

<b>Date of Meeting</b>	21 May 2014
<b>Application Number</b>	14/02339/FUL
<b>Site Address</b>	Plot adjacent to `Beechwood` Bratton Road West Ashton Trowbridge BA14 6AZ
<b>Proposal</b>	Proposed dwelling
<b>Applicant</b>	Mr Mr M.Brown, Mr R. Brown, and Mrs LH Bere Brown
<b>Town/Parish Council</b>	WEST ASHTON
<b>Ward</b>	SOUTHWICK
<b>Grid Ref</b>	387990 155560
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Jemma Boustead

### Reason for the application being considered by Committee

Councillor Prickett has called the application to committee if recommended for Approval for the following reasons:

- Visual impact upon the surrounding area
- Relationship to adjoining properties
- Environmental or highway impact

### 1. Purpose of Report

To consider the above application and recommend approval.

- **2. Report Summary**
- The main issues to consider are:
- Principle

- Design issues and impact upon character and appearance of the area
- Impact upon neighbouring amenity
- Access and Highways
- Other

### **3. Site Description**

The site is located within the village policy limit of West Ashton and is currently a grassed area. There are properties to the north and west that run in a linear development along Bratton Road. These dwellings differ in material, size and design.

### **4. Planning History**

No relevant planning history

### **5. The Proposal**

This is an application for the erection of a detached dwelling with associated new access, amenity and parking areas.

### **6. Planning Policy**

West Wiltshire Local Plan

C31a Design

C32 Landscaping

C38 Nuisance

H17 Village Policy Limit

National Planning Policy Framework 2012

### **7. Consultations**

West Ashton Parish Council: Object for the following reasons:

The site has an agricultural use and therefore a change of use should be sought for first

The plot is not large enough to accommodate a 3 bedroomed house and 2 parking spaces without imposing on 17 and 19 Bratton Road.

Can a first floor be implemented without raising the roof higher

The proposal does not comply with Policy H17 as it is not in keeping with the character, appearance and spatial form of the settlement. The dwelling would sit

uncomfortably in land which cannot accommodate it properly

The proposed property will dominate and overpower the adjacent bungalow, create shade and severely restrict light. The dwelling will have a particularly detrimental effect on 19 Bratton Road in the autumn and winter months when the sun is lower in the sky.

The front access means that the proposed dwelling does not front the road.

The French/patio windows at the front and rear of the property will also impact upon the amenity of neighbours in terms of privacy.

A number of residents in West Ashton have recently purchased parcels of the same field for the purpose of extending their gardens. Conditions apply to their acquisition forbidding any permanent development on it, without exception. The position here is no different and therefore policy should be applied in a consistent manner.

Wiltshire Council Highways: No Objection to amended plans

Wessex Water: No Objections

Wiltshire Fire & Rescue: Require a financial contribution of £76.13

Wiltshire & Swindon Biological Records: Many bat species recorded nearby

## **8. Publicity**

4 letters of objection have been received from the public with the following comments:

Bratton Road is very busy. Cars park either side of the road making it extremely difficult to pull out of driveways. The increase of a further drive will cause further problems

The land has been used as an extension to Beechwood for several years

As the land is higher it will have a direct view to the property opposite and adjacent to it causing loss of privacy and substantial loss of light

The size of the property is far out of proportion of the plot itself and is therefore being over developed

Site is not suitable for a two storey dwelling

It will dominate the skyline due to the height

Overshadow and dwarf the two adjacent properties

Design is not in keeping as it is two storey and the remainder are bungalows

Unnecessary steep drive

Beechwood will have to face a 25ft high wall and roof within 4 ft of the boundary with the addition of a 6ft high close boarded fence

The sewage outlet from Beechwood runs under the foundations of the proposed dwelling and there are two manhole covers

## **9. Planning Considerations**

### **9.1 Principle**

The site lies within the Village Policy Limit where development is considered to be acceptable subject to the following criteria: (Policy H17):

*The development would be in keeping with the character, appearance and distinctive spatial form of the settlement;*

*The development is in accordance with the District Plan 1st Alteration policies which seek to protect the natural environment, including water resources and flood risk and the built environment;*

*It would not create inappropriate backland or tandem development;*

*It would not result in the loss of an important open space or visual gap;*

*It can be satisfactorily serviced, there is adequate infrastructure, including water supplies and sewage treatment and it does not create highway problems.*

It is not considered that the proposed site would create inappropriate backland or tandem development and would not result in the loss of an important open space or visual gap as the road is characterised by linear residential development. The other issues highlighted above will be looked at below.

Concerns have been raised by neighbours regarding the current use of the land which is considered to be agricultural. The applicant has confirmed that it has been used as garden land since 1992. Either way as the site is located within the Village Policy Limit, the principle of a change of use from agriculture to residential is considered to be appropriate and therefore is not considered to be a matter to refuse this application.

### **9.2 Design issues and impact upon character and appearance of the area**

The site is characterised by dwellings of different sizes, materials and designs and are predominantly detached.

The proposal sees a detached dwelling which appears smaller than those around it due to its square nature. The design sees a large dormer. There are a few dormers within the existing street scene but these tend to be on larger roof slopes where the dormer does not appear to be so dominant and proud. The materials see orange/red brick under a brown/red clay tile roof. As stated previously, the materials of the dwellings within the existing street scene differ and therefore the proposed materials are considered to be appropriate. The site access is to be cut into the existing land and graded suitable not to warrant any retaining walls. This has been shown on the amended plans and is considered to be acceptable as it mirrors existing accesses along the road.

It is considered that the dormer window itself would not warrant a reason to refuse the application and therefore on balance due to the differing dwelling designs within the immediate area it is considered that the proposed dwelling would not have an adverse impact upon the character and appearance of the area and is considered to comply with Policy C31a.

Concerns have been raised regarding the size of the plot and whether it is large enough to enable a dwelling to be built. The plans show that a dwelling can be built on this site with areas for access, turning, parking and amenity space and is therefore considered to be appropriate. It is also worthy to note that existing dwellings known as 17b and 17c are on smaller plots than the one proposed.

The plans demonstrate the landscaping proposals which see large areas of grass, boundary fences, gravel and tarmac all of which are considered to comply with Policy C32.

### **9.3 Impact upon neighbouring amenity**

C38 which relates to nuisance and states:

*Proposals will not be permitted which would detract from the amenities enjoyed by, or cause nuisance to neighbouring properties and uses. Consideration will be given to such issues as any loss of privacy or overshadowing, levels or types of traffic generation, the storage of hazardous materials, the generation of unpleasant emissions such as odour, fumes, smoke, soot, ash, dust or grit, the extension of existing unneighbourly uses and the creation of an untidy site. Development will not be permitted if the amenities of its occupiers would be affected adversely by the operation of existing or proposed neighbouring uses.*

The proposed dwelling lies just under 1 metre from the boundary with the adjacent dwelling known as 17 Bratton Road. It is located approximately 3.6 metres to the neighbour's garage and approximately 7.6 metres from the dwelling where an obscure glazed window is located. It is acknowledged that this is close but due to the proposed dwelling being single storey with the roof slanting away from the neighbouring dwelling, together with the fact that the proposed dwelling lies adjacent

to the neighbours drive and garage, the proposal is not considered to impact upon this neighbouring dwelling in terms of being overbearing. The proposed dwelling also lies north west of the existing property and therefore it is not considered that overshadowing would warrant a refusal reason.

The proposed dwelling is located approximately 12.6 metres south of number 19 Bratton Road and approximately 3 metres to the neighbouring boundary which is adjacent to access of number 19. It is therefore considered that the proposed dwelling would not be overbearing to number 19 Bratton Road. It is acknowledged that the proposed dwelling would cause some overshadowing to the garden of number 19 but it would not be sufficient to warrant a reason to refuse the application.

The proposed ground floor windows are considered not to overlook neighbouring properties by reason of them being at ground floor level. Fences measuring 1.8 metres high are proposed on the boundaries of number 17 and 19 Bratton Road and the proposed windows to the front elevation are over 30 metres from the properties on the opposite side of the road (32 and 34 Bratton Road). The proposed first floor rear rooflights serve stairs which are considered not to create overlooking issues to number 17 and 19 Bratton Road. The proposed rooflight on the north west elevation serves a bathroom and is to be located above 1.7 metres from the internal floor level and therefore does not need to be conditioned to be obscure glazed as it would not overlook number 19 Bratton Road. The rooflight on the south eastern elevation is located below 1.7 metres from the internal floor level and serves a bedroom and therefore would overlook the garage of number 17 Bratton Road. As this rooflight would be located on an angle due to the roof slope it would only overlook the neighbours garage and not their private amenity space and as such is considered to be appropriate. The proposal is therefore considered to comply with Policy C38.

#### **9.4 Access and highways**

The submitted plans demonstrate that sufficient parking, turning, access and visibility splays can be achieved from the proposed development which meet highway requirements and therefore it is considered that the proposal would not have a detrimental impact upon highway safety.

#### **9.5 Other**

The Fire and Rescue Service have requested a sum of money however there is not a policy within the local plan to request such monies and therefore it would be inappropriate of the Local Planning Authority to do so.

Some issues have been raised that are not considered to be materials planning considerations when making a recommendation on this application and these include location of man hole covers, where the front door is located. With regards to foul sewerage and utilities, Wessex Water have raised no objections to the proposed

development.

The Wiltshire & Swindon Biological Records have stated that there are many bat species recorded nearby but at these have not been located on the proposed site it would not be appropriate of the Local Planning Authority to impose any conditions.

## **10. Conclusion**

It is considered that the proposal complies with the relevant policies of the Local Plan and is therefore recommended for Approval.

**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: 1309.: 03, 04 and 13604-200-01T received on 1st March 2014 and drawing number 1309:05, 06 received on 25th April 2014 only.

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

3. The rooflights on the north western and north eastern elevation shall be located a minimum distance of 1.7 metres from internal floor level.

REASON: In the interest of neighbouring amenity

4. The soft landscaping shown on the approved drawings shall be carried out in the first planting and seeding season following the first occupation of the building(s) 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.

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

5. No part of the development hereby permitted shall be first occupied until the access, turning area, parking spaces and visibility splays have been completed in accordance with the details shown on drawing number 1309/06 received by the Local Planning Authority on 25th April 2014. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

6. The development hereby permitted shall not be first occupied until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

7. 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.

8. The gradient of the access hereby approved shall not at any point be steeper than 1 metre for a distance of 15 metres from its junction with the public highway.

REASON: In the interest of highway safety

9. 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), no window, dormer window or rooflight, other than those shown on the approved plans, shall be inserted in the north east, north west or south east roofslopes of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.