

## REPORT OUTLINE FOR AREA PLANNING COMMITTEES

<b>Date of Meeting</b>	06 September 2017
<b>Application Number</b>	17/05625/FUL
<b>Site Address</b>	Land between 18 & 19 Avils Lane, Lower Stanton St Quintin, Wiltshire, SN14 6BY
<b>Proposal</b>	Proposed new dwelling and garage with change of use of small area of the rear paddock to residential curtilage
<b>Applicant</b>	Mr B Vitale
<b>Town/Parish Council</b>	STANTON ST. QUINTIN
<b>Electoral Division</b>	KINGTON – Cllr Howard Greenman
<b>Grid Ref</b>	391805 180937
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Chris Marsh

### Reason for the application being considered by Committee

The application has been called in to Committee by Cllr Greenman, in order to consider the size of the proposed dwelling and its relationship to neighbouring properties.

#### 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 that the application be approved, subject to conditions.

#### 2. Report Summary

The key issues in the consideration of the application are as follows:

- Principle of development;
- Impact on the character and appearance of the site and surrounding area;
- Impact on neighbour amenity; and
- Highways impacts.

The application has received three letters of objection, as detailed later in this report. Stanton St Quintin Parish Council also objects to the proposals.

#### 3. Site Description

The application site is located to the immediate south of Avils Lane, on the eastern edge of Lower Stanton St Quintin, which is identified as a 'small village' in the settlement hierarchy of the Core Strategy and thus does not have a defined settlement boundary. The plot is reasonably regular in shape and bounded on either side by traditional cottages at 'Cherry Tree' and 'Brook Cottage' to the West and East respectively. The boundary to Avils Lane is marked by a modest verge and stone wall, which is showing some sign of dilapidation having recently been stripped of plants, with a metal agricultural gate.

To the rear is an open paddock sloping gently upward toward a traditional farmstead, the Grade II-listed Glebe Farm, approximately 100m southward. The neighbouring former Lower Stanton Farm complex, immediately southwest, has been partially converted but largely redeveloped as a contemporary housing estate comprising two cul-de-sacs and now known as The Forge. As with no.18, its eastern boundary is marked by a traditional stone wall.

Outline permission was granted recently in respect of a single dwelling on the same site (16/06164/OUT refers).

#### **4. Planning History**

N/89/00578/OUT	OUTLINE-DWELLING HOUSE AND GARAGE – refused
16/03389/OUT	Outline Application for Erection of 1 New Dwelling with all Matters Reserved – approved
16/06164/OUT	Erection of 1 No. new dwelling (Outline application with all matters reserved - resubmission of 16/03389/OUT) - approved
16/10177/OUT	Erection of 1No. Dwelling – appeal dismissed

#### **5. The Proposal**

Full planning permission is sought in respect of the erection of a single dwellinghouse on the site as previously approved in outline, although this format is due only to the proposals' having originally sought the use of adjacent agricultural land as residential curtilage prior to amendments that remove this element.

The proposed dwelling is to be located fairly centrally within the plot, taking account of the sewer easement across the site frontage, over which a paved parking/turning area is to be provided. The building is to be of linear form and one-and-a-half-storey scale, spanning much of the plot with a triple-gabled front elevation, rear projecting element and attached single-storey double garage. Externally, the building is to be finished in random-coursed rubble stone beneath a pitched clay double roman tile roof, with render used on the less visible rear projecting section and eastern side elevation. To the rear, paving is to be introduced as part of the main garden area, which is to be enclosed from the agricultural land adjacent by a new native hedgerow.

Aside from the bringing the plot into line with the original outline area by removing a previously-proposed extension of the garden into the rear paddock, amendments to the

scheme also serve to reduce the span and depth of the garage by 0.5m and the remaining dwelling width by a further 0.5m, absorbing this reduction with an additional standoff from the dwelling to the southeast of 1.0m.

## **6. Local Planning Policy**

### Wiltshire Core Strategy:

Core Policy 1 (Settlement strategy)  
Core Policy 2 (Delivery strategy)  
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)  
Core Policy 67 (Flood risk)

### National Planning Policy Framework:

Paragraphs 14 & 17  
Section 4 (Promoting sustainable transport)  
Section 6 (Delivering a wide choice of high quality homes)  
Section 7 (Requiring good design)

## **7. Summary of consultation responses**

Stanton St Quintin Parish Council – objections, citing overdevelopment of the plot and overbearing impact on neighbouring properties. Also raise concerns in respect of construction traffic and control over adjoining land.

Highways – no objection, subject to conditions

Archaeology – no comment

## **8. Publicity**

The application was advertised by site notice and neighbour notification letter.

Three letters of objection (by household) have been received in respect of the application, raising concerns over overdevelopment, loss of character, overbearing, scale of building, selected materials, use of the adjacent paddock, impacts of construction traffic and potential site compounds.

Neighbour concerns were also raised in respect of the principle and impact of changing the use of part of the adjacent paddock, as originally proposed.

One further neighbour letter was received confirming that no objection is raised in respect of the proposals.

## **9. Planning Considerations**

As a matter of principle, residential development in this location has been accepted previously in line with the adopted settlement and delivery strategies, which confirm the acceptability of infill development at small villages such as Lower Stanton St Quintin. Having been reduced to the original outline red line area, which shares its rear boundary with the alignment of the adjacent Brook Cottage, the site now sits comfortably within the established built framework of the village. Accordingly, the proposals are inherently sustainable in their location.

The specification of a robust, appropriate boundary treatment will reinforce this visible limit to the built area as it is not agreed, due to the prevalence of 'backland' development nearby, that visual gaps are a defining feature of residential plots in this location. This will also avert any undue adverse impact on the landscape/visual impact of the development in views from the South/southeast, more likely from domestic paraphernalia rather than the design of the building itself. It is not reasonable, however, to impose conditions restricting the use of the adjacent paddock – which is the same ownership – opportunistically; this is not part of the proposals and it would be unreasonable to attempt to prejudice its future use or disposal. In any case, the role of this land in the context of the village setting is well explained by the Inspector in dismissing appeal ref. APP/Y3940/W/17/3166769 (local ref. 16/10177/OUT), concluding that this land does not form part of the settlement's built envelope and should not be given over to domestic use.

Turning to the physical characteristics, it is considered that in its slightly reduced form the proposed dwelling is not excessive in size relative to the plot and established plot density in this location. The proportions of the building in relativity to the site are largely in keeping with the vernacular cottages in the immediate vicinity, and comparative examples show the building's footprint to be fairly typical of the locality. Further unsympathetic or excessive extensions and outbuildings that may overcrowd the site can be guarded against through conditions restricting permitted development rights.

Likewise, the materials to be used are of a high standard and reflect their setting. However, mindful that the area is not subject to any Conservation Area or other designation, preventing the use of uPVC (as any neighbour could install at any time, and some already have) would be overzealous. In terms of the building's scale and impacts on amenity, it is entirely apparent that the scale follows the established pattern on Avils Lane and, notwithstanding the slightly increased height of the plot relative to the adjacent Brook Cottage, the form of development is not considered to be excessive.

Following the amendment of the scheme and through the building's orientation, increased setback from Brook Cottage and the appropriate use of conditions to restrict fenestration, any significant effect of overlooking or overbearing on the occupants of Brook Cottage can be averted. As the closest component is a single-storey garage, separated by a further private access, no significant impacts on Cherry Tree Cottage are anticipated. Owing variously to the relief of the site, intervening highway and limited amount/scale of development, the proposals will not impact significantly on the amenity of any other properties.

The proposals make adequate provision for parking and turning within the site, relying on the garage to meet the adopted countywide standards. Highways Officers have previously accepted the re-use of the original agricultural access onto Avils Lane, which will afford reasonable visibility and safe access and egress for the limited amount of traffic associated with the development. The safeguarding of the existing sewer easement is an important consideration that has been instrumental in informing both the building's siting and slab level, in order that a full scheme of drainage can be effective in practice.

Turning finally to concerns raised in respect of the use of the adjacent paddock land as a temporary construction compound and/or the short-term use of access adjacent to Croft Barn, this is a matter of private ownership and land rights and is not within the remit of planning to control. Likewise, the temporary use of land either represents permitted development or it does not; it will be for the applicant to satisfy themselves that, if they wish to use this land for such purposes, they may lawfully do so. As such, neither aspect has any material bearing on the planning balance.

The proposals, in their amended form, comply with Core Policies 1, 2, 57, 60, 61, 64 and 67 of the Wiltshire Core Strategy and, in the absence of any material considerations indicating otherwise, are considered to be acceptable in planning terms.

## **RECOMMENDATION**

That planning permission is GRANTED, 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:

892/CAM/2017/1 rev A - Elevations & Floor Plans  
Received 31 July 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 full details of boundary planting and/or fences have been submitted to and approved in writing by the Local Planning Authority. The approved boundary treatments shall be carried out in full prior to the end of the first planting season following first occupation of the development, in accordance approved details. The approved boundary treatments shall be retained and maintained as such at all times thereafter.

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

- 5 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 areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

- 6 The access hereby approved shall not be first brought into use until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2.4 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 43 metres in both directions 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 of 1 metre above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

- 7 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.

- 8 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), no garages, sheds, greenhouses and other ancillary domestic outbuildings shall be erected anywhere on the site on the approved plans.

REASON: To safeguard the character and appearance of the area.

- 9 Before the development hereby permitted is first occupied the windows in the southeast elevation shall be glazed with obscure glass only [to an obscurity level of no less than level 3] and the windows shall be maintained with obscure glazing in perpetuity.

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), no additional windows shall be inserted into the southeast elevation of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

- 10 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), the garage(s) hereby permitted shall not be converted to habitable accommodation.

REASON: To secure the retention of adequate parking provision, in the interests of highway safety.

- 11 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: 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 that the development can be adequately drained.

- 12 **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.

- 13 **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.

14      **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.

15      **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.