

TWC/2019/1031

Site of Royston 68, Rosecroft, 9 & 70 Park Road/St Leonards Road, Malinslee, Telford, Shropshire

Demolition of 3no. dwellings and erection of 38no. dwellings, associated landscaping and creation of new access ***REVISED DESCRIPTION***AMENDED PLANS RECEIVED***

APPLICANT

Living Space

RECEIVED

16/12/2019

PARISH

Great Dawley

WARD

Ketley and Overdale, Malinslee and Dawley Bank

THIS APPLICATION HAS BEEN REFERRED TO PLANNING COMMITTEE AS IT ENTAILS A S.106 AGREEMENT

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 s.106 Agreement to secure Financial Contributions.

2. SITE AND SURROUNDINGS

- 2.1 The application site measures approximately 0.86 hectares (ha) and is situated to the south of Park Road and north-west of St Leonard's Road in Malinslee which lies approximately 1 mile west of Telford Town Centre. The land is privately owned and comprises three number residential dwellings including 'Royston' and 'Rosecroft' accessed from Park Road and No. 70 St Leonard's Road.
- 2.2 To the north, south, east and west of the site are large areas of residential housing with intervening areas of open space and parkland. Further afield to the north and east of the site are a variety of uses including schools, retail parks, local shops and restaurants. Telford Central railway station is located within approximately 1.5 miles from the site. The closest bus stop to the site lies immediately to the south of the site along St Leonard's Road which provides frequent connections to the Town Centre and the wider area.
- 2.3 Surrounding neighbouring developments comprise predominantly two-storey detached properties with either brick or rendered facades and a mix of gabled and hipped roofs. Opposite the site is the recently completed Cambridge Close development where there are also a number of bungalows.
- 2.4 The application site is made up of open grassland and private gardens and falls away gradually in a north-easterly direction. There are a number of hedgerows within the site making up the residential curtilages and a number of trees, particularly along the southern boundary of the site. Trees on the site are varied in maturity and quality. Immediately east of the site is an area of open space which is currently owned by the Council.

3. PROPOSAL

- 3.1 The application seeks Full Planning Permission for the erection of 38No. dwellings following the demolition of the existing 3No. residential dwellings. The proposed development will deliver a fully affordable scheme (100%) comprising the following mix of accommodation:
- 23No. 3 bed / 4 person house;
 - 9No. 2 bed / 3 person house;
 - 2No. 2 bed bungalows;
 - 4No. 1 bed / 2 person apartments.
- 3.2 All of the bungalows and the two ground floor apartments will be built to higher accessibility standards – M4(2) Category 2 (Accessible and Adaptable) of Building Regulations and will include a level access shower.
- 3.3 Amendments have been submitted during the course of the planning application reducing the scheme by 1No. dwelling whilst increasing the amount of bungalows being provided as well as alterations to the proposed layout to provide a better form of development. The application is supported by a Design, Access and Planning Statement, Phase 1 Habitat Survey, Drainage Design Report, Arboricultural Impact Assessment and a Coal Mining Risk Assessment.
- 3.4 Vehicular access will be provided directly off Park Road with the main access road being adopted apart from two areas to the north-east and south-west being under private ownership. The development proposes pedestrian accessibility enhancements with the provision of a pedestrian link along the eastern boundary to the site connecting Park Road to the pedestrian walkway to the south at St Leonard's Road.
- 3.5 The current layout proposes an overall density of 44 dwellings per hectare (dph) which is below the average density of Malinslee (50dph as outlined in the 'Density and net site area study' of the TWLP) and comparable to the Cambridge Close development opposite which has a density of approximately 41dph. Each unit has private amenity space whilst the apartments will have access to a shared garden with communal bin and cycle storage.
- 3.6 A total of 76 car parking spaces will be provided with a combination of both on-plot parking and communal parking areas. The level of parking proposed is in exact accordance with the parking standards of the Telford & Wrekin Local Plan (TWLP). Soft landscaping will take the form of low level shrubs and trees with all planting to be designed to be low in maintenance whilst hardstanding will be a combination of tarmac and block paving which will help distinguish areas of adopted highway and privately managed roads. Boundary treatment is proposed as garden walls where visible from the highway or where proposed dwellings directly overlook neighbouring boundaries.
- 3.7 The application is subject to the following financial contributions:
- Primary Education Contribution of £94,140;
 - Secondary Education Contribution of £40,356;
 - Recreation Contribution of £20,400

4. PLANNING HISTORY

- 4.1 W93/0631 – Residential development – Outline Granted 22 October 1993
- 4.2 W96/0796 – Renewal of Outline Planning Permission W93/0631 for residential development – Outline Granted 09 December 1996
- 4.3 W99/0864 – Renewal of W96/0796 Outline Planning Permission for residential development – Outline Granted 22 November 1999
- 4.4 W2002/1252 – Renewal of Outline Planning Permission W99/0864 for residential development – Outline Granted 23 January 2003
- 4.5 W2007/0995 – Demolition of 3No. dwellings and erection of 59No. dwellings, creation of new vehicular/pedestrian access and construction of a new estate road – Withdrawn
- 4.6 TWC/2018/0027 – Erection of 49No. dwellings, 2No. pumping stations, creation of a new vehicular and pedestrian access and associated landscape works following the demolition of 3No. dwellings and associated outbuildings – Withdrawn

5. RELEVANT POLICY DOCUMENTS

- 5.1 National Planning Policy Framework (NPPF)
- 5.2 Telford and Wrekin Local Plan (TWLP) 2011-2031

6. NEIGHBOUR REPRESENTATIONS

- 6.1 The application has been subject to two rounds of public consultation, the first of which raised 12 objections and the second 11 objections and 1 letter making a series of comments. The issues raised have been summarised below:

- Development proposal represents overdevelopment of the site;
- Inadequate parking;
- Concerns relating to highway and pedestrian safety;
- Existing levels of traffic will be exacerbated by the proposed development;
- Adverse impact on living conditions for existing residents as a result of a loss of daylight and privacy;
- Lack of space for play and recreation activities;
- Introduction of flats is totally out of character for the area;
- Significant amount of building in Telford – is there a requirement for more housing in this location;
- Adverse impact on local wildlife as a result of loss of trees and hedges;
- Existing roads are not currently fit for purpose – adding more houses will increase the pressures on the local road network;
- Loss of open space/green areas for existing residents;
- Existing infrastructure is already at full capacity / overprescribed – the proposed development will result in additional pressure;
- Development appears to promote maximum profit for developers over quality and living standards for residents;
- Design & Access Statement contains a number of errors and misconceptions;
- Clarification is required in relation to existing/proposed boundary treatment;
- Concerns regarding land stability;
- Adverse impact on local community.

7. STATUTORY REPRESENTATIONS

- 7.1 Great Dawley Parish Council: No comments received.
- 7.2 Highways: **Support subject to Condition(s)**:
- Car parking to be provided prior to occupation;
 - Provision of visibility splays (2.4 x 43 metres);
 - Details of the design and construction of any new roads, footways, accesses and street lighting;
 - Scheme of works to provide pedestrian footways to connect to the existing pedestrian network.
- 7.3 Drainage: **Support subject to Condition(s)**:
- Scheme of foul and surface water drainage.
- 7.4 The Coal Authority: **No Objection**.
- 7.5 Ecology: **Support subject to Condition(s)**:
- Erection of artificial nesting/roosting boxes;
 - Lighting Plan;
 - Informatives – bats, nesting wild birds, removal of Schedule 9 species.
- 7.6 Arboriculture: **Comment, requiring following Condition(s)**:
- Tree protection plan;
 - Tree replacement scheme.
- 7.7 Healthy Spaces: **Comment**:
- Developer Contributions of £600 per 2 bed+ property (total of £20,400) towards upgrading/enhancing the Malinslee Playing Field;
 - Include Condition requiring a long term Landscape Management Plan.
- 7.8 Affordable Housing: **Comment**:
- There is a continuing under supply of affordable homes in Telford & Wrekin, particularly homes for rent. The most recent Strategic Housing Market Assessment (SHMA) for the borough identified an annual shortfall of around 665 affordable homes, with gross new supply currently around half of this. There is also a significant and growing need for more accessible homes to meet the housing needs of vulnerable and older people in the borough. The proposed development will help address these existing shortfalls.
- 7.9 Education: **Comment**:
- Developer contributions of £94,140 and £40,356 towards Primary and Secondary education works respectively
- 7.10 West Mercia Police: **Comment**:
- The Applicant should aim to achieve the Secured by Design (SbD) award status for this development
- 7.11 Shropshire Fire Service: **Comment**:

- Include Fire Authority Informative.

8. APPRAISAL

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

- Principle of Development;
- Access, Scale and Layout;
- Character & Appearance;
- Living Conditions of Existing and Future Residents;
- Ecology and Trees;
- Flood Risk and Drainage;
- Planning Obligations.

Principle of Development

8.2 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 At a local level, Policy SP1 confirms that Telford will be the principal focus for growth to meet the borough's housing and employment needs. The site is located within the Telford urban area and is therefore suitable in principle for residential development, subject to overcoming all relevant technical considerations. In addition, Policy SP4 sets out a presumption in favour of sustainable development, reflecting national guidance in the NPPF.

Access, Scale & Layout

8.4 Following the demolition of the existing 3No. dwellings it is proposed to create a new single access to the north-western corner of the site from Park Road where the requisite visibility splays can be achieved. The access road will be provided to fully adoptable standards being 5.5 metres wide with 2 metres wide pedestrian footpaths. Two private access roads have been provided within the site. The development proposes pedestrian accessibility enhancements with the provision of a pedestrian link along the eastern boundary to the site connecting Park Road to the pedestrian walkway to the south at St Leonard's Road.

8.5 The application originally sought approval for 39No. dwellings however this has since been reduced to 38No. dwellings as part of number of amendments which were requested by the Local Planning Authority (LPA). The scheme proposes a mix of house types as specified in para. 3.1 including detached, semi-detached and terraced two-storey dwellings, single and 1.5-storey bungalows and 1-bed apartments.

8.6 The proposal represents an overall density of 44 dwellings per hectare (dph) which is below the average density of Malinslee (50dph as outlined in the 'Density and net site area study' of the TWLP) and comparable to the Cambridge Close development opposite which has a density of approximately 41dph. Para. 122 of the NPPF requires planning decisions to make 'efficient use of land' and therefore taking the above in to

consideration, the scale of development is considered to be acceptable and compliant with planning policy.

- 8.7 A total of 76 car parking spaces will be provided with a combination of both on-plot parking and communal parking areas. The level of parking proposed is in exact accordance with the Parking Standards of the TWLP. 24No. Plots have two designated car parking spaces, 2No. Plots have 3 designated car parking spaces whilst 12No. Plots have 1 designated Car Parking Spaces which are then supported by an additional 10No. Visitor Spaces. Taking the above in to consideration the LPA is satisfied that the application meets the required parking requirements.

Character and Appearance

- 8.8 Policy BE1 of the TWLP provides guidance to assess whether or not proposals are of an appropriate design quality and relate positively to their context. It advises the Council to assess proposed development in relation to its scale, massing, form, density, orientation and layout, proportions, materials, landscape elements, access, parking and spatial quality. This policy advises the Council to support development which will respect and respond positively to its context, demonstrating an integrated design approach and respecting its landscape setting.
- 8.9 No single dominant feature is inherent in the local context and a multitude of materials, scales and forms are evident. Accordingly, the main concept for the appearance of the proposed dwellings is to provide a scheme that has a distinctive character promoting contemporary design solutions. Corner plots will be dual-aspect and a varied building line will be adopted throughout. The development will be restricted to a maximum of two storeys in height, beneath simple pitched roofs and front canopies. Finishing materials comprise a mixture of plain tiles, red brick and cladding although final specifications are to be agreed. Taking the above in to consideration and subject to Condition(s) relating to finishes, boundary treatments and landscaping, officers are satisfied that the development will not detract from the character and appearance of the area thus complying with Policy BE1.

Living Conditions of Existing and Future Residents

- 8.10 Residential properties border many of the site boundaries in particular to the south and west. The site layout predominantly achieves separation distances of 20 metres and above between existing and proposed dwellings. There are exceptions such as Plot 7 which will be positioned approximately 12 metres away from neighbouring dwellings to the west off St Christopher's Way however this plot will comprise a semi-detached bungalow which will be side on to these neighbouring properties. Subject to provision of suitable boundary treatment, officers are satisfied that there will be no significant loss of privacy or harm to the amenities of existing residents.
- 8.11 Where rear gardens back on to boundaries of neighbouring properties, the gardens are a minimum of 10 metres in length. There are a few plots to the south where the rear gardens are slightly shorter however there is an area of public open space with a line of semi-mature trees to ensure no loss of privacy. In addition, whilst some gardens, particularly to the south of the development site, are less than 10 metres in length, the overall sizeable area of these gardens are in accordance with the standards that the Council currently adhere with.
- 8.12 In terms of living conditions for future residents, in particular conformity to the Nationally Described Space Standards (NDSS), the developer has submitted revised house types during the course of the planning application to ensure that all two storey

dwelling and bungalows adhere to these standards, in accordance with Policy HO4 of the TWLP. As such, 34No. Units (out of 38No.) comply with the NDSS. The remaining 4No. Units that are not fully compliant are the 4No. Apartments. Two of these Apartments achieve 92% compliance and the other two Apartments achieve 93.4% compliance. Whilst the 4No. Apartments are not fully compliant with the NDSS; these are all very marginal under provisions and in light of other compliant house types which are in full compliance with the standards and the submission of a confidential viability appraisal, it is considered that on balance the proposal is considered to be acceptable in terms of space standards.

Highways

- 8.13 The proposed development will likely generate around 25 two-way trips within the AM and PM network peak hours (0800-0900 & 1700-1800), which equates to approximately 1 vehicular trip every 2 minutes associated with the site within the network peak hours. In this regard, the Local Highways Authority has raised no objections.
- 8.14 The scheme will include works to provide a footway along the site frontage which will connect to existing pedestrian footway immediately to the west and to the PRoW along the eastern boundary of the site; the PRoW itself will be upgraded to a tarmacked footpath with a dropped crossing point provided to link to the existing footway on St. Leonards Close. These works will be conditioned as part of any subsequent planning approval.
- 8.15 In regards to provision of car parking, based upon the breakdown of dwellings provided and with reference to the Local Plan parking standards for a Suburban location, the proposed development would require 76 car parking spaces. A total of 76 car parking spaces will be provided with a combination of both on-plot parking and communal parking areas. The level of parking proposed is in exact accordance with the parking standards of the Telford & Wrekin Local Plan (TWLP).
- 8.16 The Local Highways Authority has considered the proposals against the relevant TWLP policies and have offered support for the development subject to the inclusion of Condition(s) as detailed above.

Ecology and Trees

- 8.17 The Application is supported by an Ecology Survey, dated September 2019. The Report advises that a daytime bat assessment of all buildings on site to be demolished was carried out and no further bat surveys are required and recommends a 'soft demolition' approach of all buildings as a precaution. Further recommendations are made including enhancement of biodiversity and retention of as many trees as possible, particularly on the southern boundary and where trees are to be removed for a tree replacement scheme to be conditioned. No further ecological investigations were deemed appropriate. The Council's Ecologist has assessed the report and offer support for the proposals subject to a number of conditions as detailed above.
- 8.18 An Arboricultural Impact Assessment also accompanies the application (dated March 2020). This Report confirms that in order to facilitate the proposed development, 5No. individual trees, 9No. groups of trees and 5No. hedgerows will need to be removed from across the entire site. 14No. individual trees and 3No. groups of trees are to be retained. Whilst it is somewhat regrettable, none of these trees are protected by Tree Preservation Orders and their removal is required to accommodate the development. The report recommends that a tree replacement scheme be considered together with

root protection measures and erection of protective tree fencing. Officers consider these appropriate and will include conditions accordingly.

- 8.19 Subject to the inclusion of conditions as detailed above, there is no reason why the proposed development cannot comply with Policies NE1 and NE2 of the TWLP.

Flood Risk & Drainage

- 8.20 The application is accompanied by a Drainage Strategy which confirms that the site is not at risk of fluvial flood risk. It is proposed that foul drainage will be connected to the Severn Trent Water combined sewer located north-east of the site. Surface water drainage will be provided in a new below ground gravity sewer constructed within the proposed access road connecting into the existing Severn Trent Water sewers within Cambridge Close. Surplus flows are to be attenuated using both cellular attenuation and oversized pipes.
- 8.21 The Council's Drainage Engineers have assessed the supporting information and have raised no objections subject to Condition(s). Accordingly the proposal is considered compliant with policy ER12 of the TWLP.

Planning Obligations

- 8.22 The proposed development meets the requirement to provide Developer Contributions as detailed below.
- 8.23 *Education* – Local Plan Policy COM1 recognises that new housing development will generate additional demands upon existing levels of education provision. The application meets the trigger to provide a Financial Contribution of £134,496 towards education facilities in the vicinity of the development. £94,140 will go towards Primary Education facilities and £40,356 will go towards Secondary Education facilities.
- 8.24 *Children's Play/Recreation* – Local Plan Policy NE4 requires that the development provides a contribution towards the enhancement of Public Open Space (POS). The Council's Healthy Spaces Officer has confirmed the application generates a contribution of £20,400 towards the upgrade of the local Malinslee Playing Field.
- 8.25 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.
- 8.26 It is considered that the financial contributions required for this application meet the relevant tests. The Applicant has agreed to enter in to a s.106 Agreement with the Council to secure these contributions and it is understood that this agreement is nearing completion.

Other Matters

- 8.27 The Local Planning Authority acknowledges all representations received from local residents. Many residents are concerned with regards the potential impact of

development on the local highway network and also pedestrian safety. The Local Highways Authority has considered the development proposals and have raised no objections subject to the inclusion of Condition(s) as detailed above. The proposed access to the site achieves the requisite visibility splays and the level on parking provided is in accordance with the guidance as set out in the TWLP. Other issues relating to the scale of development, suitability of flats and the potential impact of the development on wildlife and trees have been discussed above. Subject to the inclusion of a number of conditions the issues raised can be satisfactorily addressed.

9. CONCLUSIONS

- 9.1 The application site is located within the urban boundary of Telford & Wrekin and within an established residential area. The site has been subject to a number of previous planning approvals between 1993 and 2003 although these permission have since lapsed. In accordance with Policies SP1 and SP4 of the TWLP, the principle of residential development on this site remains acceptable.
- 9.2 The proposal has been designed to a high standard using a mixed palette of materials, has been laid out satisfactorily and can be accommodated by the surrounding highways network. The proposal will not adversely affect European Protected Species or wildlife habitats and enhancement can be provided through conditions. The proposal generates the requirement for financial contributions towards play area provision and education and the scheme will deliver 38No. new dwellings allocated for affordable housing.
- 9.3 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. 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. 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/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
- i) Primary Education Contribution of £94,140
 - ii) Secondary Education Contribution of £40,356
 - iii) Children's Play/Recreation contribution of £20,400
 - iv) Affordable Housing to be provided at 100%
- B) The following conditions (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager):-
- 1. Time limit – Full (3-years)
 - 2. Material Samples
 - 3. Construction Detail – New Roads

4. Off-site Highway Works – Footpath
5. Foul and Surface Water Drainage
6. Landscape Management Plan
7. Site Environmental Management Plan
8. Tree Protection
9. Parking, Loading, Unloading and Turning
10. Visibility Splays
11. Windows – White uPVC
12. External Lighting Plan
13. Erection of Artificial Nesting/Roosting Boxes
14. Approved Plans
15. Removal of Permitted Development Rights