

<b>Date of Meeting</b>	30 May 2019
<b>Application Number</b>	19/02051/FUL
<b>Site Address</b>	Land Adjacent Kiln Close Whaddon Alderbury Wiltshire SP5 3HE
<b>Proposal</b>	New dwelling with integral garage and access resub of 18/10244
<b>Applicant</b>	Mr P Cope
<b>Town/Parish Council</b>	ALDERBURY
<b>Electoral Division</b>	Alderbury & Whiteparish – Cllr R Britton
<b>Grid Ref</b>	419691 126302
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Warren Simmonds

### Reason for the application being considered by Committee

The application has been called to Committee by Cllr Britton due to concerns in respect of:

- Visual impact upon the surrounding area
- Relationship to adjoining properties
- Design - bulk, height, general appearance
- Environmental or highway impact

#### 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 application proposes a new detached dwelling within the defined limits of development. The application is a resubmission of the previously refused scheme under planning reference 18/10244/FUL. There are no objections from consultees which undermine the principle of the proposed development. The application is recommended for approval, subject to the Conditions set out at the conclusion of the report.

#### 3. Site Description

The application site constitutes a parcel of land of approx. 1080 square metres being part of an area of former railway land (dismantled around 1970), within the settlement boundary of Whaddon.

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

18/10244/FUL      New dwelling with integral garage for access      Refused 08.02.19

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

The application proposes the development of the land by the construction of a single detached dwellinghouse with integral garage, accessed off Kiln Close, together with associated alterations to ground levels and boundaries.

#### **6. Local Planning Policy**

Wiltshire Core Strategy (WCS) Core Policies CP1, CP2, CP23, CP50, CP51, CP57 & CP64

NPPF & NPPG

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

WC Highways – No Highway objection, subject to a Condition

Highways England – No objection

Drainage officer – Holding objection (details to be obtained by Condition)

Public Protection – No concerns, Conditions recommended

Ecology – No objection, subject to Conditions

Archaeology – No objection: *“The proposed development is within the line of the former railway. Works connected to the construction of the railway are considered likely to have destroyed any pre-existing archaeology.”*

Alderbury parish council – Object to the proposed development on grounds including overlooking, not in-keeping, plot too small, drainage concerns and amenity concerns.

#### **8. Publicity**

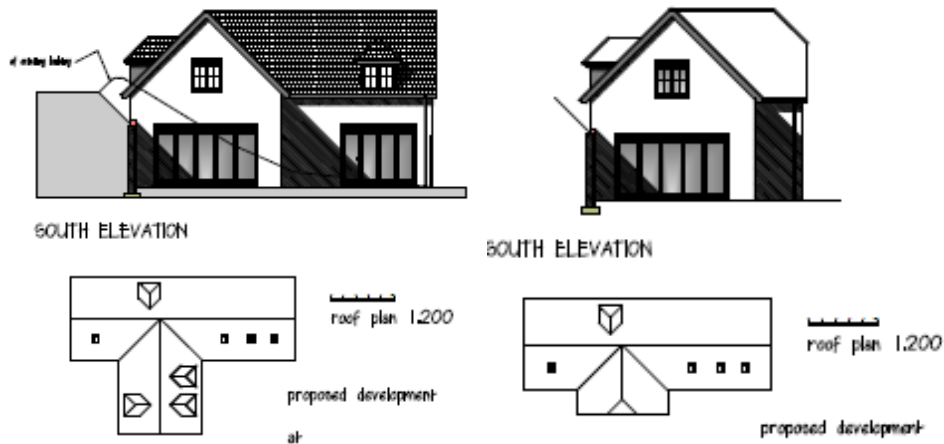
The application was publicised by site notice and neighbour notification letters.

Ten representations were received from third parties, each in objection to the proposal on grounds including:

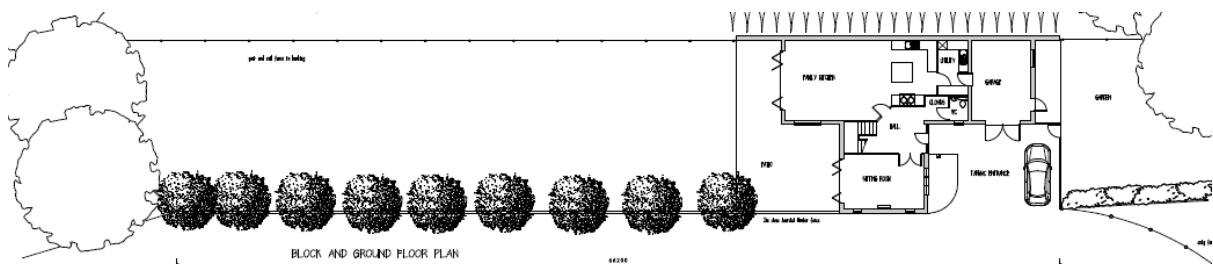
- Overlooking, overshadowing and other amenity concerns
- Overdevelopment
- Out of keeping
- Stability of embankment
- Construction traffic concerns
- Loss of trees
- Impact on wildlife
- Drainage concerns
- Lack of need for additional housing

#### **9. Planning Considerations**

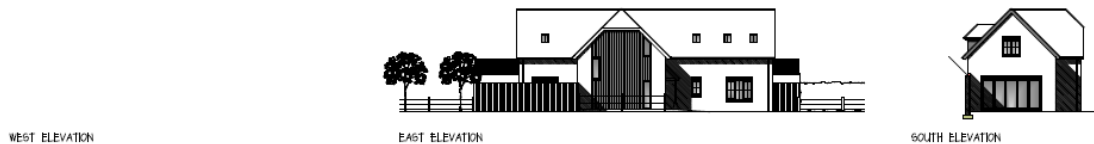
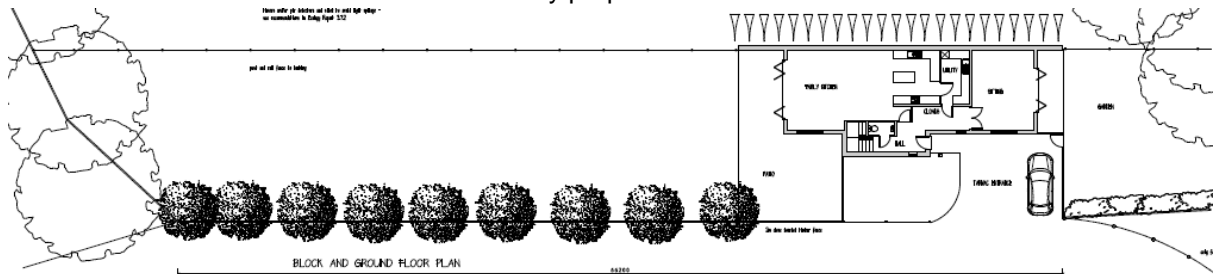
The application is a resubmission of the previously refused scheme under planning reference 18/10244/FUL (new dwelling with integral garage). The current scheme is amended principally by the reduction in footprint of the proposed dwelling (the reduction of the proposed eastern projecting element of the dwelling):



Previously proposed scheme (above left), current proposal (above right)



Previously proposed scheme



As currently proposed

The previous application 18/10244/FUL was considered at the Southern Area Planning Committee on 7<sup>th</sup> February 2019. The reason for refusal of the previous scheme was:

*“The proposed development would constitute an overdevelopment of the narrow, linear plot that, by reason of the necessary retaining wall(s) and excavations required, would introduce a conspicuous and alien feature into the site and would be out of keeping with the existing character of the surrounding area. In these respects the proposed development is considered discordant with the aims and*

objectives set out with Core Policy CP57 of the adopted Wiltshire Core Strategy.”

### 9.1 Principle of the proposed development

The application site is within the defined limits of development for the village of Alderbury as described within Core Policy 23 of the adopted Wiltshire Core Strategy. Therefore the principle of the development of the land for a dwelling is considered acceptable in the broadest of planning policy contexts.



Above left – WCS defined limits of development. Above right – location of site (within defined limits)

### 9.2 Scale, design & materials

The revised application proposes a single detached three bedroom dwelling, set within a proportionate garden curtilage with access from Kiln Close to the immediate east.

The proposed building is of chalet style with first floor accommodation within the roof void, served by rooflight windows, a dormer window (west) and gable end windows. The overall height and length of the proposed dwelling remain the same as previously proposed.

External materials proposed include brickwork and vertical timber boarding under a plain clay tiled roof. Boundary treatments to the eastern boundary include a section of hedge, closeboard fencing, post and rail fencing and areas of new mixed hedging.

Existing dwellings in Kiln Close and the surrounding area are of varied scale, materials and design. Taking into consideration the amendments and reduction in scale over the previously refused scheme, officers consider the proposed new dwelling would be acceptable in terms of its scale, design, materials and impact on the existing character of the surrounding area.

### 9.3 Impact on amenity

To facilitate the siting of the proposed dwelling, a degree of partial excavation of the railway embankment would be required on the eastern side, however this would be limited to the eastern 'half' of the embankment and secured by a retaining wall.

The proposed dwelling would be situated on the opposite side of Kiln Close to the two closest existing houses. By reason of the distance, orientation and general relationship between the proposed new dwelling and the closest neighbouring properties in Kiln Close, and by reason of significant mature natural screening along the eastern side boundary of Kiln Close, it is considered the proposed new dwelling would not result in the undue overlooking or overshadowing of neighbours in Kiln Close.

With respect to adjacent properties on the other side of the embankment (to the west), the distance between the proposed new dwelling and existing properties (more than 20 metres to the rear of the closest dwelling to the west), taken together with the presence and screening effect of the embankment, it is considered the proposed new dwelling would not result in the undue overlooking or overshadowing of neighbouring properties to the west.

Concerns have been raised in representations that the partial excavation of the embankment would result in increased traffic noise for properties to the west. Officers note the excavation of the embankment relates only to the area where the new dwelling is to be sited, and the excavated area would be subsequently 'filled' by the physical presence of the new dwelling (being of a greater height and density than the section of existing embankment) and therefore conclude an adverse impact would be unlikely to result.

#### 9.4 Highways considerations

The proposed development provides a suitable form of vehicular access and off-street parking for at least two vehicles. The Highways officer has assessed the proposal and comments as follows:

*"The amended proposal is for a three bed dwelling rather than a four bed dwelling and therefore only 2 car parking spaces are required. The garage has been omitted from the proposal and 2 parking spaces remain which is adequate to meet Wiltshire's parking standards."*

#### 9.5 Ecology

The application was accompanied by a Ecology Survey Report (Daniel Ahern Ecology, October 2018). The Council's Ecologist has assessed the proposal and previously raised no objection subject to Conditions.

#### 9.6 Drainage

The Drainage officer has requested additional drainage information. For this type of application such details can be secured by Conditions.

### **10. Conclusion**

The application is a resubmission of the previously refused scheme under planning reference 18/10244/FUL. The current scheme has been amended principally by a reduction in footprint of the proposed dwelling (the reduction of the proposed eastern projecting element of the dwelling). Taking into consideration the reason for refusal of the previous scheme and, in response, the reduced scale and form of the current proposal, it is considered the revised proposal has addressed the previous reason for refusal and is accordant with local and national planning policy.

Officers therefore recommend approval, subject to Conditions.

## **RECOMMENDATION**

Approve, 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:

Drawing number Cw/p/14A dated Feb'19, as deposited with the local planning authority on 12.04.19, and  
Drawing number Cw/pa/10A dated Feb'19, as deposited with the local planning authority on 12.04.19.

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

3. No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

Reason: In the interests of amenity

4. No burning of waste or other materials shall take place on the development site during the demolition/construction phase of the development.

Reason: In the interests of amenity

5. No development shall commence on site until a scheme for the discharge of foul water from the site has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained

6. 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 together with permeability test results to BRE365 at the location of any proposed soakaways, 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: To ensure that the development can be adequately drained

7. No part of the development hereby approved shall be first occupied until the parking area shown on the approved plans has been consolidated, surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times thereafter.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

8. The development hereby approved shall be carried out in strict accordance with the recommendations made in the submitted Ecological Constraints Survey Report (Daniel Ahern, Dec 2018). Any permitted external lighting should be minimised as per the recommendations in the submitted Ecological Constraints Survey Report.

Reason: To ensure adequate mitigation in respect of protected species and to retain existing dark wildlife corridors.