

**Item No 02:-**

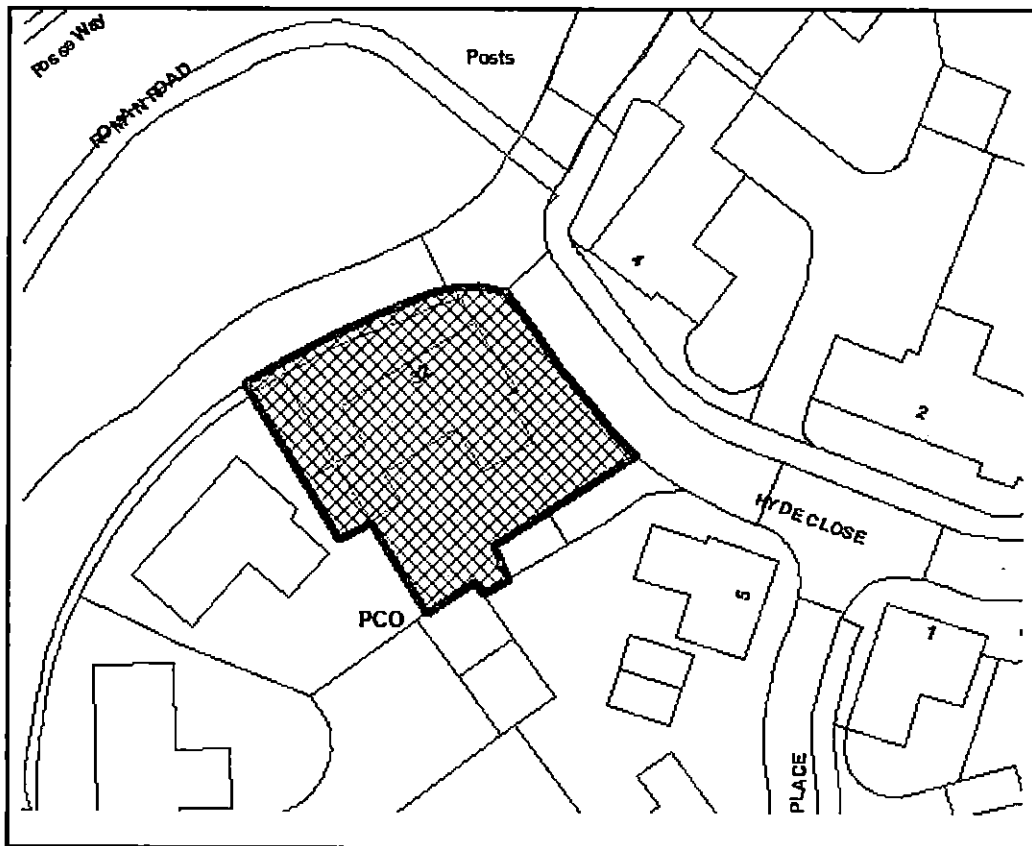
**15/01700/FUL (CT.3955/W)**

**32 Savory Way  
Cirencester  
Gloucestershire  
GL7 1RN**

**Erection of boundary wall measuring 0.9 metres and 2 metres in height and the removal of a section of the existing boundary wall to the rear and front of the property at  
32 Savory Way Cirencester Gloucestershire GL7 1RN**

<b>Full Application 15/01700/FUL (CT.3955/W)</b>	
Applicant:	Mr Bruce Lloyd
Agent:	None
Case Officer:	Scott Britnell
Ward Member(s):	Councillor Nigel Robbins
Committee Date:	10th February 2016

**Site Plan**



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**RECOMMENDATION: PERMIT**

## **Main Issues:**

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- (a) The impact of the development upon the character of the host property, street scene and wider area
- (b) The impact of the development upon highway safety

## **Reasons for Referral:**

This application has been referred to Committee by the Ward Member, Councillor Robbins, due to the impact the proposed development would have upon the open nature of the estate.

### **1. Site Description:**

The application site forms part of a relatively recently completed development (Kingshill North/'Corinium Via'). The prevailing character of the estate is residential with detached dwellings featuring front boundary treatments largely formed by stone walls and close-boarded fences elsewhere. Existing walling is commonly of 0.9 metres in height to the frontages and up to 2 metres elsewhere. The application site is typical of this character with a low wall to the front and a higher wall to the side. There is, however, an unenclosed strip of land to the side of the property, which is within the applicant's ownership. The site itself occupies a corner plot where Savory Way meets Hyde Close. Directly opposite the application property is a relatively large open green space.

### **2. Relevant Planning History:**

There is no previous planning history relating to the application property.

### **3. Planning Policies:**

LPR38 Accessibility to & within New Developments  
LPR42 Cotswold Design Code  
LPR46 Privacy & Gardens in Residential Developments  
NPPF National Planning Policy Framework

### **4. Observations of Consultees:**

Highways Officer: No objection subject to the following planning condition: -

Notwithstanding the submitted details the wall hereby permitted shall be set back to provide visibility splays extending from a point 2.0 metres back along the centre of the adjoining access to the rear of the site measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 18 metres distant to the north (the Y point). The area between the approved wall and the carriageway shall be kept free of obstructions, including any structures and/or planting, exceeding 1 metre in height and shall be retained as such in perpetuity.

**Reason:-** To reduce potential highway impact by ensuring that adequate visibility is provided and maintained and to ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with Paragraph 32 of the NPPF.

Conservation & Design Officer: Included in the Officer's Assessment section of this report.

### **5. View of Town/Parish Council:**

Cirencester Town Council: Object due to insufficient information.

## 6. Other Representations:

Two Third Party letters of Objection (including The Beeches Community Group, incorporating Centuria & Corinium Via Residents' Association) were received. The issues raised are considered under the Officer's Assessment, except where indicated.

i) the proposals would conflict with the open plan character of the development and with the street view, and would be contrary to developer-imposed restrictive covenants in respect of new means of enclosure (Case Officer Note: Legal Covenants are not a material planning consideration)

ii) the developer and County Highways should be consulted (Case Officer Note: It was not necessary to consult the developer and the Highways Team have provided a response to consultation)

iii) the proposals would set a precedent for others to follow

iv) the proposed wall position encroaches on the maintenance strip with possible consequences for distributing services to neighbouring properties and may cause access issues at a later date

## 7. Applicant's Supporting Information:

None

## 8. Officer's Assessment:

### (a) The impact of the development upon the character of the host property, street scene and wider area

Section 7 of the NPPF requires good design in all developments and that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Para 56 (of the NPPF) states that "Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."

Para 58 (of the NPPF) states that "Planning policies and decisions should aim to ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- are visually attractive as a result of good architecture and appropriate landscaping."

Local Plan Policy 42 (Cotswold Design Code) state that "Development should be environmentally sustainable and designed in a manner that respects the character, appearance and local distinctiveness of Cotswold District with regard to style, setting, harmony, street scene, proportion, simplicity, materials and craftsmanship."

Policy 46 (Landscaping in New Development) requires high standards of appropriate landscaping will be required in all developments.

The proposed development comprises the extension of the existing 0.9m dry stone front wall to the side of the dwelling and the extension of the existing 2.0m walling to the side, further along the side elevation to meet the 0.9m wall. Additionally, a further length of 2.0m wall, with garden gate, would be erected at right angles to the side wall of the dwelling itself.

The effect of the new walling would be to enclose the current area of open-fronted garden at the junction of Savory Close and Hyde Way. The position of the dwelling as a corner plot at this junction results in it being relatively prominent from these estate roads. It is, however, understandable that the applicant would seek to define the private nature and use of the open garden from any perception of it as public space.

Current planning advice and best practice is to ensure that there are no such areas of ambiguity within new developments. The Council's Conservation & Design Officer has been consulted on this application and has offered no objection. The visual impact of the proposals would be entirely in keeping with the character of the overall development insofar as the additional length of 0.9m walling is concerned. Indeed, it is important to note that Permitted Development rights for new means of enclosure were not removed when the development of the estate was first permitted.

The impact of the 2.0m walling as extended would result in it being somewhat more prominent within the street scene, but not to a degree that it would, in this instance and taken on its own merits, undermine the design approach to the estate's layout and landscaping as a whole. As a result, officers do not feel that an irresistible precedent would be set for more harmful proposals for future enclosures within the wider development.

To ensure the successful assimilation of the proposed development within its surroundings it is considered necessary and reasonable to require the new walling to match in design, detailing and materials the existing stone boundary walls at the property. This requirement would be secured through condition.

#### **(b) The impact of the development upon highway safety**

Section 4 of the NPPF and Local Plan Policy 38 both require development proposals to achieve safe access provisions.

The Highways Officer raises no objection subject to the imposition of the planning condition set out within the previous section of this report. Subject to that condition the application is adjudged to comply with Section 4 of the NPPF and Local Plan Policy 38.

#### **9. Conclusion:**

The proposed development is adjudged to be acceptable with no harmful impacts identified with regards to its impact upon the character of the host property, street scene and wider estate or highway safety. Consequently, the application is considered to comply with Sections 4 and 7 of the NPPF and Local Plan Policies 38, 42 and 46, and is recommended for approval accordingly.

**10. Conditions:**

The development shall be started by 3 years from the date of this decision notice.

**Reason:** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

The development hereby approved shall be implemented in accordance with the following drawing number(s): Unnumbered Block Plan received (and date stamped) 4 September 2015.

**Reason:** For purposes of clarity and for the avoidance of doubt, in accordance with paragraphs 203 and 206 of the National Planning Policy Framework.

The walling hereby permitted shall match the existing dry stone boundary walls at the application property in respect of materials and detailing, and shall be retained as such in perpetuity.

**Reason:** To ensure that the development is of a quality and appearance appropriate to its surroundings in accordance with Local Plan Policy 42.

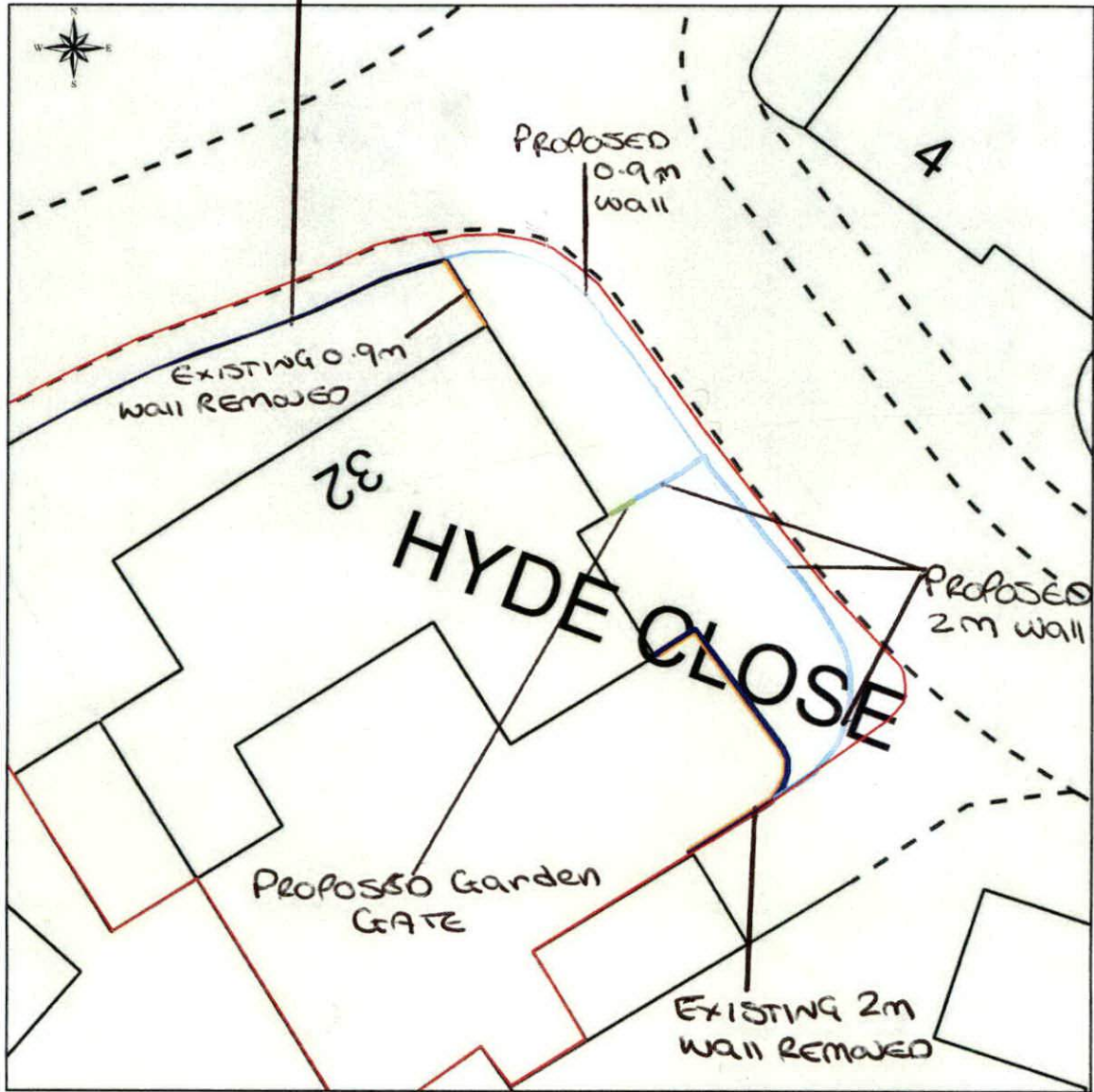
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# Block Plan 32 Savory Way, GL71RN

EXISTING 0.9m wall



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0m 2m 4m 6m 8m 10m 12m 14m 16m

Scale: 1:200, paper size: A4

Stone wall Ref: PP-04034550

Proposed extension to existing 0.9m high and 2.0m high garden walls.

- Thin dark blue line - Existing 0.9m high Cotswold stone wall
- Thin Cyan line - Proposed extension to 0.9m high wall
- Thick Blue line - Existing 2.0m high Cotswold stone wall
- Thick cyan blue line - Proposed extension to 2.0m high wall
- Orange line - section of old wall to be removed.
- Green line - Proposed 2.0m high Garden door/gate for access (currently no access available)
- Red line - 32 Savory Way property boundary.

COTSWOLD DISTRICT COUNCIL  
DEVELOPMENT SERVICE  
04 SEP 2015  
Off Ref:  
Ack: