

Date of Meeting	21 st April 2016
Application Number	15/08373/FUL
Site Address	Land at Lady Godley Close, Tidworth, Wiltshire
Proposal	Demolition of existing garage block and construction of two pairs of 3 bed semi detached dwellings and associated works.
Applicant	Aster Communities
Town/Parish Council	TIDWORTH
Electoral Division	TIDWORTH – Cllr Mark Connolly
Grid Ref	423344 148325
Type of application	Full Planning
Case Officer	Adam Madge

Reason for the application being considered by Committee

Cllr Connolly has requested that the application be considered at committee in order to consider car parking issues related to the site.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be approved

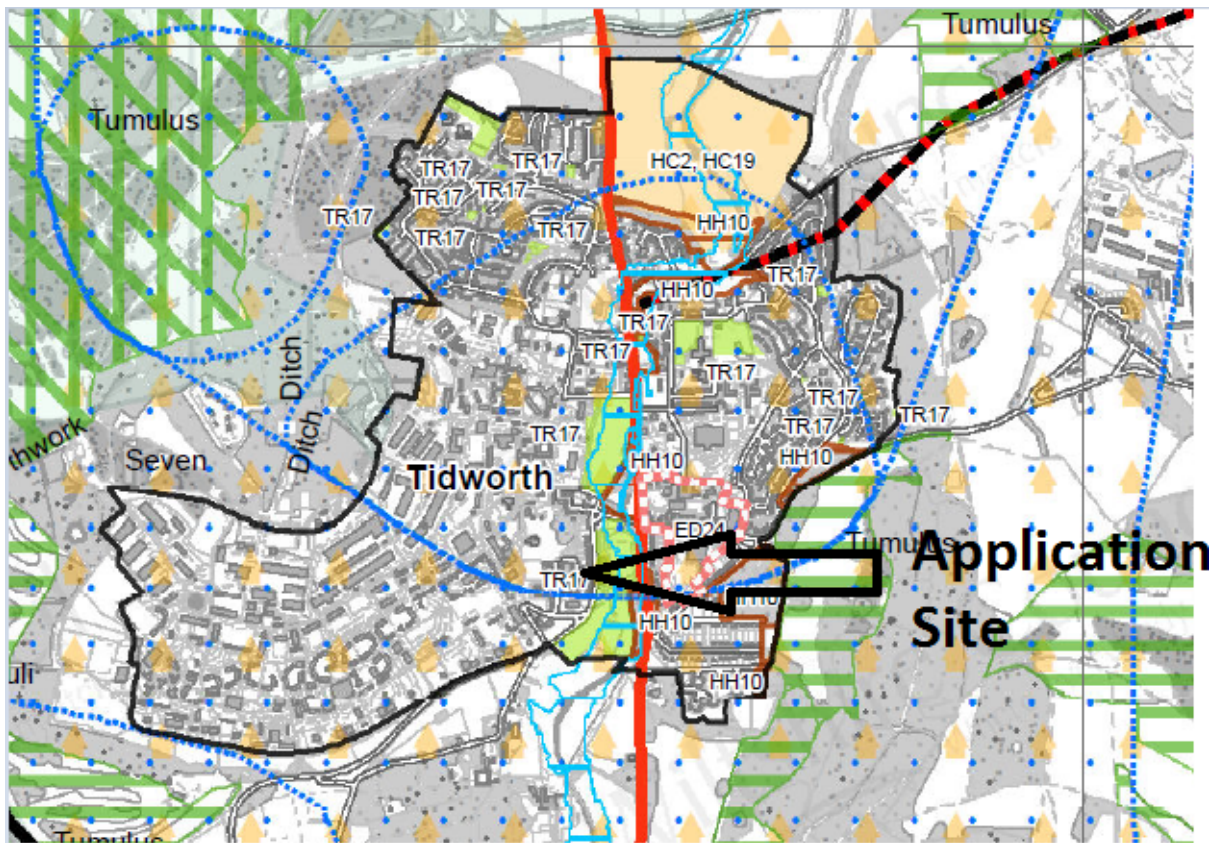
2. Report Summary

The main issues to consider are:

- a) Highways and parking
- b) Amenity and neighbourliness
- c) Design
- d) Other considerations

3. Site Description

The site is an existing block of 12 garages which were built as part of the surrounding residential estate for houses in Lady Godley Close. The site also includes a small part of grass/amenity land laid out at the same time as the estate. The site lies Close to Tidworth Army Barracks which lie to the North and West. To the East is the Tidworth Oval recreation ground. The site slopes in an East- West direction.



4. Planning History

There is no significant planning history associated with this site.

5. The Proposal

The proposal is for the demolition of the existing 12 garages on the site and the erection of 2 pairs of 3 bedroomed houses along with 2 parking spaces per property and an additional four parking spaces adjacent to these. A further six parking spaces (five in Avon Road and one at the other end of Lady Godley Road are also proposed.)

The houses proposed would be open market housing, with the applicant stating that the income generated would then feed back into the company to support the construction of new build affordable housing elsewhere.



6. Local Planning Policy

The development plan is the Wiltshire Core Strategy which was adopted in January 2015 and contains the following relevant policies

- CP1 – Settlement strategy; CP 2 – Housing Delivery Strategy; CP3 – Infrastructure requirements; CP26 – Tidworth Community area; CP45 Meeting Wiltshire’s Housing Needs; CP50 Biodiversity and geodiversity; CP51 Landscape; CP52 Green Infrastructure; CP57 High Quality design and place shaping; CP58 Ensuring the conservation of the historic environment

National Planning Policy context.

- National Planning Policy Framework (NPPF)

7. Summary of consultation responses

Tidworth Town Council - Tidworth Town Council have concerns about the parking provision (or lack of) for the development. Accordingly, we have advised that this Application is “called in” and Cllr M Connolly has done this.

Wiltshire Council Highways - I have been made aware of the revised plans for the above planning application. The proposal is to erect 2 pairs of semi-detached 3 bedroom dwellings and to provide them with the required 2 off street car parking spaces per dwelling. This will meet Wiltshire’s parking standards.

Of the existing 16 garages, I understand that only 3 are currently occupied and additional unrestricted car parking will be made available by demolishing 4 of the garages in the rank on the east of the site.

Therefore after careful consideration, I do not wish to raise a highway objection providing the following condition is imposed:

No part of the development hereby permitted shall be first occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plan, reference P1-1552 Plan2.dwg. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

Wiltshire Council Drainage - Application form states foul disposal to public sewer – please note that Wessex Water are NOT the sewerage undertaker for this area (was Veolia Water but not sure if still is) – assume capacity exists in existing system for the additional flows. Applicant needs to contact undertaker to confirm no public sewers crossing the site that may affect proposed layout.

Application form states storm disposal to be via soakaway – topographical survey shows existence of gullies and chambers within the site – needs to confirm if these relate to an existing soakaway or positive drainage system.

Site is in FRZ 1 and not at risk of surface water flooding

Conditions:

Condition 1 - No development shall commence on site until a scheme for the discharge of foul water from the site has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the development can be adequately drained

Condition 2 - The development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained

Condition 3 - 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

Condition 4 - 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

Wiltshire Council Ecology - The proposal seeks to demolish a line of garages and construct two pairs of semi detached dwellings in their place. The garages are of a construction type and size very unlikely to support any protected species such as bats or nesting birds and the surrounding hard standing and area of short mown amenity grassland have negligible value for conservation. There is therefore no mechanism by which the proposed development could result in adverse effects on local biodiversity. I therefore make no objection.

Wiltshire Fire and Rescue - The proposed development has been assessed and the detail on the attached schedules relates to the following areas:

Recommendations identified under B5 of Approved Document B relating to The Building Regulations 2010

Recommendations to improve safety and reduce property loss in the event of fire

8. Publicity

17 letters of objection have been received raising the following points: –

- A) **Parking** – Parking is an issue in the close, two properties don't presently have cars and two properties have created off street parking spaces which have helped ease the situation but some properties have two or three cars which make parking difficult. The parking area by the garages is used as a turning area for service and other vehicles to turn round in. The area around the garages is at weekends filled to capacity with visitor's cars and second/third cars.

One way to alleviate these parking issues would be to provide residents with off street parking by dropping the kerbs on the western side of the road. Also understood the grassed area outside no 4 police cottages was not within the applicant's ownership and should be retained for future residents.

Non residents often park at the site to attend the medical centre as do people visiting the oval sports facilities. Emergency vehicles including ambulances find it difficult to get through.

It is suggested a trial period take place where the existing garages are blocked off to see what effect the development may have.

Because the parking spaces proposed are tandem spaces it is likely that some of the new residents will park near to their front doors which potentially will mean additional parking in Avon road.

If the garages were in a decent state of repair, were a usable size for modern cars and had electricity then I think many more residents would be willing to pay the £50+ rental a month. Therefore they wouldn't be empty.

- B) Concern is expressed about the boundary treatments around the site and how these will be addressed when the development takes place.
- C) Concern is expressed that the currently unfettered access at the North end of the site across the open spaces past the garages will be closed off to pedestrians wishing to walk in that direction.
- D) Wildlife that currently use the green area to be built on will lose the ability to use this land.
- E) Construction traffic should not access the site via Lady Godley Close and should use Avon road which is less populated. Access to the remaining garages should not be blocked during construction.
- F) There was a lack of consultation with the surrounding residents prior to submitting the application.
- G) There is a lack of information with the application including information on site levels, boundary treatments and the proposed ramps. Heights and levels are important because of the sloping nature of the site.
- H) The extension of the application site and dwellings into the adjacent open space would appear as a harsh and incongruous form of development
- I) The existing trees and planting shown for removal are considered important features
- J) The existing properties in Lady Godley Close have good size front gardens which are well set back from the road which these properties are not.
- K) The proposed layout is unlikely to comply with secure by design standards as parking spaces for plots 2 and 4 are not overlooked by properties and rear alleyways would provide an easy route through from the adjacent open space.
- L) It is considered that the applicant's proposals conflict with the NPPF in that they are not good design and layout and do not contribute positively to the layout of the area. Paragraph 74 of the NPPF says that open space should not be built on unless appropriate equivalent open space is provided elsewhere.

- M) Considers that the empty buildings could be used by bats and that trees could provide habitat for birds. Considers that the habitats regulations require an assessment of ecological features
- N) There would be disturbance and a loss of amenity from the grant of this planning application and a loss of privacy.
- O) Considers the amended plans showing additional parking spaces to be a “joke” considers these will not be used because they are too far away and will be used by the army houses.
- P) Details of the proposed ramp should be submitted at this stage to consider its impact on amenity of neighbours and its visual impact.
- Q) It is considered that there is a public footpath running through the site which cannot simply be built on.
- R) The setting of St Michael’s church should be considered as a heritage asset.

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.

9.1 Principle of development

The principle of development accords with CP1 of the adopted Wiltshire Core Strategy (WCS) which sets out where development will take place. Core Policy 26 sets out that Tidworth and Ludgershall are regarded as ‘Market towns’ for the purposes of the core strategy and that –

Outside the Principal Settlements, Market Towns are defined as settlements that have the ability to support sustainable patterns of living in Wiltshire through their current levels of facilities, services and employment opportunities. Market Towns have the potential for significant development that will increase the jobs and homes in each town in order to help sustain and where necessary enhance their services and facilities and promote better levels of self containment and viable sustainable communities.

The site is within the settlement boundary and as primarily brownfield land the site is in principle acceptable for development.

Part of the site is currently part of a much larger open space and would be built on as part of this development. The NPPF states that –

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open

space, buildings or land to be surplus to requirements; or

-the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or

-the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

There has been no assessment by the applicant of the need for this open space and whether it is surplus to requirements or not. However the open space is a minor part of a much larger open space and contributes little to the overall character or usability of the much wider open space. Therefore whilst this proposal does not strictly comply with paragraph 74 of the NPPF it is considered that the principle of building on this part of the open space is none the less acceptable.

Core policy 52 of the Wiltshire Core Strategy which covers green infrastructure states –

“Development shall make provision for the retention and enhancement of Wiltshire’s green infrastructure network, and shall ensure that suitable links to the network are provided and maintained. Where development is permitted developers will be required to:

- i. retain and enhance existing on site green infrastructure*
- ii. make provision for accessible open spaces in accordance with the requirements of the adopted Wiltshire Open Space Standards*
- iii. put measures in place to ensure appropriate long-term management of any green infrastructure directly related to the development*
- iv. provide appropriate contributions towards the delivery of the Wiltshire Green Infrastructure Strategy*
- v. identify and provide opportunities to enhance and improve linkages between the natural and historic landscapes of Wiltshire.”*

The proposal does not meet criteria i of this policy which is similar to the requirement in the NPPF that green spaces be preserved or replaced. As noted above it is considered that as the area proposed to be developed is a relatively minor part of the overall green space the loss of this is acceptable and does not amount to a tenable reason for refusal.

There is no additional green infrastructure directly related to this development and therefore there is no need for long term management to be put in place for this. Contributions towards Wiltshire Green Infrastructure Strategy would be dealt with via CIL if the application were to be approved.

It is not appropriate in this circumstance to deal with the natural and historic landscapes in Wiltshire via this relatively small proposal.

Having taken account of the above it is considered that in policy terms the principle of the proposal is acceptable.

9.2 Highways and Parking

It can be seen from the neighbour letters and from the ward member call in that there is considerable local concern about the potential for parking issues within Lady Godley Close. The applicant's current proposal is for two parking spaces per property to be built. These will be adjacent to the new properties, accessed through Lady Godley Close. In addition the applicant is proposing four additional spaces at this end of the Close where garages are to be demolished; a further space at the other end of Lady Godley Close and 5 further spaces in Avon Road.

The proposed parking spaces comply with the councils requirements in terms of number of parking spaces for new dwellings. The councils parking strategy requirements for a development of four 3 bedroom properties is for eight parking spaces and one visitor parking space which the applicant has shown on the submitted plans. In addition the applicants are proposing a further 10 unallocated parking spaces in Lady Godley Close and Avon Road. The applicants have stated that little use is made of the existing garages at this site. As the proposal provides all the parking spaces required and indeed provides 10 more than are required, the councils highways officer has offered no objections to the scheme subject to a condition requiring the parking to be carried out in accordance with the details submitted prior to first occupation of the dwellings.

Notwithstanding the above, residents have concerns about building on the area that the garages are presently situated. Residents have made it clear that at present there is insufficient parking within the Close for the number of vehicles that need to park there. During the day relatively high levels of on street parking take place and officers understand at weekends and evenings residents and visitors park in and around the garaging area that it is proposed to build on. One resident has forwarded a photograph of this. Other residents have stated that the garaging area is also used as a turning space for service vehicles and delivery vans. Use is currently therefore made of the development area for parking and turning notwithstanding the fact that the garaging area is in the private ownership of the applicant and could therefore be closed off.

The garaging that is presently situated at the end of the close was built to serve the existing dwellings at a time when car ownership is likely to have been lower. The garages which are now, it is understood, in a relatively poor state of repair, are not of a size standard that are ideal for modern day larger vehicles. The applicant has stated that only 1 of the garages in the block of eight to be demolished is currently let and only a couple of garages in the further block. Given that there is little use made of them the applicant makes the point that their demolition would have little impact on parking ability in the Close. One of the residents has stated that the reason that the garages are little used is because they are in a poor state of repair in that they leak, they have no electricity supply and they are expensive to rent, not because people do not wish to use them. The applicant has informed officers that rental for the garages is standard across all of their properties and that they presently rent 1565 garages in Wiltshire, of which 325 are currently void (20%). They have stated that some garages are difficult to rent and the garages in Lady Godley Close fall into this category.

Other points made by residents are that the tandem parking spaces provided for the new dwellings will be awkward and difficult to use as they are one behind the other meaning that

they will be less likely to be used by the residents of the new properties, which will mean further parking on street. This will also lessen the amount of on street parking available. The point has also been made that if these parking spaces are awkward to use, the residents of the new properties fronting Avon road may park in Avon road itself thus reducing the number of parking spaces on this road. In order to alleviate this potential problem it was suggested to the applicants that they may like to place some additional parking spaces on the piece of vacant land in Avon road. However the applicant's agent responded as follows –

“My client is not interested in entering into a land deal (to which there are likely to be both time and cost implications) for a scheme to which there is no highways objection, provides suitable parking to serve the development and can provide 10 additional public spaces which are all within easy reach of the existing residences.”

It is clear that the applicants do not wish to provide any additional parking on land that they do not currently own, however they have provided 5 additional spaces at the Southern end of Avon road, this should help if additional parking starts to occur on Avon road from the new properties.

The applicants have further stated the following -

“Please also bear in mind that our clients are an RSL, with a dwindling income and financial support from the Government. Developing under-utilised sites such as this, can represent a better use of land not only to help meet the Council's housing targets for providing more housing in sustainable locations, the importance of which continues to be publicised by the Government on a regular basis, but also by enabling Aster to reinvest in existing and new resources to support the supply of affordable housing, rather than expensive investment in the upkeep of garage sites for which there is limited demand. Due weight should therefore be afforded within the decision making process to the benefits of the proposed development including the provision of new homes and the synergy that the income will be reinvested in affordable housing.”

The applicants have tried to address parking issues raised by local residents with the provision of a further ten parking spaces in the surrounding area and this can only help the situation. It has to be borne in mind that the land that the applicants have applied to put housing on is privately owned and therefore could be gated off at any time in any case whether or not the dwellings were built. The solution put forward to alleviate any potential parking problems caused by the building of the new properties is reasonable and appropriate given the potential fallback position of the applicants and the fact that the parking proposed complies with the councils adopted policies.

9.3 Amenity and neighbourliness

The nearest neighbours to these properties would be at no 11 Lady Godley Close. These have no windows on the elevation facing the development and the nearest wall to no 11 on the development is also shown as having no windows. As each property will be 'side on' to each other there is unlikely to be any adverse impact from the new properties to the old. There will be a degree of overlooking from the first floor windows of the new properties into the rear gardens of the nearest properties in both Lady Godley Close and Avon Road. This

however would be no worse than already exists from properties in those two roads and there would be no direct overlooking window to window.

The properties are shown on a sloping site and therefore any effect that this has on amenity either of existing properties or between the properties proposed has to be considered. In this case the proposed properties are shown to be 21M apart as a back to back distance which is considered acceptable as it meets the standards in the former Kennet Local Plan. Similarly as the properties 'continue the line' from the existing properties in Lady Godley Close and Avon Road the effect of the slope on the neighbourliness of these properties is considered acceptable and would therefore comply with policy 57 of the adopted Core strategy.

9.4 Design

The design of the four proposed properties is modern. They are situated in two pairs each with a pitched roof. Externally they are shown to be brick built with a small area of wood cladding to the front and rear. The roofs are to be tiled. The dwellings are of a simple design which is in keeping with the modern design of neighbouring properties elsewhere on the estate. Although not specified it would be appropriate to make sure that the bricks are similar to that used on the existing dwellings in Lady Godley Close to tie the new properties into the old.

The properties although located on a sloping site would primarily be seen from around the two closes of Avon Road and Lady Godley Close as well as from St Michaels Green further north of the site. It is considered that the two storey nature and modern design of the proposal would not be out of character with the surrounding area and as such would be in accordance with policy 57 of the adopted core strategy.

9.5 Other Considerations

The boundary treatments are not specified on the plans as they would normally form part of a condition requiring details to be submitted. None the less following queries from neighbours, officers have clarified that boundary treatments are likely to consist of two metre high close boarded fencing.

There will be no pedestrian access across the site as there is 'informally' at the moment, although access from Avon Road will continue. Whilst it would be preferable to have such an access for permeability it cannot be a requirement of the application as the site could be closed off to pedestrian access anyway as it is in private ownership whether the houses are built or not.

There are no indications of protected species on the land and in its current mown state would support little in the way of wildlife. The councils ecologist has assessed the site (see comments above).

Site levels were requested from the applicant due to the sloping nature of the site and now form part of the application. Site boundaries will be dealt with as part of the conditions if planning consent is granted.

It is not considered that the trees to be lost as part of this proposal are significant enough to be retained or to warrant by themselves refusal of this application. A landscaping scheme is requested by condition should members resolve to approve the application.

It is extremely unlikely that the existing flat roofed garages would provide a habitat for bats as bats require space to live which is usually provided in buildings with pitched roofs not in flat roofed garages such as those proposed to be demolished. The council's ecologist has been consulted on the application and has raised no objections.

A ramp for pedestrian access to the two dwellings on Avon Road is proposed at the Western end of the site adjacent to Avon road. The applicant has provided no details of what this ramp will look like and it is therefore considered appropriate to require details of this prior to commencement of development. It is considered possible to construct this without having an adverse effect on amenity of neighbours and as such the detail of this can be conditioned.

There are no registered public rights of way through the site.

St Michael's church is situated to the North West of the site and is considered to be an undesignated heritage asset. It is considered that this proposal will not have an effect on the setting of that heritage asset. The proposal which is for a similar style and size of house to that which already exists in Avon Road is not considered to have an effect on the setting of this unlisted church.

10. Conclusion

The main issue of concern with this application is car parking. However, the applicant is meeting the Council's parking standards for new dwellings and is providing a further ten spaces nearby. The garage site is in the ownership of the applicant and could be closed off at any point with the loss of that existing parking and without the provision of further parking with or without developing these four dwellings. In view of this and in view of the additional parking being provided, it is considered that the proposal is acceptable. The development will provide four additional dwellings to add to the housing stock and approval is recommended, subject to the conditions set out below.

RECOMMENDATION: Grant Planning Permission subject to 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)** Notwithstanding the details shown on the plans submitted no development shall commence on site until the details and samples of the materials to be used for the external walls and roofs 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 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.

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

- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- means of enclosure;
- car park layouts;
- other vehicle and pedestrian access and circulation areas;
- all hard and soft surfacing materials;
- minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
- proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);

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

- 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 part of the development hereby permitted shall be first occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plan, reference P1-1552 Plan2.dwg. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

- 7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (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.

- 8) No development shall commence on site until details of the proposed ground floor slab levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels details.

REASON: 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.

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

Block Plan P2 – 1552 plan 2.dwg dated 25/2/16
Location Plan LOC_A-1552 Plan 2.dwg dated 17/8/15
Floor plans and elevations P1_B-1552 Plan 2.dwg dated 9/9/15
Site sections P1_A-1552 Plan 2.dwg
Supporting statement received 21/8/15

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

- 10) No development shall commence on site until a scheme for the discharge of foul water from the site has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme.

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

- 11) 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. 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.

- 12)** Prior to commencement of the development of plots 3 and 4 details of the proposed ramp shown at the Western end of the site shall be submitted to and approved in writing. The development shall be carried out in accordance with the details submitted and plots 3 and 4 shall not be occupied until completion of the ramp has taken place.

REASON: In the interests of visual amenity.

- 13)** Prior to first occupation of the development, details shall be submitted to and agreed in writing of a method of marking out the 5 additional parking spaces in Avon road, one additional parking space at the Southern end of Lady Godley Close and four parking spaces at the Northern end of Lady Godley Road for use by residents and visitors to those roads. The spaces shall then be marked out in accordance with the details agreed prior to first occupation of the development and shall be maintained as such in perpetuity.

REASON: In the interests of providing adequate car parking for the proposed development.