

REPORT TO THE NORTHERN AREA PLANNING COMMITTEE			Report No. 6 (2)
Date of Meeting	29th April 2009		
Application Number	08/01103/REM		
Site Address	Brook Farm, Great Somerford, Chippenham		
Proposal	Erection of 30 dwellings		
Applicant	Wolfe Property Services		
Town/Parish Council	Great Somerford		
Electoral Division	Brinkworth	Unitary Member	Mrs Soden
Grid Ref	396589 183126		
Type of application	Reserved Matters		
Case Officer	S T Smith	012490706633	Simon.smith @wiltshire.gov.uk

Reason for the application being considered by Committee

This application has been submitted to the Committee for decision at the discretion of the area Development Manager.

Councillor T.R. Sturgis was the Applicant when the original Outline Application was submitted but the site has since been sold to the Applicant – Wolfe Property Services.

This application was previously deferred at the North Wiltshire District Council Development Control Committee of 24th September 2008 to await the receipt of comments from the Environment Agency and Wiltshire County Council Highways. These comments have now been received.

1. Purpose of Report

To consider the above application and to recommend that Reserved Matters be APPROVED subject to conditions.

2. Main Issues

- Implications of Development Control Core Policy C3, Housing Policy H3 and Conservation Area Policy HE1
- Outline permission
- Layout, siting, design and external appearance
- Access, parking and highway safety
- Impact upon residential amenity of existing properties
- Flooding and drainage
- Other matters

3. Site Description

The application site relates to now vacant and cleared land previously part of an agricultural complex. The site is within the settlement framework boundary of Great Somerford and continues to be a specific allocation within the adopted North Wiltshire Local Plan 2011 for residential development. The site is also wholly within a Conservation Area.

4. Relevant Planning History		
Application Number	Proposal	Decision
04/02024/OUT	Residential development	Permitted 24/01/06

5. Proposal

This reserved matters application is for a residential development of 30 units following an earlier outline approval, where all matters are reserved for later consideration.

The proposal is for the layout of 30 units around a central vehicular access road, together with an area of public open space, affordable housing and footpath links.

6. Consultations

Great Somerford Parish Council - *“There were no objections but concern were expressed at the height of the three storey buildings as there is a maximum height restriction. Concerns have also been expressed that some of the plans are contradictory and may be inaccurate in places especially with reference to the elevations. There is some slight concern at the number of 3 bedroom houses especially for the social housing and it is hoped that the Guinness Trust have been consulted.”* Any comment received in respect of the revised plans will be reported.

Wiltshire Council Highways – No objections subject to conditions

Environment Agency – No objections subject to conditions

Council Drainage Engineer – *“I understand the drainage mechanism to be that in the event of a one in one hundred year storm plus a twenty percent allowance, a storage volume of just over three hundred cubic metres will be required. A one hundred and fifty millimetre discharge pipe will discharge water from the stored water cells to a distance watercourse at are not exceeding four litres per second. I have no doubts that the receiving watercourse is capable of accepting this flow and therefore approve your submitted design with respect of this Council's drainage interests.”*

Urban Design Officer – In respect of the previous plans the Urban Design Officer commented as follows : *“...a huge blank double-garage is now proposed directly in front of Plot 20, and the same blank end house walls and garages are presented between plots 28 and 29, with a continued lack of use of boundary walls. There still appears to be much that can be done to reduce the inefficient large areas of vehicular circulation created. The use of natural and traditional materials is acceptable and the house types, whilst not forward-looking in design terms, are not unacceptable - albeit with some details of concern. It is the site layout which is the key concern however.”* It should be noted that the revised plans now submitted are considered to largely address the concerns raised.

Housing Enabling Officer – *“Outline permission was granted for 30 dwellings, including 7 affordable. It appears that plots 1, 2 and 3 are for affordable rent and plots 4, 5, 7 and 8 for affordable sale, and this is as per the Section 106 agreement. The external walls are the same and therefore satisfactorily indistinguishable from the private. They are proposing render could we ensure that it is through colour render for management convenience?”* Note that the exact mix of unit size and tenure is specified within Part 2 of the legal agreement attached to the outline planning permission.

7. Publicity

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

Fifteen (15) letters of objection received

Summary of key relevant points raised:

- Application includes no reference to code of sustainability or an assessment of capacity of infrastructure, electric, gas, water, sewerage to meet demand of 30 units
- No report on contamination, ecology or archaeology
- Additional traffic accessing the site causing noise, disturbance, damage to road and highway safety concerns – particularly through car repair workshop gaining access onto the intended access road.
- Lack of access for service vehicles
- Pedestrian access links not shown and not wanting pedestrian access to Frog Lane due to lack of pavement
- Light pollution
- Proposal fails to preserve or enhance Conservation Area – layout bland and too urban
- Proposal is at an excessively high density in comparison with surrounding development
- Increasing risk of flooding in locality
- Dwellings too tall
- Underground electricity cable close to boundary with Brook End has not been taken account of
- Plans not clear on location of electricity sub-station and drainage pond previously shown
- Boundary to “Brookend” drawn incorrectly
- Overlooking from facing windows (particularly plot 1 overlooking “Brookend”)

8. Planning Considerations

Outline permission

The site benefits from an outline planning permission for residential development under reference 04/02024/OUT. This was granted planning permission by the Development Control Committee. The principle of the development is established and is not for consideration under this application.

This planning permission included planning conditions and is accompanied by a legal agreement under S106 of The Act. This legal agreement, inter alia, provided for a maximum number of residential units (30), an element of affordable housing (23%), provision of public open space (15% of total area) and footpath links and a restriction on the development of adjoining land within the lifetime of previous 2001 local plan.

This reserved matters application is considered to generally comply with the immediate requirements of the outline planning permission and relevant parts of the associated legal agreement.

Layout, siting, design and external appearance

This development of 30 units on a site area of approximately 1.5 Ha (inclusive of all roadways and public open space) results in a density of 20 dwellings per Ha (dph), some way below the indicative density minimum advocated in paragraph 47 of PPS3. In reality, when correctly excluding the POS and roadways from the developable site area, the density of the development will read as being above that of surrounding existing development. However, the differential is not to a degree that would result in the development being perceived as incongruous or out of character in the locality. In any event the number of dwellings on this site has already been considered under the outline approval, which specified a maximum of 30 dph.

Although a reserved matter, the point of vehicular access to the site was always intended as the existing road access to the site from Park Lane. This has resulted in a long access road providing a spine from which development and open space (POS) would be accessed. The POS also provides for pedestrian access to Frog Lane, which was both envisaged and requested under the outline approval. The sweep of the road does provide for a series of possible focal points of units as passing through the site, with the POS occupying a central position south of the access road. It is unfortunate that the access road and footpath is to penetrate to the very end of the site, although this is not considered to be a reason to refuse planning permission.

Refinement of the design and siting of the units is considered to have resulted in a development that provides an attractive mix in scale, positioning in street-scene and variation in simple vernacular. To a large extent garaging and expansive parking areas have been limited and hidden from view where possible (garage to plot 20 being an obvious, but quite pleasing exception), together with strategic walling that would provide for a sense of enclosure where necessary. Materials are suggested to be a mix of natural and reconstituted stone and roughcast render.

The originally envisaged more modern architectural approach to the larger plots at the eastern end of the site has given way to a pastiche. However, this in itself is achieved with a degree of variety with some pleasing differences in rural vernacular type detailing and, in some cases, a quasi-agricultural approach – notably plots 22 and 24 – and is therefore not considered to be a reason to oppose the development. Similarly the introduction of accommodation in the roofspace is not considered to be a reason to refuse planning permission in the context of a variety of existing development in the village. The seven affordable housing units (units 1-7) are positioned in one location, and this has met with the satisfaction of the housing Enabling Officer. There is a suitable mix of rented and part ownership tenures.

In an effort to meet with the minimum floor levels required by the Environment Agency under the outline approval (ie. specified at 61.0m AOD), and in order to assess what visual effect this requirement might have upon the dwellings appearance, a condition should be imposed that will require the submission of such details prior to the commencement of development.

In the context of this now vacant agricultural site, the proposal is considered to be an enhancement of the Conservation Area, as required By Policy HE1 of the adopted North Wiltshire Local Plan 2011.

Impact upon residential amenity of existing properties

To south and west the application site is surrounded by a mix of existing residential development. The proposed development within the site is laid out in such a manner and the distances relatively close between plots at the front, rear and side that it is clear a degree of overlooking is likely to occur. Nevertheless, this is not unusual with modern residential development and is a situation that the new residents will be aware of.

Surrounding residential development (particularly those properties at Frog Lane and those at Park Lane immediate adjacent to the cess road) is separated by greater distances, orientation of the proposed units and sensitive positioning of windows.

The concerns of residents in respect of the noise/disturbance associated with the increased use of the vehicular and pedestrian accesses are noted, but the effect of increased use is not considered to be a reason to refuse to grant permission for this reserved matters application. Indeed, such points of access were envisaged at the time of the outline planning permission.

Access, parking and highway safety

As previously referred to, access to the site is a reserved matter, but was effectively considered at the time of the outline permission.

Highways have therefore already confirmed their satisfaction with the principle of the point of vehicular access, visibility and the need for a road of adoptable standard within the site. This latter issue has resulted in a need to reach an acceptable compromise between meeting desired road layout dimensions and a suitably informal approach to the layout of development as a whole. In particular this has resulted in the turning head for service vehicles being positioned a distance back from the eastern end of the site. Such a compromise is considered to successfully avoid an overtly cul-de-sac type development.

Parking is largely provided for each individual plot, with separate garage blocks provided for the courtyard arrangement for the affordable housing.

Flooding and drainage

A full Flood Risk Assessment has now been submitted and considered by the Environment Agency and the Council's Drainage Engineer.

The entire site is positioned within Flood Zone 1 (low risk) and development would not cause loss of flood storage. The Environment Agency have specified that minimum habitable floor levels be set at 61.00AOD, which should form the basis of a suitably worded planning condition attached to any planning permission.

Notwithstanding that the Brook Farm site has long been hardsurfaced, surface water run-off rates from the development as proposed is to be limited to a level that equates to greenfield run-off (eg. use of permeable block paving). A stormwater system has been proposed in order to cope with extreme events (and therefore attenuate flow via 150mm dia. pipe into the existing drainage ditch to the south of the site and eventually into River Avon south of Lower Seagry) in the form of 300m³ "Aquacell" of similar "egg-crate" type facility to be positioned under the public open space. It is believed that adequate soil cover above the facility would be available for grass and some shrubs. All surface water sewers would be maintained by a management company that would be set up by the developer.

As part of the comments of the EA, it has been suggested that, in order to prevent the surface water drainage system backing up onto the site, a flap valve be installed at the outfall into the receiving ditch. Although outside the application site, it is understood that the location is under the control of the vendor and therefore could be the subject of a "Grampian" type condition.

Foul drainage is to be connected to the public foul sewer. All access points to the foul water system north of the access road would be provided with watertight covers to ensure flood water does not enter the system.

Both the Environment Agency and the Council's Drainage Engineer have confirmed their satisfaction with the adequacy of the intended drainage solutions.

Other issues

It should be noted that the concerns of local residents in respect of the shared cost of the upkeep of the access road, is not a material planning consideration. It is a private matter between those residents who share responsibilities for its upkeep. Similarly any underground infrastructure close to boundaries of the site will need to be taken account by the applicant, but it is not a reason to withhold a grant of approval.

As suggested within some of the local representation received, the requirement (or not) for electricity sub-station has not been addressed by this application. The provision of such infrastructure outside of the site may necessitate the submission of a further separate planning application.

The requirements set out within the legal agreement will remain and have no need to be repeated within any approval of reserved matters

9. Conclusion

The proposed layout, dwelling design and open space represents a reasonable and appropriate form of development in this village location. All other matters relating to drainage and flooding have been resolved to the satisfaction of the Environment Agency and Council Drainage Engineer. As such the proposal is considered to comply with the provisions of local and national planning policy.

10. Recommendation

Reserved Matters be **APPROVED** for the following reason:

The proposed layout, dwelling design and open space represent a reasonable and appropriate form of development in this village location. As such the proposal is considered to comply with the provisions of Policies C3, H3 and HE1 of the adopted North Wiltshire Local Plan 2011.

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 details of the proposed and existing levels across the site (including details of the finished floor levels of all buildings hereby permitted) have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the details so approved.

Reason: To ensure a satisfactory layout in the interests of the amenity of the area.

3. 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.

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. The development hereby permitted shall not be commenced until details of the landscaping of the site, including wherever appropriate the retention of existing trees, have been submitted to, and approved in writing by, the local planning authority.

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. The 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.

6. Prior to the commencement of development a scheme for the disposal of foul and surface water from the site shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with those details approved.

Reason: In the interests of securing a satisfactory method of drainage from the site.

7. Prior to the commencement of development full constructional details of all means of enclosure within the site and including the intended treatment of the boundaries of the site, shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with those details approved.

Reason: In the interests of securing a harmonious architectural treatment and in the interests of residential amenity.

8. Prior to the commencement of development, complete and large-scale details of the proposed link to existing footpaths, including the nature and type of bollards to be positioned at the access to the public open space, shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with those details approved prior to the first occupation of any dwellings on the site.

Reason: In the interests of visual amenity and for the avoidance of doubt.

9. 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) no gates, fences, walls or other means of enclosure (other than those shown on the approved plans) shall be placed or erected forward of any wall of a building (including a rear or side wall) which fronts onto a highway, carriageway or footpath.

Reason: In the interests of the open plan layout of the area.

10. Prior to the commencement of development, and in full accordance with the conclusions and recommendations contained within the submitted Flood Risk Assessment document prepared by David Snelling January 2009, a detailed scheme for the disposal of foul and surface water from the site, shall have been submitted to and approved in writing by the Local Planning Authority.

The submitted scheme must demonstrate that:

- (i) Surface water run-off will be limited to no greater than 4.0l/s for all events up to and including the 1 in 100 year storm (including climate change)
- (ii) There will be sufficient surface water storage capacity to ensure no increased flood risk to third parties under bank full conditions in the receiving ditch
- (iii) That suitable arrangements have been made for the adoption and maintenance of the surface water drainage scheme
- (iv) A timetable for implementation prior to the first occupation of any of the dwellings hereby approved

Development shall be carried out in accordance with those details so approved.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

11. Minimum habitable floor level of all dwellings on the site shall be set above 61.00m Above Ordnance Datum.

Reason: To ensure that the development is subject to minimum risk of flooding.

12. No development shall take place until a suitable flap type valve has been installed at the surface water outfall into the receiving ditch. Such development shall be carried out in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

Informatives:

1. Please note that the position of any future electricity sub-station and / or drainage attenuation pond located outside of the application site, may require the submission of a separate planning application in that regard. The grant of this Reserved Mater consent can in no way be taken as an automatic approval of such features as they have not been identified within the submission.

2. 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.

3. 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.

Location and block plan 651/CAM/2008/24/A received by the local planning authority 03/09/08
Detached garage details 651/CAM/2008/6 revA received by the local planning authority 03/09/08
3D colour projections of street scene
Flood Risk Assessment received by the local planning authority 27/03/09
Plans and elevations 651/CAM/2008/2; 651/CAM/2008/3; 651/CAM/2008/4; 651/CAM/2008/5;
651/CAM/2008/6 (plot 6); 651/CAM/2008/6 (plot 23); 651/CAM/2008/7; 651/CAM/2008/8;
651/CAM/2008/9; 651/CAM/2008/10; 651/CAM/2008/11; 651/CAM/2008/12; 651/CAM/2008/13;
651/CAM/2008/14; 651/CAM/2008/15; 651/CAM/2008/16; 651/CAM/2008/17; 651/CAM/2008/19;
651/CAM/2008/20; 651/CAM/2008/22; 651/CAM/2008/23

All received by the local planning authority 06/05/08 unless otherwise indicated.

Appendices:	None
Background Documents Used in the Preparation of this Report:	1.20; 2.02; 4.04; 4.02; 5.01