

Date of Meeting	9 th June 2016
Application Number	16/03468/FUL
Site Address	Oak View, High Post Road, Netton
Proposal	Proposed construction of new detached dwelling and relocation of existing access to serve new dwelling. Creation of new access to serve existing dwelling. (resubmission of 15/09441/FUL)
Applicant	Mr and Mrs A Bee
Town/Parish Council	Durnford Parish Council
Electoral Division	Bourne and Woodford Valley
Grid Ref	412973 136957
Type of application	Full Planning
Case Officer	Tom Wippell

Reason for the application being considered by Committee

The application has been called to committee by the Division member Councillor Mike Hewitt if minded to approve, in view of the relationship to adjoining properties and the environmental/highway impacts.

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:

- The principle of residential development;
- Impact on visual amenity and character of the area;
- Impact on residential amenity;
- Other Issues

Publicity of the application has resulted in an objection from the Parish Council, 6 objection letters and 8 letters of support.

3. Site Description

Oak View, High Post Road is a detached dwelling situated on the outskirts of Netton. The property has a large garden to its side, which backs onto a paddock to the rear and overlooking the Woodford Valley beyond. A grass verge is sited in front of the properties on High Post Road, which follow a linear pattern of development.

4. Planning History

S/2013/0184- Demolition of existing dwelling and erect replacement dwelling with detached double garage with storage over and relocation of vehicle access
APPROVED with conditions

15/09441/FUL- Proposed erection of detached dwelling and relocation of existing access to serve new dwelling. Creation of new access and erection of carport and studio to serve existing dwelling
REFUSED

5. The Proposal

The proposal seeks to create a detached dwelling to the side of the main property with a new access, two off-street parking spaces and a turning area in front. The access point for the original dwelling will also be resited.

6. Planning Policy

Core Policy 1- Settlement Strategy

Core Policy 2- Delivery Strategy

Core Policy 57- Ensuring high quality design and place shaping

Core Policy 58- Ensuring the Conservation of the Historic Environment

Core Policy 51- Landscape

'Saved' Local Plan Policy C6- Special Landscape Area

NPPF

7. Consultations

Highways:

The initial scheme attracted an adverse highway recommendation due to the lack of an on-site turning facility. The proposed layout is now considered to be satisfactory. The parking layout for the proposed dwelling is not ideal as some shunting will be necessary at times when the car in space 2 is blocked by the car in space 1, however this is not an uncommon arrangement and is accepted in this instance.

No objections subject to conditions

Durnford Parish Council:

Object to this application for the reasons given below.

- Concerns regarding the accuracy of the plans as submitted. For example:
 - a. The proposed building is shown on the plans to be 10m from the boundary of the adjacent property, 1 Brownways. It is in fact only 8.5m

- b. The proposed building appears to be too close to the highway, but it is difficult to decipher the exact measurements on the plan.
 - c. In supporting documents submitted, a car port is mentioned. There is no evidence of such on the plans, or additional vehicle access shown for such.
- It is of particular note that there are no windows in the west wall of the proposed building overlooking the appellant's property, but a large dormer window in the east wall which severely compromises the privacy of the adjacent property, 1 Brownways.
- In general terms, the Durnford Parish Council objects on the following grounds:
 - a. The footprint of the proposed building is too large for the site
 - b. There is insufficient parking space and no turning area for vehicles on site.

8. Publicity

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

The publicity has generated six letters of objection and eight letters of support.

The **letters of support** are summarised as follows:

- This size of build would be a good addition to the area. The previous property on the plot was not pleasant to look at, and there was a large mobile home on the plot which did nothing for the lovely feel of this part of the valley. The new proposal on the plot is a vast improvement to the previous dwelling.
- It is great to see that a smaller dwelling is being proposed, which is more in keeping with other houses on the street and would provide a lovely home for a small family or couple. Too often large houses are built in the country, which stop regular individuals or families living in rural areas due to being out priced.
- I am keen to move back to the area and this type of property being a small 3 bedroom one would be well within my budget. Every time i drive through the valley it is larger houses that i see being developed, this pushes people like myself out of the chance to live rurally again. Smaller properties like this which are developed with modern standards, are eco-friendly, and also make for more cost efficient living. I would love to move back to the countryside and this type of new development allows me that opportunity. I therefore fully support this application, and also want to suggest that more properties such as this are built.
- I would like to support the application for a small dwelling on this site. Small new builds in the Woodford Valley rarely if ever come to market, and the proposed new build would be a welcome addition to the area. This house

would allow for a small young family to experience village life. The revised plans look like they have addressed all the previous concerns over the build. It would also be good to see the removal of the eye sore of the old shed that sits in the centre of the plot.

- It seems fairly obvious that, sooner or later, the building line along this road will be filled in and I think this building plan fulfils that completion.
- I particularly support the size of the project. Having searched the area previously for a house of this size and situation without a large garden it is clear there is a dearth of such properties available.
- This building will provide an asset to the complete plan of the village and to its population.
- This new dwelling will be advantageous to the village by supplying much needed additional housing. It will blend in very well with the surrounding area and by building another dwelling will enable the Village to continue to thrive.
- The newly revised plans seem to be in a manner sympathetic to other homes in the area, both in terms of proposed materials and construction (Oak View was built in a sympathetic manner to the local area, and the plans replicate this)
- The overall street view will be significantly improved if the plans go ahead and I see this to be an improvement on the existing road as it stands (which I drive down frequently).

The **letters of objection** are summarised as follows:

- I feel a development like this is more in keeping with Archers Gate in Amesbury than the Woodfords.
- Squeezing homes into small plots takes away the light between the original houses and makes the village gloomier than it is. The village is starting to lose its character. This proposed development will only benefit the planner and contributes nothing to the community. It definitely doesn't benefit Brownway Cottages and does nothing to provide affordable housing to young local residents.
- I am still concerned about the detrimental effect on privacy and daylight this would have on 1 Brownway cottage. The East and South elevations on the plans show multiple large windows and doors facing directly into, and overlooking, 1 Brownway. Compared to no windows on the West side of the house. It would have a negative effect on their privacy, amount of direct light, and quality of life.
- The document 'proposed site plan' appears to indicate part of the historic sheep drove included within the boundary of the new site, which is misleading about the size of the plot available.
- The size of the proposed house is too large for the plot of land and would seem squeezed in between its neighbours, compared to the feel of houses in

the rest of the village.

- The scheme is over-development of the site. This site has only ever yielded one dwelling and the proposed dwelling sits within what was formally a vegetable garden/allotment. The existing bungalow has already been demolished and replaced with a far more substantial house which already dominates the site. The site is a natural break in the building line to allow a 'glimpse' view of the open countryside beyond, this is consistent with a semi-rural location such as Netton rather than urban locations or more densely developed village locations such as Alderbury or Winterslow.
- The development of this site would totally change the open street scene that currently exists and change the semi-rural appearance and 'feel' of the location. No matter how pretty the design the mass of the dwelling is still overbearing.
- I also note the design has, not only two sets of doors and windows overlooking Brownway Cottages, a huge set of doors and glazed section on the rear elevation that will overlook the garden of its neighbour.
- It is important that there is clear definition between Oak View and Brownway Cottages to maintain the semi-rural street scene. It should also be noted that Brownway Cottages were originally built for farm workers and therefore situated in a more isolated position, they should not be used as parameters for 'infill' development.
- The new drive would also create greater levels of traffic and compromise the existing drive of Brownway Cottages.
- The privacy and amount of direct light of Brownway Cottage will be hugely reduced due to the large windows and doors on the East and South side of the dwelling. There are also no windows overlooking Oak View.
- There is definitely insufficient space for an additional dwelling of the proposed size. A building of this size would be out of place compared to the rest of the village.
- The parking area will also have an impact on Brownway Cottage, obscuring vision and forcing the occupant to share a driveway. I feel that this application should be rejected as an additional dwelling will have a detrimental effect on this rural area
- The new development shows in the plans that all side windows are facing Brownway Cottages (None to Oak View). Brownway Cottages not only has a right to light but also privacy and in this case all privacy for Brownway Cottages will be lost. To sum it up there will be an Adverse effect on the residential amenity of neighbours, by reason of noise, disturbance, overlooking, loss of privacy, overshadowing etc.
- The road that this property will be built near is already used as a rat run and the added construction traffic could potentially cause additional safety issues and risks to pedestrians, the many horse riders and other road users. This issue will not pass following the construction of the property as you will be introducing substantial additional residential vehicles to an already

overcrowded and pressured road.

- The proposed development includes another driveway entrance to the property. If a future owner or visitor parked their car on that driveway and not within the curtilage, this would severely obscure our vision when exiting our drive. This kind of parking can be seen in 2.1 Site photos View 03 (proposer's car), View 05 (proposer's car) and View 07 (proposer's surveyor's car). In View 07; the surveyor's car is parked on the verge next to my driveway and demonstrates the problems of visibility when exiting my driveway. This is extremely dangerous as the majority of cars do not obey the 30mph speed limit when driving away from Netton village. In the past, the proposer has mentioned about him wanting to tarmac all the way along the edge of his property where the sheep drove verge is and this would only make the matter worse.
- At present, the electricity & telegraph pole supplying our property is on the sheep drove verge in the middle of the proposed driveway. The existing plan doesn't look big enough to be able to open the car doors hence more reason why they wouldn't park there.
- The plans submitted are very misleading as they do not show any windows on 1 Brownway Cottage but windows are shown on the Red House property re: P15-086. Red House is also more prominent in the design than 1 Brownway Cottage leading the reader to believe that it is of less an importance. When in fact, there are: one upper window, three lower windows, a rear door and a conservatory on the aspect facing the proposed development. In drawings 4.3, 4.4 & 4.5 Conceptual Images, they show what kind of impact on our privacy this development would have on the side of 1 Brownway Cottage. The side of Brownway cottage can be seen from the road so more will be seen from the proposed house. In 4.1 Proposed Scheme / Access, it says that 'We propose to relocate the existing site access and form an additional vehicular access for the new carport' A carport isn't on the plan drawings and is hardly conducive to 'retaining a more open feel to the boundary with Brownway Cottage' (4.1 Proposed Scheme / Proposals). Where are 'the septic tank, oil tank for the heating system, storage facilities for recyclable waste and rainwater butts' (4.1 Proposed Scheme / Sustainability) going to go? The septic tank can't go under the driveway due to the weight of the cars. Also in 4.1 Proposed Scheme / Proposals, it states 'The proposed dwelling is located in the middle of the plot, and is over 10 metres from the boundary with Brownway Cottage'. It is in fact 8.8 metres to the aspect of the build that has the Bedroom 2 window overlooking Brownway Cottage.
- The proposed development is attempting to fit too much in the plot available or is the proposer intending to use the agricultural land that he has purchased to the rear of the property for some of this development thereby changing its use? Effect of the level of daylight, trees and privacy. The proposed property will shield the afternoon sun from 1 Brownway Cottage and will severely impact on our privacy. There are; one upper bathroom window, three lower

windows, a rear door and a conservatory. We have tried growing our hedge at the edge of our garden to safeguard our privacy from the latest development (2 years ago) but this has cut down on the available sunlight in the garden. Any further development would severely decrease our privacy and daylight. I am very concerned about all the windows that will look over and into Brownway Cottage. The proposed development is very high and will cut out my evening sun to the side of my house where my kitchen is situated. The windows have been there for over 20 years. Also my front garden will be overshadowed by this development.

- The upstairs dormer window will still look into our conservatory, kitchen & garden. No windows on the proposed development will overlook the proposer's house at Oakview; it's all looking at Brownway Cottage. We were quite happy with a garage with no occupants (with conditions) as has been proposed in the past to be built there. Now with a house being proposed, we feel that any future owner would not like to be looking out onto 1 Brownway Cottage and would plant tall shrubs, Leylandii or erect a fence to obscure their view. This would severely reduce the daylight landing on 1 Brownway Cottage. Re: Conceptual Image 4.5. Our family has had over 59 years of unobscured daylight on this aspect of our house. Conservation of building, trees and open land
- The historic sheep drove verges from High Post to Netton need to be kept. Will the sheep drove verge be put back to as it was when the driveway is relocated? The sheep drove verges from High Post are presently maintained by the villagers until recently. Now they are falling into disrepair through cars being parked on it. Another development will not help its survival. Need to safeguard the countryside
- Barn owls frequently fly over the proposed property from trees in the field behind to the trees adjacent to the High Post road. More development reduces their patrol areas. Noise disturbance and smells. As Netton is in a valley bottom, more solid burning appliances are not wanted as in calm foggy winter conditions, the smoke from all the chimneys in the village create a smog effect. Adding more will not help this matter. The proposal also states that the vehicle access will be by gravel driveway, I am also concerned about the noise effect just outside my kitchen door. I hope you will take these objections into consideration and refuse planning permission for this inappropriate application.

9. Planning Considerations

9.1 The Principle of Residential Development

It should be noted that the previously allocated 'Housing Policy Boundary' for Netton, in which new residential development was deemed acceptable (under the former Local Plan Policy H16), has now been removed with the adoption of the Wiltshire

Core Strategy. This is because Netton has been deemed by the Inspectorate to be an unsustainable location for new residential units, within the settlement hierarchy.

The site is therefore now designated as open countryside, and 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, 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 overriding the sustainability aims of Core Policy 2.

9.2 Impact on visual amenity and character of the area;

The plot currently has a spacious and open setting, in an elevated position looking across the valley. The previous scheme (15/0944/FUL) for a new dwelling and detached garage was refused due to the harmful impact on visual amenity, and this current scheme therefore has to be considered in light of this previous application and the differences between them critically examined.

Officers consider that the revised siting of the dwelling will ensure that the relatively spacious character of the original garden will be retained. Sufficient gap will be left between the proposed dwelling and the neighbouring/original properties to avoid overdevelopment, and views of the landscape through the site will be visible from the road, and the semi-rural character of the area will be preserved.

The size, height, design, size of footprint, size of plot and materials of the proposed dwelling are considered acceptable in relation to nearby properties, and in visual terms no objections are raised.

The addition of an extra driveway across the grass verge is not considered to result in detrimentally harmful impacts on the streetscene, and sufficient levels of the grass bank will be retained between driveways to ensure that the overall character of the area will not be significantly altered.

The open paddock towards the rear will not be built on, and there will be no further erosion of the landscape outside of the existing defined garden area. Any subsequent applications to extend the garden area to the rear will be assessed on its own merits.

Officers have fully considered the size of the new dwelling, the site history/'fallback position' of the approved garage, the relationship with neighbouring properties, the character of the landscape, the impact on the character of the streetscene, the proposed design, siting and layout of the dwelling, the size of the plot, the siting of the new access/parking spaces and the proposed materials. Overall it is considered that visual amenity will be preserved, in accordance with Core Policy 51 and Core Policy 57 of the Wiltshire Core Strategy.

9.3 Impact on residential amenity

Concerns have been raised that overlooking will occur from 3 first-floor windows on the eastern elevation. Officers have fully considered this concern, but judge that overlooking will not occur to a harmful degree.

Two of the windows serve a bathroom/ensuite, and can be obscure-glazed by condition to ensure that harmful loss of privacy will not occur.

The third window will serve a bedroom and will be visible from the neighbours driveway and front-facing windows. However, given the distance to the boundary (8.5 metres), its position between a neighbouring garage on the boundary (which will partially screen views from the neighbouring site), the angle of the window which will only afford oblique views towards neighbouring windows/rear garden, and the relatively small size of the window, Officers do not object to this scheme due to the impact on loss of privacy.

The ground-floor windows are not considered to result in any harmful overlooking due to boundary screening.

The new parking spaces adjoin the neighbouring boundary, but as this development relates to 1 dwelling only, no harmful intensification of use in terms of traffic/noise will occur over the existing use.

Unlike the previously refused scheme, the proposed dwelling is set away from the boundary, and no harmful overshadowing or overdominance will occur.

9.4 Other Issues

Highways have been consulted and raise no objections to the scheme, as there is sufficient parking/ turning space within the new plot to ensure that cars can enter and leave the site in forward gear. Visibility on this long straight road will not be compromised.

In regard to the impact of the development on protected species, it has been confirmed (in part 13 of the application form) that no protected species are present within the site. During the site visit, no visible evidence of protected species was observed. Therefore due to the relatively small size of the site, which is laid to grass, it is considered that a protected species survey is not required. This 'infill' plot would not cause significant harm to barn owls or other birds flying through the site.

The site is not in a flood risk area, and drainage/ septic tank details will be looked into at the Building Control stage of development. Officers considered that there is sufficient space within the new plot to accommodate a septic tank without causing harm to visual amenity.

Private views do not constitute material planning considerations.

'Notice' has been served on Wiltshire Council Property Services, as the new/ revised access points cross the grass verge owned and maintained by Wiltshire Council.

Recommendation:

That planning permission be REFUSED for the following reasons:

1. The creation of a new dwelling 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.

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.