

<b>Date of Meeting</b>	17 <sup>th</sup> December 2015
<b>Application Number</b>	15/09990/OUT
<b>Site Address</b>	Rose Farm Hurdcott Lane Winterbourne Earls
<b>Proposal</b>	Outline application for the erection of 2 x four bedroom detached houses with all matters reserved
<b>Applicant</b>	Mrs P Goddard
<b>Town/Parish Council</b>	Winterbourne Earls
<b>Grid Ref</b>	417221 134095
<b>Type of application</b>	Outline
<b>Case Officer</b>	Tom Wippell

### **Reason for the application being considered by Committee**

The application has been called to committee by Councillor Hewitt if minded to refuse for the following reasons:

- This has the full support of the Winterbourne Parish Council and will be identified on their plan as a viable site

### **1. Purpose of Report**

To consider the recommendation of the Area Development Manager (South) that planning permission be refused.

### **2. Report Summary**

The issues in this case are:

- Principle
- Scale, Design, Siting
- Residential Amenity
- Highway Safety
- Archaeology/Other Issues

Publicity of the application has resulted in a letter of support from the Parish Council and seven further letters of objection. There have been no letters of support.

### **3. Site Description**

The site is located to the southern end of Winterbourne Earls, and currently forms part of a field used for grazing. The site is currently screened from the road by a thick hawthorn hedge, but will be visible from open farmland and the wider valley to the west, due to its elevated position at the top of a slope.

### **4. Planning History**

A previous application (15/07076/OUT) for 2 detached dwellings was withdrawn earlier this year.

## 5. The Proposal

Planning permission is sought to construct 2 detached dwellings, with access taken from the A338 within the 30mph speed limit zone. A shared parking/turning space will be provided for 2 cars per property, with new garden areas sited to the rear and to the sides.

This is an outline application only, with all matters reserved except for the 'principle of development'.

## 6. Planning Policy

Core Policy 1, Core Policy 2, Core Policy 57, Core Policy 58, 'Saved' Local Plan Policy C6

NPPF

## 7. Consultations

Highways:

With reference to the above planning application received 20th October 2015, I refer to the previous submission against which highway concerns were raised (ref: 15/07076). I note that the proposed dwellings have been set further back into the site to provide a larger area for parking and turning and this is now considered to be acceptable.

The previous visibility issues do not appear to have been addressed and I wish to repeat the previous highway comments as follows:-

The site is located on the edge of the village with an access which is just inside the 30mph limit. Because of this visibility to the right will have to reflect the higher speed of approaching traffic. The submitted plans give no indication as to the visibility that can be achieved at the proposed access and there is the possibility that the required splays will fall outside the site boundary and the highway limits. In view of the above the applicant should be invited to submit revised plans showing visibility splays of 24m by 160m to the west (right) and 2.4m by 43m to the east (left).

I also suggest that the footway is widened across the site frontage to 2m.

Archaeology:

There are no historic environment records within the site, although there are records in the near vicinity relating earlier farms and farmsteads. It is possible that the lack of archaeological finds might be due to a lack of previous archaeological work in this area. However, on the evidence available to me at present, I consider it unlikely that significant archaeological remains would be disturbed by the proposed development and so have no further comment to make.

Parish Council: Support

## 8. Publicity

The application has been advertised by way of site notice and letters to near neighbours.

The publicity has generated seven letters of objection and no letters of support.

The letters of objection are summarised as follows:

- Consideration must be given to the entry/exit of vehicles from the new site and drivers' clear view of both the A338 and the adjacent pavement.
- This pavement is already inadequate, being too narrow for pedestrians escorting children and/or dogs. The narrowness, combined with the excessive speed of the traffic (well above the 30mph limit) means this is one of the most dangerous areas in the parish to walk.
- I am concerned that the minimisation of the hedge felling there will be a wholly inadequate view of the A338 and of the pavement from vehicles emerging from these new properties.
- I suggest that the development should fund an S106 agreement to enable the Highways Agency to extend the 30mph limit in a southerly direction as traffic passing this property consistently exceeds 30mph by a considerable margin.
- It will change the natural entry into the village and also it will near enough join the villages of Winterbourne and Hurdcott together (Rose Farm Cottage which is already in the field is part of

Hurdcott).

- I am also concerned that if it goes ahead it will create a dangerous entrance on the brow of the hill on the narrow entrance to the village (as well as losing a beautiful mature hedge, which has recently halved in size over the last month!!!). I can remember numerous accidents and near misses over the years, especially with the primary school entrance nearby and this development will only cause more issues.
- The plans which show the property KAM are incorrect as KAM has been modernised and the footprint of the property is now right up to the boundary of the field. This will impact on the distances from the proposed development.
- KAM's boundary wall to the development has 5 windows of which 3 of these are single aspect and will lose a great deal of light from the new house and the proposed planting of trees.
- This field is the boundary between the villages of Hurdcott and Winterbourne and if houses are built here the villages will almost merge.
- I'm concerned that the 3m gap between KAM and the new development is for a future access road to enable further houses to be built in the field.
- A significant amount of freight traffic uses this route daily, there is also Highways lit road narrowing triangle sign opposite the KAM boundary yet vehicles speed up as they approach the hill (especially the heavy lorries) as they leave the village and are reluctant to slow down as they enter in spite of calming measures along the road. My main fear is for cyclists of whom there are many using this route often for Porton Down and I believe this new development causes a significant hazard for pedestrians using the pavement many of whom are children walking to Winterbourne Earls School from Hurdcott and dog walkers.
- At present there are hedges on both sides and the existing properties sit on the original housing boundary creating a balanced gate way. The entrance to the Summerlug houses is further down and has a feature red brick wall, the balance between the edge of this and the start of KAM directly opposite neatly defines the edge of the village.
- The visibility splay that would be required for the new housing is not yet determined but I fear most of this hedge would be lost. The hedge is significant for wildlife and bats too which is of concern.
- Disappearing green belt land when there is brown field sites not yet used in the village and this is not on the village housing plan. This should not be considered until all safer brown field sites are used.

## 9. Planning Considerations

### Principle

The site is designated as open countryside in the recently adopted Wiltshire Core Strategy, and therefore outside of the nearest Settlement Boundaries in which limited housing development will be acceptable, subject to the provisions of the Core Strategy.

Core Policy 2 states that; *'Other than in circumstances as permitted by other policies within this Plan, identified in paragraph 4.25, development will not be permitted outside the limits of development, as defined on the policies map. The limits of development may only be altered through the identification of sites for development through subsequent Site Allocations Development Plan Documents and neighbourhood plans.'*

Therefore, given that the proposed residential development is outside of the Settlement Boundary, without a proven agricultural/ other need, and not forming part of a formal Neighbourhood Plan boundary review, the application should be viewed as contrary to the key sustainability aims of Core Policy 2. Furthermore, approval may set an unwanted precedent for similar residential developments to occur outside of the settlement boundary elsewhere within the District, thereby undermining the sustainability objectives of the Core Strategy as a whole.

The NPPF states (paragraph 55) that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities, although Local Planning authorities should avoid new isolated homes in the countryside unless there are special circumstances. In this case it is considered that there are no overriding visual benefits to warrant extending into the open countryside that would override the sustainability aims of Core Policy 2.

### Scale/ Siting/ Design

In terms of siting, it is considered that there is sufficient space within the plot to avoid a cramped form of development, with the proposed layout making good use of the site. The dwellings in the surrounding area consist of a mixture of styles and sizes, including houses and bungalows, and in this regard, the scale of development (ie- a pair of two-storey dwellings) is considered acceptable for this plot.

The exact design of the dwelling will be dealt with at the reserved matters stage. In Officer's opinion, it should be possible to design 2 dwellings with the main elevations to the front and rear (as the indicative elevations show), without having an adverse impact on the character of the village. Materials, design features and fenestration can all be agreed at the reserved matters stage.

Due to the elevation position of the plot at the top of a slope, some form of additional planting would need to be introduced, to soften views of the new dwellings from the open countryside.

#### Residential Amenity

It should be noted that the loss of private views do not constitute material planning considerations that would form a reason for refusal, although the impacts in terms of overlooking/loss of privacy will be assessed.

It is considered that the careful design at the Reserved Matters stage of the application would prevent significant overlooking from new windows towards the neighbouring windows to the north.

The proposed addition of landscaping along the northern boundary will ensure that loss of privacy between the new gardens towards neighbouring windows will not be significant. Furthermore, it is noted that this side-on relationship between new gardens and existing windows is not an unusual form of development elsewhere within the District.

The amount/location of neighbouring windows/the siting of the recently-extended property 'Kam' so close to the boundary have been fully considered as part of the assessment on residential amenity.

It is considered that the new dwellings are sited a sufficient distance away from neighbouring boundaries to ensure that no significant overshadowing/ overdominance will occur to neighbouring properties.

The driveway leading to the site will be used by 2 extra dwellings only, and it is considered that harmful noise/ disturbance will not occur from the amount of additional traffic/ pedestrian activity generated.

#### Impact on Highway Safety

It is unclear from the submitted drawings whether 2 cars will be able to enter and leave the site in forward gear without adversely affecting highway safety, as no clear visibility drawings have been submitted to support the scheme.

Given the busy nature of the road, and the site's location just inside the 30mph speed limit zone, it is considered that without sufficient information submitted to ascertain whether highway safety will be adversely affected, this should form a reason for refusal; albeit one that may be able to be overcome via the submission of amended plans at appeal (or possibly as Late Correspondence at the committee meeting).

#### Other Issues

In regard to the impact of the development on protected species, during the site visit, no visible evidence of protected species was observed. Therefore due to the relatively small size of the site and its relatively-low-potential for wildlife (as grazing land), it is considered that a protected species survey is not required at this stage.

The county archaeologist raises no objections to the scheme.

#### **Recommendation:**

**That planning permission be REFUSED for the following reasons:**

- 1. The creation of new dwellings in this location outside of the defined settlement boundaries, located remote from services and employment opportunities, without a proven agricultural or affordable housing need, would be contrary to the key sustainability aims of Local and National Planning Policy. The development would therefore be contrary to Wiltshire Core Strategy Core Policy 2, and the advice and guidance in regard to sustainable development contained within the NPPF.**
- 2. Insufficient evidence has been submitted to demonstrate that there will be sufficient visibility for cars leaving the site to ensure that highway safety will not be adversely affected by the new**

development. The scheme is therefore considered to have an adverse impact on highway safety, contrary to Core Policy 57 (ix) of the Wiltshire Core Strategy.

**INFORMATIVE:**

In accordance with paragraph 187 of the National Planning Policy Framework (NPPF), this planning application has been processed in a proactive way. However, due to technical objections or the proposal's failure to comply with the development plan and/or the NPPF as a matter of principle, the local planning authority has had no alternative other than to refuse planning permission.