

REPORT TO THE WESTERN AREA PLANNING COMMITTEE

Date of Meeting	06.10.2010		
Application Number	W/10/02535/FUL		
Site Address	Land At 27 Bradford Road Trowbridge Wiltshire		
Proposal	Conversion to form 2 additional flats (revised application - 10/01769/FUL)		
Applicant	Executors To The Estate Of C.B. Miller		
Town/Parish Council	Trowbridge		
Electoral Division	Trowbridge Central	Unitary Member:	John Knight
Grid Ref	384913 157862		
Type of application	Full Plan		
Case Officer	Mr Matthew Perks	01225 770344 Ext 5207 matthew.perks@wiltshire.gov.uk	

Reason for the application being considered by Committee

Councillor Knight has requested that this item be determined by Committee due to issues in relation to the:

- * Scale of development;
- * Relationship to adjoining properties; and
- * Environmental/highway impact.

1. Purpose of Report

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

Neighbourhood Responses

Four neighbours responded with objections, one of whom was subsequently supported in a letter from Andrew Murrison, MD MP.

Parish/Town Council Response

The Trowbridge Town Council objects for the reasons set out in Section 5 of this report.

2. Main Issues

This is a revised submission of an application submitted under application reference W/10/01769/FUL (Conversion to form 3 additional flats). That application was refused for the following reason:

The proposed development by reason of the creation of a separate dwelling unit in the attic space is considered to be an unreasonable and over intensive sub-division of an inadequate sized property contrary to Policy H16 of the West Wiltshire District Plan 1st Alteration (2004).

The key issue in this case is therefore whether or not the reason for refusal has been overcome. A further consideration is whether or not there are any new elements to the proposal that give rise to other issues contrary to policy.

3. Site Description

The application site is the residential curtilage of a 2-storey semi-detached building which has been subdivided to form 2x 2-bedroom flats, one on the ground floor and one on the first floor with an attic space in the roof.

The property is set back from the public highway and the garden area is laid to hard standing for the parking of two vehicles. The access is onto Bradford Road, an A-classified highway, and no turning facilities exist.

There is an existing side access and external staircase at the rear to the first floor. There is a rear garden space approximately 90m² in area.

The street scene is characterised by similar properties in a linear arrangement on Bradford Road, with 2-storey scale and proportions; some have dormer windows and rooflights serving roofspaces.

4. Relevant Planning History

75/00870/HIS: Conversion of dwelling to 2 flats : Permission : 02.02.1976

77/00557/FUL: Roof conversion : Permission : 18.08.1977 (Not implemented)

W/10/01769/FUL: Conversion to form 3 additional flats: Refusal: 22.07.2010

5. Proposal

This property is currently divided into 2 large two bedroom flats one on the ground floor and one on the first floor. The proposal is to subdivide these flats so as to create 4 smaller single bedroom flats. A previously proposed fifth unit to the roofspace (W/10/01769/FUL) has been deleted from the scheme.

External alterations to the building would be limited to a new window serving a kitchen to the north west gable end of the building, and a new door to that elevation.

Car parking and access would remain unchanged in the form of two spaces at the front accessed direct from Bradford Road.

6. Planning Policy

West Wiltshire District Plan 1st Alteration (2004)

C31a Design

C38 Nuisance

H1 Further Housing Development Within Towns

H16 Flat Conversions

National guidance

PPS1: Delivering Sustainable Development

PPS3: Housing

PPG13: Transport

7. Consultations

Town/ Parish council

The Trowbridge Town Council objects on the grounds of over intensive subdivision of an inadequate sized property, that the proposal would be detrimental to the neighbour amenity and future occupants. It would also be detrimental to highway safety. The Council also notes that other developers are suggesting that larger flats are easier to sell.

Highways

No objection and no conditions recommended on the basis of the precedents that exist for residential parking requirements in this area.

8. Publicity

The application was advertised by site notice and neighbour notification.

Expiry date: 10.09.2010

Summary of points raised:

- * Flats would be too small for one occupant, with possible increase in numbers also a consideration;
- * Overcrowding;
- * owners live in Essex and won't be on hand to deal with problems;
- * speculators harming area at expense of taxpaying residents;
- * noise disturbance;
- * parking is a problem in the area;
- * other highway hazards;
- * no guarantee that occupants will not have a car;
- * smells from overflowing bins;
- * potential anti-social behaviour from unemployed occupants;
- * loss of privacy due to intensification of use.

9. Planning Considerations

Under application W/10/01769/FUL, which would have resulted in a total of five flats, the officer considered the most significant planning policy to be the Policy H16 of the West Wiltshire District Plan 1st Alteration (2004). That remains the case in this instance. Policy H16 Policy sets a number of criteria- based assessments for flat conversions:

9.1 Whether the proposals constitute an *unreasonable and over intensive sub-division of an inadequate sized property (Criterion 1 of H16)*:

When considering W/10/01769/FUL the Officer noted that the proposal to create a total of four 1-bedroom flats to the ground and first floor of this property would be quite an intensive use of the floor areas within the building, but did not consider that to be unreasonable, with each unit benefiting from separate bedroom, bathroom, living and entrance facilities. This situation would remain and it is again considered that the ground and first floor units do not represent an over-intensive subdivision of these floor spaces.

The officer was however concerned with the then proposed studio flat in the attic space, primarily because of a limited floor space and the presence of only a partitioned WC and shower room. Floor to ceiling heights in usable space were also considered to be unacceptably limited. The studio apartment part of the proposal was therefore considered to be contrary to this criterion of the Policy. The Officer did however note that this was a finely balanced matter where a recent appeal in the vicinity had been upheld in circumstances where similarly cramped studio apartments were allowed.

As with the current proposals, the comments of Trowbridge Town Council and the letters of objection from local residents relating to W/10/01769/FUL did raise the over intensive subdivision as an area of concern, and the officer concluded that the attic space was indeed too small to reasonably accommodate a separate unit of accommodation. This view was based on an inspection and additional section drawings, which inter alia confirmed that a roof space conversion permitted in 1977 had not been implemented. The officer recommended refusal for a reason that related to the studio apartment part of the scheme only.

The studio flat has now been removed from the scheme, enabling at the same time an enlargement to the living-room to one of the first floor units.

9.2 Criterion 2 of H16 requires *that no harm to the external appearance from the conversion should occur*. The current proposal would result in very limited alteration only to the north western elevation of the building. This would not cause any harm to the building or character of the area.

9.3 The proposal details no changes to the *access or parking provision for the site (Criterion 3)*. Highway officers, as with the previous proposals, have raised no objection to the scheme on these grounds. Given the relatively central locality of the site in close proximity to town and transport facilities, the reduction of one unit from the proposals and whilst noting the neighbour and Town Council objections on this point, the highway officer comments must be given weight. As before, a reason for refusal on grounds of parking and highway issues is not considered justifiable in this context.

9.4 *Adequacy of amenity space* is also a consideration under Criterion 4 to Policy H16. The number of units now proposed has been reduced by one. In considering this criterion under the refused application the officer noted that, given the size of the units being proposed, it is unlikely that families would be attracted so it would not be necessary to have a substantial outdoor amenity space. It was also noted that the recreation ground is nearby and that the property does benefit from a generous rear garden to what would have originally been a family home. This communal outside amenity space was considered acceptable, allowing for the provision of bin, recycling and bicycle storage at the desire of residents.

These circumstances have not changed.

9.5 Criterion 5 to the Policy relates to *neighbouring amenity*. This was not considered to be a significant concern in the context of the refused application, and the number of units would now be reduced to four. Whilst noting neighbour comments, issues such as noise disturbance arising from unreasonable behaviour are not material to the determination of this application as they are beyond the control of planning legislation. PPS 3 also makes it clear that all household and tenure forms should be catered for in the supply of accommodation.

9.6 *Criterion 5 of policy H16 relates to flood risk*, which has no bearing on this or the previous proposal.

9.7 In the light of the above considerations it is clear that no new elements have been introduced to the scheme that might give rise to issues not previously identified under application W/10/01769/FUL. No new matters have been identified by neighbour comments that were not previously considered (it also being noted that some of the objections are not relevant to planning, for example the address of the owners, bad driving in the vicinity and the type of residents that will occupy the units).

9.8 The element of the previous proposals scheme which formed the basis of the reason for refusal - the studio flat to the roof space - has been removed and that reason is therefore considered to have been overcome. On that basis, and where the proposals would accord with PPS 3 aims to provide a "...mix of housing, both market and affordable, particularly in terms of tenure and price, to support a wide variety of households in all areas...", permission is recommended.

Recommendation: Permission

For the following reason(s):

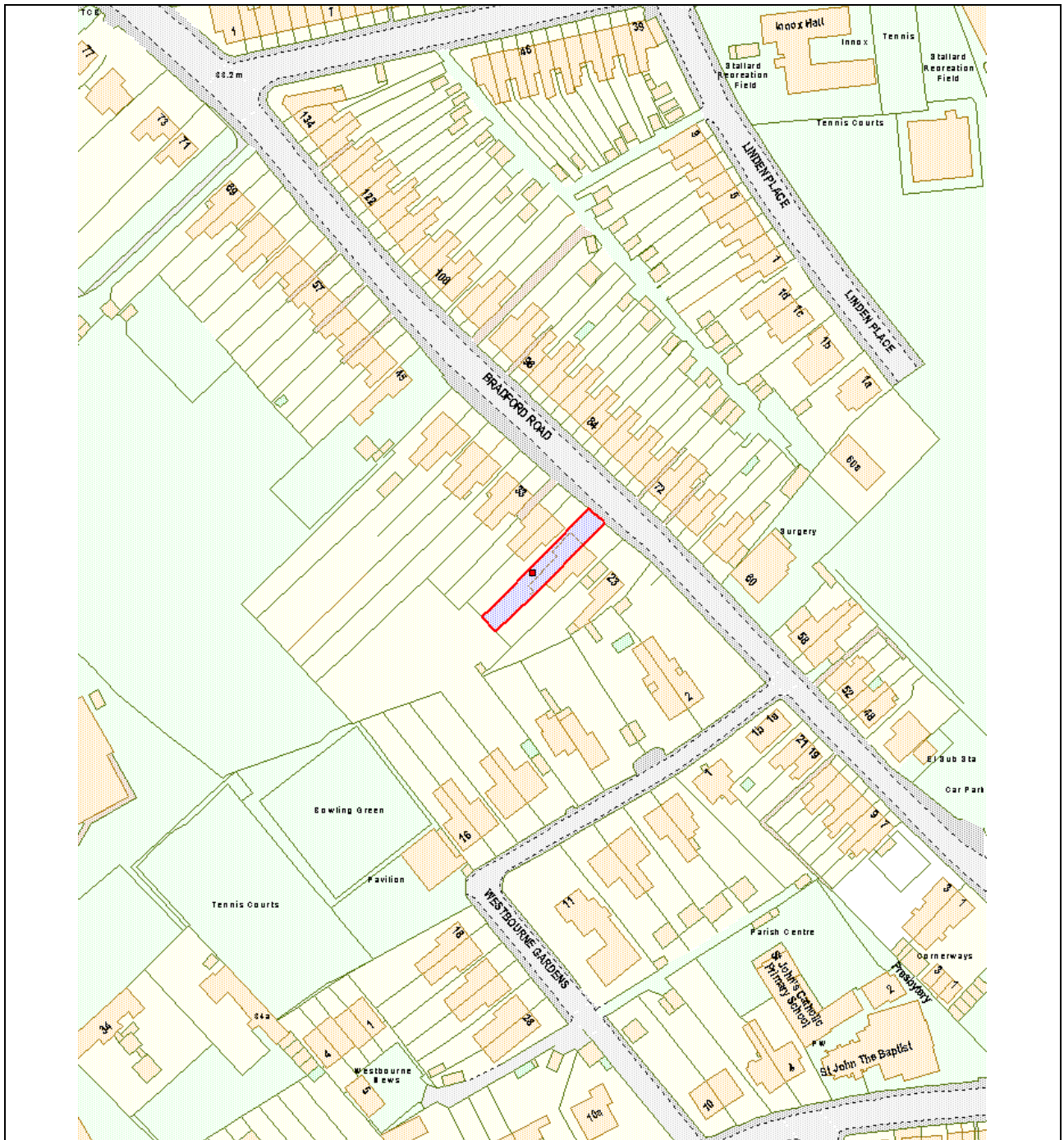
The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.

Subject to the following condition(s):

- 1 The development hereby permitted shall 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.

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



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MSA: 100022961

RELEVANT APPLICATION PLANS

Drawing : 10.25.1 REV A received on 09.08.2010

Drawing : 10.25.2 REV B received on 09.08.2010

Drawing : 10.25.3 REV B received on 25.08.2010

Drawing : 10.25.4 received on 09.08.2010