

REPORT OUTLINE FOR AREA PLANNING COMMITTEES**Report No.**

Date of Meeting	26 October 2016
Application Number	16/06346/FUL
Site Address	Sunnyside 18 Elley Green Neston Corsham SN13 9TX
Proposal	Construction of Dwelling House
Applicant	Ms Paula McHenry
Town/Parish Council	CORSHAM
Electoral Division	CORSHAM WITHOUT AND BOX HILL – Cllr. Richard Tonge
Grid Ref	386505 168858
Type of application	Full Planning
Case Officer	Victoria Davis

Reason for the application being considered by Committee

The application has been called into committee by the Local Member, in order to consider the overall design, bulk, height, general appearance and its visual impact on of the proposal on the character of the surrounding area.

1. Purpose of Report

To consider the above application and to recommend that planning permission is GRANTED subject to planning conditions.

2. Report Summary

The key issues in considering this application are as follow:

- Principle of development
- Impact on the character and appearance of the surrounding area
- Residential amenity
- Parking and access
-

Corsham Town Council object to the development and 3 letters of objection (from 2 neighbours) have been received and 1 letter of support.

3. Site Description

The application site is an area of garden land to the west of 18 Elley Green which is one of a collection of dwellings along the main road on the edge of Neston. Neston is defined within the Corsham Community Area Spatial Strategy (Core Policy 11) as a Small Village with no boundary.

The site backs on to open fields to the north with the Leafield Industrial Estate beyond. There are residential properties located to the east and west. It is a sloping site with the highest ground at the front of the property. The ground slopes downwards to the north (rear) and west.

The immediate area is characterised by dwellings of various age, size and design. There is little uniformity to the layout of properties along Elley Green and the building line is markedly staggered. Some dwellings immediately front the road and others have spacious gardens, parking areas and garages to the front. The properties are predominantly finished in stone but render is also a feature.

Permission was recently granted to alter and extend the existing bungalow (18 Elley Green) to create a two storey dwelling (16/04166/FUL). This development is currently under construction. Prior to this, in 2015, a separate application granted permission for the creation of a single storey annexe extension, connected to the bungalow and extending along the eastern boundary of the site (15/02337/FUL). This development has been substantially completed.

4. Relevant Planning History

15/02337/FUL	Extension to Bungalow (to create annexe for dependant relative) <i>Approved</i>
15/08384/PNEX	Prior Approval of a Proposed Larger Home Extension - Single Storey Side and Rear Extensions. Extending beyond the rear wall of the original dwelling by 7.9 metres. Maximum height measured externally from the natural ground level 3.4 metres. Height at the eaves measured externally from the natural ground level 1.9 metres. <i>Prior Approval Not Required</i>
16/04166/FUL	Extensions and Alterations to Bungalow to Form Two-Storey Dwelling <i>Approved</i>

5. The Proposal

The proposal seeks to erect a three bedroom dwelling on land which currently forms part of the garden of 18 Elley Green. The proposed dwelling is two storeys in height with a new access and parking area immediately to the front. It is proposed to finish the external walls with render with u-pvc doors and windows throughout. Concrete tiles are proposed for the roof.

6. Planning Policy

Wiltshire Core Strategy:

CP 1 Settlement Strategy
CP 2 Delivery Strategy
CP11 The Spatial Strategy: Corsham Community Area
CP57 Ensuring High Quality Design and Place Shaping
CP 61 Transport and New Development
CP64 Demand Management

National Planning Policy Framework (NPPF):

Achieving sustainable development – Core Planning Principles

Chapter 7 Requiring Good Design

7. Consultations

Corsham Town Council: OBJECTION

“Resolved: that the application be refused on the grounds that the proposal would constitute severe overdevelopment of the site; would have a detrimental effect on the privacy of the neighbouring property especially due to their differing heights; and was not in keeping with the character of the area; highways concerns regarding visibility splays for both vehicles and pedestrians; concern that the existing dry stone wall may be damaged. The Town Council would like the application to be called in.”

Highways: NO OBJECTION.

The officer initially raised concern relating to levels of visibility. This was addressed through alterations to the site layout and submission of a revised plan. No objection is raised to the revised layout subject to conditions.

8. Publicity

The application was advertised by site notice and neighbour consultation.

Three letters of objection were received from two neighbours. The issues raised are summarised below-

- Overcrowding of site – taking into account previously approved development
- Highways safety – busy road with large volume of HGV traffic from the Industrial Estate
- Development is out of character with surrounding area
- Loss of privacy affecting no. 20 Elley Green
- Possible damage to dry stone boundary wall

One letter in support of the application was received.

The Dorset and Wiltshire Fire and rescue service also provided comments in relation to building regulations, building access, water supply and sprinkler systems. Full comments are available online.

9. Planning Considerations

Principle of Development

Core Policy 1 sets out the settlement strategy for Wiltshire, identifying four tiers of settlement namely: Principal Settlements; Market Towns; Local Service Centres, and Large and Small Villages. The policy directs housing development towards the towns and villages identified in the relevant area strategies according to their hierarchy within the settlement strategy.

The site is located to the edge of Neston which is defined within the Corsham Community Area Spatial Strategy (Core Policy 11) as a Small Village with no boundary. In Small Villages development is strictly controlled but new dwellings can be supported where it is limited to in-fill development meaning small plots clearly within, and in association with, the built up part of the village. In this case the plot of land is clearly within the built up area of the settlement being positioned between two existing properties along the main road. Therefore the site is considered to be a sustainable location for residential development. The creation of one new dwelling in this location is acceptable in principle, provided it meets the requirements of other policies within the Wiltshire Core Strategy.

Impact on the character and appearance of the surrounding area

In accordance with Core Policy 57 development should respond positively to the existing site features which include building layout, built form, mass and scale.

In terms of the building scale, design and general appearance, the proposal follows the same design theme as has been recently approved for the extensions to the bungalow next door. It is also noted that there is a varied mixture of development in this area including a number of modern dwellings. The properties along the road are predominantly finished in stone however render does feature. On that basis it is considered that the simple modern design of the proposed dwelling is acceptable.

One of the objections raised by the town council and neighbour letters referred to the layout of the site commenting that the site would appear overcrowded. One letter makes reference to another application for a new dwelling on Park Lane in Corsham which was recently refused on the grounds of overdevelopment and impact on residential amenity. As with all applications, this proposal must be considered on its own merits and this means taking into account the surrounding mixture of development and local character. In this case, the pattern of development is different. Whilst it is acknowledged that some of the dwellings along Elley Green do occupy spacious plots, it is noted that two storey dwellings in close proximity to one another is not uncharacteristic. It is acknowledged that both applications involve developing garden land in between properties however the two sites are not comparable.

The proposed dwelling has a similar set back and ridge height to no. 18 and a number of other properties along Elley Green. The separation distance is not dissimilar to the properties almost immediately opposite the site and others further along the road. It is therefore not considered that the proposed new dwelling would appear out of place or cause harm to the existing character of this area.

Impact on residential amenity

The application site slopes downwards from front to back and the garden is currently approximately 1-1.5m lower than ground floor level of 18 Elley Green. The closest neighbour, no. 20 Yew Tree Cottage, is set further back from the road, approximately 15m to the north-east of the site and at a lower level. The Town Council and neighbouring residents expressed concern that the development would result in overlooking affecting the occupants of 20 Elley Green as a result of the rear facing windows and raised garden terrace. The impacts on this neighbour have been considered.

The ground floor windows of the proposed dwelling are not considered to create an unacceptable level of overlooking. It is noted that the original bungalow had side facing

windows at this same level. The proposed rear facing first floor windows would have oblique's views towards the rear parking area, part of the rear garden and two side facing windows of no. 20 but this arrangement, taking into consideration the separation distance in excess of 18m to the nearest habitable room, is also not considered to be unacceptable. It was however, considered that the raised terrace, accessed from folding doors at ground floor level, would cause an unacceptable intrusion into the privacy of no. 20. This issue was discussed with the agent and it was later agreed to remove the terrace from the design. It was also agreed that, in light of the neighbours concerns, and in order to reduce the 'perception' of overlooking, the first floor window closest to no. 20 could be obscure glazed. Revised plans were submitted to remove the balcony and rearrange the internal layout. The new layout proposed a basement level room with direct access out into the garden.

A second consultation was carried out based on the revised plans. One further letter of objection was received from the occupants of no. 20 which reiterated their original concerns. The letter also referenced the recently refused Park Lane application explaining that potential impacts on privacy in this case were significantly worse. Again whilst the sites are similar in terms of the type of development they propose, the exact circumstances are not comparable. No. 20 is approximately 15m from the boundary with the application site whereas at Park Lane the neighbouring dwelling is considerably closer. As with all applications, this proposal must be determined on its own merits and whilst it is acknowledged that the dwelling will appear prominent to this neighbour, it is not considered that it would lead to any significant and unacceptable impacts that would justify refusal of the application.

Parking and access

One of the neighbour letters and the Town Council comments raised concern relating to highways safety and the creation of a new vehicular access. It was explained that the road through Elley Green is a busy route with a large volume of HGV traffic. The impact on highway safety has been considered by the highways department and officers did initially raise concern relating to the level of visibility to either side of the new access. A revised site layout was submitted to address this issue and the officer is now satisfied with the proposed access and parking arrangements. No objection is raised subject to conditions.

Other issues

The Town Council and one neighbour letter made reference to the historic dry stone boundary wall separating no. 18 and 20. There was a concern that development in close proximity to this wall could undermine its stability. Whilst this structural issue a valid concern it does not affect the determination of the application.

10. Conclusion

It is considered that the proposal is acceptable in terms of scale, materials and design. The application is not considered contrary to the Core Policies of the Wiltshire Core Strategy and does not cause any significant material harm upon which a refusal could be sustained.

11. Recommendation

Planning permission be GRANTED subject to 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:

Proposed Plans and Elevations Scheme II 2261/1C (received 14 September 2016)

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

- 3 The development hereby permitted shall not be first occupied until all of the external walls have been rendered and painted.

REASON: In the interests of visual amenity and the character and appearance of the area.

- 4 No part of the development hereby permitted shall be first occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The first five metres of the access, measured from the edge of the carriageway, must be consolidated and surfaced (not loose stone or gravel). The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

- 5 No part of the development shall be first occupied, until the visibility splays shown on the approved plans have been provided with no obstruction to visibility at or above a height of 600 mm above the nearside carriageway level, for a length of 2 m either side of the access. The visibility splays shall be maintained free of obstruction at all times thereafter.

Reason: In the interests of highway safety.

- 6 INFORMATIVE TO APPLICANT:

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

7 INFORMATIVE TO APPLICANT:

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

8 INFORMATIVE TO APPLICANT:

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.

9 INFORMATIVE TO APPLICANT:

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

10 INFORMATIVE TO APPLICANT:

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/communityinfrastructurerelevy.

