

REPORT TO THE AREA PLANNING COMMITTEE

Date of Meeting	19 November 2014
Application Number	14/06399/OUT
Site Address	47 Hill Corner Road Chippenham Wiltshire SN15 1DP
Proposal	Demolition of Existing House & Adjacent Industrial, Workshop and Storage Buildings. Construction of 14 Dwellings.
Applicant	Mrs Diana Scott
Town/Parish Council	CHIPPENHAM
Division	CHIPPENHAM HARDENHUIISH- Cllr Watts
Grid Ref	392100 174779
Type of application	Full Planning
Case Officer	Mark Staincliffe

Reason for the application being considered by Committee

The application has been called in by Cllr Nick Watts because he is of the opinion that the applicant's plan is good in principle and he is anxious to realise the community benefits that will accrue from granting approval.

1. Purpose of Report

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

2. Report Summary

The main issues in the consideration of this application are as follows:

- Principle of development
- Impact on the character and appearance of the area
- Design and Layout
- S106 Contributions

3. Site Description

The existing property and business is set back a significant distance from the highway and is surrounded by residential development of varying design. Land levels rise significantly from west to east and towards residential development constructed within the last 10 years (The Orchids). Opposite there are currently open fields, which help provide this part of the road with a spacious semi-rural character. Frontage boundary treatment is strongly in evidence within the surrounding which generally hides the car parking and hard landscaping in some of the nearby residential curtilages.

4. Planning History

N/07/03340/OUT Erection of Seven Dwellings (Outline)- Refused
N/08/01240/FUL Erection of Building as Chandlery Shop (Revision to 07/01154/FUL)
N/08/00512/OUT Erection of Three Dwellings - Outline (Revision to 07.03340.OUT)- Grant
N/11/01478/OUT Renewal of 08/0512/OUT - Erection of Three Dwellings- Grant

5. The Proposal

The application seeks permission for the demolition of the existing dwelling and all other buildings within the site and the construction of up to 14 dwellings including access, car parking and landscaping. The planning application has been submitted in outline form with all matters reserved.

The submitted indicative layout is for dwellings. Meetings have taken place with regards to alternative layouts and a reduction in the total number of units but no compromise has been reached. The indicative layout shows a high density layout of housing consisting of 2 and 2.5 storey dwellings, each with associated parking areas to the front of the properties and outside amenity space, lending a generally urban character.

6. Planning Policy

North Wiltshire Local Plan 2011:

C2- Community Infrastructure
C3- Development Control Policy
NE17- Contaminated Land
H3- Residential Development within Framework Boundaries
CF3- Provision of Open Space
H5- Affordable Housing in Urban Areas

Emerging Wiltshire Core Strategy (submission Draft as proposed to be amended April 2014):

CP 10- The Spatial Strategy: Chippenham Community Area
CP43- Providing affordable homes
CP57- Ensuring High Quality Design and Place Shaping
CP58- Ensuring the Conservation of the Historic Environment

National Planning Policy Framework 2014:

Achieving sustainable development – Core Planning Principles
Chapter 7 – Requiring Good Design

7. Consultations

Tree Officer- Unfortunately, I am unable to give any constructive comments due to lack of information supplied in relation to trees. I note on Drawing No: 0314-3b-06.2 Rev – Site Plan Proposed prepared by Jacques Partnership that a number of trees have been categorised and numbered but there appears to be no Tree Survey supplied to cross reference these trees.

My main concern is regard to the impact this development will have on neighbour trees on the southern boundary as these trees will come under future pressure from being reduced or removed due to loss of light issues and the overbearing dominance these trees will have on small residential gardens.

Ecology- On the basis of the available evidence I am satisfied that there is negligible potential for great crested newt to occur on this site or be affected by the development proposals, and having had regard to NE's letter I do not believe this to be a relevant

consideration to the application. As such no further survey information should be requested from the applicant.

I have also reviewed the bat survey that was submitted and note that the buildings do not support bat roosts and have very limited potential to do so. As such I'm also satisfied that bats are not a material consideration to this application.

I therefore have no objection to the application and do not require any further information, conditions or informatives relating to ecology.

Natural England- We've received notification from a member of the public that great crested newts (GCNs) inhabit the above-mentioned site. This information is supported by records kept by the Wiltshire and Swindon Biological Records Centre which state that GCN have been recorded within 200ms of the site. The member of public is concerned because the applicant appears to be currently commencing ground/site clearance which will harm the GCNs, if present.

There are several habitat features on site, identified within the planning documents, which would suggest that there is a reasonable likelihood that the species mentioned above are present and that ecological survey effort may be required. You may consider requesting that the applicant stops the site clearance immediately until the GCN survey has been carried out. Furthermore, the ecologist who was employed to undertake the survey (in Sept 2013) observed that '*The site has a good number of mature trees*'. I can find no evidence that a tree survey has been carried out, to date.

Highways- With regard to the principle, the site is located within the development boundary in the local plan. It is also could be considered a brownfield site. I therefore do not have any objection to the principle of residential development at the site. At this stage I consider that it relevant to establish a contribution towards sustainable transport measures (S106 obligation), I consider that the developer is required to provide a contribution of £1,500 per unit (£21,000).

At the reserved matters stage, I would expect full details of the access and layout. At the access I would require that visibility splays of 2.4m x 45m (a standard in Manual for Streets for speeds around 30mph). The indicative layout does raise some concern at this stage. The car parking provision does not appear to be in accordance with the minimum car parking standards for residential developments outlined in the Wiltshire Car Parking Standards (<http://www.wiltshire.gov.uk/ltp3-car-parking-strategy.pdf>). There is a lack of footway/ service margins within the development. I am also concerned with regard to the refuse collection swept paths outlined, looks tight relating to car parking. The minimum adoptable width I would expect would be between 7m-7.5m

Public open Space- This development generates a need for £56,757 in offsite Open Space Contribution to be used to upgrade facilities at Barrow Green, Chippenham. The development will also need to contribute towards the following:

Halls	£5,581
Indoor Bowls	£651
Artificial Turf Pitches	£710
Total	£6,942

It is proposed that the contribution is used on the following projects:

- The provision of a new/upgraded multipurpose hall and changing to lessen the demand on the existing sports hall.
- Upgrading of the existing MUGA to Artificial Turf Pitch standard

Public Protection- I have looked at the above application and have no comments in terms of contaminated land as the site does not appear to have any historically contaminative uses associated with it. In respect of air quality there is not an AQMA in force in Chippenham therefore I have no comments on air quality either.

Drainage- Whilst application deals with issue of existing public foul sewer crossing the site and foul connection to it (to be agreed with Wessex Water), this is likely to require a minimum stand-off of at least 3m each side of sewer and may affect the layout.

They do not really detail how the existing site deals with storm water or how new site will deal with it. Suggest that a condition is applied if you are minded to approve to cover the need of an approved (by Wiltshire Council Planning) full drainage strategy at the time of any detailed planning submission

Affordable Housing- No affordable housing required when assessed against the current local plan.

Chippenham Town Council- The Town Council wish to highlight potential problems with density, highway safety issues, no provision for open space, lack of pavements and lack of affordable housing. The Town Council request that the maximum affordable housing contribution is provided and would seek the best contribution for highway improvements and cycle ways.

Waste Services- £125 per unit required for the provision of waste & recycling bins on site.

8. Publicity

The application was advertised by site notice and neighbour consultation. This resulted in the submission of 2 objections and no letters of support. A summary is set out below.

- Detrimental impact on privacy and overlooking.
- Development will result in subsidence
- More houses not needed
- The current owner cleared this completely in 2013, presumably legally, and one would assume with the purpose of proactively reducing any potential source of objection to planning based on loss of valuable wildlife habitat
- I have noted great crested newts using the garden pond in my garden for the last 3 years and they almost certainly rely upon the adjacent land (47 Hill Corner Road) as essential foraging and shelter.

9. Planning Considerations

Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act states that “*determination must be made in accordance with the plan unless material considerations indicate otherwise*”.

This is the starting point from a policy point of view. The North Wiltshire Local Plan forms the local component of the current development plan.

The site is situated within the urban area of Chippenham wherein the principle of the redevelopment of previously developed land for residential accommodation is acceptable. The proposal is for the construction of up to 14 dwellings. As such, any new residential development must be considered against Policies C3 (Development Control Policy), and H3 (Residential Development Within Framework Boundaries) of the adopted North Wiltshire

Local Plan 2011, CP10 & CP57 of the Emerging Wiltshire Core Strategy and Sections 1, 6 & 7 of the NPPF. These policies and guidance allow for residential development in principle.

Ecology

Concerns relating to great crested newts have been raised by local residents. These have been noted and the Council's ecologist consulted. His comments have been provided within the consultation responses above. On the basis of the available evidence it has been concluded that there is negligible potential for great crested newt to occur on this site or be affected by the development proposals, and having had regard to NE's letter it is considered that no further survey information should be requested from the applicant.

Residential Layout

The size, layout and number of dwellings proposed on site results in a poor residential layout that fails to respect the character and appearance of the area and results in an indicative layout that is dominated by frontage parking and hard standing. The overall design would not meet the requirements of government policy in the NPPF, By Design and Manual for Streets to achieve a high quality of design in all new developments. In broad terms, the number and size of units would dominate the site, such that the housing layout would inevitably appear squeezed onto the plot. This in itself is likely to create other problems such as poor quality soft landscaping and a development that doesn't respect the character of the area.

The limited space for the number of units proposed results in a cramped illustrative residential layout and inadequate room for proper landscaping. The development would be unrelieved by any significant green space, and any tree planting would have to be set at the corners of spaces or within rear gardens. The 'urban armature proposed would have totally inadequate space for tree planting, other than for very small species which would grow right up against habitable windows.

The relatively large span of the buildings shown in the indicative layout, prominent siting, large frontage car parking, minimal spacing between plots and disjointed angles on which the properties have been positioned result in the frontage plots forming prominent built features. These would appear incongruous, overly dominant and harmful within the street scene with little opportunity for landscaping to soften the appearance of parked cars or the proposed dwellings. This would form an overly dominant feature within the street scene and an unwelcome focal point. These parking spaces, would due to their forward location and lack of significant screening, also appear unduly prominent and incongruous with the more spacious landscaped form of the surrounding area.

There are also concerns as to whether such a layout could achieve the Council's minimum parking requirements, provide adequate space for refuse vehicles to manoeuvre within the site, sufficient space to provide pedestrian paths/footways and adequate private amenity space.

Living Conditions

It is considered that the plot sizes and indicative layout would not provide significant screening or landscape benefits to successfully ameliorate the harm that would be caused to the street scene and local area by the development.

Due to the close proximity of proposed plots such as the relationship between units 1 and 2 and 1 and 3 there are significant concerns that a poor residential layout would be achieved, resulting in a development with poor residential outlook, lack of amenity for future residents and substandard gardens. The relationship between unit 1 & 2 is particularly poor, the large flank wall of unit 1 along the entire rear boundary with unit 2 is considered to result in poor outlook and residential amenities for unit 2.

Furthermore it is considered that the proposal will result in existing properties overlooking proposed units and vice versa (Proposed unit 3 is a particular concern). There is also concern in relation to the garden size of plot 7,8,11 & 12, and possible overlooking of these units by existing dwellings and undue pressure for the removal of mature trees in land under the control of third parties.

It is acknowledged that the proposal has been submitted in outline form with all matters reserved. However, there are so many issues with the indicative layout that it is unclear if the quantum of development can be accommodated within the site.

RECOMMENDATION

To REFUSE planning permission for the following reasons:

- 1 The proposed scale of the dwellings proposed is considered to result in an inappropriate form of development that would not respect the local character and distinctiveness of the area, and would give rise to a cramped development form, a perception of overdevelopment of the site and an unacceptable impact upon the amenities of neighbouring residential properties and future residents of the development site. As such the proposal is considered to be contrary to the requirements of Policy C3 (i), (iii) & (iv) of the adopted North Wiltshire Local Plan 2011, CP10 & CP57 of the emerging Wiltshire Core Strategy (submission Draft as proposed to be amended April 2014); and paragraphs 9, 10, 14, 17, 56, 57, 58, 61 & 64 of the National Planning Policy Framework.
- 2 In light of the above, the Council has been unable to secure a Section 106 Agreement in respect of financial contributions associated with the proposed development, contrary to Policies H3 and CF3 of the adopted North Wiltshire Local Plan 2011.

