

**REPORT TO THE DEVELOPMENT CONTROL  
COMMITTEE**

Report No.

<b>Date of Meeting</b>	<b>20<sup>th</sup> February 2008</b>
<b>Application Number</b>	<b>08/00060/FUL</b>
<b>Site Address</b>	<b>Land Adjacent 8 Saunders Gove, Corsham SN13 9XG</b>
<b>Proposal</b>	<b>Erection of Coach House</b>
<b>Applicant</b>	<b>Mr P Bailey</b>
<b>Town/Parish Council</b>	<b>Corsham</b>
<b>Grid Ref</b>	<b>385963 170206</b>
<b>Type of application</b>	<b>Full Application</b>

**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 8<sup>th</sup> April 2002 because 5 letters of objection have been received

**Summary of Report**

This application proposes the erection of a coach house. The site lies within the framework boundary of Corsham and therefore the key points to consider are as follows:

- Implications on DC Core Policy C3 and Housing Policy H3
- Affect of the residential amenity of existing properties
- Design and scale of the development
- Impact on traffic and parking in the local area

**Officer Recommendation**

Planning Permission be GRANTED subject to the conditions

<b>Contact Officer</b>	Alison Grogan	01249 706671	agrogan@northwilts.gov.uk
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**Proposal and Site Description**

The proposal is for the erection of a "coach house" on land adjacent to the rear garden of 8 Saunders Grove. The site is located on a green space to the rear of a parking area, which provides allocated parking for some of the neighbouring properties.

The land to the rear of the site is a sports field, which is at a higher level than the application site. There is some dense landscaping along the boundaries to the rear with the sports field and to the east side which borders the rear gardens of properties in Swan Road .

The proposal is for a coach house which will have one bedroom with living room/kitchen on the first floor and a study/bedroom and a double car port on the ground floor.

<b>Planning History</b>		
Application number	Proposal	Decision
07.02761.FUL	Erection of Coach House	Withdrawn

### **Consultations**

**Corsham Town Council** comments are awaited.

**Wiltshire County Council Highways** have no objections.

**Wessex Water** comments are awaited.

**District Ecologist** comments are awaited.

### **Representations**

Six letters of objection have been received.

Summary of key points raised:

- By common usage people use a pathway across the corner of this land to enter the sports ground.
- The pond/marshy area in the corner is a habitat for wildlife.
- The number of parking spaces is not adequate.
- The building will encroach onto the buffer zone.
- Overlooking and overbear our property.
- Covenant which states that the buffer zone should be maintained. Understood from Bloor Homes that the Buffer Zone would never be built on.
- The pond and planting that has been removed should be reinstated.
- Parking in this area is already cramped and difficult to manoeuvre a vehicle into.
- The water table will be affected and excess water could affect properties in Swan Road.
- The proposal will require crossing owned car parking spaces.
- Access to the site is through a covered entrance therefore the height restriction will make it difficult for construction vehicles and emergency services to access the site.
- Where are the existing nine owners of the car parking spaces going to park on the estate?
- Who will pay for damages to the tarmac?
- Stress and inconvenience to the other property owners.

### **Planning Considerations**

#### Principle of Development

The site lies within the defined settlement framework for Corsham. The principle of residential development on this site complies with Policy H3 of the adopted Local Plan, however, the ultimate acceptability of the submitted scheme should be assessed against the criteria laid out in Policy C3.

A previous application for a similar proposal, reference 07/02761/FUL, was withdrawn as the submitted plans did not correspond and the site had not been surveyed correctly.

#### Impact on Amenity

The proposed coach house will be located to the rear of an existing parking area. The main habitable rooms will be located at first floor level with a study/bedroom and double car port on the ground floor.

The windows to the living accommodation on the first floor will be facing towards the sports field to the rear and the only window at first floor level on the front (north) of the building will be at the top of the stairs. Given that this window will be close to the boundary with the properties in Swan Road, it is considered that an obscure glazing condition would be appropriate.

Whilst there is a ground floor window and a door on the side (east) elevation given that there is some screening along this boundary it is considered that it would not give rise to an unacceptable level of overlooking.

Concerns have been raised by local residents that this area was intended as a buffer zone and there are covenants stating that the land would never be built upon. This residential development was granted at appeal and the Inspector imposed a condition, which required the landscaping to be retained and maintained for a period of 5 years from the date when the development was completed – this time limit has now expired. Covenants are not a planning issue, however, the grant of planning permission would not override any third party/legal obligations that may exist. However, the plans show that there will still be landscaping around the south and east boundaries, the Design and Access Statement submitted to support the application states “the adjacent landscaping is considered to provide sufficient softening and screening of the site”. It is acknowledged that the site is well screened but to ensure that this remains the case, it is felt appropriate to include a landscaping condition.

Concerns have also been raised regarding a pond on this site and the impact on wildlife including newts. The site is fairly overgrown, but a pond was not seen during the site visit by the case officer. A pond is shown on the maps prior to the residential development but it is not shown on the later maps with the layout of the dwellings. However, the District Ecologist has been contacted for further advice on this matter and the comments will be reported as additional information.

With regard to the issue of emergency vehicles accessing the site, the proposed building will be within approximately 26 metres of the main carriageway and Building Control have advised that a fire truck would need to have vehicular access within 45 metres of any point of the building, which would easily be achieved.

As with any development, it is acknowledged that there will be a certain amount of disturbance and stress caused to neighbouring residents during the construction period but unfortunately such matters cannot be controlled by the Local Planning Authority, however, such matters would be temporary in nature.

#### Design and Scale of Development

The proposed building is rectangular in shape with a hipped roof construction measuring 6.6 metres to the ridge. The first floor windows are partially within the roof space and therefore dormer style. The two car parking spaces in the car port are for the use of the existing dwelling at 8 Saunders Grove and a car parking space is proposed in line with the other allocated parking spaces for the proposed dwelling.

This style of dwelling is not unusual on modern estates and a condition can be incorporated to ensure that the materials match the surrounding properties.

The agent has been requested to indicate on a plan where the proposed bin storage is to be located and this will be reported as additional information.

There are some minor errors on the submitted plans with regards to the fenestration for example the bathroom window is not shown on the south elevation and the dormer on the front elevation is missing from the side elevations. The agent has been made aware of the discrepancies and revised plans should be submitted prior to the Committee Meeting.

#### Highways, Access and Parking

The application proposes that the two car park spaces under the coach house will be allocated to the

existing dwelling and there will be a single space allocated to the front of the building for the proposed coach house.

Highways have commented that the existing 7 car park spaces have been demonstrated, along with two parking spaces for No. 8 Saunders Grove. Whilst only one space is included for the coach house, at this location they would accept this decrease in standards. On this basis, no highway objection has been raised.

Concerns have been raised by local residents that the parking is already cramped and difficult to manoeuvre. This issue has been discussed with Highways who have stated that whilst the parking court may be tight and any additional parking may make the situation a little more difficult, the proposed spaces do meet the highway standards.

Local residents have raised concern that a right of way across the corner of the site may be affected. The original plans for this residential development do not show a designated footpath at this location. However, it was clear from the site visit that there is some sort of informal arrangement as there does appear to be a cut through onto the playing fields. Legal advice was taken on this matter and it was stated that the local authority would have no jurisdiction to determine whether the alleged right of way exists or not and this should not influence the planning decision, the grant of planning permission would not override any third party issues such as a right of way.

#### Public Open Space

The proposal will require a financial contribution to be made towards the upgrading of nearby open spaces under Policy CF3 of the North Wiltshire Local Plan 2011. The agent has been informed and asked to confirm in writing that their client would be willing to pay a financial contribution should planning permission be granted. This requirement can be made by condition should permission be granted.

#### **Recommendation and Proposed Conditions/Informatives**

Subject to the receipt of a revised drawing showing the amended fenestration details being acceptable, then:

Planning Permission should be GRANTED subject to the following 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. Prior to the use or occupation of the development hereby permitted, and at all times thereafter, the proposed first floor window in the north elevation shall be glazed with obscure glass only.

Reason: In the interests of residential amenity.

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. Prior to the commencement of the development hereby permitted, details of materials to be used externally shall be submitted to, and approved in writing by, the local planning authority. The development shall be built in the materials approved.

Reason: In the interests of visual amenity.

6. 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, parking 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 comply with Policy C3 of the North Wiltshire Local Plan 2011.

7. The development hereby approved shall not begin until a scheme for a contribution towards the creation of, or improvement and/or management of, existing public open space, in accordance with the North Wiltshire Open Space Study, has been submitted to and approved in writing by the Local Planning Authority. Such a contribution shall be made in accordance with the timing detailed within the approved scheme.

Reason: In accordance with Policy CF3 of the North Wiltshire Local Plan 2011.

**Informative:**

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

North Wiltshire Local Plan 2011:- C3 and H3

2. 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 Ref: Site Location Plan and Drawing Showing Floor Plans and Elevations received by the local planning authority on the 10<sup>th</sup> January 2008

3. 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 our own independent advice with regard to the requirements of the Party Wall Act, 1996.

#### **Reason for Decision**

The proposal accords with policies H3 and C3 of the North Wiltshire Local Plan 2011, in that it has acceptable visual impact upon the surrounding area, does not have a materially detrimental impact upon the amenity of neighbouring properties and does not compromise highway safety.

<b>Appendices:</b>	<ul style="list-style-type: none"><li>• <b>None</b></li></ul>
<b>Background Documents Used in the Preparation of this Report:</b>	<ul style="list-style-type: none"><li>• <b>1.20 2.02 4.02 4.04</b></li></ul>