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| Date of Meeting | 30 th April 2015 |
| Application Number | 15/01784/FUL |
| Site Address | Adjacent to Rapiers Rest, Romsey Road, Whiteparish, Salisbury |
| Proposal | Demolition of garages and erection of 3 bed dwelling with alterations to existing access |
| Applicant | Mrs L Clewer |
| Town/Parish Council | Whiteparish |
| Grid Ref | |
| Type of application | FULL |
| Case Officer | Mr Matthew Legge |

Reason for the application being considered by Members

As the applicant is related to Councillor Clewer, under the Council Scheme of Delegation, this application needs to be considered by Committee, as there is a letter of objection to the application.

1. Purpose of Report

To consider the above application and the recommendation of the Area Development Manager that planning permission be **GRANTED subject to conditions**

2. Report Summary

- Principle of development
- Impact upon visual amenity
- Highways implications
- Ecology
- Neighbour amenity
- Planning obligations

Parish Council have raised a concern and an objection. *(Note: submitted revised plans have aimed to address the concerns of the Parish Council)*

1 third party letter raising issues

3. Site Description

The site is within the retained settlement boundary for Whiteparish. The application site forms part of a larger garden area associated with the dwelling house known as Rapiers Rest. The application site backs onto open agricultural land and front the main highway (A27) through the village of Whiteparish.

4. Proposal

This application proposes the demolition of garages and erection of a 3 bedroom dwelling with alterations to existing access to create separate vehicular access for the Rapiers Rest and the new dwelling. The already approved scheme (associated with 14/028894/FUL) was for a two storey property which has a ridge height of 1.1m higher than the scheme as now proposed. The proposed total floor area is larger than the approved scheme, and the overall design approach is more contemporary than the approved design.

5. Planning History

14/02894/FUL: Demolition of triple and single garage, alterations to access and development for replacement garage with store. New 2 storey dwelling with garage and associated drive works. AC

S/2013/0335/OUT: Demolition of triple and single garage, alterations to access and development for replacement double garage with store. New 2 storey dwelling with garage and associated drive works. AC

S/1995/1679: 2 storey extension living accommodation. AC

S/1983/0862: O/L application - Erection of 1 dwelling with garage and construction of new access. REF

6. Relevant Planning Policy

Adopted policies; R2 as saved within Appendix D of the adopted Wiltshire Core Strategy.

Wiltshire Core Strategy:

CP1 (Settlement Boundary)

CP2 (Delivery Strategy)

CP24 (Southern Wiltshire Community Area)

CP50 (Biodiversity)

CP57 (Design)

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

7. Third party responses

A representation letter from Medlands (across the road from the application site) has commented:

“Significant change to original plan. Roofline higher than adjacent dwellings. Increase in size of proposed building. Will impact upon our enjoyment of current view considerably”

8. Consultee responses

Parish Council – Objection: Concern over location of air source heat pump. (*Following the removal of the air source heat pump from the application, the PC objection appears to have been overcome*).

Wiltshire Council Housing – No requirement for affordable housing

Wiltshire Council Highways – No objection subject to conditions

Wiltshire Council Ecology – Support subject to conditions

9. Planning Considerations

9.1 Principle

This application site has recently received an approval to construct a detached dwelling house under planning reference 14/02894/FUL. This recent approval is still able to be developed and as such the principle of a new dwelling house within the application site is established. The site remains within the settlement boundary of the village which is established by the adoption of the Wiltshire Core Strategy as a “Large village”, where housing development may be acceptable.

A refusal of the proposal on an “in principle” basis would therefore be difficult to justify.

9.2 Design and impact on wider area

The immediate area can be characterised by a ribbon of development along the main highway. Dwellings in the locality are mainly detached and largely constructed out of brick with tile roofing. The approved scheme and this amended scheme are both for a detached dwelling which is faced in brick on all prominent elevations. Both schemes incorporate an attached double garage with on-site parking and turning areas.

A detailed site layout plan and floor plan have been submitted which demonstrate that the proposal is appropriate in terms of its scale and resulting impact on the overall character and appearance of the area. The size of the proposed plot is comparable to other neighbouring plots in the area and it is not considered that the character of the area would be unacceptably affected.

The dwelling would have a ridge height higher than both of its neighbours. However, the difference is not significant and so would not result in harm to the character of the area. Indeed this application proposes a dwelling house which has a ridge height of 1.1m lower than the scheme as already approved.

The proposed design of the dwelling is considered to have an acceptable impact on the character of the application site and the wider character of the area. The Parish Council are noted to have raised no objection to the design and massing of the proposed dwelling house.

9.3 Impact on residential amenities

The site is located adjacent to Ebble Cottage, to the immediate west. The eastern elevation of Ebble Cottage is of a largely blank roof elevation albeit two side roof dormers with associated single light windows which currently face and look directly into the application site. The previously approved scheme was adjusted so as to limit the impact of the new dwelling on the amenities of Ebble Cottage.

This revised application proposes to construct the two storey element of the proposed house at a maintained distance of 6.6m off the western boundary (with Ebble cottage). The only openings which will face Ebble Cottage are a utility room door, a ground floor roof light and two sunpipe openings within the side roof pitch of the main two storey dwelling, which improves upon the approved scheme which had a first floor window facing Ebble Cottage. Given the limited number of openings and the proposed limited bulk on, or close to the boundary, it is considered that the proposed dwelling will not result in any harm to the amenities of the occupiers of Ebble Cottage.

Following concerns from the Parish Council the air source heat pump has been completely removed from the proposal.

The proposed application dwelling will be sited to the rear of the neighbouring dwelling at Rapiers Rest and as such the proposed dwelling will be visible from the rear elevation and rear amenity area of this neighbouring dwelling. However the number and size of 1st floor openings which face towards Rapiers Rest is considered to be limited and amounts to only one single light dressing room window. There is a 1.8m high close boarded fence proposed along this joint neighbouring boundary and as such the proposed eastern ground floor openings will be largely screened from direct neighbouring views. The impact on the amenity of Rapiers Rest is considered to be limited as a result of this application. Officers note that this application has not received any comments from the occupiers of Rapiers Rest.

This application has received a letter of objection from the property which is located opposite the new vehicular entrance and is as such across the road from the application site. This opposite neighbouring dwelling (Medlands) has raised concern that the proposal represents a significant change to original plan, and that the roofline is higher than adjacent dwellings which will impact upon the enjoyment of current views out from the Medlands.

The separation distance between the two storey element of the proposed dwelling house and Medlands is about 70m, and this is considered to be sufficient so as to not result in any harm to the amenities of Medlands or any other neighbouring property opposite. There is no entitlement to a view across other land and so this could not be a justifiable reason for refusing planning permission.

9.4 Highways, Parking & turning

The approved scheme included a shared vehicular access for both the application dwelling and Rapiers Rest. This revised scheme now proposes two separate vehicular accesses which are located next to each other allowing a separate access onto the A27.

Following the receipt of additional submitted information WC Highways has raised no objection subject to conditions.

9.5 Ecology and impact on National Park

The WC Ecologist has commented "*Whiteparish has a number of ponds that support great crested newts which are a European protected species. The closest pond where GCN have been recorded to Rapiers Rest is the one near the community centre which is 440m from the development site. There are several ponds within 250m of the application site where the status of GCN is uncertain and therefore there is a risk that newts could be present within the development during their terrestrial phase.*

Ahern Ecology has prepared a Great Crested Newt Method Statement, (Feb 2015) detailing the measures that will be undertaken to minimise the risk of newts being harmed during the construction phase. While the statement is acceptable in principle it requires survey work to be undertaken in ponds in third party ownership and there is no indication that authorisation for the surveys will be forthcoming. If the applicant can demonstrate that permission for these surveys is unlikely to be withheld, I recommend that compliance is made a condition of any permission and that the results of GCN surveys / eDNA tests are submitted for planning authority approval. The applicant should note that the GCN surveys and eDNA tests are seasonally restricted."

The WC Ecologist has also recommended a condition to be imposed upon any approval requiring further information to be provided. With this condition it is considered that the proposal will not result in demonstrable harm to protected species.

Given that the site benefits from an extant consent, and that the above issue has already been assessed, it is considered that a refusal of the scheme based on ecology related reasons would be difficult to justify.

9.6 S106 matters

On the 28th November 2014, the Government published changes in guidance pertaining to affordable housing and tariff-style contributions. As a result of this it is no longer possible to seek tariff style contributions through S106 for developments that have 10 houses or fewer and have a maximum gross floor space of no more than 1000 sqm. This application falls within this category and as such no contributions can be sought.

10 Conclusion

The principle of a new dwelling house on this site has been established by virtue of the existing planning permission (14/02894/FUL). The proposed design and massing of the revised dwelling is considered to have an acceptable impact on the character of the immediate area. The proposed dwelling is not judged to result in any demonstrable harm to the amenity of neighbouring dwellings. This application has resulted in no objection from either WC Highways or WC Ecology.

Consequently, given the existence of an extant consent for a dwelling on this site, and the support from statutory consultees, approval is recommended.

RECOMMENDATION: Planning Permission be GRANTED, 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 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.

3. No part of the development hereby permitted shall be first occupied until the access, turning areas and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes only at all times thereafter.

REASON: In the interests of highway safety.

4. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the accesses/driveways), incorporating sustainable drainage details, has been submitted to and approved in writing by the local planning authority. The development shall not be brought into use/occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: to ensure that the development can be adequately drained.

5. Any gates to close the access shall be set back a minimum of 4.5 metres from the edge of the carriageway and made to open inwards (away from the highway) only.

REASON: In the interests of highway safety.

6. The gradient of the new access shall not at any point be steeper than 1 in 15 for a distance of 4.5m from its junction with the public highway.

REASON: In the interests of highway safety.

7. No construction work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 on weekdays and 08:00 to 13:00 on Saturdays.

No burning of waste shall take place on the site during the demolition and construction phase of the development.

REASON: In the interest of neighbouring amenity

8. Before works commence, the results of pre-commencement great crested newt / eDNA surveys as described in the Great Crested Newt Non-Licensed Method Statement (contained in section 2 of Great Crested Newt Method Statement, Ahern Ecology, Feb 2015) will be submitted for LPA approval together with an amended method statement to take account of the findings of the surveys. The works will be completed in accordance with the approved method statement or as otherwise specified in a Natural England licence superseding the permission.

REASON: To ensure the development complies with the Habitats Regulations 2010 which protects Great Crested Newts.

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 windows, doors or other form of openings other than those shown on the approved plans, shall be inserted in the east and west side elevations of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

10. The development hereby permitted shall be carried out in accordance with the following approved plans:

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| DRG No. Location Plan A (Proposed Site) | 25/02/2015 |
| DRG No. Location Plan B (Rapiers Rest Site) | 25/02/2015 |

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| DRG No. 01515 2 Rev A | 13/04/2015 |
| DRG No. 01515 3 Rev B | 16/04/2015 |

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

INFORMATIVE

The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be required before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact the Council's Vehicle Crossing Team on vehicleaccess@wiltshire.gov.uk and/or 01225 713352.