

Deadline	20-Oct-2010		
Application Number:	S/2010/1247		
Site Address:	Brockhurst White Road Mere Warminster BA126EX		
Proposal:	New detached dwelling		
Applicant/ Agent:	Mr R Rogers		
Parish:	Mere		
Grid Reference:	381777 132768		
Type of Application:	Full		
Conservation Area:		LB Grade:	
Case Officer:	Charlie Bruce-White	Contact Number:	01722 434682

Reason for the application being considered by Committee:

The Area Development Manager (South) does not consider it prudent to exercise delegated powers given objections raised by the Parish Council and recent changes in Government guidance concerning minimum housing density figures and the re-classification of residential gardens.

1. Purpose of Report

To consider the above application and the recommendation of the Case Officer that planning permission be APPROVED subject to conditions

Neighbourhood Responses

3 letters of objection/concern were received.

Parish Council Response

Object.

4. Planning History

<i>App. No.</i>	<i>Proposal</i>	<i>Decision</i>	<i>Date</i>
05/2314	New vehicular access at Baycroft onto Chetcombe Road	AC	05.01.96
07/1944	Erect 2 detached dwellings	AC	15.11.07
08/1446	Erect new dwelling attached to Brockhurst	REF	13/10/08

The most recent application was refused for the following reasons:

- 1) *Due to the positioning of first floor windows and the proximity of the proposed dwelling to the garden of a neighbouring property to the north, the development would result in an unacceptable loss of amenity to the property known as "Gleanings". The development would therefore be contrary to the aims and objectives of PPS3 and*

saved policy G2 of the adopted Salisbury District Local Plan.

- 2) *Due to previous records of bats within the roof space of the existing dwelling, and the potential for the development to affect its roof structure, it is not considered that a judgement can be made on whether protected species would be materially affected without the benefit of appropriate survey evidence and/or mitigation. No such survey has been provided by the applicant and consequently the development would be contrary to the aims and objectives of PPS9, saved policy C12 of the adopted Salisbury District Local Plan, and policy C3 of the adopted Wiltshire & Swindon Structure Plan.*
- 3) *The proposed residential development is considered by the Local Planning Authority to be contrary to policy R2 of the adopted Salisbury District Local Plan because appropriate provision towards public recreational open space has not been made.*

5. The Proposal

It is proposed to erect a detached dwelling to the west side of Brockhurst.

6. Planning Policy

The following development plan policies and Government guidance are considered relevant to this proposal:

- Local Plan policies G1, G2, D2, H16, TR11, TR14, R2
- PPS3, PPG13

7. Consultations

Highways Officer

No objection

Parish Council

Object due to overdevelopment of site, lack of amenity space, lack of parking/turning space, inappropriate vehicular access, detrimental affect upon neighbouring dwellings including Merendi and Gleanings.

8. Publicity

3 letters of representation were received, objecting to the proposal on the following grounds:

- Overdevelopment of site;
- Loss of light and privacy to neighbouring dwellings;
- Inadequate parking/turning facilities;
- Inappropriate access.

1 additional letter was received in relation to the amended parking layout, raising the following objections:

- emphasises the lack of space that originally existed for parking purposes;
- does nothing to address the problem of there being insufficient accessibility along the access track for further vehicles;
- parking layout would be likely to result in disagreements over spaces both within the site and in the stated turning area.

9. Planning Considerations

9.1 Principle of development

The site is within the Housing Policy Boundary where the principle of new residential development is acceptable, subject to the criteria as set out in Policy H16 of the Local Plan. Of particular importance is that the proposal should not constitute inappropriate backland development and should not result in the loss of an open area which contributes to the character of the area.

Policy D2 of the Local Plan states that the design of the proposal should respect the character of the area, with particular regard to building lines, scale and height and plot widths.

PPS3 seeks to direct new housing development towards sustainable locations and to provide quality housing that positively contributes to the local environment and needs of communities. Recent changes to the PPS have removed minimum density requirements and excluded residential gardens from the definition of previously developed land. However, the site is within a settlement where development is acceptable in principle, and it is not considered that the proposal should be resisted as unacceptable “garden grabbing” subject to according with other planning objectives noted above.

9.2 Character and appearance of the area

The site is situated within a backland location, to the rear of properties fronting onto Chetcombe Road and White Road. Here exists a dwelling known as Brockhurst and a further two detached dwellings that have recently been constructed within a loose courtyard type layout. The part of the site subject to the current development lies immediately to the west of Brockhurst, in between its side elevation and the boundary with a neighbouring bungalow known as Merendi. This area currently comprises part of the garden to Brockhurst, as well as a parking area and detached garage to this dwelling.

The main body of the new dwelling would be constructed broadly in line with Brockhurst, but with a single storey rear projecting extension. To the front would be a parking area for two cars and to the rear a modest sized garden, approximately 40 sq metres in area. A distance of approximately 1 metre would separate the sides of the new dwelling and Brockhurst, and likewise a similar distance would be left between the boundary with Merendi, although this latter dwelling is situated at least 6 metres away from the same boundary. The new dwelling would therefore have a close visual relationship with Brockhurst, although its reduced ridge and eaves height, together with its modern architectural details, would clearly distinguish the new dwelling from its neighbour. At the same time, however, the render, roof tiles and red feature corner bricks proposed would distinctly relate to the two new dwellings constructed nearby. The plot sizes of the new dwelling and Brockhurst would also relate well to those created within the two other dwellings. From within the site itself, the proposal would

therefore be in keeping with the existing development, and would reinforce the courtyard layout.

It is acknowledged that the density of development would be far greater than other dwellings in the immediate vicinity of the site, particularly those on Chetcombe Road, which is characterised by bungalows set within generous sized plots with road frontages. However, in the wider context of the character of the area, the development would only be glimpsed from behind these dwellings, and the resulting increase in density would have limited visual affect on the character of Chetcombe Road.

9.3 Living environment of future & existing occupiers

New dwelling

The new accommodation would be of a modest size, but would provide an appropriate layout and space for a two bed dwelling, including 40 sq m garden and two off-street car parking spaces.

Brockhurst

The bulk of the new dwelling would be built in line with the side of Brockhurst, which only has a single obscure glazed WC window within its facing side elevation. Consequently it is not considered that the new dwelling would have an unacceptable overbearing or overshadowing affect on Brockhurst.

Although the garden and parking area to Brockhurst would be substantially reduced, there would still be reasonable parking facilities and an 80 sq m rear garden provided.

Gleanings

This is the dwelling situated immediately to the north of the site. The occupant of this dwelling has raised concerns over loss of light and privacy. The rear wall of the two storey part of the new dwelling would be between approximately 5.75 and 6.4 metres from the boundary with this property, fronting onto the neighbour's garden, and the single storey part 2 metres closer respectively. The eaves of the new dwelling would be approximately 4 metres in height, and its pitched roof would slope away from the boundary up to a ridge height of approximately 6.5 metres. The single storey extension would have eaves of approximately 2.5 metres in height, with a gable roof facing onto Gleanings with its ridge measuring approximately 3.5 metres.

Although the new dwelling would be clearly visible from the garden of Gleanings, given its overall modest bulk and height, and the otherwise reasonably open aspects of the neighbouring property to the north and west, it is not considered that the new dwelling would have an unduly overbearing impact. Being situated directly to the south of Gleanings, it is acknowledged that the new dwelling could result in a degree of overshadowing to the neighbouring property when the sun is at its lowest during the winter months. However, such loss of light would be relatively limited bearing in mind the modest scale of the dwelling and distance of separation, and it is not considered that the living environment would be significantly reduced to an unacceptable level. With regards to privacy, the facing rear elevation of the dwelling would only have high level roof lights at first floor level, which would not permit views down into the neighbouring property.

Merendi

This is the dwelling situated immediately to the west of the site. The occupant of this dwelling has raised concerns that the proposal would result in a loss of privacy and light, and would have an overbearing impact. However, having examined the siting, orientation and layout of Merendi, it is not considered that the bulk of the new dwelling would have such an unacceptable impact so as to warrant refusal. Neither would privacy be significantly affected due to the omission of first floor windows in the west facing elevation.

9.4 Highways implications

The Highways Officer has raised no objection to the proposed development. It is noted that the roadway leading onto White Road is narrow, although the number of dwellings using it would not be substantial, and its visibility at its junction with White Road is adequate.

Off street parking provision is considered sufficient, at two spaces per dwelling, including Brockhurst, which is in accordance with parking standards contained within the Local Plan. It should be noted that an amended parking layout was submitted during the course of the application, in order to address a concern of neighbours with regards to a parking space contained within a shared access area of the site adjacent to Merendi. This space has been omitted and replaced by an additional space within the courtyard of the new development.

Given that the Highways Officer raises no objection and the level of car parking provided is set at two spaces per dwelling, it is not considered that the Local Planning Authority could reasonably refuse the application on highway related grounds.

9.5 Other matters

If it is resolved to approve the application a financial contribution towards off-site recreational open space will be required in accordance with policy R2.

Protected species are not considered to be a material consideration given that the roof space of Brockhurst, which has records of roosting bats, is to be unaffected by this proposal for a new detached dwelling.

10. Conclusion

The proposed dwelling would be acceptable in principle, being sited within a sustainable location within the Mere Housing Policy Boundary. The design would visually integrate with the existing immediate surrounding development and there would be no significant impact upon the character and appearance of the wider area. The site would have adequate vehicular access and off-street car parking facilities at 2 spaces per dwelling. Due to the dwelling's relatively modest scale and height, and the design and positioning of first floor windows, there would be no significant impact upon the amenity of neighbours.

RECOMMENDATION

That subject to the applicant entering into a section 106 legal agreement to secure the appropriate financial contribution towards off-site recreational open space

That the application be APPROVED for the following reasons:

The proposed dwelling would be acceptable in principle, being sited within a sustainable location within the Mere Housing Policy Boundary. The design would visually integrate with

the existing immediate surrounding development and there would be no significant impact upon the character and appearance of the wider area. The site would have adequate vehicular access and off-street car parking facilities at 2 spaces per dwelling. Due to the dwelling's relatively modest scale and height, and the design and positioning of first floor windows, there would be no significant impact upon the amenity of neighbours. The proposal would therefore accord with the aims and objectives of the development plan and Government guidance, having particular regard to Local Plan policies G1, G2, D2, H16, TR11, R2 and guidance contained within PPS3.

And 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 Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

- 2) This decision relates to documents/plans submitted with the application, listed below:

Plan Ref....1069/10A....	Date Received....25.08.10....
Plan Ref....1069/11B....	Date Received....25.08.10....
Plan Ref....1069/12D....	Date Received....20.12.10....

- 3) No development shall commence on site until written details of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the local planning authority. Where so requested by the local planning authority, samples of materials shall be provided on site for further written agreement. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and the character and appearance of the area.

Policy: D2

- 4) No development shall take place until the car parking spaces for Brockhurst, Plot 1 and Plot 2 have been constructed and made available for use in accordance with drg. no. 1069/12D received on 20.12.10.

Reason: To ensure adequate parking facilities are available in the interests of highways safety and amenity.

Policy: G2

- 5) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. Hard landscaping works shall be carried out as approved prior to first occupation of the dwelling. All planting, seeding or turfing comprised in the approved details of soft landscaping shall be carried out in the first planting and seeding seasons following the completion of development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of development 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 the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity and the character and appearance of the area.

Policy: G2

- 6) No development shall commence on site until details of the design and external appearance of all fences, gates, walls, and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being occupied.

Reason: In the interests of visual amenity and the character and appearance of the area.

Policy: G2

- 7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no first floor windows or other form of openings other than those shown on the approved plans, shall be inserted in the north or west elevations of the development hereby permitted.

Reason: In the interests of residential amenity.

Policy: G2

- 8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions to, or extensions or enlargements of any building forming part of the development hereby permitted.

Reason: In the interests of visual and residential amenity.

Policy: G2

- 9) No construction or demolition work shall take place on Sundays or public holidays or outside the hours of 0800 to 1800 weekdays and 0800 to 1300 on Saturdays. This condition shall not apply to the internal fitting out of the buildings.

Reason: In the interests of neighbouring amenity.

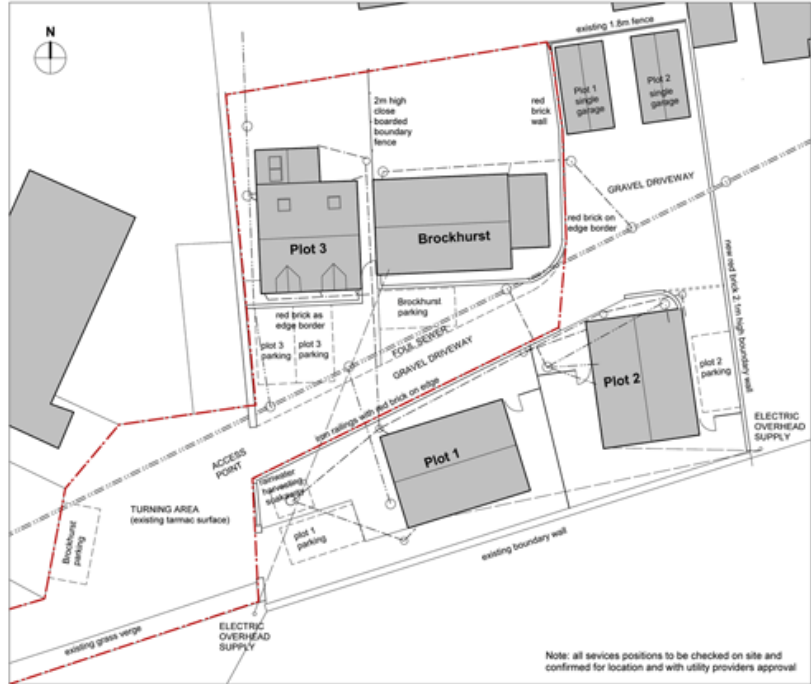
Policy: G2



existing location plan scale 1-1250



proposed block plan scale 1-500



proposed site plan scale 1-200

Note: all services positions to be checked on site and confirmed for location and with utility providers approval