

TWC/2014/1093

Site of Lyndale, Middle Lane, Cold Hatton Heath, Telford, Shropshire  
Demolition of existing dwelling and outbuildings and erection of a 4 bedroomed dwelling with double garage and creation of access

**APPLICANT**

Mark Pound

**RECEIVED**

09/12/2014

**PARISH**

Waters Upton

**WARD**

Edgmond and Ercall Magna

**OFFICER** Kirsty Johnson

**THIS APPLICATION WAS DEFFERED FROM PLANNING COMMITTEE ON THE 24<sup>TH</sup> JUNE 2015 TO FURTHER NEGOTIATE THE DESIGN.**

**CLLR STEPHEN BENTLEY HAS REQUESTED THE APPLICATION IS CONSIDERED BY MEMBERS OF COMMITTEE.**

**Proposal**

- 1.1 This full planning application seeks consent for the erection of a detached, two storeys, and four bedrooms dwelling following the demolition of the existing three bedroom bungalow, garage and various outbuildings. The proposed dwelling will be sited in approximately the same location as the existing bungalow.
- 1.2 The dwelling is intended to be built under a gable roof with two chimneys projecting either side of the dwelling. On the principal elevation the elevation will have glazed panels from floor to roof level and will house the kitchen/dinning/ living space at ground floor and the master bedroom at first floor. The windows detailing include brick arched headers and cills. To the rear of the property a large wing extension will project from the rear to provide a lounge area at ground floor and bedroom at first. The height of the dwelling is 7.25m from floor to ridge height and the width of the frontage of the dwelling is 14.9m with the width of glazed gable at 4m. The height to the eaves of the dwelling is 2.9m. The garage will have an overall height of 4.7m with a width of 5.95m and a depth of 5.1m.
- 1.3 Access to the site has already been established and a large gravel driveway will be laid to provide on-site parking for several vehicles, with a single storey double garage to the front of property.

**1. SITE AND SURROUNDINGS**

- 1.1 The application site lies off Middle Lane, accessed from the A442, in the rural village of Cold Hatton and is a sizeable relatively level plot. Cold Hatton is located approximately 8 miles north of Wellington and 10 miles north of Telford. The site in its present form consists of a single storey dwelling with an attached garage built during the 1940s which is set back from the roadway

and a number of outbuildings to the rear of the dwelling, all of which are in poor condition. In addition there is a caravan on the site to the west of the dwelling. The height of the original dwelling is 5.5m with the width of the house without the attached garage being 12m, with garage is 15m. The height to the eaves of the property is 2.5m.

1.2 Immediately to both sides and to the rear of the plot is open countryside however there are nearby neighbouring dwellings which are a mix of age, style and design including single storey and two storey buildings. Existing boundary treatments are a combination of hedging, dwarf walls and agricultural fencing. A large Silver Birch tree stands directly in front of the attached garage however this will need to be removed as part of the proposed development of the site.

## **2. SUMMARISED CONSULTATIONS**

### Standard consultation responses

Waters Upton Parish Council: No comments have been received.

Highways: No Objection

The Highways Officer has requested a condition for the driveway to be surfaced in bound material for a minimum distance of 5m from the rear of the highway carriageway.

Drainage: Support subject to conditions

Drainage have requested conditions relating to foul drainage and surface water drainage as well as proposed soak away.

Ecology: Comment

Condition nest boxes/wildlife informative/ Lighting Plan Informatives: Bats, Nesting Wild Birds, Trenches and Pipework

Shropshire Fire Service: Comment

Shropshire Fire Authority has requested a standard informative.

### Neighbour consultation responses

Two letter of objection was received following neighbour consultation:

- The current building contains asbestos
- The application fails to consider the area of the site with regards to drainage.
- The redline does not correspond with the previous planning application.
- The footprint of the dwelling is significantly larger than originally approved.
- The development would not have enough parking and would cause issues with the highway.

- The pitch of the roof is considered too high and could lead to a conversion.
- The previous application requested east facing windows to be obscure glass, this should be retained.
- The close proximity of the chimney raising concerns with Environmental health and pollution.

### **3. RELEVANT HISTORY**

- 3.1 TWC/2013/0273, Demolition of existing single storey dwelling and outbuildings and erection of a detached two storey dwelling, Full Granted 23/09/2013

### **4. RELEVANT POLICIES**

National Planning Policy Framework (NPPF)

Core Strategy:

CS1 Homes

CS7 Rural Area

CS15 Urban Design

Wrekin Local Plan:

UD2 Design Criteria

H9 Location of New Housing

### **5. PLANNING CONSIDERATIONS**

#### Principle of Development

- 6.1 The principle of a replacement dwelling has been established on this site through approval of TWC/2013/0273. Key to this as Policy CS7 of the Core Strategy states that development within the rural area will be focussed on the settlements of High Ercall, Tibberton and Waters Upton. Cold Hatton falls outside of these named settlements, however, the proposed scheme is for a replacement dwelling within the rural area and not the development of an additional dwelling. The National Planning Policy Framework has a presumption in favour of sustainable development and where development is allowed to achieve good levels of design, adding to the overall quality of an area, responding to local character and to provide dwellings that are visually attractive as a result of good architecture and appropriate landscaping.
- 6.2 Fundamental to consideration of this application is therefore the design of the scheme, including that in terms of a replacement dwelling, the proposed dwelling is of a high quality and distinctive design as well as proportionate in size in relation to the existing dwelling.
- 6.3 The Wrekin Local Plan, Policy UD2 Design Criteria, requires new development to be of high quality and distinctive design, whilst also respecting and relating to the context, both visually and functionally and enhancing the quality of the local environment. This policy advises the Council to assess the

development in relation to its scale, massing, form, density, orientation, layout, proportions, materials, landscape elements, access and spatial quality.

- 6.4 In addition to this policy, the Core Strategy, CS15 Urban Design, states the design of development will assist in creating and sustaining safe places, strengthening local identity and projecting a positive local image, positively influencing the appearance and use of the local environment.

### Character Assessment

- 6.5 Cold Hatton is characterised by three lanes Shop Lane, Middle Lane and Stars Lane where the dwellings are sporadically set within these primary lanes. Properties within Cold Hatton are mainly road fronting with some properties set back from the highway. There is a mix of commercial and agricultural within the area with Nurseries to the east of the site and small holdings in close proximity. Cold Hatton is split by the A442 further emphasising the sporadic nature of the area.
- 6.6 There are a variety of architectural characters within Cold Hatton, however the most repetitive features come from Duke of Sutherland style properties, with relatively low eave heights, dormer windows and low ridge heights. It is also recognised that the area does host some 1960 and 1940's properties within the area but these properties do contain some character. Cold Hatton is considered to have architectural features that clearly identify the character of the area with emphasis within the roof line; dormers, gable ends, chimneys and varying roof heights. Lyndale, itself is a small bungalow but does contain some characteristics typical of the area including chimney features and gable ends.
- 6.7 Development within the rural area and in particular for a replacement dwelling is expected to provide high quality and distinctive design that reflects the character of the area to ensure any development integrates with the wider setting. As the development is for a replacement dwelling, the design of the replacement is expected to be a betterment that will contribute positively to the rural area and its setting.

### Design, Mass and Scale

- 6.8 The scale and design of the dwelling are essential within this application due to the dwellings exposed setting to the open nature of the site with open countryside, as well as the exposure to the property to the eastern boundary, a detached modest sized bungalow.
- 6.9 The application has been subject to many amendments as part of the application process with four amendments to the original submitted scheme, and various discussions have been had with regards to the design and scale for the development including a site meeting with the applicant, agent, and ward member. The design of the dwelling originally submitted and subsequent plans were considered to be out of character as they failed to respect or respond positively to the context of the area, visually and functionally; furthermore, they did not enhance the quality of the local environment with poor inappropriate design. The design detail of the dwelling was considered to

relate more-so to a dwelling that would be expected within the urban area and lacked rural character.

- 6.10 The most recent amendment to the application has successfully sought to address the comments made by officers with regards to scale, mass and design and it has provided a scheme which has its own unique contemporary glazed element whilst also incorporating the traditional features of Cold Hatton providing a satisfactory design. These revisions amount to a significant and positive amendment to the appearance of the proposed dwelling and have resolved previous issues with proportions. In considering whether or not the development proposal is of an appropriate design quality and relates positively to its context, officers deem the application has recognised key features within Cold Hatton as mentioned in the character assessment, with the dwelling consisting of low eave and ridge heights, dormer windows and brick arched headers and cills.
- 6.11 The design of the dwelling is considered to enhance the local environment through high quality and distinctive design. The dwelling is considered to respect and relate to adjacent buildings and features within the village whilst protecting and enhancing local features of particular architectural and landscape value. The design of the dwelling has combined the important and distinctive features of the locality as well as unique architectural styles in a sensitive and appropriate manner ensuring the development relates to the character of the area as well as providing architectural interest within the façade.
- 6.12 Notably from the information provided and within the proposed elevation plan reference is made to double glaze uPvc windows and no reference to any other materials proposed, it is considered that as the design of the dwelling has deviated from traditional form the materials are expected to be of high quality. The finish to the property has not been agreed and consequently details of this are required to be submitted at a later date. When considering materials, poor quality uPVC will not be acceptable on this site and alternative high quality material or finish should be sought.
- 6.13 In terms of amenity considerations, there are no windows proposed at first floor on the Side Elevation North West facing Hillside, to further protect the amenity of this neighbour a condition shall be applied to the consent to remove permitted development rights for the installation of windows within this side elevation.

#### Highways, Drainage and Ecology

- 6.14 No objections have been received from the local highway authority, they consider the application can be accessed and has requested standard conditions with regards to surfacing. Drainage has supported the application subject to details of foul drainage and surface water drainage as well as proposed soak away. Ecology have also raised no objection to the development requesting that conditions are applied to the application with regards to nest boxes, wildlife, lighting plan and informatives for nesting wild birds, bats, trenches and pipework.

#### Other considerations:

- 6.15 The Local Planning Authority recognise the comments from neighbours with regards to the footprint of the property, it is considered that the application site can adequately accommodate a dwelling of this size resulting in no issues of overdevelopment and consequently there are no issues in the development having any overbearing effect on any adjoining plots. The size of the dwelling in terms of the eave height and overall height has been significantly reduced further limiting any potential impact and addressing the neighbouring properties concern with the potential for conversion within the roof space.
- 6.16 The applicant has also demonstrated that the application site is within their ownership with a redline land registry plan matching that of this application, therefore there are no issues of encroachment.
- 6.16 The design of the proposal includes the installation of a chimney the height of the chimney has been raised and consequently the chimney will not affect the neighbouring properties.
- 6.17 Furthermore, residents have raised concerns with asbestos; this is not a planning matter and is covered under separate health and safety legislation with regards to the handling and disposal of asbestos, although the applicant has provided a statement on the intention for disposal.

#### Conclusion and Recommendations

- 6.18 To conclude, the principle of this development being considered acceptable is led by the previous planning approval TWC/2013/0273, alongside the application being for a replacement dwelling. The proposed development will not have a significant adverse impact on the character of the area or the immediate neighbouring dwellings.
- 6.19 The plot is of sufficient size to accommodate the proposed dwelling without resulting in overdevelopment of the site and the proposal will provide sufficient level of amenity; parking and adequate access and the overall impact on visual amenities will not be detrimental. Accordingly it is considered that the proposal complies with local planning policies including UD2 of the Wrekin Local Plan, policies CS1, CS7 and CS15 of the Core Strategy as well as guidance contained within the National Planning Policy Framework. For these reasons the proposed development is recommended for approval subject to conditions.

#### **RECOMMENDATION:**

Grant Full Planning Permission subject to conditions:

1. A04 Time limit - Full
2. B011 Samples of materials
3. B012 Sample brick panel
4. B019 Details of windows and doors
5. B047 Mud on Road

6. B061 Foul and surface water
7. B121 Landscaping Design
8. B145 Lighting plan
9. B149 Erection of artificial nesting / roosting boxes
- 10.C073 Hedge protection
- 11.C074 Tree protection
- 12.C38 Development in accordance with plan Nos.
- 13.C01 Removal of permitted development
- 14.D04 Domestic garages restriction on residential use in rural areas
- 15.D08 Windows obscure glazed
- 16.D09 No further windows

Informative: Bats  
Nesting Birds  
Trenches  
Fire Authority

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OBJECTIONS: YES

**CLLR STEPHEN BENTLEY HAS REQUESTED THAT THIS APPLICATION BE DETERMINED BY PLANNING COMMITTEE**

MAIN ISSUES: Replacement dwelling in the rural area; scale, mass and design.

**PROPOSAL**

This full planning application seeks consent for the erection of a detached, two storeys, and four bedrooms dwelling following the demolition of the existing three bedroom bungalow, garage and various outbuildings. The proposed dwelling will be sited in approximately the same location as the existing bungalow.

The dwelling is intended to be built with a gable roof with two gable ends on the front elevation. The new dwelling will be built beneath a gabled roof with chimneys projecting from the ridgeline. On the principal elevation the elevation will have glazed central panels from floor to roof level with brick detailing between each floor. The windows detailing include brick arched headers and cills. To the rear of the property a large wing extension will project from the rear to provide a lounge area. The height of the dwelling is 8.4m from floor to ridge height, and the height of the gables will be 7m. The width of the frontage of the dwelling is 14m with the width of each gable at 4.5m. The height to the eaves of the dwelling is 4.4m. The garage will have an overall height of 4.3m with a width of 6.2m and a depth of 5.1m.

Access to the site has already been established and a large gravel driveway will be laid to provide on-site parking for several vehicles, with a single storey double garage to the front of property.

## SITE AND SURROUNDINGS

The application site lies off Middle Lane, accessed from the A442, in the rural village of Cold Hatton and is a sizeable relatively level plot. Cold Hatton is located approximately 8 miles north of Wellington and 10 miles north of Telford. The site in its present form consists of a single storey dwelling with an attached garage built during the 1940s which is set back from the roadway and a number of outbuildings to the rear of the dwelling, all of which are in poor condition. In addition there is a caravan on the site to the west of the dwelling. The height of the original dwelling is 5.5m with the width of the house without the attached garage being 12m, with garage is 15m. The height to the eaves of the property is 2.5m.

Immediately to both sides and to the rear of the plot is open countryside however there are nearby neighbouring dwellings which are a mix of age, style and design including single storey and two storey buildings. Existing boundary treatments are a combination of hedging, dwarf walls and agricultural fencing. A large Silver Birch tree stands directly in front of the attached garage however this will need to be removed as part of the proposed development of the site.

## SUMMARISED CONSULTATIONS

### Standard consultation responses

Waters Upton Parish Council: No comments have been received.

Highways: No Objection

The Highways Officer has requested a condition for the driveway to be surfaced in bound material for a minimum distance of 5m from the rear of the highway carriageway.

Drainage: Support subject to conditions

Drainage have requested conditions relating to foul drainage and surface water drainage as well as proposed soak away.

Ecology: Comment

Condition nest boxes/wildlife informative/ Lighting Plan Informatives: Bats, Nesting Wild Birds, Trenches and Pipework

Shropshire Fire Service: Comment

Shropshire Fire Authority has requested a standard informative.

### Neighbour consultation responses

A single letter of objection was received following neighbour consultation:

- The current building contains asbestos
- The application fails to consider the area of the site with regards to drainage.

- The redline does not correspond with the previous planning application.
- The footprint of the dwelling is significantly larger than originally approved.
- The development would not have enough parking and would cause issues with the highway.
- The pitch of the roof is considered too high and could lead to a conversion.
- The previous application requested east facing windows to be obscure glass, this should be retained.
- The close proximity of the chimney raising concerns with Environmental health and pollution.

#### RELEVANT HISTORY

TWC/2013/0273, Demolition of existing single storey dwelling and outbuildings and erection of a detached two storey dwelling, Full Granted 23/09/2013

#### RELEVANT POLICIES

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#### PLANNING CONSIDERATIONS

##### Principle of Development

The principle of a replacement dwelling has been established on this site through approval of TWC/2013/0273. Key to this, Policy CS7 of the Core Strategy states that development within the rural area will be focussed on the settlements of High Ercall, Tibberton and Waters Upton. Cold Hatton falls outside of these named settlements however the proposed scheme is for a replacement dwelling within the rural area and not the development of an additional dwelling. The National Planning Policy Framework has a presumption in favour of sustainable development and where development is allowed to achieve good levels of design, adding to the overall quality of an area, responding to local character and to provide dwellings that are visually attractive as a result of good architecture and appropriate landscaping.

Fundamental to consideration of this application is therefore the design of the scheme, including that in terms of a replacement dwelling, the proposed dwelling is not disproportionate in size in relation to the existing dwelling and subject to an appropriate choice of materials.

The Wrekin Local Plan, Policy UD2 Design Criteria, requires new development to be of high quality and distinctive design, whilst also respecting and relating to the context, both visually and functionally and enhancing the quality of the local environment. This policy advises the Council to assess the development in relation to its scale, massing, form, density, orientation, layout, proportions, materials, landscape elements, access and spatial quality.

In addition to this policy, the Core Strategy, CS15 Urban Design, states the design of development will assist in creating and sustaining safe places, strengthening local identity and projecting a positive local image, positively influencing the appearance and use of the local environment.

### Character Assessment

Cold Hatton is characterised by three lanes Shop Lane, Middle Lane and Stars Lane where the dwelling are sporadically set within these primary lanes. Properties within Cold Hatton are mainly road fronting with some properties set back from the highway. There is a mix of commercial and agricultural within the area with Nurseries to the east of the site and small holdings in close proximity. Cold Hatton is split by the A442 further emphasising the sporadic nature of the area.

There are a variety of architectural characters within Cold Hatton, however the most repetitive features come from Duke of Sutherland style properties, with relatively low eave heights, dormer windows and low ridge heights. It is also recognised that the area does host some 1960 and 1940's properties within the area but these properties do contain some character. Cold Hatton is considered to have atheistic features that clearly identify the character of the area with emphasis within the roof line; dormers, gable ends, chimneys and varying roof heights. Lyndale, itself is a small bungalow but does contain some characteristic typical of the area including chimney features and gable ends.

Development within the rural area and in particular for a replacement dwelling is expected to provide high quality and distinctive design that reflects the character of the area to ensure any development integrates with the wider setting. As the development is for a replacement dwelling, the design of the replacement is expected to be a betterment that will contribute positively to the rural area and its setting.

### Design, Mass and Scale

The application has been subject to many amendments as part of the application process with three amendments to the original submitted scheme, and various discussions have been had with regards to the design and scale for the development including a site meeting with the applicant, agent, and ward member. The design of the dwelling originally submitted was considered to be out of character as it failed to respect or respond positively to the context of the area, both visually and functionally; furthermore, it did not enhance the quality of the local environment with poor inappropriate design. The design detail of the dwelling was considered to relate more-so to a dwelling that would be expected within the urban area and lacked rural character.

The proposal as amended has introduced a chimney, and removed some dormer

elements. The Local Planning Authority acknowledges that attempts have been made to add some architectural details that are featured in the locality such as eaves detailing and brick arches above windows. However, when reading the dwelling as a whole there are fundamental flaws in its design, particularly with the scale, mass, design and proportions of the dwelling as well as the position of the detached garage that has been set in such a position that it significantly detracts from the context from the principal elevation and has removed the view of the majority of one of the two gables, and is of oversized nature. The amendments to the application are not considered to address the local planning authorities main concerns of design, scale and lack of rural character and as such the building would cause significant harm to the setting of the rural area when read immediately adjacent to a single storey bungalow and wider setting when read from the A442, and the approach onto Middle Lane, and as such would cause detrimental impact to the landscape character within the countryside.

The scale and design of the dwelling are essential within this application due to the dwellings exposed setting to the open nature of the site with open countryside, as well as the exposure to the property to the eastern boundary, a detached modest bungalow.

The design of the dwelling has significant issues with regards to the proportions and in particular with regards to the brick to void ratio. The front of the proposed dwelling has a glazed section located between the two gables with two small windows either side, the frontage is considered to be too wide creating horizontal emphasis along the frontage this combined with the design of the central glazed area is considerable out of character for the area.

The roof of the dwelling is dominant; within Cold Hatton the ridge height of the roof of dwellings is the same height as gable end projections, and the ratio of roof to frontage is generally the roof at one third and the frontage being more prominent with two thirds. The proposed dwelling is considered to be unbalanced creating a top heavy dwelling, which exasperates the other crucial issue with regards to the scale of the property. Officers considered a similar footprint and space could be achieved by dividing the bulk of the roof forming a smaller central gable and the introduction of gables to the rear, reducing the overall height to an acceptable height. The applicant however is unwilling to amend this application further.

The current site accommodates a modest bungalow within a sizeable plot, although a previous consent has been granted on this site, however the proposal is larger than the previously approved application within an increased floor area of 56m<sup>2</sup> and the height has increased in replacement of the existing bungalow at 5.5m. Furthermore the overall design of the dwelling exasperates the mass of the dwelling. In addition this application has lost significant features that are typical within the locality that were successfully represented within the previous application TWC/2013/0273.

#### Highways, Drainage and Ecology

No objections have been received from the local highway authority, they consider the application can be accessed and has requested standard conditions with regards to

surfacing. Drainage has supported the application subject to details of foul drainage and surface water drainage as well as proposed soak away. Ecology have also raised no objection to the development requesting that conditions are applied to the application with regards to nest boxes, wildlife, lighting plan and informatives for nesting wild birds, bats, trenches and pipework.

#### Other considerations;

The local residents have raised concerns with the development, with regards to the scale of the development and height of the roof and issues of overlooking. Furthermore, they have raised concerns with asbestos; this is not a planning matter and is covered under separate health and safety legislation with regards to the handling and disposal of asbestos.

#### Conclusion and Recommendations

As previously referenced in this report, the principle of a replacement dwelling of a two storey nature has been established through the previous approval TWC/2013/0273 and this original application is considered to be a characterful and a positive addition to the area. This proposal however fails to take account of the immediate and wider setting, by virtue of the design, form and scale which are considered to be detrimental to the character of Cold Hatton, furthermore the proposal has failed to incorporate key features of the area and the architectural design has not considered the sensitive location with an incongruous design. The inappropriate design does not respect or relate to any adjacent building or features of the rural village. The development is therefore considered to cause significant harm to the rural area as the design of the dwelling does not respect or integrate with the wider landscape setting, contrary to UD2, of the Wrekin Local Plan, CS15 of the Core Strategy and guidance contained within the NPPF.

RECOMMENDATION: Full Refused

#### Reason for Refusal

1. The Local Planning Authority considers that the proposed replacement dwelling, by virtue of its scale, mass and design fails to respect and reinforce the character of the surrounding area, and would not represent an enhancement from the existing property in this setting and therefore would not contribute to the character of this part of the rural area of the Borough. This would introduce an element which is unsympathetic and alien to the design of the streetscene and would appear incongruous, detracting from the character and appearance of the area. Accordingly the proposal would fail to comply with National planning guidance contained within the NPPF, and local policies CS15 or the Core Strategy, and UD2 of the Wrekin Local Plan.