

REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Date of Meeting	7 October 2015
Application Number	15/07077/FUL
Site Address	Former Garage Site, To The Rear of No's 41-45 Queens Avenue, Corsham, Wiltshire, SN13 0DX
Proposal	Proposed Erection of 6 Semi-Detached Dwellings with Associated Garden, Amenity Space & Parking, Following Demolition of Existing Garages.
Applicant	Greensquare
Town/Parish Council	Corsham
Electoral Division	Corsham Pickwick – Cllr Alan MacRae
Grid Ref	386850 171054
Type of application	Full Planning
Case Officer	Mark Staincliffe

Reason for the application being considered by Committee

The application has been called in by Cllr Alan MacRae to consider the effect of the development on the existing highway network, car parking within the locality and the development's impact on the residential amenity of local residents.

1. Purpose of Report

To delegate authority to grant planning permission to the Area Development Manager, subject to the signing of a Section 106 agreement; and subject to planning conditions.

2. Report Summary

The main issues in considering the application are:

- Principle of development
- Impact on highway safety and parking
- Impact on the residential amenity of local residents

Corsham Town Council raised no objection to the application, which has also generated five letters of objection from local residents.

3. Site Description

The site is located within the defined settlement boundary of Corsham and consists of an existing, underutilised group of flat roofed garages and associated forecourt, with access taken off Queens Avenue. The site is relatively flat and is separated from the A4 by a mature hedge and trees. To the South, East and West of the site is residential development consisting of mainly two storey terraced dwellings with good sized front and rear gardens.

4. Planning History

N/09/01120/FUL	Erection of Two Storey Side Extension to Provide Garage and Bedroom/Ensuite Over APPROVED
N/10/03207/S73A	Erection Of Two Storey Side Extension (Revision to 09.01120.FUL) APPROVED
N/12/02161/S73	Variation of Condition 3 & Removal of Condition 2 on Application N.10.03207.S73A APPROVED
N/13/00004/FUL	Divide Property into Two Dwellings APPROVED

5. The Proposal

The application seeks consent for the demolition of the existing garage court and the erection of 6 dwellings, 30% of which will be secured as affordable housing. Each residential unit will take access directly from Queens Avenue via the existing garage court access.

Each residential unit will be provided with parking and private rear gardens. The parking provision for the proposal is in accordance with the Council's parking standards.

6. Planning Policy

Wiltshire Core Strategy:

CP1- Settlement Strategy

CP2- Delivery Strategy

CP3- Infrastructure Requirements

CP11- The Spatial Strategy: Corsham Community Area

CP43- Providing affordable homes

CP51- Landscape

CP57- Ensuring High Quality Design and Place Shaping

National Planning Policy Framework 2014:

Achieving sustainable development – Core Planning Principles Paras 14 & 17

Chapter 7- Requiring Good Design

Chapter 8- Promoting healthy communities

Chapter 11- Conserving and enhancing the natural environment

7. Summary of consultation responses

Corsham Town Council- No objection

Waste Services- No objection

Tree Officer- No objection subject to a condition

Highways- I note that access is via the existing access to the garage site. While this may not be considered an ideal arrangement, the nature of Queens Avenue also needs to be considered. I therefore do not consider that there are strong grounds to refuse on a highway basis.

The proposal does not include a turning facility for refuse / emergency vehicles. I understand that refuse collection will take place on Queens Avenue, Large vehicles will have to reverse if accessing the site.

It is also understood that a number of Coulston Road properties currently access via the proposed private access road. This is a civil matter between residents and Greensquare. There will be suitable room for vehicles to reverse in the private access road.

I note the details received with regard to displaced car parking from garages – I do not consider an objection on this basis would withstand appeal.

No objection subject to conditions.

Wessex Water- No objection

Drainage- No objection subject to conditions

Housing- No objection subject to the provision of onsite affordable housing in accordance with Core Policies 43 and 45 of the Core Strategy.

The need for affordable housing has a tenure split of 70% Affordable Rented and 30% Shared Ownership homes. It is however noted that this application has been submitted by one of our Registered Providers who are proposing 2 x Affordable Rent dwellings and 4 x Low Cost Home Ownership which would be fully supported by the New Housing team.

8. Publicity

The application was advertised by site notice, press advert and neighbour consultation. This resulted in the submission of 5 objections. A summary is set out below:

- Displacement of vehicles from the garage court to the public highway
- Loss of parking
- Refuse truck currently collect bins from the garage court how will they be collected?
- Loss of privacy
- Overlooking
- The access is dangerous
- Loss of amenity
- Insufficient parking
- Will remove access to the rear of properties on Coulston Road
- Overbearing impact of development on existing neighbours.

9. Planning Considerations

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

The site is situated within the settlement framework boundary of Corsham wherein the redevelopment of land for residential accommodation is acceptable in principle the redevelopment of sites such as this are acceptable in principle and accord with Core Policy 1 & Core Policy 2 of the Wiltshire Core Strategy.

The proposal is for the demolition of an existing garage court and construction of 6 new residential dwellings. As such, any new residential development must be considered against Policies CP1 & CP2 of the Wiltshire Core Strategy and Sections 1, 6 & 7 of the NPPF. These policies and guidance allow for residential development in principle providing it also accords with the policies of the Core Strategy and in particular policy CP57.

Effects on Character of the area

Since the submission of the original pre application discussions took place many changes have been made to the proposed development in an attempt to overcome concerns expressed by officers. This has included the reduction in the number of units, improvements to amenity space, separation between existing and proposed residential units.

The design of the new houses is considered to be appropriate in the context of the area. The proposed dwellings are of simple proportions with a rectangular footprint and a traditional roof form. However, it also has sufficient detailing to add interest to the design and thereby not look outplace out place within the immediate street scene. It is considered that the design and appearance of the properties creates an attractive frontage that relates well with the street scene. As such the proposed design is considered to meet the requirements CP57 of the Core Strategy and section 7 of the NPPF.

Garden Size

The proposed garden area is comparable, to the gardens within the area and adjacent properties. Bearing in mind the size of the dwellings it is considered that the outdoor space provided satisfies the guidance for outdoor amenity space for a new dwelling. The proposal would allow for some outdoor space, sitting out, bin storage and for hanging out of washing, the proposal would also provide outdoor amenity space for a family to enjoy.

To ensure that adequate amenity space is retained it is deemed necessary to remove permitted development rights for rear extensions and outbuildings. This will allow the Council to control any future extensions and ensure that adequate amenity space is retained.

Impact on Neighbours

The concerns identified by immediate neighbours in relation to privacy, and the overbearing impact of the proposed development on the rear gardens of individual properties are noted. However, taking into consideration the existing site circumstances and the existing overlooking between properties it would be difficult to substantiate a reason for refusal. It is considered that the separation between rear elevations of existing and proposed dwellings (in excess of 20m) is acceptable and will not result in unacceptable levels of overlooking.

Concerns have also been raised in terms of the overbearing nature of the proposed development. The properties fronting onto Coulston Road are over 30 metres (rear elevation to rear elevation) from the proposed dwellings. With such a large separation it is considered that the proposed development will not have an overbearing impact on these properties.

Number 41 Queens avenue is the sole property looking directly onto the flank elevation of any residential unit. The separation between these properties is over 16m (side elevation to rear elevation) but only 10m from the first floor outdoor seating area at number 41. Though number 41 enjoys uninterrupted views from first floor level it is considered that the separation between the properties is sufficient to ensure that the proposal will not have an overbearing impact.

It is considered that the proposed development, on balance, would not cause harm to the residential amenities of surrounding properties. The development will not result in any significant loss of sunlight, daylight or privacy for adjoining properties.

Highway Safety

The Council's Highways Officer is of the view that, subject to the imposition of suitable conditions, the proposals will not adversely impact upon local highway safety. Whilst it is noted that objections were raised by local residents with regards to the access and the displacement of parking, it is unlikely that a reason for refusal could be substantiated at appeal.

The proposed development meets the Council's parking standards and though the parking offered by the garage court will be lost, the occupation of these garages was low and alternative garaging was offered to previous tenants. It is important to note that this is private land and any informal parking or access that is currently taking place could be prohibited at any time.

The highway officer has also confirmed that the nature of the traffic using the proposed site, the existing use of the site and the nature of the roads surrounding the site result in no highway objection. Overall, therefore, it is considered that the proposal is acceptable in highways terms and the provisions of Core Policy 64 & Core Policy 57.

10. S106 contributions

In accordance with Policy CP43 30% on site affordable housing will be secured by way of s106 agreement.

11. Conclusion

On the basis of the considerations set out above, it is considered that the proposal complies with both local and National planning policies. The highways issues and concerns have been address and the development is therefore, subject to planning conditions acceptable.

RECOMMENDATION

To delegate authority to grant planning permission to the Area Development Manager, subject to the signing of a Section 106 agreement; and subject to planning conditions as set out below:

- 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 dwelling shall be occupied until all the existing buildings on site have been permanently demolished and all of the demolition materials and debris resulting there from has been removed from the site.

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

- 3 No railings, fences, gates, walls, bollards and other means of enclosure shall be erected in connection with the development hereby permitted until details of their design, external appearance and height 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.

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

- 4 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:-

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- all hard and soft surfacing materials;

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission.

- 5 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.

- 6 No development shall commence on site until details of the bricks & roof tiles to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and/or [DELETE as appropriate] the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area

- 7 No part of the development hereby approved shall be occupied until the parking area 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.

- 8 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 together with permeability test results to BRE365, has

been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the development can be adequately drained

- 9 The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained

- 10 The dwelling(s) hereby approved shall achieve Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate for it has been issued and submitted to, and approved in writing by, the local planning authority certifying that Code Level 4 has been achieved.

Reason: To ensure that the objectives of sustainable development set out Policy CP41 of the Wiltshire Core Strategy are achieved.

- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A, B, C, D & E shall take place on the dwellinghouse(s) hereby permitted or within their curtilage.

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.

- 12 The development hereby permitted shall be carried out in accordance with the following approved plans:

5096 P01 Rev A

P01

P03

P04

P05

Received 17 July 2015

REASON: For the avoidance of doubt and in the interests of proper planning.

INFORMATIVE TO APPLICANT:

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic

importance, available access and the ground conditions appertaining to the sewer in question.

INFORMATIVE TO APPLICANT:

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

INFORMATIVE TO APPLICANT:

Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.