

Date of Meeting	14 th July 2011
Application Number	E/11/0297/FUL
Site Address	Carina, Uphill, Urchfont, Devizes, Wiltshire SN10 4SB
Proposal	Erection of a 3 bedroom dwelling and single garage
Applicant	Mr Stephen Cook
Town/Parish Council	URCHFONT
Grid Ref	404365 157468
Type of application	Full Planning
Case Officer	Rob Parker

Reason for the application being considered by Committee

This application is being brought to Committee at the request of the Division Member, Cllr Grundy.

1. PURPOSE OF REPORT

To consider the recommendation that planning permission be refused.

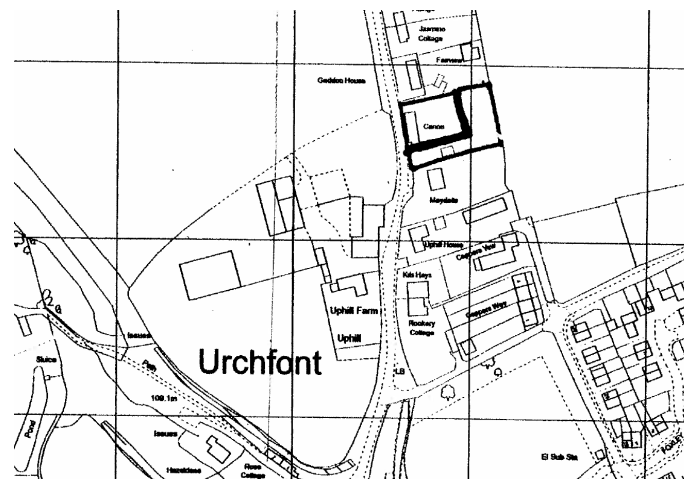
2. REPORT SUMMARY

The main issues in this case are:

- a) Principle of development
- b) Impact upon the setting of the listed building
- c) Design
- d) Impact upon residential amenity

3. SITE DESCRIPTION

The application relates to a property known as 'Carina' in Uphill, Urchfont. Starting from the village pond take Friars Lane (to the right of the pond) and follow this lane through The Bottom and this leads to Uphill. Carina lies on the right hand side of this no-through-road, and the application site lies to the rear of this property. Access to the site is via an existing driveway to the right of Carina.



Site Location

4. RELEVANT PLANNING HISTORY

The following decisions were taken before Carina was listed on 4th May 1982:

K/80/0704 - Outline application for dwelling and garage, refused planning permission on 18th December 1980 for the following reason:

“The proposed dwelling would, by virtue of its backland form, result in an unsatisfactory intensification of residential development to the detriment of the setting, privacy and amenities of adjoining properties and if permitted would be likely to set a precedent for similar unsatisfactory forms of backland development in the area.”

K/81/0535 – Bungalow with garage, refused planning permission on 20th August 1981 for the following reason:

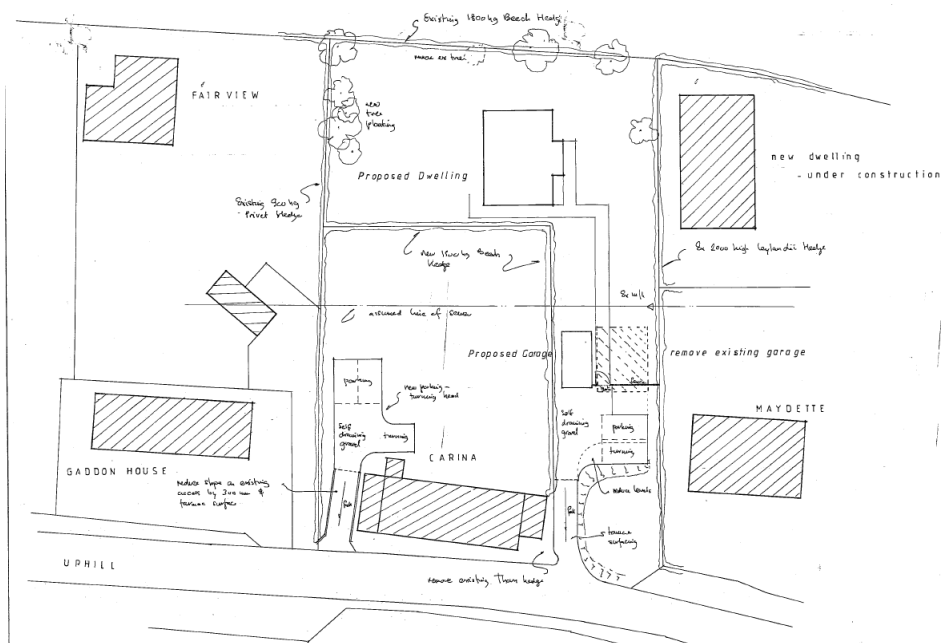
“Having regard to the dimensions of the site, the proximity of adjacent dwellings, and the presence of a public foul sewer on the site, it is considered that the proposal would constitute overdevelopment, in that a dwelling could not be accommodated without detriment to the setting, privacy and amenities enjoyed by adjacent dwellings.

“The erection of a bungalow on this narrow site would be alien amid the surrounding group of dwellings and in particular would be detrimental to the setting of Ardgowan, a building considered by the District Planning Authority to be of architectural and historic merit.

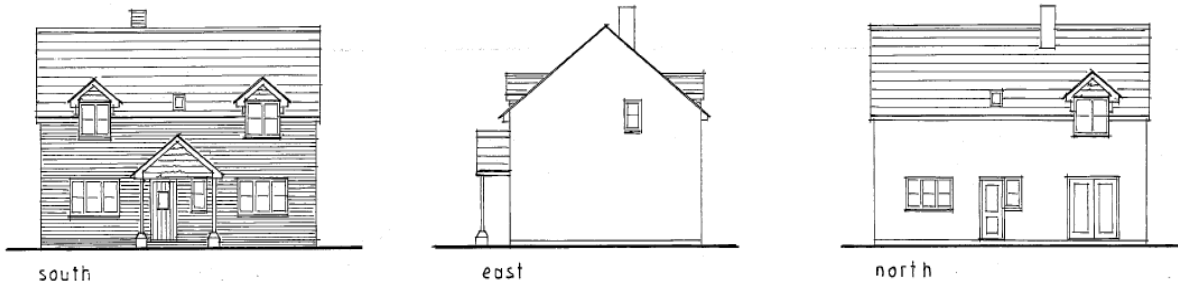
“The proposal would represent the consolidation of sporadic development extending along a narrow unclassified road outside the limits of Urchfont and is thus contrary to the provisions of the approved Western Wiltshire Structure Plan, which presumes against development which extends or perpetuates existing scattered development.”

5. THE PROPOSAL

The application proposes the erection of a 3 bedroom detached dwelling and single garage in the rear garden of Carina. The existing double garage serving Carina would be demolished as part of the proposals.



PROPOSED LAYOUT



6. PLANNING POLICY

Kennet Local Plan - policies PD1 & HC22 of the Kennet Local Plan 2011 are relevant to the consideration of this application, as is Supplementary Planning Guidance contained in 'Community Benefits from Planning'. Government policy contained in PPS1: 'Delivering Sustainable Development' and PPS5: 'Planning for the Historic Environment' is also a material consideration. Additional guidance contained in PPS5: 'Historic Environment Planning Practice Guide' is relevant.

7. CONSULTATIONS

Urchfont Parish Council – Supports this application; Subject to landscaping the whole plot (and in particular the northern and western boundaries) and agreement on the use of vernacular materials, the Parish Council does not believe the proposed application will have a negative effect on Carina.

Wiltshire Council Conservation Officer – objects. The proposed development will be out of character with historic development in the area by virtue of its siting and design. The proposal will have an adverse impact on the amenity of the listed building and lead to the substantial loss of the rural character of the plot. Overall, the proposals could not be said to preserve the setting of the listed building. There is no mitigating public benefit in this case.

Wiltshire Council Highways – no objections subject to a condition to secure the parking spaces for the existing and proposed dwellings, together with the accesses thereto. The Highways Officer comments as follows:

“The proposed new access is, in effect, combined with that of the adjacent property and consequently visibility is similar. It is a feature of Uphill that visibility at property accesses is restricted. However, both traffic speeds and flows are low so that there is no evidence of a safety problem.”

Wiltshire Fire & Rescue Service – standard guidance letter regarding fire appliance / firefighting access, water supplies for firefighting and domestic sprinkler protection.

8. PUBLICITY

The application has been publicised by press advertisement, site notice and neighbour letters.

One representation of support has been received from the owner/occupiers of Gaddon House, the thatched property on the road frontage immediately to the north of the site.

One objection has been received from the owner/occupiers of Fairview, the red brick and slate dwelling immediately to the north of the site (and to the rear of Gaddon House). The following concerns are raised:

- Planning permission has been refused on two previous occasions for development of this site.

- The proposal fails to respect the character of the area and the setting of the listed building.
- The proposal will have an adverse impact upon the amenity of Fairview and Gaddon House.
- The design is poor.

9. PLANNING CONSIDERATIONS

a) Site description

Carina is a substantial timber framed and thatched cottage dating from the late 17th Century. The property is set within a substantial plot, largely to the rear of the cottage. A beech hedge separates the plot from open fields to the east. The dwelling is served by a vehicular access to the south of the cottage off the lane. To the north is a narrow hard-surfaced pull-in which provides an additional parking space. The property has a double garage which is accessed via the southern access.

b) Planning history

Planning permission was refused on two previous occasions for a dwelling on the plot. The refusal reasons are reproduced in the planning history section above, but key concerns were the backland nature of the development and the impact upon the setting, privacy and amenities of adjoining properties. Since those decisions were made Carina has been listed and therefore the Council has an additional duty to have regard to the impact upon the setting of the listed building.

c) Planning policy considerations

The site lies within the Limits of Development defined for Urchfont in the Kennet Local Plan 2011. Policy HC22 of the local plan would permit residential development, providing that it is in harmony with the village in terms of its scale and character.

Policy PD1 of the local plan requires a high standard of design in all new developments and states that proposals should adequately address a range of criteria, including:

- 2) Scale, height, massing and density of development;
- 3) Relationship to townscape and landscape context ...
- 7) Relationship to historic features;
- 8) Elevational treatment;
- 9) Building materials, colour and detailing; and
- 10) The impact on residential amenity, including that caused by reason of noise and disturbance.

The Council has a statutory duty to have special regard to the desirability of preserving the setting of the listed building. Policy HE10 of PPS5 sets out policy principles guiding the consideration of applications for development affecting the setting of a designated heritage asset (in this case the listed building). In particular, policy HE10.1 instructs that LPAs should “treat favourably applications that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset. When considering applications that do not do this, local planning authorities should weigh any such harm against the wider benefits of the application”.

Policy HE7.5 of PPS5 requires authorities to take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. This reinforces guidance contained in PPS1 which states that “designs which fail to take the opportunities available for improving the character and quality of an area should not be accepted”.

d) Assessment of principle & impact on setting of listed building

Under the current proposals the existing garden plot would be subdivided and a new dwelling constructed within the area to the east of the listed building. Land to the south of the plot would also be annexed from the existing cottage to provide vehicular access, garaging, parking and turning space for the new dwelling, whilst the current pull-in to the north would be extended into the garden to provide a hard surfaced parking and turning area for the existing dwelling.

Historic maps show the rear garden to have always been an open garden owned in association with the cottage and the mature garden makes a significant contribution to the informal and bucolic setting of the listed building, to that of neighbouring unlisted historic buildings (particularly the unlisted but historically significant Gaddon House), and to the wider area. Beyond the garden boundary, open views to fields reinforce the rural character of the property's setting.

The proposed dwelling would occupy a backland location accessed via an extension of the existing driveway for Carina. The location is out of character with the historic settlement pattern which, in the vicinity (and the village in general), relates closely to the lane with properties located at or close to the roadside.

To the north of the site is the property known as 'Fairview' which occupies a backland location to the rear of Gaddon House. This early 20th Century property, which predates the planning system, can be seen as a late and out of character intrusion which has marred the setting of the unlisted Gaddon House, possibly contributing to its decline to the extent that it was not considered as being worthy of listing during the 1980s re-survey.

To the south of the site planning permissions have been granted in recent years for two dwellings to the rear of existing properties (K/57938/F to the rear of Maydette and E/10/0873/FUL at Uphill House). However, neither of these proposals lies within the curtilage of a listed building and neither are backland plots in the conventional sense, as separate access was achievable from Foxley Fields. In the case of Uphill House, the dwelling was created through conversion of an existing outbuilding so there was no additional visual impact.

In the case of Carina, the development of the plot in depth, the annexation of garden area to the south for parking, turning and garaging for the new house and the extension of the access and hardstanding to the north would inevitably lead to a very significant diminution of the existing open and rural character of the plot, to the considerable detriment of the setting of this vernacular building. Current open views and the link with the landscape beyond would be broken and the amenity enjoyed by the existing property would be significantly diminished.

It is considered that the proposals would conflict with the following:

- Policy PD1 of the Kennet Local Plan 2011 which requires development proposals to adequately address their relationship to townscape and landscape context and historic features.
- Policy HC22 of the Kennet Local Plan 2011 which requires residential development to be in harmony with the village in terms of its scale and character.

- Government policy contained in PPS5 (and the accompanying Historic Environment Planning Practice Guide) in respect of the proposal's impact on the setting of a designated heritage asset (listed building).

The Conservation Officer has further made the point that Carina is a substantial historic house with a significant ongoing maintenance burden. She considers that the diminution of the setting of the building, the loss of privacy associated with the erection of the new house and the siting of its parking and access, and the reduction of the plot size to only a modest holding have the potential to prejudice the future viability of the listed building.

e) Assessment of design

The applicant's supporting statement suggests that the proposed dwelling is designed to "enhance the character of the area, and respect and enhance the existing Grade II Listed Building". However, officers consider that the proposed dwelling is of wholly indifferent design and quality which makes no reference either to distinctive architectural themes within the locality or to Carina itself. The design of the new dwelling offers no mitigation for the harm that would be caused by the development. Frankly, it is a standard suburban design with no distinguishing characteristics.

The design does not achieve the high standard of design sought by policy PD1 of the Kennet Local Plan 2011. Furthermore, the design conflicts with government policy in that:

- It fails to make a positive contribution to the character and local distinctiveness of the historic environment, contrary to PPS5; and
- It fails to take the opportunities available for improving the character and quality of an area, contrary to PPS1.

f) Assessment of impact upon residential amenity

The proposed dwelling is to be accessed via an extension of the existing driveway to the south of Carina and the increased noise and disturbance arising from the comings and goings associated with the new property (which will take place directly alongside the remaining garden area for Carina) would have an adverse impact upon the residential amenities of occupants of the existing property. It is considered that the proposal would conflict with policy PD1 of the Kennet Local Plan 2011 which requires proposals to adequately address their impact on residential amenity, including that caused by reason of noise and disturbance.

Members will note that the owner/occupiers of Fairview have objected on the grounds that development would harm their residential amenities. The principal concern is that the proposed dwelling would overlook Fairview and its garden. There are also concerns regarding the potential for noise and disturbance arising from the proximity of gardens to one another. Notwithstanding the above concerns, it is not considered that a refusal of planning permission could be substantiated on the grounds of adverse impact upon the amenities of Fairview. Whilst there would be a first floor bedroom window facing towards Fairview, the intervening distance between properties is approximately 31m (slightly less if the permitted extension to Fairview is constructed). This is well in excess of the 21m minimum window-to-window distance set out in the Council's Supplementary Planning Guidance on 'Community Benefits from Planning'. The new property would have a rear garden length of 16m which is considered to be sufficient to protect the amenities of the neighbours. A landscaping scheme for the boundary with Fairview can be conditioned if necessary.

It is not considered that there would be any adverse impact upon the amenities of the occupiers of Gaddon House. The owner/occupiers of this property have written in support of the application.

10. CONCLUSION

Overall, officers consider that the proposed development would be out of character with historic development in the area by virtue of its siting and its poor design. The proposal would have an adverse impact on the amenity of the listed building and lead to the substantial loss of the rural character of the plot. The proposals would thus harm the setting of the listed building and there are no mitigating public benefits which may justify a grant of planning permission. The proposal would also have an adverse impact upon the residential amenities of occupiers of the existing property.

Appendices:

None

Background Documents Used in the Preparation of this Report:

The application file, PPS1: 'Delivering Sustainable Development', PPS5: 'Planning for the Historic Environment', PPS5: 'Historic Environment Planning Practice Guide' and SPG 'Community Benefits from Planning'.