

TWC/2015/0590

Land Adjacent Bleak House, Rowton, Telford, Shropshire

Erection of 1no. detached dwelling and detached double garage with associated landscaping and access

APPLICANT

Roger & Janette Evans

RECEIVED

29/06/2015

PARISH

Ercall Magna

WARD

Edgmond and Ercall Magna

OFFICER Ian Lowe

OBJECTIONS RECEIVED: No

Cllr STEPHEN BENTLEY HAS REQUESTED THAT THIS APPLICATION BE DETERMINED AT PLANNING COMMITTEE

1. THE PROPOSAL

- 1.1 This full application seeks consent for the erection of one detached dwelling with double garage and associated landscaping and access on land adjacent to Bleak House in Rowton.
- 1.2 The proposed dwelling comprises a two storey, 4 bedroom detached house, with a gable roof design and a detached double garage to the front. The property would be sited to the west of Bleak House and on the western edge of the village. It would be accessed off the main road leading through the village to the north with an area of hardstanding driveway to the front. The driveway would extend past the right hand side of the new dwelling to existing storage barns to the rear of the site. A modest sized garden will be provided to the rear.
- 1.3 The applicants propose to build the new dwelling to live out their retirement, stating that Bleak House is difficult to maintain, has poor energy efficiency and cannot be easily adapted to their future needs.

2. SITE AND SURROUNDINGS

- 2.1 The application site is located within the rural village of Rowton which is approximately 6 miles north of the built up area of Telford and Wrekin and the market town of Wellington. The village originally dates back to the doomsday book and the All Hallows Church is originally of Medieval foundation but was later reconstructed in the 19th Century. The village contains a number of dwellings, many of which are cottages set around main farm holdings set off a single road that runs through the village. Within the village, 8 properties are

listed, including the All Hallows Church and the host property to which this application relates, Bleak House.

- 2.2 The application site is located on the western edge of Rowton village and within an open grassed paddock, forming part of the curtilage of the adjoining Bleak House. The paddock, which is relatively flat, is enclosed by a hedgerow on all sides and with a separate gated access onto the road. There are a couple of mature trees along the adjoining boundary with Bleak House and a Beech Tree adjacent to the access which is protected by a Tree Preservation Order. Towards the rear of the paddock there is a small agricultural storage building with a low level roof. Beyond the paddock there are significant views of open countryside to the south and west as you exit the village.
- 2.3 The host property, Bleak House, is grade II listed and is described as a C19th two storey red brick house with tiled roof and stone coped gabled ends and kneelers. It is also described as having an earlier wing to the rear (probably C18) which abuts the boundary with the adjacent highway. Surrounding the property are detached outbuildings including a single garage sited between the house and the boundary with the adjacent paddock. Opposite Bleak House is a property known as The Firs which is also listed.

3. RELEVANT PLANNING HISTORY

- 3.1 No Relevant Planning History

4. PLANNING POLICY CONTEXT

- 4.1 National Planning Policy Framework (NPPF)
- 4.2 Wrekin Local Plan:
UD2: Design Criteria
H9: Location of New Housing
H10: Scale of Development
- 4.3 Core Strategy:
CS1: Homes
CS7: Rural Area
CS9: Accessibility and Social Inclusion
CS14 Cultural, Historic & Built Environment
CS15 Urban Design

5. SUMMARY OF CONSULTATION RESPONSES

Standard consultation responses

- 5.1 Ercall Magna Parish Council: No objections subject to their being no concerns raised by neighbouring residents.
- 5.2 Drainage: Support subject to conditions including the submission of a scheme for foul and surface water discharge and details of suitable soakaways.
- 5.3 Highways: No objection subject to conditions including visibility splay of 2m x 42m with no obstructions over 800mm and driveway within site to be surfaced in a bound material for 5m from rear highway boundary.
- 5.4 Ecology: Comment: No objections subject to recommended conditions and informatives.
- 5.5 Arboriculture: Following initial objects to the felling of the protected Beech Trees, they now raise no objections to the revised proposal which retains this tree, subject to safeguarding conditions.
- 5.6 Built Heritage Conservation: Comments: They consider that there is little justification to suggest that Bleak House is not liveable and that neither internal alterations nor an annex style extension has been fully explored to suggest that a new dwelling is the only option. Also raise concerns that the scale and form of the development would be out of keeping with the village and Bleak House.
- 5.7 Shropshire Fire Service: Comment: Standard fire informative

Neighbour consultation responses

- 5.8 Neighbouring occupiers have been consulted and comments supporting the application have been received from 2 neighbours on grounds of the length of time the applicants have lived in the village.

6. PLANNING CONSIDERATIONS

- 6.1 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:

- Comparison to application at The Firs
- The principle of the new dwelling
- Scale, design and impact upon neighbouring occupiers
- Highway, drainage, trees and ecology

Comparison to application at The Firs

- 6.2 In setting out the reasons for proposing the new dwelling, the applicants have made specific reference to an approved application for a new dwelling in land at The Firs (TWC/2014/0993 – 06/01/2015). This site is located immediately opposite the application site. Whilst Officers acknowledge similarities in respect of the location of the property on the edge of the village, it is noted that this application was located within the garden space of The Firs and was enclosed by a wooded area to the West, significantly reducing its impact. In comparison, the current application is within open countryside to the west of Bleak House and is not enclosed by any trees or other mature vegetation.
- 6.3 Officers also note that this neighbouring application was approved prior to March 20th 2015, when Telford and Wrekin Council announced that it could achieve at least a 5 year housing supply. The implications of this change are discussed further below.
- 6.4 Officers are therefore of the view that this neighbouring site was considered suitable because of the specific site circumstances which are different to this application and because at that time, the local authority could not prove a 5 year housing supply.

The principle of the new dwellings

- 6.5 In accordance with the National Planning Policy Framework (NPPF, March 2012), Telford & Wrekin Council is required to identify a supply of housing land deliverable over the next five years to meet its housing requirement. Prior to the submission of this application, pre application advice was sought as to the principle of a new dwelling on this site. Although at the time of this advice, Telford and Wrekin Council was publishing a shortfall (2.5 years supply), Officers were still of the opinion that the proposed development would constitute inappropriate development within farmland on open countryside and as such was unlikely to be supported.
- 6.6 On March 20th 2015 and before this application was submitted, it was announced that Telford and Wrekin could achieve a 5 year housing supply following an assessment carried out by consultants Peter Bret Associates. Although the presence of a 5 year housing supply does not determine whether a planning application should be approved or refused, it does mean that the council's policies in reference to the location of new housing can be more rigidly applied.
- 6.7 Policy CS7 of the Councils Core Strategy states that development within the rural area will be limited to that necessary to meet the needs of the area and

will be focussed on the settlements of High Ercall, Tibberton and Waters Upton. Outside of these settlements development will be limited and within the open countryside strictly controlled. The application site sits within the open countryside on the western edge of Rowton and therefore the application must be considered as a departure to the development plan for Telford and Wrekin.

- 6.8 The National Planning Policy Framework (NPPF) sets out the Governments planning policies and at its heart is the presumption in favour of sustainable development. It states that local planning authorities should positively seek opportunities to meet the development needs of their area by securing high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Policy CS1 of the Core Strategy also states that new homes need to provide convenient access to jobs, schools, shops, open space and other essential services and facilities.
- 6.9 The NPPF clearly promotes sustainable development in the rural area where it will enhance or maintain the vitality of rural communities. It recognises the development in one village may support services in a village nearby. However it also recognises that housing in rural areas should not be located in places distant from local services. In this instance, the application site is located on the edge of an isolated village without nearby schools, shops, public houses or other community facilities except for the church. Occupiers of the new dwelling will be heavily reliant on car use to access such facilities and as such this would be contrary to paragraphs 30, 37 and 55 of the NPPF which seek to minimise journey lengths, reduce congestion and emissions and require the use of sustainable modes of transport. There is a bus service in the village but this is very limited, running only on weekdays.
- 6.10 Paragraph 55 of the NPPF allows isolated dwellings in the countryside providing there are special circumstances. These include agricultural workers dwellings, or where the property is of exceptional design that outweighs any negative impact. In this instance, the proposal forms neither. Officers would refer to a recent appeal decision for another site in Rowton at land connected with Baxter House (TWC/2014/0839 - APP/C3240/W/15/3032512 – appeal dismissed 17/11/2015). Here, Outline Consent was sought for the erection of one dwelling, which in similar circumstances, the applicants wished to use in their retirement. The Inspector noted in their report that whilst they understood the appellants wish to use the property as a retirement home and to remain in the village, this did not amount to special circumstances.
- 6.11 In reference to this same appeal decision, the Inspector acknowledges that the Council can demonstrate a 5 years housing land supply and therefore, paragraph 49 of the NPPF is not engaged. This position in regards to the

housing land supply is further supported in the appeal decision for a development in Tibberton (TWC/2014/0236 – APP/C3240/W/15/3003907 – Appeal Dismissed 22/06/2015).

- 6.12 Policies H9 and H10 of the Wrekin Local Plan are noted, however these were superseded on the adoption of CS7 in December 2007. In any case, the village of Rowton is not listed as one of the suitable settlements for smaller scale development within H9, raising further concerns over the principle of development in this location.
- 6.13 The site is located beyond the edge of the settlement on agricultural land which has an agricultural classification of Grade 3 (Good to Moderate) in the Natural England Agricultural Land Classification System. The NPPF requires that where a justification of the loss of agricultural land is provided, development should be focussed on land of poorer quality. In this instance, officers are concerned that the proposal would result in good quality agricultural land and this should be considered as a significant adverse impact, contrary to Paragraph 112 of the NPPF.
- 6.14 Officers therefore consider that the proposal forms an inappropriate extension to the village that fails to protect the important character and quality of the open countryside and that would be located in an unsustainable location. Furthermore, the application would involve the loss of good quality agricultural land. As such, the principle of development cannot be supported and would be contrary to the policies outlined above. Furthermore, Telford and Wrekin Council can demonstrate a 5 year housing supply and as a result there is no necessity to build new housing outside the sustainable settlements listed in CS7 unless there are special circumstances to do so such as those listed in para.55 of the NPPF.

Scale, Design and Impact upon Neighbouring Occupiers

- 6.15 Policy UD2 of the Wrekin Local Plan provides guidance to assess whether or not proposals are of an appropriate design quality and relate positively 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. Policy CS15, amongst other issues, states that development will assist in creating and sustaining safe places, positively influencing the appearance of the local environment. In addition, national guidance contained in the National Planning Policy Framework asserts that development should be of high quality design, respond to local context and should reinforce local distinctiveness.

- 6.16 Officers note that the general scale and form of the building would be similar to that approved at The Firs opposite. Also, the proposed building takes design influence from other dwellings within the village such as Bleak house and Millstone House nearby. As such, it is considered that the general scale and design is acceptable and would not be out of keeping with other development within the village. Notwithstanding comments from the Built Heritage Officer, there is a variance in built form and architectural style within the village to the extent that it would be difficult to argue that the development would be alien in its design.
- 6.17 Conversely, Officers recognise that the policies outlined above also seek development to respect the landscape character and spatial quality of a place. In this instance, the proposal would be sited on the edge of the village and within open countryside. The proposal would have a significant visual impact upon the character and appearance of the village in this respect and would clearly spoil the importance of landscape setting this open space provides. The development is therefore contrary to policies UD2 and CS15.
- 6.18 Although the proposed development would be located in land adjacent to the Grade II listed Bleak House, it is considered that the proposal would not affect the setting of this building. The proposal would be separated and would be sited within the adjacent paddock and not in the garden area of this property. The development would not affect the amenities of Bleak House.

Highway, drainage, trees and ecology

- 6.19 Following the submission of this application, the Councils Arboricultural Officer issued a Tree Preservation Order on a mature Beech Tree that is sited within the hedgerow to the front boundary of the site. Although it was originally proposed to fell this tree, no objections were received to this order. As a result, amended plans have been received which set the garage back outside the root protection area of the tree and to alter the position of the access. The alterations to the access are required as the tree is located within the visibility splay as stipulated by the highways officer. No further objections have been received from either the Arboricultural or Highways Officers.
- 6.20 No objections have been received in respect of Drainage or Ecology subject to Conditions and Informatives. As such, Officers are satisfied that the development can be accessed and drained and without adverse impact upon trees or ecology.

7. CONCLUSIONS

- 7.1 Following consideration of this application and the comments received,

Officers consider that the principle of the new dwelling in this location is not acceptable and would be an unnecessary extension of the village into open countryside. The development is in an unsustainable location, which, following the Councils announcement that it can achieve a 5 year housing land supply, should be resisted. The development is therefore contrary to policies contained within the Core Strategy, Local Plan and national guidance contained within the NPPF. Although the scale and design of the proposal is considered acceptable, this does not override Officers concerns regarding the principle of the new dwelling and the impact upon the rural setting of the village.

- 7.2 The preference of the applicants to remain in the village and to a property that is more easily maintained is noted, however, this is not a special circumstance that outweighs the harmful impact of the development in this location. This principle is demonstrated in the recent appeal decision in Rowton as referred to previously.

8. RECOMMENDATION

Based on the conclusions above, it is recommended to **REFUSE PLANNING PERMISSION** on the following grounds:

1. The Local Planning Authority considers the proposed dwelling to be inconsistent with the National Planning Policy Framework and local policies relating to the location of development within the rural area. The council can demonstrate a 5 year housing land supply and as such there is no requirement for additional dwellings in this remote rural location. Furthermore the site would involve encroachment into open countryside and loss of good quality agricultural land and there are no special or exceptional circumstances to support this application. The application site is considered to be unsustainable and would cause harm to the landscape and setting of the open countryside. Accordingly the principle of the development is contrary to the NPPF, CS7 and CS15 of the Core Strategy, and UD2 of the Wrekin Local Plan.