

Date of Meeting	20 th June 2013
Application Number	E/2011/1231/FUL
Site Address	4 - 6 Andover Road Ludgershall Andover SP11 9LZ
Proposal	Demolition of single storey commercial unit. Erection of 4 no. two bedroom and 2 no. one bedroom apartments.
Applicant	Bradfield Properties
Town/Parish Council	LUDGERSHALL
Grid Ref	426532 150751
Type of application	Full Planning
Case Officer	April Waterman

Reason for the application being considered by Committee

This application is presented to committee at the request of the Division member, Cllr Chris Williams.

1. Purpose of Report

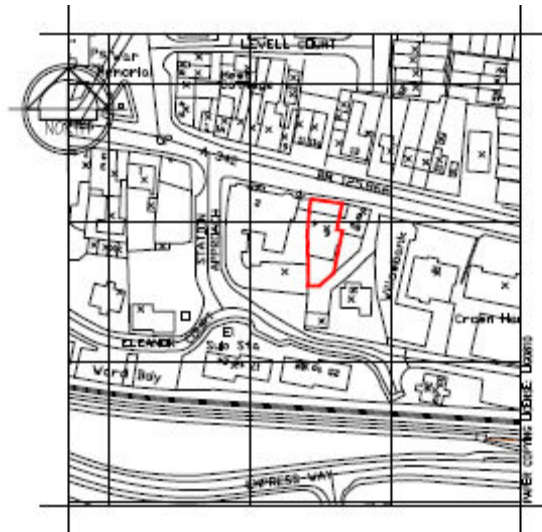
To consider the recommendation to approve an application for full planning permission for the replacement of a vacant single storey commercial building with a new three storey building (containing 6 apartments) together with eight off-street parking spaces.

2. Report Summary

The main considerations for this proposal are its impact on the character and appearance of this part of the settlement, which comprises the south eastern corner of the designated Conservation Area; its effect on the amenities of nearby residential properties, and the provision of parking facilities to serve the new dwellings.

3. Site Description

The site comprises 0.03 hectares of land within the commercial hub of the settlement, close to the central junction of the High Street, Andover Road and Tidworth Road. The land is currently occupied by a single storey building last used as a bric-a-brac shop, which is now in a state of semi-dereliction, having been vacant for some years. The structure fills the road frontage, and is set back from the pavement edge by about 6 metres, with a concrete forecourt. At the rear of the building the land level rises towards that of higher ground to the south outside the site, which gives onto Eleanor Court (modern housing development).



**LOCATION PLAN
1:1250**

The site is flanked on the east by a modest two storey Victorian cottage of flint with brick dressings, under a slate roof, fronting the footway. Behind this (to its south) stands a modern bungalow, on higher ground, reached by a driveway leading from Andover Road past the east side of the flint cottage. To the west of the site the two and three storey former Prince of Wales Hotel (now converted into apartments) is separated from it by a gated driveway access. This Edwardian building is of red brick, with generous limestone dressings, some render panels and a plain clay tile roof. Its storey proportions are much larger than those of the cottage, and it makes a prominent architectural statement at the corner of Andover Road and Eleanor Court.

Although markedly different in style and scale, both the cottage and the Prince of Wales flats are noted in the 2007 Ludgershall Conservation Character Appraisal and Management Proposals document as being significant unlisted buildings that contribute positively to the character of the area.

4. Planning History

- K/44989 Erection of 4 No. 2 bedroom and 2 No.1 bedroom flats. Demolition of existing building. Refused 26.03.2003 for two reasons: design, and impact on neighbours' amenity.

- K/45392 The demolition of existing single storey building, erection of new building incorporating three 2 bedroom flats, two 1 bedroom flats and ground floor retail/office use. Approved 03.07.2003. Development not built within the 5 year life of the planning permission.

- K/57092/F Change of use of ground floor commercial premises to 2 No. bedroom flat. Approved 13.09.2007 Development not implemented within the 3 year life of the planning permission.

5. The Proposal

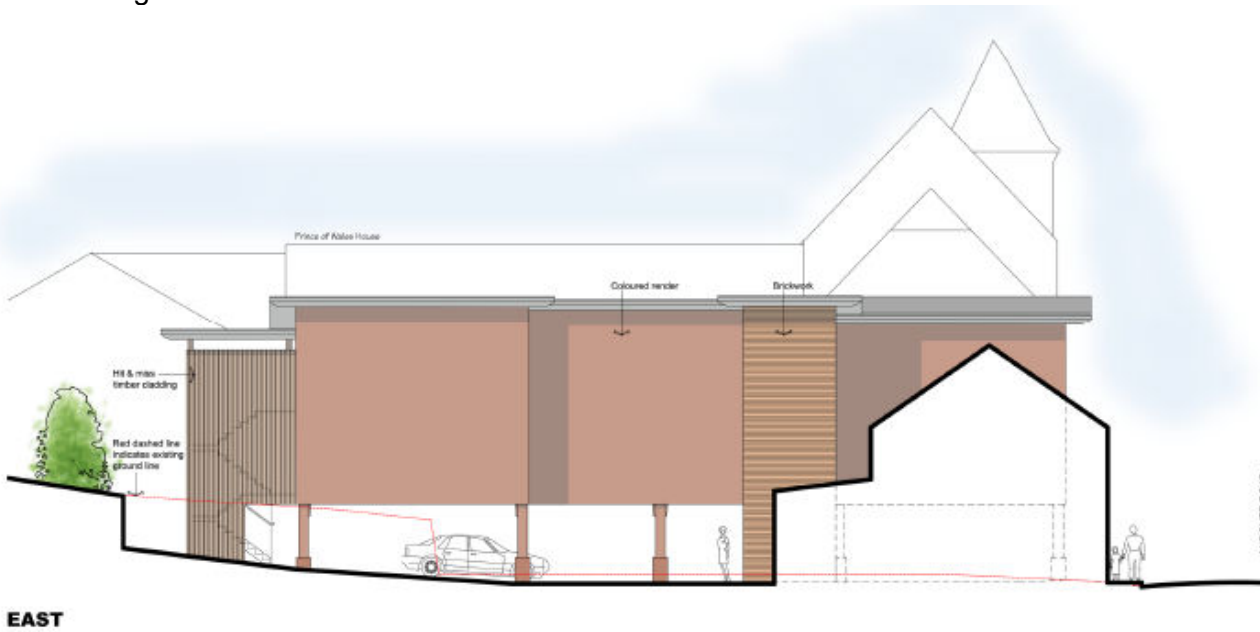
Full planning permission is sought for the erection of a block of 6 flats, accommodated within a modern building with two solid storeys over an essentially unwallled ground floor parking and storage area (8 car parking spaces, 6 bike parking spaces and waste and recycling bin storage). The proposal would generally match the frontage building line of the cottage and Prince of Wales flats, and its inverted shallow-pitched roof would bridge the levels of the ridges of these two

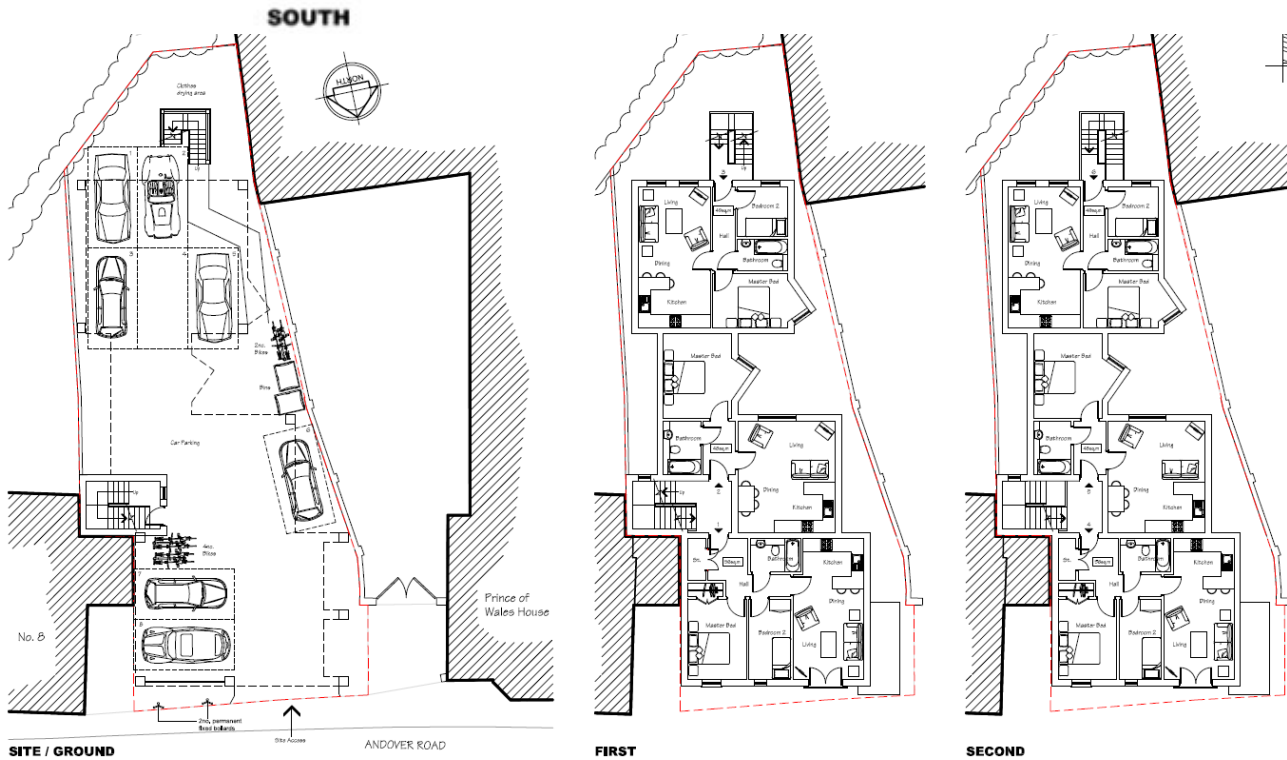
neighbouring structures. The materials indicated on the elevation drawings include brick, timber panelling and render for the walls.

The design of the scheme has been amended progressively since its first submission, and iterative amendments have been made to address the issues of parking provision, appearance, impact on neighbouring residences and concerns over the standards of amenity to be provided to occupiers of the development itself.



NB An elevational correction is awaited, to show the stairwell projection on the east (left hand) side of the building.





The earlier plans on this application showed a building design replicating that permitted in 2003 (except for ground floor layout). This scheme had no parking facilities either on-site, or by agreement provided off-site. Since the determination of the most recent application (2007, also with no parking provision), the Council's policy on the need for parking spaces for new development has been changed, such that the development should not proceed without some provision for vehicles. The amended design fits 8 parking spaces underneath the body of the building, together with cycle lock points, bin storage and an external clothes drying area, none of which were identified on the preceding scheme.

The present design also provides openable windows in the walls of all habitable rooms: in the previous scheme one flat had only rooflights for all rooms.

6. Planning Policy

National Planning Policy Framework 2012
Historic Environment Planning Practice Guide 2010

Kennet Local Plan 2011; - PD1 Development and design; HC5 Net housing density
ED29 Retention of social and community uses

Local Transport Plan Car Parking Strategy (adopted March 2012)

7. Consultations

Wiltshire Council Highways Officer:

Amended Plans

There is a small parking shortfall, but the proposed level of parking provision is now better than what has been accepted for this site in the past. Given this, and also the town centre location with good access to Ludgershall services and facilities, there are no highway objections.

Wiltshire Council Public Protection Officer:

According to my historical mapping, there is an old garage marked as being on or adjacent to the site. I have no more information, for example if fuel were stored and sold at the site and if other underground tanks are present. As such, a contaminated land condition should be inserted to ensure that if there is a likely risk, it will be addressed prior to development commencing.

Ludgershall Town Council

Amended Plans

OBJECT to this application on the following grounds: -

- 1) Vehicular egress from parking spaces could lead to vehicles reversing with restricted vision onto the A.342 as insufficient room to manoeuvre from all the designated parking spaces. Parking spaces number 1 & 2 shown on the plans are unusable as numbers 3, 4 & 5 would have to move to allow vehicles to access them.
- 2) The design of the building is not in keeping with the area with historical buildings either side, therefore contrary to PD1 of Kennet Local Plan.
- 3) As the site location is within the conservation area of Ludgershall the new building is also contrary to policy HH5 & HH6 of Kennet Local Plan.
- 4) It should be noted that Ludgershall Car park is privately owned by the Town Council and should not be used for developers gain.

8. Publicity

The application was publicised by a press advertisement on first submission, and by site notice and neighbour notification on both first submission and on receipt of the amended plans. The comments received include:

- The height which would appear to be three storey and would therefore be likely to overlook property to the south.
- The land may become unstable due to the steep rise in the ground level. This would render premises to the south at risk of subsidence.
- There is a hedge of trees on the boundary with the bungalow to the south of the site which provides privacy from the flats below and the proposed development site. We have concerns about root damage to these as the plans appear to propose work being undertaken right up to this boundary.
- It is a gross overdevelopment of the site.
- The site has underground fuel tanks (it was once a petrol filling station and repairs garage)
- Light to the only window for the living room of no. 8 Andover Road (adjacent to the east) will be severely restricted.
- Flying freehold and party wall issues with no. 8 need to be addressed.
- More modest building is needed
- The building is not in keeping with the historic nature of surrounding buildings
- There is insufficient bin storage provision
- The parking does not appear adequate to allow for ease of access without blocking another car.

9. Planning Considerations

9.1 Principle

This site is considered in policy terms to be appropriate for residential development, as it is located within the Limits of Development of Ludgershall, on a brownfield site that has previously been granted permission for redevelopment for this number and type of units. The loss of employment/commercial activity on the plot, in this central location, is regrettable, but the resultant mix of housing and commercial uses in the area would still comprise a viable and vital centre for the town.

9.2 Detailed Scheme

The negotiations that have produced the amended scheme for the redevelopment of this site have been primarily driven by the need to have off-street parking for the new residents, and to accommodate this provision in a design that complements its context. Although not matching the Council's adopted parking standards perfectly, the negotiated scheme is now supported by the Highways Officer. The block of six apartments (four 2-bed and two 1-bed units) would require 10 parking spaces normally: a shortfall of 2 spaces has been accepted in order to progress the development. As the submitted transport statement points out, the site is well served for social, retail and employment services within walking distance, and has good public transport links to other larger service centres, such as Andover. A last alteration to the proposed plans includes the bollards suggested by the Highways Officer to ensure that vehicle parking does not impeded pedestrians using the footway fronting the site.

Throughout the negotiations the applicant has maintained that in order to bring a redevelopment forward on this site, a threshold of 6 units must be met to make the project viable. The previous design showed two 2-bed apartments on each of the ground and first floors, with the pitched roof space accommodating two 1-bed units with less than satisfactory living conditions, particularly in terms of aspect. The amended scheme achieves the same number of units, of more comfortable arrangement, and with off-street ground floor parking facilities, all within a built envelope that differs little from that previously permitted. Crucially, the amended design does this without raising the overall height of the proposal above the originally-proposed ridgeline.

It is considered that the scale, proportions and detailing of the proposed building, particularly its front (north) elevation would bridge the step change in levels and in wall/fenestration rhythm between the imposing Prince of Wales House to its west, and the modest cottage (no. 8) to its east, linking their very different architectural styles with a new 21st century building that would continue both the grain of development and the variety of appearance of built forms within the street scene. Subject to confirmation (by recommended condition) of the precise colour and finish, the palette of brick, render and timber proposed as walling materials is felt to be acceptable as a modern reflection of the brick, stone and flint materials nearby (it is suggested that the render panels should be finished in a light colour to follow the limestone dressings of the Prince of Wales apartments, and the timber panels should be left to weather to grey, picking up the colour of flint walling).

9.3 Conservation Area

The northern part of the site and its neighbouring buildings lie just within the south eastern corner of the Conservation Area. The Ludgershall Conservation Area Character Appraisal and Management Proposals 2007 document includes the following advice in relation to the design of new buildings in the Conservation Area:

“New development in the Conservation Area should aspire to a quality of design and execution, related to its context, so that it may be valued in the future. This in itself does not imply nor preclude working in traditional or new ways, but will normally involve respecting values established through assessment of the significance of the area. The aim of design guidance therefore is to encourage new development that complements the established grain or settlement pattern, while representing the time in which it is built and the culture it accommodates. When considering

proposals for new development, the local planning authority's principal concern will be the appropriateness of the overall mass or volume of the building, its scale (the expression of size indicated by the windows, doors, floor/ceiling heights, and other identifiable units), and its relationship to its context – whether it sits comfortably on its site. A new building should be in harmony with, or complementary to, its neighbours. The footprint of new buildings should respect the existing building pattern or grain. The use of materials generally matching in appearance or complementary to those that are historically dominant in the area is important, as is ensuring that materials, detailing and finishes are all of high quality. Within these criteria, new development should aim to achieve creative design solutions, whether contemporary or traditional in style.”

The scheme in its amended form follows this advice, and that provided in the National Planning Policy Framework 2012 and the Historic Environment Planning Practice Guide 2010.

9.4 Impact on amenity and other issues

In comparison with the previously approved residential scheme, the proposal would not differ significantly from the impact on neighbouring residential amenity, in terms of its scale and amount of overlooking. Care has been taken to ensure that opening windows in habitable rooms are now provided for the new residents but that these would not enable a view into the private spaces (internal or external) of nearby property to a greater degree than previously approved.

Concerns over the disturbance of contaminants within the site, resulting from its historical uses, and the stability of the land, buildings and garden features of adjoining land can be addressed by the recommended conditions and under separate legislation under the Building Acts.

10. Conclusion

In its amended form, the proposal comprises a form of sustainable development on a brownfield site that currently makes no positive contribution to the character and appearance of this part of the Conservation Area. The design accommodates an amount of residential space that would produce a viable project, that would provide an acceptable number and type of parking spaces, that would have an acceptable impact on neighbouring residences, and that would be of a quality of design that would complement the heritage context in which it is set.

RECOMMENDATION

That planning permission should be granted for the development, for the following reasons, and subject to the conditions set out below:

The development would bring back into viable use a derelict site in the town centre and would add to the range of residential dwellings in the settlement, whilst preserving the character and appearance of the conservation area.

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. Notwithstanding any indications on the approved documents, no development shall commence on site until details of the colour and finish of the bricks, timber panels, render, window frames and surrounds, roofing material, fascias, Juliette balcony glazing and support, ground floor structural columns, rainwater goods, fencing, retaining walls, bollards and any external lighting to be used on the development 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: In the interests of visual amenity and the character and appearance of the area.

3. No part of the development hereby permitted shall be first occupied until the access, cycle parking points, car parking spaces, bollard installation and bin storage areas have been completed in accordance with the details shown on the approved plans. The installations and areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety and to ensure the provision of adequate refuse and recycling facilities for the development.

4. Prior to first occupation of the building hereby permitted the highway footway over the frontage of the site shall have been planed off by 25mm and resurfaced in tarmacadam to the specification 25mm thickness AC6 dense surface 100/150 to accord with specification EN13108-2

REASON: In the interests of highway safety

POLICY: PD1 of the Kennet Local Plan 2011

5. No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:

Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site for at least the last 100 years and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site.

Step (ii) If the above report indicates that contamination may be present on or under the site, or if evidence of contamination is found, a more detailed site investigation and risk assessment has been carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

Step (iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details have been submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

REASON: To ensure that land contamination can be dealt with adequately prior to the use of the site hereby approved by the Local Planning Authority.

POLICY: PD1 of the Kennet Local Plan 2011

6. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Application form received at Wiltshire Council on 08 September 2011;
Drawing referenced 1582-02 A received at Wiltshire Council on 20 March 2013, and
Drawing referenced 1582-03 B received at Wiltshire Council on XX June 2013.

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

POLICY: PD1 of the Kennet Local Plan 2011 and advice contained in the National Planning Policy Framework 2012 and Historic Environment Planning Practice Guide 2010

7. INFORMATIVE: The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

8. The attention of the applicant is drawn to the advice and requirements of the Wiltshire Fire and Rescue Service, as set out in their letter to the Local Planning Authority, of 21 November 2011, referenced KDC00001/SR, which is available to view on the planning page for this application on the Council's website.