# CASE OFFICER'S REPORT

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| **Application Reference:** | PL/2023/04925 |
| **Application Type:** | Full planning permission |
| **Site Inspection:** | 27.07.2023 |
| **Consultation ends:** | 04 August 2023 |
| **Case officer:** | Steven Vellance |

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| **Site Address:** | Land Adj HIillside, 15 High Street, Dilton Marsh, Westbury, Wilts, , BA13 4DL |
| **Proposal:** | Construction of two bedroom chalet bungalow with bedrooms (one with en-suite) in roof space and 2 no. parking spaces to front. |
| **Recommendation:** | Approve with Conditions |

**POLICIES**

Local Context: The adopted Wiltshire Core Strategy (WCS) 2015, namely:
Core Policy 1 - Settlement Strategy
Core Policy 2 - Delivery Strategy
Core Policy 57 - Ensuring High Quality Design and Place Shaping
Core Policy 61 - Transport & New Development

Wiltshire Local Transport Plan (LTP3) Car Parking Strategy 2011- 2026

National Context: National Planning Policy Framework (NPPF) & Planning Practice Guidance PPG

**ISSUES**

Principle of development
Amenity/Design
Highways

**REPRESENTATIONS**

Dilton Marsh Parish Council: No response.
Wiltshire Council Highways: No objections subject to conditions.
Rights of Way: No response
Neighbours: No response received.

**Relevant Planning History.**

20/03869/FUL The construction of a new dwelling house within the side plot of land to the immediate west of 15 High Street, Dilton Marsh. Approved.

**ASSESSMENT**

Proposal: The site already has full planning permission for the construction of a new dwelling at this location, within the previously approved 20/03869/FUL planning permission. The current application is seeking to vary the scheme with a new and different design for the erection of a new dwelling within the grounds of and to the west of 15 High Street, Dilton Marsh. The proposed new build would consist of a smaller sized. two bedroom, two storey chalet bungalow with a pitched roof, which would be located between numbers 15 and 17, with there being an existing access track onto nursery land to the rear of these properties, as located in between numbers 15 and

17. The proposed new building would be located to the west of the host principal dwelling of No.15 and the ground surface area has already been prepared in the sense that a previously existing single storey side extension belonging to No.15 has been removed.

Principle of the Development: The principle of development for a new dwelling is firmly established within the recent permission for a new dwelling at this location. The site is located within the defined settlement boundary limits of development for Dilton Marsh where there is a presumption in favour of sustainable development. The proposal is therefore considered to be in accordance with CP1 and CP2 of the adopted Wiltshire Core Strategy and subject to accordance with CP 57. The village of Dilton Marsh is classified as a large village within the Council's Core Strategy.

Design. The proposal would be a modest form of infill development located between numbers 15 and 17 High Street, Dilton Marsh. The proposed building would be a two bedroom two storey chalet bungalow with a pitched roof design. The proposed newbuild can be effectively shown within the following snippets taken from the proposed plans:




Proposed front elevation of dwelling & site plan.

The proposed block plan above is helpful in that it shows the proposed building's siting and location in context of the existing and surrounding built form.



Photograph of application site and nearby bungalows.

It was noted by the case officer during a site inspection that the surrounding built form is eclectic and that there are a number of bungalows within the immediate area, the locality is not in a

conservation area and there are no listed buildings present. It is appraised that the proposed scheme would not look out of place or context within the existing surrounding built form and complies with Core Policy 57.

The proposal would also serve to maintain the established building line and would use appropriate materials as detailed within the plans; consequently the proposed new dwelling would not be visually harmful to the immediate locality. The construction of the proposed dwelling would result in a smaller sized plot for No.15 but would leave it a substantial sized garden area. There would also be adequate private recreational land for both the proposal and No.15, with sufficient provision of land for off road car parking for both dwellings, as shown above on the block plan.

It is therefore appraised that the proposed dwelling would be an appropriate addition and would not be out of keeping with the local vernacular.

Impact on Neighbour Amenity: CP57 emphasises the importance of maintaining neighbouring amenity, therefore with regard to such considerations the front of the proposed building would look out onto the site's access and adjacent highway. The rear of the building would have one high level window looking out onto the rear garden of the site, serving bedroom 1 on the first floor.

It is noted that the principle of first floor overlooking of rear garden areas is already firmly established by existing properties looking out onto their rear gardens, therefore the proposal would not introduce new levels of first floor overlooking and would offer oblique views to the rear.

It is therefore appraised that there would not be any significant impact on neighbouring amenity from the scheme with the proposal being in accordance with CP 57. No neighbour objections have been received.

Highways: The Highways Officer has been consulted and has not raised any objections. The officer responded to the planning application by stating that the road side edge is highway land and has in the past been encroached upon by neighbouring houses, by way of providing access for driveways and for the off road parking of vehicles.

The officer further commented that whilst this was the case, there would be no detriment to highway safety and so would be difficult to justify this as grounds for a refusal. The officer requested that two planning conditions and an informative be applied in the event that permission was to be recommended, with these conditions relating to the use of a consolidated material for the access surface and for the provision of surface water drainage/disposal. Both of the suggested conditions are considered to be reasonable and necessary. The suggested informative would relate to the dropping of kerbs.

In terms of provision of off road parking of vehicles, the plans as submitted clearly show that two car parking spaces can be provided for both the existing dwelling at No.15 and also for the new dwelling.

Other Matters. The application form states that surface water to the site would be dealt with by the use of a sustainable drainage system and the use of a soakaway, such details have also been included within the block plan. Foul waste would be connected to the main sewage system, which

is acceptable and such drainage matters are a Building Control matter and are not planning considerations.

With regard to the Community Infrastructure Levy (CIL), this is where a levy on the development may be charged and details of the contribution required and procedures involved can be found on the council's web site at: www.wiltshire.gov.uk. The amount payable is calculated when planning permission is granted. Any permission shall include an informative informing the developers that CIL payments are required prior to any on site commencement.

Conclusion: The proposed new dwelling at this location, is considered to be acceptable in principle and is considered to accord with policy. The scheme is therefore recommended for approval with conditions as attached.

**RECOMMENDATION**: Approve subject to conditions.

**Conditions:** (4)

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 and documents:

Drawing number/s: 2301–01 RevC Proposed elevations, plans & sections, 2301–02 Rev A Proposed site plan, roof plan; site location plan received on 03.07.2023.

Design & Access Statement and Planning Application form, received on 03.07.2023

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

3 The development hereby permitted shall not be first brought into use 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.

4 Notwithstanding the submitted details, the proposed development shall not be occupied until means/works have been implemented to avoid private surface water from entering onto the highway.

REASON: To ensure that the highway is not inundated with private water.

**Informatives:** (2)

5 The proposal includes alteration to the public highway as a dropped kerb is proposed and the permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license may be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact the vehicle access team direct on vehicleaccess@wiltshire.gov.uk and/or 01225 713352 for further details.

6 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. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website https://www.wiltshire.gov.uk/dmcommunityinfrastructurelevy.