

TWC/2018/0161

Land adjacent Furniture Link UK Ltd, Hortonwood 65, Hortonwood, Telford,
Shropshire

Erection of 1no. industrial unit (Use Class B8) *** Amended description, plans and
applicant details ***

APPLICANT

Telford & Wrekin Council and Avara Foods Ltd

RECEIVED

23/02/2018

PARISH

Hadley and Leegomery

WARD

Hadley and Leegomery

**THE APPLICATION HAS BEEN REFERRED TO PLANNING COMMITTEE AS
THE COUNCIL IS A JOINT APPLICANT AND THE PROPOSAL IS A MAJOR**

1.0 SUMMARY RECOMMENDATION

1.1 Grant Full Planning Permission subject to Condition(s) and Informative(s).

2.0 SITE AND SURROUNDINGS

- 2.1 The application site is approximately rectangular in shape and is located within the allocated Hortonwood Employment Park to the north east of Wellington. It is a Strategic Employment Area in the Adopted Local Plan, and the site itself is allocated as E10 Hortonwood 65 with preferred uses of B1b, B1c, B2 and B8. It extends to approximately 3.9 hectares in area.
- 2.2 Currently, the site remains undeveloped being relatively flat open ground used in part as a pony paddock. The land is subdivided by a run of trees and hedges through its centre. A bank of woodland then wraps around the southern, western and the majority of the northern boundaries, this sits in neighbouring land in the ownership of respective properties of Horton Lane. This woodland is designated as Green Network protected under policy NE6 of the Telford & Wrekin Local Plan. The eastern boundary is marked by a post and wire fence fronting Hortonwood 65, punctuated at the northern and southern ends by vehicular access points.
- 2.3 The surrounding area is mixed in character with several residences located to the west on the opposite side of Horton Lane and along the White Row to the north. Notably, planning permission exists for three additional dwellings at the eastern end of this lane (ref. TWC/2017/0237), currently subject to a discharge of conditions application, and is therefore anticipated to be delivered on this basis. The block plan has been amended to reflect the position of the proposed units on the neighbouring site. To the east and south the area is dominated by large scale commercial and employment buildings of Hortonwood, with additional employment buildings / allocated / committed employment sites beyond Horton Lane to the west.

3.0 APPLICATION DETAILS

- 3.1 This application seeks full planning permission for the erection of a substantial, rectangular shaped, new industrial unit (Use Class B8) for storage and distribution purposes with associated car parking and service areas to the immediate north of the Furniture Link building located at the northern edge of Hortonwood 65. This represents an amendment from the application at the outset, which presented a speculative scheme for B1(c), B2, B8 uses.
- 3.2 The amendment is led by revision to the applicant, having originally been submitted solely by Telford & Wrekin Council (TWC), with a known end user now involved as a joint applicant - namely Avara Foods, supplying chicken, turkey and duck to supermarkets and restaurants. Internally, the majority of the building would comprise racking storage as per the floor plans and section drawing, with plant and store, offices, meeting room and staff facilities would be located at the southern end of the building.
- 3.3 Through the amendment the proposed floorspace has been revised from 17,222sqm to 13,468sqm. The position of the unit has changed, at the outset having been orientated east - west in the site with HGV servicing to both the north and south of the building, with car parking at both ends of the site. The unit has now been reoriented north – south with HGV servicing fronting the building at the eastern edge with associated HGV parking, amounting to 32 spaces with 30 lorry bays sitting on the eastern side of the building.
- 3.4 Car and cycle parking would then be positioned at the southern end of the building, comprising 190 car spaces (including 10 disability spaces) and 40 cycle spaces. Access is to be taken off Hortonwood 65, with a split entrance and egress proposed for HGVs. A combined car and HGV access is positioned at the southern end, cars would then proceed south into the car park and HGVs north to the service yard, this access point would further act as an exit for cars only. HGVs would exit the site at the northern end.
- 3.5 Levels of employment arising from the proposed use were unknown through the original proposal, and now stand at 100 full time employees working on a shift basis.
- 3.6 Materials would comprise metal composite profiled sheet walls and roof, powder coated aluminium windows, and powder coated steel doors.
- 3.7 Proposed drainage arrangements comprise conveyance of surface water to a combination of mains sewer and on site attenuation ponds positioned at the north western and eastern corners of the site, with foul drainage to mains sewer.
- 3.8 A landscape screening / bund at the north eastern corner where the boundary is presently open is proposed. Perimeter planting is proposed to be retained with compensatory hedgerow planting dotted around the site. Tree and shrubbery planting is proposed.

3.9 The application is accompanied by the following supporting documents:

- Planning Statement
- Design and Access Statement
- Flood Risk Assessment (amended)
- Transport Statement
- Arboricultural Report
- Noise Impact Assessment (amended)
- Ground Investigation Report
- Ecological Appraisal.

4.0 PLANNING HISTORY

4.1 There is no relevant planning application history relating to this site.

4.2 Pre-application enquiry PE/2017/0501 Erection of 1no. industrial unit

4.3 Pre-application enquiry PE/2014/0612 – Erection of a new industrial unit.

5.0 RELEVANT POLICY DOCUMENTS

5.1 National Planning Policy Framework (NPPF)

5.2 Telford & Wrekin Local Plan 2011-2031

6.0 SUMMARY OF CONSULTATION RESPONSES

6.1 Local Member & Town/Parish Council Responses:

6.1.1 Hadley & Leegomery Parish Council: **Object**

- Impact of operating hours - extended hours of operation in close proximity to neighbouring dwellings could not avoid having a significant adverse impact on nearby residential use contrary to policy BE1. Precedent TWC/2016/0583 restricted hours 06:00 and 20:00 hours on weekdays and 06:00 and 13:00 hours on Saturdays with no working or activities on Sundays or Public Holidays
- Impact on residential amenity - plans do not demonstrate no significant adverse effects on properties of White Row related to BE1 including those with consent TWC/2017/0237 (erection of 3no. detached dwellings, site of 2 White Row, Horton Lane) and TWC/2018/0481 (outline application for 1no. dwelling and detached garage, land adjacent Wayside, Horton Lane) particular concern is noise and light pollution emanating from the goods-handling areas, loading bays, and points of access and egress. While it is noted that the Applicant's noise assessment suggests that the unit itself will

not generate undue levels of noise the Council also notes that amongst the main contributors to background noise at the 'receptor' locations were goods vehicle movements, reversing alarms, and related noise from the Dale Brothers site and the Household Recycling Centre on Hortonwood. The proposed development will bring the same type of activity and associated noise into much closer proximity with the dwellings on Horton Lane and White Row and the Parish Council considers that the Applicant has not adequately demonstrated how such adverse impacts will be prevented in order to comply with Policy BE 1. Consequently, the Parish Council requires greater detail of proposed measures to mitigate and reduce noise and light pollution at the northern end of the site as well as details of landscaping and proposed landscape management arrangements

- Impact on Horton Lane - failure of Transport Assessment to not consider the cumulative impact of the proposed developments on traffic volumes on Horton Lane, immediately adjacent to four of the proposed development sites [that were collectively submitted by TWC], acknowledged 'rat-run' used by traffic associated with employment activities in the Hortonwood commercial area, planning ref.: TWC/2013/0315, surprising omission given the planning history of the adjacent Furniture Link UK Ltd site - Highway Officer concern about potential increase use of Horton Lane and apparent stepping back of committing to a traffic management scheme, inadequate response to December 2018 Parish Council request for a S278 agreement for traffic calming for Horton Lane in respect of this planning application, subsequent residents survey undertaken by the Parish Council any consent for this site should be subject to a S278 agreement for provision of traffic management or traffic calming on Horton Lane in regard to policy C3.

6.2 Standard Consultation Responses

6.2.1 Pollution Control (Environmental Health): Comment

Request conditions requiring the implementation of the noise attenuation standards recommended in the AB Acoustics report accompanying the application; a condition specifying that all external plant / inlets / exhausts should be mounted on facades that do not face noise sensitive receptors which in this instance, the noise sensitive receptors are the residential properties on Horton Lane and White Row, situated to the west and north of the site; the submission of full details of a proposed acoustic bund at the northern boundary; a lighting condition; and, HGV movements.

Further to the submission of an update to the acoustic report to take into account the committed development adjacent No.2 White Row and its relationship with the HGV exit point, Pollution Control have advised that the applicant has undertaken a thorough assessment of the noise situation at the proposed development, and reaffirmed previous comments.

6.2.2 Highways: Comment

Guide that further to discussions around parking standards the applicant has amended their submission, confirmed that the Local Highways Authority are satisfied with the provision for cycles, cars and HGVs.

Comment that the end of Hortonwood 65 has been blocked off with a mound of earth. This will need to be moved in order to provide the HGV access. The highway will need to be made good once the bund is removed.

Prior to first use, conditions requested for the provision of the access, internal roads, parking, turning and servicing areas, with associated footway/cycleway; removal of the earth bund and making good of the road at the end of Hortonwood 65; provision of the covered parking / storage; details of any site enclosure. A Travel Plan is further requested prior to occupation of the development.

A contribution to the Strategic Network, enhanced footway/cycle linkage alongside Hortonwood 60, Travel Plan monitoring, and Traffic Regulation Order monies to address parking issues on Hortonwood 60/65 are further requested as addressed elsewhere in this report.

6.2.3 Arboricultural: **Comment**

Requests conditions for the submission of a revised Tree Protection Plan, Landscape Design, service plan, and no alteration to soil levels.

6.2.4 Ecology: **Support subject to conditions**

Request conditions necessitating that development occur in accordance with the Protected Species Survey accompanying the application, a scheme for the delivery of artificial nesting / roosting boxes, the submission of a Lighting Plan, the submission of a Habitat Creation and Management Plan, and provision of an Ecological Mitigation Strategy and Reasonable Avoidance Measures Method Statement.

6.2.5 Drainage: **Support subject to conditions**

Request a condition for the submission of a scheme of foul and surface water drainage, with surface water restricted to 5 litres per second per hectare and attenuating all flows up to and including the 1 in 100 year event + 30% for climate change.

7.0 SUMMARY OF PUBLIC RESPONSE

7.1 Seven letters of public objection have been received to the amended scheme, summarised as follows:

- Increase traffic using Horton Lane – increase in usage as a rat run, already excessive usage and not abiding by the speed limit, an accident waiting to happen and when it does happen it will reflect on the Council's inability to deal with the traffic problem, old lane not made to take traffic as it is, no footpaths with people in danger of getting hurt or even worse, impact on children with people building more houses in the lane with young families, disabled resident and cannot get out of the way of traffic quickly
- High level of lorry movement – with 30 loading bays shown on the revised plans
- Impact on wildlife – questioned if survey undertaken
- Proximity to houses on Horton Lane – impact of overshadowing, loss of light with raised embankment on boundary partial screen but unit will tower above

this and not along full extent of boundary with Horton Lane, surrounded by noise and light at night, causes sleep deprivation, already passed more units with a road around it, air pollution from lorries, whole building needs to be moved 50 metres from Horton Lane or better still not be at all, interference with utilities, vermin driven onto properties, gulls already roost on Faccenda and Furniture Link causing damage (guano), abuse from Faccenda sub-contractors looking for bird of prey, concern 24 hours a day 365 days a year already practiced by Faccenda and Wrap Film with noise reverberating, already surrounded and TWC want to increase this – questioned what council tax paid for, Compulsory Purchase Order on properties in 1970s but was rescinded questioned when reactivated, when lane was subdivided? Questioned if going to be compensated

- Soft landscaping strip - 1989 public consultation and meeting commitments and assurances from local authority that no construction would take place within 30m the boundary lines of Horton Lane and White Row, 30m soft landscaping strip would be provided, and any elevations facing the residential properties would not have any doors or windows
- Lack of detail of operation parameters of the development including the size of the unit and precise floorspace, proposed lighting and impact on neighbouring properties
- Proper notice, timely consultation, due process not taken place - appears TWC aware of this proposal for around 12 months, first correspondence received from either the local authority or the applicant, as a land owner directly adjoining the side of the proposed development should have received notification prior to this point in time, no press notice through amendments, no plans / planning officer available at planning offices.

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 Visual Impact
- Highway Safety
- Impact upon Residential Amenity
- Drainage and Flood Risk
- Ecology
- Impact on Trees
- Other Matters

Principle of Development

8.2 The site is identified as an allocated employment site – E10 in the adopted Local Plan with preferred uses of B1b, B1c, B2 and B8, supporting the Strategic Employment Area of North Telford (Donnington, Hadley Park & Hortonwood) of T&WLP Policy EC1. The proposed B8 use (incorporating ancillary plant, stores, offices, meeting room space and staff facilities) with an end occupier now known - following revisions to the application - 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. Notably, the site was previously shown as committed for employment development through the preceding Wrekin Local Plan (1995-2006). The proposals are therefore consistent with this policy position.

Design and Visual Impact

- 8.3 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.
- 8.4 The building has been designed to reflect similar development within the Hortonwood Employment Park. It is a substantial structure measuring 10.8m in height, approximately 136m in length and 100m in width, its massing and rectangular form follow the proposed function as a storage and distribution centre.
- 8.5 A light coloured metal cladding is proposed to help reduce the impact of the building, alongside full height windows at the southern end related to the ancillary offices, together with darker coloured bands to emphasise its horizontality thereby reducing its perceived height. In respect of context, the adjacent Furniture Link (permitted 2013) measures 10m to eaves and 15.5m to ridge height. The treed backdrop to the site along the northern and western edges will soften the context of the building, alongside replacement planting dotted around the site. Along the western edge, the building is set back from the roadside behind the established bank of woodland, the drainage easement and proposed attenuation feature.
- 8.6 The layout of the site sets the building behind an area of landscaping with service and vehicle parking to front facing onto the employment area, with a retained landscaped frontage adjacent the lorry parking. An additional two attenuation ponds at the frontage and northern end will add further design variety to the site. On balance, the proposal is considered compliant with the design led components of TWLP policy BE1.

Highway Safety

- 8.7 A significant emphasis of local representation relates to the anticipated relationship between the proposed development and neighbouring Horton Lane, together with the existing highways context of this highway, the context of rat running is a focus of representation. Here the Local Highway Authority state that they do not believe that the impact from this individual unit would justify or trigger the full traffic management works being requested, and do not believe the traffic management works being requested will address the rat running issue either. The Council's Traffic Management (TM) team has previously assessed Horton Lane and had offered a solution to the issue of through traffic movements. TM are aware that the same issue is being raised

again and the Parish Council has been asked to liaise with them as this is the most appropriate avenue to address this matter.

- 8.8 The site is not on a bus route and the nearest bus stops are between 1.5km and 2km away from the site. Use of bus travel as a mode of transport is likely to be limited as a result.
- 8.9 The nearest rail stations are at least 4.5km away from the site. It is not likely that rail travel will feature highly as a mode of transport unless combined with taxi services or cycle travelling.
- 8.10 The emphasis of travel associated with the proposal will therefore be by car and HGVs, as evidenced through the accompanying a Transport Assessment (TA) based on the Telford Strategic Transport Model (TSTM), designed to keep total associated traffic generation forecasts within values established as part of the Transport Growth Strategy. The proposal site was assessed alongside four other concurrent 2018 applications submitted by TWC to consider cumulative impact (these are now approved).
- 8.11 The TA has been considered by the Highways Officer, who has no objection in principle to the proposals. From the forecasted trips, it is advised that the development would trigger a contribution to the Strategic Network, based on the scale of this development this would amount to £64,455.33. There is unlikely to be any material impact upon the normal operation of the surrounding transport network subject to the requested input to the contribution to the Strategic Network and contributing to improvements to the A442. In addition the LHA has identified that there is a need to provide enhanced footway/cycle linkage along Hortonwood 60 to enable staff to travel to and from the site by bike with cycleways, cycle paths and other traffic free routes available to and within the Hortonwood Employment Area that provide for safe and convenient routes between the site and nearby residential areas. This is estimated at £91,000 and the proportional contribution from this site would be £28,756. It is recommended that the highway contributions are secured under the provisions in S278 Highways Act (1980).
- 8.12 A standard Travel Plan condition is requested with more detail expected now the end user is known, an associated monitoring sum of £5,000, alongside a parallel sum of £5,000 retained for a Traffic Regulation Order to address parking issues on Hortonwood 60/65 secured through a forward funding mechanism.
- 8.13 Parking demand for the site has been calculated as being around 192 spaces for a B8 use. The scheme proposes 190 spaces, including 10 disabled parking spaces representing 5% of the total number, to deliver what is judged to be sufficient provision accounting for a known end user where it is intended to operate a shift pattern relating to the 100 employees. It is likely that this would in fact represent over provision and help alleviate parking issues on Hortonwood 65 and 60 from the existing site of the operator, here notably part of the site was previously used by the operator as a temporary car park.

- 8.14 30 HGV loading bays and 32 HGV parking bays and an appropriate turning space will also be provided. It is understood that not all bays would be utilised at any given time regarding neighbour concern as to the level of provision. This is led by internal configuration of the storage, such that each aisle can be accessed from the adjacent loading bay, as opposed to having to shift goods from multiple aisles in order to move them for despatch. It is understood that the amount does provide an allowance for an element of future growth. The level of parking bays is led by the floorspace entailed and parking demand relating to this guided by the Local Highways Authority.
- 8.15 Covered cycle shelters comprising 40 spaces would be provided besides the building. The requirement for cycle spaces at this site, given its location and the likely nature of the end use, is likely to be less than the standards set out in the Local Plan. The proposed provision is considered adequate and there is no objection to the proposals from a Highways perspective. The site sits off a straight stretch of road with good visibility, this would be controlled through condition to form 2.4m x 43m visibility splays with nothing placed or allowed to remain forward of the splay that exceeds 600mm in height above the adjacent carriageway.
- 8.16 On the basis of the above, Officers are satisfied that the proposal satisfies the requirements of TWLP policies C3 and C5.

Impact upon Residential Amenity

- 8.17 Policy BE1 expects new development to respect and respond to its context and, amongst other things, demonstrate that there will be no significant adverse impact on nearby properties by noise, dust, odour or light pollution.
- 8.18 The overall site is an allocated strategic employment site (E10) and the discourse that led to its allocation considered a range of issues, including the potential impact on local residential amenity, the allocation includes B8 uses as proposed here.
- 8.19 The user wishes to locate on this site to allow the business to grow and stay within the area, in close proximity to their existing premises on the opposite side of Hortonwood 65 where processing of the food goods is undertaken, this unit would then provide storage for the products.
- 8.20 The application form identifies that 24 hour opening is sought across the week Monday-Sunday. It has been clarified that this relates to internal movements within the building, with the building relating to storage as opposed to industrial processing.
- 8.21 More specifically, the main shift patterns would comprise 6am-2pm and 2pm-10pm Monday – Friday. Unrestricted hours are sought to enable potential use (internally) at peak times, and allow the offices to be utilised as and when needed. Relating to HGV movements, any vehicle movements between the nearby existing processing plant and this development would occur between 06.00 and 20.00 during the week, and despatching would only occur between 06.00 and 12.00 (midday) during the week and weekends.

- 8.22 A number of dwellings sit within close proximity of the site to the north and west (along White Row and Horton Lane), potential impact on residential amenity is therefore a consideration related to the proposed hours for the site.
- 8.23 Through the acoustic report accompanying the application, noise level measurements were undertaken in two locations, one on Horton Lane to the immediate west of the site (in the vicinity of No.50 Horton Lane). The second was at the HGV exit point at the northern end of the site and near to the north eastern corner of the site where there is no screening afforded by a woodland edge as elsewhere on the site. The measurements were undertaken over a number of days / times in order to obtain what is considered to be a representative measurement of the existing noise climate at this location. The methods described use outdoor sound levels to assess the likely effects of sound on people who might be inside / outside residential premises.
- 8.24 Relating to existing properties, the report states that activities in the yard are very effectively screened from the residential properties on Horton Lane by the proposed development itself and therefore the noise from this source is considered to be insignificant. It concludes that the noise arising from the development would be noticeable but not intrusive - subject to the recommendations of the report being undertaken. In such a respect, it is possible that there could be external plant / fans located at the unit – if this is the case then the combined noise level from these items must not exceed 65 dBA (A-weighted decibels) at 1.0m; if possible all external plant / inlets / exhausts should be mounted on facades that do not face noise sensitive receptors. These components form part of the report recommendations, with a condition recommended by TWC Public Protection to ensure compliance with these parameters.
- 8.25 At the request of the Council, the report has been updated to take account of the aforementioned planning permission for three dwellings at the eastern end of White Row, and now presented on the block plan accompanying the application. The Parish Council have further referenced planning approval TWC/2018/0481 (outline application for 1no. dwelling and detached garage, land adjacent Wayside, Horton Lane) for specific consideration. This site sits to the north western of the building providing a buffer and would therefore be subject to the same classification as the properties to the north along Horton Lane.
- 8.26 The report identifies that from Google Earth these properties are scaled at a similar distance from the proposed development as White Row i.e. 35m; they are at a slightly increased angle to the main building which will result in an increased attenuation to the noise from the building – however this increase in attenuation will be small and therefore in the numerical workings is ignored. It is therefore assumed that the proposed residential properties will be subject to the same calculated noise levels as White Row (this is for the development with no roof lights in the roof as per the recommendations of the report).

- 8.27 The conclusion that the noise arising from the development would be noticeable but not intrusive again arises when incorporating the provision of the proposed acoustic and screening bund. It is noted that whilst full details of said bund would be subject to condition, the acoustic report identifies that at this stage its height is unknown but if it is assumed that it will be of the order of 3.0m, this would mean that the operational area of the lorries will therefore not be visible from the residential properties. On site it was further noted that tree planting has arisen along this edge relating to the proposed dwellings and should further aid screening in due course.
- 8.28 An update to the acoustic report has been made specifically related to assess the potential impact of the noise generated by refrigeration lorries delivering / collecting from the site, this is based upon the applicant's guided level of movement comprising three deliveries to site between 08.00 and 18.00 hrs and four deliveries leaving site between 08.00 and 12.00 hrs. The report has taken previous measurements from a refrigerated lorry arriving, reversing into an unloading position, the engine then stopped whilst the lorry was unloaded / loaded, then its departure from the site.
- 8.29 These measurements are then attributed to the distances entailed to White Row (Horton Lane), this does factor in an acoustic bund in the order of 3.0m but accounts for the high level of refrigeration units on trailers that may not be fully screened by a bund. The result is in a Rating level of 39 dBA (A-weighted decibels); this remains well below the 50dBA as desirable to prevent moderate annoyance: reference World Health Organisation.
- 8.30 Related to Horton Lane, the report identifies that 'As can be seen from the enclosed site plan the activities in the yard are very effectively screened from the residential properties on Horton Lane by the proposed development itself and therefore the noise from this source is considered [considered] to be insignificant.'
- 8.31 The report identifies that it is also worth noting that noise from the development will be of the same acoustic character as the existing noise environment and therefore should not appear as intrusive were the wider locality not an employment area.
- 8.32 Bearing in mind the above, proposed conditioning of HGV movements in line with the clarified timing (para 8.21 above) is considered acceptable. It would sit partially in line with sites of a comparable proximity to residential properties in the locality, namely TWC/2016/0583 at the rear of Cofresco (former Wrap Film) to the west. Through this permission, use and delivery hours were conditioned as 06:00-20:00 on weekdays and 06:00-13:00 on Saturdays with no working or activities on Sunday or Public Holidays.
- 8.33 Here a broader timescale is considered appropriate, this is on the basis of a known end user with an associated acoustic report incorporating mitigation including parameters around the construction of the building and a landscaped bund at the north eastern corner where the site boundary is presently open in nature.

- 8.34 Outside of these hours, vehicular movement would be restricted to cars, with the emphasis on the departure of the 10pm shift and arrival of the 6am shift, these parties would use the southern access point which is set away from residential properties, the position of the proposed building and neighbouring Furniture Link unit will act as a further buffer. Through the acoustic report a calculated noise level of the order of 38 dBA related to Horton Lane and assuming an attenuation of 10 dBA due to the screening effect of the proposed bund the resultant level could be of the order of 31 dBA, with noise from car parking being of the same acoustic character as the existing noise environment and therefore should not appear as intrusive, representation of TWC Public Protection has therefore not raised concern in this respect subject to conditioning around the building composition including no roof panels, external plant / inlets / exhausts, lighting, and the northern bund.
- 8.35 The LPA acknowledge that the development would be audible from residential properties along Horton Lane, with evidence of lorry movements recorded in the acoustic report from existing development of Hortonwood and were audible during the Officer site visit. However, subject to the conditions as set out above, together with control over future lighting of the site – particularly appreciating the concern of local residents here, and noise through the construction phase, on what is an allocated site within the realms of the proposed use, the Local Planning Authority is of the view that on balance the proposed development is consistent with Policy BE1(xi) of the Local Plan. This is together with paragraph 180 of the NPPF, that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.
- 8.37 Visually, the proposed building would have a height of approximately 10.8m. Although the building would have a higher roof level than the existing houses along Horton Lane, as previously referenced it would have a lower roof height than existing Furniture Link building to the south of the application site, which was approved to a similar height of 10m to the eaves and 15.5m to the ridge. The separation distance between the houses and the proposed building range from 44.5m-64m to the west, and 51m-80m to the north, along with the existing vegetation sitting within the neighbouring green network and within the ownership of the residential properties i.e. anticipated to be retained, would be sufficient to ensure that there would not be an overbearing visual impact from the development on the occupiers of the existing houses.

Drainage and Flood Risk

- 8.38 As the application site exceeds 1ha in size, the application is supported by a detailed Flood Risk Assessment (FRA), as required under Paragraph 103 of the NPPF. The FRA concludes that most of the site has been identified as being at negligible or low risk of groundwater flooding and a small area is at moderate risk, concluding that this should not impact on the proposed development. The site has been mapped as being at risk from reservoir flooding, however the likelihood of flooding from this source is considered

negligible. The Environment Agency's National Flood Maps show Flood Zones 2 and 3 affecting the north east side of the site. This floodzone is associated with the historic line of the Crow brook which has been cut off during the construction of the Hortonwood Chanel. The national flood maps have not taken this into account therefore this flooding is unlikely to occur in reality.

- 8.39 In regard to existing drainage provision in the locality, the assessment sets out that during the 1980s Telford Development Corporation developed the area as an industrial estate including drainage infrastructure. Public surface water and foul sewers are therefore within the site boundary, and would be utilised together with sustainable drainage systems with a number of attenuation ponds sitting around the edge of the site.
- 8.40 TWC Drainage support the application, recommending the submission of a scheme of foul and surface water drainage with a restricted run-off rate, including a detailed drainage layout of the proposed attenuation features. On this basis, Officers are satisfied that the application complies with TWLP policies ER11 and ER12.

Ecology

- 8.41 The application is accompanied by ecology, bat and great crested newt (GCN) surveys. Four trees on the site were identified as having some bat roost potential. No bats were observed exiting any trees during the bat survey, it was however recommended that any trees should be felled with the attendance of a qualified Ecological Consultant and that trees with bat roosting potential must be soft felled and inspected for bats prior to removal. Development in accordance with this survey has been duly requested by TWC Ecology, with provision of bat boxes conditioned to ensure the provision of roosting / nesting opportunities.
- 8.42 In regard to great crested newts, the evidence identified one pond on site and a further six ponds within 500m of the site. The onsite pond was found not to support GCN, two other ponds (ponds 2 and 3) were found to support a small breeding population of GCN. All other ponds were found not to support GCN. Due to the distance from the nearest breeding pond (180m south of the site) there is no reasonably foreseeable likelihood that GCN would be impacted by the proposed development. No reptile sightings were made during the surveys and the majority of the site was assessed to offer no value to reptiles due to its heavy grazing by livestock.
- 8.43 In regard to nesting birds, the survey assessed the hedges and mature oak/ash lines as the habitats with greatest potential for breeding birds, the areas of pasture were not extensive and were not considered suitable for ground nesting. Mitigation through the timing of clearance is proposed and would be controlled through condition.
- 8.44 TWC Ecology raise no objection to the scheme subject to a number of conditions to ensure the protection of species and habitat improvements. The proposal is duly considered to accord with TWLP policy NE1.

Impact on Trees

- 8.45 The development will entail the loss of attractive and established trees and hedgerows from the site, these presently run vertically through the site and horizontally across its eastern half. The application is accompanied by a Tree Survey which has categorised the trees on site in terms of their quality, condition and suitability for retention and indicated root protection areas where development should not occur.
- 8.46 At the outset of the application, more trees were proposed for retention, the application was speculative in form and the configuration of the site was such that it would have had a greater impact on neighbouring residences, it had not raised objection from TWC Trees.
- 8.47 Through the revised proposal, and subsequent to the amended tree survey, the applicant has agreed to retain T3 considered to be the tree most worthy of retention on the site. This has been achieved through amending the position of the car and cycle parking to allow a more appropriate setback. Trees at the site frontage would also be retained. A new tree protection plan would be required to show the retention of T3, as well as its construction exclusion zone. Detailed workings of the proposed landscaping would be further required to ensure that more trees are planted than are being removed so as not incur a net loss to the canopy cover within the area. Root barriers / deflectors will be required for all trees planted within or adjacent to hardstanding. Service routing into and out of the site would need to be detailed, and soil levels duly protected.
- 8.48 Officers are therefore satisfied that on balance where related to an allocated employment site, and subject to substantial replanting, that the proposal accords with TWLP policy NE2.

Other Matters

- 8.49 Local representation raises concern in respect of due process relating to the consultation undertaken in regard to the amended scheme. Here it is appreciated that there was a notable time lag between the original submission relating to a speculative application and the revised proposal; the applicant having verbally indicated an expectation of an end user and the application held in abatement. Public consultation immediately followed the submission of the revised material to the satisfaction of relevant legislation.
- 8.50 Odour and air pollution arising from the development has been raised through neighbour representation, no concern has been raised by Public Protection in such a respect, and it is noted that the unit is for storage and not processing. It is appreciated that presentation of measurements can be of assistance in the review of plans, they are however scaled plans as required through a planning application. The level of floorspace is further identified in the amended application form. Lighting in regard to residential amenity (and ecology) is a proposed condition. Interference with utilities, and potential displacement of vermin are not material planning considerations.
- 8.51 Reference has been made a 1989 public consultation and meeting where

commitments and assurances were made from the local authority that no construction would take place within 30m of the boundary lines of Horton Lane, with a 30m soft landscaping strip to be provided, and any elevations facing the residential properties would not have any doors or windows. Officers understand from TWC Estates that the existing strip of woodland land was gifted to the residential properties along Horton Lane in line with the freehold boundaries of the properties with a mound present amongst the landscaping, and this represented the landscape strip referenced. In regard to the doors on the western and northern elevations, a condition is proposed to ensure that these are emergency access doors only and not left open for any duration of time.

9.0 CONCLUSIONS

- 9.1 The proposal will deliver a contemporary form of development, with a soft backdrop interspersed with new planting and water features; revision has been made to the cycle storage and car parking to enable the retention of tree T3. The HGV parking and turning area is positioned on the eastern side of the site away from the majority of residential properties in the locality; mitigation is proposed through the construction of the building, controls as to the hours of delivery and the provision of an earth bund at the north eastern corner of the site to further negate the impact on residential amenity of neighbours with no objection raised by TWC Pollution Control. Drainage, ecology and tree mitigation will be controlled through condition, with enhancement to the pedestrian/cycle network together with improvements to the A442, secured through provisions of the S278 Highways Act to ensure highway safety is protected.
- 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. RECOMMENDATION

- 10.1 Based on the conclusions above, the recommendation to the Planning Committee on this application is to **GRANT FULL PLANNING PERMISSION** subject to the following conditions (with authority to finalise conditions and reasons for approval to be delegated to the Development Management Service Delivery Manager):

A04	Time limit – Full
B045	Travel plan
B061	Foul and surface water drainage
B089	Details of earth bund
B121	Landscaping design
B130	Trees - updated tree protection plan
B131	Trees – services root protection
B141	Ecological Mitigation Strategy and Method Statement
B143	Habitat Creation and Management Plan

B150	Site Environmental Management Plan
C002	Materials as submitted
C059	Pollution control - construction of building
C059	Pollution control - position of external plant / inlets / exhausts
C091	Works in accordance with Ecological Survey
C109	Erection of artificial nesting/roosting boxes
C071	Soil levels
CCustom	Lighting plan (ecology and residential amenity)
C013	Access, internal roads, Parking, Turning and Servicing areas
C020	Cycle parking / storage
C020	Details of Site Enclosure
C020	Earth bund removed
C38	Development in accordance with approved plans
D06	Use Class B8 only (no manufacturing)
D16a	No external storage
D12	HGV Hours of delivery
DCustom	Doors on western and northern sides – emergency doors only