

Date of Meeting	25 th April 2019
Application Number	19/01651/FUL
Site Address	Garages adjacent to 112 Waiblingen Way Devizes SN10 2BP
Proposal	Demolition of garages and erection of pair of semi-detached houses
Applicant	Aster Group
Town/Parish Council	DEVIZES
Electoral Division	Devizes North – Cllr Sue Evans
Grid Ref	400259 161884
Type of application	Full Planning
Case Officer	Ruaridh O'Donoghue

Reason for the application being considered by Committee

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 be considered are:

- Whether the use is acceptable in principle (CP 1 and 2);
- Whether the scheme constitutes high quality design (CP 57);
- Whether the scheme would have an acceptable landscape impact (CP 51);
- Whether the proposal would have a negative effect upon highway safety including if there is sufficient parking for the proposed development (CP 61 and 64); and
- Whether the scheme would lead to increased flood risks (CP 67).

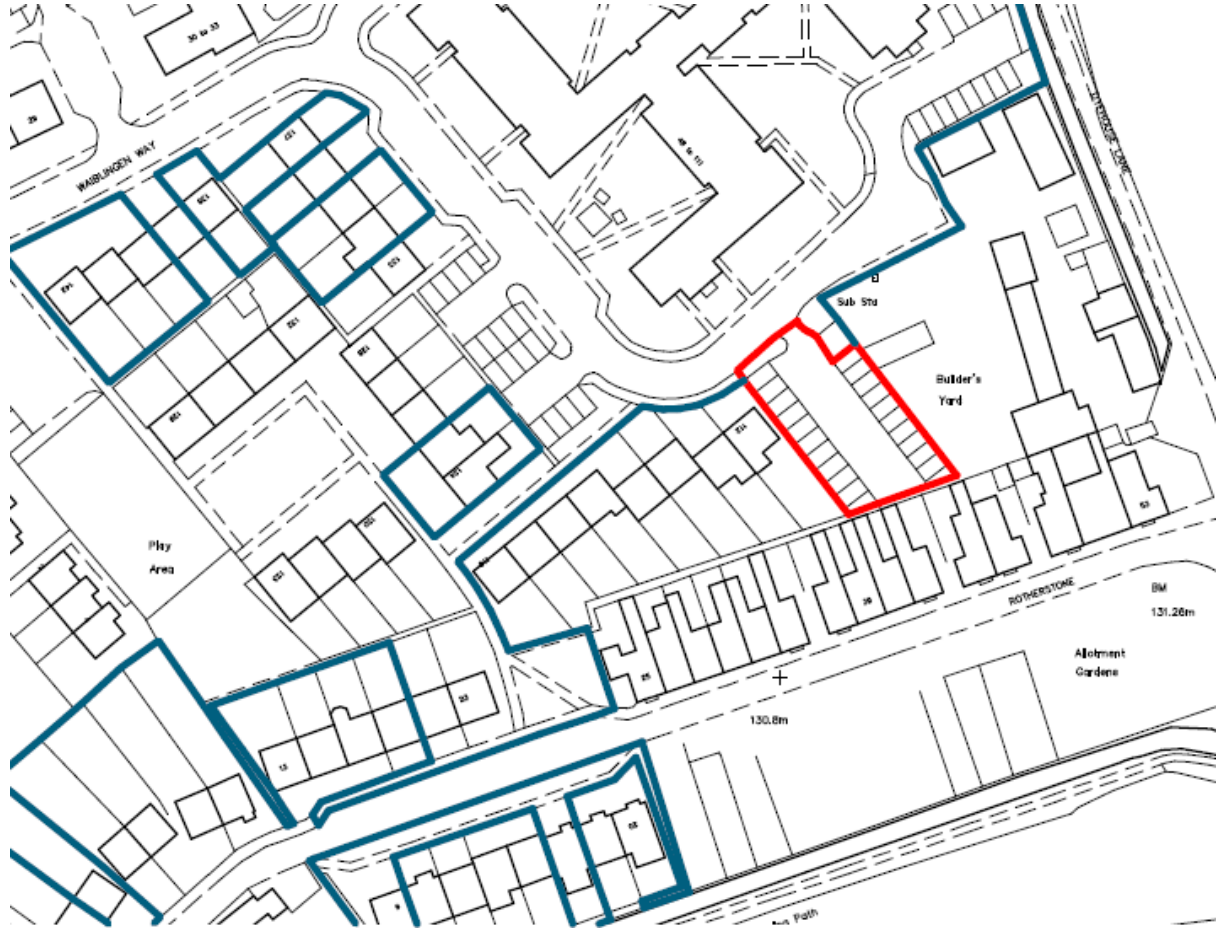
3. Site Description

The application site is located off Waiblingen Way in Devizes which is situated in the North Western part of the town. The site currently consists of 2 rows of garages with turning space in front (21 garages in total). These are privately rented off Aster properties Ltd. The site is surrounded by residential properties that make up the rest of the estate save for the North Eastern side where it backs onto a commercial site. An electricity sub-station exists to the front of the site in the Northern corner of the site.

The site is located within the Limits of Development of Devizes which is classified as a Market Town within the WCS.

There are no notable planning constraints covering the site nor is there any planning history pertaining to it.

Below is a location map with photographs that show the context of the site.



View of the front of the site looking South



View of site from entrance looking North East

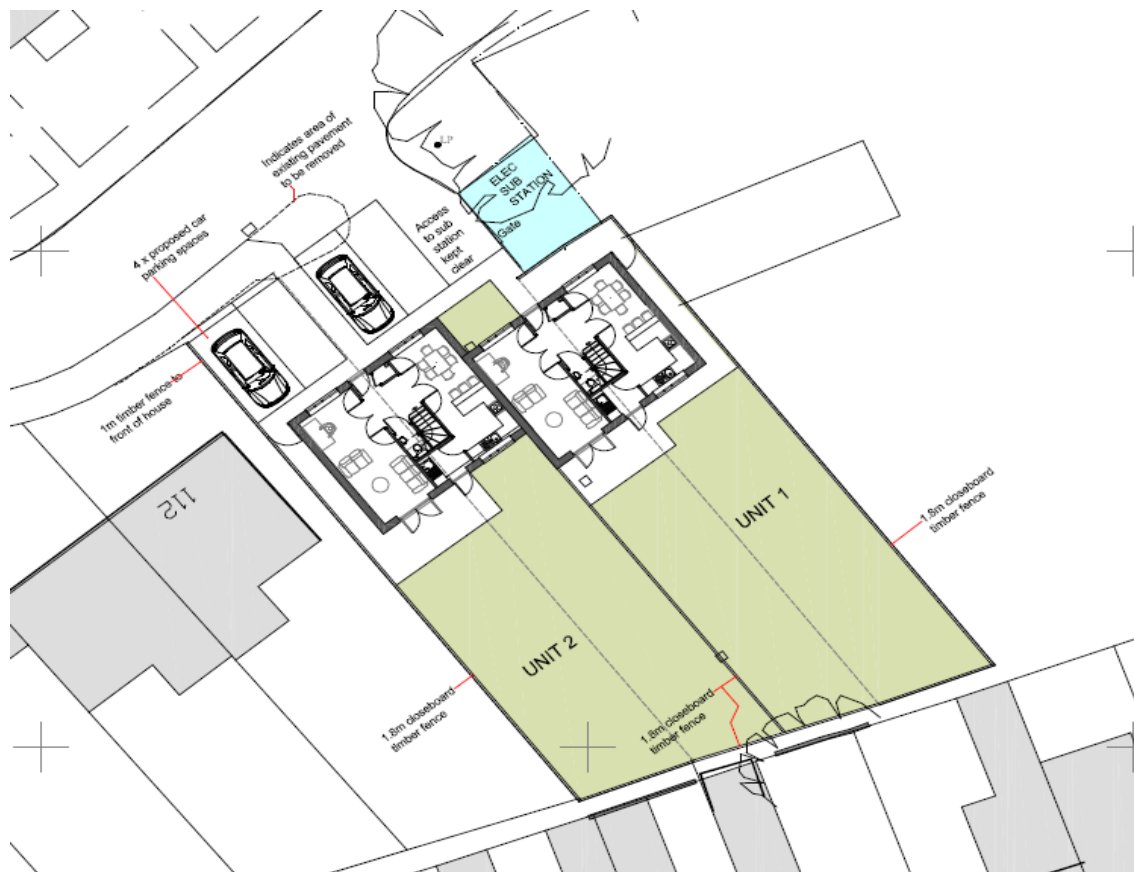




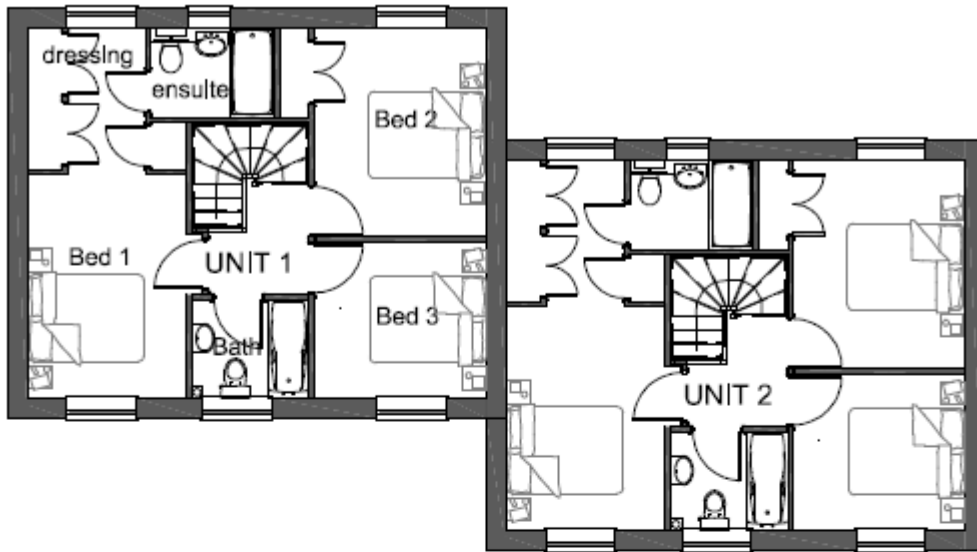
View from the rear of the site looking North West

4. The Proposal

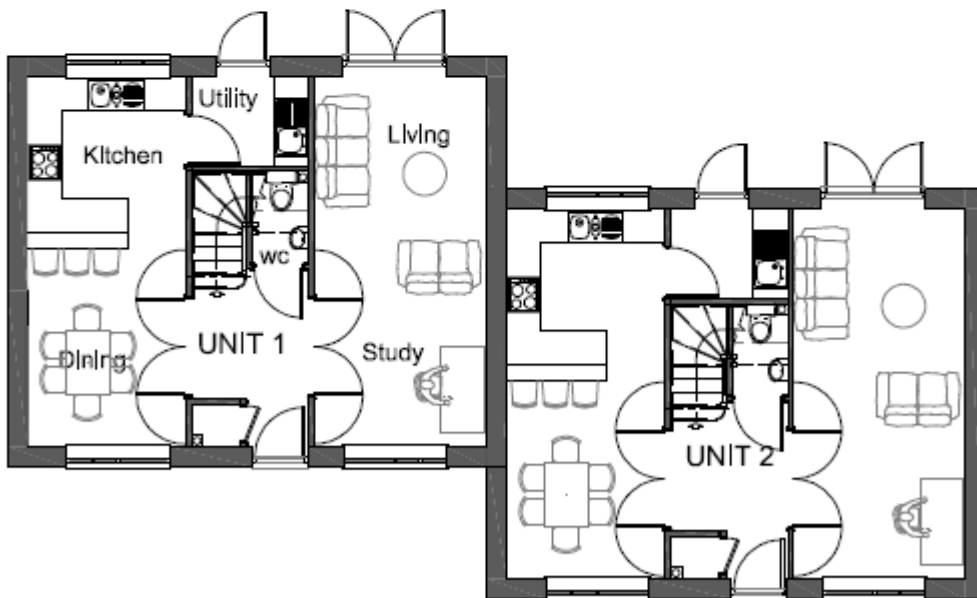
The application proposes the demolition of the existing garage block and erection of a pair of semi-detached 3 bed dwellings. The dwellings are to be constructed out of facing brick work with concrete double roman tiles. They will occupy in total, a footprint of approximately 122m² (approx. 61m² per dwelling) with a ridge height of 7.3m. Each dwelling is to be served by 2 parking spaces.



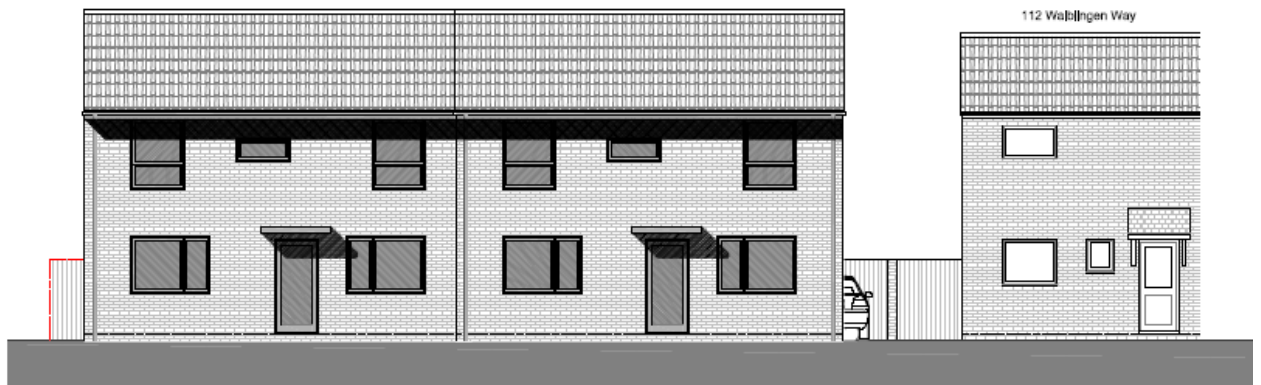
Site Plan



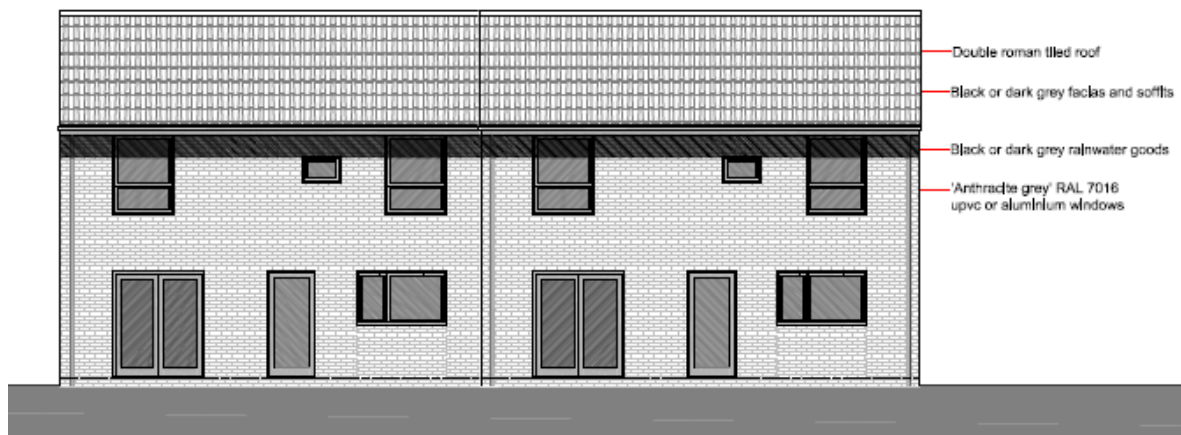
FIRST FLOOR PLAN



GROUND FLOOR PLAN

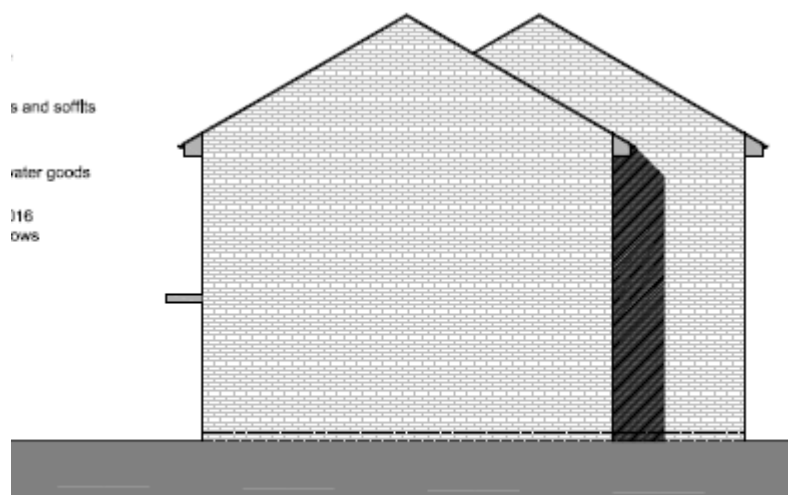


NORTH WEST ELEVATION



ON SOUTH EAST ELEVATION

S



SOUTH WEST ELEVATION

5. Planning Policy

Wiltshire Core Strategy 2015 (WCS):

- CP 1 – Settlement Strategy
- CP 2 – Delivery Strategy
- CP 12 – Devizes Community Area Strategy
- CP 51 – Landscape
- CP 57 – Ensuring High Quality Design and Place Shaping
- CP 61 – Transport and New Development
- CP 64 – Demand Management

Devizes Neighbourhood Plan July 2015

National Planning Policy Framework 2019 (NPPF)

Supplementary Planning Guidance:

- Local Transport Plan 2011-2026 Car Parking Strategy (March 2011) – minimum residential parking standards.

6. Summary of consultation responses

Devizes Town Council

The Committee considered that the area provides significant and more secure off-street parking. Unless Wiltshire Council can demonstrate that the denial of this space for off-street parking does not breach the criteria for the provision of residential parking in accordance with current planning policy, Devizes Town Council objects to the proposed redevelopment as unsustainable for the community.

Wiltshire Council Drainage

Holding objection currently on the grounds of lack of supplied drainage information.

To clear the objection we will require:

- Outline plan of foul drainage disposal, including outline consent for the additional flow rate from sewerage undertaker if proposal to connect to mains sewer
- Outline surface water disposal plan, including infiltration testing results to BRE 365 and evidence that any proposed soakaway has a clearance of at least 1m from the groundwater level, allowing for seasonal variations. The plan should demonstrate that the minimum Building Control clearances can be met
- Outline plan for attenuation of discharge rate for the surface water from site
- Detailed design can be undertaken via conditions, but the applicant is required to show evidence that the site can be drained effectively to gain support.

Wiltshire Council Highways

The information provided states that of the 21 garages on the site only 5 are still in use. The applicant states that they have garages in the location which are also under used and can be utilised to replace the displaced 5 spaces. I am minded to take this information at face value/as provided.

The layout of the two dwellings and parking from a highway position is acceptable subject to the following condition:

No part of the development hereby permitted shall be first occupied until the access, and parking spaces (surfaced in a consolidated material, not loose stone or gravel) have been

completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

7. Publicity

The application was advertised by way of a site notice and neighbour notification letters.

8. Planning Considerations

8.1 Principle of Development

The site lies within the Limits of Development (LoD) of Devizes where under Core Policies 1 and 2 new residential development of this scale is permitted. This is of course subject to compliance with other relevant policies of the development plan. Furthermore, the site would also be classified as brownfield land. The WCS highlights the benefits of developing this land first in preference to greenfield sites.

In accordance with the WCS, the Devizes NP allows for this type of development as it is within its settlement boundary.

9.2 Design / Visual Impact

The garages have no architectural merit and do not add any aesthetic value to the character of the street scene. Their loss will not be of any consequence to the visual amenities of the area. Waiblingen Way has several other garage sites with vacant spaces within the estate which can be utilised for those that currently rent one of the garages on this site (only 5 of the 21 garages are in use).

The plot size itself is sufficient to accommodate a development of this scale without the appearance of an overdeveloped site. Spacing between the existing and proposed dwellings is sufficient so as not to appear out of character with the estate and the position of the dwellings in a staggered way ties in with the properties along this side of the street.

The proposed pair of semi-detached dwellings will be of broadly the same height, size and scale as the other properties along Waiblingen Way. The proposed materials will be similar to those used in the construction of the other dwellings on the estate. A materials condition can be imposed to ensure the exact brick and tile do fit with the streetscene.

The arrangement of fenestration will be broadly similar to the other dwellings on the street.

Parking spaces will be provided to the front of the dwellings which is not an uncharacteristic trait of the estate as some of the other dwellings have paved over their front gardens to achieve off-road parking.

Overall therefore, it can be concluded that the proposed development would fit in with the prevailing character of the area in terms of plot size, buildings height, mass, scale and elevational treatment. The character of the streetscene will also be preserved with, arguably some improvement through the loss of the unsightly garages. As such, it represents the design standards expected of Core Policy 57 of the WCS.

The proposed development will sit within a well-established residential area with limited public views into the site from outside of the estate. With this in mind, the development will not have any wider visual impacts beyond the immediate streetscene. Landscape

character will therefore be preserved in accordance with the requirements of Core Policy 51.

9.3 Highways Safety / Parking

The proposal provides two off road parking spaces per dwelling which is in line with adopted minimum standards for 3 bed dwellings. The requirements of Core Policy 64 of the WCS are thus met.

The site is currently used for garaging with turning space in front. Given the number of garages, it is fair to say that this point of access on to Waiblingen Way has the potential for greater use under the existing arrangement. The creation of two independent access points to serve the dwellings will not generate as much potential traffic and therefore it would be difficult to object on the grounds that it would be prejudicial to highway safety. It is concluded that a safe and suitable means of access can be attained.

At present the applicant has confirmed that only 5 of the garages are in use. The garages will be lost as a result of this proposal. However, Waiblingen Way contains a number of other garage sites where there are vacant spaces sufficient to accommodate the 5 in use garages that will be lost here. It is considered that any displaced parking as a result of this proposal would be absorbed by the free garage spaces that exist throughout the rest of Waiblingen Way. As such, there should be no adverse impacts to highway safety by reason of increased on-street parking.

In any event, the right to park in these garages could be removed at any moment by Aster Properties Ltd. without needing to make an application to the LPA. This point should be considered as a potential fall-back position that would have the same impacts but without any control from the Council.

Accordingly, the development is capable of being served by a safe and suitable means of access in accordance with Core Policy 61 of the WCS and will not be an unacceptable impact to highway safety (NPPF paragraph 109).

Furthermore, no objections have been raised by the Local Highways Authority subject to conditions to censure that the access and parking are laid out prior to occupation in a consolidated material.

9.4 Drainage

The site is not in an area of surface water vulnerability nor is it within the flood zone. The whole site is currently covered by a non-permeable surface. The proposed development would see a reduction in the amount of non-permeable surface within the site through the introduction of garden spaces.

The applicants have stated that they intend to use soakaways to deal with surface water drainage with foul sewage going to the mains sewer.

A holding objection is in place by the Council's Drainage Engineer as they wish to be satisfied that in principle the site can be drained using soakaways i.e. they wish to see percolation testing to ensure there is at least 1m of unsaturated soil exists between the base of the soakaways and groundwater level. They also want an outline plan of foul drainage disposal, including outline consent for the additional flow rate from the sewerage undertaker as the proposal is to connect to the mains sewer.

The objection put forward by the Drainage Team (LLFA) is the only outstanding issue with the site. They are not however, a statutory consultee on the application as it is not a major application. It is in fact minor development, to which the PPG states is unlikely to raise significant flood issues. Furthermore, the level of information the LPA should request on a planning application should be proportional to the type or amount of development proposed.

Given the location of the site, and taking account of the factors identified above, the LPA is satisfied that this information could be secured via a planning condition and that this would be the proportionate response to an application of this nature. If there is a problem on the site with the use of soakaways or if connection to the main sewer is not possible, then alternative methods will have to be explored for the drainage scheme. This would be covered by the imposition of planning conditions.

9. Conclusion (The Planning Balance)

The development is considered to be acceptable in principle. The design of the scheme meets the standards set out in Core Policy 57 of the WCS and it will not have any harmful impacts to landscape character thus also complying with Core Policy 51.

Whilst concerns have been raised about the loss of parking, the Local Highway Authority has raised no objections to the development. The applicants have demonstrated that the loss of the garages will not result in an increase on-street parking as other empty garages on the estate exist that could be taken up. Local and national planning policy has thus been satisfied in this instance and a refusal to grant planning permission on these grounds would be difficult to substantiate at appeal.

There are no further technical objections to the site that cannot be overcome through the use of appropriate planning conditions.

As such, the balance lies in favour of approving the application as it accords with the up-to date development plan for the area (the WCS). There are no material considerations (including the NPPF) that would indicate a decision should be made otherwise.

RECOMMENDATION:

That planning permission be granted subject to the conditions outlined in this report.

- 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 and documents:
 - Application Form
 - Drg. Ref: Location _ 1796-OS.dwg
 - Drg. Ref: P1-1796-Planning.dwg
 - Drg. Ref: BDS-09-18 - Topographical Survey

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

- 3 No development shall commence on site above ground floor slab level until the exact 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 application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority 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

- 4 No part of the development hereby permitted shall be first occupied until the access, and parking spaces (surfaced in a consolidated material, not loose stone or gravel) have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety

- 5 No development shall commence on site above ground floor slab level until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: In order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

- 6 No development shall commence on site above ground floor slab level until details of the works for the disposal of sewerage including the point of connection to the existing public sewer have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans.

REASON: In order that the development is undertaken in an acceptable manner, to ensure that the proposal is provided with a satisfactory means of drainage and does not increase the risk of flooding or pose a risk to public health or the environment.

- 7 **INFORMATIVE TO APPLICANT:**
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.

- 8 **INFORMATIVE:**

The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license will be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact our Vehicle Crossing Team on vehicleaccess@wiltshire.gov.uk and/or 01225 713352.