

REPORT FOR EASTERN AREA PLANNING COMMITTEE

Date of Meeting	28 th January 2016
Application Number	15/10410/FUL
Site Address	Land at the junction of Kennet Road and Chestnut Avenue, Tidworth
Proposal	Erection of a two storey dwelling
Applicant	Aster Communities
Town/Parish Council	Tidworth
Grid Ref	423968 149280
Type of application	Full Planning
Case Officer	Tom Wippell

Reason for the application being considered by Committee

The application has been called to committee by Councillor Mark Connolly if minded to approve for the following reasons:

- Visual impact upon the surrounding area
- Relationship to adjoining properties
- Design – bulk, height, general appearance
- The property is two storey when all properties in Chestnut Avenue and Hawthorn Road are bungalows. The property looks over 2 Hawthorn Road whereas if it was a bungalow there would be no issue. I also think the footpath from Kennet Road to the bottom of Hawthorn Road should be joined.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be granted planning permission.

2. Report Summary

The issues in this case are:

- Principle of development
- Scale/Design/Siting
- Amenity
- Other Issues

Publicity of the application has resulted in a letter of support from the Parish Council, one letter of objection and one letter of comment from Cllr Connolly.

3. Site Description

The application site lies at the junction of Kennet Road and Chestnut Avenue. It comprises a raised mown area of grass, with a small area of shrubs. The plot lies opposite two storey buildings believed to be arranged as flats, and there are bungalows situated along Hawthorn Road around the corner to the northeast/ east. Further upslope of the site lie further bungalows in Chestnut Avenue which

are all set back from the roadside on raised land.

4. Planning History

Planning permission has been recently granted for a new bungalow (15/05391/FUL) on a similar grass banked corner plot, on the corner of Chestnut Avenue and Hawthorn Road (next road over).

5. The Proposal

Planning permission is sought to construct a 2-bed detached dwelling with 2 parking spaces towards the front of the site. The dwelling will be dug into the bank to compensate for the sloping-gradient of the land, and its internal arrangement will be 'upside down', so that the kitchen/diner/lounge will be on the top floor opening onto a garden at the rear. The entrance-door for the new dwelling will be located up a flight of external stairs to the side of the property.

6. Planning Policy

Wiltshire Core Strategy

Core Policy 1: Settlement Strategy

Core Policy 2: Delivery Strategy

Core Policy 26: Spatial Strategy: Tidworth Wiltshire Community Area

Core Policy 41: Sustainable Construction and low carbon energy

Core Policy 43: Providing Affordable Homes

Core Policy 45: Meeting Wiltshire's Housing Needs

Core Policy 57: Ensuring high quality design and place shaping

Wiltshire Local Transport Plan – Car Parking Strategy: - Chapter 7: Parking Standards

NPPF

7. Consultations

Wiltshire Council Highways

No highway objection to the proposed dwelling and the parking level and layout is considered acceptable. It would be beneficial if the footway could continue across the site frontage and connect with Hawthorn Road. The applicant could consider providing this footway link in the interests of sustainability and pedestrian safety.

Tidworth Town Council

Tidworth Town Council has no objections to Planning Ref 15/10410/FUL. They would, however ask that the footpaths of Hawthorn Road and Kennet Road be joined as a result of this application.

8. Publicity

The application has been advertised by way of site notice, advertisement and letters to near neighbours.

The publicity has generated one letter of objection and one letter from Cllr Mark Connolly.

The letter of objection is as follows:

- We own the property at the end of Hawthorn Road (2 Hawthorn Road) which is right next to the proposed development. We are seriously concerned about the impact this will have on our privacy. We did not oppose to the bungalow being built opposite us on the corner of Chestnut and Hawthorn because we felt it was in keeping with the other properties on the estate and would not impact our privacy too much. We feel the new house would be

intrusive to our privacy as up until now we were the end home with no neighbours to the rear of the bungalow. Also a 3 bedroom house is not in keeping with the rest of the bungalows in the area.

- It also means the loss of another green space in the area. It's been noted that it cannot be used for recreational purposes but it has been used for that over the last 30 years or more by children just like our own as somewhere safe and close by to play on.
- The garden of the new dwelling would be right next to our garden, which means we would have to look at new ways to ensure our privacy.
- According to the plans, the new house will have full view into our windows (our bedroom, living room and daughter's bedroom) and our entire garden meaning we will also have full view of house rather than the trees we can normally see. Also the plans to put a fence around the new property means the trees surrounding us will be ripped out and could mean blocking light onto the trees and bushes already in the garden which match the trees and bushes on the area you wish to develop on.
- We are concerned about over shadowing as we have solar panels and do not wish to lose any light that comes into our property or the roof.
- Parking is already bad in our area as many homes now have 2 to 3 vehicles each, we can see that off road parking would be included with the new build but this doesn't include visitors parking and the concern is they may park outside of the new house on the road which will cause problems. With the new property going up opposite us is already going to have an impact on parking, this will just cause more issues.
- We feel like our area is becoming boxed in when before we had space opposite and behind for our children and the children of Rowan Court to play on and now we feel that we are surrounded with no external greens for the children and wildlife. We get foxes, badgers and hedgehogs in the garden all the time, they won't be able to access the area any more once a new home is blocking their path.
- It is disappointing that nobody has discussed this with us before as we may have been able to help and offer some insight as our family has occupied this very house since it was built in 1962.
- Please take our views into consideration and know that we understand the need for new housing in the area but with hundreds of homes being built in Tidworth already is it really necessary to build one new home which will have such a huge impact on an area which is already so crowded.

Cllr Mark Connolly raises the following comments;

- The applicant had not entered into any communication with me as the local Wiltshire Councillor or the Town Council before submitting, this is very disappointing. Whilst I have no objection to the development, as long as the proceeds do go to affordable units in Tidworth, I would like to see the footpaths from Kennet Road and Hawthorn Road linked via this development. I would ask that the developer do this as part of the scheme and put this as a condition or informative. The only other concern I have is whether the property will be intrusive to the property at the bottom of Hawthorn Road, since the applicant has already got permission to build on the opposite side of the Hawthorn Avenue junction for a property. This means the last house in Hawthorn Road, which was previously not overlooked at all, will potentially have two properties overlooking it.

9.0 Planning Considerations

9.1 Principle of Development

Core Policy 1 sets out a settlement strategy identifying where sustainable development will take place to improve the lives of all those who live and work in Wiltshire. Core Policy 1 identifies that Tidworth is a Market Town where there is the potential for significant development that will increase jobs and homes in order to help sustain and where necessary enhance their services and facilities and better promote levels of self-containment and viable sustainable communities.

Core Policy 2 states “within the limits of development, as defined on the policies map, there is a presumption in favour of sustainable development at the Principle Settlements, Market towns, Local Service Centres and Large Villages”.

The site of the proposal is within the defined limits of development. Therefore the principle of a new dwelling within these settlement boundaries of Tidworth is acceptable.

9.2 Scale/ Siting/ Design

It is considered that there is sufficient space within the plot to avoid a cramped form of development, with the proposed layout of the property making good use of the site.

Although the proposed new dwelling is arranged with an ‘upside down’ internal layout, to allow the living room to open onto the raised-level garden at the top of the slope, in visual terms it is considered that the scheme will be acceptable within the streetscene. The dwellings in the surrounding area consist of a mixture of styles and sizes, including two-storey buildings opposite and bungalows further up the hill, and in this regard, the scale of development (ie- a two storey dwelling) will be acceptable for this plot. Concerns raised about the scale/design have been fully noted, but Officers do not consider that a dwelling of this design will be out-of-keeping within the area.

Although the dwelling will be relatively prominent due to its elevated position at the top of a grass bank, the built-form will not encroach significantly into the open green space at the side, and the scheme will be ‘dug in’ to ensure that the proposed dwelling does not dominate views of the wider area. It is also noted that the rear garden of the dwelling will occupy a natural plateau at the top of the slope, so that minimal re-grading of the site will be required.

To ensure that views from the wider area are protected, additional planting along the site boundary should be requested by condition.

9.3 Residential Amenity

The new development is sited a sufficient distance away from the boundaries of the site to ensure that no harmful overshadowing or overdominance will occur to surrounding properties. The dwelling is ‘dug’ into the ground to reduce the overall ridge height, and its roof slopes away from the boundary to its highest point.

Towards the rear, the patio doors and bathroom window will not cause direct or harmful oblique overlooking to the neighbouring property, given their single storey level.

Towards the side, although the new entrance door/ external staircase/ stairwell window will be positioned close to the boundary, this arrangement is not considered to result in any significant overlooking, intensification of use, or loss of privacy to No. 2 Hawthorn Road, given the suitable levels of boundary screening and orientation of the properties roughly side-by-side.

A proposed 1.8 metre high close boarded fence will be erected along the boundary with No. 2 Hawthorn Road, which will further ensure that privacy levels are maintained.

Whilst it is accepted that the new garden and fencing will be more noticeable when viewed from the rear-gardens on No. 2 Hawthorn Road, it is considered that the intensification of use will not result in any harmful loss of privacy, and the fence will not cause any harmful overshadowing or over dominance.

Additional overlooking across the road is not considered to be an unacceptable or unusual form of development in this location.

9.4 Pavement Link and Other Issues

After requests from Cllr Connolly, Highways and the Town Council, the Agent has confirmed in writing that a pavement can be constructed between Hawthorn Road and Kennet Road. This will be on land in the ownership of the applicant.

Pedestrian movement between the two roads will be enhanced by linking up the two footpaths, and the scheme will provide a public benefit for nearby residents, whilst at the same time improving highway safety. A condition should be added to any approval, ensuring that details of the footpath are submitted to and agreed in writing, and that the works are carried out prior to the occupation of the new dwelling.

Two off-street parking spaces will be provided for the dwelling, and the Council Highway Officer raises no objections to the scheme.

The bank of screening to the north of the new dwelling (adjacent to Hawthorn Road) is to be partially retained. This should be conditioned as part of any approval, in the interests of visual and residential amenity.

The application red-line plan does not include all of the land between Kennet Road and the bottom of Hawthorn Road, and therefore Officers cannot insist that the pavement between the two roads is linked up, as this is not essential in highway safety terms. Although Officers accept that the linking of the footpaths may be desirable, this cannot form part of the current planning application.

10. Conclusion

The sloping gradient of the site, the relationship of the development with the neighbouring properties, the levels of screening around the site, the views/relationship of the site from the wider area, and the third party objections have all been taken into account when assessing the impact on visual and residential amenity.

Overall it is considered that the development is acceptable in principle, and would not result in any significant adverse impacts in terms of the character and appearance of the area, residential amenity, or highways safety.

As requested, the provision of the pedestrian link between Hawthorn Road and Kennet road is secured.

Recommendation: APPROVE, subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

REASON: To secure a harmonious form of development.

3. No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

- Full details of any trees and landscaping to be retained, together with measures for their protection in the course of development;
- A detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- Finished levels and contours;
- Means of enclosure;

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

4. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.

All hard landscaping, including the erection of the boundary fence, shall also be carried out in accordance with the approved details prior to the occupation of any part of the development.

REASON: To ensure the provision of adequate landscaping, to assimilate the development into its local context, and to protect the amenity of the nearby dwelling.

5. No part of the development hereby approved shall be occupied until a scheme for a safe pedestrian pavement route between Hawthorn Road and Kennet Road has been submitted to and approved in writing by the Local Planning Authority. The pavement shall be provided in accordance with the approved details prior to the first occupation of the dwelling.

REASON: To secure the provision of safe pedestrian access.

6. The development hereby permitted shall not be first occupied until the parking spaces hereby approved have been consolidated and surfaced (not loose stone or gravel) and sustainable drainage has been installed to prevent surface-water runoff onto the highway. The parking spaces shall be kept free of obstruction at all times thereafter.

REASON: In the interests of highway safety.

7. The development shall be constructed in accordance with the submitted drawings:
Location Plan 1537 Plan 1; P1 1537; P2 1537; BDS 10-03-15.

REASON: For the avoidance of doubt.

INFORMATIVE:

Many wildlife species are legally protected. The applicant should be aware that if it becomes apparent that the site is being used or has previously been used by protected species (such as slowworms, badgers, barn owls or bats), work should STOP immediately and Natural England should be contacted at their Devizes office 01380 725344 for advice on how to proceed.

INFORMATIVE:

The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website

www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy