

REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	1 June 2011		
Application Number	N/11/00102/FUL		
Site Address	32 Hardenhuish Lane, Chippenham, Wiltshire, SN14 6HN		
Proposal	Demolition of Existing Dwelling and Erection of New Dwelling with Detached Garage		
Applicant	Mr & Mrs Bennett		
Town/Parish Council	Chippenham		
Electoral Division	Chippenham Cepen Park & Redlands	Unitary Member	Cllr Nina Phillips
Grid Ref	390747 174522		
Type of application	Full Application		
Case Officer	Kate Backhouse	01249 706684	kate.backhouse@wiltshire.gov.uk

Reason for the application being considered by Committee

Cllr Nina Phillips originally requested that this application be considered by the Planning Committee in order that Members can consider the scale of development, its impact upon the surrounding area, the relationship with neighbouring properties, the environmental and highway impact and the drainage issues. The application was deferred to seek to determine whether there is a suitable engineering solution for the disposal of surface water from the site and to assess the effect of the basement upon the water table.

1. Purpose of Report

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

2. Report Summary

Whether the proposal complies with policies C3 and H3 of the North Wiltshire Local Plan 2011
The main issues in the consideration of this application are as follows:

- Principle of development
- Impact upon highway safety
- Impact upon visual amenity and landscape character
- Drainage

The application has generated support from the Town Council, 1 letter of support and 3 letters of objection.

3. Site Description

The site is located within the framework settlement boundary for Chippenham where replacement dwellings are permitted in accordance with policies C3 and H8 of the North Wiltshire Local Plan 2011. The existing dwelling is sited approximately in the centre of the plot, in line with existing neighbouring properties but at a slight angle. Vehicle access to the property is from Hardenhuish

Lane and to the front of the property just under half the garden is laid to lawn with the remainder being a gravelled drive. To the front boundary is an established hedge. Boundary treatments to the side and rear consist of 1.8 metre fencing. The rear garden is mostly laid to lawn. Along Hardenhuish Lane there a wide variety of house types, ranging from executive type modern dwellings, to older 19th and 20th century properties. The dwellings to either side of the application site re of similar design to each other being of more modern construction with large attached double garages extending to the front.

4. Relevant Planning History		
Application Number	Proposal	Decision
05/02605	Extension and garage	PER

5. Proposal

The application seeks permission for the replacement of the existing detached dwelling and attached single garage with a replacement dwelling and detached double garage at 32 Hardenhuish Lane. The existing dwelling was built in the 1950s of reconstituted stone with concrete interlocking tiles. To the side of the dwelling is an attached single garage.

The proposed replacement dwelling is of a modern design, with a distinctive roof profile, large windows and uses more contemporary materials such as steel and glass. The dwelling is to provide 4 en-suite bedrooms at first floor, open plan living/dining/kitchen, 2 studies, playroom and utility are shown at ground floor. The proposed basement will house a gym, store and media room. To the front of the building a detached mono-pitched garage is proposed. The new proposed replacement dwelling is to be sited more squarely within the site. The premise behind the scheme is to minimise energy use throughout the lifespan of the dwelling, incorporating solar panels, rainwater harvesting and super insulation as detailed in the accompanying Eco Statement.

6. Planning Policy

Policies C3 and H3 of the North Wiltshire Local Plan 2011.

7. Consultations

Highways Engineer – No objection subject to conditions

Chippenham Town Council – Support due to the significant ecological benefit

Drainage Engineer – Approve subject to condition relating to method of surface water disposal.

8. Publicity

The application was advertised by site notice and neighbour consultation.

1 letter of support has been received from a local resident.

3 Letters of objection have been received and the objections are summarised below;

- Drainage/flooding problems
- Proposed basement undermining adjacent properties
- Not in keeping with surrounding properties
- Noise and vibration whilst being constructed
- Timescale of the proposed development

- Projection of the garage forward of building line and therefore out of keeping
- Lack of neighbour notification
- Disruption to the road network throughout construction.

9. Planning Considerations

The applicants have discussed the viability of the proposed basement with Building Control and also with the relevant companies. Any concerns from adjacent properties regarding party wall issues must be addressed through the party wall act and is not a matter for consideration in this application.

As noted earlier there are a variety of housing types along Hardenhuish Lane. The proposed replacement dwelling has been designed in a deliberately contemporary style that is not a pastiche of past housing types but to be innovative in both design and its' ecological credentials.

The timescale of the proposed construction and any noise issues arising from the construction are not something that can be addressed through the planning system. In light of the proximity of the development to Sheldon School, it is considered reasonable, however, that hours of access for construction traffic to the site are restricted.

Highways have offered no objection to the application subject to conditions. The siting of a garage forward of the building line is not of concern due to existing garages forward of the main building line of neighbouring dwellings, numbers 30a, 30b, 32a and 32b Hardenhuish Lane. Further to this the proposed garage is set well back from the road.

Neighbour notification was conducted correctly with all adjacent properties being sent neighbour letters and a site notice being erected. A further site notice was erected following the disappearance of the original notice.

The Council's Drainage Engineer has now conducted a percolation test on site and is now satisfied that a soakaway is an acceptable solution to drainage issues on the site and offers no objection subject to conditions.

Overall, it is considered that the high quality bespoke design of the proposed new dwelling will be a striking addition to the street-scene. The development is considered to be acceptable on its planning merits as the proposal is compatible and complimentary to policies C3 and H3 of the North Wiltshire Local Plan 2011 and having regard to all other matters raised, planning permission is granted subject to the following conditions.

10. Recommendation

Planning Permission be GRANTED for the following reason:

It is considered that the high quality bespoke design of the proposed new dwelling will be a striking addition to the street-scene. The Local planning authority has therefore determined that the development is considered to be acceptable on its planning merits as the proposal is compatible and complimentary to policies C3 and H3 of the North Wiltshire Local Plan 2011 and having regard to all other matters raised, planning permission is granted subject to the following conditions.

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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions / extensions / external alterations to any building forming part of the development hereby permitted and no plant or machinery shall be installed outside any such building on the site on the approved plans.

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 external alterations, or the installation of any outdoor plant/machinery.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (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 safeguard the amenities and character of the area and in the interest of highway safety.

4. No part of the development hereby permitted shall be first occupied until the parking and turning area, indicated as 'Gravel Drive' on drawing T309/10 titled 'Site Plan' 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.

5. 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: To ensure that the development can be adequately drained.

6. No development shall commence on site until a schedule detailing access times for construction traffic to the site has been submitted to and approved in writing by the Local Planning Department. Development shall be undertaken in complete accordance with that schedule so approved.

REASON: In the interests of highway safety.

7. The development hereby permitted shall be implemented in accordance with the submitted plans and documents listed below. No variation from the approved plans should be made without the prior approval of the local planning authority. Amendments may require the submission of a further application.

Plans

H309/7, T309/12, T309/9, T309/11, T309/6, T309/8, T309/10, date stamped 13.01.11

REASON: To ensure that the development is implemented as approved

Informatives

1. 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.

2. This decision does not grant any permission for any additional hardstanding or outbuildings not shown on the approved plans.

3. You are advised that the drainage details required under condition 5 of the application should be in complete accordance with the advice provided by the Council's Drainage Engineer.(Email - dated 10.05.11)

