

REPORT TO THE DEVELOPMENT CONTROL COMMITTEE			Report No. 8(b) 8
Date of Meeting	8 th April 2009		
Application Number	09/00282/REM		
Site Address	Land Adjacent 23 Common Hill, Cricklade, Swindon, Wiltshire, SN6 6EZ		
Proposal	Reserved Matters on Outline Permission 07/01101/OUT For Erection of One Dwelling and Access		
Applicant	Mr L Robinson		
Town/Parish Council	Cricklade		
Grid Ref	409164 193533		
Type of application	Full application		
Contact Officer	Brian Taylor	01249 706683	Brian.taylor@wiltshire.gov.uk

Reason for the application being considered by Committee

This application has been submitted to the Committee at the discretion of the Area Development Manager due to the level of public interest in the site and previous decisions made by the Development Control Committee of North Wiltshire District Council.

1. Purpose of Report

To consider the above application and to recommend the reserved matters be APPROVED subject to conditions

2. Main Issues

The proposal is to agree details of the dwelling that was permitted in 'outline' on an area of garden to the side of No 23 Common Hill with all matters (excepting access) reserved under reference 07/01101/OUT. Issues to consider

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

3. Site Description

The site is a rather underutilised garden area set behind a low, 'gappy' hedge. The site lies below the level of the road (as does most of the land and houses on this side of the road.) with land rising beyond the framework boundary. The site has a well and a drainage ditch on it, and residents have raised some concerns relating to flooding and drainage problems in the vicinity).

Common Hill is characterised on the northern side by red brick semi detached properties which have similar (if not uniform) characteristics and appearance. However, the southern side is characterised by a mix of properties of differing styles, size and orientation including traditional cottages, bungalows and more modern additions.

4. Planning History		
Application number	Proposal	Decision
07/01101/out	Erection of new dwelling and Access (outline)	Permit
08/01244/ful	Erection of 2 dwellings	refused
08/02207/ful	Erection of 2 dwellings	refused

5. Proposal

The proposal is to agree details of the reserved matters (layout, scale, appearance and landscaping), the principle of the dwelling on this site and the access having been permitted in 2007 (07/01101/OUT)

6. Consultations

Cricklade Town Council objects on the following grounds:

Expresses concerns that all conditions on outline permission have not been met.

- Design is out of character with adjacent properties.
- No GAP
- Scale of proposal will dwarf neighbouring properties
- Seek assurance that it does dwelling does not extend beyond the framework boundary.
- Flooding and water management issues have not been addressed

Wiltshire County Council Highways have no objections, subject to condition. (However, this condition has been applied to the outline permission).

7. Publicity

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

5 letters of objection have been received.

Summary of key points raised:

- Queries regarding drainage issues
- Object to detached garage and potential for a granny flat
- Dwelling is too high and out of character with neighbouring dwellings
- Previous design (outline) was preferable
- Localised flooding will be exacerbated
- House and garage is outside development boundary
- Little improvement over refused scheme for two dwellings

8. Planning Considerations

Principle of development

Planning permission has been granted for a single dwelling on this site in 2007. Therefore the principle of residential development on this site has been established. That permission established the access point but all other matters were reserved i.e. layout, scale, appearance and landscaping. Matters such as materials to be used, floor levels means of surface water and foul sewage are all subject to conditions attached to the original outline permission and are not required to be agreed under this reserved matters application.

Concern has been raised that the development encroaches on the countryside (i.e. is not wholly within the framework boundary). The proposed house and garage are within the area defined by the framework boundary, although the garden areas extend beyond it, as do most of the garden areas of existing properties.

Impact on amenity

The issues that are key to making a decision on this application relates to the character of the southern side of Common Hill and whether the property proposed reflects that character in terms of its design/appearance. Secondly what impact the dwelling may have on neighbouring properties.

In terms of the adjacent bungalow (Two Elms) the dwelling is located 3.0m from the boundary with Two Elms being located about 5.0m away. There are no windows facing towards Two Elms and this relationship is felt to be acceptable. No 23 lies at right angles to Common Hill and its 'front' elevation faces over the application site. It is 9.0m from this front elevation to the side elevation of the proposed double garage. Again this relationship is not considered unacceptable.

The design is different from that submitted as an illustration at outline stage. It is a similar, although slightly larger footprint, but no higher (at 7.5 metres to the ridge). The outline proposal was within 2.5 metres of the boundary to Two Elms, although a single storey element was closest to the property. The current proposal includes a double garage.

Given the wide variety of dwelling styles on Common Hill the design is not considered to be out of place or incongruous.

Landscaping involves the replanting of a hedgerow at the front of the site and close boarded fencing around the rest of the site. This is considered acceptable.

All matters that were reserved have been satisfactorily dealt with.

Drainage

Local residents have raised concerns regarding flooding of the site and the impact of additional surface water run-off generated by the site. The principle of development has been established on this site. One of the conditions attached to the outline permission was that details of drainage (both foul and surface water) must be agreed prior to works commencing. Therefore drainage will need to be addressed by complying with a condition, not through details submitted as part of the reserved matters. The details submitted under reserved matters cannot be refused permission on grounds of inadequate drainage.

It should be noted that in determining the application for two dwellings on a larger site (that incorporated this site) the Council's engineer concluded that a scheme to address the drainage issues could be accommodated within the site.

9. Recommendation and Proposed Conditions/Informatives

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.

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.

Plan References

Site location plan and Drawing Nos: 11588/3 (Received by the local planning authority 17/02/09)

2. Attention is drawn to the conditions imposed on the "outline" permission (Local Planning Authority Reference 07/01101/OUT granted on 20 June 2007 which should be read together with this approval. Any outstanding requirement of the conditions to submit details for approval by the local planning authority should be particularly noted.

Reason for Decision

The proposed dwelling is considered to have an acceptable impact on the appearance and amenity of the area and will comply with Policy C3 of the North Wiltshire Local Plan 2011.

Appendices:	None
Background Documents Used in the Preparation of this Report:	1:20; 2:02; 2:25; 3:04; 4:02; 4:04; 4:07; 4:08; 5:01