

REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	13 May 2015		
Application Number	14/08912/OUT		
Site Address	Vale of The White Horse, Minety		
Proposal	Erection of 8No Dwellings		
Applicant	Mr Denman		
Town/Parish Council	Minety PC		
Electoral Division		Unitary Member	Cllr Berry
Grid Ref			
Type of application	OUTLINE		
Case Officer	Kate Backhouse	01249 706684	

Reason for the application being considered by Committee

The application has been called in to consider the merits of the case in light of local support and the support of the Parish Council.

1. Purpose of Report

To consider the above application and to recommend that planning permission be REFUSED.

The Parish Council support the application.

163 – letters of support / petition names

3 – letters of objection

11 – General comments

2. Main Issues

The main issues in considering the application are:

- Principle of development Policies CP1, CP2, CP13, CP57, CP61, CP62
- Size, scale and design of proposal
- Impact on the amenity and living conditions of local residents
- Highways
- Planning contributions
- Other matters

3. Site Description

The Vale of the White horse is a public house located on the outskirts of Minety. The public house is set into an embankment with a railway line to the north of the site. Surrounding the property is a large parking area. Onsite there is a large building which is utilised by the squash club. To the south of the site is a substantial pond surrounded by planting. The site is located on the outskirts of the village and is poorly related to the centre of the village and its amenities such as the school and playing fields with no footpath to connect them.

An application has been submitted ref 14/08917/FUL for the conversion of part of the lower bar area to letting rooms and is the subject of a separate report on this agenda.

4. Relevant Planning History

**11/02501/FUL – Provision of additional Accommodation and Associated Works – PER
14/03728/OUT – Erection of 12 dwellings and Formation of 8 Apartments - WDN**

5. Proposal

Initial plans were submitted for the erection of 12No dwellings on site consisting of two rows of terraces and detached dwelling / semi-detached dwelling surrounding the pond.

Following concerns raised in respect of size, scale and design and in order to reduce the number of dwellings under the 10No threshold which would make the development liable for Section 106 contributions, revised plans were submitted reducing the number of dwellings to 8, omitting the row of dwellings set against the embankment. Further plans were submitted to demonstrate parking and private amenity space.

6. Consultations

Parish Council
Highways
Environmental Health
Ecology
Drainage
Network Rail
Tree Officer
Spatial Plans
Urban Design

Consultation Responses

Parish Council Support

Environmental Health. No objections however request conditions in respect of hours of construction and require a noise report to consider the impact of the elevated road and the railway on the new dwellings

Highways Following the submission of revised plans Highways Officers are satisfied that sufficient spaces have been provided and have withdrawn their initial objection to the scheme.

Ecology Confirm that there is no in principle objection to very small impacts on development surrounding the lake following the submission of revised plans. An updated ecological report would need to be provided which demonstrated that any harm caused by the development would be mitigated should consent be granted.

Drainage – No objection subject to conditions

Network Rail – Offer standing advice

Tree Officer No objection subject to conditions

Spatial Plans - Development should be in accordance with the development plan unless there are material considerations indicate otherwise. The proposal is considered contrary to saved policy H4 of the North Wiltshire Local Plan and CP2 of the Core Strategy for Wiltshire in that it represents new development in the countryside. There is not an urgent need for housing in the area, nor is

the application for affordable housing which is recognised as a serious shortcoming of the proposal.

Urban Design – Objection. The proposals represent poor quality design and are in conflict with the requirements of CP57 WCS or Buildings for Life 12.

The proposed buildings would not enhance the character and local distinctiveness of the area required by CP57 (represented by the intrinsic local vernacular:

The terrace is both of excessive scale (height and mass) and its rigid form and appearance is distinctly urban in character and out of place with the intrinsic local vernacular that represents local distinctiveness. This is from its high eaves and parapet to achieve a second floor and the uncharacteristic roof terrace, the repetition and proportion of openings, and universal use of render for example in comparison to the neighbouring similarly long and deep barn like buildings that line the B4040 to the north and west of the site.

It is also not clear at what level the terrace building will be set in relation to the road. While it may be set down from this placed close to the boundary with the railway the long elevation would be prominent from the bridge particularly as it would appear that most of the current vegetation partially screening the site is on the embankment within the railway demise, the long roofline would rise above this and the vegetation could be cut back or removed particularly with the redoubling of the track being considered. There is no room for significant planting on this boundary within the site and this gap and the rear of the building would look particularly harsh with the likely high metal security fence that would be required by the railway along this side.

The proposed houses generally appear to have no particular character and extensive use of modern renders and other finishes with rudimentary detailing such as Upvc box fascia eaves, would exacerbate this whereas the intrinsic character is represented by the use of stone walling, clay pantiles and natural slates.

The rear gardens facing into and towards the pond and road would be a visually poor backdrop with the absence of active and accessible frontage particularly with the inevitable high garden fencing, and proprietary sheds and conservatories that may appear.

My following points indicate there would appear to be a poor level of amenity for occupiers of the proposed development and that additional space would be necessary to satisfactorily address these matters. This could impact on the ability to accommodate the size and quantity of accommodation proposed.

-Without track plot(s) it is not clear that the proposed car parking layout would leave adequate or convenient turning for refuse and delivery vehicles within the site if bays are occupied.

-There would appear to be inadequate manoeuvring space to conveniently enter and exit the car bays 28 to 33 inclusive requiring protracted reversing and multiple turns.

-The positioning of car bays 30 to 33 would appear to leave insufficient space to practically and conveniently access the front doors of dwellings 6, 7 & 8.

-The positioning of car bays 7 to 12 would allow no room across the rear or between to access the gardens of dwellings 1 & 2 or draw refuse bins and cycles past.

-The size shown for the gardens to all dwellings would appear to be particularly inadequate including accommodating washing lines, family sitting out areas and play space, the refuse bins, garden storage, and circulation space between these, and the required secure cycle storage. Building for Life 12 Q 12 recommends that the size of rear gardens should at least equal the footprint of the dwelling.

There is no site plan showing the site as existing in order to clearly establish: the exact boundaries of the application site (no red line); canopy of trees and other vegetation; the size of the pond; or comparable existing and proposed site and building levels/ adjacent ground lines marked on the plan or elevations which would appear particularly significant to clearly establish the appreciable visual mass and relative height of the housing terrace in the street scene in juxtaposition with the public house, at the railway bridge and on the approaches to the site in both directions along the B4040.

Without comparison perimeter areas shown for the pond with an illustration of the degree of regrading, retaining walls and/or banking that may be necessary for further containment of the pond it is not possible to establish this would not detract from or appear out of character in its setting. The Design & Access Statement indicates the development would require an increase in water capacity for the pond. Comparison of the proposed layout for the site with the aerial view (which suggests the existing pond extends up to the western boundary and is near the southern boundary) suggests the resulting earthworks and retaining structures could be visually substantial as the surface water area could be significantly reduced: in order to raise the ground levels along the western site boundary (which the Design & Access Statement explains would be necessary); by proposed plots 6,7 & 8 which appear to encroach on the existing pond; the retention of these frontages and the proposed car parking bays 43 to 50 backing directly onto the pond edge.

7. Publicity

The application was advertised by site notice and neighbour consultation.

The Parish Council support the application.

163 – Letters of support / petition names

3 – Letters of objection

11 – General comments

Summary of key relevant points raised in support:

- Provides affordable homes for individuals who wish to live in the village
- Ensures the long term survival of the public house
- Retains jobs of the staff
- Enables the conversion of the letting rooms to support the public house

Summary of key points raised in objection:

- Overdevelopment of site
- Contrary to planning policies
- Impact on pond
- Will cause flooding
- Highway safety

8. Planning Considerations

Planning principle

The principle of the proposal is considered to conflict with the settlement strategy for Wiltshire in that the development is on the outskirts of a small village, poorly related to the core of the village and in a location where new development is only considered acceptable if it is for small scale infill within the existing built area. Mitigating factors have been presented which identify that the redevelopment of the site will provide funding for the provision of letting rooms onsite.

Consideration has been given to whether the scheme has mitigating factors which outweigh the underlying planning policy objection to the scheme. With regard to supplementing land required for

housing development, the WCS has been recently adopted and there is already an identified supply of deliverable land for housing for at least five years. Additional requirements for housing land over the plan period are being met through the preparation of a Housing Site Allocations DPD following a plan-led approach as advocated by the NPPF. There is no basis to justify setting aside development plan policies to supplement a deliverable supply of land for housing.

Statements in the supporting material imply that the future of the public house is in jeopardy. Funding realised by the proposed development will underwrite investment that can help to support it as a going concern. Notwithstanding that it is not considered possible to secure funding for a scheme which is outside of the parameters of this application, there is no confirmed method of quantifying or securing the funding as financial contribution from the development. As such this cannot be given any significant weight as it may not occur and is outside of any form of control.

It is therefore not considered that there are any mitigating factors which outweigh the overwhelming in principle objections to the scheme.

Size, scale and design

Revised plans show a row of 3 storey dwellings set against the railway line. The design of the dwellings is not considered to reflect any local architectural styles and is considered particularly at odds with the rural locality. In respect of the semi-detached and detached dwellings the design is again not considered of a high standard as required under CP57. Revised plans show alterations to fenestration details and a reduction in height of the terraced properties however the design remains unacceptable with disproportionate detailing, blank elevations and a lack of detailing. The side elevation of the terraced dwellings highlights the different roofscapes which are considered especially unsuccessful and they remain particularly at odds with their rural location. The resulting dwellings are not reflective of any particular style of dwelling in the locality nor of a high standard and quality of design that is expected for new builds.

The revised plans now show amenity space to the front of the row of terraced dwellings. The gardens are all to the front of the properties and this is considered an unsatisfactory relationship with the parking lot in terms of residential amenity. The roof terraces, whilst they provide some private amenity space this is tempered by their proximity to the railway line, the road and the parking forecourt.

In respect of the dwellings surrounding the lake, apart from small pontoons to the rear of the dwellings, there is very little amenity space particularly for plots 6 and 7. The proposed dwellings have 3 bedrooms and therefore a reasonable amount of amenity space is considered essential which this scheme does not provide. As discussed above the site is located on the outskirts of Minety, a settlement with small village status, and as such the development is not considered sustainable. The lack of amenity space provided for the dwellings puts more pressure on the locality in terms of off-site amenity requirements and this therefore further reinforces the unsustainability of the site.

The Council's urban Design Officer objects to the scheme proposals. Detailed comments are set out under section 6 above.

Impact on residential amenity

The positioning of the units onsite are not considered to be in such close proximity to existing dwellings that they would impact on the living conditions in respect of overlooking and loss of privacy. Core policy 57 however is clear in that appropriate levels of amenity should be achieved within the development site itself as well as having due regard to the compatibility with surrounding uses. The forecourt parking arrangements in front of the terrace properties is not considered acceptable in this respect and whilst sufficient spaces have been provided onsite for the number of proposed units, spaces 32 and 33 are right outside the front doors of plots 6 and 7 and spaces 30 and 31 will require a degree of manoeuvring to utilise which will be to the detriment

of occupiers of the proposed dwellinghouses. The lack of private amenity space further exacerbates the impact the parking spaces will have on future residents.

Highways

Highways Officers raised objection to the original proposal due to the lack of parking provision. The amended scheme requires less parking provision and Highways Officers are satisfied that the proposal now provides sufficient spaces for the public house and new dwellings. Officers have raised no concerns in relation to highways safety.

Planning contributions and CIL

Extensive financial reports have been submitted for both the original proposal and also for the revised proposal for 8No dwellings citing the schemes un-viability should a contribution be required. The number of dwellings proposed has been reduced so that the proposal is under the threshold of ten units which would attract section 106 contributions. The development would however be liable for CIL contributions following its adoption and the Council has taken the position that CIL payments are non-negotiable regardless of the planning merits of a proposal and therefore CIL is payable. Notwithstanding the above CIL is separate from the issuing of any planning decision and therefore is not a matter for consideration within the determination of this application. The application has been submitted in outline and any reserved matters application would also be CIL liable.

Other matters

The proposals have received a large amount of public support in the form of petitions and letters of support. Whilst many are supportive of the redevelopment of the public house to ensure its long term viability, this application will not guarantee this, nor are there any mechanisms in place to ensure that profits made by redevelopment will be utilised to facilitate the conversion of the basement to letting rooms as per application 14/09917/FUL. The applications are separate and therefore even if the scheme were supported, this is not technically possible. There does also appear to be some confusion over the nature of the dwellings proposed. To be clear, the application is not for affordable housing for local people, the units are market housing which will not be secured for local families on a housing waiting list, they will be available to anyone at a valuation to be determined by the developer and the market.

9. Conclusion

The proposal is considered to conflict with the settlement strategy for Wiltshire in that it does not represent small scale limited development within the built area of this small village and having given due consideration to the full merits of the scheme it is not considered that there are any material factors which outweigh the in principle objections to the scheme. The scheme is not for affordable housing for local people where other policy considerations could be taken into account however notwithstanding this, the scheme is considered unacceptable in respect of the design of the proposed houses, lack of private amenity space and the parking arrangements which are considered to impact on the amenities of future occupiers.

As noted above consultees have requested an updated ecology report and a noise report however given that the scheme attracts an in principle policy objection and this has been clear from the start, it was considered unreasonable to put the applicant to further expense.

10. Recommendation

Planning Permission be REFUSED for the following reasons:

The proposal is for 8No new dwellings in the open countryside with no material considerations or special justification which outweigh the overwhelming policy objection. The development does not represent 'limited infill' and is thus contrary to saved policy H4 of the North Wiltshire Local Plan

2011, Core Policies 1, 2 and 13 of the Wiltshire Core Strategy and Paragraph 55 of the National Planning Policy Framework.

The proposal is not considered to be of a high quality design and the private amenity space is wholly insufficient for proposed houses and results in an inadequate level of residential amenity for future occupants of the proposed dwellings. The proposed development is wholly out of character with the form, scale, bulk, mass and detail of existing dwellings in the locality resulting in harm to the character and appearance of the locality. Parking provision, immediately adjacent to the semi detached and detached dwellings is considered to give rise to an unacceptable impact on the living conditions of future residents in respect of noise and disturbance. The development as a whole is considered contrived and representative of overdevelopment of the site. The development therefore is contrary to Core Policy 57 of the Wiltshire Core Strategy. And paragraphs 14 and 17 of the National Planning Policy Framework