

REPORT TO THE DEVELOPMENT CONTROL COMMITTEE Report No.

Date of Meeting	25th February 2009
Application Number	08/02835/FUL
Site Address	Newburn, Brinkworth Road, Wootton Bassett
Proposal	Erection of detached dwelling with integral single garage and formation of vehicular access
Applicant	Mr K. Middleton and C. Robson
Town/Parish Council	Wootton Bassett
Grid Ref	407043 184042
Type of applications	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 as Councillors A Wannell and T Sturgis have requested that the application be considered by committee so that Members can assess the impact on the area.

Summary of Report

This application proposes to erect a new detached dwelling in the residential curtilage of Newburn, Brinkworth Road, Wootton Bassett. The site lies outside the framework boundary of any village and therefore the key points to consider are as follows:

- Implications on DC Core Policy C3
- Implications on Policy NE12 (Braydon Forest)
- Implications on Policy NE13 (Great Western Community Forest)
- Implications on Policy NE15 (Landscape Character of the Countryside)
- Policy H4
- Policy CF3

Officer Recommendation

Planning Permission be REFUSED.

Contact Officer	Celine Le Boedec-Hughes	01249 706 668	cleboedec-hughes@northwilts.gov.uk
------------------------	-------------------------	---------------	------------------------------------

Proposal and Site Description

This application is for the erection of a detached dwelling with integral garage and the formation of a vehicular access.

The development site lies outside the settlement boundary for Wootton Bassett and is therefore within the open countryside, protected under Policy NE15 of the North Wiltshire Local Plan 2011. The site also lies within the Braydon Forest (Policy NE12), within the Great Western Community Forest (Policy NE13) and close to a County Wildlife Site (Policy NE7). The property is set back from the road and overlooks open countryside to the front and side (east) and the Ballards Ash Sports Ground to the side (west) and rear.

Planning History		
Application number	Proposal	Decision
86/01774/OUT	Erection of one bungalow	Refused
94/00771/OUT	Erection of detached bungalow and garage	Refused

Consultations

The **Town Council** supports the proposal on the basis that an additional dwelling would not constitute a new dwelling in the countryside due to, at the rear of the proposed development, buildings already existing for Ballards Ash playing fields and future development is proposed for a sports hub.

The **Environment Agency** raises no adverse comments.

County Highway Officers object to the proposal on the grounds that the proposal, located remote from services, employment opportunities and being unlikely to be well served by public transport, is contrary to the key aims of PPG13 which seeks to reduce growth in the length and number of motorised journeys.

The **Regeneration Officer** has advised that this proposal would incur a fee of £6,100 to contribute towards public open space provision. The applicant has been invited to enter into a S106 agreement to secure this money but this agreement, at the time of writing this report, has not been signed.

The **District Ecologist** notes that the application has been flagged up by the Wiltshire & Swindon Biological Records Centre as it is in close proximity to Ballards Ash protected road verge. However, the application site has been reviewed in relation to the protected road verges in the area, and it is not considered that the proposals would have an impact upon the protected areas (which are on the other side of the road).

Representations

One letter of support has been received from a local resident.

Planning Considerations

Impact on Policy H4 and NE15

The Local Plan shows that the site falls outside any framework boundary and is therefore located in open countryside. Policy H4 of the North Wiltshire Local Plan 2011 clearly states that new dwellings in the open countryside outside the framework boundaries should only be permitted if it is in connection with the essential needs of agriculture or forestry or other rural based enterprise, or if it is a replacement

for an existing dwelling. The applicant has not submitted any evidence to demonstrate the need for this dwelling, in accordance with Policy H4.

The Design and Access statement states that the applicants *“are keen to increase the density of their existing residential plot. They are also keen to live close to Ms C. Robson’s mother Nora as her abilities are a growing concern”*. The document also mentions that on the basis that the Council has plans to develop the adjoining Ballards Ash sports complex, then this will urbanise the area and therefore permission should be granted for an additional house at Newburn. However, these points do not outweigh the Policy H4 of the North Wiltshire Local Plan 2011 which specifically resists residential development in this location.

The planning history for Newburn shows that two outline applications for the erection of a detached bungalow have been submitted over the years - one in August 1986 and the other in April 1994. These applications were both refused on various grounds but predominantly due to the fact that the site lies outside any established settlement. The site remains outside any framework boundary in the current Local Plan and it would therefore be inconsistent, and contrary to policy, to support this proposal.

The applicant and agent engaged in pre-application consultations with Officers and were made aware of the difficulties of developing the above site for residential use. This was re-iterated to them as soon as the application was submitted in order to give the applicant the opportunity of withdrawing his application.

Conclusion

The Local Plan shows that the site falls outside any framework boundary. Policy H4 clearly states that new dwellings in the countryside outside the framework boundaries should only be permitted if it is in connection with the essential needs of agriculture or forestry or other rural based enterprise, or if it is a replacement for an existing dwelling. The applicant has not submitted any evidence to demonstrate the need for this dwelling. On this basis, the proposal is contrary to Policy H4 of the North Wiltshire Local Plan 2011.

Recommendation and Proposed Informatives:

REFUSE for the following reasons:

1. The site is located outside any framework boundary, as defined in the North Wiltshire Local Plan 2011, in an area in respect of which it is the policy of the Local Planning Authority that only development for replacement dwellings or for dwellings for agricultural need or otherwise appropriate to a rural area shall be permitted. No such evidence has been submitted and therefore this development is contrary to Policy H4, NE15 and C3 of the North Wiltshire Local Plan 2011.
2. The proposal, located remote from services, employment opportunities and being unlikely to be well served by public transport, is contrary to the key aims of PPG13 which seeks to reduce growth in the length and number of motorised journeys and Policy C3 of the North Wiltshire Local Plan 2011.
3. The applicant has failed to sign a S106 agreement to ensure that a financial contribution is made towards public open space provision. As such the proposal is contrary to Policy CF3 of the North Wiltshire Local Plan 2011.

Informative:

1. This decision relates to documents/plans submitted with the application, listed below.

Site location plan, Proposed elevations and Proposed floor plans received by the local planning authority 29.12.08 and Proposed block plan received by the local planning authority 5.1.09

Reason for Decision

The site is located outside any framework boundary, as defined in the North Wiltshire Local Plan 2011, in an area in respect of which it is the policy of the Local Planning Authority that only development for replacement dwellings or for dwellings for agricultural need or otherwise appropriate to a rural area shall be permitted. No such evidence has been submitted and therefore this development is contrary to Policy H4, NE15 and C3 of the North Wiltshire Local Plan 2011.

Appendices:	<ul style="list-style-type: none">• Copy of decision notice for 86/01774/OUT and 94/00771/OUT
Background Documents Used in the Preparation of this Report:	<ul style="list-style-type: none">• 1.20• 4.03• 4.04• 4.07• 5.01