

REPORT TO THE AREA PLANNING COMMITTEE

Date of Meeting	5 th November 2014
Application Number	14/08400/FUL
Site Address	Plot adjacent to `Beechwood` Bratton Road West Ashton Trowbridge BA14 6AZ
Proposal	Proposed dwelling
Applicant	Mr Mr M.Brown, Mr R. Brown, and Mrs LH Bere Brown
Town/Parish Council	WEST ASHTON
Ward	SOUTHWICK
Grid Ref	387990 155560
Type of application	Full Planning
Case Officer	Jemma Foster

Reason for the application being considered by Committee

Councillor Prickett has called the application to committee if recommended for Approval for the following reasons:

- Scale of development
- Visual impact upon the surrounding area
- Relationship to adjoining properties
- Environmental or highway impact
- Design – bulk, height, general appearance

1. Purpose of Report

To consider the above application and recommend approval.

2. Report Summary

- The main issues to consider are:
- Principle
- Design issues and impact upon character and appearance of the area
- Impact upon neighbouring amenity

- Access and Highways
- Other

3. Site Description

The site is located within the village policy limit of West Ashton and is currently a grassed area. There are properties to the north and west that run in a linear development along Bratton Road. These dwellings differ in material, size and design.

4. Planning History

14/02339/FUL – Proposed Dwelling – Refused at Western Area Planning Committee for the following reason:

The proposed dwelling by reason of its siting, size, height and design would have an adverse impact upon the character and appearance of the street scene and neighbouring amenity, contrary to Saved Policies C31a and C38 of West Wiltshire District Local Plan (Adopted 2004).

5. The Proposal

This is an application for the erection of a detached dwelling with associated new access, amenity and parking areas.

The difference between the current application and the previously refused application are:

Ridge has been dropped by 1 1/2 metres, the front dormer has been replaced with a floor to ceiling windows, first floor windows have been removed on the north eastern elevation, render has been introduced rather than brick, an insertion of an additional first floor window on the north western elevation and a ground floor window on the south eastern elevation. The style of roof has also been altered and the number of proposed bedrooms has been reduced from 3 to 2.

6. Planning Policy

West Wiltshire Local Plan

C31a Design

C32 Landscaping

C38 Nuisance

H17 Village Policy Limit

National Planning Policy Framework 2012

7. Consultations

West Ashton Parish Council: Object for the following reasons:

The previous reason for refusal has not been overcome for the following reasons:

Status of land – the land is considered to be agricultural – is it permissible to seek planning permission to build a dwelling on this site

Scale/design of development – the footprint remains the same and is in the same

place and the plot is still not large enough to accommodate a 2 bedroomed property and 2 parking spaces without imposing on the neighbours. The proposal is contrary to Policy H17 as it is not in keeping with the character and appearance of the spatial form of the development, it is not seamless in the current street scene, an additional entrance will create a ripple effect on parking in the village

Relationship to adjoining properties – The proposal will still dominate the adjacent bungalow and will have a detrimental effect on 19 Bratton Road in the autumn and winter months. The new application shows more trees/shrubs on the boundary which will have a negative light impact on No.19.

Wessex Water – The drainage for Beechwood runs across the rear of the bungalow which has not been addressed in the application

The Design Statement – This statement is incorrect - the proposal is not in line with number 19, West Ashton is not served by public transport, proposal does not respect neighbours, the applicant has no relationship within the village, the development is not acceptable, the parish council made no objection to a previous application which was subsequently sold at auction – there is no reason to conclude that this application will follow the same path, the plot is more suited to a garden.

Wiltshire Council Highways Officer – No Objection subject to conditions regarding access, gradient and visibility splays

Wiltshire Fire and Rescue – Proposal should comply with Building Regulations

Wessex Water – No Objections - New water and waste water connections will be required and further investigation will be required regarding sewers

8. Publicity

4 letters of objection have been received from the public with the following comments:

- Bratton Road is very busy. Cars park either side of the road making it extremely difficult to pull out of driveways. The increase of a further drive will cause further problems
- Due to the height of the wall and narrow exit pedestrians would also have limited view and warning of exiting vehicles.
- The majority of the dwellings in the street scene have wide driveways, many of which are shared, we also question the size of the turning area – is it sufficient for cars to turn as it will result in the cars reversing into the road
- Two bedroomed properties in the design proposed are not characteristic of the area
- We question whether the site is viable
- The site is an important visual gap from our house
- We will be even more overlooked due to the large windows

- The site sits above the road and thus will overlook properties opposite
- The size of the dwelling is out of proportion for the plot
- The site should be a garden
- Front door will overlook our garden and occupants will be able to look into seven of our upstairs windows and six downstairs windows which is an invasion of our privacy
- The proposed rooflight will overshadow onto our lawn
- Dominate the skyline and dwarf the properties either side
- There will be car fumes and nuisance in close quarters of our only garden
- Beechwood will have to face a 25ft high wall and roof within 4ft of the boundary with the addition of a 6ft high close boarded fence between them

9. Planning Considerations

9.1 Principle

The site lies within the Village Policy Limit where development is considered to be acceptable subject to the following criteria: (Policy H17):

The development would be in keeping with the character, appearance and distinctive spatial form of the settlement;

The development is in accordance with the District Plan 1st Alteration policies which seek to protect the natural environment, including water resources and flood risk and the built environment;

It would not create inappropriate backland or tandem development;

It would not result in the loss of an important open space or visual gap;

It can be satisfactorily serviced, there is adequate infrastructure, including water supplies and sewage treatment and it does not create highway problems.

The site is located within the Village Policy Limit, the principle of a change of use from agriculture to residential is considered to be appropriate and therefore is not considered to be a matter to refuse this application. It is important to note that the principle of the site being used for a dwelling did not form part of the previous reason for refusal and therefore it would be inappropriate to introduce this as a reason for refusal on this current application.

It is not considered that the proposed site would create inappropriate backland or tandem development and would not result in the loss of an important open space or visual gap as the road is characterised by linear residential development. The other issues highlighted above will be looked at below.

9.2 Design issues and impact upon character and appearance of the area

The site is characterised by dwellings of different sizes, materials and designs and are predominantly detached.

The proposal sees a detached dwelling which appears smaller than those around it due to its square nature. The materials see cream coloured rendered walls under a brown/red clay tile roof. As stated previously, the materials of the dwellings within the existing street scene differ and therefore the proposed materials are considered to be appropriate. The site access is to be cut into the existing land and graded suitable not to warrant any retaining walls which is considered to be acceptable as it mirrors existing accesses along the road. The reduction in roof height when compared to the previous application is considered to improve the proposed dwellings overall appearance in the street scene.

It is considered that the proposed dwelling would not have an adverse impact upon the character and appearance of the area and is considered to comply with Policy C31a.

Concerns have been raised regarding the size of the plot and whether it is large enough to enable a dwelling to be built. The plans show that a dwelling can be built on this site with areas for access, turning, parking and amenity space and is therefore considered to be appropriate. It is also worthy to note that existing dwellings known as 17b and 17c are on smaller plots than the one proposed.

The plans demonstrate the landscaping proposals which see large areas of grass, boundary fences, gravel and tarmac all of which are considered to comply with Policy C32. Concerns have been raised regarding proposed soft and hard landscaping which will reduce light to neighbouring properties, however these could be inserted without the need for planning permission and therefore would not warrant a reason to refuse this current application.

9.3 Impact upon neighbouring amenity

C38 which relates to nuisance and states:

Proposals will not be permitted which would detract from the amenities enjoyed by, or cause nuisance to neighbouring properties and uses. Consideration will be given to such issues as any loss of privacy or overshadowing, levels or types of traffic generation, the storage of hazardous materials, the generation of unpleasant emissions such as odour, fumes, smoke, soot, ash, dust or grit, the extension of existing unneighbourly uses and the creation of an untidy site. Development will not be permitted if the amenities of its occupiers would be affected adversely by the operation of existing or proposed neighbouring uses.

The proposed dwelling lies just under 1 metre from the boundary with the adjacent dwelling known as 17 Bratton Road. It is located approximately 3.6 metres to the neighbours garage and approximately 7.6 metres from the dwelling where a obscure glazed window is located. It is acknowledged that this is close but due to the

proposed dwelling being single storey with the roof slanting away from the neighbouring dwelling, together with the fact that the proposed dwelling lies adjacent to the neighbours drive and garage, the proposal is not considered to impact upon this neighbouring dwelling in terms of being overbearing. The proposed dwelling also lies north west of the existing property and therefore it is not considered that overshadowing would warrant a refusal reason.

The proposed dwelling is located approximately 12.6 metres south of number 19 Bratton Road and approximately 3 metres to the neighbouring boundary which is adjacent to access of number 19. It is therefore considered that the proposed dwelling would not be overbearing to number 19 Bratton Road. It is acknowledged that the proposed dwelling would cause some overshadowing to the garden of number 19 but due to the ridge height being relatively low it would not be sufficient to warrant a reason to refuse the application.

The proposed ground floor windows are considered not to overlook neighbouring properties by reason of them being at ground floor level. Fences measuring 1.8 metres high are proposed on the boundaries of number 17 and 19 Bratton Road and the proposed windows to the front elevation are over 30 metres from the properties on the opposite side of the road (32 and 34 Bratton Road). The proposed rooflights on the north west elevation serves an en-suite bathroom which can be conditioned to be obscure glazed and stair well which would not overlook number 19 Bratton Road. The rooflight on the south eastern elevation is located below 1.7 metres from the internal floor level and serves a bedroom and therefore would overlook the garage of number 17 Bratton Road. As this rooflight would be located on an angle due to the roof slope it would only overlook the neighbours garage and not their private amenity space and as such is considered to be appropriate. The proposal is therefore considered to comply with Policy C38.

9.4 Access and highways

The submitted plans demonstrate that sufficient parking, turning, access and visibility splays can be achieved from the proposed development which meet highway requirements and therefore it is considered that the proposal would not have a detrimental impact upon highway safety.

Concerns have been raised regarding whether cars will be able to leave the site in a forward gear. The Highways officer has confirmed that there is sufficient space for cars to park and turn on site.

9.5 Other

The Fire and Rescue Service have requested that the proposed dwelling complies with Building Regulations. This is not a material planning matter that can be taken

into consideration when making a recommendation on this application.

Some issues have been raised that are not considered to be materials planning considerations when making a recommendation on this application and these include location of man hole covers, car fumes, viability, personal connections to the village and if the site will be sold on via auction. With regards to foul sewerage and utilities, Wessex Water have raised no objections to the proposed development and the application was not previously refused on this matter and therefore it would be inappropriate of the Local Planning Authority to raise this as a reason to refuse the application.

10. Conclusion

It is considered that the proposal has overcome the previous reason for refusal and complies with the relevant policies of the Local Plan and is therefore recommended for Approval.

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. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, 13604-200-01T, 1309: 07 received on 5th September 2014

REASON: For the avoidance of doubt and in the interests of proper planning.

3. Before the development hereby permitted is first occupied the rooflights serving the en-suites on the north western and south eastern elevation shall be glazed with obscure glass only to an obscurity level of no less than level 3 and the windows shall be permanently maintained with obscure glazing in perpetuity.

REASON: In the interests of residential amenity and privacy.

4. The soft landscaping shown on the approved drawings shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; 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 shall also be carried out in accordance with the approved details prior to the occupation of any part of the development.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

5. No part of the development hereby permitted shall be first occupied until the access, turning area, parking spaces and visibility splays have been completed in accordance with the details shown on drawing number 1309/07 received by the Local Planning Authority on 5th September 2014. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

6. The development hereby permitted shall not be first occupied until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

7. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained.

8. The gradient of the access hereby approved shall not at any point be steeper than 1 metre for a distance of 15 metres from its junction with the public highway.

REASON: In the interest of highway safety

9. 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 window, dormer window or rooflight, other than those shown on the approved plans, shall be inserted in the north east, north west or south east roofslopes of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.