

Regulatory Committee

October 9th 2008

List of Applications for Consideration

1. K/59259/F (page 6)

Full planning application for: Erection of a terrace of three new dwellings

At: The Workshop, Andover Road, Faberstown LUDGERSHALL SP11 9PD

RECOMMENDATION: Grant planning permission

2. K/59250/F (page 11)

Full planning application for: Erection of a detached dwelling and separate garage, provision of new access; associated works

At: Roxana, Cadley Road, COLLINGBOURNE DUCIS SN8 3EA

RECOMMENDATION: Refuse planning permission

3. K/59263/F (Page 15)

Full planning application for: Demolition of existing farmhouse and erection of new dwelling.

At: Bungalow Farm House, WOODBOROUGH SN9 5PL

RECOMMENDATION: Grant planning permission

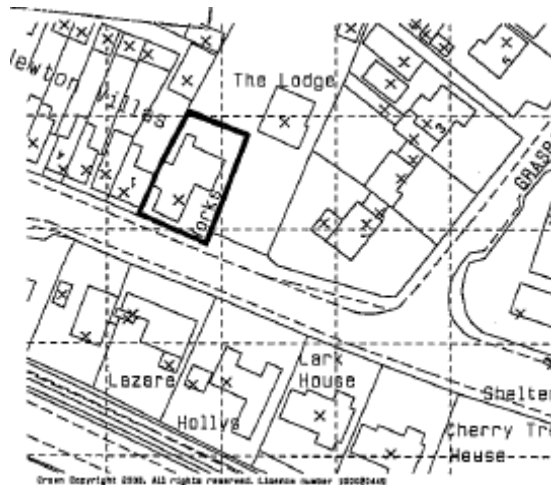
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Item 1

APPLICATION NO: K/59259/F
PARISH: LUDGERSHALL
APPLICATION TYPE: Full Planning
PROPOSAL: Erection of a terrace of three new dwellings
SITE: The Workshop Andover Road Faberstown SP11 9PD
GRID REF: 427742 150435
APPLICANT: RA Cummins & Sons Ltd
AGENT: York Associates
DATE REGISTERED: 05/08/2008
CASE OFFICER: Karen Guest

SITE LOCATION

The site lies at the eastern end of Ludgershall, in the area known as Faberstown. If approaching from the Tidworth direction, the site can be found on the left-hand side of the Andover Road, approximately 60 metres before the turning for Graspan Road. The site lies between a terrace of 6 dwellings and a bungalow that is set back from the road. The workshop that originally occupied the site has now been demolished.



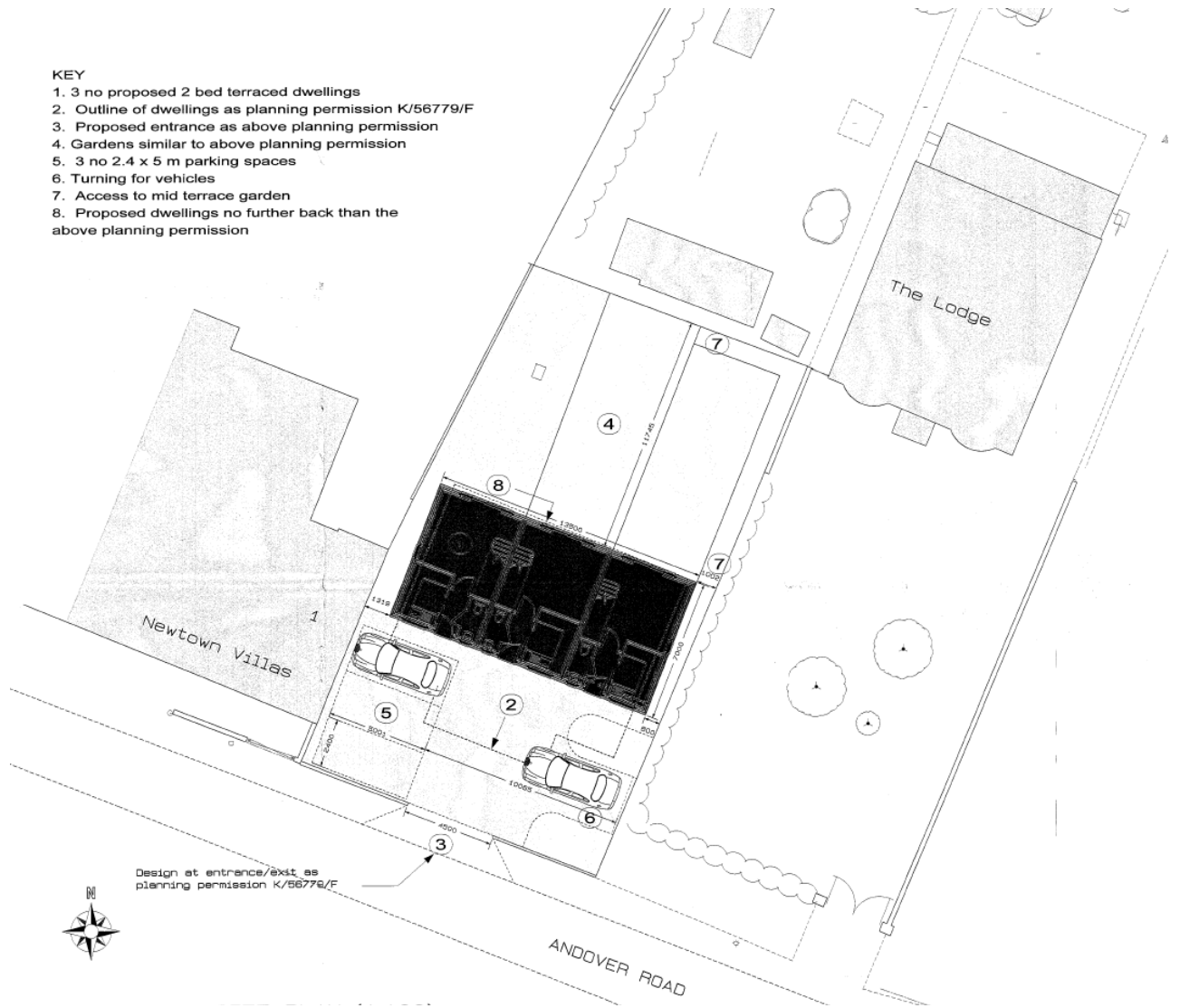
RELEVANT SITE HISTORY

K/56779/F – planning permission was granted in July 2007 for the demolition of the existing workshop and the construction of a pair of semi-detached dwellings.

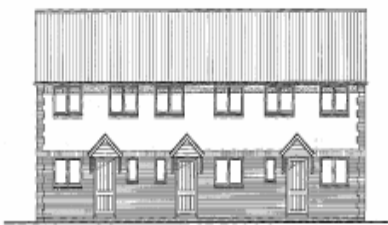
DESCRIPTION OF DEVELOPMENT

The proposal is to construct a terrace of three dwellings on a similar footprint to the previously-approved scheme. These would be set further back into the site, although the rear wall would be no closer to the rear boundary. This has been achieved by reducing the gable span from 9 metres to 7 metres. The frontage of the dwellings would be slightly bigger, bringing them approximately 0.5 metres closer to the properties either side. There would be 3 parking spaces to the front of the properties (equating to 1 space per dwelling), with a turning area opposite. The positioning of the new access would be as per the previously approved scheme.

- KEY**
1. 3 no proposed 2 bed terraced dwellings
 2. Outline of dwellings as planning permission K/56779/F
 3. Proposed entrance as above planning permission
 4. Gardens similar to above planning permission
 5. 3 no 2.4 x 5 m parking spaces
 6. Turning for vehicles
 7. Access to mid terrace garden
 8. Proposed dwellings no further back than the above planning permission



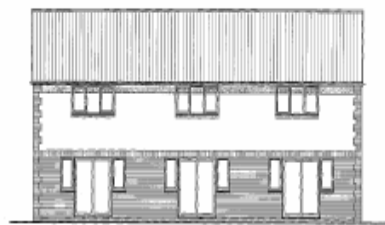
Block Plan



FRONT/SOUTH



SIDE/EAST



REAR/NORTH



SIDE/WEST

PROPOSED ELEVATIONS (1:100)

PRINCIPAL AMENDMENTS SINCE SUBMISSION

The plans have been amended since submission, with the hipped roof of the dwellings changed to a traditional gable roof.

TOWN COUNCIL COMMENTS

Ludgershall Town Council objects to the proposal on the grounds that it would conflict with Policy PD1 of the Kennet Local Plan, being an overdevelopment of the site and having limited rear access for refuse and recycling bins.

CONSULTATIONS

County highways – no objection to the proposal as a regular bus service passes the site and there are no restrictions on on-street parking. It is recommended that conditions are imposed requiring the provision of the access, parking and turning areas prior to the occupation of the dwellings and the stopping-up of the existing vehicular access to the site prior to the commencement of development.

Wessex Water – no objection.

REPRESENTATIONS

Two letters of objection have been received, which raise the following key concerns:

- The original scheme provided 2 parking spaces per dwelling, whereas this scheme only provides 1 space per dwelling. This will result in vehicles parking on the road, which in turn will present a road safety hazard.
- The proposal would only be 800 mm from the boundary of the neighbouring property, which is far too close.

POLICY CONSIDERATIONS

Policy PD1 in the Kennet Local Plan is relevant to the consideration of the application, as is central government policy contained in PPS 3.

PLANNING OFFICERS COMMENTS

The principle of residential development on the site was established by virtue of planning permission K/56779/F, which involved the construction of two dwellings on the site. The key considerations are therefore whether the changes to the size and design of the dwellings would have any increased visual and neighbour impacts and whether the increase in the number of units would have any significant parking/highway safety implications. These issues will be considered in turn.

Visual Impact

The amendments to the proposed scheme, with the incorporation of a gabled rather than a hipped roof, mean that the dwellings would now be far more in keeping with the adjacent terrace. The town council considers that the proposal would amount to overdevelopment of the site. This is not considered to be the case as the overall footprint of the proposed dwellings, at 94.5 square metres, is approximately 30 square metres less than that of the previously approved scheme. Furthermore, although the dwellings would come closer to the side boundaries of the site, it is not considered that they would appear cramped, as they would largely be set back behind the neighbouring terrace.

Neighbour Impact

The proposed dwellings would be approximately 0.5 metres closer to the neighbouring bungalow than the approved scheme. However, it is not considered that this would result in any increased impact on the occupants' reasonable living

conditions given that this property is set back approximately 10 metres behind the proposed dwellings.

Parking/Highway Safety Implications

Concerns have been raised by local residents about the lack of parking associated with the development. Whilst it is acknowledged that the level of parking proposed, at 1 space per dwelling, is less than that provided for the approved scheme, it complies with the Council's maximum standards and is therefore considered to be acceptable. The highway authority has raised no objections to the proposal as there is unrestricted on-street parking in the vicinity and a regular bus service passes the site, thus making the development accessible by means of transport other than the private car.

Other Issues

The town council has expressed concerns that there is limited rear access for refuse and recycling bins. However, the side access adjacent to plot 1 and plot 3 are 1.3 metres and 0.8 metres respectively, which is considered adequate room for a wheelie bin and recycling box. Furthermore, there is plenty of space in front of plot 2 for a wheelie bin to be positioned.

RECOMMENDATION

Approve with Conditions

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

REASON:

To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

- 2 This permission relates to the scheme of development as submitted except insofar as amended by the revised plans number 08/021/02/A received on 28 August 2008.

REASON:

For the avoidance of doubt as to the development authorised since the proposal originally submitted has been amended during the course of its consideration.

- 3 The windows at first floor level shown on the approved plans on the west elevation of plot 1 and the east elevation of plot 3 shall be glazed with obscured glass and permanently fixed shut and shall be maintained as such thereafter.

REASON:

In the interests of the privacy of the occupants of the neighbouring properties.

- 4 No development shall take place until details of the materials to be used for the external walls and roofs (including samples) have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

REASON:

To secure harmonious architectural treatment.

- 5 Prior to their first use, the access, parking spaces and turning area shown on the approved plans shall be surfaced in a well-bound consolidated material (not loose stone or gravel) and maintained as such thereafter.

REASON:

In the interests of highway safety.

- 6 Prior to the first occupation of the dwellings, the access, turning area and parking spaces shall be completed in accordance with the approved plans, and shall thereafter be maintained for these purposes.

REASON:

In the interests of highway safety.

- 7 Prior to the first use of the new access, the existing footway shall be re-surfaced over the site frontage, with the existing lowered kerb sections at either end of the site replaced by full-height kerbs.

REASON:

In the interests of highway safety.

- 8 **INFORMATIVE TO APPLICANT:**
The Council is required to give a summary of the reasons for this decision and a summary of the development plan policies and proposals relevant to the decision. These are set out below:

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to Policy PD1 in the Kennet Local Plan 2011 and central government policy set out in PPS 3. .

Item 2

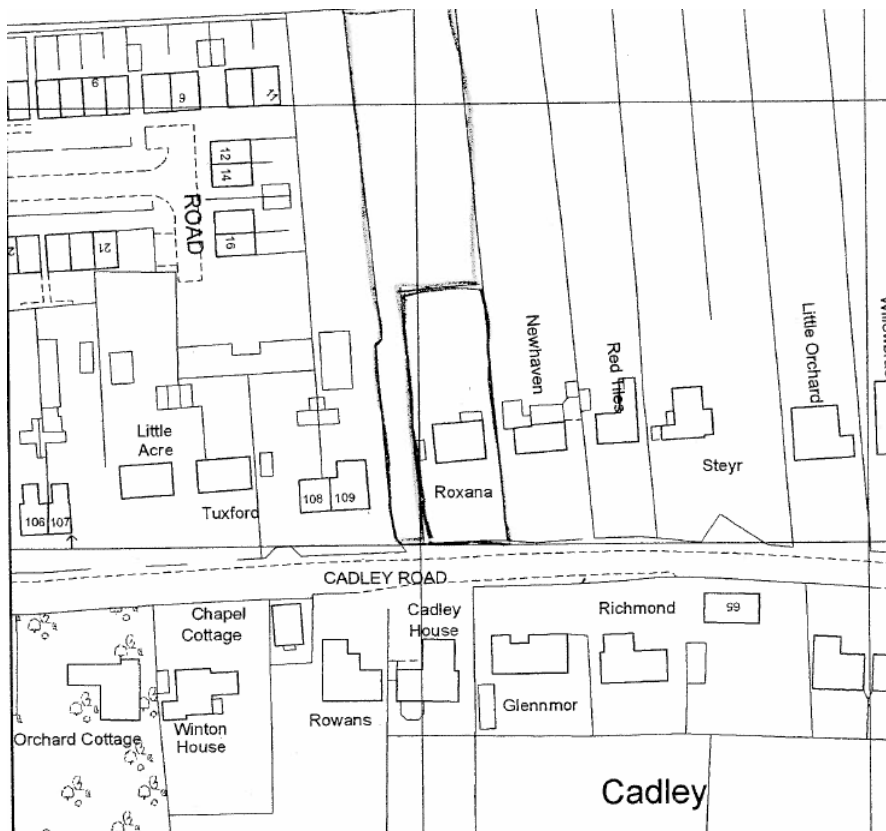
APPLICATION NO: K/59250/F
PARISH: COLLINGBOURNE DUCIS
APPLICATION TYPE: Full Planning
PROPOSAL: Erection of a detached dwelling and separate garage; provision of new access; associated works
SITE: Roxana, Cadley Road, Collingbourne Ducis, SN8 3EA
GRID REF: 424709 154122
APPLICANT: Mr G Smith
AGENT: Mr P Oakley ,Oakley Planning & Conservation
DATE REGISTERED: 04/08/2008
CASE OFFICER: Rob Parker

BACKGROUND

This application has been brought to committee at the request of the local ward member.

SITE LOCATION

The application site lies to the rear of an existing bungalow on the north side of Cadley Road in Collingbourne Ducis. On entering the village on the A338 from the direction of Burbage turn first left into Cadley Road at the crossroads in the centre of the village. The village shop lies on the corner on the left hand side. The application site lies on the left hand side approximately 370 metres further along the road, beyond the turnings to Sunton, West Farm Close and Saxon Rise. The development plot would be accessed via a new driveway in between no.109 Cadley Road and the dwelling known as "Roxana". The land is currently in use as domestic garden.



Site Location – rear of Roxana – access from Cadley Road

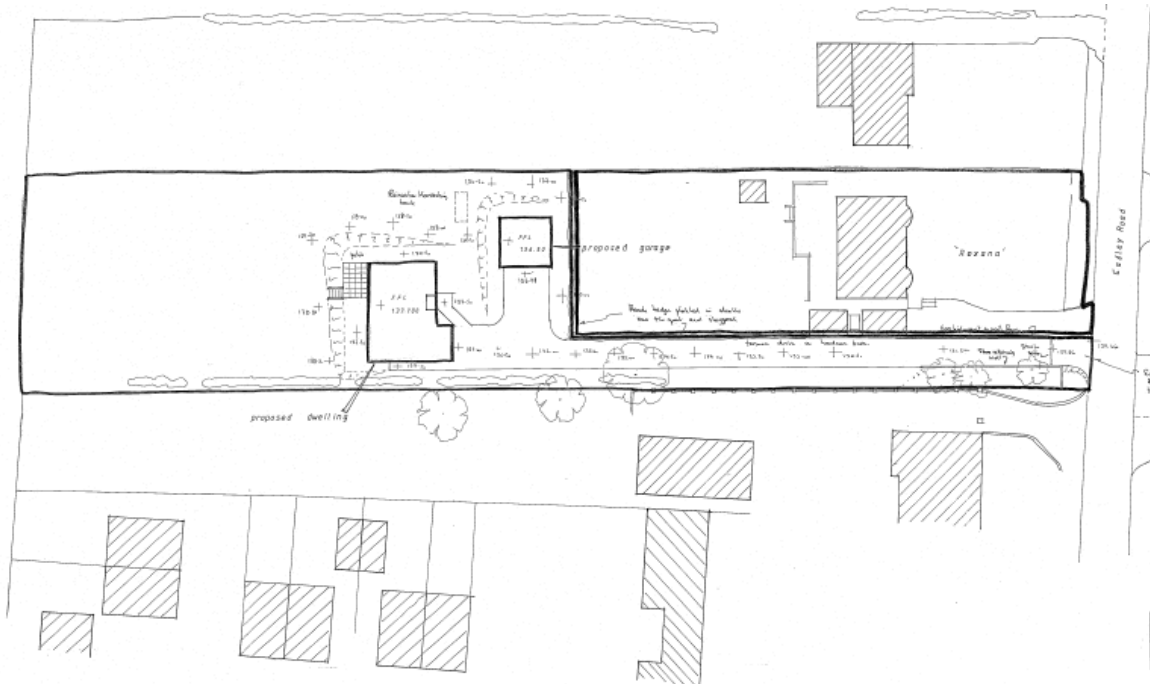
SITE HISTORY

K/56944/O - New residential development of 13 dwellings and creation of new access, parking and garage areas. Outline planning permission refused on 14th August 2007 and subsequently dismissed on appeal.

K/57568/O - New residential development of 9 dwellings and creation of new access, parking and garage. Outline planning permission refused on 14th December 2007.

DESCRIPTION OF DEVELOPMENT

The proposal is to erect a single detached dwelling and separate garage, to include the provision of a new access and associated works.



Block plan



Elevations

ADDITIONAL STATEMENT BY THE APPLICANT

The applicant has submitted a Design & Access Statement which is available to view on the working file.

PARISH COUNCIL COMMENTS

Collingbourne Ducis Parish Council – no objection.

CONSULTATIONS

Environment Agency – no objection.

KDC Engineering & Design Manager – no comments.

KDC Landscape & Countryside Officer – The issues relating to the impact on trees and the AONB have been satisfactorily addressed. However, backland development is out of character beyond the Saxon Rise development and this proposal may set a precedent for similar proposals on the more eastern parts of Cadley Road. Further development would involve tree felling and would have an increasing impact on the wider countryside.

County archaeologist – no objection subject to a condition requiring further archaeological work.

County Highways – no objection subject to appropriate conditions.

Wessex Water – no objection.

REPRESENTATIONS

One representation has been received from the occupier of *Steyr* which lies three properties to the east. The respondent raises no objection to the proposals.

POLICY CONSIDERATIONS

The site lies within the Limits of Development defined for Collingbourne Ducis in the Kennet Local Plan 2011. Policies HC22 & PD1 of the local plan are relevant to the consideration of this planning application.

The site also lies within the North Wessex Downs Area of Outstanding Natural Beauty. Government guidance contained in PPS7 is a material consideration.

PLANNING OFFICERS COMMENTS

In policy terms the site lies within the Limits of Development defined for Collingbourne Ducis in the Kennet Local Plan. Policy HC22 of the local plan would permit limited additional housing within the Limits of Development, provided that development is in harmony with the village in terms of its scale and character.

Planning permission has previously been refused for alternative schemes of 9 and 13 dwellings on the site (although these applications also took in additional land behind 109 Cadley Road and Newhaven). The scheme for 13 dwellings was dismissed at appeal. The inspector's conclusions are a material consideration when reaching a decision on the current planning application.

The inspector identified the main issues to be:

- (1) The effect of the proposed development on the surrounding pattern of development;
- (2) The effect of the proposed development on the character and appearance of the wider landscape which is within the North Wessex Downs Area of Outstanding Natural Beauty (AONB); and
- (3) The effect of the use of the access on the living conditions of adjacent occupiers, as regards noise and disturbance.

Issue (2) has been satisfactorily addressed in the current application by reducing the number of units to one and siting the dwelling midway down the valley side such that

it would not be visible from the countryside to the north. The building would effectively be hidden within the valley.

Issue (3) has also been addressed by the reduction in the number of dwellings. This will significantly reduce the number of vehicle movements generated by the development, thereby reducing the level of disturbance being experienced by neighbouring residents at Roxana and 109 Cadley Road. The access drive would be constructed in tarmac which would be less noisy than gravel.

Issue (1) remains relevant. In respect of this issue the inspector concluded as follows:

“As to whether the development would be out of character with the surrounding pattern of development on Cadley Road, I accept that it would reflect that on the immediately adjacent newly extended section within Saxon Rise (known as Riverbourne Fields). Like this, it would also be on elevated land away from the valley bottom. It is also not in dispute that, as with the Riverbourne Fields development, the site is within the defined limits of the settlement and also falls within the definition of ‘previously-developed land’ set out in Annex B of Planning Policy Statement 3 (PPS 3) Housing. However, despite some variety in the styles and appearance of the dwellings along it, Cadley Road is predominantly characterised by well spaced bungalows forming a linear development alongside the road. The proposed development would result in significant further 2 and 3 storey dwellings on elevated land away from road and the valley bottom that, unlike the Riverbourne Fields development, which is accessed from an established cul de sac, would cut through between two existing properties. This would be out of character with the prevailing pattern of development on Cadley Road. In this respect, the proposed development would therefore be contrary to Policies HC22 and PD1 of the Adopted Kennet District Local Plan.”

As the inspector has correctly pointed out, Cadley Road is predominantly characterised by well spaced bungalows forming a linear development alongside the road. The current proposal would have strong similarities to the scheme dismissed by the inspector, in that it would be located on elevated land away from the road and the valley bottom. In common with the appeal proposal, the access to the development would cut through between two existing properties.

Having regard to the inspector’s comments it is considered that there is no material planning reason to change the Council’s stance on backland development in this location. Such development would be out of character with the surrounding pattern of development on Cadley Road.

RECOMMENDATION

Refuse planning permission on the following grounds:

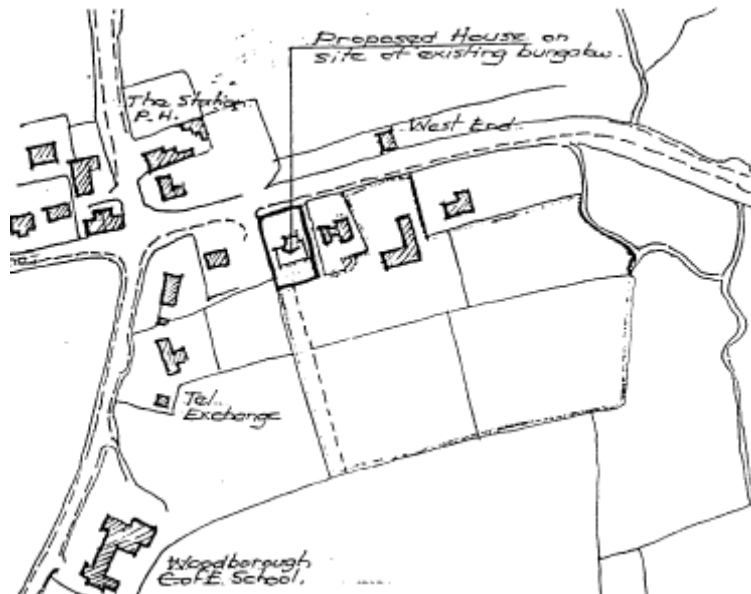
- 1 The proposal for a single dwelling on elevated land away from the road and the valley bottom and served via an access running between existing dwellings would be out of character with the prevailing pattern of development on Cadley Road which is predominantly characterised by well spaced bungalows forming a linear development alongside the road. Furthermore, the proposal would set an undesirable precedent for similar proposals which would, taken cumulatively, cause serious harm to the character of the area. As such, the proposal is contrary to Policies HC22 & PD1 of the Kennet Local Plan 2011.

Item 3

APPLICATION NO: K/59263/F
PARISH: WOODBOROUGH
APPLICATION TYPE: Full Planning
PROPOSAL: Demolition of existing farmhouse and erection of new dwelling.
SITE: Bungalow Farm House Woodborough Wilts SN9 5PL
GRID REF: 410821 159866
APPLICANT: Mr & Mrs BAR Toogood
DATE REGISTERED: 06/08/2008
CASE OFFICER: Andrew Guest

SITE LOCATION

The application site lies within Woodborough, defined in the Kennet local plan as a 'Village with Limited Facilities', and is within the Area of Outstanding Natural Beauty. It is occupied by a detached bungalow set amongst further bungalows and houses of mixed age and design to the sides and opposite. Ground level rises away from the highway.



Location Plan

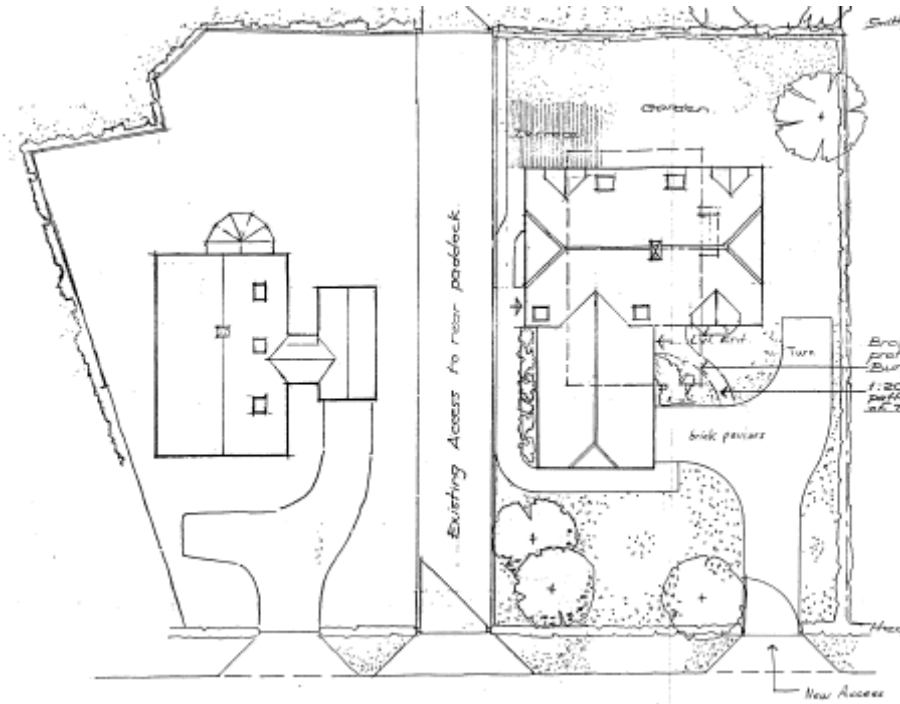
RELEVANT HISTORY

There is no relevant planning history.

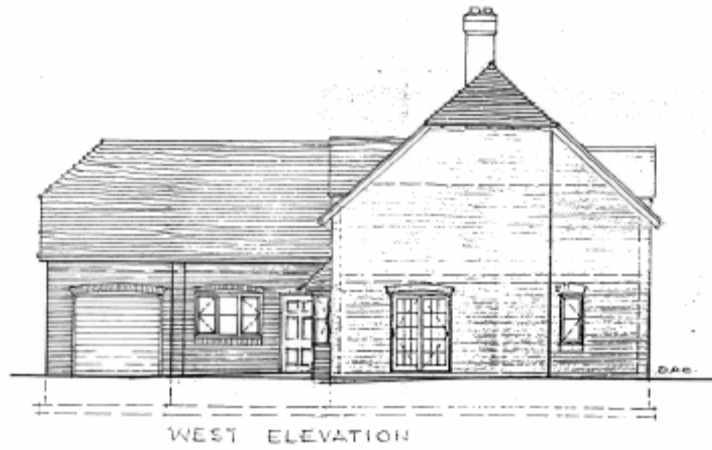
DESCRIPTION OF DEVELOPMENT

The application seeks planning permission to demolish the existing bungalow and erect a two storey chalet-style house. The new house would be sited in a similar position to the existing, although re-orientated with principal elevation fronting the highway, and with a forward projecting front wing.

The existing vehicular access to the site would be closed and a new access formed towards the west side of the plot, serving a driveway, turning area and integral garage.



Block Plan – proposed dwelling to right (existing broken line)



Elevations (front (north) and side (west))

AMENDMENTS MADE FOLLOWING SUBMISSION

The design of the dwelling has been revised. Most notably, the ridge height has been reduced, a side elevation window removed, and the garage made integral (the previously proposed detached garage having been deleted). A bat survey of the existing building to be demolished has also been provided.

ADDITIONAL STATEMENT BY THE APPLICANT

In addition to the Design and Access Statement which can be viewed on-line or on the working file, the applicant states the following –

“The roof pitch has been reduced from 47.5 degrees to 42.5 degrees to achieve a lower ridge height. The eaves level of the low section (study and garage) has been raised by 500mm to give a better balance between the single storey and two storey sections. The detached double garage has been omitted and a single garage added as an integral part of the main dwelling. The window of the study has been moved to the west elevation. The window to bedroom 4 (previously shown on the east elevation) has been omitted and replaced with a ‘Velux’ roof light. The access has been re-positioned due to the relocation of the garage”.

CONSULTATIONS

Woodborough Parish Council: no objection to the principle of replacing the bungalow on this site with a house, and appreciate the efforts of the applicant to deal with the issue of the location of the garage, but still object to the revised plans on the following grounds –

The height and size of the proposed house. The PC considers that the proposed house is a considerable over development of the plot, not only that but it is on a raised site and the overall height of the building would be much higher than anything else in the vicinity. This would not only be completely out of keeping with other houses in the area but the new house would impact on the privacy of neighbours. Residents opposite have raised their concerns with the PC and have objected in their own right. The overall footprint of the house should be reduced and consideration should also be given to lowering the site. There should also be strict adherence to the long established building line to the front, which the proposed house seems to fall outside.

County highways (Mr Witt): recommends conditions.

County Ecologist: no evidence of bats using the building. Recommends informative.

KDC Landscape & Countryside Officer: The proposed dwelling is largely located on the existing bungalow site and is located such that it is far enough from the trees to the rear and the silver birch on the neighbouring property, although protective fencing under the terms of BS5837(2005)'Trees in Relation to Construction', will be a requirement during both demolition and construction. This can be conditioned. The backdrop of trees make a major contribution to the setting of the dwelling and must be retained.

Wiltshire Fire & Rescue: recommends informatives.

REPRESENTATIONS

One objection has been received from Wessex House, Woodborough summarised as follows –

- The houses opposite have been omitted from the site plan;
- The site is between two bungalows; the ridge height of the proposed dwelling is some 70% higher than these bungalows and some 60% higher than the existing bungalow on the site. The proposed dwelling would overshadow the neighbouring bungalows and appear totally at odds with the character of the immediate area;
- The proposed dwelling has a greater footprint (80%) and greater floor area (235%) than the existing bungalow;
- The proposal represents an over-development of the site which would have a domineering and detrimental impact on existing properties and be at odds with the character of the immediate area.

POLICY CONSIDERATIONS

Kennet Local Plan – Policies PD1, NR7 and HC24 are particularly relevant.

PLANNING OFFICERS COMMENTS

The main issues to be considered in this case are, firstly, the principle of a replacement dwelling, and then (assuming the principle is agreed) the impact of the specific scheme on visual and residential amenity, and protected wildlife species.

Regarding the principle, the application site lies within the Woodborough 'Village with Limited Facilities' where policy HC24 allows the replacement of existing dwellings provided that the development is within the existing built up area of the village, does not consolidate an existing sporadic, loose knit area of development, and the development is in harmony with the village in terms of its scale and character. In this case the site, being part of a frontage of established development, is within the built up area of the village and would not consolidate an existing loose knit area of development. Furthermore, the actual design of the proposed replacement dwelling is considered to be in harmony with the village in terms of its scale and character. As a consequence the development complies with Policy HC24, and as such, is acceptable as a matter of principle.

With specific regard to the design, the proposed replacement dwelling is larger and higher than the original bungalow. However, it does not detract from the appearance of the surroundings, and is in-keeping with the character of neighbouring properties. The proposed dwelling is two storey, chalet style which fits in with the mixed character of housing in the 'street scene', comprising both single and two storey dwellings. The majority of the houses opposite the site are conventional two storey houses, whilst the neighbouring property to the east side is a two storey chalet style house, and to the west side a single storey bungalow. The site itself is spacious enough to accommodate the dwelling, this notwithstanding its additional height and forward projection. For this reason the proposal would not amount to an over-development of the site.

Although the parish council and neighbour object to the size of the proposed dwelling, this in itself cannot be a reason to resist the development unless the additional size detracts from the character and appearance of the surroundings, which in this case it does not for the reasons set out above.

In terms of privacy, the revised design avoids windows in the side elevations. Sufficient space exists to the sides and the front to ensure no adverse or dominating relationships with neighbours.

Regarding wildlife, a bat survey has been provided which found no evidence of bats using the existing building.

RECOMMENDATION

Approve with Conditions

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

REASON:

To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

- 2 No development shall take place until details of the materials to be used for the external walls and roofs (including samples) have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

REASON:

To secure harmonious architectural treatment.

- 3 In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of three years from the first occupation or the completion of the development, whichever is the earlier.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) All retained trees shall before any equipment, machinery or materials are brought on to the site for the purpose of the development, be enclosed in accordance with British Standard 5837 (2005) Tress in Relation to Construction at the outer edge of the overhang of their branches by a chestnut paling fence (or other type of fencing agreed in writing by the local planning authority). The exact position of this fencing shall be first agreed in writing with the local planning authority. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

REASON:

To enable the local planning authority to ensure the retention of trees on the site in the interests of visual amenity.

- 4 Before any work commences on site the ground floor slab levels shall be agreed in writing with the local planning authority. Development shall be carried out in accordance with the approved details.

REASON:

In the interests of visual amenity.

- 5 Before any part of the development hereby permitted is first occupied the access, turning area and parking spaces shall be completed in accordance with the details shown on the approved plans, and shall thereafter be maintained for these purposes.

REASON:

In the interests of highway safety.

- 6 The sole means of vehicular and pedestrian access to the development shall be as shown on the plans hereby approved and within one month of the occupation of the development the existing access shall be permanently stopped up and abandoned in accordance with details to be submitted to and approved by the local planning authority.

REASON:

In the interests of highway safety.

- 7 Prior to the first use of the access provision shall be made for the disposal of surface water in accordance with details that have been submitted to and approved in writing by the local planning authority. The method of surface water disposal shall be implemented in accordance with the approved details.

REASON:

To ensure that surface water is not discharged onto the highway, in the interests of highway safety.

- 8 Any gates shall be set back 4.5 metres from the edge of the carriageway, such gates to open inwards only.

REASON:

In the interests of highway safety.

- 9 INFORMATIVE TO APPLICANT:

The Council is required to give a summary of the reasons for this decision and a summary of the development plan policies and proposals relevant to the decision. These are set out below:

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the following policies and proposals in the Kennet Local Plan 2011 namely: policies PD1, NR7 & HC24.

- 10 INFORMATIVE TO APPLICANT:

The applicant should note that under the terms of the Wildlife and Countryside Act 1981 and Countryside and Rights of Way Act 2000, it is an offence to disturb nesting birds or roosting bats. You should note that the work hereby granted consent does not override the statutory protection afforded to these species and you are advised to seek expert advice if you suspect that nesting birds or bats will be disturbed.

