

TWC/2017/0972

Site of Greenfields Farm, Brockton, Newport, Shropshire  
Erection of 4no. dwellings and double garage with granny annexe above following  
demolition of various outbuildings \*\*\* Amended information \*\*\*

**APPLICANT**

Origin Architects Ltd, Tim Warner

**RECEIVED**

29/11/2017

**PARISH**

Church Aston, Lilleshall

**WARD**

Church Aston and Lilleshall

**OFFICER** Andrew Gittins

OBJECTIONS RECEIVED: Yes

**1. PROPOSAL**

- 1.1 This is a full application for the erection of four houses and a double garage (with annexe above) following the demolition of existing various outbuildings at Greenfields Farm, Brockton, Telford.
- 1.2 The Application Form describes the proposed development as “one open market dwelling and three rental eco houses, and double garage granny annexe”. However, the Agent confirmed in an email of the 13<sup>th</sup> October 2017 that the Applicant accepted the Council’s amended description of development as stated above.

**2. SITE AND SURROUNDINGS:**

- 2.1 The application site is Greenfields Farm also known as Warner’s Roses and formerly Greenfield’s Poultry Farm. The site consists of a rose farm, an open meadow and a single storey dwelling with various outbuildings.
- 2.2 The site is within the Rural Area as defined by Policies Map of the Telford & Wrekin Local Plan and is situated 5 miles north of Telford Town Centre and 2 miles south west of Newport Town Centre. The site is accessed off Longford/Edgmond Road just west of the bridge which forms part of the disused railway.
- 2.3 The site is roughly rectangular in shape and comprises a rose field and glass house to the front of the site, the existing dwelling house and domestic curtilage roughly central to the site with a range of outbuildings behind and a second rose field and grassland beyond. There is a single track driveway providing vehicular access running along the right hand side of the site. The

right (south east) boundary is formed by an embankment associated with the disused railway line, the left (north west) boundary is formed by the Strine Brook which is lined by mature trees. There are various sections of post and rail and post and wire fencing and 5-barred gates and numerous trees (including ones which are TPO'd) within the site and the rear of the site backs onto open countryside, and the front of the site is screened from the public highway by mature trees and hedging. The closest neighbour to the right is located on the other side of the old railway embankment and the closest neighbour to the left is on the other side of the brook.

### **3. RELEVANT PLANNING HISTORY:**

#### **3.1 Planning applications:**

- TWC/2011/0811: Erection of 14no. age-restricted dwellings and garages to include 4no. affordable dwellings together with associated gardens/allotments and erection of 1no. double garage to be used in conjunction with the existing dwelling. Refused: 01/09/2011. Appeal dismissed: 16/10/2012.

### **4. PLANNING POLICY CONTEXT:**

4.1 National Planning Policy Framework (the NPPF): The NPPF is not the development plan for Telford & Wrekin but it is a material consideration.

#### **4.2 Telford & Wrekin Local Plan (2011 - 2031)**

- SP3 Rural area
- SP4 Presumption in favour of sustainable development
- HO1 Housing requirement
- HO10 Residential development in the rural area
- NE1 Biodiversity and geodiversity
- NE2 Trees, hedgerows and woodlands
- C2 Safeguarding rail and transport links
- C5 Design of parking
- BE1 Design Criteria

- ER2 Mineral safeguarding
- ER12 Flood risk management

#### 4.3 Lilleshall Parish Neighbourhood Plan (Regulation 17) (2018 - 2031)

The LPNP has been submitted to TWC and is at the examination stage. It does not yet form part of the development plan and can only be afforded limited weight at this stage. The following policies are considered relevant to this proposal:

- DEV2 Merging of settlements
- D1 Sympathetic design
- D2 Sustainable design
- LE2 Ecology and landscape
- LE3 Strategic landscape areas
- TA1 Linkages and connections

## 5. **SUMMARY OF CONSULTATION RESPONSES:**

### 5.1 **Standard consultation responses**

#### 5.1.1 Lilleshall Parish Council: Object:

- (1) Demand – there has been no survey carried out to ascertain if there is demand for holiday lets within the area, it is also the Council's belief that a number of holiday lets within the village of Lilleshall were sold off as there was not enough take up with them to sustain a going business.
- (2) Access – the proposed access to the site is close to a railway bridge where larger vehicles must drive in the centre of the road to avoid collision. There is also a very sharp bend close to the site, where there would need to be some form of traffic calming installed to allow the safe access to and from the site. The access road on the site is designed for a low volume of traffic and any new road should be porous. The lane has no footpath, therefore anyone wanting to catch public transport would need to walk along this already dangerous stretch of road.
- (3) Parking – there is insufficient parking on the site for the proposed type of use, i.e a four-bedroom holiday let will require more than one parking

space per unit. The designs proposed for garages is more suited to urban areas and not that of rural settings / design.

- (4) Remoteness – with no on site facilities anyone taking up residence in the proposed site will have to drive to local amenities adding to the number of times vehicles access the site.
- (5) Footprint - the built-up footprint of the four houses appears to around 1760 sq.m. This is about 0.4acres (Hardly a small development). As the proposed dwellings stand at 2.0m above the adjacent railway embankment, they are clearly visible from surrounding properties and from Lilleshall Hill. This does not conform with NP Policy DEV 3.
- (6) The proposal does not comply with NP Policy Dev 2, due to its impact upon the adjacent SLA.
- (7) Flood risk - the Headford Brook is a flood risk along its full length, and part of the proposed site is a Level 3 Flood risk. Whilst the site appears to be raised to alleviate flood risk to the new properties, development will increase the level of risk to other neighbouring sites.
- (8) Use - The proposal is for holiday homes. This is extremely unlikely, as holiday accommodation rarely provides garage parking, and certainly does not include an “Office/Live-Work & Workshop”. It is obvious that these are open market houses. Again, this does not comply with NP Policy DEV 2. This proposal is an expensive project and we feel that it would quickly be followed by a request for change of use.
- (9) Environmental Survey - The reliance of the existing survey published in 2012 cannot be considered as a valid report due to its age.

#### 5.1.2 Environmental Services (Drainage) - Object.

The design and Access Statement falsely states that the development site is in Flood Zone 1. As the site is in areas of Floodzone 2 and 3, a full Flood Risk Assessment (FRA) is required in line with the requirements of Section 103 of the National Planning Policy Framework. The FRA should identify the level of flood risk to the site and direct new development towards appropriate areas. Until this information is submitted, we would not be willing to support this application.

#### 5.1.3 Environmental Services (Arboricultural) - Object.

The information supplied within the application is not a BS 5837 Tree Survey and is therefore not planning policy compliant. Section 6.2.4 of Policy NE2 of the Telford & Wrekin Local Plan 2011-2031 outlines that an arboricultural impact assessment will be required to be submitted with planning application where trees are present. Insufficient evidence has been submitted in support of the application to demonstrate that there would not be an unacceptable impact from the proposed development in relation to trees and in particular, to the TPO'd trees on the site.

#### 5.1.4 Highways – Comment:

A large proportion of the proposed refuse lorry pull in/bin store is located within the adopted highway. Whilst there is no objection to a refuse lorry stopping there due to good visibility in both directions, it has been requested that an amended plan is submitted which omits this arrangement as the current scheme involves too much encroachment into the adopted highway.

#### 5.1.5 Ecology – No objection.

#### 5.1.6 Shropshire Fire Service: Comment:

As part of the planning process, consideration should be given to the information contained within Shropshire Fire and Rescue Service's "Fire Safety Guidance for Commercial and Domestic Planning Applications" document.

#### 5.1.7 West Mercia Police – No objection subject to conditions:

No objection subject to a condition requiring the applicant to aim to achieve Secured by Design.

## 5.2 Neighbour consultation responses

5.2.1 Notification letters were sent to the occupiers of four properties within close proximity of the site. As a result four letters of objection have been received from three separate addresses and an anonymous letter of objection has also been received. The letters of objection raise the following concerns:

- There are concerns that the applicant is trying to establish a right of way through the tunnel onto the land which is associated with 'The Gables'. Permission for access will not be granted.
- Concerns regarding encroachment on to the land owned by the owner of 'The Gables'.
- Concerned that the proposed tree planning on the site will interfere with the sunken utility cables on the site.
- The Design and Access Statement accompanying this application states *'There is an arched way through at ground level which would be fully maintained and renovated, affording pedestrian access through the embankment to the next field.'* This access will not be granted by the

landowners and there is some concern over use of the embankment, as ownership of the land need to be established.

- This application was submitted without the approval of the owner of the property.
- The proposed buildings are out of character with the setting, due to both their intrusive size and design.
- The applicant claims that they will be unobtrusive. This appears to be untrue, as the stand over two metres above the adjacent railway embankment, and would be clearly visible from the main A518 and properties in Barrack Lane.
- The Sight Line drawing shows the straight line view towards Brocton runs through the hedge line and therefore visibility of traffic on this nearside lane is restricted. The issue is not clarified by the photographs, as one is clearly taken from a well into the traffic lane. The only way this problem could be resolved would require substantial cutting back of the hedgerow, along with a regular maintenance regime to ensure safe sighting.
- The flood attenuation proposals fall short of what is really necessary to remove flood risks. The deflection pond is designed to offset the loss of flood plain due to filling below the housing footprint. This proposal makes no provision for loss of flood plain as a consequence of infill above existing ground level to create the site profile shown on Section B-B, C-C, D-D and E-E. Nor is there any allowance for increased risk due to global warming factors.
- The application also mentions planting of trees on the old railway embankment. The ownership of this land needs to be established.
- The development is considered to be a blight on the area which should be retained solely for agricultural purposes.
- The proposed designs of the houses are modern and will be detrimental to the intrinsic character and beauty of Brockton and the surrounding countryside.
- The proposed dwellings would be more suited to an urban area.
- The proposed dwellings are three stories high which is in contrast to the existing property on the site which is a bungalow.
- The proposed dwellings would urbanise this particular area and would harm the character and appearance of this largely undeveloped area of the countryside.

- The statement that the proposed dwellings will not be visible to neighbouring properties is not strictly accurate and they would be visible between September and April.
- Just because the proposal will not generally be visible to the public, this is not an acceptable reason to build in the countryside.
- Whilst the applicant outlines that the site falls within the Environment Agency Flood Zone 1 and does not flood, there are often large quantities of water in the neighbouring field for prolonged periods of time after medium/heavy rainfall.
- Edgmond Road is prone to flooding under the Edgmond Bridge and as a result, the highway has to be closed until the flooding has cleared.
- The additional development needs to be carefully considered in respect of both increasing the incidence of potential flooding and the resulting traffic congestion.
- 3 of the units will be let as holiday let properties and it is considered that there is not a local demand sufficient to justify this development.
- It is considered that the size of the proposed development (maximum occupancy of 34 people across the 4 properties) and its use is not appropriate for this location.
- The proposed rooftop areas and balconies are out of character with the surrounding area and will cause harm and disturbance to surrounding wildlife.
- The erection of a bin store would not be sympathetic to the environment and would indicate the presence of the associated development. It is considered that this facility would be inappropriate for this location.
- There is a TPO located on the site, which is in very close proximity to the drive.
- The mains water supply for the existing property is located at the mouth of the driveway and is a shared supply with a neighbouring property. Any development in this area would need to be undertaken with caution.
- It appears that there intends to be a caravan site on the land at the front of plot one. This would be out of character to the local area and put additional pressure on the public highway and services.
- The proposed scheme would harm the wildlife within the locality.

## 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:

- Principle of housing
- Density, layout, scale and design
- Impact on the flood risk
- Highways, access and parking

### Principle of housing

6.2 Section 38(6) of the Planning and Compulsory Act (2004) states that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Brockton is not a settlement identified to receive open market housing in the Telford & Wrekin Local Plan Policy under HO10. The site is therefore located in the rural area, where residential development is strictly controlled in the Local Plan. The proposal is not one of the exceptions listed in policy HO10. As such this housing proposal is contrary to the Development Plan.

### Density, layout, scale and design

6.3 Policy BE1 of the Telford & Wrekin Local Plan 2011-2031 outlines that development should respect and respond positively to its context and should enhance the quality of the local built and natural environment.

6.4 Given the location of the site, the property which is located closest to the site is a modest 20<sup>th</sup> century bungalow which offers little architectural merit. It is therefore considered difficult for the applicant to take architectural cues from this property.

6.5 The properties which have been proposed are modern in design and whilst they are not of the same design as the existing bungalow on the site, officers would not consider this to be a reason for refusal.

### Impact on the flood risk

6.6 The Council's Drainage Engineers have objected to the scheme.

6.7 Part of the site falls within Floodzone 2 and 3, and as such a Flood Risk Assessment is required, in line with the requirements of paragraph 103 of the National Planning Policy Framework.

6.8 Whilst the applicant has provided the Local Planning Authority with a plan

entitled 'Flood Risk Assessment', it is considered that this does not provide adequate information and as such, this does not provide the Council with sufficient evidence that the site can be adequately drained and that flooding will not be an issue on the site.

- 6.9 Given the lack of information, officers are not satisfied that the site can be adequately drained. As such, the proposal is considered to be contrary to Policy ER12 of the Telford & Wrekin Local Plan 2011-2031 and paragraph 103 of the National Planning Policy Framework.

#### Highways, access and parking

- 6.10 The Local Highways Authority have noted that the area proposed to form the refuse lorry pull in/bin store is largely located within the adopted highway.
- 6.11 It has been requested that an amended plan is submitted which removes this arrangement and that the applicant undertakes improvements to the existing access and provides a bin store within the vicinity. This revised plan has not been submitted to the Local Planning Authority.
- 6.12 As such, officers do not consider that the comments raised by The Local Highways Authority have been satisfactorily addressed by the applicant as the proposed arrangement would still involve too much encroachment into the adopted highway. Whilst not a reason for refusal, this use of adopted highway would not be permitted and the proposal could not be implemented.

## **7. CONCLUSIONS**

- 7.1 The principle of residential development is strictly controlled within the rural and as the proposal has not sought to demonstrate that it meets one of the exceptional criteria it is deemed contrary to the settlement strategy and Telford & Wrekin Local Plan policy HO10.
- 7.2 A Flood Risk Assessment has not been supplied as part of this planning application as required under Section 103 of the National Planning Policy Framework and as such, officers cannot conclude that the site can be adequately drained and will not be at risk from flooding. As such, the proposal is contrary to Telford & Wrekin Local Plan Policy ER12.

## **8. RECOMMENDATION**

Based on the conclusions above, the recommendation to the Planning Committee on this application is to **REFUSE PLANNING PERMISSION** for the following reasons:

1. The proposal is located in the rural area where residential development will be strictly controlled in line with the overall strategy to limit development outside existing urban areas and identified villages, of which Brockton is not one. The proposal is therefore contrary to Telford & Wrekin Local Plan Policy HO10.
  
2. The Local Planning Authority cannot conclude that the site can be adequately drained and will not be prone to flooding, due to a Flood Risk Assessment not being submitted as part of the application contrary to the advice in Section 103 of the National Planning Policy Framework.