



Borough of Telford and Wrekin

Planning Committee

Wednesday 23 October 2024

6.00 pm

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

Democratic Services: Jayne Clarke 01952 383205

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

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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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PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held on Wednesday 4 September 2024 at 6.00 pm in Council Chamber, Third Floor, Southwater One, Telford TF3 4JG

Present: 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, J Jones, P J Scott and S Handley (as substitute for A S Jhawar)

In Attendance: V Hulme (Development Management Service Delivery Manager), A Gittins (Area Team Planning Manager - West), M Turner (Area Team Planning Manager - East), R Jones (Principal Planning Officer), L Lycett (Drainage and Flood Risk Team Leader), K Dewey (Biodiversity Technician), S Dunlop (Ecology and Green Infrastructure Specialist), S Hardwick (Lead Lawyer: Litigation & Regulatory) and J Clarke (Senior Democracy Officer (Democracy))

Apologies: Councillors A S Jhawar

PC9 Declarations of Interest

None.

PC10 Minutes of the Previous Meeting

RESOLVED – that the minutes of the meeting of the Planning Committee held on 24 July 2024 be confirmed and signed by the Chair.

PC11 Deferred/Withdrawn Applications

None.

PC12 Site Visits

None.

PC13 Councillor Chris Turley

The Chair paid tribute to Councillor Chris Turley who had recently passed away following a period of illness. He asked that Members joined him in keeping Chris' family and friends in their thoughts during this sad and difficult time. A minutes silence was held as a mark of respect.

PC14 Planning Applications for Determination

Members had received a schedule of planning applications to be determined by the Committee and fully considered each report.

PC15 TWC/2023/0673 - Land off Hadley Castle Works, Hadley, Telford, Shropshire

This was an application for the erection of 5no. industrial units (up to 90,951m² of commercial floorspace) (Use Classes B2/B8 and E(g)(iii)) with ancillary office space (Use Class E(g)(i)) with associated parking, ev parking, gatehouses, cycle shelters, attenuation pond, landscaping and all associated engineering works and highway works, including site clearance and enabling works on land off, Hadley Castle Works, Hadley, Telford, Shropshire.

The application was before Committee at the request of Hadley & Leegomery Parish Council and the Ward Councillor.

A site visit took place on the afternoon prior to the Planning Committee.

Councillor G Offland, Ward Councillor, supported development and employment but not at the cost of the health and wellbeing of local residents. She raised concerns regarding the layout of the bays facing residential properties, highway congestion on the A442 and along Hadley Park Road, noise, pollution, hours of operation, conservation and heritage. She asked that the application be deferred until the further consultation currently ongoing had been concluded and the concerns of residents were considered further.

Councillor P Millward, Hadley & Leegomery Parish Council, confirmed that the Parish Council did not oppose investment, development and jobs, but raised concerns in relation to the impact on the physical and mental health and wellbeing of local resident from noise, pollution, dust and a 24-7 operation of the facilities which would destroy a peaceful way of life. Material considerations were overlooking, loss of privacy, scale, dominance, highway safety, noise, dust, fumes and wildlife conservation. He questioned the evidence of workforce availability for the creation of 1850 jobs. It was requested that this application be deferred for further consultation.

Mr D Sellwood, member of the public, spoke against the application and raised concerns in relation to how the assessment in relation to 24-7 noise and disturbance had been produced and validated. As the end user was not currently known, he raised further concerns as to how mitigation would be achieved and in relation to policy BE1 no significant adverse impact could yet be demonstrated and there was yet to be an end user. Further concerns were raised in relation to the mass and height of the buildings, visual impact on residents and the street scene and tree screening was inadequate. He questioned the scale and orientation of Unit 1. It was asked that the applicant change the design to make it more marketable and make this a non 24-7 hour development.

Mr S Clerk, Applicant, spoke in favour of the application which had been extensively discussed with the planning team, stakeholders and consultees who had found the proposal acceptable. The site had been identified as a strategic employment area on the adopted Telford and Wrekin Local Plan and was previously developed land and had a long history of employment. The development would host modern facilities to meet the needs of the occupiers and advanced discussions were taking place with interested parties. There would be approximately 2000 jobs created across the site and would bring an economic boost to the area. There would be no net loss in relation to biodiversity and the ecological officer supported the application on that basis. The height of units 3 and 4 had been reduced and unit 3 set back with green land buffers. A submission of a noise report would be conditioned prior to the occupation of each unit together with operating hours. A S106 Agreement had been agreed in advance with contributions of £450,000 towards highway improvements, £75,000 towards bus stops and an unmeasured sum towards Thomas Telford Locks. It was hoped that investors would be on site before the end of the calendar year.

The Planning Officer informed Members that this application was for a site that extended to 46 hectares of strategic employment land in a SP1 industrial area in a highly suitable location. The principle of development had already been established. In relation to policies B2, B8 and E(g)(iii) the end users were currently unknown but a condition would be imposed to submit details of use class, a business model, parking levels and proposed working hours prior to occupation in order that this was detrimental to the amenity of local residents and there was adequate parking provided. Mitigation measures would be put in place with regards to noise and odour with reports being submitted prior to occupation of the units and any required mitigation measures being put in place. The impact on amenity had been extensively assessed and details could be found in the report. No significant detriment had been found in relation to separation distance, landscaping, scale and design and the shading assessments were acceptable. The Built Heritage Specialist had approved a less than substantial harm on the Hadley Locks and desilting works and the installation of local viewing platforms and interpretation boards were considered to be public benefits alongside the mitigation measures of the landscaping bunds around the locks and the benefits of the proposal outweighed the less than substantial harm. There were no objections from the Council's highways, drainage and ecology teams. S106 contributions had been requested in relation to highways and travel plan monitoring. The biodiversity net gain did not apply as the application was submitted prior to the legislation changes. On balance the application was considered to accord with national and local planning policy.

During the debate, some Members spoke of the value of the site visit undertaken prior to the meeting and highlighted the natural barriers and the Locks that could be a visitor attraction with the proposed improvements that could be made. It was asked if improvements could be made to the sports area and the poor playing surface which could be a valuable community amenity. Due to the number of public attendees it was considered that there was still a lot of fears in relation to the application and it was asked that the

application be deferred for one cycle for conversations to continue. Other Members considered that the site was a strategic employment area and there would be industrial development on this land. It would be difficult to find reasons to refuse the application but not all issues had been mitigated against. On site 1 it was considered that the loading bays by the residential area were the wrong orientation and it was asked that further consideration be given to this. Further thought was required on the size of the buildings, the 24-7 operation near to residential properties and air quality. It was suggested that the application be an outline application in order that individual details of business operators could come forward. It was asked why the bus stops were costing £75,000 and why RAF Shawbury was a consultee to the application. A further request for a deferment came forward in respect of traffic management particularly on the roundabout on the A442. Other Members raised concerns regarding ecology and heritage in relation the canal and the locks and if environmental management plans would be in place in relation to water pollution and habitat structure in order to assure residents there would be no detriment to the area.

The Planning Officer noted the comments in relation to the sports area, although contributions towards this were not appropriate via this application but the developer could contact the Parish Council in terms of what could be achieved but this could not be done via the S106 Agreement. In relation to noise, due the development coming forward being speculative, a noise report would come forward with each individual unit that applied. In relation to the reorientation of Unit 1, although it was noted that the loading bays were near to the residential properties, the nearby residential properties would look out onto the attenuation pond and the loading bays would be enclosed by a 6m high fence which would also provide noise mitigation. If the loading area was flipped, in order to achieve the necessary footprint, the development would need to come closer to the residential area and their outlook would be onto the buildings and a balance had been made on visual aesthetics. The funding for the bus stops was to scope the extent of the work and that this could be satisfactorily received and this was based on worst case scenario. RAF Shawbury had been a statutory consultee due to the height of the proposed buildings. Traffic impact had been assessed by both Highways England the local highway authority and up-to-date modelling had been used. A condition in relation to ecological construction would be put in place which would require a management plan.

Following the debate Members proposed and seconded that the application be deferred.

On being put to the vote it was, unanimously:

RESOLVED – that the application be deferred in order for further details to come forward in relation to times and hours of working, the reorientation of the buildings in order to mitigate noise and visual impact, confirmation from highway officers that the roundabout would be accessible/part time traffic signals, further information on the bus stops and the concerns of residents taken into consideration.

PC16 **TWC/2023/0714 - Land off Buildwas Bank (North of Silvertrees, Jiggers Bank), Coalbrookdale, Telford, Shropshire**

This application was for the erection of a battery energy storage system including access track, CCTV and light poles, car parking spaces, perimeter fencing and gates, and associated infrastructure on land off, Buildwas Bank (North of Silvertrees, Jiggers Bank), Coalbrookdale, Telford, Shropshire.

This application was before committee at the request of Councillor G Thomas.

Councillor G Thomas, Ward Councillor spoke against the application raising concerns in relation to safety and environmental impact, limited access, fire risk and toxic fumes from battery storage and the impact of the water. Further concerns were raised in relation to the Site of Special Scientific Interest (SSSI) which was directly in the field below and any water from a fire would run into Coalbrookdale and the Ironbridge Ward. This part of Telford and Wrekin was unstable and recent stabilisation works had taken place on Jiggers Bank as the land had dropped five foot. It was felt that it would be difficult to put any fire out on this site with its limited access and this development would amplify the risks. There would be no benefit to the rural community due to the impact on the SSSI, the inadequate access and unstable waterway and it was asked that the application be refused.

Cllr D Cooper, Little Wenlock Parish Council, spoke against the application in relation to the safe operation of the site. The NFCC guidelines were draft and out for consultation and could not be taken into account. Whilst some areas of the application met planning policy others did not and the fear of an appeal was not a valid reason to approve the application. He shared examples of recent articles in relation to fires within battery storage plants and asked that the technology not be rushed into putting the safety of firefighters, the community and residents at risk.

Mr N Cussen, Applicant's Agent spoke in favour of the application and the urgent need to tackle climate change. The Local Plan supported low carbon energy in order to meet national need, reach net zero emissions and bring down bills. The application was subject to conditions which were recognised. Consultation had taken place with the local community, residents and the Parish Council. There were no technical objections from consultees. Grid connection on this site was confirmed and this was the reason why the developer had chosen at this site. Screening would be implemented as recommended by the Heritage Officer and there would be no loss of agricultural land. The Scheme was considered to have less than substantial harm and in relation to the NPPF the harm was outweighed by the public benefit. The land was not designated or valued landscape and the application was considered not be to materially detrimental due to the biodiversity net gain. Fire safety measures and design were the most up to date and the safety strategy would be maintained for the life of the scheme. Recent

Planning Inspector decisions had given significant weight to moving to net zero and the benefit of the proposals outweighed the detriment.

The Planning Officer informed Members that the application proposed a Battery Energy Storage System, known as a BESS, on an agricultural field enclosed by hedges, accessed from the A4169 to the north adjacent to Jiggers Bank to the east and Lydebrook SSSI to the south-west. The Severn Gorge Conservation Area and Ironbridge Gorge World Heritage Site were located 0.5 and 1km to the south respectively. The land was crossed by an overhead line with a pylon situated in the south-west corner of the site which would provide direct connection to the National Grid. The purpose of the BESS was to store excess energy to enable it to be used during times of peak demand, instead of being wasted. The existing site access from the A4169 was to be improved and utilised with a new permeable internal access track constructed, allowing vehicles to access the BESS area via two internal access points.

The infrastructure was proposed to be operational for 40 years and at the end of its 40-year operational life, all above ground infrastructure would be decommissioned, removed and the land returned to its original condition as an open field. The key policies in determining whether the principle of development could be supported were SP3 and SP4. With regards to Policy SP3, the site was not previously developed land and failed this aspect of the policy.

The Applicant had submitted an Agricultural Land Classification survey which graded the site as Grade 3b. The site could be accepted due to having access to good infrastructure in terms of proximity to highways and the pylon and the policy was met in respect of these.

Policy SP4, and the NPPF, sought for planning applications to meet the policies of the Development Plan in order to be considered 'sustainable development'. As the committee report detailed renewable energy policy ER1 was considered to partially comply with various criteria within ER1 and partially fail, as follows:

- ER1(1) – the proposals were considered to comply with the policy in terms of highways, ecology, drainage, archaeology and land stability subject to the mitigation and planning conditions recommended. In terms of built heritage, it may not be possible to initially fully screen the DNO Metering Substation from the upper sections of Jiggers Bank and the setting of the heritage assets. To mitigate the impact, the eastern boundary would be planted with heavy standard trees and a small coppice of heavy standard trees planted behind in addition to a 133m linear hedgerow.
- ER1(2) – the proposals were considered to meet the requirements of the policy with regards to noise and air pollution subject to the mitigation and planning conditions recommended. Electrical interference was unlikely to be an issue. However, on grounds of visual impact the proposals may fail to fully mitigate the impact.

- ER1(3) – the proposals included mitigation measures to minimise any environmental impacts and consultees had recommended planning conditions where appropriate, therefore the proposals were considered to meet the requirements of this part of the policy.
- ER1(4) – the proposals were for a designated period of 40-years and conditions required the site to be reinstated to a field when the use ceased. In addition, planning conditions required measures to ensure any enhancements in BNG were not lost through the decommissioning or reinstatement process.
- ER1(5) – *“When considering the social and economic benefits, account will be taken of the degree of community participation/ownership of a scheme.”* Within their documentation the Applicant described their community involvement as consisting of pre-application discussions with Little Wenlock Parish Council and a drop-in session for the community held in October 2023. The Applicant had indicated they were willing to collaborate with the relevant parishes to establish a community benefit fund although no material proposals were included as part of this planning application. As such the proposals were found not to fully meet this requirement of the policy when considering the social and economic benefits of the scheme.

Therefore, the proposals partially met and partially conflicted with ER1(1) and (2); the requirements of ER1(3) and (4) were met; with the proposals not demonstrating full compliance with ER1(5). For both ER1(1) and (2) the concerns related to visual impact and built heritage, especially the impact upon the appearance of the site and the setting to the entrance to the Severn Gorge Conservation Area and Ironbridge Gorge World Heritage Site.

For those reasons the planning application partially met and partially conflicted with the requirements of Policy SP4. Equally it met Policy SP3 in part, requiring a balance of considerations.

The balance for Members to consider was whether any adverse impact would significantly and demonstrably outweigh the benefits that the proposals would bring about, with regards to enabling lower carbon technology and the storage of energy that might otherwise be wasted.

As the proposals had provided mitigation in terms of highways, drainage, ecology, land stability and amenity/disturbance, these concerns were considered to have been addressed subject to the recommended planning conditions.

A number of concerns had been raised by members of the public regarding safety considerations, and these had been addressed in the committee report, including a 2019 BESS fire in Liverpool, the risk of thermal runaway, and a recent planning appeal in East Devon that was dismissed, with parties suggesting these set a precedent for this development to be refused. The Applicant had provided information to demonstrate that the proposed development at Jiggers Bank was not comparable to either the Liverpool

container fire or the East Devon appeal, and that the proposed cabinet design would prevent thermal runaway.

The National Fire Chiefs Council guidance for BESS had been updated and consulted upon, and the spacing between the units together with their design reflected the revised guidance.

Taking all considerations into account, it was a finely balanced judgement regarding whether any adverse impacts significantly and demonstrably outweighed the benefits. However, officers considered that there was sufficient compliance with the Local Plan policies and the NPPF as a whole to recommend the application for approval subject to the conditions proposed.

During the debate some Members raised concerns regarding the risk of fire and pollution and the effects on the local community. Land stability was of concern together with the single point of entry to the site and whether other sites had been considered. Other Members were supportive in principle but asked if there were any plans in place to consider the economic impact over the lifecycle and disposal of batteries. Concerns were raised in regards to the failure to comply with policies BE1, BE3 and BE5 and ER1 (i, ii and v), and the visual impact on a beautiful area and that this was the right application but in the wrong location.

The Planning Officer addressed Members in relation to land stability and confirmed that both the geotechnical specialists and the drainage officers had raised no concerns. In relation to the single entrance, the National Fire Chiefs Council Guidance stated that two access points were preferable but not required. A meteorological survey had confirmed that the prevailing wind direction was from the south and south west. There were two internal access points to the battery facility. The Shropshire Fire and Rescue Service were content that they would not be put at risk in the event of a fire. The site selection was determined by the availability of land and grid connection and the need for the electricity in that area. A scoping exercise had been undertaken which had reduced the suitable sites but other sites had not been considered. Members were asked to make a decision on the application before them. In relation to economic and environmental impact, battery replacement, health and safety and grid scale and electrical energy, the product designers had guidance on the operation, maintenance and decommissioning of batteries and the responsibility for recycling. Contamination and landslip were two separate issues and Members must base their decision on the specialist reports. The risk of landslide had been minimised through design and Members were informed of the scheme should a fire occur. The environmental impact would be mitigated by a band of trees together with linear hedgerow.

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

RESOLVED – that delegated authority not be granted to the Development Management Service Delivery Manager to grant full planning permission subject to the conditions and informatives.

Following debate and on being put to a vote it was, by a majority:

RESOLVED – that the application for planning permission be refused on the grounds that the Planning Committee, on balance, were not satisfied that the development sufficiently complied with local policy and National Guidance and therefore did not support sustainable development.

Reasons:

- 1. By virtue of the known land instability, with the Gorge being geologically young, the development is considered unacceptable and fails to comply with the requirements of Telford & Wrekin Council Local Plan Policy BE9. By virtue of this the proposed development also conflicts with Policies SP3 and SP4.**
- 2. The proposed development would result in an unacceptable visual intrusion harming the settings of the Ironbridge Gorge World Heritage Site and Severn Gorge Conservation Area. It would therefore fail to comply with Policies BE1(i, iii, v), BE3(i, ii), BE5(iii, iv) and ER1(i, ii) and, by virtue of this harm outweighing the public benefits, conflicts with Policies SP3 and SP4.**
- 3. The proposed development has demonstrated a limited level of community participation or ownership of the scheme, contrary to Policy ER1(v). The proposal therefore conflicts with Policies SP3 and SP4.**

PC17 TWC/2024/0357 - Land opposite Blackbird Close, Overdale, Telford, Shropshire

This application was for the erection of a sports pavilion with 1no. artificial and 1no. grass pitches, creation of a new access including vehicle and cycle parking with landscaping and associated works on land opposite, Blackbird Close, Overdale, Telford, Shropshire.

The application was before Committee as the proposal involved the Council as applicant and landowner and comprised a development over 5 hectares.

A site visit took place on the afternoon prior to the Planning Committee meeting.

Councillor M Boylan, Ward Councillor, spoke in favour of the application but raised concerns in relation to the environmental impact and losing another wild area. Further information was requested on the management plan/ownership/community use and how it would be allocated. Consideration needed to be given to the impact, times of usage, noise, lighting and the impact of the local residents close to the site. There would be increased traffic on the infrastructure with the development of the Lidl site and on Waterloo Road with the development of the Shropshire Star site. It was

requested that community engagement took place in relation to the concerns and they be taken on board in order to ensure a successful application.

The Planning Officer informed Members that this application was located in the urban boundary and had been long established to deliver sports pitches in line with the Lawley S106 sustainable urban development extension. Planning consent was granted in 2014 for earthworks to facilitate the future provision of sports pitches and the need for these facilities was highlighted in the Playing Pitch Strategy 2016 and the Football Association's long term strategy that every affiliated team were able to train once a week on a floodlit 3G pitch. Noise, light, pollution, overshadowing and overlooking had been addressed within the report. The noise and lighting assessments had been reviewed and were acceptable subject to conditions. Evening matches were being limited to 24 matches per year after 8pm together with controls of the light installation and the hours of use of the facility.

The topography of the site was set down from residential development to the south and was buffered to the east and west by proposed car parking and Waterloo Road. Additional planting would take place on the southern boundary comprising of 18 new trees. Management of the site was not currently known but this would be conditioned and a pre-commencement condition for a Community Use Agreement to be in place and that they would need to reach out to community groups and offer the use of the facility to the community.

No technical objections were received from statutory consultees and the local highway authority had no objections. Offsite works would be conditioned, secured by a S278 Agreement.

During the debate, some Members felt that there should be more of these developments throughout the country. Noise issues had been dealt with but they raised concerns in relation to the traffic along Roslyn Road and it was requested that some form of traffic calming be installed in order to help control the speed and additional traffic from the development. Other Members fully supported the officer recommendations as long as the conditions were imposed and the concerns of the residents were noted. Concerns were raised regarding the main vehicular route being via The Rock and it was asked that vehicles be routed north, along Waterloo Road. It was also asked that mitigation measures in relation to the bar in the club house be taken into consideration in relation to the alcohol and function licence moving forward.

Upon 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 providing a Memorandum of Understanding (MoU) Agreement relating to:

- i) **Travel Plan to the value of £5,000;**
 - ii) **Section.106 Monitoring fees to the value of £250; and**
- b) the conditions and informatives set out in the report (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager).**

The meeting ended at 8.02 pm

Chairman:

Date: Wednesday 23 October 2024

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TWC/2024/0605

34 Avon Close, Little Dawley, Telford, Shropshire, TF4 3HP

Change of use from dwelling house (use class C3) to Residential Institution (use class C2) ****AMENDED CERTIFICATE RECEIVED****

APPLICANT

C/o Agent

RECEIVED

08/08/2024

PARISH

Dawley Hamlets

WARD

Horsehay and Lightmoor

THIS APPLICATION IS BEING HEARD AT PLANNING COMMITTEE AS THE PROPOSAL HAS RECEIVED A NOTABLE NUMBER OF OBJECTIONS

<https://secure.telford.gov.uk/planning/pa-applicationssummary.aspx?ApplicationNumber=TWC/2024/0605>

1. SUMMARY RECOMMENDATIONS

- 1.1 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. SITE AND SURROUNDINGS

- 2.1 The application site comprises a corner plot at the end of the cul-de-sac of Avon Close, linking through to Holly Road and the wider area via South View Road. No.34 Avon Close is a semi-detached dormer bungalow and is surrounded by other semi-detached dormer bungalows and bungalows of a similar scale. The property is finished in render, with a tarmac drive comprising two parking spaces to the front, with gated access round to a rear garden which backs onto the Dawley Hamlets Local Nature Reserve, with woodland and The Dandy pool sitting adjacent.
- 2.2 The site is within 3 miles of Telford Town Centre and near to other local centres. Public amenity areas and schools are also available nearby.

3. PROPOSAL

- 3.1 This application seeks full planning permission for the change of use from a dwellinghouse (Use Class C3) to a residential care home (Use Class C2), accommodation currently comprises:

Ground Floor – a kitchen, dining room, living room x 2, WC, hall, porch and storage cupboards.

First Floor – 2 x bedroom, bathroom with separate WC, storage cupboards.

Through the proposal this would be amended to:

Ground Floor – a kitchen / dining room, therapeutic room, living / activities, Manager's room including bed provision, WC, hall, porch and storage cupboards.

First Floor – 2 x bedroom, bathroom with separate WC, storage cupboards.

No external changes are proposed to the property.

- 3.2 The proposed use would provide a home with therapeutic care and support for up to two children who have faced behavioural, emotional, and social challenges, as well as placement breakdowns, between the ages of seven (7) and seventeen (17). The children would be under the care of the staff comprising one support worker, one senior officer (Team Leader), and a Home Manager. In line with the Children Leaving Care Act 2000, it is proposed that the leaving age could be extended to 18, on the basis of a Pathway Plan identifying that it would significantly assist a child in their transition to adulthood provisions. Short, medium, and long-term placements would be provided. The home would be operated by Madumere Ltd, in conjunction with an established provider Williams Welfare Ltd, and would be subject to regulation by Ofsted.
- 3.3 The application material advises that placement matching assessing processes must be followed prior to all admissions which outlines if the placement can meet the individual specific needs of the children and the impact of the admission on the current children in placement. Multi agency consultation would be had as part of the admission process to include discussions with social workers of both current children and the proposed referral. Children would not be placed in the home in emergency situations.
- 3.4 The application material identifies that placements would be taken from within the West Midlands and surrounding Boroughs, with the leading Local Authority being Telford & Wrekin, national placements could be taken when the need arose.
- 3.5 The application is accompanied by the following supporting documents, further identifying the context and operation of the proposed care setting:
- Design & Access Statement
 - Operational Management Plan
 - Table of Staffing Numbers
 - Assessment Table – Persons on Site
 - Business Plan
 - [Proposed Operations of Service Guide](#)

- [Location Risk Assessment](#)
- Proposed Children's Guide
- Monthly Home Monitoring Checklist
- [Telford & Wrekin Council Commissioning Strategy and Market Position Statement for Children's Safeguarding and Family Support 2024-2029.](#)

4. PLANNING HISTORY

4.1 There is no planning history related to this property.

5. RELEVANT POLICY DOCUMENTS

- 5.1 National Planning Policy Framework (NPPF)
National Planning Policy Framework (NPPF)
- 5.2 Telford and Wrekin Local Plan (2011-2031)
SP1 Telford
SP4 Presumption in favour of sustainable development
HO7 Specialist housing needs
C3 Implications of development on highways
C5 Design of parking
BE1 Design Criteria
- Homes for All SPD

6. NEIGHBOUR REPRESENTATIONS

- 6.1 The application has been publicised through direct neighbour notification to neighbouring properties, local members and Dawley Hamlets Parish Council.
- 6.2 The Local Planning Authority (LPA) received twenty four neighbour representations objecting to the scheme (a number from parallel addresses), the following summarised issues were raised:
- Insufficient parking provision and highway safety impacts
 - Nature of local residents and negative impact on them – large number of older generation and small children
 - Property unsuitable for intended use – including egress from adjacent pool, water pump in the void under the ground floor, semi detached property noise nuisance to neighbours
 - Location unsuitable at end of cul-de-sac, adjacent pool and woodland, access by emergency services
 - Variation in reports submitted and competence of applicant, lack of due

- diligence, profit led, inexperience of operator in children's care homes
- Poor experience of previous Children's Care Home in the locality, and anticipated impact on local community through this proposal
 - Wish for application to be put forward to Planning Committee
 - No consultation by applicant.

7. STATUTORY REPRESENTATIONS

7.1 Dawley Hamlets Parish Council – **No representation received**

7.2 Highways – **Comment:**

The proposals are to accommodate 2no. children and 3no. support staff (with sleeping arrangements available for 1no. staff also). The applicant has outlined that there would be 2no. staff members on shift 24 hours a day and a manager working 9am – 5pm Mondays to Fridays (subsequently amended to 8am-4pm).

Based on how the 'Residential Institution' will operate there may be the likelihood of more frequent visitors attending the site than the previous residential 'class use'.

However, whilst there is some concern from the LHA in relation to the availability of parking and the potential effect these proposals may have the LHA feel it would be difficult to sustain a Highway refusal.

7.3 Specialist Housing Team – **Comment:**

Discussion with Telford & Wrekin Council's Children's Safeguarding & Family Support Commissioning has confirmed that through the Market Provision Statement (MPS) there is a sufficiency need for the form of accommodation proposed, with the benefit of local provision to reduce the need to transport children elsewhere, and minimise the engagement of stakeholders through out of Borough travel. It is guided that the proposed home would be regulated by Ofsted around the suitability of the provider to deliver the service in this setting and safeguarding of the children.

7.4 Shropshire Fire Service – **Comment:**

As part of the planning process, consideration should be given to the information contained within Shropshire Fire and Rescue Service's "Fire Safety Guidance for Commercial and Domestic Planning Applications" document.

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
- Scale and Design
- Impact on the amenity of adjacent properties / uses
- Highways impacts
- Other matters.

Principle of Development

8.2 Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires that planning applications must be determined in accordance with the adopted development plan unless material considerations indicate otherwise. The Development Plan comprises the Telford & Wrekin Local Plan (TWLP) which was adopted in January 2018. The National Planning Policy Framework (NPPF) is also a material planning consideration.

8.3 The application site is located within the Built up Area of Telford, where the principle of residential development is generally considered acceptable. This is subject to appropriate scale and design, impact on neighbouring properties and any technical constraints being satisfactorily addressed; all of which have been considered during the assessment carried out.

8.4 The proposed development would see the existing 2-bedroom dwelling being adapted to provide a care home for up to two children with the second ground floor living room utilised as a third bedroom / office for staff use.

8.5 Discussion with Telford & Wrekin Council's Children's Safeguarding & Family Support Commissioning has confirmed that through the Market Provision Statement (MPS) there is a sufficiency need for the form of accommodation proposed, with the benefit of local provision to reduce the need to transport children elsewhere, and minimise the engagement of stakeholders through out of Borough travel. It is guided that the proposed home would be regulated by Ofsted around the suitability of the provider to deliver the service in this setting and safeguarding of the children. In this instance, the application site is already in residential use, therefore the principle of this form of residential development on the application site is considered appropriate and therefore complies with Policies SP1 and SP4 of the TWLP.

Scale and Design

- 8.6 The application site comprises an existing detached 2-bedroom dwelling with private amenity space. No physical external alterations are proposed, and whilst no physical internal alterations are proposed, an element of reconfiguring the use of rooms is proposed, including the modification of a 2nd living room to an office / staff bedroom.
- 8.7 The proposed development would provide private bedrooms for each of the two children in their care, and the new third bedroom (and office) utilised for staff sleeping quarters (during the shared night shift). The private garden amenity space would be utilised by the children and carers, in the same manner as a standard 'family home' and is therefore considered appropriate in size for this use.
- 8.8 The scale and design of the dwelling will not alter and therefore not impact the existing streetscene and the design of the internal arrangements are considered appropriate for the type and level of care being proposed. The proposal is therefore considered in line with the relevant parts of BE1 and HO7 of the TWLP in respect to scale and design.
- 8.9 Policy HO7 of the TWLP will support proposals within Use Class C2 and other forms of residential accommodation to address specialist housing needs, provided that:
- i. The proposed development is designed to meet the specific needs of residents, including requirements for disabled people, where appropriate;
 - ii. The location of the development (including where such provision is part of a larger scheme) is in close proximity to community and support facilities, shops and services, and public transport connections; and
 - iii. The proposed development relates well to the local context in design, scale and form.
- 8.10 The site sits in a sustainable location 0.28 miles from local shops and services, 0.6 miles from Aqueduct Primary Academy and 1.3 miles from The Telford Langley Secondary School, is appropriate in design given the limited changes being made and meets the specific needs of its proposed residents and as such complies with Policy HO7 of the TWLP.
- 8.11 Section 7 of the Homes for All SPD sets out the type of supported and specialist housing that is required to meet identified needs within the Borough. Accommodation for vulnerable young people is an identified need and the proposal is supported by our Specialist Housing Team. This is further supported

by a Ministerial Statement on planning for accommodation for looked after children released in May 2023.

Impact on the amenity of adjacent properties / uses

- 8.12 Policy BE1 of the Telford & Wrekin Local Plan states that the Council will support development which demonstrates that there is no significant adverse impact on nearby properties by noise, dust, odour or light pollution or that new development does not prejudice or undermine existing surrounding uses.
- 8.13 As an existing dwelling, and the proposed use being that which shares similarities to the working of a family home, with coverage of this approach addressed within the submission, Officers do not consider that there will be any adverse impact on nearby properties by way of noise, dust, odour or light pollution that could arise over and above the occupation of the property as a C3 dwelling.
- 8.14 The proposed development would provide a care home for up to two children (appreciating that various numbers have been cited within the documentation, and would be controlled through condition) ranging between the ages of seven and seventeen, which could potentially be extended to eighteen where identified in the Pathway Plan as in the best interests for the child through transitional arrangements. Children would be supported to attend their current school, were this not possible the application material identifies that the Home Manager and a virtual school will liaise with the relevant education, health and social care professionals to ensure that the needs of the child are accurately assessed and appropriate education provision is identified, secured and maintained within the local community.
- 8.15 It is the intention of the proposed operator that staff would actively engage with the children's interests, various sports and hobbies to provide them with positive role models. The children would also be encouraged to be involved in the planning of their holidays and short breaks.
- 8.16 Care would be provided by two carers - one support worker, and one senior officer (Team Leader), with a Home Manager present during the week, anticipated to be at the property two days a week 08:00-16:00 as confirmed through an Operational Management Plan as requested by the Local Planning Authority, and accompanying table of staffing numbers. Staff handover would take place within the hours of 07:30-08:00 consisting of current pattern line staff handing over information in relation to what has happened in the home since the new shift pattern line staff were last in the home.

- 8.17 The Local Planning Authority have sought clarification as to the additional level of anticipated movement to and from the property. The applicant has in turn confirmed that statutory visits by a child's social worker would be made every 6 weeks, however this may vary based on the needs of each individual child and could not be set in stone. It is nonetheless guided that these visits would not be for an extended time, and suggest would put as much restriction as a family friend coming to visit.
- 8.18 In terms of healthcare visits, Ofsted, family members and friends, other than being able to state that Ofsted will carry out a minimum of one 2 day graded inspection annually, the applicant cannot provide the information as to anticipated visits as each child would have contact arrangements in place based on their individual needs, but would be prearranged, and not during unsocial hours. The submission further confirms that larger staff meetings and training would not take place at the home. As a consequence the intensity of visits are considered comparable to a family home.
- 8.19 Whilst the proposed development will offer a level of on-site care (as set out in the supporting documents), it is intended that the daily operation of the home would be undiscernible to that of a modest dwelling house with the children coming and going for education purposes and the adults coming and going for work purposes and thus, would not prejudice or undermine the existing surrounding uses. It is considered therefore that the proposal accords with Policies BE1 and HO7 of the TWLP in relation to impact on neighbouring residential amenity.

Highway Impacts

- 8.20 As advised at the beginning of this report, No. 34 Avon Close benefits from two parking spaces on the driveway sitting to the front of the property. Given that at the outset of the application the submission material identified two support staff and Manager would be present, at the request of the Local Planning Authority, further clarification has been sought around how staff would be accommodated on the site. The applicant has in turn provided the Operational Management Plan accompanied by a Table of Staffing Numbers.
- 8.21 This confirms that the two spaces would be utilised by the two staff on shift, that the Manager would not be on site full time – suggested two days a week 08:00-16:00, but have been factored in each weekday as the worst case scenario. It is advised that all staff drivers would have badges allocated to them and in their cars which would make it easy for neighbours to identify the staff. It is further advised that the applicant would promote, encourage and support staff to use public transport with the nearest bus stop located

approximately a 5 minute walk and other means of travel such as cycling and carpooling.

- 8.22 The Local Highway Authority have noted that the 'Residential Institution' will operate such that there may be the likelihood of more frequent visitors attending the site than the previous residential 'class use'. However, whilst there is some concern in relation to the availability of parking and the potential effect these proposals may have the LHA have confirmed it would be difficult to sustain a Highway Refusal. Officers do nonetheless recognise there may be concern as to the level of on-site parking. Given this position, the LPA considers a balanced approach is necessary, in turn the potential for a temporary two year planning permission has been suggested to and agreed by the applicant, in conjunction with conditioning of the Operational Management Plan and staffing numbers. This would be in order to ascertain if the use can be undertaken without significant detriment to residential amenity in the locality and the proposed mitigation measures are managed successfully.
- 8.23 Consultation on the application has not derived concerns around access from Shropshire Fire Service.

Other Matters

- 8.24 The LPA concur that there have been factual inconsistencies within the application material, thus undermining the standard of the submission and causing confusion, and have sought to rectify this. Fundamentally, the number of children residing can be controlled through condition, with suitability of the care operator and safeguarding being subject to Ofsted regulation.
- 8.25 Proximity to the Dandy Pool and woodland is noted, this however sits outside of the material planning considerations for the application, with the operation regulated by Ofsted again confirmed.
- 8.26 It is noted that there had been a Children's Care Home in operation in the locality historically, with the use of this now having ceased. Each application must be taken on its merits, the Local Planning Authority have reviewed the form and nature of the proposal, and consider that the operation can be suitably controlled through condition alongside regulation by Ofsted.
- 8.27 Whilst local engagement is encouraged prior to the submission of planning applications, this is not obligatory or within the control of the Local Planning Authority.

8.28 As an existing residential dwelling, the reference to the existence of a water pump in the property related to egress from the adjacent pool is not relevant to the planning considerations for the proposal.

9. CONCLUSIONS

9.1 In conclusion, the proposal represents a sustainable form of development that falls within the 'Built Up' area of Telford with a sufficiency need through the Council's Market Provision Statement. The proposal is considered to be acceptable in regards to scale and design, with no external changes thus remaining in-keeping with the character and appearance of the immediate area, and accords with Policy around the amenity of neighbouring residential properties. Given concerns raised around the level of parking serving the property, the provision of a temporary consent is considered an appropriate step to establish the operational reality of a care home in this location. As such, there are considered to be no principle or technical reasons to warrant refusal of this application and appropriate conditions imposed to control its future use and management.

9.2 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 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):-

A06 – Temporary Permission

C038 - Development in accordance with plans

Custom – Development in accordance with Operational Management Plan and Table of Staffing Numbers

Custom – Restrict use and number of children in care (2)

Informatives:

I32 Fire Authority

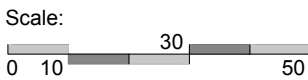
I40 Conditions

I41 Reason for Grant.

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 Site Location Plan



Revision & Date
Rev. 016 - 19/06

Date
June 24

Drawn
AW

Drawing Number
000.001

Drawing Revision
A

Scale
1:1250@A4

Project Title
Proposed Change of Use Application
at 34, Avon Close, Little Dawley,
Telford, TF4 3HP
Clients Details
Madumere ltd

Drawing Title
Site Location Plan

Project Number
24.058

Planning

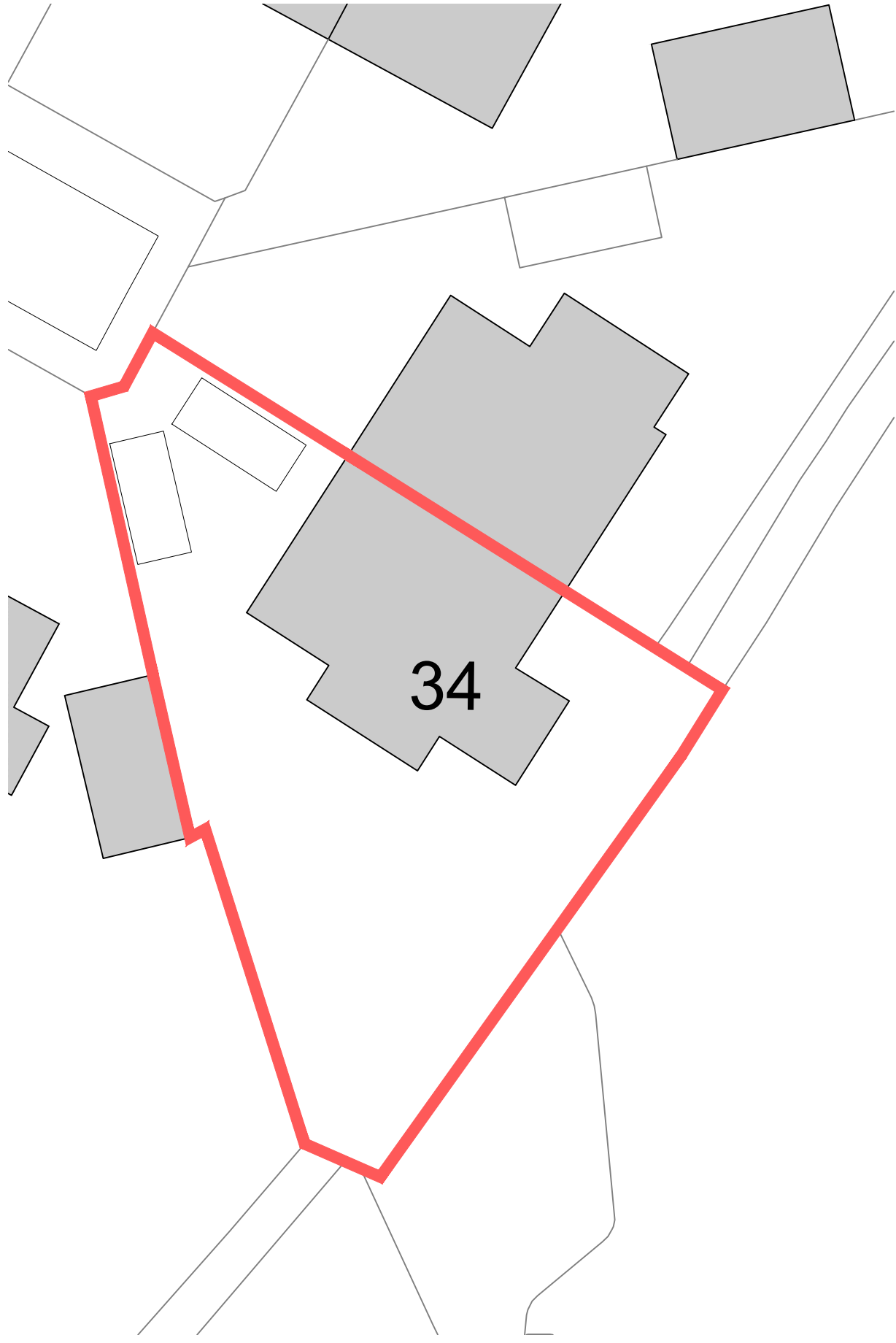
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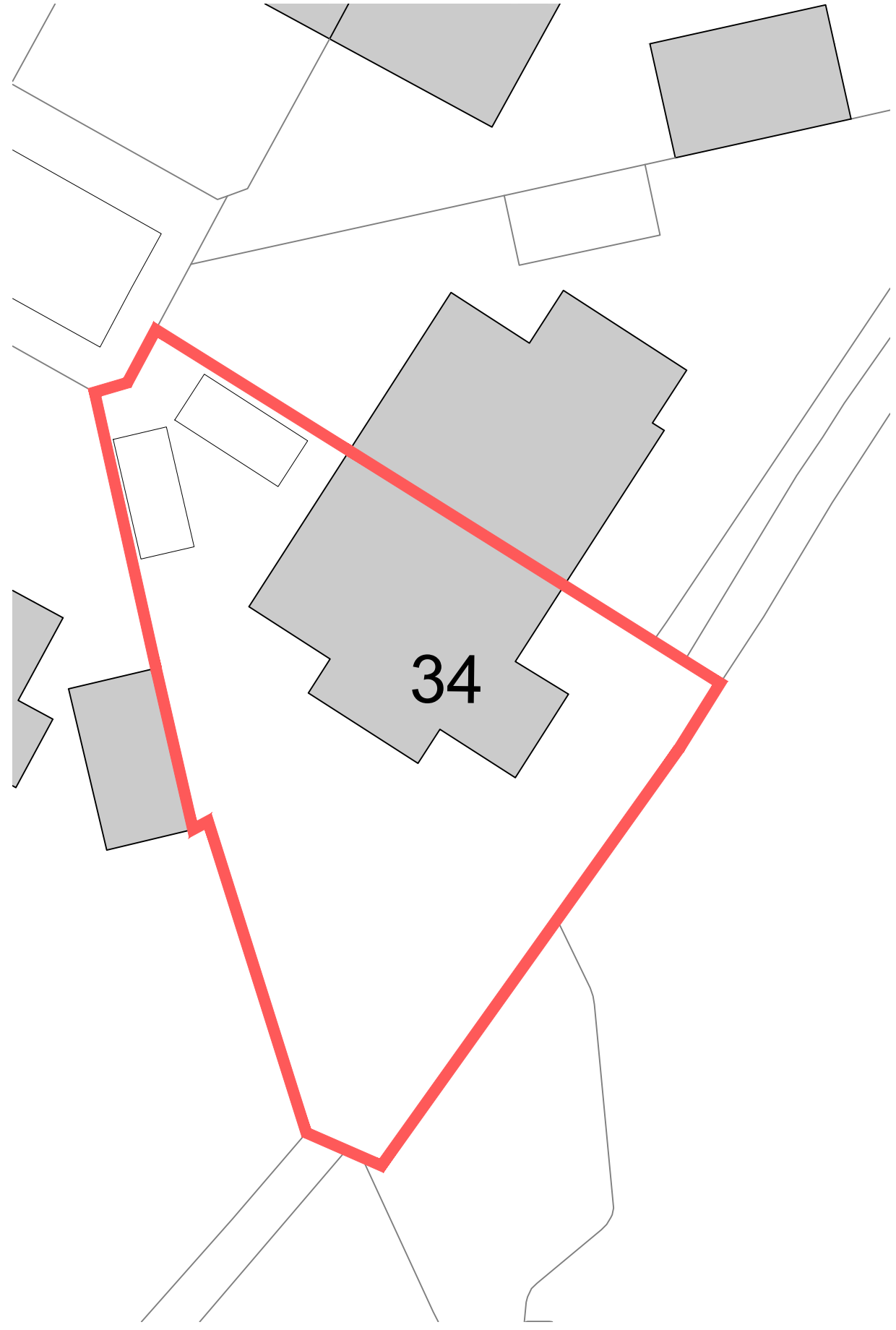
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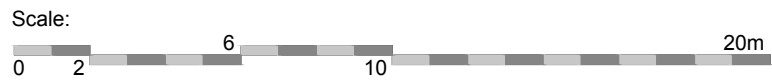
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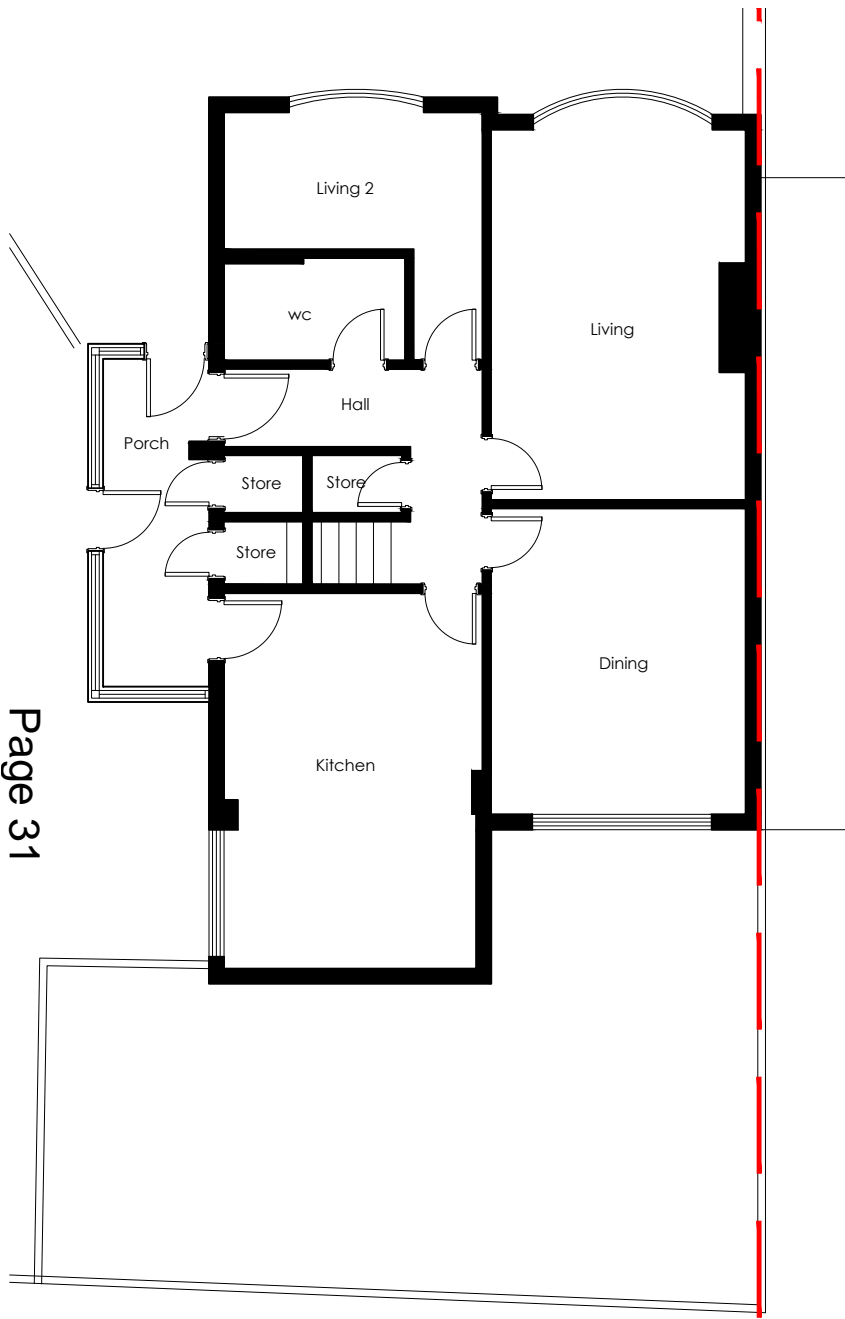
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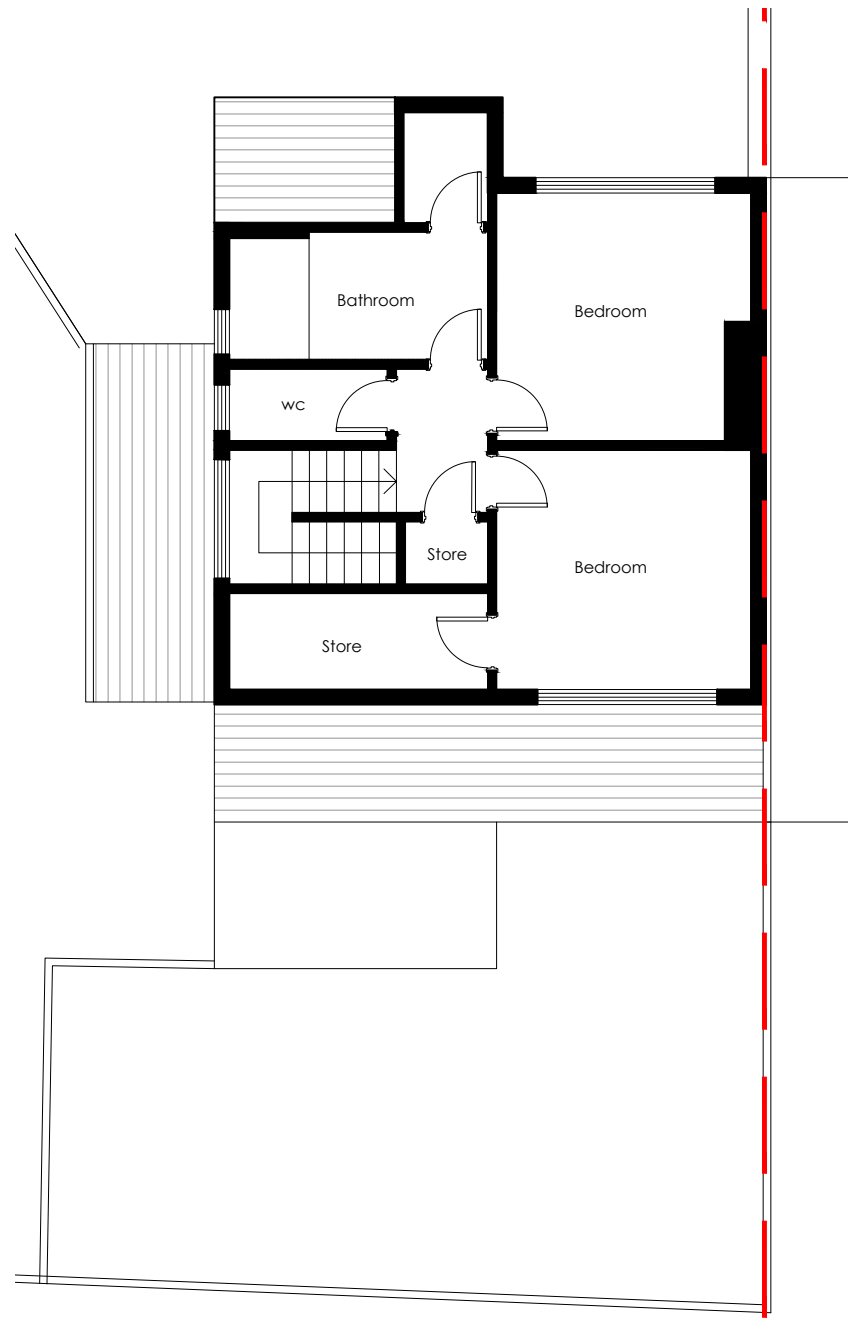
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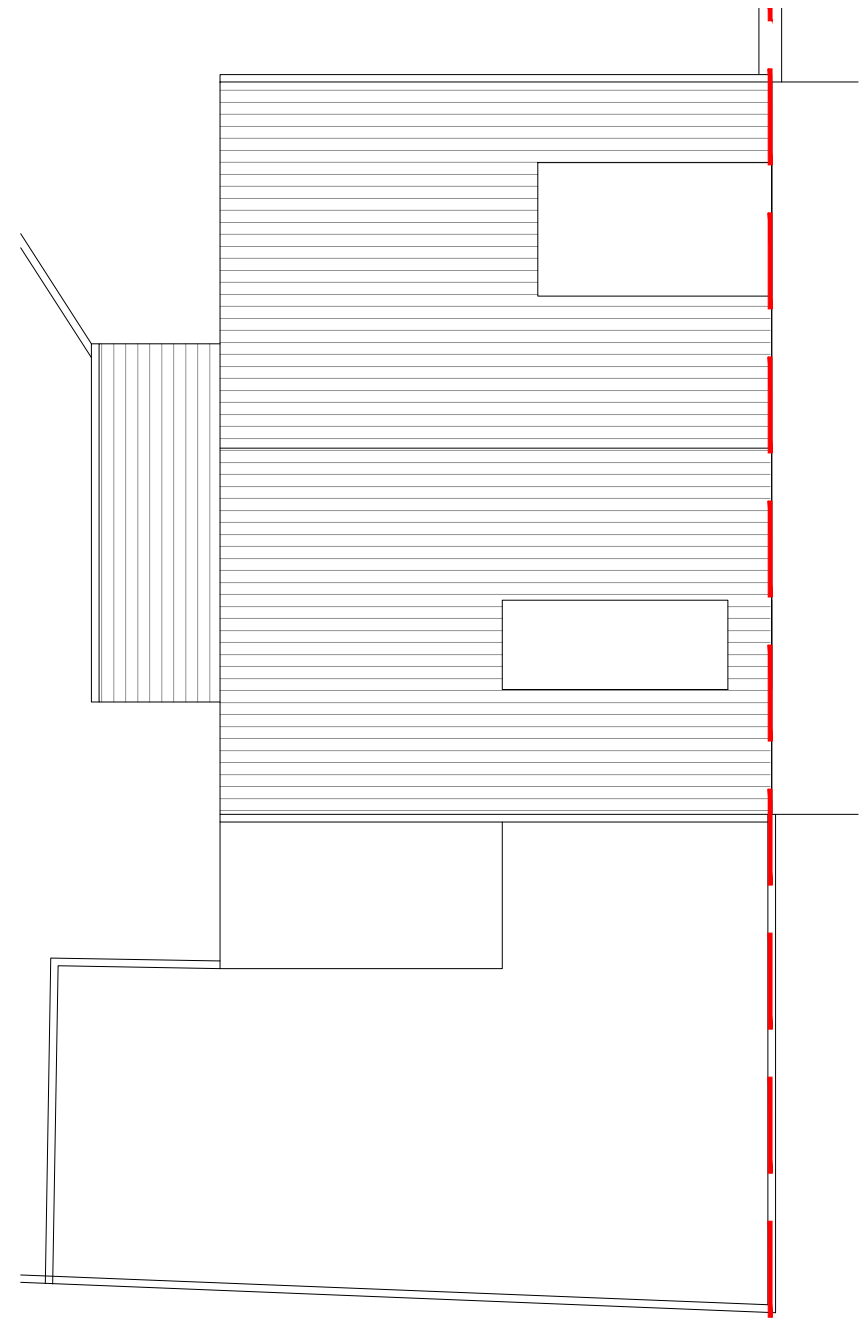
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Existing Ground Floor Plan



Existing First Floor Plan



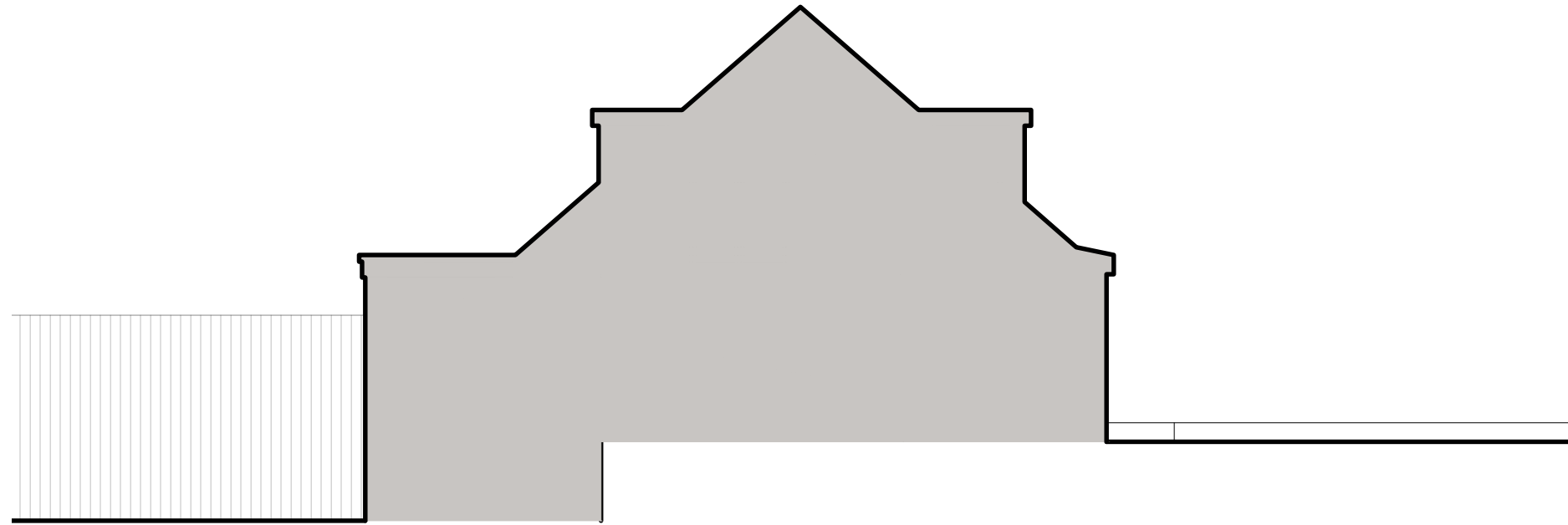
Existing Roof Plan



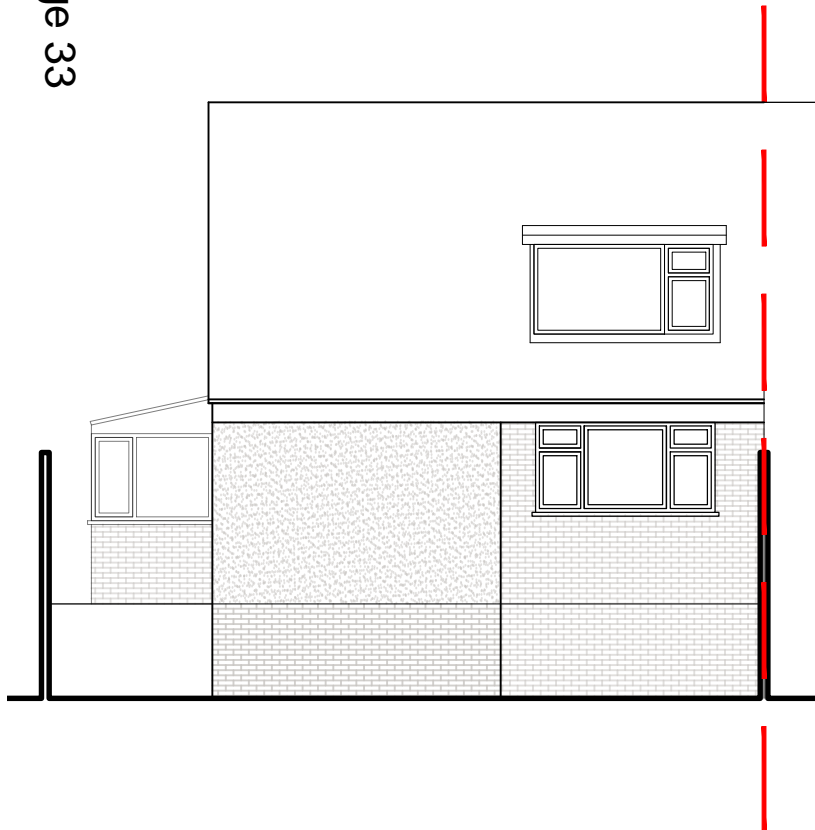
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Existing Front Elevation



Existing Side Elevation



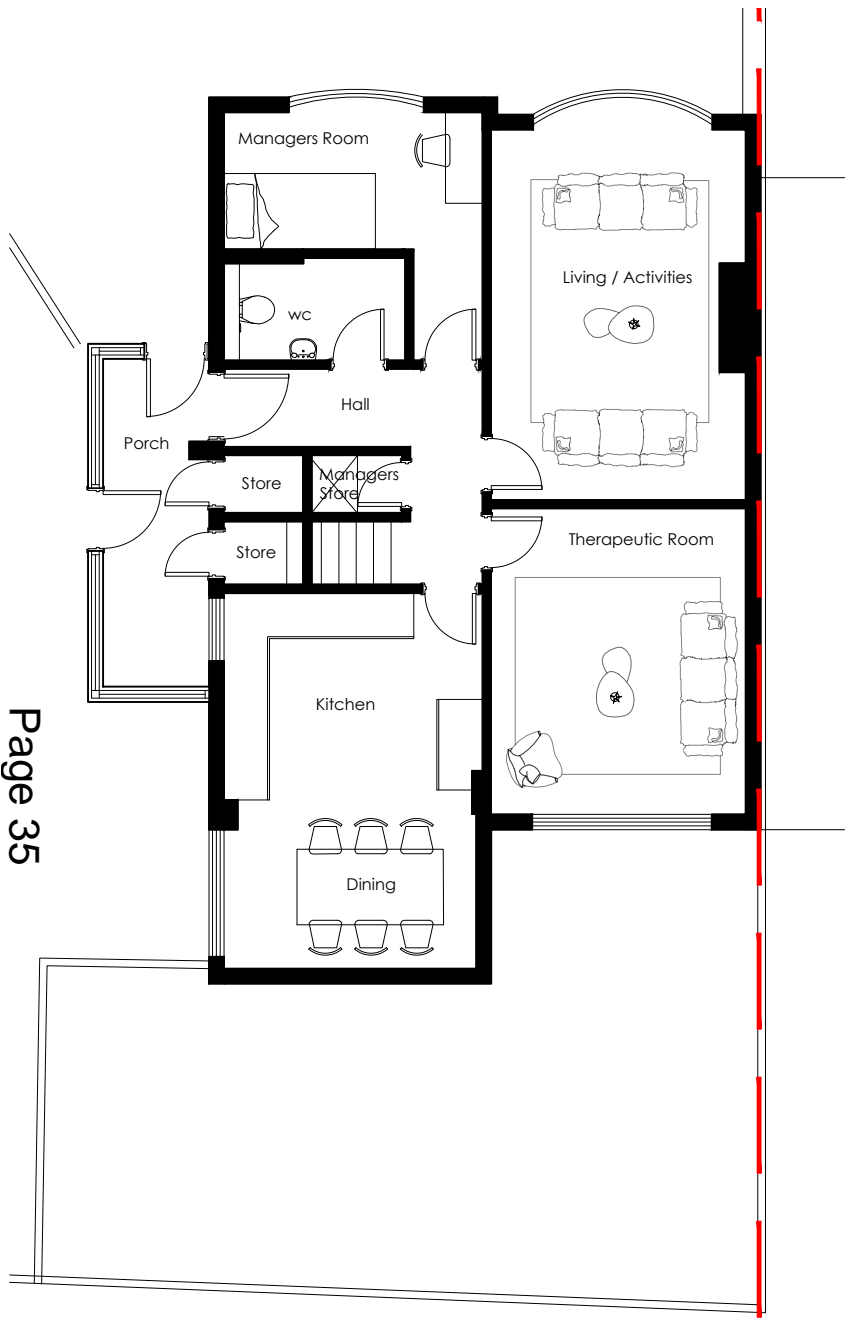
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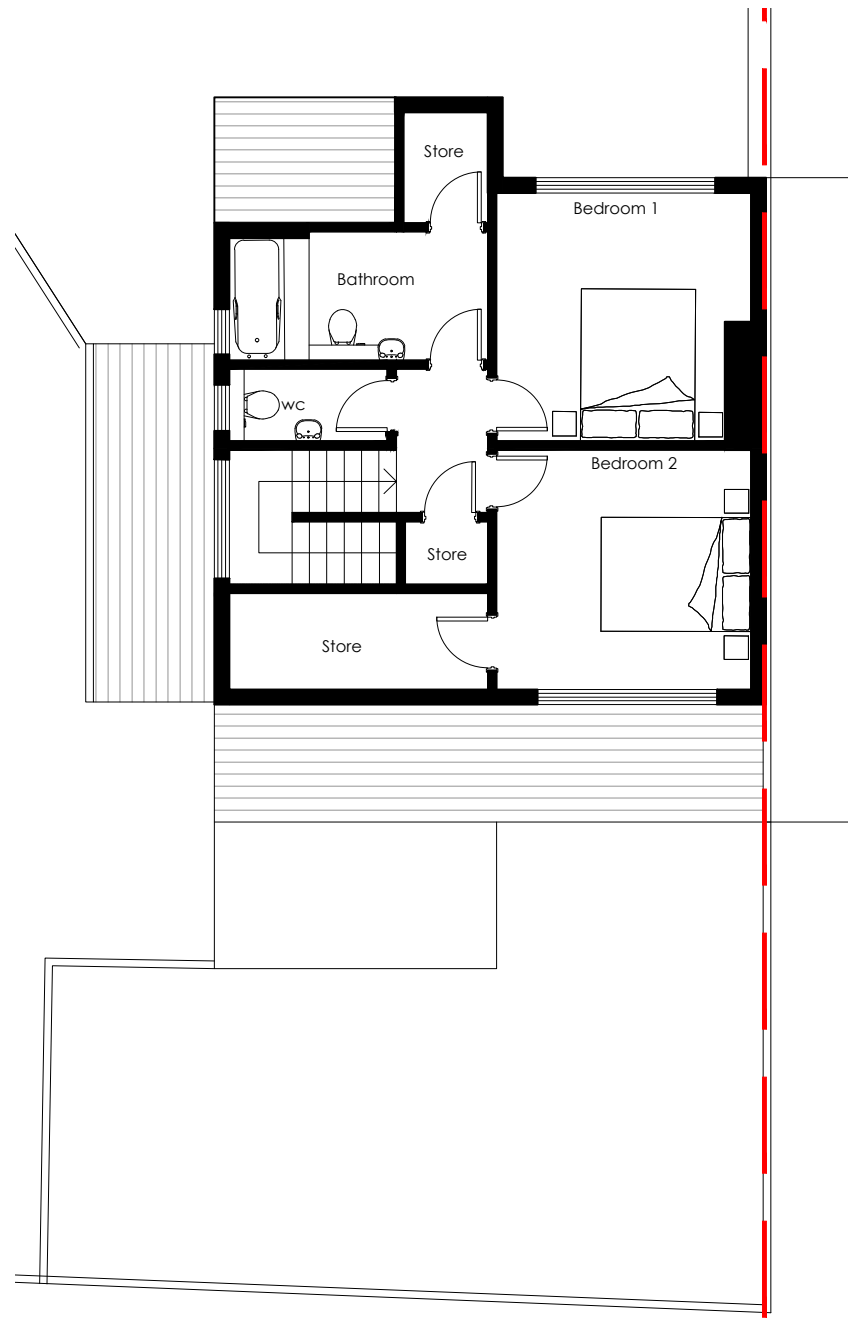
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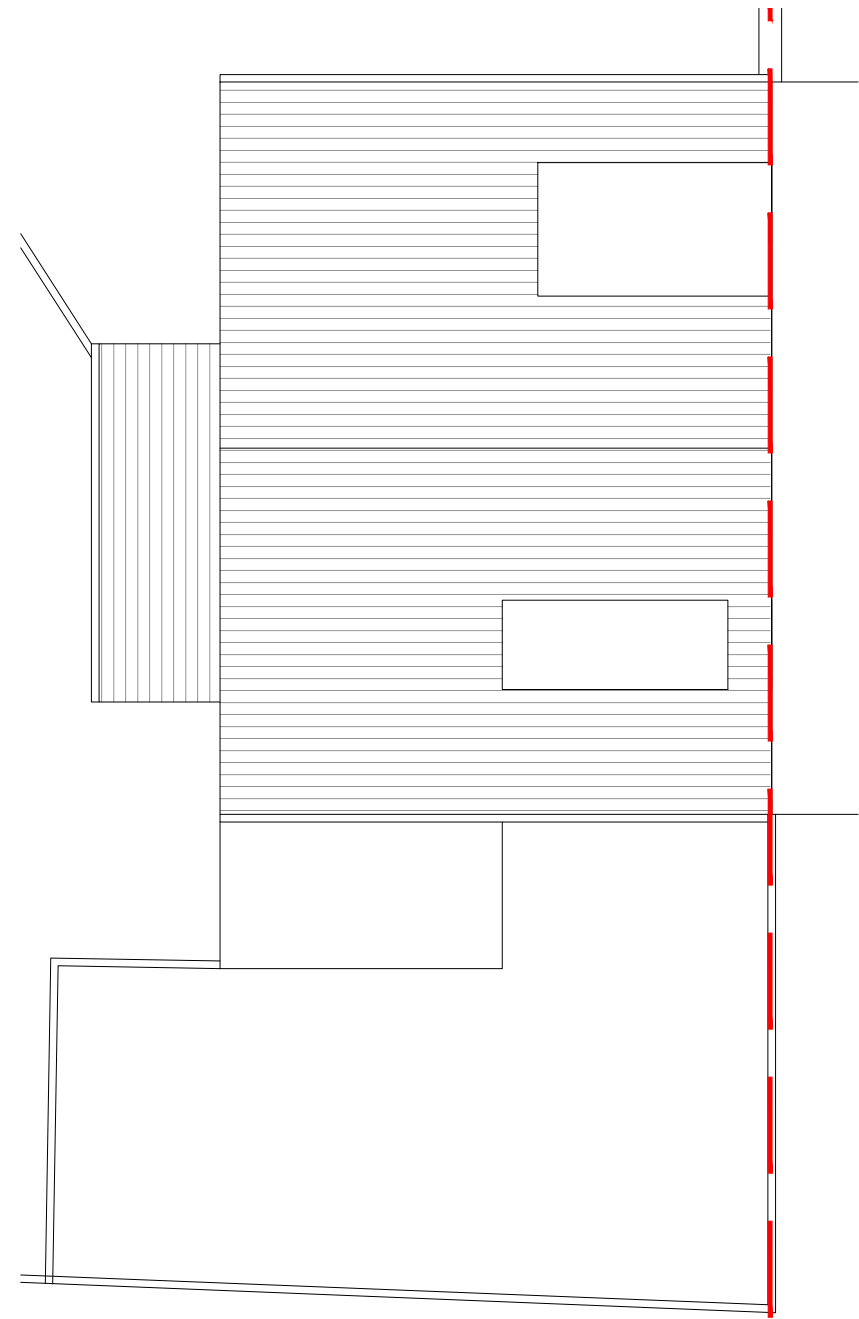
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Proposed Ground Floor Plan



Proposed First Floor Plan



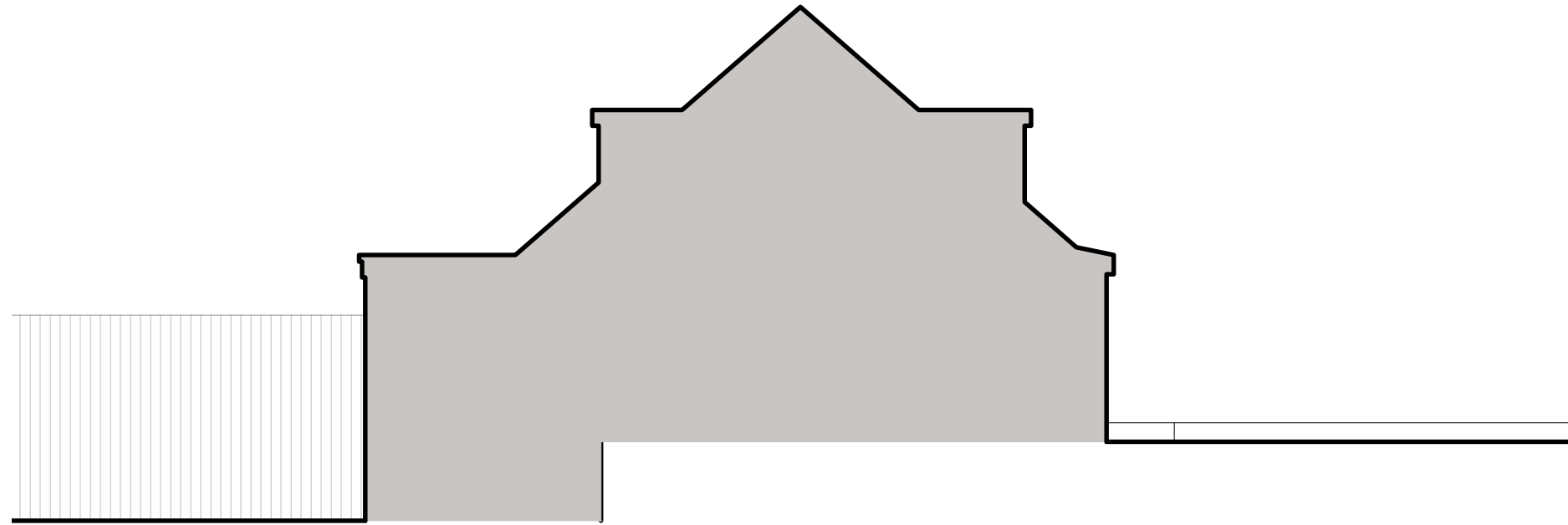
Proposed Roof Plan



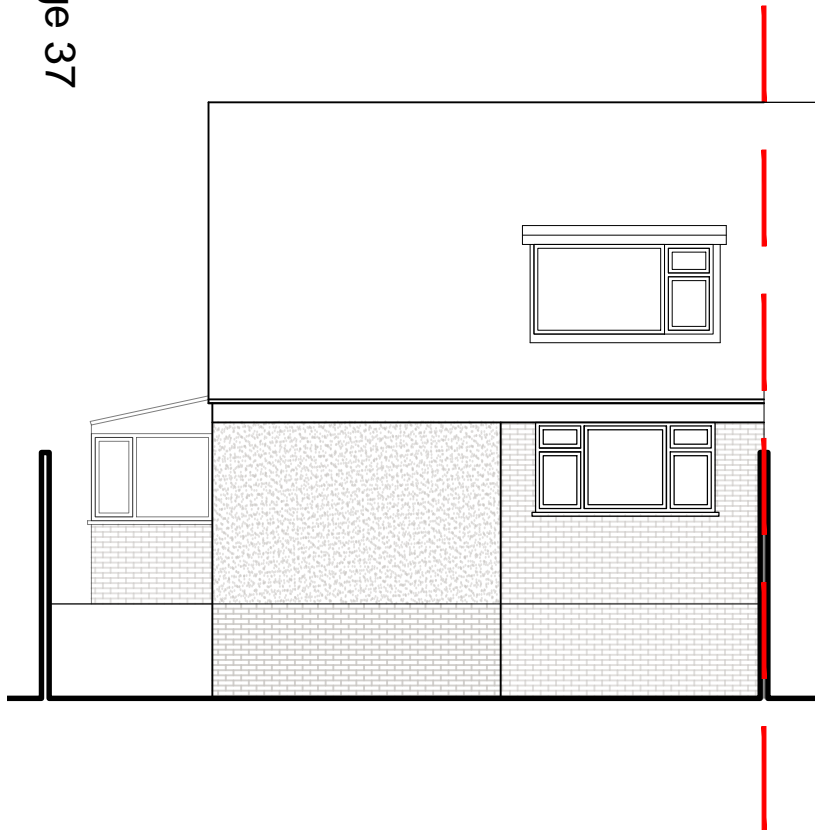
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Proposed Front Elevation



Proposed Side Elevation



Proposed Rear Elevation



Proposed Side Elevation

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TWC/2024/0612

Land north/east of Greenways Farm Shop, Off Church Street, St Georges, Telford, Shropshire

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***

APPLICANT

Hardeep Atwal

RECEIVED

05/08/2024

PARISH

St. Georges and Priorslee

WARD

Priorslee, St Georges

THIS APPLICATION IS BEING HEARD AT PLANNING COMMITTEE DUE TO A SIGNIFICANT LEVEL OF PUBLIC OBJECTION

On-line Planning File:

<https://secure.telford.gov.uk/planning/pa-applicationssummary.aspx?applicationnumber=TWC/2024/0612>

1.0 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), Informative(s) and the Applicant entering in to a Section 106 Agreement to secure Financial Contributions towards Education, Affordable Housing, Ecology (Local Nature Reserve), Highways, Bus Shelter Upgrades, Play and Recreation, and Healthcare Facilities.

2.0 SITE AND SURROUNDINGS

2.1 The site lies in the St Georges area of Telford and measures 4.78 hectares. It currently comprises grasslands and scrub. Residential dwellings border the northern, eastern and western boundaries of the site. The A5 forms the southern boundary.

2.2 A Public Right of Way (PRoW) runs from Church Street to the north and passes between residential properties before crossing the application site from north to south.

2.3 There is a remnant part of a moated site located within the development site - this is not a Scheduled Monument.

2.4 An existing foul sewer pumping station is located in the western part of the site. This has been incorporated into the indicative site layout plan.

3.0 PROPOSAL

- 3.1 This application seeks Outline Planning Permission with all Matters Reserved except access for a residential development of up to 100no. dwellings. As access is the only matter being considered in full detail at this stage there are no details on numbers or types of dwellings.
- 3.2 The application is a resubmission of an application that was withdrawn in January 2024. At that time a number of consultees had concerns with the principle of developing this site based on the information provided, including highways, ecology, archaeology and environmental health. The Applicant has sought to address those concerns with this resubmission.
- 3.3 An Illustrative Masterplan has been submitted to demonstrate how 100no. dwellings could be accommodated within the site. Formal planning approval is not being sought for this plan and the applicant has provided it to give an indication of a likely density and layout were the outline application to be approved. Once the undevelopable areas such as the medieval most are deducted from the site, this works out as a density of approx. 36 dwellings per hectare.
- 3.4 The site is not public land and the owner could erect fencing under Permitted Development at any time to close off the site; the only public access through the site is the PRow and this is shown to be retained as part of the proposals.
- 3.5 The application originally sought permission for 120no. dwellings, however the Applicant has reduced this during the course of the application in response to consultee comments and advice from Officers. At the time of writing this report, the amended 100no. dwelling application is the subject of a re-consultation. Any comments received from consultees or members of the public after the preparation of the report will be reported to Members.

4.0 PLANNING HISTORY

- 4.1 TWC/2023/0837- Outline application for residential development up to 120no. dwellings - Withdrawn 29.01.2024

5.0 RELEVANT POLICY DOCUMENTS

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

SP1: Telford
SP4: Presumption in Favour of Sustainable Development
HO1: Housing Requirement
HO4: Housing Mix
HO5: Affordable Housing Thresholds and Percentages
HO6: Delivery of Affordable Housing
HO7: Specialist Housing Needs
NE1: Biodiversity and Geodiversity
NE2: Trees, Hedgerows and Woodlands
NE4: Provision of Public Open Space
NE5: Management and Maintenance of Public Open Space
COM1: Community Facilities
C3: Implications of Development on Highways
C5: Design of Parking
BE1: Design Criteria
BE8: Archaeology and Scheduled Ancient Monuments
BE9: Land Stability
BE10: Land Contamination
ER11: Sewerage Systems and Water Quality
ER12: Flood Risk Management

6.0 NEIGHBOUR REPRESENTATIONS

- 6.1 The application has been publicised through a Site Notice, Press Notice and direct neighbour notification.
- 6.2 The Local Planning Authority received 269no. neighbour representation objecting to the scheme on the basis of the first consultation, the following summarised issues were raised:

Overdevelopment/Suitability of Site

- There has been enough development in St Georges and Priorslee and more houses are not needed;
- This is not an allocated housing site and it is not sustainable;
- proposal hasn't considered any resident comments made on previous (withdrawn) application;
- Plans show densely spaced housing of low quality;
- St Georges and rural small community feel – this would be lost;
- Houses are unlikely to be affordable;
- Existing infrastructure is insufficient for schools/nurseries, healthcare/doctors

Ecology/Loss of Green Space

- This is the last green space in St Georges and its loss would cause a reduction in visual amenity, mental health and wellbeing;
- The loss of green space would be adverse for wildlife such as birds, bats, hedgehogs, foxes, etc.

Pollution/Impacts on Amenity

- Noise pollution;
- Air pollution;
- There will be too many bins and not enough space to store them;
- Loss of privacy to surrounding houses and their gardens

Heritage and Archaeology

- Site contains medieval moat and this should be preserved and protected;
- It is medieval land that has not been ploughed by modern methods and this needs a full geophysical survey

Highways and PRow

- Concern about how PRow might be affected;
- The road serving the site is busy and an additional junction will be dangerous raising concerns about increases in traffic;
- Adding in lights to this road will cause significant traffic issues which do not exist today. Slowing the road down will affect the A5 roundabout significantly;
- Existing heavy congestion around school drop-off/pick-up times

Drainage

- Site is close to flash ponds and existing drainage system cannot cope;
- The plans show a sewerage pumping station

Land Stability

- Concerns over land stability

Other

- Devaluation of existing houses

6.3 A second round of consultation expires 22 October 2024, in response to the Applicant amending the description of the proposal and providing a more

detailed Illustrative Masterplan. An amended site notice has been advertised specifying the proposal is now seeking up to 100no. dwellings.

- 6.4 At the time of preparing this report 40no. Objections have been received. No new issues have been raised that were not raised as part of the previous round of consultation. Any additional objections received after the publication of the report will be presented to Members at Committee.

7.0 STATUTORY REPRESENTATIONS

- 7.1 The following comments were received in response to the 120no. dwelling scheme.

7.2 St Georges & Priorslee Parish Council: **Object:**

- Significant public objection to this objection;
- Site is not allocated in Local Plan;
- Infrastructure cannot cope with extra school and healthcare demand;
- Will create additional pollution, carbon emissions and congestion;
- Public transport, especially for the elderly, has not been properly considered;
- Local bus stops are more than 400m away;
- Increase in traffic on surrounding roads;
- Loss of green space and biodiversity enjoyed by local residents;
- Harm caused to archaeological feature
- Indicative Site Layout Plan is too vague and flexible

7.3 Cllr. Rachael Tyrrell: **Object:**

- This development does not form part of the Local Plan and is therefore contrary to identified local development needs;
- The issue of drainage has not been addressed;
- This is a site of important historical interest as a Roman moat. Whilst the development build is not proposed directly on this site, it is immediately adjacent and the impact of the proximity of the build is a concern. The Archaeological Assessment is limited. It is only a desk based report, no site inspection has taken place and no test excavations have been carried out. It refers to the planning authority's provisions in the Local Plan 2018 for their preservation (para 1.3.7). The report acknowledges its own limitations;
- There is no LEAP (Local Equipped Area for Play) provision;
- This demonstrates an overdevelopment of the site;
- The plans indicate a lack of parking, which will lead to multiple vehicles being parked on roads;

- This application is curiously silent on the property type;
- Highways and safety; access to the development will be a new junction off the A5 Telford Way. This is a busy road leading from the problematic Limekiln Roundabout (which is still waiting for new white lines and the subject of local complaints);
- During construction, traffic will use alternative local roads through St Georges and Priorslee. Priorslee Avenue is already very busy with the substantial development in Priorslee and the secondary school Holy Trinity Academy, access off Teece Drive off Priorslee Avenue;
- The development would also lead to loss of amenity and Green Spaces, which also is home to flora, fauna and wildlife
- Quality Affordable Housing is required but this application does not satisfy that need.

7.4 Cllr. Richard Overton: **Object**:

- The proposals fall outside the local plan designations and policy maps, and as grey land should not be considered. Within the current review of the Local Plan, this area is also not identified as being needed to meet housing allocations to 2040 and so is speculative development and does not need to be considered in the supply of housing;
- The number of houses proposed is over-development of the site and is only proposed to maximise profit and not the needs of local people;
- Currently residents find it hard to get into a local GP and our very popular school is always oversubscribed, there are no plans to increase capacity at the school due to maximising Sport England recreation land needed. the infrastructure to meet the homeowners needs are not being addressed and will cause negative impact on the current population of St. Georges in their current need to access public services plus an impact on more traffic on the highway network;
- The current streets close by to the development already have issues over drainage and over the years we have had problems with capacity, therefore their drainage plans do not go far enough and to connect to an existing connection at the pumping station will be a challenge and not really answered in their plans so will be a challenge to policies ER11, climate change has had a real impact on weather and rainfall and their options for sustainable urban drainage would not go far enough in helping take water away using existing culverts and their SUD proposals so is not compatible with policy ER12;
- The highway network (St Georges bypass) is an integral part of Telford & Wrekin network and the plan to have access and egress on to a busy main road will cause more congestion and danger which is not needed including the added impact of crossings, which will create more congestion and increase carbon which we are trying to reduce due to our climate change

- policies, the road has always been a danger having had my brother knocked over on that road crossing to work many years ago;
- This impact will be a challenge to policy C3 and also no real alternatives to the car are offered with the site being where it is located and designed for the car, therefore not helping with policy C1 as no current bus provision goes past the site and what future plans are the developers proposing to pay for a bus route;
 - The site is by an historic moat and had a public right of way through good agricultural land which will be required in future food production and the protection of the moat is needed. The development is so close to the historic moat and could be damaged through any development close to the proximity of such a part of our heritage. No development anywhere near this site special historic moat should be allowed;
 - The land is currently owned with public access with wildlife corridors and accessible green space with good biodiversity all will be lost through this plan and no real buffer zones are proposed between this development and the current residential properties and therefore is against policies NE1, NE2 and NE3 of The Local Plan.

7.5 Cllr. Paul Thomas: Object:

- There are currently already very large, c. 2000 housing developments, within the Priorslee area including Redrow, Miller Homes, Avant, Lioncourt, Vistry and Shropshire Homes;
- Although not all complete, these have already put significant strain on support services such as GP's and dentists which are unable to cope with the significant increase in demand whilst local primary schools are already oversubscribed;
- The increased traffic along both Telford Way and the major arterial route, Castle Farm Way, will increase noise and pollution and impact traffic flow particularly as more traffic light-controlled junctions and pedestrian crossings are introduced. This is already a source of concern from residents who live along the routes;
- The application lacks any detail on the proposed type of dwelling, has no on-site play areas and, although it is not public land it is rich in history, diverse flora and fauna and enjoyed by the community;
- Drainage is also a specific concern which is not adequately addressed;
- The Transport Assessment refers to access to buses 'within a 400m range'. In reality, this isn't achievable. It is worth noting that the lack of bus services in the area is a continued source of complaints. Further, there is no bus service that currently serves Telford Way and no provision within the application for any additional bus service. Residents on this development will, therefore, be reliant on their own transport – this will

result in the need for adequate car parking which is not addressed within the application;

- This application should be rejected on the basis that it is speculative, is not required, and fails to address drainage, transport and the importance of the archaeological heritage of the site.

7.6 **TWC Highways: Support subject to Condition(s) and Financial Contributions:**

- 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;
- Site/Construction Environmental Management Plan

7.7 **TWC Drainage: Support subject to Condition(s):**

- 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 runoff control measures

7.8 **TWC Geotechs: Comment, Condition:**

- Comprehensive Desk Study (as part of any Reserved Matters Application) which deals with mining, all contamination issues, settlement and differentiation. A ground investigation would also be required that identifies all constraints and how they will be dealt with.

7.9 **TWC Healthy Spaces: Comment, Condition and Financial Contribution:**

- Landscape Management Plan

7.10 TWC Ecology: **Support subject to Condition(s) and Financial Contribution:**

- Erection of artificial nesting/roosting boxes;
- Lighting Plan;
- Landscaping Plan;
- Design conditions to ensure green infrastructure buffers as shown within indicative masterplan, such as along the PROW and southern edge of site

7.11 TWC Affordable Housing: **Support subject to Condition(s) and S106**

7.12 TWC Environmental Health: **Comment, Condition(s) including:**

- Noise assessment to accompany any Reserved Matters application;
- Details of acoustic noise barrier

7.13 TWC Built Heritage: **Object**

7.14 TWC Education: **Comment and Financial Contribution**

7.15 Shropshire Council Archaeology: **Condition(s):**

- 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

7.16 NHS: **Support subject to Condition(s) and Financial Contributions**

7.17 Active Travel England: **No Comment**

7.18 Shropshire Fire Service: **Comment** that consideration should be given to the information contained within Shropshire Fire and Rescue Service's Fire Safety Guidance document.

8.0 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
- Design and Layout
- Impact on Amenity of Adjacent Properties and Future Occupants
- Built Heritage and Archaeology
- Highways impacts
- Healthy Spaces
- Drainage
- Land Stability and Contamination
- Ecology and Trees
- Other Matters
- Planning Obligations

8.2 Principle of Development

The application is located within the urban area of Telford and Wrekin Council. The Application Site is considered 'white land' insofar as it is not allocated on the Local Plan Proposals Map.

8.3 The site in question sits within the urban boundary of Telford, as shown on the adopted Proposals Map. Under Policies SP1 and SP4 of the adopted Local Plan, the principle of development within the urban boundary can be supported provided the proposed development meets the requirements of other policies within the Local Plan.

8.4 Significant objections have been raised about the lack of facilities available locally for schools, doctors/dentists/pharmacies, play facilities and bus provision. Section 106 Financial Contributions towards improving and/or delivering these services and facilities have been requested by the relevant consultees to mitigate the impacts of the proposed development - these are listed under Section 8.39 - Planning Obligations.

8.5 Design and Layout

The design and layout of the site is not for formal consideration at this stage, as this is an Outline Planning Application and not a Full Planning Application. Were this outline application to be approved, a detailed layout and appearance of buildings would come forward at a later stage under a separate planning application known as 'Reserved Matters.'

8.6 To assist Officers and Members, an Illustrative Masterplan has been submitted to show how the site could be laid out to accommodate up to 100no, dwellings and meet the policies of the Local Plan. This Illustrative Masterplan does not contain details such as bedroom numbers but can be used to assess whether acceptable garden sizes and distances between principal windows could be achieved.

8.7 The illustrative layout has taken account of comments from a number of consultees on matters which they would wish to see incorporated at reserved

matters stage, were this outline application to be approved. These include comments pertaining to ecology, archaeology and healthy spaces.

8.8 Based on the Illustrative Masterplan, separation distances between the existing houses surrounding the site and the proposed dwellings are sufficient to maintain privacy levels and facilitate an acceptable level of screening and/or landscaping. There are a number of new plots which would not seem to achieve a 21 metres separation distance between facing principal windows and, were the application to be approved and come forward at Reserved Matters stage, this would need to be given further consideration. It may be that where plots cannot achieve an acceptable separation distance they need to come forward as bungalows rather than two-storey dwellings. This would be a detailed matter for future consideration, subject to the Outline Planning Application being Granted.

8.9 Impact on Amenity of Adjacent Properties/Uses

Based on the Illustrative Masterplan, separation distances between the existing houses surrounding the site and the proposed dwellings are capable of being sufficient to maintain privacy levels and facilitate an acceptable level of screening and/or landscaping. There are a number of new plots which would not seem to achieve a 21 metre separation distance between facing principal windows and, were the application to be approved and come forward at Reserved Matters stage, this would need to be given further consideration. It may be that where plots cannot achieve an acceptable separation distance they need to come forward as bungalows rather than two-storey dwellings. This would be a detailed matter for future consideration, subject to the Outline Planning Application being granted.

8.10 With regards to noise, a Noise Assessment has been submitted with this application. It should be noted that as this is an Outline Planning Application with any matters reserved that a specific comment on impacts on properties cannot be provided as any layout would be subject of a future Reserved Matters application.

8.11 The acceptability of noise levels for the proposed dwellings and their garden areas is determined by a proposed speed reduction along the A5 from 60mph to 45mph. The Local Highways Authority have confirmed this is the case. A noise barrier is proposed but this may not mitigate noise impacts for all properties and their external amenity areas, meaning revisions to the illustrative layout may be required at Reserved Matters stage.

8.12 The Council's Environmental Health Specialist has advised that the properties nearest the A5, as shown on the illustrative masterplan, risk their external amenity areas being too close to the road and suffering from noise disturbance. This may also be the case for properties close to the access point. This would be a detailed consideration for Reserved Matters stage, were this application to be approved.

8.13 Built Heritage and Archaeology

The Council's Conservation Officer advises the site is not within a Conservation Area, is sufficiently distant from any statutorily Listed built heritage assets and largely screened by existing intervening development, such that there are no reciprocal views. However, portions of the application site have views of Grade II Listed St George's Church Tower which would need to be preserved. The existing area has a semi-rural character, with narrow streets and long views over fields to the tree screening for the A5 and the woodlands beyond.

- 8.13 The built form is a mix of ages and styles, almost exclusively pre-1970's dwellings, with a large number of mid-century bungalows and two-storey semi-detached and detached dwellings, interspersed with numerous traditional buildings ranging in built form from terraced cottages to a Manor House. The dwellings are all set well back from the street front, on generous plots with large gardens which add to the semi-rural character of the area. Although the traditional buildings around the site perimeter aren't statutorily Listed or on the Council's Register of Buildings of Local Interest, many still possess architectural and historic merit and would be considered non-designated heritage assets. The proposed plans have the potential to affect the setting of these heritage assets.
- 8.14 The Council's Conservation Officer considers that the originally proposed development density of up to 100 dwellings is far too great for the surrounding area and the built grain would be jarringly at odds with the generous plot sizes of the existing buildings at the edges of the site. As such the Conservation Officer considers the proposed development density would cause harm to the semi-rural character of the neighbourhood and the settings of the non-designated heritage assets, contrary to local policy BE1(i, ii, iii, iv, v).
- 8.15 The concerns of the Council's Conservation Officer are acknowledged. The large spacious plots in the immediate area would not typically be replicated in a contemporary development and the density of approx. 36 dwellings per hectare would be an efficient use of land based on excluding the undevelopable areas such as the moat.
- 8.16 Shropshire Archaeology advises the archaeological surveys undertaken are acceptable for an outline stage application. Were a reserved matters application to come forward then more detailed surveys would be required. The initial Illustrative Masterplan has been amended to incorporate a 5 metre buffer between the medial moat and the possible route of the spine road. This has been welcomed by Shropshire Archaeology, who advise it will ensure the retention of the stratigraphic relationship between the earthworks of the moated site and the associated ridge and furrow.
- 8.17 Shropshire Archaeology also recommend that tree planting be avoided in the areas to the south and east of the moated site (along the indicative access road) in order to reinforce the openness and legibility of the moated site as a feature of the proposed development. Restricting tree planting would also

retain visibility and surveillance across the proposed amenity space. These recommendations seek to ensure that the proposals would not result in substantial harm to the heritage significance of the moated site and its immediate setting, should a Reserved Matters application be submitted.

8.18 Highway Impacts

Policy C3 requires all development to mitigate site specific highway issues. In this instance this is achieved by the creation of a three arm signalised junction on Telford Way. The preliminary junction design has been capacity tested to a future year of 2034 and therefore will be over-engineered to begin with, in order to meet the additional growth in the area and to negate any westbound queuing that could otherwise compromise the traffic merge exiting Limekiln Bank Roundabout. The junction arrangement includes dedicated signal controlled pedestrian crossing facilities over Telford Way and the speed limit in the junction vicinity will be reduced to 40mph as part of the works. The scheme has already been Safety Audited by a third party, as part of the initial design process, with no non-mitigatable concerns raised. The signal junction proposed will work on an intelligent controller system, to ensure the free flow of traffic on Telford Way is maintained and the development arm can have green time regulated when necessary to ensure this.

- 8.19 The traffic generation from the site has been assessed, under worse case conditions, to produce circa 65 two-way peak hour trips – so just over one a minute. The current peak hour flows on Telford Way exceed 1,000 vehicles an hour; therefore the impact of an additional 65 trips per hour from the proposed development cannot be considered to be severe against this context. The Local Highways Authority consider the additional trips will not represent a material impact further away from the site after distribution and dissipation of traffic has taken place. However, a Strategic Highways Contribution, derived from the site's trip generation is being sought as part of the proportionate, cumulative impact strategy which is applied to all new larger developments in the Borough.
- 8.20 The site sits adjacent to one of Telford's primary footway/cycleway corridors, which links the site to the Town Centre to the south and Donnington to the North - the development site connects directly to this infrastructure.
- 8.21 There are no bus stops along this stretch of Telford Way due to the absence of bus routes along it. However, bus provision is reactive to the viability appraisal by operators and, if routing along Telford Way is proposed in the future, then safeguarding provisions can be made in the detail for the highway junction works to include caged stops with supporting infrastructure if necessary.
- 8.22 The current closest bus stops to the site lie off the mini roundabout at Stafford Street and West Street, to the west of the site. Contrary to the claims made in the applicant's Transport Assessment these are actually circa 800-900 metres from the centre of the development site. This distance is consistent with a 10-minute walk and is, therefore, not considered unreasonable in terms of

accessibility. These existing stops serve a number of services, these being 5, 5A, 5B, 5E, 6 and 7, which link to much of wider Telford. Consequently, although they are more than a 5 minute walk away, the actual route choice and frequency available is better than a scenario where a closer bus stop would have a limited service. Section 106 contributions are requested for the upgrade of existing bus stops along Stafford Street.

- 8.23 The Local Highways Authority (LHA) has assessed the application against the tests under Para 115 of the NPPF and advised they have no grounds to object to the proposals. The LHA have recommended a number of conditions to make the development acceptable as well as requesting S106 contributions of £85,940 towards the TWC Transport Growth Strategy.

8.24 Healthy Spaces

The Illustrative Masterplan indicates no onsite play and recreation provision is intended. Therefore, in order to achieve policy compliance the proposal would need to make financial contributions towards the improvements of nearby play and recreation facilities. An appropriate sum has been calculated in accordance with the Council's recent Play, Recreation and Open Space Needs Assessment, as the area of St Georges and Priorslee has a deficit of play and recreational space provision, based on an estimated calculation of 300 bedrooms across the 100 dwellings proposed, we will be requesting the following contributions of; £260,253.06 for play. Additional contributions of £65,000.00 are requested for the provision of sport and recreation in the area.

- 8.25 As part of wider Council approaches to the use of open space and current national health and wellbeing agendas, Healthy Spaces will be additionally seeking to provide opportunities for food growth, through allotment contributions of £9,814.85. Alternatively Healthy Spaces would accept the onsite provision of community growing space, which, if accepted, will need to be incorporated into any Landscape Management Plans until suitable stewardship is acquired.

8.26 Drainage

Were this Outline Planning Application to be approved, detailed drainage design would follow at the Reserved Matters stage as part of the detailed appearance, layout and landscaping.

- 8.27 At this stage the Local Lead Flood Authority (LLFA) are satisfied that, in principle, there is an acceptable drainage scheme that can be delivered to meet local planning policies. This would be designed and delivered as part of a more detailed scheme subject to this application being approved.

8.28 Land Stability and Contamination

From a geotechnical perspective, there are no objections to the principle of developing this site for residential purposes, subject to appropriate information being submitted with any future Reserved Matters application(s) to

demonstrate the conditions of the site, in particular the northern part affected by the former sand quarry.

8.29 The Council's Geotechnical Specialist requests Condition(s) be attached to any grant of Outline Planning Consent requiring a comprehensive desk study (as part of any Reserved Matters application) which deals with mining, all contamination issues, settlement and differentiation. A ground investigation would also be required that identifies all constraints and how they will be dealt with.

8.30 Ecology and Trees

This site is currently comprised mostly of stock grazed modified grassland fields. A small area of other neutral grassland was identified through the ecological assessments, this area has a more diverse structure however is still of lower ecological value. Hedgerows and several mature trees are present in the boundaries of the site, under current plans these are largely to be retained which is positive for the overall biodiversity impact of development.

8.31 A small area of young trees has been planted in recent years along the northern boundary of the site, as identified in section 3.3.4 of the Preliminary Ecological Assessment (PEA). This area should be protected from development and included within landscaping management should development receive consent.

8.32 Current Biodiversity Net Gain (BNG) calculations show some areas of loss and some areas of gain onsite. The site was assessed to have baseline values of 12.10 habitat units, 5.15 hedgerow units and 1.05 watercourse units. Under BNG legislation, the submission of a Biodiversity Gain Plan post-determination must outline how an overall 10% gain will be achieved for these values. Under initial proposals a net loss of 5.15 habitat units (42.57%) is predicted. The Council's Ecology Officer has advised that the original indicative layout is unlikely to enable the development to meet the 10% BNG target and recommended a reduction in the number of residential units proposed to enable more delivery of biodiversity offset onsite. This advice has been taken on board by the developer, resulting in the amended scheme for 100no.dwellings supported by an illustrative layout. However, the Council's Ecology Officer advises that the density of the proposed development remains of concern as it will consequentially result in less open green space on site and prevent delivery of onsite biodiversity.

8.33 With regards to priority and protected species, this site currently has relatively poor connectivity to other natural habitats, the nearest being a mixed broadleaved woodland area to the south separated from the site by the busy A5. Poor connectivity and a lack of biodiverse, ecologically valuable habitats make the site on the whole unlikely to host protected species.

8.34 This site is part of a wider Green Infrastructure (GI) network, providing green space and access to people and wildlife in the area. Further site design

should embrace this function and provide space for people and wildlife to use post-development. In particular, the current Public Right of Way (PRoW) through the site provides an opportunity to create a 'green corridor' through the proposed development linking public open space in the north to green buffers and woodland beyond the A5 to the south. Habitats within public open space and green infrastructure areas should be varied to support biodiversity and recreational needs.

8.35 Design and layout with ecology and green infrastructure in mind aids compliance with Policy NE1 which details the need to "ensure that new developments are designed to be ecologically permeable through the protection and enhancement of existing wildlife corridors, core areas and stepping stones and the provision of new connections which shall be integrated and linked to wider biodiversity features". The provision of a continuous 'green buffer' along the southern site boundary is supported to provide a green corridor along the line of the A5. The amended indicative masterplan provides more opportunity for green infrastructure and biodiversity than the originally submitted plan. However, a further reduction in the number of units and overall layout could provide a wide range of benefits including increasing biodiversity, improving amenity value, and enabling more natural drainage of water. Sensitive design, especially along the route of the PROW, will enhance the development for biodiversity, benefit potential future residents and encourage sustainable travel through the site to green areas beyond for new residents and those already in the area. The Council's Ecology Officer has recommended planning conditions to secure these green infrastructure buffers at Reserved Matters stage.

8.36 Para. 6.1.1.4 of the supporting text for Policy NE1 emphasises the importance of protecting green spaces within the borough. To offset the impacts of losing the green space and the increase in numbers of residents likely to be using the nearby green spaces as a result, a financial contribution is requested to improve habitat and environmental quality at The Flash to the south of the site with the intention that it can achieve the status of Local Nature reserve. For these reasons a Section 106 Contribution of £100,000 is sought for maintenance and habitat management associated with the increased use of The Flash arising from the proposed development.

8.37 Other Matters

Planning applications may only be determined based on material planning considerations. Devaluation of property is not a material planning consideration and cannot be taken into account.

8.38 A Call-In request was received from St Georges & Priorslee Parish Council requesting the application be determined by Planning Committee. However, this was received after the call-in period expired. The reasons given for the call-in request reflect those contained in the parish Council's objection and have been represented in para 7.2.

8.39 Planning Obligations

Any planning consent would be conditional on the agreement of a S106 agreement to secure the following (plus indexation):

- Education: £880,741 (Primary £650,453; Secondary £238,298);
- Highways: £85,940;
- Affordable Housing: 25% to be provided on-site;
- Healthy Spaces: £260,253.06 (Play); £65,000 (Sport and recreation); £9,814.85 (Allotments);
- Ecology: £100,000 (The Flash Local Nature Reserve);
- NHS: £89,576;
- Bus Shelter upgrades - £20,000

8.40 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.

9.0 CONCLUSION

9.1 This application is seeking Outline Planning Permission to develop this site for residential purposes, up to 100no. dwellings. The site is not allocated within the Local Plan although it is within the Telford urban boundary where the principle of development is supported subject to the proposal demonstrating it can meet the requirements of the policies within the Local Plan.

9.2 The loss of the existing green space and the level of public objection received on this matter is acknowledged, however, as this is not public land the land owner could fence it off under Permitted Development and restrict access to the public except for traversing the PROW. The Council's Ecology Officer has requested Section 106 contributions to improve the Local Nature Reserve to the south to mitigate for the loss of green space and public amenity.

9.3 Statutory consultees, with the exception of Built Conservation, support the scheme and have requested Condition(s) and/or Financial Contributions to mitigate the impact of the proposed development, where those impacts cannot be accommodated onsite. These include Financial Contributions towards improved education, play/recreation/sport facilities, healthcare facilities, Local Nature Reserve and highway/public transport facilities. Affordable housing would be provided onsite secured at 25% of the overall development. Subject to these condition and financial contributions being agreed, Officers consider the proposals can achieve policy compliance.

- 9.4 Access is being considered in full detail as part of this application and the Local Highways Authority support the application as discussed above.
- 9.5 Were the application to be approved, details matters such as layout, scale, appearance and landscaping would come forward at a later date through separate planning application(s) known as reserved matters. Many of the matters of details raised by consultees would be addressed at that stage.
- 9.6 On balance, therefore, the proposal is deemed to be compliant with the Telford & Wrekin Local Plan 2011-2031 and the guidance contained within the NPPF.

10.0 DETAILED RECOMMENDATION

- 10.1 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 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 £238,298);
- 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 (Allotments);
- v) Ecology: £100,000 (The Flash);
- vi) NHS: £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):

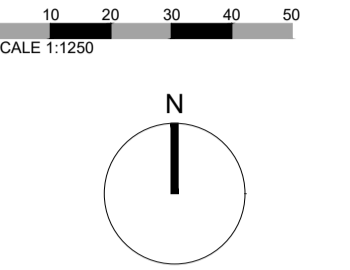
Condition(s)

- 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

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ORIGINATING OFFICE:

Legend
 Site Area = 4.789 Ha / 11.83 Acres



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REV	DESCRIPTION	DATE	BY	CHKD
D	Amendments to redline boundary	02.11.2023	OWH	-
C	Amendments to redline boundary	18.08.2023	OWH	-
B	Amendments to redline boundary	06.05.2021	OWH	-
A	Amendments further to client meeting	05.05.2021	OWH	-

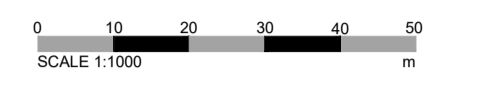


SITE LOCATION PLAN

STATUS:	PLANNING		
CLIENT:	MONTAGUE LAND		
PROJECT:	RESIDENTIAL DEVELOPMENT LAND NORTH OF ST. GEORGES BYPASS ST. GEORGES, TELFORD, TF2 9LF		
DRAWING:	SITE LOCATION PLAN		
SCALE @ A1:	DRAWN BY:	CHKD BY:	DATE:
1:1250	OH		03.03.21
DRAWING No:	REVISION:		
SA39809 -BRY-ST -PL - A - 001 _D			

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 shrewsbury@berrys.uk.com
 www.berrys.uk.com

ORIGINATING OFFICE:

- Legend**
- Site Area = 4.789 Ha / 11.83 Acres
 - Existing Residential Buildings
 - Public / Commercial Building
 - Existing main trees on site
 - Existing Hedgerow
 - Existing Dense Woodland
 - Sewage Pumping Station
 - Remnants of Medieval Moat
 - New 5.5m wide Access Road
 - New 2m wide Pavement
 - Public Right of Way
 - Possible Footpath Diversion
Please note any diversion would be addressed during a future reserved matters application
 - New Public Open Space (0.90Ha)
 - New Private Plots inc. Gardens
 - New Indicative Tree Planting
 - New SUDS
 - Plot Ref. No.

REV	DESCRIPTION	DATE	BY	CHKD
A	Amend layout to incorporate client changes and reduced density of site	07.10.2024	OWH	PJ



STATUS:	PLANNING		
CLIENT:	MONTAGUE LAND		
PROJECT:	RESIDENTIAL DEVELOPMENT LAND NORTH OF ST. GEORGES BYPASS ST. GEORGES, TELFORD, TF2 9LF		
DRAWING:	INDICATIVE SKETCH BLOCK PLAN		
SCALE @ A1:	DRAWN BY:	CHKD BY:	DATE:
1:1000	OH		05.10.24
DRAWING NO:			REVISION:
SA43394 -BRY-ST -PL - A - 005 _A			



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PROPOSED INDICATIVE BLOCK PLAN

DENSITY OF HOUSING SHOWN 100 x No. DWELLINGS

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TWC/2024/0633

Breffni House, Farm Lane, Horsehay, Telford, Shropshire, TF4 2NE

Change of use from Residential Dwelling (Use Class C3) to Residential Care Home (Use Class C2) ****AMENDED DESCRIPTION**** ****AMENDED PLANS & ADDITIONAL INFORMATION RECEIVED****

APPLICANT

Chantal Miller

RECEIVED

12/08/2024

PARISH

Dawley Hamlets

WARD

Horsehay and Lightmoor

THIS APPLICATION IS BEING HEARD AT PLANNING COMMITTEE AS THE PROPOSAL HAS RECEIVED A NOTABLE NUMBER OF OBJECTIONS.

<https://secure.telford.gov.uk/planning/pa-applicationssummary.aspx?applicationnumber=TWC/2024/0633>

1. SUMMARY RECOMMENDATIONS

- 1.1 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. SITE AND SURROUNDINGS

- 2.1 The application site is Breffni House, which is located on the North Eastern side of Farm Lane, Horsehay, at its junction with Wellington Road.
- 2.2 In terms of the surrounding context, the application site is located within the Built up Area of Telford, with other residential properties to the South East. The character of the area is generally that of housing, which are predominantly detached and set within large plots. To the North / North East of the application site is Horsehay Common.
- 2.3 The unit to which the change of use relates comprises a spacious 2-storey, six-bedroom detached dwelling with parking and ample private amenity space. The application site is located approximately 2.7 miles from Telford Town Centre and near to other local centres. Public amenity areas, schools and other facilities are also available nearby.

3. PROPOSAL

- 3.1 This application seeks full planning permission for the change of use from Residential Dwelling (Use Class C3) to Residential Care Home (Use Class C2).

- 3.2 The proposed care home will provide a home for four young persons between the ages of seven (7) and seventeen (17) under the care of full time staff members, whilst living collectively in a family setting. The young persons will have emotional and behavioural difficulties (EBD), and require an environment where they can receive support, nurturing, and opportunities to thrive, with the aim of them living at the home long-term or permanently (until adulthood).
- 3.3 No external alterations are proposed to the existing dwelling. The existing parking area will be used to provide formalised parking spaces, whilst utilising the existing access.

4. RELEVANT PLANNING HISTORY

- 4.1 TWC/2024/0146 – Application under Section 192 for a certificate of lawfulness for proposed use from dwellinghouse (Use Class C3) to dwellinghouse (Use Class C3(b)) – Section 192 Proposed Use – Planning Permission Required on 17th April, 2024.

5. RELEVANT POLICY DOCUMENTS

- 5.1 National Planning Practice Guidance (NPPG)
National Planning Policy Framework (NPPF)
- 5.2 Telford and Wrekin Local Plan (TWLP) - 2011-2031
SP1 Telford
SP4 Presumption in favour of sustainable development
HO7 Specialist housing needs
C3 Implications of development on highways
C5 Design of parking
BE1 Design Criteria
- Homes for All SPD

6. NEIGHBOUR REPRESENTATIONS

- 6.1 The application has been publicised through direct notification to neighbouring properties, local members and the Wellington Town Council.
- 6.2 The Local Planning Authority (LPA) received 46 objections and 1 comment to the scheme.
- 6.3 The following summarised issues were raised in objection to the proposal:

- Lack of amenities
- Application site close to busy main road
- Limited access to schools, doctors, dentists
- No suitable recreational or transport facilities
- Risk to safety of nearby residents
- Potentially cause anti-social behaviour
- Neighbouring house prices devalued
- Issues surrounding consultation period
- Noise disturbance
- Mirrors a previous application which was refused
- Inconsistencies with application, especially description
- Traffic issues
- Impact on local wildlife

7. STATUTORY REPRESENTATIONS

7.1 Dawley Hamlets Parish Council – No Comment Received.

7.2 Highways – Support Subject to conditions

Whilst the Local Highways Authority (LHA) note and have taken into consideration the comments and objections raised by residents, the change of use from a dwellinghouse (Use Class C3) to a residential care home (Use Class C2), would likely have a negligible impact on the adopted carriageway in the vicinity of the property.

For context, the LHA apply 1 space per 4 ‘care beds’ and 1 space per staff for a residential care home. The Applicant has stated that there will be 4no. staff members present for most of the time, and 2no. staff members present overnight.

The establishment will have 5 ‘care beds’ and 4 staff for the vast majority of time, so the proposals would be in accordance with the Authority’s adopted parking standards. The level of parking provision provided by the Applicant indicates a total of 12no. spaces available.

Taking the above into consideration, the LHA do not consider the development would give rise to any unacceptable highways safety impacts which would warrant the refusal on highways grounds.

In principle, the Local Highways Authority have no objection to the proposals. However, this is subject to a condition being included.

7.3 Specialist Housing Team – No Objection:

From a commissioning perspective, the proposal would be meeting local sufficiency needs around providing this type of service within the borough.

Furthermore, from a commissioning perspective, there are no concerns with this provider delivering this service. Ofsted would regulate the service and would visit the provider and assess their suitability to deliver the service for the vulnerable young people.

Therefore there are no concerns with the scheme.

7.4 **Shropshire Fire Service – Comment:**

As part of the planning process, consideration should be given to the information contained within Shropshire Fire and Rescue Service's "Fire Safety Guidance for Commercial and Domestic Planning Applications" document. Standard informative to be applied.

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
- Scale and Design
- Impact on the amenity of adjacent properties / uses
- Highways impacts
- Other matters

Principle of development:

8.2 Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires that planning applications must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Telford & Wrekin Local Plan (TWLP) which was adopted in January 2018. The National Planning Policy Framework (NPPF) is also a material planning consideration.

8.3 The application site is located within the Built up Area of Telford, where the principle of residential development is generally considered acceptable. This is subject to appropriate scale and design, impact on neighbouring properties and any technical constraints being satisfactorily addressed; all of which have been considered during the assessment carried out.

8.4 The proposed development would see the existing 6-bedroom dwelling being utilised in its current form, as a four-bedroom children's care home (plus 2no

staff bedrooms). In this instance, the application site is already in residential use, therefore the principle of residential development on the application site is considered appropriate and therefore complies with policy SP1 and SP4 of the TWLP.

Scale and Design:

- 8.5 The application site comprises an existing detached, 6-bedroom dwelling with ample parking and private amenity space. Whilst no external alterations are proposed to the dwelling, some internal changes are proposed, including the re-configuration of the internal layout and established rooms; this is to allow the sub-division of one of the existing first floor bedrooms to provide an additional storage room.
- 8.6 The proposal will provide private bedrooms for each of the four (4) children in their care, with the fifth and sixth bedrooms being utilised for staff sleeping quarters if required, (during the shared night shift). The private garden amenity space will be utilised by the children and carers, in the same manner as a standard 'family home' and is therefore considered appropriate in size for this use.
- 8.7 The scale and design of the dwelling will not be altered as a result of the proposal and the scheme will not therefore impact the existing streetscene. The design of the internal arrangements are also considered appropriate for the type and level of care being proposed. The proposal is therefore compliant with the relevant parts of Policies BE1 and HO7 of the TWLP in respect to scale and design.
- 8.8 Policy HO7 of the TWLP will support proposals within Use Class C2 and other forms of residential accommodation including retirement homes to address specialist housing needs, provided that:
- i. The proposed development is designed to meet the specific needs of residents, including requirements for disabled people, where appropriate;
 - ii. The location of the development (including where such provision is part of a larger scheme) is in close proximity to community and support facilities, shops and services, and public transport connections; and
 - iii. The proposed development relates well to the local context in design, scale and form.
- 8.9 In terms of the location of the application site, comments have been raised by neighbouring properties regarding the lack of facilities close by to the application site. However, as outlined above, the site is located within the Built up Area of Telford, and is considered to be a sustainable location. Lightmoor Village Primary School is located approximately 1 mile away from the site, whereas Morrisons, Lawley Drive, and other small shops within this vicinity are located approximately 1.2 miles from the site. The site is also situated approximately 2.6 miles from The Madeley Academy and the closest bus stop is approximately 0.3 miles from the site on Bridge Road. As such, the siting of

the proposal is considered appropriate. The scheme is also considered appropriate in terms of design given that no external changes are being made. The proposal also meets the specific needs of its proposed residents and as such complies with Policy HO7 of the TWLP.

- 8.10 Section 7 of the Homes for All SPD sets out the type of supported and specialist housing that is required to meet identified needs within the Borough. Accommodation for vulnerable young people is an identified need and the proposal is support by the Council's Specialist Housing Team. This is further supported by a Ministerial Statement on planning for accommodation for looked after children released in May 2023.

Impact on the amenity of adjacent properties / uses:

- 8.11 Policy BE1 of the Telford & Wrekin Local Plan states that the Council will support development which demonstrates that there is no significant adverse impact on nearby properties by noise, dust, odour or light pollution or that new development does not prejudice or undermine existing surrounding uses.
- 8.12 As an existing dwelling, and the proposed use being that which shares similarities to the working of a family home, Officers do not consider that there will be any adverse impact on nearby properties by way of noise, dust, odour or light pollution over and above those that would arise from the occupation of the property as a C3 dwelling.
- 8.13 The proposed development will provide a home for four children ranging between the ages of seven (7) and seventeen (17). The Applicant has confirmed that the number of staff members present on a regular basis will be five; this includes one manager and four care staff. The on-site manager will work Monday – Friday, between 09:00 and 17:00. Two of the care staff will work the day time shift, starting between 07:00 and 09:00 and finishing between 16:00 and 19:00. The other two care staff will then stay throughout the night. The maximum number of staff present on site would be six, but this will only be for the small change over period early morning.
- 8.14 In terms of staff meetings, the Planning Statement submitted outlines that these would generally be undertaken off-site. Likewise, visits made by Social Workers and Ofsted would also be infrequent. The Planning Statement advises that Ofsted visits occur infrequently, possibly twice a year, with social workers visiting once or twice in the initial month of placement, and then once every 12 months. As such, the intensity of these visits are limited and would be comparable to a family home. The additional over-provision of car parking factors this into consideration, in any event.
- 8.15 The supporting material outlines how the Applicant (Positive Outcomes), are specialist care providers in the area of therapeutic residential care services for children. The Applicant has confirmed that care homes such as this proposal, must be run as closely as possible to a typical family household, providing a stable home environment for the children as their sole, long-term residence.

- 8.16 Whilst the proposed development will offer a level of on-site care (as set out in the Planning Statement and supporting information received), it is intended that the daily operation of the home will be indiscernible to that of a large dwelling house with the young person's coming and going for education purposes and the adults coming and going for work purposes and thus, will not prejudice or undermine the existing surrounding uses. It is considered therefore that the proposal accords with Policies BE1 and HO7 of the TWLP in relation to impact on neighbouring residential amenity.

Highway Impacts

- 8.17 As part of this submission the Applicant has provided a Site Plan demonstrating the on-site parking provision available at the application site. This includes space for up to 12 cars on the existing driveway and 3 cars within the existing garage.
- 8.18 To further demonstrate the available off-road parking provision, the Applicant has submitted a series of car movement plans, outlining the anticipated car movements on a normal day. This includes the comings and goings of staff and the home car, as well as showcasing that there will be little disturbance to the surrounding highway network, with cars being able to access and egress the site whilst other staff members are already parked; this is particularly relevant during staff change over times.
- 8.19 Whilst the proposal is for a children's care home (and the parking standards for care differ from residential dwellings), it is acknowledged that the proposal will be operated in the same manner as a residential dwelling. The children being cared for range from the ages 7-17 and will therefore not have use of a car, with only the carers requiring parking facilities, and space being available for the home car.
- 8.20 As such, given the size of the existing driveway and the number of staff change overs per day being limited, and in recognition of the proposed development and staffing rota presented in the Planning Statement and documents submitted, the level of traffic associated with the development is not considered to differ significantly from that of the existing residential dwelling. Shift changes are proposed to take place at appropriate times during the day, with some leeway to these times to ensure that there is not too much disruption to the surrounding area. As such, there is no significant highway safety impacts to warrant refusal of the application and it is considered compliant with Policy C3 of the TWLP.
- 8.21 For clarity, Appendix 4 of the TWLP requires C2 Uses to provide parking facilities at a rate of one per full-time staff member, and one space per 4-bedspaces. The proposal therefore exceeds the TWLP Parking Standards

and the Local Highways Authority are satisfied (subject to the conditioning of the Planning Statement and documents submitted, and the car parking being laid out as proposed prior to occupation) that the proposal complies with Policies C3 and C5 of the TWLP.

Other matters

- 8.22 In addition to the points discussed and addressed above, other concerns were raised by local residents which are addressed below.
- 8.23 Firstly, a number of comments have been made regarding a previous application on the site and the fact that this was refused. The application in question was TWC/2024/0146, which was a Lawful Development Certificate for proposed use from dwellinghouse (Use Class C3) to dwellinghouse (Use Class C3b)). As this was a Lawful Development Certificate, the LPA had assessed whether the proposed works required the submission of a Full Planning Application or whether the works would be lawful. As the proposal was for the care of children it was determined that the works would fall within the 'C2' Use Class, rather than C3(b) and would be material, therefore requiring planning permission. Officers do wish to reiterate that when TWC/2024/0146 was assessed, this based on a matter of fact and degree, rather than on the suitability of the proposal in relation to Policies outlined within the Telford & Wrekin Local Plan, which has been the case for this application.
- 8.24 Comments were also initially raised regarding the description of this application and the fact that this was for a change of use from Use Class C3(b), rather than C3. Officers did query this with the Applicant when the scheme was first submitted, and an amended Application Form was submitted during the course of this application; the description of the proposal is now considered appropriate, with the existing use being confirmed as Use Class C3.
- 8.25 A number of neighbouring properties have also been received, querying the consultation period undertaken as part of this application, and that not all neighbouring properties were consulted. Officers are however satisfied that all neighbours who share a boundary with the red edged application site boundary (as required by the Development Management Procedure Order and TWC Statement of Community Involvement) were formally consulted in this instance, and the process has been duly adhered to.
- 8.26 The concerns raised over the personal history of the users, risk to safety of neighbouring properties and issues surrounding anti-social behaviour are acknowledged, but this is not a material planning consideration. These homes

need to be in sustainable locations, with access to facilities and schools and be supported by an established local community. The applicants are looking to provide a 'family home' to the young persons in its care, rather than institutional settings. This approach is also favoured by the statutory regulator, Ofsted, who has been encouraging providers to move away from the more traditional institutional model, having recognised that 'institutionalised' persons can then have difficulty transitioning effectively to independent living and the workplace. Policy HO7, the Homes for All SPD and national guidance supports the provision of care homes for young persons and it is considered that this proposal complies with the criteria set out within local policy.

9. CONCLUSIONS

- 9.1 Having regard to the above considerations, the proposal represents a sustainable form of development that falls within the 'Built Up' area of Telford. The proposal is considered to be acceptable in regards to scale and design and would remain in-keeping with the character and appearance of the immediate area and will not have a significantly detrimental impact upon the amenity of neighbouring residential properties. Furthermore, the Local Highways Authority have supported the scheme, subject to conditions, as there is a sufficient amount of off-road parking available for the proposed use. As such, there are considered to be no principle or technical reasons to warrant refusal of this application, and appropriate conditions are imposed to control its future use and management.
- 9.2 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 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

Location Plan

Site Address: **Breffni House, Farm Lane, Horsehay, Telford, TF4 2NE**

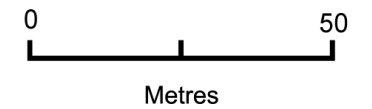
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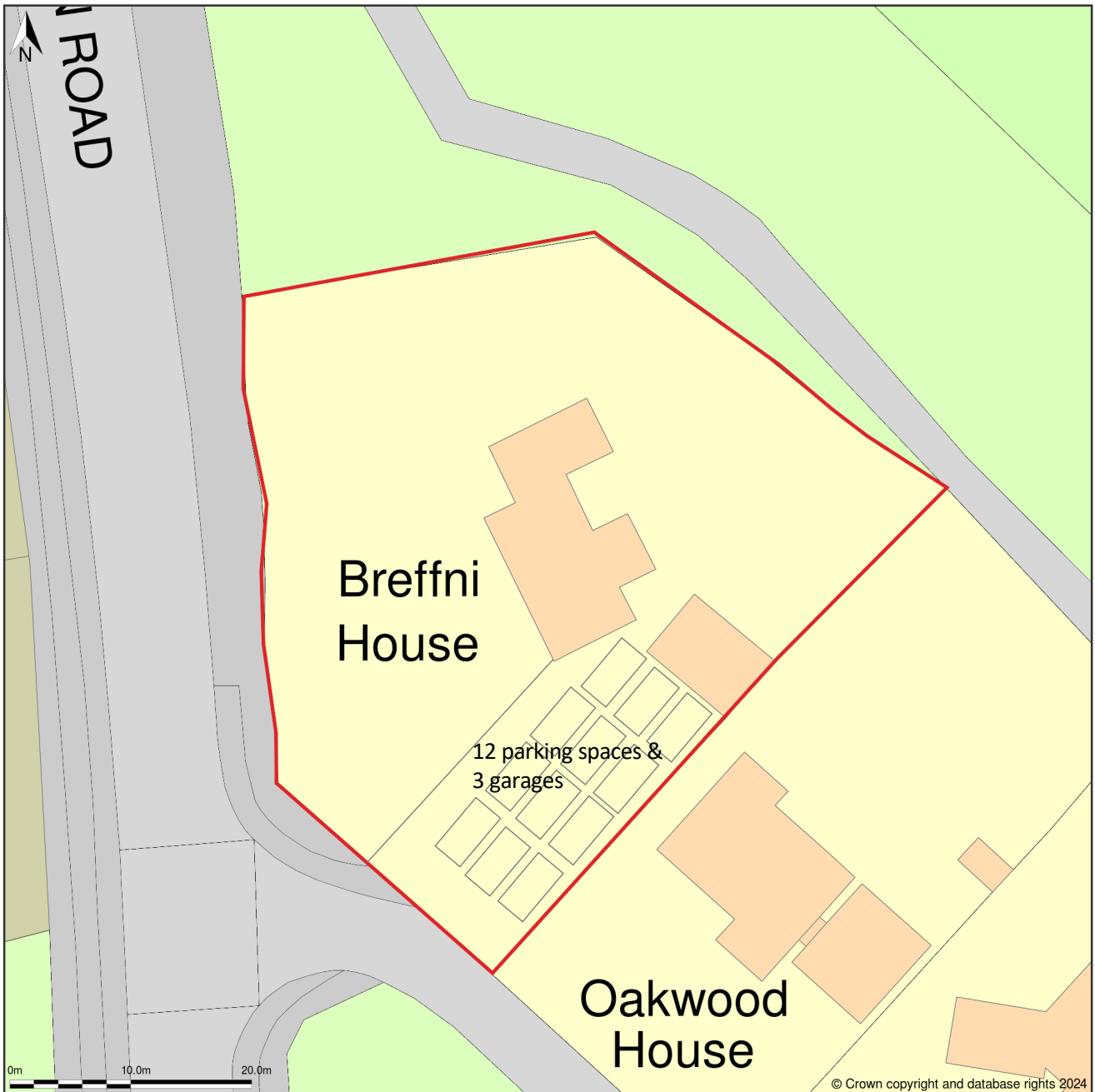


Planning Portal Reference: **PP-13001583v1**



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Breffni House, Farm Lane, Horsehay, Telford, Telford And Wrekin, TF4 2NE

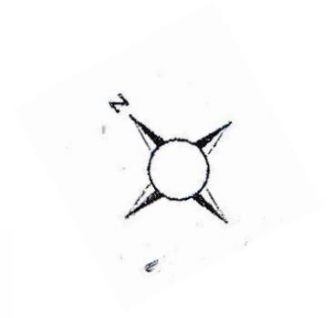


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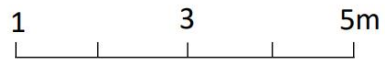
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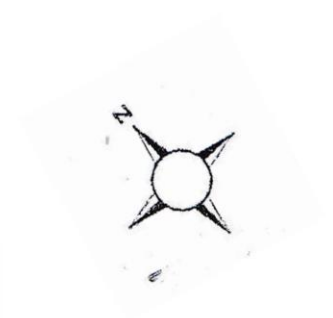


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Horsehay, Telford, TF4 2NE

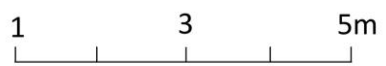


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EXISTING GROUND FLOOR PLAN



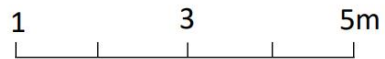
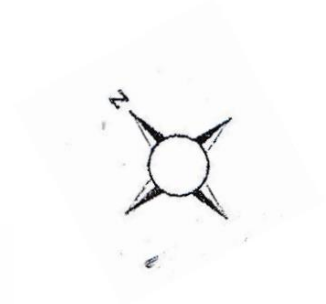
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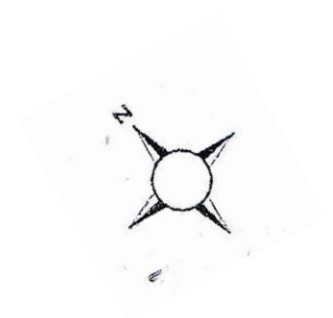
EXISTING FIRST FLOOR PLAN

Breffni House, Farm Lane,
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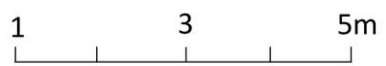


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PROPOSED GROUND FLOOR PLAN



Breffni House, Farm Lane,
Horsehay, Telford, TF4 2NE



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PROPOSED FIRST FLOOR PLAN