

CASE OFFICER'S REPORT

Application Reference: 19/11844/FUL
Date of Inspection: 22.01.2020
Date site notice posted: 22.01.2020
Date of press notice:

SITE ADDRESS: Land behind 63, 64 & 64A Martins Road, Keevil, BA14 6NA
PROPOSAL: Proposed single storey dwelling with garden, driveway and access.

Report Summary.

The main issues discussed in this report are as follows:

Principle of the development.

Overcoming previous reasons for refusal.

Impact on the character, appearance and setting nearby listed buildings/Conservation Area

Design/Amenity

Highway Access

Site Description.

The application site consists of an area of paddock land to the south west of a group of three terraced cottages numbered 63 – 64a Martins Road, Keevil.

The site lies outside of established settlement boundary limits within the village of Keevil, which is defined as a small village within the Council's adopted Core Strategy.

Planning History.

15/11499/FUL Erection of single storey rear and two storey side extension, re-thatching and associated works. Approved. 22.07.2017. (No's 63-65 Martins Road.)

15/11575/FUL Erection of single storey rear and two storey side extension, re-thatching and associated works. Approved. 22.07.2017. (No's 63-65 Martins Road.)

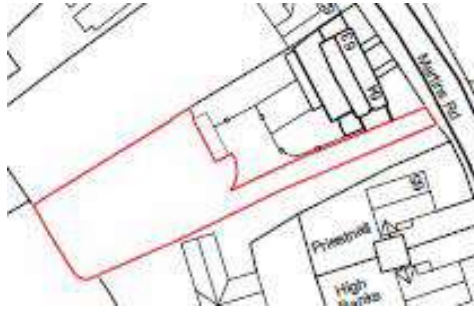
18/10562/FUL Retrospective siting of three new bunded oil storage tanks. Approved. 28.12.2018 (In relation to No's 63-65 Martins Road.)

18/07717/FUL Development of a single three bedroom unit house with associated double storage garage, garden, driveway and access. Withdrawn. 05.11.2018.

19/01400/FUL Development of a single 2 bedroom dwelling with associated car port, garden, driveway and a of 18/07717/FUL). Refused. 17.09.2019

The Proposal.

The application proposes the construction of one new dwelling on land as identified off Martins Road, Keevil, sited to the rear south west of 63 – 64a Martins Road, which are a group of three terraced thatched roof cottages and which are grade II listed. The applicant's submitted sited location plan identifies the proposed site as:



Site Location Plan

The proposed dwelling is a single storey two bedroom contemporary designed property, that would be sited centrally within the plot and whose front would face Martins Road, it would have a floor area of approximately 133 square metres. As the proposal would be single storey, it would have a predominantly flat roof, concealed by a parapet walling, incorporating a shallow mono pitch roof. The scheme also proposes the provision of two off road car parking spaces.

Planning Policy.

Wiltshire Core Strategy 2015
Core Policy 1: Settlement Strategy
Core Policy 2: Delivery Strategy
Core Policy 57: Ensuring High Quality Design and Place Shaping
Core Policy 58: Ensuring conservation of the historic environment
National Planning Policy Framework 2019 – NPPF 2019
PPG

Summary of consultation responses.

Keevil Parish Council – Object to the application and comment as follows:

“We have no objection to a small single storey residential dwelling on this site.

We have reservations regarding the design and appearance of such a modern looking property in a conservation area, and so close to listed buildings.

We do not feel that sufficient parking has been indicated”.

Wessex Water – No objections and comment that the application indicates that surface water would be disposed of via soakaways, whereas the application form indicates that it would be disposed of via connection to the foul sewer system. Requires clarification as the latter approach would not be favoured/encouraged.

Highways Officer: No objections and re-iterates comments from previous application/s.

Ecology Officer: No response received for current application however in response to previous applications ref: 18/07717/FUL & 19/01400/FUL at the site, no objections were received subject to a suggested condition in relation to exterior lighting and two informatives in relation to breeding birds and reptiles.

Drainage Officer: No response received. The department comments that they would not be commenting on the construction of a single dwelling as such matters fall within the remit of building control.

Conservation Officer: No objections and advises that the previous concerns for refusal within the previous application have been overcome.

Publicity.

Eleven letters/emails of representation received raising the following points:

- Inappropriate building, recommend refusal.
- Site close to & impact on conservation area and listed buildings.
- Curtilage development.
- Harmful impact of proposal on the conservation area and listed building – preservation of character.
- Design, mass, size & materials of proposal not in keeping and harmful to locality
- Overdevelopment of site of no public benefit.
- Proposal too close to tree.
- Design contrary to VDS Village Design Statement & CPs 57 & 58.
- Village survey – conservation area & in keeping
- Application site behind numbers behind Nos. 63, 64 and 64a Martins Road and not 65.
- Concern over on site & on street parking from proposal.
- Welcome single storey proposal, less noticeable & will not create overlooking.
- Support for proposal as submitted in application ref: 19/12129/FUL – Retirees in village. Need for smaller units which differ in design to established built form. Small infill development needed, adds vitality to village.
- Highway matters, CP 61
- Village services
- Wessex Water comments
- No requirement for 'intrusive' infill
- Application misrepresentative in various areas regarding numbers of cottages, car parking provision, no car port, descriptive village details
- Footprint size of development disproportionate to plot size.
- Backland tandem development. No requirement for infill development.
- Neighbouring property of Olcote incorrectly named as Meadow Close.
- Concern of surface water flooding to neighbouring property at Olcote.
- Cleaning of pond, MoD avoid flooding, environmental report.
- Lower access driveway, use of permeable surface.

Response by applicant to points raised:

- Previous meeting with Council officers favour modern single storey design.
- Sufficient on-site parking
- No record of flooding
- Access driveway as per highway requirements
- Arboricultural guidance such that dwelling sufficient distance from tree/s.

Planning Considerations.

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:

The application site is located within the small village of Keevil and Core Policy 2 allows for infill development within the built up area of small villages subject to meeting a number of criteria. The site is within the built up area of the village having regard to the developed nature of the immediate vicinity, WCS Core Policy 2 states that within Small Villages, "development will be limited to infill within the existing built area. Proposals for development within Small Villages will be supported where they meet the following criteria:

- 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 existing sporadic loose knit areas of development related to the settlement".*

In this instance, the proposed site is infill development because the proposed land is adjacent to the dwelling at Olcote and is located within proximity to other existing dwelling houses, such as numbers 60 and 62 Martins Road. The application site is a part of the village and is located directly off the main highway which serves as a spinal route running through the village. It is noted that the built environment/settlement arrangement is of a linear pattern to the site's north/south and east, this being as indicated within the above site location plan snippet.

The application site is surrounded by development and the proposal is a form of infill development, with the pattern or character of development within the immediate locality being typified by a mix of housing styles, consisting of bungalows and two storey houses, set within plots of land of varying sizes, with the proposed dwelling not being an exception having an appropriately sized garden area suitable to accommodate ancillary recreational garden land for a new dwelling.

"The development should respect the existing character and form of the settlement".

The proposed development would be set back and away from the street frontage, whereby a pattern of development exists in the locality or area where the proposal would be sited. The proposal would comprise of one dwelling within its plot size, which would have a sufficiently sized garden to reflect the character of the area. The existing form of the settlement would be preserved and respected by this proposal.

"The development should 'not elongate the village or impose development in sensitive landscape areas".

The scheme proposes to infill an existing area of land which is a part of the village and whereby there is existing housing development surrounding the application site; consequently, the development would not elongate the village.

"The development should 'not consolidate an existing sporadic loose knit area of development related to the settlement".

The area where the building would be sited would be within a developed area of the village, such that there are existing developments comprising of dwellings/houses, with the proposal being a consistent form of development within the locality. The proposal recognises these principles and would not unbalance the spatial flow of development.

Therefore, in policy terms, for the above reasons the proposal is appraised as being an acceptable form of in-fill development.

The previous planning application reference 19/01400/FUL for development at this location was refused for the following three reasons:

- 1 The proposed scheme, by reason of its height, scale and massing, would result in less than substantial harm to the settings of the nearby listed buildings and to the character of the Conservation Area, with such harm being at the upper end of less than substantial harm, with there not being any public benefit derived from the proposal and which would be contrary to Core Policies 57 and 58 of the adopted Wiltshire Core Strategy (2015) and Paragraphs 193, 194 and 196 of the NPPF.
- 2 Due to its close proximity, the proposed two storey dwelling by reason of its height, scale and massing would have an overbearing impact on the nearby dwelling of Olcote and which would be harmful to the amenities currently enjoyed by its the occupiers, being contrary to Core Policy 57 of the adopted Wiltshire Core Strategy (2015).
- 3 The red line development site does not provide for access to the public highway, being contrary to Core Policies 57 and 61 of the adopted Wiltshire Core Strategy (2015).

Design and impact of proposal on Heritage Assets – Listed Buildings and Conservation Area.

The first reason for refusal related to the proposal's impact on the nearby listed buildings and the surrounding conservation area.

Core Policies 57 and 58 are also relevant when considering the form of the replacement dwelling and its impact on the character and appearance of the area and the setting of the Listed Building.

In terms of the historic environment, the primary consideration is the duty placed on the Council under sections 16 and 66 of the Planning (Listed Building and Conservation Areas) Act 1990, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 also requires the Council to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Areas.

The National Planning Policy Framework NPPF February 2019 outlines government policy towards the historic environment. Section 16 "Conserving and Enhancing the Historic Environment" sets out an overall aspiration for conserving heritage assets.

In particular paragraph 193 of the NPPF, 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

CP 58 relates to Ensuring the Conservation of the historic environment and states that designated heritage assets and their settings will be conserved.

Paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The National Planning Policy Framework makes it clear that when considering the impact of a proposed development on the significance of a listed building, great weight should be given to its conservation. Significance can be harmed or lost through alteration of the heritage asset, and as they are irreplaceable, any harm should require clear and convincing justification.

The Councils' Conservation Officer has been formally consulted on this application and has withdrawn his objection as stated in previous application reference 19/01400/FUL and supports the application, commenting that:

"The Grade II listed cottages to the front of the site have just been restored to working order. This site makes up the rear half of the long gardens of the three properties at the front. However prior to around 1900 – 1910 the gardens were only half as long as at present. The rear portion being orchard or other wooded area, now gone. Therefore, the shortening of the gardens would not result necessarily in a deleterious loss of setting to the listed building, because the garden size has changed over time – the current application would return the garden size to its pre-1900 size.

The setting of the listed buildings and the Conservation Area is one of an edge of village location as the rear garden blends into the countryside beyond.

This application follows a refusal for a much larger proposed dwelling. It has been established that there is no in principle objection to a new dwelling in this location, but that a new dwelling would need to be carefully designed to respect and not interfere with, the settings of the listed buildings and the character of the Conservation Area. During a site visit connected with that earlier scheme it was suggested by officers that a very low building, perhaps of contemporary design, would better sit within this historic setting. The newly proposed scheme achieves this aim.

The proposed dwelling would be a low level building – single storey with part flat roof and part monopitch roof. This is a clever design which allows light into the central portion of the dwelling with the high level windows. The materials would be a mixture of render and vertical timber cladding, on a base of blue engineering bricks. This would give a softer appearance to the modern design and allow the building to sit unobtrusively in this sensitive location. The windows would be recessive metal windows that would be appropriate to this design and location.

For the above reasons the proposed scheme would result in no harm to the settings of the nearby listed buildings and to the character of the Conservation Area. Therefore, I have no objections to this application".

Therefore, for the above stated reasons, the scheme as appraised by the Conservation Officer is considered as being appropriate.

Design. In design terms, CP 57 requires new development to be carefully thought out and innovative:

"The layout and design of new developments must also be based on a thorough understanding of the site itself and its wider context, and seek to maximise the benefits of the sites characteristics. This will require careful consideration of the site layout".

AND

"High quality design will be required for all new developments from building extensions through to major developments. Innovative designs which help raise the standard of design more generally in the area will be encouraged".

Third party comments have been received citing the design and materials as being inappropriate at this location, however, as explained by the Conservation Officer within his comments, the proposal's modern design offers a softer appearance to the dwelling. Similarly, in line with the

above wording of CP 57, the form of the dwelling is that of a modern style which reflects the materials of nearby buildings, incorporating a palette of materials as found in the locality, such as a render finish. The design does not aim to copy the surrounding built form and in that sense is innovative and offers a contrast against the nearby thatched cottages, consequently it is appraised that the scheme serves to accord with CP 57.

The application site is within the Keevil Conservation Area, whereby it is recognised that the NPPF, CP 58 and Section 72 of the Planning (Listed Building and Conservation Area) Act 1990 places an onus on the Local Planning Authority to pay special attention to the preservation and enhancement of the character and appearance of the Conservation Area. The Conservation Officer is in support of the proposal and due to the largely private location of the scheme, the building would not be readily visible from the public realm, thereby offering minimal impact on the character of the Conservation Area.

Therefore, for all of these reasons as discussed and in line with the comments of the Conservation Officer, the scheme is considered as having overcome the first reason for refusal.

Amenity. With regard to the second reason for refusal relating to residential amenity and the impact of the proposal on the neighbouring property at Olcote, in terms of height, scale and massing, the scheme as submitted is a genuinely single storey dwelling having a reduced height and scale to that as previously proposed.

Core Policy 57 seeks to protect the residential amenity of neighbouring occupiers and the proposed house would be sited north of the existing residential property known as Olcote. The proposal would have an approximate separation distance of between 5 and 6 metres from the boundary and approximately 7 metres away from the closest point to Olcote.

The previous proposal was a two storey dwelling which proposed a ridge height of approximately 6 metres, by comparison, the current scheme in its flat roof form would have a maximum roof height of approximately 3.3 metres and with the mono pitch section of the proposal having a slightly higher roof height of approximately 4.1 metres. This revised aspect of the scheme is effectively shown in the following two snippets taken from the submitted plans:

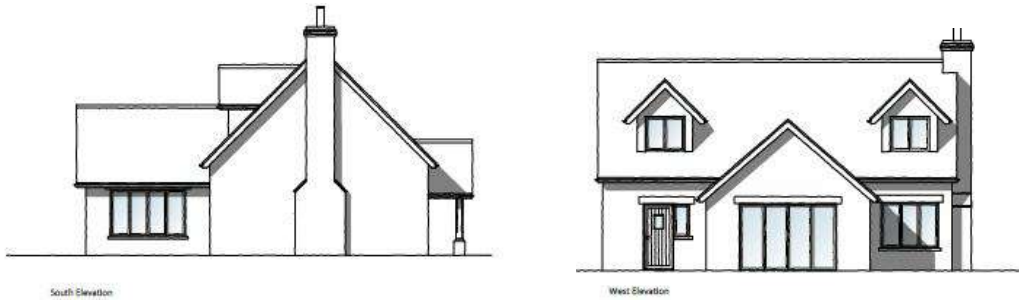


Proposed South Elevation



Proposed block plan showing new dwelling

The proposal being single storey would not have high level fenestration being capable of looking into the residential garden area of Olcote, which was a concern with the previous proposal and its dormer windows. The above proposal can be compared to the snippets taken from the plans of the recent planning refusal at this location, such that the current scheme is of a smaller mass and scale than that as previously proposed.



Previously proposed south and west elevations within previous application ref: 19/01400/FUL

Therefore, taking all of the above design aspects into full consideration, it is appraised that the second reason for refusal has been overcome, such that there would not be a significant impact on the amenity of the nearest neighbouring dwelling at Olcote.

The third and final reason for refusal related to the red line of the application site and the access driveway not extending to the public highway, this has now been remedied, with the red line clearly incorporating the access road. Therefore, the third and final reason for refusal has been overcome.

Highway Access.

It is noted that neighbour comments have been received in regard to highway matters and car parking. The dwelling would offer two off road car parking spaces which is in line with Council's adopted car parking standards, as the property would have two bedrooms, consequently, the Council's Highways Officer has been consulted on the application and has not raised any objections to the proposal, nor asked for any conditions to be attached to the decision.

Drainage.

It is proposed that the foul sewage would be connected to the mains sewer and that surface water would be disposed of via the use of soakaways on the site. Wessex Water has been consulted who have not raised an objection but have commented that the application form showed that surface water disposal would be via connection to the mains foul sewer. This is not the intended case with the agent confirming and submitting a corrected application form, detailing the use of soakaways for surface water disposal.

The Council's Drainage section has been consulted on this application and have not responded, stating that as the proposal is for a single dwelling their consultation process does not allow them to respond, instead leaving such matters to fall within the remit of Building Control's legislation. It is understood that a connection will be made to the foul sewer located within Martins Road.

With regard to the aspect of surface water disposal, it is noted that the use of soakaways would be utilised. Whilst this is accepted, it is noted by third party comments that surface water disposal or surface water flooding is a concern for the locality, similarly the Drainage Officer within the previous application raised concerns within this respect. Therefore as limited information has been submitted within the application within this regard and not wishing to delay the determination of the application, it is considered necessary and relevant to include a planning condition asking for the submission of surface water disposal details. It is noted that within the previous application reference 19/01400/FUL, the applicant expressed a willingness to accept a surface water disposal condition.

Other Matters.

Comments have also been received in relation to the Keevil Village Design Statement in connection with the proposal and such comments are noted, however the adopted Wiltshire Core

Strategy is of primary relevance, such that in accordance with policy the proposal being infill development and complying with policy is therefore considered appropriate within this location. Whilst the scheme would be a modest two bedroom property it would offer a market choice to interested parties looking for a small sized residential unit.

The aspect of ecology is an important consideration and the Council's Ecologist comments from the previous applications are of relevance whereby no objections have been raised. The Ecologist response included a request to include a condition in relation to the control of exterior lighting, such that any light units are to be pointed downwards, so as to not illuminate boundary features. This would be required so as to offer minimal impact on commuting and foraging birds, bats and small mammals. Whilst such a condition does not preclude exterior lighting, it would serve to control its impact on the surrounding wildlife and it would also be helpful in maintaining neighbouring amenity, it is therefore considered to be necessary and relevant.

The submission includes a landscaping plan which shows the removal of a tree and the retention of existing hedgerows and existing trees, as such the details are acceptable and controlled by a plans condition it is not considered necessary to include a separate landscaping condition.

Conclusion (The Planning Balance)

The application proposes an infill dwelling in the village of Keevil and for the reasons as discussed throughout, is considered to be in principle with the previous reasons for refusal having been overcome. The application is therefore recommended for approval subject to the suggested planning conditions.

RECOMMENDATION: Permission be granted subject to the following conditions.

- 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 materials to be utilised within this development shall accord with the schedule of materials as described within the planning application form received on the 09.03.2020.

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

- 3 All external lighting shall be angled so as to be facing downwards and shall not illuminate any boundary features.

REASON. In the interests of ecology and neighbouring amenity.

- 4 No development hereby approved shall progress beyond slab level until a scheme for the discharge of surface water from the site incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until surface water drainage to serve the development has been constructed in accordance with the approved scheme.

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.

- 5 The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing number C8584.PL.001 Location plan registered on 14.01.2020

Drawing number C8584.PL.100 Rev A Proposed ground floor plan registered on 14.01.2020

Drawing number C8584.PL.200 Proposed elevations registered on 14.01.2020

Drawing number C8584.PL.300 Rev A Proposed sections registered on 14.01.2020

Drawing number C8584.PL.051 Rev A Proposed site plan with landscaping details registered on 14.01.2020

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

- 6 INFORMATIVE: Breeding Birds.

Please be advised that works should not take place that will harm nesting birds from March to August inclusive. All British birds (while nesting, building nests and sitting on eggs), their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. If birds are nesting on/in or within the vicinity of the proposed development, work should be undertaken outside the breeding season for birds to ensure their protection, i.e. works should only be undertaken between August and February. Further advice on the above can be sought from the Council Ecologists.

- 7 INFORMATIVE: Reptiles.

There is a low risk that reptiles could occur on the application site. All reptiles are legally protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and planning permission does not provide a defence against prosecution. In order to minimise the risk of reptiles occurring on the site, the developer is advised to clear the site and vegetation in a sympathetic manner during the autumn (September/October) or spring months (April-May) and to maintain the vegetation at a short height to make it unsuitable for reptiles until the construction works commence. If these species are found during the works, the applicant is advised to stop work and follow the advice of a professional ecologist to inform necessary mitigation and/or compensation measures.

- 8 INFORMATIVE TO APPLICANT:

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 www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy.