

**REPORT TO THE NORTHERN AREA  
PLANNING COMMITTEE**

Report No.

<b>Date of Meeting</b>	<b>16<sup>th</sup> May 2012</b>		
<b>Application Number</b>	<b>12/00286/FUL</b>		
<b>Site Address</b>	<b>Brethren Meeting Room, Goldney Avenue, Chippenham, Wilts</b>		
<b>Proposal</b>	<b>Partial Demolition of Existing Meeting Room and Construction of 5 Dwellings and Associated Works</b>		
<b>Applicant</b>	<b>The Down Chapel Trust</b>		
<b>Town/Parish Council</b>	<b>Chippenham</b>		
<b>Electoral Division</b>	<b>Chippenham Lowden and Rowden</b>	<b>Unitary Member</b>	<b>Cllr Judy Rooke</b>
<b>Grid Ref</b>	<b>391442 173491</b>		
<b>Type of application</b>	<b>Full</b>		
<b>Case Officer</b>	<b>Kate Backhouse</b>	<b>01249 706684</b>	<b>kate.backhouse@wiltshire.gov.uk</b>

**Reason for the application being considered by Committee**

The application has been called to committee by Cllr Judy Rooke to consider the visual impact, relationship to adjoining properties and the design.

**1. Purpose of Report**

To consider the above application and to recommend that authority be DELEGATED to the Area Development Manager to grant permission subject to conditions and the signing of a Section 106 Legal Agreement.

The Town Council raise no objections subject to discussions between planning officer and developer in respect of neighbour concerns.

**2. Main Issues**

- Principle of development Policies C3, CF3 and H3 of the adopted North Wiltshire Local Plan 2011 and the National Planning Policy Framework
- Affect on the privacy and amenity of existing neighbours and potential occupants

**3. Site Description**

The application site is located at the Brethren Meeting Room on Goldney Avenue. The immediate locality has been subject to fairly extensive residential development, most recently 10 affordable houses, on the adjacent plot, (10/04508/FUL) refers.

#### **4. Relevant Planning History**

None

#### **5. Proposal**

The proposal consists of the partial demolition of the religious meeting hall. (A new meeting hall has been permitted in Kington Langley on the A350, (08/00631/FUL) refers. Plans show a row of 3 and 4 bed terraced houses to the west of the plot with a detached dwelling and garage to the east. Centrally, a new car parking area is to be created with 14 No spaces serving the remaining part of the religious meeting place.

#### **6. Consultations**

##### **Drainage Engineer**

No objection subject to conditions.

##### **Public Open Space.**

The current North Wiltshire Hub Open Space provision requirements for this development in accordance with policy CF3 of the North Wiltshire Local Plan 2011 are as follows:

##### North Wiltshire Open Space Calculator

The North Wiltshire Open Space Calculator has been used to determine the following levels of Open Space provision requirements:

2 × 3 Bed dwellings generate a need for 0.0132 Ha of Open Space  
3 × 4+ Bed dwellings generate a need for 0.0252  
0.0384 Ha equates to an Offsite Contribution of £33,800

Conclusion: This development generates a need for £33,800 in offsite Open Space Contribution to be used to upgrade facilities at John Coles Park

##### **Highways**

Having addressed the submitted information I am satisfied that the proposed development would not raise any highway concerns.

The parking standards are not quite up to current standards (the 4 bed should have 3 spaces each) but each property is afforded an allocation of 2 spaces (with plot 5 having a possible 4 spaces to itself). I am happy to allow vehicles to reverse on and off the highway at this location.

There appears to be adequate parking for the downsized Meeting Room.

In summary based on the submitted plans I wish to raise no highway objection subject to the following condition:

**(WD20)** No part of the development hereby approved shall be first occupied until the parking areas shown on the approved plans has been consolidated, surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times thereafter.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

## **Parish Council**

No objections subject to discussions between planning officer and developer in respect of neighbour concerns.

## **Landscape Officer**

No objections subject to conditions

## **7. Publicity**

The application was advertised by site notice and neighbour consultation.

4 letters of objection have been received.

Summary of key relevant points raised:

- Proximity of development to boundary
- Overlooking
- Size, scale and design
- Removal of hedge.
- 1<sup>st</sup> Floor side window
- Highway concerns due to retention of religious hall

## **8. Planning Considerations**

### *Principle of development*

Policy H3 of the Local Plan states that proposals for residential development, within the Framework Boundaries as defined on the proposals map, will be permitted, provided that amongst other things priority is given to the re-use of previously developed land and buildings. The National Planning Policy Framework defines previously developed land as land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.

### *Impact on privacy and amenities of existing and future occupiers.*

The 4 terraced houses raise no objection in terms of design or amenity issues given the distance between the rear windows and those of the terraces at Lowden Avenue. Parking arrangements show the kerb being dropped and 8No spaces being provided directly off the road. Adjacent to the meeting hall a car park with 14 spaces is shown to serve the hall. The detached 4 bed dwelling is set at an angle within the triangular plot with the end gable facing onto the gardens of Lowden Avenue. Plans originally showed a 1<sup>st</sup> floor window to this elevation however the agent has agreed to remove this in the interests of neighbourly development. The agent has confirmed that the hedge can be retained along the northern boundary of Plot 5 which would help to alleviate concerns regarding overlooking.

Concerns have been raised in respect of the impact the dwelling will have on the residents of the bungalows on Lowden Avenue. The proposed dwelling is over 18 metres away from the rear wall

of 24d Lowden Avenue with the other bungalows being sited a greater distance away. It is noted that the houses backing onto the development are bungalows (A site visit was carried out to view the development site from two of the neighbouring properties.) and that the proposed dwelling is 2 storey dwelling however this does not make the proposal unacceptable in planning terms. Indeed, when viewed from Goldney Avenue a 2 storey dwelling is much more in keeping with the street-scene. Objectors have commented that they would not object to a single storey dwelling however a two storey dwelling does not raise any issues that would justify a reason to refuse planning permission. The dwelling is oriented in such a way as to not create any issues of overlooking with distances of 23 and 34 metres to 24c and 24b Lowden Avenue respectively.

## **9. Conclusion**

It is considered that the proposal complies with the policies of the North Wiltshire Local Plan in that it is sited within the framework settlement boundary for Chippenham and will not impact unduly on the privacy and amenities enjoyed by neighbouring residents. The proposal has adequate amenity and parking spaces and is considered an appropriate addition to the locality.

## **10. Recommendation**

To recommend that authority be DELEGATED to the Area Development Manager to grant permission for the following reason subject to conditions set out below and signing of a Section 106 Legal Agreement.

The proposed residential development is considered to be of an acceptable scale, design and layout that would be appropriate in the context of surrounding residential development. The proposal would not have a significant impact upon the amenities of surrounding residential properties and would deliver an appropriate contribution towards the provision of public open space. The proposal would comply with the provisions of Policies C2, C3, CF3 and H3 of the adopted North Wiltshire Local Plan 2011.

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 development hereby permitted shall be implemented in accordance with the submitted plans and documents listed below. No variation from the approved plans should be made without the prior approval of the local planning authority. Amendments may require the submission of a further application.

11-1445-L(0)03 B date stamped 29.02.12 (Additional)

11-1445-L(0)07 A date stamped 31.01.12

11-1445-L(0)08 A date stamped 31.01.12

11-1445-L(0)06 A date stamped 31.01.12

11-1445-L(0)03 A date stamped 31.01.12

11-1445-L(0)02 A date stamped 31.01.12

11-1445-L(0)09 A date stamped 31.01.12

11-1445-L(0)01 A date stamped 31.01.12

11-1445-L(0)11 A date stamped 31.01.12

11-1445-L(0)04 A date stamped 31.01.12

11-1445-L(0)05 A date stamped 31.01.12

11-1445-L(0)10 A date stamped 31.01.12

Design and access statement date stamped 31.01.12

REASON: To ensure that the development is implemented as approved.

3. No development shall commence on site until details of the design, external appearance and decorative finish of all railings, fences, gates, walls, bollards and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being occupied / brought into use.

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

4. No part of the development hereby permitted shall be first brought into use/occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions to, or extensions or enlargements of any building forming part of the development hereby permitted.

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.

6. No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:

- (a) indications of all existing trees and hedgerows on the land;
- (b) a detailed planting specification including all species, planting sizes and planting densities and canopy spread of all trees and hedgerows;
- (c) all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
- (d) finished levels and contours;
- (e) means of enclosure;
- (f) car park layouts;
- (g) other vehicle and pedestrian access and circulation areas;
- (h) hard surfacing materials;
- (i) proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);
- (j) Four trees of a size and species and in a location to be agreed in writing with the Local Planning Authority, shall be planted in accordance with BS3936 (Parts 1 and 4), BS4043 and BS4428.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

7. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the

development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

8. Notwithstanding the details shown on the submitted plans, there shall be no window inserted in the first floor side elevation of plot 5.

REASON: In the interests of residential amenity and privacy.

9. No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The lighting approved shall be installed and shall be maintained in accordance with the approved details.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

10. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. Where possible, this should include SuDs methods to attenuate surface water thereby allowing for runoff volumes. The development shall not be first brought into use until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained.

#### Informatives

1. Attention is drawn to the Legal Agreement relating to this development or land which has been made pursuant to Section 106 of the Town and Country Planning Act 1990, Section 111 of the Local Government Act 1972, Section 33 of the Local Government (Miscellaneous Provisions) Act 1982 or other enabling powers.

2. The attention of the applicant is drawn to the contents of the attached letter from Wessex Water dated 16th February 2012.

