

AGENDA

Meeting: Western Area Planning Committee
Place: Council Chamber - Bradley Road, Trowbridge
Date: Wednesday 6 October 2010
Time: 6.00 pm

Please direct any enquiries on this Agenda to Marie Gondlach, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 713597 or email marie.gondlach@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225) 713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

Membership:

Cllr Ernie Clark	Cllr Christopher Newbury
Cllr Rod Eaton	Cllr Graham Payne
Cllr Peter Fuller (Chairman)	Cllr Stephen Petty
Cllr Mark Griffiths	Cllr Jonathon Seed
Cllr Malcolm Hewson	Cllr Roy While (Vice-Chairman)
Cllr John Knight	

Substitutes:

Cllr Rosemary Brown	Cllr Francis Morland
Cllr Trevor Carbin	Cllr Jeff Osborn
Cllr Andrew Davis	Cllr Fleur de Rhe-Philippe
Cllr Russell Hawker	Cllr Pip Ridout
Cllr Tom James MBE	

AGENDA

Part I

Items to be considered when the meeting is open to the public

1. **Apologies for Absence**

2. **Minutes of the Previous Meeting** (*Pages 1 - 8*)

To approve the minutes of the last meeting held on 15 September 2010 (copy attached).

3. **Declarations of Interest**

To receive any declarations of personal or prejudicial interests or dispensations granted by the Standards Committee.

4. **Chairman's Announcements**

5. **Public Participation**

Members of the public who wish to speak either in favour or against an application on this agenda are asked to register in person no later than 5.50pm on the day of the meeting.

The Chairman will allow up to 3 speakers in favour and up to 3 speakers against an application. Each speaker will be given up to 3 minutes and invited to speak immediately prior to the item being considered. The rules on public participation in respect of planning applications are detailed in the Council's Planning Code of Good Practice.

6. **Planning Applications** (*Pages 9 - 10*)

To consider and determine planning applications in the attached schedule.

6.a W/10/02329/FUL - Demolition of existing single storey extension and erection of two storey side extension and creation of new vehicular access - 2 Pound Close Semington Wiltshire BA14 6JP (*Pages 11 -*

16)

- 6.b **W/10/02168/FUL - Proposed bus pull in - Keevil Church Of England Primary School Main Street Keevil Wiltshire BA14 6LU (Pages 17 - 22)**
- 6.c **W/10/02535/FUL - Conversion to form 2 additional flats (revised application - 10/01769/FUL) - Land At 27 Bradford Road Trowbridge Wiltshire (Pages 23 - 28)**

7. **Planning Appeals Update Report (Pages 29 - 30)**

To receive details of appeal decisions and appeals pending (see attached schedule.)

8. **Urgent Items**

Any other items of business which, in the opinion of the Chairman, should be taken as a matter of urgency

Part II

Item during whose consideration it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed

This page is intentionally left blank

WESTERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 15 SEPTEMBER 2010 AT COUNCIL CHAMBER - BRADLEY ROAD, TROWBRIDGE.

Present:

Cllr Ernie Clark, Cllr Rod Eaton, Cllr Peter Fuller (Chairman), Cllr Malcolm Hewson, Cllr John Knight, Cllr Christopher Newbury, Cllr Graham Payne, Cllr Stephen Petty, Cllr Fleur de Rhe-Philippe (Reserve) and Cllr Jonathon Seed

Also Present:

Cllr Tom James

171 Apologies for Absence

Apologies for absence were received from Councillors Roy While (substituted by Councillor Fleur de Rhé-Philippe) and Mark Griffiths.

172 Minutes of the Previous Meeting

The minutes of the meeting held on 25 August 2010 were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 25 August 2010.

173 Declarations of Interest

W/10/02222/FUL – Councillors Peter Fuller and John Knight declared a personal interest as the application had been considered by the Trowbridge Development Committee of which they are both members. They both gave their assurance that they would consider the application on its own merit and with an open mind.

W/10/02329/FUL and W/10/02222/FUL – Councillor Graham Payne declared that he had been personally lobbied with regards to these two applications prior to the meeting. He gave his assurance that he would consider the applications on their own merits and with an open mind.

W/10/02102/FUL – Councillor Fleur de Rhé-Philippe declared that she had been personally lobbied. She gave her assurance that she would consider the application on its own merit and with an open mind.

174 **Chairman's Announcements**

There were no Chairman's Announcements.

175 **Public Participation**

The Chairman welcomed all present. He then explained the rules of public participation and the procedure to be followed at the meeting.

176 **Planning Applications**

The Committee considered the following applications:

176.a W/10/02102/FUL - Provision of children's and other equipment, general refurbishment works and upgrading of existing pedestrian access - Corsley Playing Field Corsley Heath Corsley Wiltshire

1. Mrs J Redman spoke in objection to the application
2. Dr N Carpenter spoke in support of the application
3. Mrs M Liquorice spoke in support of the application
4. Mrs C Firman-Ford spoke in support of the application
5. Mr M Holley, representing Corsley Parish Council, expressed the concerns of the Parish Council.

Officers introduced the report which recommended approval. Officers showed details of the equipment proposed and explained the levels of noise testing that had been carried out. They also drew the Committee's attention to the late list which stated that the application 99/00659/FUL had been refused on 15.07.99 (not 15.07.2010) as stated in the Relevant Planning History on page 14.

Additional comments received and comments from the Planning Officer were also on the late list.

A debate followed during which the issues of nuisance for local residents (including noise levels) and the safety of pedestrians and cyclists entering and exiting the site were discussed. The quality of the equipment proposed and the amount of work put in by the Playing Field Committee were praised by the Committee.

During the debate the Chairman pointed out that condition 4 on the report did not apply as no permission had been sought for lighting on the application. Should planning permission be granted the Committee agreed to remove condition 4 and replace it with an informative.

It was therefore

Resolved:

That planning permission be GRANTED

For the following reason(s):

The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.

Subject to the following condition(s):

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. No site clearance or development shall commence on site until an Arboricultural Method Statement (AMS) prepared by an arboricultural consultant providing comprehensive details of construction works within the Bicycle Area (30), Ramp Access (49) to the bicycle area and the Safety Fencing (66) in relation to trees shall be submitted to, and approved in writing by, the Local Planning Authority. All works shall subsequently be carried out in strict accordance with the approved details. In particular, the method statement must provide the following: -

- A specification for protective fencing to trees during development phase which complies with BS5837:2005 and a plan indicating the alignment of the protective fencing;
- A specification for scaffolding and ground protection within tree protection zones in accordance with BS5837:2005
- A schedule of tree works conforming to BS3998.
- Details of general arboricultural matters such as the area for storage of materials, concrete mixing and use of fires;
- A full specification for the construction of any arboriculturally sensitive structures and sections through them, including the installation of boundary treatment works, the method of construction including details of the no-dig specification in the ramped area;
- Details of the works requiring arboricultural supervision (the ramped area) to be carried out by the developer's arboricultural consultant and procedure for notifying the Local Planning Authority of the findings of the supervisory visits.

Reason: To prevent trees on site from being damaged during construction works.

3. The development shall be carried out as specified in the approved Arboricultural Method Statement (ASM), and shall be supervised by an arboricultural consultant.

Reason: To prevent trees on site from being damaged during construction works.

Informative(s):

Planning permission will be required for any lighting on site.

176.b W/10/02329/FUL - Demolition of existing single storey extension and erection of two storey side extension and creation of new vehicular access - 2 Pound Close Semington Wiltshire BA14 6JP

1. Mr S Taylor spoke in objection to the application.
2. Mrs R Aldred, representing her parents, spoke in objection to the application.
3. Mr R Oglesby, representing Semington Parish Council, reminded the Committee of the issues raised by the Parish Council and detailed within the agenda.

Officers introduced the report which recommended approval. Members of the public who had addressed the Committee had raised key issues such as increased traffic on a narrow road, proximity of the entrance to the school and highway safety which members of the Committee felt were issues to be taken into consideration and therefore requested a deferral.

Resolved:

That the application be deferred so that the officer can seek removal of the proposed access.

176.c W/10/02009/FUL - Extension to car park to provide an additional 40 parking spaces - Dorothy House Winsley Wiltshire BA15 2LE

1. Mr P Lennard, applicant, spoke in support of the application.

Officers introduced the report which recommended approval. A debate followed during which key issues such as the site being located within the Green Belt, Area of Outstanding Natural Beauty and Conservation Area, the material to be used for the surfacing of the car park and the benefits of providing additional parking spaces were discussed.

The Committee praised Dorothy House for their work and the efficiency with which the centre was run. Members of the Committee expressed disappointment at the absence of the Local Member who had called the

application in and of representatives of the Parish Council who had asked for the application to be considered by this Committee.

It was therefore

Resolved:

That planning permission be GRANTED.

For the following reason(s)

The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.

Subject to the following condition(s):

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 and in particular the landscaping scheme shall be carried out in accordance with the details shown on drawings 40082_P(90)002 Revision C and 40082_P(90)002, and shall be maintained as such thereafter.

REASON: To prevent trees on site from being damaged during construction works

POLICY: West Wiltshire District Plan First Alteration 2004 Policy C32

176.d W/10/02222/FUL - Change of use from dwelling to office and staff training facilities - 38 Delamere Road Trowbridge Wiltshire BA14 8ST

1. Mr H Hicks spoke in objection to the application
2. Mr V Odell spoke in objection to the application
3. Mrs H Cass, the applicant, spoke in support of the application

Councillor Tom James, Unitary Member for Trowbridge Adcroft, expressed his concerns with regards to the application and the change of use of a dwelling to office and staff training facilities.

Officers introduced the report which recommended approval and drew the Committee's attention to the late list which detailed additional comments and comments from the Planning Officer. A debate ensued during which issues such as preserving residential dwellings, increase number of cars parking on the site, and the loss of amenities for neighbouring dwellings were discussed.

Members of the Committee felt satisfied that the scale of the proposed operation was sufficiently small; the available on site parking met the guidelines for a building of this size and there would not be a significant increase in vehicular movements from the current use of the site.

It was therefore

Resolved:

That planning permission be GRANTED

For the following reason(s):

The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.

Subject to the following condition(s):

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 site shall be used for B1 office use and D1 staff training and for no other purpose (including any other purposes in Classes B1 and D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005, (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

REASON: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use having regard to the circumstances of the case.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C38.

Informative(s):

This permission does not permit the display of any advertisements which require consent under the Town and Country Planning (Control of Advertisements) (England) Regulations, 2007 or under any Regulation revoking and re-enacting or amending those Regulations.

There were no urgent items.

(Duration of meeting: 6.00 - 7.50 pm)

The Officer who has produced these minutes is Marie Gondlach, of Democratic Services, direct line 01225 713597, e-mail marie.gondlach@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115

This page is intentionally left blank

Agenda Item 6

Western Area Planning Committee

6 October 2010

Planning Applications for Determination

Item No.	Application No.	Location	Unitary Councillor	Parish
6(a)	W/10/02329/F UL	Demolition of existing single storey extension and erection of two storey side extension and creation of new vehicular access - 2 Pound Close Semington Wiltshire BA14 6JP	Jonathon Seed (Summerham And Seend)	Semington
6(b)	W/10/02168/F UL	Proposed bus pull in - Keevil Church Of England Primary School Main Street Keevil Wiltshire BA14 6LU	Jonathon Seed (Summerham And Seend)	Keevil
6(c)	W/10/02535/F UL	Conversion to form 2 additional flats (revised application - 10/01769/FUL) - Land At 27 Bradford Road Trowbridge Wiltshire	John Knight (Trowbridge Central)	Trowbridge

This page is intentionally left blank

REPORT TO THE WESTERN AREA PLANNING COMMITTEE

Date of Meeting	06.10.2010		
Application Number	W/10/02329/FUL		
Site Address	2 Pound Close Semington Wiltshire BA14 6JP		
Proposal	Demolition of existing single storey extension and erection of two storey side extension and creation of new vehicular access		
Applicant	Mr Martin Butler		
Town/Parish Council	Semington		
Electoral Division	Summerham And Seend	Unitary Member:	Jonathon Seed
Grid Ref	389642 160543		
Type of application	Full Plan		
Case Officer	Miss Jennifer Fivash	01225 770344 Ext 5297 jennifer.fivash@wiltshire.gov.uk	

Reason for the application being considered by Committee

Councillor Seed has requested that this item be determined by Committee due to:

- * Scale of development
- * Visual impact upon the surrounding area
- * Relationship to adjoining properties
- * Design - bulk, height, general appearance
- * Car parking

1. Purpose of Report

To consider the above application and to recommend that planning permission be granted subject to conditions.

This application was deferred from planning committee on the 15 September 2010 to seek revised plans for the removal of second access to the property which have now been received.

Neighbourhood Responses

2 letters received objecting to the proposals
1 letter commenting on the proposals

Parish Council Response

Object to access. (see section 7 of the report)

2. Main Issues

The main issues to consider are:

- Impact on residential amenity
- Impact on street scene

3. Site Description

The application site contains a semi detached dwelling located on the corner of Pound Close and Pound Lane. The property is two stories in height with a single storey extension and outbuildings within the rear garden. The site contains a detached garage accessed off Pound Close. The boundaries of the site are formed by hedges approximately 1.5 metres tall.

4. Relevant Planning History

W/10/01227/OUT – Proposed two storey dwelling (outline) – Withdrawn 29.07.2010

W/10/01226/FUL – Demolition of existing single storey extension and erection of two-storey side extension and creation of new vehicular access – Refused 06.07.2010

5. Proposal

The application seeks permission for the erection of a two storey side extension. An existing single storey extension would be demolished as part of this application. This application is a resubmission of refused planning application W/10/01226/FUL. The roof line of the proposed extension would be set down and the extension would be set in by 0.7 metres from the front elevation.

The proposed extension would be 4 metres by 4.9 metres with a height of 6.8 metres to the ridge.

6. Planning Policy

West Wiltshire District Plan First Alteration 2004

C31A Design

C38 Nuisance

SPG Design Guidance House Alterations and Extensions

7. Consultations

Semington Parish council

Object. The proposed new vehicular access will present an unacceptable highway danger to road users and pedestrians because of its close proximity to the junction – a recognised danger spot because of the presence of St George's school and the related traffic, especially at school in-muster and out-muster times.

Highways

No objection subject to conditions.

8. Publicity

The application was advertised by site notice/press notice /neighbour notification.

Expiry date: 27 August 2010

Summary of points raised:

3 letters received of which 2 Letter of objection. Comments relate to:

- No change from previous application W/10/01226/FUL
- Extra parking for proposed dwelling shown on block plan

- New dwelling
- Plans inaccurate
- New vehicular access

9. Planning Considerations

9.1 History

The previous application was refused due to the size of the proposed extension and the lack of subservience harming the character of the area and the pair of semi detached dwellings.

The revised scheme has reduced the size of the proposal and has set back the proposed extension introducing a subservient extension to the pair of semi detached dwellings. This revised scheme due to the subservient form of the extension and the reduced size overcomes the previous reason for refusal and accords with the SPG.

9.2 Residential Amenity

The proposed development would not harm the amenities of the surrounding neighbours due to the position, scale and height not causing any overshadowing. Having regard to overlooking it is considered that the proposal would not cause any additional harm to the existing amenities of the surrounding neighbours due to the position of the property within the area and the additional first floor windows in the north elevation would serve a bathroom and the landing.

9.3 Street Scene

The proposal would project into a dominant corner within the area. The proposed development would not harm the character of the area due to the position and design of the proposal being sympathetic to the area. The proposed extension would be subservient to the host property and would not harm the character of the area or the pair of semi detached dwellings due to the subservient form of the proposed development which is considered to be acceptable.

9.4 Design

The proposal would be a sympathetic addition to the host property which would not harm the character of the dwelling or the pair of semi detached dwellings as they stand due to the proposed extension being set back from the frontage of the host building complying with SPG and policy C31A. The proposal would be constructed from matching materials which are considered to be acceptable.

9.5 Other Matters

The letters of representation received refer to the plans indicating a proposed dwelling. The outline application for the dwelling was withdrawn and as such the plot for the dwelling will remain as a garage and garden as part of the curtilage of 2 Pound Close. Since the application went before planning committee the plans have been revised and the dwelling removed from the proposed plans.

Since this application originally went to planning committee the comments from the parish council have been received which relate to the second access which was originally proposed. The revised plan received has removed this access and the dwelling from the plans and as such these comments relate to an issue which is not part of the application.

9.6 Conclusion

The proposal overcomes the previous reason for refusal and complies with policy and planning permission should be granted subject to conditions.

Recommendation: Permission

Subject to the following condition(s):

- 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 used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the existing building.

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

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a.

Appendices:	
Background Documents Used in the Preparation of this Report:	



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Tel: 01225 770344 Fax: 01225 770314 Development Control West Wiltshire Council Bradley Road Trowbridge Wiltshire BA14 0RD www.wiltshire.gov.uk

MSA: 100022961

RELEVANT APPLICATION PLANS

Drawing : SITE LOCATION PLAN received on 22.07.2010
Drawing : 8471 SHT 1 'B' received on 24.09.2010
Drawing : 8471 SHT 2 'A' received on 22.07.2010

This page is intentionally left blank

REPORT TO THE WESTERN AREA PLANNING COMMITTEE

Date of Meeting	06.10.2010		
Application Number	W/10/02168/FUL		
Site Address	Keevil Church Of England Primary School Main Street Keevil Wiltshire BA14 6LU		
Proposal	Proposed bus pull in		
Applicant	School Governors		
Town/Parish Council	Keevil		
Electoral Division	Summerham And Seend	Unitary Member:	Jonathon Seed
Grid Ref	391809 158079		
Type of application	Full Plan		
Case Officer	Mr David Cox	01225 770344 Ext 5244	

Reason for the application being considered by Committee

Councillor Seed has requested that this item be determined by Committee due to:

* parking

1. Purpose of Report

To consider the above application and to recommend that planning permission be refused.

Neighbourhood Responses

1 letter of support received

Parish/Town/City Council response

Support the application.

2. Main Issues

The main issues to consider in this application are the planning history of the site and the impact on highway safety.

3. Site Description

Keevil primary school is located within the Conservation Area of Keevil and is on the south side of the road within the setting of a Grade I Listed Building (Talboys). The buildings which make up the school site are predominately single storey with some two storey buildings. The buildings form a L-shape around the playground which is set behind a stone boundary wall which forms the front boundary. Between the boundary wall and the road is the grass verge which varies in height to the road.

4. Relevant Planning History

07/01364/FUL -Proposed parking area adjacent highway – Refused.

W/10/00597/FUL - Proposed grasscrete block parking area on the verge of the North East School boundary -Refused

5. Proposal

The proposal involves digging out the grass verge and laying grasscrete blocks to form the hard standing for the bus pull in. The parking area would be approximately 24 metres long by 4.5 metres deep at its widest points. There would be four 1 metre high timber bollards, with two at each end of the pull in.

There is a telegraph pole and its strainers on the grass verge (but immediately adjacent to the boundary wall) which are proposed to remain.

The proposal differs from the previous W/10/00597/FUL application in that it is intended for only the school bus to use the pull in.

Additional plans have been received to illustrate the swept path of a bus pulling in and out of the pull in.

6. Planning Policy

The following policies are considered relevant to this proposal including PPGs.

West Wiltshire District Plan First Alteration 2004
CF1 - General Community Facilities
C31a - Design
C38 - Nuisance

7. Consultations

Keevil Parish Council – Support

Highways Officer – Objection

In relation to the additional plans submitted and the site meeting on the 27 August, I confirm that the strongly held position of this Highways Authority is as follows:

- The bollards at either end of the parking area, do not alleviate the concern over child and vehicle conflict and to some extent make the situation worse, as children will not be stopped by the bollards and the bollards also make manoeuvring more difficult for vehicles.
- The creation of a parking area immediately outside of the school, encourages parking near to a school entrance, at the detriment to the safety of the children attending the school.
- The said area of land to be constructed as a parking area for the school bus is public highway. This means that restrictions to stop other vehicles other than the school bus from parking would be ineffective and this could therefore lead to additional vehicles parking closer to the school entrance, creating further safety concerns.
- As the swept path analysis suggests, the bus will pull off the carriageway onto the proposed parking area. This will allow enough space for vehicles to park on the opposite side of the road, alighting any passengers (e.g. school children) into the carriageway, due to the presence of a bank.
- The proposed grasscrete surface would quickly deteriorate due to heavy buses pulling in and manoeuvring at slow speeds. Any future damage and the general maintenance of this area would be at the cost of the Highways Authority.

- Visibility at the Church Street junction with Main Street would be obstructed in the Northerly direction by any vehicle or vehicles, parking in this uncontrolled bay at any time of the day and night. Pedestrians, including children, would also suffer from lack of visibility.
- The proper method of implementing new/ amended travel arrangements to and from a school, should be dealt with via the School Travel Plan process, where a full highway assessment can be made.

Due to the above reasons, the Highways Authority has very strong reservations about the safety of school children and other road users, should this proposal be implemented.

Conservation Officer (in W/10/00597/FUL) application – No objection

8. Publicity

The application was advertised by site notice and neighbour consultation.

1 letter of support received

Summary of key relevant points raised:

- Church Lane and Main street become heavily congested at school opening and closing time with buses and parents cars. This sometimes makes it difficult to get out of our road (Church Lane).
- The grass verge is wide enough and should be utilised as a bus parking area to leave more cars to pass each other.

9. Planning Considerations

Planning history of the site:

The proposed parking area has twice been refused under delegated powers. The first application 07/01364/FUL was refused on highway safety and harm to the character and appearance of the Conservation Area. The 10/00597/FUL application was only refused on highways grounds. This means that as this application is very similar to that previously proposed only highways issues can be considered as reasons for refusal.

Impact on highway safety:

Policy CF1 of the District Plan states that proposals for the development of land for schools will be permitted provided the proposals are acceptable having regard to highway considerations. The Councils Highways Officer has raised strong objection to the proposal and also attended an on-site meeting to discuss the concerns with key stakeholders.

One of the main issues is that the proposed bus pull is part of the highway which means that buses will not have exclusive use. In order to make this pull in 'car free' would require a Traffic Order which can be an expensive and time consuming exercise for the applicants. This would encourage cars to use the pull in and encourage parking close to the pull in and the school entrance to the detriment of highway and pedestrian safety. The bollards will do little to improve pedestrian safety.

The bus swept path plan illustrates that the bus will require approximately 9 metres of road at either end of the verge to be able to pull out. What the swept path does not account for is cars that will be parked on this side of the road on the approach to the pull in. Additionally once a bus is in the pull in, this will create space for cars to park on the opposite side of the road. Pedestrians would then have to alight on the road side of the car as there is a bank on the other side. This would potentially cause further obstructions to vehicular traffic and reduce pedestrian safety.

Visibility at the Church Street junction with Main Street would be obstructed in the Northerly direction by any vehicle or vehicles, parking in this uncontrolled bay at any time of the day and night.

It is acknowledged that during drop off and pick up times, the road can become very congested with school traffic but also passing through journeys. However, road safety is paramount and the Councils Highways Officer has commented that the proposed bus pull in will not improve road safety and could make it worse. It has been noted that in order to full address the highway issues the school faces is to produce a school travel plan.

10. Conclusion

The proposed bus pull in would encourage vehicle parking close to the school entrance and will increase the danger for pedestrians entering and leaving the school. The parking area cannot be restricted to the use of the school bus only and would also encourage unsustainable methods of travelling to the school and this issue should be addressed in a school travel plan.

11. Recommendation

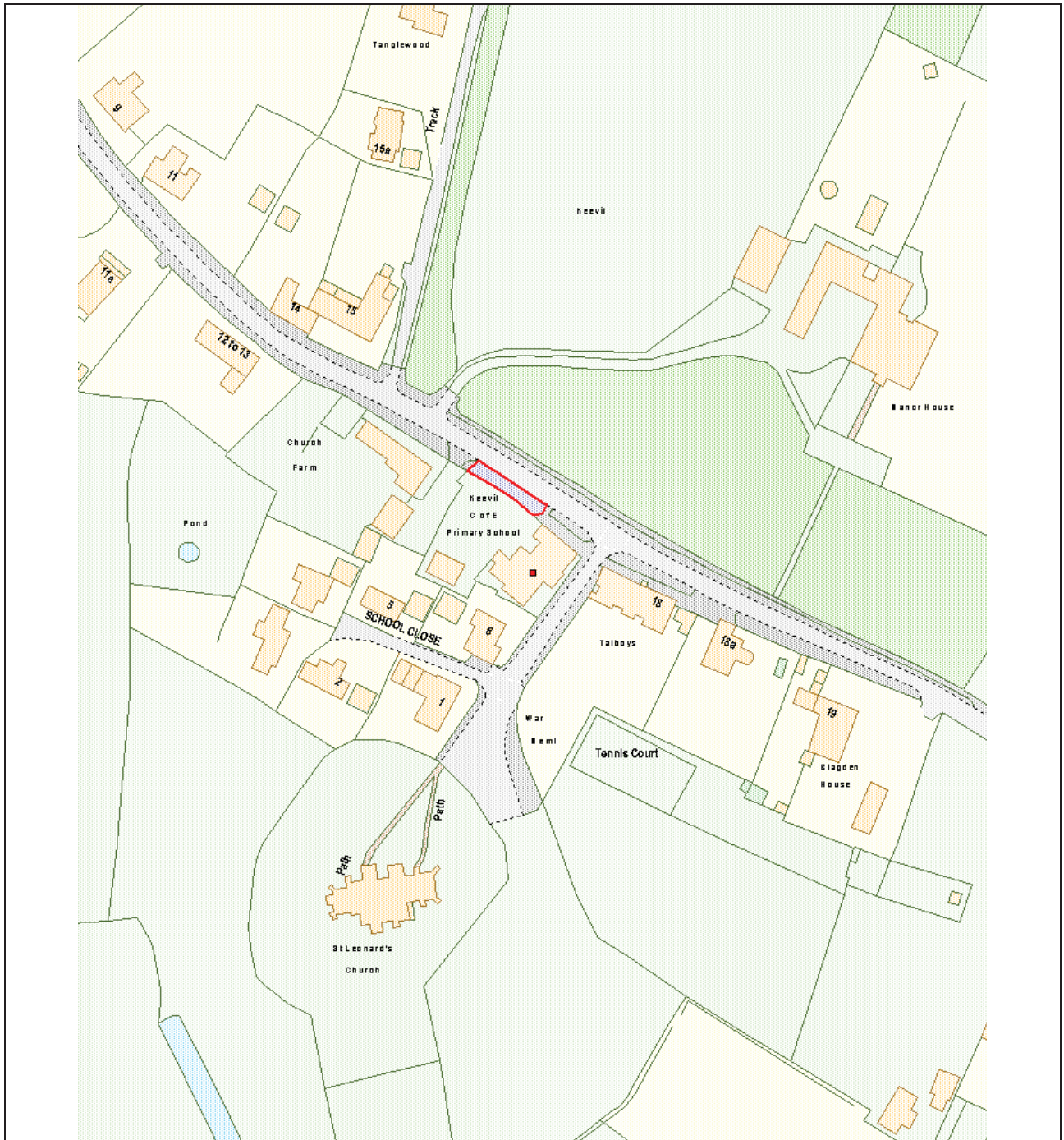
Planning Permission be REFUSED for the following reason:

Recommendation: Refusal

For the following reason(s):

- 1 The proposal would result in the encouragement of vehicle parking close to a school entrance which will increase the danger for pedestrians entering and leaving the school. The parking area cannot be restricted to the use of the school bus only and would also encourage unsustainable methods of travelling to the school and would also affect highway visibility at the junction of Church Street and Main Street. The proposal would therefore be contrary to Policy CF1 of the West Wiltshire District Plan 1st Alteration 2004.

Appendices:	
Background Documents Used in the Preparation of this Report:	



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office ©
Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Tel: 01225 770344 Fax: 01225 770314 Development Control West Wiltshire Council
Bradley Road Trowbridge Wiltshire BA14 0RD www.wiltshire.gov.uk

MSA: 100022961

This page is intentionally left blank

REPORT TO THE WESTERN AREA PLANNING COMMITTEE

Date of Meeting	06.10.2010		
Application Number	W/10/02535/FUL		
Site Address	Land At 27 Bradford Road Trowbridge Wiltshire		
Proposal	Conversion to form 2 additional flats (revised application - 10/01769/FUL)		
Applicant	Executors To The Estate Of C.B. Miller		
Town/Parish Council	Trowbridge		
Electoral Division	Trowbridge Central	Unitary Member:	John Knight
Grid Ref	384913 157862		
Type of application	Full Plan		
Case Officer	Mr Matthew Perks	01225 770344 Ext 5207 matthew.perks@wiltshire.gov.uk	

Reason for the application being considered by Committee

Councillor Knight has requested that this item be determined by Committee due to issues in relation to the:

- * Scale of development;
- * Relationship to adjoining properties; and
- * Environmental/highway impact.

1. Purpose of Report

To consider the above application and to recommend that planning permission is granted.

Neighbourhood Responses

Four neighbours responded with objections, one of whom was subsequently supported in a letter from Andrew Murrison, MD MP.

Parish/Town Council Response

The Trowbridge Town Council objects for the reasons set out in Section 5 of this report.

2. Main Issues

This is a revised submission of an application submitted under application reference W/10/01769/FUL (Conversion to form 3 additional flats). That application was refused for the following reason:

The proposed development by reason of the creation of a separate dwelling unit in the attic space is considered to be an unreasonable and over intensive sub-division of an inadequate sized property contrary to Policy H16 of the West Wiltshire District Plan 1st Alteration (2004).

The key issue in this case is therefore whether or not the reason for refusal has been overcome. A further consideration is whether or not there are any new elements to the proposal that give rise to other issues contrary to policy.

3. Site Description

The application site is the residential curtilage of a 2-storey semi-detached building which has been subdivided to form 2x 2-bedroom flats, one on the ground floor and one on the first floor with an attic space in the roof.

The property is set back from the public highway and the garden area is laid to hard standing for the parking of two vehicles. The access is onto Bradford Road, an A-classified highway, and no turning facilities exist.

There is an existing side access and external staircase at the rear to the first floor. There is a rear garden space approximately 90m² in area.

The street scene is characterised by similar properties in a linear arrangement on Bradford Road, with 2-storey scale and proportions; some have dormer windows and rooflights serving roofspaces.

4. Relevant Planning History

75/00870/HIS: Conversion of dwelling to 2 flats : Permission : 02.02.1976

77/00557/FUL: Roof conversion : Permission : 18.08.1977 (Not implemented)

W/10/01769/FUL: Conversion to form 3 additional flats: Refusal: 22.07.2010

5. Proposal

This property is currently divided into 2 large two bedroom flats one on the ground floor and one on the first floor. The proposal is to subdivide these flats so as to create 4 smaller single bedroom flats. A previously proposed fifth unit to the roofspace (W/10/01769/FUL) has been deleted from the scheme.

External alterations to the building would be limited to a new window serving a kitchen to the north west gable end of the building, and a new door to that elevation.

Car parking and access would remain unchanged in the form of two spaces at the front accessed direct from Bradford Road.

6. Planning Policy

West Wiltshire District Plan 1st Alteration (2004)

C31a Design

C38 Nuisance

H1 Further Housing Development Within Towns

H16 Flat Conversions

National guidance

PPS1: Delivering Sustainable Development

PPS3: Housing

PPG13: Transport

7. Consultations

Town/ Parish council

The Trowbridge Town Council objects on the grounds of over intensive subdivision of an inadequate sized property, that the proposal would be detrimental to the neighbour amenity and future occupants. It would also be detrimental to highway safety. The Council also notes that other developers are suggesting that larger flats are easier to sell.

Highways

No objection and no conditions recommended on the basis of the precedents that exist for residential parking requirements in this area.

8. Publicity

The application was advertised by site notice and neighbour notification.

Expiry date: 10.09.2010

Summary of points raised:

- * Flats would be too small for one occupant, with possible increase in numbers also a consideration;
- * Overcrowding;
- * owners live in Essex and won't be on hand to deal with problems;
- * speculators harming area at expense of taxpaying residents;
- * noise disturbance;
- * parking is a problem in the area;
- * other highway hazards;
- * no guarantee that occupants will not have a car;
- * smells from overflowing bins;
- * potential anti-social behaviour from unemployed occupants;
- * loss of privacy due to intensification of use.

9. Planning Considerations

Under application W/10/01769/FUL, which would have resulted in a total of five flats, the officer considered the most significant planning policy to be the Policy H16 of the West Wiltshire District Plan 1st Alteration (2004). That remains the case in this instance. Policy H16 Policy sets a number of criteria- based assessments for flat conversions:

9.1 Whether the proposals constitute an *unreasonable and over intensive sub-division of an inadequate sized property (Criterion1 of H16)*:

When considering W/10/01769/FUL the Officer noted that the proposal to create a total of four 1-bedroom flats to the ground and first floor of this property would be quite an intensive use of the floor areas within the building, but did not consider that to be unreasonable, with each unit benefiting from separate bedroom, bathroom, living and entrance facilities. This situation would remain and it is again considered that the ground and first floor units do not represent an over-intensive subdivision of these floor spaces.

The officer was however concerned with the then proposed studio flat in the attic space, primarily because of a limited floor space and the presence of only a partitioned WC and shower room. Floor to ceiling heights in usable space were also considered to be unacceptably limited. The studio apartment part of the proposal was therefore considered to be contrary to this criterion of the Policy. The Officer did however note that this was a finely balanced matter where a recent appeal in the vicinity had been upheld in circumstances where similarly cramped studio apartments were allowed.

As with the current proposals, the comments of Trowbridge Town Council and the letters of objection from local residents relating to W/10/01769/FUL did raise the over intensive subdivision as an area of concern, and the officer concluded that the attic space was indeed too small to reasonably accommodate a separate unit of accommodation. This view was based on an inspection and additional section drawings, which inter alia confirmed that a roof space conversion permitted in 1977 had not been implemented. The officer recommended refusal for a reason that related to the studio apartment part of the scheme only.

The studio flat has now been removed from the scheme, enabling at the same time an enlargement to the living-room to one of the first floor units.

9.2 Criterion 2 of H16 requires *that no harm to the external appearance from the conversion should occur*. The current proposal would result in very limited alteration only to the north western elevation of the building. This would not cause any harm to the building or character of the area.

9.3 The proposal details no changes to the *access or parking provision for the site (Criterion 3)*. Highway officers, as with the previous proposals, have raised no objection to the scheme on these grounds. Given the relatively central locality of the site in close proximity to town and transport facilities, the reduction of one unit from the proposals and whilst noting the neighbour and Town Council objections on this point, the highway officer comments must be given weight. As before, a reason for refusal on grounds of parking and highway issues is not considered justifiable in this context.

9.4 *Adequacy of amenity space* is also a consideration under Criterion 4 to Policy H16. The number of units now proposed has been reduced by one. In considering this criterion under the refused application the officer noted that, given the size of the units being proposed, it is unlikely that families would be attracted so it would not be necessary to have a substantial outdoor amenity space. It was also noted that the recreation ground is nearby and that the property does benefit from a generous rear garden to what would have originally been a family home. This communal outside amenity space was considered acceptable, allowing for the provision of bin, recycling and bicycle storage at the desire of residents.

These circumstances have not changed.

9.5 Criterion 5 to the Policy relates to *neighbouring amenity*. This was not considered to be a significant concern in the context of the refused application, and the number of units would now be reduced to four. Whilst noting neighbour comments, issues such as noise disturbance arising from unreasonable behaviour are not material to the determination of this application as they are beyond the control of planning legislation. PPS 3 also makes it clear that all household and tenure forms should be catered for in the supply of accommodation.

9.6 *Criterion 5 of policy H16 relates to flood risk*, which has no bearing on this or the previous proposal.

9.7 In the light of the above considerations it is clear that no new elements have been introduced to the scheme that might give rise to issues not previously identified under application W/10/01769/FUL. No new matters have been identified by neighbour comments that were not previously considered (it also being noted that some of the objections are not relevant to planning, for example the address of the owners, bad driving in the vicinity and the type of residents that will occupy the units).

9.8 The element of the previous proposals scheme which formed the basis of the reason for refusal - the studio flat to the roof space - has been removed and that reason is therefore considered to have been overcome. On that basis, and where the proposals would accord with PPS 3 aims to provide a "...mix of housing, both market and affordable, particularly in terms of tenure and price, to support a wide variety of households in all areas...", permission is recommended.

Recommendation: Permission

For the following reason(s):

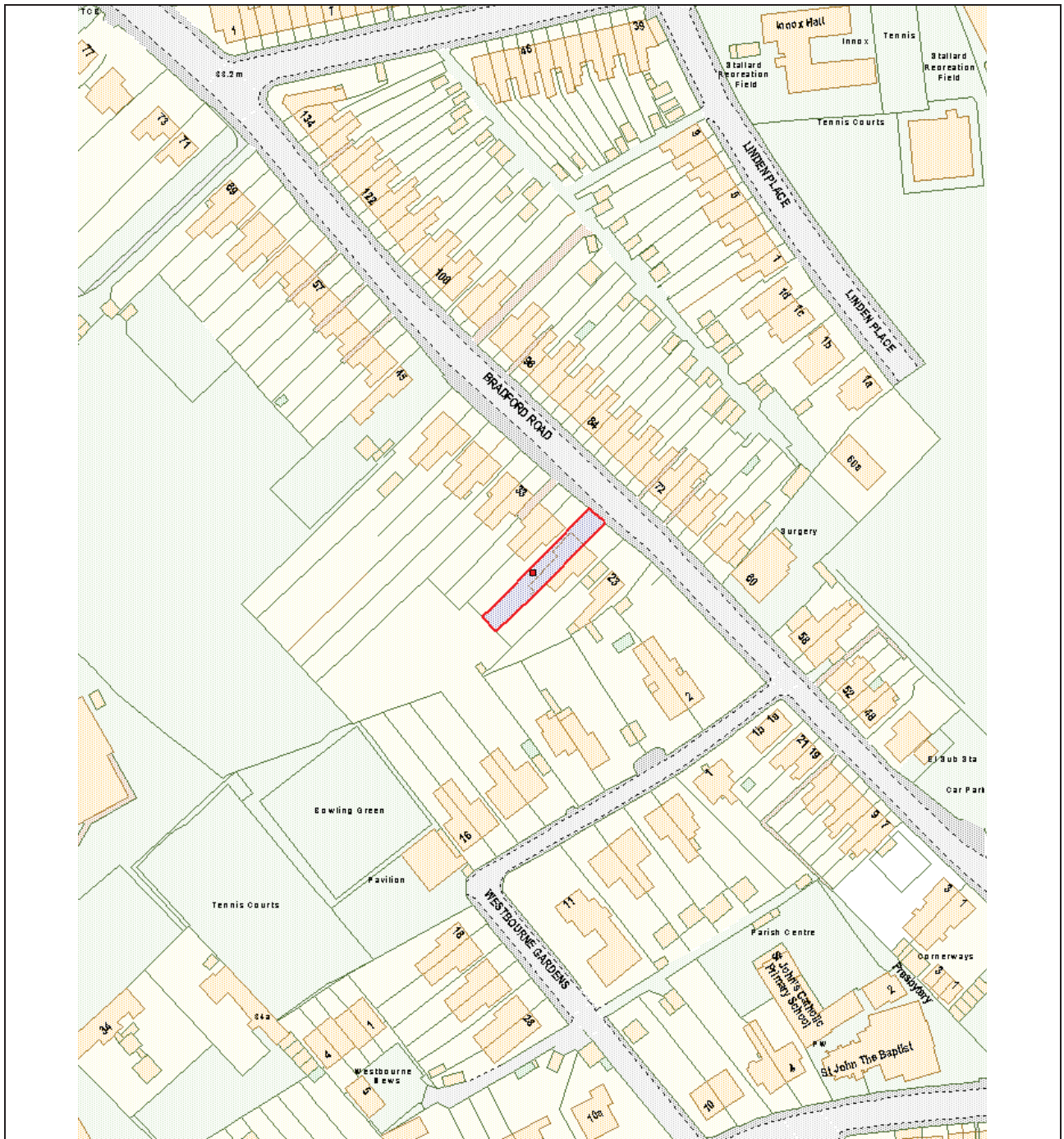
The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.

Subject to the following condition(s):

- 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.

Appendices:	
Background Documents Used in the Preparation of this Report:	



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Tel: 01225 770344 Fax: 01225 770314 Development Control West Wiltshire Council Bradley Road Trowbridge Wiltshire BA14 0RD www.wiltshire.gov.uk

MSA: 100022961

RELEVANT APPLICATION PLANS

Drawing : 10.25.1 REV A received on 09.08.2010

Drawing : 10.25.2 REV B received on 09.08.2010

Drawing : 10.25.3 REV B received on 25.08.2010

Drawing : 10.25.4 received on 09.08.2010

**Wiltshire Council – Area West
Planning Committee**

**Planning Appeals Update Report
August 2010**

New appeals received

Ref. no.	Site	Town/ Parish	Description	Del or Com	Officer recom	Appeal type
W/10/01368/FUL	Old Baptist Chapel Orchard Close Westwood	Westwood	Change of use of art/design studio to a single bedroom residential unit	DEL	REF	WR

Appeal Decisions Received

Ref. No.	Site	Town/ Parish	Description	Del or com	Officer recom	Appeal type	Appeal Decisn
W/09/01750/FUL	Mowlems Wynsome Street Southwick	Southwick	Residential development for 54 new build dwellings and conversion of existing building to 2 dwellings	COM	REF	INQ	ALLOWED
W/09/00150/FUL	Land North Of Junction With Dakota Close And Hornchurch Road Bowerhill	Melksham Without	Proposed erection of 27 residential dwellings and their associated roads, sewers and parking	COM	LEGAL	HRG	DISMISSED
W/09/02781/FUL	The Stable Sturgess Farm The Marsh Longbridge Deverill	Longbridge Deverill	Conversion and extension of existing barn into holiday accommodation	DEL	REF	WR	DISMISSED
W/09/02784/LBC	The Stable Sturgess Farm The Marsh Longbridge Deverill	Longbridge Deverill	Conversion and extension of existing barn into holiday accommodation	DEL	REF	WR	DISMISSED
W/09/03195/FUL	Shepherds Cottage Henfords Marsh Warminster	Warminster	Two storey extension and car port (re-application W/09/00895/FUL)	DEL	REF	WR (HAS)	ALLOWED
W/09/02709/FUL	148A Boreham Field Warminster	Warminster	Two storey development to provide ground floor hot food take-away and first floor one bedroom flat	DEL	REF	WR	DISMISSED

* additional notes on decision below

I = Inquiry H = Hearing

• Del = Delegated decision

WR = Written Representations

Comm = Committee decision

WR (HAS) = Written Representations (Householder)

❖ Points of interest arising from decisions

W/09/01750/FUL - Mowlems Wynsome Street Southwick

The appeal was allowed and costs awarded against the Council. The Inspector did not consider that the proposals would be at an unacceptable density. The layout was not cramped and 2.5 storey heights would not have any significant impact on the character of the area. Furthermore, there would be a major contribution to the character of the area resulting from the loss of the existing buildings. He was of the opinion that the provision of open space on the site and enhancement of the existing play area would ensure that recreational needs were met. He concluded by stating that the development would bring substantial benefits to the area by removal of derelict and unsightly buildings and their replacement by a quality residential development that would make effective and efficient use of previously developed land and provide much needed affordable housing.

W/09/00150/FUL - Land North Of Junction With Dakota Close And Hornchurch Road Bowerhill

The Inspector in dismissing this appeal concluded that there was an absence of convincing evidence to show that there was no realistic possibility of a long standing aspiration for a local centre or community facility being realised. Furthermore, the offer of £30,000, whilst it may have been of considerable local benefit, would not adequately compensate the loss of the unique potential for the site.

W/09/02781/FUL and W/09/02784/LBC - The Stable Sturgess Farm The Marsh Longbridge Deverill

The Inspector considered the main issue to be the effect of the works on the special architectural and historic interest of the listed building. He was of the view that the proposals would introduce a visually dominant feature that would detract from the simplicity of form and detail of the building, and would dilute and confuse the agricultural origins that were an important element of its special interest.

W/09/03195/FUL - Shepherds Cottage Henfords Marsh Warminster

The Inspector, in allowing this appeal, took the view that the property was in a relatively secluded location and that the extension would appear subservient to the existing building and would appear neither disproportionate nor incongruous. A decision on whether or not to award costs is awaited.

W/09/02709/FUL 148A - Boreham Field Warminster

This appeal was dismissed on the grounds that the prominent extension would harm the character and appearance of the area. However, he did not consider that the proposals would have an adverse impact on highway safety due to the lack of parking restrictions on the roads around the site.

Note

If Members of the Council wish to read any of the Planning Inspectors decision letters, please contact the Planning Office for a copy.

Forthcoming hearing or Inquiries

None at the present time.