

TWC/2016/0816

Royal Victoria Hotel, St Marys Street/16 & 17 Water Lane, Newport, Shropshire
Conversion of hotel into 7no. Apartments, two and three storey rear extension to hotel, erection of 21no. terraced dwellings with associated parking and landscaping and the demolition of 16 and 17 Water Lane

APPLICANT

Town Centre Properties (UK) Ltd

RECEIVED

06/09/2016

PARISH

Newport

WARD

Newport North and West

OFFICER Matthew Thomas

NEWPORT TOWN COUNCIL HAS REQUESTED THAT THIS APPLICATION BE DETERMINED BY MEMBERS OF THE PLANNING COMMITTEE

OBJECTIONS RECEIVED: YES

1.0 THE PROPOSAL

- 1.1 This full planning application seeks permission for the conversion of The Royal Victoria Hotel in Newport into 7no. apartments (2, 3 & 4 bedroom) together with the construction of 21no. terraced houses (2 & 3 bedroom) on land to the rear of the hotel building between St Mary's Street and Water Lane. The proposals entail the demolition of the non-heritage parts of the hotel building and their replacement with new two storey rear extensions, the demolition of No's 16 & 17 Water Lane together with the construction of parking areas and un-adopted highways to serve the proposed development.
- 1.2 The proposals have been subject to amendments during the course of this planning application including changes to the exterior designs of the proposed extensions to the Grade II listed building and replacement cottages fronting Water Lane as well as access and highway revisions. The Royal Victoria Hotel is a Grade II Listed Building and therefore a corresponding Listed Building application was submitted to the Council and approved on 1st February 2017.
- 1.3 The application is supported by a suite of drawings and the following supporting documentation:
- Design & Access Statement
 - Planning Supporting Statement
 - Heritage Impact Assessment
 - Ecological Appraisal
 - Arboricultural Appraisal
 - Highways & Drainage Statement

2.0 SITE AND SURROUNDINGS

- 2.1 The application site is situated between St Mary's Street and Water Lane within the Newport town centre and Conservation Area. The site measures approximately 0.33ha and comprises the Grade II Listed Royal Victoria Hotel (now closed), its car park, two cottages situated to the north of the car park fronting Water Lane and an area of garden situated to the west of the hotel.
- 2.2 The three storey hotel is believed to date from c1830 and features a 5 bay formal frontage with sash windows to the St Mary's Street. There is a recessed doorway to the front elevation with stone pillars either side. Iron railings are found either side of main entrance and an original metal hanging sign in the form of the vintner's emblem hangs above. To the rear of the hotel are a number of single storey and two storey late C20 extensions.
- 2.3 The site falls away gradually in a northerly direction from St Mary's Street to Water Lane. Boundary treatment comprises predominantly of red brick and sandstone walls. There are a small number of trees to the rear of the site, located primarily within the curtilage of the existing residential cottages. Since the closure of the hotel (over 2 years ago), the large car park to the rear of the hotel has been operated as a hand car wash following the approval of temporary planning permission in 2016.
- 2.4 The application site is located centrally within the town, opposite the Saint Nicholas Church (also Grade II Listed) where there is a range of services and facilities including public transport hubs, a wide variety of shops, primary and secondary schools, employment opportunities, restaurants/pubs and the Victoria Park is situated to the rear of the site on Water Lane.

3.0 RELEVANT PLANNING HISTORY

- 3.1 TWC/2016/0815 – Demolition of rear extension and conversion of hotel into 7no. Apartments – Listed Building Consent Granted (01/02/2017)
- 3.2 TWC/2016/0417 – Temporary change of use of car park to hand car wash for 1 year (Sui Generis) (Retrospective) – Full Granted (05/07/2016)

4.0 PLANNING POLICY CONTEXT

- 4.1 National Planning Guidance:
National Planning Policy Framework
- 4.2 Core Strategy:
CS1 Homes
CS6 Newport
CS9 Accessibility & Social Inclusion
CS10 Community Facilities
CS14 Cultural, Historic & Built Environment
CS15 Urban Design

- 4.3 Wrekin Local Plan:
- UD2 Design Criteria
 - H6 Windfall Sites in Telford & Newport
 - H22 Community Facilities
 - H23 Affordable Housing
 - T22 Planning Obligations
 - LR6 Developers Contributions to Outdoor Recreational Open Space Provision within New Residential Development
 - HE3 New Development in Conservation Areas
 - HE8 Change of Use and Upper Floor Conversion
 - HE16 Alterations & Additions to Listed Buildings
- 4.4 Telford & Wrekin Local Plan (Submission Version)
- SP2 Newport
 - COM1 Community Facilities
 - BE1 Design Criteria
 - BE4 Listed Buildings
 - BE5 Conservation Areas

5.0 SUMMARY OF CONSULTATION RESPONSES

Standard consultation responses

- 5.1 Newport Town Council: Object subject to conditions
- Development on Water Lane has long been the aspiration of the Town Council (TC) as such the redevelopment of a brownfield site is welcomed however disappointed to see that 2 cottages are to be demolished and replaced with modern structures
 - TC are disappointed that applicant did not consult them on proposals
 - Lack of affordable housing provision – proposal is contrary to local policy
 - Concerns regarding lack of on-site car parking and impact this might have on surrounding roads/Victoria Park car park. New residents will require use of vehicle due to lack of public transport. Negotiation should take place to provide alternative parking within the town
 - TC wish to see a public pedestrian access between St Mary's Street and Water Lane as previously established
 - Concerns regarding highway safety – access appears to be inadequate proportion to accommodate emergency vehicles, refuse vehicles etc and what impact this might have on traffic movement
 - No provision of footway or security lighting for future residents
 - Loss of the use of the building as a hotel in a prominent town centre location – proposal would detrimentally change the character of the area
 - Whilst façade of the building is to be retained it will be lost as a working 'Listed Building' and become no more than a superficial structure
 - There are no other suitable sites within the town to accommodate a hotel
 - Royal Victoria is considered to be an iconic building in the centre of the town and in the heart of the conservation area – the only remaining cobbled street in town. Previously had strong connection with community groups (rotary, round table, chamber of commerce) and proposal will result

in a loss of trade and retail as well as associated employment and overall sustainability and viability of the town

- Building is Grade II Listed and little regard to the internal heritage seems to have been given within the proposals
- Consideration needs to be given to the re-use of original materials and new materials to safe guard the historic value of the building

5.2 Highways: Comment (on original scheme)

- The Local Highways Authority has previously advised that there should be no vehicular access onto St Mary's Street – pedestrian only – access is substandard and preference to a two way access of Water Lane
- Visibility splay isn't achievable at the Water Lane junction – part of the splay goes through 3rd party land
- If visibility splays aren't achievable, traffic calming measures should be introduced along Water Lane to bring speeds down
- Clarification required to how proposed gates would operate within the 'shared surface' to avoid stopping pedestrian movement from St Mary's Street to Water Lane
- Access road off Water Lane is inadequate – currently 4m wide but should be 5m wide for a minimum distance of 5m back to allow 2 vehicles to pass

Following receipt of amended plans the following updated response has been received – No objection subject to the following conditions:

- Details of off-site highway works
- Parking, loading, unloading & turning
- Visibility Splays (2/4m x 43m)
- Access drive bound material
- Include highways informative

5.3 Drainage: Support subject to conditions

- Scheme for foul and surface water drainage
- SUDS Management Plan

5.4 Built Heritage Conservation: Object (on original scheme)

- Proposed extension is wholly unacceptable – whilst the removal of some later additions are acceptable the overall design bears no relation whatsoever to the existing character of the Grade II Listed Building in either design or massing, being a rather monolithic flat roof structure. The doubling of the footprint/massing fails to create any subservience to the main listed frontage which should be given due prominence
- The Design & Access Statement fails to address the matter of design and why the proposal is considered to be acceptable. The finish is bland and repetitive and the use of mock stone cill surrounds creates very heavy window apertures which aggravates the sense of repetitiveness and is reminiscent of post-war neo-classical but with some subtleties of that style
- Scale/massing and design of the proposed extension is harmful to the appearance of the LB. Some of the internal walls are to be removed and

no accompanying detail to explain how this will then be supported and no accompanying schedule of works

- Proposal seeks to demolish the 2 remaining traditional dwelling that still front Water Lane – existing housing stock along Water Lane is vulnerable to piecemeal erosion and should be preserved where possible to retain something of the flavour of the historic street which has been badly affected by post war industrial and commercial alterations/developments
- Other recent approvals for redevelopment have sought to retain a street front presence – this scheme seeks to create a more private development looking away from Water Lane – presence of gates aggravate this
- Concern that the creation of 20 dwellings in the curtilage gives little setting, if any, to the LB. No options appraisals or costing's that may offer justification of need for such a large development and encroachment. Extent of development to the rear leaves almost no private amenity and the immediate surrounding made up of hard landscaping with little relief

Following receipt of amended plans the following updated response has been received:

- Further to on-going discussions regarding the revisions of the proposed design, specifically to the main extension and to the cottage fronting Water Lane, the design has been resolved sufficiently as to be acceptable. The details submitted to support the application have also been addressed. The scheme now presents as a modern approach to an extension (pastiche would have been unacceptable), without being too overbearing, the revisions break up the massing. The palette of materials is complimentary. The revisions to the cottages present a more traditional approach, appropriate at this scale within the conservation area. Subject to the following conditions, support is now offered for the proposals:
 1. Bricks have been identified however samples panels required
 2. Section for windows and doors to be submitted – windows to the Water Lane frontage to be timber
 3. Details of external services
 4. Schedule of window repairs to the St Mary's Street frontage to be agreed with the LPA prior to commencement of repairs

5.5 Parks & Open Spaces: Comment

- Contribution of £600 per dwelling towards making improvements to/ maximising facilities within the adjacent Victoria Park
- Landscaping plan and Management plan should be conditioned

5.6 Education: Comment

- £49,008 primary school contribution to be allocated towards Newport Infant – kitchen and associated enhancement
- £23,062 secondary school contribution to be allocated towards the Burton Borough – Music Block works

- 5.7 Archaeology: Comment
- The proposed development site lies within the medieval settlement of Newport within a group of tenement plots to the east side of High Street
 - Heritage Impact Assessment submitted does not assess the potential direct impact on the archaeological resource
 - Recommend that an archaeological field evaluation of the application site be undertaken prior to the planning application being determined to locate and assess the extent, survival and significance of any archaeological remains within the site
- 5.8 Ecology: Support subject to conditions
- External Lighting Plan and nesting wild birds informative
- 5.9 Shropshire Fire Service: Comment – include Fire Authority informative
- 5.10 West Mercia Police: Comment – condition Secure by Design (SBD)
- 5.11 Newport & District Civic Society – Object
- Object to failure to provide any affordable dwellings – T&W are considerably behind the target figure of 35% affordable homes for Newport – application site is ideal for provision of affordable dwellings
 - Discussions should take place with ‘Nuplace’ regarding diversion of part of the funds from the Springfield’s application and invest in the housing on this application – better value for its money
 - Why are the cottages to be demolished – why can’t they be refurbished?
 - Lack of on-site car parking – pressure on council owned car park opposite
 - Clarification required as to the right of way across the car park from Water Lane to St Mary’s Street
 - Ground floor of hotel should be retained for commercial and/or restaurant use – current proposal threatens to change even more the commercial viability of this end of the High Street
 - Lack of public pre-application/consultation
- 5.12 Newport History Society – Object
- Hotel is hugely significant for the history of Newport as a ‘Royal’ hotel following the visit of Princess Victoria in 1830
 - Hotel has been called ‘Newport’s best building’ and it has been given Grade II listing
 - Many civic occasions have been hosted at the hotel – the ballroom with its sprung floor was in existence in 1855
 - The original part of the building must be retained in its entirety as well as the route between St Mary’s Street and Water Lane
- 5.13 Newport (Shropshire) & District Chamber of Commerce – Support
- Chamber members understand the hotel with its accommodation is no longer a viable business and although the developer considered a conversion of the existing basements for commercial/restaurant use this was subsequently found to be a non-starter as further excavation would likely destabilise the Grade II Listed Building

- Members are keen to see the scheme go ahead otherwise the building will be left derelict getting worse by the day
- Hotel has been vacant for over 2 years and has recently been the subject to vandalism and break ins with theft of some of the remaining antiquities
- Proposal will increase the town centre living accommodation as well as increasing the footfall to local shops with benefits to the local economy

Neighbour consultation responses

5.14 Following two rounds of neighbour consultation the following responses were received (issues raised are summarised):

Objections – 4 letters of objection

- Loss of residential dwellings as a result of proposed demolishing of No's 16 & 17 Water Lane
- Existing cottages on Water Lane blend into and enhance their setting
- Concerns regarding continued access for fire escapes for Newport Youth Café (139 High Street)
- Lack of adequate parking – overflow will be taken up by the Water Lane car park – already an issue in Newport
- Footpath connecting St Mary's Street with Water Lane should be retained
- Overdevelopment of the site – developers wishing to maximise profits

6.0 PLANNING CONSIDERATIONS

6.1 Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires that planning applications must be determined in accordance with the adopted development plan unless material considerations indicate otherwise. The Development Plan comprises the “saved” policies of the Wrekin Local Plan (WLP) and the Telford and Wrekin Core Strategy (CS). The National Planning Policy Framework (NPPF) is also a material planning consideration.

6.2 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
- Conversion of hotel/loss of community facility
- Impact on the character of the area (including heritage considerations)
- Impact on the living conditions of neighbouring properties
- Highway considerations
- Developer Contributions/Affordable Housing
- Other Matters

Principle of development

6.3 Relevant to the determination of this planning application is the Development Plan consisting of the Wrekin Local Plan (WLP) and Core Strategy (CS) together with the guidance of the National Planning Policy Framework

(NPPF). The Telford and Wrekin Local Plan (TWLP) is now also a material consideration. In accordance with paragraph 216 of the NPPF this is to be given weight in considerations as it has been written to be consistent with the NPPF and is in an advanced stage of publication.

- 6.4 At a local level, policy CS1 of the CS aims to provide every household in the Borough with an affordable, decent and appropriate home with the type, size and tenure of new and improved homes to meet local need and be delivered in a way that creates locally inclusive sustainable communities. Policy CS6 states that development in Newport should support its role as a market town and respect and enhance the quality of the town's built and natural environments. Meanwhile Policy SP2 of the TWLP advises that the plan supports the delivery of approximately 1200 net new homes in Newport up to 2031 whilst policy BE1 advises that the Council will support development which will respect and respond positively to its context, demonstrating an integrated design approach and respecting its landscape setting.
- 6.5 The application site falls within the 'windfall sites' as allocated under the WLP. Policy H6 of the plan states that housing development will be permitted on land under 0.4 hectare when the site can be adequately accessed and parking provided, the site can be adequately drained and when the Council is satisfied that there are no concerns over land stability or contamination. Furthermore, developments should not have an adverse impact on the local environment and should show a high quality of design. Development sites should also be situated in close proximity to district or local centres or within 400m from a bus route with regular services.
- 6.6 The NPPF advises at para.49 that 'housing applications should be considered in the context of the presumption in favour of sustainable development' and encourages Local Planning Authority's to deliver a wide choice of high quality homes identifying the size, type and range of housing that is required in particular locations. The guidance seeks the development of brownfield land first and gives weight to strong designs; advising LPA's to refuse development of poor design which fails to take the opportunities available for improving the character and quality of an area and the way it functions. Paragraph 7 identifies three dimensions to sustainable development; an economic role, a social role and an environmental role. The consideration of the application against each of these is as follows:
- Economic role
In terms of the economic dimension of sustainable development the proposal is for residential development on a site within Newport Town Centre, a settlement that is a focus for development in this part of the Borough. The development will therefore make a contribution to the local and national housing supply by supporting housing targets. The scheme will also contribute to the local economy through increased custom for local businesses and will create additional jobs during construction. It is recognised that the redevelopment of the site would result in the conversion of a former Hotel to residential apartments. Whilst this is a loss of a community/commercial/tourist use the hotel is vacant and no longer

viable, detracting from the centre's vitality, viability and attractiveness. Para.22 of the NPPF recognises that sites should not be protected for employment uses where there is no realistic prospect of the site being used for that purpose.

- Social role

The proposed development would deliver a range of social benefits including the provision of open market dwellings with a mix of types to meet market trends and the needs of different groups in the community. Financial contributions will be provided towards local education facilities and recreation together with highway improvement works in the form of traffic calming measures. Residential developments in town centres can also help maintain the vitality of the town centre especially in the evenings when shops close.

- Environmental role

The development site is a previously developed site comprising of vacant buildings and associated hard-standing within Newport town centre and is of limited ecological value. Given the development's location within the town centre, in close proximity to the settlement's range of services and facilities, the scheme will promote non-car modes of travel thereby ensuring that natural resources are used prudently and assisting the move to a low carbon economy. In addition, the proposals will help maintain the character and appearance of the Newport Conservation Area as well as securing the preservation of an important listed building and prevent further deterioration.

- 6.7 Taking the above in to regard, subject to further consideration to the proposed loss of a community facility, local heritage, impact upon the character of the area and living conditions of neighbouring properties together with other relative issues, the LPA is satisfied that the development is acceptable in principle as it represents a sustainable form of development, which is the golden thread of the NPPF.

Conversion of hotel/loss of community facility

- 6.8 Policy CS10 of the Core Strategy states the loss of existing buildings used for the benefit of the community will be resisted. Only where a lack of need is demonstrated or where acceptable alternative provision exists or is proposed concurrently, will development for non-community uses be considered. This is further endorsed in the National Planning Policy Framework which advises Local Planning Authority's to 'guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs'. This policy is echoed in policy COM1 of the Telford and Wrekin Local Plan which seeks to retain community facilities unless a lack of need has been demonstrated or an acceptable alternative is proposed.
- 6.9 Supporting information has been submitted with this application which advises that the future of The Royal Victoria Hotel has been in doubt for a number of

years, having closed in 2014. The Hotel reopened for a short period in the summer of 2015 however it subsequently closed and has remained empty ever since. The trading history and future viability of the Hotel is detailed within a supporting letter from Morgan & Jones Accountants (dated December 2015) which details the deterioration in both turnover and profitability despite significant investment in the premises and concludes that the hotel does not have a viable future even if '*new owners spent major sums on the hotel, backed up by a major advertising budget*'.

- 6.10 Having assessed the supporting information, the LPA considers the proposed development would deliver an alternative use for the Hotel which will secure the future of this Grade II listed building. The Hotel has been deemed to be unviable with very little prospect of it reopening and therefore the proposals will ensure this building makes a continued and enhanced contribution to the character and appearance of this part of the Newport Conservation Area. There is a new hotel development at Mere Park together with other local Bed & Breakfasts' to ensure continued provision with the town.

Impact on the character of the area and Conservation Area

- 6.11 Listed Building consent was granted on 1st February 2017 (permission reference TWC/2016/0815) for the demolition of the non-heritage parts of the Hotel and its conversion into 7 apartments following the erection of two and three storey extensions to the rear of the building. Following further consideration to the design schemes of the proposed hotel extensions and subsequent receipt of amended drawings, the proposed works to the hotel were considered to be acceptable in terms of their scale, design and appearance as there would be no significant impact on the character, setting and appearance of the Grade II Listed Building or the Newport Conservation Area. In addition no harm to the historic fabric or architectural interest of the listed building itself would arise as a result of the proposed development.
- 6.12 The application site is prominently located within the Newport Conservation Area where the Council has a duty to preserve or enhance the character and appearance of a Conservation Area. The site also sits amongst other listed buildings, including the St Nicholas Church, opposite. Policy HE3 of the WLP advises that new development in Conservation Areas will be expected to be of the highest standards of design which will preserve or enhance the character and appearance of the area. Designs should respect and relate positively to its context in terms of scale, form, massing, boundary treatment, roof-scape, details and materials and development should not adversely affect the established views within the area or adversely affect the spatial quality which would result in the loss of open space or gardens. Development should also respect and retain historic street patterns and should not adversely affect the amenity of the surrounding properties and the character and appearance of the area.
- 6.13 The principles of the above policy is echoed in policy BE5 of the TWLP which seeks to avoid development in Conservation Areas where it would prejudice the essential features of the conservation area, the relationship or appearance

between buildings, the arrangement of open areas and their enclosure or significant natural or heritage features. The proposals will see the redevelopment of the land to the rear of the hotel to provide 21 no. two and three bedroom dwellings which have been designed to reflect the character of the local area, in particular Water Lane. Indeed the two cottages that currently stand fronting Water Lane to the rear of the site, which are to be demolished, will be replaced by two new dwellings with their form, scale and overall appearance being designed to replicate the cottage style buildings that were previously prominent along this street. Parts of Water Lane have become untidy and in need of redevelopment and this development will therefore enhance the appearance of Water Lane and hence this part of the Conservation Area. This in turn will enhance the setting of the recently refurbished Victoria Park and Canal, positively influencing Newport.

- 6.14 During the course of this planning application the applicant has worked closely with the Council's Planning and Conservation Officers, who, following the receipt of amended plans and additional supporting information, now consider the proposals to be acceptable with the essential form, character and special interest of the listed building being maintained together with its setting within the Conservation Area. The majority of finishing materials have already been agreed with officers, to ensure they are appropriate for their location. The proposed development will not only return a characterful Grade II listed building, which is in need of refurbishment, back in to an active use but will provide a sensitive form of development that will positively contribute and enhance the character and appearance of this part of the Conservation Area whilst delivering much needed new homes with the heart of Newport's town centre.

Impact on the living conditions of neighbouring properties

- 6.15 Historically, this part of Newport between the High Street/St Mary's Street and Water Lane, has been a mix of both residential and commercial/light industrial however many of these sites are now vacant and redundant meaning the area has since changed to being predominantly residential. This has increased over recent years with the change of use of buildings like the old sorting office in to student accommodation. These neighbouring properties, however, are located fronting the High Street/St Mary's Street and do not extend in to the burgage plots and down to Water Lane and so the overall impact on the living conditions of neighbouring properties are not of real concern.
- 6.16 To the west of the site are the boundaries of the former library, now a youth café as well as the car park under the ownership of No.133 which has been converted in to student flats. To the east is the boundary to 'Tyler's Electricals' and their utilitarian warehouse buildings. To the north is the Water Lane and Victoria Park and car park and to the south is St Mary's Street and the St Nicholas Church and grounds. Therefore, whilst the proposed development will bring about significant change to this part of Water Lane, there are no residential buildings within the immediate area which would be adversely affected by any undue overlooking or loss of privacy given the acceptable separation distances involved. The Local Planning Authority is

also satisfied, on balance, with the separation distances between the new dwellings themselves and given its town centre location is satisfied that the development will provide future occupants with a good standard of living with small garden areas and private parking. To this end, the scheme is compliant with local planning policies.

Highway considerations

- 6.17 Access to the development will utilise the two existing accesses from St Mary's Street to the south and Water Lane to the north. The existing access from St Mary's Street is typically 3.14m wide and is between existing buildings, such that it cannot be widened or improved. The gates are set back nearly 9m from the edge of the highway carriage of St Mary's Street. This access will serve the parking to the converted apartments. Meanwhile, the access from Water Lane will be typically 4.1m wide and the new gates will be set back approximately 5.6m from the edge of the highway carriageway of Water Lane. Sufficient on-site turning and parking (a total of 35 spaces) will also be provided.
- 6.18 The application is supported by a Highways Resume (prepared by Woodsyde Developments Ltd) and this report concludes that overall traffic generation from Hotel to residential use is unlikely to result in any significant increase in traffic movements and the proposed development will have no detrimental effects to the free flow of traffic on the highway network. During the course of the planning application the Local Highways Authority (LHA) advised that the access/egress from the Water Lane side of the site is substandard to the west. Following discussions with the applicant it was agreed that some traffic calming in the vicinity of the proposed accesses was required and therefore as part of the proposed development the developer will provide this in the form of a raised table. The LHA now have no objections to the proposal subject to the provision of the traffic calming feature as well as other highways related conditions.

Developer Contributions/Affordable Housing

- 6.19 The proposed development will impact on local infrastructure, but this can be mitigated against and the following contributions are to be provided by the developer and will be delivered through the applicant entering in to a S106 agreement with the Council:
- Education: Total contribution of £72,070 – comprising:
£49,008 primary school contribution to be allocated towards Newport Infant – kitchen and associated enhancement and £23,062 secondary school contribution to be allocated towards the Burton Borough – Music Block works
 - Parks/Recreation: Total contribution of £16,800 (£600 per dwelling) towards making improvements to/ maximising facilities within the adjacent Victoria Park

- 6.20 In identifying the required planning obligations on this application the following three tests as set out in the CIL Regulations (April 2010), in particular Regulation 122, have been applied (in addition to saved WLP Policy T22 and LR4) to ensure that the application is treated on its own merits and that the obligation is:
- necessary to make the development acceptable in planning terms;
 - directly related to the development; and
 - fairly and reasonably related in scale and kind to the development
- 6.21 It is considered that the requested contributions towards recreation and education would meet the above tests and the negotiation of these contributions is also consistent with Local Plan Policies. In addition, account has been taken of the changes to the CIL Regulations in April 2015 that now restrict the “pooling” of financial contributions to no more than five contributions to a single type of infrastructure.
- 6.22 In accordance with policy H23 of the WLP, CS6 of the CS and HO5 of the TWLP, the developer is required to provide 35% provision of affordable housing as part of this development however the Council accepts there may be situations where a developer cannot deliver the amount of affordable housing required. Where evidence is provided that proves that enforcing the affordable housing would render development, undeliverable then allowances should be made.
- 6.23 The applicant has provided the Council with a confidential viability statement with accompanying information and this has been assessed by the Council’s Development Delivery Group Specialist. The proposed development will provide a developer profit below the accepted profit allowance range of between 17.5% and 20% thus demonstrating that the development is unviable based on the values and costs identified in the appraisal and cannot support any further planning contributions including any provision of affordable housing. Viability is a material consideration as advised within the National Planning Policy Framework and is therefore considered that achieving a development on a vacant, brownfield site in a prominent position, together with an increase in the Borough’s housing supply particularly with the re-use of a listed premise, weigh in favour of the proposal and this position is supported by the viability assessment.

Other Matters

Drainage

- 6.24 The supporting drainage information confirms that the site has adequate existing surface water drainage to accommodate the redevelopment of the hotel. The surface water and foul drainage from the proposed development buildings and private areas/access will be collected in piped and sealed systems to an attenuation feature located in the access drive off Water Lane. The report concludes that there is nothing in the proposed development which will ‘either affect or alter any flood flows or flood storage capabilities of the land’. The Council’s Drainage engineers have also assessed the application and support the proposals subject to the inclusion of conditions.

Archaeology

- 6.25 Officers note the consultation response from Archaeology and the requirement for an archaeological field evaluation of the application site. Following discussions with the Senior Archaeological Advisor it has been agreed that this supporting information can be submitted at a later stage through conditions.

7.0 CONCLUSIONS

- 7.1 The application site is sustainably located within the heart of Newport town centre and the proposed development meets the three dimensions to sustainable development (economic, social and environmental) as defined in the NPPF. The scheme will deliver a variety of open market dwellings within a town centre location with a mix of types to meet market trends and the needs of different groups in the community.
- 7.2 The applicant has submitted evidence to the Council which demonstrates that The Royal Victoria Hotel is no longer a financially viable business having been closed for over two years with very little prospect of it reopening as a Hotel. Whilst the proposal will result in the permanent loss of a community facility, it will ensure this Grade II listed building is protected and makes a continued and enhanced contribution to the character and appearance of this part of the Newport Conservation Area.
- 7.3 Consideration has been given to the impact the development will have on the Grade II listed building and its wider setting with the Newport Conservation Area. On balance the Local Planning Authority is satisfied that the development as a whole will positively influence the character and appearance of the area and will assist greatly in preserving the building as an important heritage asset for Newport and the wider Borough. Conditions will be imposed to the decision specifying the finishing materials already approved as well as conditioning samples of those yet to be agreed to ensure there will be no harm to the historic fabric or architectural interest of the listed building.
- 7.4 There will be no adverse impact on the living conditions of nearby neighbouring properties as a result of any undue overlooking, loss of privacy/light or any overbearing impacts. The separation distances between the new dwellings are acceptable to achieve a satisfactory standard of living in this town centre location. Landscaping of the site including boundary treatments will be dealt with at a later stage through conditions. Similarly, subject to conditions the Local Highways Authority is satisfied that there will be no adverse impact on highway safety as a result of the proposed development.
- 7.5 The applicant has submitted a viability appraisal which clearly identifies the proposed development would not be viable should the Council insist on the provision of the usual affordable home requirements. It is considered that achieving a development on a vacant, brownfield site in a prominent position within the Conservation Area, together with an increase in the Borough's housing supply particularly with the re-use of a listed building, weigh in favour

of the proposal and this position is supported by the viability assessment. Financial contributions have been offered by the applicant including £72,070 towards local primary and secondary schools, £16,800 towards improvements at the Victoria Park as well as the traffic calming feature along the Water Lane.

7.6 The Local Planning Authority has considered all consultation responses received and many of the issues raised have been discussed within this report. Subject to the inclusion of the conditions listed below, the proposal is compliant with local planning policies as well as the guidance within the National Planning Policy Framework and it is hereby recommended for approval.

8.0 RECOMMENDATION

8.1 Based on the conclusions above, the recommendation to the Planning Committee on this application is that **DELEGATED AUTHORITY** be granted to the Development Management Service Delivery Manager to **GRANT PLANNING PERMISSION** subject to the following:

A) The applicant entering in to a Section 106 Agreement with the Council relating to :

- Education: £49,008 primary school contribution to be allocated towards Newport Infant – kitchen and associated enhancement £23,062 secondary school contribution to be allocated towards the Burton Borough – Music Block works
- Recreation: £600 per dwelling towards making improvements to/ maximising facilities within the adjacent Victoria Park

B) The following conditions (with authority to finalise and impose additional conditions to be delegated to the Service Delivery Manager of Development Management):

Conditions

1. Time limit – Full with no reserved matters
2. Finishing materials as agreed
3. Samples of materials (as agreed)
4. Sections for windows and doors (windows to the Water Lane frontage to be timber)
5. Details of off-site highway works
6. Parking, loading, unloading & turning
7. Visibility Splays (2/4m x 43m)
8. Access drive bound material
9. Scheme for foul and surface water drainage
10. SUDS Management Plan
11. Details of external services
12. Schedule of window repairs (windows to the St Mary' St frontage)
13. Landscaping Design/Management Plan

14. Site Environmental Management Plan
15. Archaeological Field Evaluation
16. Details of enclosure/boundary treatments External lighting plan
17. Development in accordance with submitted drawings
18. Removal of Permitted Development rights

Informatives

S106
Highways
Fire Authority
Ecology