

REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	3rd August 2011		
Application Number	11/01580/FUL		
Site Address	Stanton St Quintin Garage, Lower Stanton St Quintin, Chippenham, SN14 6BN		
Proposal	Proposed development of 12 dwellings complete with associated parking and landscaping (following previous permissions 05/02230/OUT and 07/01431/REM)		
Applicant	Wolfe Securities Ltd		
Town/Parish Council	Stanton St Quintin		
Electoral Division	Kington	Unitary Member	Councillor Greenman
Grid Ref			
Type of application	Full		
Case Officer	Simon T Smith		

Reason for the application being considered by Committee

Councillor Greenman requests that this application is considered by the Development Control Committee so that the scale of development together with the design, bulk, height and general appearance of the proposed dwellings may be considered.

1. Purpose of report

To consider the above application and to recommend that planning permission be REFUSED.

2. Report summary

The main issues in the consideration of this application are as follows:

- Principle of development and status of previous permissions
- Number of units, layout and appearance
- Impact upon neighbour amenity

The application has generated two letters from local residents raising issues associated with the deterioration and security of the site, allowed to occur by the current owner. The letters do not raise an objection to the principle of residential development on the site.

3. Site Description

A 0.28Ha site consisting of a singular detached dwellinghouse and commercial garage buildings (now demolished and removed from the site). The buildings generally sit centrally in the site some of which, including the existing dwelling, close to the frontage with the old Chippenham/Malmesbury road.

To the immediate North is the Stanton St Quintin petrol filling station and the South are several residential properties. The site and its surroundings are situated outside of any identified settlement, and in planning policy terms, is part of the open countryside.

The site is situated and surrounded by residential properties. Restrop View is a relatively modern housing estate and Pavenhill itself being a more historic route through the village and consists of a mix of dwelling, in both age and appearance.

4. Relevant Planning History		
Application Number	Proposal	Decision
07/01431/REM	Redevelopment of site for 11 residential units and retention of existing house	Permission 30/06/08
05/02230/OUT	Redevelopment of site for 11 residential units and retention of existing house	Permission 11/05/06

5. Proposal

The application seeks to redevelop the site for 11 new two, three and four bedroom dwellinghouses (semi and detached variants), together with the retention of the existing dwelling on the site. A new vehicular access from the public highway is to be created. 2 no. of the two bedroom units are to be affordable housing units (plots 1 and 2). The proposal includes details of 24 parking spaces (including garages), manoeuvring space, landscaping and boundary treatments.

6. Planning Policy

North Wiltshire Local Plan: policies C3, H4 and CF3

Central government planning policy guidance PPS3 - Housing

7. Consultations

Highway Officer – In view of the proposal being identical to that previously approved, no objections subject to planning conditions

Housing Enabling Officer – *“New Housing supports the above application which provides 2x2 bed affordable homes as secured via the s106 dated 08/05/06. The location of the affordable units is acceptable, the affordable units must meet the terms as set out in the s106. There remains a high housing need in Stanton St Quintin.”*

Public Open Space (adoptions and Inspections Officer) – Final comments awaited.

Environmental Health Officer – (In response to original 2006 application) require the preparation, submission and agreement of a site investigation, risk assessment and remediation strategy in respect of chemical contamination of the site. An appropriately worded planning condition should therefore be imposed in the event of planning permission being granted, in common with the 2006 permission.

Ministry of Defence – No safeguarding objections to the proposal.

8. Publicity

The application was advertised by site notice, press advert and neighbour consultation.

Two (2) letters have been received. Though not objecting to the principle of residential development on this site, they raise points of concern about the security and up keep of the site since the time of the last planning permission. Summary of points raised:

- The proposal should not be allowed to increase the number of dwellings over that previously allowed
- The site has been allowed to deteriorate with no maintenance. Security is non existent with the house left unsecured. It looks unsightly and has attracted vermin.
- Safety fencing should be fixed properly and checked regularly as it often falls into the road making it difficult to pass.
- Any consent should not be extended beyond 2013 so as to stop the permission being used as a stopgap and the ability to sell the site if market conditions change. Belief that the current owner is only interested in extending the life of a permission to allow the sale of the site in the future.
- Since the time of the first application, both sides of road leading to the site have been painted with double yellow lines making the road very narrow. A weight restriction should be imposed as well as an upgrade of the surface. Speed of cars and use of heavy lorries is a health and safety issue – a constant danger to families with children.
- Road signage is poor and inadequate for transport exiting the Murco garage.
- Aware that the current Council Plan would not allow development of the site, so ask that clauses are placed on the developer to ensure development is carried through.

9. Planning Considerations

Principle of development and status of previous permissions

The 2006 outline permission (05/02230/OUT refers) was granted under the auspices of the previous North Wiltshire Local Plan 2001, which was superseded in 2006 by the currently adopted North Wiltshire Local Plan 2011 – which remains in force today.

The 2001 Local Plan, in the same way as the current 2011 adopted Local Plan, placed a red-line around those settlements considered to be suitable for new residential development – then, as now, known as the Settlement Framework Boundaries. However, in contrast to the current 2011 Local Plan, the 2001 Plan also envisaged some locations which were outside of the Settlement Framework Boundaries which might also be considered to be suitable for new residential development because they were part of the “physical limits” of that town or village.

Then, as now, the application site was situated outside of any identified Settlement Framework Boundary, but in 2005/2006 (when the original outline application was being considered) it was judged by the then Development Control Committee that the site was part of “physical limits” of Stanton St Quintin. As such the outline application was granted planning permission with the Reserved Matters application naturally following.

Unfortunately, however, it is indisputable that the outline and reserved matters application have been allowed to lapse. Condition 02 to the outline permission required the submission of a Reserved Matter application within 3 years of the date of the grant of permission. This was duly done. Condition 02 of the outline permission also specified that development itself must be begun before the expiration of 2 years of the date of the approved Reserved Matters. The Reserved Matters (07/01431/REM refers) were approved on 30th June 2008, some three years ago.

There is no evidence to suggest that development has commenced on the site, or indeed that planning conditions (which were attached to both the outline and reserved matters permissions, some of which required action prior to the commencement of development) have been discharged. Although it has been suggested that a contamination investigation and report was commissioned, this unfortunately cannot constitute a commencement of development.

In the above context, this new application must be considered on its own merits and, critically, determined upon contemporary policies contained within the adopted Local Plan 2011 – most particularly Policy H4. As previously indicated, the 2011 Local Plan contains no such provision for this site to be considered part of the “physical limits” of any town or village, rather simply seeing the site as part of the open countryside. Planning policy at all levels is clear and unambiguous in stating that sites in the open countryside will not be suitable for new residential development.

Number of units, layout and appearance

A development of 12 dwellings on this 0.28Ha site results in a density of 43dph (dwellings per Hectare). As of June 2010, guidance in PPS3 no longer requires new development to have regard to an indicative minimum (previously 30dph) it continues to advocate the efficient use of land and the need to not automatically conclude that the intensification of development is unacceptable (paras. 45-51). Rather, PPS3 requires a judgement to be made over whether a proposed development is well designed, laid out and built in the right location: would the proposal successfully integrate into the locality.

The proposed form of development and visual appearance of the new dwellings is exactly that proposed and granted planning permission in 2006/2008. To this extent the considerations remain as before and the proposal is not thought to be inappropriate to its location and situation between existing residential development and a petrol filling station.

Elevations are considered typical of the type, making use of reconstructed stone, concrete roof tiles but welcome detailing such as narrow module windows, Oak lintels and exposed rafter feet at eaves.

Impact upon neighbour amenity

Although sharing a common boundary with two existing properties (Nos. 32 and 33 Lower Stanton St Quintin), the distance, orientation and positioning of windows in the new dwellings are considered to be such that any unacceptable impact upon residential amenity is successfully mitigated. Again, although not prescriptive, it must be recognised that the 2006/2008 permissions did not object to the proposal (which is an exact facsimile to that now proposed), in this respect.

The concerns raised by the local residents in respect of signage and narrowness of the road is acknowledged, but of course in the absence of an objection from the Highway Officer it is not thought reasonable to object to the proposal on those grounds alone.

Issues raised in respect of the security and unsightly condition of the site are also acknowledged. However they are matters that can only be addressed through separate legislation and cannot affect how this planning application is considered or determined.

10. Conclusion

It simply cannot be disputed that this application clearly fails the requirements of Policy H4 of the adopted Local Plan 2011 and equally unambiguous guidance in PPS3. In planning policy terms the site is situated in open countryside, some distance from any Settlement Framework Boundary. As such it is not possible to recommend anything other than that planning permission should be refused.

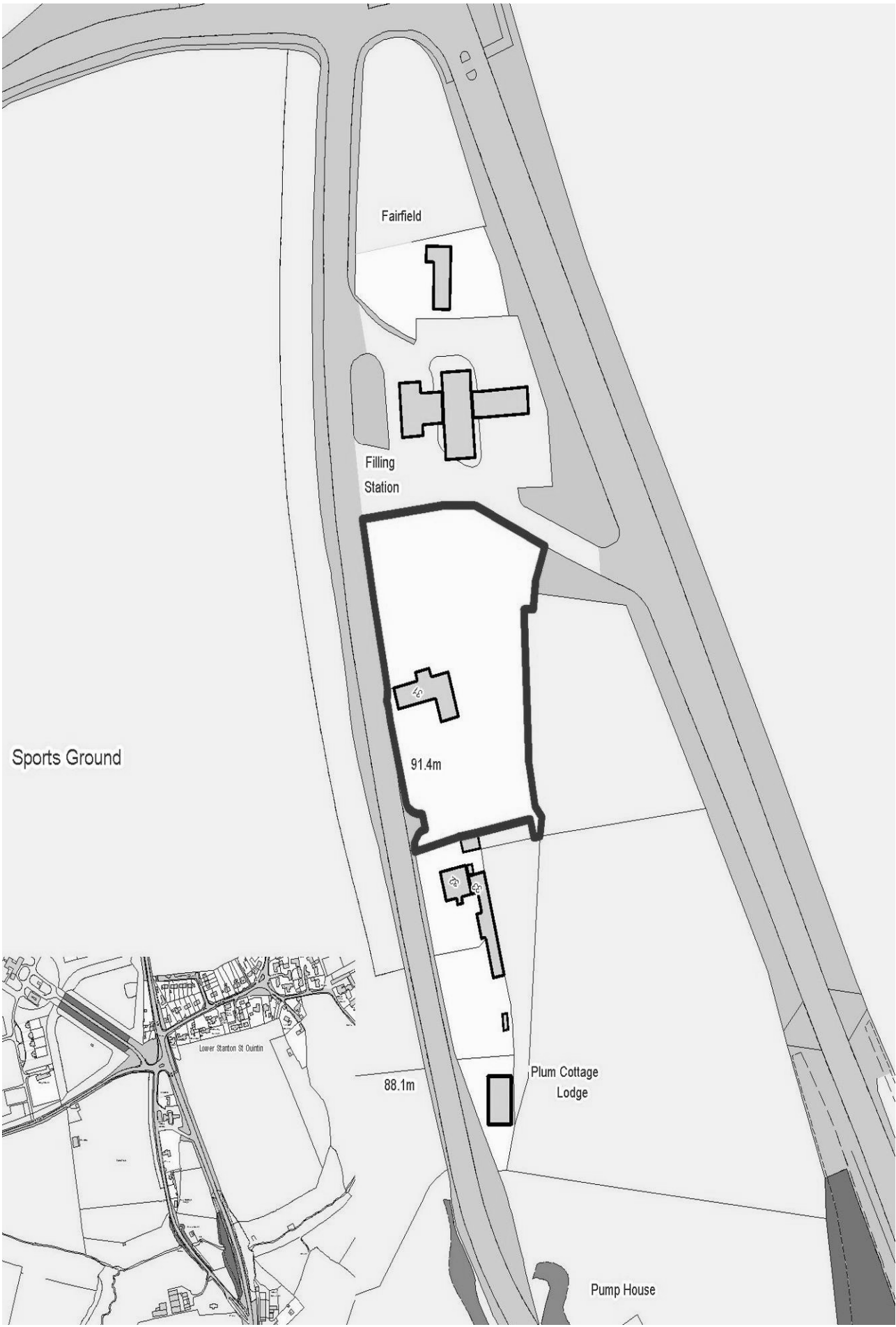
However, it is also undeniable that the Council, the land owner and local residents have long considered this site to be a development site for residential purposes. This is certainly evidenced by the 2006/2008 permissions, but also by the visual appearance of the site and the landowners apparent intentions - to carry out the required contamination investigation (albeit never submitted to the Local Planning Authority for consideration) and fencing off of the site. Even accounting for recent changes in its definition, a significant proportion of the site would still be regarded as previously developed land (ie. brownfield land) and it is difficult to see the site being realistically developed for another purpose that would be acceptable in planning policy terms and, necessarily, respect the amenities of the two adjoining residential properties. Indeed, a business type use would have a high potential to create noise and disturbance; the likelihood for a leisure or community type use coming forward is a seemingly remote possibility; with a restoration to agricultural land and the singular existing dwelling even more so. It must also be acknowledged that the development, as submitted, would also deliver two affordable housing units to an area where a very high housing need has been identified.

To this end, it is fully understood that Members of the Development Control Committee may well see convincing reasons why a further planning permission should be granted. Should this be the case, it is advised that it also be made clear to the applicant that, unless there is a future change in relevant planning policy, any such permission would be the final time consent could be reasonably granted. Planning conditions should broadly follow those imposed under the 2006/2008 permissions.

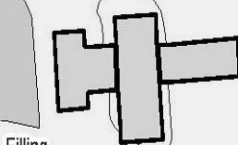
11. Recommendation

Planning Permission be REFUSED for the following reason:

The proposed development is for new residential development in the open countryside with no special justification. As such, the development is contrary to well established and unequivocal planning policy at the national and local level, notably PPS7, PPG13 as well as Policy H4 of the adopted North Wiltshire Local Plan 2011.

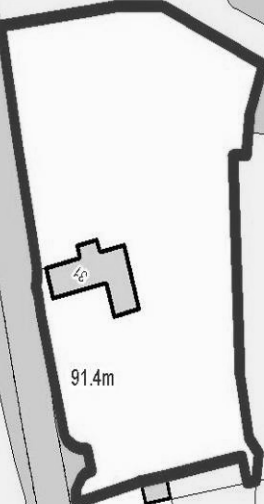


Fairfield



Filling Station

Sports Ground



91.4m



88.1m



Plum Cottage Lodge



Pump House

Lower Stanton St Quentin