

# REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	13 <sup>th</sup> October 2010		
Application Number	N.10.02959.FUL		
Site Address	55 Bradenstoke		
Proposal	New two storey, four bedroom residential dwelling (amendment to planning permission 08/00680/FUL)		
Applicant	Ministry Developments Ltd.		
Town/Parish Council	Lyneham and Bradenstoke		
Electoral Division	Lyneham	Unitary Member	Allison Bucknell
Grid Ref	400117 179424		
Type of application	FULL		
Case Officer	S T Smith	01249 706 633	Simon.smith@wiltshire.gov.uk

## Reason for the application being considered by Committee

Under the Council's Scheme of Delegation specific to planning, it has been requested that this application be considered by the Development Control Committee by Councillor Bucknell so as to consider the visual impact of the development upon the surrounding area, its likely relationship with adjoining properties and the proposed design of the new dwelling.

## 1. Purpose of Report

To consider the above application and Delegate to the Area Development Manager for APPROVAL subject to all parties entering into a legal agreement under s106 of The Act in respect of affordable housing and public open space and subject to conditions.

Lyneham and Bradenstoke Parish Council object on grounds of scale, impact on neighbours, Conservation Area, drainage and highways.

7 letters of objection have been received and 1 of support.

## 2. Main Issues

- Implications on DC Core Policy C3 and Housing Policy H3 of the adopted North Wiltshire Local Plan 2011
- Affect of the residential amenity of existing properties
- Design and scale of the development
- Impact on traffic and parking in the local area
- Impact on the Conservation Area
- Open space and affordable housing contributions

### 3. Site Description

The site is an existing front garden belonging to No. 55 Bradenstoke. Uncharacteristic to the locality, this property is both a non-traditional white rendered dwelling and is positioned back from the edge of the adjoining highway.

To the north of the site is a row of terraced dwellings, to the west is a traditional 18<sup>th</sup> Century cottage known as The Malt House (No. 56) Bradenstoke and to the east is a bungalow.

The site is entirely within the conservation area. The character of this part of the conservation area is considered to be varied and comprising of a mixture of house types of different ages. The historic pattern of which comprises of frontage development predominantly abutting highway.

4. Relevant Planning History		
Application Number	Proposal	Decision
N.06.0542.F	Erection of detached dwelling	Refused
N.06.02680.F	Erection of detached dwelling (revision to N.06.0542.F)	Refused
N.07.2184.F	Erection of one detached dwelling, associated garage & access	Refused
08/00680/FUL	Erection of dwelling with associated garage, landscaping and vehicular access	Granted

### 5. Proposal

The proposal is for the erection of a detached dwelling and garage. The curtilage to the new dwelling will sub-divide the existing site into two, with the new dwelling built fronting onto the highway and in tandem with the existing property on site. The current vehicular access will serve both the new and existing dwelling.

### 6. Consultations

**Lyneham & Bradenstoke Parish Council:** Objections raised. Consider that the proposal is in total disregard to the Council's Policies C3 (iii), HE1 especially subsection 7.4 and raises serious concerns under Council Policy NE22 and the need for road safety. In particular the Parish Council note that the proposed building is at least 50% bigger than the approved one and is closer to properties on the opposite side of the road with severe detrimental effect. Also note that the proposal would have a detrimental effect upon the Conservation Area. The visibility splay of the previously approved plan is totally ignored by this new application.

**Wiltshire Council Highways:** No objection to amended subject to the imposition of appropriate planning conditions relating to parking and turning provision.

**Wessex Water:** In response to previous application, responded with a standard letter relating to foul sewage and surface water disposal. They state that the Council should be satisfied with any arrangement for satisfactory disposal of surface water from the proposal and the developer should contact Wessex Water prior to commencement of development to agree connection onto Wessex Water infrastructure.

**Ministry of Defence:** No comments received although raised no safeguarding objections to this proposal.

## 7. Publicity

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

7 letters received, 6 of which object with 1 of support.

Summary of key relevant points raised:

- Proposed dwelling is much larger than previously granted dwelling
- There have been recent problems in the village relating to overflowing and blocked sewers
- Loss of light and overlooking
- Capacity of existing sewage system
- Village is already congested with dwellings – loss of a green space
- Extra traffic congestion would be created – highway safety and visibility at driveway
- Not in-keeping with the conservation area
- Loss of views of the Church

## 8. Planning Considerations

### Principle of development

The site is located entirely within the framework boundary of Bradenstoke where the principle of residential development is considered to be acceptable. The detail of the proposed development is assessed against criterion based policies C3 and HE1 of the North Wiltshire Local Plan 2011.

The existing planning permission is, of course, a highly significant material consideration. The principle of a new dwelling on this site has, to a very large extent, already been concluded upon.

### Background

This application is the latest in a series of proposals for development on this site for a single dwelling. Following a succession of refusals in 2006 and 2007, the applications culminated in a grant of planning permission under 08/00680/FUL. That application was also considered by the Development Control Committee on 4<sup>th</sup> June 2008.

That 2008 planning permission related to a modest three-bed property of largely traditional cottage proportions. Materials of construction were to be natural and its future integration into the Conservation Area was considered likely to be successful.

### Design and scale of development

This new proposal is considered likely to result in a dwelling of lesser quality than that previously approved. Although obviously a modern interpretation of a traditional village cottage, the previous approval did at least display modest proportions, fenestration and materials: which are attributes that are desirable for a new dwelling on this rather modest site in the Conservation area, where such characteristics generally prevail.

This new proposal diverges from the approval in several key respects. Its width to the road, overall eaves/ridge height and gable depth have all increased and the previous use of natural stone has been omitted in favour of render. This, which is predominantly in an attempt to create a 4 bedroom property (as opposed to the three-bed previously granted planning permission) has resulted in a proposal for a more substantial dwelling with its proportions no longer mimicking that

of a traditional village cottage, rather accepting of those (especially the gable span) associated with a modern dwelling.

However, to see this revised proposal solely as a watering down of the qualities likely to be displayed by the previous approval would be to miss some of its own strengths: timber sliding sash windows of a proportion more associated with the more substantial frontage width now being proposed; simple timber porch, low eaves height in relation to window headers, plinth detailing and continued use of natural slate for the roof.

The differences discussed above are considered to ultimately result in a dwelling that is less suitably proportioned for the site and street scene within which it is to sit. Nevertheless, the applicant has commendably acknowledged the revised dwellings' conscious move away from the village cottage aesthetic of the previous permission, rather than seeking to squeeze the additional bedroom out of a previous design. To this extent just because one design approach is considered to be better, does not mean that a different one is automatically unacceptable. As such, the acceptability of the proposal is discussed below in terms of its impact upon the wider locality.

### Impact on Conservation Area

This part of the conservation area is characterised by a mixture of properties, varying in age, design and appearance. The site is currently part of a raised garden, in the backdrop of which stands a relatively unattractive dwellinghouse. At the time of the previous application it was concluded that the existing function and appearance of land in the Conservation Area did not preclude development from taking place.

As before, the proposed dwelling has been positioned to take into account the pattern of development which is traditional to the village. It is positioned to the front of the site, closer (but not hard up to) the highway frontage, approximating the position of the adjoining property, No.56. Again, as before, the existing frontage hedge is to be largely replaced by a stone wall/railings.

The difference in impact upon the Conservation Area between the existing and proposed scheme is therefore likely to be limited to the longer width of the property to the road, its height, its wider gable depth, and difference in fenestration. As the site is elevated above road level, it is undoubtable that the differences outlined will have an effect, but it is considered not to the extent that the proposal would unacceptably harm the Conservation Area.

### Impact on amenity

The 4.5m gap between the proposed dwelling and the nearest adjoining neighbour No.56 "The Malthouse" is to be retained as per the previous planning permission. The land within the site is also raised and is at a higher level than the adjoining property and there is to be some ground levelling as per the 2008 permission. Again, in common with the previous permission, planning conditions can be imposed so as to ensure existing/proposed ground and finished floor levels do not result in a dwelling that is unacceptably elevated above its neighbour. However, it must be acknowledged that at 8.5m to ridge, the proposed dwelling is some 700mm higher in real terms than that already approved.

The proposed dwelling will be some 9.5 – 11.0m away from the dwellings on the opposite side of the road. Despite a small decrease in this distance compared with the existing planning permission, as was previously noted, a broadly similar distance exists between The Malthouse and the dwellings opposite that property. The position of the proposed dwelling is therefore still reflective of a traditional pattern of built development in Bradenstoke and any perceived loss of a view or light or indeed overlooking across the road must be seen in this context. The difference between the existing permission on this new proposal is not thought to generate a reasonable reason to refuse planning permission alone.

## Highways and Access

The enlarged dwelling of this revised proposal effectively subsumes the previously proposed single garage, leaving only outside parking space for two cars on the site, with turning taking place upon the driveway which would be shared with the existing dwelling to the rear.

Revised plans have now been received which demonstrate how visibility at the point of access would be achieved. WC Highways raise no objections to the revised plan.

## Community Infrastructure

In common with the previous planning permission, the applicant is aware of the need to make financial contributions towards affordable housing and public open space in accordance with Policy H6 of the North Wiltshire Local Plan. This sum can be secured by legal agreement and will need to take account of the increased number of bedrooms being proposed.

## **9. Conclusion**

Although considered a lesser scheme than that previously approved, this revised proposed development will still not adversely affect the amenities of the surrounding area and, as a consequence, will preserve the character and appearance of the conservation area.

## **10. Recommendation**

**The application be Delegated to the Area Development Manager for APPROVAL subject to all parties entering into an agreement under section 106 of The Act in respect of contributions towards affordable housing and public open space, as is required by adopted Local Plan Policy**

**for the following reason:**

The proposed dwelling will be in keeping with the surrounding area and will help to preserve the character and appearance of the conservation area. The development will not have an adverse impact on the adjoining occupiers in accordance with Policies C3, H3 and HE1 of the North Wiltshire Local Plan 2011.

**and 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 Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out strictly in accordance with the approved plans subject to such minor amendments to the development as may be approved in writing under this condition by the local planning authority.

Reason: To ensure that the development is implemented in accordance with this decision in the interests of public amenity, but also to allow for the approval of minor non-material amendments which do not materially affect the permission.

3. The development hereby permitted shall not be commenced until details of the landscaping of the site, including wherever appropriate the retention of existing trees, have been submitted to, and approved in writing by, the local planning authority.

The approved landscaping scheme shall be implemented within one year of either the first occupation or use of the development, whether in whole or in part, or its substantial completion, whichever is the sooner, and shall be maintained thereafter for a period of not less than five years. The maintenance shall include the replacement of any tree or shrub which is removed, destroyed or dies by a tree or shrub of the same size and species as that which it replaces, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of amenity.

4. Prior to the commencement of the development hereby permitted, details of roofing materials to be used externally shall be submitted to, and approved in writing by, the local planning authority. The development shall be built in the roofing materials approved.

Reason: In the interests of visual amenity.

5. Prior to the commencement of the development hereby permitted, a sample panel of the external stonework shall be made available on site to be inspected and approved in writing by the local planning authority. The development shall not commence until such approval has been given in writing. The external stonework shall be in accordance with the approved plans and shall match the approved sample in respect of type, colour, size and bedding of the stone, type of pointing and mortar mix.

Reason: In the interests of visual amenity.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) there shall be no extension or external alteration to any building forming part of the development hereby permitted.

Reason: In order to safeguard the amenity of the area by enabling the local planning authority to consider individually whether planning permission should be granted for extensions and external alterations.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no garages, sheds or other ancillary domestic outbuildings shall be erected anywhere on the site edged in red on the approved plans.

Reason: In the interests of the amenity of the area.

8. Prior to the commencement of the development hereby permitted, details of the following matters (in respect of which approval is expressly reserved) shall be submitted to, and approved in writing by, the local planning authority:

- (1) walls, fences, gates and other means of enclosure;
- (2) finished floor levels of all new buildings;
- (3) existing and proposed ground levels across the site;
- (4) disposal of surface water.

The development shall be carried out strictly in accordance with the details so approved.

Reason: In the interests of amenity and satisfactory layout.

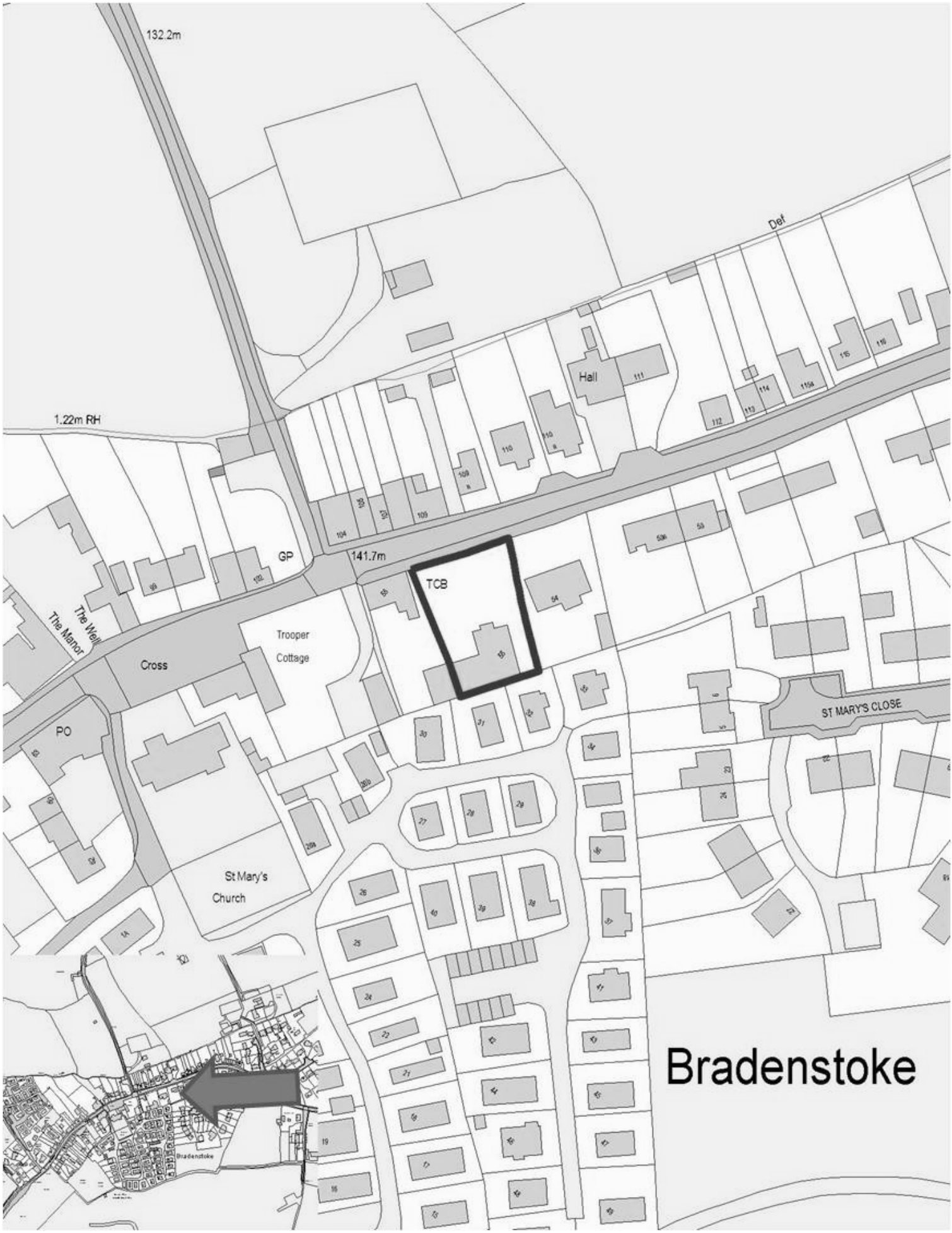
9. The development hereby permitted shall be carried out in complete accordance with the conclusions and recommendations contained within the submitted Great Crested Newt Assessment prepared by Chalkhill Environmental Consultants (dated 25<sup>th</sup> January 2010, unless otherwise agreed in writing with the Local Planning Authority in advance of development taking place.

Reason: To record and safeguard protected species, in the interests of nature conservation.

Informatives:

1. Attention is drawn to the Legal Agreement relating to this development or land which has been made pursuant to Section 106 of the Town and Country Planning Act 1990, Section 111 of the Local Government Act 1972, Section 33 of the Local Government (Miscellaneous Provisions) Act 1982 or other enabling powers.

<b>Appendices:</b>	None
<b>Background Documents Used in the Preparation of this Report:</b>	1.20, 2.02, 2.37, 4.02, 4.04, 5.01



# Bradenstoke

TCS

St Mary's Church

Trooper Cottage

GP

Hall

Cross

PO

The Manor  
The Well

ST MARY'S CLOSE

Def

132.2m

1.22m RH

141.7m

