

TWC/2017/0316

Site of Peter Morris Cars, Wellington, Telford, Shropshire

Outline application for demolition of existing car garage, erection of up to 14no. dwellings with access and all other matters reserved

APPLICANT

Peter Morris Cars Limited, Peter Morris

RECEIVED

12/04/2017

PARISH

Wellington

WARD

Haygate

OFFICER Andrew Gittins

SECTION 106 LEGAL AGREEMENT TO SECURE A FININACIAL CONTRIBUTION TO HEALTHY SPACES.

1.0 THE PROPOSAL

- 1.1 This outline application is made by made by Peter Morris Cars Ltd and seeks approval for the demolition of the existing car dealership, MOT and vehicle repair centre and erection of up to 14 residential units to include vehicular access off Walker Street with all other matters reserved.
- 1.2 A Proposed Site Plan with Axonometric 3D indicatively illustrates 14 units laid out with 6 properties fronting Wrekin Road with a further 5 behind in a back-to-back arrangement. Indicatively one unit has been shown fronting Walker Street framing the entrance with two units located in the north-east corner. The scheme would be served by 21 car parking spaces off a shared surface with landscaped amenity areas which would be privately managed through condition.
- 1.3 The indicative Site Plan drawing illustrates units provided across two and three floors under mono-pitched roofs in a mews style. A three storey curved building will turn the corner of Wrekin Road and Walker Street.
- 1.4 The Application Form indicates the provision of twelve two-bed units and two three-bed unit although this would be determined at Reserved Matters.
- 1.5 The application is accompanied by a Planning Obligations Statement, Design and Access Statement and Transport Statement.
- 1.6 During the course of the application the Council's Drainage Team identified that a public sewer was mapped crossing under the footprints of Plots 6 and 12 and the courtyard of Plot 5 as originally proposed. Amended plans were submitting illustrating how the site could be laid out following diversion of the sewer and provision of a 3 metre easement. This has resulted in Plot 12 being re-sited to the eastern corner of the site and a narrowing of Plot 6.
- 1.7 Further amendments have been received which:

- Increase parking provision from 19 to 21 spaces, through the rotation of Plot 14 to provide a parking space under the cantilever, rotation of parking spaces P1 and P14 allowing provision of an additional space,
- Provision of communal bin store,
- Depth of first floor of Plot 6 reduced to accommodate relocated parking space,
- Layout of Plots 12 and 13 amended to reduce impact on garden of neighbouring property.

2.0 SITE AND SURROUNDINGS

- 2.1 The site is located in Wellington, a Market Town within the built up area of Telford. The site falls within the Secondary Retail Zone adjacent to the Conservation Area. The site is not located in close proximity to any Listed Buildings.
- 2.2 The site is situated on the corner of Wrekin Road and Walker Street in a prominent position opposite the junction with Haygate Road which provides access from the M54.
- 2.3 The 0.16 ha (1600m²) site currently accommodates Peter Morris car sales, MOT and vehicle repair centre within a single storey flat roof building and a former petrol station filling canopy. Access is currently provided adjacent to 3-9 Wrekin Road although the intention is to block this up and utilise the existing access off Walker Street which is currently blocked up with by a dwarf brick wall and metal fence which encloses the site.
- 2.4 The site lies within a mixed employment and residential area being flanked to the east by the 'Wellington Express' convenience store on Walker Street and a row of traditional terraced properties at 3-9 Wrekin Road to the south. The 'Taj Mahal' Indian restaurant is located to the north across Walker Street which adjoins a row of terraced properties which fall within the Conservation Area.
- 2.5 The site is situated within a sustainable location with the town having a good range of services and facilities including shops, schools, restaurants and pubs as well as strong public transport links (bus and train) with the rest of the Borough, all of which are in close proximity to the site.

3.0 PLANNING HISTORY

- 3.1 The site has been subject to a number of planning applications in relation to its previous use a petrol filling station, which ceased in 1993 upon conversion to the current car dealership, MOT and car repair. However, none of these are relevant to the current application.

4.0 PLANNING POLICY CONTEXT

- 4.1 National Planning Guidance:
National Planning Policy Framework
- 4.2 Core Strategy:
CS1 – Homes
CS2 – Jobs
CS3 – Telford
CS5 – District and Local Centres in Telford
CS8 – Regeneration
CS9 – Accessibility and Social Inclusion
CS12 – Natural Environment
CS13 – Environmental resources
CS14 – Cultural, Historic and Built Environment
CS15 – Urban Design
- 4.3 Wrekin Local Plan:
EH7 – Contaminated Land
UD2 – Design Criteria
H6 – Windfall Sites in Telford & Newport
H23 – Affordable Housing
T22 – Planning Obligations
LR4 – Outdoor Recreational Open Space
LR6 – Developer Contributions to Outdoor Recreational Open Space Within New Residential Developments
- 4.4 Telford & Wrekin Local Plan (Submission Version):
SP1 Telford
SP4 Presumption in favour of sustainable location
EC4 Hierarchy of Centres
EC6 Market Towns and District Centres
HO1 Housing requirement
HO4 Housing Mix
HO5 Affordable Housing thresholds and percentages
HO6 Delivery of affordable housing
BE1 Design Quality
BE10 Land Contamination
C3 Impact of development on highways
C5 Design of parking
ER8 Waste planning for residential developments
ER10 Water conservation and efficiency
ER12 Flood risk management

5.0 SUMMARY OF CONSULTATION RESPONSES

Standard consultation responses

- 5.1 Wellington Town Council – No objection.
- 5.2 Archaeology – Revised comments:

- Former below ground fuel storage tanks may have impacted on archaeological deposits.
 - A programme of archaeological work should be made a condition.
 - Phase 1 of this programme should take the form of an archaeological evaluation and comprise trial excavation to locate and assess the extent, survival and significance of any remains to inform any further appropriate action or mitigation.
- 5.3 Drainage – Support subject to conditions following submission of amended plans:
- Scheme for both foul and surface water drainage, and
 - SUDS Management Plan.
- 5.4 Highways – Support subject to conditions following submission of amended plans:
- Provision of visibility splays
 - Provision of parking/turning and loading prior to occupation
 - Restriction on gates (set back from the highway and inward opening)
 - Access drive surfaced in bound material for first 5 metres
 - Informative advising that a Section 184 is required to construct a means of access over the adopted highway.
- 5.5 Pollution Control (Environmental Health) – Support subject to conditions:
- Hours of demolition/construction
 - Requirement for noise assessment.
- 5.6 Contaminated Land (Environmental Health) – Support subject to conditions:
- Land contamination assessment
- 5.7 Built Heritage Conservation – Comment:
- Site located adjacent to Wellington Conservation Area and considered a ‘gateway’ site. Design should be a key consideration with regard to the context of the characterful Walker Street.
 - Indicative elevations work well in terms of scale – staggered to respond to the low key residential dwellings on Wrekin Road.
- 5.8 Arboriculture – Comment:
- Three Himalayan Birch trees are growing in northern corner of site which have not been surveyed are being removed to accommodate Plot 13. However, the proposal includes the planting of 11 trees in mitigation which will be controlled by the landscaping reserved matter.
- 5.9 Ecology – No comment.
- 5.10 Healthy Spaces – Comment:
- Development would generate need for children’s play and recreation and no provision has been made on-site.
 - In accordance with saved WLP policies LR4 and LR6 an offsite contribution of £600 per dwelling should be secured by a Section 106

towards existing play areas at Bowring Park and Union Road, Wellington.

- A landscaping plan and long term management plan should be conditioned.
- 5.11 Education – (Comments provided at pre-application stage) – No contributions required as sufficient primary school place capacity at Wrekin View and no requirement for contributions towards secondary school places.
- 5.12 West Mercia Police - General advice provide in respect of Secure by Design principles.
- 5.13 Shropshire Fire Service - Consideration should be given to the information contained within Shropshire Fire and Rescue Service's 'Fire Safety Guidance for Commercial and Domestic Planning Applications'.

Neighbour consultation responses

- 5.14 Direct notification was carried out to all adjoining and adjacent premises, as a result of which 1 letter of support subject to conditions was received, summarised as follows;
- Principle of housing supported.
 - No desire for weak pastiche of historic styles.
 - Building needs to resonate more with its surroundings.
 - Proposal does not echo the lines, form or materials evident in adjacent buildings and appears wholly alien to what's around it.
 - As a 'gateway' site which the architects acknowledge the building does not communicate anything about the identity of the Market Town within the Conservation Area which it borders.
 - Development appears very dense for the size of the site.
 - Provision of only 18 parking spaces for 14 houses is insufficient and will result in parking spilling out into the town, exacerbating an existing problem.

6.0 PLANNING CONSIDERATIONS:

- 6.1 Having regard to the development plan policy and other material considerations, the planning application raises the following main issues;

- Principle of development
- Impact on character of surrounding area
- Impact upon highway safety
- Impact upon residential amenity
- Other technical issues
- Planning Obligations / Viability Appraisal

6.2 Principle of Development:

- 6.2.1 Planning permission must be determined in accordance with the development plan unless other material considerations indicate otherwise. The

development plan consists of saved policies of the Wrekin Local Plan and the Core Strategy. The Telford & Wrekin Local Plan is at an advanced stage of preparation and its policies together with the NPPF are material considerations.

- 6.2.2 This regeneration project to deliver housing is consistent with Core Strategy policies CS1, CS3, CS5 and CS8 which direct the overwhelming majority of development to district centres within the urban area.
- 6.2.3 Saved Wrekin Local Plan policy H6 seeks to support housing development on land under 0.4 hectares in Telford where the site can be adequately accessed and drained, provide sufficient parking and where there are problems of land stability and contamination that adequate remedial action has been taken. In addition, proposals should not have an adverse impact on the local environment especially adjacent land uses and should show a high quality of design with particular regard to the adjoining Conservation Area.
- 6.2.4 The principles of these policies are carried forward into policies SP1, SP4 HO1 and HO4 of the emerging Telford & Wrekin Local Plan which direct sustainable development into Telford to meet the housing requirement delivering a mix of housing types, sizes and tenures.
- 6.2.5 The National Planning Policy Framework (NPPF) sets out a number of core planning principles, including that planning should always seek a high quality design, encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided it is not of high environmental value and a good standard of amenity for all existing and future occupants of land and buildings.
- 6.2.6 The proposed residential development would ensure the effective use of a site that constitutes previously developed 'brownfield' land and result in its regeneration, located in a sustainable location within Wellington town centre.
- 6.2.7 On this basis, the Local Planning Authority is therefore satisfied that this is a suitable location for residential development. The development is in accordance with Core Strategy policies CS1 and CS3, CS5, CS8, CS9, saved Wrekin Local Plan policy H6 and Telford & Wrekin Local Plan policies SP1, SP4 and HO1 and HO4.
- 6.2.8 The remainder of the site specific design and technical issues are discussed below.

6.3 Impact on character of surrounding area

- 6.3.1 Policy UD2 of the Wrekin Local Plan requires high quality development which respects and relates well to the context. Applications are assessed in relation to scale, massing, form, density, orientation, layout, proportions, materials, landscape elements, access and spatial quality. In addition to this policy, policy CS15 of the Core Strategy seeks design of development that assists in creating and sustaining safe places, strengthening local identity and projecting a positive

local image. This criterion is now also reflected in policy BE1 of the emerging Telford and Wrekin Local Plan whilst the NPPF suggests that Council's should set out their own approach to housing density to reflect local circumstances.

- 6.3.2 There is a varied nature of house types in the vicinity with the recently completed conversion of the library built-out at a density of 70dph. Elsewhere the more traditional dwellings have been constructed at a lower density with the terraced and semi-detached housing to south at 3-9 and 14-22 Wrekin Road constructed at a density of 40 dph.
- 6.3.3 The indicative scheme illustrates a scheme providing up to 14 dwellings, which would result in an overall density of 87 dwellings per hectare (dph), which is acknowledged as being higher than average in the area. However, density is not the sole determinate in the assessment of acceptability and the acid test is that this density does not have an adverse impact on the character of the area or the amenity of adjacent land uses and the proposed occupants. The indicative scheme provides ground floor courtyards for Units 1-6 and 12 and 13 together with first floor terraces for Units 7-11 and 14, and second floor terraces for Units 1-5. Units 6 and 13 could also benefit from garden space to the side and rear of each respective property. As such there is no requirement for shared amenity space as there would be with a traditional set of apartments.
- 6.4.4 It is acknowledged that the form and design differ from the traditional buildings in the immediate locality. However, the NPPF advocates innovative design and the indicative proposal takes reference from the contemporary apartments on the junction of Victoria Road and Glebe Street in Wellington which utilise large areas of glazing including wraparound glazing.
- 6.4.5 Indicatively the scheme has been laid out around the mews roadway with 11 back-to-back terraced units fronting Wrekin Road, one unit fronting Walker Street framing the entrance and two units located in the north-east corner around landscaped amenity areas and an increased provision of 21 car parking spaces.
- 6.4.6 The indicative Site Plan drawing illustrates units provided across two and three floors using a mono-pitched roof sloping towards Walker Street. A three storey curved building including a mezzanine level would turn the corner between Walker Street and Wrekin Road providing a focal point to the development. Reflecting the typography of the land, the building would gradually transition down in height to meet the two storey properties along Wrekin Road.
- 6.4.7 The scheme makes provision for the storage of bins either within the private courtyards (Units 1-6 fronting Wrekin Road) or in the areas under the 1st floor of the apartments (Unit 7) with the remainder utilising a new bin store located midway into the site along the boundary with the convenience store. This bin store is within the 30 metres of the highway which the Council's waste contractor prescribes and within 25 metres of all apartments it would serve.
- 6.4.8 There are no trees subject of preservation orders that would be impacted upon. The Tree Officer has noted that the indicative siting of Unit 13 would

require the removal of three Himalayan Birch trees but that this is compensated by the planting of replacement landscaping, which would provide a softening of the scheme and a visual break between the dwellings and hard surfaced areas. Landscaping constitutes one of the reserved matters.

6.4.9 Overall, the replacement of a car dealership, MOT and vehicle repair centre with modern residential development would provide an improved visual aspect along Wrekin Road and Walker Street, and would be compatible with surrounding residential development, and adjacent land uses. The proposals to bring forward a residential led scheme will make a positive contribution to the character, appearance and environmental quality of the surrounding area and secure a future sustainable use of this site.

6.4.10 The scheme has been subject to a pre-application process involving the Council's Urban Designer, Planning and Conservation Officers who have no objection to the scheme on the basis that it does not result in a detrimental impact on the character of the area including the Conservation Area on the opposite side and further down Walker Street and that the scheme provides good quality amenity space in the form of courtyards and terraces. The proposal it is therefore considered to make effective use of the site with no detriment to the character of the area.

6.4.11 Officers are satisfied that an appropriately designed scheme can be work-up at Reserved Matters. On this basis there would be no conflict with saved Wrekin Local Plan Policies H6 and UD2, Core Strategy Policies CS 1 and CS 15, and Telford & Wrekin Local Plan (2031) Policies SP1, SP4 and BE1. These policies seek appropriate design quality which relates to its context whilst positively influencing the use and appearance of the local environment. The policy aims are consistent with the National Planning Policy Framework.

6.5 Impact upon highway safety

6.5.1 The scheme seeks to reinstate the existing vehicular access off Walker Street which is currently blocked by a dwarf brick wall and railings which surround the site but the dropped kerb and radii remain in situ. This access provides adequate visibility in both directions and would be subject to right-in, right-out turns only with Walker Street designated as one-way.

6.5.2 There is a concern that, due to the close proximity of the access to the junction of Walker Street / Wrekin Road motorists could short cut and travel the wrong way down the one-way system. However, the Council's Highways Team have recommended that this could be prevented by some additional signing and lining which would re-enforce the one way system. This would be implemented as part of the Section 184 agreement.

6.5.3 The Transport Statement produced in support of the application demonstrates that the proposal would not result in a noticeable increase in traffic movements over those associated with the current use.

- 6.5.4 The indicative site layout illustrates how the mews roadway would continue into the site with parking bays provided to the left adjacent to the northern boundary with the convenience store and straight on adjacent to the boundary with 3 Wrekin Road. The width of the bays under the apartments has been increased to 3 metres in order to allow residents to open their car doors comfortably.
- 6.5.5 The road would be created as a shared service providing a pedestrian link to Walker Street and would be of sufficient width to allow a small delivery van to turn.
- 6.5.6 With the exception of units 1, 6, 12 and 13 the parking spaces are indicatively shown located underneath the units. The spaces for units 6, 12 and 13 are located outside the relevant unit. The parking for Plot 1 is the most 'remote' from the front door but at only 6 metres is considered acceptable and together with the visitor parking is well overlooked from by bedrooms and outdoor terraces of Units 7, 8 and 9.
- 6.5.7 A revised indicative layout illustrates the provision of 21 parking spaces with each unit having one allocated space together with the provision of seven visitor spaces. The emerging Local Plan contains Parking Standard guidelines for different development scenarios including developments such as this in a central location where there are a higher proportion of flats and rented dwellings acknowledging that there are sustainable transport options, in this case Wellington Train and Bus Station which provide alternatives to the car. Provision could also be made for cycle parking facilities to serve the properties. The Parking Standards in the emerging local plan advise that 1 secure space per bedroom.
- 6.5.8 Based on the indicative layout the scheme provides in excess of the 20 spaces that would be required as a guide by the Parking Standards. These standards suggest that 1.4 spaces should provide for two bed units and 1.6 spaces for three bed units. For the proposed twelve two-bed units this equates 16.8 and for the three-bed units this equates to 3.2 creating an overall requirement for 20 spaces. Regard must also be given to the highly sustainable location.
- 6.5.9 It is concluded that the indicative proposal complies with saved Wrekin Local Plan Policies UD2 and H6, Core Strategy Policies CS 9 and CS 15, and Telford & Wrekin Local Plan Policies BE1, C3 and C5. These policies seek adequate access and car parking provision to new development which preserves highway safety.

6.6 Impact upon residential amenity

- 6.6.1 Given the location of site on the junction of Wrekin Road and Walker Street, the Council's Pollution Control Team have recommended a noise assessment is undertaken prior to the commencement of development and should include any recommendations for any noise mitigation measures in order to minimise the disturbance by noise of future residential occupiers.

- 6.6.2 There are residential properties with windows fronting Walker Street to the north of the proposal. The indicative scheme proposes a second floor window in Unit 14 serving a lounge which would be approximately 18 metres from the windows in the front elevation of 50-54 Walker Street. This falls short of the 21 metres normally provided between windows serving habitable rooms. However, the presence of a public highway in between, the views affordable from a public vantage point, albeit at street level, and the occurrence of this relationship between existing properties on Walker Street have to be taken into consideration. On balance, an 18m separation distance would therefore be considered acceptable in this instance.
- 6.6.3 The indicative floor and elevation plans originally proposed glazing wrapping around the north-east corner and in the side of Unit 6. However, the wrap-around has been omitted and the windows in the side could be high level to prevent any overlooking of private amenity space of No.3 Wrekin Road.
- 6.6.4 The proposal indicatively shows a set of 2 storey apartments in a small terrace format in the north-east corner of the site. To address Officers concerns the units have been moved 2 metres from the boundary and handed to break up the mass of the 14 metre long two storey side elevation. Indicatively the two, 4.5 metre long, two-storey elements have been split by the ground floor courtyards thus reducing the mass of development immediately adjoining the boundary. The roof has also been shown to slope away again reducing the perceived mass.
- 6.6.5 There are no further residential properties that would be affected by the proposal due to the presence of 'The Taj Mahal' Indian Restaurant on the corner of Walker Street and Wrekin Road, QA Kitchens on the corner of Wrekin and Haygate Road the distant proximity of The Mount.
- 6.6.6 Subject to any reserved matters being consistent with or equivalent to the indicative proposal the site is capable of being developed without a detrimental impact on the amenities of adjacent residential properties and complies with policy CS15 of the Core Strategy, 'saved' policy UD2 of the WLP and Telford and Wrekin Local Plan BE1.

6.7 Other technical issues

- 6.7.1 As confirmed by the consultation response above, issues of archaeology, residential amenity, drainage and land contamination can be controlled through the imposition of conditions. The development would therefore accord with Policies H6, EH7, of the Wrekin Local Plan, Core Strategy policies CS13 and CS14 and Telford and Wrekin Local Plan policies BE8, BE10, ER10 and ER12.

6.8 Planning Obligations and Viability Appraisal

- 6.8.1 In determining the required planning obligations on this specific application the following three tests as set out in the CIL Regulations (2010), in particular

Regulation 122, have been applied to ensure that the application is treated on its own merits:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development;
- c) fairly and reasonably related in scale and kind to the development.

6.8.2 In addition account has to be 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. It is considered that the financial contributions set out below meet the relevant tests.

6.8.3 The development would generate the need for children’s play and recreation. As the proposal does not make any proposed on-site provision, in accordance with saved WPL policies LR4 and LR6 the following contributions are will be secured via a s106:

- Healthy Spaces (£600 per dwelling) towards off-site children’s play and recreation at the existing play areas at Union Road and Bowring Park, Wellington.

6.8.4 It is considered that the financial contributions are acceptable and accords with saved policies LR4 and LR6 of the Wrekin Local Plan.

6.8.5 The proposal falls below the 15 dwellings threshold which is the trigger for the provision of affordable housing in saved WLP policy H23. The applicant should note that upon adoption of the Telford & Wrekin Local Plan that policy HO 5 would become a development plan policy under which any scheme comprising 11 dwellings or more would be required to provide a 25% contribution towards affordable housing. As such, if the s106 is signed after the adoption of the Plan the development will have to be reassessed against T&WLP including HO 5.

7.0 CONCLUSION

7.1 The principle of the residential development would ensure the effective use and regeneration of a site that constitutes previously developed ‘brownfield’ land, located in a sustainable urban location within Wellington Town Centre. The proposal is capable of providing a safe access with no detrimental impact on the local highway network. The appearance, landscaping, scale and layout including car parking provision would be considered as Reserved Matters to ensure that the proposal does not have an adverse impact upon the character and appearance of the area or residential amenities of the adjacent neighbours. With appropriate conditions, no harm will arise upon the historic environment, residential amenity, drainage, land contamination or highway safety. The principle of the development is considered to be acceptable and compliant with local planning policy and the guidance contained within the National Planning Policy Framework.

8.0 RECOMMENDATION

- 8.1 Based on the conclusions above, it is recommended that DELEGATED AUTHORITY be granted to the Delivery Management Service Delivery Manager to GRANT OUTLINE PLANNING PERMISSION subject to;
- A) The applicant/landowners entering into a Section 106 Agreement with the Local Planning Authority, terms to be agreed by the Development Management Service Delivery Manager, relating to:
- (i) Children's Play Space**
- £600 per dwelling towards off-site existing children's play and recreation at Union Road and Bowring Park, Wellington.
- B) The following conditions and informatives (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager;
1. A02 Time Limit – Reserved Matters
 2. A03 Time Limit - Submission of Reserved Matters
 3. B002 Standard Outline - some matters reserved
 4. B004 General Details amended
 5. B011 Samples of Materials
 6. B012 Sample Brick Panel
 7. B042 Parking/Loading/Turning
 8. B057 Land Contamination
 9. B076 SUDS Management Plan
 10. B079 Scheme of foul and surface water drainage
 11. B085 Noise Insulation of Flats
 12. B119 Archaeological Field Evaluation
 13. B126 Landscape Management Plan
 14. B150 Site Environmental Management Plan
 15. C014 Visibility Splays
 16. C015 Gates
 17. C020 Access Bound Material
 18. C38 Development in accordance with plans
 19. C40 No approval of layout
 20. D11 Hours of demolition / construction

Informatives

- | | |
|---------|---|
| I06 | Section 106 agreement |
| I11 | Highways – Provision of access over footway or verge (S184 Licence) |
| I32 | Fire Authority |
| I40 | Conditions |
| I44 | Reasons for Outline Consent |
| RANPPF1 | Approval – NPPF |