

## REPORT TO THE WESTERN AREA PLANNING COMMITTEE

<b>Date of Meeting</b>	<b>28.09.2011</b>		
<b>Application Number</b>	<b>W/11/02014/FUL</b>		
<b>Site Address</b>	<b>6 Summerdown Walk Trowbridge Wiltshire BA14 0LJ</b>		
<b>Proposal</b>	<b>Application to replace extant permission (reference W/07/03825/FUL - allowed on appeal) for the conversion of existing house to form two 1-bed flats and new build creating a further two 1-bed flats</b>		
<b>Applicant</b>	<b>Mr M Ledbury</b>		
<b>Town/Parish Council</b>	<b>Trowbridge</b>		
<b>Electoral Division</b>	<b>Trowbridge Grove</b>	<b>Unitary Member:</b>	<b>Jeff Osborn</b>
<b>Grid Ref</b>	<b>385190 156073</b>		
<b>Type of application</b>	<b>Full Plan</b>		
<b>Case Officer</b>	<b>Mr Philip Baker</b>	01225 770344 Ext 15286 philip.baker@wiltshire.gov.uk	

### Reason for the application being considered by Committee

With officer minded to accept this application, Councillor 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 or Highway Impact
- \* Car parking

Other

The conversion and extension of this house into flats is totally out of keeping from the neighbourhood. It will severely impact on neighbouring properties and affect local amenities.

### 1. Purpose of Report

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

Neighbourhood Responses

7 letters of representation were received.

Town Council Response

There is an objection – Received 9/8/2011

The development will be out of keeping with the character of the area and exacerbate parking problems.

## **2. Report Summary**

The sole issue is whether there has been any material change in circumstances which would indicate a need to re-visit the decision in respect of application 07/03825/FUL.

That permission was for conversion of existing house into two one bedroom flats and new build creating a further two one bedroom flats. Although recommended for permission, it was subsequently refused by the Council for the following reasons

1 The proposal by reason of its design and in particular its relationship with neighbouring properties would have a detrimental impact on residential amenity contrary to Policy C38 of the West Wiltshire District Plan First Alteration 2004.

2 The proposed conversion of the existing dwelling would give rise to an unreasonable and over intensive sub-division of an inadequately sized property which is compounded by the inadequate provision of car parking and is therefore contrary to Policy H16 of the West Wiltshire District Plan First Alteration 2004.

However, it was granted on appeal (Attached at the end of the report) in August 2008 subject to a number of conditions.

## **3. Site Description**

The application site forms a roughly rectangular site in 6, Summerdown Walk which is located within town policy limits.

To the north-west of the site, there is vehicular access to the rear of the property from Summerdown Walk. There is a free-standing concrete garage within the curtilage which is accessed from the highway.

The north-east of the site represents the boundary between no. 5 and no 6 Summerdown Walk.

The south-east boundary of the site faces a pedestrian pathway, which runs through the estate.

The south-west boundary of the site runs alongside a pedestrian pathway which leads through to Langley.

## **4. Relevant Planning History**

07/03017/FUL – Withdrawn – 19/10/2007 – Conversion of existing house to two flats and new build creating two further flats

07/03825/FUL – Refusal – 4/2/2008 – Conversion of existing house into two onedroom flats and new build creating a further two one bedroom flats

08/00037/Appeal – Allowed – 6/8/2008 – Conversion of existing house into two one bedroom flats and new build creating a further two one bedroom flats

## **5. Proposal**

The proposal is to convert the a semi detached house into two one bedroom flats and new build creating a further two one bedroom flats

This proposal had previously been permitted under 07/03825/FUL by the Planning Inspector on appeal dated 6th August 2008.

## 6. Planning Policy

Government Guidance

PPS3 - Housing

West Wiltshire District Plan - 1st Alteration

C31a

- Design

C32 - Landscaping

C38 - Nuisance

H1 - Further Housing Development within Towns

H16 - Flat conversions

U1a - Foul Water Disposal

U2 - Surface Water Disposal

Supplementary Planning Guidance

Residential Design Guide (adopted November 2005)

## 7. Consultations

### Melksham Town Council

Objection received 9/8/2011

The Town Council objected to this application on the following grounds:

- The development will be out of keeping with the character of the area and exacerbate parking problems.

### Highways Authority

Comments received 28/7/2011

Sufficient parking provision has been provided for the conversion of this 3 bedroom into 4 on bed flats. Whilst, the existing access will become a shared access, it's width has not been increased to accommodate this intensification. Despite this, the access is served directly off a residential cul de sac and as my colleague previously raised no Highway objection, I adhere to this position and I recommend that no Highway objection is raised.

### Wessex Water

No objection - Comments received 21/7/2011

The development is located within a sewerage area, with foul and surface water sewers.

The developer has not indicated how he proposes to dispose of surface water.

## 8. Publicity

The application was advertised by site notices / press notice / neighbour notification.

Expiry date: 12th August 2011

Summary of points raised:

7 letters of representation was received raising the following points:

- Out of keeping with the surrounding area – It is made up with predominately semi-detached dwellings and two small terraces
- Would overload the existing drainage system
- Further congestion on the roads from additional dwelling that are created
- Access is very narrow to a corner plot
- Hedges have been removed and replaced with a fence
- Loss of a family home for the area
- Increased parking space in garden is out of character with the area
- Loss of garden area which reduces surface water runoff.

## **9. Planning Considerations**

This application is for an extension of time for the implementation of permission 07/03825/FUL which was for the conversion of an existing house into two one bedroom flats and a new build creating a further two one bedroom flats.

The assessment of whether there has been a material change in circumstances since that decision was made incorporates two separate elements (a) the Development Plan and (b) the physical circumstances of the application site and/or its surroundings.

### **(a) The Development Plan**

The original application was considered within the framework of the West Wiltshire District Plan 1st Alteration 2004.

The District Plan remains as the adopted local plan and since all of the subsequent policies and guidance are substantially the same in terms of objectives, this would not require the decision to be revisited in terms of the development plan.

### **(b) Site and surroundings**

There has been no material change in either the site or surroundings of the application site.

### **Conclusion**

There has been no material change in either the development plan or the site and its surroundings, and no other consideration which would require the Council to revisit the appeal decision 07/03825/FUL. A further renewal of permission is therefore recommended.

**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 details of the materials to be used in the construction of the external surfaces of the building hereby permitted 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: To ensure that the development harmonises with its setting.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C31A.

- 3 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. These details shall include details of those trees and hedges to be retained and the means for protecting them during construction; means of enclosure and the surfacing materials to be used in construction of the approved access, parking spaces, turning area, pedestrian circulation areas and patio. The works shall be carried out as approved and completed prior to first occupation of any of the flats hereby permitted or in accordance with a timetable to be agreed in writing by the local planning authority.

REASON: To provide a satisfactory landscaped setting for the development

POLICY: West Wiltshire District Plan – 1st alteration 2004 – Policy C32

- 4 The approved parking spaces and turning area shall be kept free from obstruction and retained for their intended purpose thereafter.

REASON: To ensure that an adequate area for parking and/or servicing is available in the interests of highway safety.

- 5 None of the flats shall be occupied until works for the disposal of sewerage and surface water on site have been provided in accordance with details to be submitted and approved in writing by the local planning authority.

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

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy U1A.

- 6 Demolition or construction works and deliveries to and from the site shall not take place outside 0800 hours to 1730hours Monday to Fridays and 0800 hours to 1400 hours on Saturday and shall not take place at any time on Sundays or public holidays.

REASON: To minimise the disturbance to neighbouring amenities.

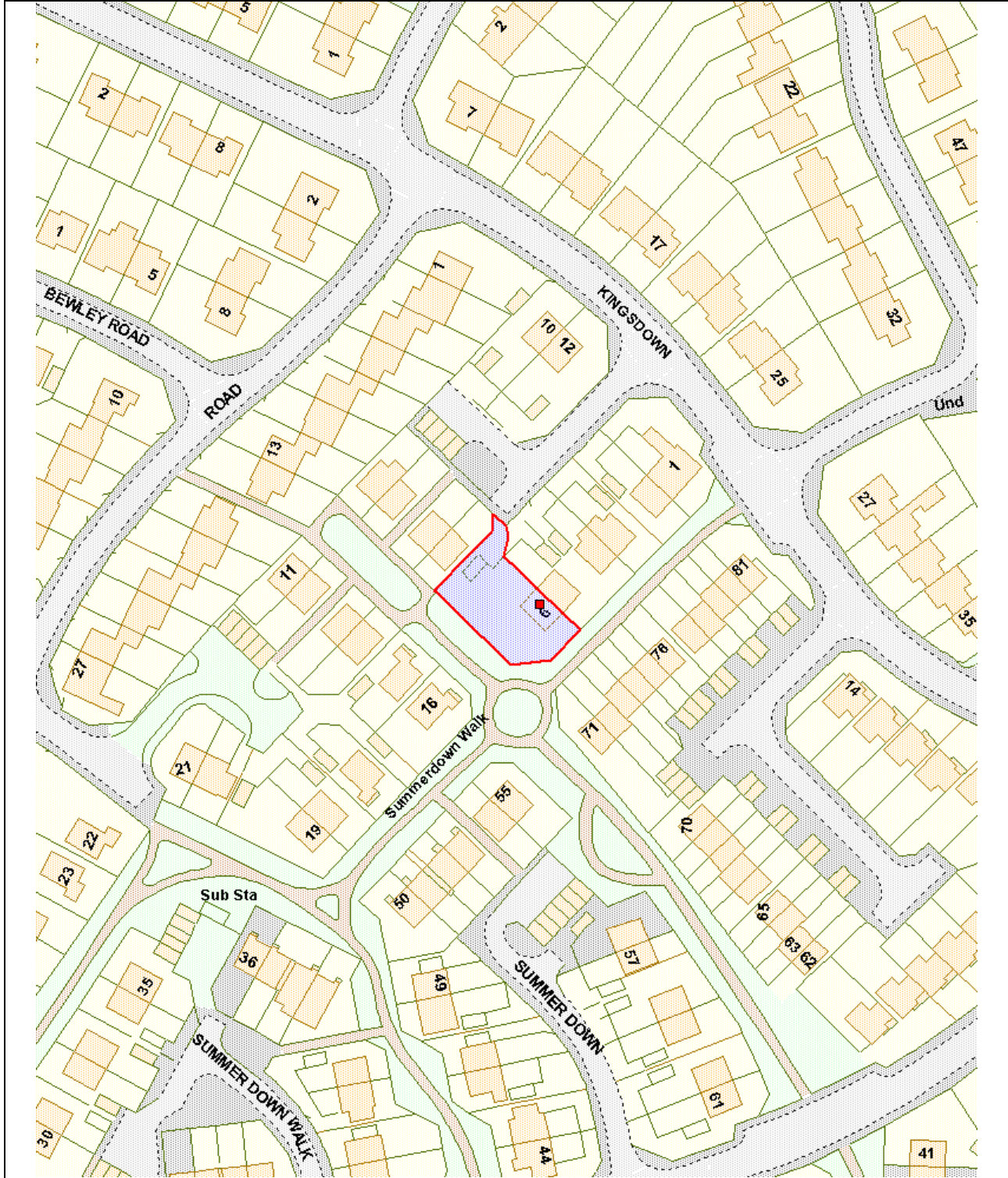
West Wiltshire District Plan 1st Alteration 2004 – Policy C38

- 7 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:

Plan 653-03 received on 11/7/2011

Reason: To ensure that the development is carried out in accordance with the approved plans that have been judged to be acceptable by the local planning authority

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



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