

TWC/2023/0442

Site of The Lion, 3 Whitchurch Road, Wellington, Telford, Shropshire  
Conversion and extension of former public house to 10no. assisted living/transitional living units with associated infrastructure and landscaping \*\*\*\*SUPPORTING DOCUMENT SUBMITTED\*\*\*\*

**APPLICANT**

Transitional Living Ltd, Dominic Craven

**RECEIVED**

19/06/2023

**PARISH**

Wellington

**WARD**

Arleston and College

**THIS APPLICATION HAS BEEN REFERRED TO PLANNING COMMITTEE AT THE REQUEST OF WELLINGTON TOWN COUNCIL**

Online planning file:

<https://secure.telford.gov.uk/planning/pa-applicationssummary.aspx?applicationnumber=TWC/2023/0442>

**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) and Informative(s).

**2.0 SITE AND SURROUNDINGS**

- 2.1 The site subject to this application is located within Wellington, a mixed-use area which comprises residential properties and community facilities, incl. school/nursery facilities, retail units and a medical practice. The site is located on Whitchurch Road and was previously used as a Public House until recent years. The building is accessed off Whitchurch Road and the established boundary treatments around the site comprise of brick walls and timber fencing.

**3.0 APPLICATION DETAILS**

- 3.1 This application seeks Full Planning Permission for the conversion and extension of former public house to 10no. assisted living/transitional living units with associated infrastructure and landscaping.

**4.0 RELEVANT HISTORY**

- 4.1 None.

**5.0 RELEVANT POLICY DOCUMENTS**

- 5.1 National Guidance

National Planning Policy Framework (NPPF).

Section 66(1) and 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 (as amended).

## 5.2 Local Development Plan

Telford & Wrekin Local Plan (TWLP):

SP1 Telford  
SP4 Presumption in Favour of Sustainable Development  
HO4 Housing mix  
HO7 Specialist housing needs  
NE1 Biodiversity and Geodiversity  
COM1 Community facilities  
C3 Impact of Development on Highways  
C5 Design of Parking  
BE1 Design Criteria  
BE4 Listed buildings  
BE5 Conservation Area  
BE6 Building of local interest  
ER8 Waste Planning for residential developments  
ER10 Water conservation and efficiency  
ER11 Sewerage Systems and Water Quality

Homes for All SPD

Wellington Conservation Area Appraisal and Management Plan

## 6.0 **SUMMARY OF CONSULTATION RESPONSES**

Comments received from statutory consultees can be viewed in full on the planning file, but key points have been summarised as follows.

### 6.1 **Standard Consultation Responses**

#### 6.2 Cllr Jinks – **Object**

Object to the proposal on the basis that insufficient information has been provided in respect of the proposed user and how the facility will be managed. Also raised concerns over how the development will be finance – noting that residents would not wish for works to commence and then stall if not financially viable.

#### 6.3 Wellington Town Council – **Object**

Whilst Members wished to support the application in principle on the basis that they welcomed the “bringing back” of a derelict property into use, the following concerns were raised:

- That any potential for an overdevelopment situation needs to be tested and considered by the T&W Planning Committee. Planning Affordable Housing Statement dated 23<sup>rd</sup> April 2023 would seem to indicate that the proposal was an overdevelopment. Paragraph 2.8 also confirms

the application was contrary to the Telford and Wrekin Local Plan and contrary to the associated supplementary planning documents including the NPPF (National Planning Policy Framework) 2021.

- That consideration needs to be given as to whether a condition would need to be implemented controlling the permitted use to the support of young people only as stated within the application if subsequently approved.
- Reconfiguration of the building to ensure that greater privacy was possible for the immediate neighbours.
- General safety issues surrounding the proposed development site and that these issues would remain given that the adjacent unadopted road, The Lawns. Concerns were raised about its condition which would heighten these safety considerations, both during the required construction works and also when the property was fully operational, if approved.

6.4 Built Heritage Conservation: **Object**

The proposals would fail to protect the character and appearance of the Wellington Conservation Area as required by S.72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, or to satisfy Local Plan policies BE1 i, iv; BE5 i, ii, v; and BE6 i and iii, due to a failure to respect the existing grain of development, unsympathetic design of extensions and additions, and loss of historic fabric including windows and boundary wall.

6.5 Affordable Housing: **Support**

6.6 Highways: **Support subject to Condition(s)**

6.7 Ecology: **Support subject to Condition(s)**

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

6.9 Drainage: **Comment:**

Further information required for surface water drainage principles (to be conditioned).

6.10 Shropshire Fire Service: **Comment:** Consideration should be given to 'Fire Safety Guidance'. Also requested that a swept path analysis is undertaken.

## 7.0 **SUMMARY OF PUBLIC RESPONSES**

7.1 Two consultation exercises have been undertaken – initially when the application was registered and a further exercise once a supporting statement confirming the tenants of the building was confirmed. As a result of this, twenty-eight (28) letters of objection have been received which raise the following points:

- The submitted information is not clear on who the proposed tenants will be and how long they will be there for;
- There are fears that the development will stall due to lack of funds;
- The proposal would detrimentally impact the security and safety of the area;
- The site is located close to nurseries/schools and public houses, which would not be wise for ex-offenders/rehabilitation;
- There are already HMO's within the area, which house ex-offenders and have caused issues with crime and anti-social behaviour;
- The proposal will result in a loss of privacy and issues of overlooking and will result in a noise increase;
- The proposal will have a detrimental impact upon the highway network;
- The proposal will result in properties being devalued.

## **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
- Site Layout, Scale and Design of the proposal and impacts upon the Local Interest Building/Wellington Conservation Area/setting of neighbouring listed buildings
- Impact on Neighbouring Properties/Adjacent Uses
- Technical constraints

### **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. The Development Plan comprises the Telford & Wrekin Local Plan (TWLP) which was adopted in January 2018. The National Planning Policy Framework (NPPF) is also a material planning consideration.

8.2.1 Local Plan Policy COM1 outlines that development will be expected to preserve existing community facilities (such as Public Houses) 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 exists or is proposed concurrently. In this instance, the Public House has stood vacant for approximately 4 years despite being actively marketed. There is a Public House located opposite the application site and a further one being located further down on Whitchurch Road. Officers are therefore satisfied that adequate alternative provision exists within walking distance. Thus Officers are satisfied that the proposal complies with policy COM1 (iv and v).

- 8.3 In respect of the proposed use, Policy HO7 outlines that the Council will support proposals within Use Class 'C2' and other forms of residential accommodation including retirement homes in order to address specialist housing needs, provided that: (i). The proposed development is designed to meet the specific needs of residents, including requirements for disabled people, where appropriate; (ii). The location of the development is in close proximity to community and support facilities, shops and services, and public transport connections; and (iii). The proposed development relates well to the local context in design, scale and form.
- 8.4 The application proposes 10 self-contained supported livings units. There will be provision for a staff/management office, residents lounge and laundry rooms, in addition to communal outdoor space and car parking to serve residents, staff and visitors. The staff/management on site will manage and assess the needs of each resident as well as providing support 24 hours a day, 7 days a week. The Telford & Wrekin Specialist and Supported Accommodation Strategy 2020 – 2025 sets out that there is a need for 530 extra care housing by 2030-31. On this basis, it is considered that the application complies with Policy HO 7, criterion (i).
- 8.5 The application site is located within the built up area of Telford. The surrounding area is primarily residential in nature, with access to a number of services and facilities, including a Co-Op, and Morrisons within 10 minutes walking distance from the site. There are also a number of different transport links that give access to surrounding areas; including a bus stop and train station within walking distance. As such, it is considered that the site is well located for access to community and support services, shops and public transport connections and therefore also complies with criterion (ii) of Policy HO7.
- 8.6 With regards to design, scale and form of the development, the proposed refurbishment will closely reflect the character of the existing building with the main changes being internal. The surrounding area is predominantly residential in nature, and mainly consists of 2 and 3-storey residential buildings. The proposal is therefore considered to be of similar scale to surrounding development and on balance, when considering the points raised below, complies with criterion (iii) of Policy HO7 and satisfies the policy requirements as a whole.
- 8.7 In light of the above, there are no planning policy grounds or designations which would prohibit the development of the site and as such, the principle of development is acceptable, subject to all technical constraints being adequately addressed.
- 8.8 Site Layout, Scale and Design of the proposal and impacts upon the Local Interest Building/Wellington Conservation Area/ setting of neighbouring listed buildings.
- 8.9 Policy BE1 of the TWLP outlines, amongst other points, that developments should respect and respond positively to its context and should enhance the quality of the local built and natural environment. Policy BE5 of the TWLP

outlines that the Council will support development in Conservation Areas where it will preserve or enhance its character or appearance.

- 8.11 In respect of the works proposed in order to successfully convert the building, these are largely located internally. As the building is not statutory listed and is only a building of Local Interest, Planning Permission would not be required for internal works. However, along with being a Building of Local Interest, the site is also located within the Wellington Conservation Area.
- 8.12 In light of the above, the Council's Built Heritage Specialist has been consulted on this application. Extensive pre-application discussions have also taken place, which included the Built Heritage Specialist. Initially, the comments provided in response to the application highlighted a small number of clerical errors with the submitted plans however, these have now been rectified.
- 8.13 Subsequent concerns were raised in relation to the presence of fascia boards and the detailing of proposed windows, given the sites location within the Conservation Area. Whilst it is acknowledged that fascia boards are not established features of the Conservation Area, they have been used on surrounding buildings, given that the Wellington Conservation Area has only recently been designated. Officers do not therefore consider that their inclusion would not adversely affect the character and appearance of the Conservation Area and are satisfied that the window details can be conditioned, to ensure that sympathetic and appropriately designed windows are installed.
- 8.14 The opening up of the 'blocked windows' at first floor level was also objected to as part of the Built Heritage Specialists' comments. Whilst it is understood that these relate to the Window taxes of the 18<sup>th</sup> and 19<sup>th</sup> Centuries, the applicants have confirmed that the proposed windows to these rooms are not able to be accommodated elsewhere and are required in order to successfully convert the building. Officers are therefore satisfied that this has been justified.
- 8.15 The demolition of the side boundary wall and the erection of a boundary wall to the front of the site have also raised concerns. Whilst the boundary wall to the side of the site is of historic value, it is in very poor condition and is not considered to positively contribute to the character and appearance of the Conservation Area. Similarly, whilst a more simple design would have been preferred for the boundary wall at the front of the site, it is not considered that the proposed design would have a significantly impact the appearance of the area. On the contrary, the conversion of this redundant building will overall be considered an enhancement to the Conservation Area.

- 8.16 In respect of the rear south wing of the building, it is noted that the demolition of the small south rear lean-to has been supported by the Built Heritage Specialist, subject to the proposed replacement extension being acceptable in regards to scale and design. It has been requested that the extension is set back from the above garden wall which is being retained in situ. Officers acknowledge this request, but consider that due to its location at the rear of the building, views of this element would only be visible to those accessing 'The Lawns' and not widely visible within the Conservation Area. As such, Officers do not consider that a set down is required in order to comply with policy.
- 8.17 The proposed plans include the provision of a flat roof element, which is usually considered to represent poor design in Conservation Areas. However, it is noted that there are a number of flat-roofed elements located on this building and given the location of the proposed structure, it would not be highly visible from the streetscene. As such, this element of the scheme is considered to be acceptable on balance.
- 8.18 In respect of the proposed detached unit, it would have been preferred by the Built Heritage Specialist, if a more linear form was proposed; inclusive of a steeper roof pitch and excluding the porch, in order to appear as more of a traditional outbuilding. However, this building will be located well within the site and again will not be highly visible within the Conservation Area. As such, the scale and design of this building is considered to be acceptable on balance.
- 8.19 Policy BE5 of the TWLP outlines that the Council will support development in conservation areas where it will preserve or enhance its character or appearance. Whilst the applicant has not facilitated all of the amendments required by the Built Heritage Specialist, it is considered that the scheme would represent a significant visual improvement from the derelict building which currently stands and as such, would enhance the character and appearance of the Conservation Area. The elements which remain on the amended plans, such as the use of fascia boards and flat roofs to the rear of the building are not considered to have a significantly detrimental impact upon the character and appearance of the Conservation Area or the settling of the Local Interest Building and it is considered that any limited harm caused by these elements, will be outweighed by the benefits of the redevelopment of the site (including bringing the building back into use and making repairs to a local interest building which is declining in state) and as such, complies with Policies BE5 and BE6.
- 8.20 In conclusion, the design and scale of the proposal is considered to be acceptable and is considered to have a positive impact upon the character and

appearance of the streetscene, through brining an otherwise derelict building back into use. Whilst the works are considered to have some limited harm upon the setting of the Local Interest Building and the character and appearance of the Conservation Area, it is considered that the retention of this historic building outweighs this limited amount of harm. As such, the proposal is considered to be in accordance with BE1 of the Telford & Wrekin Local Plan 2011-2031.

8.21 Impact on Neighbouring Properties/Adjacent Uses

8.22 Policy BE1 of the Telford & Wrekin Local Plan 2011-2031, amongst other points, outlines that the Council will support development which demonstrates that there is no significant adverse impact on nearby properties by noise, dust, odour or light pollution or that new development does not prejudice or undermine existing surrounding uses.

8.23 As a result of the consultation exercise, the vast number of objections received relate to the proposed occupants of the facility and the possible noise/disturbances that may arise as a result of the proposed facility and its intended occupants. In respect of the proposed occupancy of the building, it has been confirmed by the Council's Housing Strategy & Commissioning Programme Manager that the intention for this development is to offer wheelchair accessible accommodation and supported accommodation for young people (aged 16+) who require a level of support to gain life skills prior to moving to independent living with their own accommodation tenancies (such as care leavers). The facility will be staffed 24hrs a day, seven (7) days a week.

8.24 Given that there will always be staff present at the site and that the premises will be used for residential purposes (albeit it in a supported manner), Officers do not consider that it to be likely that any greater levels of noise would be generated, than that of a 'conventional' family residence or that from a Public House, as per the current permitted use of the building. Whilst the communal space for the facility will be located to the rear of the building, it is not envisaged that the use of this area will result in greater noise levels than the current Public House. Staff will be on site constantly to ensure that any creation of loud noise or any disturbances can be dealt with in a swift manner.

8.25 In respect of the external alterations proposed, it is noted that the proposed rear extension would include the provision of three windows within the side elevation, at first floor level. These windows will face out on towards 'The Lawn' – a road which serves the rear of the application site and the residential properties located on this road. Officers consider that in respect of '41 Park Street', there is adequate distance separations and boundary treatments present to avoid any significant issues of overlooking or loss of



privacy.

- 8.26 Officers consider that in respect of '26 Crescent Road' and '28 Crescent Road', there are only a limited number of new windows which will face out towards these properties (noting that most will be existing windows which are being replaced) and as such, Officers consider that there is adequate distance separations and boundary treatments present to avoid any significant issues of overlooking or loss of privacy.
- 8.27 In respect of '1 The Maltings' which lies to the rear of the application site, it is noted that one additional window will be installed on to the rear elevation of the proposed extension, which will face out towards the rear of the site. Officers are once again satisfied that due to the distance separations present, this window will be not result in any significant issues of overlooking or loss of privacy.
- 8.27.1 The proposed detached building which will create 1no. apartment, which will be located to the rear of the application site and behind the existing building. It is acknowledged that '1 The Maltings' is the closest residential property to this detached unit and that the property includes 1no. feature window located within its side elevation. However, the proposed detached building will not be located adjacent to this window (or any other window within this property) and will be set away from the boundary of this neighbouring property. Given that the proposed detached building will be single storey, Officers are satisfied that due to its position, scale and design; it will not have a significantly detrimental impact upon the amenities of neighbouring properties.
- 8.28 Comments received in relation to the potential loss of property value are not a material planning consideration and cannot be taken into account. Additionally, the financial position of the applicant is not a material planning consideration. Should works commence on site and stall due to funding issues, the Local Planning Authority have powers to use, in order to ensure that the site is not left as an eye-sore. As outlined above, the facilities will be used to house young people (aged 16+) who require a level of support to gain life skills prior to moving to independent living with their own accommodation tenancies (such as care leavers). Given that the site will be staffed 24/7, there is no reason to consider that the security or safety of the area will be compromised or that people will be housed within the facility who have drug/alcohol issues or are ex-offenders.
- 8.29 The proposal is therefore deemed to be in accordance with Policy BE1 of the Telford & Wrekin Local Plan 2011-2031.
- 8.30 Technical Constraints
- 8.31 The Local Highways Authority (LHA) have been consulted and have supported the scheme subject to conditions. It is noted that there are a total of 10 spaces shown on the proposed plans and this meets the Local Plan parking standards, based on 1 space being provided per 2 units being created and 1 space per staff member. It has been confirmed that due to the

sites previous use as a public house, there are little highway works which need to be undertaken in order to transform the use of the site. The boundary walls around the site will need to be kept under a height of 900mm to ensure that drivers have an acceptable level of visibility when leaving the site and this can be conditioned accordingly.

- 8.32 The Council's Healthy Spaces Officer has outlined that the proposed landscaping may need to consider including activities to encourage socialising, other than the proposed shelter, although it is noted that there is a limited amount of open space available to achieve this however, a detailed landscaping plan is recommended. It is highlighted that a bin should be provided in this area to minimise littering. In order to ensure that the approved landscaping is maintained, a long-term landscape management plan is also required.
- 8.33 The Council's Drainage and Ecology teams have supported the scheme subject to conditions and informatives. Shropshire Fire Service requested that a swept path analysis is undertaken however, Officers consider this to be excessive given that there are no new roads or large areas of parking proposed.
- 8.34 Based on the above, there are no technical reasons to warrant the refusal of the application.

## **9.0 CONCLUSIONS**

- 9.1 The proposed development is considered to be acceptable in principle, given that the loss of the public house can be mitigated through the provision already existing within the immediate area and given that the proposal will result in the creation of much-needed units of supported living accommodation. The proposed scale and design of the external works are considered to respect and respond positively to the setting of the site and would have a positive impact on the character and appearance of the streetscene. Whilst the proposal will result in a level of harm being caused to the setting of the Building of Local Interest and the Conservation Area, the benefits of bringing this derelict building back into use and securing its retention are considered to outweigh this harm. It is considered that due given the scale and design proposed, the proposal will not have a significantly detrimental impact upon the amenity of neighbouring properties. There are no technical issues that would warrant the refusal of the application. Accordingly, it is considered that the proposal complies with the National Planning Policy Framework, together with relevant policies within the Telford & Wrekin Local Plan, subject to Condition(s) and Informative(s).

## **10.0 RECOMMENDATION**

- 10.1 Based on the conclusions above, it is recommended that **Delegated Authority** be granted to the Service Delivery Manager to **GRANT FULL PLANNING PERMISSION** (with the authority to finalise any matter including Condition(s), Legal Agreement Terms, or any later variations) subject to the following:

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

**Condition(s):**

A04	Time Limit
B101	Details of materials
B021	Details of windows and doors – Conservation area
B029Custom	Details of bin store
B061	Brownfield Foul and Surface Water drainage
B121	Landscaping details
B126	Landscape Management Plan
B141a	Erection of artificial nesting/roosting boxes
B145	Lighting Plan
B150	Site Environmental Management Plan (inc. on-site construction and parking details)
B158	Biodiversity Net Gain Monitoring Plan
C012	Car parking
C020Custom	Boundary treatments less than 900mm (visibility purposes)
C38	Development in Accordance with Deposited Plans

**Informative(s):**

I11	Highways
I17b	Coal Authority Low Risk Area
I23	Bats
I25m	Nesting Wild Birds
I32	Fire Authority
I40	Conditions
I41	Reasons for Grant of Approval
RANPPF1	Approval – National Planning Policy Framework