

TWC/2019/0228

Land adjacent The Shires, Shifnal Road, Priorslee, Telford, Shropshire
Erection of three storey 71 bedroom care home with landscaping, associated access and parking

APPLICANT

Care Developments (Midlands) Ltd

RECEIVED

19/03/2019

PARISH

St. Georges and Priorslee

WARD

Priorslee

CLLR VERONICA FLETCHER HAS REQUESTED THAT THIS APPLICATION IS DETERMINED BY MEMBERS OF PLANNING COMMITTEE

FINANCIAL CONTRIBUTIONS ARE ALSO SOUGHT TOWARDS THE UPGRADE OF NEARBY PUBLICLY ACCESSIBLE OPEN SPACE AND TOWARDS A TRAFFIC REGULATION ORDER

1.0 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 Contributions/s.106 in respect of upgrading and maintenance of nearby publicly accessible open space and a Traffic Regulation Order (TRO) and Condition(s) and Informative(s).

2.0 SITE AND SURROUNDINGS

- 2.1 The application site is located in the area of Priorslee, approximately 1 mile from Telford Town Centre. It is situated along Shifnal Road with a mixture of university, commercial and residential buildings surrounding the site. The site area is 5,176 sq. metres (1.27 acres) and has a frontage of approximately 60 metres onto Shifnal Road. The application land is allocated as white land within the Telford and Wrekin Local Plan. Land between the rear boundary of the site and the M54 motorway to the south is allocated as Green Network.
- 2.2 Prior to the submission of this application, the site has been cleared and levelled by the applicant, largely in order to remove the presence of Japanese Knot Weed from the site. Existing embankments notably those to the south and western edges of the site have been retained. The eastern edge adjoins a Public Footpath that runs adjacent to the eastern and southern boundaries of the site.
- 2.3 The front boundary of the site fronting Shifnal Road consists of a stone retaining wall which in parts is in need of repair. Double yellow parking restrictions run the entire length of the opposite side of the road and there are smaller sections of double yellow lines on the same side of the road as the application site which are interspersed with unrestricted sections that allow for some off road parking on Shifnal Road.

- 2.4 The M54 Motorway is located to the South of the site beyond an area designated to the Green Network which houses the southern embankment mentioned above. The Footpath to the side and rear of the site leads to a footbridge over the Motorway and extends towards Stafford Park to the south and Telford Central Railway Station to the east.
- 2.5 Residential properties are sited to the west of the site and consist of detached single family dwellings which are set back from the road in a cul-de-sac formation known as 'The Shires.' These properties are situated at a much higher level to the application site. These properties are surrounded by substantial planting creating the boundary with Shifnal Road. In addition they contain Protected Trees (TPO) along the boundary with the application site. Two of the dwellings (5 and 6) have garden boundaries with the application site with depths of between 15 and 19 metres.
- 2.6 To the east of the site and on the opposite side of the Public Footpath are a semi-detached pair of residential dwellings (Glendale and Ingleside). These are of a more traditional form, set at the back of the pavement and two-storey in height with a gable roof design. This is part of a small run of other dwellings and a Public House (The Lion) and a Guest House. Further to the east is a more recent development of 14 residential dwellings supported by Planning Committee in 2015. Opposite this is a substantial development of three-storey university accommodation buildings. At the opposite end of the road, to the west, are a group of commercial buildings including HM Revenue and Customs and PDSA head office which front Shifnal Road.
- 2.7 The local architectural character is varied in style and age; however residential properties in the immediate vicinity are traditional two-storey Victorian Terraces and 1980's detached housing.

3.0 APPLICATION DETAILS

- 3.1 This application seeks Full Planning Permission for the erection of a 71 bed three-storey Care Home together with the provision of associated access, parking (27 spaces), landscaping and infrastructure.
- 3.2 The application has been submitted following previous approvals for similar development on this site. In 2012 for a 69-bed Care Home and 6-detached dwellings (TWC/2012/0031) and in 2017 for a 69-bedroom Care Home and 18 Extra Care apartments. Both applications were considered by Planning Committee and subsequently approved subject to Condition(s) and associated contributions. The latter consent remains live and expires 06 December 2020.
- 3.3 The application is accompanied by the following supporting documents:
- Design and Access Statement
 - Drainage Strategy Report
 - Transport/Parking Statement
 - Arboricultural Report

- Noise Impact Assessment
- Ground Investigation Report
- Coal Mining Report
- Ecological Appraisal
- Retaining Wall Structural Survey
- Site Construction Management Plan

3.4 The application is subject to the following Contribution(s):

- Local Green Space Improvements (Tree Maintenance and Tree Planting),
£5,000;
- Highway Traffic Regulation Order (TRO) for the provision of double yellow lines within the vicinity of the site entrance and frontage, £5,000

3.5 The above Contributions will be secured prior to the issuing of the consent if granted or, if necessary, through a s.106 Agreement.

4.0 RELEVANT HISTORY

4.1 TWC/2016/0887 - Erection of a 69 bedroom care home and extra care building including 18 apartments with associated parking and landscaping - Full Granted - 06 December 2017

This Consent was Granted subject to a s.106 Agreement to include £5,000 for recreational facilities and £5000 for Highways Traffic Restrictions (double yellow lines on Shifnal Road).

4.2 TWC/2012/0031 - Erection of six detached houses fronting Shifnal Road and a four storey care home to the rear of the site, with new access and associated works - Full Granted - 29 November 2012

This Consent was Granted subject to a s.106 Agreement to include £5,000 for recreational facilities and £5,000 for Highways Traffic Restrictions (double yellow lines on Shifnal Road).

4.3 TWC/2011/0176 - Erection of a 69-bed Care Home and 6No. detached dwellings and formation of new access - Withdrawn June 2011

4.4 TWC/2010/0009 - Erection of 5No. detached dwellings with detached garages to include access (Outline Application) - Outline Granted February 2011

4.5 Planning permission was granted to Telford Development Corporation (TDC) in 1985 for residential development on the site, under the provisions of the New Town Act 1981. The permission, which remains extant, is equivalent to outline planning permission, and at the time TDC believed that 6 to 8 dwellings could be accommodated on the site.

5.0 RELEVANT POLICY DOCUMENTS

5.1 National Guidance

National Planning Policy Framework (NPPF)

5.2 Local Development Plan

Telford & Wrekin Local Plan 2011-2031

6.0 SUMMARY OF CONSULTATION RESPONSES

6.1 Local Member & Parish Council Responses:

6.2 St Georges and Priorslee Parish Council: Object:

- Concern for the site location being in a cul-de-sac and therefore no alternative emergency exit available;
- Reassurance that the sewerage disposal scheme is acceptable and its ability to cope with the additional usage;
- Serious concerns for the stability of the rear bank and the precautions taken that this will not impact on neighbouring properties.

6.3 Cllr Veronica Fletcher: Object:

- Increased traffic use of Shifnal Road;
- Topography of site has steep bank on West side, without stabilisation it would create a danger to residents and adjoining properties.

6.4 Standard Consultation Responses

6.5 Ecology: Support subject to Conditions in respect of requiring artificial nests/roost boxes, landscaping design, external lighting details and a pre-commencement Badger inspection.

6.6 Trees: No comment received

6.7 Highways: Comment:

Based on the proposals put forward including the number of staff, this would equate to 39 parking spaces being necessary to accommodate the Care Home. This means that the applicant is 12 parking spaces short of meeting the Local Authority's Car Parking Standards.

The existing parking issues along the Shifnal Road are the reason as to why, with all previous applications relating to the site, the Local Highway Authority have requested a s.106 Contribution towards implementing parking restrictions in order to protect any access into the site (and amend the existing parking restrictions accordingly).

The Officer has recommended the same Condition(s) as requested on the previous application should the application be approved and for a contribution of £5,000 towards parking restrictions in the vicinity of the development.

6.8 Healthy Spaces: **Support subject to Condition(s)**:

This site has some considerable site history with significant tree cover lost to facilitate the proposed development. This loss of trees was agreed to be mitigated through the provision of a sum to make improvements to nearby woodland / trees by way of a S106 agreement in the previous applications. This application needs to include the same mitigation for the loss of the trees to mitigate this proposed development. Requests that this sum be matched in this application.

6.9 Drainage: **Support subject to Condition(s)**:

The site sits on a historic quarry that has been infilled with material. In order to support their application the developer has submitted site specific infiltration testing identifying infiltration rates in excess of 10^{-3} . Soakaway tests have been undertaken in the quarry infill material, however it is unknown how the natural ground drains or how increased wetting of some areas of the infill and drying out of others as a result of the proposed development will affect ground stability. The infiltration rates achieved in the soakaway tests are exceptionally good (far in excess of what would be expected in natural ground). A full assessment of the suitability of soakaway drainage serving the site will be required, including a GI and consideration of how the changed drainage regimes will affect the infilled quarry and surrounding ground will need to be submitted.

6.10 Trees: No comment received

6.11 Shropshire Fire Service: **Comment**:

Consideration to be given to in "Fire Safety Guidance for Commercial and Domestic Planning Applications' Guidance.

6.12 West Mercia Police: **Comment**:

Advice on achieving Secured by Design (SbD) status.

7.0 SUMMARY OF PUBLIC RESPONSE

7.1 Eight objections have been received from local residents, which are available in full on the planning file, but key points have been summarised as follows:

- Traffic and parking;
- Overdevelopment of the site;
- Adverse impact upon nearby residents (overlooking/loss of privacy);
- Out of character;
- Drainage issues;

- Noise;
- Lack of outdoor space

8.0 PLANNING CONSIDERATIONS

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 and Layout
- Impact upon Neighbouring Amenity
- Highways and Access
- Drainage
- Trees and Ecology
- Other Issues
- Planning Obligations

8.2 Principle of Development

8.3 The application site is unallocated white land within the Local Plan and as such, consent should be granted for development providing the proposal complies with the relevant Policies within the Plan, relating to this development.

8.4 The application site has been subject to previous consents for Care Home facilities on this site. These demonstrate that the principle of such development on this site has already been established. The first of these allowed a four-storey, 69-bed Care Home and 6 detached houses with a total of 21 parking spaces and amenity space provided for the care home. The second application remains extant and expires 06 December 2019. This allows a 69-bedroom care home and 18 extra care apartments (12 one-bed and 6 two-bed) with a total of 35 parking spaces and amenity space. This extant consent should be given significant weight in the determination of this application as it remains a fall-back position should this current application be refused.

8.5 Design and Layout

8.6 In comparison to the extant application, the proposal retains a high quality, traditional, Victorian Villa design which is three-storey in height and consist of prominent bay windows and gable features. It is however a larger single building, rather than two separate buildings. Despite this, Officers are satisfied that the overall footprint is similar to previously allowed scheme's and sits well within the site without any detrimental impact upon the character and appearance of the street scene. It is noted that the width of development fronting Shifnal Road is reduced slightly from the previous scheme.

8.7 The scheme allows for suitable areas of landscaping including a garden area and parking provision. It should be noted that it is proposed to retain the existing stone wall along the front of the site.

8.8 Whilst materials will be subject to conditions, Officers are satisfied that the proposed layout, scale and design of the proposal is of a high quality, responds to its surroundings and will respect the character and appearance of the area, satisfying the requirements of TWLP Policy BE1.

8.9 Impact upon Neighbouring Amenity

8.10 Officers are satisfied that the scheme provides adequate separation from neighbouring dwellings and amenity space to ensure that there would be no adverse loss of privacy or light.

8.11 Level differences between the application site and neighbouring units on 'The Shires' to the west have been taken into account when considering the impact upon residential amenity. There is a minimum distance of 14 metres from the flank wall of the proposed development to the garden boundaries of the neighbouring units. There is a distance of approximately 32 metres between building elevations. Given that the neighbouring units are located at a higher level, any impact is further reduced. The distances achieved are similar to previous consents granted. Officers are therefore satisfied that the proposal complies with TWLP Policy BE1.

8.12 Highways and Access

8.13 The proposed access is located in the same location as the extant consent and a visibility splay of 2.4 metres and a length of 43 metres can be achieved at the access. The visibility from the access is therefore acceptable and would not result in any harm to highways safety subject to the painting of highway restrictions (yellow lines) surrounding the access point to avoid vehicles parking within the visibility splay.

8.14 Officers note objections raised by neighbouring occupiers in regards to the potential increase in traffic created by the proposed development. The Highways Officers have not expressed any concern in this respect but have noted that the proposal may lead to a potential dispersion of parking onto the public highway. However, as noted above, a TRO can be used to prevent the lawful parking on the highway.

8.15 Significant weight should be given to previous Consents on this site which have allowed lower levels of parking provision than currently proposed when compared to the total number of bedrooms. Whilst it is acknowledged that the current applicant has indicated a higher level of staffing than previously proposed, it should be taken into account that the previous extant consent allowed 35 spaces for a total of 93 bedrooms and the current application proposes 27 spaces for 69 bedrooms. Although, based on the proposed level of staffing, this falls below the standards contained within the Local Plan. Paragraph 19 of the standards set out that these can be applied flexibly

depending on certain factors including the proximity of the development to railway stations and Bus Stations and where they are within 800 metres of Telford Town Centre. The proposed development is within 500 metres of both the Station and Town Centre as shown on the Proposals Map of the Local Plan and as such, Officers are satisfied that the proposal is in a sustainable location where the availability of access to public transport should be taken into account.

8.16 The Applicants have also supported the application with a supplementary Parking Statement which further argues the sustainable location of the site and that the management objective would be to reduce staff dependency on car use. Officers therefore consider that due to the previous and extant consents on this site, the nature of the development and its sustainable location, it would be very difficult to defend a refusal reason on grounds of insufficient parking or impact upon the highway network at appeal.

8.17 The site benefits from good connectivity to the surrounding area by way of footpath links, cycling provision, bus routes and proximity to Telford and Oakengates town centres where railway stations are located. The site will connect with surrounding footways which are lit and is considered to be within a reasonable walking distance of Telford Town Centre and Telford Central Railway Station, Stafford Park Business Park, Oakengates Town Centre and Railway Station and St Georges and Priorslee West local centres. There is also good local cycling provision with two off-road cycle routes passing close to the site.

8.18 Flood Risk and Drainage

8.19 Following initial objections raised by the Council's Drainage Officer, no further objection, subject to conditions, is raised following the submission of a drainage statement carried out by NJP Consulting Engineers in May 2019.

8.20 The Drainage Officer has requested a pair of conditions including the submission of information demonstrating that there is a viable pathway for infiltration drainage and that soakaways will not cause localised settlement within the infilled quarry site. Final details of foul and surface water drainage and soakaways have also been recommended for conditional approval.

8.21 Subject to the submission of information through conditions, Officers are satisfied that the site can be suitably drained.

8.22 The proposal has therefore been assessed by the Council's Drainage Officer who raises no objection subject to appropriate conditions. As such, the proposal complies with Local Plan Policy ER12.

8.23 Trees and Ecology

8.24 Trees: The application has been accompanied by a Tree Survey which has categorised the trees on site in terms of their quality, condition and suitability for retention. The majority of trees are located around the perimeter of the site

and will be retained as part of the development. This includes the identification of 8 off-site trees subject to a Tree Preservation Order. With the site has now been predominantly cleared, it is not proposed to remove any further trees and a suitable landscaping scheme and contributions towards replacement trees off-site will mitigate the loss of trees already removed.

8.25 The submitted Tree Survey provides details of the location of tree protection and suitable conditions will be attached to ensure works are carried out in accordance with these details.

8.26 Ecology: The site was formerly secondary broadleaved woodland with a dense ivy understory with a range of other habitat types present when it was surveyed in 2016 but it was not considered to be of high biodiversity value and had the benefit of planning permission prior to clearance. A more recent survey has been carried out by AMPA Ecology (2019) and the Council's Ecologist is satisfied with the findings of this survey and as such, supports the application subject to conditions for the erection of nesting/roosting boxes, suitable landscaping design, a Lighting Plan and a pre-commencement badger inspection.

8.27 Accordingly, it is considered that the proposal complies with Local Plan Policies NE1 and NE2.

8.28 **Other Issues**

8.29 Slope Stability: Officers note that the proposal will include retaining features around the western and southern parts of the site. A landscaping condition will include a request for details on how these parts of the site will be retained as part of the overall scheme for both hard and soft landscaping. It is for the developer to ensure that any retaining feature has been designed by a suitably qualified Structural Engineer.

8.30 **Planning Obligations**

8.31 The proposed development meets the requirement to provide the following Contributions:

8.32 Highways: The Local Highways Officer has confirmed that a sum of £5,000 towards highway parking restrictions in the vicinity of the site would be required to ensure highway safety at the access and to discourage on-street parking.

8.33 Trees: The Council's Healthy Spaces Officer has confirmed the application shall provide a contribution of £5,000 towards the planting of replacement trees/upkeep of existing woodland in the vicinity of the site.

8.34 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.

8.35 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 required for this application meet the relevant tests.

8.36 The Applicant has requested that should the application be supported by Members of Planning Committee that they are able to pay the requested sums prior to the issuing of Consent. This is to avoid the Legal Costs of preparing a s.106. If the applicant does not provide the contributions, they will however be asked to enter into a s.106 prior to the issuing of any Consent. The ability to pay monies in this way is largely at the applicants own risk. Officers will ensure that detailed record of receipt of the monies and how it will be spent will be maintained for the Council's records.

9.0 CONCLUSIONS

9.1 The principle of development on this site has been previously established and has an existing consent for the erection of a 69-bed Care Home and 18 Extra Care Apartments. The current scheme, is less intensive than this previous consent and allows for a more suitable internal layout and provision of areas of landscaping, and a parking ratio provision similar to that already allowed.

9.2 The scale and layout of the scheme, along with landscaping ensure that the development would not dominate the street scene, or adversely affect the amenity of neighbouring occupiers or occupiers within the site itself. It is of a traditional design and materials will be carefully considered by officers prior to the erection of the building.

9.3 The Applicant has overcome objections from internal consultees through the further submission of requested reports and surveys. Issues relating to trees, ecology, drainage, ground conditions, noise and landscaping have all been adequately considered and mitigation can be controlled through the appropriate Condition(s).

9.4 The proposed development would provide a much needed Care Home facility within a sustainable location within the Borough.

9.5 There are no technical issues that would prevent the development from proceeding and no issues that cannot be mitigated against through the use of conditions or planning obligation. Accordingly it is considered that the proposal represents a sustainable form of development which complies with the National Planning Policy Framework, together with relevant policies within the Telford & Wrekin Local Plan.

10.0 RECOMMENDATION

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

- A) The applicant is to pay contributions of £5,000 towards highway infrastructure and £5,000 towards local green space improvements (Tree Maintenance and Tree Planting) to be secured by a s.106 Agreement (if not already secured prior to the issuing of the consent) with the Local Planning Authority (subject to indexation from the date of committee with terms to be agreed by the Development Management Service Delivery Manager); and
- B) The following Condition(s) (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager):

Condition(s)

Time limit

Samples of Materials

Details of windows and doors

Land Contamination (Unexpected Contamination)

Retaining Structures

Foul and Surface Water

Landscaping Design

Ecology Conditions

Works to front boundary wall

Parking, Loading, Unloading and Turning

Visibility Splays

Access Gradient

Access Bound Material

Works in accordance with Tree Protection Plan

Development in accordance with Plans