

Date of Meeting	30 th May 2017
Application Number	17/01780/FUL
Site Address	1 South View, Nett Road, Shrewton, Wiltshire, SP3 4EX
Proposal	Proposed detached dwelling with parking (Resubmission of 16/08365/FUL)
Applicant	Mr Mullen
Town/Parish Council	SHREWTON
Electoral Division	TILL AND WYLYE VALLEY – (Cllr Darren Henry)
Grid Ref	407100 143519
Type of application	Full Planning
Case Officer	Lucy Minting

Reason for the application being considered by Committee

Councillor West called in the application for the following reasons:

- Visual impact upon the surrounding area;
- Relationship to adjoining properties;
- Design – bulk, height, general appearance;
- Environmental/highway impact;
- Car parking (use); and
- There is a lot of public interest in this application and the Parish Council also have concerns and have objected

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation of the Head of Development Management that planning permission should be APPROVED subject to conditions.

2. Report Summary

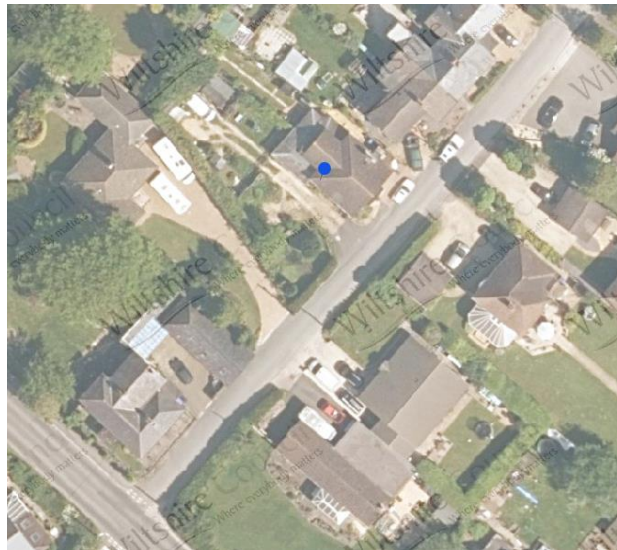
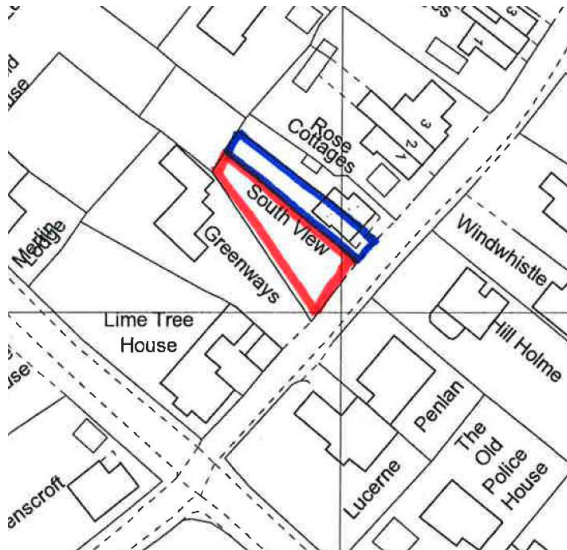
The main issues which are considered to be material in the determination of this application are listed below:

- Principle
- Impact to the character and appearance of the area
- The impact on the living conditions of proposed and nearby properties
- Highway considerations
- Sustainable Construction
- S106 obligations/CIL

The application has generated 2 third party representations, and an objection from Shrewton Parish Council

3. Site Description

The site is within the settlement boundary of Shrewton, and is currently the side garden and parking area for No 1 South View (a semi-detached two storey dwelling) with vehicular access from Nett Road. There is an evergreen hedge to the site frontage with Nett Road and along the south west boundary with the front garden of the neighbouring dwelling (Greenways).

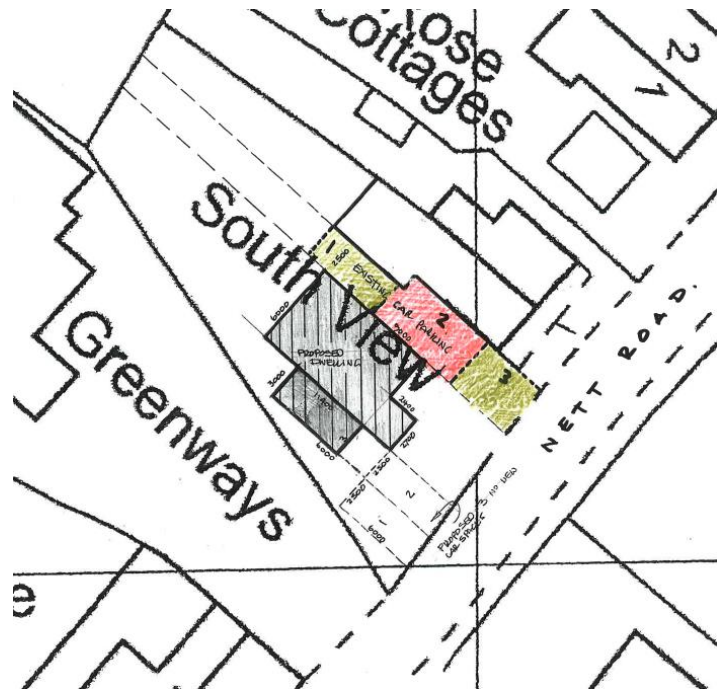


4. Planning History

Application ref	Proposal	Decision
16/08365/FUL	Proposed 3 bed detached dwelling with 3 off road car parking spaces	Withdrawn
S/2001/1174	Erection of single storey extension following demolition of conservatory (1 South View)	Approved 03/08/2001
S/1993/1577	Outline application - New dwelling and construction of access	Withdrawn

5. The Proposal

The application is for the construction of a detached two storey 3 bedroom dwelling within the side garden with vehicular access from Nett Road and parking for 3 vehicles for the proposed dwelling and also parking for the existing dwelling down the side of No 1 South View. It is proposed to build the dwelling of rendered walls under a tiled roof.



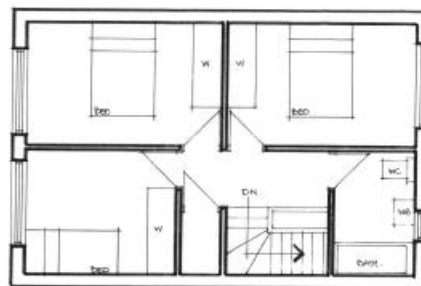
Proposed Site Plan – Proposed dwelling hatched in grey. 3 Parking spaces for the existing dwelling highlighted in green and red.



Proposed Elevations



Ground Floor



First Floor

Proposed Floor Plans

6. Local Planning Policy

The Wiltshire Core Strategy (WCS) - adopted by Full Council on the 20th January 2015:

- Core Policy 1: Settlement Strategy
- Core Policy 2: Delivery Strategy
- Core Policy 4: Spatial Strategy: Amesbury Community Area
- Core Policy 41: Sustainable construction and low carbon energy
- Core Policy 43: Providing affordable homes
- Core Policy 57: Ensuring high quality design and place shaping
- Core Policy 60: Sustainable Transport
- Core Policy 61: Transport and New Development
- Core Policy 64: Demand Management

Saved policies of the Salisbury District Local Plan:

- R2 (Open Space Provision)
- C6 (Special Landscape Area)

Wiltshire Local Transport Plan 2011-2026:

- Car Parking Strategy

Government Guidance:

- National Planning Policy Framework (NPPF) March 2012
- National Planning Policy Guidance (NPPG)

Supplementary Planning Guidance:

- Adopted Supplementary Planning Document 'Creating Places Design Guide' April 2006

7. Summary of consultation responses

Highways: No objections

It is considered that the proposed development will not have any significant impact on highway safety and I therefore recommend that no highway objection be raised to it subject to conditions (the first 5m of the access to the consolidated and surfaced; the gradient to not be steeper than 1 in 15; a scheme for discharge of surface water to be agreed; and visibility splay across the site frontage) and informative (licence from highways authority for works on the highway).

Shrewton Parish Council: Object

- The property will affect the privacy of properties opposite, especially as these are lower and a bungalow.
- Increased traffic and parking on the highway
- There are existing limited visibility exiting from properties
- Existing low loaders to the farm at the top of the road & delivery lorries currently experience difficulties
- Previous applications for dwellings in gardens of properties in the road have been declined.

8. Publicity

The application was advertised by site notice and neighbour consultation letters.

2 representations have been received objecting to the scheme, summarised as follows:

- Loss of parking for 1 South View
- Nett Road unsuitable for additional on road parking (single track road with no passing places) which will cause obstruction to other users accessing dwellings/emergency services
- Other applications in Nett Road have been refused based on parking problems (approval would set a precedent)
- Overlooking/loss of privacy/overshadowing to adjacent dwellings/gardens not overcome by changing roof line.
- Two storey development directly opposite bungalow will directly look into bedroom and kitchen
- Surface water flooding concerns from runoff from proposed driveway eroding bank opposite the site and causing more flooding to driveway of property opposite

9. Planning Considerations

9.1 Principle of development

The National Planning Policy Framework (NPPF) came into force on 27th March 2012 and makes it clear that planning law (Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004) requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 12 of the NPPF confirms that the 'NPPF does not change the statutory status of the development plan as the starting point for decision making' and proposed development that is in accordance with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

The proposals are therefore to be considered in the context of the National Planning Policy Framework (NPPF) which sets out Central Government's planning policies, and the adopted Wiltshire Core Strategy (WCS) which also includes some saved policies of the Salisbury District Local Plan (SDLP).

At the heart of the NPPF is a presumption in favour of sustainable development and the Adopted Wiltshire Core Strategy seeks to build resilient communities and support rural communities but this must not be at the expense of sustainable development principles. The Settlement and Delivery Strategies of the Core Strategy are designed to ensure new development fulfils the fundamental principles of sustainability.

This means focusing growth around settlements with a range of facilities, where local housing, service and employment needs can be met in a sustainable manner. A hierarchy has been identified based on the size and function of settlements, which is the basis for setting out how the Spatial Strategy will deliver the levels of growth.

Core Policy 1 of the Wiltshire Core Strategy sets out the 'Settlement Strategy' for the county, and identifies four tiers of settlement - Principal Settlements, Market Towns, Local Service Centres, and Large and Small Villages. Only the Principal Settlements, Market Towns, Local Service Centres and Large Villages have defined limits of development/settlement boundaries. Within the Settlement Strategy, Shrewton is identified as a Large Village.

Core Policy 2 of the Wiltshire Core Strategy sets out the 'Delivery Strategy'. It identifies the scale of growth appropriate within each settlement tier, stating that within the limits of development, as defined on the policies map, there is a presumption in favour of sustainable development at the Principal Settlements, Market Towns, Local Service Centres and Large Villages.

Third party objections and comments from the Parish Council include that previous applications for dwellings in the gardens of properties in Nett Road have been refused based on parking problems. The previous application on this site was withdrawn and from looking through the site history of applications in Nett Road, there have been no recent refused schemes for dwellings which are considered relevant, and each planning application is judged independently and on its own merits in any event.

The site is within the limits of development for Shrewton, and therefore the principle of the residential development is acceptable, subject to compliance with other relevant planning policies and the normal range of material considerations that have to be taken into account when determining a planning application and a judgement is necessary in terms of all the development impacts also considered below.

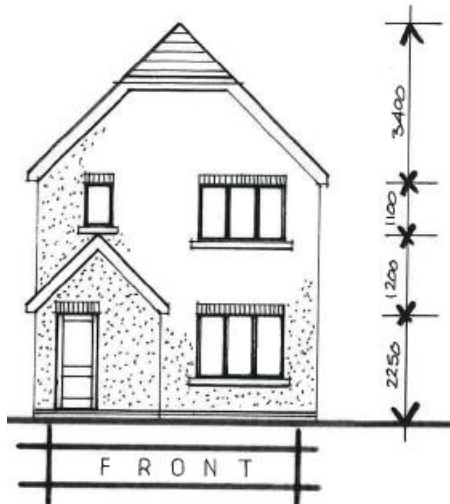
9.2 Impact to the character and appearance of the area

The National Planning Policy Framework sets out Central Government's planning policies. It states the purpose of the planning system is to contribute to the achievement of sustainable development. It defines core planning principles which include that planning should be genuinely plan-led, should always seek to secure high quality design.

Core Policy 57 of the WCS requires a high standard of design in all new developments through, in particular, enhancing local distinctiveness, retaining and enhancing existing important features, being sympathetic to and conserving historic buildings and landscapes, making efficient use of land, and ensuring compatibility of uses (including in terms of ensuring residential amenity is safeguarded).

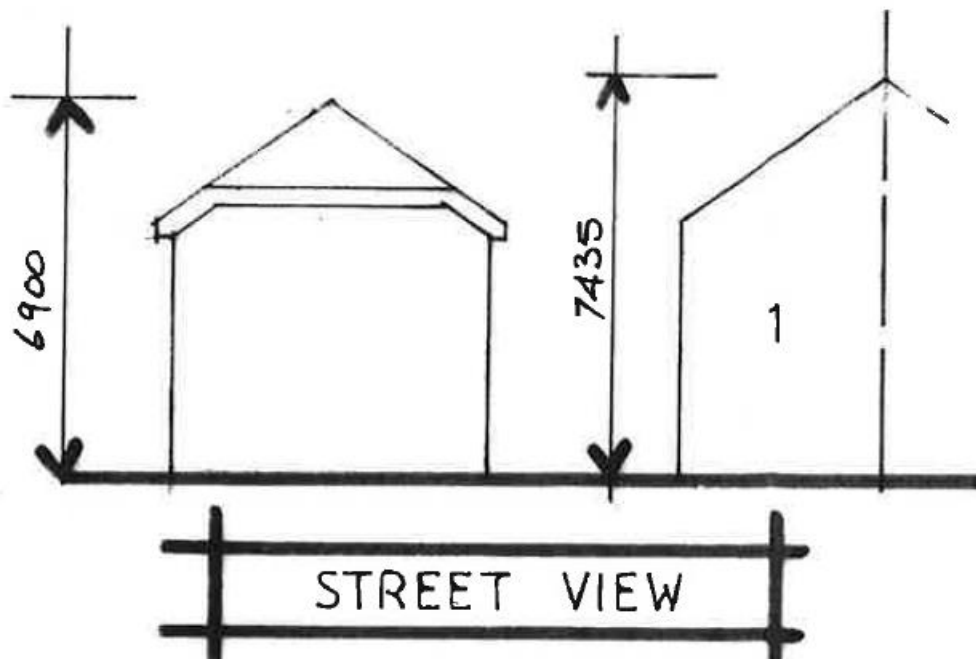
Objective 16 of the Councils Design Guide states (page 67) also refers to the need for new development proposals to exhibit *'How the new dwelling(s) will relate to the context and to each other to create a particular place'*.

The previous withdrawn scheme proposed a dwelling with ridge height of 7.95m (0.5m higher than 1 South View):



Elevation extract from previous withdrawn scheme

A street view plan has been included with this revised application showing the proposed dwelling in situ against No 1 South View, demonstrating that the revised dwelling now has a lower eaves and ridge height to the adjacent dwelling.



Nett Road comprises dwellings of varying ages, designs, scale, plot size and materials, ranging from two storey semi-detached and terraced older properties (including No 1 South View) to more modern 2 storey detached and single storey dwellings. The proposed dwelling has the principal elevation facing Nett Road (a characteristic of Nett Road) and is set back further within the site from the front elevation of No 1 South View.

Materials in the area vary from rendered and brick elevations (of varying shades) and from concrete tiled to slate roofs.

It is considered that the proposed development will be acceptable to the varied character and appearance of properties along Nett Road and the reduction in overall height and bulk of the revised scheme will result in a scheme which is now considered acceptable in context with No 1 South View.

9.3 The impact on the living conditions of proposed and nearby properties

Core Policy 57 also requires that development should ensure the impact on the amenities of existing occupants is acceptable, and ensuring that appropriate levels of amenity are achievable within the development itself, and the NPPF's Core Planning Principles (paragraph 17) includes that planning should 'always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.'

The proposal will provide a garden for the proposed dwelling and maintain a garden for the existing dwelling.

Objections to the proposal (summarised above) include that the proposal will overlook adjacent dwellings/gardens.

The dwelling has been designed with windows at ground and first floor level to the front and rear elevations. With the exception of the porch, no windows are proposed on the side elevations.

Hill Holme to the East of the site is set back and behind a mature evergreen hedge with double garage in the corner of the site closest to the development site:



Penlan is a single storey dwelling to the South East of the site and has a kitchen, bedroom and en-suite window on the front elevation.



Front elevation of Penlan from Nett Road

Taking into account the staggered relationship with Penlan; the level of separation (such that the 2 storey front elevation of the proposed dwelling is approximately 23m from the front elevation of Penlan) and that only a single bathroom window is proposed on the closest part of the first floor elevation to Penlan; it is not considered that the proposed dwelling will have a significant impact upon the living conditions of this property through overlooking/loss of privacy or any overbearing impact.

The proposal will bring development closer to the south west boundary with the adjacent bungalow (Greenways); although this property is set back further within its site with front garden/driveway adjacent to the proposed development site.

Overall, it is considered that by reason of intervening boundary treatments, the staggered relationship and the level of separation and the position of windows in relation to existing dwellings; that the proposed scheme will not result in undue overlooking or significant adverse impact on the amenities of existing occupants that would substantiate a reason for the refusal of the application.

It is however recommended that conditions are added to agree details of landscaping of the site (including details of the proposed means of enclosure) and to remove otherwise permitted development rights for extensions and for additional windows above ground floor level to the front and side elevations (and for the bathroom window to the first floor front elevation to be obscured glazed).

9.4 Highway considerations

The supporting text to Core Policy 64 refers to a parking study, commissioned by the council in January 2010, which included a comprehensive review of parking standards, charges and policy within both the plan area and neighbouring areas. The resulting LTP3 Car Parking Strategy was adopted by the council in February 2011 and includes policy PS6 – Residential parking standards and policy PS4 - Private non-residential standards. The parking standards for new dwellings are set out in the Wiltshire Local Transport Plan 2011-2026 – car parking strategy:

Table 7.1 Minimum parking standards (allocated parking)

Bedrooms	Minimum spaces
1	1 space
2 to 3	2 spaces
4+	3 spaces
Visitor parking	0.2 spaces per dwelling (unallocated)

The proposed dwelling includes an attached car port, plus 2 external car parking spaces within the front garden. The site plan has also been amended to show 3 tandem parking spaces for the existing dwelling.

No objections have been raised to the proposal from the highways authority, subject to conditions (including details of surface water to be agreed).

Subject to conditions including that the parking spaces are provided and maintained for both the existing and the proposed dwelling; it is considered that the proposed development will provide sufficient off-street parking for both the existing and proposed dwellings in accordance with the parking standards and is acceptable in terms of access and parking provision, and the proposal would not be prejudicial in terms of highway safety or surface water drainage.

9.5 Sustainable Construction

The WCS' key strategic objective is to address climate change. It requires developers to meet this objective under Core Policy 41- Sustainable Construction which specifies sustainable construction standards required for new development.

For new build residential development the local planning authority is now seeking energy performance at "or equivalent to" Level 4 of the Code for Sustainable Homes via planning condition.

9.6 S106 obligations and CIL

The Community Infrastructure Levy (CIL) came into effect on the 18th May 2015; CIL will be charged on all liable development granted planning permission on or after this date and would therefore apply to this application. However, CIL is separate from the planning decision process, and is administered by a separate department. If the application were to be approved, an informative would be added advising that the development would be subject to CIL.

The proposal results in a net gain of 1 residential unit. However, in line with recent government guidance, the small scale proposal would not generate the need for S106 contributions.

10. Conclusion

The site is within the defined settlement boundary of Shrewton (where the principle of new housing development is acceptable) and subject to conditions it is considered that the proposed development of the site will not have adverse impacts to the character and appearance of the area, residential amenity or highway safety.

RECOMMENDATION: To grant planning permission subject to the following 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 the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

(2) The development hereby permitted shall be carried out in accordance with the following approved plans:

Plan Reference: 1:500 Scale Site Plan, received by this office 22/02/2017

Plan Reference: 16054/3 Elevations, Section, Roof Plan, dated 13/02/2017, received by this office 22/02/2017

Plan Reference: 16054/1 G F Plan, dated 26/07/16, received by this office 22/02/2017

Plan Reference: 16054/2 F F Plan, dated 26/07/16, received by this office 22/02/2017

Plan Reference: 1:200 Scale Block Plan, received by this office 28/04/2017

REASON: For the avoidance of doubt and in the interests of proper planning.

(3) No development shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs 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: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

(4) No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- means of enclosure; and
- all hard and soft surfacing materials;

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

(5) All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the dwelling or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

(6) No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/parking areas), incorporating sustainable drainage details, has been submitted to and approved in writing by the local planning authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained.

(7) The gradient of the new parking spaces shall not be steeper than 1 in 15 for the first 5.0m of their length, measured back from the carriageway edge.

REASON: In the interests of highway safety.

(8) The new dwelling hereby permitted shall not be first occupied until the first five metres of the access/parking areas, measured from the edge of the carriageway (for both the proposed and existing dwelling (No 1 South View), has been consolidated and surfaced (not loose stone or gravel) access and the parking spaces for both the proposed and existing dwelling (No 1 South View) have been consolidated, surfaced and laid out in accordance with the approved details (Plan Reference: 1:200 Scale Block Plan, received by this office 28/04/2017). These areas shall be maintained for those purposes at all times thereafter.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

(9) The new dwelling hereby permitted shall not be first occupied until the area between the nearside carriageway edge and a line drawn 2.0m parallel thereto over the whole site frontage (excepting the new parking area) has been cleared of any obstruction to visibility at or above a height on 1.0m above the nearside carriageway level. The area shall be maintained free of obstruction at all times thereafter.

REASON: In the interests of highway safety.

(10) The first floor bathroom window in the front elevation shall be glazed with obscure glass only and fitted to be top hung only or fixed with a ventilation stay restricting the opening of the window prior to the first occupation of the development hereby permitted and shall be permanently maintained as such in perpetuity.

REASON: In the interests of residential amenity and privacy.

(11) The dwelling hereby approved shall achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes. The dwelling shall not be occupied until evidence has been issued and submitted to, and approved in writing by, the local planning authority certifying that this level or equivalent has been achieved.

REASON: To ensure that the objectives of sustainable development equal or equivalent to those set out in Policy CP41 of the Wiltshire Core Strategy are achieved.

(12) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions to, or extensions or enlargements of any building forming part of the development hereby permitted.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

(13) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order with or without modification), there shall be no windows

or other forms of openings inserted above ground floor level in the front or side elevations of the development hereby permitted.

REASON: To secure adequate standards of privacy for the occupants of neighbouring premises.

INFORMATIVE TO APPLICANT: Community Infrastructure Levy

The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website

www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy.

INFORMATIVE TO APPLICANT: Works on the highway

The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be required from the local highway authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact the Council's Vehicle Crossing Team on vehicleaccess@wiltshire.gov.uk and/or 01225 713352.

INFORMATIVE TO APPLICANT: Material Samples

Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.