

**REPORT TO THE DEVELOPMENT CONTROL  
COMMITTEE**

Report No.

<b>Date of Meeting</b>	<b>14<sup>th</sup> May 2008</b>
<b>Application Number</b>	<b>07/03242/OUT</b>
<b>Site Address</b>	<b>71D Lowden, Chippenham, Wilts. SN15 2BS</b>
<b>Proposal</b>	<b>Erection of Dwelling (Revised) Outline</b>
<b>Applicant</b>	<b>Mr P Grant</b>
<b>Town/Parish Council</b>	<b>Chippenham</b>
<b>Grid Ref</b>	<b>391314 173052</b>
<b>Type of application</b>	<b>Outline application</b>

**Reason for the application being considered by Committee**

This application has been submitted to the Committee for decision under the scheme of delegation in force after the 8<sup>th</sup> April 2002 because 5 or more letters of objection have been received

**Summary of Report**

This is an outline application for the erection of one dwelling. All matters are reserved with the exception of access which is to be considered as part of this application. The site is within the framework boundary of the village and therefore the key points to consider are as follows:

- Implications on DC Core Policy C3 and Housing Policy H3
- Layout, design and scale
- Effect on the residential amenity of existing properties
- Access and parking

The application has been amended since first submission. The site has been enlarged by approximately 2m in depth.

**Officer Recommendation**

Planning Permission be GRANTED subject to the conditions

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## Proposal and Site Description

The proposal is for the erection of one dwelling. The application is outline and with all matters, apart from access, reserved for later consideration. Therefore, the application only aims to establish whether the erection of a dwelling on the site is acceptable in principle.

The site forms part of the rear garden belonging to No. 71D Lowden. The land rises gently uphill from west to east. To the north is a public footpath. To the east and south are residential properties. To the west is Lowden, across which are more residential dwellings. The area is therefore, predominantly residential. The character is one of mixed house types of various ages and styles. A range of housing layouts and patterns have evolved over the years including frontage, cul de sac and backland development.

Planning History		
Application number	Proposal	Decision
99.0488.F	Extension and access	PER
99.01316.F	Porch & Extension	PER
04.02119.F	First floor rear and side extension	REF
04.03467.F	First floor rear and side extension	PER

## Consultations

Comments received before the application site was enlarged:

**Chippenham Town Council** objects on the following grounds

**Wiltshire County Council Highways** support with conditions (see the recommendations)

**Wiltshire Wildlife Trust** requested an ecological survey to be carried out in relation to slow worms and reptiles

## Representations

5 of letters of objection that have been received.

Summary of key points raised:

- The proposal would be unneighbourly;
- The access from Lowden would be unsuitable due to narrowness of road;
- Overlooking and loss of light;
- Development out of keeping with surrounding area.

## Planning Considerations

### Principle of development

The site is located within the defined framework boundary for Chippenham where there is a presumption in favour of development subject to the relevant criteria under Policies C3 and H3 of the North Wiltshire Local Plan being met.

### Layout, design and Scale of Development

The actual layout, scale and appearance of the new dwelling are reserved matters which are not be considered under this application.

The pattern of development surrounding the site is mixed. There are older properties along the frontage with Lowden and relatively newer dwellings arranged in cul-de-sacs. The proposal would be backland in position, but this would not be out of character with the surrounding area.

### Effect on the residential amenity of existing properties

Although, there are no details of the proposed dwelling at this stage, the illustrative drawing indicates that a dwelling could be sited on the land without adversely affecting the surrounding properties.

### Access and parking

The County Highway Authority considers the proposed access and parking arrangement to be appropriate and do not raise any highway objections.

### Public Open Space

The applicant has indicated that he is willing to make financial contributions towards public open space in accordance with Policy CF3 of the North Wiltshire Local Plan. This sum can be secured by planning condition.

### Other material considerations

An ecological survey carried out by Chalkhill Environmental Consultants concluded that the site was unlikely to support reptiles. But a precautionary measure needs to be taken in relation to slow worms.

An objector has raised concerns relating to access by the fire brigade. Fire Safety is a Building Control matter. It is also important to note that the drawings are illustrative only. Whilst the indicative siting shows that the furthest end of the new dwelling could be approximately 46m away from the highway, there are often alternative methods of fire safety, e.g. sprinkler systems, which can be incorporated into a scheme to help overcome any potential problems.

Finally, the loss of views and noise/obstruction from construction traffic are not material planning consideration.

## **Recommendation and Proposed Conditions/Informatives**

Planning Permission be GRANTED subject to the following conditions

1. Prior to the commencement of the development hereby permitted, details of the following matters (in respect of which approval is expressly reserved) shall be submitted to, and approved in writing by, the local planning authority:

- (a) The layout of the development;
- (b) The scale of the development;
- (c) The appearance of the development;
- (d) The access to the development;
- (e) The landscaping of the site.

The development shall be carried out in accordance with the approved details.

Reason: The application was made for outline planning permission.

2. (a) The application for approval in respect of all matters reserved in Condition No.1 above shall be made to the local planning authority within a period of three years, commencing on the date of this permission.

(b) The development hereby permitted shall be begun before the expiration of two years of the date of approval of the last of the reserved matters to be approved.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

3. The development hereby permitted shall be carried out strictly in accordance with the approved plans subject to such minor amendments to the development as may be approved in writing under this condition by the local planning authority.

Reason: To ensure that the development is implemented in accordance with this decision in the interests of public amenity, but also to allow for the approval of minor variations which do not materially affect the permission.

4. The development hereby approved shall not begin until a scheme for a contribution towards the creation of, or improvement and/or management of, existing public open space, in accordance with the North Wiltshire Open Space Study, has been submitted to and approved in writing by the Local Planning Authority. Such a contribution shall be made in accordance with the timing detailed within the approved scheme.

Reason: In accordance with Policy CF3 of the North Wiltshire Local Plan 2011.

5. Prior to the first occupation of the dwelling hereby approved, the vehicular access shall be constructed in accordance with the details hereby approved. The first 5m of the access and drive as measured from the highway shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details to be first submitted and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

6. The dwellings shall not be occupied until space has been laid out within the site in accordance with the approved plan for the parking and turning of vehicles, and such areas shall not thereafter be used for any purpose other than the parking and turning of vehicles associated with the development

Reason: To ensure that sufficient provision is made for off street parking and turning of vehicles in the interests of highway safety.

#### **Informatives:**

1. The applicant's attention is drawn to the recommendations of the ecological report from Chalkhill Environmental Consultants. It is an offence to kill, injure or sell all reptiles under the protection of the Wildlife and Countryside Act 1981.

2. This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

#### **Plan References**

Location plan and Drawing No 1A received by the local planning authority 02/04/08

## Reason for Decision

The siting of one dwelling would not adversely affect the amenities of the surrounding area. The development will be in accordance with Policies C3, H3 and CF3 of the North Wiltshire Local Plan 2011.

<b>Appendices:</b>	<b>NONE.</b>
<b>Background Documents Used in the Preparation of this Report:</b>	<b>1.20; 2.02; 2.37; 4.02; 4.04</b>