

REPORT TO THE WESTERN AREA PLANNING COMMITTEE

Date of Meeting	20.06.2012		
Application Number	W/12/00511/FUL		
Site Address	Land North Of 592 Semington Road Melksham Wiltshire		
Proposal	Erection of detached 4 bed dwelling		
Applicant	Ms C May		
Town/Parish Council	Melksham Without		
Electoral Division	Melksham Without South	Unitary Member:	Roy While
Grid Ref	390066 162157		
Type of application	Full Plan		
Case Officer	Mr James Taylor	01225 770344 Ext 01225 770249 james.taylor@wiltshire.gov.uk	

Reason for the application being considered by Committee

Councillor Roy While has requested that this item be determined by Committee due to:

- * The concerns of the owner of the neighbouring property;
- * the scale of the development;
- * out of keeping with the existing dwellings;
- * The Parish Council have made objections

1. Purpose of Report

To consider the above application and to recommend that planning permission be granted.

Neighbourhood Responses: - Two parties have raised objections to the proposal.

Parish Council Response: - Melksham Without Parish Council object.

2. Report Summary

The main issues to consider are:

- * Principle of further housing development in Berryfield village;
- * Whether the development would be in keeping with the character of Berryfield;
- * Impact on the natural environment including water resources, flood risk and the built environment;
- * Whether it is inappropriate backland or tandem development;
- * Whether it would result in the loss of an important open space or visual gap;
- * Whether there are adequate services such as water and sewerage, and highway safety concerns; and
- * Any other material considerations, such as the impact on residential amenity

3. Site Description

The application site is part of the existing residential curtilage of 592 Semington Road in Berryfields. It forms part of the side garden of the house and has its own frontage to Semington Road, a C-class road.

To the north of the application site is a boundary fence and hedge approximately 1.8 metres high and beyond this the hard surfaced area to the neighbouring semi-detached dwelling which is used for access, parking, siting of domestic outbuilding and outdoor amenity space. To the rear there is a boundary wall and beyond this an abandoned garden nursery. To the south is the property to which the application site is connected.

Semington Road is characterised by a range of housing types, traditional and modern; terraced, semi-detached and detached. The defining characteristic at this point is that the built form has the character of ribbon development, generally all fronting onto this road. Either side of the application site are traditional buildings, to the south detached and stone built and to the north semi-detached painted brick.

The site is subject to no special planning designations, other than being located within the village policy limits of Berryfield, as defined in the West Wiltshire District Plan.

4. Relevant Planning History

W/11/03029/FUL - New two storey 5 bedroom dwelling – Withdrawn

5. Proposal

This is a proposal to erect a detached dwelling with associated works to access, parking and landscaping.

The dwelling would be a 4-bedroom two storey house, with the roof space utilised for accommodation, lit by rooflights. Materials proposed are stone to the front elevation, render to the other walls and double roman tiles to the roof. It would have a footprint of approximately 9 metres by 7.5 metres, a height to eaves of up to 4.9 metres and an overall height to the ridge of up to 7.9 metres.

To the south of the application site it is proposed to alter the existing access of 592 Semington Road to create a shared access with suitable visibility splays, and 5 car parking spaces (2 for the existing dwelling and 3 for the proposed dwelling).

6. Planning Policy

West Wiltshire District Plan 1st Alteration (2004)
C31a Design; C38 Nuisance; H17 Village Policy Limits;
U1a Foul Water Disposal; U2 Surface Water Disposal

Wiltshire Structure Plan 2016
DP1 Priorities for Sustainable Development; DP3 Development Strategy

National guidance
National Planning Policy Framework 2012 (NPPF)

7. Consultations

Melksham Without Parish Council

Objection (22 May 2012): "The parish Council objects that the proposed plans for such a large dwelling comprise overdevelopment as the site is far too small. Apart from being much higher than the surrounding properties and overshadowing them it would take up most of the garden of 592; leaving insufficient room for on-site parking for either dwelling; more cars would inevitably have to park on the road. (The new National Planning Policy Framework (53) urges that inappropriate development of residential gardens should be avoided.) The revised plans still do not accurately reflect the size and shape of the site since the boundary between 592 and 594 is at right angles to the main road. The proposal for a modern dwelling is out of keeping with both the style and height of 592 Semington Road which is a very attractive old cottage with lower than average doors, ceilings and roofline and historic markings (See earlier comments). It adds nothing to the character and quality of the existing street scene which has some attractive open frontages. The proposed new dwelling would also have

a detrimental impact on 594 Semington Road because it would overshadow and dominate its house frontage and garden which faces on to the side wall of the new dwelling. The high roof would block out the sunlight amenity of both the garden and front of 594 Semington Road; putting them permanently in shade."

The Parish initially raised no objection and this view subsequently changed to objection and revised plan submissions culminated in the above response.

Highways

No objection subject to conditions.

Environment Agency

No comments, the proposal is outside of topics which require their input.

Wessex Water

No objection.

8. Publicity

The application was advertised by site notice and neighbour notification. Expiry date: 29 May 2012.

Two parties sent in various communications. Summary of points raised:

- * Inaccurate plans;
- * Landownership dispute;
- * Huge dwelling will dwarf others and be out of keeping;
- * Impact on amenity – loss of light, outlook etc;
- * Loss of property value;
- * Loss of light to kitchen and bathroom;
- * Cramped;
- * Parking on busy and fast main road likely; and
- * Classic case of garden grabbing.

9. Planning Considerations

- * Principle of further housing development.

The application site is located within the village policy limits of Berryfield and therefore in principle further housing development is acceptable subject to the criteria set out in policy H17. Consideration of each of these detailed criteria and any other material consideration is set out below.

*(A) Whether the development would be in keeping with the character, appearance, and distinctive spatial form of Berryfield.

Berryfield has a very varied character, appearance and spatial form. It has no special designations and is not a conservation area. At this immediate point in the street scene and in very close proximity to the site there are traditional buildings and modern buildings; there are detached, semi-detached and terraced dwellings; there are stone brick and render finishes to walls and clay, concrete and felt roof coverings. Some dwellings are set close to the highway, some considerably set back. The unifying characteristics are that dwellings are generally in a ribbon form of development along the Semington Road and dwellings (although of slight variation in height) are 2 storeys (some with attic accommodation).

The proposal has been set to front the highway, at a slight angle to mirror the existing arrangement of number 592. It would be detached like the neighbour at 592. It would utilise tiles to the roof and natural stone to the front elevation matching 592. It would be nominally higher and have slightly varied proportions to 592 reflective of it being a modern construction with more contemporary floor to ceiling heights internally and accommodation in the roof. In short the dwelling would be a further variation to an area which already has a diverse built form.

As the proposal is for an infill development that fronts the main road and is of similar form and materials to neighbouring and nearby houses, it is considered that the proposal meets this criterion.

* (B) Impact on the natural environment including water resources, flood risk and the built environment.

The application site is located in an area with the lowest probability of flood risk – flood zone 1. The applicant has proposed to dispose of both foul and surface waters to the mains sewer, as 592 Semington Road does already. However Wessex Water has indicated that surface waters will not be allowed to go to the foul sewers. This is not an insurmountable issue though as other options such as soakaways are an alternative for surface water disposal. It is noted that permeable paving has been suggested to the driveway area therefore surface waters from the roof only need to be attenuated for.

The development will not have any adverse impacts on the natural environment

* (C) It would not create inappropriate backland or tandem development.

The development has its own frontage to Semington Road and is not to the rear of the existing property. It is therefore not a backland or tandem development.

* (D) Whether it would result in the loss of an important open space or visual gap.

The side garden to 592 Semington Road is not an important open space or visual gap that forms an integral part of the character of the settlement. The development will therefore not result in the loss of an important open space or visual gap.

* (E) Whether there are adequate services such as water and sewerage, and highway safety concerns.

There are main foul sewers on Semington Road which allow connection to mains sewerage disposal.

In highway terms, there are no objections to the current plans. The development has parking provision for 5 vehicles, 2 to the existing dwelling and 3 to the proposed dwelling. This accords with the minimum parking standards. The road, since the construction of the A350, has been downgraded and traffic volumes are relatively low. The proposals detail a revised landscaping across the frontage of the site to ensure adequate visibility splays of 2.4 metres by 65 metres at a height above 600mm are protected. This can be achieved and a condition to ensure it is provided is recommended.

In sum, the proposal meets the criteria of policy H17.

* Any other material considerations, such as the impact on residential amenity (existing and proposed).

Policy C38 aims to minimise the effects of development on neighbouring properties. In this instance, the proposed development has been sited in close proximity to the boundary with the neighbouring house to the north, approximately 1.8 metres from the boundary at eaves height (approximately 4.9 metres) and 2.1 metres from the boundary at ridge height (approximately 7.9 metres). The shared boundary at this point is a fence and hedge approximately 1.8 metres in height and then beyond this is the neighbour's outdoor amenity space. This neighbouring property has no rear garden, only a narrow strip to the front, and although it does have a separate roof terrace; the hard surfaced area to the south is the occupiers' garden. Currently this area has an outbuilding sited in it and the remainder is laid to hard standing and used for parking/sitting out. In addition it is also noted that the neighbouring property has windows on their side elevation at ground and first floor levels.

The new dwelling has been designed with recognition of the potential impact on the neighbouring dwelling to the north. No windows are proposed in the elevation facing it and it is set in from the boundary. Whilst the dwelling will result in some overshadowing of the hard surfaced area to the south of the neighbour's house, the spatial relationship between the two properties is no different from most houses in a pattern of ribbon development and it is not considered that the development will have an unreasonable impact that would justify refusal of the proposal on these grounds.

The issues over ownership have been addressed through negotiation. The applicant has checked their own records and confirms that the whole of the application site (as defined by the revised red line plans) is under their ownership.

Recommendation: Permission

For the following reason(s):

The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.

Subject to the following condition(s):

- 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 No development shall commence on site until 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: In the interests of visual amenity and the character and appearance of the area.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a.

- 3 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

- * indications of all existing trees and hedgerows on the land;
- * details of any to be retained, together with measures for their protection in the course of development;
- * all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
- * finished levels and contours;
- * means of enclosure;
- * car park layouts;
- * other vehicle and pedestrian access and circulation areas;
- * hard surfacing materials;
- * minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
- * proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);

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

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a and C32.

- 4 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 building(s) 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.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a and C32

- 5 The development hereby permitted shall not be first occupied until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a

- 6 No part of the development hereby permitted shall be first occupied until the parking area has been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

West Wiltshire District Plan 1st Alteration 2004 – POLICIES H17.

- 7 No development shall commence on site until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2.5 metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 65 metres to the north and 65 metres to the south from the centre of the access in accordance with the approved plans. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height 600mm above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: H17.

- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A, B, D or E shall take place on the dwellinghouse(s) hereby permitted or within their curtilage.

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.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a and C38

- 9 No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), 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.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: U2

10 The development shall be carried out in accordance with the hereby approved plans:

- Drawing: 281 250 P F - proposed site layout - received on 29 May 2012;
- Drawing: 281 251 P F – proposed ground floor - received on 29 May 2012;
- Drawing: 281 252 P F – proposed first floor - received on 29 May 2012;
- Drawing: 281 253 P F – proposed second floor - received on 29 May 2012;
- Drawing: 281 254 P F – proposed roof plan - received on 29 May 2012;
- Drawing: 281 261 P F – proposed south elevation - received on 29 May 2012;
- Drawing: 281 262 P F – proposed west elevation - received on 29 May 2012;
- Drawing: 281 263 P F – proposed north elevation - received on 29 May 2012;
- Drawing: 281 264 P F – proposed east elevation - received on 29 May 2012;
- Drawing: 281 266 P F – proposed streetscape - received on 29 May 2012;
- Drawing: 281 451 P F – proposed highways layout - received on 29 May 2012; and
- Drawing: 281 452 P F – proposed entrance layout - received on 29 May 2012.

REASON: In order to define the terms of this permission and in the interests of proper planning.

Appendices:	
Background Documents Used in the Preparation of this Report:	