

EASTERN AREA PLANNING COMMITTEE

Date of Meeting	15 th March 2012
Application Number	E/2011/1715/FUL
Site Address	Land to the rear of 21 to 42 Wood Park, Wood Park, Ludgershall, Wiltshire SP11 9NS
Proposal	Construction of 7 new dwellings, with associated gardens and sheds, and 22 car parking spaces.
Applicant	Sarsen Housing Association
Town/Parish Council	LUDGERSHALL
Grid Ref	427494 150788
Type of application	Full Planning
Case Officer	Karen Guest

Reason for the application being considered by Committee

This application is being brought to Committee at the request of the Division Member, Cllr Williams.

1. Purpose of Report

To consider the recommendation that planning permission is granted.

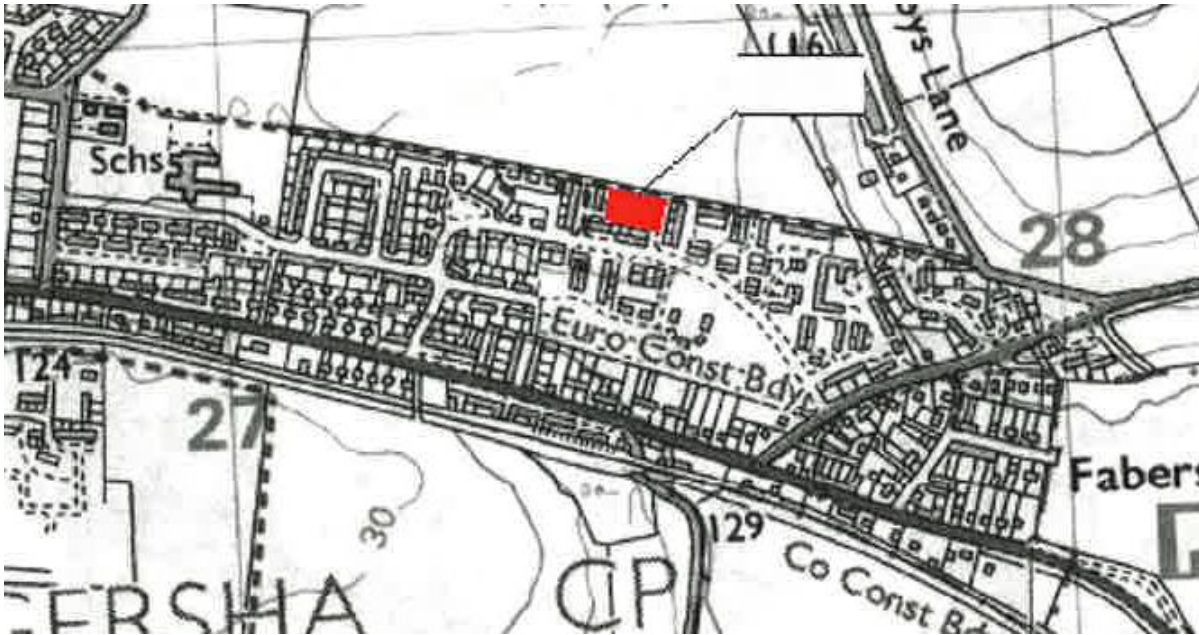
2. Report Summary

The main issues in this case are:

- a) Principle of development.
- b) Impact in highway and pedestrian safety.
- c) Impact on neighbour amenity.
- d) Impact on character and appearance of area.
- e) Impact on footpath.

3. Site Description

The application relates to an informal area of amenity space and communal parking within a cul-de-sac on the Linden Close residential estate on the outskirts of Ludgershall. When heading out of Ludgershall in the Andover direction on the A342, it is necessary to take the turning on the left into Biddesden Lane, which is signposted for Chute. The first turning on the left leads into the estate. The application site can be found by then taking the fourth turning on the right. The communal car parking area and amenity space can be seen straight ahead. Residential properties lie to the east, south and west and their rear gardens face towards the application site. Public footpath number 3 lies immediately to the north, beyond which lies open countryside.



Location Plan

4. Planning History

There is no relevant planning history.

5. The Proposal

The application proposes the construction of a terrace of 7 affordable houses fronting onto the public footpath, with gardens to the rear. A total of 22 car parking spaces are proposed in connection with the development.

The applicant has submitted a statement in respect of alternative open space provision. This confirms that Aster Homes is undertaking improvements and remodelling works to provide a safe dog-free area measuring approximately 20 metres by 75 metres to the south of properties fronting Linden Close and within 150 metres of the application site. The area would be surrounded by railings and dog-proof gates. The area would continue to be managed by Aster’s Asset Management Team who would undertake regular mowing through the growing season. It has been confirmed that it is not the intention to install play equipment within the fenced area as this would reduce the space available for playing ball games and may encourage anti-social behaviour.



Proposed Elevations



Proposed Site Layout

6. Planning Policy

Policies PD1, HC35 and TR17 of the Kennet Local Plan 2011 are relevant to the consideration of this application, as is Supplementary Planning Guidance contained in 'Community Benefits from Planning'. Government policy contained in PPS1: 'Delivering Sustainable Development' and PPS 3: 'Housing' is also a material consideration.

7. Consultations

Ludgershall Town Council – no objection, but makes the following observations:

- Additional street lighting is requested.
- Traffic calming should be introduced locally.
- The existing amenity area adjacent to Bell Street allotments should be enhanced.

WC Highways - no objection subject to planning conditions to cover the following:-

- The provision of the vehicle parking and turning areas as detailed on the submitted plans, with the areas so provided being thereafter maintained and kept available for the parking and turning of vehicles.
- The entire carriageway width and footways of Wood Park being planed and resurfaced in tarmacadam over the frontage of the site and to the side of the site (alongside Plot 1) in accordance with details to be first submitted to and approved by the local planning authority prior to first occupation.
- The street lighting of Wood Park being upgraded to current standards over the frontage of the site and to the side of the site (alongside plot 1) in accordance with details that have been first submitted to and approved by the local planning authority prior to first occupation.

WC Rights of Way Warden - has expressed concerns that Footpath 3 will be used for rear access and that garden gates will obstruct the path.

WC Amenity and Fleet – is seeking £20,839 towards improvements to the existing play facilities within the parish of Ludgershall.

8. Publicity

The application has been publicised by site notice and neighbour letters.

Six representations have been received from local residents, who raise the following key concerns:

- The proposed development would result in the loss of an important area of amenity space, which is well-used by children in the area for the playing of ball sports. It is the only play area on this side of the road and at this end of Ludgershall.
- A new play area is proposed but this could well be over-subscribed.
- The area where Sarsen Housing Association is suggesting that children play instead is across a dangerous road and has 'No Ball Games' signs up. The adjacent allotments may suffer as a result of children playing next to them.
- It is understood that there is a covenant on this piece of land stipulating that it should remain as a play area for children.
- The children's safety in reaching the play area must be taken into account.
- Children will be at risk of injury from construction vehicles.
- The increase in vehicle movements as a result of the proposed development would exacerbate existing traffic problems and make it difficult for large/emergency vehicles to get through.
- The analysis of the existing parking situation, as set out in the design and access statement, does not reflect the true picture. Parking is already a problem in the area and this will only get worse.
- The proposed dwellings would be oppressive for the occupiers of nearby properties.
- The infrastructure is not in place to support the proposed development.
- It is unclear where construction vehicles would park.
- Dust and debris from the works will pollute the area and there will be noise pollution as a result of the use of heavy machinery.
- It is understood that a planning application was refused for development on the parcel of land in question.
- The road surface and street lighting is sub-standard.
- There would appear to be a breach of contract as when the estate was transferred to Sarsen, there was a caveat that all existing recreation areas must be retained.

9. Planning Considerations

a) Principle of development - planning policy considerations

The site lies within the built-up part of Ludgershall, where in accordance with PPS 3: 'Housing', residential development is acceptable in principle.

Policy TR17 of the Kennet Local Plan 2011 identifies recreation sites which are protected. Although informally used as recreation space, the grassed part of the application site is not protected by this policy, which means that it would be difficult to substantiate a refusal of planning permission on the grounds that the facility would be lost. The applicant has confirmed that it is proposing to undertake improvements and remodelling works to provide a safe dog-free recreation area within 150 metres of the application site. This would help offset the loss of the existing grassed area but could not be insisted upon as Policy HC35 only requires a suitable alternative recreation site when the recreation space that would be lost is protected.

Notwithstanding the above, as the proposed development comprises between 5 and 19 dwellings, Policy HC35 of the Kennet Local Plan 2011 requires the provision of land for children's recreation on the basis of 0.72 hectares per 1000 people. The Council's supplementary planning guidance document 'Community Benefits from Planning' advises on how to calculate the precise area of land required. As the proposed development would involve a small number of dwellings, it is considered that a commuted sum payment would be preferable to on-site provision. Alternatively, the improvements and maintenance of the area of open space close to the application site would also meet the requirements of this policy. A condition can be imposed requiring the applicant to make provision for children's recreation via one of these means.

b) Impact in highway and pedestrian safety

Concerns have been expressed about the level of parking provision and the risk of traffic congestion. The proposed dwellings would each have 2 parking spaces, which would be in line with the current minimum residential parking standards. The parking surveys that have been carried out and referred to in the submitted parking statement are thorough and include two evening surveys of parking on the estate at around 8pm. At the evening surveys there were respectively 1 and 3 vehicles parked on the site, which would mean up to 3 vehicles would be displaced as a result of the proposed development. The development would provide for 8 parking spaces for existing residents, in addition to the 2 spaces being proposed per new dwelling. This is considered to be more than adequate to cover the current parking need.

The highway authority has commented that whilst some on-street parking is occurring, this is by choice as the survey suggests that some driveway spaces are not occupied. It has also commented that although 7 houses do not have off-street parking, the provision of 8 spaces for existing residents is appropriate to cover this given the results of the surveys.

The concerns raised about construction traffic are not considered to be warranted as this is a temporary situation and the site should be capable of being accessed safely. Furthermore, construction traffic would be more prevalent during the day when less on-street parking occurs. The small scale of the proposed development is such that the access situation for emergency vehicles should be no worse than at present. For this reason, there should also be no greater risk to pedestrian safety than at the present time.

Concerns have also been raised that the existing roads, footpaths and street lighting are sub-standard. The highway authority has acknowledged this and considers that the upgrading of the Wood Park carriageway and the existing street lighting should be required by way of condition.

c) Impact on neighbour amenity

Concerns have been expressed that the proposed dwellings would be oppressive; however, as they would be in excess of 20 metres away from the nearest properties, it is not considered that they would have a detrimental impact on neighbour amenity. It is also noted that the separation distances would exceed those recommended in the supplementary planning guidance document 'Community Benefits from Planning' i.e. 21 metres window-to-window.

d) Impact on character and appearance of area

The scale, form, layout design and materials would be in keeping with the surrounding built form and consequently, it is not considered that the proposed development would harm the character and appearance of the surrounding area.

e) Impact on footpath

The Council's Rights of Way Officer has raised concerns that Footpath 3, which runs to the front of the proposed dwellings would potentially be obstructed by garden gates. The applicant's agent has confirmed that there would be no gates opening onto the public footpath. As a precaution, it is recommended that an informative is added advising that there should be no obstruction of the footpath.

10. Conclusion

In summary, it is considered that the loss of the existing informal recreation area would be justified and the proposed development would be in keeping with surrounding development, would not have a detrimental impact on highway or pedestrian safety, would not have a detrimental impact on neighbour amenity and would not obstruct the public footpath.

RECOMMENDATION:

That planning permission be GRANTED for the following reason:

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to policies PD1, TR17 and HC35 in the Kennet Local Plan 2011, central government policy contained in PPS 1: 'Delivering Sustainable Development' and PPS 3: 'Housing' and supplementary planning guidance contained in 'Community Benefits from Planning'.

Subject to the following conditions:

- 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the surrounding properties in Wood Park.

REASON: In the interests of visual amenity and the character and appearance of the area.

- 3 The dwellings hereby permitted shall not be first occupied until the parking and turning areas have been provided in accordance with the approved plans. These areas shall thereafter be maintained and kept available for the parking and turning of vehicles in connection with the development.

REASON: In the interests of highway safety.

- 4 All hard landscaping shall be carried out in accordance with the approved details (as specified on the plans and application form) prior to the first occupation of the dwellings hereby permitted.

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

- 5 No development shall commence on site until a Construction Method Statement, which shall include the following:
- a) the parking of vehicles of site operatives and visitors;
 - b) loading and unloading of plant and materials;
 - c) storage of plant and materials used in constructing the development;
 - d) measures to control the emission of dust and dirt during construction;
 - e) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
 - f) hours of construction, including deliveries

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement without the prior written permission of the Local Planning Authority.

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

- 6 The dwellings hereby permitted shall not be first occupied until the street lighting in Wood Park to the front and side of the site (alongside Plot 1) have been upgraded to current standards in accordance with details that have first been submitted to and approved in writing by the local planning authority.

REASON: In the interests of highway safety.

- 7 The dwellings hereby permitted shall not be first occupied until the entire carriageway width and footpaths in Wood Park immediately to the front and side of the site (alongside Plot 1) have been planed and resurfaced in tarmacadam, in accordance with details that have first been submitted to and approved in writing by the local planning authority.

REASON: In the interests of highway safety.

- 8 No development shall commence on site until a scheme for the provision of children's recreation space has been submitted to and approved in writing by the local planning authority. The children's recreation space shall be provided in accordance with the approved scheme prior to the first occupation of any part of the development, in accordance with Policy HC35 of the Kennet Local Plan 2011 and supplementary planning guidance contained in the Council's publication 'Community Benefits from Planning'.

REASON: To ensure the satisfactory provision of children's recreation space in connection with the development.

