

TWC/2024/0357

Land opposite, Blackbird Close, Overdale, Telford, Shropshire  
Erection of a sports pavilion with 1no. artificial and 1no. grass pitches, creation of a new access including vehicle and cycle parking with landscaping and associated works

**APPLICANT**

Telford and Wrekin Council ,

**RECEIVED**

09/05/2024

**PARISH**

Lawley and Overdale

**WARD**

Overdale and The Rock

**THIS APPLICATION IS BEING HEARD AT PLANNING COMMITTEE AS THE PROPOSAL INVOLVES THE COUNCIL AS APPLICANT AND LANDOWNER AND COMPRISES A DEVELOPMENT OVER 5 HECTARES**

Online Planning File:

<https://secure.telford.gov.uk/planning/pa-applicationssummary.aspx?applicationnumber=TWC/2024/0357>

**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 in to a Memorandum of Understanding (MoU) to secure Financial Contributions toward Travel Plan Monitoring and s.106 Monitoring Fees.

**2. SITE AND SURROUNDINGS**

- 2.1 The site lies in the Newdale area of Telford. It is bound to the north by the M54 (overpass), to the east by Waterloo Road/Spring Terrace with open space and residential development beyond; and to the south and west by a Public Right of Way (PRoW) with further residential development located beyond.
- 2.2 The Application Site comprises of a rectangular plot of land covering 8.84 hectares. A Public Right of Way (PRoW) runs along the northern, southern and western boundaries of the site.
- 2.3 The Application Site was subject to earthworks in 2016 to create a pair of terraces. The topography of the site therefore falls from south to north, stepping down at each of the formed terraces.

**3. PROPOSAL**

- 3.1 This application seeks Full Planning Permission for Phase 1 of the proposed development which comprises:
- a) Pavilion (305 sq. metres);
  - b) 1no. 11v11 3G Pitch with LED Floodlights;
  - c) 1no. 9v9 Grass Pitch;
  - d) Vehicular Access and Road;
  - e) 101 Car Parking Spaces and Coach Parking;
  - f) Sub-station;
  - g) Perimeter Fencing
  - h) Creation and Relocation of Swales and Attenuation Basins
- 3.2 Phase 1 is largely located on a rectangular plot of land at the south of site, with the exception of the proposed access point and internal road running north/south along the eastern boundary and the works associated with the creation/relocation of the swales and attenuation basins.
- 3.3 Access to the site is from the east, using an existing field gate. A new junction would be formed and an internal road would run along the eastern boundary of the site towards a car parking area to the south-east corner of the site. Direct pedestrian access into the site would be provided further south along Waterloo Road (closer to the bus stop).
- 3.4 As stated in the Applicant's Design and Access Statement, the first Phase of the Masterplan focuses on establishing the foundational infrastructure necessary to support high quality facilities. An indicative future Masterplan has been supplied with the application, identifying 'Phase 2' which identifies that this plot of land is capable of accommodating 4no. grass pitches, 2no. training grids and 94no. overflow parking spaces. Other elements such as the sports pavilion expansion and spectator stands are identified within Phase 2. For context, it should be noted at the outset that this does not form part of the current planning application.

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

TWC/2014/0777 - Engineering works to facilitate the future creation of sports pitches - Granted 13 November 2014

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

- 5.1 National Planning Policy Framework (NPPF)

There is currently a consultation underway in relation to a revised version of this document, however, as this has not yet been formally Adopted, this can only be given very limited weight at this stage.

## 5.2 Telford and Wrekin Local Plan (2011-2031):

SP1: Telford

SP4: Presumption in Favour of Sustainable Development

NE1: Biodiversity and Geodiversity

NE2: Trees, Hedgerows and Woodlands

NE6: Green Network

COM1: Community Facilities

C3: Implications of Development on Highways

C5: Design of Parking

BE1: Design Criteria

BE9: Land stability

ER11: Sewerage Systems and Water Quality

ER12: Flood Risk Management

## 6. NEIGHBOUR REPRESENTATIONS

6.1 The application has been publicised through three site notices and direct neighbour notification.

6.2 The Local Planning Authority received 5no. neighbour representations of support, 20 representations of objection and 1no. neutral comment. The following summarises the matters raised:

- overlooking/loss of privacy from the development;
- loss of a view;
- overshadowing of neighbouring properties;
- noise pollution from the development;
- smells and other disturbances from the development;
- overdevelopment of the site;
- loss of open space;
- harm to the character of the area and the local community;
- highway Safety - access for coaches from Waterloo Road and S bend between Sinclair Garden and Wrens Nest, no footpath near spring hill;
- insufficient parking levels;
- lack of need for facilities/Retrospective Need/Underused facilities (football pitch across the road and schools, AFC Telford);
- need for a running facility;
- need for a dog park/nature reserve;
- loss of Wildlife/Trees;

- drainage;
- Light Pollution (same level as property) and impact on ecology;
- error of public consultation;
- impact on property value;
- improper use of taxpayers money;
- management and increase of litter;
- comprehensive access provisions for the disabled;
- query with Phase 2 and land in the interim

## 7. STATUTORY REPRESENTATIONS

7.1 Lawley & Overdale Parish Council: **Support**: welcome the new facilities and believes it will be a most valuable asset to both the local community and borough as a whole.

7.2 Councillor Boylan: **Support**

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

7.4 Sport England: **Support** subject to Condition(s)

7.5 Coal Authority: **Support** subject to Condition(s)

7.6 Healthy Spaces: **Support**

7.7 Ecology: **Support** subject to Condition(s)

7.8 Drainage: **Support** subject to Condition(s)

7.9 Environmental Health: **Support** subject to Condition(s)

7.10 Shropshire Fields Association: **Comment**:

- welcome the proposal in partially meeting the sporting needs identified in the Council's Playing Pitch Strategy;
- note concerns in that an end user and has not been identified or included as to how it is to manage and maintain the proposed new facilities once completed;
- potential users may be concerned that because the site has not been fully secured with perimeter fencing and/or landscaping to restrict unauthorized access, there could be increased costs related to repairing vandalism;
- concur with Sport England's comments, and would also request consideration of additional points (i) Condition should be applied to state that prior to occupation/use (whichever is earlier) the provision of a

management plan be provided to identify who and how the facility is to be managed (to include a Business Plan element to ensure the funding is in place to maintain the facility in the long term); (ii) the large trees proposed adjacent to the pitches (in particularly near the AWP) are suitable and would not interfere with the pitch drainage system; (iii) Condition be applied to amend the proposed landscaping scheme is reconsidered to increase the security of the perimeter of the whole site through appropriate planting; (iv) There are no litter bins in place in the picnic area - these should be provided; (v) Public Access to the picnic area appears to be unimpeded - this potentially could be used by the general public in the late evening which could give rise to nuisance (it may be beneficial to fence this area off from public use to reduce this risk);

- concern that there appears to be no mention of when Phase 2 may be progressed - the Council's Playing Pitch Strategy identifies that this facility (including Phase 2) is proposed to meet the needs of the growing population of Telford - this should be confirmed as a proposed timescale.

7.11 Shropshire Council Archaeology: **No Comment**

7.12 Shropshire Fire Service: **Comment**: Consideration should be given to the information within Shropshire Fire and Rescue Service's 'Fire Safety Guidance Planning Applications' document.

7.13 West Mercia Police: **Comment**: Provided general Design Guidance.

## 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
- Impact on Amenity of Adjacent Properties/Uses
- Design and Layout
- Highways impacts
- Drainage
- Land Stability and Contamination
- Ecology and Trees
- Other Matters (Archaeology)
- Planning Obligations

8.2 Principle of Development

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

- 8.3 The site in question is part of the wider Sustainable Urban Extension of Lawley, which was granted Outline Planning Permission in 2005, ref.: W2004/0980. As part of this Masterplan the principle of the pitches and the pavilion were established. This Outline Application was approved subject to a Legal Agreement (s.106) for the construction of a number of football pitches together with changing rooms, car and coach park and developer payment of £600,000 commuted sum towards their construction. As the site for the pitches lies outside the red line of the Lawley SUE Application, a separate application was required for the pitches and any associated works. In 2014, application ref.: TWC/2014/0777, was Granted Planning Permission for engineering works to facilitate the future creation of sports pitches.
- 8.4 The Council's Healthy Spaces Officer Supports the proposal. The need for such facilities has been highlighted in the Telford and Wrekin Council 2016 Playing Pitch Strategy. The Strategy highlights the growing demand for Artificial Grass Pitches (AGP's) and draws upon the FA's long-term ambition to provide every affiliated team the opportunity to train once per week on a floodlit 3G/4G surface. A 3G pitch of this standard, would service the current demand for competitive football, (particularly mini and youth football), and opportunity for the provision of World Rugby facilities.
- 8.5 The provision of new football pitches at this site have therefore been strategically identified in Telford and Wrekin's 2016 Playing Pitch Strategy (PPS) and during current consultation for Telford and Wrekin's Playing Pitch and Outdoor Recreation Strategy (PPORS, 2024). In the 2016 PPS, a deficit of 2no. 3G pitches in the borough was identified, stipulating 1no. 3G in the north of the borough and 1no. 3G to the south.
- 8.6 The above therefore outlines that the proposals would meet an identified need and the longstanding planning approvals that agreed the principles for sports pavilion and pitches to come forward at this site are a material consideration in the determination of this application.
- 8.7 The Application has been subject to consultation with Sport England as it concerns the creation of new playing pitches. Sport England initially objected to the planning application, requesting further information and agreement to Planning Condition(s). The Applicant provided a response to Sport England on 05 August which set out the context of the Building for the Schools for the Future (BSF) Programme. The document requested that Sport England consider this application as mitigation to address playing field loss across the various school sites as part of the BSF programme.

- 8.8 As part of the BSF works, the provision of new playing fields at Newdale was identified as a deliverable alternative, which also aligned with the recommended actions in the adopted Playing Pitch Strategy. Subsequently stakeholders including Sport England agreed that this would represent the most appropriate way forward to address the loss of playing field from the BSF programme, subject to further details in respect of the planning application. This Planning Application has been submitted to represent a deliverable and viable scheme to address the previous imbalance in playing field provision.
- 8.9 Sport England were re-consulted as part of the submission of additional information who are now supportive of the proposals, subject to Condition(s) and the imposition of a suitably worded Grampian Condition and/or Legal Agreement to be attached to the planning application at the Phoenix.
- 8.10 Sport England state that that the proposed new playing fields at Newdale would be likely to provide equitable or better quantity of re-provision, taking into account the explanation provided regarding the net loss of playing field through the BSF programme (circa. 2.9 ha), subject to the submission of information required to be secured in respect of agronomy, including a proposed scheme of playing field works and associated maintenance regime for the proposed new playing field at Newdale, together with an agronomy assessment of the playing field loss at Phoenix. The agronomy reports and maintenance plans in respect of this Application Site are proposed to be Conditioned.
- 8.11 The proposal would be considered a Community Facility. Policy COM1 supports new community facilities to meet the needs of local residents. Whilst the location of the site is not within the areas set out in Part (i) of the Policy, it would meet the requirements of Part (ii) insofar that it has good accessibility by foot, cycle and public transport. The application is also considered compliant with Policy COM1.
- 8.12 The woodland to the north of the application is located within the Green Network. This area is proposed to be retained and potentially enhanced (details of which to be Conditioned within a Woodland Management Plan). The application is therefore considered to be compliant with Policy NE6 which states that the Council will protect, maintain, enhance and, where possible, extend the Green Network.
- 8.13 In respect of public representations that reference the loss of 'Open Space,' the Site currently is not designated as Public Open Space (POS). Whilst it may be used by dog owners currently, there are no public rights of ways across the site. The Public Right of Way around the site would remain.

8.14 Taking into consideration the above matters, the LPA consider the principle of development to be acceptable, subject to technical matters discussed further below.

8.15 Impact on Amenity of Adjacent Properties/Uses

Public representations from neighbouring properties have raised concerns regarding noise, light pollution, overlooking and overshadowing of the development.

8.16 The application has been accompanied by a Noise Impact Assessment, Lighting Assessment and Lighting Plan.

8.17 The Council's Specialist Environmental Health Officer has reviewed the proposal and accompanying documents and considers the proposals acceptable, subject to a number of conditions in respect of noise and lighting.

8.18 The Noise Impact Assessment notes that the proposal is for pitches across the Masterplan Site (aspects of this application and expected future applications for further sports pitches).

8.19 The Report states that guidance recommends a noise level of 50dB LAeq is acceptable from sports pitches. A maximum noise level of 60dB LAFmax is proposed which is generally considered acceptable. It is noted that existing maximum noise levels are higher than this however the character of the noise proposed is very different to traffic noise which was noted as the dominant sound during the noise survey undertaken (largely from the M54 to the north).

8.20 Furthermore, the topography of the site is set down from the residential development to the south and is buffered to the east and west by open land/car parking/Waterloo Road. A retaining wall and additional planting is also proposed on the southern boundary, between the 3G pitch and the site boundary. 18no. large Tree species are proposed and 2no. medium Trees.

8.21 It is understood from the Applicant that occasional use of the facilities for matches is proposed. Notwithstanding the conclusions of the NIA, spectator numbers from this type of activity in general is harder to quantify and could vary. The LPA would want to minimise any potential disturbances to nearby existing residential receptors during particularly sensitive time periods i.e. after 2000 hours. As such it is proposed to restrict the number of matches played at the facility after 2000 hours to 24no. per Calendar Year. Whilst training may still occur after this time, the noise generated by this activity should be much less than that of spectators. Whilst no stands are proposed as part of Phase 1, spectators could still attend and gather, subject to the management of the facility (which is proposed to be Conditioned).



- 8.22 The Report notes that plant and equipment noise should be received at no more than 5dB below background at nearest receptors. This is considered appropriate and it is recommended that this is Conditioned.
- 8.23 The LPA have also recommended a Condition requesting a further Noise Assessment be provided prior to the construction of the sports pavilion to assess the impact of noise breakout, providing full details of materials, facades and ensuring that it is designed so that it targets 5dB below background at nearby residential receptor facades.
- 8.24 In terms of operation, it is proposed that the facility and pitches would be open seven days a week, with the pavilion operating between the hours of 0830-2230, and the pitches 0900-2200, bearing in mind the proposed Condition in respect to late matches.
- 8.25 Turning to lighting, a Lighting Report and Assessment has been submitted with the Planning Application to enable the LPA to consider this matter at this stage. The 3G Pitch is proposed to have 15 metre columns above the pitch surface, with three down each side (6no. in total). The angle of the lighting is controlled by guidance, to minimise light overspill. Lighting would also be provided along the access route, car park and around the perimeter of the sports pavilion. Lighting on the car park would consist of lanterns mounted on 6 metre columns whilst the pavilion is proposed to be lit by bulkheads attached to the building.
- 8.26 The nearest residential receptor to the proposed lighting is located off Charlecote Park to the south at approximately 28 metres away; to the east at 52 metres away and to the west at 112 metres away. The Lighting Assessment provides an assessment of its suitability against the surrounding context. In the context of this Assessment, the area is designated as 'Environmental Zone E3' (Medium district brightness, Suburban well inhabited rural and urban settlements, small town centres of suburban locations). The Assessment and plans show that minimal illuminance would be visible beyond the boundary. Looking at the proposed design against the Guidance Notes, all the properties fall within the required 10 Lux vertical illuminance limits, with all but two properties (in the Charlecote area shown on the location Key) falling well below 1 Lux vertical.
- 8.27 The LPA proposes to Condition the detail and recommendations within the lighting plan and assessment as well as Conditioning a post installation survey report to ensure that any lighting has been fitted with appropriate shielding to reduce any potential impact. This can also be proven by taking measurements and reporting against the guidance and assessment provided in the initial report.
- 8.28 On the basis of the above the LPA are satisfied that the proposal would not result in an adverse impact on nearby uses (i.e. residential in this case) by

way of noise and light pollution, subject to a number of Condition(s) to control certain elements as described above.

#### 8.29 Design and Layout

The site layout is based on a new access formed from Waterloo Road. This access would rise as it enters the site, levelling out into a 101 space car park. The new pavilion is located between this new parking provision and the pitches and acts as a gateway through which visitors must pass, controlling access to the site. The proposed 11v11 3G Pitch is located centrally, on the southern boundary and the proposed 9v9 grass pitch located in the south-west corner of the site.

8.30 The pitches are based on Sport England/Football Foundation standards. Ball stop fences would surround each pitch up to 4 metres high, with the 3G pitch incorporating lighting columns.

8.31 The Pavilion measures 305 sq. metres and would comprise of changing rooms, kitchen, office and hire-able space/committee room, with the hire-able space/committee room expected to be available for hire during the day and evenings/weekends.

8.32 In terms of appearance, the pavilion building is proposed to be single storey in height, vertically orientated in timber and aluminium cladding panels with opening and high level windows to provide animation and natural light. Photovoltaic panels are proposed on the slanting roof.

8.33 A new bin store is located within a 1.8 metre timber hit and miss fenced enclosure to the south of the proposed pavilion (a short distance away from the building to protect against fire). To the north of the pavilion is a seating area proposed with picnic benches (adjacent to the cycle shelters).

8.34 A sub-station is proposed to be located between the coach and car parking areas. No details have been submitted in respect of its appearance and as such this element is proposed to be conditioned.

8.35 Aside from the paladin fencing surrounding the sports pitches, boundary treatment comprises of a mix of 1.2 metre high timber post and rail fencing and timber keel rail fencing.

#### 8.36 Highway Impacts

The Application is accompanied by a Transport Statement which has been subject to assessment by the Local Highway Authority.

8.37 The planning application proposes to utilise the existing gated access position on Waterloo Road to accommodate the proposed development site access.

The proposed site access arrangements comprise a priority T-junction on Waterloo Road. 2.4 x 43 metre visibility splays are shown in both directions at the site access, based on Manual for Streets (MfS) standards for a 30mph speed limit and standards.

- 8.38 A 3M wide shared footway/cycleway is shown on the eastern side of the access, continuing into the site. This detail was requested during pre-application discussions with the Applicant to address concerns raised regarding pedestrian movements to/from Ketley, to the north of the site.
- 8.39 The proposed site access would comprise an access gate which would be positioned approximately 10m from the ingress/egress point with Waterloo Road. The proposed access arrangements have been designed with due consideration for the existing swales/SUDs features in the vicinity of the site access. These would be modified to accommodate the new access arrangements and would allow the required 2.0 metres from the back of carriageway to the beginning of the slope.
- 8.40 As part of Phase 1, there are 101 car parking spaces proposed; 82 standard spaces, 10 disabled spaces and 9 EV spaces, 46no. cycle parking spaces and 1no. galvanised scooter rack to store 20no. scooters. Two no. coach spaces are also provided at the end of the internal access road and swept path analysis has been provided to ensure that there is sufficient turning space. It is proposed to provide ducting in the Phase 1 car park to convert 12no. standard parking spaces to EV charging spaces, should future demand indicate a need for more EV provision.
- 8.41 The Applicant initially proposed to introduce a raised table arrangement at the site access junction with Waterloo Road. The Local Highway Authority (LHA) consider that upon review of the off-site highway works proposals (set out within the supporting Transport Statement provided by the applicant), the LHA do not feel that a raised table at the junction into the development, would be necessary. The LHA would request instead that the existing speed cushions located along Waterloo Road (near the junction with Blackbird Close) are relocated instead, so that they are set an appropriate distance between the new access into the site and the proposed new zebra crossing. The above would be dealt with accordingly as part of a condition and the subsequent s.278 submission.
- 8.42 Taking the above into consideration, the Local Highway Authority make no objection to the proposals subject to the conditions and s.106 Planning Obligations to the value of £5,000 for Travel Plan Monitoring.
- 8.43 Drainage

As the proposed site exceeds 1ha in size, a Flood Risk Assessment has been submitted to support a planning application under Section 167 of the NPPF.

- 8.44 Both the EA's Flood Map for Planning and Telford & Wrekin's Strategic Flood Risk Assessment (SFRA) Phase 2 maps model the site as being entirely within Flood Zone 1 (Very Low Risk). Development of this site with a proposed use which is classed as 'Less Vulnerable' (outdoor recreation areas) is therefore appropriate.
- 8.45 The northern portion of the site contains two separate attenuation pond structures and a swale with under drained check dams. These drainage features at the North and East of the site consist of a swale and an attenuation basin which were installed as part of a Severn Trent Water/ Telford & Wrekin Council joint flood alleviation scheme. The scheme aimed to store urban rainwater runoff by taking it out of the public surface water sewer on Rock Road and storing it in the ponds, reducing rainwater running towards a flooding hotspot at the bottom of Rock Road. The existing attenuation basin in this location of the site is proposed to be relocated slightly to the west to accommodate the proposed access point.
- 8.46 The North Western attenuation basin was constructed during the initial plan to develop the site, ref.: TWC/2014/0777, and at the time of writing this has no inflows directed towards it. This feature was constructed with the intention that it would attenuate flows sourced from the field drainage of the sports pitches when they were installed.
- 8.47 Due to the impermeable clay soil types and steep topography of the site, a primary pitch drainage system is proposed to drain the sports pitches and prevent them becoming waterlogged and unusable in wet weather. The overall impermeable areas will be relatively low, consisting of the new vehicular access road, pavilion, 3G pitch drainage system and parking areas, while the rest of the runoff will be sourced from land drains installed in the grassed playing fields.
- 8.48 No new connections to surface water sewers should be required as there are already two existing outfalls constructed for the site. A new connection will need to be made to discharge foul waste from the pavilion to the existing public foul sewer. There are existing connections within the vicinity of the site and consent will be required via a separate application to STW. Due to the site layout the surface water drainage for the site will be split into two separate systems, neither of which will require additional attenuation to be constructed.
- 8.49 Infiltration drainage is unlikely to be possible owing to the soil conditions, however relevant infiltration tests should be carried out in order to determine the viability. If it is proved that soakaway drainage will not be a suitable method of surface water disposal, the rate of surface water discharge from the NW attenuation pond should be restricted to 17l/s.

- 8.50 There is additional opportunity to build the car park and access road out of permeable materials which will reduce the rate of runoff from the site and provide additional water quality treatment. This detail would be provided at Condition stage, subject to consultation with the LHA.
- 8.51 The LLFA are supportive subject to Condition(s) in respect to the detailed drainage design, SUDS management and drainage methods during construction. They state that the submitted design and modelling indicate that for Phase 1, the proposed drainage will contain the design flood event - 1 in 100 year plus climate change. Parts of the proposed infrastructure in Phase 2 may require modifications to reduce flood volumes. This would need to be covered within any future planning application for Phase 2.
- 8.52 Owing to the presence of the Severn Trent Water infrastructure (headwall) on site, they were consulted as part of this planning application however have provided no comment.
- 8.53 As such, the proposals are considered compliant with Local Plan Policies ER11 and ER12.
- 8.54 Land Stability and Contamination

The Application is accompanied by a Phase I and Phase II Site Investigations. The Council's Specialist Contaminated Land Officer has independently reviewed the submitted documents and is satisfied from a Contaminated Land perspective, subject to the imposition of Condition(s) concerning gas protection measures and verification measures.

- 8.55 The Application Site is located within a High Risk Coal Mining Area. The Coal Authority records indicate that the site lies in an area where recorded and possible unrecorded shallow coal mining has taken place. Records indicate that the site lies within the boundaries of a wider site from which coal has been extracted by surface (opencast) mining methods. Records also indicate the presence of mine shafts with and adjacent to the site.
- 8.56 The Coal Authority initially objected to the planning application due to concerns regarding the siting of the building over a buried opencast high wall and due to the implications posed by shallow coal mine workings to external parts of the site. The Applicant subsequently submitted a document responding to these matters raised by the Coal Authority.
- 8.57 The applicant acknowledges the presence of a buried opencast high wall on site and that the proposed pavilion would partly span this feature. They indicate that an alternative layout for the development was considered but was rejected due to operational reasons. They do, however, highlight that the building would be constructed with piled foundations to address the ground conditions present.

- 8.58 With regard to external parts of the site, the Applicant has clarified that the proposed car park has the same mining geology as the site of the proposed pavilion. As such, they are able to confirm that no remedial works are necessary with regards to past underground coal mining legacy.
- 8.59 The Applicant indicates that the artificial pitch, which would be designed and constructed by a specialist contractor, would comprise a sub-base over which sand and a playing surface would be created. They point out that there would be no building or other structure associated with this pitch.
- 8.60 On the basis of the above, the Coal Authority Withdraws its Objection, subject to the imposition of a Condition requiring a signed statement of safety (prior to occupation) and Informative(s) in respect to groundworks and shallow coal seams.
- 8.61 Owing to the topography of the site, the proposal is likely to require retaining walls. The extent of these features are not known until the Applicant undertakes a cut and fill exercise. It is therefore proposed that the detail of this is conditioned (together with finished ground and floor levels), and submitted prior to the commencement of any development on site.
- 8.62 The proposal is considered compliant with Policy BE9 of the TWLP, subject to Condition(s) and Informative(s).
- 8.63 Ecology and Trees

The application is accompanied by an extensive suite of ecological surveys as well as Lighting Impact Assessment/Plan and Soft Landscaping Strategies.

- 8.64 A PEA has been undertaken and identified habitats across the site, these included neutral grassland, mixed woodland, ponds, hedgerows and scrub. The scale of the site and mix of habitat present highlighted the need for further surveys to identify the use of the site by priority and protected species.
- 8.65 A Biodiversity Net Gain (BNG) report and metric have been submitted with this application in line with statutory national requirements. Across the phases of development to reach 10% BNG under current plans there is an overall habitat unit deficit of 5.51 units. There is a good proportion of on-site habitat unit offsetting proposed, but with the nature and scale of this development it does not satisfy the 10% gain requirement. The submission of the Biodiversity Gain Plan pre-commencement would outline how the development would deliver 10% net gain, in this instance likely with the purchase of some off-site unit compensation. While not requiring the 10% gain goal in habitat units, currently the development is looking at a BH 37.37% net gain for hedgerow units to be delivered on site. The specifics of delivery, maintenance, monitoring and management of this hedgerow delivery would also need to be

outlined in the Biodiversity Gain Plan. The delivery of reasonable, realistic and appropriate habitat creation and enhancement on development sites is key. Many high-distinctiveness habitats, particularly priority habitat types, are less suitable for creation in small areas and proposals would be expected to evidence how the proposed landscaping is suitable for the intended use of the site, can achieve the required habitat definition and condition within the set time period and can be appropriately managed in the long-term.

- 8.66 Surveys have been carried out for amphibian and reptile species across this site. A total of seven reptile survey visits were undertaken, however no reptile species were found during any of the surveys however a good population of common amphibian species, toads and frogs were found to be on the site. Furthermore, testing noted an absence of breeding GCN on this site. A pre-commencement Condition requests the submission of a Reasonable Avoidance Measures Method Statement (RAMMS) report to protect species, including amphibians and reptiles, through development works.
- 8.67 A total of six bat species were identified using the site for commuting and foraging purposes - no features for roosting bats were identified on the site. Overall low activity was recorded across the site, with more common species using the site and foraging/commuting along hedgerows (particularly the western boundary hedgerow), the woodland patch and ponds. The features most used by bat species are to largely be retained through development, preserving them for commuting and foraging use. A Lighting Plan and specification has been submitted with this application detailing low lighting levels on the western boundary with lighting features designed to minimise lighting spill from the formal pitch site to the east. Through the summer particularly the use of floodlighting should be as limited as possible to ensure the minimum of impact to bats - this Lighting Plan is proposed to be conditioned if planning permission is granted for this development.
- 8.68 A suite of Butterfly surveys were carried out across this site with particular focus on priority species Dingy Skipper and Small Heath, the former of which was identified on two out of four surveys on this site. The butterfly was found in an area of short, rabbit-grazed grassland surrounding a pond near the eastern entrance to the site and this area is to have some impacts through development as a road is brought in and the pond moved. Habitat enhancement through BNG should enhance and expand the grassland area around the pond used by the butterfly species as much as possible. Small Heath butterfly was identified on three out of four survey visits in longer grassed area to the west of the pond - much of this area is to be retained and enhanced through BNG landscaping and should provide continued habitat for this species to use. Scrub and grassland areas to be retained through development should be protected for use by butterfly species on-site as much as possible.

- 8.69 Breeding bird surveys identified twenty-five individual species. Song Thrush, Mistle Thrush and House Sparrow nesting sites were identified with Starlings also noted as nesting but activity suggesting nests off-site to the north as well. The retention of boundary hedgerow, scrub and grassland areas would continue to provide habitat for birds. BNG enhancement of the woodland area would also provide improved habitat for bird species. The installation of bird boxes has been included as a condition below to ensure additional nesting features for birds are available post-development.
- 8.70 A number of existing Trees are located to the north and west of the site which are proposed to be retained. A number of Trees to the south are also proposed to remain. Full details are unknown at this stage until the cut and fill exercise has taken place. The hedgerow to the east (alongside Waterloo Road) is proposed for retention, with the exception of the area proposed for the new access point. A number of trees in the south-eastern corner of the site are proposed to be removed to facilitate the development of the car park.
- 8.71 As the full extent of the tree loss is not fully known at this stage, the LPA recommend that a further assessment and replacement planting plan be submitted on completion of the cut and fill exercise.
- 8.72 The proposal is considered to be acceptable when assessed against Policy NE1 and NE2 of the TWLP, subject to Condition(s).
- 8.73 Other Matters
- Shropshire Archaeology have reviewed the proposals and have no comments to make on this application in respect of archaeological matters.
- 8.74 Shropshire Fields Association raise the matter of the management of the site. To support the Football Foundation's funding application for the 3G pitch, an external consultant has been appointed by the Applicant to develop a business case and a programme of use. Sustainable management of the facilities would be included in the business case, to ensure pitch sustainability and future maintenance. This funding bid is being undertaken alongside the planning application process and the Council are managing and in control of this process.
- 8.75 In respect of Phase 2, progression of this phase would be determined by the outcome of the new Playing Pitch and Outdoor Recreation Strategy (PPORS). The Council are currently in the process of undertaking consultation for a new PPORS which would demonstrate future facility needs, review is well under way with Winter Sports complete, Sport England as a statutory are aware and involved in the process.
- 8.76 The site has been fully secured with perimeter fencing and gated access. The main site access is also secured with a hanging post and latch entrance gate.



Public access to the picnic area is restricted and can only be accessed through the pavilion to avoid use by the general public in the late evening.

- 8.77 In respect to the comment on increasing levels of litter, this would be a matter of the end-user, once known. The end-user would provide and manage waste on the site.
- 8.78 In respect to the comment raised about Public Consultation, the LPA consults neighbours directly adjoining the site. As such, not all residential properties (e.g. if set back a street) would be automatically sent a letter. Notwithstanding this, the Planning Application has also been advertised through Site Notices. 3no. Site Notices, one on the northern, southern and eastern elevation. The Application has been extended to enable the Applicant to respond to the Sport England objection and for Sport England to be consulted again.
- 8.79 Other matters raised by the public, including loss of a view/value are not material planning considerations.

8.80 Planning Obligations

Any planning consent would be conditional on the agreement of a s.106 Agreement to secure the following (plus indexation):

- Travel Plan to the value of £5,000;
- Section.106 Monitoring fees to the value of £250

- 8.81 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 is part of the wider Sustainable Urban Extension of Lawley where the principle of the pitches and the pavilion were established. As the site for the pitches lies outside the red line of the Lawley SUE Application, a separate application was required for the pitches and any associated works. In 2014, application ref.: TWC/2014/0777, was Granted Planning Permission for engineering works to facilitate the future creation of sports pitches. The Site is located within the urban boundary of Telford and is defined within the Local Plan as a community facility. The proposals are considered to be compliant with spatial policies SP1, SP4 and community use policy COM1 of the TWLP.
- 9.2 Whilst a portion of the site is located within the Green Network, this area is proposed to be retained and enhanced by virtue of the BNG Plan and

woodland management plan, as such, the application is acceptable when assessed against Policy NE6.

- 9.3 The site layout is based on a new access formed from Waterloo Road. This access would rise as it enters the site, levelling out into a 101 space car park. The new pavilion is located between this new parking provision and the pitches and acts as a gateway through which visitors must pass, controlling access to the site. The proposed 11v11 3G Pitch is located centrally, on the southern boundary and the proposed 9v9 grass pitch located in the south-west corner of the site. The proposals have been subject to statutory consultation with Sport England, who are satisfied subject to a number of conditions and a Grampian Condition/Legal Agreement on any future (and separate) planning application at the Phoenix School Site to secure the delivery of this application and facilities.
- 9.4 In terms of residential amenity, the application has been accompanied by a Noise Impact Assessment and Lighting Plan and Assessment which has been reviewed by the Council's Environmental Health Specialist. It is concluded that there would be no adverse impact on the residential amenity of nearby residents, subject to appropriate Condition(s) and further assessments. It should be noted that the background noise levels within the vicinity of the site are considered higher than average owing to the presence of the road infrastructure (Waterloo Road, M54). Furthermore the topography of the site is set down from the residential development to the south and is buffered to the east and west by open land/car parking/Waterloo Road. Additional planting is also proposed on the southern boundary, between the 3G Pitch and the site boundary. 18no. large Tree species are proposed and 2no. medium Trees.
- 9.5 The Site is located within a High Risk Coal Area but has been subject to assessment and the Coal Authority are now satisfied with the proposals, subject to Conditions.
- 9.6 There are no technical objections from consultees (highways, drainage, ecology, geo-technical), subject to Condition(s), as listed below.
- 9.7 The proposal is therefore deemed to be compliant with the Telford & Wrekin Local Plan 2011-2031 and the guidance contained within the NPPF.

## **10. DETAILED RECOMMENDATION**

- 10.1 Based on the conclusions above, the recommendation to the Planning Committee on this application is that **DELEGATED AUTHORITY** be **GRANTED** to the Development Management Service Delivery Manager to **GRANT PLANNING PERMISSION** (with the authority to finalise any matter

including Condition(s), Legal Agreement Terms, or any later variations) subject to the following:

A) The Applicant/landowners providing a Memorandum of Understanding (MoU) Agreement relating to:

- i) Travel Plan to the value of £5,000;
- ii) Section.106 Monitoring fees to the value of £250

B) The following Condition(s) (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager):

**Condition(s):**

Time Limit Full

SEMP

Drainage – Surface Water

Drainage – Foul

SUDS Management

Drainage – Run Off

Details of Off-site Highway Works

Verification Plan (Ground Gasses)

Verification Report (Ground Gasses)

Retaining Structures Detail

Cut and Fill Details (including levels)

Arboricultural Assessment Update (levels)

Ecological Mitigation Strategy/Reasonable Avoidance Measures Method Statement

Sport England - Ground Conditions (Agronomy Report)

Sport England - Schedule of Playing Field Maintenance

Sport England - Management and Maintenance Scheme - 3G Pitch

Sport England - 3G Pitch Design and Construction

Sport England - Community Use Agreement

Woodland Management Plan

Noise Assessment (Sports Pavilion)

Noise Controls for Plant and Equipment

Details of Materials

Post Installation Lighting Assessment

Post-development Verification Report (Coal Mining)

Nesting/Roosting Boxes

Pre-commencement Badger Inspection

Landscape Management Plan

Travel Plan

Details of Sub-Station

Restriction on Number of Matches

Operational Hours (and Lighting)

Visibility Splays

Gates

Parking, Loading, Unloading and Turning  
EV Parking  
Cycle Parking  
Protective Fencing (Trees)  
Development in Accordance with Plans

**Informative(s):**

Coal Authority - High Risk Area  
s.278 Works  
Nesting Bird (Construction)  
Biodiversity Net Gain  
Replacement Planting  
Fire Authority  
Conditions  
Reason for Grant  
RANPPF2 Approval following amendments – NPPF