

Date of Meeting	2 nd November 2017
Application Number	17/05767/FUL
Site Address	Red Lion, Axford, Wiltshire SN8 2HA
Proposal	Full planning application for a new dwelling on land forming part of the curtilage of the Red Lion Inn (following previous approval 15/09840/FUL).
Applicant	Mr Z Laszlo
Town/Parish Council	RAMSBURY
Electoral Division	ALDBOURNE AND RAMSBURY – Cllr James Sheppard
Grid Ref	423815 170080
Type of application	Full Planning
Case Officer	Nick Clark

Reason for the application being considered by Committee

The application is being reported to the planning committee at the request of Councillor Sheppard to allow the committee to consider aspects of scale, bulk, height and appearance and the visual impact on the surrounding area; and the relationship with 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.

2. Report Summary

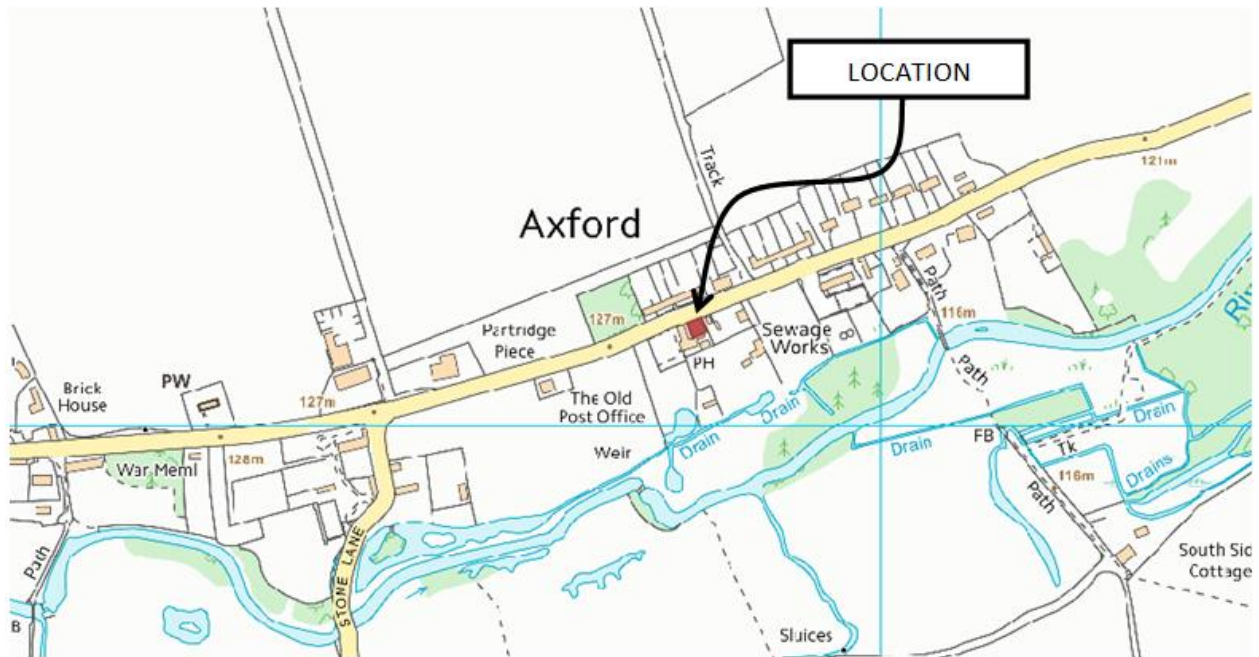
The application seeks retrospective planning permission for a revised dwelling design. The dwelling under construction is 1 metre taller than that approved under planning permission 15/09840/FUL and includes living space within the loft, with intentions to fit 4 front and 4 rear roof light windows.

The main issues to be considered are impacts on neighbouring amenity and the character and appearance of the area.

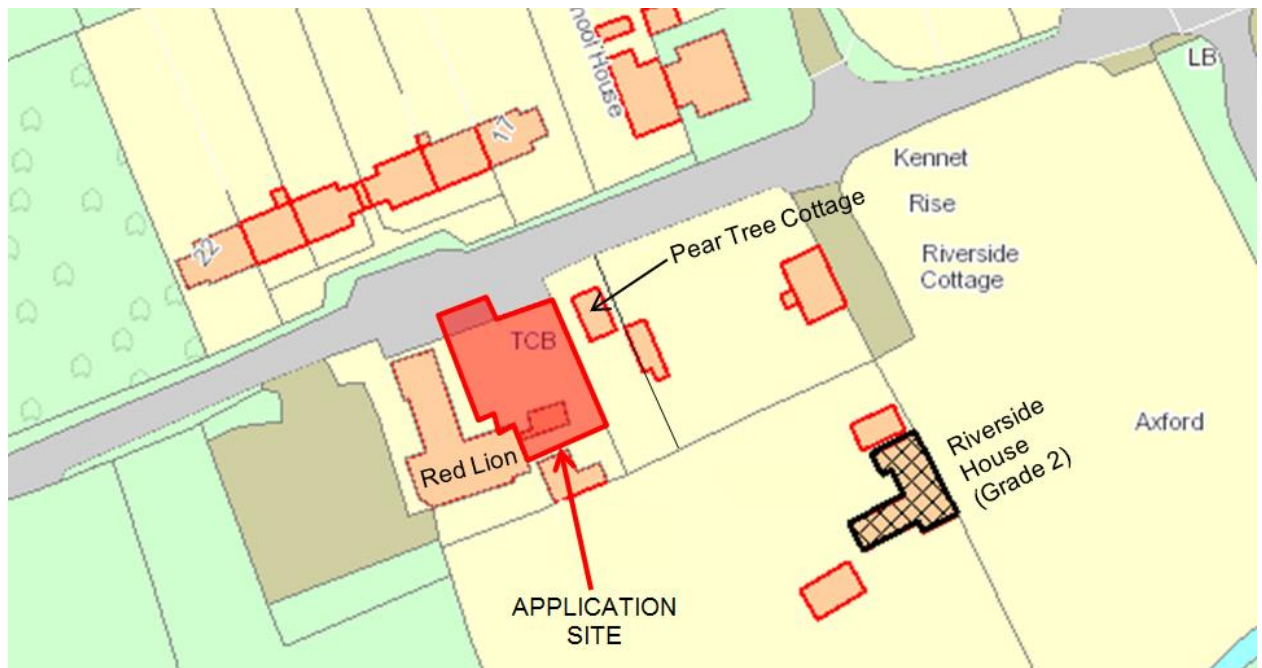
The report concludes that the additional height of 1 metre and the introduction of rooflight windows, whilst significant changes, do not materially impact on the character and appearance of the area or neighbour amenity and that the proposal is considered to be in accordance with the development plan.

3. Site Description

The c. 0.2 hectare site is set on a western edge of Axford and comprises land that previously formed part of the garden of the Red Lion public house.



Pear Tree Cottage is set immediately to the east of the site, with the public house to the west, with its retained grounds and outbuildings/ extensions to the rear of the application site and the garden of the property Riverside House (Grade II*) beyond.



The dwelling subject to the application is now substantially completed; being a change to the design previously approved through delegated powers under planning permission 15/09840/FUL.



4. Planning History (as part of the wider pub site)

K/79/0479	Extension to public house premises	Approved
K/82/0011	Extensions	Approved
K/86/0652/AD	Non-illuminated sign	Refused
K/12543	Extensions and alterations to provide five additional bedrooms, enlarged restaurant, new kitchen, and toilets	Approved
K/21096	Erect single storey extension	Approved
K/33988	Replacement entrance porch.	Approved
K/35742	The erection of a kitchen extension, re-siting of timber sheds.	Approved
K/59968/ADV	Erection of freestanding pub sign to attract passing trade	Approved
15/09840/FUL	Erection of dwelling	Approved

5. The Proposal

The dwelling previously approved had a height of 7 metres. The current application proposes a height of 8 metres, with 4 rooflight windows in the front and rear elevations. An external chimney breast has also been added but otherwise the dwelling is substantially as previously approved.



6. Local Planning Policy

Axford is designated as a Small Village where there is a general presumption against residential development under Core Policy 1 & Core Policy 2, but where the principle of infill development is accepted by Core Policy 48 subject to the policy criteria and other policies such as Core Policy 57, which seeks a high quality of design that respects the local context and neighbouring amenities.

The policies of the National Planning Policy Framework are also a material consideration.

7. Summary of consultation responses

Ramsbury & Strong objection:

Axford Parish
Council:

- The original permission proposal was for a three bedroom, two storey house, staggered in plan which was in keeping with the guidelines for Small Villages, in accordance with the Wiltshire Core Strategy 2015, which states " ... some very modest development may be appropriate at Small Villages, to respond to local ...". The new proposal is 800 mm higher than the original planned roof height so is now a much more substantial building. It includes an additional bedroom and en suite bathroom, making it a four bedroom property and is no longer considered "modest" by the neighbouring residents nor the Parish Council;
 - Core policy 1 states that "development ... will be limited to that needed to help meet the housing needs of settlements and to improve employment opportunities, services and facilities." The original permission sought to provide an injection of funds to ensure the Red Lion remained a viable business providing a vital amenity to the residents, however this additional permission offers no additional benefit for employment opportunities, services or facilities, so does not meet Core policy 1;
 - For the same reason as the point above, the proposed revision does not accord with paragraph 28 of the NPPF which states development should " ... provide sustainable growth and expansion of businesses and retention and development of local services and community facilities." Further grounds for the application to be refused.
 - Core policy 2 states that infill must "respect the existing character and form of the settlement." The new proposal makes the house too large for the plot and it over shadows the buildings around it. The building itself has been raised, the developer has said to take into account drainage issues on the plot, so the actual impact on the neighbouring houses is much greater than it seems on the plans. It does not respect the existing character of the buildings around it.
 - Core policy 51 protects the AONB and states " .. development should protect, conserve and where appropriate enhance landscape character and must not have a harmful impact ...". The revised application does not enhance the landscape, as it is taller than was originally approved, it could now be argued to have a harmful impact.
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The plans do not show the extent of this on neighbouring properties, as it is not obvious from the submission.

- The original planning conditions state that no extensions would be allowed to this property. This application seeks to extend the property in size, height and number of bedrooms.
- The new application states an altered vehicular access but this is not shown on the plans.
- The work commenced on the site in May 2017, but the plans were not submitted until 16th June 2017 and this amendment is requested, after the extra loft room has been added to the building. The plans should be submitted as “retrospective” as no local consultation to the change was sought until after the building work was complete.

Ramsbury and Axford Parish Council believe that this application should be refused and the building should revert to its original, approved, form. This form has already been raised so makes more of an impact on its surroundings than was first envisaged and this further increase in height is not acceptable.

WC Highway Officer:	No objection
Other:	Objection from the neighbour to the rear at Riverside House: <ul style="list-style-type: none">• Adverse effect on the garden of Riverside House (Grade II * listed) and• Overdevelopment of the site.• Skylights should be omitted.

8. Publicity

The application was publicised by way of site notice posted on the site on 6th July 2017 and by way of direct neighbour notification.

9. Planning Considerations

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that planning applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

The principle of development

The principle of residential infill development on the site has been established by reason of the previous planning permission (15/09840/FUL). With there having been no subsequent material change in this respect, the principle of infill development remains supportable subject to impacts.

Impact on the character and appearance of the area

Development in the vicinity of the site is varied, with opposite terraces of former council housing, the brick, flint and slate and clay tiles of the Red Lion and red and blue bricks and slate of Pear Tree Cottage to the east. The brick and slate dwelling previously approved was considered to be appropriate to this context.

The dwelling in the current proposal would differ materially from that previously approved in that it would be 1m higher with 4 roof light windows (also in the rear elevation). The dwelling is set-back relative to neighbouring buildings and is also partly obscured from the street by an established oak tree.

The roof height remains below that of the neighbouring Pear Tree Cottage and due to the set-back position, the relationship between properties does not materially impact on the street scene.

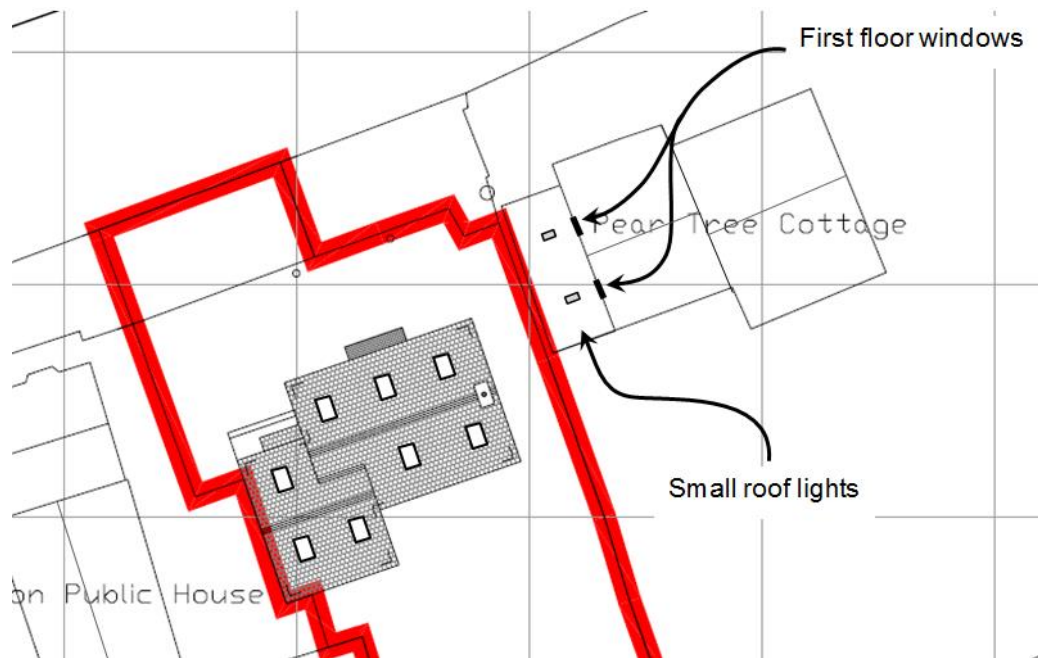
The raised roof is higher than the roof at the Red Lion. The additional roof height is not prominently noticeable above the roof of the Red Lion when approaching from the west. When viewed from the street in front elevation, the increased height of the dwelling does appear slightly disproportionate to the form of the Red Lion but due to the set-back position this disproportion does not impact materially on the street scene.

The height of the dwelling also remains significantly below the height of the terrace on higher ground on the opposite (north) side of the street.

The roof height in itself is thus not considered to have a material impact on the character and appearance of the area. There is no prevalence of roof light windows in properties facing the street and the introduction of 4 windows as proposed would alter the character of the property from that previously approved. The property is not within a conservation area, however and given the variety of housing within the vicinity and the set-back of the dwelling, the roof light windows would not impact on the character and appearance of the area to an extent that would warrant refusal of the application.

Impact on residential amenity

Pear Tree Cottage lies immediately to the east of the application site. The increased roof height of the dwelling can only reduce levels of natural daylight to side-facing windows at Pear Tree Cottage. The cottage has first floor windows in the side elevation and also side-facing roof light windows in a single storey side extension. The windows appear to be secondary in nature and the position of the proposed dwelling is sufficiently offset from the windows such that any reduction in natural daylight would not materially impact on the residential use of the property.



The neighbour has also previously expressed concerns regarding lost privacy from the first floor windows, the closest of which would offer an angle of view through windows at Pear Tree Cottage. This window is proposed to serve an en-suite bathroom and as with the original consent, a condition can ensure that the window has obscure glazing and restricted opening to avoid any loss of privacy.

The very limited angle of view from the front rooflight windows now additionally proposed would prevent any clear views through the first floor windows at Pear Tree Cottage and would avoid any material loss of privacy.

The occupants at Riverside House suggest that any consent should not include rooflights in the rear roof slope. There would be some intervisibility between the roof lights and the garden space at Riverside House, but the 20m distance of the windows, with views heavily filtered by trees would avoid any material impact on the amenities of the occupiers of Riverside House.

Impact on the setting of Riverside House

The dwelling is c. 50m from Riverside House, which has the benefit of generous and well-established grounds, from within which there would be only very limited and heavily obscured visibility of the roof of the dwelling. The physical and visual separation of the new dwelling would avoid any harm to the setting of the listed building.

10. Conclusion (The Planning Balance)

For the reasons above it is concluded that the revised house design would not materially impact on neighbouring amenity or the character and appearance of the area. With the increased height and addition of roof light windows introducing no other impacts, the development would be in accordance with the development plan, and with no circumstances to warrant otherwise the application is recommended for approval subject to the conditions set out below.

RECOMMENDATION

That planning permission is GRANTED subject to the following conditions:

- 1 The development hereby permitted shall be carried out in accordance with the submitted Location Plan C11933 Revision B, Block Plan C11933.15.050 Rev A and the drawing numbered 16/1127/01 Rev A as hereby approved.

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

- 2 Within three months of the date of this decision, there shall have been submitted to and approved in writing by the local planning authority a scheme of hard and soft landscaping, the details of which shall include:

- * full details of any trees and shrubs to be retained,
- * a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- * finished levels and contours;
- * means of enclosure;
- * driveway surfacing details (to be of bound construction);
- * details of boundary treatments (including any existing walls or fences to be retained);
- * details of the front gates (which are to be of a visually 'open' construction and no more than 1.5m in height) ;

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

- 3 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 dwelling or the substantial 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.

- 4 The roof light windows hereby approved shall be of the 'conservation' type so as to be mounted flush with the roof slope.

REASON: In the interests of preserving the character and appearance of the area and the setting of neighbouring buildings

- 5 The north-facing first floor bathroom window as shown on the approved drawings shall be glazed with obscure glass only and shall be fixed shut unless the parts of the window which can be opened are more than 1.7 metres above the finished floor level of the room in which the window is installed, and the window shall be permanently so-retained.

REASON: In the interests of residential amenity and privacy.

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- 6 a) Within 3 months of the date of this decision, there shall have been submitted to and approved in writing by the local planning authority a Scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage principles.
- b) The development shall not be first brought into use until surface water drainage has been provided/ constructed in accordance with the approved scheme.

REASON: The application contained insufficient information on drainage for consideration prior to granting planning permission. Drainage proposals based upon sustainable drainage principles need to be agreed by the local planning authority before commencement in order that the development is undertaken in an acceptable manner, to ensure that the development can be appropriately drained so as to avoid increased flood risk in the Kennet Valley and downstream.

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- 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), no windows, doors or other form of openings shall be installed, formed or constructed in the flank elevations of the dwelling hereby permitted above ground floor ceiling height.

REASON: In the interests of residential amenity and privacy.

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- 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), there shall be no additions to or extension of the dwelling hereby permitted.

REASON: In the interests of the character and appearance of the area, neighbouring amenities and land uses, and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions/ extensions.

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- 9 i) The dwelling hereby approved shall achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes.
- ii) The dwelling shall not be occupied until evidence has been issued and submitted to, and approved in writing by, the local planning authority certifying that this level or equivalent has been achieved.

REASON: To ensure that the objectives of sustainable development equal or equivalent to those set out in Policy CP41 of the Wiltshire Core Strategy are achieved.
