENTATIONS**

6.1 The 21-day public consultation period expires on 19 October 2022 but due to the press notice the final consultation date is 27 October 2022. At the time of writing the report no comments have been received. Any comments will be reported as updates prior to the meeting.

##### **6.2 TWC Highways: Comment**

- Having given consideration to the applicant's reasons for the hours of operation of 07.30 to 16.30 these are considered acceptable subject to a condition;
- 120 HGV movements per day equates to 240 trips. This would work out as roughly 26 per hour or one every 2-ish minutes. In the context of the duration of the soil import lasting one month this does not raise any significant concerns in terms of capacity or highway safety issues;
- The anti-mud management proposals are acceptable and a condition is requested to secure and monitor these;
- The proposals to reinstate the conditions of the access once the importation is complete are acceptable and a condition is requested securing a pre-works and post-works survey;
- Further information is required regarding the operation of the access in the event of simultaneous HGV use to ensure arrangements on and off Old Park Way, a class B road, is acceptable.

#### **7. STATUTORY REPRESENTATIONS**

7.1 The statutory consultation period expires on 19 October 2022. At the time of writing the report no comments have been received. Any further comments will be reported as updates prior to the meeting.

#### **8. APPRAISAL**

- 8.1 Having regard to the development plan policy and other material considerations including comments received during the consultation process, the planning application raises the following main issues:
- Principle of development
  - Highway considerations
  - Ecology
  - Residential Amenity
  - Mining considerations
  - Other matters
- 8.2 Background
- 8.3 The site historically contained opencast coal mining works which have since been backfilled. Ground investigation works carried out in 2016 confirmed that a significant depth of made ground is present across the majority of the site which locally reaches depths in excess of 30 metres. Investigations have been carried out to test the susceptibility of the ground to improvement. In 2017, planning permission ref.: TWC/2016/1119 was granted to allow the importation of clean soil to a part of the site measuring 1 hectare to carry out surcharging works.
- 8.4 The process of 'surcharging' involves a specific height and area of soil being placed in a bespoke part of the site and the settlement of the underlying ground measured for up to a year. To enable this to happen, a lot of clean imported material is required, which can be 'stacked' in a controlled manner to create an increased load at the surface. The resulting settlement of the ground is then monitored and recorded as a means of testing ground stability.
- 8.5 A second consent was approved under TWC/2018/0804 which permitted further importation of soil within a 1 hectare area in the south-west corner of the site to surcharge the ground and improve ground strength (referred to as Mound A in the application under consideration). This consent allows sufficient importation of soil to cover an area of 4,500sqm up to a height of 5m. To date Mound A contains soil up to 2m in height and therefore retains capacity to accommodate more soil as part of the 2018 consent.
- 8.6 This application is a variation to the 2016 consent and therefore the principle of development is accepted. The proposal is to again seek permission for the importing of soil to the site, this time to the area identified as 'Mound B' on the proposed plans. The works will take place on a 1 hectare parcel of land in the centre-south west corner of the wider 10.8 hectare site, immediately north of Mound A.
- 8.7 The amount of soil being proposed for importation is 36,000 cubic metres. Some of this will be directed towards Mound B and some will go to the previously consented Mound A, which has capacity to receive more soil than it

currently has under consent TWC/2018/0804. In real terms, Mound A has consent to be up to 5m in height and the applicant advises that the soil import would increase the height of Mound A to 4.5m, which remains under the original allowance.

#### 8.8 Highway considerations

8.9 As with the previous applications, the main issues is the provision of access to the site and the likely impact upon the highways network. The works will require HGV trips to and from the site, utilising access points to the west via an existing gateway onto Old Park Way. A key difference between this application and the previous consents is that the site access to the east from the roundabout off Hollinshead Way is no longer proposed and therefore all HGV movement would use the single access onto Old Park Way.

8.10 This is because there is now a steep drop into the site from the eastern access, which would need significant earthworks to make it safe for HGV passage across the drain which crosses the site. Furthermore, the land around the eastern access is wet and marshy and creating an access road through the wet land would be difficult. The applicant also wishes to reduce the amount of contact between HGVs and Thomas Telford School given the increased number of HGV movements proposed this time, as detailed below.

8.11 Whereas the previous applications expected the import of materials on an ad hoc basis depending on when donor sites became available, a difference with this application is that the donor site (located in Telford town centre) is known and therefore the length of import, HGV route and proposed number of HGV movements a day have all been submitted. The import is planned to take place in a concentrated period which dovetails with works taking place on the donor site. This would amount to approximately one month (Mondays to Saturdays) with 120 HGV movements a day (10 deliveries per lorry) based on hours of operation of 0730 to 1630. The Local Highways Authority have confirmed that these arrangements are acceptable, particularly as the import is expected to last one month.

8.12 HGV movements onto the site will need to be managed to avoid any queuing on the highways outside the site and the Local Highways Authority have requested more information on these arrangements from the application. This will be reported to committee either prior to or at the time of the meeting.

8.13 Whilst the proposal will increase vehicle movements to and from the site, officers again take the view that any disruption would only be temporary and short term in nature. The site is easily accessible using main roads and therefore is unlikely to result in any significant, prolonged impact upon the highway network within the vicinity of the site. Officers are also satisfied that suitable traffic management measures can be put in place to minimise potential disruption to motorists and pedestrians, with the caveat of the information requested from the applicant described in para 8.12.

#### 8.14 Ecology

8.15 An Ecological Method Statement has been submitted as part of the application and is being assessed by the Council's Ecologists. Comments received will be reported to Members prior to or at the time of the committee meeting.

#### 8.16 Residential Amenity

8.17 With regard to residential amenity, the nearest properties are located 50 metres from the western access and a significantly greater distance to the area where the soil tipping will take place. The works are proposed to be carried out between 7.30 and 16.30 Monday to Saturday and at no time on Sundays or Bank Holidays at which times, background noise within the area is likely to be reasonably high, primarily resulting from traffic on the busy road network surrounding the site. Members are asked to note the previous consent granted hours of operation from 07.00 to 19.30 and the reduction in these hours reflects the increased intensity of HGV movements.

8.18 As such, it is not considered that the proposal would result in any significant harm to the amenities of the nearest residents.

#### 8.19 Mining considerations

8.20 The applicant has provided a Coal Authority Mining Report, which confirms two recorded mineshaft positions below the southern edge of Mound B. The Coal Authority report confirms that both mineshafts have been dug out during opencast mining operations in 1976-77 and therefore recorded mineshafts do not exist below the surcharge footprint (i.e. Mound B).

#### 8.21 Other Matters

8.22 No concerns in terms of drainage issues are raised and all imported soil will be tested and approved under the CL:AIRE protocol prior to entering the site, thus certifying receipt of clean materials from controlled sources.

8.23 The applicant advises that if the soil can be imported to the Old Park Campus it would avoid it having to be taken out of the borough to landfill. This would represent a significant cost-saving as well as contributing towards the Council's carbon neutral aspirations.

### **9. CONCLUSION**

9.1 The proposal is therefore deemed to be compliant with the Telford & Wrekin Local Plan 2011-2031 and the guidance contained within the NPPF.

### **10. DETAILED RECOMMENDATION**

10.1 Based on the conclusions above, the recommendation to the Planning Committee on this application is to **GRANT PLANNING PERMISSION** to the

Development Management Service Delivery Manager, subject to the following:

- A) No further representations being received during what remains of the consultation period which raise material considerations which are, in the opinion of the Development Management Service Delivery Manager after consultation with the Chair of Planning Committee, of such significance that the application should be reported back to Planning Committee for re-consideration and determination.
- B) Submission of information pertaining to the management of HGVs around site access on Old Park Way and agreement by Local Highways Authority;
- C) The following Condition(s) and Informative(s) (with authority to finalise and impose additional Conditions to be delegated to the Development Management Service Delivery Manager):

A04	Full with No Reserved Matters
B150	Constructive Environmental Management Plan (to include anti-mud measures)
B049	Pre-works and post-works survey on highway/access condition
C020	Works in Accordance with Traffic Management/Routing Plan
Ccust	Chemical Certification
C38	Development in Accordance with Plans
D11	Hours of Work
	Any conditions requested by the Council's Ecologist

TWC/2022/0804

Land west of, Hollinshead Way, Old Park, Telford, Shropshire  
Removal of condition no2 and variation of condition no3 of planning permission  
TWC/2016/1119 (Importation of clean soil to test ground stability) to show the  
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**3. APPLICATION DETAILS**

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##### **6.2 TWC Highways: Comment**

- Having given consideration to the applicant's reasons for the hours of operation of 07.30 to 16.30 these are considered acceptable subject to a condition;
- 120 HGV movements per day equates to 240 trips. This would work out as roughly 26 per hour or one every 2-ish minutes. In the context of the duration of the soil import lasting one month this does not raise any significant concerns in terms of capacity or highway safety issues;
- The anti-mud management proposals are acceptable and a condition is requested to secure and monitor these;
- The proposals to reinstate the conditions of the access once the importation is complete are acceptable and a condition is requested securing a pre-works and post-works survey;
- Further information is required regarding the operation of the access in the event of simultaneous HGV use to ensure arrangements on and off Old Park Way, a class B road, is acceptable.

#### **7. STATUTORY REPRESENTATIONS**

7.1 The statutory consultation period expires on 19 October 2022. At the time of writing the report no comments have been received. Any further comments will be reported as updates prior to the meeting.

#### **8. APPRAISAL**



- 8.1 Having regard to the development plan policy and other material considerations including comments received during the consultation process, the planning application raises the following main issues:
- Principle of development
  - Highway considerations
  - Ecology
  - Residential Amenity
  - Mining considerations
  - Other matters
- 8.2 Background
- 8.3 The site historically contained opencast coal mining works which have since been backfilled. Ground investigation works carried out in 2016 confirmed that a significant depth of made ground is present across the majority of the site which locally reaches depths in excess of 30 metres. Investigations have been carried out to test the susceptibility of the ground to improvement. In 2017, planning permission ref.: TWC/2016/1119 was granted to allow the importation of clean soil to a part of the site measuring 1 hectare to carry out surcharging works.
- 8.4 The process of 'surcharging' involves a specific height and area of soil being placed in a bespoke part of the site and the settlement of the underlying ground measured for up to a year. To enable this to happen, a lot of clean imported material is required, which can be 'stacked' in a controlled manner to create an increased load at the surface. The resulting settlement of the ground is then monitored and recorded as a means of testing ground stability.
- 8.5 A second consent was approved under TWC/2018/0804 which permitted further importation of soil within a 1 hectare area in the south-west corner of the site to surcharge the ground and improve ground strength (referred to as Mound A in the application under consideration). This consent allows sufficient importation of soil to cover an area of 4,500sqm up to a height of 5m. To date Mound A contains soil up to 2m in height and therefore retains capacity to accommodate more soil as part of the 2018 consent.
- 8.6 This application is a variation to the 2016 consent and therefore the principle of development is accepted. The proposal is to again seek permission for the importing of soil to the site, this time to the area identified as 'Mound B' on the proposed plans. The works will take place on a 1 hectare parcel of land in the centre-south west corner of the wider 10.8 hectare site, immediately north of Mound A.
- 8.7 The amount of soil being proposed for importation is 36,000 cubic metres. Some of this will be directed towards Mound B and some will go to the previously consented Mound A, which has capacity to receive more soil than it

currently has under consent TWC/2018/0804. In real terms, Mound A has consent to be up to 5m in height and the applicant advises that the soil import would increase the height of Mound A to 4.5m, which remains under the original allowance.

#### 8.8 Highway considerations

8.9 As with the previous applications, the main issues is the provision of access to the site and the likely impact upon the highways network. The works will require HGV trips to and from the site, utilising access points to the west via an existing gateway onto Old Park Way. A key difference between this application and the previous consents is that the site access to the east from the roundabout off Hollinshead Way is no longer proposed and therefore all HGV movement would use the single access onto Old Park Way.

8.10 This is because there is now a steep drop into the site from the eastern access, which would need significant earthworks to make it safe for HGV passage across the drain which crosses the site. Furthermore, the land around the eastern access is wet and marshy and creating an access road through the wet land would be difficult. The applicant also wishes to reduce the amount of contact between HGVs and Thomas Telford School given the increased number of HGV movements proposed this time, as detailed below.

8.11 Whereas the previous applications expected the import of materials on an ad hoc basis depending on when donor sites became available, a difference with this application is that the donor site (located in Telford town centre) is known and therefore the length of import, HGV route and proposed number of HGV movements a day have all been submitted. The import is planned to take place in a concentrated period which dovetails with works taking place on the donor site. This would amount to approximately one month (Mondays to Saturdays) with 120 HGV movements a day (10 deliveries per lorry) based on hours of operation of 0730 to 1630. The Local Highways Authority have confirmed that these arrangements are acceptable, particularly as the import is expected to last one month.

8.12 HGV movements onto the site will need to be managed to avoid any queuing on the highways outside the site and the Local Highways Authority have requested more information on these arrangements from the application. This will be reported to committee either prior to or at the time of the meeting.

8.13 Whilst the proposal will increase vehicle movements to and from the site, officers again take the view that any disruption would only be temporary and short term in nature. The site is easily accessible using main roads and therefore is unlikely to result in any significant, prolonged impact upon the highway network within the vicinity of the site. Officers are also satisfied that suitable traffic management measures can be put in place to minimise potential disruption to motorists and pedestrians, with the caveat of the information requested from the applicant described in para 8.12.

#### 8.14 Ecology

8.15 An Ecological Method Statement has been submitted as part of the application and is being assessed by the Council's Ecologists. Comments received will be reported to Members prior to or at the time of the committee meeting.

#### 8.16 Residential Amenity

8.17 With regard to residential amenity, the nearest properties are located 50 metres from the western access and a significantly greater distance to the area where the soil tipping will take place. The works are proposed to be carried out between 7.30 and 16.30 Monday to Saturday and at no time on Sundays or Bank Holidays at which times, background noise within the area is likely to reasonably high, primarily resulting from traffic on the busy road network surrounding the site. Members are asked to note the previous consent granted hours of operation from 07.00 to 19.30 and the reduction in these hours reflects the increased intensity of HGV movements.

8.18 As such, it is not considered that the proposal would result in any significant harm to the amenities of the nearest residents.

#### 8.19 Mining considerations

8.20 The applicant has provided a Coal Authority Mining Report, which confirms two recorded mineshaft position below the southern edge of Mound B. The Coal Authority report confirms that both mineshafts have been dugout during opencast mining operations in 1976-77 and therefore recorded mineshafts do not exist below the surcharge footprint (i.e. Mound B).

#### 8.21 Other Matters

8.22 No concerns in terms of drainage issues are raised and all imported soil will be tested and approved under the CL:AIRE protocol prior to entering the site, thus certifying receipt of clean materials from controlled sources.

8.23 The applicant advises that if the soil can be imported to the Old Park Campus it would avoid it having to be taken out of borough to landfill. This would represent a significant cost-saving as well as contributing towards the Council's carbon neutral aspirations.

### **9. CONCLUSION**

9.1 The proposal is therefore deemed to be compliant with the Telford & Wrekin Local Plan 2011-2031 and the guidance contained within the NPPF.

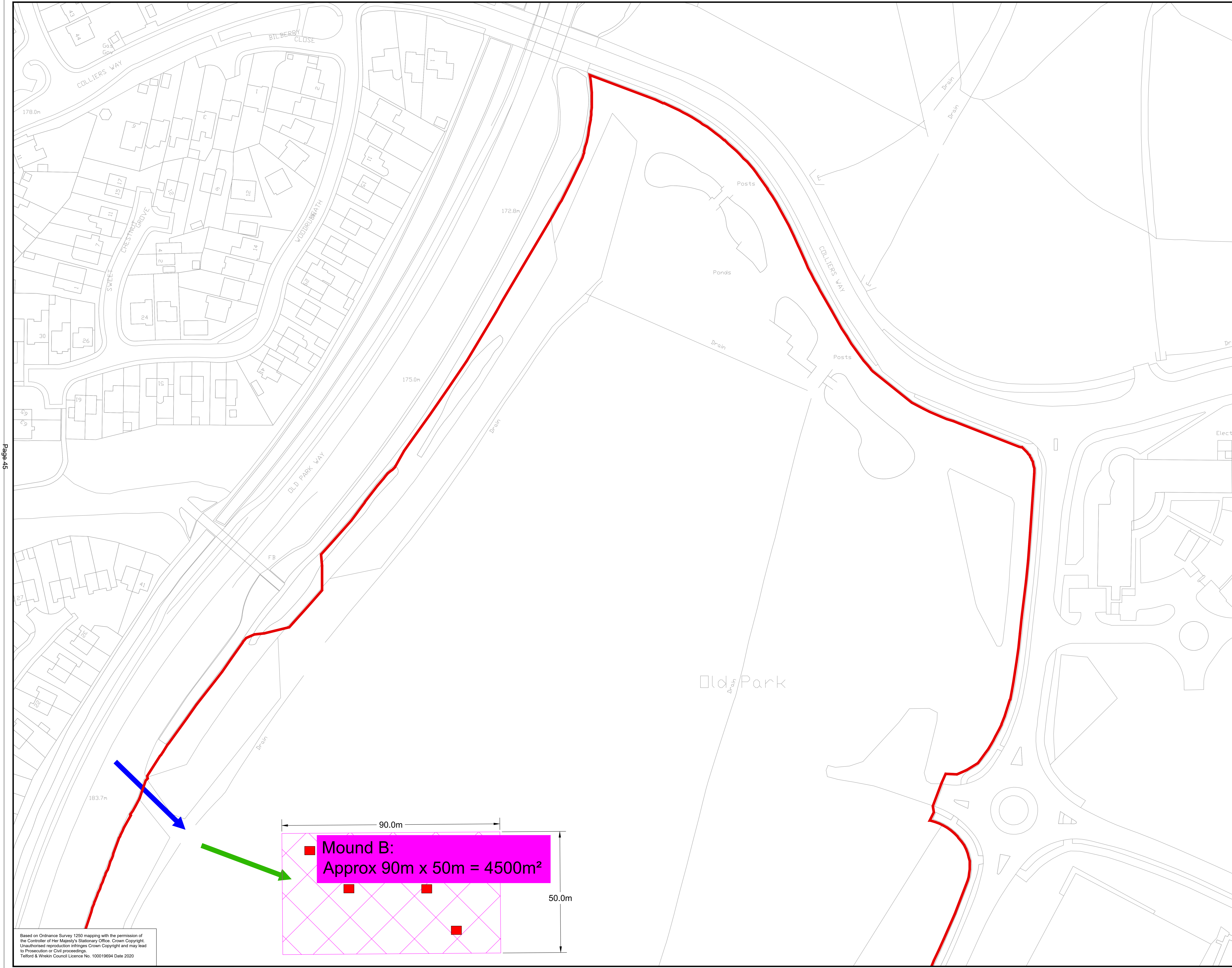
### **10.DETAILED RECOMMENDATION**

10.1 Based on the conclusions above, the recommendation to the Planning Committee on this application is to **GRANT PLANNING PERMISSION** to the

Development Management Service Delivery Manager, subject to the following:

- A) No further representations being received during what remains of the consultation period which raise material considerations which are, in the opinion of the Development Management Service Delivery Manager after consultation with the Chair of Planning Committee, of such significance that the application should be reported back to Planning Committee for re-consideration and determination.
- B) Submission of information pertaining to the management of HGVs around site access on Old Park Way and agreement by Local Highways Authority;
- C) The following Condition(s) and Informative(s) (with authority to finalise and impose additional Conditions to be delegated to the Development Management Service Delivery Manager):

A04	Full with No Reserved Matters
B150	Constructive Environmental Management Plan (to include anti-mud measures)
B049	Pre-works and post-works survey on highway/access condition
C020	Works in Accordance with Traffic Management/Routing Plan
Ccust	Chemical Certification
C38	Development in Accordance with Plans
D11	Hours of Work
	Any conditions requested by the Council's Ecologist



- Key**
- Old Park Campus Site Boundary
  - Existing Access
  - Proposed Direct Access
  - Proposed Monitoring Locations
  - Proposed Mound

**Notes**

Issue	File Type	Description	Date	Approved

**Telford & Wrekin**  
COUNCIL

Chair: Sargeant, Director: Neighbourhood & Enforcement Services, Adenbrooke House, Telford, TF3 4NT

**Telford & Wrekin Council**

Project: LP689 - Old Park Campus

Drawing title: Block Plan 1 of 2

Drawing status: **FINAL**

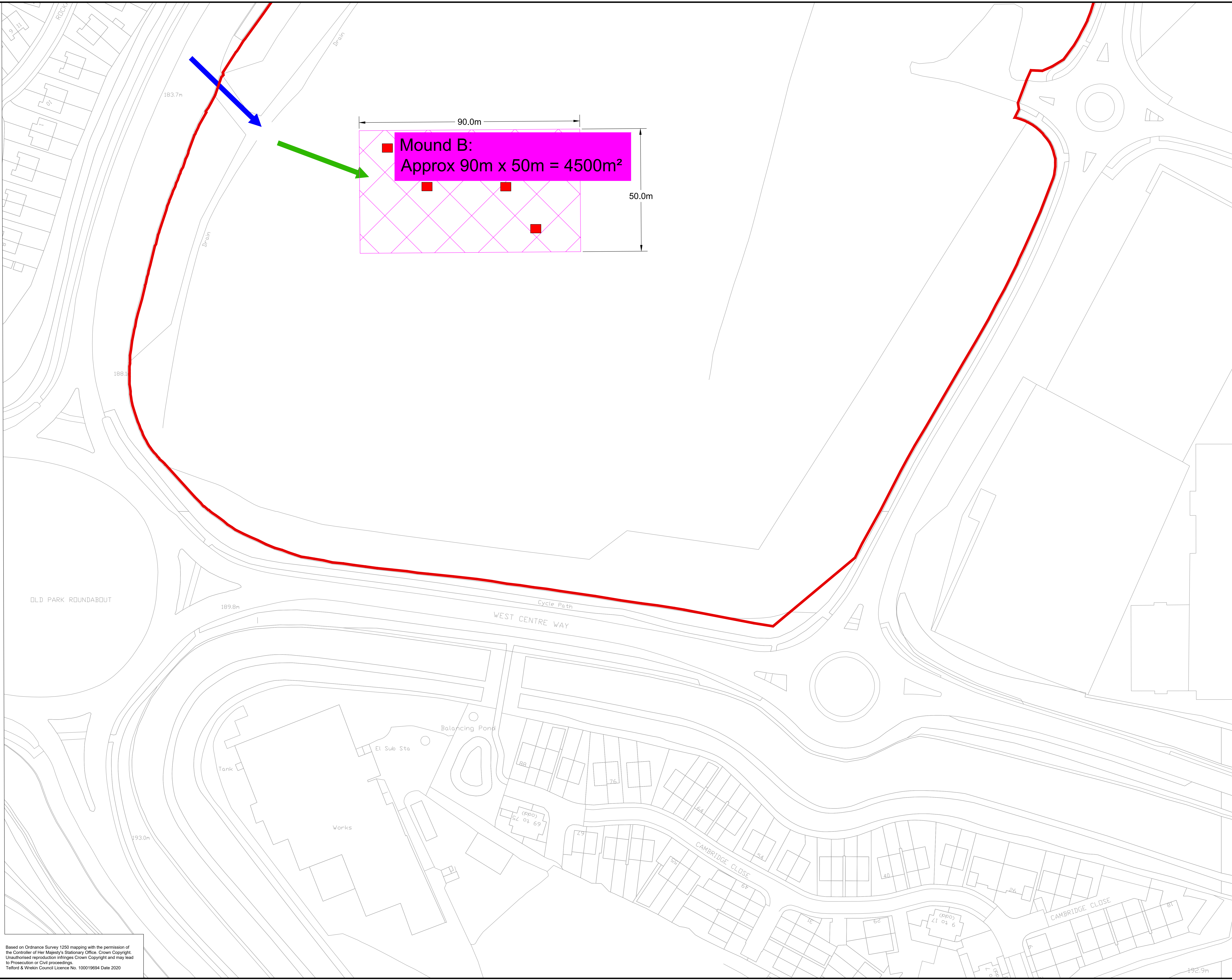
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Key

- Old Park Campus Site Boundary
- Existing Access
- Proposed Direct Access
- Proposed Monitoring Locations
- Proposed Mound

Notes

Issue	File Type	Destination	Date	Approved

**Telford & Wrekin Council**  
 a co-operative council

Dean Sergeant, Director, Neighbourhood & Enforcement Services, Adenbrooke House, Telford, TF3 4NT

**Telford & Wrekin Council**

Project: LP689 - Old Park Campus

Drawing title: Block Plan 2 of 2

Drawing status: **FINAL**

Scale: 1:500	Date: 05/10/2022	Drawn by: MJD	Checked by: DK	Approved by: -
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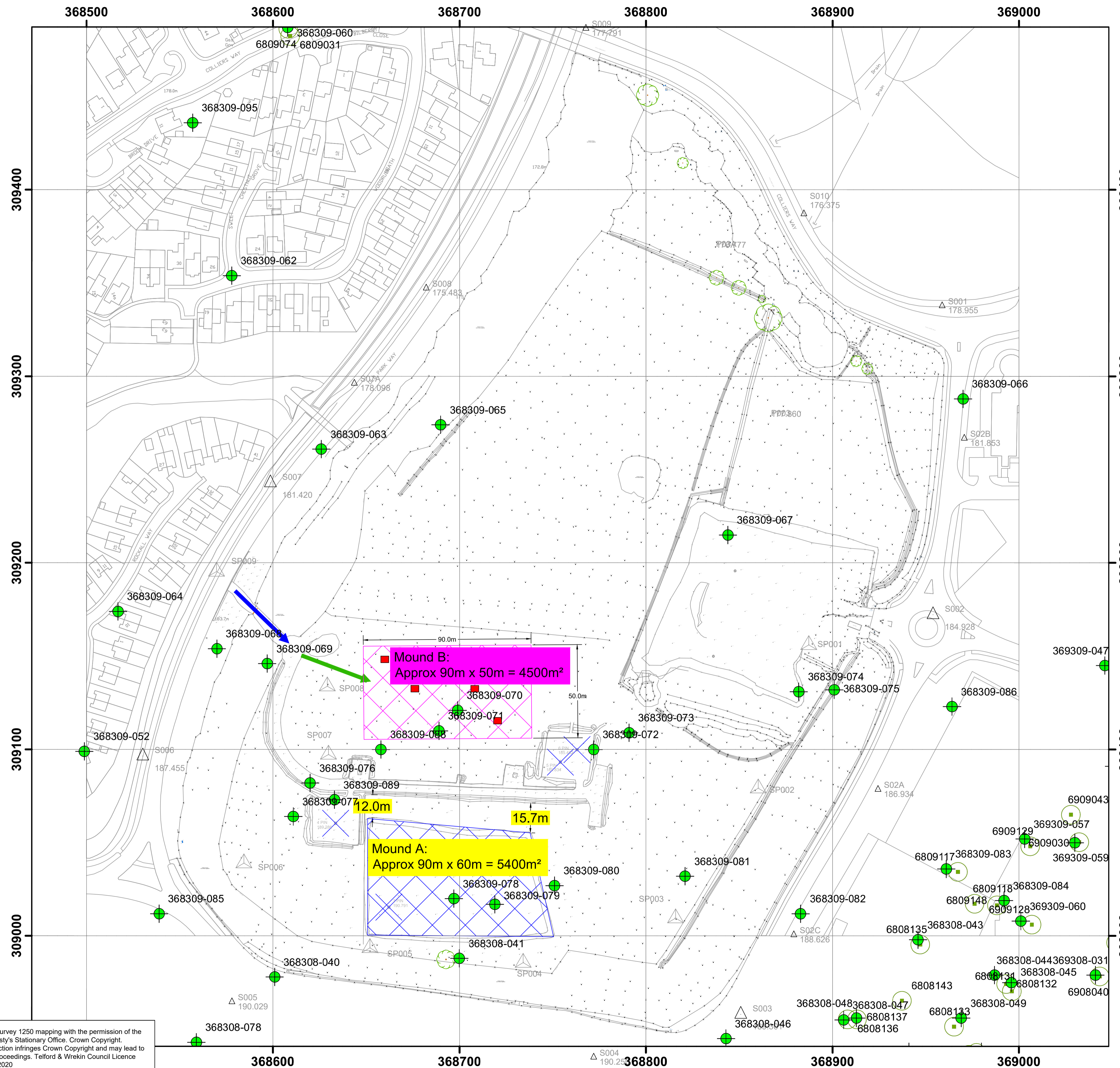
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**Key**

- Recorded CA Mineshaft Location
- Recorded TDC Mineshaft Location
- Existing Access
- Proposed Direct Access
- X Existing Monitoring Pins
- Proposed Monitoring Locations
- Existing Mound (Mound A)
- Proposed Mound (Mound B)

**Notes**

Rev	Revision/Issue Date	Purpose of Revision/Issue	Drawn	Checked	Approved

**Telford & Wrekin COUNCIL**  
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Dean Sargeant, Director, Neighbourhood & Enforcement Services, Addenbrooke House, Telford, TF3 4NT

Client: Telford & Wrekin Council

Project: Old Park Campus

Drawing title: Proposed Mound

Drawing status: **FINAL**

Scale: NTS	A1	Date: 05/10/2022	Drawn-by: MG	Checked-by: DK	Approved-by: -
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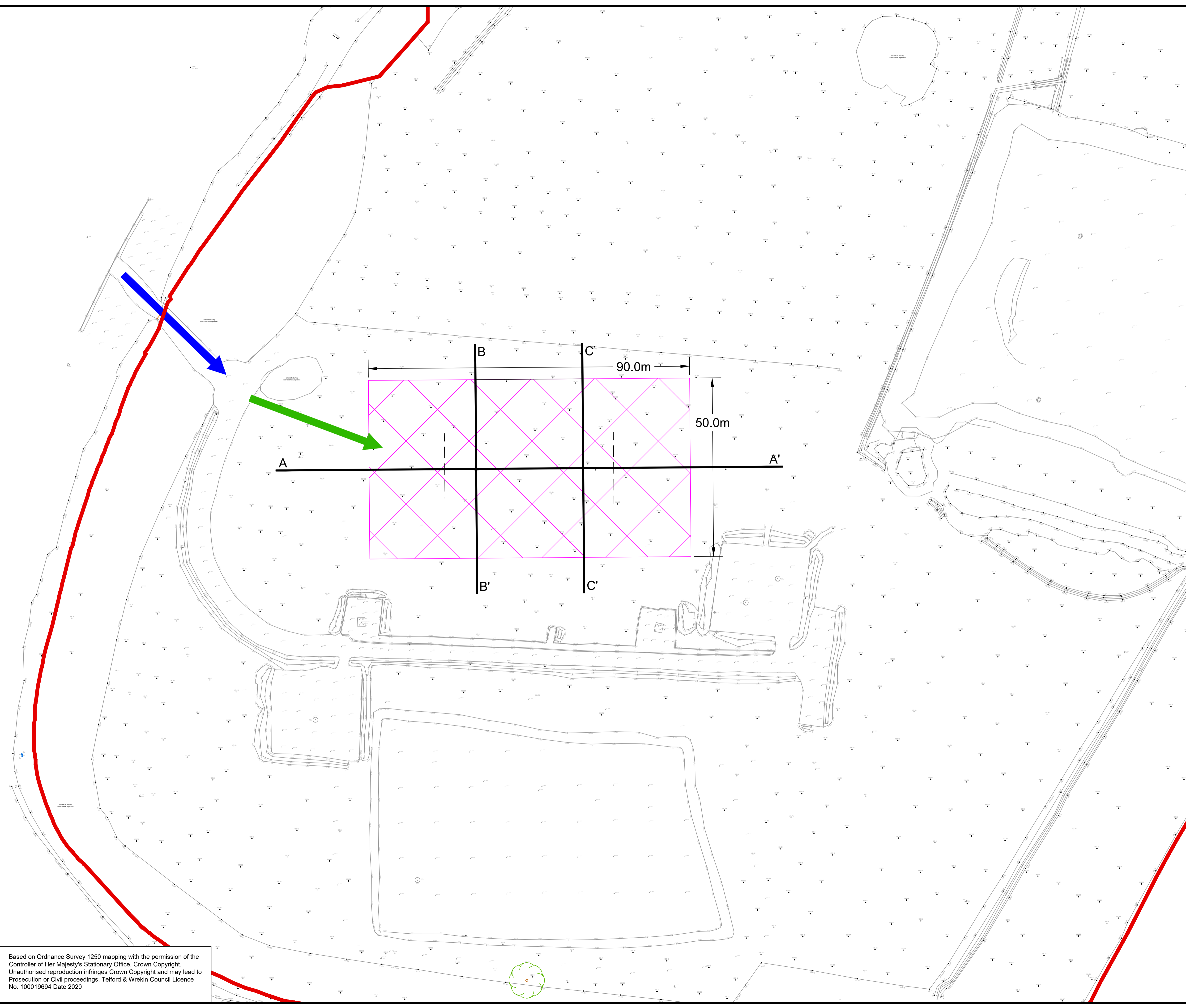
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**Key**

- Old Park Campus Site Boundary
- Existing Access
- Proposed Direct Access
- A A' Cross Section Line
- — Cross Section Cut Line
- X Proposed Mound

**Notes**

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Rev	Revision/Issue Date	Purpose of Revision/Issue	Drawn	Checked	Approved
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Dean Sargeant, Director, Neighbourhood & Enforcement Services, Addenbrooke House, Telford, TF3 4NT

Client  
**Telford & Wrekin Council**

Project  
**LP689 - Old Park Campus**

Drawing title  
**Cross Sections  
1 of 3**

Drawing status  
**FINAL**

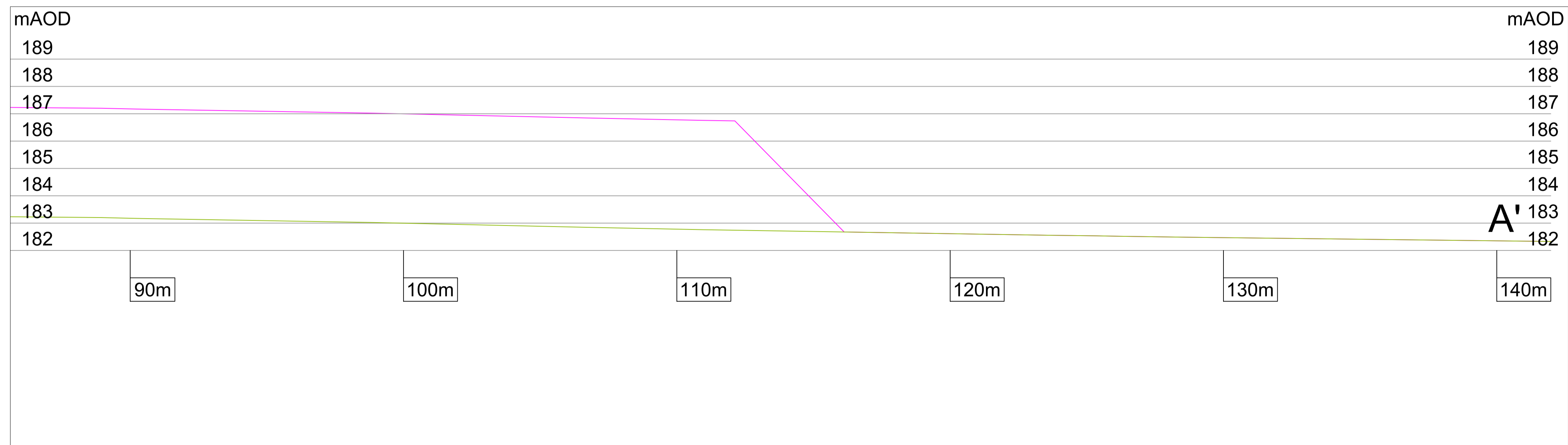
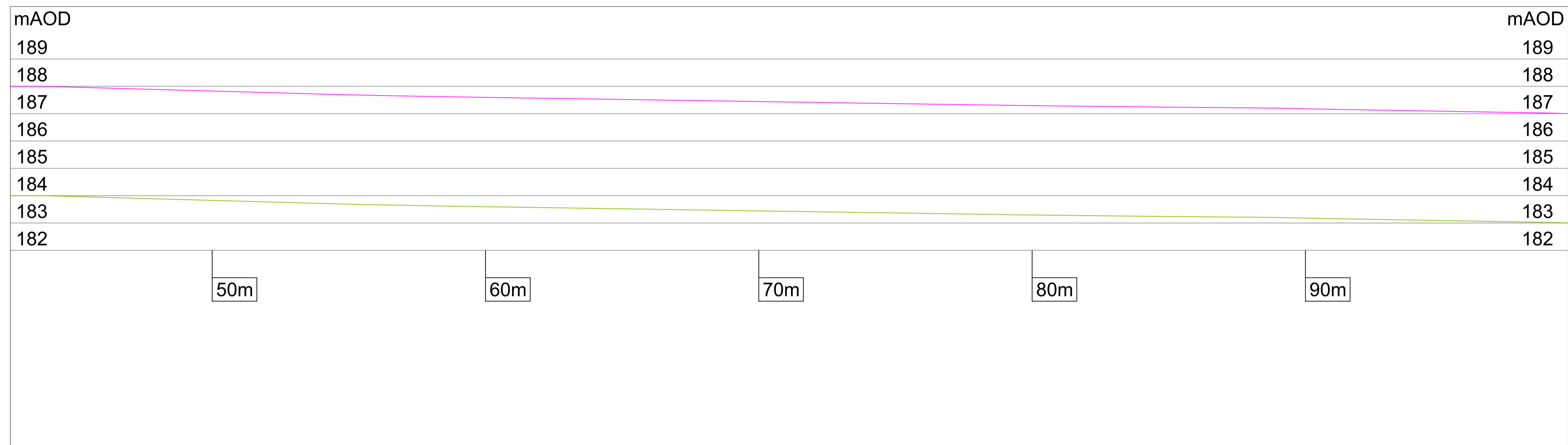
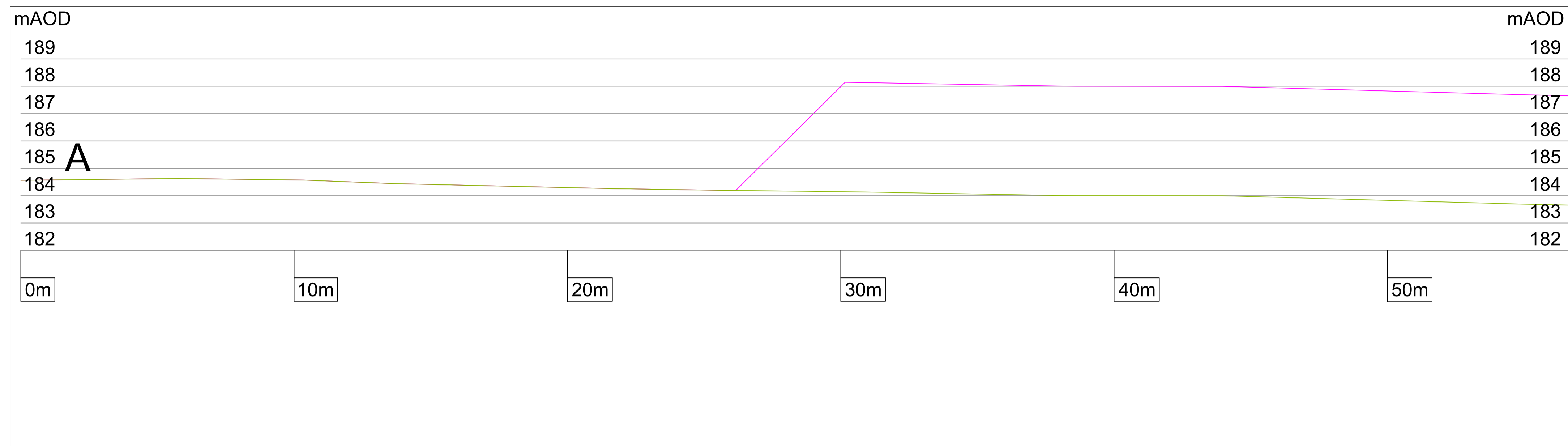
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**Key**

- Existing Levels
- Proposed Levels

**Notes**

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Dean Sargeant, Director, Neighbourhood & Enforcement Services, Addenbrooke House, Telford, TF3 4NT

Client: Telford & Wrekin Council

Project: LP689 - Old Park Campus

Drawing title: Cross Section A-A'  
2 of 3

Drawing status: **FINAL**

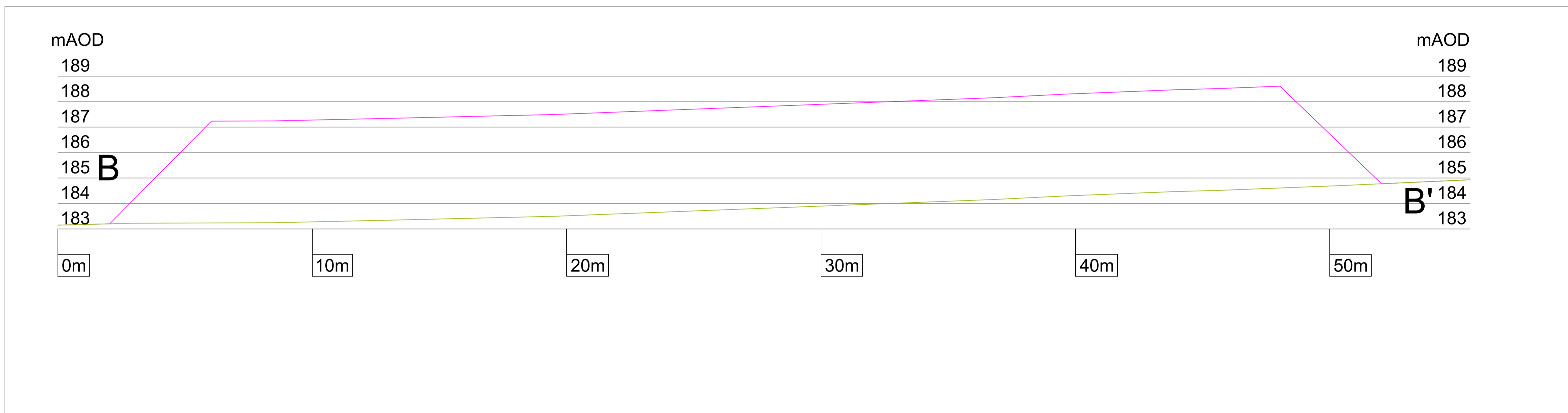
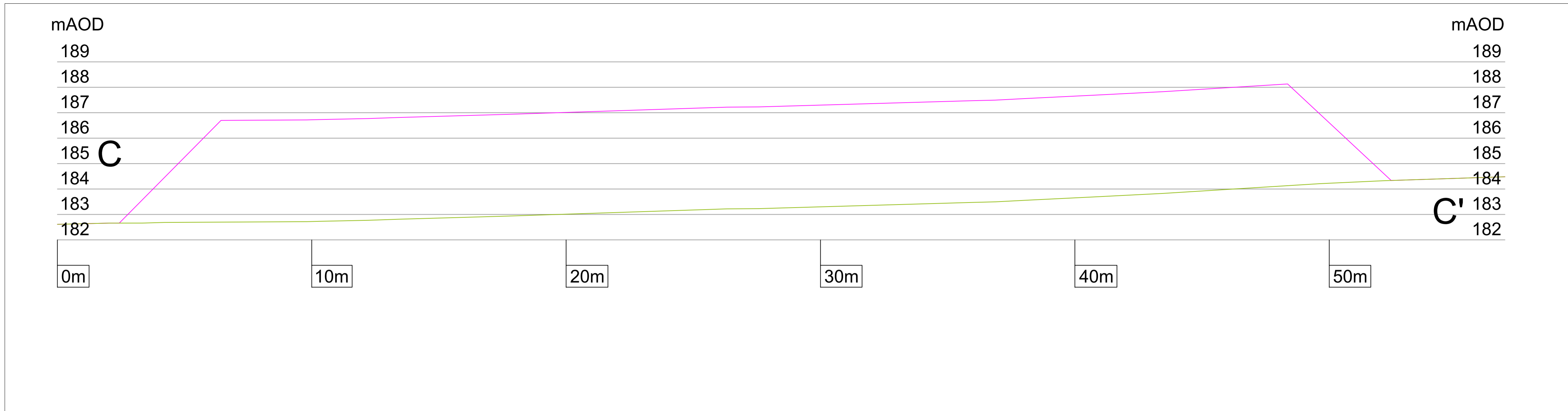
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**Key**

- Existing Levels
- Proposed Levels

**Notes**

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Client: Telford & Wrekin Council

Project: LP689 - Old Park Campus

Drawing title: Cross Section B-B' & C-C'  
3 of 3

Drawing status: **FINAL**

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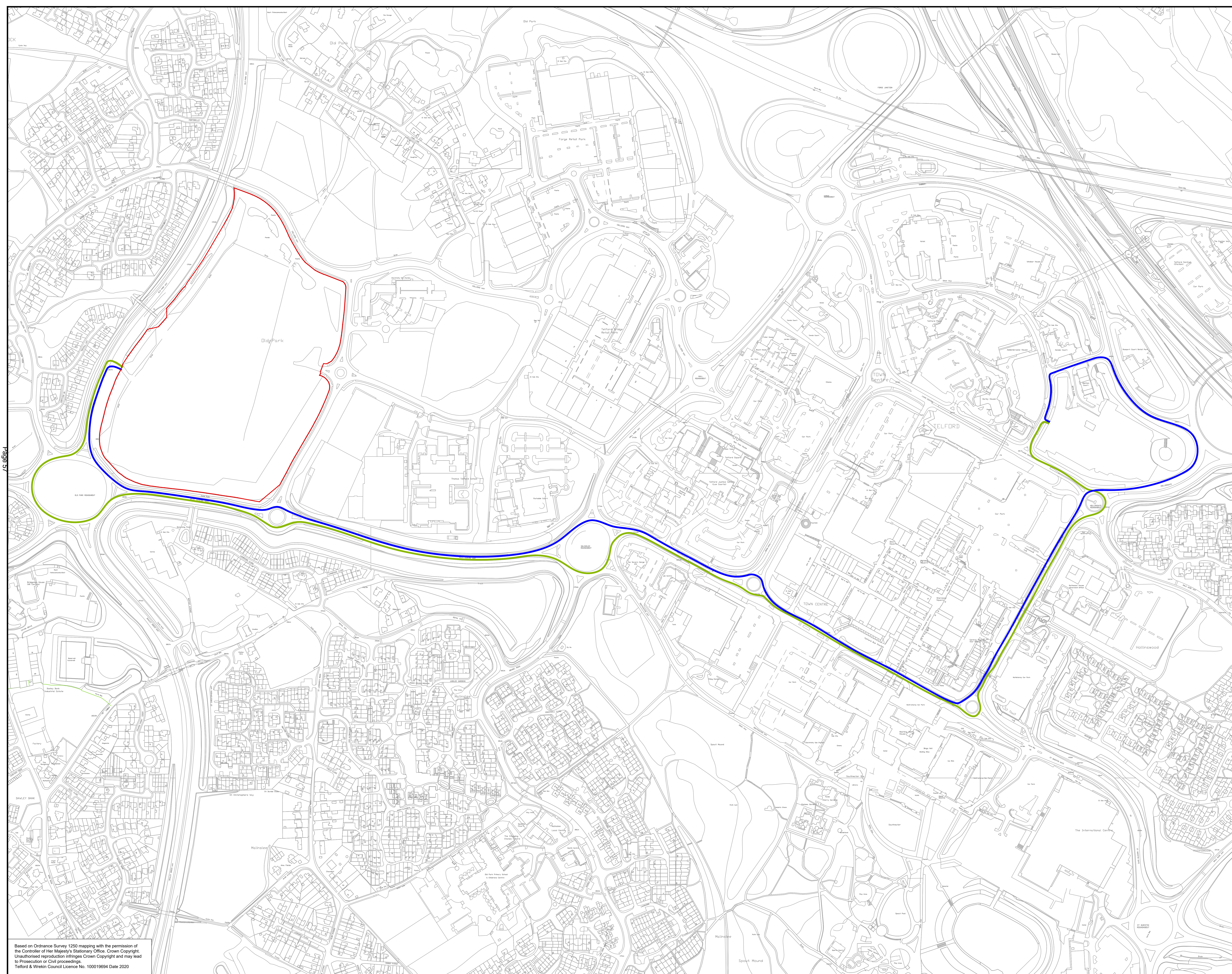
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Key

<span style="color: green;">—</span>	HGV Route A (Station Quarter to Old Park Campus)
<span style="color: blue;">—</span>	HGV Route B (Old Park Campus to Station Quarter)
<span style="color: red;">—</span>	Old Park Campus Site Boundary

Notes

Issue	Date	Description	Drawn	Checked	Approved


  
 Dean Sargeant, Director, Neighbourhood & Enforcement Services, Asherbrooke House, Telford, TF3 4NT

Client: Telford & Wrekin Council

Project: LP689 - Old Park Campus

Drawing Title: Proposed HGV Routing

Drawing Status: **FINAL**

Date:	1:2000	Scale:	A0	Date:	05/10/2022	Drawn by:	MAG	Checked by:	DK	Approved by:	-
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