

TWC/2022/0040

Land rear of Wrap Film Systems Ltd, Hortonwood 45, Hortonwood, Telford, Shropshire

Erection of storage and distribution unit (Use Class B8) including ancillary offices, access, servicing yard, car parking, landscaping and drainage infrastructure

APPLICANT

HE2 Telford 2 GP Ltd/Homes & Communities Agency,

RECEIVED

12/01/2022

PARISH

Hadley and Leegomery

WARD

Hadley and Leegomery

THIS APPLICATION HAS BEEN CALLED TO COMMITTEE AS A SECTION 106 IS REQUIRED TO SECURE FINANCIAL CONTRIBUTIONS, AND ALSO AT THE REQUEST OF HADLEY AND LEEGOMERY PARISH COUNCIL

Online planning file:

<https://secure.telford.gov.uk/planning/pa-applicationssummary.aspx?ApplicationNumber=TWC/2022/0040>

1. SUMMARY RECOMMENDATION

1.1 It is recommended that **DELEGATED AUTHORITY** be granted to the Development Management Service Delivery Manager to **GRANT FULL PLANNING PERMISSION** subject to receipt of amended planting specification, Condition(s), Informative(s) and the Applicant entering into a Section 106 Agreement in respect of highways, ecology and trees, and monitoring.

2. APPLICATION SITE

2.1 The application site is square in shape and located within the North Telford Hortonwood, Donnington and Hadley Park Strategic Employment Area towards the north eastern edge of the urban area, extending to approximately 2.15 hectares in area. The entirety of the site comprises allocation E4 in the adopted Local Plan, with a number of employment uses deemed suitable (B1b, B1c, B2 and B8).

2.2 Currently, the site remains undeveloped being relatively flat ground formed of a series of paddocks and stabling. The site is crisscrossed by mature hedgerows and trees, along with the southern and north eastern edges of the site. Industrial uses surround the site, with the Pickstock Abattoir to the immediate west, the Cofresco cling film manufacturer to the north and east, and the technology manufacturer Epsom to the south beyond the Crow Brook. The wider area is largely industrial in nature, with the nearest residences positioned along Horton Lane the nearest being in the region of 230 metres from the edge of the site to the east.

3. APPLICATION DETAILS

- 3.1 The proposed development is an occupier-led scheme involves the construction of a single building with a total GIA of 5,785 sq. metres. The total floorspace is made of several components including the main warehouse, ancillary offices, first floor mezzanine and three Pick-up and Delivery (PUD) 'fingers.'
- 3.2 In terms of the design of the building, this has been dictated by the specific requirements of the occupier, which is deemed to be a minimum of 12.0 metres to underside of haunch, with a ridge height of circa 15 metres - this is in-line with the wider commercial area. The elevations have been designed to combine contemporary materials and features with modern elements and details to add visual interest to the facades with sufficient space for the introduction of any corporate branding and signage in the future.
- 3.3 The proposed development site is proposed to be accessed off Hortonwood 45, along the northern boundary, which will have two accesses at the north of the site. The existing access at the north east of the site will be incorporated and enhanced to accommodate the development proposals and will be used for HGV and LGV access only which will be controlled by barriers and a security gatehouse. The enhancement of the existing access will also involve the relocation of the existing substation adjacent to the west of the proposed eastern access. The secondary and westerly access will be used for staff and customer car parking only, there will also be an access from the car parking area into the servicing yard but this will be used for emergency access only, which can be controlled by planning condition.
- 3.4 In terms of car parking, a total of 121 car parking spaces will be provided including 4 disabled car parking spaces. To promote Sustainable Travel, the proposed development will provide 16 Electric Vehicle Charging Points and have secure cycle storage at the front of the building, adjacent to the two-storey offices.
- 3.5 The site contains a number of high grade trees, which are largely situated within the northern component of the site, broadly forming historic field boundary features, typical of the neighbouring land parcels of Hortonwood.
- 3.6 A prominent linear group of trees denotes the southern boundary of the site, comprising of mixed species broadleaved species. This linear feature has been recognised as an important ecological asset providing connectivity between land parcels for a variety of taxonomic groups.
- 3.7 Many of the former hedgerows which divided the field compartments are now either defunct or have expanded into wide tree groups following the natural succession of Hawthorn and Blackthorn, with scrub and bramble encroaching into main body of the field compartment through the lack of recent management/grazing.
- 3.6 In support of the application, the following documents have been submitted for consideration:

- Landscaping Scheme
- Design and Access Statement
- Planning Statement
- Transport Assessment and Travel Plan
- Noise Assessment
- Site Investigation Report
- Flood Risk Assessment and Drainage Strategy
- Ecology and Tree Reports
- BREEAM Pre-Assessment Report
- External Lighting Scheme

4. PLANNING HISTORY

TWC/2018/0164 - land rear Wrap Film Systems Ltd, Hortonwood 40, Hortonwood - Erection of 2no. industrial units (Use Class B1(c), B2 and B8) - Full Granted 03 December 2018

TWC/2016/0583 - land rear Wrap Film Systems Ltd, Hortonwood 45, Hortonwood - Erection of 7no. Industrial buildings (Use Class B1 (Business), B2 (General Industrial) & B8 (Storage or Distribution)) totalling 11,600 sq. metres with associated landscaping and parking - Full Granted 14 March 2018

TWC/2012/0832 2012/0832 - Site E, Hortonwood 45, Hortonwood - Erection of an integrated abattoir and meat processing facility (Use Class B2), storage (Use Class B8) and associated offices (Class B1), together with ancillary car parking, servicing, accesses and landscaping - Full Granted 12 December 2012

5. RELEVANT POLICY DOCUMENTS

5.1 National Planning Policy Framework (NPPF)

5.2 Telford & Wrekin Local Plan 2011-2031:

SP1: Telford

SP4: Presumption in Favour of Sustainable Development

EC1: Strategic Employment Areas

NE1: Biodiversity and Geodiversity

NE2: Trees, Hedgerows and Woodlands

C3: Impact of Development on Highways

C5: Design of Parking

BE1: Design Criteria

ER1: Renewable Energy

ER9: Waste Planning for Commercial, Industrial and Retail Developments

ER12: Flood Risk Management

6. NEIGHBOUR REPRESENTATIONS

6.1 No letters of Objection have been received.

7. STATUTORY CONSULTEES

7.1 Hadley and Leegomery Parish Council: Object and Planning Committee Call-in:

- Transport Assessment and Travel Plan: Concern over the practicality of connecting the site with the nearest bus stops in Trench Lane, which involves pedestrians crossing the A518 and the condition of the footpaths;
- Note the restrictive hours of operation of the 7/7A Bus Service from bus stops on Trench Road, whereby it would not be a practical choice for those on the early shift or the night shift - resulting in an over-reliance on the use of cars for commuting to and from the site, contrary to Policy C1 and BE1 of the TW Local Plan;
- Concern regarding the scale, massing, form, and layout of the proposed development which is adjacent to numerous residential dwellings;
- Note that the layout of the proposed development does little to shield neighbouring residential properties from either noise or light nuisance;
- The number of PUD points and HGV loading bays suggest a high number of vehicle movements to and from the site are anticipated;
- Concern regarding the nature of the proposed use and the hours of operation - there will be a significant increase in traffic on Hortonwood 45 commencing from 0600 each morning - likely to have a detrimental impact on residential amenity for the adjoining community of Horton;
- Reference to Condition 19 of the Outline Consent, ref.: TWC/2018/0164 in respect of hours of operation (incl. deliveries), in-line with other comparable developments within the locality in order to protect the residential amenity of the community of Horton. Thereby noting the principle of development at this site has only been established for uses where the hours of operation are subject to limits and controls, this being to maintain the amenities of the area. Note that the proposed Use and hours of operation are not consistent with previous planning decisions;
- Local Road Network: Concern regarding the impact of the development upon the local road network, particularly on the A442 Hadley Park and A518 Hortonwood roundabouts which are the only access points from the local road network on and off the Hortonwood strategic employment site;
- Requests that, following the closure of Horton Lane to through traffic, further studies are undertaken to model the traffic flows

around the Hortonwood Strategic Employment Area and its local road network, particularly as a result of increasing development both on Hortonwood and the neighbouring strategic employment sites at Hadley Park and Hortonwood West.

- 7.2 **Highways: Support subject to Condition(s):** The site is part of the Local Plan Employment Allocation within the Hortonwood Strategic Employment Area and had a previous permission which is no longer extant for a larger unit, ref.: TWC/2018/0164, with permission for a broader range of uses, some of which would be considered to be of a higher trip generating potential than that under consideration.

Note that it is unlikely that the office staff will be evenly split over the three shifts and that changes the likely impact during the peak periods, however this does not change the overall conclusion that has been reached.

In terms of traffic impact, the Council has already accounted for all committed and allocated land within the strategic highway model which has been used to derive the necessary network improvements up to the end of the plan period 2031. On the basis that this site makes a proportional contribution towards those network enhancements the impact of the development will be mitigated.

Suggested Conditions in respect of (i) access, internal roads, parking (which is to be permanently marked out), turning and servicing areas being provided in a bound surface material, drained to a suitable outfall and thereafter retained for those purposes; (ii) provision of covered cycle parking/storage; (iii) details of any site enclosure incl. access gates; (iv) the western emergency yard egress to be retained and utilised only in an emergency situation; (v) details of Travel Plan.

Proposed Developer Contributions:

- (i) Strategic Network Contribution - £65,719.16;
- (ii) Enhanced Footway/Cycle Linkage alongside Hortonwood 60 - £15,655.24 (Proportioned Contribution);
- (iii) Travel Plan Condition Monitoring Sum - £5,000.

- 7.3 **Public Protection:** Whilst no formal comments have been received, note as part of planning application ref.: TWC/2018/0164 that Public Protection **Supported** subject to Condition(s) in respect of (i) restricting construction operational hours; (ii) provision of a noise/acoustic survey prior to occupation; (iii) restriction on the hours of operation; and (iv) the submission of an external lighting plan.

- 7.4 **Ecology: Support** subject to Condition(s) relating to (i) ecological reasonable avoidance measures method statement; (ii) erection of artificial nesting/roosting boxes; (iii) bespoke Landscape Management Plan (LMP) and (iv) lighting plan.

- 7.5 **Arboricultural: Object:**

- The proposal is in conflict with Planning Policy NE2. All of the trees which had been secured for retention following the approval of TWC/2018/0164 are now proposed to be removed, nine of which appear on the 1882 Historic Map of the Area, contrary to parts (i) and (iv) of NE2, noting the proposed removal of aged trees and not seeking to include them in the design;
- Note the requirement for landscaping to mitigate the loss of the trees to facilitate the proposal;
- Root barriers are referred to in the notes on the landscaping plans, note that it would be beneficial for these to be featured on the plans to ensure that the trees do not develop surface roots into the car parking or yard areas. Note that G1 is the only group to be retained within the site, however the landscaping plans show a number of trees to be planted within its designated Root Protection Area;
- Note the provision of an additional nineteen trees are proposed to be planted adjacent to the existing woodland W20;
- Note the need to prune existing trees within W20 which encroach into the site in order to allow the proposed new planting;
- Should Planning Permission be Granted, recommend Condition(s) in respect of (i) Landscape Design (ii) Tree Protective Fencing for G1 and W20; (iii) Trees 'No Dig'; and (iv) Compliance with Arboricultural Method Statement Pages 10-13, alongside Arboricultural Clerk of Works to oversee the significant encroachment into the Root Protection Area (RPA) of W20.

7.6 Drainage: **Support** subject to Condition(s) relating to (i) Scheme for Foul and Surface Water and (ii) a SUDS Management Plan (incl. details on future management responsibilities).

7.7 Shropshire Fire Service: **Comment**, noting the Shropshire Fire and Rescue Service's Fire Safety Guidance.

8. PLANNING CONSIDERATIONS

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 Visual Impact
- Highway Safety
- Impact upon Residential Amenity
- Drainage and Flood Risk
- Ecology and Arboriculture

- Sustainability

8.2 Principle of Development

- 8.2.1 The site has been allocated for employment with preferred uses of B1b, B1c, B2 and B8 in the adopted Local Plan - Site E4 Hortonwood 45 supporting the Strategic Employment Area of North Telford (Donnington, Hadley Park & Hortonwood) of T&WLP Policy EC1. The proposed B1(c), B2 and B8 Uses (end occupier not yet known) accords with the policy designation sitting within one of the key locations for the majority of employment and jobs in Telford, and is an important employment area which has scope for expansion.
- 8.2.2 In respect of para. 11 of the NPPF, if the proposals accord with an up-to-date Development Plan they should be approved without delay. Hortonwood is identified as one of the key locations for the majority of employment and jobs in Telford. Therefore, if the proposed development complies with the Development Plan and is sustainable development the principle should be supported.
- 8.2.3 The remainder of the report sets out where the proposals do and do not meet the requirements of the Development Plan and discusses the planning balance.

8.3 Design and Visual Impact

- 8.3.1 Policy BE1 of the adopted Local Plan is concerned with securing high quality design in new development. It is criteria based and expects new development to be influenced by and respond positively to its context, demonstrating an integrated approach to design and layout, respecting landscape and creating a sense of place. New development should be energy efficient and promote sustainable building techniques.
- 8.3.2 The appearance of the buildings is typical of similar development within the Hortonwood locality. They are substantial structures of a form following the proposed function as industrial or storage and distribution centres.
- 8.3.3 The proposed design incorporates a traditional modern steel portal framed structure clad with composite materials with a forward projecting two-storey office area in order to create more of an active frontage.
- 8.3.4 By the very nature of distribution units, these require clear internal heights and volumes, to give an airy and spacious feel with sufficient height to allow for the installation of racking and additional mezzanines to be installed as required. It is these characteristics that have principally determined the form and design which has resulted in a building that is simple, well-proportioned and of a scale that is consistent with the surrounding area. The use of a pitched roof ensures that awkward junctions are avoided to the roof geometry and a uniform eaves line is created to all elevations of the building.

8.3.5 The elevations have been designed to combine contemporary materials and features with crisp, clean modern elements and details to add interest to the facades.

8.3.6 The layout of the site focusses car parking to the front of the building with replacement tree planting. Service vehicle parking and turning is proposed to be sited to the east and west of the building with additional replacement tree planting to the south of the site. The building has been designed to reflect similar development within the Hortonwood area. It is a substantial structure and its form follows the proposed function as an industrial or storage and distribution centre. It is duly considered that the requirements of Policy BE1 have been satisfied.

8.4 Highway Safety

8.4.1 Vehicular and pedestrian access would be served from the northern edge of the site off Hortonwood 45, branching off to segregated car / motorcycle / cycle parking and HGV parking, with scope to provide sufficient visibility.

8.4.2 The Local Highways Authority has confirmed that the layout meets the parking standards established in the Local Plan with sufficient manoeuvrability available.

8.4.3 Local connectivity would be further improved through delivery of the scheme, with the need for enhanced footway/cycle linkage alongside Hortonwood 60 identified by the Highways Authority. A proportional cost of the estimated scheme (overall total of £91,000) would be sought from this site of £15,655.24 through a S278 agreement. Seeking healthy and sustainable travel options for the site would be secured through delivery of a Travel Plan for the site controlled by condition, monitoring of this would be secured through a forward funding mechanism by the applicant amounting to £5,000.

8.4.4 An impact on the Strategic Network is anticipated through the proposal due to its scale and nature related to trip generation, a contribution to mitigating this impact is duly triggered. Based on the proposed scale, a contribution of £65,719.16 would be attributed to the development, this can be secured through the provisions of the S278 Highways Act and has been agreed by the applicant to be used towards improvements to the A442 Strategic Highway Network Improvement Package. This in itself should help reduce any impact on Horton Lane. In turn there are no technical reasons to refuse the proposed development on highway grounds and is considered to be compliant with Policies C1, C3, C4 and C5 of the Telford & Wrekin Local Plan 2011-2031.

8.5 Impact upon Residential Amenity

8.5.1 Policy BE1 expects new development to respect and respond to its context and, amongst other things, demonstrates that there will be no significant adverse impact on nearby properties by noise, dust, odour or light pollution.

- 8.5.2 The site is an Allocated Strategic Employment Site (E4) and the discourse that led to its allocation considered a range of issues, including the potential impact on local residential amenity.
- 8.5.3 Public Protection have previously considered the proposals being mindful of the scale of the development and the presence of dwellings in the locality, noting the potential for noise and disturbance arising from the development during the construction and operational phases, noting this being attributable to the fact that operators elsewhere on Hortonwood have been the subject of noise complaints and is a justified request.
- 8.5.4 As part of the previous planning application relating to the site, given the predominantly commercial nature of the area and the distance that separates the site from the nearest dwellings (in the region of 230 metres from the edge of the site to the curtilage of The Firs on Horton Lane), noting previously referenced concerns regarding noise and the unknown end user, a Condition restricting the hours of operation was imposed, namely limiting hours to Monday-Friday 0600-2000, Saturday 0600-1300 and no Sunday or Bank Holiday.
- 8.5.5 The predominant difference between the current and previous planning application on this site is that the end user of the building is now known, namely DHL Logistics, which, having been accompanied by a Noise Assessment has allowed for the LPA to understand the potential noise that would be generated as a result of the development through the development.
- 8.5.6 Following consultation with Officers, a baseline Noise Survey was undertaken in November 2021 and the subsequent assessment work was undertaken in accordance with current standards and guidance. The assessment was undertaken to consider the impacts of HGV movements, inclusive of unloading and loading noise, employee movements associated with car park usage, development generated road traffic, breakout noise and potential noise from fixed plant associated with the development. The assessment has assumed a worst-case scenario model.
- 8.5.7 The report demonstrates that on the basis of the proposed development operating 24/7, the proposed development will have negligible impacts to the nearest residential properties. The assessment demonstrates that the proposed development would not exceed the prevailing background noise level and therefore it is considered that the operation of the site will have a 'low impact.' Therefore, it is considered that mitigation measures are not required other than a Condition restricting the nature of the business in-line with the end-user of the site and therefore the proposed development complies with Local Plan Policy BE1.
- 8.5.8 Furthermore, the building set-back in the site and the siting of the HGV servicing between proposed and existing buildings further lessens the impact of development on residencies.

8.5.9 Whilst it is acknowledged that a Lighting Report and Plan has been submitted in support of the current application, noting that the Council's Ecologist has requested a Condition regarding a Lighting Plan, this is also recommended to be conditioned to ensure the protection of residential amenity. On this basis, the Local Planning Authority is of the view that the proposed development is consistent with Policy BE1(xi) of the Local Plan.

8.6 Drainage and Flood Risk

8.6.1 It was identified as part of the previous planning application that the site sits within Flood Zone 1 in respect of fluvial flooding, is identified as being at negligible risk of surface water flooding, and low risk of groundwater flooding.

8.6.2 The response from the Council's Drainage Engineer supports the application subject to Condition(s) in respect of (i) Scheme for Foul and Surface Water and (ii) a SUDS Management Plan (incl. details on future management responsibilities). The Local Planning Authority is therefore satisfied that the proposal satisfies Policies ER11 and ER12 of the Local Plan.

8.7 Ecology and Arboriculture

8.7.1 **Ecology**

Policy NE1 refers to biodiversity and geodiversity and requires that such assets will be protected, maintained and enhanced.

8.7.2 The site comprises semi-improved, species poor pasture containing areas of scrub and ruderal species. The site is broadly divided into compartments by three distinct hedgerow and a series of linear tree groups. The site supports improved pasture, tall ruderal vegetation and scrub with large mature and late mature oak and ash trees and species poor native hedgerows. A small pond is also present on the site. The hedgerows are not 'important' under the Hedgerow Regulations. The majority of the habitats present on the site will be lost as a result of the proposed development including mature and over mature trees.

8.7.3 A Preliminary Roost Assessment initially identified 5 trees with bat roost potential (1 providing low potential, 2 moderate and 2 high potential features for roosting bats) with a latter inspection showing no signs to indicate current or historic use.

8.7.4 Historic Phase 2 Survey Great Crested Newt (GCN) surveys note the presence of ponds on and off-site support the conclusion that the nearest pond which supports this species is located 330 metres to the east. Given the distance from this record, licensing measures are not deemed necessary. The use of a precautionary method statement is advised to further reduce the risk of causing an offence in relation to GCN to an acceptable level.

8.7.5 No evidence of other protected species were identified during the course of the study.

8.7.6 The habitat loss associated with the proposal is significant, resulting in the loss of a priority habitat (the pond) as well mature trees and hedgerows and to achieve no net loss off-site compensation will be secured through S106.

8.7.7 The Ecology Report recommends that subject to the implementation of the recommendations set out within the PEA Report that no significant impacts upon protected species are considered likely to arise. In the event of a protected species being encountered during works; all works will halt, and further advice shall be sought from Salopian Consultancy Ltd.

8.7.8 **Biodiversity Net Gain**

The development of the land within the red line area results in a biodiversity loss of 97.47% (8.05 habitat units) and 89.78% (2.55 hedgerow units).

8.7.9 Off-site enhancement includes (i) 1.02 hectare (ha) of poor condition Lowland Heathland to good condition; (ii) 0.27ha of poor condition Pond to good condition; and (iii) 1.93 units of Low Distinctiveness Habitat enhanced, alongside the creation of 0.3km of native hedgerow and maintenance to moderate condition, all over a period of 30-years, resulting in a BNG payment of £153,000 via a s.106 Agreement.

8.7.10 The result of these mitigation works, as set out in the submitted biodiversity metric, is that the scheme delivers a 0.38 unit gain in habitat and a 0.23% gain in hedgerow units. The Council's Ecology Specialist advises this is sufficient to satisfy Policy NE1 which requires 'no net loss' in biodiversity.

8.7.11 The Council's Ecology Officer advises that this position is not ideal, and is compounded by the tree loss, however acknowledges that the development has applied the 'avoid, mitigate, compensate' hierarchy whilst having regard to the fact that this site is a plot within an allocated employment site.

8.7.12 **Arboriculture**

Policy NE2 states 'the Council expects existing trees, hedgerows and woodland with biodiversity value, visual amenity value and landscape value to be retained, protected and appropriately managed. Aged and Veteran Trees, Ancient Woodland and important hedgerows will be valued and protected.' Under this Policy, and specifically referencing trees, the Council expects developments to:

- i) Assess potential impacts on trees. Proposals that involve felling or removal of trees (including aged and veteran trees), or are considered likely to cause demonstrable harm will normally be resisted unless acceptable mitigation or compensation measures can be secured. Loss or damage to irreplaceable habitats, including Ancient Woodlands and Veteran Trees, cannot be practically compensated and will not be acceptable;

- ii) Demonstrate that any proposed removal or damage to trees is outweighed by the wider benefits of the scheme and that the trees cannot be retained without prejudicing the economic viability of the development. However where a development will cause significant harm to an irreplaceable habitat (including ancient woodland and veteran trees) which, by its nature, cannot be mitigated or compensated for permission will be resisted;
- iii) Provide replacement and enhancement planting which maintains local amenity, character of the local area and biodiversity value and should primarily include native species of local provenance;
- iv) Incorporate trees as an integral part of a scheme and ensure protection measures before and during construction and appropriate management, maintenance and protection thereafter;
- v) Provide replacement planting both in terms of habitat and amenity value where tree woodland loss is unavoidable.

8.7.13 A review of the proposed site layout identified that removal of 2 'A-Grade' items, 11 'B-Grade' items and 21 'C/U-Grade' items will be required to implement the proposal. 3 'C-Grade' items and a single B-Grade woodland which abuts the southern boundary of the site could be retained.

8.7.14 Furthermore, the proposed site layout notes that the footprint of the yard encroaches into the Root Protection Areas (RPAs) of W20. This level of encroachment is significant and has the potential to cause detriment to tree roots and the long term health of these trees. The use of a Cellular Confinement System is advised to reduce the potential impacts upon tree roots and compaction of soils.

8.7.14 The Council's Arboricultural Officer has objected to the scheme noting that the proposal is in conflict with Planning Policy NE2. All of the trees which had been secured for retention following the approval of application ref.: TWC/2018/0164 are now proposed to be removed, nine of which appear on the 1882 Historic Map of the Area, contrary to parts (i) and (iv) of NE2, noting the proposed removal of aged trees and not seeking to include them in the design.

8.7.15 In response the Applicant has submitted an additional Veteran Tree Assessment which has identified seven trees being classified as being of an 'Over-Mature' age and 14 classified as being 'Mature' - all of these trees have the potential to reach veteran classification.

8.7.16 Following a further assessment of these trees to establish whether they meet the criteria to be classed as veteran it was noted that most of the trees surveyed contained at least one veteran feature, with deadwood being the most common feature which is regularly associated with trees of 'Mature' and 'Over Mature' age. Four trees contained two veteran features with deadwood noted on all four trees, fungal fruit bodies noted on two and hollowing on two.

8.7.17 Despite Veteran Tree features being recorded on the majority of the trees, none of the trees met the required criteria of showing four or more of the features to be classed as Veteran Trees. In addition, none of the trees are classed as transition veterans, due to not showing three veteran features. Whilst these trees are not classed as Veteran or near-Veteran Trees, four trees have the potential to meet the criteria for transition veteran trees in the near future.

8.7.18 No further assessment is required with regards to the trees, however, it is recommended that the trees that are being retained are to be appropriately protected during the construction phase with demarcation fencing.

8.8.19 The Council's Arboricultural Officer advises that, given a relatively short amount of time, a number of these trees would likely demonstrate four characteristics of a veteran. Even without demonstrating all four characteristics, the trees in question are clearly aged, being either mature or over mature, and their loss conflicts with Policy NE1(i), (ii), (iii) and (iv) set out above.

8.7.20 The Applicant is prepared to make a financial contribution towards the off-site replacement of these trees, which would be secured through a s.106 Agreement. This has been calculated at £84,000.00.

8.7.21 For these reasons the Arboricultural Officer's objection to the scheme remains despite the offer of an off-site tree replacement payment. Notwithstanding this the Arboricultural Officer has recommended planning conditions were Members minded to approve the application.

8.7.22 As the loss of these trees cannot be fully compensated for or replaced, Policy NE2 cannot be wholly satisfied and Members are therefore asked to make a planning judgment on whether the wider benefits of the scheme outweigh the loss of these aged trees, noting the previous, albeit no longer extant application for the site.

8.8 Sustainability

8.8.1 A BREEAM Assessment, undertaken in order to review the sustainable design measures in-line with Policy BE1 and ER1, concludes that based upon the inclusion of the BREEAM measures detailed within the report in the design and construction phases, the proposed development could achieve a maximum BREEAM 'Very Good' rating ensuring an adequate sustainability rating and maximum improvement in energy efficiency is achieved, which reflects the proposed building type and function.

8.8.2 The accompanying Design and Access Statement further demonstrates that energy consumption will be minimised through the appropriate layout and design of the buildings. Glazing has been maximised to contribute to natural lighting whilst offsetting the impacts of solar gain. Furthermore, the unit will incorporate a Building Energy Management System (BEMS) to control the

heating, lighting, ventilation and hot water supply. Therefore, it is considered that the proposed development accords with Policies BE1 and ER1 of the Telford and Wrekin Local Plan.

9. CONCLUSION

- 9.1 The proposed development will deliver a contemporary form of development, with the building set-back in the site, and a backdrop interspersed with new planting, noting the end user for the site has now been identified and controls regarding this are proposed to be appropriately conditioned, ensuring the protection of residential amenity. Drainage, Ecology and Tree Mitigation are proposed to be controlled through mitigation, Financial Contributions and appropriate Condition(s), with enhancement to the pedestrian/cycle network together with improvements to the Strategic Transport Network.
- 9.2 The proposed use and development is consistent with the character and function of this strategic employment area, and will deliver job opportunities for the local population on a designated employment site as set out in the Telford & Wrekin Local Plan and 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** subject to the following:

a) The following Contributions to be agreed through a s.106 Agreement:

- £65,719.16 towards the Strategic Transport Network;
- £15,665.24 towards enhancement of footway/cycle links along Hortonwood 60;
- £5,000.00 towards Travel Plan Monitoring;
- £153,000.00 towards Biodiversity Enhancements;
- £84,000.00 towards Tree Replacement;
- £3,233.84 s.106 Monitoring Fee (*1% of total s.106 contributions*)

b) The following Condition(s) and Informative(s) (with authority to finalise Condition(s) to be delegated to Development Management Service Delivery Manager:

Condition(s)

Time Limit Full
Samples of Materials
Surface Water Drainage Scheme
Noise Report
Landscaping Design
Trees – Protective Fencing for G1 and W20

Trees 'No Dig'

Compliance with Arboricultural Method Statement Pages 10-13, alongside Arboricultural Clerk of Works to oversee the significant encroachment into the Root Protection Area (RPA) of W20

Trees - Replacements

Ecological Reasonable Avoidance Measures Method Statement

Erection of Artificial Nesting/Roosting Boxes

Bespoke Landscape Management Plan

Lighting Plan (Ecology and Residential Amenity)

Parking, Loading, Unloading and Turning

Cycle Parking/Storage

Site Enclosure

Travel Plan

Soil - Levels

Works in Accordance with Ecological Survey

Erection of Artificial Nesting/Roosting Boxes

Restriction Regarding Nature of Business (in-line with the end-user)

Hours of Construction

Informative(s)

Highways

Nesting Wild Birds

Works to Protected Trees – Bats

Site Clearance

Fire Authority

West Mercia Police