

## REPORT TO THE EASTERN AREA PLANNING COMMITTEE

<b>Date of Meeting</b>	26 April 2012
<b>Application Number</b>	E/2011/1714/FUL
<b>Site Address</b>	Land south of 33 Avon Square Upavon Wiltshire SN9 6AD
<b>Proposal</b>	Construction of 5 new dwellings, with associated gardens and sheds, and 20 car parking spaces.
<b>Applicant</b>	Sarsen Housing Association
<b>Town/Parish Council</b>	UPAVON
<b>Grid Ref</b>	413958 154466
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Peter Horton

### Reason for the application being considered by Committee

The application has been called to committee by the Division Member, Cllr. Brigadier Hall.

### 1. Purpose of Report

To consider the recommendation that the application be delegated to officers for approval subject to the signature of a S106 legal agreement to cover the provision of two affordable houses and the provision of financial contributions in lieu of children's play space.

### 2. Report Summary

The main issues to consider are whether the development of the site (currently used as a parking court) would result in a shortfall of local parking provision, whether the design of the proposed dwellings is acceptable, whether the development of houses (rather than bungalows) on the site would be harmful to the character and appearance of the area and whether the proposed dwellings would be harmful to the amenities of neighbouring properties.

### 3. Site Description

Avon Square, together with Watson Close, is an outlying development of ex-local authority housing situated around 0.8km south east of the centre of Upavon on the eastern side of the A342 Andover Road. The application site is a garage and parking court currently providing 16 pre-fabricated garages (in two rows, of 13 and 3) and 16 parking spaces. It is located between two lines of bungalows: nos. 29-32 Avon Square and 81-85 Watson Close, although there are houses to the rear. The site borders the open countryside.



#### 4. Planning History

No relevant recent history.

#### 5. The Proposal

The proposal is to redevelop the whole site, involving the demolition of the garages and to erection a terrace of 5 houses (3 two bedroom and 2 three bedroom). Each property would be allocated 2 parking spaces. There would also be 10 parking spaces for the benefit of the estate. In addition, 13 spaces would be marked and laid out in the centre of Avon Square.

Two of the properties would be affordable.



**Front (north) Elevation**



**Rear (south) Elevation**

#### 6. Planning Policy

Kennet Local Plan policy PD1 covers matters of design, neighbour amenity and highway safety. Policy HC22 covers residential development in villages with a range of facilities. Policy HC32 covers affordable housing contributions in rural areas. Policy HC35 covers recreation provision on small housing sites.

Central government planning policy is set out in the National Planning Policy Framework March 2012.

#### 7. Consultations

Parish Council: Objects. Welcomes the changes made to the design of the properties in both siting and reduction of roof heights which should lessen the impact upon immediate neighbours. The issue of parking gives them serious concerns. The building area concerned is a car park for 32 vehicles and was provided by Wiltshire County Council in the late 1950s / early 60s when the ten bungalows in Avon Square and the 80 plus houses were built in Watson Close. The parking Statement submitted by the applicant is misleading as it includes only 6 of the 75 dwellings in Watson Close. The additional parking proposed in the amended plans only involves Avon Square which is not convenient for residents of Watson Close and therefore does not meet the needs of the majority of the properties in this area for whom the original parking was designed.

Highway Authority: No objection subject to conditions. The amended plans overcome their initial concerns. They indicate a satisfactory way of achieving additional parking for local residents and should be helpful in removing some of the objections received.

Principal Development Officer New Housing: No objection. Policy HC32 would require 2 of the units to be affordable, which is proposed. Although the applicant is a Registered Provider of affordable housing, the Council does not have any powers to require an affordable housing contribution over and above that required by existing policy.

Amenity and Fleet: Requires the payment of a commuted sum of 5 x £2988 per dwelling = £14940 towards the improvement of existing equipped play spaces.

Arboricultural Officer: No objection subject to a landscaping condition.

## **8. Publicity**

Objections have been received from 5 local residents. Their main objections can be summarised as follows:

- The proposed houses will be out of character with the adjacent properties, which are bungalows – there will be a step change in the roof lines;
- The proposed houses will deprive nos. 85 and 83 Watson Close of light;
- Concern at loss of the garages plus parking spaces. Parking is already difficult in the estate, especially in Watson Close;
- There has been no proper survey carried out by the applicant into the impact of the loss of parking on Watson Close;
- The proposed 1.8m fencing will be out of character with the surroundings;
- These will be family houses in the middle of a row of bungalows for elderly people;
- The estate is remote from the village and there are no employment opportunities. There is no bus service to Andover or Devizes and no amenities for young families on the estate.

## **9. Planning Considerations**

The existing garage / parking court serves a function but is not an intrinsically attractive feature and detracts from the character and appearance of the area. The site lies within the Upavon Limits of Development. Hence no objection is raised to the principle of development of the site for housing, subject to the proposal being “in harmony with the village in terms of its scale and character” (policy HC22 refers), subject to an acceptable design (policy PD1 refers), subject to the development not harming the residential amenity of neighbouring dwellings (policy PD1 refers) and subject to there being no harm to highway safety (policy PD1 refers).

The site is flanked by two rows of bungalows, but has two storey dwellings to the rear. When viewed from the A342 Andover Road to the south, the site is read in the context of the taller development to the rear and hence the proposed terrace of houses would not appear unduly prominent or out of place. Policy HC22 is therefore satisfied. Furthermore, since the application was first submitted, the ridge height of the central 3 units has been reduced from 8.5m to 8.0m, and rear gables added to the two end units. These amendments have helped reduce the bulk of the roof and to increase the interest of the rear elevation, of benefit when viewing the site from Andover Road. The design is not exceptional (brick, with concrete roof tiles and UPVC windows), but is considered acceptable in this location.

The proposed terrace would be situated due south west of the bungalows at nos. 81-85 Watson Close and beyond their rear building line. This will cause the loss of some late afternoon / evening sun to these properties. However (following the receipt of revised plans) the proposed terrace will now be situated 4.5m off the boundary with 85 Watson Close (it was originally to be 2m). It is therefore considered that the amenity of the occupiers of no. 85 will not be materially harmed. Furthermore, the occupiers of no. 85 have written to say they “welcome the plans for the proposed dwelling”, although they “would have preferred bungalows”. What is more, although

they express concern at the loss of parking, they do not cite a concern about loss of light or residential amenity.

Parking in the estate can be a problem out of working hours. The key consideration with regard to this planning application is the extent to which the 32 parking and garage spaces currently on the site contribute towards meeting present need and whether or not the proposed parking provision (10 spaces for the new development, 10 general spaces plus the laying out of 13 spaces in Avon Square) would lead to an exacerbation of existing problems.

It is not possible to ascertain from surveys how well used the existing 16 garages are, but is known that 13 of them are let. However evening surveys by both the applicant's transport consultants and Wiltshire Council officers have revealed only 3 to 5 of the 16 car parking spaces ever being used.

Of the 13 let garages, a maximum of 8 cars are likely to be displaced by the proposed demolition, as 5 of the users are either extremely remote from the site or have alternative on plot parking. Adding these 8 cars to the maximum surveyed use of the car park of 5 gives a displacement of 13 vehicles by the proposed development for which alternative provision should be made. 10 spaces are proposed within the site and 13 within Avon Square. This gives a considerable betterment to the area compared to the existing situation. Hence the Highway Authority raises no objection to the proposal.

The Parish Council has made the point that the parking requirement for the whole estate is greater than availability based on a requirement of 2 spaces for each 2/3 bedroom dwelling and 1.5 spaces for each 2 bedroom bungalow. The point is also made that future occupancy and hence parking demand may go up in the future as and when dwellings get re-occupied by a less elderly population. However the Highway Authority would not wish to justify a refusal on this basis given that the current thrust of planning policy is to reduce car use.

Two affordable units are proposed, which satisfies policy HC32. These can be secured via a S106 legal agreement, as can the recreation contribution required to satisfy policy HC35.

## **10. Conclusion**

The design of the proposed dwellings is acceptable. They will not be harmful to the character and appearance of the area and will not materially harm the amenity of nearby dwellings. In view of the comparatively low levels of use of the existing garages and parking spaces on the site, and given the replacement provision that is proposed, the proposed development will not lead to a parking shortfall such that a refusal of the application on highways grounds cannot be justified. The application provides the requisite amount of affordable housing.

## **RECOMMENDATION**

**That the application be delegated to officers for approval subject to the signing of a S106 legal agreement for the following reason and subject to the conditions set out below:**

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 Kennet Local Plan 2011 policies PD1, HC22, HC32 and HC35 and to central government planning policy set out in the National Planning Policy Framework.

- 1 The development hereby permitted shall be begun before the expiration of three years of 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 INFORMATIVE TO APPLICANT:

This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated the \*\*\*\*\*.

- 3 Within three months of the commencement of development the additional off-site vehicle parking spaces in Avon Square shall have been provided and marked out in accordance with the details shown on plan no. 3326/010/E, and shall thereafter be maintained and kept available for the use of local residents.

REASON: To ensure that compensatory parking spaces get provided, to make up for the parking lost in developing the application site, in the interests of highway safety and the amenity of local residents.

- 4 No development shall take place until details of the materials to be used for the external walls and roofs (including samples) 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 secure harmonious architectural treatment.

- 5 Before any work commences on site the ground floor slab levels shall be agreed in writing with the local planning authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity.

- 6 No development shall take place until there has been submitted to and approved by in writing by the local planning authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development. Details shall also include species, sizes at planting, densities, location and numbers.

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

- 7 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the dwellings or the completion of the development whichever is the sooner; 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.

- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions to, or extensions or enlargements of any dwelling forming part of the development hereby permitted.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows or other form of openings shall be inserted above ground floor level in the east elevation of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

10 Before any part of the development hereby permitted is first occupied the access road and on-site footways shall be completed in accordance with the details on the approved plans.

REASON: In the interests of highway safety.

11 Before any part of the development hereby permitted is first occupied the on-site vehicle parking and turning areas shall be completed in accordance with the details shown on the approved plans, and shall thereafter be maintained and kept available for these purposes.

REASON: In the interests of highway safety.

12 This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

Plan Ref. 3326/013 received 19/12/11, 3326/011 Rev C received 17/02/12 and 3326/010 Rev E received 06/03/12

**Appendices:** None

**Background Documents Used in the Preparation of this Report:** None