

**REPORT TO THE DEVELOPMENT CONTROL
COMMITTEE**

Report No.

Date of Meeting	3rd September 2008
Application Number	08/01430/FUL
Site Address	Well Corner, Stoppers Hill, Brinkworth, Chippenham, SN15 5AW
Proposal	Proposed New Dwelling Including Demolition of Existing Dwelling On Site
Applicant	Mr Mark Cains
Town/Parish Council	Brinkworth
Grid Ref	402504 185213
Type of application	Full application

Reason for the application being considered by Committee

This application has been submitted to the Committee for decision under the scheme of delegation in force after the 8th April 2002 because 5 letters of objection have been received

Summary of Report

This application proposes the replacement of an existing bungalow with a two storey dwelling. The site lies within the framework boundary of the Brinkworth and therefore the key points to consider are as follows:

- Implications on DC Core Policy C3 and Housing Policy H3
- Affect of the residential amenity of existing properties
- Design and scale of the development

Officer Recommendation

Planning Permission be GRANTED subject to the conditions

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Proposal and Site Description

The proposal is to demolish an existing bungalow and replace it with a two storey dwelling.

The site is located on the junction of Stoppers Hill and the main Brinkworth through road (B4042). The majority of properties along Stoppers Hill in the vicinity are bungalows (excepting The Old Bakehouse immediately opposite the site) The main road is characterised by the wide variety of building styles. Cutts Close to the west of the site is a small cul-de-sac of two storey dwellings.

Planning History		
Application number	Proposal	Decision
None relevant		

Consultations

Brinkworth Parish Council have no objections although expressed some concern that the proposed dwelling is in an area of bungalows and may not be in keeping.

Wiltshire County Council Highways have no objections subject to conditions. They comment that whilst the application states that there will be no alterations to the access the block plan indicates that the access will be widened. A turning area will be provided.

Representations

7 letters of objection that have been received.

Summary of key points raised:

- Double garage would impact on windows of neighbouring property
- Wall between site and neighbouring property will impeded use of driveway
- Party wall issues with demolition of existing garage
- 3 storey dwelling would not be in keeping with bungalows in Stoppers Hill
- Repositioning of garage and erection of walls on boundary will detract from the appearance of the area

Planning Considerations

Principle of development

The site lies within the framework boundary and therefore the principle of residential development here is acceptable. As this is a replacement (rather than an additional dwelling) requirements for contributions to affordable housing or public open space do not apply.

Impact on amenity

The existing dwelling is an unremarkable stone and render bungalow typical of many others along Stoppers Hill. The property has a separate driveway, but runs alongside the boundary with the neighbouring bungalow (Downside) and at present there is no wall or fence between the two driveways (giving the appearance of a shared access). There is an existing garage to the rear of the site which is connected to the garage at Downside. The site has a 1.8m (approx) hedge fronting Stoppers Hill and the main road.

The proposal is to replace the bungalow with a two and half storey dwelling (two storey with accommodation in the roof space). However the ridge is only 1.1m higher than the ridge of the neighbouring bungalow. The replacement dwelling will be moved away from Downside, but a replacement garage will be located between the new dwelling and Downside. Downside has a bathroom and kitchen window facing the site separated only by the driveway. The replacement dwelling itself will have no adverse impact upon the neighbouring dwelling. The garage which has eaves at 2.2 m and ridge height at 4.7m will be close to the gable of Down side (and its kitchen and bathroom windows). However, given that a 2.0m fence could be erected along the boundary with no need for planning permission and the existing bungalow with a ridge height of around 7.0m is located only 3.0m

further into the site, it is considered that the garage is acceptable.

Neighbours have raised concerns about fences or walls being erected along the common boundary effectively separating off the shared drive. These are not indicated on the plans, but in any event fences up to a height of 2.0m would not require planning permission and could be erected at any time – whether the bungalow is replaced or not.

Issues relating to the demolition of the existing garage raise party wall issues which are civil matters. An informative can be added to advise of potential third party issues.

Design and Scale of Development

The proposed dwelling is a 4/5 bed dwelling. However, its proportions are traditional and design pleasing. Materials of brick and render are appropriate to this location. Whilst the adjacent properties on Stoppers Hill are bungalows, other properties in the immediate vicinity are two storey. The bungalows are not considered to be so remarkable or of such quality that an objection could be raised to the loss of a bungalow. The design is considered to be appropriate and acceptable.

Highways and Access

Highways raise no objections subject to conditions.

Recommendation and Proposed Conditions/Informatives

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 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 variations which do not materially affect the permission.

3. No development shall commence until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the local planning authority:

- (1) walls, fences, gates and other means of enclosure;
- (2) ground surfacing materials;
- (3) finished floor levels of all buildings;
- (4) finished levels across the site;
- (5) the means of surface water disposal;
- (6) the means of foul sewage disposal.

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

Items 1 to 6 shall be completed prior to the use or occupation of the development hereby permitted.

Reason: In the interests of amenity and satisfactory layout.

4. No development shall commence until details of all new external joinery have been submitted to, and approved in writing by, the local planning authority. These details shall include depth of reveal, materials and full drawings including both horizontal and vertical sections, to a scale of not less than 1:10. The development/works shall be completed in accordance with the approved details and at no time shall the approved joinery be altered without the prior written approval of the local planning authority.

Reason: To enable the local planning authority to be satisfied with the completed appearance of the development.

5. No development shall commence until details of materials to be used externally have been submitted to, and approved in writing by, the local planning authority. The development shall be built in the materials approved.

Reason: In the interests of visual amenity.

6. Before the dwelling hereby permitted is first occupied the area between the nearside carriageway edge and a line drawn 2m parallel thereto over the entire site frontage shall be cleared of any obstruction at and above a height of 1m above the nearside carriageway level and thereafter maintained free of obstruction at all times.

Reason: In the interests of highway safety.

7. Before the dwelling hereby approved is first occupied, a properly consolidated and surfaced access (not loose stone or gravel) shall be constructed for the first 4.5m from the carriageway edge. The access shall have a suitable radii, details of which shall have been submitted to and approved by the local planning authority.

Reason: In the interests of highway safety.

Informative

1. This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

Site location plan and Drawing Number 07-91-12 received by the local planning authority 11 June 2008

2. You are advised that this planning permission does not override any interests that third parties may have regarding civil matters such as ownership, covenants or private rights of way. Before any works are carried out which affect land outside your ownership you should ensure the necessary consents have been obtained from all persons having an interest in the land.

If you intend carrying out works in the vicinity of the site boundary you are also advised that it may be expedient to take our own independent advice with regard to the requirements of the Party Wall Act, 1996.

Reason for Decision

The proposed dwelling is considered to be of an appropriate design which will have no adverse impact on the appearance of the area and will have no adverse impact upon the amenity of the adjacent residential properties. The application complies with Policy C3 and H3 of the North Wiltshire Local Plan 2011.

Appendices:	<ul style="list-style-type: none">• NONE
Background Documents Used in the Preparation of this Report:	<ul style="list-style-type: none">• 1.20• 2.02• 4.02• 4.04