

TWC/2022/0596

Land adjacent & site of former Abacus Day Nursery, Main Road, Ketley Bank,
Telford, Shropshire

Conversion of existing buildings to form 7no new dwellings and erection of 21no new dwellings *** Amended description and amended plans ***

APPLICANT

Nuplace Ltd,

RECEIVED

31/01/2023

PARISH

Oakengates

WARD

Oakengates and Ketley Bank

THIS APPLICATION SITE IS COUNCIL OWNED AND IS A MAJOR PLANNING APPLICATION CONTAINING A SECTION 106

Online planning file:

<https://secure.telford.gov.uk/planning/pa-applicationssummary.aspx?ApplicationNumber=TWC/2022/0596>

1. SUMMARY RECOMMENDATION

- 1.1 It is recommended that **DELEGATED AUTHORITY** be granted to the Development Management Service Delivery Manager to **GRANT FULL PLANNING PERMISSION** subject to Condition(s), Informative(s) and the Applicant entering into a Section 106 Agreement in respect of Affordable Housing, Over 55s Dwellings, Education Contributions, Off-site improvements to playing fields and open space and Section 106 Monitoring Contributions.

2. APPLICATION SITE

- 2.1 The application site is located to the south of Main Road and consists of an existing Victorian building, originally used as a School but last used as a day nursery with associated hardstanding (playground/car parking) towards the rear. Beyond the hardstanding is an area of undeveloped land used as a paddock, which backs onto Ketley Playing Fields. The site's topography slopes from north to south, with a level difference of approximately 2 metres from Main Road to the southern site boundary.
- 2.2 The site was part of the estate of Ketley Grange, a substantial house which still exists adjacent to the site (although now heavily extended and modified). By an 1885 map of the area, we can see that a site had been partitioned on the Main Road frontage for the construction of a new school. The extent of the site occupied by the school has remained unchanged until today and in recent years the school building has been used as day nursery by a childcare provider.

3. APPLICATION DETAILS

- 3.1 This is a Full Planning Application for the conversion of the existing buildings to form no. 7 new dwellings and the erection of no. 21 new dwellings and associated works.

4. PLANNING HISTORY

- 4.1 The following applications are relevant to the application site:

W82/0724 - Proposed alterations to the existing building and an addition of a new toilet block for use - Authorised under the New Towns Act 13 December 1982

W2005/0363 - Erection of changing room facilities and car park - Granted 29 April 2005

5. RELEVANT POLICY DOCUMENTS

- 5.1 National Planning Policy Framework (NPPF)

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

SP1 Telford
SP4 Presumption in Favour of Sustainable Development
HO1 Housing Requirement
HO4 Housing Mix
HO5 Affordable Housing Thresholds and Percentages
HO6 Delivery of Affordable Housing
NE1 Biodiversity & Geodiversity
NE2 Trees, Hedgerows & Woodlands
NE4 Public Open Space
NE5 Management and Maintenance of public open space
C1 Promoting Alternatives to the Car
C4 Design of roads and streets
C3 Impact of Development on Highways
C5 Design of Parking
BE1 Design Criteria
BE6 Buildings of local interest
BE9 Land Stability
BE10 Land Contamination
ER1 Renewable Energy
ER8 Waste Planning for Residential Developments
ER11 Sewerage
ER12 Flood Risk Management
COM1 Community facilities

- 5.3 Homes for All Homes for All: Providing Accessible, Supported and Specialise Housing in Telford and Wrekin Supplementary Planning Document (SPD), January 2022

5.4 First Homes Policy Position Statement, January 2022

5.5 Following the adoption of the Homes for All SPD in January 2022 and the publication of the Council's Policy Position Statement on First Homes on 06 the January 2022, the matters arising from these documents are considered and discussed in the Committee Report below.

6. NEIGHBOUR REPRESENTATIONS

6.1 The application has been publicised through a Site Notice, Press Notice and direct neighbour notification. A re-consultation was undertaken in January 2023 following the revised proposals which introduced another unit.

6.2 The Local Planning Authority received 29 objections and one comment during the consultations. The representations raised the following matters which have been categorised by the LPA:

Highways

- Safety on Main Road for highway users and pedestrians - Main Road is a rat run with speed issues;
- Traffic Issues - this is a narrow road with only a short length of footpath on one side. The pavement is not sufficient and does not cover the length of the road;
- Need for traffic calming measures - the 20mph limit is often ignored;
- Road Infrastructure is not suitable for the proposed volume of traffic;
- Lack of footpaths along Main Road for pedestrians making is unsafe.

Principle

- Supporting of the conversion;
- Overdevelopment of Ketley Bank and the land to the rear of the existing building;
- Building should be gifted to the local area;
- Area should become allotments.

Other

- Construction noise;
- Lack of GP infrastructure to support new homes;
- Council has failed to serve and protect the covenant on the buildings and land;
- The Council have failed to recognise the social impact of the dwellings both on the local residents and area, there is currently an issue with

antisocial behaviour on Ketley recreation ground, and police are regularly called to houses facing the park, the additional housing will only increase these issues;

- Insufficient infrastructure - the electricity supply, internet, and water can be flaky at the best of times.

7. STATUTORY REPRESENTATIONS

7.1 Local Highway Authority: **Support, subject to Condition(s)**

7.2 Heritage: **Objection** based on less than substantial harm at low level to heritage assets

7.3 Affordable Housing: **Support, subject to s.106 Agreement**

7.4 Healthy Spaces: **Support, subject to conditions and a s.106 to secure financial contributions** of £650 for improvements to nearby play/recreation facilities and £650 per dwelling for sport and recreation facilities.

7.5 Education: **Support, subject to a s.106 to secure Financial Contributions** of £123,095 (towards Primary School places and Secondary School places)

7.6 Ecology: **Support, subject to Condition(s)**

7.7 Drainage: **Object** on the basis that the proposal does not provide SuDS with multifunctional benefits.

7.8 Shropshire Fire Service: **Comment** - refer to Guidance

7.9 West Mercia Police: **Comment**

7.10 Cadent Gas: **No Objection**

7.11 The Coal Authority: **No objection subject to Condition(s)**

8. PLANNING APPRAISAL

8.1 Having regard to the Development Plan policy and other material considerations including comments received during the consultation process, the planning application raises the following main issues

- Principle of Development
- Design of the Development
- Impact on Heritage Assets
- Highway Safety
- Flood Risk and Drainage
- Ecology
- Arboriculture

- Land Stability
- Infrastructure
- Sustainability
- Financial Contributions

8.2 Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this instance, the Development Plan consists of the Telford and Wrekin Local Plan (TWLP) and the Edgmond Neighbourhood Development Plan (January 2018). The National Planning Policy Framework (NPPF) sets out policy guidance at a national level and is a material consideration in planning decisions.

- 8.2.1 The application site is located within the built up area of Telford, as defined by the Telford & Wrekin Local Plan (TWLP) Policies Map (2018). This site is partly previously developed and located in a predominantly residential area of Ketley and is well served by local amenities and transport connections. TWLP Policy SP1 states that Telford will be the principal focus for growth to meet the borough's housing and employment development needs during the plan period. In respect of para. 11 of the NPPF, if the proposals accord with an up-to-date Development Plan they should be approved without delay. Therefore, if the proposed development complies with the Development Plan and is sustainable development the principle should be supported.
- 8.2.2 The application site was last used as a nursery. According to the submitted Planning Statement this use ended in 2019 and the buildings have been vacant since. Para. 7.0.1 of the TWLP sets out a list of uses which are considered to be community facilities in respect of the application of Policy COM1, this includes pre-school facilities. As such, the proposal is required to comply with Policy COM 1 which seeks to protect community facilities.
- 8.2.3 Policy COM1 sets out that where development detrimentally effects existing social infrastructure such as its removal or reduction will not be supported. The policy goes on to set out that the loss of a community facility will not be supported unless:
- iv. a lack of need is demonstrated; or
 - v. acceptable alternative provision exists or is proposed concurrently.
- 8.2.4 The Planning Statement addresses the loss of the community facility setting out that whilst the building has been vacant it has been available for use. The property was inhabited by a private nursery between 2002 to 2018. In 2018, a notice was served to resolve the issues associated with the maintenance of the property but the nursery didn't want to enter into a new lease/licence on the basis they were subsidising the operations there and could not afford to continue to do so. Consequently, it was no longer financially viable for the private nursery to occupy the building as they could not continue to do so due

to the investment required to ensure the building was usable. Two enquiries were received in May 2020 and February 2021 respectively from other community uses, however both were pulled due to the condition of the property and the work required to make it suitable for use. It is understood that the Abacus Nursery closed due to low numbers and sustainability issues.

8.2.5 The Applicant has demonstrated within its Planning Statement that there are five other nurseries within a 25 minutes walking catchment area, namely:

- Queenswood Primary School and Nursery - approximately a 9-minute walk;
- Oakengates Nursery School - approximately a 12-minute walk;
- Central Park Nursery - approximately a 15-minute walk Ketley Bank;
- Meadows Primary School and Nursey - approximately a 22-minute walk;
- Oakengates United Church Pre-school.

Additionally, the following provision exists:

- Lawley Village Day Nurseries - approximately 2 miles from the site;
- 9 no. childminders operating in the area.

8.2.6 The Applicant has looked into the capacity of the nurseries listed above and confirmed they all have places available. Consultation with the Council's Early Years and Childcare Team confirmed this position and the Team added that they have not had concerns raised from parents/carers in the area in relation to nursery provision.

8.2.7 In addition to nursery provision, the submitted planning statement makes reference to the Gower Community Centre as an alternative location for community use. The facility has recently obtained planning permission and is being delivered through the refurbishment of a Grade II Listed Building. The delivery of the Community Centre element is supported by a significant amount of public sector funding with this element of the scheme costing £1.322m against a value of £0.275m. This is despite the Community Centre element being to some extent cross subsidised by delivery of housing on part of the site, alongside the community facility.

8.2.8 Based on the above evidence, the LPA are satisfied that there is acceptable alternative provision within walking distance of the site and as such Policy COM1(v) is satisfied.

8.2.9 Policy H05 regarding Affordable Housing states that residential developments of 11 dwellings or more shall contribute towards the Affordable Housing needs of the borough. For the Telford area, 25% of the dwellings should be delivered as affordable. Policy H06 sets a presumption for the provision of new Affordable Housing on-site, unless there are justifiable and evidenced reasons

why this would be inappropriate. The application for a total of 28 dwellings triggers the requirements to provide Affordable Housing.

8.2.10 The TWLP aims to meet the Affordable Housing needs of the borough. Policy H04 requires a mix of housing types, sizes and tenures to meet the range of household needs. Policy H05 states that the Council will seek 25% Affordable Housing in Telford. Policy H06 states that the presumption will be for the provision of new Affordable Housing on-site, unless there are justifiable and evidenced reasons why this would be inappropriate.

8.2.11 A planning statement has been submitted and sets out that all 28 dwellings are proposed to be for private rent and leased by NuPlace. For the erection of 21 new dwellings the housing mix would consist of 10 three bedrooms, 6 x 2-bedroom and 5 x 2-bedroom bungalows. For the conversion of the former school building the housing mix consists of 2 x 3-bedroom, 4 x 2-bedroom and 1 x 1-bedroom dwellings. In line with Policy H04 the proposed mix is considered acceptable and the implementation of 5 bungalows shows that the housing mix is accounting for the changing needs of an aging population.

8.2.12 In accordance with Policy H05 and H06, the Unit Arrangement Plan sets out that 7 of the new dwellings would be affordable, accounting to 25% of the overall development and would be located on site. As such, the proposal is considered compliant with Policy H05 and H06.

8.3 Design of the Development

Policy BE1 of the adopted Local Plan is concerned with securing high quality design in new development. It is criteria based and expects new development to be influenced by and respond positively to its context, demonstrating an integrated approach to design and layout, respecting landscape and creating a sense of place. New development should be energy efficient and promote sustainable building techniques.

8.3.1 The new build elements of the scheme are proposed behind the former school building which sits on the north side of the site fronting Main Road.

8.3.2 The new build dwellings are designed to be compliant with Nationally Described Space Standards (NDSS):

- 10 x 3-bedroom/4-person Houses - 84 sq. metres;
- 6 x 2-bedroom/3-person Houses - 70. sq. metres;
- 5 x 2 bedroom/3-person Bungalows - 61 sq. metres.

8.3.3 The properties within the converted former school building would exceed these standards due to the constraints of having to work within the existing building and these three units range from 68 to 76 sq. m:

- 2 x 3-bedroom/5-person Units - 124-139 sq. metres;
- 4 x 2-bedroom/3-person Units - 74-100 sq. metres;

- 1 x 1-bedroom/2-person Units - 52 sq. metres.

8.3.4 All of the proposed dwellings would meet or exceed the NDSS and would therefore be in accordance with Policy H04.

8.3.5 The scale of surrounding housing is predominantly one and two-storey, with the existing school building being one-storey but equivalent to two modern domestic storeys. The layout of the new build element has been designed to focus the two storey development in the central core of the site whilst the scale of development reduces towards the playing fields with the provision of 5 no. single storey bungalows at the southern edge of the site. The proposed density of the scheme equates to 40.8 dwellings per ha. This is considered to be towards the higher end of the scale for the area but is still considered acceptable.

8.3.6 The Applicant submitted a revised layout during the determination period, increasing the number of Units from 27 to 28. The introduction of the additional plot (no. 28) was as a result of the loss of an additional tree (the Category-B Ash Tree referred to as T4 on the AIA). It is understood that its removal is required, along with other Ash Trees on site, owing to the Ash die-back disease impacting the species.

8.3.7 The LPA has expressed concerns with the private amenity space for plots 19 and 20, owing to the introduction of plot 28. Whilst the overall amenity space for plots 19 and 20 are compliant with LPA standards in terms of size, their proposed depths range from 5.5 metres to 6.5 metres and part of the private amenity space is shaded by the tree group to the east of the site (outside the Applicant's ownership), notwithstanding this, the gardens for these plots do benefit from increased garden widths and partial wraparound gardens. Furthermore, the development should also be considered in its wider context and an area for communal amenity space is located to the rear of the existing building which provides residents with further opportunities of amenity space on site. The Applicant states within their Planning Statement that the need for the 28th dwelling is due to a 'challenging viability position, which is only deliverable through the use of West Midlands Combined Authority funding.'

8.3.8 Across the remainder of the site, amenity standards are generally low or meet the minimum LPA requirements. Plots 2-5 contain gardens that measure 64 sq. metres. (6 sq. metres short of the minimum standard that the LPA apply). However, given these units are bungalows and have the perception of being greater owing to their location adjacent to playing fields, the LPA consider this to be acceptable in this instance.

8.3.9 Units 21-26 would have access to a communal amenity space to the rear of the existing building and the landscape design would create private areas immediately in front of the units and a more expansive public garden beyond. Units 23 and 25 would have small private amenity spaces to the west of the units.

- 8.3.10 In terms of separation distances, the LPA are satisfied that these are acceptable. Plots 12 and 13 do not contain openings on the rear elevation and have been orientated to take into account the site layout and surrounding properties.
- 8.3.11 In terms of appearance, the new-build units are designed in a contemporary interpretation of the local vernacular style. Although the predominant material is red brick, feature units are created by the use of tile hanging, drawing the appearance of some of the properties in the vicinity of the more modern 1970s and 1980s style, but used in a bolder more contemporary way. The existing former school building generates the primary design cues, with steeply pitched roofs with prominent gables on the new units. Glazing to these gables also allows views over the apartment and southern parking areas, increasing natural surveillance of these areas. The introduction of plot 28 would also provide some level of natural surveillance to the parking court on the site frontage although owing to its location adjacent to the footpath, some overlooking of the property would also occur. Whilst design cues have been taken from the existing building, these are subtle. The design approach uses the internal estate road and parking court on the frontage to segregate the new from the old. The LPA are satisfied that this approach is acceptable in this instance and that it will positively contribute towards improving the character and appearance of the area.
- 8.3.12 The boundary treatment around the converted schoolhouse would largely consist of PPC estate railing fencing and hit and miss fencing around the communal bin store (located behind unit 27). Towards the rear of the site, the boundary treatment proposed would be a mix of 1.8 brick walls where private amenity space face the street scene, 1.2m high timber picket fence to the rear of the bungalow gardens and close boarded timber fencing at the rear of the new build properties.
- 8.3.13 With regard to the M4(2) and M4(3) accessibility requirements, the Homes for All Supplementary Planning Document was adopted in January 2022. The Planning Statement considers the shortfall of M4(2) and M4(3) pointing towards the constraints of the existing school house building and heritage considerations. In response to the shortfalls the applicant proposes a total of 5 bungalows (all of which fall within M4(2)), where Nuplace is looking to manage the letting of these properties through an allocation policy for people over 55 with a demonstrable need.
- 8.3.14 On balance, the proposals are considered compliant with Policy BE1 in terms of appearance, scale and design and would have a positive impact on the character and appearance of the area. Officers have identified deficiencies in garden sizes contrary to Policy BE1(ii) and non-compliance with the Homes for All SPD in terms of M4(3) provision. However, these need to be considered in the overall planning balance.

8.4 Impact on Heritage Assets

The proposal site lies between two Buildings of Local Interest, the converted Wesleyan Chapel at Hill Top and polychromatic brick dwelling of Providence House. The building itself is the former Ketley Bank Board School of 1878 together with the adjoining schoolhouse. Although not currently on the TWC Register of Buildings of Local Interest, it has been put forward for consideration in the current ongoing review, and is considered to be a non-designated heritage asset.

- 8.4.1 The schoolhouse is a distinctive institutional building and has a focal presence within the street scene to the south of Main Road. The submitted HIA identifies the building as having 'low' architectural and artistic interest, but the LPA would contest this, as although fairly routine for its use and age, it is a well-executed building with its plan form clearly reflecting a phase in the architecture of late-19th century school building.
- 8.4.2 The more prominent side elevation facing west has been amended to retain the existing pattern of windows, without the introduction of doors or extension of window openings. However, the proposal results in a number of new roof lights and dormers which would alter the character of the building, being particularly prominent on the west elevation. The introduction of roof lights and triangular roof dormers would be an would result in harm to the characteristically uninterrupted tiled roof, introducing modern architectural features for which there is no historic or design precedent, and disrupting the institutional character of the historic building and impact views along Main Road. The alteration proposed to the rear elevations, which are less publicly visible, are considered less harmful as there is no impact on the street.
- 8.4.3 The Applicant has submitted an updated Planning Statement which states that the proposed roof dormers would allow for the most efficient use of the building floorspace, enabling the creation of new rooms with access to natural light. They would also provide required daylight and good outlook for future residents. They state that the dormers would be of a similar pitch as the existing roof and correspond to the locations and dimensions of the existing windows below, as well as being of the same width. The LPA requested that the Applicant look at alternative designs with mezzanines and borrowed light but this has not been forthcoming. The introduction of roof lights and dormers would be noticeably harmful to the existing plain uninterrupted roof scape, as previously raised. It is stated that the number of roof lights has been reduced, however, the plans have not been altered during the determination process in this respect.
- 8.4.4 The proposal would result in the total demolition of the link building between the school and school house. The map evidence of 1882, only 4 years after the construction of the school, suggests that the buildings were always joined. The Applicant contends that the link building was a later addition to the original built form and has a lower quality in terms of design and heritage. The state that its removal would also allow for improved maintenance of the

original building. This justification carries some weight in heritage terms given the awkward construction.

- 8.4.5 Limited detail has been provided in respect to the proposed works to the existing historic fabric of the building. The LPA would seek to secure details through condition including materials, a schedule of retention/repair/replacement windows and doors with joinery details where appropriate and method statements for repairs to historic fabric.
- 8.4.6 The site layout has been designed to retain a sense of the school yard to the rear of the former school, and separation from the proposed new housing development. Brickwork articulation has been provided through the design of the scheme to add interest to facades. A gable roof form is proposed on the new build elements throughout the scheme to respect the existing building character and that of the surrounding area.
- 8.4.7 Within the existing frontage boundary wall there are iron gates of character and heritage significance. The scheme involves retaining the walls (and the historic blue brick pavers) of the former nursery and rails, which are proposed to be conditioned, apart from the wall on the north west corner of the site which is required for construction of the new bellmouth junction for access into the site. The removal of a section of the historic boundary wall to the west of the school is regrettable, but can be supported to provide the necessary access to the houses to the rear. An amended boundary treatment plan has been submitted which sets the close boarded fence for Unit 27 back from the street scene.
- 8.4.8 The Applicant has made some limited amendments to the design of the proposed new builds during the determination in terms of enlarging the gables of Units 1 and 5 and adding some brick corbelling, more reminiscent of the existing school building to try and harmonise the design of the development.
- 8.4.9 The proposal would result in a low-level of harm, as outlined above, to the non-designated heritage asset. In accordance with the NPPF para. 203, the impact on the non-designated heritage asset should also be taken into account in the balanced judgement of the application.

8.5 Highway Safety

The main access into the site is proposed from the north-west corner of the site, off Main Road. This would require the widening of the existing egress track to the west of the existing building on site. A secondary access point is proposed on the north-eastern corner, also off Main Road, to serve the parking court for the conversion and plot no. 28. The secondary access point uses the existing site ingress point. The site is located off Main Road which is subject to a 20 mph speed limit. Main road is lit and is a bus route.

- 8.5.1 Across the site, a total of 56 parking spaces have been provided for residents as well as 3 visitor spaces (total 59). The parking standards set out in Appendix F of the Telford and Wrekin Local Plan seek a provision of 53

parking bays based on the number of units. In light of the above, the parking provision for the site is considered to accord with Policy C5 of the Telford and Wrekin Local Plan and is therefore considered to be acceptable.

- 8.5.2 A Transport Technical Note has been prepared to support this planning application. The note looks at the road safety record for the local highway network from Crashmap. There have been no recorded incidents involving personal injury during the period assessed (2017-2021) along Main Road in the vicinity of the subject site. There are vertical traffic calming features along Main Road, along with kerb build out at the eastern end of Main Road and the use of give way markings to produce priority for traffic travelling eastbound along Main Road. An existing narrow footway is located along the site frontage and runs along the northern extent of the playing field to the west before terminating.
- 8.5.3 The Note uses the Industry Standard TRICS Database to calculate traffic movements associated with the proposed development. The proposals are anticipated to generate 14 vehicles per hour (vph) during the am peak and 12 vph during the pm peak. This level of movement equates to 1 additional movement per 4.3 minutes on average during the morning peak highway hour and 1 additional movement per 5 minutes during the evening peak highway hour and concludes that this level of movement would be anticipated to have an insignificant impact upon the local highway network.
- 8.5.4 In terms of the internal layout, the carriageway would be 5 metres in width with an overall width of 7.5 metres for the highway. The layout shows a 2 metre wide margin to the west of the internal road and a 0.5 metre wide margin to the east. The public access would terminate at a turning head, located in front of Units 2 and 3 at the southern end of the site. Private parking courts are located beyond the turning head to serve Units 4-7 and Units 8-13 in the centre of the site.
- 8.5.5 In terms of the site's sustainability, the application site is located c. 1km from the facilities within Oakengates (including the train station) and bus services are available around 250 metres from the site. Buses currently do not run along the section of Main Road between Bank Way and Mossey Green. The bus stops closest to the application site is located to the east, off Main Road and Bank Way. The No. 13 service serves these bus stops providing access to Oakengates and the Town Centre. A number of services (Primary School, Medical Centre, and Public Houses) are also located within 1km of the site.
- 8.5.6 Owing to the scale of the proposal and the existing use of the property, the proposed additional traffic movements are not considered significant. The Local Highway Authority has reviewed the submitted information and supports the planning application subject to conditions in respect to visibility splays, construction management, road design and parking implementation. The LPA consider the site to be sustainable and the level of parking proposed is acceptable. As such the proposal is considered compliant with Policy C3, C4 and C5 of the TWLP.

8.6 Flood Risk and Drainage

The site is located with Flood Zone 1 (low probability of flooding). The application is accompanied by a proposed drainage strategy and a completed surface water drainage proforma. The proposed strategy was altered during the determination period and it is now proposed that surface and foul water connect to an existing sewer off-site, via a connection over the playing fields to the south-west of the site. A surface water attenuation is located below ground in the south-west corner of the site (in the location of the private road).

- 8.6.1 The proposal does not deliver multifunctional SuDS features which meet all four pillars of sustainable drainage. On a residential development of this scale, it is expected that sustainable drainage features that not only attenuate surface water to achieve the discharge rate, but also provide water quality, biodiversity and amenity benefits, in line with national planning policy. The LLFA are objecting to the proposal on this basis.
- 8.6.2 It is understood that the Applicant has explored opportunities for over ground SUDS but owing to the viability position of the site, largely owing to the re-development of the school house, do not consider the delivery of multi-functional SUDS features to be viable. However, in line with the Council's Sustainable Drainage System Handbook (2019), it is not accepted that SuDS are unviable because they do not fit in with a proposed site layout.
- 8.6.3 The NPPF states at para. 169 that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:
- a) take account of advice from the lead local flood authority;
 - b) have appropriate proposed minimum operational standards;
 - c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
 - d) where possible, provide multifunctional benefits.
- 8.6.4. The development is seeking to mitigate surface water on site in line with Policy ER12, through the provision of an underground storage chamber in the south-west of the site in line with greenfield / brownfield rates. The LPA has received justification as to why multi-functional benefits of SuDS cannot be delivered on this site and this needs to be considered in the overall planning balance.

8.7 Ecology

The application is accompanied by an Ecological Assessment Report by Shropshire Wildlife Surveys which identifies no significant habitats on site, with the site mainly comprising a former school, horse paddock and a small area of scrub.

- 8.7.1 The Ecological Assessment Report identifies that the existing school building has high potential to support roosting bats. A total of five surveys were carried out across the active bat season in 2021, with four surveyors located around the buildings using bat detectors combined with infrared cameras. Results of the nocturnal surveys identified a much lower population of bats than expected in the area, and results were not conclusive enough to identify foraging and commuting routes around the site. No bats were observed emerging from the buildings. Internal inspection of the building highlighted some bat droppings present within some areas of the loft void. These were too degraded and aged to request further analysis and the surveyor was of the opinion that these are not indicative of a recent roost within the loft.
- 8.7.2 In combination with the lack of bats observed during the emergence surveys, and with the lack of foraging and commuting activity around the site, it is considered that the site would not require a protected species licence to proceed, and that works should be timed and managed appropriately to try and mitigate any potential disturbance. An appropriately qualified ecologist should provide a toolbox talk to contractors prior to works commencing, and a Reasonable Avoidance Measures Method Statement (RAMMS) should be written relating to the stripping of the roof on the existing building.
- 8.7.3 The landscaping proposal for the site (4709-03-48 Rev. A Landscaping Plan) identifies the provision of a range of suitable habitats for replacement of those lost including the native shrub planting, native hedgerow planting and selection of native standard trees throughout the site and along its east boundary. As such it is considered that this proposals satisfies the policy test NE1, that the council will not support any proposal which results in a net loss of biodiversity. A landscaping and environmental management plan will be required as a Condition.

8.8 **Arboriculture**

The application is accompanied by an Arboricultural Impact Assessment, in line with Policy NE2 owing to the presence of trees on site.

- 8.8.1 A mature beech is located to the south of the disused building whilst several early-mature to mature ash trees dominate the site's north-eastern corner. A line of off-site Ash Trees are also located beyond the site's eastern boundary. The south-eastern section of the horse paddock is bound by a mature mixed-species hedgerow. The occasional scrubby, self-seeded tree is situated on the western boundary of the horse paddock and southern boundary of the grounds to the disused building. A public track runs adjacent to the site's western boundary that is bound by a mature mixed-species hedgerow along its west side.
- 8.8.2 The proposal would result in the removal of four Category 'B' Trees, ten Category 'C' Trees and one Category 'U' Trees to facilitate the proposed development.

- 8.8.3 The submitted landscaping plan identifies opportunities for replacement planting. The details of which (species, size, numbers, planting pit details, root mitigation etc.) have not been provided on this plan. In the absence of this detail, the LPA propose to condition this element of the proposal.
- 8.8.4 On balance, the proposals are considered acceptable when assessed against Policy NE2, subject to Condition(s) in respect to replacement planting and tree protection.

8.9 Land Stability

The planning application is accompanied by a Ground Conditions Report (May 2022) prepared for the proposed development by Telford & Wrekin Council Highways and Engineering Services. The Ground Conditions Report provides an overview of the coal mining features that currently pose a risk to the proposed development (shallow coal mining) and recommendations were made that intrusive ground investigations were required in order to confirm whether shallow coal workings would affect the safety and stability for the proposed development at this site. Three rotary open drill holes were undertaken to 30 metre from rockhead with borehole logs and a plan to illustrate where the boreholes were drilled appended to the Report.

- 8.9.1 Based on the results and analysis of the findings of the rotary drilling works, the report author informs that there is inadequate thickness of rock cover above the suspected coal workings to prevent surface instability. Recommendations have been made that ground stabilisation should be undertaken, in the first instance and then depending on the quantities of grout used it may be necessary to consider additional reinforcement to the proposed new housing foundations.
- 8.9.2 The report author has discounted the risk to the site from the off-site mine entry and identifies that no further remedial measures are deemed necessary. However, the report author informs that it would be prudent to locate proposed building footprints to be greater than 20 metres from the shafts plotted position.
- 8.9.3 The LPA are satisfied that the proposal is compliant with Policy BE9, subject to Condition(s) requiring ground remediation measures.

8.10 Infrastructure (Open Space and Education)

New developments are required to make full provision for the infrastructure/amenities and services which they create. New residents to the area would increase demand upon the existing play and recreational resources as well as demand on nearby sport provision. However, the scale of the proposal does not trigger the need for open space infrastructure on site. As such, off-site contributions are requested to make the proposal acceptable when assessed against Policy NE4 (secured via condition). The following sums (excluding 1 bedroom units):

- I. £650 per dwelling towards improvements of nearby play/recreation facilities
- II. £650 per dwelling towards improvements to nearby sport and recreation facilities.

8.10.1 There are also shared areas/open space (hard and soft landscaping, outside of resident ownership) which require maintenance/management. It is proposed that a long term Landscape Management Plan be secured via condition, which covers the lifetime of the development to ensure these areas are managed appropriately in the future. This plan should include who is to manage these areas (e.g. resident management company), how ongoing maintenance is to be financed (e.g. service charge), a schedule of maintenance operations, a monitoring and review schedule (requires a section which states the LMP cannot be changed without the written approval of the LPA) as well as how maintenance is to be carried out. This should be provided in accordance with Local Plan Policy NE5.

8.10.2 The Council's Education Department have reviewed the proposal and identified that the proposal would trigger a financial contribution of towards £123,095 education spaces. This figure can be broken down into £87,419 for Primary School places and £35,676 for Secondary School places), considering the deduction of the 2 x 1-bedroom units and the 5 x bungalows for over 55s. Subject to the provision of these contributions (prior to commencement) within the Section 106 Agreement, the Council's Education Department supports the proposal.

8.11 Sustainability

Car charging points to all dwellings will be provided on the site. However, this is in line with Building Regulations requirements. Additionally, solar panels to all new build dwellings will be provided. The locations/number of panels shown on the elevations are indicative only at this stage, as they would be subject to a detailed design process to confirm location and capacity for each dwelling. The LPA have conditioned this element of the proposal.

8.12 Financial Contributions

Any planning consent would be conditional on the finalisation of a Section 106 Agreement to secure the following:

- I. Delivery of 7 no. affordable dwellings (for affordable rent);
- II. 5 no. bungalows for over 55s;
- III. Off-site open space contributions of £33,800 (£650 per dwelling for improvement to nearby play/recreation facilities and £650 per dwelling for improvements to nearby sport facilities);
- III. Education Contributions of £123,095;
- VI. Monitoring contributions at 2% of the value of the s.106.

8.12.1 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.

8.13 Planning Balance

The introduction of the development would result in a low-level of harm to the non-designated asset (the school building) due to the demolition of the link building and introduction of roof lights and dormers. In accordance with the NPPF para. 203, the impact on the non-designated heritage asset should be taken into account in the balanced judgement of the application.

8.13.1 Additionally, the proposal would result in some deficiencies in the overall private amenity space for several plots across the development and the proposal does not meet the standards required for M4(3) within the Homes for All.

8.13.2 When considering this harm, and non-compliance with Policy, the decision-maker must balance this harm against the benefits of the scheme. In this regard, the proposal would deliver the following benefits:

- 7 no. affordable dwellings (for Affordable Rent);
- Provision of 5 no. bungalows for over 55s (M4(2) Compliant);
- Off-site open space contributions of £33,800 towards the local area;
- Education Contributions of £123,095 to be spent locally;
- Conversion of an under-utilised heritage asset into 7 no. dwellings on a part brownfield site within the urban area of Telford;
- Delivery of temporary construction employment and supply chain opportunities;

8.13.3 When considered cumulatively, the LPA considers that the benefits of the proposals outweigh the harm to the heritage assets identified and on balance are considered acceptable when assessed against Planning Policy.

9. CONCLUSION

9.1 This site is partly previously developed, partly greenfield, and located in a predominantly residential area of Ketley which is well served by local amenities and transport connections. The building on the frontage is the former Ketley Bank Board School of 1878 together with the adjoining schoolhouse. The land to the rear is currently used as a paddock.

9.2 In accordance with Policies SP1 and SP4 of the Telford and Wrekin Local Plan, the principle of development on this site remains acceptable.

- 9.3 The application site was last used as a nursery which is considered a community facility in planning terms. The LPA are satisfied that the Applicant has submitted sufficient evidence to demonstrate that alternative community provision is located within walking distance of the site. As such, Policy COM1(v) is satisfied.
- 9.4 The proposed provides a total of 28 residential dwellings in the form of 21 no. new dwellings and the conversion of the existing former school house on site to provide 7 no. dwellings. The proposal provides a mix of 1, 2 and 3 bedroom dwellings, including 5 no. bungalows for over 55s.
- 9.5 The proposed development triggers the need for affordable housing, of which 7 have been proposed equating to 25% of the development overall in line with Planning Policy. In terms of accessibility some M4(2) units have been proposed. However, no M4(3) is included on site. Although this doesn't meet the requirements of the Homes For All SPD, it is appreciated that a greater mix of housing types (through the 5 bungalows) are being provided and that other physical constraints limits the ability to meet the accessible and adaptable housing requirements. Overall the application is considered acceptable in principle.
- 9.6 On balance, the proposals are considered compliant with Policy BE1 in terms of appearance, scale and design and would have a positive impact on the character and appearance of the area. Whilst officers have identified some concerns with the private amenity spaces of some of the properties on site, this has been considered in the context of the wider scheme which delivers an area of communal amenity space between the existing building and the new dwellings.
- 9.7 Although not currently on the TWC Register of Buildings of Local Interest, the building on site has been put forward for consideration in the current ongoing review, and is considered to be a non-designated heritage asset at this point. The proposal would result in a low-level of harm, as outlined above, to the non-designated heritage asset. In accordance with the NPPF para. 203, the impact on the non-designated heritage asset should also be taken into account in the balanced judgement of the application. The LPA considered that on balance, it is considered that the development delivered sufficient benefits to outweigh this.
- 9.8 The proposal meets TWLP parking standards, is sustainably located and the level of movement that would be anticipated from the development is considered to have an insignificant impact upon the local highway network, taking into consideration the existing use of part of the site. There is no technical objection from the local highway authority to the proposal.
- 9.9 The development is seeking to mitigate surface water on site in line with Policy ER12, through the provision of an underground storage chamber in the south-west of the site in line with greenfield/brownfield rates. The LPA has received justification as to why multi-functional benefits of SuDS cannot be

delivered on this site and considers on balance, the proposal to be acceptable.

- 9.10 The application is accompanied by a Coal Mining Report, Ecological Appraisal and Arboricultural Impact Assessment. The LPA are satisfied that these technical matters have been satisfied, subject to Condition(s).
- 9.11 Taking all these matters into account, the Local Planning Authority considers that when the advantages and disadvantages of the scheme are weighed against each other, the benefits outweigh the detriments and the application is therefore recommended for approval.

10. RECOMMENDATION

- 10.1 Based on the conclusions above, the recommendation to the Planning Committee is that **DELEGATED AUTHORITY** be granted to the Development Management Service Delivery Manager to GRANT PLANNING PERMISSION subject to the following:
- 10.2 The Applicant/Landowners entering into a Section 106 Agreement with the Local Planning Authority (items (i) to (vi) subject to indexation from the date of committee), relating to:
- I) Affordable dwellings (7 no. for Affordable Rent);
 - II) 5 no. bungalows for over 55s
 - III) Off-site Open Space Contributions of £31,200 (£650 per dwelling for improvement to nearby play/recreation facilities and £650 per dwelling for improvements to nearby sport facilities);
 - IV) Education Contributions of £131,407 (£91,279 for Primary School places and £40,127 for Secondary School places);
 - V) Monitoring contributions at 2% of the value of the s.106.
- 10.3 The following Condition(s) and Informative(s) (with authority to finalise Condition(s) to be delegated to Development Management Service Delivery Manager:

Condition(s)

Time Limit

Full Site Environmental Management Plan (incl. on-site construction)

SUDS Maintenance

Foul and Surface Water

SuDS Management

Landscaping Detail

Landscape Management Plan

Land Stability - Remediation Works/Mitigation Measures

Land Stability - Signed Statement/Declaration

Ecological Survey - Working in Accordance with Protected Species Survey

Ecological Mitigation Strategy and Method Statement

Erection of Artificial Nesting/Roosting Boxes

Habitat Management Plan (post construction)
Lighting Plan
Parking, Turning & Loading
Visibility Splays (2.4 metres x 33 metres)
Road Design
Materials Details
Method Statement
Retention of Gates/Railings and Bricks on Site Frontage
Schedule of Works
EV Charging (Compliance)
Solar Panels
Tree/Hedge Protection Plan
Finished Floor Levels
Approved Plans
Removal of Permitted Development

Informative(s):

Nesting Wild Birds
Section 106
Condition(s)