

# REPORT TO THE WESTERN AREA PLANNING COMMITTEE

<b>Date of Meeting</b>	<b>13.04.2011</b>		
<b>Application Number</b>	<b>W/11/00286/FUL</b>		
<b>Site Address</b>	<b>Land Adjoining 43 Crawley Crescent Trowbridge Wiltshire</b>		
<b>Proposal</b>	<b>Demolition of existing triple garage and erection of three bedroom house and formation of two in-curtilage parking spaces</b>		
<b>Applicant</b>	<b>Mr Michael Howard</b>		
<b>Town/Parish Council</b>	<b>Trowbridge</b>		
<b>Electoral Division</b>	<b>Trowbridge Lambrok</b>	<b>Unitary Member:</b>	<b>Helen Osborn</b>
<b>Grid Ref</b>	<b>384288 157698</b>		
<b>Type of application</b>	<b>Full Plan</b>		
<b>Case Officer</b>	<b>Mr James Taylor</b>	01225 770344 Ext 5169 james.taylor@wiltshire.gov.uk	

## Reason for the application being considered by Committee

Councillor Helen Osborn 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
- \* Environmental/highway impact
- \* Car parking
- \* Other: "Impact on the area, loss of amenities, loss of street car parking"

## 1. Purpose of Report

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

Neighbourhood Responses  
15 objections. 1 support.

Parish/Town Council Response  
Objection.

## 2. Report Summary

The main issues to consider are:

- \* Planning history
- \* Material changes in circumstances
- \* Impact on the street scene
- \* Impact on highway safety
- \* Impact on neighbouring amenity

### **3. Site Description**

The application site is located in a residential area of Trowbridge within the town policy limits and can be described as part of the garden and garaging area for 43 Crawley Crescent.

The property 43 Crawley Crescent is a detached dwelling with integral triple garage fronting the road, the property is located at the head of a cul-de-sac adjacent to an estate footpath linking Crawley Crescent with Bridge Avenue.

### **4. Relevant Planning History**

06/01296/FUL - Demolish existing triple garage and erection of three bedroom house and formation of two in curtilage replacement parking spaces – Permission on 09.06.2006

06/02873/FUL - Two storey rear extension @ 43 Crawley Crescent – Permission on 14.11.2006

07/01106/FUL - Revised roof design to previously approved extension @ 43 Crawley Crescent - 06/02873/FUL – Permission on 30.04.2007

W/09/00147/FUL - Erection of summer house @ 43 Crawley Crescent – Permission on 17.02.2009

### **5. Proposal**

This is a resubmission of an expired planning permission from 2006 reference 06/01296/FUL for the demolition of the existing triple garage of 43 Crawley Crescent, the erection of a detached 3-bedroom property and the formation of 4 parking spaces; two to serve 43 Crawley Crescent and two to serve the proposal.

The proposed property would be located directly adjacent to the existing property, set back approximately five metres from the front building line. The proposed property would mirror the form of the original part of 43 Crawley Road and would be 8 metres by six metres with a height of 7.1 metres to the ridge and sloping to 4.6 metres at eaves.

Two parking spaces would be accommodated at the front of the proposed property and two in front of the existing property, the driveway would be shared.

### **6. Planning Policy**

West Wiltshire District Plan 1st Alteration

C31a Design

C32 Landscaping

C38 Nuisance

H1 Further housing in towns

SPG on house alterations and extensions

SPD on New Housing Design

National guidance

PPS1: Delivering Sustainable Development

PPS3: Housing

PPG13: Transport

### **7. Consultations**

### Trowbridge Town Council

Object: "This development would, by reason of its length, size, mass, form, siting and orientation be overdevelopment and detrimental to the character of the area and the street scene contrary to policy C31a of the adopted local plan and to the neighbouring amenity, contrary to policy C38. PPS3 as revised in June 2010 removes these types of development from the classification as brown-field and therefore this is a material change from previous applications for this site."

### Highways

No objection subject to conditions.

### Wessex Water

No objection subject to conditions.

## **8. Publicity**

The application was advertised by site notice and neighbour notification.

Expiry date: 11 March 2011

15 letters of objection were received and 1 letter of support (it is noted that this is from a party which appears to be connected to the application).

Summary of points raised in objection:

- \* Parking issues, including blocked drives exacerbated;
- \* High volumes of traffic exacerbated;
- \* Parking and highway issues will be dangerous for children;
- \* Car parking spaces are less than standard in dimensions and inadequate in number;
- \* Inaccurate and scant details submitted;
- \* Access would be inadequate;
- \* If rented out then it is likely to be for multi-occupancy, which has a higher demand for parking;
- \* Represents an over-development of the site, harmful to the street scene;
- \* There has already been a substantial 2-storey extension on this site;
- \* Concerned that the site will be divided up into flats;
- \* If another house would have been suitable the original builders of the estate would have built one in 1978;
- \* Every house in the estate has a garage and driveway and the estate has an open and spacious feel which this would be out of keeping with;
- \* Proximity of another dwelling and garden would harm amenity;
- \* Adjacent footpath would be darker;
- \* Can the drainage and sewerage system cope;
- \* Concern over disruption (builders lorries) and length of construction phase;
- \* The existing gateway and site is an eyesore;
- \* Running a business from 43 Crawley Crescent, which is illegal;
- \* Result in a decrease in property value for neighbours;
- \* Coalition government has changed the planning position regarding building on 'brownfield' sites;
- \* Did not have adequate opportunity to comment on the previous approval;
- \* Letters of objection on the previous application went missing; and
- \* If approved would expect upgrading of boundary fencing and landscaping/screening.

Summary of points raised in support:

- \* No building lorries have been to the site since 2008, only 3 general deliveries all year;
- \* 43 Crawley Crescent is their home; and
- \* No intention to convert to flats – its unviable.

## **9. Planning Considerations**

This application is identical to that which was approved in 2006 by the Council. Since that time there have been no changes to the local plan policies, however there have been quite recent changes to national guidance in PPS3 on housing and PPG13 on transport that are relevant to this case.

The changes to PPS3 have been referred to by Trowbridge Town Council and some of the public in their objection and may be summarised as changing the definition of brown field land so as to exclude gardens from this definition and remove the minimum housing density requirements in favour of ensuring development is in keeping with its surroundings. The changes to PPG13 are that new residential housing schemes no longer have set maximum parking standards and allow Council's to set their own minimum parking standards. At this time no formally adopted details of minimum parking standards have been set.

In addition to these policy changes there are some known changes to the physical circumstances on the site that have come to officer's attention, namely the erection of a large 2 storey rear extension to, and a detached garden summerhouse at 43 Crawley Road.

The application site is within the town policy limits and therefore the principle of further housing development is acceptable subject to set criteria set out in Policy H1, and this makes reference to other relevant policy and therefore C31a and C38 need to be considered. This is the same situation as when the now expired planning permission in 2006 was granted and deemed to accord with the policy requirements of H1, C31a and C38.

It is noted that Policy H1 states that "priority will be given to proposals for the reuse of previously developed land"; this does not exclude the more efficient use of land within the town policy limits that meets the set criteria A-G. It was assessed in 2006 that the proposals met these policy requirements and therefore it is not considered reasonable to reach a different conclusion now unless there has been a demonstrable change in the physical circumstances on the site. After careful consideration it is not considered that the known changes, including the erection of a summer house and substantial 2 storey rear extensions at 43 Crawley Road, would mean that the Council would have reached a different decision when considering this matter in 2006.

The proposal has attracted no objection from the Council's highway officer. It is noted that the maximum parking standards have been removed and that 43 Crawley Road is now a large dwelling. However given the location of the development within a town relatively well served by public transport and facilities that are accessible by foot and bicycle then 2 spaces per dwelling is reasonable. The concerns of local residents and the photographic evidence produced showing that there is on street parking in the vicinity do not outweigh this consideration.

It is noted that the highway officer has suggested very slightly different conditions to those imposed on the 2006 permission. In the interests of consistency the same conditions previously imposed should be re-applied, however since this is not an extension of time, and the permission has expired some reasonable level of flexibility can be applied and the conditions are varied to reflect this. They have also suggested an informative, and this carries no weight and is merely instructive so its addition to the decision notice is considered helpful.

In terms of the density, design and layout of the proposals, it has to be acknowledged that the density of the scheme is slightly greater than is characteristic of the area. However, despite removing minimum densities in PPS3 the need for making efficient use of land remains. The design and layout of the scheme and the impact on neighbours has not changed since 2006 and if it was deemed acceptable then, then it must also be concluded to be acceptable now.

The application has been subject to consultation with Wessex Water and they have raised no objection to the proposals.

Material samples for the roof and wall have been submitted as part of the application and they are considered to be characteristic of the locality and acceptable. Therefore there is no need to restate the condition in regards to materials. Furthermore details of the hard surfaces and boundary treatments have been stipulated; however it is unclear if this is intended to be a comprehensive landscaping scheme. As such the landscaping condition is restated.

In summary the proposals are identical to those approved in 2006. It is accepted that there have been some changes to planning policy and the physical conditions on the site in the interim. However none of these are considered to be sufficient to reasonably justify refusing the application now. The Council needs to be consistent in its decision making, in order to be reasonable. In this case the current material circumstances are not so different so as to conclude that the application would now be demonstrably harmful to any acknowledged planning interests, over and above the situation as it was in 2006. On this basis planning permission is recommended subject to conditions.

**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.

- 2     No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. This shall include indications of all existing trees and hedgerows on the land, and details of any to be retained.

REASON: To provide a satisfactory landscape setting for the development.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C32.

- 3     The proposals for the landscaping of the site, as shown on the approved plans (including provision for landscape planting, the retention and protection of existing trees and other site features, walls, fencing and other means of enclosure and any changes in levels) shall be carried out as follows:

- \* The approved scheme shall be fully implemented with new planting carried out in the planting season October to March inclusive following occupation of the building(s) or the completion of the development whichever is the sooner, or in accordance with a timetable to be agreed in writing with the Local Planning Authority;
- \* All planting shall be carried out in accordance with British Standards, including regard for plant storage and ground conditions at the time of planting;
- \* The scheme shall be properly maintained for a period of 5 years and any plants (including those retained as part of the scheme) which die, are removed or become damaged or diseased within this period shall be replaced in the next planting season with others of a similar size and the same species, unless the Local Planning Authority gives written consent to any variation; and
- \* The whole scheme shall be subsequently retained.

REASON: In the interests of visual amenity, to ensure that the approved landscaping scheme is carried out at the proper times and to ensure the establishment and maintenance of all trees and plants.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C32.

- 4     Before the development is first used, provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway.

REASON: In the interests of highway safety.

- 5 Before the development is occupied, properly consolidated and surfaced driveway and parking spaces (not loose stone or gravel) shall be constructed to the satisfaction of the Local Planning Authority and shall be maintained as such thereafter.

REASON: In the interests of highway safety.

- 6 The area allocated for parking on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

REASON: In the interests of highway safety.

- 7 The ground floor window on the northern elevation of the dwelling hereby permitted, located adjacent to the footpath, must be such that it does not open outwards.

REASON: In the interests of highway safety.

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

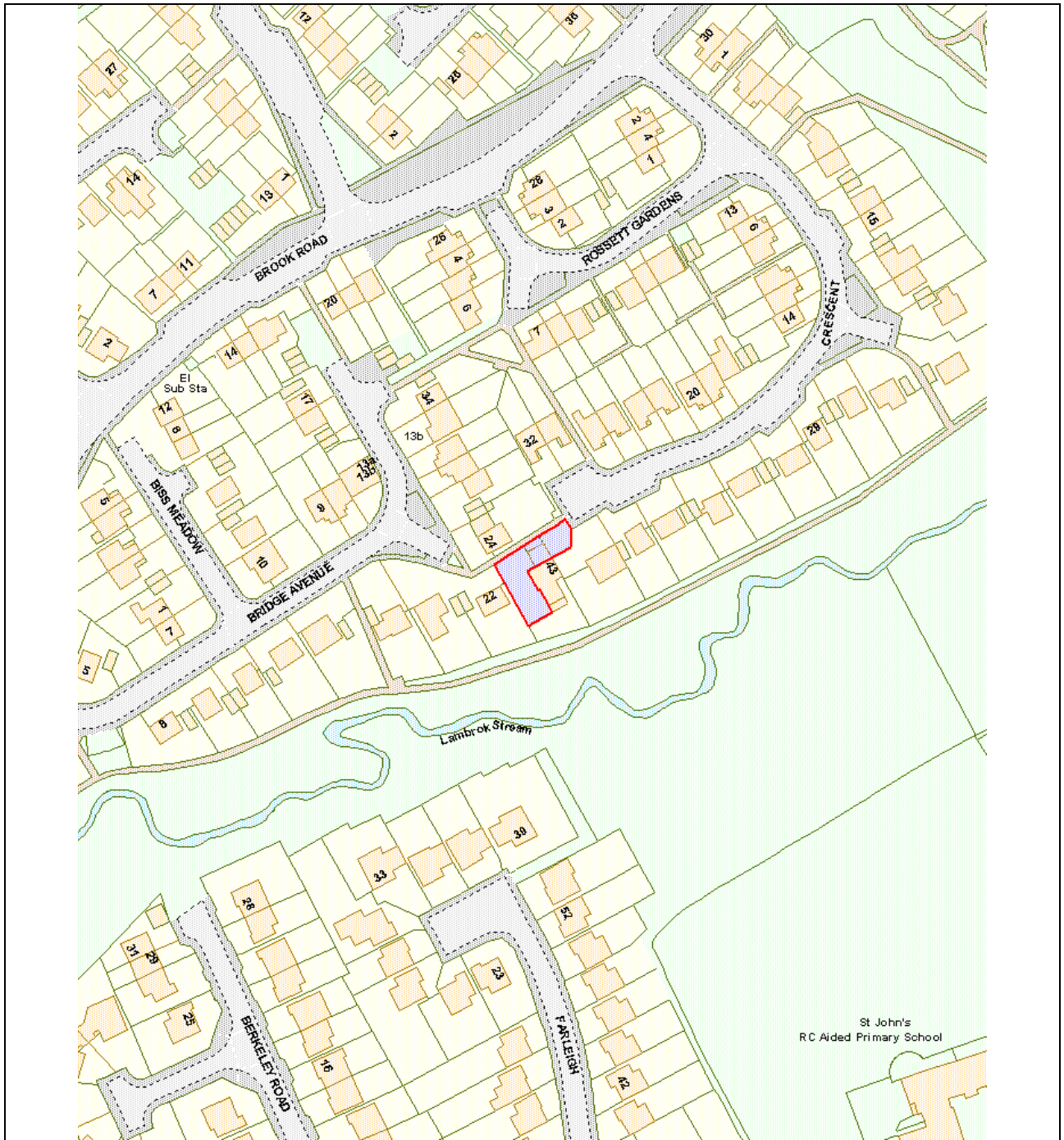
- Drawing: location plan dated 27 January 2011
- Drawing: site plan dated 27 January 2011
- Drawing: Existing site plan 34/01C dated 27 January 2011
- Drawing: Existing elevations 34/02C dated 27 January 2011
- Drawing: New site plan 34/03B dated 27 January 2011
- Drawing: New elevations 34/04A dated 27 January 2011
- Drawing: 43A Floorplans 34/05 dated 27 January 2011
- Design statement dated 27 January 2011

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

**Informative(s):**

- 1 The construction works will result in activities being carried out on or immediately adjacent to a public footpath. As such, the applicant will need to consult the Area Highways Manager at Melksham (Tel. 01225 702649) before the development commences to discuss the works affecting the public footpath.

<b>Appendices:</b>	
<b>Background Documents Used in the Preparation of this Report:</b>	



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