

**REPORT TO THE DEVELOPMENT CONTROL
COMMITTEE**

Report No.

Date of Meeting	23 April 2008
Application Number	08/423FUL
Site Address	Land adjacent 30 Avon Rise, Luckington
Proposal	Demolition of Eight Garages and Construction of Two New Dwellings with Associated External Works
Applicant	Westlea Housing Association
Town/Parish Council	Luckington
Grid Ref	383475 183808
Type of application	Full application

Reason for the application being considered by Committee

This application has been submitted to the Committee for decision under the scheme of delegation in force after the 8th April 2002 because 5 letters of objection have been received

Summary of Report

This application seeks to redevelop an existing garage site for two semi-detached dwellings. The key issues are:

- Loss of garaging, parking and highways
- Impact on residential amenity
- Impact on the character and appearance of the area
- Policies C3 and H3

Officer Recommendation

The applicant be invited to enter an Agreement in respect of the following matters:

- (i) securing the provision of one affordable unit on the site in perpetuity

following completion of which the Implementation Team Leader (Development Control and Listed Buildings) be authorised to GRANT Planning Permission subject to conditions.

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Proposal and Site Description

The application is seeking to redevelop a former garage site which is now vacant and disused, for the erection of two semi-detached dwellings. The dwellings will provide affordable rented housing for Luckington, for which there is demand locally.

The dwellings will both be two storeys in height providing two bedrooms. The dwellings would front onto Avon Rise with off-street parking provided for four cars. The design of the dwellings has not fundamentally changed since the previous application (07/369 refers), the only difference now is that only a first floor window in the north elevation (serving the bathroom) is now proposed in the north elevation (side elevation to Plot1).

The site has been sealed off via a low level close boarded fence and is set lower than the adjacent road and properties to the west and south.

The designated Luckington conservation area runs along the northern boundary of the application site.

Planning History		
Application number	Proposal	Decision
07/00369FUL	Demolition of Eight Garages and Construction of Two New Dwellings with Associated External Works The application was refused solely on highways grounds.	Refused. Appeal submitted.

Consultations

Luckington and Alderton Parish Council object – feel need for affordable housing in the village has been fulfilled via the Beaufort View development in the village. The loss of garages will exacerbate a serious parking problem in Avon Rise.

Wiltshire County Council Highways raise no objections.

Representations

4 letters of objection have been received on the following grounds:

- Loss of parking area/increase in on street parking
- Residential amenity no. 30 Avon Rise
- Size of properties inadequate for families
- Design out of keeping

Planning Considerations

The proposed development falls within the framework boundary of Luckington. Accordingly, there is a presumption in favour of development so long as the relevant policy criteria are satisfied.

The relevant policy in respect of considering this application is Policy C3 of the adopted North Wiltshire Local Plan 2011.

Need

Demand for affordable housing in Luckington as of 1 February 2008 is currently eight households.

Highways/Car parking

The proposal involves the demolition of eight garages and its redevelopment with two semi-detached dwellings. The garages have now all been vacated and the site enclosed via a low close boarded fence, thus preventing any vehicular access. The parking has, therefore, been lost whether or not this permission is granted.

Whilst it is acknowledged that on-street parking is prevalent in Avon Rise, it is considered that given the garages and associated forecourt are no longer available and the scheme providing four off-street parking spaces the proposal would not detrimentally impact upon parking and highway safety in the area. This view is supported by Wiltshire County Council highways who raise no objection to the application (no objections were raised to the previous application also).

Overlooking

It is important to note that the previous application, which was identical to this application with the exception that windows were sought to be provided at first floor on both side elevations serving a bathroom, was not refused on any residential amenity grounds.

Notwithstanding the above, the windows are orientated to have a east-west aspect. The properties would face nos. 15 and 16 Avon Rise with 20.5 metres between the existing and proposed windows serving the front elevations. This distance is considered to be acceptable that given this distance is across a road and that the site is set approximately 0.5 metre lower than road level.

Windows proposed in the side elevations on the gable ends serve the hallway and downstairs wc and at first floor the bathroom (north elevation only towards Church Road). Due to the difference in levels and boundary treatments there will be no overlooking of no. 30 Avon Rise to the detrimental of its residential amenity.

Character and appearance

Again, the previous proposal was not found to be objectionable in this respect.

The development has been designed taking into account the scale, massing and design of buildings in the locality and that of the adjacent conservation area.

Comments have been made that due to the elevated nature of the site, the proposed houses would dominate the skyline from Church Road.

The site does occupy an elevated position but in comparison with no. 30 Avon Rise, the dwellings would be set approximately 500mm lower. Due to the depth of the houses, the pitch is lower than any houses in the vicinity and this reduces its dominance of the skyline.

The dwellings are proposed to be constructed of a mix of reconstructed stone, render and red or brown proposed pantile. Furthermore, the dwellings have features such as small flat roof dormers and lean-to porches and these details are reflective of properties both in Avon Rise and Church Road.

It is considered that this pallett of materials and proposed detailing is in keeping with the character and appearance of the area.

The redevelopment of this site is considered to make a positive contribution to the adjacent conservation area. At present the site and its being vacant contributes nothing to the character and appearance of the area.

Recommendation and Proposed Conditions/Informatives

The applicant be invited to enter an Agreement in respect of the following matters:

(i) securing the provision of one affordable unit on the site in perpetuity

following completion of which the Implementation Team Leader (Development Control and Listed Buildings) be authorised to GRANT Planning Permission 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 Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out strictly in accordance with the approved plans subject to such minor amendments to the development as may be approved in writing under this condition by the local planning authority.

Reason: To ensure that the development is implemented in accordance with this decision in the interests of public amenity, but also to allow for the approval of minor variations which do not materially affect the permission.

3. Prior to the use or occupation of the development hereby permitted, and at all times thereafter, the proposed first floor window in the north elevation shall be glazed with obscure glass only.

Reason: In the interests of residential amenity.

4. Prior to the commencement of the development hereby permitted, details of materials to be used externally shall be submitted to, and approved in writing by, the local planning authority. The development shall be built in the materials approved.

Reason: In the interests of visual amenity.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) there shall be no extension or external alteration to any building forming part of the development hereby permitted.

Reason: In order to safeguard the amenity of the area by enabling the local planning authority to consider individually whether planning permission should be granted for extensions and external alterations.

6. The area allocated for parking on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: In the interests of amenity and road safety.

7. The driveway shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the local planning authority.

Reason: In the interests of highway safety.

8. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway details of which shall have been submitted to approved in writing by the local planning authority.

Reason: In the interests of highway safety.

Informative:

1. The following policies of the Development Plan are relevant to this decision:-

North Wiltshire Local Plan 2011:- C3 and H3

2. This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

Plan References

P1/D date stamped 21 February 2008

Reason for Decision

The proposed development by reason of its siting, scale and design would be in keeping with the character and appearance of the area and would enhance the setting of the adjacent Luckington conservation area in accordance with Policy C3 of the adopted North Wiltshire Local Plan.

Appendices: None

Background Documents Used in the Preparation of this Report: 1.20, 2.02, 4.02, 4.04, 4.07