DELEGATED REPORT

Application Reference:	PL/2023/05511
Application Type:	Planning permission
Site Address:	2 NEW COTTAGES, COMPTON BASSETT, CALNE, SN11 8RE
Proposal:	Proposed Driveway
Recommendation:	Approve with Conditions

PROPOSAL AND SITE

The application seeks permission for a new driveway and access to the public highway at 2 New Cottages, Bremhill, a domestic dwellinghouse. Plans indicate the first metre of the 8 m splay shall be of concrete with the 2No parking spaces, measuring 6m x 8m laid to gravel

The application relates to a semi-detached residential property outside the defined limits of any settlements and for the purposes of the local plan is considered to be in the open countryside. The property currently has no formalised off-street parking, relying instead on an informal lay-by immediately opposite.

The site lies within the Compton Basset Conservation Area in Flood Zone 1. The Grade II listed War Memorial lies approximately 63m to the south west and Nos 14, 5 and 16 Compton Bassett lie to the east (the boundary of No 14 abuts the site) and are covered by a grade II group listing. PRoW BBAS lies approximately 63m to the east. Immediately opposite the site to the south lies the North Wessex Downs Area of Outstanding Natural Beauty The site is not part of any other specific landscape, ecological or archaeological designation.

During the life of the application revised plans were submitted by the applicant demonstrating the visibility splay.

RELEVANT PLANNING HISTORY

None

POLICIES

Wiltshire Core Strategy Policies:

CP51 - Landscape
CP57 – Ensuring high quality design and place shaping
CP58 – Ensuring the conservation of the historic environment
CP61- Transport and development

National Planning Policy Framework 2023 (NPPF)

Section 12: Achieving well designed places
Section 15: Conserving and enhancing the natural environment

Compton Bassett Neighbourhood Plan

Policy 7: Proposals for development should preserve the character of the Compton Bassett Conservation Area, historic buildings and historic rights of way.
Policy 10: Development should conserve the landscape and scenic beauty to the AONB.

ISSUES

The main issues in the consideration of this application are:

- Principle of development
- Design and appearance
- Amenity
- Heritage impact
- Highways
- Impact on landscape including AONB

CONSULTATION

Compton Bassett Parish Council – No comments received.

Highway Engineer

09.08.23

As visibility has not been shown I can only allow with the attached condition.

No part of the development hereby permitted shall be first brought into use until means/works have been implemented to maintain visibility splays between the edge of the carriageway and a line extending from a point 2.4 metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the near-side carriageway edge 43 metres to the right and left of the access. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 900 mm above the level of the adjacent carriageway.

REASON: In the interests of highway safety

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.

27.11.23

The revised drawing BDS-04-23 dated November 2023 shows a revised visibility with the splay achievable with the main obstacle to visibility (the hedge) moved back to the rear of the splay to the west of the proposed access. With the lack of recorded injury accidents and the geometry of the road likely to decrease average speed, in the opinion of this officer, the plans are adequate and I would not wish to raise a highway objection.

REPRESENTATIONS

None received.

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. At the current time the statutory development plan in respect of this application consists of the Wiltshire Core Strategy (WCS) (Adopted January 2015); and the 'saved' policies of the North Wiltshire Local Plan (NWLP) 2011

(adopted June 2006).

Principle of development

Under the provisions of section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004, and the provisions of the NPPF i.e. para 2, applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The relevant development plan document in respect of this application consists of the Wiltshire Core Strategy (WCS) (Adopted January 2015).

The principle of development ancillary to an existing residential property is acceptable in principle, providing those proposals compliant with the requirements of relevant policies within the development plan (WCS). In this instance, of particular relevance are policies pertaining to, scale, design and amenity (CP57), landscape (CP51), heritage (CP58) and impact on Highway Safety (CP61).

Scale and design

The planning system promotes high quality development through good inclusive design and layout and the creation of safe, sustainable mixed communities. Good design should be indivisible from good planning and recognised principles of good design seek to create a high-quality built environment for all types of development. Core Policy 57 of the WCS requires new development to respond positively to existing landscapes in terms of building layout, built form, height, mass, scale, building line and materials in order to effectively integrate the building into its setting.

The proposal will result in a new vehicular opening onto the street, the apron being of concrete with gravel used for the new parking area however it is noted that the adjacent dwelling has a similar arrangement albeit slightly wider and therefore it is not considered that this would be out of keeping in the locality.

The scale and design of the proposed access is considered proportionate and acceptable in design terms and complies with Core Policy 57 of the WCS Development Plan in this regard.

Impact on neighbour amenity

Core Policy 57 states that development should have regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants and ensuring that appropriate levels of amenity are achievable within the development itself. Section 12 of the NPPF also states that planning decisions should create places with a high standard of amenity for existing and future users.

The development will provide off road parking however due to the positioning of the spaces to the front of the property, it is not considered that the development would create unacceptable levels of noise or disturbance to local residents above that expected for a residential property. The proposal is therefore considered to comply with CP57 in this regard in that the development would not have a harmful impact on amenities of local residents.

Heritage

Core Policy 58 states that development should protect, conserve and where possible enhance the historic environment. Section 16 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

The property is located within the Compton Bassett Conservation area. The development will result in the loss of existing vegetation and the addition of hardstanding to the front of the property. In this instance the development is for a relatively small area of front garden and in the context of the much larger area of hardstanding and visibility splay, it is not considered that views into or out of the Conservation Area will be affected. Similarly, the introduction of the new opening and hardstanding is not considered to unduly impact on the setting of the listed buildings to the immediate east of the site, which also have a vehicular access to the side of No 14.

The proposal is therefore considered to have a neutral impact on the Compton Bassett Conservation Area and therefore accord with the above policies.

Impact on landscape including AONB

Core Policy 51 of the WCS, Section 15 of the NPPF and Policy 10 of the Compton Bassett Neighbourhood Plan require that development protects, conserves or, where possible, enhances valued landscapes. The site is located immediately opposite the North Wessex Downs Area of Outstanding Natural Beauty where the impact of development on the wider landscape is an important consideration.

Core Policy 51 requires that proposals affecting the AONB shall demonstrate they have taken account of the objectives, policies and actions set out in the Management Plans for these areas.

In large part, the development is to take place within the confines of a well-established and defined residential curtilage with the exception of the concrete apron. The dwelling is situated within the built form of this section of Compton Bassett and as such the installation of a new access and parking area will be viewed in the context of the immediate built form.

The site is immediately opposite the North Wessex Downs Area of Outstanding Natural Beauty. The removal of the tree and leylandii is not considered excessive and approximately 2/3rds of the front garden remains laid to lawn with a mature tree to the side of the property. It is therefore not considered that the loss of vegetation would unacceptably impact on the AONB and wider landscape.

The proposal is therefore considered acceptable in accordance with the above policies. Due to the modest nature and contextualisation it is not considered to result in unacceptable impacts to the character of the AONB. As such the proposal has complied with CP51 of the WCS.

Highways

Core Policy 61 of the Wiltshire Core Strategy states that development should be capable of being served by safe access to the highway network.

Amended plans were submitted demonstrating a visibility splay of 43m by 2m. Approximately 90% of this splay is across highway land or land in the applicants' ownership. However, a section of the splay is across the neighbours' land which currently has a hedge on the boundary which is to be cut back to accommodate the splay. A policy compliant visibility splay cannot therefore be achieved since it would not be possible to make use of a planning condition to compel its delivery.

The Council's Highway Engineer was made aware of the sub-standard visibility splay as shown on the revised plan and inability to impose planning conditions in this respect. However, after reviewing the situation, the Highway Engineer confirmed that due to the lack of recorded injury accidents in the locality and given that the geometry of the road is likely to decrease the average speed, they are content that the visibility splay which can be achieved would be adequate and not constitute an unacceptable impact on highway safety, and therefore does not raise an objection.

A further informative is required, advising the need for a separate license from the Local Highway Authority to undertake the aforementioned works.

The proposal is considered to be in accord with CP61 as well as paragraph 111 to the NPPF.

CONCLUSION

Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The above report has shown that this proposal is in accordance with NPPF and Wiltshire Core Strategy Policies, CP51, CP57 and CP58 and CP61 as it is of an acceptable design and will not have a detrimental impact on the Highway safety, will not harm the setting of heritage assets and will not result in the unacceptable loss of important landscaping nor impact harmfully on the AONB. It is therefore recommended that this application is approved with conditions.

RECOMMENDATION: That Planning Permission be GRANTED subject to the following conditions:

See decision notice.