CASE OFFICER'S REPORT

Application Reference:	PL/2023/06960
Application Type:	Approval of reserved matters
Site Inspection:	
Consultation ends:	18 September 2023
Case officer:	Hilary Baldwin

Site Address:	Land Adjacent To 49 The Hyde, Purton, Swindon, SN5 4EA
Proposal:	Erection Of Single Dwelling Access and Parking Following Outline Permission REF PL/2022/03841
Recommendation:	Approve with Conditions

Proposal and Site Description

Proposal

The application seeks approval of all reserved matters following the grant of outline permission for the construction of one, residential dwelling on the site. The corresponding outline application was supported by a location plan with an indicative and footprint layout on the site only.

This application therefore seeks approval of access, appearance, landscaping, layout and scale.

The submitted plans propose a two-story, chalet style property with the main, habitable accommodation set on the ground floor with two bedrooms and a bathroom and two further bedrooms and a bathroom set within the roofscape and served by dormer windows.

The dwelling would be set with its main ridge parallel with The Hyde and present as a single storey dwelling with rooms in the roof. There would be small gable end projection on the eastern end of both the front (southern) and rear (northern) elevations. Two, gable end dormer windows are proposed within both the front and rear roof slopes. Ground floor openings are proposed on all ground floor elevations with one first-floor side elevation window on the eastern side serving a bathroom.

The main dwelling would have approximate dimensions of 8m deep by 13m wide with the additional small projections being a similar width each of 4m. The front elevation gable would project 2m and the rear 3m and both would be offset from the side elevation. The overall ridge height would be approximately 6.7m with the roofs for the front and rear, gable end projections being no higher than 5.2m. The eaves height all round would be approximately 2.6m.

A double garage is proposed within the front garden, measuring approximately 7m wide, 6m deep and with a ridge roof of 6m. No windows or other openings are proposed within that structure. The garage would be rotated to be perpendicular to the roadway and set with its rear elevation adjacent to the western side boundary.

Hard surfacing is proposed around the property and projecting from the rear, with a path leading down towards a flat roof garden room which would be set adjacent to the western side boundary.

In terms of materials, the dwelling would have natural stone and stone quoins to the front elevation, painted render with stone quoins to other elevations and slate roof tiles. The fenestration would be French grey upvc windows and doors with French grey aluminium bi-fold doors.

The dwelling would have approximate dimensions of 13m wide and overall depth of 13m, including the gable end projections. The overall height of the main ridge, which would run perpendicular to the highway would be 6.6m.

The property would provide for four bedrooms, with one an en-suite bathroom serving the two bedrooms within the roof space.

Within the front amenity space, a detached, two bay garage is proposed which would have a ridge height of 6.2m. Its footprint would measure 7m by 6.5m. The garage would be set perpendicular to the western side boundary and served by way of a central vehicle access from the adjacent roadway. Within the rear amenity space, a low roofed garden room is proposed.

In terms of landscaping, the existing side boundary hedgerows would be retained, with a further hedgerow planted on the northern (rear) boundary to separate the private garden area from land within the ownership of the applicant. Soft landscaping is proposed within the front amenity space.

Revised plans were received which shows a cross section of the site and the proposed materials.

Site Description

The proposed development site is located outside of any defined settlement boundary but is well related to the settlement of Purton, a larger village. The site itself constitutes an open, undeveloped field between Numbers 49 and 49a The Hyde. It is noted that the land ownership extends beyond the northern site boundary and that there is no formal vehicle access into the site.

Far-reaching views are possible from within the site to the north over open countryside. Limited views of the site are possible from Collins Lane to the north and public footpaths PURT71 and, to a lesser extent, PURT72.

With regard to the site's surroundings, dwellings are located to each side of the proposed development site, 49 The Hyde and 49a The Hyde. Considering the wider context, the site is associated with a collection of dwellings situated a short distance from, but well related to the settlement of Purton which forms a linear pattern of development along The Hyde, ending at Quarry Farm to the east. These dwellings are detached and feature a range of building materials which include brick, render and/or stone to walls and concrete tiled, slate tiled and thatched roofs. Due to the dwellings clustered around the site, the immediate area is read as semi-rural/residential in nature.

The site is not within any designated conservation or heritage area.

Planning History

The planning history reveals that the site is subject to one extant permission for outline consent and one reserved matters application.

PL/2023/04699 - ERECTION OF SINGLE DWELLING ACCESS AND PARKING FOLLOWING OUTLINE PERMISSION REF PL/2022/03841
Refused

PL/2022/03841 – Erection of a single dwelling access and parking (Outline application with all matters reserved) – Resubmission of 20/10410/OUT.
Approved with Conditions

20/10410/OUT – Erection of single dwelling access & parking
Approved with Conditions

Policy Considerations

National Planning Policy Framework (NPPF) 2023 (Dec)
Paragraph 11 – Presumption in favour of sustainable development
Paragraph 131, 135 - Function and form of development

Planning Practice Guidance

Wiltshire Core Strategy adopted 2015 (WCS)
Core Policy 1- Settlement Strategy
Core Policy 2- Delivery Strategy
Core Policy 19 - Spatial Strategy: Royal Wootton Bassett and Cricklade Community Area
Core Policy 50 - Biodiversity and Geodiversity
Core Policy 51 - Landscape
Core Policy 57- Ensuring High Quality Design and Place Shaping
Core Policy 58 - Ensuring the Conservation of the Historic Environment
Core Policy 60 - Sustainable Transport

North Wiltshire Local Plan 2011
Saved Policy H4

Wiltshire Local Transport Plan 2011 - 2026
Car Parking Strategy

Purton Neighbourhood Plan – Made November 2018

Consultations
Purton Parish Council – No Objection
Highway Engineer – No Objection.

Letters of Representation
One Letter of Objection was received in relation to the proposed development.
Main Reason for Objection
• Size and Location not in line with outline plans and is overdevelopment
• Impact on amenity of site and occupiers of dwelling to the east

• Impact on solar panels
• Ownership of boundary hedgerow to east.

Key Issues

Principle of Development
Impact on the character and appearance of the Area
Access, Parking and Highway Safety
Impact on adjacent neighbouring occupiers
Other Considerations

Assessment

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, applications for planning permission must be determined 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); the Wiltshire Housing Sites Allocation Plan (WHSAP) (Feb 2020); and Purton Neighbourhood Plan (Made Nov 2018).

The development of the site for residential use was found to be acceptable in principle by way of the extant outline application (PL/2022/03841). The current application seeks approval for the reserved matters which include access, appearance, landscaping, layout and scale. It is therefore necessary to consider whether these matters are acceptable and in particular whether they comply with the aspirations of the national and local policies and those of the Purton Neighbourhood Plan.

Impact on the Character and Appearance of the Area

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.

The proposed development lies on an undeveloped site set between two residential properties on the northern side of The Hyde, Purton. To the western side is a single storey property and a two-storey property to the east. There is a visible "building line" when viewed from The Hyde with the single-storey property to the west at No 49a being set closer to the highway but angled away from it and No 49 being set back further within the site but its front elevation being broadly parallel to the front elevation on No 49a. In this respect the proposed development would respect that line of development and be set back so that its front elevation would not project further forward of that line.

It is apparent from the two preceding grants of outline consent that those permissions were based upon a single-storey dwelling being constructed. Both those consents were granted conditional approval that any development was carried out in accordance with the design parameters for the scale and form of the dwelling as defined within the supporting Design and Access Statements. That document for both consents clearly states that consent was sought for a single-

storey dwelling. Furthermore, the submitted indicative block plan supporting both those applications shows a dwelling with a smaller footprint and a modest garage set within the frontage area.

The preceding application (referenced earlier in this report) for reserved matters was considered unacceptable and refused on the following two grounds:

1 By virtue of its design, scale, bulk, form, height and depth the development does not effectively relate to and reflect the immediate setting or to the wider character, appearance and visual amenity of the area. The development is not sympathetic to the surrounding built environment and as such results in discordant feature and design which would be contrary to the NPPF (para 127), CP57, i, iii and vi of the Wiltshire Core Strategy.

2 By way of its design, in terms of scale, bulk, form height and depth, the development is considered to result in overshadowing, loss of daylight and overbearing impact on the living conditions of the adjacent property to the east at No 49 The Hyde and as such is contrary to the NPPF (para 127), CP57, vii of the Wiltshire Core Strategy

The current submission has been submitted in order to overcome those matters and whilst still representing a four-bed dwelling, it is considered to have significantly reduced the overall bulk and scale of the proposed dwelling and garage building.

Whilst both submissions are acknowledged to have responded to the topography of the site, the previous proposal would have resulted in a visually dominant development set over three floors and which, together with the garage would have resulted in development across the whole site.

This current proposal has reduced the bulk and height, particularly to the rear and whilst there would be first floor accommodation these would be viewed as rooms in the roof and considered consistent with the adjacent properties to the site.

The character of The Hyde comprises an array of dwelling types and a variation of architectural approaches but its appeal in this location lies in the open views gained between the dwellings to the view beyond to the open countryside. The hipped roof structure of the single-storey dwelling and its garage at No 49a allows views between those structure and breaks up the monotony of built form. The two-storey dwelling at No 49 to the east, is set back behind a large, grassed amenity space and the hipped roofscape helps reduce the visual bulk and scale of that property. That property is also separate from its outbuildings and allows views between the structures, which again, breaks up the impact of built form.

This revised scheme, whilst having a similar height to the central ridge to that proposed within the previous scheme, does not then extend upwards to the rear, the roofs of the gable end projections to the front and rear elevations have roofs set well below the main ridge and the dormer windows have been significantly reduce and now reflect modest openings usually associated with rooms in the roof. It is also acknowledged that the width of the dwelling has been reduced from approximately 17m to 13m and the property now sits, on average, 6m from the common boundary to the eastern side.

The proposed garage has also been reduced to a two-bay facility and also further away from the common boundary to the west.

The dwelling proposed within this submission is now considered to align with the design parameters set out within both the outline proposals. Its bulk, scale and mass are now considered more analogous to the adjacent properties and to be of an acceptable design both within the street scene and in relation to the impact upon the character and appearance of the area. The reduced height and width, together with the lower siting than the highway will contribute to the semi-urban nature of this part of Purton and allow views through between the dwellings to the open countryside beyond.

It is acknowledged that there is an eclectic mix of materials in this part of The Hyde and slate roofs and stone elevations are visible on both the outbuildings to the adjacent dwelling to the east and in the farmstead where The Hyde terminates.

It is noted that the Purton Parish Council have not raised an objection to the proposal and there would be limited views of the dwelling from the north.

In this instance, due to the size and location of the development, and the use of appropriate material detailing, the proposal is considered to have overcome previous reasons for refusal and to be in compliance with CP57, the Purton Neighbourhood Plan and the guidance and provision as contained within the NPPF.

Impact on Adjacent Neighbouring Occupiers

The proposed development is not considered to result in overshadowing, loss of privacy or noise impact upon adjacent occupiers to the west of the site at No 49a The Hyde. However, it s noted that there are ground and first floor windows on the western side elevation at No 49 The Hyde. Whilst two of those windows appear to have opaque glazing and therefore serve bathroom facilities, there is a further window serving a room on that level and ground floor windows serving a kitchen and dining area. The preceding proposal set the dwelling much closer to the common boundary with that property and its combined height and bulk and rearward extension would have resulted in some loss of light and outlook.

The current proposal would set the dwelling, on average 6m from that boundary and its reduced scale, bulk and height to the northern rear elevation is considered to have noticeably reduced the impact on the outlook and enjoyment of that adjacent dwelling. Whilst the dwelling would be visible from windows on the western side elevation, it is not considered to result in such loss of outlook and light as to justify a reason for refusal in this instance.

Comments have been made in relation to the efficiency of solar panels on the adjacent dwelling but these are roof mounted on a two-storey dwelling.

There is concern from neighbouring occupiers in relation to views from the dormer windows into private gardens of the adjacent dwellings. However, the distance from those windows and the design and footprint of the adjacent dwelling is only considered to allow distant views towards the rear garden of that property and not the private amenity space directly to the rear of the dwelling which itself, shielded by the elongated plan.

There is a further comment on the precise location of the red line boundary of the site and the hedgerow which forms the boundary between the site and the adjacent property. In this instance, when viewing the plans for the submission, the proposed property would not encroach into that hedgerow and there would be a walkway between the eastern elevation and the hedge. As the hedgerow is to be retained then the exact location of the boundary is not considered to be a material consideration and its precise location would be a civil matter between the two parties. Should permission be granted, this does not grant permission for entry or development on the adjacent site or land outside of the applicant's control.

Access, Parking and Highway Safety

The proposed development would result in one, four bed dwelling with highway access, frontage parking and a two-bay garage. The Councils Highway Engineers were consulted and there is no objection to the proposal. The quantum of parking, safe access and turning area within the site would meet the needs of the proposed dwelling and would be in accordance with the adopted Car Parking Strategy and CP60 of the WCS.

There was concern with regard to water ingress from the site onto the road, however, as the edge of the site from the highway is steeply sloped down, there is not considered a need to condition any grant of permission to restrict water ingress onto the road.

Other Considerations

The principle of housing on this site has already been considered acceptable when permission was granted at outline stage. Condition 1 of PL/2022/03841, dated 19 August 2022 stated that development should be begun before the expiration of two years form the date of that approval or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later. Therefore, for consistency, and in compliance with that condition, it is considered that any grant of consent is limited to two years.

Conclusion

It is considered that the revised plans have overcome previous reasons for refusal and constitute an acceptable scheme. As such, the proposal would not conflict with the statutory requirements, as well as the national and local planning policies and can be supported. It is therefore recommended that the application should be permitted subject to relevant conditions to ensure the works are carried out in accordance with the submitted specification.

Conditions: (4)

1 The development hereby permitted shall be begun before the expiration of two 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:

Site Plan. Received on 16 August 2023
0024/20/A. Rev A. Proposed Block Plan. Received on 11 December 2023
0024/20/B. Proposed Dwelling Elevations and Floor Plans. Received on 20 December 2023
0024/20/D. Proposed Garage Elevations and Floor Plans. Received on 16 August 2023
0024/20 E. Proposed Garden Room Elevations and Floor Plans. Received on 16 August 2023
Arboricultural Report, Dated 02 June 2023. Received on 21 August 2023

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

3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as stated on the approved plans.

REASON: In the interests of visual amenity and the character and appearance of the area.

4 The first floor window in the north east elevation shall be glazed with obscure glass only and fixed with a ventilation stay restricting the opening of the window prior to the first occupation of the development hereby permitted and shall be permanently maintained in perpetuity.

REASON: In the interests of residential amenity and privacy.

Informatives: (4)

5 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.

6 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.

7 The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

8 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.