

## Regulatory Committee

June 5th 2008

### List of Applications for Consideration

1. K/58256/F (page 6)

Full planning application for: Proposed 1 no. one bed flat and 1 no. two bed duplex on first floor and incorporating roof area

At: 59, High Street, PEWSEY SN9

RECOMMENDATION: Approve with conditions

2. K/58577/F (page 10)

Full planning application for: Change of Use from offices (class B1 use) to Residential (two flats) (class C3 use) and associated works.

At: 23, High Street, PEWSEY SN9 5AF

RECOMMENDATION: Approve with conditions

3. K/58520/F (page 14)

Full planning application for: Retention of detached studio building

At: Tumblehome, Church road, WOODBOROUGH SN9 5PH

RECOMMENDATION: Approve with conditions

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Item 1

**APPLICATION NO:** K/58256/F  
**PARISH:** PEWSEY  
**APPLICATION TYPE:** Full Planning  
**PROPOSAL:** Proposed 1 no. one bed flat and 1 no. two bed duplex on first floor and incorporating roof area  
**SITE:** 59 High Street Pewsey Wilts  
**GRID REF:** 416653 160171  
**APPLICANT:** NSM Properties Ltd  
**AGENT:** P Maisey  
PJM Architectural Services Ltd  
**DATE REGISTERED:** 06/03/2008  
**CASE OFFICER:** Andrew Guest

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**SITE LOCATION**

The application site is located on the north side of Pewsey High Street, within the service centre, conservation area and area of outstanding natural beauty. It comprises a mid terrace, three bedroom house. To its east side is a further house (no. 61); to its west side is the Moonrakers Public House. On the opposite side of the road is a shop and further residential development.



*Location Plan*

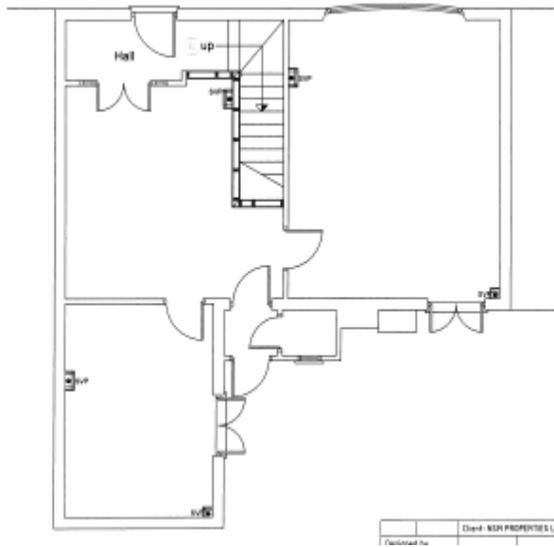
**RELEVANT PLANNING HISTORY**

K/58257/F - Change of use of ground floor to hairdresser's salon - approved 06/03/08.

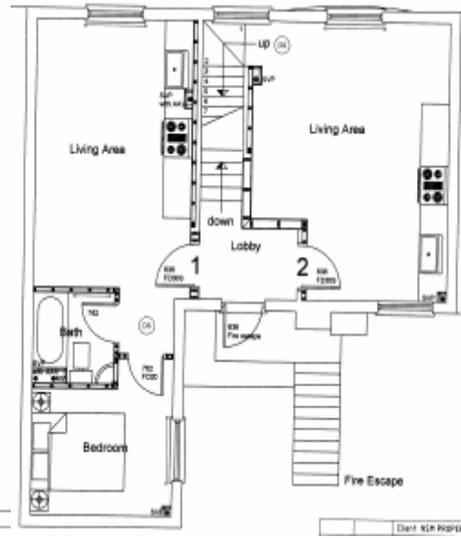
[This history application was made by the same applicant and at the same time as the current application before the Committee. Although approved, it has not as yet been implemented].

**DESCRIPTION OF DEVELOPMENT**

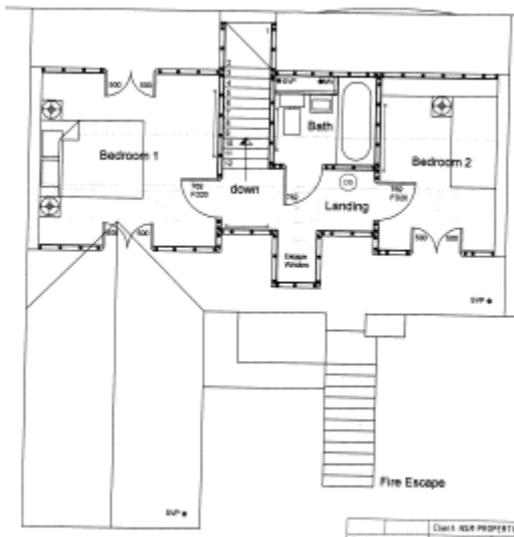
The application proposes to convert the first floor and loft space of the house into two residential units (1 x 1 bedroom flat and 1 x 2 bedroom duplex unit). These would be in addition to the ground floor hairdresser's salon. External alterations are limited to a rear fire escape and five roof lights in the rear roof slope.



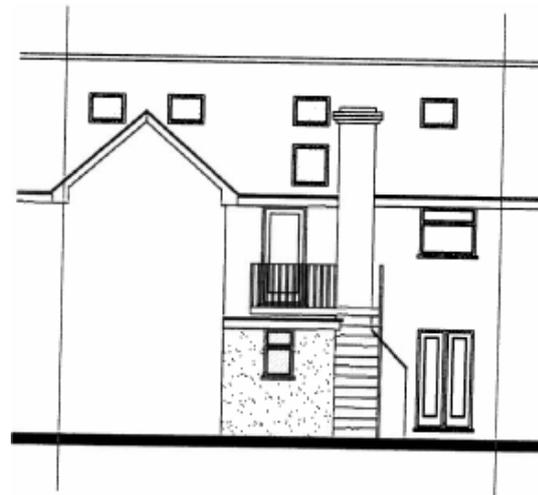
*Proposed Ground floor*



*Proposed first floor*



*Proposed Second Floor*



*Proposed rear elevation*

**PRINCIPAL AMENDMENTS MADE FOLLOWING SUBMISSION**

The fire escape has been provided together with an additional roof light.

#### ADDITIONAL STATEMENT BY APPLICANT

The application is supported by a Design and Access Statement which can be viewed on the working file and on-line.

#### PARISH COUNCIL COMMENTS

Pewsey Parish Council: oppose this application as it is considered over-development of the site and no parking facilities.

#### CONSULTATIONS

County highways: as the property is already in residential use, no highway objection is raised.

KDC Environmental Health: no objection.

#### REPRESENTATIONS

Two letters from third parties have been received - one objection (from no. 61 High Street) and one conditional support (from no. 54 High Street). The objection letter is summarised as follows:

- \* There is a lack of amenities at the rear of the property to support two flats and a commercial shop;
- \* Over-development of such a small site;
- \* Lack of parking space. The small hard standing to the rear of the property is accessed via an 8ft right of way which is only granted subject to payment of a proportionate amount towards upkeep. To date no payment has been made thus negating the right of way. Should the right of way be reinstated then WCC Highways should object to increased use of the junction of Brunkards Lane with the High Street. With this in mind, the High Street would be left for parking, and this is subject to parking restrictions.

The conditional support is summarised as follows:

- \* Fully support proposal to encompass a downstairs shop and upstairs dwelling, with one reservation -
- \* Parking in the High Street is difficult with vehicles regularly being left on yellow lines, this causing potential problems for emergency vehicles. The property has its own parking area at the rear, although the current occupier tends to park on the High Street. The lack of wardens means that the parking restrictions are regularly abused which is antisocial.

#### POLICY CONSIDERATIONS

Kennet Local Plan 2011 - Policy PD1  
PPG 6

#### PLANNING OFFICER'S COMMENTS

The main issue in this case is the scale of the development proposed and its impact on amenity. As a matter of principle, the conversion of the upper floors of buildings within the service centre to alternative uses (whether commercial or residential) is acceptable, enhancing both the vitality and viability of the centre. This is in accordance with Central Government policies for sustainable development.

In this case the overall proposal is to convert this existing three bedroom house into three parts - a ground floor shop unit (hairdresser's salon), and two self-contained residential units. The shop unit now benefits from planning permission. The remaining elements for consideration are, therefore, the two residential units.

Within the service centre, higher density, smaller residential units are considered appropriate, providing sustainable accommodation for the less mobile in particular, close to the centre's facilities and amenities. As higher densities are encouraged within sustainable centres, and having regard to the fact that the net increase in the number of residential units in this case would be just one, it is considered that an objection for the reason that the proposal would be an over-development could not be sustained.

Regarding parking, the existing three bedroom house has no parking as such (although it is understood that there is a right of way at the rear of the property which would allow off-road parking for one vehicle). It follows, therefore, that the two flats would effectively have no parking. Again, having regard to the existing situation with the three bedroom house (with effectively no parking), the service centre location (where there are public transport connections and car parks), current Central Government policy (which is to discourage use of cars), and the lack of an objection from county highways, it is not considered that an objection based on lack of parking could be sustained in this case.

Regarding amenity, the external alterations to the building are at the rear and so would not be readily visible from outside of the site or from publicly accessible parts of the conservation area. The occupiers of the flats would share the small rear courtyard with the shop for sitting out/drying washing/etc., if required. It is understood that the original house had been on the market for some time without realising a sale. In view of its location in the High Street amongst commercial uses, it is considered that its use as flats rather than as a family home may well achieve greater levels of interest, in the wider interests of the viability and vitality of the High Street as a whole.

## **RECOMMENDATION**

Approve with Conditions

- 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 Notwithstanding the details shown on the drawings, all rooflights shall be traditional conservation style with a single vertical glazing bar and flush flashing and maintained as such thereafter.

### **REASON:**

To preserve the character and appearance of the conservation area.

- 3 **INFORMATIVE TO APPLICANT:**

The Council is required to give a summary of the reasons for this decision and a summary of the development plan policies and proposals relevant to the decision. These are 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 the following policies and proposals in

the Kennet Local Plan 2011 namely: policy PD1.

Item 2

**APPLICATION NO:** K/58577/F  
**PARISH:** PEWSEY  
**APPLICATION TYPE:** Full Planning  
**PROPOSAL:** Change of Use from offices (class B1 use) to Residential (two flats) (class C3 use) and associated works.  
**SITE:** 23 High Street Pewsey Wiltshire SN9 5AF  
**GRID REF:** 416539 160135  
**APPLICANT:** Mr N Martin  
**AGENT:** Mr P Oakley  
Oakley Planning & Conservation  
**DATE REGISTERED:** 23/04/2008  
**CASE OFFICER:** Peter Horton

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### BACKGROUND

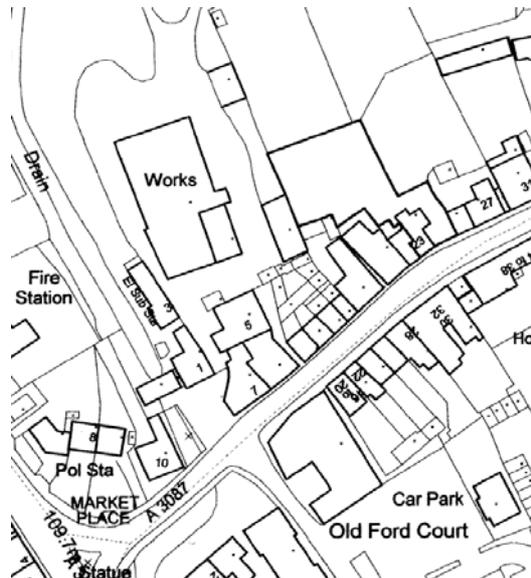
Cllr Mrs Hayhoe has requested that the application be brought to Committee. She is concerned that there is a shortage of good quality office accommodation in Pewsey, and if the property has not been let, it is because of poor presentation. The ground floor should be retained as offices.

### SITE LOCATION

The site is situated on the northern side of High Street, some 100m east of Market Place. It is a red brick end terraced property in keeping with adjoining properties, but with an unfortunate 2 storey flat roofed side extension.

The site benefits from a substantial private car park to the rear, but does not have a garden as such.

The property is currently vacant. It was last used as offices.



*Location of site on north side of High Street*

## **SITE HISTORY**

**K/36890** - Approve with Conditions 12/03/1999  
Alterations to roof including addition of dormer window

**K/38385** - Approve with Conditions 29/12/1999  
Replacement dormer and ground floor window.

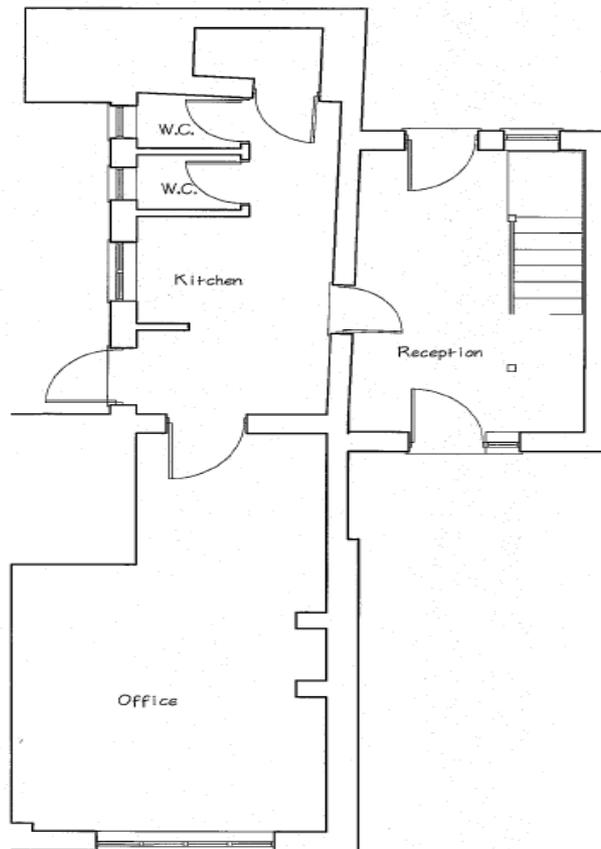
**K/13519** - Approve with Conditions 16/05/1989  
Extension to sitting room and kitchen

**K/84/0749** - Approve with Conditions 13/09/1984  
Change of use from vacant premises to mixed retail and residential

**K/84/0748** - Approve with Conditions 13/09/1984  
Change of use vacant premises to mixed retail and office use

## **DESCRIPTION OF DEVELOPMENT**

The proposal is to change the use of the property from offices into two one bedroom flats: one on each floor. No changes are proposed to the external appearance.



Ground Floor Plan

1:50

*Ground floor plan, showing existing layout of floor space*

**ADDITIONAL STATEMENT BY THE LETTING AGENT**

The letting agent confirms that the property has been marketed for 14 months, with only around 10 potential tenants being shown round. None showed any interest, giving feedback that the space is too fragmented between the ground and first floors for the convenient operation of a business. Fewer people with small home based businesses are now expanding into commercial offices and when they do there is a preference for an open plan layout.

Although the demand for office space in Pewsey has been slow, he is surprised that there have not been more enquiries about the premises, especially as it has the benefit of onsite car parking in a central village location. Furthermore the offices are in good condition overall and ready for immediate occupation by a tenant. However, with the minimal continuing demand for office space in Pewsey, he is not hopeful about the chances of finding a tenant in the foreseeable future.

**ADDITIONAL STATEMENT BY THE PLANNING AGENT**

Leaving the building empty in such a prominent position in the village centre detracts from the vitality of the village. In contrast, providing two flats in this location would bring life back to a building that has had a wide variety of uses. It would provide for two small affordable residential units in the centre of the village, which is much needed in Pewsey.

**CONSULTATIONS**

Pewsey Parish Council: Strongly object to the change of use of the ground floor flat as it conflicts with parish council and village design statement for the retention of business premises. Support the change of use of the first floor.

County Highways – (Mr Wiltshire): No objection.

**POLICY CONSIDERATIONS**

Kennet Local Plan PD1 and ED7

**PLANNING OFFICERS COMMENTS**

The main policy consideration is ED7, which states that applications for non-employment uses on existing employment sites in the towns and large villages will be considered on their individual merits, taking into consideration the contribution the existing site makes to the range and diversity of employment sites and the demand for the particular type of employment site.

No objections have been received to the change of use of the upper floor to residential; the application turns on the merits of the proposal for the ground floor.

The floor space involved is extremely small, with the whole ground floor, including the service areas, amounting to 37 square metres. The letting agent has described how the layout and size of the space is not compatible with modern requirements. Many small businesses operate from home and very few are now expanding into commercial offices. Even when they do, there is a preference for an open plan layout. There is minimal continuing demand for office space in Pewsey, with little prospect of the site being let in the foreseeable future.

If the application were permitted, there would be no material reduction in the amount

of floor space available to let in Pewsey.

The site is located in Pewsey Conservation Area. However no external changes are proposed, and no loss of an essential community use is involved and hence the proposal is considered likely to have a neutral impact on the character and appearance of the conservation area. Indeed, this part of High Street displays a broad range of uses, and if allowed, the current proposal would not undermine the vitality and viability of the village centre.

### **CONCLUSION**

There would appear to be little demand for this type of small office accommodation in central Pewsey. Furthermore the site is located in a mixed use area, where uses are varied and fluid. There is no evidence that the conversion of this small amount of floor space to a residential use would have any adverse impact on the vitality or viability of the town centre. There is therefore no sound planning justification to withhold planning permission for the current proposal.

### **RECOMMENDATION**

Approve with Conditions

- 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:**  
The Council is required to give a summary of the reasons for this decision and a summary of the development plan policies and proposals relevant to the decision. These are 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 the following policies and proposals in the Kennet Local Plan 2011 namely: policies PD1 and ED7.

- 3 **INFORMATIVE TO APPLICANT:**  
This permission authorises a Change of Use only and does not authorise any works or alterations that may require planning permission.

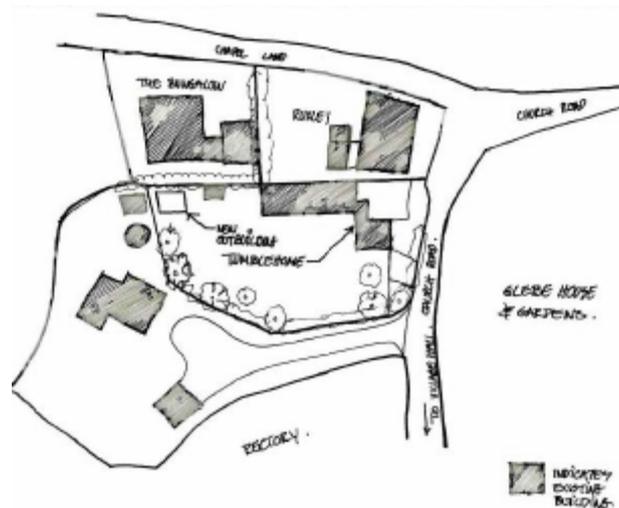
Item 3

**APPLICATION NO:** K/58520/F  
**PARISH:** WOODBOROUGH  
**APPLICATION TYPE:** Full Planning  
**PROPOSAL:** Retention of detached studio building  
**SITE:** Tumblehome Church Road Woodborough Wiltshire SN9 5PH  
**GRID REF:** 411259 160023  
**APPLICANT:** Mr J Moore Bethel  
**DATE REGISTERED:** 16/04/2008  
**CASE OFFICER:** Andrew Guest

**SITE LOCATION**

The application site lies on the west side of Church Road within the village of Woodborough and within the Woodborough Conservation Area. It is surrounded by residential development comprising mainly detached houses set in large, private plots.

To locate the site, head for the church, and park in the small church car park. Then walk along Church Road to the west. Follow Church Road as it turns to the south - Tumblehome is the second house on the right hand side just past the bend in the road.



Location Plan

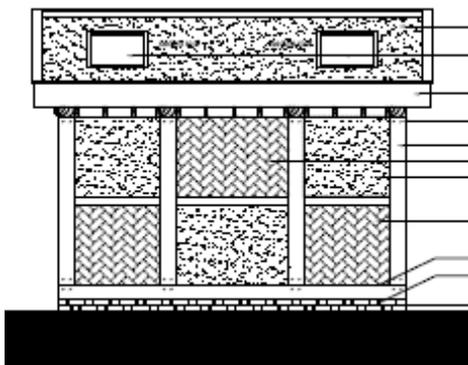
**RELEVANT PLANNING HISTORY**

K/58034/F - Retention of detached studio building - refused 04/03/08.

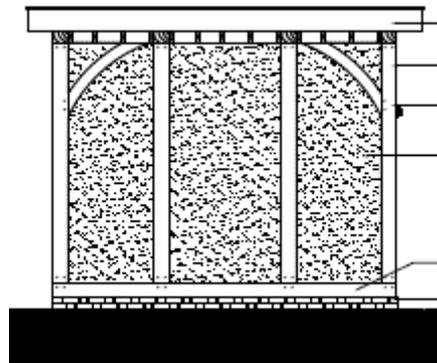
*[The reason for refusal of the above history application is as follows - The proposed studio, by reason of its siting and design, would have a detrimental impact on the amenities of the owners/occupiers of the adjoining property to the south-west, Darnley. Specifically, the windows in the south elevation would enable overlooking of the private garden of Darnley and would allow views into the windows in the rear elevation of Darnley. This is contrary to Policy PD1 of the Kennet Local Plan 2011].*

## DESCRIPTION OF DEVELOPMENT

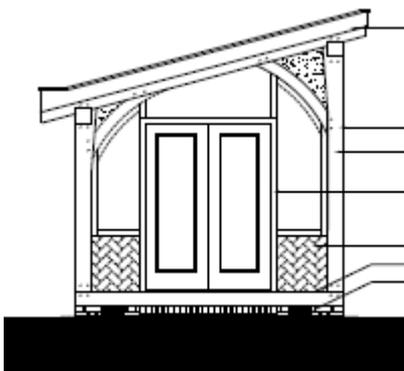
This application seeks permission to retain a partially constructed detached garden studio building. The building is located in the rear garden of the property, approximately 1.3m from the common boundary with the neighbour to the north, Bield House, and approximately 1.3m from the common boundary with the neighbour to the south-west, Darnley. When completed the building will have maximum dimensions of 5.1m by 4.2m by 4.0m high (maximum). It will be constructed from a solid oak frame with cobb or brick infill wall panels, and a mono-pitch sedum flowering roof. It will have two roof lights and glazed windows in the east facing elevation only. Inside it will have a log-burning stove.



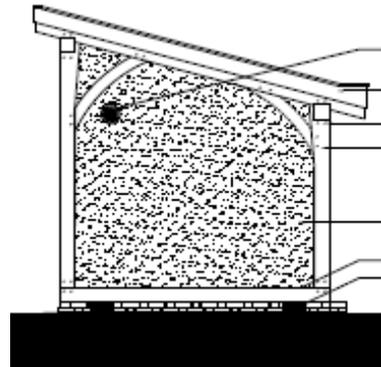
*South facing elevation*



*North facing elevation*



*East facing elevation*



*West facing elevation*

The application (and the earlier refused application) has been made following an enforcement investigation.

## PRINCIPAL AMENDMENTS MADE FOLLOWING SUBMISSION

The application has not been amended since submission. It is, however, a revised proposal following the refusal of application no. K/58034/F. The current application differs from the refused application in that the wall glazing has been removed from the south facing elevation (this is now solid). Glazing is now only proposed in the east facing elevation and the two rooflights.

## ADDITIONAL STATEMENT BY APPLICANT

The application is accompanied by a comprehensive Design and Access Statement which can be viewed via Planning Explorer or on the working file.

## PARISH COUNCIL COMMENTS

Woodborough Parish Council: Alterations to the previous planning application K/58034/F appear to be mainly cosmetic and do not address previous objections, therefore the PC objects on the following grounds:

1. The site is within Woodborough Conservation Area and the proposed development fits none of the criteria for development within a conservation area and is out of keeping with buildings in this AONB. It also fails to provide any benefit to any one other than the applicant;
2. We still question the position of the boiler flue shown on the application - will it be acceptable for reasons of safety?;
3. The roofline of the proposed studio is overly high bearing in mind its proximity to neighbouring properties, in particular Bield House and Darnley, and will impact on the privacy of both properties. Whilst the planting of trees has overcome the problem of invading the privacy of the residents of Darnley, we still feel what is proposed is totally inappropriate for the site in terms of appearance and scale.

## CONSULTATIONS

KDC Conservation Officer: The proposal for a small, detached studio building has been revised to take account of neighbour privacy issues but is essentially the same scale and type of structure. No objection to the application as consider there will be a neutral impact on the character and appearance of the conservation area.

## REPRESENTATIONS

An objection has been received from Bield House summarised as follows:

- \* Bield House is the most immediate neighbour and so is most affected by the proposed development;
- \* Location plan accompanying application is out of date in that it does not show Bield House;
- \* The changes made to the design following the refusal of the last application do not alter the inappropriate size and elevations of the structure. Moving the log-burning flue to the west elevation equally does not overcome the concerns about the overall height of the flue for planning regulations;
- \* Application is retrospective.

## POLICY CONSIDERATIONS

Kennet Local Plan 2011 - Policy PD1  
PPG15

## PLANNING OFFICER'S COMMENTS

The main issues to be considered in this case are the impact of the studio building on visual amenity (including the conservation area) and residential amenity.

Regarding visual amenity, the building is sited towards the end of the rear garden of Tumblehome and as a consequence it is not readily visible from any public vantage points. The design is contemporary but utilises traditional materials, and this, in combination with the relatively modest proportions (the size is comparable to a large single garage), means that the development does not adversely impact on visual amenity and has a neutral impact on the conservation area.

In relation to residential amenity, the building is positioned fairly close to the boundaries of the site with two neighbouring properties - Darnley and Bield House. The boundary with Darnley is defined by an approx. 1.8m high fence, and the building is clearly visible above this by virtue of their juxtaposition. However, the gap between the building and Darnley house itself is some 13-14m, and as a consequence it is not considered that an overbearing relationship has resulted. The previous concern of overlooking between the building and Darnley has been addressed by the removal of all windows from the south and west facing elevations.

Regarding Bield House, this is much closer to the building being no more than 3-3.5m to the north. However, the boundary with Bield House is defined by a high (approx. 3.5m) hedge which largely screens the building from view. Only the very top of the building projects above the hedge line, and this minor projection is not considered to be so detrimental to warrant an objection on amenity grounds. Issues relating to the log-burning stove and its flue are matters of technical design, and consequently would not amount to a reason for refusing planning permission.

## **RECOMMENDATION**

Approve with Conditions

- 1 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting or amending that Order with or without modification), no windows, doors or other openings, other than those shown on the approved plans shall be inserted in the west and south facing elevations of the building hereby permitted.

### **REASON:**

In the interests of the privacy of the neighbouring properties.

- 2 The development hereby permitted shall be used solely for purposes incidental to the enjoyment of Tumblehome as a residential dwelling and for no other purpose.

### **REASON:**

To protect the amenities of this primarily residential area.

- 3 **INFORMATIVE TO APPLICANT:**  
The Council is required to give a summary of the reasons for this decision and a summary of the development plan policies and proposals relevant to the decision. These are 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 the following policies and proposals in the Kennet Local Plan 2011 namely: policy PD1; and Central Government policy set out in PPG15.

