

**REPORT TO THE DEVELOPMENT CONTROL
COMMITTEE**

Report No.

Date of Meeting	30th July 2008
Application Number	08/01345/FUL
Site Address	22 Lady Coventry Road, Chippenham, Wiltshire, SN15 3NG
Proposal	Erection of Attached Two Bedroom Dwelling & Associated Parking
Applicant	Mr S W Franklyn
Town/Parish Council	Chippenham Town Council
Grid Ref	392882 173513
Type of application	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 5 or more letters of objection have been received.

Summary of Report

This is a full application for the erection of a dwelling to the side of this semi-detached property.

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

Officer Recommendation

Subject to no adverse comments being received from Wessex Water, the applicant be invited to enter an Agreement in respect of the following matters:

- (i) Open space contribution

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

Contact Officer	Emma Lai	01249 706673	elai@northwilts.gov.uk
------------------------	----------	--------------	------------------------

Proposal and Site Description

The proposal is for the erection of two bedroom dwelling. The proposal will be attached to the existing house resulting in the creation of a terrace from an existing semi-detached building.

The existing dwelling is a two storey building situated amongst predominantly bungalows. The area is generally open place in character.

The site occupies a corner position, bounded by the highway on three sides and residential properties to the north.

A previous planning application for a larger dwelling was considered unacceptable and subsequently withdrawn. This application revises the previous scheme.

Planning History

Application number	Proposal	Decision
N.05.01590.F	Two storey side extension & detached double garage	PER
N.08.00533.F	Erection of dwelling & associated parking	WDN

Consultations

Chippenham Town Council objects to the proposal on the grounds of over development and being out of character with the area.

Wiltshire County Council Highways support with conditions (see the recommendations)

Wessex Water Authority's **comments are awaited.**

Representations

6 letters of objection that have been received.

Summary of key points raised:

- Not keeping with the character of the surrounding area, which consists of detached and semi-detached and not terraced dwellings.
- Overdevelopment
- Additional traffic and parking
- Impact on sewage system
- Will overlooking neighbouring properties

Although raised by a number of objectors, it is important to note that the devaluation of house prices is not a material planning consideration.

Planning Considerations

Principle of development

The lies within the framework boundary of Chippenham where there is a presumption in favour of development subject to the relevant criteria outlined in Policies C3 and H3 being satisfied.

Design and Scale of Development

Planning permission was granted in 2005 for a two storey side extension to this property. The width of the approved extension is the same as the proposed dwelling. The current proposal will also include an additional section to the rear, the depth of which will measure approximately 2 metres.

Notwithstanding the proposed use as a separate dwelling, the appearance of the development being sought is not considered to be significantly different from the approved extension to the house.

On this basis, the appearance of the development is considered to be in keeping with the character of the main dwelling and will not adversely affect the visual amenity of the surrounding area.

Affect on the Residential Amenity of Existing Properties

The proposed dwelling will be sited approximately 21 metres or more from the dwellings to the front and side. As a general guide a distance of 21 metres is considered to be an acceptable window to window distance between properties. Furthermore, any overlooking will be no greater than what would have occurred from the approved 2005 extension.

The main difference would be the extra 2 metre projection to the rear. The distance between the proposed first floor rear window and the side windows belonging to No. 20 Lady Coventry Road will be approximately 19.5 metres. This distance is still considered to be acceptable and is not uncommon within a town location. However, the plans does include extra landscaping near the boundary to help reduce any loss of privacy to No. 20 Lady Coventry Road.

Impact on Traffic and Parking in the Local Area

No objections have been raised by the County Highway Authority. The proposed parking area is already used for parking and access and as such, it would be unreasonable to recommend a refusal of planning permission on highway safety grounds.

Public Open Space Contribution

A financial contribution is required in accordance with Policy CF3 and the adopted Open Spaces Study. The applicant has agreed to provide the appropriate sum by means of a S106 agreement.

Recommendation

Subject to no adverse comments being received from Wessex Water, the applicant be invited to enter an Agreement in respect of the following matters:

- (i) Open space contribution

following completion of which the Implementation Team Leader (Development Control and Listed Buildings) be authorised to GRANT Planning Permission 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. No development shall commence until a hard and soft landscape scheme has been submitted to and approved by the local planning authority, shall a scheme shall include details of all walls, fences, trees, hedgerows and other planting which are to be retained; details of all new walls, fences and other boundary treatment and finished ground levels; a plant specification to include the number of species and position of all new trees and shrubs; details of the surface treatment of the open parts of the site; and a programme of implementation.

Reason: To ensure the provision of an appropriate landscaping setting for the development.

4. All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the local planning authority. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size to be first approved in writing by the local planning authority. All hard landscape works shall be permanently retained in accordance with the approved details.

Reason: To ensure that the landscape scheme is implemented and maintained.

5. The development hereby approved shall not be occupied until a visibility splay, based on co-ordinates 2.4 metres by 2.4 metres, has been provided to the south west corner of the approved vehicular access next to the existing footway in accordance with detail to be submitted and approved in writing by the Local Planning Authority. The visibility splay shall be permanently kept free of any obstruction exceeding 600mm in height above the carriageway level of Lady Coventry Road.

Reason: In the interests of highway safety.

6. The development hereby approved shall not be occupied until the first 5 metres of the driveway has been properly consolidated and surfaced (not loose stone or gravel) in accordance with details to be submitted and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

7. The dwellings shall not be occupied until space has been laid out within the site in accordance with the approved plans for the parking of vehicles, and shall not thereafter be used for any purpose other than the parking of vehicles associated with the development.

Reason: To ensure that sufficient provision is made for off-street parking of vehicles in the interests of highway safety.

8. 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 of 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.

Informatives:

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.

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.

Reason for Decision

The proposal will not have a detrimental impact on the amenities of the surrounding area in accordance with Policies C3 and H3 of the North Wiltshire Local Plan.

Appendices:	None
Background Documents Used in the Preparation of this Report:	1.21, 2.02, 2.24, 4.02, 4.04, 5.01