

**WESTERN AREA COMMITTEE 3 MARCH 2005
SCHEDULE OF ADDITIONAL CORRESPONDENCE**

Planslist
Item No.

3. S/2005/0189 - DEMOLISH BUNGALOW AND ERECT 2 STOREY DWELLING & REVISION TO ACCESS AT WHITMARSH, SUTTON ROW, SUTTON MANDEVILLE

Since the officer's report was written, additional correspondence has subsequently been received in relation to this application.

Wiltshire County Council Highways

Recommend that no highway objection be raised, subject to three conditions being imposed:

The recessed entrance shall be constructed 4.5m back from the carriageway edge and its sides shall be splayed outward at an angle of 45 degrees toward the carriageway edge. The area between the entrance and the edge of the carriageway shall be properly consolidated and surfaces (not loose stone or gravel) for which details shall have been submitted to and approved in writing by the Local Planning Authority.

Any entrance gates erected shall be hung to open away from the highway only and shall be set back a minimum distance of 4.5m from the carriageway edge.

The existing Vehicular access shall be stopped-up and its use permanently abandoned concurrently with the provision of the new access hereby approved being first brought into use.

The reason for the above conditions – In the interests of Highway Safety.

Third Party Responses

An additional five letters have been received (making seven in all) supporting the application, saying that the proposals would result in a dwelling that would improve the appearance of the area in relation to the existing dwelling.

HDS Response

This was a matter considered by officers in the report and does not change the recommendation.

Applicant

Argues that the site is not 'away from an existing settlement'; that proposal is a replacement rather than a 'new build'; that it is a previously-developed site; that the only public viewpoints are from the road and that the only policy change since the previous adopted Local Plan is the addition of 'no greater impact' to its wording.

HDS Note

To deal with the points raised in turn, the site is clearly outside of any policy boundary and is therefore away from existing settlements. The proposal would involve the erection of a new, replacement property and as such its size should be strictly controlled in accordance with PPS7 and the Local Plan policies identified. PPG3 deals with previously developed land, and makes clear that, even with such land, there is a requirement to protect the countryside from unacceptable development.

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The applicant accepts that the site is visible from the highway, even if it were not, there remains an 'in principle' requirement that the size of replacement dwellings is restricted. Finally, there are more changes in the current 2003 adopted policy and its explanatory text (when compared to the policy in the 1996 Adopted Local Plan - the plan in force in 2002) than are claimed by the applicant. The principal changes were an additional requirement that, even if the site is unobtrusive, this is not a justification for allowing a larger dwelling, together with a warning that the cumulative impact of allowing large replacement dwellings would lead to the long-term erosion of the character and appearance of the countryside.

4. S/2005/0058 - DEMOLITION OF EXISTING DWELLING AND DETACHED GARAGE - CONSTRUCTION OF TWO DETACHED DWELLINGS. ALTERATIONS TO EXISTING ACCESS AND ASSOCIATED WORKS AT BRIMM CLOSE, DINTON ROAD, FOVANT.

Fovant Parish Council

Urgently request that a Tree preservation Order is imposed on (what they describe as) a Maple tree.

HDS Note

The Council's Arboriculturalist has visited the site and concluded that the tree (a Beech tree) is already outgrowing its location and assessed that it is not worthy of a TPO. However, he has recommended a more detailed landscaping condition. It is therefore recommended that the following condition be imposed:-

Approval of the details of the landscaping scheme including site clearance and a statement of the methods of its implementation shall be submitted to the Local Planning Authority and approved in writing.

The scheme must include details of the proposed planting including a plan, details of species, stock sizes and numbers/densities where appropriate, and including a timetable for its implementation. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand in writing.

The landscaping must be carried out in accordance with the agreed scheme and statement, unless the Local Planning Authority has given its prior written consent to any variation. No development shall take place, including site clearance or other preparatory work, until full details have been approved by the Local Planning Authority.

Reason:- To comply with the duties indicated in Section 197 of the Town and Country Planning Act so as to ensure a satisfactory appearance to the development.

Third Party Responses

An additional three letters have been received from the occupiers of adjacent dwelling, re-confirming their objections to the proposed development. The comments raised can be summarised as follows:

Lack of adequate site levels (8 spot levels are inadequate to assess what is proposed) and apparent inaccuracies in the levels given. Require 'grid' of finished floor levels.

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Loss of copper beach tree which is a memorial tree and a distinctive feature in the landscape

Impact on adjoining properties and gardens in terms of loss of light and overshadowing

Footprints proposed now are no smaller than those previously refused

Adverse impact on AONB and when viewed from valley bottom, church and Conservation Area

Overbearing size of roofscape in relation to houses proposed (together with suggestions for improvements)

Dominating impact of dwellings on neighbouring properties

HDS response

Other than the question of the tree, these comments do not raise new issues to those previously considered in the officer's report. The suggestions relating to changes to the specific design are more relevant to any future Reserved Matters application, rather than this Outline proposal.

Agent

The main issues to be considered are whether the site can be developed for two properties, that the siting of two dwellings acknowledges the adjacent properties and that the access is satisfactory to the Highway Authority. They also comment that the levels information is a true representation of the site.

5. S/2005/0122 - ERECT NEW DWELLING AT STONEHAVEN, LEIGH LANE, EAST KNOYLE.

HDS Note

Condition 7 should be replaced with the following:

Prior to the occupation of the dwelling, a scheme for the provision of two non-tandem parking spaces shall be submitted to, and approved in writing by, the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety

Wiltshire County Council Highways

Recommend that this application be refused on highway grounds for the following reasons:-

- Leigh Lane, by reason for its sub-standard junction with Shaftesbury Road where visibility is restricted, is inadequate and unsuitable to serve as a means of access to the proposed development.
- Furthermore whilst minimal improvement to visibility proposed at the new site access represents an improvement on the previous application S/2004/1753, the use of the access would, in my view, still create potential inconvenience and hazard to both vehicular and pedestrian traffic.
- The proposed parking area is considered to be of insufficient size to accommodate more than one vehicle and could lead to additional vehicles attracted to the premises obstructing Leigh Lane to the detriment of highway safety.

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It is my view that my objections numbered 2 and 3 could be overcome by extending the length of hedgerow to be maintained at 1.0m high above road level and by increasing the size of the proposed parking space.

Agent

I have now consulted our client regarding the requested loss of further hedgerow to provide additional visibility splay.

The applicant feels that as this lane is firstly, a cul-de-sac, secondly, has few houses on it and thirdly only one house beyond the site, this requirement appears excessive and does not appear to have a tangible benefit to highway safety beyond the visibility splay already proposed. The loss of this further hedgerow to provide additional visibility would also affect the rural character of the lane although of course it could be replanted. However, as the road is some 300mm above the garden level at this point there will be direct overlooking into what has hitherto been a most private part of the garden. A wall could be constructed but this would not retain the rural character of the lane.

Additional visibility is required on highway safety grounds then it is possible to condition this accordingly but the applicant would not wish to make this proposal as they feel it would unnecessarily effect both the rural character of the lane and the amenities of the existing house.