

REPORT TO THE WESTERN AREA PLANNING COMMITTEE

Date of Meeting	15.02.2012		
Application Number	W/11/02267/REM		
Site Address	Land Adjoining 14 Woodrow Road Melksham Wiltshire		
Proposal	Demolition of existing double garage and erection of two bedroom		
Applicant	Mr Francis Dolman		
Town/Parish Council	Melksham (Town)		
Electoral Division	Melksham North	Unitary Member:	Rod Eaton
Grid Ref	391301 164882		
Type of application	Reserved Matters		
Case Officer	Mr Philip Baker	01225 770344 Ext 01225 770286 philip.baker@wiltshire.gov.uk	

Reason for the application being considered by Committee

With officers minded to accept this application, Councillor Eaton has requested that this item be determined by Committee due to:

- * Scale of development
- * Visual impact upon the surrounding area
- * Relationship to adjoining properties
- * Environmental or Highway Impact
- * Car parking
- * The application appears to have windows in the roof which overlook 33 and to a lesser extent, 34 Woodcombe whilst the Inspector's report is clear that no habitable rooms at first floor level should overlook these neighbouring properties

1. Purpose of Report

To consider the above application and to recommend that the reserved matters be approved

Neighbourhood Responses - 12 letters of representation were received.

Parish Council Response - Objects to the proposal - detailed reasons set out below.

2. Report Summary

The principle of the development has already been agreed by the approval of outline planning permission. The remaining main issues to consider are the details, namely appearance; layout; scale; access; landscaping.

3. Site Description

The application site forms part of the existing curtilage of no. 14 Woodrow Road Melksham which is located within the town policy limits. There is an existing detached garage within the site that will be demolished and an existing side lean to currently attached to no. 14 Woodrow Road.

To the north of the site lies no 16A Woodrow Road, a detached reconstructed stone 2 storey property that was built within the past 10 years under permission 02/00823/FUL. To the east side of the site are the rear gardens of Woodcombe, a 1980s infill estate, which are situated at a raised topographic level.

To the south of site is the adjoining semi-detached property no. 12 Woodrow Road, whilst to the west the site fronts Woodrow Road and takes access from it.

4. Relevant Planning History

09/03287/OUT – Permission – 28/1/2010 – Demolition of existing double garage and erection of two bedroom dwelling plus associated parking

Appeal APP/Y3940/A/10/2125993/WF - Allowed– 22/9/2010 – To remove condition 5 restricting the dwelling to a single storey with no windows in the roofspace. To allow the erection of a 2 bedroom dwelling plus associated parking.

5. Proposal

The plans have been revised since their initial submission. The current proposal is for a dwelling measuring 6 metres in depth and 7 metres wide, with a small projecting porch at the front. This is within the size parameters approved at outline stage. The dwelling consists of two bedrooms, lit by dormer windows to the front. There are no windows above ground floor level in the rear elevation facing the rear of houses in 'Woodcombe. The ridge level of the house is just under 6 metres, again in accordance with the details approved at outline stage. Two parking spaces are provided to the north side of the dwelling, whilst a further two spaces are provided within the remaining curtilage of the original house.

6. Planning Policy

West Wiltshire District Plan - 1st Alteration

C31a - Design; C38 - Nuisance

7. Consultations

Melksham Town Council

Object to the revised plans for the following reasons:

- The size of the property is too big for the site.
- Lack of amenity space
- Overlooking of nearby properties in Woolcombe and converted post office opposite the site in Woodrow Road. Even though the window to the rear in the roof has been removed, it is understood in the Planning Inspectorate's report that no windows should be located to the rear of the property.
- Parking of 2 metres on the site is not wide enough and therefore inadequate
- Soakways are not adequate. There is currently an issue with over saturation of neighbouring gardens due to insufficient soakaways.
- No reference is made in the current plans to provide adequate parking on the site of No.14. The concern is that in order to develop the plot adjacent to No.14, that no additional parking congestion is added to Woodrow Road. The Planning Inspector highlighted the need to have adequate parking on the remaining plot of No.14. we would therefore expect to see plans coming forward for No.14 which will need to be agreed and built prior to the building of the new build
- Whether there is sufficient distance between this and neighbouring properties, specifically No.33 Woodcombe, as planning guidelines state the distance between habitable rooms of neighbouring properties should be between 18-21 metres. The distance between these properties is 12 metres, against planning guidelines
- The development has already started by the removal of the double garage.

Highways Authority

No objection - the proposal is to demolish a double garage located north of 14 Woodrow Road and erect a two-bedroom dwelling with two tandem parking spaces and a further two tandem parking spaces for the existing dwelling served from a new access. Subject to conditions to ensure that the parking is provided and adequate visibility across the site frontage, there are no objections.

Wessex Water

No objection.

Drainage Engineer

The revised rainage details (using a soakaway) are acceptable.

8. Publicity

The application was advertised by site notices / press notice / neighbour notification. Expiry date: 23rd September 2011

Summary of points raised:

6 letters of representation were received on the original plans raising the following points:

- Concerns that a 3 bedroom house has been submitted on the plans, when permission for a 2 bedroom house has been granted under 09/03287/OUT
- Parking spaces will only be 2 metres wide (this is incorrect)
- Off road parking would need to be provided (this is incorrect)
- Emergency vehicles may not be able to reach Woodcombe and the parked cars may create a visibility hazard.
- Inadequate space for a family
- Exiting and entering the site would be dangerous
- Not enough space to accommodate a house on the plot
- Building is an unacceptable loss of light and overlooking
- Concerns regarding rear facing windows that would directly face 34, Woodcombe Road

4 letters of representation was received raising the following points on the revised plans:

- Garden is too small
- Parking is insufficient to use – “they would have to exit the car through its sunroof”
- Woodrow Road is already a busy road and on street parking especially in the area of no. 14 and this will exacerbate the parking problems further.
- It is dangerous for us to exit our driveway onto Woodrow Road due to low visibility because of the number of vehicles parked on the road in this location and the high volume of traffic using the road to avoid the A350.
- Concerns regarding the disposal of surface water when the site is not large enough to accommodate a soakaway
- Concerns regarding recommended window to window distances of at least 21 metres
- Concerns regarding the applicant starting the development by removing the garage
- Concerns regarding why there are no drawings of the work required on the original building no.14 Woodrow Road which has to be demolished
- Concerns regarding the lack of amenity space that would be left
- Concerns regarding the driveway being existing hardstanding with the addition of 150 mm Aco drain channel to a soakaway.
- Concerns regarding the 1.8 metre high fencing to the sides and rear of the property
- Concerns that the garden area and patio is split and there will be no place for a garden shed
- Soakaway is inadequate to meet building regulations, using information providing a soakaway of 4.35 cubic metres is needed, but only one 10% of this size is provided
- The position of this soakaway does not meet the requirement of being 5 metres from building

- The parking spaces to the side of the building are 2.4 metres in width, but as these parking spaces are between walls or fixed fencing there is a requirement for it to be increased by 0.5 metres to 2.9 metres.
- Even though the proposed building has been reduced in depth from 7 metres to 6 metres the rear amenity space is still inadequate having an area of 45.7 sq metres where as the min requirement is 60 square metres. The depth of the rear garden to boundary is only 5 metres whereas the requirement for new build is 11 metres and for extensions to existing buildings the min is 7 metres.
- The design has still not addressed the problem of window to window distance which the planning officer stated was generally required to be 18 m to 21 m, the window to window distance to my house will be 12.45 metres.
- Looking at the first floor plans the line showing minimum head height of 1.8 metres has been left off, this appears to have been done on purpose as the doors from the landing to both bedrooms are now positioned within this reduced head height area. As the minimum ceiling height is 2.1 metres and 50% of a room must have this ceiling height both en-suite rooms do not comply, it is obvious that the en-suite wet room to bedroom 2 is so small as to be unstable.
- Concerns regarding the car parking provision
- Concerns regarding privacy

9. Planning Considerations

It is important to realise at the outset that the Council has granted planning permission for a dwelling on this site, and that the revised proposals have been designed around the principles established at that time and by the subsequent appeal decision that allowed a two storey dwelling on the site. Dealing with the reserved matters in turn:

Appearance

The proposal would be a chalet bungalow which would be of almost identical appearance to the existing at 16A, Woodrow Road. There are dormer windows in the front of the roof but no windows above ground floor level at the rear.

The materials used will be random natural stone with ashlar quoins. This will be a sympathetic material in a mixed street scene consisting of a range of materials of rubble stone, red brick, dark brown brick and reconstructed stone. The concrete double roman tiles will be similar to the adjacent dwelling no. 16A. The proposed driveway is to be brick pavers. This can be considered to be in accordance with policy C31a.

Layout

The Planning Inspector allowed a two storey dwelling on the site, as against the single storey approved by the Council. He suggested that the privacy of the properties to the rear could be protected by ensuring that there would be no overlooking from any habitable rooms at first floor level. The design achieves this. It is acceptable to have ground floor openings, and this was not prohibited by the Inspector. The design provides the two bedrooms approved at outline stage. The fact that it has a limited amount of rear garden amenity space was recognised by the Inspector and was not found to be unacceptable. Although reference has been made to a distance of 18-21 metres between the rear of dwellings as being a normally accepted standard, it has to be recognised that the purpose of this is to prevent unreasonable overlooking at first floor level, a factor that does not come into play here as there are no first floor windows in the rear of this house to overlook neighbouring properties.

Scale

The width of the dwelling house is 7 metres with a depth of 6 metres and this would be comparable to no.16a with a width of 6.5 metres and depth of 6 metres which was given permission in 2002. It is also in accordance with the details submitted at the time of the outline planning application. Woodrow Road is mixture of detached, semi-detached and terraced properties of a mixture of stone, brick and reconstructed stone and predominantly two storey dwellings. At a height of just under 6 metres the chalet bungalow would not be out of character in the street scene and would respect the surrounding architecture and be in accordance with policy C31a.

Access/Highways

In terms of access the existing property no. 14 had a parking and a garage to the north of the site. The proposal will create two tandem car parking spaces directly to the north of the dwelling house, partially in an area where a side lean to has previously been located.

The site of the new build is located on the site of the former garage and two tandem car parking spaces will be provided to the north of the site. Both houses will pull out of their respective car parking spaces onto Woodrow Road.

Whilst the Town Council and neighbours have raised concerns regarding the size of the two tandem car parking spaces for the dwelling and the potential of further highway congestion problems the Highways officer has no objection to this arrangement subject to conditions, and it is the arrangement envisaged when outline planning permission was granted.

Landscaping

In terms of landscaping there are gardens to the front and rear of the proposed dwelling house and the arboricultural officer has recommended a suitable condition to control the hard and soft landscaping.

Drainage and flooding

The site is located within flood zone 1 and concerns have been raised by neighbours regarding the disposal of surface water. The issue regarding the engineering of the soakaway is not a planning consideration and would be dealt with by Building Regulations. The Drainage Engineer is satisfied that the revised plan with a soakaway for the surface water drainage is acceptable.

Conclusion

The proposal is in line with the requirements of the outline planning permission and the Planning Inspector's report. Subject to the conditions set out below, approval of the reserved matters is 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 not be occupied until the first five metres of the two accesses, measured from the edge of the carriageway, have been consolidated and surfaced (not loose stone or gravel). The accesses shall be maintained as such thereafter.

REASON: In the interests of highway safety.

- 2 No part of the development hereby approved shall be occupied until the parking areas shown on the approved plans have been consolidated, surfaced and laid out in accordance with the approved details. This area 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.

3 No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

- a detailed landscape plan showing all plant species, supply and plant sizes and planting densities, and ground preparation;
- means of enclosure;
- car park layouts;
- other vehicle and pedestrian access and circulation areas;
- hard surfacing materials;
- proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

4 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features

5 Details of existing and proposed land levels across the site, illustrated by means of spot heights, contours and sections across the site, and demonstrating the relationship between the proposed development and the surrounding land shall be submitted to and approved in writing by the Local Planning Authority. Development shall then only be carried out in accordance with the approved details. There shall be no land raising unless approved under the terms of this condition.

REASON: In the interests of proper planning of the area.

6 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are occupied or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: To ensure the appearance of the development is satisfactory.

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

Location Plan received on 12/8/2011

Plan 11/02267/1 received on 12/8/2011

Plan 11/02267/2 received on 12/8/2011

Plan 11/02267/3 received on 23/1/2012

DWG 050811a-rev3 received on 16/1/2012

DWG 050811b-rev2 received on 28/9/2011

DWG 050811c-rev3 received on 16/1/2012

DWG 220911a-rev4 received on 16/1/2012

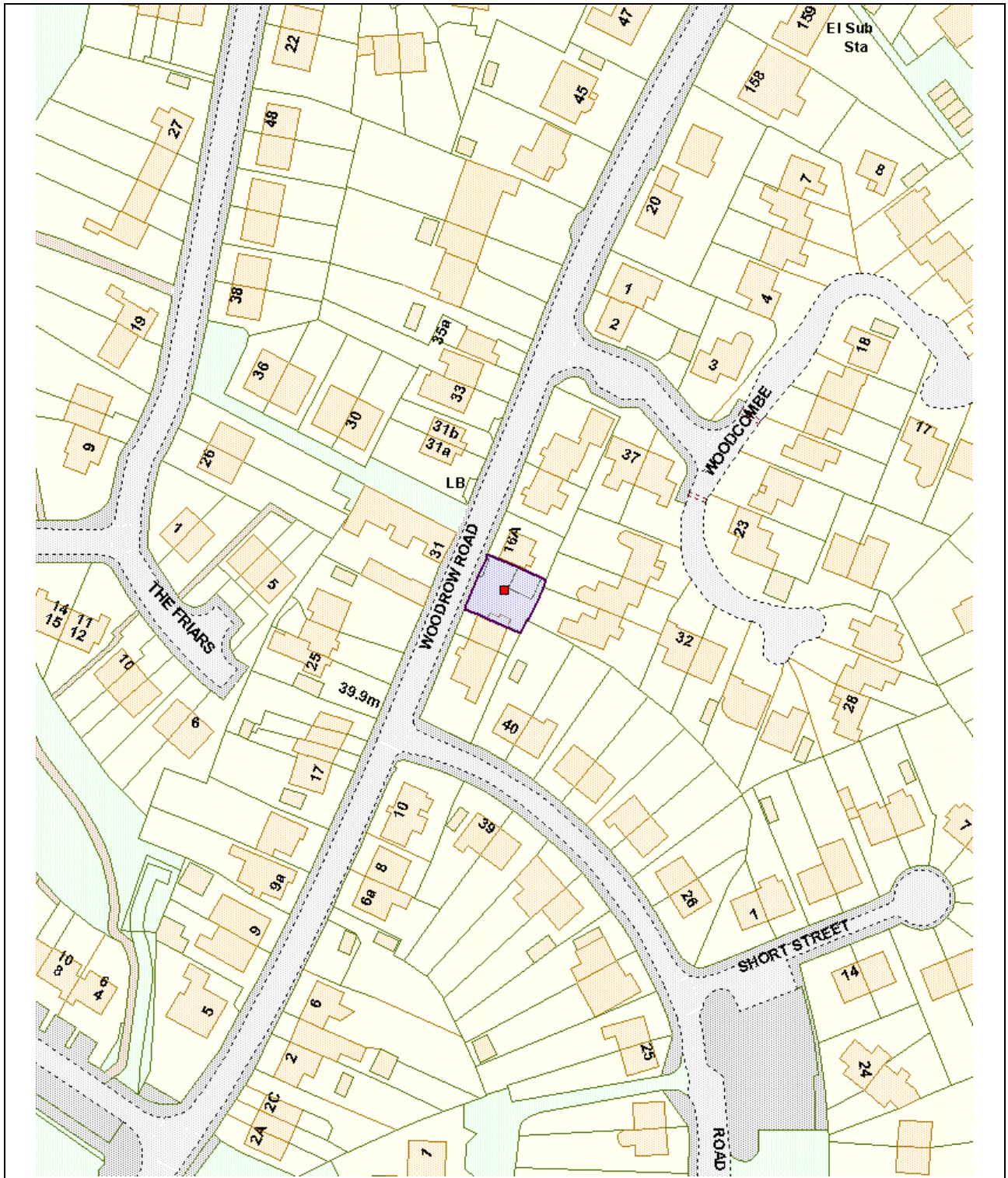
REASON: To ensure that the development is carried out in accordance with the approved plans that have been judged to be acceptable by the local planning authority

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.

New water supply and waste water connections will be required from Wessex Water to serve this proposed development. Applications forms and guidance information is available from the Developer Services web pages at our website www.wessexwater.co.uk/developerservices

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



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