CASE OFFICER'S REPORT

Application Reference	PL/2023/10274
Site address	Land to the south of 1Witt Road, Winterslow, Salisbury
Consultation expiry	05.01.2024

POLICIES

National Planning Policy Framework (NPPF)
2. Achieving sustainable development
4. Decision-making
12. Achieving well-designed places

Wiltshire Core Strategy (WCS)
CP1 (Settlement Strategy
CP2 (Delivery Strategy)
CP3 (Infrastructure Requirements) CP23
(Southern Wiltshire Community Area)
CP50 (Biodiversity and Geodiversity)
CP51 (Landscape)
CP57 (Ensuring High Quality Design & Space Shaping)
CP60 (Sustainable Transport)
CP61 (Transport & Development)
CP62 (Development Impacts on the Transport Network)
Wiltshire Housing Site Allocations Plan (February 2020) (WHSAP)

Supplementary Planning Documents:
Wiltshire Local Transport Plan – Car Parking Strategy

RELEVANT HISTORY

18/02580/OUT – Erection of 4 houses, parking and access following demolition of existing buildings (outline relating to access and layout) - Refused 21/09/2018

19/03930/OUT – Erection of 3 detached dwellings, garages, parking and access following demolition of 3 existing buildings (outline application relating to access and layout – re-submission of 18/02580/OUT) – Refused and Appeal Dismissed 03/09/2020

It should be noted that the above appeal was only dismissed on the ground that the applicants could not mitigate the impact of the development on the Solent and Southampton Water European Sites due to the increase in nutrients entering the rivers from developments. This matter has now been addressed through the Council's agreed mitigation strategy.

2022/07116 - Erection of 3 detached dwellings, garages, parking and access following demolition of 3 existing buildings (Outline application relating to access and layout) – A/C, granted following UU relating to Nitrate Mitigation.

REPRESENTATIONS

Winterslow Parish Council: PL/2023/10274 Land Adjacent 1 Witt Road

The submission follows Outline Planning Permission on application PL/2022/07116 which contained 13 conditions. The current application does not appear to have answered all the conditions, but is it recognised that some of these cannot be discharged until the appointment of a contractor and completion of works. Of particular concern with the current application are the drainage proposals. It is

proposed to connect foul water to the sewer in Witt Road, however the properties are set lower than the road, and therefore provision for pumping may be required, not included on plans. The proposal for surface water disposal appears to be in to an open channel to be formed in the valley floor. There is no provision for maintenance of this channel and so in time will silt up leading to a greater risk of flooding. With regards appearance, the introduction of flint panels is inappropriate and not in keeping with Witt Road. The full height glazing at first floor gives concern for privacy

WC Drainage – No objections

WC Highways – No objections subject to conditions

WC Ecology – no comments received

WC Rights of Way – no comments received

Wessex Water – no comments received

Neighbour/third parties: One letter of objection received raising the following issues:-

- Object to the number of windows overlooking his property
- Wants the dwellings re-orientated to reduce overlooking
- Houses are bigger than were shown at the O/L stage
- Close proximity of dwellings will lead to loss of light and views from neighbouring property
- Wants the houses reduced in size to make them more affordable
- Does not want any alterations to the highway, as concerned that any improvements will increase traffic speeds in an area used by lots of pedestrians, horse riders etc.

PLANNING ISSUES

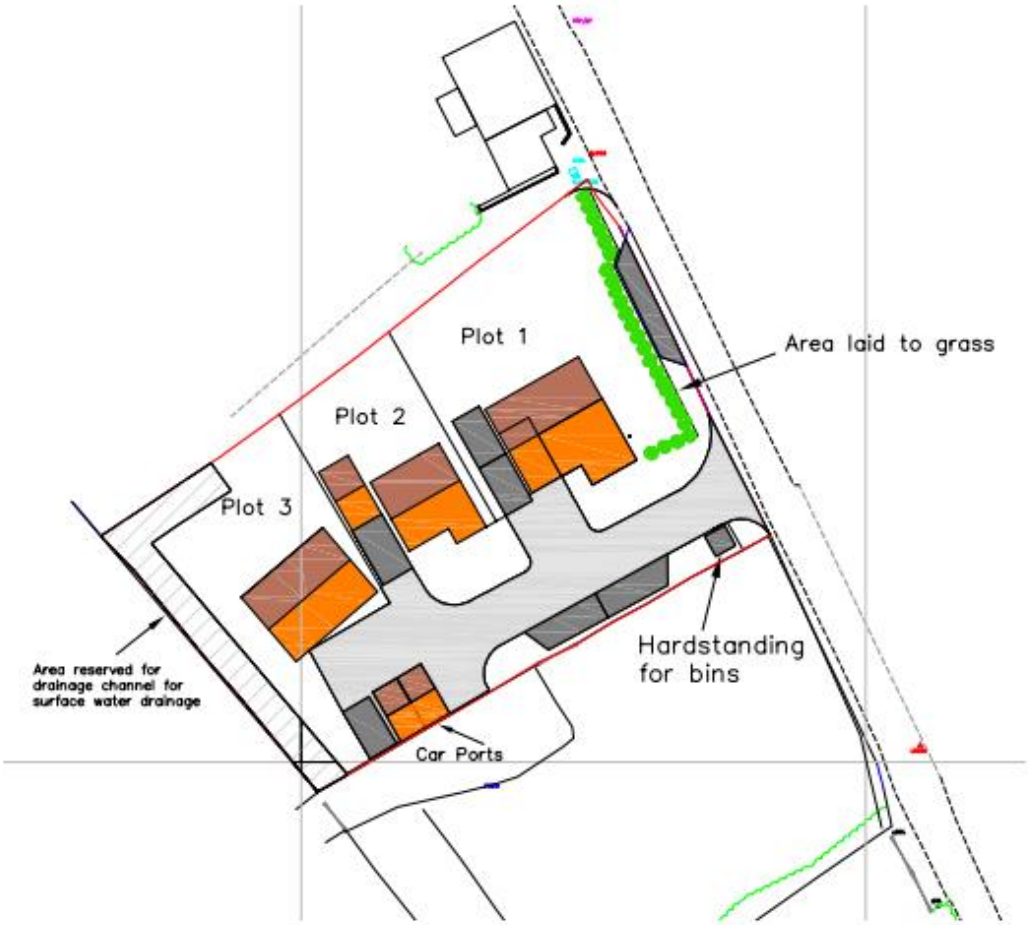
- Site description, proposals, and principle of development

The application site is a parcel of land that is understood to have formerly formed part of the curtilage of number 1 Witt Road, but has been severed by the sale of the house.

The site is located on the South side of Middle Winterslow, towards the Northern end of Witt Road close to its junction with The Common.

The application site is substantially enclosed by an existing evergreen fir hedge. Within the site there is further evergreen hedging and some storage buildings. It is understood that the buildings were originally used for agricultural purposes and have been used for general storage in recent years. The remainder of the site is laid to grass.

The current Reserved Matters application following the resolution to grant Outline permission by the Southern Area Planning Committee in February 2023, and the subsequent UU to require a mitigation payment in respect of Nitrate nutrient neutrality for the Solent SPA, SAC and Ramsar sites, proposes the construction of three detached dwellings in a similar location to those shown on the illustrative plan which accompanied the O/L application (where all matters were Reserved except access and layout). The site plan which accompanied the Outline is set out below, followed by the current RM scheme.



Site layout at Outline



Site layout at R/M stage

As can be seen from above, the location of the current dwellings is similar to that considered at the O/L stage. There was an appeal decision on the site in 2019 in respect of outline application 19/03930/OUT for three dwellings with the same indicative layout as set out above. The Inspector dismissed the appeal only on the grounds of the lack of mitigation strategy for the Nitrate issues, and found that there were no objections in principle to the erection of 3 dwellings on the site, nor to the impact on the highway, or a drainage objection. This situation was further examined by Members when the O/L was considered by the SAPC and the scheme was approved, subject to conditions, as the applicant was wiling to enter into the Council's agreed mitigation scheme for nitrates.

ASSESSMENT

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and
Compulsory Purchase Act 2044 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 of the statutory development plan in respect of this application
consists of the Wiltshire Core Strategy (WCS) (Adopted January 2015) and the Wiltshire Housing Sites Allocations Plan (adopted February 2020).

Site description, proposals, and principle of development

The application site contains a range of redundant single storey buildings which were previously used in connection with agriculture and the site is now vacant. It has a substantial conifer hedge along its southern boundary, and partially within the site,

which largely screens the site from public view from Witt Road. 1 Witt Road is a large two storey dwelling to the north of the site, with a more recent single storey extension on its southern side. There is only one window at ground floor level looking towards the site, as shown below:-



This window is partially screened now by the close boarded fence along the boundary, and the current application shows a hedge to be planted on the application side of that boundary, with a tree proposed in the corner of the site which would, coupled with the distance from the dwelling to the window of about 15m, would not lead to any undue overlooking of this ground floor window. The view from the first floor windows of the proposed dwelling would not look directly at this window, and with the intervening landscaping existing and proposed, would not lead to an unacceptable degree of overlooking.

The main orientation of the neighbouring dwelling is east/west and the property will not be unduly overlooked by the proposed dwellings. The patio and main sitting out area is to the rear (western elevation) as shown on the ariel photo below. There is an area of vehicle parking along the

boundary between the dwelling and the application site which acts as a further screen between the useable sitting out area and the proposed dwellings.



It is accepted that there may be a greater degree of the perception of overlooking in the garden area of 1 Witt Road, but the previous appeal decision did not raise concerns about the impact of the development of the site for 3 dwellings on this property side on to the neighbour. The neighbour has commented that it is not lawful for any development to be within 21m of a neighbouring dwelling, with reference to the garage to Plot 2. This is not the case, as there is no hard and fast rule about the distance between properties, it is usually taken as a rule of thumb that there should be about 21m back to back between dwellings to minimise the overlooking from windows. This convention does not apply to garages, where there is no overlooking of a dwelling or its amenity area.

The agent has provided a cross section of the site, with the location of 1 Witt Road shown, to indicate that the site drops away from the road and that the height of the proposed dwellings is lower than that of the dwelling to the north.



SECTION A/A

Care has been taken to ensure that the views from the property known as Antilla, which overlooks the site from the east of Witt Road, have been maintained with the orientation of the dwellings in a linear form, as above, rather than in a cul de sac style, which would be out of keeping with this rural edge of settlement site.

The agent has described the designs ethos as:- “The houses have been designed with the simple roof forms and massing of agricultural barns but detailed in a crisp contemporary manner with an emphasis on the use of traditional materials…. These will be red/orange brick, with flint panels on those elevations fronting the courtyard, below dark stained vertical timber boarding. Roofs will be of natural slate. Windows and sliding/folding doors will be double glazed high performance timber or powder-coated aluminum and the main/secondary entrance doors horizontally boarded. Rainwater goods will be high capacity galvanized steel and roof lights of the flush fitting conservation pattern by The Rooflight Company or equal approved.” “All houses will comply with the post June 2022 Building Regulations, giving exceptional levels of thermal performance/efficiency, and feature sustainable energy air source heat pumps and photovoltaic panels. Garages will have D.C. battery stores and Electric Vehicle charging points.
Hard landscaping areas will be permeable to minimize run-off (SUDS) and external lighting will be directed down to ground and non-light polluting.”

The landscaping of the site has been designed around the following principles:- “The loss of the central hedgerow and three small trees will be mitigated by new planting along the north west boundary and additional tree planting within the site to achieve a BNG as shown on the BNG Metric attached to this application.
On entering the site the 4.5m. access driveway passes a waste bin collection point before dropping down to the central courtyard which provides turning space for all cars and delivery vehicles. An existing field gate on the south eastern boundary will be retained to form a natural turning head and two visitor car parking spaces (2m wide as they are adjacent to a shared surface road) are provided to the left of the private access road.
A 3m wide strip of land along the south west/north west boundaries of Plot 3 will be reserved as a surface water drainage channel/swale.
A passing bay will also be introduced on Witt Road to relieve traffic congestion as agreed under the consented OL scheme. Due to the fall in ground levels and the lower ridge of Plot 3’s garage wing, ‘Antilla’ will continue to enjoy uninterrupted views to the south west.”

The layout is to give the impression of a group of farm buildings around a central courtyard.

The concerns expressed by the neighbour in respect of draining the site has been resolved at the appeal stage, where detailed site specific investigations were carried out to confirm the form of surface water drainage, and the local sewerage undertaker confirmed that there was capacity to connect to the foul sewer is acceptable. These details have been submitted with the current application to reinforce the situation.

Further information will be required for the specific details of the landscaping for the site as the submitted details are not sufficient to fully discharge the requirements of the landscaping condition on the Outline permission.

CONCLUSION

The proposed development of these three dwellings are in accord with the submitted layout plan which formed part of the Outline application, and here will be no adverse impact on the streetscene or on neighbouring properties, and therefore the proposals accord with the objectives of core policy 57 in the WCS and the aims of the NPPF. It is therefore recommended that Reserved Matters permission should be granted.

RECOMMENDATION

2023/10274 - APPROVE with conditions

1) The development hereby permitted shall be carried out in accordance with

the following approved plans:

Drawing no. 23-3074-LOC1-D - Location Plan,
Drawing no. 23-3074-200- C - Proposed Site Plan
Drawing no. 23-3074-201- A - Proposed Plot 1 Floor Plans, N.E. S.E. Elevation
Drawing no. 23-3074-202- A - Proposed Plot 1 N.W. S.W. Elevation
Drawing no. 23-3074-203- B - Proposed Plot 2 Plans and Elevations
Drawing no. 23-3074-204- C - Proposed Site Section
Drawing no. 23-3074-205- A - Proposed Garage Plans & Elevations
All received on 29th November 2023

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

2) No development shall commence on site above slab level until the exact 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. Development shall be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

3) No development shall commence on site above slab level until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;

- means of enclosure;
- car park layouts;
- other vehicle and pedestrian access and circulation areas;
- all hard and soft surfacing materials;

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

4) 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.

Informative Notes

1) This approval of matters reserved refers only to condition(s) 3 of outline planning permission PL/2022/07116 dated 8th November 2023, but does not by itself constitute a planning permission.
2) The further approval of the Local Planning Authority in respect of those matters reserved by condition(s) 6, 8, and 9 of outline planning permission dated 8th November 2023 is required before development commences.
3) Your attention is also drawn to the following conditions imposed on the outline planning permission reference PL/2022/07116 and dated 8th November 2023, Conditions 1,5,6, 10, 11 and 12.
4) This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated the 7th November 2023.
5) The planning statement states: Surface water drainage with comprise a SUDs scheme utilising a soakaway under the car parking areas therefore any soakaways should be constructed in accordance with CIRIA C574 and the Wiltshire Guidance
6) The application involves a change to the existing vehicle access together with access to a new layby adjacent to the public highway. 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.
7) The application involves a change to the give-way markings at the Witt Road / The Common/Gunville Road junction in accordance with plan ref: 6176.002 (contained

within the Transport Technical Note). The applicant is advised to contact Highway Development Control on HighwaysDevelopment@wiltshire.gov.uk to discuss this aspect of the development in more detail.