

REPORT TO THE WESTERN AREA PLANNING COMMITTEE

Date of Meeting	13.04.2011		
Application Number	W/11/00283/FUL		
Site Address	Garages At Chalfield Crescent Melksham Wiltshire		
Proposal	Demolition of existing garages and construction of 2 no- 1 bedroom apartments plus 2 parking spaces and 5 off site parking spaces		
Applicant	Selwood Housing Society Ltd		
Town/Parish Council	Melksham (Town)		
Electoral Division	Melksham Central	Unitary Member:	Stephen Petty
Grid Ref	391062 164258		
Type of application	Full Plan		
Case Officer	Mr James Taylor	01225 770344 Ext 5169 james.taylor@wiltshire.gov.uk	

Reason for the application being considered by Committee

Councillor Stephen Petty has requested that this item be determined by Committee due to:

- * Relationship to adjoining properties
- * Environmental/highway impact
- * Car parking
- * Other: Due to local public interest and at the request of Melksham Town Council.

1. Purpose of Report

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

Neighbourhood Responses

3 letters of objection from 2 parties received.

Melksham Town Council Response

Objects.

2. Report Summary

The main issues to consider are:

- * Extant planning history
- * Character of the area
- * Design
- * Neighbouring amenity
- * Highway safety
- * Loss of / displacement of parking
- * Impact on rights of way

3. Site Description

The application site is in two parcels. Firstly it comprises a block of 5 flat roofed lockup garages and surrounding land located on the north side of Chalfield Crescent which is residential garden space.

Secondly it includes an area of open land adjacent to the footpath some 33m to the west of the first site. This is public open space.

The site is located in a residential area characterised by two storey dwellings with red brick elevations under concrete tiled roofs.

4. Relevant Planning History

W/10/03343/FUL - Demolition of existing garages and erection of 2 two bedroom apartments –
Withdrawn on 07.12.2010

W/09/02712/FUL - Two storey side extension and single storey rear extension @ 8 Chalfield Crescent
– Permission on 16.10.2009

08/00217/OUT - Demolition of existing garages and construction of 2no. 2 bedroom apartments –
Permission on 30.10.2008

07/03604/OUT - Demolition of existing garages and construction of two 2 bedroom apartments –
Withdrawn

5. Proposal

This is a full planning application for the erection of a 2-storey building to facilitate 2x one-bedroom apartments, one on the ground floor and one on the second floor. The development would be sited on land used for local residents garaging and part of the adjoining property's garden.

The building would be approximately 8 metres in length and 7.6 metres in width. The site is uneven but the height above ground would be approximately 8.1 metres at ridge level. In addition the proposal includes a single storey lean-to on the side elevation.

The proposal details parking for 2 cars within the site, an enclosed rear amenity area of approximately 70 sq.m. and an open frontage. The proposal includes a bin storage area, 2x garden sheds and solar PV panels to the roof of the south elevation.

In addition the proposal includes the provision of hard standing on land to the west for up to 5 vehicles to compensate for the lost parking provision with the demolition of the garage block. Further the proposal details the creation of off-road tandem parking for 10 Chalfield Crescent which is immediately to the west of the site and currently has no off-road parking provision.

6. Planning Policy

Wiltshire and Swindon Structure Plan 2016
DP1 Priorities for Sustainable Development
DP2 Infrastructure
DP3 Development Strategy
DP4 Housing and Employment Proposals
DP7 Housing in Towns and Main Settlements
DP8 Affordable Housing
DP9 Reuse of Land and Buildings
T5 Cycling and Walking

T8 Transport Provision for New Developments
C10 Green Space at Settlements
RLT1 Recreation, Sport and Leisure

West Wiltshire District Plan 1st Alteration (2004).

C31a Design
C32 Landscaping
C38 Nuisance
H1 Further Housing Development Within Towns
H2 Affordable Housing Within Towns and Villages
H24 New Housing Design
T10 Car Parking
T12 Footpaths and Bridleways

Supplementary Planning Guidance on Affordable Housing
Residential Design Guide
Leisure and Recreation DPD

National guidance
PPS 1: Delivering Sustainable Development.
PPS 3: Housing
PPG 13: Transport.
PPG17: Planning for open space, sport and recreation

Circular 05/05: Planning Obligations.
Circular 06/98: Planning and Affordable Housing.
Circular 11/95: Use of Conditions in Planning Permissions.

7. Consultations

Melksham Town Council

Objection: "The town Council's previous objections still stand i.e. loss of amenity green space and garaging with the consequence there could be conflict between residents parking their cars near the smaller green area and children using this facility. Policies R2 and C31a apply. The problem of on street parking being exacerbated by this proposal, making the narrow access road to Chalfield Crescent even less accessible for larger vehicles Policy T10. Sewerage – the system is not coping with current usage, this new development will exacerbate the problem. Policy U1a applies."

Highways

No objection subject to condition:

"The proposal is to demolish a row of five lock-up garages, provide five general-purpose parking spaces on Chalfield Crescent as replacements and erect 2 one bedroom apartments along with two associated car parking spaces. Two parking spaces are also proposed in tandem form with a new access for the adjacent property at 10 Chalfield Crescent. The additional traffic movements associated with the proposed dwellings would not be considered to have a material impact on the surrounding highway network. Accordingly, I wish to raise no highway objection."

Sport England

No comment.

Wessex Water

No objection.

Environment Agency

Wish to make no comment.

Drainage Engineer

No comments received on this scheme. However previously commented on similar withdrawn scheme in December 2010 as follows: "The developer will be required to work out a solution for

disposal of surface water on site at this location. It is most likely that soakaways will be their only option here. Tests will be required to check suitability of ground conditions. The same will apply for the provision of parking spaces. Surface water from these parking spaces should not be allowed to pass onto the highway.”

Leisure Manager

No comment received.

8. Publicity

The application was advertised by site notice, press notice and neighbour notification.

Expiry date: 11 March 2011

3 items of correspondence from 2 parties received. Summary of points raised:

- * Illegal on-street parking problems will be exacerbated (photos as evidence provided)
- * Highway safety as a narrow road and on-street parking will be restrictive
- * Loss of open space and play facility, leading to potential damage to cars, conflict and strain on police resources and litigation against the Council.
- * Sewerage system cannot cope with existing use and problems will be exacerbated.
- * Has a survey been done of the potential health hazard and what checks have been implemented to prevent overload.
- * Only one property in Chalfield Crescent in association owned.

It is noted that 5 parties objected to a similar withdrawn scheme at the end of 2010 raising similar points.

9. Planning Considerations

9.1 The site is located within the town policy limits of Melksham and has extant outline planning permission (ref: 08/00217/OUT) for the erection of 2x two-bedroom flats, with approved details of access and siting. Since the granting of outline consent there has been material changes to policy in that garden space is no longer defined as previously developed land. Part of this site is garden land and therefore the presumption that the site may be suitable for further housing development is diminished and more careful attention should be had to the impact on the character of the area. However this is a detailed issue and it is considered that in principle development of this site, subject to impact on the local environment, remains acceptable and a sustainable option. Indeed this is a proposal which would result in the creation of more needed affordable housing, this is a major positive.

9.2 It is the detail of the development that has been of significant concern on this site hence the withdrawn full planning application in December 2010. This revised application has attempted to address the concerns and has been subject to negotiation and discussion between the agents and the Council's officers. The scale of the development has been reduced to be more in keeping with the indicative details submitted with the extant outline planning permission, albeit when detailed up this means only 1 bedroom units can be accommodated within the site.

9.3 Further the detailed design has been amended and the siting subtly revised to facilitate a reasonable separation at the rear of the site and reflect the established building line of the street scene. The porch has been moved to the side elevation in order to create a design that is both legible and addresses the street scene.

9.4 Whilst this proposal would result in a more dense form of development in the area generally it is of an acceptable detailed design which is sympathetic to the area and generally accords with the indicative details of the extant outline approval. Furthermore in terms of its impact on amenity it has been detailed so that it would not have a greater impact than could have been anticipated when approving outline planning permission in 2008 and the detailed floorplans have been designed so as

to avoid overlooking at the rear from habitable rooms. One window of the proposal, at the rear first floor level, serves a bathroom and the other serves a kitchen within the open plan reception space.

9.5 Now that the scheme has been detailed in full it has been realised that only one-bedroom apartments can be accommodated. Given that this is a town location and that the flats would be small it is considered acceptable to provide one space per unit. This has the benefit of allowing a better quality development within the street scene to be created with landscaping to the frontage. It is noted that the site remains adaptable enough though to provide at least one further space if necessary in the future.

9.6 Further the proposals, albeit in a small way, would help alleviate on-street parking problems by providing 2 car parking spaces for 10 Chalfield Crescent which currently has no on-site parking provision. The parking provision lost with the demolition of the existing garages would be compensated for by the creation of 5 parking spaces on a small area of open space. It is noted that the highway officer has concluded that they have no objection subject to conditions, which are recommended by your officers albeit slightly amended.

9.7 There are no other planning considerations that are of significant concern. The loss of the small amount of recreation space is regrettable however in light of the planning history and the adopted DPD on Leisure and Recreation it is not considered to amount to grounds for refusal. The concern raised by local residents and Melksham Town Council is noted, however the open space lost is relatively small and has limited use. Furthermore the creation of parking adjacent to the larger green space is not considered to present a demonstrable risk to users of the green space and any concern can be in part addressed by conditions.

9.8 The other concerns raised in the public consultation have been noted and given due consideration, however it is not considered that they raise any reasonable grounds to refuse the application. Wessex Water has raised no objection to the proposals so it is very hard to substantiate grounds for refusal on the basis of inadequate sewerage infrastructure. The alleged potential for anti-social behaviour and damage to cars parking next to the open space is beyond the planning system to reasonably control as is illegal parking. Therefore for the reasons detailed above it is concluded that the proposals would not result in any demonstrable harm to planning interests and in light of the planning history, then a full planning permission may be granted.

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 The development hereby permitted shall be carried out in accordance with the following approved plans:
Drawing : 3051/010 A received on 11.02.2011

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

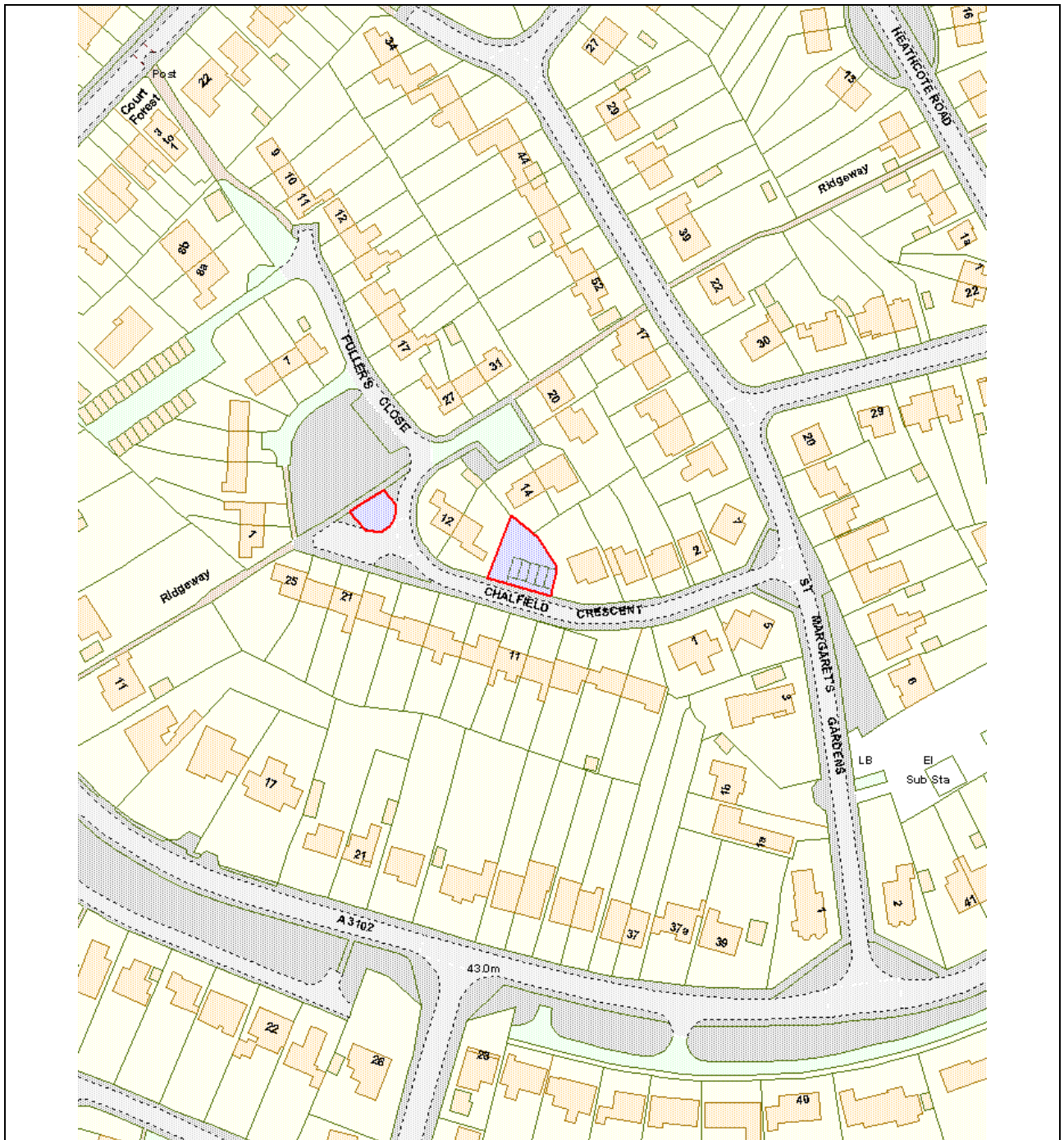
- 3 The development hereby permitted shall not be commenced until surface water drainage works have been carried out and completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
- REASON: To ensure that the development can be adequately drained and surface water does not go onto the public highway.
- POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy U2.
- 4 The parking areas for the apartments indicated on the approved plans together with the means of access thereto shall be consolidated and surfaced (not loose stone or gravel) and marked out in accordance with the approved plans before the premises are occupied and shall be maintained as such thereafter.
- REASON: To ensure that an adequate area for parking and/or servicing is available in the interests of highway safety.
- POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy T10.
- 5 The 5 parking spaces for general use indicated on the approved plans together with the means of access thereto shall be consolidated and surfaced (not loose stone or gravel) and marked out in accordance with the approved plans before the demolition of the existing garage block and shall be maintained as such thereafter.
- REASON: To ensure that an adequate area for parking and/or servicing is available in the interests of highway safety.
- POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy T10.
- 6 The parking area for 10 Chalfield Crescent indicated on the approved plans together with the means of access thereto shall be consolidated and surfaced (not loose stone or gravel) and marked out in accordance with the approved plans before the premises are occupied and shall be maintained as such thereafter.
- REASON: To ensure that an adequate area for parking and/or servicing is available in the interests of highway safety.
- POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy T10.
- 7 Before the demolition of the existing garage block and the 5 parking spaces for general use are first brought into use a suitable barrier shall have been provided between the spaces and the adjacent footpath to the north east. Details of which shall be submitted to and approved in writing by the local planning authority prior to its installation.
- REASON: In the interests of highway safety.
- POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy T10.
- 8 The development hereby permitted shall not be occupied until splays have been provided on both sides of each access to the rear of the existing footway based on co-ordinates of 2m x 2m. The splays shall be kept free of obstruction above a height of 0.6 metres at all times.
- REASON: In the interests of highway safety.
- POLICY: West Wiltshire District Plan 1st Alteration (2004) Policy T10.

Informative(s):

- 1 The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license may 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.

Appendices:	
Background Documents Used in the Preparation of this Report:	



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