

**REPORT TO THE DEVELOPMENT CONTROL  
COMMITTEE**

Report No.

<b>Date of Meeting</b>	<b>18th March 2009</b>
<b>Application Number</b>	<b>08/02792/REM</b>
<b>Site Address</b>	<b>Glen-Pac (Southern) Ltd, The Forty, Cricklade, Wiltshire, SN6 6HW</b>
<b>Proposal</b>	<b>Erection of Eleven Dwellings and New Access</b>
<b>Applicant</b>	<b>Mr John Stapleton Glen-Pac (Southern) Ltd The Forty Cricklade Wiltshire SN6 6HW</b>
<b>Town/Parish Council</b>	<b>Cricklade</b>
<b>Grid Ref</b>	<b>409887 193194</b>
<b>Type of application</b>	<b>Approval of Reserved Matters</b>

**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 8<sup>th</sup> April 2002 because 5 letters of objection have been received.

**Summary of Report**

This application seeks the approval of reserved matters for eleven dwellings on the site of Glen-Pac at The Forty. The application follows the approval of outline permission in 2006 (06/00025OUT refers). Siting and means of access were approved as part of that application and the principle of residential development on the site was clearly established.

The scheme provides details of design, external appearance and landscaping.

Following officer concerns with regards overlooking, the scheme has been amended with the internal layouts altered to provide only non-habitable rooms to the rear elevations of Plots 4, 5 and 6 with some reduction in the ridge height of Plot 6 by 500mm.

The key issues in considering this application are:

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

**Officer Recommendation**

The Reserved Matters be APPROVED subject to conditions.

<b>Contact Officer</b>	Tracy Smith	01249 706642	tsmith@northwilts.gov.uk
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## Proposal and Site Description

The application site is an existing employment site currently used by Glen-Pac and comprises a large predominantly single storey building (with a ridge height ranging between 5 and 6 metres). The building is surrounded by hardstanding.

The site is located within a wholly residential area.

The reserved matters provide details of design, external appearance and landscaping. Other matters are not for consideration under this application.

The scheme comprises two storey dwellings with varying ridge heights in the form of terraced, semi-detached or detached dwellings.

Plots 9-11 front the site and comprise a terrace of three dwellings with a common ridge height of 7.7 metres. The dwellings all have open porches with Plots 10 and 11 having two storey additions to the . The dwellings will be set back from the pavement and be constructed of bricks, with stone lintels and reconstituted slate.

Plots 1-3 are located on the western part of the site with rear gardens adjoining the properties known as The Barn and Butts Close. The dwellings will be two storey with a ridge height of 7.5 metres. The dwellings will be constructed of render, natural stone and Red Brindled plain tiles. All dwellings have a mix of open and enclosed front porches.

Following officer concerns in respect of overlooking of The Barn, the internal layouts have been altered and as a consequence all rooms on the rear elevations serve either bathrooms or landings with the former proposed to be obscure glazed.

Plots 4, 5 and 6 are located to the rear of the site and comprise two storey detached dwellings.

Plot 4 has a ridge height of 7 metres (this has been reduced by 400mm) and is characterised by half dormers and an open porch on the front elevation with a half dormer and single storey addition to the rear. Following officer concerns, the internal layout has been amended and as a consequence only windows serving bathrooms and landing are proposed in the rear elevation.

The dwelling is proposed to be constructed of brick with stone lintels with Red Brindled plain tiles.

Plot 5 has a proposed ridge height of 7.7 metres with a front two storey gable feature. and single storey addition to the rear. The dwelling is proposed to be constructed of reconstituted Cotswold stone and slate. All windows now proposed in the rear elevation, following officer requests, will serve bathrooms and be obscure glazed.

Plot 6 is sited in the south east corner of the site and has a ridge height 7.1 metres (it was originally 500mm higher than this). All windows proposed in the rear elevation serve non-habitable rooms and are proposed to be obscure glazed.

Plots 7 and 8 comprise semi-detached dwellings with a ridge height of 7.6 metres with front porches and rear two storey additions. The dwellings will be constructed of plain tiles and reconstituted stone.

The scheme will provide a total of 10 garage spaces with 10 parking spaces as approved as part of the outline application.

<b>Planning History</b>		
Application number	Proposal	Decision
06/00025OUT	Erection of 11 dwellings.	Approved

## Consultations

**Town/Parish Council** object to the application including the latest revisions on the following grounds:

- lack of parking
- need for a condition requiring drainage services to be adopted prior to occupancy
- drainage impact on neighbours

**Wiltshire County Council Highways** have no objections subject to conditions

**Environmental Health** no objections

**Thames Water** no objections

## Representations

A total of 10 objections have been received on the following grounds:

- Density
- Need
- Highways impact
- Drainage impact
- Loss of light/overlooking/loss of view
- Impact on local services
- Impact on private right of way

## Planning Considerations

### Principle of development

The application site lies within the framework boundary of Cricklade and has the benefit of outline permission with the siting of the development (including dwellings, garages and parking) and means of access. The approved site layout is contained in Appendix I for information.

Accordingly, this current application can only be considered within the context of the details (reserved matters) provided. Matters such as density, impact on local services, highways impact and drainage are not matters for consideration, having been dealt with at outline stage when the principle of development was considered.

In relation to drainage, details of both foul and surface water drainage are required to be provided and agreed prior to the commencement of the development under a condition attached to the outline permission. These details will be considered in the context of the local situation in conjunction with the Council's drainage engineers and Thames Water. The Council will seek to ensure that the development does not worsen the existing situation.

In relation to highways, Wiltshire County Council raise no objections to the proposal with siting and access having already been approved. The scheme exceeds the current maximum Government standards of 1.5 spaces per dwelling but is short of Wiltshire County parking standards by 3 spaces. However, as the site is located within walking distance of local services and public transport, the parking provision was considered to be acceptable and the siting of the development including parking provision was approved at outline stage.

The scheme at outline stage was not required to provide contributions towards open space or education and fell below the thresholds for affordable housing.

The need for any development is also not a planning consideration.

A private right of way exists on the site and the scheme as proposed still facilitates this private right of way albeit in a different arrangement through the site. In any event, this is a matter between the applicant and adjacent landowner and is not a planning consideration.

### Impact on residential amenity

The case officer has had concerns with the impact of the development on the residential amenity of Plots 1, 2, 3, 4, 5 and 6 on adjacent properties.

The applicant has accordingly amended the scheme so that in terms of Plots 1-3 there are no windows in the rear elevation which would overlook adjacent properties and given the distance and nature of the adjacent dwellings known as The Barn and Butts Close, there would be no overbearing impact on the residential amenity of these properties.

Plot 4 is situated to the rear of the site on the southern boundary 10 metres to the north of the property known as Butt Close, a detached bungalow. In light of this distance and following officer concerns with regards window to window distances, only windows serving habitable rooms are now proposed in the rear elevation with all windows in this elevation to be obscure glazed.

Accordingly, overlooking is no longer considered to be detrimental to the amenity of Butts Close.

The proposed dwelling would be sufficiently sited from Butts Close as to not have an overbearing impact on the property together with the fact that there are tall conifers on this boundary.

Plot 5 and in particular its two storey element is sited some 13 metres to the north of the boundary with 3 Water Furlongs, a detached bungalow. As with Plot 4 there are no windows serving habitable rooms proposed in the rear elevation. Accordingly, there is no overlooking of no. 3 Water Furlongs. The proposed dwelling is considered to be of a scale and sited at sufficient distance so as to not have an overbearing impact on the residential amenity of no. 3 Water Furlongs.

Plot 6 has been amended to the effect that there are now windows serving habitable rooms in the rear elevation, with all windows in the elevation to be obscure glazed. The dwelling (the two storey element) is to be sited some 13 metres to the north of no. 2 Water Furlongs. No. 2 Water Furlongs is a detached bungalow which faces towards a private access which also serves the adjacent no. 3 and is subject of comings and goings from adjacent residents and any associated visitors.

It is acknowledged that the outlook of no. 3 Water Furlongs will be altered by the adjacent development. However, given the fact that no. 3 fronts onto a shared private drive and the distance of Plot 6, it is considered that the proposed development would not have an overbearing impact on the residential amenity of that property.

Such distances and relationships between dwellings are not uncommon and not an grounds for refusal in this instance.

### **Conclusion**

The scheme is considered to be acceptable in terms of its design, external appearance and landscape and would not be detrimental to the residential amenities of adjacent properties by reason of any overbearing or loss of privacy. The scheme accords with Policy C3 of the North Wiltshire Local Plan 2011.

### **Recommendation and Proposed Conditions/Informative's**

The Reserved Matters be APPROVED subject to the following conditions:

1. 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.

2. No development shall commence until a sample panel of the render to be used on the external walls shall be made available on site to be inspected and approved in writing by the local planning authority. The external render, as finished, shall match the approved sample in respect of colour, type and texture.

Reason: In the interests of visual amenity.

3. No development shall commence until details of roofing 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 roofing materials approved.

Reason: In the interests of visual amenity.

4. Prior to the use or occupation of the development hereby permitted, and at all times thereafter, the proposed window(s) serving all bathrooms on the rear elevations of Plots 1-6 inclusive shall be glazed with obscure glass only.

Reason: In the interests of residential amenity.

5. 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.

6. The proposed roads, including footpaths and turning spaces where applicable, shall be constructed in such a way as to ensure that each dwelling before it is occupied shall be served by a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

Reason: To ensure that the development is served by an adequate means of access.

7. 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. This 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.

Informatives:

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.

Drawing nos. LPC1394.08.11A, 12A, 19A (Plots 1-3 and garaging), LPC 1394.08.13B (Plot 4), LPC 1394.08.14A (Plot 5), LPC 1394.08.15B (Plot 6) date stamped 12/2/09

LPC1394.08.16 (Plots 7 and 8), LPC1394.08.17 and 8 (Plots 9, 10 and 11), LPC 1394 08 10, 20, C264/08/01 date stamped 18 December 2008.

1521/200 date stamped 14 January 2009.

2. The following policies of the Development Plan are relevant to this decision:-

North Wiltshire Local Plan 2011:- C3

**Reason for Decision:**

The proposed development by reason of its scale, design and external appearance is considered to be in keeping with the character and appearance of the area and would not result in the detrimental impact on the residential amenity and privacy and adjacent dwellings. The proposal accords with Policy C3 of the adopted North Wiltshire Local Plan 2011.

<b>Appendices:</b>	<ul style="list-style-type: none"><li>• <b>Appendix I</b></li></ul>
<b>Background Documents Used in the Preparation of this Report:</b>	<ul style="list-style-type: none"><li>• <b>1.20 2.02 2.24 3.03 4.02 4.03, 4.04 5.01</b></li></ul>