

TWC/2018/0435

Site of Bowring Hall, 300 Holyhead Road, Wellington, Telford, Shropshire
Outline planning application for the erection of 9no. dwellings consisting of bungalows, detached and semi-detached houses, and the refurbishment of existing building to form 7no. apartments and associated access with only landscaping matters reserved

APPLICANT

Bowring Developments Ltd, Simon Langley

RECEIVED

22/05/2018

PARISH

Wellington

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Ercall

THIS APPLICATION IS PRESENTED AT PLANS BOARD AS A SECTION 106 AGREEMENT IS REQUIRED TO SECURE CONTRIBUTIONS TOWARDS PUBLIC OPEN SPACE AND PLAY PROVISION

1. SUMMARY RECOMMENDATION

- 1.1 Grant Outline Planning Permission subject to the Completion of Section 106 and Condition(s) and Informative(s).

2. APPLICATION SITE

- 2.1 The site lies on the north side of Holyhead Road, approximately 1.5km to the southwest of Wellington Town Centre. The site lies immediately adjacent to Bowring Park which sits to the rear and western side of the application site. To the eastern side of the site are residential properties which are accessed off Holyhead Road and Carvers Close. Opposite the site is the Red Lion Public House, a petrol station and auction house.
- 2.2 The existing building, referred to as Bowring Hall, is a three-storey property located in the centre of the site. It is unclear from the planning history on this site whether Bowring Hall has been used previously for a C2 (residential institution) or D1 (non-residential institution) use in connection with healthcare provision.
- 2.3 The topography of the site is relatively flat with one vehicle access from Holyhead Road located on the eastern end of the front boundary. Originally the site contained a significant number of lime trees that were cleared prior to the application being submitted. The only trees remaining on site are the pollarded sycamore and oak on the northern boundary bordering Bowring Park.
- 2.4 The western and northern borders of the site provide the interface with Bowring Park and consist of chain link fencing with established trees and hedges on the northern boundary.

- 2.5 An existing pedestrian refuge crossing outside the site provides safe connectivity between the existing residential properties and Bowring Park and the public amenities situated opposite.

3. APPLICATION DETAILS

- 3.1 This is an Outline Planning application relating to scale, appearance, access and layout with the only Matter Reserved for future consideration being landscaping. The total number of new dwellings proposed is 16No.
- 3.2 The application proposes the refurbishment of Bowring Hall and its conversion into 7No. apartments, all with two-bedrooms. A modest first floor extension would allow the creation of one of these apartments. A further 9No. dwellinghouses would be built on site consisting of 5No. detached bungalows (3No. three-bed and 2No. two-bed) and 4no. houses, two detached and two semi-detached (all three-bed). This would equate to a density of 37 dwellings per hectare (dph).
- 3.3 The vehicular access would be re-located from the eastern end of the front boundary to a central position. This would require the re-location of the existing pedestrian refuge crossing to a position approx. 11 metres further east.
- 3.4 The front boundary onto Holyhead Road is proposed as a 600mm high brick wall with piers topped with 1.2m vertical metal railings and close boarded fencing. The western and northern boundaries will consist of 1.8m high close-board fencing. Additional 3m high chain link fencing would be provided on the northern boundary to protect the proposed bungalows from sport-related activities in Bowring Park.

4. RELEVANT PLANNING HISTORY

- 4.1 **W2000/0870** - Erection of a Timber Summerhouse/Chalet for Recreational Use by Patients - Full Granted 09 October 2001

5. RELEVANT PLANNING POLICIES

- 5.1 The National Planning Policy Framework (NPPF), July 2018 is not the Development Plan for Telford and Wrekin but it is a material consideration in this case because all of the Borough's Development Plan policies have to be viewed in the light of this more recent national guidance.

- 5.2 Telford & Wrekin Local Plan 2011-2031:

SP1 Telford
SP4 Presumption in Favour of Sustainable Development
HO5 Affordable Housing Thresholds and Percentages
HO6 Delivery of Affordable Housing
NE1 Biodiversity and Geodiversity
NE2 Trees, Hedgerows and Woodlands

NE4 Provision of Public Open Space
NE5 Management and Maintenance of Pubic Open Space
NE6 Green Network
C3 Impact of Development on Highways
C5 Design of Parking
BE1 Design Criteria
ER8 Waste Planning for Residential Developments
ER11 Sewerage Systems and Water Quality

6. NEIGHBOUR REPRESENTATIONS

6.1 17No. representations were received originally with a further 3No. received upon re-consultation making the following observations:

In Objection:

- The density of the development will be 42 dwellings per hectare (dph) which exceeds the SHLAA 2012 report which suggests 30dph - the proposal should be reduced to 30dph;
- When sold by the NHS, it was a criteria that future development have a sympathetic approach to neighbours and the mature fir trees and lime trees on site – the site has been decimated with a negative impact upon ecology and nature;
- A landscaping proposal should be provided to replace the lost mature trees;
- The existing driveway into the application site runs alongside 296 Holyhead Road which provides access onto the driveway via a double and single gate, which the occupants use for delivery access;
- Note that the volume of timber removed the site following the felling of trees required a forestry licence – noting that a wildlife crime may have been committed due to the removal of large fir (potential roosting for bats);
- Note that the Lime Trees should have been the subject of a TPO;
- Requirement for S.106 Monies to for re-instatement of landscaping along Carvers Close, alongside a proposed tree planting re-instatement scheme across the site which reflects the density, maturity and species of trees that have been removed;
- Removal of conifers bordering the site has resulted in windy conditions and spreading of dirt and dust from the application site;
- Insufficient car parking spaces proposed for the apartments. In the absence of a tree re-instatement landscape plan, suspect cars will be parked adhoc on the verges, potentially infringing on the privacy and security of vulnerable local residents.
- Quality of life and privacy, loss of privacy and security, detrimentally affected by loss of trees on site;
- Existing properties will be overlooked, particularly by residents of proposed apartments;
- Note that the construction of high fence along the boundary to the bungalows on Carvers Close would improve issues of loss of privacy and security;

- Fencing to the height of 1.8m would impinge on properties in Carvers Close where they only have garden 6m in length;
- Proximity of access being too close to the existing raised pedestrian refuge in the road;
- Proposed access will be opposite the petrol station and Holyhead Road has fast and dangerous traffic. It would be safer to retain the existing access and widen it rather than move it closer to the petrol station;
- Insufficient parking spaces provided;
- No gable ends of properties should face bungalows in Carvers Close;
- Site noise should be managed during construction;
- The proximity of proposed dwellings to Bowring Park should be carefully considered in relation to their orientation and soundproofing;
- The Section 106 contribution for public open space should be greater than £9,600;
- Location of bin store is a concern for residents of Carvers Close as it will encourage rats and create noise and odour.

In Support:

- Existing building is an eyesore in its current condition;
- Design is in keeping with existing properties nearby;
- Proposed development avoids having traffic and parking abutting the shared boundary with Carvers Close bungalows, which is a retirement scheme;
- Proposal includes bungalows;
- It is positive that Bowring Hall is being brought back into use.

7. STATUTORY REPRESENTATIONS

7.1 Wellington Town Council: **No Objection**: subject to Conditions.

No objection in principle to the development subject to there being sufficient visibility which would allow safe access to and egress from the site.

7.2 Local Highways Authority: **Support**: subject to Conditions.

7.3 TWC Arboricultural Officer: **Comment**

- To facilitate the current proposal a number of mature trees were felled on site. The application for Reserved Matters (landscaping) will need to take this into account with regard to the amount and size of the trees proposed for planting.
- The bungalow in Plot 9 sits approx. 5 metres from the TPO'd Oak on the northern boundary. The Oak Tree has at least 20 years more growth and will come to dominate the garden and amenity space. This will lead to pressure from future occupiers to lop or prune the tree;
- Given the Oak Tree's prominent visual position and contribution towards Bowring Park it would be beneficial if the proposed bungalow could be moved further south further away from the Oak Tree;
- Conditions are requested relating to ground protection, protection fencing and 'no dig' construction designs.

7.4 TWC Healthy Spaces: **Support**: subject to Conditions and Section 106 contribution towards public open space and play provision.

7.5 TWC Ecologist: **Support**: subject to Conditions and Informatives.

7.6 TWC Drainage Engineer: **Support**: subject to Conditions

7.7 TWC Pollution Control: **Object**
(Officer Note: A Noise Impact Assessment has subsequently been submitted which addresses the concerns raised by Pollution Control)

7.8 Shropshire Fire Service: **No comment**

8. PLANNING CONSIDERATIONS

8.1 Having regard to the development plan policies and other material planning considerations, including comments received during the consultation process, the planning application raises the following main issues:

- Principle of Development
- Design Issues
- Residential Amenity
- Highway Safety and Access
- Impact upon Arboriculture and Landscaping Issues
- Impact upon Ecology
- Drainage and Flood Risk
- Affordable Housing
- Other Matters

8.2 Principle of Development

8.2.1 Under Section 38(6) of the Planning and Compulsory Purchase Act 2004, all planning applications must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. The Council has an up-to-date Local Plan that was adopted in January 2018. The

National Planning Policy Framework (NPPF) sets out policy guidance at a national level and is a material consideration in planning decisions.

8.2.2 The site is not an allocated housing development site in the Local Plan but is located within the Telford urban boundary and can be classed as previously developed land. The development is therefore classed as sustainable under the provisions of policies SP1 and SP4.

8.2.3 The principle of residential development on this site is considered acceptable.

8.3 Design Issues

8.3.1 Local Plan Policy BE1 seeks to ensure that developments are designed to respect their surroundings and contribute positively to the character of the area, having particular regard to the layout, density, design, scale, height, massing, appearance, materials and landscaping prevalent in the area. New development should also be compatible with the local character and encourage local distinctiveness through the use of appropriate and high-quality building materials, architectural detailing and boundary treatment.

8.3.2 The design ethos for the site has been centred on and influenced by Bowring Hall. When entering the site, the key vista focuses on the Main Hall and the architecture of the proposed houses has drawn design cues from its character to create a visual continuity and aesthetically pleasing appearance. These architectural features include gable projections, timber facades and bay windows. The first floor extension to Bowring Hall has been respectfully design in keeping with the main building's character and appearance. As it would be located on the rear of the property it would have a minimal visual impact upon Holyhead Road. It would be visible from Bowring Park and would look appropriate in its context.

8.3.3 The 2No. detached houses fronting Holyhead Road have been designed with double frontages, meaning they have primary elevations facing onto Holyhead Road as well as the vehicle entrance to the site. This establishes character within both streetscenes and creates a sense of arrival into the site.

8.3.4 All properties have been positioned to create an active streetscene within the site and a clear sense of legibility and wayfinding, which is consistent with good principles of urban design.

8.3.5 Due to the proximity of Bowring Park and the sites close relationship with it, key trees along the boundary have been retained and the plots designed around them insofar as possible.

8.3.6 Plot 9 contains a 3 bed bungalow whose floor plan would compromise the future growth of the Oak Tree subject to a TPO. For this reason the quality of

the development and the future health of the oak tree would be improved if the proposed dwelling for Plot 9 was reduced from a 3bedroom bungalow to a 2bedroom bungalow as it would consist of a footprint approx. 23sqm smaller. Were such an amendment to be received it would address the concerns of the Council's Arboricultural Officer and at the same time would not result in the loss of any units within the scheme. Neither would it compromise the layout nor design quality of the application. However, the applicant has asked for the application to be determined as it is with Plot 9 proposed as a 3bedroom bungalow. This aspect of the proposal would not be consistent with policies BE1 or NE2.

8.3.7 In all other respects the proposal is considered consistent with policy BE1.

8.4 Residential Amenity

8.4.1 Policy BE1 is concerned with ensuring new development proposals respects the amenity of existing residential properties and their occupiers. In this case, the properties most likely to be affected are those adjacent to the eastern boundary which are accessed from Holyhead Road and Carvers Close. The proposed first floor extension to Bowring Hall is of a sufficiently modest scale and a sufficient distance from neighbouring properties to maintain acceptable levels of light and privacy to surrounding residents.

8.4.2 There is existing hedgerow and fencing along the eastern boundary of the site that creates a buffer against neighbouring properties. The hedgerow would be retained and the fencing replaced with 1.8 metre close-boarded fencing as part of the proposals. This is considered acceptable in terms of protecting privacy and maintain existing levels of amenity regarding noise and light. It is considered this boundary buffer would also be sufficient to protect surrounding neighbours from any activity associated with the proposed bin store, which would be located close to the eastern boundary of the site.

8.4.3 With regards to the dwellings being created, all houses and bungalows proposed would have their own enclosed rear garden space and an area of communal outdoor amenity space has been created adjacent to Bowring Hall for the benefit of the apartments contained within.

8.4.4 A Noise Impact Assessment has confirmed that any impacts upon the proposed dwellings from noise arising from the petrol station and public house can be mitigated through the use of architectural measures and is proposed to be controlled by means of an appropriately worded condition.

8.4.5 The Council's Healthy Spaces specialist has raised concerns that the bungalows proposed for the rear of the site would be located close to the area of Bowring Park that is used for community events and music events, albeit

infrequently, and may prejudice use of the park in the future for similar events. However, the proposed dwellings are not located any closer to Bowring Park than existing bungalows in Carvers Close and benefit from a well landscaped boundary. As such, with this in mind and given the infrequency of events at the park Officers are content that the proposal will not prejudice the use of the adjoining facility.

8.5 Highway Safety and Access

8.5.1 The Local Highways Authority supports the scheme subject to conditions following the receipt of amendments. The proposed re-location of the pedestrian refuge crossing outside the site has been agreed and is considered acceptable in terms of visibility and highway safety. Full details would be secured by planning condition.

8.5.2 Sufficient parking has been provided across the site for the 7No. apartments and within the curtilages of individual houses.

8.6 Impact upon Arboriculture and Landscaping Issues

8.6.1 Many trees were cleared from this site prior to the application being submitted, the loss of these trees has been a particular concern for neighbouring residents.

8.6.2 The northern boundary of the site abuts Bowring Park and includes established vegetation including 2No. Trees subject to a TPO, namely a Sycamore and an Oak Tree. Plot 9 proposes a detached three-bedroom bungalow, the footprint which would sit approximately 5 metres from the Oak Tree. The Council's Arboricultural Officer advises it has many more years of growth left and will begin to envelope Plot 9 and dominate the garden as currently proposed. This is likely to lead to pressure from future occupiers to lop or prune the oak tree, which is of concern given the tree's importance in the visual landscape and contribution to Bowring Park and would be contrary to policy NE2.

8.6.3 As this application is for Outline Planning only and landscaping is the only Reserved Matter for future consideration a detailed landscaping scheme will be considered through a Reserved Matters application. The Council's Healthy Spaces specialist has recommended planning conditions to ensure the long term landscape maintenance and management of the site.

8.7 Impact upon Ecology

8.7.1 The NPPF places high importance on protection of biodiversity interests and new development should minimise impacts on biodiversity. Planning

permission should be refused where significant harm from a development cannot be avoided.

8.7.2 The Council's Ecology Specialist advises that the reports are up to date and the impact upon ecology is acceptable subject to Condition(s) and Informatives.

8.8 Drainage and Flood Risk

8.8.1 The Council's Drainage Engineer is satisfied that the site can be adequately drained and mitigated against flood risk and has approved the submitted detailed drainage scheme.

8.9 Affordable Housing

8.9.1 In accordance with Policy HO5 of the Local Plan residential developments comprising 11 dwellings or more (or where the gross floor space is greater than 1,000 sq. metres) should contribute towards meeting the Affordable Housing needs of the borough.

8.9.2 However, where a vacant building, which has not been abandoned, is brought back into lawful use, the property can benefit from 'vacant building credit'. The proposed development involves the conversion of an empty building into 7No. apartments totalling approx. 685 sq. metres in floor area and therefore the scheme is eligible to receive a zero affordable housing allowance. In this case therefore, no affordable housing provision will be sought in accordance with the NPPF.

8.10 Other Matters

8.10.1 Policy NE4 of the Local Plan refers to the provision of public open space and states that the Council requires major development to provide and/or contribute to the provision of multi-functional open space which serves and meets the needs of the development as well and local and wider needs. The Council's Healthy Spaces specialist advises that new residents to the area will increase demand upon the existing recreational resource as the development will contain a number of properties which will contribute to the need of play and recreational facilities for the area.

8.10.2 As such, the Council's Healthy Spaces specialist recommends a financial contribution of £9,600 from the development for the improvement of existing play and recreational facilities at Bowring Park to meet the requirements of Policy NE4.

9. CONCLUSION

- 9.1 The site is located within Telford urban boundary and considered sustainable, therefore the principle of residential development is acceptable. This Outline Planning application is considering layout, scale, appearance and access in detail. Landscaping will be considered through a future Reserved Matters application.
- 9.2 The development is considered acceptable in terms of impact upon amenity for existing residents, highways, drainage and ecology. The design and appearance of the dwellings has been influenced by Bowring Hall and creates a development of some local distinctiveness.
- 9.3 There are two trees on the northern boundary of the site subject to a TPO. One of these, the oak tree, would be compromised by the three-bedroom bungalow proposed for Plot 9 and this would be contrary to policy NE2.
- 9.4 The recommendation of the Local Planning Authority is a balanced one. Whilst the proposed development is acceptable in terms of the appearance of buildings, highways, drainage, ecology and the impact upon amenity for residents, it does not take all the steps possible to ensure the long term healthy future of the oak tree subject of a TPO. In making a recommendation the Local Planning Authority is required to take all these factors into account and on balance there are more reasons to approve the application than to refuse. On this basis the Local Planning Authority recommends approval.

10. DETAILED RECOMMENDATION

- 10.1 Based on the conclusions, it is recommended that **DELEGATED AUTHORITY** be granted to the Development Management Service Delivery Manager to **GRANT OUTLINE PLANNING PERMISSION** subject to:
- a) Amended plans showing the substitution of house type in Plot 9 from a bedroom bungalow to a two-bedroom bungalow with a smaller footprint;
 - b) The applicant/landowner entering into a Section 106 legal agreement with the Council (with indexation applicable to contributions from the date of committee resolution to grant outline permission), terms to be agreed by the Development Management Service Delivery Manager, relating to:
 - £9,600 contribution towards public open space and play provision at Bowring Park, Wellington.

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

Condition(s)

Time Limit - Reserved Matters
Development in accordance with Deposited Plans

Standard Outline – some matters reserved
Compliance with submitted Drainage Scheme for Surface Water Drainage and Exceedance Flow
Compliance with submitted Details for SUDS attenuation
Ecology Conditions (to be agreed with Council’s Ecologist)
Tree Conditions (to be agreed with Council’s Arboriculturist)
Submission of and compliance with Construction Environmental Management Plan
Highways Conditions as proposed by Council’s Highways Engineer
Ecology Conditions as proposed by Council’s Ecology Specialist
Landscaping Conditions as proposed by Council’s Healthy Spaces Specialist
Arboricultural Conditions as proposed by Council’s Arboriculturist
Details of materials
Removal of Permitted Development
Hours of construction
Implementation of Noise Impact Assessment recommendations

Informative(s)

I40 Conditions
I34a Outline Planning Conditions
I06 Section 106
I35 Ecology – Hedgehogs
I35 Ecology – Site clearance
I25m Ecology - Nesting wild birds
I11 HIGHWAYS – Provision of access over footway or verge
I32 Fire Authority
I43 Reason for Grant of Outline