CASE OFFICER'S REPORT

Application Reference:	PL/2023/06606
Application Type:	Full planning permission
Site Inspection:	
Consultation ends:	04 September 2023
Case officer:	Ruaridh O'Donoghue

Site Address:	Land adjacent 4 Coate Road, Stanton St Bernard, Marlborough, SN8 4LG
Proposal:	Proposed new 3 bedroom dwelling (amendment to PL/2022/01407)
Recommendation:	Approve with Conditions

Proposal and Site Description
The application concerns land off Coate Road in Stanton St Bernard near Pewsey in Wiltshire.

- Stanton St Bernard in a Small Village in the WCS
- The site lies within the North Wessex Downs AONB.
- Within 70m of the site lie 4 listed dwellings.

The application proposes the erection of a 3-bed dwelling. This is a resubmission of PL/2022/01407 to take account of some proposed amendments to the elevations and site boundary.

As this is a resubmission, it is not necessary to look at all the issues previously considered under the original application. It is only necessary to consider the proposed changes to see if the development is still acceptable in planning terms. It is advised that the this report is read in conjunction with the case officer report for PL/2022/01407.

Policies

National Context:

National Planning Policy Framework (NPPF) Planning
Practice Guidance (PPG)
Planning (Listed Buildings and Conservation Areas) Act 1990

Local Context:
Wiltshire Core Strategy (WCS) adopted 2015:
WCS - CP1 Settlement strategy
WCS - CP2 Delivery strategy
WCS - CP18 Pewsey Community Area
WCS - CP50 Biodiversity and geodiversity
WCS - CP51 Landscape
WCS - CP57 Ensuring high quality design and place shaping
WCS - CP58 Ensuring the conservation of the historic environment
WCS - CP60 Sustainable transport

WCS - CP61 Transport and development
WCS - CP64 Demand management
WCS - CP67 Flood risk

Key Issues

- Principle of the development
- Design
- Visual Impact
- Neighbour Amenity
- Highways Safety/Parking
- Drainage
- Ecology
- Impact upon the setting of listed buildings.

Relevant Planning History

There is no relevant planning history pertaining to the site aside from the original consent this is seeking to amend (PL/2022/01407).

Consultation Responses

Wiltshire Council Highways

I have considered the information provided and I am happy that the drawings address the previous requirements. However, I would just like the Structures Team to take a look at the design to be fully happy of its viability.

I also note that the applicant is still to provide a design showing the visibility splay.

The previous drawing had it shown so we should mirror that requirement on this application :

No part of the development shall be first brought into until the visibility splays shown on the approved plan (NJC – 001) have been provided with no obstruction to visibility at or above a height of 900mm above the nearside carriageway level. The visibility splays shall always be maintained free of obstruction thereafter.
Reason: In the interests of highway safety

We should also ensure that a VX informative is also provided:

INFORMATIVE
The application involves an extension to the creation of a new vehicle access and 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. The applicant must also ensure

that any works within 8m of a watercourse (including discharge to and/or piping of road side ditches) will require full Land Drainage Consent . Please contact the Drainage Team at Drainage@wiltshire.gov.uk

Representations
None received

Planning Considerations and Assessment

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

Principle of Development:
The proposed changes do not affect the principle of development. This was found acceptable under the original scheme. The Council still finds itself without a 5YRHLS and the policies of the development plan relevant to this issue are the same as those assessed on the original application.

Design and Visual Impact:
The scheme proposed minor changes to the external appearance of the dwelling - namely, the arrangement and style of the fenestration and doors. These changes do not materially later the assessment previously made in respect of the dwelling's design and visual impact.

The scheme also proposed minor changes to the proposed driveway and parking area. Namely, the use of a retaining wall with render above ground to keep the grass on the RHS level with the dwelling as opposed to sloping down towards the parking area. However, the changes proposed do not materially affect the assessment previously made with respect to design and visual matters.

Neighbour Amenity:
Although the arrangement of the fenestration differs slightly from the original consent, it is not of material difference such as to warrant an alternative view to be taken on the issue of overlooking/loss of privacy.

The height and scale of the dwelling remain as previously assessed such that it can still be concluded that it will not cause any adverse impacts to the reasonable living conditions of the occupants of these properties by reason of loss of light or overbearing impacts.

In addition to the above, it is noted that no comments have been received from third parties/neighbours in respect of the issues identified in this section of the report.

Highways Safety/Parking:

The proposed changes do not affect any of the issues considered under this heading. The previous comments of the LHA remain valid and any relevant conditions raised by them can be reimposed on this current application.

It is noted that cross-section drawings of the retaining walls have been provided and it is also shown on the plans that an aco-drain is to be installed to prevent surface water from entering the highway. As such, the previously suggested conditions referring to these elements are no longer necessary.

The retaining wall has been checked by the Structures Team in Highways and they have confirmed that based on the information provided, highway structures approval is not required in this location, therefore they have no issues.

Visibility splays have been provided in line with those shown on the previously approved drawings. As such, this is also not an issue.

Ecology:
The proposed changes do not affect any of the issues identified previously under this heading. The proposed bat box and planting are retained and will secure the necessary biodiversity gains required by paragraph 180 of the NPPF.

Drainage and Flood Risk:
The site is within Flood Zone 1, therefore it has a low risk of flooding. An FRA is not required.

Foul drainage will connect to the existing mains. Surface water is to be dealt with via soakaway which will be controlled at the building regulations stage under Approved Document H. Such measures will ensure there are no increased flood risks associated with this development proposal.

Heritage
The proposed changes do not materially affect any of the issues identified previously under this heading. The original assessment remains valid in respect of heritage assets.

S106 contributions/CIL:
The development would be CIL liable.

Conclusion
The development is in broad accordance with the development plan as a whole. Other materials considerations include the NPPF and the lack of a 5YRHLS. When you consider the Council's 5YRHLS deficit, this scheme will make a very small but nonetheless positive contribution to the Council's supply. A small benefit is thus accrued here along with other minor economic benefits associated with construction and future economic expenditure by occupants. These weigh in favour of the scheme. Overall, it is concluded that there are no adverse consequences of the development and it should be recommended for approval, subject to any relevant conditions previously imposed on PL/22/01407 and any new ones outlined in this report.

Conditions: (9)

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:

Dwg Ref: Application form
Dwg Ref: 001 Location and Existing Block Plan
Dwg Ref: 002 Proposed Block Plan
Dwg Ref: 003 Proposed Driveway Retaining Walls and Soakaway
Dwg Ref: 004 Rev B Proposed Visibility Splay
Dwg Ref: 010 Proposed Floor Plans
Dwg Ref: 030 Proposed Elevations
Dwg Ref: 031 Proposed Garden/ Driveway Ramp

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

3 No development shall commence on site above ground floor slab level until details and samples 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. The 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.

5 No part of the development shall be first brought into until the visibility splays shown on the approved plan (Dwg Ref: 004 Rev B - proposed visibility splay) have been provided with no obstruction to visibility at or above a height of 900mm above the nearside carriageway level. The visibility splays shall always be maintained free of obstruction thereafter.

REASON: In the interests of highway safety.

6 The development hereby permitted shall not be first brought into use until the first 2m of the access, measured from the edge of the carriageway and/or whole of the parking area, 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.

8 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 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 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.

9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.3) (England) Order 2020 (or any Order revoking or re-enacting or amending that Order with or without modification), no buildings 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 which is within the North Wessex Downs AONB.

10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.3) (England) Order 2020 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions/extensions or external alterations to any building forming part of the development hereby permitted.

REASON: In the interests of the amenity of the area which is within the North Wessex Downs AONB, and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions/extensions or external alterations.

11 The development shall not be first occupied until the bat box has been installed in accordance with the details shown on drawing no. 05 Rev C. The bat box shall be maintained as such thereafter.

REASON: To secure biodiversity enhancement on the site in accordance with paragraph 180 of the National Planning Policy Framework and Core Policy 50 of the Wiltshire Core Strategy

2015.

Informatives: (1)

12 INFORMATIVE

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