CASE OFFICER'S REPORT

Application Reference:	PL/2023/10181
Application Type:	Full planning permission
Site Inspection:	
Consultation ends:	29 December 2023
Case officer:	Lucy Rutter-Dowd

Site Address:	Land North of Rosebank, Small Street, Chirton, Devizes, SN10 3QR
Proposal:	Erection of 1 storey and a half chalet-bungalow and associated works
Recommendation:	Approve with Conditions

Proposal and Site Description

The site is a detached area of land, originally front garden to the property Rosebank, comprised of a predominantly grassed area. It is located within the built-up area of Chirton, which is set within the North Wessex Downs National Landscape (NL). The site is surrounded by established hedging beyond which 21 Small Street is positioned to the north. The single-track access road lies to the east with 14 & 21 Small Street beyond. A similar plot to Meadow Drive lies to the west, and the dwelling at Rosebank lies on the opposite side of the drive to the south.

Rosebank and Meadow Drive are both modest single storey dwellings but there is a variety of single and two-storey dwellings in the immediate area.

The site recently received consent for the erection of a two-bedroom bungalow within this parcel of land (PL/2022/07417), with associated off-street parking (for 2 no. vehicles) and surrounding amenity space. The current proposal seeks permission for a slightly larger, one and a half storey, chalet style bungalow. The proposed building will be more contemporary in design compared to the previously approved scheme, adoption a rectangular footprint, with flat roof dormers in the southern roof elevation and large picture windows and sliding doors across the southern elevation which will open out onto a terrace. Materials will include double roman tiles to the roof, red brick to the walls and aluminium framed windows. Parking and amenity space will remain available within the site.

Policies

National Context:

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

Local Context:

Wiltshire Core Strategy (WCS) adopted 2015

WCS - CP1 Settlement strategy
WCS - CP2 Delivery strategy
WCS - CP18 Spatial Strategy: Pewsey Community Area
WCS - CP51 Landscape
WCS - CP57 Ensuring high quality design and place shaping

Chirton and Conock Neighbourhood Plan (Made- August 2019)

Key Issues

• Principle of development
• Scale, design and materials
• Impact on neighbour amenity.
• Parking / Highways.
• Impact on the landscape setting of the National Landscape
• Drainage

Relevant Planning History

PL/2022/07417 - Erection of bungalow, car parking, landscaping and associated works - Approved with conditions - 24/11/2022

Consultation Responses

Highways - No objection subject to conditions, comments included within report.

Chirton & Conock Parish Council - No objections subject to conditions. The following comments were received.

'As the 3rd Residential property to be built off the same access driveway/private road; any future application for further development using this access road would need close consideration.'

The council notes these comments but cannot speculate on future development within this current assessment.

Representations

None received.

Planning Considerations and Assessment

<u>Principle of Development:</u>

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.

Core Policy 2 of the WCS states 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… At the Small Villages development will be limited to infill within the existing built area. Proposals for development at the Small Villages will be supported where they seek to meet housing needs of settlements or provide employment, services and facilities provided that the development:*

i) Respects the existing character and form of the settlement
ii) Does not elongate the village or impose development in sensitive landscape areas
iii) Does not consolidate an existing sporadic loose knit areas of development related to the settlement"

Chirton is defined as a small village within CP2 and CP18 of the WCS. CP18 states that *"approximately 600 new homes will be provided in the Community Area. Growth in the Pewsey Community Area over the plan period may consist of a range of sites in accordance with Core Policies 1 and 2."*

The Chirton and Conock made Neighbourhood plan (2019), at the time of writing, recognises that there is no longer a strategic need for housing in the area, however the community feedback expresses a desire for self-build, affordable housing or starter homes. The NP also recognises that there is a growing elderly population which would benefit from more opportunities to downsize. There would also be a benefit from development which would make CIL contributions towards the reinstatement/replacement of community facilities.

The proposal is considered to respect the existing character and form of the settlement which, in this area, is a mixture of property sizes with both road-facing properties and properties set back in plots. The proposed dwelling is considered to be infill development (as per the WCS definition on page 52/53 of the Core Strategy) and would not elongate the village or propose development within a sensitive area and does not consolidate lose knit development.

Furthermore, the addition of a new dwelling in this location would contribute one unit of market housing which would be a positive benefit. As such the proposal is considered acceptable in principle. As a smaller dwelling, it may even offer downsizing opportunities to suit the needs of the NP.

<u>Landscape Impacts:</u>

The site lies within the North Wessex Downs National Landscape (NL). However, as the development remains within the built environment of the settlement, well contained by housing on all sides, no harm will be caused to the scenic qualities or landscape setting of the NL.

Design and Visual Impact:

Core Policy 57 of the Wiltshire Core Strategy states that *"A high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality."* Proposals should seek to enhance local distinctiveness and have regard to existing townscapes, patterns of development and the historic environment and landscape setting.

The proposed building would not have a visually harmful impact. The site is set back from the highway and approached by a private shared access. There is an adequate amount of screening provided by existing mature hedging that forms the boundary of the site and also manicured evergreen hedging that forms a boundary to the access, this screens the site entirely from view from the public realm. The one and a half storey nature of the dwelling, coupled with the existing boundary treatments ensures that the prominence of the building will be set to a minimum.

The design of the property itself proposes a simple in form, modest two-bedroom property which is reflective of the character of its surroundings which is comprised of a mix of two-storey and single-storey dwellings built using a range of materials. Excluding the proposed off-street parking and modest front garden area, ample private amenity space will serve the dwelling, which is considered to be sufficient and demonstrates that it does not represent an overdevelopment of the site. The removal of permitted development rights will be applied to the decision notice in order to give the LPA control over any future development to ensure adequate amenity space is retained in the future amongst other things.

Neighbour Amenity:

The neighbour most likely affected by the development would be 21 Small Street to the north. This is a relatively moderate-sized plot which benefits from ample private amenity space. The proposed building has the potential to cause some overshadowing of the rear garden, however, taking into consideration the mature hedging that forms the boundary between the two plots, it is unlikely that the existing overshadowing would be significantly increased. Additional shadow analysis were provided as part of the current submission to ensure the increase in height of the building does not significantly increase the impact when compared to the previously approved scheme.

The proposed building has been carefully designed to ensure no openings are formed in the northern elevation which will ensure that there is no overlooking of 21 Small Street and vice versa. Amenity most likely affected by the proposal would be to the application site itself which could be overlooked by the properties to the north, however this could be easily mitigated through sensitive planting and boundary treatments given the development is single storey. Private amenity space would remain to the southern side of the plot. The existing mature hedging which forms the remainder of the boundary ensures no overlooking of the properties to the south or vacant overgrown garden area to the west. Its retention is noted within the proposed plans.

The application site originally formed part of the gardens of Rosebank. The plot is separated from the host dwelling by the shared driveway, Rosebank will continue to benefit from an adequate garden area once this parcel of land has been formally and legally separated. Whilst the new

scheme sees dormer windows in the southern roof elevation, the separation distance from Rosebank is considered sufficient to buffer any impact caused from potential over looking.

Revised plans were received omitting the first floor windows in each side elevations to ensure no additional loss of privacy arises from the development.

Highways Safety:

The following comments were received from the highway officer:

"I am counting this dwelling as infill. The access track is private and I believe suitable for a single extra dwelling .

Due to the restrictive nature of the site I would like a CMS to be conditioned , as such I am minded to raise no highway objection subject to conditions."

The highways officer has proposed two conditions, one seeking a consolidated access from the carriageway edge, and a second to secure a construction method statement. However, it is noted that these conditions were not imposed on the original permission. As the principle of development has changed it would be unreasonable to add these additional conditions at this stage as there are no material changes to the scheme which would warrant them. The scheme seeks to erect a two bedroom property on an area of land, roughly on the same footprint and with the same amount of parking. It is also noted that the access is already laid with a consolidated material (tarmac) as such a condition securing this would also not be necessary.

A proportion of the boundary hedge will be removed which will allow for adequate visibility when accessing the shared driveway. The driveway currently serves two properties, one of which is currently vacant. However, it should be noted that historically, the access served three dwellings, the third property in the row was demolished and two dwellings built on the site which now benefits from access off The Hollow. The proposed additional vehicular movements are therefore in line with the original layout of this small back land development.

The proposed off-street parking is suitable for a property of this size.

Drainage and Flood Risk:

The application site does not fall within Flood Zones 2 or 3. The application form states that surface water will be discharged by sustainable drainage system. This system should be compliant with approved document H of The Building Regulations.. The drainage will be regulated during the building control phase of development.

Whilst a formal consultation has not been made with Wessex Water, it is apparent that there is a foul sewer running through the site. The applicant's attention is drawn to the need for separate consent from Wessex Water for building over or within 3m of a public sewer.

Conclusion:

In conclusion, the proposed application seems fitting with regard to scale, design, and materials. The proposal is considered acceptable in the context of its surroundings and is in accordance with the general criteria set out in the aforementioned policies of the local development plan.

Conditions: (4)

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:

Doc Title: Application Form.
Drg Title: Existing Block Plans. Drg No: S-001. Received: 23/11/2023.
Drg Title: Location Plan. Drg No: L-000. Rev: A. Received: 13/02/2024.
Drg Title: Proposed Block Plan. Drg No: PL-002. Received: 13/02/2024.
Drg Title: Proposed Elevations. Drg No: Pl-201. Rev: A. 13/02/2024.
Drg Title: Proposed Site Plan. Drg No: PL-001. Received: 23/11/2023.
Drg Title: Proposed Floor Plans. Drg No: PL-101. Rev: A. Received: 21/02/2024.
Drg Title: Solar Overshadowing Study. Drg No: PL-901. Received: 13/02/2024.

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

3 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 within Part 1, Classes A-H shall take place on the dwellinghouse hereby permitted or within their curtilage.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

4 No development shall take place above dpc 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. 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.