

## REPORT TO THE EASTERN AREA PLANNING COMMITTEE

Report No. 1

<b>Date of Meeting</b>	30th May 2013
<b>Application Number</b>	E/2012/1502/FUL
<b>Site Address</b>	57 Bell Inn High Street Great Cheverell Devizes SN10 5TH
<b>Proposal</b>	Erection of detached dwelling
<b>Applicant</b>	Mr & Mrs Weston
<b>Town/Parish Council</b>	Great Cheverell
<b>Grid Ref</b>	398162 154333
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	April Waterman

### Reason for the application being considered by Committee

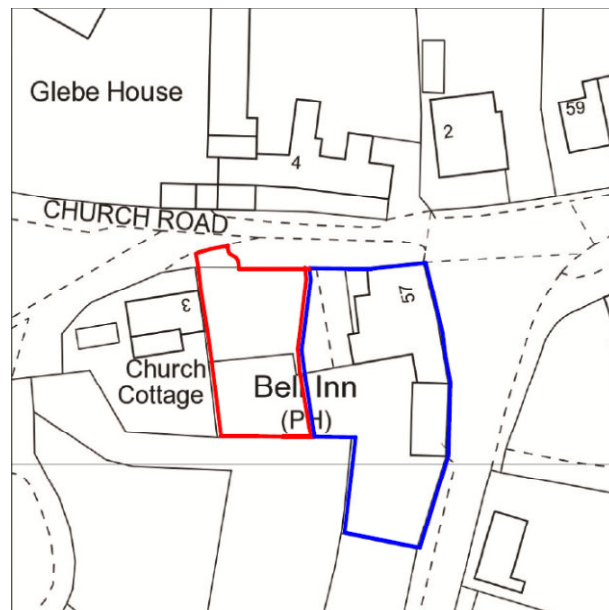
The case has been called to committee by the division member Cllr Gamble.

#### 1. Purpose of Report

To consider the recommendation that the application be approved subject to conditions

#### 2. Report Summary

This report sets out an assessment of whether the modern dwelling proposed on this site is appropriate in terms of its impact on the character and appearance of the conservation area; the setting of the adjacent listed building and the impact on the amenity of neighbouring property, as well as other material considerations raised.



*Location of site – adjacent to village pub ‘ The Bell’*

#### 3. Site Description







other listed buildings.

My comments on specifics of the application are as follows:

1. Principle of development within the curtilage of the listed building
2. Design and materials
3. Impact on setting of listed building(s)
4. Impact on character and appearance of the conservation area
5. Creation of new access onto Highway
6. Long-term viability of the business
7. Setting a precedent for development

In turn:

1. Principle - The plot is in a sensitive location and I consider the acceptability of the principle of development to be wholly based on the specifics of the scheme's design and its relationship with its immediate surroundings and the potential impact on the setting of the area of which it will become part. The proposed building is partially subterranean, with a green roof, which is not a conventional building type. This is completely different to the historic buildings around the site, but I consider that there is scope for such a contemporary approach in this location and therefore consider the principle of this type of dwelling acceptable in this instance.
2. Design - As commented in point 1 above, the design is contemporary and completely different to other building types in the locality. The type of design, to partially sink the building below ground, whilst providing a green roof and sloping bank wall to the principal elevation, are modernist ideals to embrace contemporary design, whilst using design measures to incorporate the building into its surroundings whilst minimising its visual impact within a key historic area. These efforts clearly demonstrate an understanding and appreciation of the building's sensitive setting, producing a proposal which neither references nor emulates the historic buildings within the conservation area. The move away from pastiche is positive element of the proposals, along with the use of natural, green materials although I appreciate there may be concerns of the longer-term appearance of such a building. It would benefit the application if photographic examples of other 'green roofed' materials within the country were provided, to aid the concept being proposed here, along with a long-term maintenance statement to avoid any concerns this aspect of the proposals may raise.
3. Impact on listed building - The design has creatively tried to minimise the visual impact of the new dwelling on its surrounding, by certain features already identified in my comments above. Of immediate concern would be the listed building of The Bell Inn itself, as it is development within the curtilage of this listed building, but I am satisfied that measures, including the design and location, have been taken to minimise any potential impact upon the setting of this listed building, and therefore the other heritage assets (designated and other) that surround the site.
4. Impact on conservation area - The principle concern on the impact on the CA comes down to whether the proposals are considered to have a negative, neutral or positive impact on the CA. Although the proposed building is not representative of the character and appearance of the area, conservation area status does not preclude new development in such a protected area. The design does not reflect the character and appearance of the historic buildings within Great Cheverell however I do not consider the proposals to have a negative impact on the conservation and indeed the inclusion of modern development, that stands on its own, rather than providing pastiche architecture, if executed to a high standard, can contribute positively to an area such as this. As for the current proposal, I consider it likely to have a neutral contribution to the character of the area, preserving it with minimal negative effect.
5. Access implications - Currently the formation of a new access is kept to a minimum onto

this quiet lane, retaining the majority of the established hedge/boundary. I would be concerned of the proposals if they were amended as per the recommendations of the Highways Officer, to create a wider visibility splay, which opens the site up to view: this would change my view outlined above to one of a negative impact on the character of the conservation area and the setting of the listed buildings that surround the site.

6. Viability of business - Another concern lies with the subdivision of the public house's plot and the longer term effects this may have on the viability of the business. The attraction of a large safe garden to the rear of the site, I assume, is an attractive feature for the business: selling off or developing part of the curtilage for a use disassociated with the business raises concerns over the medium-to-long-term viability of the business. I appreciate this is hypothetical, but it is a concern that should be taken into consideration.
7. Precedent - My final concern over an approval of a dwelling in this location is if this established a precedent for any dwelling on this site and therefore any decision reasons and should clearly emphasise the principle is closely bound to the design of the dwelling.

Overall I support the principle of the development in terms of the design proposed, although I do have some concerns over long-term maintenance, widening of the access in response to Highways' comments and the sub-division of the plot from a long-term business viability point of view. The latter is a hypothetical point which I am not qualified to assess, but I consider it an important point to mention.

#### **Wiltshire Council Highways Officer**

I refer to the above planning application and to the revised plan 1408/Plan 1 SITE PLAN LOWER GROUND LEVEL recently received. I have no highway objections subject to planning conditions to cover the following points:-

1. The access being constructed and laid out as detailed on the submitted plans.
2. The provision of visibility as detailed on plan 1408/Plan 1 SITE PLAN LOWER GROUND LEVEL with nothing to exceed the height of 900 metre above carriageway level, or to be lower than 1800mm above carriageway level, between the carriageway edge, and a line drawn from a point 2.0 metres back along the centre-line of the access from the carriageway edge, to a point on the nearside carriageway edge 25 metres to the east, with the exception that the telegraph pole may remain within this splay.
3. The gradient of the access over the first 4.5 metres not to exceed 1 in 15.
4. The surfacing of the first 4.5 metres of the access in a well-bound consolidated material (not loose stone or gravel).

#### **Wiltshire Council Arboricultural Officer**

The significant Holly tree and hedge to some extent are important in helping to characterise the more rural character of the Church lane, which leads to the Church and other important buildings within the immediate vicinity. Although the scheme is likely to have no detrimental effect of the health and stability of the tree, I would welcome the narrowing of the drive entrance to retain as much green verge as possible.

#### **Wiltshire Fire and Rescue Service**

Requests a contribution towards fire fighting infrastructure, reminds the applicant of the need for suitable access and water supplies to be available for fire fighting, and promotes the use of a domestic sprinkler system.

## **8. Publicity**

The application has been advertised with press and site notices

A large number of representations have been received in support of and in objection to the proposed development. The full text of each of the comments is available to view on the website, and Members may wish to read these, to appreciate the depth of interest that this proposal has prompted within the community. In summary the points raised include:

#### Support

Design is thoughtful, context-sensitive and of high quality

Proposal would enhance the character of the area

All villages have a mix of ages of buildings

Great Cheverell's character is epitomised by the variety of its architecture

Scheme would be beneficial economically to the PH therefore would assist its long term service to the village

Care being taken to retain trees

Carefully designed individual properties are preferable to overcrowded estates of unimaginative pastiche boxes

Building will be hardly visible from the lane once green roof is established

Good modern architecture should be encouraged

Parking for the proposal would be adequate

Loss of the beer garden could be mitigated by clearance and better use of other sections of the PH curtilage

PH parking problems have been overstated

The new dwelling would cause an insignificant increase in the amount of traffic using Church Lane.

#### Objection

Unacceptable impact on the setting of nearby Listed Buildings

Design out of keeping with traditional village architecture and form – a real eyesore

Proposal conflicts with the Village Design Statement

Old and new designs can sometimes mix, but not in this sensitive location

Would not preserve or enhance the Conservation Area

Too cramped

If the grass roof is used as external space, will enable overlooking of neighbouring private rear garden

Additional traffic would worsen access difficulties on an already congested lane for all residents and businesses served by Church Lane

Access is required to the Church for weddings, services, funerals, meetings, grave tending and grass-cutting vehicles

Contractors' materials deliveries will cause unacceptable obstruction of the lane – could become a frequent police matter

PH/B+B car parking already inadequate and use of Church Road for this will worsen

Emergency access to properties to the west, including the Church, would be endangered

No on-site turning, so vehicles would reverse onto lane

Inadequate waste and recycling space provision

Loss of green bank and hedge

Alteration to green character of the lane

Excavation could make adjoining property unstable – no details of how the foundations of Church Cottage will be protected

Impact on privacy and amenity of adjoining properties

Impact on viability of the Public House by loss of garden

## 9. Planning Considerations

### 9.1 Principle of Development

The proposed development site falls within the Limits of Development of Great Cheverell, which



is defined in the Kennet Local Plan 2011 as a village with a range of facilities and suitable for limited residential development including small groups of houses. In principle, therefore, this scheme is considered to represent a form of sustainable development, which should be supported according to guidance contained in the National Planning Policy Framework 2012.

The siting, scale and design of the proposed dwelling has been tailored to the constraints of the site. The plot size is considered to be adequate to accommodate a new unit, compared to the mixture of plot sizes and ratios in this part of the village. The position of the building within the site also accords with the general pattern of residential development in the Lane, which is typically to present to the street frontage, with a set back of a few metres from either a walled or hedged lane edge.

The scheme fits a 4 bed, or 3 bed + studio, house into a built shell the scale of which would not compete with or overwhelm the adjoining buildings, but would essentially retain the sense of space between them from the public vantage point. The visual impact of the development on the streetscene, in terms of its mass and form, is considered to be acceptable as a result of the shallow-pitched main roof design, and because the level change between the majority of the site and the Church Lane frontage has been used to submerge the lower section of the building, so keeping the overall height of the development low in relation to the existing site and the buildings to the west and east of it. That part of the building visible from the Lane is considered to have a recessive design, which would, within a relatively short period of time, display a predominantly green facade, continuing the effect of the retained road-fronting hedge bank and tree cover.

## **9.2 Impact on character and appearance of the conservation area and the setting of the listed building**

It has been correctly pointed out that the modern design of the house does not match the architectural style of any of its neighbours. However, few of the surrounding buildings match the design of all or elements of each other. The diversity of the built forms in the vicinity of the site is considered to be a positive attribute in the character of the Conservation Area, and provided that the quality of new development meets the standard of its neighbouring buildings, it is considered unnecessary (and possibly undesirable) to prescribe a particular style or period of architecture for any new development.

The effect of the proposed development on the significance of the heritage assets (Listed Buildings, unlisted buildings of historic interest, and the Conservation Area as a whole) has been considered carefully by the Conservation Officer (whose full comments are set out above) and the conclusion drawn is that this scheme is acceptable and should be granted planning permission.

## **9.3 Highway matters**

No objection to the scheme has been raised by the Highways Officer in relation to the traffic generation/attraction that the proposed dwelling would prompt, and subject to the maintenance of the specified visibility provision, the proposal is considered to be acceptable. The degree of hedge trimming needed to secure the required visibility is small, and overall, with the landscaping proposals to re-enforce (gap up) the hazel hedge, and the appropriate management of the mature holly tree to elongate its life, it is considered that the safety, convenience and character of the Lane would not be harmed by the development.

The issue of construction traffic is problematic in any new development, and without doubt the narrowness of the Lane will require deliveries and other traffic to be carefully planned and executed. However, this issue cannot preclude the development, which is, in all other planning considerations, acceptable.

The tree and hedge protection measures set out in the submitted documents are considered to secure an appropriate landscaped setting for the development, and to preserve and enhance the character and appearance of the Conservation Area.



#### **9.4 impact on amenity of adjacent dwelling**

The question raised over whether the degree of excavation of the site would, potentially, cause damage to the adjoining property is a matter for the Building Regulations. A grant of planning permission cannot over-ride the requirements of safe construction, which are the remit of other legislation.

The design of the dwelling has precluded any overlooking potential from within the new building to its neighbours.

#### **10. Conclusion**

The development of this site for the design of dwelling proposed is considered to be acceptable, when assessed against relevant planning policy and guidance.

#### **RECOMMENDATION:**

To Grant planning permission, for the following reasons, and subject to the conditions set out below:

The proposal is an acceptable form of infill development in accordance with policies PD1 and HC22 of the Kennet Local Plan that will preserve the character and appearance of the conservation area and will not cause any demonstrable harm to interests of acknowledged importance.

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. No development shall commence on site until details and samples of the materials to be used for the external surfaces, including the retaining walls, steps and hardsurfacing for the car parking have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

#### **REASON:**

In the interests of visual amenity and the character and appearance of the area.

3. No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

- a) location and current canopy spread of all existing trees and hedgerows on the land;
- b) full details of any to be retained, together with measures for their protection in the course of development;
- c) a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- d) finished levels and contours;

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

4. 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 building or the 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.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any Order revoking or re-enacting or amending that Order with or without modification), no extensions to the dwelling shall be erected without the prior grant of planning permission by the local planning authority.

**REASON:**

In the interests of residential amenity and privacy and to protect the character and appearance of the conservation area.

6. Before the dwelling is first occupied:

i) The access shall be constructed and laid out as detailed on the submitted plans.

ii) Visibility shall be provided as detailed on plan 1408/Plan 1 SITE PLAN LOWER GROUND LEVEL with nothing to exceed the height of 900 metre above carriageway level, or to be lower than 1800mm above carriageway level, between the carriageway edge, and a line drawn from a point 2.0 metres back along the centre-line of the access from the carriageway edge, to a point on the nearside carriageway edge 25 metres to the east, with the exception that the telegraph pole may remain within this splay. This splay shall thereafter be retained free of obstruction, as set out above.

iii) The gradient of the access over the first 4.5 metres shall not exceed 1 in 15.

iv) The surfacing of the first 4.5 metres of the access in a shall be completed in a well-bound consolidated material (the material to be as agreed in condition 2 above).

**REASON:**

In the interests of road safety.