

TWC/2019/1042

Former Concrete Works, Lightmoor Road, Lightmoor, Telford, Shropshire
Reserved matters application for the erection of 52no. dwellings including details for scale, appearance and landscaping in pursuant to outline application
TWC/2016/0107 ****AMENDED PLANS RECEIVED****

APPLICANT

Jessup

RECEIVED

23/12/2019

PARISH

Dawley Hamlets

WARD

Horsehay and Lightmoor

THIS APPLICATION HAS BEEN CALLED TO COMMITTEE AT THE REQUEST OF CLLR JAYNE GREENAWAY.

Online planning file: <https://secure.telford.gov.uk/planning/pa-applicationssummary.aspx?ApplicationNumber=TWC/2019/1042>

1. SUMMARY RECOMMENDATIONS

- 1.1 It is recommended that **DELEGATED AUTHORITY** be granted to the Development Management Service Delivery Manager to **GRANT FULL PLANNING PERMISSION** subject to conditions and informatives.

2. SITE AND SURROUNDINGS

- 2.1 The site is located in the Lightmoor area to the south of Little Dawley, east of Aqueduct, north of Woodside and west of the new Lightmoor Village. The site is located approximately 3 miles from Telford Town Centre and 2 miles from Ironbridge.
- 2.2 The site is accessed from Lightmoor Road; is situated to the north of a HGV haulage yard; to the south of a number of self-build dwellings at 'Leasowe Green' and a Joinery Workshop and associated dwelling at The Poplars. Further north (approximately 200m) is a Scrapyard operated by Metal & Waste Limited. To the south Lightmoor Road leads to the A4169 Buildwas to A442 Queensway; to the north provides access to Little Dawley. A large swath of undeveloped woodland is located to the east of Lightmoor Rd.
- 2.3 The disused site is laid in a rough aggregate finish and is surrounded by a 2m high corrugated metal fence with established trees. There is significant elevated ground within the site with the northern area being 6m and the western area 10m higher than the relatively flat area in the middle / eastern part of the site. The topography of Lightmoor Road rises from the A4169 to Little Dawley.
- 2.4 A public right of way used to run from the centre of the site frontage on Lightmoor Road to the north-west corner of the site which falls within the

Green Network and Shropshire Wildlife Trust Wildlife Site. This footpath was re-routed along the northern corridor a number of years ago without consent and has recently been resurfaced. This will be formally diverted as part of the development process and will sit alongside a habitat corridor.

- 2.5 The site is located within 250m of a Landfill Site; covers areas of High and Low Risk from Coal Mining and is a Mineral Consideration Area for Clay (brickwork) and Sand & Gravel (superficial).

3. APPLICATION DETAILS

- 3.1 This application seeks reserved matters approval for the erection of 52no dwellings including details for scale, appearance and landscaping in pursuant to outline application TWC/2016/0107 ****AMENDED PLANS RECEIVED****.

- 3.2 The application is supported by the following documents:

- Design & Access Statement
- NDSS Compliance Statement
- Materials Visual Samples
- Habitat Management Plan
- Bat & Reptile Surveys
- Structural Clarification relating to the existing and proposed retaining structures
- Drainage Layouts and clarification on attenuation tanks
- Landscape Strategy Plan

- 3.3 Amended plans relating to the external design of the buildings, floorspace and garden requirements, the retaining walls and the ecological corridor to the north have been submitted during the course of the application. These were all submitted at the request of the Planning Officer and consultees.

4. PLANNING HISTORY

- 4.1 TWC/2016/0107 - Outline application for the erection of 52no. dwellings and associated access with all other matters reserved. Committee Decision: Grant Subject to S106 11/01/2017. Outline Granted 29/08/2017.
- 4.2 The site became a concrete works in 1975 continuing until 1993, and until recently has been used as an open storage yard. Although the site is currently unoccupied it has an extant B2 Business use.

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
 - NE1 Biodiversity and geodiversity
 - NE2 Trees hedgerows and woodlands
 - NE4 Provision of public open space
 - NE5 Management and maintenance of public open space
 - NE6 Green Network
 - COM1 Community Faculties
 - C1 Promoting alternatives to the car
 - C3 Implications of development on highways
 - C5 Design of parking
 - BE1 Design Criteria
 - BE9 Land stability
 - BE10 Land Stability
 - ER11 Sewerage systems and water quality
 - ER12 Flood Risk Management

6. NEIGHBOUR REPRESENTATIONS

- 6.1 The application has been publicised through a site notice and direct neighbour notification. Two stages of consultation have taken place, the second further to the receipt of amended plans as outlined above.
- 6.2 The Local Planning Authority received 9 neighbour representations, with 8 raising objection to the application. The following points were raised within the representations:
- Not a sustainable location;
 - Lack of public footpath;
 - No pedestrian access to any shop/school/public transport;
 - Insufficient details regarding the management and maintenance of SUDS/attenuation;
 - Alternative footpaths are unlit and through woodland;
 - No provision of open space for residents; no play area or village green;
 - Concern of tree removal;
 - Queries over GCN protection;
 - Waste litter;
 - Local roads unable to cope with additional traffic;
 - Speed restrictions concerns.
- 6.3 It should be noted that this is a reserved matters planning application whereby the principle of development has been deemed acceptable and the

location/scale of development considered to be sustainable based on the conditions and signed S106 associated with the outline consent. This recommendation was granted by Committee in 2017.

- 6.4 Other matters raised by neighbour representations are discussed below in the appraisal. However, this application seeks to consider matters relating to layout, scale, appearance and landscaping only.

7. STATUTORY REPRESENTATIONS

- 7.1 Dawley Hamlets Parish Council – **No comment.**

- 7.2 Cllr Jayne Greenaway – **Objection**
Insufficient details regarding Drainage, concern over retaining structures and future maintenance/management, Impact on trees/woodland, Waste/litter not been considered; lack of children play facilities, concern over Lightmoor Road – lack of footpath and national speed limited; site completely unsustainable due to lack of facilities and connectivity.

A number of the concerns raised have been addressed and discussed with Cllr Greenaway but it is understood that concerns relating to drainage and the proposed pedestrian splitter on the A4169 remain. These matters are discussed further below.

- 7.3 Highways, Ecology, Healthy Spaces and Drainage – **Support:**
Subject to conditions below and the satisfactory discharge of those included on the outline consent.
- 7.4 Shropshire Fire Service – **Comment.**
As part of the planning process, consideration should be given to the information contained within Shropshire Fire and Rescue Service’s “Fire Safety Guidance for Commercial and Domestic Planning Applications” document.
- 7.5 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:
- Impact on Highways/ Connectivity
 - Slope Stability, Coal Mining and Contaminated Land

- Flood Risk and Drainage
- Impact on Green Network / Local Wildlife Site / Ecology
- Other matters

8.2 It should be noted that this is a reserved matters planning application whereby the principle of development has been deemed acceptable and the location/scale of development considered to be sustainable based on the conditions and signed S106 associated with the outline consent. This recommendation was granted by Committee in 2017.

8.3 Impact on Highways/ Connectivity

8.3.1 The outline approval was subject to an off-site highway works condition for the provision of a pedestrian footway from the site leading to the existing network on the south side of the Ironbridge Bypass. This includes amending an existing splitter island to provide a minimum 2m width uncontrolled tactile crossing point to connect to the existing facilities opposite, as an improvement to the current situation. The outline approval is also subject to a S106 contribution towards the implementation of a speed restriction TRO from 60mph to 40mph along Lightmoor Road. The matter of access and subsequent requisite off-site mitigation package was considered and conditioned at the outline planning stage and is not for consideration at this stage.

8.3.2 The Local Highways Authority have confirmed that they raise no objection to the scheme subject to conditions, as listed below and set out in the outline planning permission.

8.4 Slope Stability, Coal Mining and Contaminated Land

8.4.1 These are all matters which were considered at outline stage and appropriate pre-commencement conditions imposed.

8.4.2 A Ground Investigation Report supports the reserved matters application and concludes that:

- Rotary probe holes investigated the presence of coal seams and/or old working. Only one hole recorded broken ground with loss of flush but based on the spacing of the boreholes and the historical workings on site, it was recommended that a scheme of proof drilling and grouting across all plots would be most cost effective;
- Excavation of soils should be achievable with conventional hydraulic equipment albeit trench support may be required in areas where made ground or granular soils are encountered. A number of concrete obstructions were found around the site, ranging in depth.
 - o At the north-west of the site, concrete of 0.2-0.5m thickness was found and further concrete cobble obstructions found at 1.9-2.3m depths. Site levels will be reduced in this area and the breaking out/removal of the concrete slabs required to facilitate a cut and fill exercise;

- o At the north of the site, concrete of 0.2m thickness was found and further concrete cobble obstructions from 0.1-1.75m depths. In this area, levels are expected to be raised by 1.0-2.0m and the breaking out/removal of the concrete slabs required prior to the raising of levels;
- o At the south-west of the site, a continuous concrete slab was present and further concrete encountered at depths of 3.10-3.80m. There is likely to be extensive buried obstructions between 2.5m and 3.5m.
- Based on the site observations significant groundwater is unlikely to be encountered at typical excavation depths. It is considered that groundwater may be encountered at the depths of excavation required should trench fill foundations be adopted. If groundwater is encountered, sump pumping techniques should be adequate to control any ingress. If groundwater is encountered foundations should be poured or the formation horizon blinded immediately after excavation to reduce the risk of softening of the formation horizon by ingress of water.
- No slope stability issues are present and therefore no significant retaining structures are required for slope stability, only those shown on the proposed site layout to cater for localised level changes across the site;
- The site is not suitable for soakaway drainage due to the thickness of made ground and as such, attenuation tanks are required;
- Suspended floor slabs will be required for the proposed residential properties due to the thickness of made ground;
- Traditional foundation solutions will not be feasible due to the thickness of made ground. As a general rule, piled foundations will be utilised however, if there are any areas identified as requiring mineworking stabilisation (following on-site proof drilling and grouting), an alternative foundation solution of vibro-ground improvement would be considered the optimum solution. A scheme of full thickness vibro-ground improvement with reinforced strip footings would be applicable where made ground thicknesses are less than 12m and the columns can bear on the underlying natural soils. Where made ground thicknesses are in excess of 12m, a scheme of partial thickness treatment with raft foundations would be required. The plots requiring full or partial treatment is illustrated on drawing B19326-715 in Appendix A of the Ground Investigation Report and relate primarily to those properties on the northern, southern and central part of the site; around 50% of the properties.
- Further investigations are required for gas monitoring and an assessment of the results of the proof drilling and grouting to determine the extent of any mine workings to allow consideration of the appropriate foundation solution as set out above. The gas monitoring will be conditioned accordingly.

8.4.3 The applicants have utilised the Ground Investigation Report to undertake a formal assessment of the site and consider whether it was suitable and viable for redevelopment before committing to submitting their reserved matters application. It is on the basis of this report that the application has come forward through the applicants, Jessups. As such, the site has been adequately assessed by a competent person(s) and with appropriate mitigation, is suitable for development in accordance with para 178 of the NPPF.

- 8.4.4 Para 179 of the NPPF further advises that *“Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner”* and as such, the Council are satisfied that the site is suitable for its proposed use taking account of ground conditions.
- 8.4.5 The Coal Authority have raised no objection to the proposal on the basis that the proposed layout appears to avoid the recorded mine entries across the site and the coal mining legacy issues are able to be addressed as part of the discharge of conditions application for conditions of the outline consent.
- 8.4.6 In regard to the retaining walls, the applicant advised in an email of the 4th September 2020, that the management will be undertaken by a formal management arrangement. Their structural engineers have advised that structurally there won't be any typical maintenance, however the walls should be inspected every 5 years by a structural engineer to report on the condition. Any damage must be reported to the person responsible and inspected immediately. This statement applies to all the retaining walls on the site and will be detailed in full in any subsequent management plan.

8.5 Flood Risk & Drainage

- 8.5.1 The principle of flood risk was considered at outline stage and appropriate conditions imposed on the outline consent to secure an appropriate foul and surface water drainage scheme.
- 8.5.2 The applicants are not seeking to discharge those conditions at this reserved matters stage, but as part of a later discharge of conditions application. However, for the avoidance of doubt and in response to concerns raised by the Local Member, drainage layouts have been submitted. During the course of the application, the location of the proposed tanks was altered as they were firstly located too close to the residential properties to allow appropriate management but this has subsequently been amended.
- 8.5.3 The applicants have confirmed that the single proposed attenuation tank (located between plots 3 and 5) is *“sufficiently sized to accommodate surface water from all storm events up to and including the 1 in 100 year return period with an allowance of 40% for climate change. By having the single tank and the connection moving upstream from where the two tanks were connecting, this has helped to reduce the top water level slightly and in turn, reduce the storage”*.
- 8.5.4 In terms of the drainage relating to the existing and proposed retaining walls, a notation is added on the drainage layout which confirms that *“Drainage to all non-permeable retaining walls will consist of a perforated 100mm land drain surrounded in free draining granular material with weep holes at 1.2m ctrs. There won't be any typical maintenance although, I would suggest that they are inspected every 5 years by a structural engineer to report on the condition. Any damage must be reported to the person responsible and*

inspected immediately as above. This statement applies to all the retaining walls on the site”

8.5.5 All of these matters have been discussed and agreed in principle with the Council's Drainage Officer and found to be acceptable for this reserved matters application. A full detailed foul and surface water scheme is to be submitted and assessed as part of any discharge of conditions application.

8.6 Impact on Green Network / Local Wildlife Site / Ecology

8.6.1 The impact on the Green Network was considered at outline application stage and considered to be acceptable and it is not necessary therefore to repeat the considerations given in the 2017 Committee Report.

8.6.2 The submission has been considered in detail by the Council's Ecology Officer and found to be acceptable following receipt of a revised Landscape Strategy Plan.

8.6.3 There are still a number of updates and finer details that are needed in relation to Great Crested Newt (GCN) translocation and the Habitat Management Plan needs to be updated to better accord with the revised Landscape Strategy. As such, we have agreed with the applicants that condition 24 of the outline consent (relating to a 20 year Habitat Management Plan) will be carried forward as a pre-commencement condition to allow the additional details and updated surveys to be incorporated.

8.6.4 Condition 23 is yet to be discharged which requires an ecological mitigation strategy and reasonable avoidance measures method statement with respect to reptiles and GCN. Additionally, the outline consent secured a £10,000 contribution towards the creation of alternative reptile habitat within Lightmoor Reserve.

8.6.5 It is therefore considered that on balance, taking account of the conditions which must be discharged prior to commencement, the agreed S106 contributions and under the general principles of the Landscape Strategy Plan, that the Council's Ecology Officer is satisfied that reserved matters can be approved.

8.7 Open Space/Play Provision

8.7.1 Concerns were raised by the Local Member and neighbour consultations with respect to the lack of provision of open space for residents; with no on-site play area or village green.

8.7.2 These matters were also considered and agreed at outline stage. Whilst the site will not provide on-site facilities, an existing PRoW to the north of the site (which will be formalised by the applicants as part of this development) will provide improved connectivity to the local area and the development itself will make the following contributions to local provisions, which was secured by S106 at outline as follows:

- £600 per dwelling towards enhancement of the existing children's equipped play facilities in Lightmoor Village.
- £600 per dwelling towards sport and recreation facilities in Lightmoor Village.

8.7.3 The proposed ecological buffer to the north and north-west of the site is intended to be transferred to Shropshire Wildlife Trust. Negotiations are still ongoing and will form part of the Habitat Management Plan conditioned to this decision.

8.8 Trees

8.8.1 The application has been assessed by the Councils' Tree Officer who has no objection subject to the discharge of the conditions imposed on the outline consent.

8.9 Noise

8.9.1 The outline application was supported by a Noise Report and the mitigation measures set out in that report have been followed through to the proposed site layout plan (drawing no 1934.10.P14) with a replacement 2.9m acoustic fence along the southern boundary (replacing the existing 3.0m fence) and all elevations facing the south and east (Lightmoor Road) boundaries to receive acoustic glazing to provide sound reduction > 28dB (A) plus acoustic trickle vents.

8.10 Design

8.10.1 In terms of living conditions for future residents, in particular conformity to the Nationally Described Space Standards (NDSS) 37No. dwellings are between 90% and 98% compliant with the standards, 14No. dwellings are 88% compliant and 1No. dwellings, being the 2bed 5person bungalow, exceeds the standards.

8.10.2 In accordance with Policy HO4 of the TWLP, the Local Planning Authority requires all new developments to be fully compliant with the NDSS provided it does not threaten the viability of the development overall. In this regard, the applicant has advised that full compliance with the standards would adversely affect the viability of the development and this has been verified by an Independent Assessment of the viability appraisal. In order to offset this shortfall, at the request of the LPAs Housing Officer, the proposals have been amended to confirm that:

- 2No. bungalows will be designed to accord with M4(2) Category 2 of the building regulations and;
- The four-bedroom house was swapped for a 3bed 5person bungalow to achieve M4(3) Category 3 of the building Regulations, wheelchair adaptable standard to help meet the identified needs of the Borough as outlined in the

emerging 'Specialist Housing Strategy.' And meet higher accessibility standards;

- In addition, a number of the properties have been revised to accord with the lower thresholds of their respective housetype as set out below.

8.10.3 The scheme currently provides:

- 2b3p (1storey bungalow) is 59.7sqm (2 units)
NDSS requirement is 61sqm – therefore 98% compliant.
- 2b4p (2storey dwelling) is 69.32sqm (14 units)
NDSS requirement is 79sqm – therefore 88% compliant
However, 2b3p NDSS requirement is 70sqm, so scheme comparable to this.
- 3b5p (2storey dwelling) is 84.0sqm – 84.23sqm (35 units)
NDSS requirement is 93sqm - therefore 90 – 91% compliant.
However, 3b4p NDSS requirement is 84sqm, so applicants were asked to meet this as a minimum.
- 3b5p (1storey bungalow) is 130.74sqm (1 units)
NDSS requirement is 86sqm – therefore 100% compliant.

8.10.4 Taking the above individual circumstances of this brownfield site into consideration, whilst not fully compliant with the NDSS, the development will provide a mix of housing including bungalows for people with physical disabilities and has increased compliance so that all properties comply with the lower thresholds for that housetype (i.e. 2bed, 3 bed). Therefore, on balance, the proposal is considered to be acceptable in terms of space standards.

8.10.5 All of the properties were amended at the early stages of the application so that they meet the Council's garden amenity standards.

8.10.6 In terms of house designs, the applicants are proposing a unique house design with alternative material palette. They have not sought to replicate existing local vernacular, which is in fact an array of house designs and key features, but instead offer something bespoke to this site. The proposal seeks to combine a sense of the local character and heritage of the area, with a nod to the sites former industrial use, to create a new bespoke design.

8.10.7 Whilst specific materials have not yet been put forward for consideration, the elevations show a primary facing brickwork of rustic quality with a mix of red and greys/blues. Sitting amongst these primary façades are random areas of contrasting black brickwork and courses of recessed black brickwork which wrap around the corner of properties. It is considered that this use of materials will look visually appealing and quite striking when set against the backdrop of the surrounding landscaping.

8.10.8 A number of streetscenes support the application to demonstrate how the change of levels will be adapted into the layout which helps to provide some

variety of rooflines and the placement of turning corner plots to add architectural interest.

- 8.10.9 The Council are satisfied that the level of design achieved for this site is of high quality and is complimentary to the character of the local area and sites history.

9. CONCLUSIONS

- 9.1 Outline planning permission was granted under planning permission TWC/2016/0107 for up to 52 dwellings including details of access. This application was subject to a number of S106 contributions to make this brownfield site sustainable in its context. This reserved matters applications seeks only to determine matters of scale, landscaping, layout and appearance, taking account that a number of conditions imposed on the outline application are to be discharged prior to the commencement of works.
- 9.2 It is considered that matters relating to scale, layout, landscaping and appearance have all been satisfactorily addressed as part of this application. Matters raised by the Local Member and neighbour representations have all been considered and discussed above and it is considered that these matters have been addressed adequately either as part of this application or the former outline application.
- 9.3 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 **APPROVE RESERVED MATTERS** subject to the following:

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

B142 Habitat Management Plan
C013 Parking, Loading & Unloading
C022 Landfill Gas Monitoring – Foundation Design
C038 Development in accordance with plans
C091 In accordance with Landscape Strategy Plan

Informatives:

I08 S278 License
I09 Diversion of PROW

117a Coal Authority – High Risk Area
I32 Fire Authority
I34/I34a Outline Conditions
I40 Conditions
I41 Reason for Grant
RANPPF2 Approval following amendments – NPPF
ICustom – Retaining Wall Inspection