

**REPORT TO THE DEVELOPMENT CONTROL
COMMITTEE**

Report No.

Date of Meeting	25th June 2008
Application Number	08/00916/FUL
Site Address	Timikel House, Crudwell
Proposal	Erection of one detached dwelling (Revision to 07/02802/FUL)
Applicant	Mr & Mrs F. Evans
Town/Parish Council	Crudwell
Grid Ref	394688 192107
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.

Summary of Report

This application is for the erection of one detached dwelling on land to the north of Timikel House in Crudwell. The site lies within the settlement boundary of the village of Crudwell but just outside the Conservation Area. This application is a resubmission following the withdrawal of the previous application (Ref. 07/02802/FUL) to await the outcome of the Revised Affordable Housing Supplementary Planning Document. The proposal has been revised following negotiations and in order to address concerns relating to the over-development of the site and drainage issues.

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).
- Policy CF3 (Provision of Open Space).
- Policy H6 (Affordable housing in Rural Areas)

Officer Recommendation

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, in accordance with Policy H6 of the North Wiltshire Local Plan (2011). In the case of one single dwelling, a flat fee of £26,000 is required to be paid in accordance with the Revised Affordable Housing Supplementary Planning Document.

(ii) To ensure that a financial contribution is made towards public open space provision.

Following completion of which the Development Control Manager be authorised to GRANT Planning Permission.

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Proposal and Site Description

This application is for the erection of one detached dwelling to be sited on land which currently forms part of the residential curtilage of Timikel House in Crudwell. The application site is approximately 29m long at its longest point and between 6m and 18m wide.

The development site lies on what could be described as an island site, which falls within the framework boundary of Crudwell, and which currently accommodates two dwellings; Timikel House and Hedgehogs. The site is directly boarded by residential properties to the south and by roads to the north, east and west.

The elevation drawings submitted show that the new dwelling is to incorporate a two storey and 1½ storey element sited at right angle to each other. The dwelling is to accommodate a utility room, kitchen/dining/sitting area, study and garage at ground floor level, with three bedrooms and two bathrooms above. The plans also show off-street car parking to the front of the property.

Planning History

Application number	Proposal	Decision
07/02802/FUL	Erection of one detached dwelling	Withdrawn

Consultations

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

- Concrete base of house will further diminish soak-away potential.
- Area is being investigated by WCC and it would be premature to build on this piece of land.
- Site location plan is out of date and does not show the more recently built houses.
- Area to be built on is very small.
- Over-development and impact on highway safety.

County Highways have raised no objections to the proposal subject to a number of conditions being attached to any permission granted.

The **Regeneration Officer** has advised that this proposal would incur a fee of £7,800 to contribute towards public open space provision.

The **Housing Officers** are advising that there is a demonstrable need in Crudwell for affordable housing as there are currently two households on the General Housing Needs Register as at 1st April 2008 seeking accommodation in this village.

The Council's **Drainage Engineer** originally objected to the application due to the impact the new dwelling would have on the existing drainage/flooding issues. However, the applicant is now proposing to install a water harvesting system at Timikel House to catch rain water from the house and patio area and recycle it for washing machine and cistern water within the new dwelling. On the basis that the proposal will be keeping a 'status quo', the Council's Drainage Engineer has withdrawn his objection.

The **Environment Agency** notes that this proposal falls outside the scope of matters on which the Agency is a statutory consultee. The Environment Agency therefore has no comment to make on this application.

Wessex Water have commented on the application and but has raised no objections to the proposal.

Representations

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

- Site is a contributing factor in the recent floods.
- Impact on existing drainage infrastructure and culvert.
- Existing drainage infrastructure is inadequate.
- Further development will increase future risk of flooding.
- Over-development.
- Limited parking in vicinity.
- Highway and visibility concerns.
- Impact on views and character of the village.
- Previous refusal on this site.
- Plans do not show all adjoining properties which is misleading.
- Overlooking and loss of light and privacy.

Planning Considerations

The proposal is for the erection of one detached property on land to the north of Timikel House in Crudwell. Off-street car parking is proposed in the front garden of the new property.

The front, side and rear elevations of the property are to incorporate a number of doors and windows, whilst the roof is to be a gable roof to match other properties in the vicinity of the application site.

The application site lies within the defined framework boundary for Purton thus there is a principal 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, loss of light and privacy. The plans show windows on the front, side and rear elevations. On the basis that a road separates the new dwelling from those located to the north and west, it is difficult to see how this proposal will overlook surrounding residents or lead to loss of light or privacy. With regards to the property located to the south, the only window overlooking Timikel will be an obscure glazed bathroom window.

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 dwelling and is therefore in accordance with Policies C3 of the North Wiltshire Local Plan (2011).

Scale of Development and Impact on Streetscene

The plans have been revised throughout the negotiating process to reduce the footprint of the proposed dwelling. The original plans received showed a larger house but it was considered that such a dwelling would lead to the over-development of the site which would have an adverse impact on the character and appearance of the streetscene.

The plans submitted show that the new dwelling is to be set back into the site, like Hedgehogs, and is to be of a similar style and design to both Timikel and Hedgehogs. The dwelling is to incorporate a gable roof with a dormer window proposed on the rear 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 proposed dwelling is acceptable and will sit comfortably within the general streetscene.

Flooding

A major concern raised by local residents is that of the impact of the proposed development on the existing drainage/flood infrastructure. The area has been the subject of major flooding in the past 12 months with some of the surrounding properties being flooded.

The proposal has been considered by the Council's Drainage Engineer who takes the view that providing that the applicant installs a water harvesting system to Timikel House to catch rain water from the house and patio areas and recycle it for washing machine and cistern water for the new dwelling, then he would raise no objections to the proposal on the basis that a 'status quo' situation would be retained. In addition, the design of the house has taken into consideration the risk of flooding and as such the floor height is to be 300mm higher than that of Timikel House.

In terms of the impact of the development on the existing infrastructure, this is a matter to be considered by Building Control.

Highways and Access

Residents are concerned that the development will affect the safety of drivers and pedestrians due to the limited visibility out of the site and the lack of car parking in the vicinity of the site.

These concerns have been taken into consideration when determining the application. The development site includes the provision of a minimum of two off-street car parking spaces and as such the proposal meets the Council's car parking standards. The visibility splays proposed are also acceptable in terms of highway safety requirements.

On this basis, County Highways support the proposal subject to a number of conditions being attached to any permission granted.

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 Crudwell, will have no impact on the amenities of adjoining occupiers and is acceptable in terms of flood risk and 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

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, in accordance with Policy H6 of the North Wiltshire Local Plan (2011). In the case of one single dwelling, a flat fee of £26,000 is required to be paid in accordance with the Revised Affordable Housing Supplementary Planning Document.
- (ii) To ensure that a financial contribution is made towards public open space provision.

Following completion of which the Development Control Manager be authorised to GRANT Planning Permission.

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. The driveway for the first 3m from the edge of the carriageway 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 prior to works commencing on site.

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

4. The development hereby permitted shall not be occupied until the visibility splays shown on the submitted plan have been provided with no obstruction to visibility at or below a height of 900mm above the nearside carriageway level. The visibility splays shall thereafter be maintained free of obstruction at all times.

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

5. The materials to be used externally for the roof and walls on the proposed development shall match that of Timikel House in terms of type, colour, size and finish unless otherwise agreed in writing by the Local Planning Authority prior to works commencing.

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

6. 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 prior to works commencing on site:

- (1) Walls, fences, gates and other means of enclosure;
- (2) Ground surfacing materials;
- (3) Finished floor levels of all buildings;
- (4) Finished levels across the site;
- (5) The means of surface water disposal;
- (6) The means of foul sewage disposal.

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.

7. The development hereby permitted shall not be commenced until details of the landscaping of the site have been submitted to, and approved in writing by, the Local Planning Authority. Details shall include:

- (a) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and proposals for their protection during and following construction works;
- (b) details of all proposed tree and shrub planting, including species, number, sizes and positions, together with seeded/turfed areas;
- (c) details of any hard-surfaced areas such as footpaths, pedestrian areas, steps, play-spaces etc.

The approved landscaping scheme shall be implemented within one year of either the first occupation

or use of the development, whether in whole or in part, or its substantial completion, whichever is the sooner, and shall be maintained thereafter for a period of not less than five years. The maintenance shall include the replacement of any tree or shrub which is removed, destroyed or dies by a tree or shrub of the same size and species as that which it replaces, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenity of the area and to ensure the creation of a pleasant environment for the development and to comply with Policy C3 of the North Wiltshire Local Plan 2011.

8. 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.

9. 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 shall be introduced into the elevations of the dwelling hereby permitted.

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

Informatives:

1. 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 A1/07/18/01, A1/07/18/02/A, A1/07/18/03/A, A1/07/18/04/A, A1/07/18/05/A and A1/07/18/06/A date stamped 19th May 2008.

2. The following policies of the Development Plan are relevant to this decision:-

North Wiltshire Local Plan 2011:- C3, H3, H6, CF3

3. The applicant's attention is drawn to the contents of the attached letter from Wessex Water dated 21st April 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 Crudwell, will have no impact on the amenities of adjoining occupiers and is acceptable in terms of flood risk and 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