

**REPORT TO THE DEVELOPMENT CONTROL
COMMITTEE**

Report No.

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| Date of Meeting | 23rd April 2008 |
| Application Number | 08/00468FUL |
| Site Address | Cote House, 24 Rowden Hill, Chippenham |
| Proposal | Construction of four supported living units in one block to the front of Cote House with associated staff accommodation |
| Applicant | Voyage |
| Town/Parish Council | Chippenham |
| Grid Ref | 391434 173001 |
| Type of applications | Full |

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, as there have been more than five letters of objection.

Summary of Report

This application is seeking permission for the construction of block within which there will be four supported living units with associated staff accommodation. The block is proposed to be sited to the front of Cote House.

The application is an amendment to a previously approved application for the erection of one three bed care unit (07/481FUL refers). Changes are proposed to the design of the building and the internal layout and thus the use, to provided self contained living accommodation with staff accommodation.

The buildings is proposed to be sited in exactly the same position with some associated alterations to the footprint which represents a solid rectangle enlarging the footprint overall. New means of enclosure are proposed to contain the existing unit which will run parallel with the existing access.

Having regard to the previous approval and the need to revisit some of the issues raised with that application, the key issues are:

1. Impact upon privacy and amenities of existing and proposed dwellings.
2. Impact on highways
3. Design and impact of the proposal on the local character and distinctiveness of the area

Officer Recommendations

Planning Permission is GRANTED subject to conditions.

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| Contact Officer | Tracy Smith | 01249 706647 | tsmith@northwilts.gov.uk |
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Proposal and Site Description

Cote House is a substantial property used as a care home/residential institution which falls within Class C2 of the Use Classes Order.

The property is set within substantial grounds and contains a number of prominent trees, some of which are protected by tree preservation orders all of which relate to trees to the front of the property.

The site occupies an elevated position from the road and slopes upwards towards Cote House after which the site levels out.

Access to the site is off Rowden Hill and also provides access to the property known as The Coach House (the access cuts across the front of Cote House) and additional properties to the rear on St Teresa's Drive.

The proposal is to provide a single building, which will provide self contained living accommodation for four residents in association with the main care home on the site. Residential accommodation will be provided in the roofspace and at ground floor.

The proposal has been designed to reflect the architectural features of Cote House including the roof detailing and the use of materials. The previously approved box bay and gable detail is now proposed to be replaced with a dormer window and porch detail.

Other external changes proposed principally relate to changes in the forms of openings at ground floor, the introduction of an additional rooflight in the rear elevation and the side elevation (east) together with internal boundary fencing.

A copy of the approved scheme is contained in the appendix to this report.

| Planning History | | |
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| Application number | Proposal | Decision |
| 08/468FUL | Construction of four supported living units in one block to front with associated staff accommodation. | Pending determination |
| 07/0481FUL | Erection of one three bed care unit (to front of Cote House) Construction of two independent living units to rear garden. | Approved. |
| 06/3000FUL | Construction of two independent living units to rear garden and four independent living units to frontage. | Approved with legal agreement |
| 06/01608FUL | Only those units (3-6) to the front of Cote House were considered to be unacceptable and detrimental to the character and appearance of Cote House and the area and harm to the trees. | Refused. |
| 97/02128COU | Change of use of building from guesthouse to residential home, alterations to building and erection of conservatory. | Approved. |
| 89/02161OL | One dwelling. Refused and dismissed at appeal with the Inspector taking the | Refused/ Dismissed at appeal |

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| 88/3649OL | <p>view that that the proposed dwelling would overlook Cote House (10 metres distance and at a lower level) and loss of amenity space for Cote House.</p> <p>One dwelling.</p> <p>Refused on grounds of loss of privacy, amenity and impact on the character of the area.</p> | Refused. |
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Consultations

Chippenham Town Council – no objection in principle subject to the Conservation Officer being satisfied that the proposal would not impact upon Cote House.

Wiltshire County Highways – no objection subject to conditions.

North Wiltshire District Council Landscape Officer – no objection.

Wessex Water – no objection

Representations

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

- Impact on highways
- Impact on residential amenity through loss of privacy and due to the nature of residents
- Character and appearance of the area
- Materials
- Poor drainage
- Impact on trees

Planning Considerations

The affect a development may or may not have on property values is not a planning consideration nor is the nature of the persons occupying the accommodation.

The proposed C2 use by reason of the previous approval has been found to be acceptable in this location and this is a material consideration in the determination of this application.

The proposed development falls to be considered against Policy C3 of the adopted North Wiltshire Local Plan 2011. Cote House is a residential institution falling within Class C2 of the use classes order. The proposed living units would also be Class C2 use and is not a dwelling house. The living units will be ancillary to the function of Cote House as a care home, as are approved units to the rear of the property (06/03000/FUL).

Character and appearance of the area

The site is not located within a conservation area. The site is well screened from the main road by a combination of trees (some protected) and vegetation. The unit by reason of its subservient scale and design to Cote House would appear ancillary to that use. It is noted that Rowden Hill is characterised by development set at varying distances from the road. It is not considered that this well designed and proportioned unit would be so detrimental to the character and appearance of the area as to warrant its refusal particularly having regard to the previous approval.

It is noted that boundary fencing is proposed to separate the unit from the existing access. Whilst there is no objection to this in principle further details are required in order to ensure the root system of protected trees are not damaged. The use of chicken wire mesh stock proofing is wholly unacceptable.

Impact on highways

The application will result in an increase in staff (2 persons) and potential visitors. This is the same as the previous approval. Wiltshire County Council Highways raise no objection to this proposal.

Loss of light/overlooking

The roofline remains largely the same and in comparison with the previous approval it represents a reduction in its bulk and massing.

In light of this, and due to the difference in levels on the site, the presence of some substantial trees and it being set at a lower level than dwellings surrounding the site, it is not considered that the proposed unit would result in the loss of light or be overbearing to any adjacent property.

In terms of overlooking, windows serving habitable rooms are proposed in the roofspace above head height. Consequently, the proposal will not overlooking any adjoining properties. Notwithstanding this, it is considered that there is sufficient distance between the unit and properties on Erleigh Drive and St Josephs Drive to avoid any overlooking as was the case with the previous approval.

Materials

It is envisaged that the unit will be constructed of materials in keeping with Cote House. A condition is proposed requiring the submission of this information.

Drainage

There is no evidence to suggest that the proposed development would have a detrimental affect on drainage – foul or surface water. Conditions are proposed to consider this matter further.

Impact on trees

This application as with the previous approval has been submitted in close consultation with officers in respect of the siting and impact on trees. The unit is proposed to be sited as previously approved and is not considered to be detrimental to the impact on the protected trees. Further details are required in respect of the proposed fencing.

Recommendation and any Proposed Conditions/Informatives

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 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 commencement of the development hereby permitted, and notwithstanding any details submitted with the application, details of the following matters (in respect of which

approval is expressly reserved) shall be submitted to, and approved in writing by, the local planning authority:

- (1) finished floor levels of all buildings;
- (2) finished levels across the site;
- (3) the means of surface water disposal;
- (4) the means of foul sewage disposal.
- (5) Walls, fencing or any other means of enclosure;

The development shall be carried out in accordance with the details so approved.

Items 1 to 4 shall be completed prior to the use or occupation of the development.

Reason: In the interests of amenity and satisfactory layout.

4. Prior to the commencement of the development hereby permitted and before any equipment, machinery or materials are brought onto the site for the purposes of the development, details of fencing to be erected for the protection of retained trees/hedges/shrubs shall be submitted to and approved in writing by the local planning authority.

Fencing for the protection of retained trees/hedges/shrubs shall be erected in accordance with the approved details before any equipment, machinery or materials are brought onto the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason: In the interests of protecting the existing trees/hedges/shrubs on the site.

5. 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.

6. The development hereby permitted shall be used wholly in conjunction with and ancillary to Cote House as a care home and shall not be occupied separately or used for any other purpose within the Class C2.

Reason: To ensure a more intensive use inappropriate to the site does not take place.

7. Plans showing a parking area (providing for 12 vehicles) shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. This area shall be surfaced in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority and constructed to the satisfaction of the Local Planning Authority before the buildings are occupied and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: In the interest of amenity and road safety

INFORMATIVE:

1. 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.

309/2006-1E, 309/2006-02F, 261/206-10, 6132/01 date stamped 27 February 2008.

Reason for Decision

The proposed development by reason of its scale, design and siting is considered to accord with Policy C3 and Policy NE14 of the adopted North Wiltshire Local Plan 2011.

Appendices: 07/00481FUL Approved elevations/floorplans

Background Documents Used in the Preparation of this Report: 1.20 2.02 4.02 4.04 5.01