

**REPORT TO THE DEVELOPMENT CONTROL
COMMITTEE**

Report No.

Date of Meeting	23 rd April 2008
Application Number	08/00474/FUL
Site Address	Land Adjoining 16 Easton Square, Sherston
Proposal	Erection of pair of semi-detached properties with access (revision of 07/02060/FUL)
Applicant	Westlea Housing Association Ltd
Town/Parish Council	Sherston
Grid Ref	385578E 186073N
Type of applications	Full application

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 8th April 2002 because more than five letters of objection have been received and because the Council owns part of the site.

Summary of Report

This application is for the erection of a pair of semi-detached properties on land to the side of 16 Easton Square in Sherston. The site lies within the settlement boundary of the village of Sherston and is boarded by residential properties to the north, south, east and west. The proposal has been revised following the withdrawal of the previous application (Ref. 07/02060/FUL) and following extensive discussions with Officers. The number of units proposed has been reduced from three to two. The key points to consider are as follows:

- Implications on Local Plan Core Policy C3.
- Implications on Local Plan Policy H3 (Residential Development within Framework Boundaries).
- Implications on Local Plan Policy NE4 (Areas of Outstanding Natural Beauty).
- Policy CF3 (Provision of Open Space).

Officer Recommendation

Development Control Manager be authorised to grant permission subject to conditions and the completion of an Agreement.

The applicant be invited to enter an Agreement in respect of the following matters:

- (i) To ensure that 50% of the residential units to be provided are affordable units
- (ii) To ensure that the affordable residential unit is occupied in perpetuity by people who have a local housing need

following completion of which the Implementation Team Leader (Development Control and Listed Buildings) be authorised to GRANT Planning Permission.

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Proposal and Site Description

This application is for the erection of a pair of semi-detached dwellings to be sited on land which currently forms part of the residential curtilage of 16 Easton Square and grassed land owned by North Wiltshire District Council. The application site is between 22m and 15.4m wide and between 18m and 26.8m long.

The development site falls within the framework boundary of Sherston and is located in a predominantly residential area of the village.

The elevation drawings and floor plans submitted show that both properties are to be identical and that a kitchen, dining area and lounge are proposed at ground floor level, with two bedrooms and a bathroom above. The plans also show off-street car parking for two vehicles for each property

Planning History		
Application number	Proposal	Decision
07/02060/FUL	Erection of three dwellings	Withdrawn

Consultations

The Parish Council objects to the proposal for the following reasons:

- It is on the only road access to the Tarters, which is very busy at times.
- It is on a dangerous corner and would further obstruct sight lines.
- The additional parking would be a further traffic hazard.
- This small area of grass is one of very few in the immediate vicinity and its loss would be unacceptable.

The development would be too close to adjacent houses

County Highways note that there appears to be adequate space on site to accommodate the required parking spaces. The adjacent highway has low speeds and the visibility would be adequate. On this basis, County Highways raise no objections to the proposal subject to a number of conditions being attached to any permission granted.

Wessex Water raises no objections to the proposal.

The **Regeneration Officer** has advised that this proposal would incur a fee of £8,900 to contribute towards public open space provision.

The Housing Officer has confirmed that there is a demonstrable need for affordable rented accommodation in Sherston, with 11 households on the local housing needs register, stating Sherston Parish as their first choice. Policy H6 of the North Wiltshire Local Plan (2011) therefore applies to this application for two dwellings and 50% affordable housing on this site will be sought. The affordable element should be secured in perpetuity by way of an agreement

Representations

13 letters of objection have been received raising the following concerns:

- Impact on highway safety
- Increase in traffic / congestion
- Two-storey properties are unacceptable but bungalows would be appropriate
- Loss of privacy / overlooking
- Open grass area will be used for parking
- Street is used by children and elderly residents walking to and from school and local facilities
- No consideration for visitor parking

- Area should be used as allotments
- Development will devalue surrounding properties
- 3 years ago a recycling centre was refused, surely houses would be more dangerous
- Unfair that a council may sell land effectively to itself and receive automatic approval

Planning Considerations

The proposal is for the erection of a pair of semi-detached dwelling on land to the side of 16 Easton Square in Sherston. The development will be arranged as two plots fronting onto Easton Square with each property benefiting from two off-street car parking spaces.

The front and rear elevations of the properties are to incorporate a number of doors, windows and rooflights, whilst the roofs are to be unequal gables.

The application site lies within the defined framework boundary for Sherston thus there is a principle in favour of development subject to the relevant criteria outlined in Policies C3 and H3 being satisfied.

Local residents have raised a number of concerns which are not planning considerations and therefore have not been considered as part of this proposal

Amenity:

In terms of impact on amenities, local residents are concerned that the development will lead to overlooking and loss of privacy. The plans have been revised throughout the negotiating process to specifically address this issue. The number of dwellings has been reduced from three to two and the siting/orientation of the properties has been revised to ensure that the new dwellings did not overlook or affect the amenities of surrounding residents.

Overall, the proposed development is not considered to be detrimental to the amenities currently enjoyed by the local residents by reason of the siting and scale of the proposed units and is therefore in accordance with Policies C3 and H3 of the North Wiltshire Local Plan (2011). The existing grassed area has little practical recreational value and provision of affordable housing is a community benefit. A contribution to open space elsewhere will be required.

Scale of Development and Impact on Streetscene

The design and scale of the development have been revised and negotiated throughout the process to address overlooking concerns and the effect of the proposal on the general streetscene.

The plans submitted show that the new dwellings are to follow the existing form of development and are to be of a scale and design which sit comfortably in the general streetscene. The properties are to incorporate unequal gables giving the impression of a 1½ storey property on the front elevation and a traditional two-storey dwelling on the rear. Dormer windows and rooflight windows are proposed on the front elevation.

The area is characterised by predominantly residential properties where there is no strict pattern of development. A mixture of housing designs, types and sizes also dominates the area. On this basis, it is considered that the design, size and scale of the properties is acceptable and will sit comfortably within the general streetscene.

Highways and Access

Residents are concerned that the development will affect the safety of drivers and pedestrians along Easton Square and that the proposal will lead to increase traffic/congestion and to additional on-street car parking in an already congested area.

These concerns have been taken into consideration when determining the application. The development site includes the provision of two off-street car parking spaces for each dwelling which meet the Council's car parking standards. On this basis, County Highways support the proposal subject to a number of conditions being attached to any permission granted.

Local residents are concerned that the adjoining grassed land will be used for the parking of vehicles. This land remains in the ownership of North Wiltshire District Council and at this moment in time no indication has been given about the future use of the land

Conclusion

It is considered that the proposed residential development, by virtue of its siting, scale and design, will not be harmful to the character and appearance of this part of Sherston, will have no significant impact on the amenities of adjoining occupiers and is acceptable in terms of highway safety,. On this basis, the proposal accords with Policies C3 and H3 of the North Wiltshire Local Plan (2011)

Recommendations and Proposed Conditions / Informatives

PERMIT subject to the following conditions:

Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. 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.

3. No development shall take place until details of materials to be used externally (including the boundary wall) have been submitted to, and approved in writing by, the Local Planning Authority. The development shall be built in the materials approved.

Reason: In order to ensure the satisfactory appearance of the completed development and to comply with Policy C3 and H3 of the North Wiltshire Local Plan 2011.

4. 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:

- (1) Walls, fences, gates and other means of enclosure;
- (2) Ground surfacing materials;

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

Items 1 and 2 shall be completed prior to the occupation of the development hereby permitted.

Reason: In the interests of amenity and satisfactory layout.

5. 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).

6. On first being glazed and at all times thereafter, the proposed bathroom windows shall be glazed with obscure glass only.

Reason: In order to safeguard the privacy and amenities of the occupants of the adjoining premises and to comply with Policy C3 and H3 of the North Wiltshire Local Plan 2001.

7. The area allocated for parking on the submitted plan shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of highway safety and to comply with Policy C3 of the North Wiltshire Local Plan (2011).

8. The area allocated for parking on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: In the interest of highway safety and to comply with Policy C3 of the North Wiltshire Local Plan (2011).

9. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site.

Reason: In the interests of highway safety and to comply with Policy C3 of the North Wiltshire Local Plan (2011).

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) there shall be no extension or external alteration to any building forming part of the development hereby permitted.

Reason: In order to safeguard the amenity of the area by enabling the Local Planning Authority to consider individually whether planning permission should be granted for extensions and external alterations.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no further windows or other form of opening above ground floor level shall be introduced into the elevations of the dwellings hereby permitted.

Reason: In the interests of residential amenity and to comply with Policies C3 and H3 of the North Wiltshire Local Plan 2011.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no garages, sheds or other ancillary domestic outbuildings shall be erected anywhere on the site edged in red on the approved plans.

Reason: In the interests of residential amenity and to comply with Policies C3 and H3 of the North Wiltshire Local Plan 2011.

Informatives:

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.

- Drawing number P1/A date stamped 27th February 2008.

Policies C3, H3, NE4 and CF3 of the North Wiltshire Local Plan (2011).

The applicant's attention is drawn to the content of the letter from Wessex Water dated 7th March 2008.

Reason for Decision

It is considered that the proposed residential development, by virtue of its siting, scale and design, will not be harmful to the character and appearance of this part of Sherston, will have no significant impact on the amenities of adjoining occupiers and is acceptable in terms of highway safety,. On this basis, the proposal accords with Policies C3 and H3 of the North Wiltshire Local Plan (2011)

Appendices: None

Background Documents Used in the Preparation of this Report: 1.20, 2.02, 2.24, 3.06, 4.02, 4.04, 4.07, 5.01