

zREPORT TO THE DEVELOPMENT CONTROL COMMITTEE Report No.

Date of Meeting	30th July 2008
Application Number	07/02819/OUT
Site Address	Land rear of 8-10 Bolingbroke Close, Hook, Wootton Bassett
Proposal	Erection of five dwellings
Applicant	Messrs Stephens, Walsh and Taylor
Town/Parish Council	Lydiard Tregoz
Grid Ref	407823 184790
Type of application	Outline 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 five or more letters of objection have been received.

Summary of Report

This application is seeking outline planning permission for the erection of five dwellings on land to the rear of 8-10 Bolingbroke Close, Hook. The application was originally submitted for seven dwellings but reduced by two at the requested of officers In January 2008.

All matters are reserved in the consideration of this application with the exception of layout and means of access to the site.

The site lies within the framework boundary of Hook and the key considerations in the determination of this application are:

- Policies C3, NE22 and H3 of the North Wiltshire Local Plan 2011.
- Impact on privacy and amenity
- Impact on highways
- Impact on drainage and water supply

Officer Recommendation

The applicant be invited to enter an Agreement in respect of the following matters:

- (i) provision of affordable housing including financial contribution of £26,000
- ii) public open space contribution
- iii) financial contribution of £10,000 towards the cost of uprating the Dianmer Close pumping station

following completion of which the Implementation Team Leader (Development Control and Listed Buildings) be authorised to GRANT Planning Permission.

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Proposal and Site Description

The proposal is for four detached dwellings comprising three two bedroom dwellings, one three bed dwelling and one four bedroom dwelling.

Elevational site section details and layout plans submitted with the application show that the dwellings would be comparable in terms of their footprint and scale with adjacent development.

The development will take its access of Bolingbroke Close between nos. 8 and 9.

The site is located within the framework boundary of Hook and is surrounded by residential development. The site currently comprises the rear gardens on nos. 8-10 Bolingbroke Close which itself is a cul-de-sac comprising of semi-detached dwellings with large rear gardens typical of the period of housing.

The application site occupies a slightly elevated position from Bolingbroke Close with levels rising gradually northwards. The north western boundary of the site is some 2.69metres above road level.

Planning History

Nos. 8 and 9 have been the subject of planning applications as set out below.

The applications below differed from the current application in so far as siting and means of access. The current Local Plan includes the site within the framework boundary and there is clear emphasis in Government guidance on making the most efficient use of land.

Application number	Proposal	Decision
No. 8 88/2030OUT	Two semi-detached dwellings with garages. Refused on highways and residential amenity grounds.	Refused
No.9 86/2173OUT	Erection of bungalow with garage and access. Refused on grounds of access via Hook Street and form of development out of keeping with the area.	Refused
Rear of No.9 74/1147	Dwelling Access proposed to be taken off private drive from Hook road and refused solely on highways grounds.	Refused.

Consultations

Lydiard Tregoz Parish Council – strong objection on the following grounds:

- No open space provision (CF3)
- No provision of affordable housing (C2 and H6)
- Lack of parking (T3)
- Lack of surface water drainage facilities in the village
- Highways impact/poor right turn facilities

Wiltshire County Council – no objections subject to conditions.

Wessex Water – no objections subject to conditions and a legal agreement securing the contribution of £10,000 towards the cost of uprating the Dianmer Close Sewage Pumping Station with the uprating to be commissioned prior to the occupation of the dwellings.

Thames Water – deal with water supply and no objections, proposal based on engineering judgement would not appear to cause any detriment to the existing water supply

North Wiltshire DC Housing Officer – confirmed the need for affordable housing in the surrounding Parishes. In accordance with Policy H6, 50% affordable housing is to be required from the scheme.

North Wiltshire DC Drainage Engineer – no objection subject to conditions.

Representations

A total of 21 letters of objection have been received to the applications on the following grounds:

- Drainage (surface and foul)
- Water pressure
- Highways – access and parking
- Loss of privacy
- Lack of open space provision
- Lack of affordable housing provision
- Reduction on house value
- Potential increase in crime
- Lack of facilities

Planning Considerations

Reduction in house values are not planning considerations. Furthermore, there is no reason to believe that crime would increase as a result of this proposed development.

Principle of development

The application site lies within the framework boundary of Hook. Accordingly, small scale and limited development is considered to be acceptable within such locations notwithstanding the facilities that may or may not be available in that location. In this respect the proposal accords with Policy H3 of the Local Plan.

Drainage

Wessex Water and Thames Water together with NWDC's Engineer have been consulted in respect of the proposals. Wessex Water deal with foul sewage at this location (there are no separate surface water sewers nearby).

Wessex Water have confirmed that the foul sewage system can become overloaded due to the ingress of land drainage and highway drainage flows.

The applicant is advised to investigate surface water disposal via a sustainable urban drainage scheme (SUDS). The applicant is also required via a legal agreement to contribute to the upgrading of the existing pumping station.

NWDC Drainage engineer is satisfied that a scheme can successfully be devised as part of any reserved matters application.

Permission would not be granted until such a scheme had been devised in conjunction with the relevant parties and the houses not occupied until the foul pumping station had been upgraded.

In terms of water pressure, Thames Water do not believe this to be a problem based on existing readings and statutory requirements in terms of pressure.

Highways/Access and Parking

Wiltshire County Highways raise no objections to the proposal taking into consideration parking and access onto the main road.

The scheme provides two parking spaces per dwelling which is above the maximum requirement of 1.5 spaces per dwelling. Bolingbroke Close is a cul de sac with a mix of on an off street parking. There will be no loss either as a consequence of this development and there is no reason to suggest that visitors to the new dwellings would park in on the main Close.

There is no reason to suggest that the development would give rise to an increase in through traffic with residents believing there to be an access through to Hook via the development. Bolingbroke Close is clearly identified as a cul de sac and the proposed development would be the same.

Privacy and Amenity

The proposed dwellings would take access between nos. 8 and 9 Bolingbroke Close. By reason of the siting of these dwellings and their relationship with this access, the amenity of these properties due to noise and nuisance would not be detrimentally affected.

A dwelling (Type A) is to be sited gable end 22 metres to the rear of no. 8 Bolingbroke Close and 13 metres south of 2b Hook. It is not considered that this relationship would be detrimental to the privacy and amenities of either of these dwellings or the proposed dwellings.

A type C dwelling is proposed to be sited gable end some 13 metres to the rear of no. 9. Whilst no details have been provided in terms internal layout and appearance, the dwelling could be designed to ensure that any openings in the south elevation of that proposed dwelling serve non habitable rooms and/or obscure glazed. Due to the siting of this proposed dwelling, only oblique views would be possible of the garden serving no. 10, and this is not different than that garden already being overlooked by no. 9.

Given that this proposed dwelling to the rear of nos. 9 and 10 would be sited 22 metres from the boundary of no. 11, it is considered that the proposal would not be detrimental to the amenity of no. 11 Bolingbroke Close.

Three detached dwellings are proposed to the rear of the site. In relation to no. 2b Hook, one dwelling would be sited to the side at a distance of some 7 metres to the south east of that property. This distance is considered acceptable and would not result in any overbearing impact or loss of privacy.

The three properties are sited well in excess of 35 metres south of nos. 3, 4 and 5 Hook which is considered to be acceptable and would not result in the loss of any privacy or amenity.

Recommendation

The applicant be invited to enter an Agreement in respect of the following matters:

- (i) provision of affordable housing including financial contribution of £26,000
- ii) public open space contribution
- iii) financial contribution of £10,000 towards the cost of uprating the Dianmer Close pumping station

following completion of which the Development Control Team Leader be authorised to GRANT Planning Permission subject to the following conditions:

1. 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:

- (a) The scale of the development;
- (b) The appearance of the development;
- (c) The landscaping of the site.

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

Reason: The application was made for outline planning permission.

2. The application for approval in respect of all matters reserved in Condition No.1 above shall be made to the local planning authority within a period of three years, commencing on the date of this permission.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

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.

Reason: In the interests of amenity and satisfactory layout.

4. The construction of the proposal shall accord with the layout of submitted drawing 1961/02/B dated December 2007.

Reason; In the interests of highway safety.

5. Sufficient space for two car parking spaces together with a vehicular access thereto shall be provided for each dwelling, before it is occupied, as detailed on the submitted plans. The said space shall not be used other than for the parking of vehicles or purpose of access. The said car parking space shall be properly consolidated and surfaced (not loose stone or gravel) to the satisfaction of the local planning authority.

Reason: In the interests of highway safety.

6. Before the dwellings hereby permitted are first brought into use the area between the nearside carriageway edge and a line drawn 2.4m back from the carriageway edge along the centre line of the access and to points to the rear of the footway at either end of the site frontage (in area outlined in blue, 8, 9, and 10 Bolingbroke Close) shall be cleared of obstruction at and above a height of 0.9m above the nearside carriageway level and thereafter maintained free of obstruction at all times.

Reason: In the interests of highway safety.

7. The proposed estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, service water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture shall be constructed and laid out in accordance with details to be submitted to and approved by the local planning authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted.

Reason: In the interests of highway safety.

8. Provision shall be made on site for the disposal of surface water so as to prevent its discharge onto the highway details of which shall have been submitted to and approved in writing by the local planning authority.

Reason: In the interests of highway safety.

Informatives

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

North Wiltshire Local Plan 2011:- C3, H3, NE22

2. 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.

Plan References

Dwg nos. 1961/02B and 1961/03 dated stamped 13 February 2008 and 1961/01A date stamped 18 January 2008

3. 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.

Appendices:	NONE
Background Documents Used in the Preparation of this Report:	1.20, 2.02, 2.24, 3.04, 4.02, 4.04, 5.01