

TWC/2022/0980

Site of Audley Court, Audley Avenue, Newport, Shropshire
Erection of 32no. dwellings and conversion of Audley Court into 11no. apartments following the demolition of the first floor extension and removal of a chimney breast, erection of a two storey rear extension, demolition of existing rear extensions and buildings, and alteration of existing access, landscaping, and all other associated works ***Amended description and amended plans and documents received***

APPLICANT

Cameron Galliers Homes

RECEIVED

30/11/2022

PARISH

Newport

WARD

THIS APPLICATION HAS BEEN REFERRED TO PLANNING COMMITTEE AS IT REQUIRES A S106 AGREEMENT

Online planning file:

<https://secure.telford.gov.uk/planning/pa-documents-documents-public.aspx?ApplicationNumber=TWC/2022/0980>

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 Condition(s), Informative(s) and the Applicant entering in to a Section 106 Agreement to secure the Affordable Housing and Financial Contributions in respect of Highways, Education and Healthy Spaces.

2.0 SITE AND SURROUNDINGS

2.1 The site subject to this application is located to the south east of the market town of Newport. It is surrounded by the Shuker Playing Fields to the east, north, and northwest. The south western part of the site adjoins the grounds of Audley House Mews. This is a locally Listed Building which was historically a workhouse but has now been converted into flats and maisonettes. To the south, the site is bounded by Audley Avenue, across which is Burton Borough secondary school. Access to the site is from Audley Avenue.

2.2 There is a two-storey building on the site's south eastern frontage known as Audley Court. Like Audley House Mews, this is on Telford and Wrekin's Borough's Register of Buildings of Local Interest. The building dates back to 1908, when it opened as an infirmary. Along with the workhouse, the building is also on the Shropshire Historic Environment Record as part of the Audley Court workhouse complex (ref.: 31861/35467). It has since been altered and

extended, with single storey extensions to the rear, which form four further wings. There is also an additional single storey linked building, and a former two-storey dwelling to the west of this. The north eastern portion of the site is a garden, and there is a sizeable car park in the north western area, along with a single storey corrugated metal building.

- 2.3 The site and buildings are currently vacant and were most recently occupied by a Combat Stress Treatment Centre for veterans. The purpose of the site has changed in recent years, initially due to practical and operational reasons associated with changes to the way Combat Stress operate, and latterly as a result of the COVID-19 pandemic. The residential care use ceased in 2017/18. Since then, due to the location and operational issues, Combat Stress made the decision to relocate from the premises.
- 2.4 In terms of public transport, the nearest bus stops are located on Stafford Road, approximately a 10-minute walk away (804 metres) via Broadway, which is a residential street. There are further bus stops a similar distance away in Newport Town Centre. Audley Avenue is both pedestrian and cyclist friendly, with wide pavements on either side of the road, and a designated cycle lane in parts (to the south east of the site). The Town Centre offers a wide range of services and amenities, as well as employment opportunities, all in close proximity to the site.

3.0 PROPOSAL

- 3.1 This application as revised seeks to retain Audley Court, meaning that significant demolitions and alterations to the building are no longer proposed. The amended scheme seeks Full Planning Permission for the erection of 32 dwellings and conversion of Audley Court into 11 apartments (following the demolition of the first floor extension and removal of a chimney breast), with a two-storey rear extension, the demolition of existing rear extensions and buildings, and alteration to the existing access, landscaping, and all other associated works.
- 3.2 The primary amendment to the scheme is that the western wing of Audley Court will not be demolished, which means that the locally listed building will be almost entirely retained. The development does seek to remove the existing first floor extension. This will expose the original elevation, creating a mirrored frontage and improving the building's symmetry and appearance. Internally, there are 11 Affordable (social rented) apartments compared to the original 9, increasing the total number of units the development will deliver to 43. There is also a greater mix of apartment sizes, ranging from 1 to 3-bedrooms, to suit different needs. To account for the increase in units, there are now 14 allocated parking spaces for Audley Court, compared to the previous 12.

- 3.3 The retention of the western wing has necessitated the creation of a pinch point in the access to the rest of the site to the rear. A redundant chimney breast is proposed to be removed from the gable end of Audley Court, and a raised table shared surface is proposed, to include a 1.5 metre pedestrian zone.

4.0 PLANNING HISTORY

TWC/2011/0735 - Audley Court, Audley Avenue, Newport - Single and two storey extensions to provide additional clinical, administration, and laundry space - Full Granted 31 October 2011

TWC/2012/0237 - Audley Court, Audley Avenue, Newport - Erection of a temporary accommodation building - Full Granted 14 May 2012

TWC/2012/0316 - Audley Court, Audley Avenue, Newport - Erection of a single storey extension to provide eight replacement bedrooms - Full Granted 14 June 2012

TWC/2012/0571 - Audley Court, Audley Avenue, Newport - Extension to provide Out Patients Consulting rooms - Full Granted 28 August 2012

TWC/2012/0673 - Audley Court, Audley Avenue, Newport - Re-siting of previously approved temporary building (TWC/2012/0237) - Full Granted 05 October 2012

5.0 RELEVANT POLICY DOCUMENTS

- 5.1 National Planning Policy Framework (NPPF)
National Planning Practice Guidance

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

SP2: Newport

SP4: Presumption in Favour of Sustainable Development

HO1: Housing Requirement

HO4: Housing Mix

HO6: Delivery of Affordable Houses

HO7: Specialist Accommodation

NE1: Biodiversity & Geodiversity

NE2: Trees, Hedgerows & Woodlands

NE4: Public Open Space

NE6: Green Network

C3: Impact of Development on Highways

C5: Design of Parking
BE1: Design Criteria
BE6: Buildings of Local Interest
ER1: Renewable Energy
ER11: Sewerage
ER12: Flood Risk Management

5.3 Newport Neighbourhood Development Plan

6.0 NEIGHBOUR REPRESENTATIONS

6.1 The application has been publicised through a Site Notice, Press Notice and direct neighbour notification. Two stages of consultation have taken place, the second further to the submission of amended plans.

6.2 The Local Planning Authority received two neighbour representations objecting to the scheme on the basis of the first consultation, the following summarised issues were raised:

- impact on flooding and capacity of existing drainage systems in the locality;
- loss of green space;
- impact on wildlife;
- impact of additional traffic;
- impact on foundations to existing properties as a result of development;
- noise, dust and fumes from the development of the site.

6.3 These issues, where relevant to planning, are considered below.

7.0 STATUTORY REPRESENTATIONS

7.1 Newport Town Council: **Comment:** the increased affordable element of housing, in close proximity to the High Street, is welcome as are the measures to make the development more sustainable. Concerns remain about the impact of increased vehicle movements in close proximity to the nearby school. The Town Council would therefore welcome Section 106 Contributions to traffic calming and pedestrian safety measures in the immediate area to mitigate the impact of the development. Would also expect to see an appropriate Biodiversity Net Gain Contribution to offset the overall loss of trees and likely significant impact of the development on wildlife in the area.

7.2 Cllr. Peter Scott: Requests that a pelican crossing form part of any Section 106 Agreement.

7.3 Cllr. Thomas Janke: Expressed previous concerns about access in and out of the site (not wide enough for contraflow of vehicles) may not have been addressed. S.106 to improve road safety on Audley Ave would be very much appreciated. Traffic calming and enhanced crossing facilities particularly to the benefit of school children is a minimum. Would like to see veterans benefit from affordable element.

7.4 TWC Highways: **Comment:** The application is supported subject to suitable conditions and informative and a Section 106 contribution to secure a Traffic Regulation Order in relation to preventing the entrance and spine road being used by parents on the school run.

7.5 TWC Ecology: **Comment:** No objections on the basis of revised and updated surveys, subject to recommended Condition(s) and Informative(s).

7.6 TWC Drainage: **Comment:** Support subject to Condition(s).

7.7 TWC Healthy Spaces: **Comment:** The development will contain a number of properties which will contribute to the need of play facilities for the area in accordance with Local Plan Policy NE4. This size of development would normally provide an agreed contribution to upgrade nearby off site facilities to meet the needs of the new residents - £650 per 2-bed dwelling. This would be put towards improving existing play facilities at the adjacent play facilities on the Shukers Playing Field. This size of development would normally provide an agreed contribution to upgrade nearby off site outdoor sports facilities to meet the needs of the new residents - £650 per 2-bed dwelling. This would be put towards improving existing play facilities at the adjacent sports pitch facilities on the Shukers Playing Field.

7.8 Shropshire Fire Service: **Comment:** Consideration to be given to 'Fire Safety Guidance for Commercial and Domestic Planning Applications' document.

7.9 TWC Heritage: **Comment:** The proposals appear to have been amended to retain the whole of the front elevation of the Building of Local Interest, with just the south projecting wing adjacent to the central two-storey block reduced to single-storey level as per its historic appearance. This amendment is very much welcomed, both in terms of the reinstatement of the historic appearance of the focal central section of the front elevation and reinstatement and retention of broad symmetry across the whole of the frontage. Recommend Condition(s) in respect of materials specifications and samples for the reinstatement of brickwork and roof tiles to the Building of Local Interest, specifications for rainwater goods, and joinery details.

7.10 TWC Education: **Comment:**

7.11 Request the following contributions to be included in the Section 106 Agreement:

- Contribution to Primary School Education - £189,714;
- Contribution to Secondary School Education - £83,022

7.12 TWC Planning Policy (Affordable Housing): **Comment:**

7.13 Following further alterations to the application, the development proposal is for the erection of 32 dwellings and conversion of 11 apartments. This equates to 43 units overall and increase of 2 from the previous application. 15 of the units will be provided as Affordable Housing equating to 34.88% of the development and whilst not quite reaching the 35% this is considered acceptable on balance.

7.14 In terms of First Homes 4 will be provided of the overall affordable units meeting the overall requirement set out within the Council First Homes Policy Position Statement.

8.0 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 and Heritage
- Housing Mix and Affordable Housing
- Impact on Amenity of Adjacent Properties/Uses
- Highway Impacts
- Drainage
- Ecology and Trees
- Planning Obligations

8.2 Principle of Development

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

8.3 The Telford and Wrekin Local Plan (TWLP) was adopted in 2018. The application site is located in the built up area of Newport and currently has a

number of buildings on site, including a building of local interest on the site frontage.

- 8.4 TWLP Policy SP2 states that Newport will be expected to support its role as a Market Town and deliver approximately 1,330 net new homes up to 2031. All development will respect and enhance the quality of the town's built and natural environment.
- 8.5 TWLP COM1 states that development will be expected to preserve existing community facilities and sustain, enhance and provide new social infrastructure to meet demand arising from new development. Development which detrimentally affects existing social infrastructure such as its removal or reduction will not be supported unless a lack of need is demonstrated or acceptable alternative provision existing or is proposed concurrently.
- 8.6 The site was formerly being used as a treatment centre for veterans with complex mental issues and therefore was in a Community Use. Information has however, been submitted to demonstrate that there is a lack of need for the building as a Community Use. Combat Stress, who provide services for veterans have reviewed the way they provide treatment and still have centres that serve such a purpose, the nearest now being in Manchester, but largely provide services online or by telephone. Home visits are also available in appropriate circumstances.
- 8.7 The site was marketed by Fisher German using LinkedIn and e-mail's were also sent directly to investors and developers. A brochure was prepared to be used in the marketing. The LinkedIn posts were publicly viewable by those following Fisher German, with interested parties able to contact the Development Team to request further information.
- 8.8 The brochure/particulars and a covering letter were sent to 46 interested parties, and all but one were interested in developing the site for housing. The remaining party did express interest in introducing a different Community Use, as well as a residential element, which was largely vague and undefined. Their opening offer had a difference of over £1,000,000 compared to the highest offer, and throughout the tender process their offer remained lower than other parties. In addition, Fisher German was concerned about their funding, with proof of funds not being provided for the full amount offered. As a charity, Combat Stress are bound by the Charity Act 2011, and Government Guidance on Charity Land and Property makes clear that charities should seek the best deal possible when selling land. The party who were suggesting a small element of possible and largely undefined Community Use, were offering substantially less than the other parties interested in the site, and thus accepting it would have been in breach of the requirements of the Charity Act. The fact that there was no additional interest or competitive offers for a Community Use suggests a lack of need for one in this location in the present climate.

8.9 Given the nature of the building, that has been much altered to cater previously for the very specific needs of Combat Stress and in light of the above evidence, finding an alternative Community Use for the facility is considered to be not likely to be achievable. That being the case, the re-purposing of it for residential use in the form of Affordable Housing is considered acceptable. The site lies within the Newport urban area and the development of the site for housing is acceptable in-principle subject to other relevant policies and amenity considerations.

8.10 Design and Heritage

The development as revised, proposes to retain most of the Audley Court building on the south eastern frontage. This is on the Council's Register of Buildings of Local Interest, meaning that it is a non-designated heritage asset. The retention of the original building, along with all its original features, complies with Local Plan Policy BE6 in its desire to protect buildings of local interest. A new two-storey rear extension, which is smaller than the footprint of the existing extensions, will provide a stairwell and further accommodation for the flats. As this reflects the design and features of Audley Court and is insignificant in size, it is considered that this will not have an adverse impact on the building and is therefore an acceptable addition. The neighbouring Audley House Mews is also locally listed and has been converted into residential apartments, which establishes that this is an acceptable re-use of these historic buildings.

8.11 It was originally proposed to demolish the western wing of the building but as a result of negotiations with the Council's Heritage Officer it is now proposed to retain this element and convert into a further 2no. apartments.

8.12 The dwellings have been designed to a high standard, reflecting the character and appearance of the area, as required by Local Plan Policy BE1, Neighbourhood Plan Policy H2, and Section 12 of the NPPF. The design respects the site and its context, including the locally listed Audley Court. The proposed layout has been designed as a continuation of the characteristics in the locality as well as integrating the scheme with local surroundings.

8.13 The layout as revised will provide 43no. family homes comprising of different sized dwellings including 2, 3, 4 and 5-bed homes as well as 11no. 1 & 2-bedroom apartments contained within the conversion of the locally Listed Building. The scheme will provide a mix of affordable and open market homes. There will be 28 open market homes and 15 Affordable Houses. All affordable and open market dwellings achieve the Nationally Described Space Standards (NDSS) internal floor space standard, It is proposed that dwellings will meet Building Regulations M4(2) and M4(3) standards relating to accessible and adaptable dwellings and wheelchair user dwellings.

- 8.14 The layout takes the form of a T-shaped mews like scheme. The dwellings themselves will be largely in red brick with brown and grey tiles and some limited use of render. There is a mix of gabled and hipped dwellings throughout the site offering design variety and visual interest. The dwellings are traditional in style and will not detract from the setting of the heritage asset or the character and appearance of the area more generally.
- 8.15 The layout will provide a 5-metre-wide road with 2-metre-wide pavements throughout the development, with four private drives and a car parking area branching off from this. Dwellings will have front gardens, and landscaping is proposed across the site. Each of the new-build dwellings will have private gardens, and their sizes are compliant with the Council's standards. In almost all cases, they exceed these standards although Plot 28 falls short by 22.5 square metres, due to space constraints and the need to provide two parking spaces for Plot 29. Overall, gardens across the site are extremely generous and will provide residents with enough private amenity space.
- 8.16 Overall, the design as revised preserves a local heritage asset and the new dwellings are appropriate and acceptable in design terms.

8.17 Housing Mix and Affordable Housing

The development will provide a variety of dwellings, ranging from apartments to family homes, which will cater for a variety of needs. The new build dwellings will range from 2-bed to 5-bed, with the majority (56%) containing 3 bedrooms. This is roughly in line with the Strategic Housing Market Assessment (SHMA) 2016's dwelling stock requirements for 2011-2031, which indicates that 41.2% of new dwellings should be three bedrooms. This scheme will thus make a contribution towards meeting the need for homes of this size in the Borough. Through providing a mix of types and sizes, the development accords with the requirements of Local Plan Policy HO4.

- 8.18 The scheme provides 15 on-site Affordable Units, which equates to 35% of the dwellings, in compliance with Local Plan Policy HO5. Of these, 35% of these will be affordable First Homes, which exceeds the Planning Practice Guidance's minimum requirement of 25%. In the spirit of the Homes for All SPD, and with the previous use of the site taken into account, veterans will be able to occupy the Affordable Homes, subject to availability. Just under two thirds of the Affordable Homes will be located within the converted Audley Court building, with the rest (the First Homes) being located in the north west of the site. They will be tenure blind compared to the other dwellings on site, in terms of design and external appearance, as per Local Plan Policy HO6.

8.19 Impact on Amenity

There are existing properties located to the west and south of the site (along the site frontage). The proposed converted existing building is separated from existing neighbouring properties by the access road and given the separation distances, any impact on amenity will be limited and not harmful. The new dwellings will be closer to properties to the west but again will be separated by their rear gardens (Plots 1-12) and impact on light and outlook will not be significant and nor will privacy be compromised. Plots 13-23 are separated and well away from other boundaries other than the playing field to the north and west and amenity will not be harmed.

8.20 Highways Impact

A Transport Statement that has been provided to support the proposal. It demonstrates that the expected number of vehicular movements during peak hours is unlikely to increase exponentially against the extant use. The document that has been provided suggests there will be 23 movements during the peak AM hours, approximately one movement every three minutes. Historical images show that the extant use had approximately 40 vehicles on site at a particular time. The likelihood is many of these could have arrived during peak AM hours. Therefore, it is expected that the level of vehicular traffic is unlikely to have a negative overall impact on the local road network. Furthermore, traffic is regulated on Audley Avenue due to the bus bollards positioned by the cemetery preventing cars accessing the site from the east.

8.21 During Covid, the property was used as a vaccination centre which saw an increased number of vehicular journeys to the site since the prior operation has ceased rendering the site traffic free for a period of time. Although the site was marshalled, there was minimal conflict between the additional road users and traffic which already uses Audley Avenue whether it be residential traffic or school related traffic though the traffic using the site was spread throughout the course of the hours of operation.

8.22 The site access was proposed to be widened as part of the original submission. However, the part of the west wing that was planned to be demolished has now been kept causing a narrowing of the highway shortly within the site. The narrowing serves as a means to reduce vehicular speed through the proposed design of offering a shared surface solution.

8.23 With all of the above taken in to consideration, the Local Highway Authority is willing to support the application subject to Condition(s), Informative(s) and Financial Contribution to provide an extension of the double yellow lines in the vicinity of the site access given the proximity to Burton Borough School.

8.24 Drainage

A discharge rate of 21 l/s has been calculated based off of a 50% value of brownfield rates. This value is accepted as a minimum by the LLFA if it is not possible to reduce discharges closer to greenfield rates. Further details of this should be submitted at detailed design stage. Additional audit of the hydraulic model via submission of this model will be required. The application is supported subject to Condition(s) suggested and incorporated within the recommendation.

8.25 Ecology and Trees

8.26 The site is currently comprised of grassland, areas of hard standing and scattered patches of scrub. Some species poor hedgerows are also present on site. The site offers some potential for foraging and commuting bats, limited opportunities for other species based on its location within an urban environment.

8.27 Additional information was requested in respect of bats and this has been subsequently provided. The application is supported subject to Condition(s) and Informative(s).

8.28 Planning Obligations

Any planning consent would be conditional on the agreement of a section 106 agreement to secure 15no. affordable dwellings including 4no First Homes as set out above and the following (plus indexation):

Healthy Spaces:

- Contribution to upgrade nearby off site facilities to meet the needs of the new residents - £650 per 2+ bed dwelling;
- Contribution to upgrade nearby off site outdoor sports facilities to meet the needs of the new residents - £650 per 2+ bed dwelling

Education:

- Contribution to Primary School Education - £189,714;
- Contribution to Secondary School Education - £83,022

Highways:

- Contribution for double yellow lines to be laid on Audley Avenue and into the site - £5,000

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.

9.0 CONCLUSIONS

9.1 On balance, it is considered that the proposal is compliant with policies of the Telford & Wrekin Local Plan 2011-2031 as set out above and represents good quality and innovative design and retains a local heritage asset. The proposed development will respect and respond positively to the site and the wider area. The development will not cause any detrimental impact upon the amenity of neighbouring properties.

9.2 The proposal is therefore deemed to be compliant with the Telford & Wrekin Local Plan 2011-2031 and the guidance contained within the NPPF.

10.0 DETAILED 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** (with the authority to finalise any matter including conditions, legal agreement terms, or any later variations) subject to the following:

A) The applicant/landowners entering into a Section 106 Agreement 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, relating to:

- 15no. Affordable Dwellings including 4no First Homes as set out above and the following (plus indexation):

- *Healthy Spaces*

Contribution to upgrade nearby off site facilities to meet the needs of the new residents - £650 per 2+ bed dwelling

Contribution to upgrade nearby off site outdoor sports facilities to meet the needs of the new residents - £650 per 2+ bed dwelling

- *Education*

- Contribution to Primary School Education - £189,714;

- Contribution to Secondary School Education - £83,022

- *Highways*

Contribution for double yellow lines to be laid on Audley Avenue and into the site - £5,000

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 Full

Materials

Samples of Materials

Landscaping Design

Landscape Management Plan

Bat & Bird Boxes

Site Environmental Management Plan

Detailed Foul & Surface Water Drainage Scheme

EVC Charging

C38: Accordance with Plans

Cycle Provision

Road Design (incl. Surface Water, Traffic Calming etc.)

Road/Footway/Cycleway Construction

Parking, Turning, Servicing

Travel Plan

European Protected Species Licence

Ecological Survey – Working in Accordance with Ecological Appraisal

Informative(s):

Nesting Wild Birds

Provision of Access Over Footway/Verge (s.184 Licence)

Shropshire Fire Authority

Street Name & Numbering

West Mercia Police

Severn Trent – Proximity of Public Sewer

Cadent Gas – Proximity of Infrastructure

TRO

RANPPF2 Approval following amendments – NPPF