CASE OFFICER'S REPORT

Application Reference:	PL/2023/07299
Application Type:	Full planning permission
Site Inspection:	23 October 2023
Consultation ends:	09 October 2023
Case officer:	Julie Mitchell

Site Address:	Scrub land off Ludgershall Road, Tidworth, Wilts
Proposal:	Erection of a detached dwelling, garage, car parking, access, landscaping and proposed works.
Recommendation:	Approve with Conditions

Proposal and Site Description

The application site is located at the north eastern side of Tidworth and is bounded by Ludgershall Road (A3026) to the north west and residential properties to the north east and south east. The site The site currently forms an area of scrub land which extends to 781 sqm (0.078ha) and has a narrow, linear shape.

It lies within the settlement boundary of Tidworth and is within a residential area.

Full planning permission is sought for the erection of a detached dwelling together with garage, access, car parking and associated works. The dwelling is positioned in the north eastern part of the plot where the plot is at its widest and the dwelling with face north east with its side elevation towards the highway. The proposed access is also located to the northern end of the plot, to the front of the house. It is of two storeys with a hipped roof. A detached single garage is sited alongside the north east boundary.

Policies

National Context:

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)

Local Context:
Wiltshire Core Strategy (WCS) adopted 2015
Core Policy 1: Settlement Strategy
Core Policy 2: Delivery Strategy
Core Policy 26: Tidworth Area Strategy
Core Policy 50: Biodiversity and geodiversity
Core Policy 57: Ensuring high quality design and place shaping
Core Policy 60: Sustainable transport
Core Policy 61: Transport and development
Core Policy 62: Development Impacts on the Transport Network

Core Policy 64: Demand Management
Core Policy 69: Protection of the River Avon SAC
Wiltshire Housing Sites Allocations Plan

Appendix A: South Wiltshire HMA Amended Settlement Boundaries (Adopted February 2020)

Wiltshire Local Transport Plan 2011-2026:
Car Parking Strategy
Cycling Strategy

Supplementary Planning Guidance:
Adopted Supplementary Planning Document 'Creating Places Design Guide' April 2006

Key Issues

- **Principle of Development**
- **Flood Risk**
- **Highway Safety**
- **Character and Appearance**
- **Residential Amenity**
- **Ecology**

Relevant Planning History
No planning history identified for the site.

Consultation Responses

Tidworth Town Council - Object
TTC principally object because of the problems associated with access to and from the proposed 4-bed-roomed property off the A3026 (Ludgershall Road). The Applicant has gone to great lengths to demonstrate that it would be technically feasible for 3 cars to be able access and emerge from this property. This indicates that the Applicant has appreciated that access and egress is a significant problem for this site.

1. The Highway Technical Note drawn up by the Applicant's Highway Consultant says in the introduction on the first page:
"Ludgershall Road in the vicinity of this application site has a wide two-lane carriageway"
It does NOT. This is a minimum width two-lane road, with mature vegetation (tall bushes and trees) on the south-east side overhanging and obscuring views, particularly for traffic proceeding up the hill, whilst they are overtaking the line of cars parked outside the properties on the north-west side of the road.

2. If the residents of Nos 16, 17 and 18 Ludgershall Road continue to park their cars on the road outside their properties, the elaborate “Swept Path Tracking” diagrams shown at Appendix 4 to the Highway Technical Note by the Applicant’s Highway Consultant won’t work.

3. The A3026 is a busy bus route – the very frequent Activ8 service uses it, and has a stop opposite the junction with Beech Hill Road.

4. The construction traffic (delivering building materials, etc) for this proposed property is likely to cause significant disruption to the Activ8 service and to the stream of cars which use this narrow road to deliver pupils to and from The Wellington Academy and to Tidworth residents who work in Ludgershall and Andover, and within Tidworth,

Highways Officer:
The proposal is for a 4 bed dwelling and as such 3 off street parking spaces are required to meet Wiltshire’s current parking standards. Three spaces are proposed, however, as I scale the drawings, the spaces, including the garage does not meet standards. Please can the size of each parking space and the garage space be confirmed. The garage must have internal measurements of a minimum of 3.0m x 6.0m. the external parking spaces must be a minimum of 2.4m x 4.8m.

The statements included state that turning is available within the site, however, the space looks tight and without a swept path analysis, it cannot be confirmed that turning is possible without making excessive manoeuvres.

The site is accessed of the classified A3026 and it has been stated that visibility can be provided at 2.4m x 43m which is required for this location, however, no visibility plan has been provided.

To prevent a highway objection, please can I be supplied with the following:

• Revised plans with the scale checked and parking spaces and garage annotated with sizes
• A swept path analysis to show how turning is to be provided
• A visibility plan

Comments on revised plans:-
Following the receipt of the attached revised plans, I wish to make the following comments.

• The parking and turning area is tight but has been enlarged slightly and workable
• I am content with the swept path analysis
• The gradient is acceptable
• Drainage is shown, however the soakaway for this is not shown, you may wish to ask for a soakaway drawing
• The access has been enlarged slightly
• The street light is shown and is proposed to be relocated, I will attach a condition to cover this
• A visibility plan has not been submitted, however, I will attach a condition to cover this

I wish to raise no highway objection providing conditions are imposed.

Representations

A number of third party representations have been received in objection to the application, as summarised below:

- Overlooking of garden of 35 Chestnut Avenue
- Highway safety concerns
- Parked cars will impede visibility and access/egress into/from the property
- Will make the road dangerous for other road users
- Visibility will not meet safety standards
- Narrow road
- Risk of injury or death through traffic accident
- History of accidents at proposed entrance
- Speeding traffic
- Introduce another risk factor to dangerous stretch of road
- Proximity to bus stop
- Inadequacy of Highways Technical note - a proper survey is needed
- Loss of vegetation/habitat for small creatures/birds
- Bungalows on Cherry Tree Avenue would be dominated by a 2 story building

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:

Core Policy 1 of the Wiltshire Core Strategy (WCS) sets out the 'Settlement Strategy' for the county, and identifies four tiers of settlement - Principal Settlements, Market Towns, Local Service Centres, and Large and Small Villages; only the Principal Settlements, Market Towns, Local Service Centres and Large Villages have defined limits of development. Core Policy 2 of the Wiltshire Core Strategy sets out the 'Delivery Strategy' and identifies the scale of growth appropriate within each settlement tier, stating that within the limits of development, as defined on the policies map, there is a presumption in favour of sustainable development at the Principal Settlements, Market Towns, Local Service Centres and Large Villages.

Core Policy 26 confirms that development in the Tidworth Community Area should be in accordance with the Settlement Strategy set out in Core Policy 1 and growth in the Community Area over the plan period may consist of a range of sites in accordance with Core Policies 1 and 2. The settlement boundaries have undergone a more recent review as part of the Wiltshire Housing Site Allocations Plan which was adopted in February 2020 and the site is within the boundary for Tidworth, defined as a market town settlement within the WCS.

Para 69 of the NPPF (c) states that LPA's should "support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes".

Accordingly, a presumption in favour of new residential development would apply subject to site specific constraints and considerations.

Flood risk:
The application site is within FZ1 and is not within an area identified as being at highest risk of ground or surface water flooding. This enables the LPA to conclude that the sequential test would not be a requirement for the proposed development of a dwelling on this site.

Highways Safety:
The proposal necessitates a new vehicular access from Ludgershall Road. It is proposed to be positioned towards to the northern most corner of the plot, approximately 27 metres from the bell mouth of Beech Hill Road. Highway safety is raised by the Town Council, the elected member and several third parties due to the position of the access and the nature of the road, with parked cars and speed contributing to accidents and near-misses on this part of the highway. However, the proposal has been assessed by the Council's Highways Officer who has not raised an objection in principle to the formation of an access and further details which have been sought with regards to visibility splays and the capacity of the site for parking and turning have addressed the highways officer's concerns.

Character and Appearance:
The site lies within the built up area of a larger settlement, identified as a market town. It is not within a National Landscape (AONB) or Conservation Area and there are no listed buildings in the immediate vicinity of the site.

WCS CP57 states that new development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality. Para 126 of the NPPF states that "The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

The site comprises a plot of 'scrub land'. There are no previous uses associated with this land and it is not accessible as public open space. The vegetation on the roadside boundary offers some visual relief from built form which contributes to the amenity of the locality. The proposal seeks to retain much of the vegetation on the boundary, with some removal necessary to provide an access. The plot is long and narrow which constrains the development of the plot. The character of development to the other side of Ludershall Road is two-storey semi-detached dwellings. The development to the side and rear of the site in Beech Hill Road, Cherry Tree Avenue and Chestnut Avenue is a mix of single and two storey dwellings laid out in terraces and pairs of dwellings.

The dwelling is a fairly substantial two storey detached dwelling which is located at the widest part of the plot and which would present its side elevation toward the highway rather than fronting the highway, with parking and turning to the front of the dwelling and a long rear garden alongside the highway, as shown in the site plan extract below.



Proposed Site Layout and Mapping extract showing surrounding built form

The design of the dwelling is a simple, symmetrical hipped roof building of brick construction with a tiled roof and a small porch which appears to be in character with the existing built form in terms of appearance but at odds with the pattern of development which largely fronts onto the highway.



Whilst noting that the dwelling does not front the highway, the appearance of the dwelling is otherwise designed to relate to the existing built form and it is not considered that the character

and appearance of the locality would be harmed by the presence of a dwelling sited as such. It is therefore concluded that the design is acceptable in its context having regard to local and national policy.

Residential Amenity:

WCS policy CP57 (Ensuring High Quality Design & Space Shaping) requires that new development should be designed to ensure that the impact on the amenities of existing occupants/neighbours is acceptable and that appropriate levels of amenity are achievable within the development itself. The NPPF further confirms that planning should seek a 'high standard of amenity for existing and future users' (para 130). Residential amenity is affected by significant changes to the environment including privacy, outlook, daylight and sunlight, and living areas within private gardens and this therefore needs to be carefully considered accordingly. In this instance, it is considered that the proposal for a dwelling would represent a significant change from the current unused nature of the site and the relationship of the dwelling with existing dwellings is considered as follows.

The application site shares a boundary with the rear gardens of 2 Beech Hill Road and Nos 25, 29, 31, 33 and 35 Chestnut Avenue. Residential properties numbered 11 to 18 Ludgershall Road lie on the opposite side of the road. In view of the separation distance and intervening public highway, the amenities of the two storey properties on the opposite side of the road are not considered to be materially affected. 2 Beech Hill Road and Nos 33 and 35 Chestnut Avenue have the closest relationship to the proposed dwelling, with Nos 25, 29 and 31 being at a significant distance and which therefore would not be materially affected.

No. 2 Beech Hill is approximately 18 metres from the front of the proposed dwelling, with the boundary to the garden being approximately 5 metres at its closest point. The nearest window is a bathroom window which would be obscure glazed. The closest bedroom window is approximately 9 metres from the boundary of the garden. This is a single storey property but it is situated at roughly a right angle to the proposed dwelling and is on higher ground. There would be no direct overlooking from first floor windows of the proposed dwelling. There is some screening on the boundary, although if this is removed/dies back there may be some opportunity for views of the rear garden to be achieved, however this is at a distance and from bedrooms which would not be considered an unacceptable relationship in the context of a relatively higher density residential area. The distance and orientation would not be considered likely to cause overshadowing of this property.

The proposed dwelling is sited approximately 16 metres from the closest part of the single storey dwelling at No. 35 Chestnut Avenue, although it is sited close to the boundary of the rear garden. There is one obscure glazed top hung bathroom window on the side elevation would would not give opportunities for overlooking of this property or its garden such that would result in loss of privacy. As the proposed dwelling is to the north of this dwelling, no overshadowing would result. The proposed dwelling is sited approximately 13.5 metres from the closest part of the single storey dwelling at No. 33 Chestnut Avenue and is similarly sited close to the boundary of the rear garden. The side bathroom window and position to the north also does not give rise to overlooking or overshadowing. There is also a bedroom window on the rear elevation of the proposed dwelling, however views from this window would be at an oblique angle and is not considered to result in any demonstrable loss of privacy.

In conclusion, whilst the proposed dwelling would result in a change to the views from the closest neighbouring dwellings and is a two-storey building, the relationship is considered satisfactory in terms of the direct effects on the amenities of these dwellings and having regard to the relationships of existing properties which are closely related within the context of the residential area. It is therefore concluded that a reason for refusal on amenity impacts would not be sustainable grounds for refusal of the scheme as submitted.

The proposed dwelling has a reasonable standard of amenity for future occupiers with a large outdoor amenity space.

Ecology:

Biodiversity:

The proposal would include some site clearance and removal of a section of the boundary hedge along the road frontage to form the means of access. A proposed biodiversity strategy for the site includes ecological enhancements added to the dwelling in the form of integrated bee and bird bricks and bat roofing tiles together with a landscaping plan to include native hedging, garden lawn and wildlife friendly planting. These measures are considered proportionate for the nature of the scheme.

River Avon SAC:

This proposal falls within the catchment of the River Avon SAC and has potential to cause adverse effects, alone or in combination with other developments, through discharge of phosphorus in wastewater. The LPA currently has a strategic mitigation scheme to deal with planned development within the catchment, which includes minor development within the development boundary of named settlements. The LPA can therefore conclude that the development will not lead to adverse impacts alone and/or in-combination with other plans and projects on the River Avon SAC. The proposals are therefore considered to be acceptable in this regard and satisfy the requirements of WCS policy CP69 (Protection of the River Avon SAC) and the Habitat Regulations.

Conclusion:

The principle of a dwelling within the settlement boundary of Tidworth is considered acceptable on the basis that it would accord with Core Policy 2. The detailed design of the scheme has been considered in light of objections having regard to the means of access, neighbouring amenity and character of the area. It is concluded that, following revisions to the layout, the proposed access is acceptable from a highway safety perspective and that the overall siting, scale and design of the proposed dwelling is acceptable having regard to the character of the area. Consideration has been given to the relationship with neighbouring properties having regard to third party objections and it is concluded that the scheme would not result in a significant detrimental impact on the residential amenity of adjacent properties due to the siting in relation to single storey properties, to the north and west, and the position of first floor windows Whilst there would be some clearance of vegetation, the scheme proposes ecological enhancement in the form of bat and bird boxes and planting. Conditions are recommended in respect of obscure glazing to a first floor bathroom window, access and parking and water efficiency measures due to the location within the River Avon SAC catchment area.

Conditions: (15)

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:

Proposed Site Plan 10-001 Rev F dated 15.11.2023
Proposed Biodiversity Strategy 10-010 Rev D dated 25.10.2023
Proposed Floor Plans 10-100 Rev F dated 15.11.2023
Proposed Elevations 10-200 Rev E dated 17.11.2023
Swept path tracking NJC-002 dated Nov 23
Swept path tracking NJC-001 dated Nov 23

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

3 No development above slab level shall be undertaken until details of the materials to be used for the external walls and roof have been submitted to and approved in writing by the Local Planning Authority. 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.

4 The dwelling shall not be occupied until details of boundary treatments submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details.

REASON: In the interests of visual and residential amenity.

5 Before the development hereby permitted is first occupied the first floor bathroom and en-suite windows in the north-east and south-east elevations shall be glazed with obscure glass only to an obscurity level of no less than level 4 and the windows shall be permanently maintained with obscure glazing in perpetuity.

REASON: In the interests of residential amenity and privacy.

6 No development shall commence on site until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2.4m back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 43 metres in both directions from the centre of the access in accordance with the

approved plans. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 900mm above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

7 The development hereby permitted shall not be first occupied until the first 5m 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.

8 The gradient of the access way shall not at any point be no steeper than that shown on the submitted drawing number 10-001 Rev F.

REASON: In the interests of highway safety.

9 No part of the development hereby permitted shall be occupied until the access, turning area & parking spaces [3] have been completed in accordance with the details shown on the approved plans (10-001 Rev F). The areas shall always be maintained for those purposes thereafter and maintained free from the storage of materials.

REASON: In the interests of highway safety.

10 No part of the development hereby permitted shall be first brought into use until the street lighting column at the edge of the site has been relocated to a position a minimum of 1m east of the vehicle access and driveway. To arrange the relocation the applicant must contact wiltshiredcservices@atkinsglobal.com to obtain an up to date quote and estimated duration.

REASON: In the interests of the safety of the street lighting column.

11 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.

12 The biodiversity mitigation and enhancement measures detailed in the approved biodiversity strategy (10-010 Rev D dated 25.10.2023 shall be carried out in full prior to the first occupation of the development

REASON: To provide mitigation and enhancement of existing biodiversity and nature habitats.

13 The dwelling hereby approved shall be designed to ensure it does not exceed 110 litres per person per day water consumption levels (which includes external water usage).

REASON: To ensure compliance with the prevailing mitigation strategy for nutrient neutrality in the water catchment within which this development is located.

14 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 those Orders with or without modification), no development falling within Part 1, Classes A-H, including the insertion of any window, dormer window or rooflight other than those shown on the approved plans, shall take place on the dwellinghouse hereby permitted or within its curtilage.

REASON: In order to enable the Local Planning Authority to consider individually whether planning permission should be granted for alterations, extensions or enlargements in the interests of the amenities of existing dwellings.

15 The vehicle access and parking spaces shall remain ungated.

REASON: In the interests of highway safety.

Informatives:

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

The application involves the creation of a new vehicle access. 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 is advised that, if it is proposed to drain this development directly into the river or carry out any work within 8 metres of the watercourse then a Land Drainage Consent is required from the Environment Agency. For further information see www.environment-agency.gov.uk

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.