

TWC/2015/0454

Land adjacent Egremont House, 4 High Street, Edgmond, Newport, Shropshire,
Erection of 22no. dwellings with associated parking, access and landscaping ***
Amended plans received ***

APPLICANT

Seabridge Developments Limited

RECEIVED

28/05/2015

PARISH

Edgmond

WARD

Edgmond and Ercall Magna

OFFICER

Daniel Owen

OBJECTIONS RECEIVED: Yes.

1. PROPOSAL

1.1 This is a full planning application for the erection of 22 houses on land adjacent Egremont House rear of Provosts House, Edgmond. The development would be accessed via an existing vehicular access point on Shrewsbury road.

2. SITE AND SURROUNDINGS:

2.1 Edgmond is located towards the north east of the borough and approximately 2.4 km to the west of the market town of Newport. The village of Edgmond is within the rural area and the application site is located towards the centre of the village.

2.2 The village contains some facilities including a shop and post office, two public houses, a primary school and a pre-school, a church and a village hall and sports pitch.

2.3 The site is within the Edgmond Conservation Area and is adjacent to Egremont House, a Grade II Listed Building. A footpath runs along the north western boundary that links Stackyard Lane to the sports pitch and play area to the north east of the site.

2.4 The site is relatively flat and is bordered by agricultural land to the north west, St Peter's Primary School, Orchard End (a dwelling) and Flatt Pit Farm to the south west, Egremont House (a dwelling) and open agricultural land to the south east and dwellings to the north east. There are some protected trees within and adjacent to the site.

3. RELEVANT PLANNING HISTORY:

3.1 W74/0041: Erection of 54 dwellings. Refused: 21/11/1974.

4. PLANNING POLICY CONTEXT:

4.1 National Planning Policy Framework (the NPPF) – the NPPF is not the development plan for Telford and Wrekin but it is a material consideration in this case because all of the borough's development plan policies have to be viewed in the light of this more recent national guidance.

- Core Planning Principles
- Section 6: Delivering a wide choice of high quality homes
- Section 7: Requiring good design
- Section 11: Conserving and enhancing the natural environment

4.2 Core Strategy Policies

- CS7: Rural Area
- CS11: Open Space
- CS12: Natural Environment
- CS14: Cultural, Historic and Built Environment
- CS15: Urban Design

4.3 Saved Wrekin Local Plan Policies

- UD2: Design Criteria
- H9: Location of New Housing
- H10: Scale of Development
- H23: Affordable Housing
- OL6: Open Land
- OL11: Woodland and Trees
- HE3: New Development in Conservation Areas

4.4 Telford & Wrekin Local Plan (Submission Version)

- SP3: Rural Area
- SP4: Presumption in favour of sustainable development
- HO10: Residential development in the rural area

5. SUMMARY OF CONSULTATION RESPONSES:

5.1 Standard consultation responses

5.1.1 Edgmond Parish Council: Objects. The rural identity of the village will be changed beyond recognition. Edgmond is not a key settlement. Impact on the Conservation Area. The Council has a five year housing land supply. The local school is at capacity and any extension to it would be met with

resistance. A high boundary fence would not be appropriate along the boundary with the school.

5.1.2 Historic England: Object. The proposals will cause harm to the significance of the Edgmond Conservation Area and to the setting of the Grade II listed Egremont House, and it is therefore recommended that the application be refused.

5.1.3 Shropshire Fire Service: No objection.

5.1.4 West Mercia Police (Crime Prevention Design Advisor): No objection

5.1.5 Affordable Housing: No objection

5.1.6 Arboricultural Officer: No objection subject to conditions relating to landscaping and the protected trees. Concern has been raised regarding the proximity of a proposed footpath to a tree.

5.1.7 Conservation / Built Heritage Officer: Objects to the scheme on the grounds of inappropriate design, scale and massing and the harmful effect on the setting of the Edgmond Conservation Area and a listed building.

5.1.8 Environmental Services - Drainage: No objections subject to conditions relating to surface and foul drainage, soakaway tests and details of soakaways.

5.1.9 Environmental Services - Highways: No objection subject to conditions.

5.1.10 Planning and Development Plans – Ecology: No objection subject to conditions.

5.1.11 Healthy Spaces Officer: No objection subject to a financial contribution towards the upgrading of the adjacent playground.

5.2 Neighbour consultation responses

5.2.1 Notification letters were sent to the occupiers of 7 neighbouring properties and the application was also advertised with a site notice. As a result 225 letters of objection have been received. Following the submission of amended plans the consultation process was repeated and another 178 letters of objection were received, including letters from Protect Historic Edgmond, raising the following issues:

- Detrimental impact on the Conservation Area;
- Detrimental impact on a Grade II Listed Building;

- The proposal is contrary to the NPPF and the Council's Plan;
- Detrimental impact on the visual landscape;
- Loss of open space / pasture land;
- Design and appearance of the housing is out of character with the area;
- Objection to the village green;
- Loss of trees / hedgerows;
- Additional housing is not needed;
- Lots of housing approved in Newport;
- The development could set a precedent for further applications;
- Impact from additional traffic;
- Rural location is not suitable for housing;
- Disruption to wildlife;
- The development is not sustainable;
- Lack of infrastructure;
- Increase in noise and pollution;
- Impact on living conditions of neighbouring houses;
- This is an unsustainable location;
- Detrimental impact on the school;
- Impact on footpath;
- Loss of sandstone wall;
- Greenfield site;

5.2.2 Mark Pritchard MP: Objects on the following grounds: The housing is not required due to the five year land supply, the Conservation Area would be dramatically altered, concerns over pedestrian access, the setting of Egremont House would be altered and the village would be further clogged by additional cars.

5.2.3 Statement from the Governors of St Peter's Primary School: The setting of the school would be detrimentally affected by the development. Impact of high metal fencing around the school. The proposed village green would be intrusive to the wildlife area of the school. Concerned about the proposal to create access and egress points from the site into the school grounds. The school is currently oversubscribed and has no capacity to serve the additional demand.

6. PLANNING CONSIDERATIONS:

6.1 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:

- The principle of the development,
- The design and appearance of the development,
- The impact on Heritage Assets,
- Residential Amenity,
- Highways / Access,
- Ecology,
- Affordable Housing
- Drainage
- Planning obligations and S106 contributions

6.2 The principle of the development

- 6.2.1 The application site is currently open land that is used for grazing. Edgmond is located within the rural area as defined on the Wrekin Local Plan Proposals Map. Core Strategy Policy CS7 (Rural Area) is the most relevant policy relating to the principle of development.
- 6.2.2 Policy CS7 seeks to focus new housing development proposed in the rural area into three named settlements where development should meet local needs; elsewhere in the rural area development is to be limited, and strictly controlled in open countryside. Edgmond is not one of the three named settlements. Given the significant supply of housing land available elsewhere in the borough, there is no housing justification to set aside current adopted housing supply policies that seek to restrict development in the rural area. Further assessment of the details of the proposal will be considered below however the proposal is contrary to Core Strategy Policy CS7 (Rural Area).
- 6.2.3 Paragraph 47 of the NPPF (a material consideration in the determination of planning applications) states that Councils should boost significantly the supply of housing. Paragraph 47 also states that local planning authorities should identify a supply of five years' worth of housing land against their housing requirements. The Council announced in March 2015 that it has in excess of a five year land supply and an updated statement was published in July 2016 that demonstrates that the Council has a supply of almost thirteen years housing land.
- 6.2.4 Edgmond is listed as a suitable settlement for limited development under Saved Policy H9 within the Wrekin Local Plan; however this Policy is less strategic and more subservient to Policy CS7 and is not relied upon. Notwithstanding this Policy H9 (and Policy H10) advises that small scale developments of one or two dwellings on suitable infill plots within the built up frontage, that do not cause the loss of important areas of open space or the extension of villages into the open countryside, would be acceptable. It is not

considered that the proposed development would accord with the provisions of these policies.

6.2.5 The Telford & Wrekin Local Plan (submission version) also identifies Edgmond as a suitable settlement for some new residential development. Only limited weight can be afforded to the policies contained within it at the present time. However it is not considered that the proposal would be acceptable when assessed against the relevant draft policies.

6.2.6 In conclusion the proposed development is contrary to Policy CS7 of the adopted Core Strategy and is not considered to be acceptable.

6.3 The design and appearance of the development

6.3.1 The overall site measures approximately 2.5 hectares and the area of land proposed for development has an overall size of approximately 1.2 hectares giving the proposed development a density of 18 dwellings per hectare. Although this is generally a relatively low density of development this represents a higher density than the remainder of the Conservation Area and is more reflective of the more suburban housing that is outside of the Conservation Area.

6.3.2 The housing would be detached or semi-detached with between two and five-bedrooms. The proposal also includes detached garages, twelve of which would be double garages. The comparatively high density and the number of detached garages contribute to the sense of overdevelopment of the site. This is also reflected in the limited separation distances between some of the proposed plots.

6.3.3 Amendments were made to the proposed house types during the course of the application and whilst this has resulted in a number of improvements there are still some concerns with the detailed design of some of the proposed houses, for example the house type proposed for Plots 11 and 13 is not considered acceptable and the scheme would benefit from improvements to the appearance of the rear elevations of the houses that would be visible from the area of open space that would remain.

6.3.4 It is considered that the proposal is contrary to the NPPF, saved Wrekin Local Plan Policies HE3 and UD2 and Core Strategy Policies CS14 and CS15 in this regard.

6.4 The impact on Heritage Assets

- 6.4.1 The application site is located within the Edgmond Conservation Area and is also adjacent to Egremont House, a red brick farmhouse that dating from the early 1800s (Grade II). As the application affects a listed building there is a statutory requirement to have special regard to the desirability of preserving the building, its setting and any features of special interest. There is also a statutory requirement to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 6.4.2 This is an undeveloped greenfield site in agricultural use that sits close to the centre of the village and within the historic ownership of the farm and has historical association with its listed farmhouse (Egremont house). The site contributes positively to both the character of the conservation area and to the setting of Egremont House as not only a legible part of the historic landscape, but also in giving an important rural character to this part of the settlement, helping to link it to the open countryside beyond.
- 6.4.3 During the course of the application the proposal has been amended to reduce the number of proposed houses from 28 to 22, to increase the separation distance between the proposed houses and Egremont House and to remove a proposed village green from the application due to objections that were raised by the Council's Conservation Officer and Historic England.
- 6.4.4 Despite those amendments Historic England have maintained their objection to the application as they consider that the proposal will have an adverse impact and cause harm to the setting of Egremont House. They also consider that the site, in its current form, makes a positive contribution to the character and appearance of the conservation area and that the proposed development would cause harm to the significance of the conservation area.
- 6.4.5 The loss of an important open space within the Conservation Area towards the centre of the village, the loss of views through to the open countryside from the High street, the overdeveloped nature of the development, the design and appearance of some of the proposed houses and the awkward relationship between Plot 1 and Egremont House contribute to the proposal not promoting or reinforcing the local distinctiveness of Edgmond and will cause harm to the Conservation Area and to the setting of Egremont House. The proposal is contrary to the NPPF, saved Wrekin Local Plan Policies HE3, UD2 and OL6, and Core Strategy Policies CS14 and CS15 in this regard.

6.5 Residential Amenity

- 6.5.1 The proposed site layout plan shows that rear gardens with a minimum depth of between 11 metres would be provided which is considered acceptable. The separation distances between the proposed houses are generally acceptable, although some (in particular the distances between plots 10 and 14, plots 9 and 15 and plots 8 and 17) are below what would generally be considered to be appropriate separation distances. Given the limited number of plots that would be affected, and as this would not result in the overlooking of private rear amenity areas it is not considered that this would be a sufficient reason to refuse the application, in part because the occupiers would be fully aware of the situation before purchasing the property. However it does contribute to the feeling of overdevelopment as referred to above.
- 6.5.2 There are some existing houses that adjoin the site and there is potential for the amenity of the occupiers of those houses to be affected from overlooking. Orchard End is located to the south west of the site and Plots 11, 12 and 13 are proposed to the rear of that house. The new houses would all be set in excess of 11m away from the boundary and there would be a separation distance of at least 32 metres between the houses. This would be sufficient to ensure that there would not be an unacceptable level of overlooking.
- 6.5.3 Plot 1 would be a minimum of 18 metres away from Egremont House and there would be no windows in the closest elevation in the proposed house. Plots 2 and 3 would be sited approximately 40 metres away from Egremont House and would not result in an unacceptable level of overlooking. Plot 1 would be sited 16 metres from the boundary with Meadow View and 24 metres from the boundary with the Old Byre which would also be sufficient to ensure that there would not be an unacceptable level of overlooking.
- 6.5.4 The scheme has been amended to ensure that the proposed houses are a minimum of 30 metres from the existing multi use games area, north-east of the application site.
- 6.5.5 It is considered that the development would be acceptable in terms of the living conditions of the proposed houses and on the impact on the living conditions of the occupiers of existing properties.

6.6 Highways / Access

- 6.6.1 The development would be accessed through the small cul-de-sac (although the road does currently provide vehicular access into the field) to the north east of the site. No alterations are required to the junction of the road with Shrewsbury Road however improvements are being proposed at the junction

of Shrewsbury Road and High Street. The improvements would involve moving the give-way markings forward into High Street to improve the visibility at the junction so that a visibility splay of 2.4 metres by 43 metres can be achieved. A tactile pedestrian crossing and build-out feature would also be provided on High Street that would correspond to a footpath to be provided through the existing paddock / pasture area.

6.6.2 Each of the houses would have a minimum of two off-road parking spaces within the curtilage of the property and a number of the houses would also have additional parking spaces within garages. The level of parking being provided would be more than sufficient to satisfy the likely parking demands of the development.

6.6.3 The Council's Highways Officers have assessed the proposals and have not raised any objections subject to the imposition of conditions to ensure that further details of the proposed highway improvement works are submitted, and approved, prior to the commencement of the development.

6.6.4 The submitted plans indicate that a gated access to the school could be provided from the development site. The Governors of the school have advised that they have concerns over this element of the proposal. There is no planning requirement for a new access to be created and the applicant would need the agreement of the School to install a gate in the boundary fence.

6.6.5 The development would provide sufficient parking spaces for the size of the development and it would not result in a detrimental impact on highway safety. In addition the improvement to the visibility spay at the junction of Shrewsbury Road and High Street would benefit all highway users and not just those who would live at the development. There would be no harmful impacts from the development in terms of access and the safety of the highway.

6.7 Ecology

6.7.1 A Phase 1 Environmental Survey was submitted in support of the application. This concludes that the grassland is not of any significant ecological value and that the majority of trees and hedgerows are to be maintained. It is not considered that there would be a detrimental impact on and important habitats or on Bats or Birds. The Survey has been considered by the Council's Ecologist who raises no objections to the proposal subject to conditions. The Council's Ecologist has also confirmed that that there will be no likely significant effect and no effect on the integrity of the European Designated Site at Aqualate Mere Midland Meres and Mosses Ramsar Phase 2 from this proposed development.

6.8 Trees

- 6.8.1 There are a number of trees within and to the boundary of the application site, a number of which are protected by Tree Preservation Orders. Concerns were initially raised to the development due to the impact that it would have on trees and due to the close proximity of the houses to the existing poplar trees to the north east of the site. The amendments to the layout have moved the dwellings further away from a number of the trees concerned and the Council's Arboricultural officer has confirmed that subject to conditions relating to such matters as tree protection they have no objection to the proposal.
- 6.8.2 The footpath that is proposed parallel to the boundary with the school would be located close to a number of trees and would encroach into their root protection areas which has been raised as a concern. It is considered that due to the size of the site there would be sufficient room to relocate the footpath further away from the trees if necessary. This matter could be dealt with by condition if necessary.
- 6.8.3 It is considered that the proposal is acceptable with regard to the impact on trees and accords with Core Strategy Policy CS12 of the saved Policy OL11 of the Wrekin Local Plan in this regard.

6.9 Affordable Housing

- 6.9.1 The applicant has proposed that seven of the dwellings (32%) would be affordable housing. This amount of affordable housing falls just short of the council's target for the area of between 38% and 40% as set out in saved Wrekin Local Plan Policy H23 and Core Strategy CS7.
- 6.9.2 The provision of affordable housing is a material planning consideration that weighs in favour of the proposal. However for the reasons set out above the proposal is unacceptable for a number of reasons and the provision of seven affordable houses does not outweigh the fact that the proposal is contrary to the provisions of the development plan and that it would harm the character and appearance of the Conservation Area and the setting of a listed building.

6.10 Drainage

- 6.10.1 The applicant has proposed a scheme of drainage that has been questioned by the Council's Drainage Engineers who would prefer an above ground sustainable urban drainage system (SuDS) to be incorporated rather than below ground storage. However this could be controlled through the use of a suitable worded planning condition and it is not therefore considered reasonable to refuse the application on this ground.

6.11 Planning obligations and S106 contributions

6.11.1 The proposed development triggers the need for the following financial planning contributions:

- A contribution of £600 per dwelling (Public Open Space); and
- A contribution of £62,166 towards primary education; and
- A contribution of £40,392 towards secondary education.

6.1 In identifying the required planning obligations on this application the three tests as set out in the CIL Regulations (April 2010) to ensure that the application is treated on its own merits.

6.2 In addition account has to be taken of the changes to the CIL Regulations in April 2015 that now restrict the “pooling” of financial contributions to no more than five contributions to a single type of infrastructure. It is considered that the financial contributions set out above meet the relevant tests.

7. **CONCLUSIONS**

7.1 The Council has in excess of a five year supply of deliverable land and therefore the relevant Core Strategy and saved Wrekin Local Plan policies relating to the supply of housing are up-to-date and can be afforded full weight in the consideration of this application. The site is located in the rural area and Policy CS7 seeks to focus new housing development in the rural area into three named settlements where development should meet local needs; elsewhere in the rural area development is to be limited, and strictly controlled in open countryside. This site is not focused upon any named settlement under Policy CS7. Given the significant supply of housing land available elsewhere in the borough, there is no housing justification to set aside current adopted housing supply policies that seek to restrict development in the rural area.

7.2 The site is within the Edgmond Conservation Area and adjacent to a Grade II listed building. The site comprises an open field at the centre of the village that contributes positively to the character and appearance of the village and the Conservation Area. The scale and design of the development would cause harm to the significance of the Conservation Area and to the setting of the Grade II listed Egremont House. This view is supported by Historic England who objected to the proposed development.

8. RECOMMENDATION

Based on the conclusions above, it is recommended that the Committee REFUSE PLANNING PERMISSION for the following reasons:

1. The site lies in the rural area outside the built up area of Telford, as defined on the Wrekin Local Plan Proposals Map, where new development is to be controlled. The site also lies outside the settlements of High Ercall, Tibberton and Waters Upton, where new development within the rural area is expected to be focused. There are no exceptional circumstances to justify the provision of new housing in this location. The development of this open field within the Edmond Conservation Area would harm the character and appearance of the Conservation and the setting of the Grade II Listed Egremont House. As such the development proposal would be contrary to the NPPF, saved Wrekin Local Plan policies OL6, UD2 and HE3 and Core Strategy policies CS7, CS11, CS14 and CS15 and the NPPF.