CASE OFFICER'S REPORT

Application Reference:	PL/2023/05067
Site Address:	4 Underdown Mead, White Road, Mere, BA12 6EQ
Date of Inspection:	N/A
Date site notice posted:	N/A
Date of press notice:	N/A

POLICIES

National Planning Policy Framework
Section 2 Achieving Sustainable Development
Section 12 Achieving Well Designed Places
Section 15 Conserving and enhancing the natural environment

Wiltshire Core Strategy
Core Policy 1 Settlement Strategy
Core Policy 2 Delivery Strategy
Core Policy 17 Mere Community Area
Core Policy 50 Biodiversity and Geodiversity
Core Policy 57 Ensuring high quality design and place shaping
Core Policy 61 Transport and New Development

Wiltshire Local Transport Plan 2015-2026

Car Parking Strategy

RELEVANT PLANNING HISTORY

PL/2023/02925 – Loft conversion with velux roof lights A.C 20.06.23

PL/2022/08821 – New two bedroom detached bungalow REF 09.01.23

PL/2022/04385 – New proposed two bedroom dwelling A.C 13.09.22

ISSUES

- Principle of development including design, scale and amenity impacts;
- Highway safety/Parking;
- Ecological impact

REPRESENTATIONS

Mere Parish Council – Objection with comments stating:

There has been a history of development around the two semi-detached houses formerly known as 3 and 4 Underdown Mead. PL/2022/04385 granted approval for a 2-bed bungalow to be built in the garden of No. 4 Underdown Mead

PL/2022/08821 refused permission for a new 2-bed bungalow to be built in the garden of No. 3 Underdown Mead for the following reasons: The proposed development will fail to ensure that the occupants of the proposed dwelling have a high standard of amenity, due to the

overlooking from the parent dwelling and a lack of adequate private amenity space, contrary to the provisions of Policy CP 57 of the Wiltshire Core Strategy and to the requirements of paragraph 130 of the NPPF. The amenities of the occupants of the parent dwelling would be adversely affected by the significant reduction in the amount of usable amenity space to the rear of that dwelling as a result of the proposed bungalow to the immediate rear of the property, contrary to the provisions of the above Policy and paragraph of the NPPF. PLEASE NOTE THAT THE TOWN COUNCIL SUPPORTED THIS APPLICATION.

PL/2023/02925 –granted approval for Loft conversion with velux roof lights of 4A Underdown Mead.

Notwithstanding the fact that the Town Council raised no objection to the application for a bungalow in the garden of No. 3 Underdown Mead – it is noted that No. 4 has a dwelling in the garden and also now has approval for a loft conversion, this application is asking for a loft conversion and a further dwelling. The loft conversions create extra bedrooms and therefore the potential need for more car parking spaces. The Town Council therefore felt that this planning application would create a cramped form of development and the parking provision for both the parent dwelling and the new dwelling would be difficult to access and would be insufficient.

WC Highways – No objection subject to conditions with the following comments received:

I note the submission of further revised plans, which now reference the approved scheme adjacent to the site. The access and parking arrangements remain unchanged in this current submission and as such, I recommend that no Highway objection is raised, subject to the following conditions and informative being attached to any consent granted.

Third Party representations – 2 x letters of representation received with comments detailed as the following:

I am concerned about the safety of vehicular access into old hollow. It is a narrow No through lane, there are often cars parked there due to restricted parking in Downside close and old hollow. I have no objection to the proposed building.

The previous owners of 3 Underdown Mead added a tarmac drive. This driveway extends into the shared turning space. When creating the new driveway please can you ensure that the driveway is in the correct place and not extending into the shared turning circle, removing all of the tarmac and reinstating the piece in the shared turning space. The driveway should end at the wall and not extend past it. We feel this will stop any misunderstandings with parking on the new property. This does seem to be reflected on the plans, we wanted to reiterate the point to make sure the plans are followed. Along the same lines it should be made clear that there is a guest parking space on the shared driveway and this is for occasional use whenever visitors come. Not for parking in regularly as could be the case if new the new owners cannot fit or manoeuvre their vehicles onto their new driveway or if they own more than 2 vehicles.

Site Description:

The application site is within the curtilage of the dwellinghouse known as 3 Underdown Mead within the settlement of Mere. The site, is set within a pair of semi-detached dwellinghouses known as No's 3 and 4 Underdown Mead and is located within a prominent area of Mere at the edge of an existing housing estate at the junction of Downside Close and White Road.





4 Underdown Mead benefits from planning permission to erect a new two bedroom dwellinghouse (PL/2022/04385) but this consent is yet to be implemented.

Proposal:

Planning permission is sought for the erection of a new dwellinghouse to form a row of terraced properties following the sub-division of the existing residential curtilage of the dwelling known as 3 Underdown Mead, Mere mirroring recent consent PL/2022/04385. Other works include a loft conversion to the existing dwellinghouse and the creation of a new access/egress.

ASSESSMENT

Principle of development including design and scale

The application site is within the curtilage of the dwellinghouse known as 4 Underdown Mead within Mere. The site currently forms a set of semi-detached dwellinghouses located within a prominent area of Mere at the edge of an existing housing estate at the junction of Downside Close and White Road.

The site is located with the settlement boundary, where in principle, new housing is welcomed and considered acceptable subject to compliance with the relevant planning policies of the Wiltshire Core Strategy (WCS).

The proposal should aim to conform to the objectives of Core Policy 57 of the WCS which aims to achieve a high standard of design in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complimentary to the locality.

Officers note the recent decision to refuse planning permission for application PL/2022/08821 to erect a new detached two bedroom bungalow within the rear garden of 3 Underdown Mead. This application was refused for the following reason:

The proposed development will fail to ensure that the occupants of the proposed dwelling have a high standard of amenity, due to the overlooking from the parent dwelling and a lack of adequate private amenity space, contrary to the provisions of Policy CP57 of the Wiltshire Core Strategy and to the requirements of paragraph 130 of the NPPF. The amenities of the occupants of the parent dwelling would be adversely affected by the significant reduction in the amount of usable amenity space to the rear of that dwelling as a result of the proposed

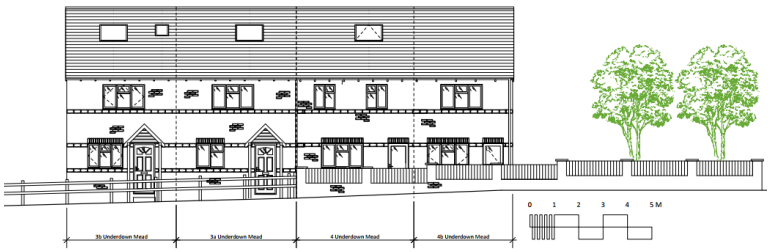
dwelling to the immediate rear of the dwelling, contrary to the provisions of the above Policy and paragraph of the NPPF.

The proposal would see the erection of a new dwellinghouse following the sub-division of the existing residential curtilage of the semi-detached dwellinghouse known as 3 Underdown Mead to form a row of terraced properties. Works to facilitate this proposal would see the removal of the existing chimney, the removal of the porch and entrance serving the host property and fenestration changes. Other works include a loft conversion to the existing dwellinghouse and associated internal alterations to include two rooflights to the rear roofslope of the existing dwelling when viewed from Old Hollow and one to the front when viewing the existing dwelling from White Road.

The concerns from the Parish Council by way of the proposed in respect of a cramped form of overdevelopment of the site when having consideration from recent planning approval PL/2022/04385 are duly noted. The concerns around highway matters are referred to in the Highway Safety/Parking section of this report.

The design of the dwellinghouse is largely similar to that of the existing dwellinghouse and to that of the recent planning approval PL/2022/04385 for the new dwellinghouse following the sub-division of the residential curtilage associated with 4 Underdown Mead. Following discussions with the agent, a street scene drawing has been submitted that better shows the proposal in context to the recent approval at the neighbouring property and this is now, in the opinion of the case officer, clearer how the proposed development would work and appear in practice having regard for this other recent planning approval. The layout of the proposed and street scene plan are shown below.





As viewed from White Road



As viewed from Old Hollow

Whilst the overall plot size for the new dwellinghouse is modest coupled with the layout of the existing dwellinghouse, the Council's current position on housing land supply should be considered. The proposed would potentially offer an opportunity in respect of affordability for a first time buyer to purchase this dwelling should it become available on the open market.

Core Policy 57 requires that development should ensure the impact on the amenities of existing occupants is acceptable, and ensuring that appropriate levels of amenity are achievable within the development itself, and the NPPF (paragraph 130f) states that planning decisions should 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.'

The proposed amenity spaces for the existing and new dwellinghouse proposed are 90sq metres in total for the existing dwelling and 52sq metres for the new dwellinghouse excluding driveways. Whilst the reduction in plot size/amenity space of the host dwellinghouse to accommodate the proposed new dwellinghouse would result in both the host dwelling and new dwelling proposed having a reduced/small plot size/amenity space, there is no requirement in planning policy terms for a new dwelling to have a certain size amenity space. A decision to refuse planning permission on this basis would be difficult to justify at any forthcoming appeal.

Views afforded from the first floor windows of the new dwellinghouse proposed would be predominately of the surrounding area and properties that include No's 1 and 2 Underdown Mead, No's 1, 2, 3 and 4 Downside Close and adjacent properties known as Merendi and 1 The Copse. Having regard for the residential use of the new dwellinghouse, there would potentially be an increase perception of overlooking from the first floor windows as a result of the new dwellinghouse to adjacent properties and mutual overlooking back from existing properties. However, it can be stated that the bedroom windows that the first floor windows serve within the dwellinghouse would not be to principal habitable rooms. Officers note the insertion of a first floor window on the southern (side) elevation of the new dwellinghouse serving the main bathroom. Views from this window would primarily be of the shared access and parking area for the site and adjacent properties, 1 and 2 Underdown Mead. Subject to the imposing of a condition requiring this window to be obscured glazed in perpetuity, officers are of the opinion that any amenity impacts by way of this element of the proposal would be suitably mitigated.

Furthermore, in residential areas such as the location of this application site, there is a certain degree of inter-relationship and overlooking that is considered to be acceptable in planning

terms. It should also be noted that the third party comments from neighbouring properties received relate primarily to the parking arrangements for the proposed which will be covered in other sections of this report.

The location of the existing set of semi-dwellinghouses is within a visually dominant area within Mere at the junction of Downside Close and White Road. The boundary treatments of the new and adjusted existing dwelling will also be important factor in the visual impact of this development – currently it appears that the existing rear (west facing onto Old Hollow) garden area serving no.3 has unusually low fencing which retains the open character of the street. As such officers, consider that tall boundary fencing to the new and adjusted properties would be likely to have an adverse visual impact. Given there is a need to provide visibility from a highways perspective also, officers consider it appropriate to impose conditions to any consent removing permitted development rights for structures in the garden areas, including the erection of tall boundary treatments thus preserving the open character of the area. This would be consistent with the approach for the recent consent PL/2022/04385.

In terms of materials to be used in the construction of the works, details have been provided within a planning statement that confirm the external brick is Bradstone traditional, with a Brown Double Roman Roof Tile to be used. These materials and the window, door and rainwater goods are identical to that of what was approved for the recent consent PL/2022/04385. Therefore, subject to these materials being used, a condition requiring details of these would not be reasonable or required. For the reasons as outlined above, officers are of the opinion that the proposed works are considered to be acceptable in planning terms and therefore, not contrary to Core Policy CP57 of the WCS.

Highway safety/Parking

Access to the proposed new dwelling is via the existing access from White Road, a shared access with No's 1 and 2 Underdown Mead. Part of the existing parking area would be lost to facilitate the erection of the new dwellinghouse proposed and a new a parking area would be created to the rear of the existing dwellinghouse 3 Underdown Mead to serve this property with access via the Old Hollow. Officers note the comments received from the Parish Council in respect of highway safety by way of this proposal and the comments received from members of the public.

Officers have sought the views of the Council's Highway Officer on this proposal. Comments received state the following:

The proposals include a new access to allow two separate driveways, one for each plot. Whilst the visibility shown is substandard for a 30mph road, noting the nature of the road and the proximity of the junction, they are considered acceptable in this instance. As such, I recommend that no Highway objection is raised, subject to the following conditions and informative being attached to any consent granted;

No part of the development shall be first occupied, until the visibility splays shown on the approved plans have been provided with no obstruction to visibility at or above a height of 600mm above the nearside carriageway level. The visibility splays shall always be maintained free of obstruction thereafter.

REASON: In the interests of highway safety.

The development hereby permitted shall not be first occupied until whole of the parking areas, have been consolidated and surfaced (not loose stone or gravel). The accesses shall be maintained as such thereafter.

REASON: In the interests of highway safety

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

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

INFORMATIVE:
The application involves an extension to the existing/creation of a new vehicle access/dropped kerb. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will 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 our Vehicle Crossing Team on vehicleaccess@wiltshire.gov.uk and/or 01225 713352 or visit their website at http://wiltshire.gov.uk/highways-streets to make an application.

Based on the comments received from the Highways Officer, officers are of the opinion that the proposal adheres to the adopted parking strategy of the Council. Subject to the imposing of the suggested conditions onto any consent, officers consider that the proposed will not cause any significant detrimental impact to highway safety or highway users that would warrant the refusal of planning permission.

Officers note the comments received from members of the public in respect of highway safety and the driveway of the application site extending into the shared turning space and works associated with this element of the proposal being correctly adhered to and; the correct use of the parking spaces

As outlined in the comments above from the Highways Officer who has confirmed that subject to a number of conditions being imposed onto any consent, the proposal will not have any adverse impact to highway safety that would warrant the refusal of planning permission.

In respect of the comments received in regard to the works associated with and the use of the shared driveway for the new dwellinghouse, the onus would be on the developer/land owner to ensure the driveway is built in accordance with the approved plans. The parking of vehicles associated with the proposed dwellinghouse and use of the share driveway is the responsibility of the owner(s)/occupier(s), a civil matter to be resolved between the relevant parties and is not a matter for the Local Planning Authority to become involved within.

Ecological impact

WCS policy CP50 (Biodiversity and Geodiversity) and the NPPF requires the Local Planning Authority to ensure protection of important habitats and species in relation to development and seeks enhancement for the benefit of biodiversity through the planning system.

The site is not located within any known ecological constraint area for protected species such as bats or swifts. It is noted that the protection of ecological habitats is paramount when considering new development schemes. However, on this occasion, given the site's location in close proximity to the major artery road known as the A303 officers consider that whilst no biodiversity net gain has been provided by the agent for this proposal, it would not be appropriate or justified to request such information given the location of the site not being within a designated ecological constraint area.

CONCLUSION

The comments received from the Parish Council and members of the public are duly noted and have been carefully considered. For the reasons outlined within this report, officers consider that the development conforms to the objectives of Core Policies 1, 2, 17, 57 and 61 of the Wiltshire Core Strategy and the aims of the NPPF. Taking the above into account, the application is not considered contrary to these policies as it does not cause any significant material harm that would justify a refusal of planning permission.

RECOMMENDATION

Approve with 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:

DWG No: OD00128/P/D Sht 3 Site Location Plan, Existing Block Plan, Proposed Site Layout Plan, Street Scene and Roof Plan Date Received 02.08.23
DWG No: OD00128/P/B Sht 1 Existing and Proposed Floor Plans Date Received 06.07.23
DWG No: OD00128/P/B Sht 2 Existing and Proposed Elevations and Section Date Received 06.07.23

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

3 The materials to be used in the construction of the development hereby permitted shall be in strict accordance with the submitted planning statement received by the Local Planning Authority on the 02.08.23 and the material specification details provided that include the brick type, roof tile, window, door, rainwater goods and block paving received by the Local Planning Authority on the 23.06.23.

REASON: To preserve and enhance the character of the area.

4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no extensions, alterations or further window openings inserted to the roofslopes or first floor elevations to the existing or approved dwelling other than as approved as part of a formal planning application by the Local Planning Authority.

REASON: In the interests of the amenity of the area.

5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no outbuildings or structures, or gate, wall, fence or other means of enclosure, other than those shown on the approved plans, shall be erected or placed anywhere on the site on the approved plans.

REASON: To safeguard the character and appearance of the area.

6 Before the development hereby permitted is first brought into use, the first floor window within the side elevation serving the WC/bathroom as shown on approved plan DWG No: OD00128/P/B – Sht 2 shall be obscured glazed (to an obscurity rating of no less than Level 5) and the window shall remain obscure glazed in perpetuity.

REASON: In the interests of the amenity of the area.

7 No part of the development shall be first occupied, until the visibility splays shown on the approved plans have been provided with no obstruction to visibility at or above a height of 600mm above the nearside carriageway level. The visibility splays shall always be maintained free of obstruction thereafter.

REASON: In the interests of highway safety.

8 The development hereby permitted shall not be first occupied until whole of the parking areas, have been consolidated and surfaced (not loose stone or gravel). The accesses shall be maintained as such thereafter.

REASON: In the interests of highway safety.

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

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

10 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 dwelling 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, hedgerow 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 or in accordance with a programme to be agreed in writing with the Local Planning Authority.

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

INFORMATIVE TO APPLICANT(S):

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

2) The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

3) The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

4) The application involves an extension to the existing/creation of a new vehicle access/dropped kerb. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will 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 our Vehicle Crossing Team on vehicleaccess@wiltshire.gov.uk and/or 01225 713352 or visit their website at http://wiltshire.gov.uk/highways-streets to make an application.