

TWC/2021/1228

Land West of Melitta UK Ltd, Hortonwood 45, Hortonwood, Telford, Shropshire
Erection of 4no. industrial units (Use Class B2/B8) with ancillary offices, associated parking, service yards and landscaping

APPLICANT

Redsun Projects Limited

RECEIVED

23/03/2022

PARISH

Hadley and Leegomery

WARD

Hadley and Leegomery

THIS APPLICATION IS A MAJOR APPLICATION AND REQUIRES A SECTION 106 AGREEMENT AND THEREFORE THIS APPLICATION IS TO BE DETERMINED BY MEMBERS OF THE PLANNING COMMITTEE

Online planning file:

<https://secure.telford.gov.uk/planning/pa-applicationsummary.aspx?applicationnumber=TWC/2021/1228>

1. SUMMARY RECOMMENDATION

1.1 It is recommended that **DELEGATED AUTHORITY** be granted to the Development Management Service Delivery Manager to **GRANT FULL PLANNING PERMISSION** subject to Condition(s), Informative(s) and the Applicant entering into a Section 106 Agreement in respect of Strategic Highways, footway, cycleway linkages, Tree Replacement and Biodiversity Net Gain.

2. APPLICATION SITE

2.1 The application site is a square shaped parcel of land and is located within Hortonwood, Donnington and Hadley Park Strategic Employment Area (SEA). The site is formed of an allocated employment site, identified as E1 on the Policies Map in the adopted Local Plan, with the exception of a linear piece of land on the western boundary which falls within the Green Network. The application site extends to approximately 9.5 hectares in area.

2.2 The site remains undeveloped comprising of relatively flat open fields, contained by wire fencing, with a substantial numbers of trees and hedges which delineate the arable fields.

2.3 The surrounding area to the east and south is predominantly commercial in character and forms part of the allocated employment area at Hortonwood, dominated by large scale commercial and employment buildings. The settlement of Horton is located to the north and north-west of the site, with properties forming ribbon development along Horton Lane. A cluster of

residential properties are located to the south-west of the site, whilst Humber Lane is located directly to the west, with agricultural fields located beyond. An existing sewage pumping station is located to the north west of the site.

3. APPLICATION DETAILS

3.1 This is a Full Planning Application for the erection of 4no. industrial units (Use Class B2 and B8) with ancillary office space in each unit, associated parking, service yards and landscaping. The total proposed floor space amounts to 32,507 sq. metres with each unit having its own demise whilst the access road is shared. The proposed access to this site is to be taken off Hortonwood 45 to the south with the new internal spine road will run south to north.

3.2 The 4no. buildings would comprise the following:

- Unit 1 with a total floorspace of 5,132 sq. metres;
- Unit 2 with a total floorspace of 8,836 sq. metres;
- Unit 3 with a total floorspace of 11,718 sq. metres;
- Unit 4 with a total floorspace of 6,821 sq. metres.

3.3 The Applicant states in the supporting statement that the application is for the construction of a speculative development, designed to offer modern, flexible business space and expansion opportunities for high growth companies and new businesses looking to locate to the area.

4. PLANNING HISTORY

4.1 There is no planning history associated with the site.

4.2 The following recent applications are relevant to the surrounding area:

4.2.1 TWC/2021/0968 - Land West of Household Recycling Centre, Hortonwood 60, Hortonwood, Telford, Shropshire - Erection of 3no industrial units for general industrial and storage/distribution units with associated parking, attenuation pond and hard standings***Amended plans and documents received*** - Planning Committee Resolved to Grant Full Planning Permission on 04 May 2022, subject to Condition(s), Informative(s) and the Applicant entering into a s.106 Agreement

4.2.2 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 - Planning Committee - Planning

Committee Resolved to Grant Full Planning Permission on 04 May 2022, subject to Condition(s), Informative(s) and the Applicant entering into a s.106 Agreement

- 4.2.3 TWC/2021/0937 - Land adjacent Golden Bear Products Ltd, Hortonwood 40, Hortonwood, Telford, Shropshire - Erection of 24 mixed use units across 8 buildings comprising 5,574 sq. metre floor area with accompanying amenities and provision for 26no. electric vehicle charging spaces ***AMENDED DESCRIPTION*** - Planning Committee Resolved to Grant Full Planning Permission on 09 March 2022, subject to Condition(s), Informative(s) and the Applicant entering into a s.106 Agreement - Formally Granted 03 May 2022

5. 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

EC1: Strategic Employment Areas

NE1: Biodiversity & Geodiversity

NE2: Trees, Hedgerows & Woodlands

NE6: Green Network

C1: Promoting Alternatives to the car

C3: Impact of Development on Highways

C4: Design of Roads and Streets

C5: Design of Parking

BE1: Design Criteria

ER1: Renewable Energy

ER9: Waste Planning for Commercial, Industrial and Retail Developments

ER11: Sewerage Systems and Water Quality

ER12: Flood Risk Management

6. NEIGHBOUR REPRESENTATIONS

- 6.1 The application has been publicised through direct neighbour notifications. Five representations have been received; three letters of objection, one representation making comments and two letters of support, subject to Condition(s), making the following observations:

- Principle of Development incl. impact on the small village of Horton and the sufficiency of empty units on the Industrial Parks;
- design of the Development, incl. scale and height of the proposed

- units; paladin fence provides no privacy; bund height/landscaping not enough and bunding should not create water run off (Chapel End); and Landscape Management Plan for maintenance required;
- highways, incl. pedestrian safety; additional traffic and road pollution; Horton Lane should remain closed; and closing Horton Lane has already caused longer journeys to Telford from Horton;
- residential amenity, incl. proximity of the units to the residential dwellings; light pollution – scale of lighting harmful to residents and wildlife and external lights dimmed/turned off when not operational; noise pollution, with lorry bays positioned at the edge of the plot; and construction hours and noise levels;
- ecology, Trees and Landscaping, incl. impact on Wildlife - encourage creation of wildlife corridors; and additional trees on the site boundaries to reduce light and noise pollution;
- impact on health of individuals with very high needs;
- no community benefits;
- ground conditions - field is susceptible to flooding;
- operational hours;
- concern around pressure on the pumping station;
- consultation letters late and no site notices;
- right to a peaceful village life.

7. STATUTORY REPRESENTATIONS

7.1 Hadley & Leegomery Parish Council: Support, subject to addressing the following matters:

- Parish Council Members expressed serious concerns regarding the impact that the development would have on 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;
- lack of public transport services to and from Hortonwood is a major concern and results in an overreliance on private car use by those employed within Hortonwood, the majority of commuter car journeys being made by single occupants. Parish Council suggests the Travel Plan should be updated to reflect the reality of public transport and consider measures to encourage more sustainable patterns of private vehicle use, such as car sharing;
- concerns with the scale, massing, form, orientation and layout of the proposed development. Layout does not shield neighbouring residential properties from noise and light pollution;

- scheme should take all reasonable steps to preserve existing hedgerows on the site, in full or in part, and that suitable mitigation measures be required including designing the site to be permeable for wildlife;
- it is a condition of the Parish Council's support that photovoltaic generation should be a feature of each unit and that the roof structure of each unit should be engineered to maximise PV generation;
- it is a condition of the Parish Council's support that restrictions governing hours of operation and deliveries to and from the site are imposed on the current application - it is suggested that the hours are restricted to *0600-2000 on weekdays and 0600-1300 hours on Saturdays with no working or activities on Sundays or Public Holidays*;
- Parish Council receives complaints from residents regarding litter and other waste, accumulating in areas used by HGV drivers to park overnight. The lack of facilities for long-distance delivery drivers is an ongoing issue not only on strategic employment sites and that adequate facilities for drivers should be provided as part of new employment developments.

7.2 Highways: **Support, subject to Condition(s) and s.106** in respect of £184,519.18 towards the Strategic Highways Network, £58,800 towards improvements to cycleway and footpaths, £5,000 towards Travel Plan Monitoring and £5,000 towards a potential Traffic Regulation Order along Hortonwood 45.

7.3 Environmental Health: **Support, subject to Condition(s).**

7.4 Ecology: **Support, subject to Condition(s) and Financial Contributions** of £41,000 towards Biodiversity Net Gain (BNG) and £84,800 towards tree replacement.

7.5 Arboriculture: **Comment and recommends Condition(s)** in respect of tree protection.

7.6 Built Heritage: **Comment**

7.7 Drainage: **Support, subject to Condition(s).**

7.8 Cadent Gas: **No objection**

7.9 Shropshire Fire Service: **Comment**: referring to Fire Safety Guidance for Commercial and Domestic Planning Applications.

7.10 West Mercia Police: **Comment**; referring to Secure be Design (SbD) accreditation.

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
- Design and Visual Impact
- Highways Impact
- Residential Amenity (including noise and lighting)
- Ecology
- Trees
- Heritage
- Drainage
- Climate Resilience
- Contamination
- s.106 Contributions

8.2 Principle of Development

The application site is located within the built up area of Telford, as defined by the Telford & Wrekin Local Plan (TWLP) Policies Map (2018). TWLP Policy SP1 states that Telford will be the principal focus for growth to meet the borough's housing and employment development needs during the plan period.

8.2.1 The site is allocated within the adopted Local Plan as a Key Employment Site (identified as E1 on the proposals map), with the exception of a portion of land on the western boundary comprising the Green Network which is proposed to retain its function. The employment allocation measures 9.27 hectares, covering the entire application site and it is allocated for a mix of B-Class Uses (B1b, B1c, B2 and B8).

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 development is on an allocated employment site and is therefore compliant with Policy SP1 and EC1 of the TWLP.

8.2.4 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 of the Development

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.

8.3.1 The appearance of the buildings would be typical of similar development within the Hortonwood locality. The buildings would be substantial structures of a form following the proposed function as industrial or storage and distribution centres. Each unit would be a twin span portal framed structure with a low parapet on all elevations and a hipped roof profile. A darker band of cladding is proposed to the lower portion of the elevations to emphasise entrance areas and ancillary office zones, whilst the upper portion of the elevations is proposed to be a lighter grey cladding to reduce the visual impact.

8.3.2 The layout of the development seeks to retain as many hedgerows and trees as possible, whilst creating a commercially viable employment scheme. The development proposes to retain trees and hedges to the northern, eastern and western boundaries as well as new planting, hedgerows and landscaped earth mounds. The layout also accommodates a spur of existing trees which cut into the site from the western boundary (currently situated between Units 1 and 2) as requested by the LPA. This area of retention includes two Category 'A' Trees and several Category 'B' Trees. Overall, the developable area of the site based on the proposed site plan is 74%.

8.3.3 The service yard to Unit 1 would be located on the eastern side of the unit in order to screen the residential properties on the south-west boundary. Units 2 and 3 would be orientated south to north to minimise the massing of the units facing the residential properties adjacent to the northern boundary.

8.3.4 In terms of the scale of the proposals, the proposals are designed to meet current and institutional employment and warehousing requirements, whilst considering the surrounding context. Unit 1 would measure 9.5 metres to underside of haunch whilst Units 2, 3 & 4 would measure 12.5 metres to underside of haunch. The reduced haunch height to Unit 1 takes into consideration the adjacent residential properties on the western boundary.

8.3.5 The application has been supported by a statement from the Applicant's Commercial Advisor, stating that occupiers are driven by storage on a cubic meter basis and are moving away from premises with outmoded lower eaves. In terms of the need for the unit sizes proposed, the submitted statement suggests a strong interest in the market towards 100,000-150,000 sq. ft. units

whilst the smaller units (Unit 1 and 4) are considered more suitable for SME interest from local occupiers. In terms of service areas, it states that occupiers request a minimum of 50 metre yards, with the acceptance of 40 metres on Unit 1 give the smaller size of the unit.

- 8.3.6 On balance, the scale of the proposals are considered acceptable in that they meet an identified need for the proposed function as an industrial or storage and distribution centre.

8.4 Highway Impacts

The application is supported by a Transport Assessment considering the existing highway conditions, car parking provision, servicing/delivery arrangements, expected trip generation, local highway traffic impact and accessibility of the site by sustainable modes of travel. The proposed development has been assessed using the Strategic Transport model.

- 8.4.1 The Local Highway Authority (LHA) support the application, subject to conditions and financial contributions. As the Transport Assessment demonstrates a cumulative impact arising from this development, the LHA is seeking financial contributions towards the Strategic Highway Network. The applicant has agreed to address this off site impact through a s.106 contribution towards the strategic highway infrastructure improvement plan. As the Applicant is looking to secure a permission covering both B2 and B8 Uses (except Unit 1 which is B8 only) this creates a range of possible contributions. The range, based on the Gross Floor Areas, is between £157,978.75 and £184,519.18. The Applicant has agreed to pay the higher amount in the interests of sufficiently mitigating the impact of the development.
- 8.4.2 The proposal indicates provision of a footway/cycleway leading off the site and alongside Hortonwood 45. However, the route would need to extend up to the junction with Hortonwood 60/65 where it could tie in to similar facilities to be provided by others. A financial contribution of £58,800 has been agreed.
- 8.4.3 Hortonwood 45 is presently private and gated, however, the LPA understand that the road is currently being brought up to an adoptable standard. Currently, there is indiscriminate on-road parking in the area which will impact on this proposal and as such, there would be a need for a Traffic Regulation Order (TRO) to protect the highway. If this is not dealt with during the adoption then £5,000 would be required to cover the cost of progressing a suitable order, secured through the Section 106 Agreement.
- 8.4.4 Vehicular and pedestrian access to the site would be provided via Hortonwood 45, on the southern boundary of the site.
- 8.4.5 Proposed parking levels across the development is broadly acceptable to meet the Council's Parking Standards. The proposed layout broadly meets the Strategic Employment Area parking standards for B8 Use. Unit 1 is slightly below adoptable standards and HGVs and manoeuvring space is not as

generous, however all other units are satisfactory. As the permission is also seeking B2 use there is a second layout demonstrating how additional parking would be provided for Units 2-4 and this is proposed to be controlled via Condition which the LHA are satisfied with.

- 8.4.6 Secure sheltered cycle parking is proposed, with a cycle shelter located within close proximity to the main entrance of each unit – a total of 144 cycle parking spaces are available across the whole development.
- 8.4.7 A separate Framework Travel Plan (TP) has also been produced to accompany the planning application, setting out a framework to encourage sustainable travel and reduce single occupancy vehicle trips. The LHA is broadly satisfied that this covers the types of measures necessary. Any agreed TP will need the oversight of the Workplace Travel Co-ordinator and a financial cost of £5,000 for monitoring would be required.

8.5 Residential Amenity (including Noise and Lighting)

A number of residential properties are located to the south-west of the site, whilst the village of Horton is located to the north and north-west. In accordance with Policy BE1 (xi) 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.'*

- 8.5.1 The proposed development is speculative and therefore at this stage the proposed nature of the use (machinery/plant) and HGV movements are unknown and the applicant is applying for 24/7 operation of all units.
- 8.5.2 During the determination period, the LPA expressed concerns with the potential impact of a 24/7 operation at this site on potential residential receptors given the precise nature of the use remains unknown. The Applicant submitted an updated Noise Assessment (NA) during the determination period that takes into consideration the potential worst case scenario of HGV deliveries to the site, the impact of a noise barrier (to the south of service yard 3 and the north of service yard 4) and target levels for noise below background. The worst case scenario HGV movement has been assessed on the assumption of 100% use of HGV and car parking during a 15-minute window during the night-time hours. This assumes every single loading bay/door is in use with a vehicle being loaded/unloaded, plus every trailer parking space and car parking space with all vehicles arriving to site during that 15-minute window.
- 8.5.3 The submitted Noise Assessment has been considered by the Council's appointed Environmental Health Specialist. The Assessment finds that in the day, noise levels from a worst case scenario are expected to be at least 5dB below background which creates confidence that there would be no background creep and would suggest a very low likelihood of nuisance noise. The Assessment finds that in the night time noise levels from a worst case scenario are expected to be below background in all circumstances with

absolute noise levels rather than a rating level being at least 4dB below background when taking into consideration noise penalties included within the assessment.

8.5.4 With the addition of a 3.5 metre high noise barrier in the location identified within the noise report, noise levels during day and night (including maximum noise levels at night) are considered to represent a low impact on residential properties in the area.

8.5.5 The conclusion that no significant noise impact from the development on existing residential receptors is generally accepted by the LPA subject to a number of controls in respect to site management and future operations:

- All rear/emergency access doors to units shall be kept closed except for access or emergencies;
- Roller shutter doors will be kept closed at night when noisy equipment otherwise likely to create disturbance is in use. Prior to opening doors noisy equipment will cease operation until doors are closed;
- HGVs used on site shall have white noise reversing alarms;
- Cumulative plant and equipment noise shall not exceed 5dB below background noise level in the day at nearest residential receptors. The rating level in question was 36dB LAeq 1 hour in the daytime whilst at night it would be a rating level not exceeding that expressed within the noise report as a cumulative noise level from operations at the site. A Noise Impact Assessment shall be submitted upon the operation of each unit;
- No plant or equipment shall be placed on facades facing nearest receptors;
- Specification of the proposed 3.5 metres noise barrier and density (the fence shall have no gaps including to the ground).

8.5.6 The above matters are all areas within the Noise Assessment considered necessary for conditioning to ensure noise levels reported in the submitted assessment are likely to be achieved.

8.5.7 A lighting plan has been submitted to the LPA. However, the LPA have expressed concerns with the impact of light pollution on residential properties and the Green Network. As an agreement on the proposed lighting scheme has not been met, lighting is proposed to be Conditioned.

8.6 Ecology

The application is accompanied by a Preliminary Ecological Appraisal (PEA) which has been reviewed by the Council's Ecologist.

- 8.6.1 The site comprises 9.5 hectares of semi-improved grassland fields, hedgerows and trees including lines of trees, broadleaved woodland and dense scrub including at the site boundaries with a hardstanding access.
- 8.6.2 As detailed above, the development has sought to retain hedgerows, tree lines and vegetated site boundaries and the maintenance of connectivity along the western and northern boundaries given the site is well used by a range of bat species. It is also recommended that Condition(s) are secured in respect of bat boxes and the submission of a bat friendly lighting plan. A reasonable avoidance approach to felling trees with bat roosting potential will also be required. All of these issues are proposed to be dealt with via planning conditions.
- 8.6.3 There are two onsite ponds and 5no. further ponds within 250 metres of the site. The proposal retains the pond on the western boundary (identified as WB1 on the Habitat Plan) whilst the other on site pond (identified as WB2) is proposed for removal.
- 8.6.4 The initial Biodiversity Net Loss and Gain Assessment for the site concluded that the site design results in a 31.69% loss in habitat units (7.13 units) and a 61.74% loss in hedgerow units (7.78 units) after on-site landscaping is taken into account.
- 8.6.5 Following discussions between the LPA and the developer, a revised BNG metric and landscaping plan/planting information was submitted which proposes to create more on-site hedgerow. The latest proposals result in a 31.69% habitat unit net loss and a 0.64 hedgerow unit gain.
- 8.6.6 The developer has sought to compensate for the habitat loss off site and the Council's Ecology Team have worked to locate, assess and secure the required numbers of habitat units to satisfy the losses including addressing the trading rules within the DEFRA biodiversity metric and to assign a financial cost to carrying out the required habitat works and maintenance over a 30-year period as required.
- 8.6.7 The Section 106 Agreement for the site should include a schedule on Biodiversity Net Gain and should secure a financial contribution of £41,000.
- 8.6.8 After the suggested off-site enhancement the scheme will achieve a 2.1 unit gain in habitat units and a 0.64 hedgerow unit gain, which is compliant with Policy NE1.
- 8.7 Arboriculture and Landscaping

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.

8.7.1 An Arboricultural Impact Assessment accompanies the planning application. The Council's Arboricultural Officer has reviewed the application and comments that the proposal is contradictory to Planning Policy NE2 as 3 x category 'A' Trees, 13 x 'B' Trees & 1 x 'B' Group, 3 x 'C' Trees and 6 hedges are to be removed to facilitate the scheme.

8.7.2 The trees on the site have been assessed in terms of the criteria for veteran tree status through the submission of a Veteran Tree Assessment. The assessment requires a tree to show four or more veteran features listed in the table to be classed as Veteran. All six Oak Trees subject to the Veteran Tree Assessment contained Veteran Tree features, with dead wood being recorded in all the trees. T18 contained more than one Veteran tree feature, with holes being recorded in addition to the dead wood. Despite the Veteran Tree features being recorded in each tree, none of the trees met the required criteria of showing four or more of the features and therefore are not classed

as Veteran trees. In addition, none of the trees are classed as transition Veterans, due to not showing three Veteran features.

- 8.7.3 The Council's Ecology Officer agrees that none of the Oak Trees present meet the criteria for veteran status or for transitioning Veteran status. That being said, they are mature oak trees which are clearly of significant value and which are the Veteran Trees of the future.
- 8.7.4 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, calculated at £84,800. However, as the loss of these trees cannot be fully compensated for or replaced, Members are asked to make a planning judgment on whether the wider benefits of the scheme outweigh the loss of these mature trees, noting the previous, albeit no longer extant application for the site, alongside the recommendation by LPA, whereby the proposal offers employment accommodation, which will generate employment opportunities and economic benefits.
- 8.7.5 The application is accompanied by a landscaping plan, comprising tree, hedge and shrub planting. Landscaped earth mounds are proposed along the northern boundary and are included in the noise model by way of contours. Bunding of up to 5 metres is proposed to the rear of Unit 2. The western tree boundary is proposed to be retained, whilst the north boundary adjacent to Chapel End is proposed to be substantially landscaped with retained trees, further woodland planting, and earth mounds. The planting plan focuses on the site frontage, spine roads and the site perimeter, focusing on the rear of Unit 1 and Unit 3 to reduce the visual impacts from the properties to the north and south-west of the site.

8.8 Heritage

The development site is to the southeast of a group of buildings on the TWC Register of Buildings of Local Interest: The Queens at Horton, 6-9 Chapel Row and Chapel End.

- 8.8.1 The Council's Built Heritage Officer notes that these buildings form a cluster of surviving buildings from 19th Century Horton, around the western junction of Horton Lane with the main road: a public house, a row of four terraced cottages and a former Chapel. Although they form a pleasing visual group and have some historic and evidential values, the significance of the individual buildings has been substantially eroded over the years. The pub and terrace are considered to now be of very low significance in heritage terms. The former Methodist chapel, however, retains its typical building form and identity with architectural details surviving despite substantial domestic extensions and alterations, and is an example of a building type of particular value to the identity of the Telford and Wrekin area as a whole.

8.8.2 The existing and proposed landscaping along the western and northern boundaries would provide some screening and softening of the boundaries of the site. However, the volume and height of the units would still be quite evident in approaches toward Horton from both north and south, affecting the setting of the buildings of local interest. The north end of Unit 2 would be particularly close to the former Chapel and impact upon its setting. The use of recessive light grey materials to the upper levels of the unit would assist in mitigating its visual impact, however there would still be a clear change in character and hence harm to the setting of the Local Interest Building group.

8.8.3 During the determination period, amendments were requested to set the proposed paladin fencing behind the existing trees rather than adjacent to the road, to better preserve the former rural setting of the Local Interest Buildings, and that the materials of the north and south elevations of unit are carefully considered to be as visually recessive as possible.

8.8.4 Despite the mitigation mentioned above, harm to the setting of the Buildings of Local Interest would nevertheless result, although given their low heritage significance due to unsympathetic alterations, this is considered to be a low level of harm. In accordance with NPPF para. 203, the harm identified would need to be weighed in the balance in determining the application.

8.9 Drainage

The application is accompanied by a Flood Risk Assessment (FRA), as the site exceeds 1 hectare. The formal flood zone mapping shows the site to be located within Flood Zone 1 (low risk of flooding).

8.9.1 The Lead Local Flood Authority (LLFA) supports the application, subject to conditions requiring the submission of the detailed drainage strategy prior to commencement.

8.10 Climate Resilience

Policy ER1 encourages developments to adapt to climate change and help reduce carbon emissions.

8.10.1 The proposed scheme is targeting BREEAM rating 'Very Good' to ensure that the development results in a low impact design whilst taking into consideration the adaptation to climate change and ecological and biodiversity protection.

8.10.2 The Agent has submitted a Statement in respect of the development proposal's energy efficiency. The current proposals do not currently include for PV installation as part of the base build of the units. This is due to the fact the units remain speculative, and as such the energy requirements of tenant(s) are unknown at this stage. The buildings will however be delivered 'PV Ready', thereby enabling tenants to install PV if they wish to do so. This is achieved in part by designating an area of roof for a future installation and

designing the steel frame to accommodate PV loadings throughout, allowing installation in any location.

8.10.3 The submitted Statement also states that it is the Applicant's intention to deliver a net-zero energy ready building, to allow the incoming tenant(s) to achieve the goal of being net-zero energy in the future if desired. This is a piece of work that is yet to be concluded by the Applicant. Therefore, should this requirement identify the need for PV then it is possible they may still be introduced at an earlier stage.

8.10.4 The development will provide charging for electric vehicles as part of the demise of each unit with a total of 67 EVC provided in total across the whole development.

8.11 Contamination

The application is supported by a Phase 1 & 2 Geo-environmental Site Assessment. The records identify limited made ground or contaminations within the site and varying depth ground water level. The LPA have included a Condition in respect to ground conditions, in line with the recommendations within the submitted report.

8.12 Other Matters

One representation stated that no Site Notices or letters were issued in respect to this application. The LPA can confirm that it has issued consultation letters to all properties immediately surrounding the site and erected 3 no. Site Notices around the periphery of the site.

8.13 Section 106

Any planning consent would be conditional on the agreement of a s.106 agreement to secure the following:

- I. Highways Contribution towards Strategic Highway Network: £184,519.18;
- II. Highway Contributions towards footway/cycleway linkage: £58,800;
- III. Highway Contribution £5,000 towards Traffic Regulation Orders: £5,000;
- IV. Highways Contribution towards Travel Plan Monitoring: £5,000;
- V. Tree Replacement Contribution: £84,800;
- VI. Biodiversity Net Gain Contribution: £41,000;
- VII. Section 106 Monitoring Fee (1% capped at £25,000).

8.13.1 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. CONCLUSION

- 9.1 The site sits largely within a Strategic Employment Area, with the exception of the western boundary which is located in the Green Network. The proposals are in line with Policy EC1 of the Local Plan, which would deliver economic benefit for the borough, whilst the Green Network is proposed to be retained in line with Policy NE6.
- 9.2 The proposal would result in a significant level of tree loss and biodiversity loss. However, the proposals provides financial contributions towards off-site mitigation to the value of £41,000 towards Biodiversity Net Gain. As such, the proposals are considered compliant with Policy NE1 in this instance.
- 9.3 The proposal provides a financial contribution towards the off-site replacement of trees to the value of £87,600. However, as the loss of these trees cannot be fully compensated for or replaced, Policy NE2 (i) and (v) cannot be wholly satisfied. In terms of para. 11 of the NPPF, the application does not accord with the Development Plan although para. 12 makes provisions for Local Planning Authorities to make decisions that depart from an up-to-date Development Plan, but only if material considerations in a particular case indicate that the plan should not be followed.
- 9.4 The Council's Heritage Officer has identified that the proposals will cause harm to the setting of the Buildings of Local Interest to the north-west of the site, although given their low heritage significance, this is considered to be a low level of harm. In accordance with NPPF para 203, the decision-maker is required to weigh the harm identified against the public benefits.
- 9.5 The Council's Highways Engineer considers the proposals to be acceptable, subject to Condition(s) and financial contributions to mitigate against the impact of the development on the strategic highway network and contribute towards footway and cycleway improvements.
- 9.6 The Council's appointed Environmental Health Specialist has reviewed noise levels in light of the proposed use and operation (on a 24/7 hour basis) and considers the proposals would not results in a significant adverse impact on residents, subject to Condition(s).

9.7 The proposed use and development is consistent with the character and function of this strategic employment area. In summary, the proposals will result in the development of an allocated employment site to deliver 32,507 sq. metres of employment space across 9.5 hectares. Furthermore, it is expected that the development will result in construction expenditure and temporary construction roles, business rates. Additionally, the proposal will create job opportunities for the local population on a designated employment site as set out in the Telford & Wrekin Local Plan and the NPPF. Therefore, on balance, the significant economic benefits of the proposals are considered to outweigh the low heritage harm identified and are material in the consideration of this application against Policy NE2.

9.8 Financial contributions totalling £382,909.18 are offered in relation to the Strategic Transport Network, enhancement of footway/cycle link, biodiversity enhancement, off-site tree replacement and s.106 Monitoring Fees (As detailed at paragraph 10.1A).

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:

- £184,519.18. towards the Strategic Highway Network;
- £58,800 towards footway/cycleway linkages;
- £5,000 towards Travel Plan Monitoring;
- £5,000 towards Traffic Regulation Orders;
- £84,800 towards Tree Replacement;
- £41,000 towards Biodiversity Net Gain;
- Financial Contribution 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 Site Environmental Management Plan

Foul and Surface Water
Surface Water Treatment Scheme
SUDS Management
Site Access and Road Design
Landscaping (Hardstanding)
Landscape Management Plan
Ground Conditions
RAMS (Ecology)
Nesting/Roosting Boxes
Lighting Plan
Biodiversity Net Gain Management Plan
Travel Plan
Internal Access
Parking and Turning Areas
Cycle Parking
Acoustic Barrier Detail
Site Management Control Measures (Noise)
Noise Assessment for Plant and Machinery
No External Unloading
No plant on facades facing residential
Materials as Submitted
Primary Use as B8
Noise Materials
Tree Protection Plan
Root Barriers
Arboricultural Clerk Of Works
Approved Plans