

**REPORT TO THE DEVELOPMENT CONTROL
COMMITTEE**

Report No.

Date of Meeting	24th September 2008
Application Number	08/01928/FUL
Site Address	123 Lady Mead, Cricklade
Proposal	Erection of two dwellings to form terrace of four dwellings following demolition of existing garage
Applicant	Mr M. Ingle
Town/Parish Council	Cricklade
Grid Ref	409711 193896
Type of applications	Full application

Reason for the application being considered by Committee

This application has been submitted to the Committee for decision under the scheme of delegation in force after the 8th April 2002 because more than five letters of objection have been received.

Summary of Report

This application is for the erection of two dwellings to form a terrace of four dwellings following the demolition of the existing garage. Two previous applications have been submitted for housing developments on this site and both have been refused, one of which was dismissed at appeal.

The site lies within the Cricklade framework boundary and therefore the key points to consider are as follows:

- Implications on Local Plan Core Policy C3.
- Implications on Local Plan Policy H3 (Residential Development within Framework Boundaries).
- Policy CF3 (Provision of Open Space).

Officer Recommendation

The applicant be invited to enter an Agreement in respect of the following matters:

- (i) To ensure that a financial contribution is made towards public open space provision.

Following completion of which the Implementation Team Leader (Development Control and Listed Buildings) be authorised to GRANT Planning Permission.

Contact Officer	Celine Le Boedec-Hughes	01249 706 668	cleboedec-hughes@northwilts.gov.uk
------------------------	-------------------------	---------------	------------------------------------

Proposal and Site Description

This application is for the erection of two dwellings to form a terrace of four dwellings following the demolition of the existing garage on land to the side of 123 Lady Mead. The development site is located along Lady Mead in Cricklade and occupies a corner plot with a public footpath running to the west of the site. The site forms part of a pair of semi-detached properties and benefits from a double garage located to the side of the dwelling.

The development site falls within the framework boundary of Cricklade and is located in a predominantly residential area of the town.

The application site is approximately 35m long at its longest point and between 15 and 17m wide. The site contains 123 Lady Mead and a double garage and is otherwise used as amenity space for 123 Lady Mead.

The plans submitted show a two-storey extension to the side of 123 Lady Mead to form two dwellings, with a further single storey extension proposed to the rear of the proposed dwellings. Each property is to accommodate a kitchen, sitting area and cloakroom at ground floor level with two bedrooms and a bathroom above. Two car parking spaces for each of the proposed dwellings and a further two spaces for No. 123 Lady Mead are proposed to the front.

Planning History		
Application number	Proposal	Decision
82/01505/FUL	Extension	Permitted
06/02709/FUL	Erection of five residential units following demolition of garages	Refused
07/00375/FUL	Conversion of semi-detached dwelling and extension to form four flats and one house	Dismissed at appeal

Consultations

The Town Council – Comments still awaited

Wiltshire County Council Highways – No objections subject to conditions being attached to any permission granted.

The **Regeneration Officer** has advised that this proposal would incur a fee of £8,800 to contribute towards public open space provision. The applicant is in the process of signing a S106 agreement to secure these monies.

Thames Water notes that there are public sewers crossing the site and that no building works will be permitted within 3 metres of the sewers without Thames Water's approval.

Representations

Five letters of objection have been received.

Summary of key points raised:

- Parking congestion
- Increase noise during construction
- Loss of privacy
- No. 124 Lady Mead will become an end terrace which will affect its value
- Pedestrian safety, especially children walking along adjoining footpath
- Out of character as no other terraces in area and loss of front garden

Planning Considerations

The proposal is for the erection of two dwellings to form a terrace of four dwellings following the demolition of the existing garage on land to the west of 123 Lady Mead in Cricklade. The development will follow existing building lines on both the front and rear elevations. The front and rear elevations of the dwellings are to incorporate a number of doors and windows, whilst the roofs are to be gables to match that of adjoining properties.

The application site lies within the defined framework boundary for Cricklade thus there is a principal in favour of development subject to the relevant criteria outlined in Policies C3 and H3 being satisfied.

Amenity:

In terms of impact on amenities, it is considered that this proposal will have no adverse impact on local residents due to the design of the development. The two-storey extension to form the two dwellings is to be to the side of the existing property, away from any neighbours, whilst the rear extension is to be single storey.

With regards to the other surrounding properties, the proposed development will be sited a fair distance away from any other property and will therefore not affect the amenities of existing residents in terms of overlooking or loss of privacy.

Local residents are concerned that the development will lead to extra noise and overcrowding in an area of Cricklade which is already congested. These concerns have been noted but it is considered that an additional two residential units would make minimal difference to the amenities of existing residents.

Overall, the proposed development is not considered to be detrimental to the amenities currently enjoyed by the existing residents by reason of the siting and scale of the proposed units and is therefore in accordance with Policies C3 and H3 of the North Wiltshire Local Plan (2011).

Design, Siting and Scale of Development

The design and scale of the development has been significantly revised when compared to the two previous applications submitted. The proposal is for a two-storey side extension, in the form of an extension of the existing semi-detached property, and a single storey rear extension to be sited perpendicular to the dwellings.

The area is characterised by predominantly cul-de-sac streets where there is no strict pattern of development. A mixture of housing types and sizes also dominates the area. In terms, of design, siting and scale, the proposal is considered to sit comfortably within the existing streetscene and will not be out of character with the surrounding properties or street layout.

Highways and Access

Residents are concerned that the development will affect the safety of children walking along the adjoining public footpath and will lead to increased parking congestion.

These concerns have been taken into consideration, however, the development site includes a large hardstanding area to the front of the proposed dwellings and the existing dwelling (No 123 Lady Mead) which has sufficient space to accommodate six off-street car parking spaces which allows for two off-street car parking spaces per residential unit. County Highways take the view that this is an acceptable level of car parking provision and have recommended that no highway objection be raised subject to a number of conditions being attached to any permission granted.

When determining the appeal, the Inspector was concerned about the six car parking spaces to be located to the front of the property as this *“would result in a large area of hardstanding which would be*

unacceptably dominant and urban in what is, essentially, a suburban area". This particular point has been taken into consideration when determining the application but it is considered that subject to an acceptable landscaping scheme and to the erection of a good quality boundary wall, the proposed hardstanding area would blend in and would not have a significant adverse impact on the character and appearance of the surrounding area.

The proposed development is considered acceptable in terms of off-street car parking provision and pedestrian safety.

Conclusion

The proposed residential development, by virtue of its siting, scale and design, is considered to be in keeping with the character and appearance of this part of Cricklade, is not considered to have any adverse impact on the amenities of adjoining occupiers and is acceptable in terms of highway/pedestrian safety. On this basis, the proposal accords with Policies C3 and H3 of the North Wiltshire Local Plan (2011).

Recommendations and Proposed Conditions / Informatives

Delegate to GRANT Planning Permission subject to conditions and the completion of an Agreement.

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 Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out strictly in accordance with the approved plans subject to such minor amendments to the development as may be approved in writing under this condition by the Local Planning Authority.

Reason: To ensure that the development is implemented in accordance with this decision in the interests of public amenity, but also to allow for the approval of minor variations which do not materially affect the permission.

3. The materials to be used externally for the roof and walls on the proposed development shall match that of No. 123 Lady Mead in terms of type, colour, size and finish unless otherwise agreed in writing by the local planning authority prior to works commencing.

Reason: In order to ensure the satisfactory appearance of the completed development and to comply with Policy C3 of the North Wiltshire Local Plan 2011.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) there shall be no extension or external alteration to any building forming part of the development hereby permitted.

Reason: In order to safeguard the amenity of the area by enabling the Local Planning Authority to consider individually whether planning permission should be granted for extensions and external alterations.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no further windows or other form of opening shall be introduced into the elevations of the dwellings hereby permitted.

Reason: In the interests of residential amenity and to comply with Policy C3 of the North Wiltshire Local Plan 2011.

6. Prior to the commencement of the development hereby permitted, details of the following matters (in respect of which approval is expressly reserved) shall be submitted to, and approved in writing by, the Local Planning Authority prior to works commencing on site:

- (1) walls, fences, gates and other means of enclosure;
- (2) ground surfacing materials;
- (3) elevations and floor plans of the proposed bin/recycling store

The development shall be carried out in accordance with the details so approved.

Items 1, 2 and 3 shall be completed prior to the occupation of the development hereby permitted.

Reason: In the interests of amenity and satisfactory layout and to comply with Policy C3 of the North Wiltshire Local Plan 2011.

7. The development hereby permitted shall not be commenced until details of the landscaping of the site have been submitted to, and approved in writing by, the Local Planning Authority. Details shall include:

- (a) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and proposals for their protection during and following construction works;
- (b) details of all proposed tree and shrub planting, including species, number, sizes and positions, together with seeded/turfed areas;
- (c) details of any hard-surfaced areas such as footpaths, pedestrian areas, steps, play-spaces etc.

The approved landscaping scheme shall be implemented within one year of either the first occupation or use of the development, whether in whole or in part, or its substantial completion, whichever is the sooner, and shall be maintained thereafter for a period of not less than five years. The maintenance shall include the replacement of any tree or shrub which is removed, destroyed or dies by a tree or shrub of the same size and species as that which it replaces, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenity of the area and to ensure the creation of a pleasant environment for the development and to comply with Policy C3 of the North Wiltshire Local Plan 2011.

8. The area allocated for parking (two spaces per dwelling) on the submitted plan (No. 2830/02 date stamped 11th August 2008) shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: In the interests of amenity and road safety and to comply with Policy C3 of the North Wiltshire Local Plan (2011).

9. The access and parking area illustrated as hardstanding area on the submitted plan (No. 2830/02 date stamped 11th August 2008) shall be properly consolidated and surfaced (not loose stone or gravel) prior to the dwellings first being occupied, in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority prior to works commencing on site.

Reason: In the interest of road safety and to comply with Policy C3 of the North Wiltshire Local Plan (2011).

Informatives:

1. 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 References

Drawing numbers 2830/01, 2830/02 and 2830/03 date stamped 11th August 2008.

2. The following policies of the Development Plan are relevant to this decision:-

North Wiltshire Local Plan 2011:- C3, H3, CF3

3. It appears the proposal involves works which will affect the highway and/or its verge. Before commencing such works, you must obtain the separate consent of the Highway Authority. Please contact The Director of Environmental Services, Wiltshire County Council, County Hall, Trowbridge, Wilts, BA14 8JD.

4. You are advised that this planning permission does not override any interests that third parties may have regarding civil matters such as ownership, covenants or private rights of way. Before any works are carried out which affect land outside your ownership you should ensure the necessary consents have been obtained from all persons having an interest in the land.

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

5. Attention is drawn to the Legal Agreement relating to this development or land which has been made pursuant to Section 106 of the Town and Country Planning Act 1990, Section 111 of the Local Government Act 1972, Section 33 of the Local Government (Miscellaneous Provisions) Act 1982 or other enabling powers.

6. The applicant's attention is drawn to the contents of the attached letter from Thames Water dated 14th August 2008.

Reason for Decision

The proposed residential development, by virtue of its siting, scale and design, is considered to be in keeping with the character and appearance of this part of Cricklade, is not considered to have any adverse impact on the amenities of adjoining occupiers and is acceptable in terms of highway/pedestrian safety. On this basis, the proposal accords with Policies C3 and H3 of the North Wiltshire Local Plan (2011).

Appendices:	None
Background Documents Used in the Preparation of this Report:	1.20, 2.02, 2.24, 4.02, 4.04, 4.07, 5.01, 5.03, 5.04