

Date of Meeting	18 October 2017
Application Number	17/06492/FUL
Site Address	19/19A The Old Bakehouse, Stallard Street Trowbridge BA14 9AJ
Proposal	Existing shop & residential accommodation to be converted to 7 self-contained flats
Applicant	Mr & Mrs John Knight
Town/Parish Council	TROWBRIDGE
Electoral Division	TROWBRIDGE CENTRAL – Cllr Stewart Palmen.
Grid Ref	385132 157694
Type of application	Full Planning
Case Officer	Matthew Perks

Reason for the application being considered by Committee

This application is brought to Committee at the request of Councillor Stewart Palmen for the consideration of the scale of development, car parking impacts and whether the proposal comprises “too many flats in a very small area with poor amenities/parking and overlooking neighbours properties”.

1. Purpose of Report

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

2. Report Summary

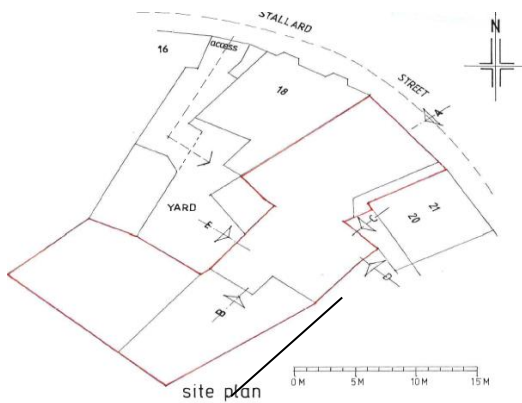
This report assesses the principle of the proposed conversion to flats, the parking issues and potential impacts on the surrounding area and neighbouring amenities, and to recommend that permission should be granted.

Neighbourhood Responses: Representations were received from four neighbours.

Trowbridge Town Council: Objects to the application for reasons summarised in section 8.

3. Site Description

This application relates to Nos. 19 and 19a Stallard Street and the outbuilding to the rear of the property. The irregular shaped site is located within the Conservation Area but outside of the Trowbridge Town Centre Commercial Area. Excluding the vehicular access and yard area, the site extends to some 400m². The subject building is not listed, but is sited within 50m of a couple of listed buildings namely, the grade II listed Stallards PH at No's 15 & 16 Stallard Street, the Vicarage at No. 27 Stallard Street and the grade II* Holy Trinity Church and grade II listed war memorial and wall enclosure within the aforementioned church grounds. A red lined site location plan and site photographs of the property frontage and rear façade as well as the means of accessing the rear of the property are included on the following page.



4. Planning History

W/77/00604/HIS: Change of use to retail furniture shop, furniture workshop and dental surgery. Approved

W/78/00872/HIS: Change of Use to place of religious worship. Approved

W/81/00521/HIS: Extension to shop and provision of living accommodation. Approved

W/87/01753/FUL: Change of use of ground floor from shop to insurance office. Approved.

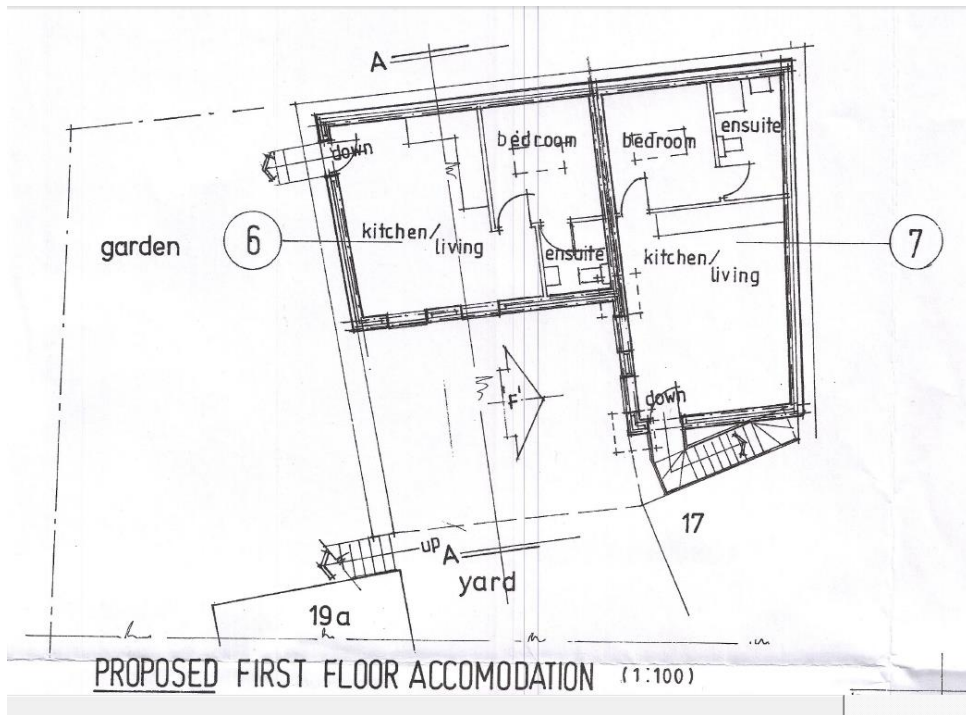
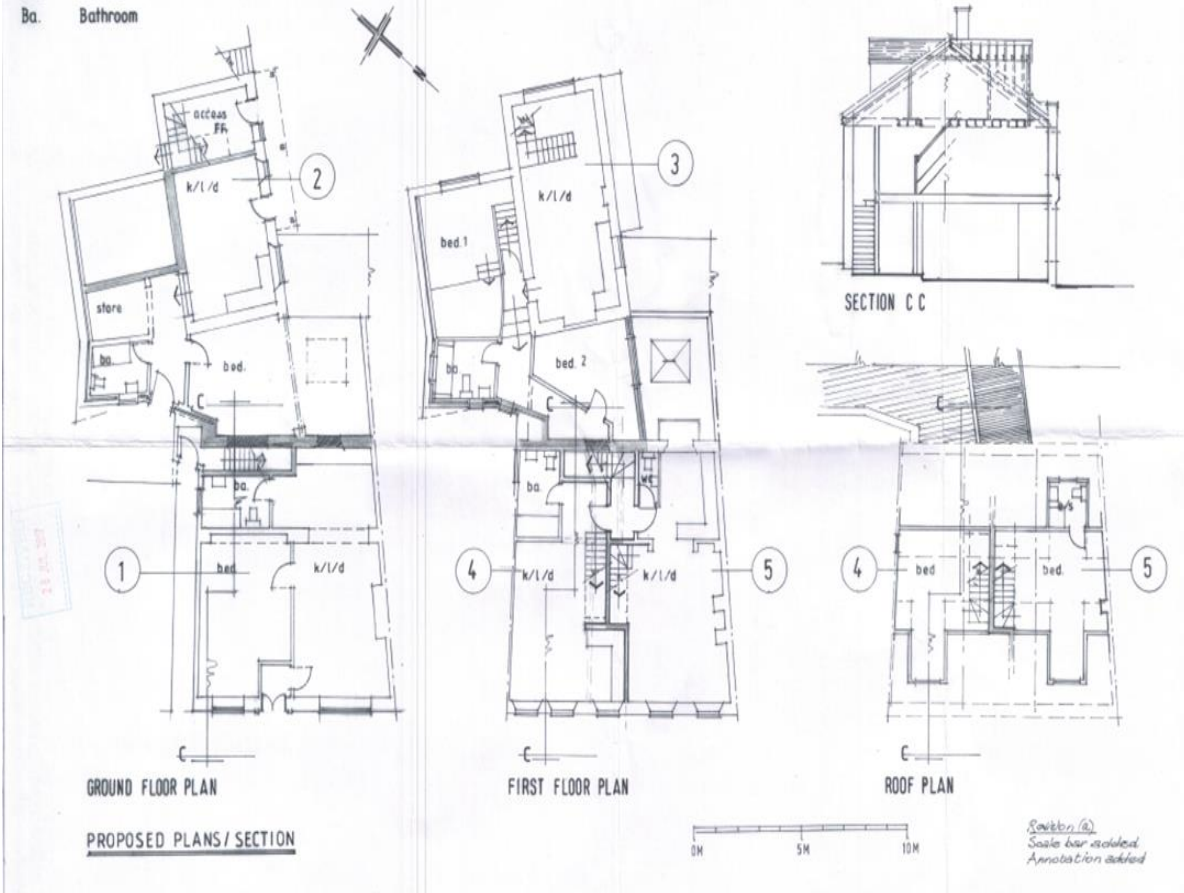
W/05/00476/FUL: Replacement of existing shop windows with hardwood Georgian style, Approved 03 June 2005

14/04660/FUL: Change of use from Retail A1 to A3 restaurants/cafes and A5 hot food takeaway. Approved 25 July 2014

5. The Proposal

The proposal seeks permission to convert the existing dwelling and shop, and a large existing outbuilding to provide for seven flats. The main building would house 4 x 1-bed flats and 1 x 2-bed flat. 2 x 1-bed flats are also proposed to be accommodated in a re-modelled existing first floor level above the outbuilding. The proposal furthermore provides for 3 parking spaces within the existing covered yard area. External alterations to the street frontage elevation would include two dormers to provide windows to the rooms to the roof space. New dormers are proposed to the rear and side facing elevations, as reflected on the plans below:

K/L/D Kitchen/living/dining
 E/S Ensuite
 Ba. Bathroom



Existing Elevations

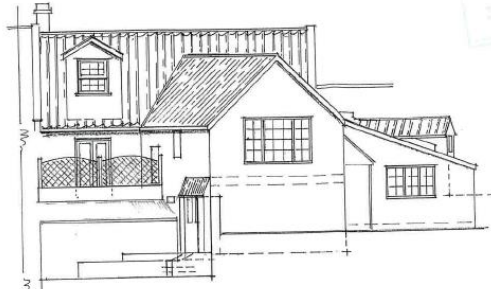


PROPOSED ELEVATIONS

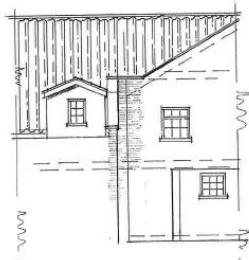
VIEW 'A'



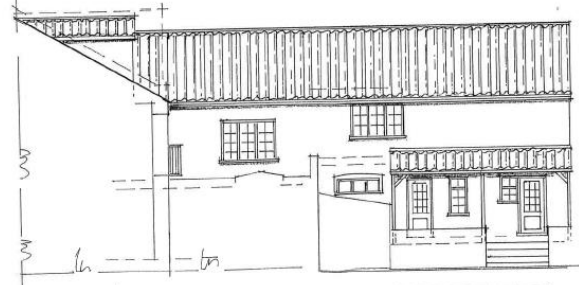
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6. Planning Policy

Wiltshire Core Strategy (WCS) Core Policy 1: Settlement Strategy; Core Policy 2: Delivery Strategy; Core Policy 29: Spatial Strategy for the Trowbridge Community Area; Core Policy 36: Economic Regeneration and Core Policy 41: Sustainable Construction and Low Carbon Energy; Core Policy 57: Ensuring High Quality Design and Place Shaping; Core Policy 58: Ensuring the Conservation of the Historic Environment; Core Policy 60: Sustainable Transport.

Wiltshire Council's Car Parking Strategy; The National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG) are also material considerations.

7. Summary of Consultation Responses

Trowbridge Town Council - The Town Council objects to this application and is of the view that the proposal is over-development of the site which would result in dwellings which are insufficient to meet the needs of the future residents and is concerned about the reduction in parking compared to existing facilities in conjunction with increased intensification of activity on the site.

Wiltshire Council Highway Officer - The officer notes that the proposed development seeks to extend and convert the dwelling and ground floor retail unit, into 7 flats. Only three car parking spaces are proposed for the development, meaning that four of the proposed flats would be without any parking provision whatsoever, which is contrary to Wiltshire's car parking standards. Despite this, the officer notes that the existing retail use would have generated more vehicular activity than four flats would and that the retail use is presently without any dedicated parking and on this basis, no highway based objection is raised. The officer notes that 4 bicycle parking spaces are proposed which the highway considers to be insufficient. Furthermore, the details and location of these spaces have not been shown as part of the application. Planning conditions can be imposed (and are recommended) to secure sufficient bicycle parking storage space as well as the provision of 3 car parking spaces.

8. Publicity

Following the public notification and advertisement of this application, four third party representations were received. The summarised representations/objections were made on the following grounds:

- Overdevelopment of the site - Too many flats are being squeezed into the site;
- Bin storage is not shown on the plans;
- Noise insulation would be difficult to retro-fit;
- There would be inadequate parking;
- There has been inadequate neighbour consultation;
- Increased traffic;
- No communal outdoor space;
- The development would harm the character of the area;
- Loss of commercial premises which are needed;
- Emergency vehicle access concern;
- Overlooking by dormer windows to rear;
- Noise pollution

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 The Principle of the Development

The site is located within the established limits of development of Trowbridge where the principle of new dwellings and sustainable forms of development are supported. The proposal is considered to comply with CP1, CP2 & CP29 and the locality is clearly sustainable, with very good access to local facilities, services, shops, public transport and sporting and recreation attractions. The site lies outside of the Trowbridge Town Centre Commercial Area (as defined in policy) and therefore the saved policies SP1 and SP5 do not apply in this instance, and issues of the loss of business space in terms of impact on town centre vitality are therefore not policy considerations. Wiltshire's Core Strategy employment policy (CP35) relates specifically to B1, B2 and B8 uses and Principal Employment Areas. The loss of employment floorspace is identified as a consideration in established employment areas, which is not relevant to this site. The last use of the ground floor was as a restaurant and it is noted that under CP36, the WCS supports the principal of regenerating brownfield sites in Principal Settlements, Market Towns and Local Service Centres where the proposed uses help to deliver the overall strategy for the settlement, and the provision of additional housing in the town and near to the town centre is considered in accordance with the guiding strategy for the Town as set out within paragraph 5.149, which inter alia, seeks to encourage delivering additional housing in the central area of the town. The principle of converting the building to flats is therefore policy compliant. However, the details of the proposal must be appraised against all the relevant development plan policies as set out within section 6 of this report.

9.2 Parking Considerations

Three parking spaces within an existing large undercover courtyard area are proposed. The highway officer is satisfied that, given the previous use and sustainable town centre location, additional parking is not required. The officer does however recommend that additional bicycle parking provision is secured. The applicant has submitted revised plans to meet the officer comments to address this aspect. Neighbours have raised concerns with regard to parking but it is the case that in highly sustainable locations near town centres such as this site, the local planning authority has frequently supported car-free schemes; and in this particular case, officers are comfortable with the level of on-site car parking provision. The proposed three car parking spaces would be secured for retention by way of a planning condition. Furthermore, decision makers must also be mindful of NPPF paragraph 32 which states that "*development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe*". In this particular case, the development proposals would not conflict with NPPF para 32 and officers respectfully submit that this would not be substantive grounds to refuse planning permission.

9.3 Impact on Surrounding Area and Amenity.

The Town Council and neighbours have raised concerns about overdevelopment of the site. The proposal is for seven flats close to the town centre where higher residential density can be acceptable. Under this application, modest flats varying between approximately 34m² (i.e. the two units above the garage space, excluding outdoor access steps) and 86m² are proposed. By comparison, and within relative close proximity to the site, under application reference W/08/1514/FUL, 7 bed-sit style flats units at 1 Bradford Road, some as small as 25m², were granted permission on appeal. Whilst accepting that the two units in the conversion at No. 19/19a would be very modest, the NPPF does require that the housing needs of all different groups in the community should be met and smaller units within close proximity to the town centre would add to the range of options in Trowbridge.

The officer site visit confirmed that the interior of the dwelling/shop building is deceptively large compared to what might be perceived from the street frontage, and this is confirmed by the layout of the flats as proposed. The plans would provide for communal outdoor space, and the building itself is within close proximity to public spaces / recreation areas around the town centre.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 72 requires that special attention should be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas in decision making. The two dormers are the only proposed external alterations to the front elevation and with the appropriate use materials and with matching fenestration, this would preserve the appearance of the conservation area and would not appear as inappropriate or harmful development. The proposed change of use provides the opportunity to deliver significant elevation improvements which, if implemented, would curtail the return of street elevation clutter as illustrated in the photograph below right.



The third party representations also raise concern about potential overlooking, particularly towards the south-west (West Street). As part of this application, no new windows would be created that would have a direct view over those properties. The one south-facing dormer would be well within the site, and would be obscured from any views by the outbuilding in the intervening space. The nearest dwelling to the south is some 70m distant from any facing window at the application site. The new north-west facing windows within the site, to the converted outbuilding, would be a minimum of 21m from any other directly facing windows.

On the basis of the above, officer's report no objection in terms of the development impacts on neighbouring amenity and surrounding area.

9.4 Other Matters

The Council has an adopted CIL regime, and it is material to note that this application proposal would generate CIL receipts that would contribute towards infrastructure improvements. WCS Core Policy 41: Sustainable construction and low carbon energy requires that new dwellings achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes, but the policy excludes "extensions or conversions". A condition requiring compliance is therefore not required in this instance.

10. Conclusion (The Planning Balance)

It is considered that this development proposal accords with the relevant WCS policies and the design is considered acceptable in terms of the Conservation Area and the surrounding context. The town centre location enables consideration of a car-free scheme in respect of the majority of the units and there are no highway based objections. The proposed development would provide for additional residential units converting an existing property in a sustainable location that would not result in unacceptable harm to local amenity. Planning permission is therefore recommended, subject to planning conditions.

11. RECOMMENDATION – Approve subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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

JK01a Location and Site Plan Registered on 28 July 2017; JK02a Existing Floor Plans Registered on 28 July 2017; JK03a Existing Plans/Sections Registered on 28 July 2017; JK04b Existing Elevations Received on 6 October 2017; JK05a Proposed Plans/Sections Registered on 28 July 2017; JK06a Proposed Elevations Registered on 28 July 2017; JK07 Existing Elevations Registered on 28 July 2017

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

3. No development shall commence on site until details of the proposed dormers, including materials, at a minimum scale of 1:20 have been submitted to and agreed in writing by the Local Planning Authority:

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

4. The development hereby permitted shall not be first occupied until secure covered cycle parking for at least 7 no. bicycles have been provided in accordance with the hereby approved plans and shall be retained for use at all times thereafter.

REASON: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car.

5. No part of the development hereby approved shall be first brought into use until three car parking spaces have been provided within the site, with no obstruction thereto and with sufficient access thereto. These spaces 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.

INFORMATIVES TO APPLICANT:

1. The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website

www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy