

PLANNING COMMITTEE

17 January 2008

Planning Applications for Determination

Item No.	Application No.	Location	Parish	Page No.
01	07/03784/FUL	Proposed rear single storey kitchen extension plus rear dormer window extension - 54 Silver Street Lane Trowbridge Wiltshire BA14 0JR	Trowbridge	1
02	07/03373/FUL	Loft conversion and rear extension - 5 Laburnum Drive Melksham Wiltshire SN12 6HU	Melksham (Town)	5
03	07/02650/FUL	Retrospective application for removal of section of front wall to widen vehicular access and creation of hardstanding - 30 Winsley Road Bradford On Avon Wiltshire BA15 1QS	Bradford On Avon	9
04	07/03073/FUL	Construction of retaining wall to allow for residential parking of vehicles associated with 230 Winsley Road - 30 Winsley Road Bradford On Avon Wiltshire BA15 1QS	Bradford On Avon	13
05	07/00524/FUL	Extension to church to provide disabled toilet, store and kitchen - St Marys Church Upton Scudamore Wiltshire	Upton Scudamore	17
06	07/03487/FUL	Boundary wall/fence and gates - 18 Wynsome Street Southwick Wiltshire BA14 9RB	Southwick	23
07	07/03354/FUL	Erection of one detached dwelling and associated works - Land Adjacent 13a Bratton Road Westbury Wiltshire	Westbury	27
08	07/03371/FUL	New detached four bedroom dwelling - Land Adjacent The Drive House West Ashton Road Trowbridge Wiltshire	Trowbridge	33
09	07/00648/FUL	Removal of Conditions 1 and 2 of planning permission 01/01082/FUL - Land Rear Of 63 West Street Warminster Wiltshire	Warminster	37
10	07/03647/FUL	First floor alterations and extensions including 3 dormer windows - 15 Leighton Green Westbury Wiltshire BA13 3PN	Westbury	43
11	07/02754/FUL	Single storey extension for kitchen/garden room and garage - Grove Farm 6 Frome Road Southwick Wiltshire BA14 9QD	Southwick	47

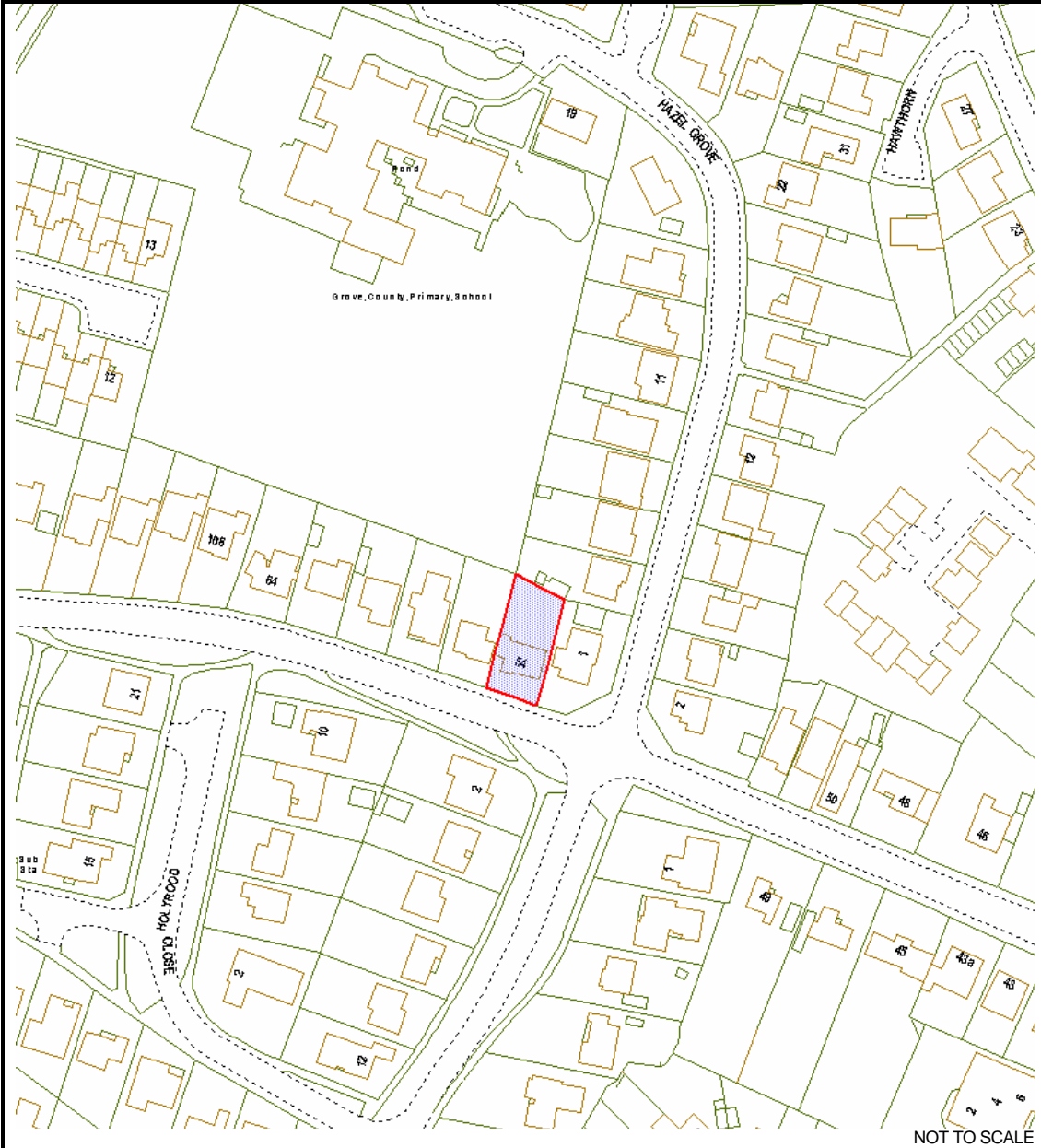
PLANNING COMMITTEE

17 January 2008

ITEM NO: 01

APPLICATION NO: 07/03784/FUL

LOCATION: 54 Silver Street Lane Trowbridge Wiltshire BA14 0JR



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SLA: 100022961

01	Application:	07/03784/FUL
	Site Address:	54 Silver Street Lane Trowbridge Wiltshire BA14 0JR

Parish: Trowbridge Ward: Trowbridge South West

Grid Reference 384894 156272

Application Type: Full Plan

Development: Proposed rear single storey kitchen extension plus rear dormer window extension

Applicant Details: Mr R Gibbs
54 Silver Street Lane Trowbridge Wiltshire BA14 0JR

Agent Details: A Harlow & Son
46 Longford Road Melksham Wiltshire SN12 6AT

Case Officer: Ms Margaretha Bloem

Date Received: 07.12.2007 Expiry Date: 01.02.2008

REASON(S) FOR RECOMMENDATION:

The proposed development would not materially affect the amenities of the neighbours or result in any detrimental impact on the street scene and would not significantly harm any interests of acknowledged importance.

RECOMMENDATION: Permission

Condition(s):

1 The development hereby permitted shall begin before the expiration of three years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

2 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

REASON: To ensure that the development harmonises with its setting.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C31A.

3 The dormer window in the rear elevation shall be obscure glazed prior to the first occupation of the development hereby permitted and shall be maintained as such at all times thereafter.

REASON: In the interests of amenity and privacy.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy C38.

COMMITTEE REPORT

APPLICATION DETAILS

The application is brought to Committee because the Town Council object contrary to your Officer's recommendation.

The proposal is for a rear single storey kitchen extension and a rear dormer window extension.

The single storey rear extension will project 4 metres from the original rear building line and 2.5 metres beyond the existing garage with a width of 5.435 metres. The extension will be set in from the side boundary by approximately 2.5 metres. The proposal will have a flat roof with a lantern light to provide additional light with an east side elevation widow and rear elevation windows and double doors.

The dormer extension will make provision for addition room in the bathroom and will increase the depth of the existing dormer by 0.564 metres. The width of the existing dormer will be retained and the roof and materials will match the existing.

SITE VISIT / STATUTORY SITE NOTICES

Site visited and site notice displayed 12.12.2007.

CONSULTATIONS

Parish/Town Council : Objects Design contrary to District Council policy regarding flat roof.

External : NA

Internal : NA

Neighbours : No comments received

NEGOTIATIONS / DISCUSSIONS

NA

CONSTRAINTS

Urban Area

POLICIES

West Wiltshire District Plan 1st Alteration 2004 - Policies: C31a and C38.
Supplementary Planning Guidance - House alterations and extensions July 2004.

RELEVANT PLANNING HISTORY

No relevant planning history.

KEY ISSUES

Impact on character of area
Impact on neighbour amenity

OFFICER APPRAISAL

Character of the area

The proposed single storey rear extension and dormer extension will be located to the rear of the dwelling, therefore minimising any impact on the streetscene and surrounding area. The Supplementary Planning Guidance House alterations and extensions July 2004 states that flat roof extension will be considered inappropriate unless the main building was designed with a flat roof.

The proposed single storey rear extension will have a flat roof due to the limitations of the dormer extension. However, there is already a flat-roofed dormer window in this location. Taking into account that the proposal will not be visible in the streetscene and the limitations of the proposed dormer extensions, the proposed flat roof is on balance considered acceptable.

Neighbour amenity

Policy C38 and the SPG gives further advice as to what would likely cause nuisance to neighbours. The proposal will project 5.435 metres from the original rear building line. The SPG states that any proposal that projects more than 3 metres should safeguard against harm to neighbour amenity by loss of light, outlook and privacy. Taking into account the position of the extension next to the garage, the single storey nature of the proposal, no west side elevation windows, the proposal will not harm the neighbour amenity of No 56. The separation distance between the extension and No1 Hazel Grove to the east is sufficient to minimise any concerns regarding overbearance, overlooking or loss of privacy. The dormer has an existing rear elevation window and the new window will serve a bathroom with frosted glass, therefore minimising concern regarding overlooking.

RECOMMENDATION

For the reasons set out above, the application is recommended for approval.

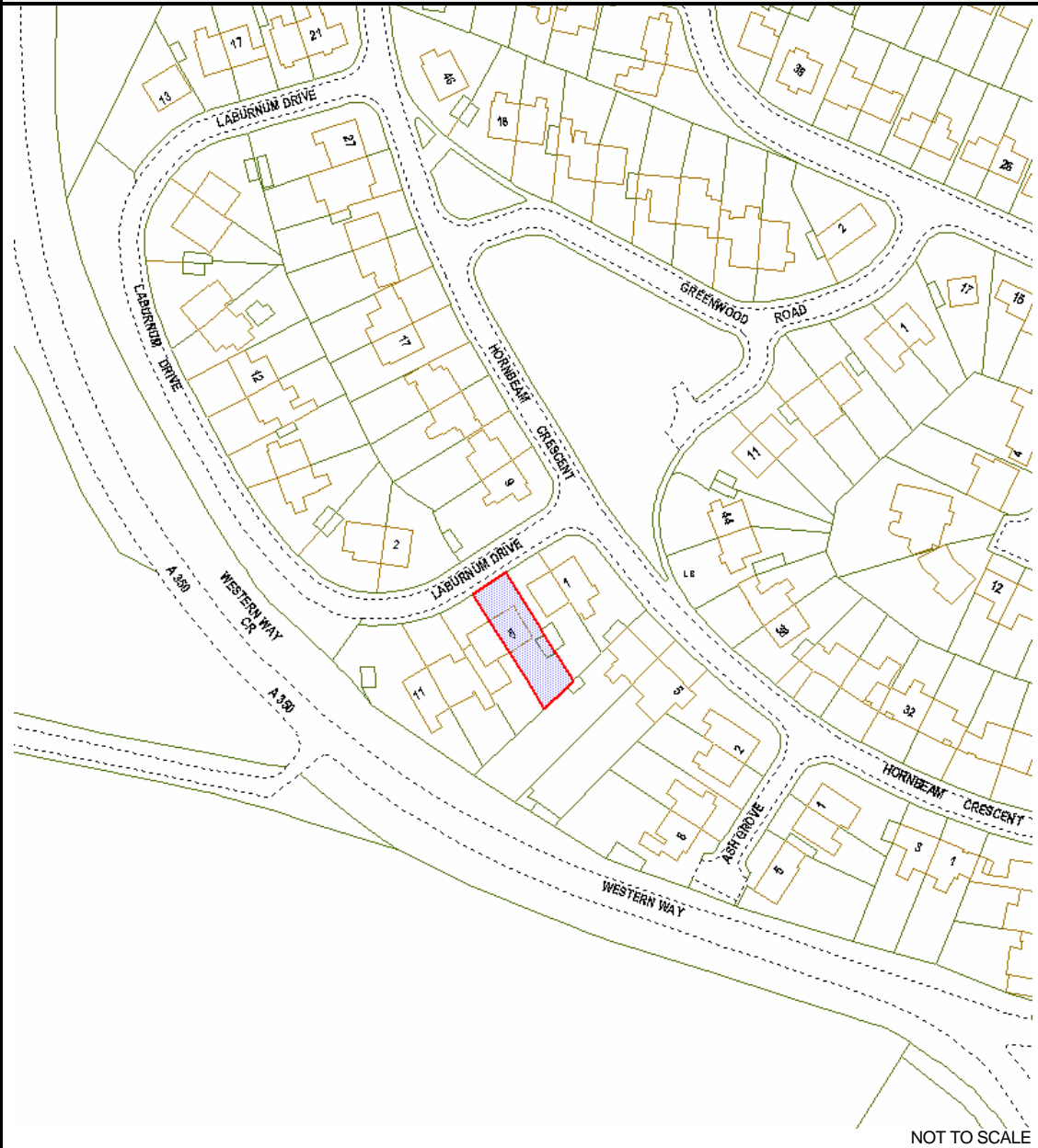
PLANNING COMMITTEE

17 January 2008

ITEM NO: 02

APPLICATION NO: 07/03373/FUL

LOCATION: 5 Laburnum Drive Melksham Wiltshire SN12 6HU



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SLA: 100022961

02 Application: 07/03373/FUL

Site Address: 5 Laburnum Drive Melksham Wiltshire SN12 6HU

Parish: Melksham (Town) Ward: Melksham Spa
Grid Reference: 390080 163012
Application Type: Full Plan
Development: Loft conversion and rear extension
Applicant Details: Mr Neil Boulton
5 Laburnum Drive Melksham Wiltshire SN12 6HU
Agent Details:
Case Officer: Mr Rudolf Liebenberg
Date Received: 24.10.2007 Expiry Date: 19.12.2007

REASON(S) FOR RECOMMENDATION:

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

RECOMMENDATION: Permission

Condition(s):

- 1 The development hereby permitted shall begin before the expiration of three years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

- 2 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

REASON: To ensure that the development harmonises with its setting.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C31A.

COMMITTEE REPORT

APPLICATION DETAILS

This application is brought to Committee because Melksham Town Council object and your officers recommend permission.

The application site is located at 5 Laburnum Drive, Melksham. The site comprises a semi-detached dwelling whilst the proposal is for the erection of a loft conversion and rear extension to the side of the existing house, together with alterations to the rear elevation of the house. The application is brought before Committee because your officer recommends approval.

CONSTRAINTS

None

POLICIES

West Wiltshire District Plan 1st Alteration (2004)

C31a Design

C38 Nuisance

C38 Effects of development on neighbouring properties

SPG Supplementary Planning Guidance - Household Alterations and Extensions

PPS1 Delivering Sustainable Development

RELEVANT PLANNING HISTORY

See file.

SITE VISIT / STATUTORY SITE NOTICES

N/A

KEY ISSUES

The main issues to consider are the potential impact on the street scene and neighbour amenity.

CONSULTATIONS

Parish/Town Council : MELKSHAM TOWN COUNCIL: Object as the size of the extensions and the proposed house will be "out of keeping".

External : N/A

Internal : N/A

Neighbours : 3, 7 Laburnum Drive and 7 Hornbeam Crescent by Notification Cards on 25.10.07:
No objections received.

OFFICER APPRAISAL

Surrounding area

The design of the loft conversion and rear extension would not cause any harm to the area as the extension is set back from the rear building line and the ridge height of the loft is set lower than that of the main dwelling, resulting in a subordinate addition to the main dwelling. The impact on the street scene is considered acceptable.

Neighbour amenity

Policy C38 states that proposals will not be permitted which would detract from the amenities enjoyed by, or cause, nuisance to neighbouring properties and uses. SPG gives further advice as to what would likely cause nuisance to neighbours. It states that a single storey extension, which exceeds 3 metres in length at or near the boundary, is more likely to have an adverse effect on the neighbour, but this extension does not exceed the permitted distance.

Conclusion

The scale, location and design of the development respect the context of the site and will have no adverse impact on the setting of the street scene or any nearby residential amenity and should therefore benefit from permission.

RECOMMENDATION

PERMISSION

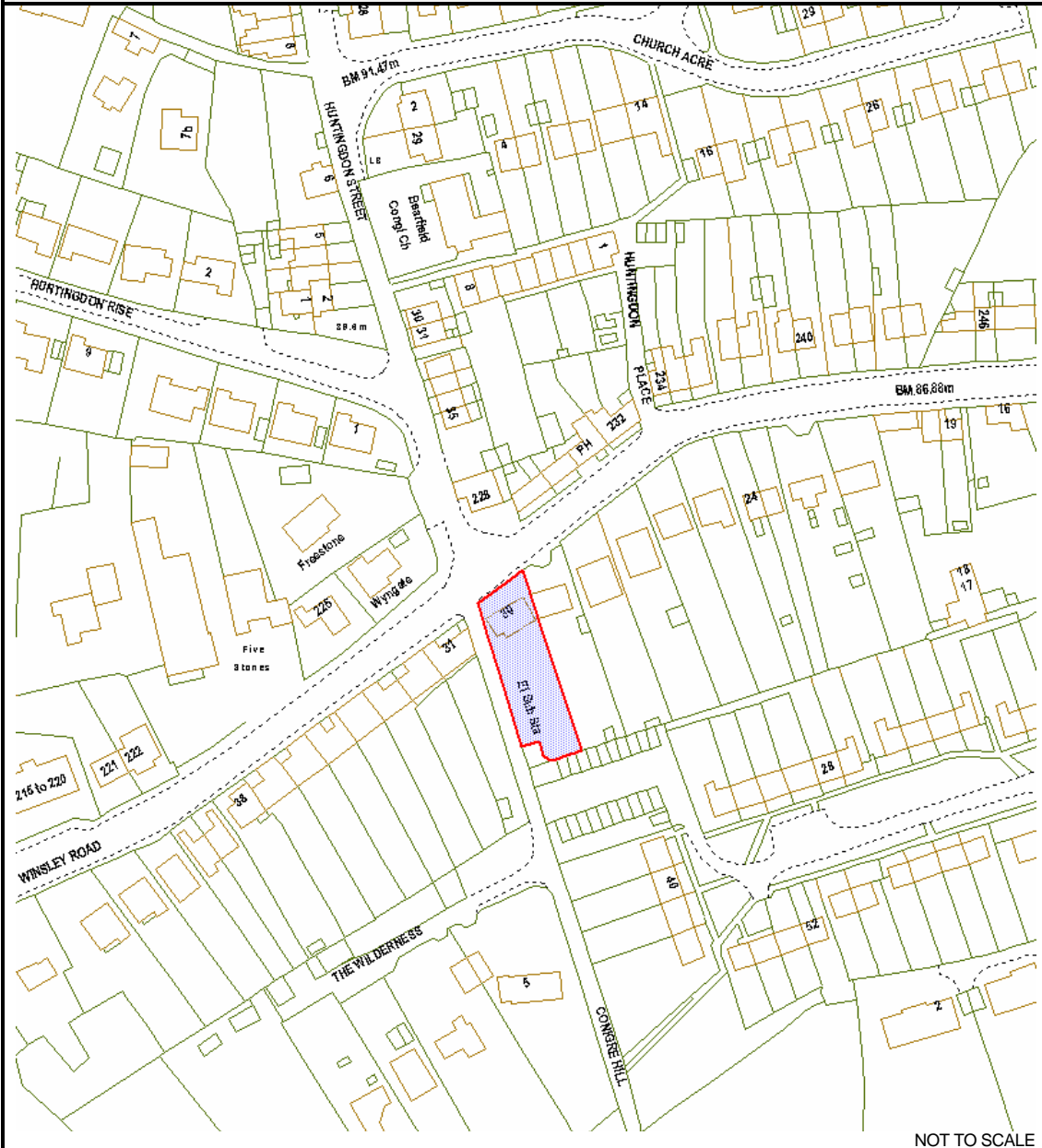
PLANNING COMMITTEE

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ITEM NO: 03

APPLICATION NO: 07/02650/FUL

LOCATION: 30 Winsley Road Bradford On Avon Wiltshire BA15 1QS



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SLA: 100022961

03 Application: 07/02650/FUL

Site Address: 30 Winsley Road Bradford On Avon Wiltshire BA15 1QS

Parish: Bradford On Avon Ward: Bradford On Avon North
Grid Reference: 382404 161301
Application Type: Full Plan
Development: Retrospective application for removal of section of front wall to widen vehicular access and creation of hardstanding
Applicant Details: Ms A Bowker And Mr P Luttrell
230 Winsley Road Bradford On Avon Wiltshire BA15 1QS
Agent Details:
Case Officer: Mr Rudolf Liebenberg
Date Received: 25.09.2007 Expiry Date: 20.11.2007

REASON(S) FOR RECOMMENDATION:

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

RECOMMENDATION: Permission

Condition(s):

- 1 Before the access hereby permitted is first brought into use the area between the nearside carriageway edge and a line drawn 2.0m parallel thereto over the entire site frontage shall be cleared of any obstruction to visibility at and above a height of 900 mm above the nearside carriageway level and thereafter maintained free of obstruction at all times.

REASON: To ensure that an adequate area for parking and/or servicing is available in the interests of highway safety.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy T10.

- 2 Before the development is occupied, a properly consolidated and surfaced access (not loose stone or gravel) shall be constructed to the satisfaction of the Local Planning Authority and shall be maintained as such thereafter.

REASON: In the interests of highway safety.

COMMITTEE REPORT

APPLICATION DETAILS

The application is brought before Committee because your officer is recommending approval contrary to the Town Council's recommendation.

This is a retrospective planning application for the removal of a section of the front wall to widen the existing vehicle access and the creation of a hard standing at 30 Winsley Road, Bradford on Avon. The area falls within the urban confines of the town and the application site is a detached bungalow.

CONSTRAINTS

Border onto the Conservation Area.

POLICIES

West Wiltshire District Plan 1st Alteration 2004

C28 Conservation Area
C31 Design
C38 Nuisance
T10 Transport

RELEVANT PLANNING HISTORY

N/A

SITE VISIT / STATUTORY SITE NOTICES

Site notice and visit - no objections received.

KEY ISSUES

The impact on highway safety is the main issue.

CONSULTATIONS

Parish/Town Council : BRADFORD ON AVON TOWN COUNCIL: Object due to visual intrusiveness and that the work were done without permission.

External : N/A

Internal : HIGHWAY AUTHORITY: No objection.

Neighbours : Neighbours notified and no objections received.

OFFICER APPRAISAL

Access

The existing access has a wall on either side in order to secure visibility across the site frontage for both the existing access and vehicles emerging from Conigre Hill/The Wilderness. The wall and frontage adjacent to the road should be clear of obstruction at and above a height of 900mm.

The work was partially completed to a poor standard but the applicant would not wish to proceed with the full works unless it is subject to approval. It is unfortunate that so less care is given to the appearance of the area and building work are started without proper planning permission, but there is not enough reason to warrant refusal as an approval and subsequent approval can ensure that the work could be completed to a acceptable standard.

RECOMMENDATION

PERMISSION

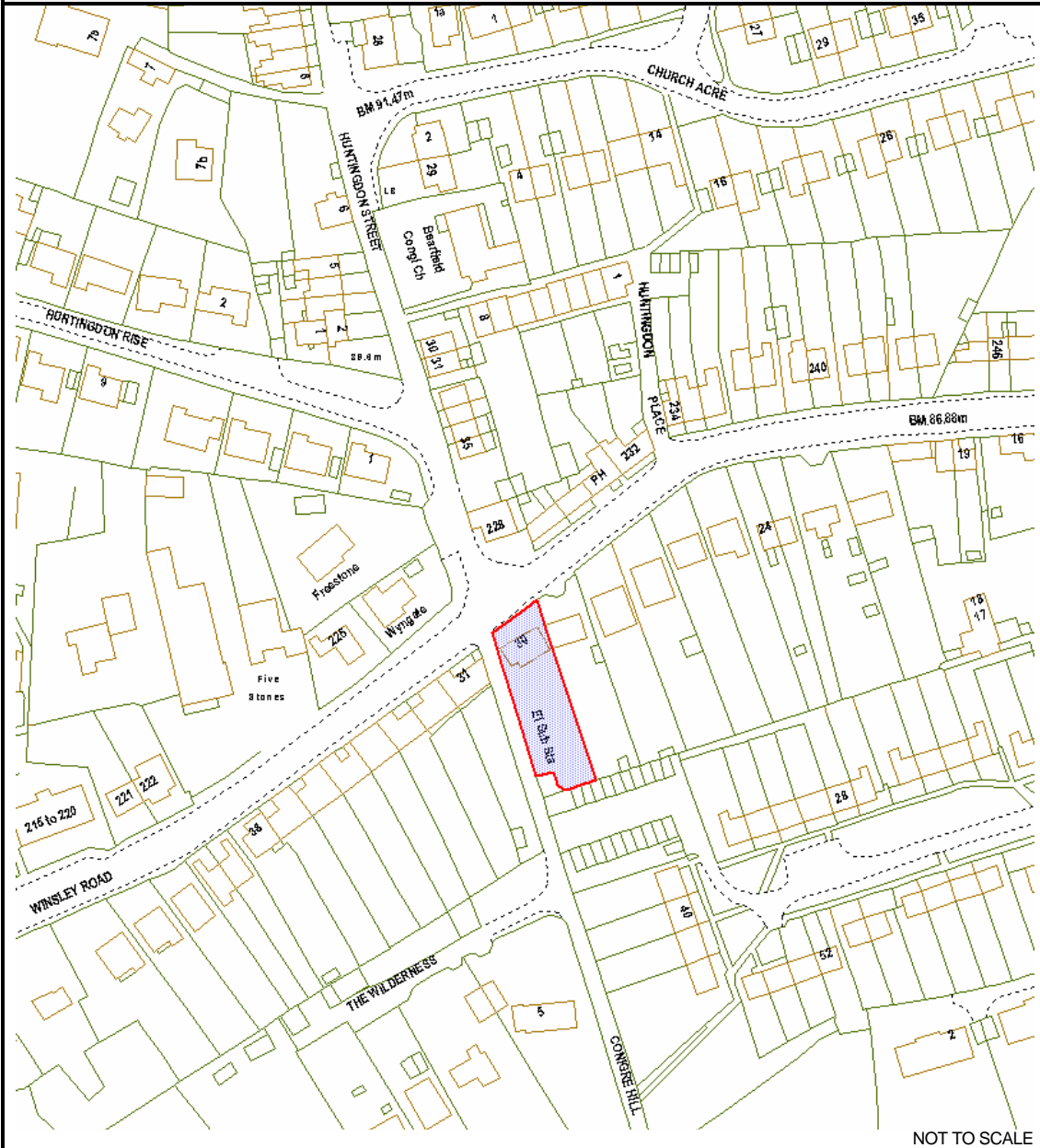
PLANNING COMMITTEE

17 January 2008

ITEM NO: 04

APPLICATION NO: 07/03073/FUL

LOCATION: 30 Winsley Road Bradford On Avon Wiltshire BA15 1QS



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SLA: 100022961

04 Application: 07/03073/FUL

Site Address: 30 Winsley Road Bradford On Avon Wiltshire BA15 1QS

Parish: Bradford On Avon Ward: Bradford On Avon North
Grid Reference: 382404 161301
Application Type: Full Plan
Development: Construction of retaining wall to allow for residential parking of vehicles associated with 230 Winsley Road
Applicant Details: Ms A Bowker And Mr P Luttrell
230 Winsley Road Bradford On Avon Wiltshire BA15 1QS
Agent Details:
Case Officer: Mr Rudolf Liebenberg
Date Received: 25.09.2007 Expiry Date: 20.11.2007

REASON(S) FOR RECOMMENDATION:

The proposed development conforms to the Development Plan and the conditions attached to it overcome any objections on planning grounds.

RECOMMENDATION: Permission

Condition(s):

- 1 The development hereby permitted shall begin before the expiration of three years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.
- 2 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

REASON: To ensure that the development harmonises with its setting.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C31A.
- 3 The parking and servicing areas indicated on the approved plans together with the means of access thereto shall be completed and made available for use before the premises are occupied and shall be maintained as such thereafter.

REASON: To ensure that an adequate area for parking and/or servicing is available in the interests of highway safety.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy T10.
- 4 The development hereby permitted shall not be commenced until surface water drainage works have been carried out and completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the development can be adequately drained.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy U2.

- 5 Before the development is first used, provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway.

REASON: In the interests of highway safety.

COMMITTEE REPORT

APPLICATION DETAILS

The application is brought before Committee because your officer is recommending approval contrary to the views of the Town Council.

This is a planning application for the construction of a retaining wall to allow for residential parking of vehicles associated with 230 Winsley Road. 30 Winsley Road is a detached property whilst 230 Winsley Road is semi-detached and has no off-street parking. The application site falls within the urban confines of Bradford on Avon and is surrounded by residential properties. The property is not within the Conservation Area but borders onto it.

CONSTRAINTS

Border on Conservation Area.

POLICIES

West Wiltshire District Plan - 1st Alteration 2004
C28 Conservation Area
C31 Design
C38 Nuisance
T10 Transport

RELEVANT PLANNING HISTORY

Currently there is a retrospective planning application (07/02650/FUL) for the removal of a section of the front wall to widen vehicular access and creation of hard standing - recommendation for approval at Committee.

SITE VISIT / STATUTORY SITE NOTICES

Site visit and Press notice done.

KEY ISSUES

The principle of the parking development and the impact on highway safety.

CONSULTATIONS

Parish/Town Council : BRADFORD ON AVON TOWN COUNCIL: Object as the proposal entails the removal of an historic section of the wall resulting in a unsightly appearance that will have detrimental impact on character of the area. The proposed render materials are unacceptable and the scheme will cause danger to pedestrians.

External : N/A

Internal : HERITAGE DEVELOPMENT OFFICER: No comments received.

HIGHWAY AUTHORITY: No objection subject to conditions.

Neighbours : Neighbours notified and several strong letters of objection were received raising the following concerns:

- The removal of part of the stone wall is detrimental to the character of the area;
- Danger to road safety as there is no visibility splays;
- Pedestrians and school children use this route and vehicles will be danger to them;
- There is no adequate turning space in the proposed parking area;
- The parking area will lead to additional and severe traffic and parking congestion;
- Visibility is severely restricted in this area

OFFICER APPRAISAL

Principle

Applying to create additional off-street parking space in this area is not unusual and neither is it out of character as this area is residential with a high percentage of private car users and as such the principle of the proposal is considered within the scope of Local Plan Policy.

Highway

In a situation like this the Local Planning Authority is best off to rely on the comments of the Highway Authority to give an accurate assessment of the impact of the development on highway issues.

Currently vehicles use Conigre Hill as an access to The Wilderness, 230 Winsley Road, which currently has no off-street parking provision and any vehicles associated with this dwelling will have to park on the nearby roads. The provision of parking to the rear of 30 Winsley Road will alleviate the current parking problem for this dwelling. The parking area should be formed to allow ease of manoeuvring into and out of the spaces and adequate inter visibility with other users of Conigre Hill (both pedestrians and vehicles from The Wilderness). For manoeuvring a 6m aisle is required to the rear of each spaces, therefore the spaces should be located as minimum of 6m from the boundary of 31. Revised specifications were submitted and are deemed acceptable. To allow an acceptable level of visibility either side of the parking area the wall should be splayed at an angle of 45 degrees for the first 2m.

Conclusion

After careful consideration and taking into account the concern of residents your officer has to rely on the comments from the Highway Officer and concur with their appraisal.

RECOMMENDATION

PERMISSION

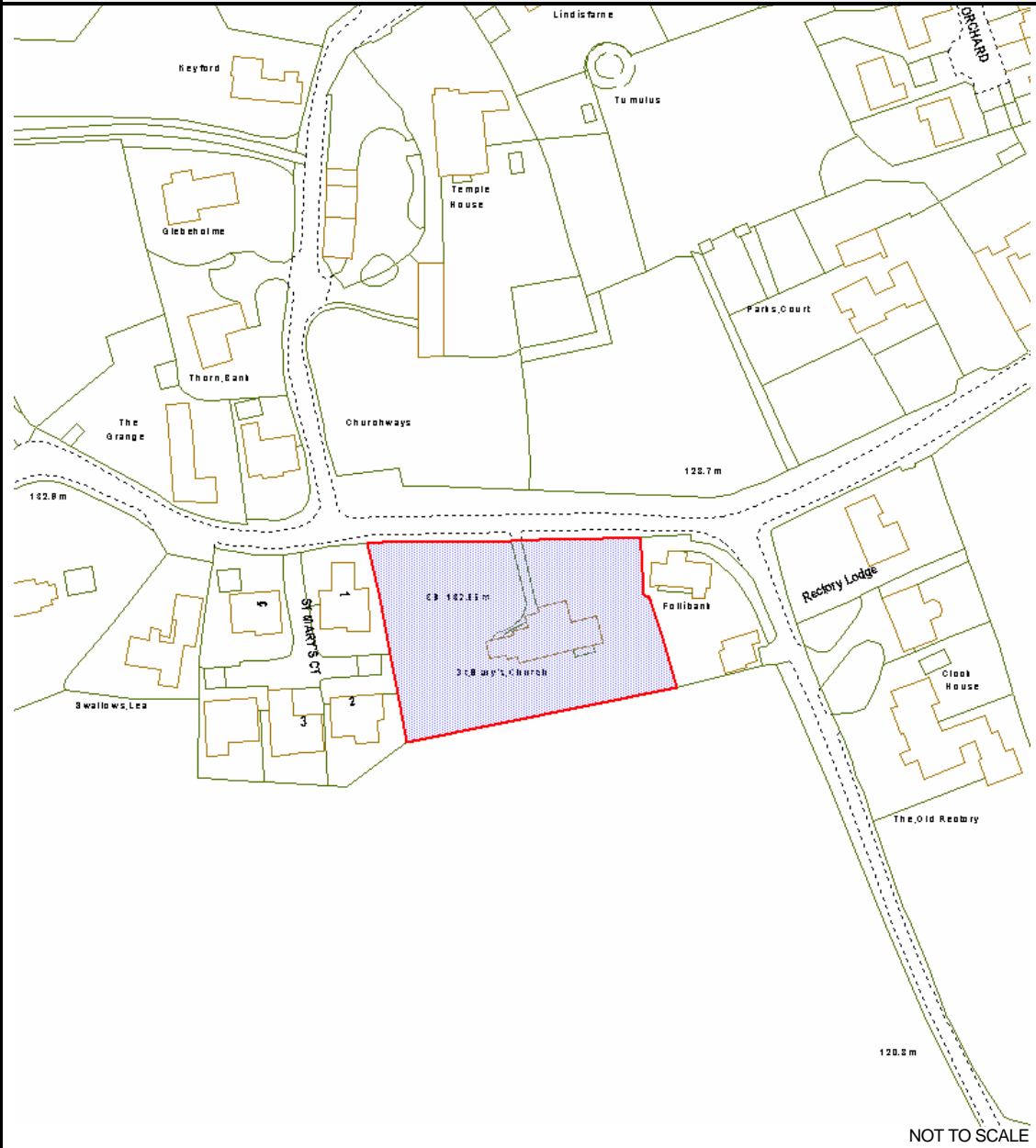
PLANNING COMMITTEE

17 January 2008

ITEM NO: 05

APPLICATION NO: 07/00524/FUL

LOCATION: St Marys Church Upton Scudamore Wiltshire



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SLA: 100022961

05 Application: 07/00524/FUL

Site Address: St Marys Church Upton Scudamore Wiltshire

Parish: Upton Scudamore Ward: Dilton
Grid Reference 386473 147674
Application Type: Full Plan
Development: Extension to church to provide disabled toilet, store and kitchen
Applicant Details: The Vicar And Parochial Church Council Of St Mary's
C/o Mr D J King - Project Manager The Old Barnyard Upton
Scudamore Warminster Wiltshire
Agent Details: Chris Romain Architecture
45 Salisbury Road Fordingbridge Hants SP6 1EH
Case Officer: Miss Julia Evans
Date Received: 12.02.2007 Expiry Date: 09.04.2007

RECOMMENDATION: Refusal

Reason(s):

- 1 Policy C28 of the West Wiltshire District Plan - First Alteration 2004 states that the Council will protect the historic interest and character of listed buildings. Planning permission will not be granted for any development that would adversely affect the character and appearance of listed buildings. The proposed kitchen and store would be visually disruptive to the south elevation of this Grade II* listed building, forming an incongruous addition to it which would be detrimental to both its character and appearance. The proposal is therefore contrary to government guidance and development plan policy.
- 2 Policy C28 of the West Wiltshire District Plan - First Alteration 2004 states that the Council will protect the historic interest and character of listed buildings. Planning permission will not be granted for any development that would adversely affect the character and appearance of a Listed Building. The proposed kitchen and store has not been supported with consistent and detailed information, and the justification for the proposal is unclear. The implications of the works on this Grade II* listed building are unclear and could be detrimental to both its character and appearance. The proposal is therefore considered contrary to government guidance and development plan policy.
- 3 Policy C40 of the West Wiltshire District Plan - First Alteration 2004 states that protected trees and those of visual amenity will be retained in order to conserve the character and appearance of an area. The proposed works will significantly impact on the nearby yew trees. No arboricultural report has been submitted with the application to demonstrate the impact of the works on these protected trees. The proposal is, therefore, considered detrimental to the health and well-being of these protected trees and contrary to development plan policy.

Note(s) to Applicant:

- 1 The applicants are advised to consult the Home Office regarding the relocation of any graves or burials that may be affected by this development.
- 2 In addition a Faculty Approval for this development is also required.

COMMITTEE REPORT

APPLICATION DETAILS

This application is brought to Committee at the request of Councillor Conley in the interests of public debate.

It is an application for full planning permission for the erection of a single storey extension to southern elevation of church, to provide a disabled toilet and community meeting room at St Mary's Church, Upton Scudamore. The proposed materials – hand made plain tiles to roof, and coursed rubble stone walls with ashlar dressings and steel casement windows with double glazed units. Proposal is actually to provide a kitchen, store and WC, not a meeting room as described on the application and supporting documents. The agent has stated that there is a need for community meeting facilities.

CONSTRAINTS

Grade II* Listed Building
Impact on trees
Potential need to relocate existing burials subject to Home Office approval.

POLICIES

Wiltshire Structure Plan 2016 – DP1, DP5, HE2, HE7

West Wiltshire District Plan - First Alteration 2004 – C28, C31A, C32, C38, C40, T10, CF1, CF3, I3.

National Guidance – Planning Policy Statement 1 - Delivering Sustainable Development; Planning Policy Statement 7 - Sustainable Development in Rural Areas, Planning Policy Guidance Note 13 – Transport; Planning Policy Guidance Note 15 – Planning & the Historic Environment; Planning Policy Guidance Note 16 – Archaeology and Planning.

RELEVANT PLANNING HISTORY

01/01164/FUL – Extension to south elevation to form a meeting room, WC, and store – Permission 10/01/2002. Members overturned an officer recommendation for refusal (on Listed Building and tree grounds).

SITE VISIT / STATUTORY SITE NOTICES

Prominent site with church on ridge and visible from wider long-distance views. Church surrounded by graveyard. Pedestrian access to north of church, residential to N & E boundaries, and agricultural land to the south. Mature yew tree very close to proposal, which would result in it being severely affected. Area where extension to be located is currently occupied by a door with rose window above. Grade II* Listed Building.

Site Notice posted.

CONSULTATIONS

Parish/Town Council :

“There was a majority decision in favour of the revised plans that have already been passed. We would like to remind you of the strong support by the people of Upton Scudamore for this project, having already raised over £40,000 towards this. The Parish Council feels this will be a very beneficial and much wanted community room for the village.”

External :

Highway Authority: No objection – “I do not have any objections to this development and do not consider that it will have any increase in the traffic generation for the activities which already occur at the church.”

County Archaeologist: No objection subject to the imposition of a relevant condition.

English Heritage: Object – “English Heritage has already accepted the principle of this scheme and raised no objection to a previous application subject to the rose window on the south side of the church remaining unaffected. We note the Council’s Conservation Officer had some concerns on this issue and would stress that our approval is dependant on her being satisfied that there will be no adverse physical impact from the extension on the rose window.”

Internal :

Conservation Officer: Object – Still have unaddressed concerns with this application:-

- * No accurate drawings of the rose window and the impact of the new extension on it;
- * Are there to be metal straps obscuring the rose window;
- * The application is a major departure from what was previously approved – i.e. it is not for a meeting room but for a kitchen and store. It is stated that “The extension now appears to be purely providing ancillary facilities that in turn could not pressure on the existing church’s interior for the provision of a meeting room. The implications of this change needs to be properly assessed by the Diocese and Archbishop through the proper Faculty system. Having discussed this with the Diocese in Salisbury I understand that no further approaches have been made by the PCC. Until this is undertaken I would not be happy to support a permission of this scheme and have little alternative but to recommend refusal.”

Environmental Health – No objections, no recommendations, no conditions or informatives required.

Landscape Officer – Object “No consideration has been given to the group of three yew trees to the west of the proposed extension. This development will seriously impact on these trees, directly due to foundations and location of the trees canopy in relation to the proposed building and indirectly resulting from light deprivation. For these reasons, I recommend the application be refused in its current form due to the threat of these three trees and a Tree Preservation Order be made.”

Neighbours: one letter requesting clarification of the policy status of the church.

OFFICER APPRAISAL

Key to the determination of this application is whether the application proposal is consistent with development plan policy and whether there are any material considerations to outweigh that policy.

Policy C28 states that alterations and extensions to listed buildings will only be permitted when the essential form of the building is not adversely affected. In this case, both the Council’s Conservation Officer and English Heritage are united in their view that the application proposal has not addressed the impact on the existing rose window of the Church. As a result your Officers have no confidence that the application proposal will not be disruptive to the south elevation of the Grade II* listed building. The proposal is therefore contrary to be policy.

While there is clearly a key material consideration that the proposal would provide required kitchen and store accommodation to the benefit of this community use, which is not disputed. However the alterations are to a Grade II” listed building, where the requirement to protect the fabric of the building is paramount and this is reflected in the recommendation before you.

Your Officers are also concerned that the Applicants have failed to demonstrate to the Local Planning Authority that they have secured the required approval for the works from the Diocese of Salisbury. The Council’s Conservation Officer has confirmed that the implications of this change must be assessed by the Diocese and the proper Faculty permission received. The advice received therefore is that this application cannot be supported without this support.

The other reason for refusal was the loss of the yew trees due to the proximity of the works. The application has not been supported by any arboricultural statement, and as the health and well-being of the trees cannot be protected be the imposition of conditions this forms a further reason for refusal.

Archaeological matters can be overcome by condition, and the moving and protecting of graves is a Home Office matter which the church needs to address.

RECOMMENDATION

That this application be refused because it is contrary to Development Plan policy.

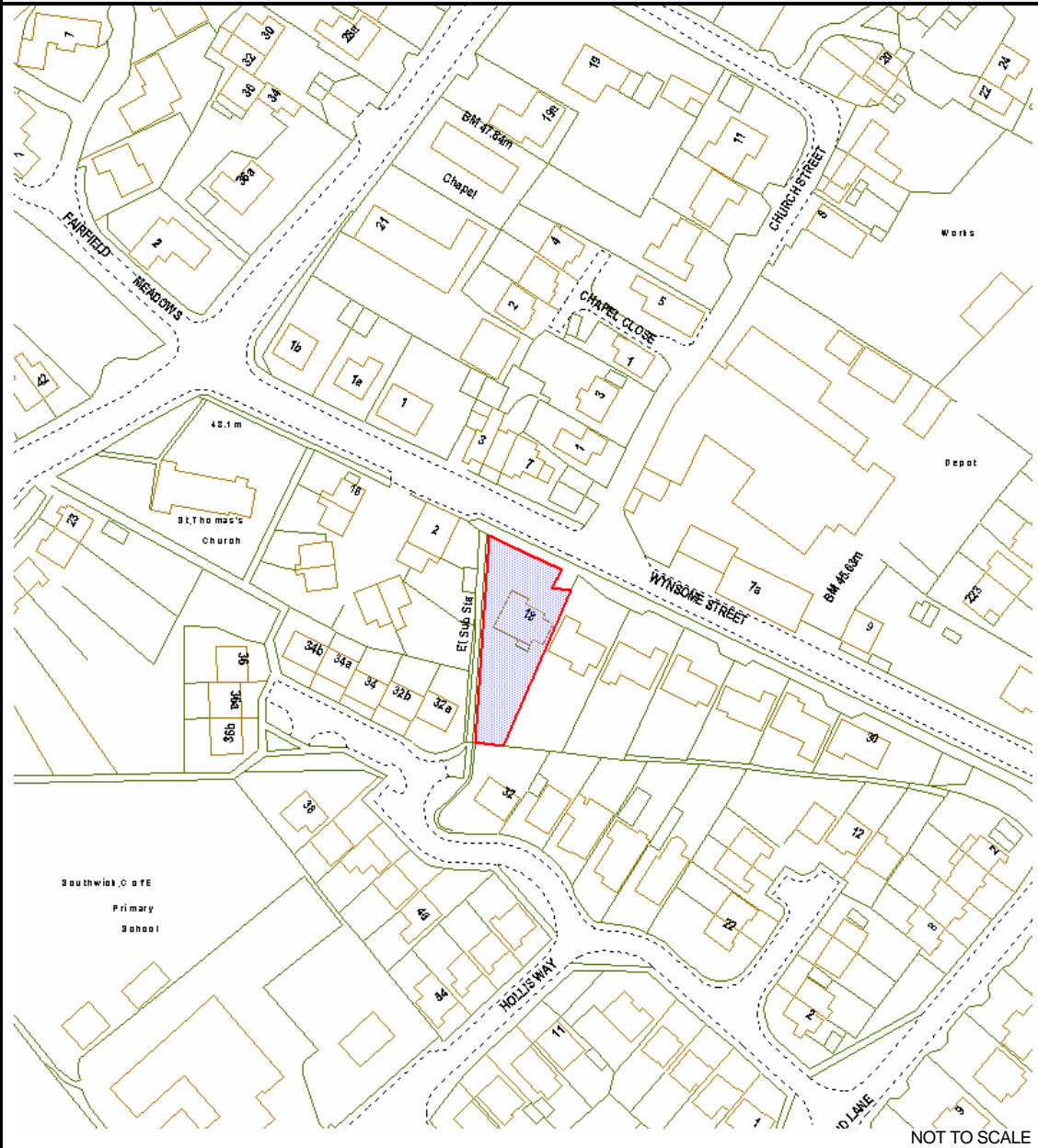
PLANNING COMMITTEE

17 January 2008

ITEM NO: 06

APPLICATION NO: 07/03487/FUL

LOCATION: 18 Wynsome Street Southwick Wiltshire BA14 9RB



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SLA: 100022961

06 Application: 07/03487/FUL

Site Address: 18 Wynsome Street Southwick Wiltshire BA14 9RB

Parish: Southwick Ward: Trowbridge And Southwick

Grid Reference 383828 155214

Application Type: Full Plan

Development: Boundary wall/fence and gates

Applicant Details: Mr Richard Jefferies
18 Wynsome Street Southwick Wiltshire BA14 9RB

Agent Details:

Case Officer: Ms Margaretha Bloem

Date Received: 07.11.2007 Expiry Date: 02.01.2008

REASON(S) FOR RECOMMENDATION:

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

RECOMMENDATION: Permission

COMMITTEE REPORT

APPLICATION DETAILS

This application is brought to Planning Committee as the Parish Council objects to the proposal.

This is a retrospective application for a boundary wall/fence and gates.

The wall is 1.87 metres high with timber insets fronting Wynsome Street and along the western side boundary a close boarded fence is set on a low brick wall with a height of 1.87 metres. The wooden gates fronting Wynsome Street is at a maximum height of 1.9 metres.

SITE VISIT / STATUTORY SITE NOTICES

Site visited 13.11.2007 and neighbours notified 12.11.2007.

CONSULTATIONS

Southwick Parish Council : Not in keeping with the general character of the other dwellings in Wynsome Street and the fence is over one metre in height.

External : Highways: No objection.

Neighbours : Notified by letter. 1 Letter received highlighting that the proposal is retrospective as it was built 3 months before the application.

CONSTRAINTS

Village policy limits

POLICIES

West Wilts District Plan 1st Alteration 2004

C31a - Design

C38- Nuisance

H1 - Town Policy Limits

SPG - Planning Design Guidance (House alterations and extensions)

RELEVANT PLANNING HISTORY

07/02644/FUL Single storey extension and detached double garage - Granted
Enforcement file regarding the operation of a car sales business from the site.

KEY ISSUES

- Impact on the street scene
- Highway Safety
- Neighbouring amenity

OFFICER APPRAISAL

Street scene

The streetscene along Wynsome Street is characterised by a mixture of front boundary treatment, from no boundary marking, low brick walls to 1.8 metre high close boarded fencing. Taking into account the close boarded fencing along the boundary fronting No 2 Wynsome Street, the proposal is not an alien feature in the streetscene and is on balance considered acceptable.

Highways Safety

The proposal will not have any impact on highways safety.

Neighbour amenity

The wall and gate does not have any impact on the neighbour amenity.

RECOMMENDATION

For the reasons above planning permission is recommended.

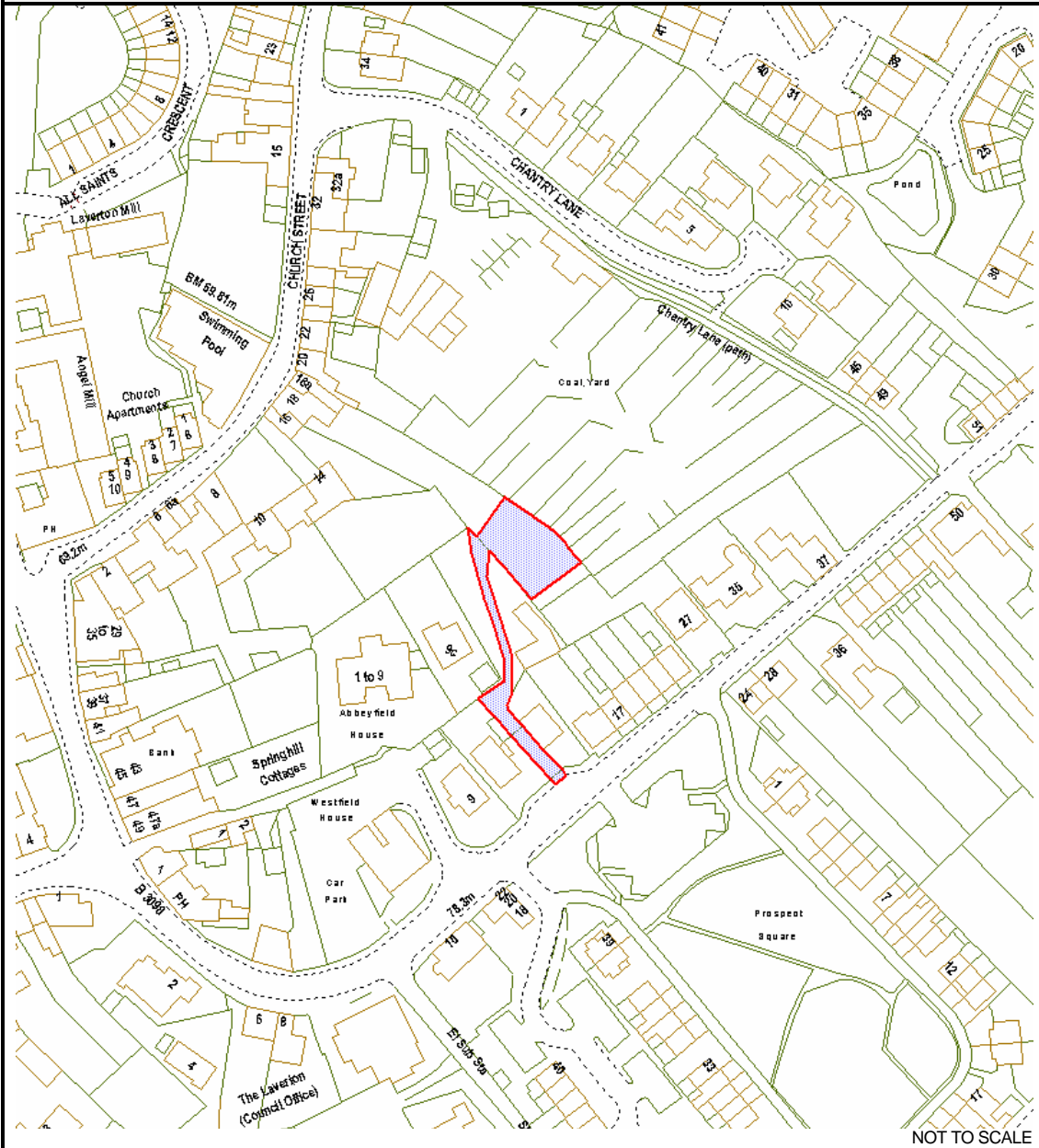
PLANNING COMMITTEE

17 January 2008

ITEM NO: 07

APPLICATION NO: 07/03354/FUL

LOCATION: Land Adjacent 13a Bratton Road Westbury Wiltshire



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SLA: 100022961

07	Application:	07/03354/FUL
	Site Address:	Land Adjacent 13a Bratton Road Westbury Wiltshire

Parish: Westbury Ward: Westbury Laverton

Grid Reference 387444 151213

Application Type: Full Plan

Development: Erection of one detached dwelling and associated works

Applicant Details: Mr And Mrs J Johnson Wright
C/o L P Planning Consultants 87 London Road Chippenham
Wiltshire SN15 3AL

Agent Details: L P Planning Consultants
87 London Road Chippenham Wiltshire SN15 3AL

Case Officer: Mr Matthew Perks

Date Received: 22.10.2007 Expiry Date: 17.12.2007

REASON(S) FOR RECOMMENDATION:

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

RECOMMENDATION: Permission

Condition(s):

1 The development hereby permitted shall begin before the expiration of three years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

2 No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: To ensure that the development harmonises with its setting.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies C31A.

3 No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. This shall include indications of all existing trees and hedgerows on the land, and details of any to be retained.

REASON: To provide a satisfactory landscaped setting for the development.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C32.

- 4 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

REASON: To provide a satisfactory landscaped setting for the development.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C32.

- 5 Prior to the commencement of development on site the existing access shall be widened to 4.5m for the first 4.5m into the site from its boundary with the public highway in accordance with plans to be approved in writing by the Local Planning Authority. The surfacing of the access shall be properly consolidated (not loose stone or gravel).

REASON: In the interests of highway safety and to prevent obstruction of the free flow of traffic on the adjacent classified road by construction vehicles manoeuvring on site.

- 6 The rear and side boundary fencing at the rear of No 13 shall be set back to provide a space for two cars to pass, details of which shall be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of highway safety and to ensure that there is intervisibility within the site of approaching vehicles so that vehicles do not have to reverse out onto Bratton Road.

- 7 The rooflights window in the north eastern elevation shall be high level and shall be obscure glazed prior to the first occupation of the development hereby permitted and shall be maintained as such at all times thereafter.

REASON: In the interests of amenity and privacy.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy C38.

COMMITTEE REPORT

APPLICATION DETAILS

This application is referred to Committee because Cllr Denison-Pender has requested that the matter be brought to Committee in the interests of public debate.

This is a full planning application for a double/single storey detached dwelling on land adjacent to 13a Bratton Road, Westbury. The proposal is for a three-bedroom dwelling with an L-shaped footprint. The building would occupy a footprint of $\pm 93\text{m}^2$. It would be located on a near-rectangular portion of land of approximately 300m^2 in extent, and would be served by an existing access of $\pm 70\text{m}$ in length off of Bratton Road.

CONSTRAINTS

The site falls within the conservation area and is surrounded by development of variable forms. Properties vary in size and buildings are of varying design and age. There are listed buildings to the north, at a minimum distance of approximately 46m. A parking area serving No 18 Church Street has been developed immediately to the north west of the site boundary, served by the access to the proposal site.

POLICIES

West Wiltshire District Plan 1st Alteration, 2004

C18 - Character and appearance of conservation areas
C38 - Effects of development on neighbouring properties
C31a - Design
H1 - Housing development in towns

PPG 15 - Planning and the Historic Environment
PPS 3 - Housing.

RELEVANT PLANNING HISTORY

07/00481/FUL: Two semi-detached houses with integral garages: Refused: 09.02.2007

SITE VISIT / STATUTORY SITE NOTICES

The site visit was carried out on 26 October 2007. A site notice was posted on 2 November 2007.

KEY ISSUES

The main issues in this case are the principle of residential development on this site, parking provision and the relationship of the proposed dwelling to the surrounding area.

CONSULTATIONS

Parish/Town Council :

"No objection subject to the condition that access to the Church Street property be permanently stopped up before development commences."

External :

Highway Authority

No highway objection subject to conditions in relation to access and boundary treatment.

Neighbours :

A public notice was posted. Four responses were received, three of which were objections.

Reasons for objection include:

- Excessive use of the entrance by vehicles;
- Overall increase in traffic in Westbury;
- Loss of neighbouring privacy;
- New rear access to Church Street property;
- Hazards at entrance onto Bratton Road; and
- Overdevelopment of the site.

OFFICER APPRAISAL

The plot of land is within the town policy limits of Westbury and as such new residential development is acceptable in principle subject to the criteria in policy H1 of the West Wiltshire District Plan 1st Alteration.

The present use of the site is as a domestic garden, therefore the application site is considered in planning terms to contribute to the District's pool of previously developed (brownfield) land. PPS3 (Housing) inter alia encourages local authorities to provide a mix of accommodation types, with due consideration for the character of surrounding development. Development of housing should furthermore be focussed on the efficient use of previously developed land. The density of development represented by the site (excluding the shared access) equates to approximately 30 units per ha. (the national average advocated by PPS3), although cumulatively with the area of the site including the existing dwelling and surround, it falls below this level.

However PPS3 also advises that development should accord with its surroundings and, in this conservation area context, the proposal is considered acceptable.

The dwellings would be orientated with front and side primary elevations at a minimum of 25m from any neighbouring dwellings. Whilst an outdoor elevated deck area that has been provided to No 13a within 5m of the side elevation of the proposed dwelling, the fenestration and orientation of the new building is such that no loss of privacy within habitable rooms to the new dwelling would result. The shape of the site furthermore provides for approximately 10m of garden space between the deck and the rear amenity space to the new dwelling. The relationship between No 13a and the proposed dwelling and its amenity space is therefore considered to be acceptable.

There is new building to the rear of the proposed dwelling in the form of an elderly persons residential care development. The rear elevation of the proposed dwelling would not have any primary windows to habitable rooms orientated towards this development. The proposed dwelling is in close proximity to the boundary and would have an elongated elevation facing the buildings to the residential care development. There is therefore the potential for loss of amenity to the neighbouring use. However, the ground floor windows to the new development facing the bulk of the new dwelling serve a restaurant/bar/servery area and not habitable rooms. A significant portion of the boundary between the two sites is also made up of a large hedge under the control of the applicant. This hedge would screen the amenity space to the new dwelling from windows to habitable rooms in the residential care development. The relationship between the proposed dwelling and the new neighbouring development is therefore considered acceptable.

The application would provide one 3-bedroom detached dwelling. A parking area and manoeuvring space would be provided on site. The driveway serving the proposal currently provides access to No. 13, No 13 and a parking area which has been developed to serve No 18 Church Street to the north of the property. The highway authority is satisfied with the technical and highway safety aspects of this access. Whilst there are neighbouring objections to the increased use of the driveway, the additional use of the driveway to serve a single dwelling is not considered unacceptable. The Town Council would like to see the cessation of access to the parking provision to no 18 Church Street provided by the driveway. On balance however, and considering the highway authority comment, the retention of this parking has the benefit of removing vehicles from potential on street parking within close proximity of the town centre (and probably within the Conservation Area).

A previous proposal for two dwellings on this site was refused on grounds of harm to neighbouring amenity due to the additional traffic and for the poor relationship to no. 13a. The reduced scheme to provide for only one dwelling, together with the re-orientation of the building and change to the shape of the site are considered to have overcome these earlier reasons for refusal.

RECOMMENDATION

The principle of further residential development is acceptable in this area. On balance the proposal should be granted permission, subject to appropriate conditions.

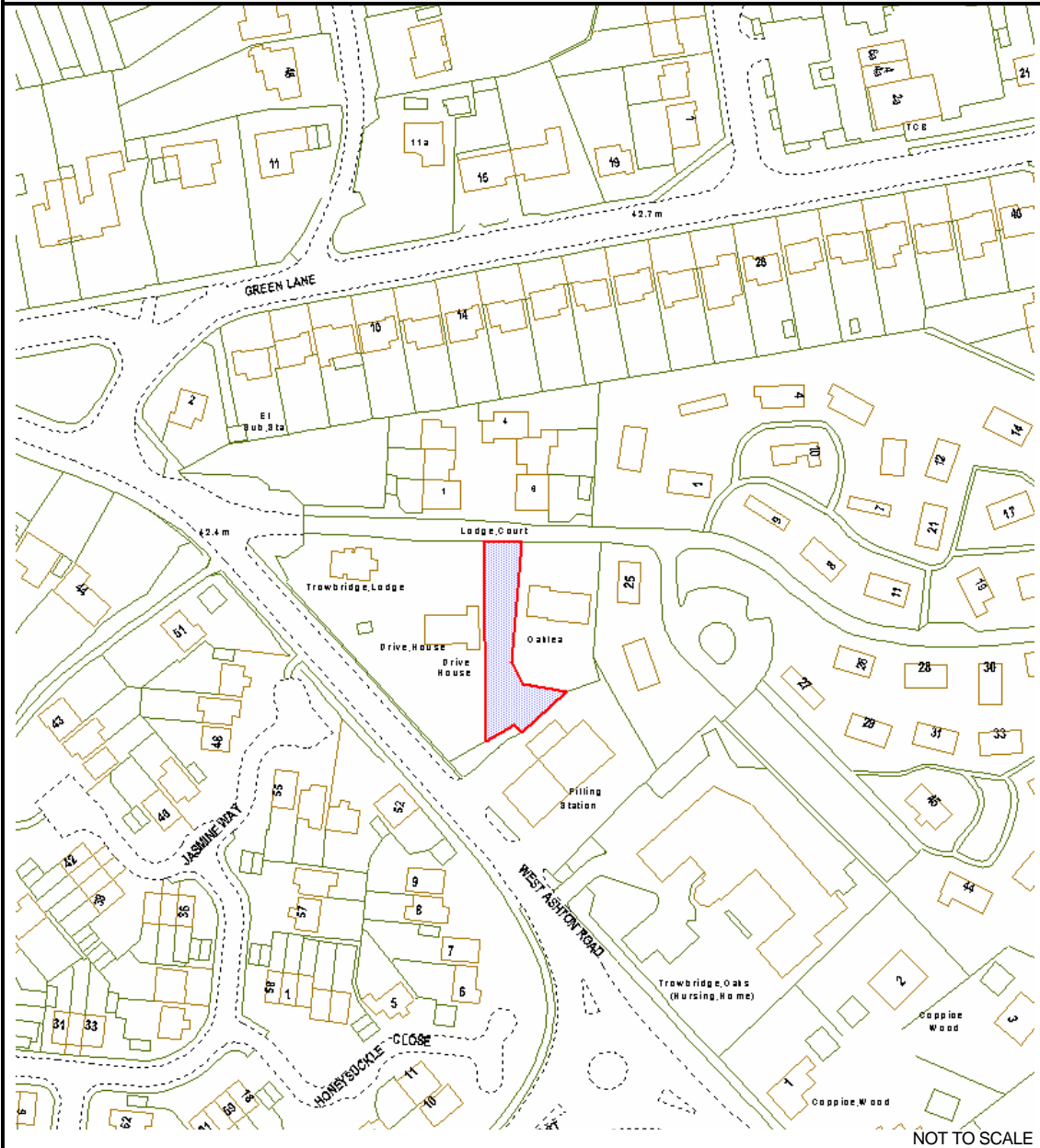
PLANNING COMMITTEE

17 January 2008

ITEM NO: 08

APPLICATION NO: 07/03371/FUL

LOCATION: Land Adjacent The Drive House West Ashton Road
Trowbridge Wiltshire



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SLA: 100022961

08 Application: 07/03371/FUL

Site Address: Land Adjacent The Drive House West Ashton Road Trowbridge Wiltshire

Parish: Trowbridge Ward: Trowbridge East
Grid Reference: 386516 157608
Application Type: Full Plan
Development: New detached four bedroom dwelling
Applicant Details: Mr And Mrs P Borra
Drive House West Ashton Road Trowbridge Wiltshire BA14 6DW
Agent Details: FMH Architectural Services
FAO Mr R Robins 162A Wyke Road Trowbridge Wiltshire BA14 7NY
Case Officer: Mr Matthew Perks
Date Received: 23.10.2007 Expiry Date: 18.12.2007

RECOMMENDATION: Refusal

Reason(s):

- 1 The proposal, because of the elongated and narrow shape of the plot and the position, design and poor relationship of the proposed dwelling to the adjacent "Drive House" and "Oaklea" would result in a cramped form of development that would be detrimental to the established spatial character of the area and the street scene contrary to Policies H1 and C31a of the West Wiltshire District Plan 1st Alteration (2004).

COMMITTEE REPORT

APPLICATION DETAILS

This application is brought to Committee at the request of Cllr Bryant in the interests of public debate.

This is an application for planning permission for the erection of a detached four bedroom dwelling on land adjacent to The Drive House, West Ashton Road, Trowbridge. Access to the property is via Lodge Court which passes to the north of the site.

The proposal involves the subdivision of the curtilage to Drive House to create an elongated and irregularly shaped property. A four-bedroom, double storey dwelling is proposed, to be sited between the dwellings known as "Oaklea" and "Drive House" on a portion of the plot 10m in width.

A single detached garage and a parking space are proposed on the Lodge Court side of the new dwelling.

CONSTRAINTS

The site is located within the Town Policy Limits for Trowbridge.

POLICIES

West Wiltshire District Plan 1st Alteration, 2004

H1 - Housing in towns and main settlements
C31a - Design
C38 Nuisance

PPS3 - Housing

RELEVANT PLANNING HISTORY

None

SITE VISIT / STATUTORY SITE NOTICES

The site was visited on 26 October 2007, when notices were posted to adjacent property owners.

CONSULTATIONS

Town Council : The Trowbridge Town Council does not object, subject to no significant loss of neighbour amenities.

External :

Highway Authority : The Highway Authority did not object but recommended the submission of plans showing visibility splays.

Wessex Water :No objection

Internal :

N/A

Neighbours :

Neighbours were notified of the proposal. Two letters of objection were received. Objections are made on the following grounds:

- Inadequate drainage and sewerage systems;
- Lack of amenity space;
- Excessive bulk/scale;
- Loss of natural light;
- Insufficient parking; and
- inadequate road access.

KEY ISSUES

The key issues in this case are whether or not the proposal accords with development plan policy on new residential development and on design.

OFFICER APPRAISAL

Policy H1 of the West Wiltshire District Plan 1st Alteration, 2004 sets out the criteria to which proposals for new dwellings should adhere, including *inter alia* that the siting, layout and design considerations should be satisfactory and in keeping with the character of the surrounding area.

Policy C31a states that proposals for new development will be required to respect or enhance townscape and landscape features and views and historic layout and spatial characteristics.

The site is located on a triangular portion of land between West Ashton Road and Lodge Court. This area is characterised by relatively low-density development of three dwellings set within generous garden spaces. The dwellings are well separated, creating a sense of spaciousness.

To the east lies Trowbridge Park, characterised by the informal openness of the mobile home park and a significant grouping of protected trees. To the north, across Lodge Court, there is a cul-de-sac development of six dwellings in two blocks at 90° to the road, and separated by approximately 16m of open space forming a parking and manoeuvring courtyard. To the west of this development is a well treed open space.

The dwelling would be located within 1m of a single storey extension to Drive House and within 4m of Oaklea. The proposed site would be an elongated irregular form narrowing to a minimum width of 8m. The proposed dwelling would have a roof ridge height of 7.9m, resulting in a vertical emphasis to the street-facing elevation contrasting with the wide frontage horizontal emphasis of the neighbouring dwelling elevations. This would appear incongruous within the street scene currently characterised by the general openness of this side of Lodge Court.

The proposal would significantly reduce the spacious character of the site by creating a cramped form of development between Oaklea and Drive House. This would be to the detriment of the distinctive grain and open character of development on this triangle of land. Although government guidance in the form of PPS 3 encourages the development of brownfield land this should not be at the expense of the character of the neighbourhood. The need to make more efficient use of land should not compromise the quality of design and layout.

RECOMMENDATION

The proposal does not accord with development plan policy H1 or C31a, in that the plot would be of a shape and size that would create inappropriate and cramped form of in-fill development resulting from the poor relationship between the proposed dwelling and its immediate neighbours. The application is therefore recommended for refusal.

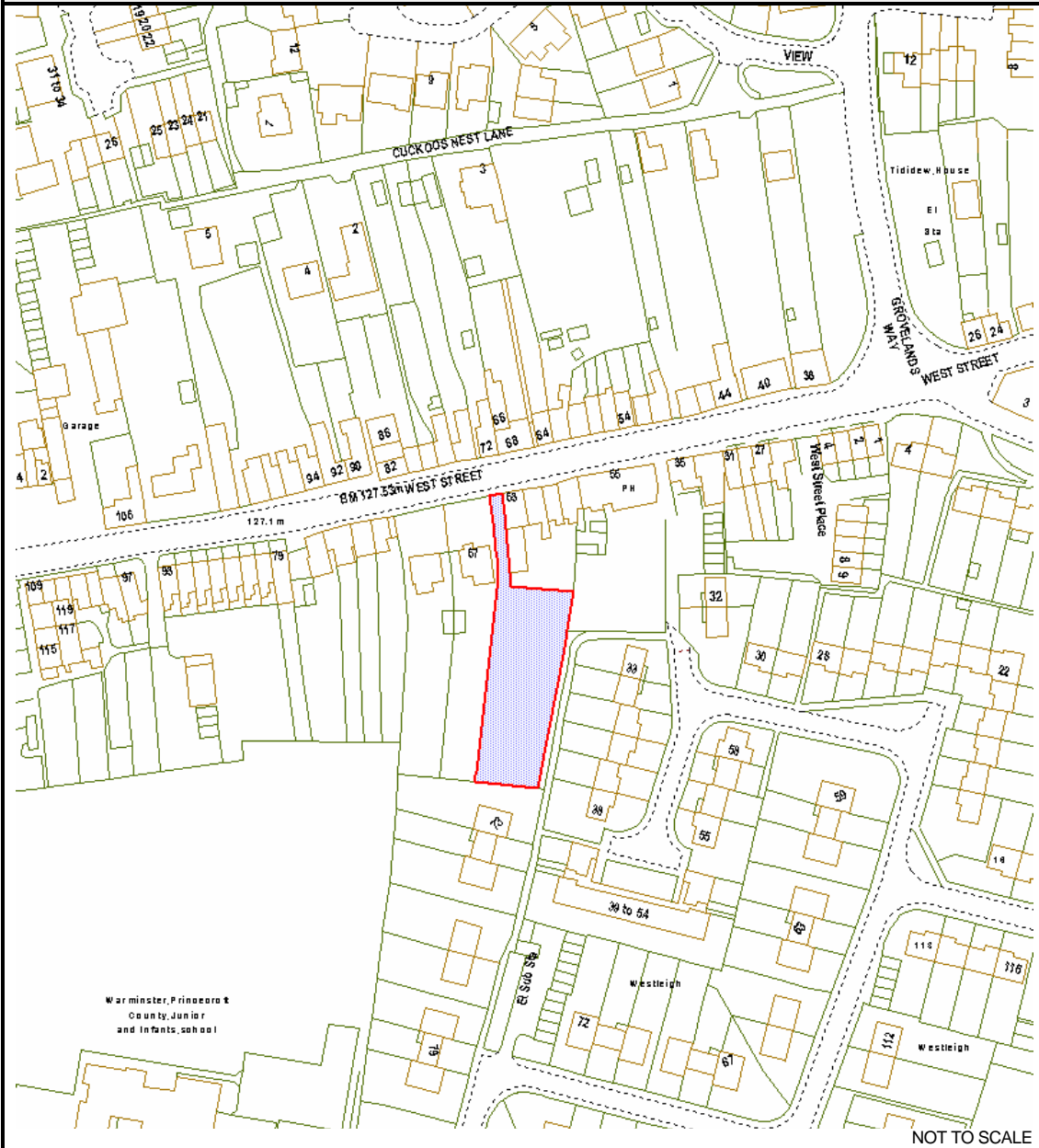
PLANNING COMMITTEE

17 January 2008

ITEM NO: 09

APPLICATION NO: 07/00648/FUL

LOCATION: Land Rear Of 63 West Street Warminster Wiltshire



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SLA: 100022961

09 Application: 07/00648/FUL

Site Address: Land Rear Of 63 West Street Warminster Wiltshire

Parish: Warminster Ward: Warminster West
Grid Reference 386438 144921
Application Type: Full Plan
Development: Removal of Conditions 1 and 2 of planning permission 01/01082/FUL
Applicant Details: Mr Edward Hunt
4 Victoria Road Warminster Wiltshire BA12 8HE
Agent Details:
Case Officer: Mr James Taylor
Date Received: 21.02.2007 Expiry Date: 18.04.2007

REASON(S) FOR RECOMMENDATION:

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

RECOMMENDATION: Permission

Condition(s):

- 1 The use of the building and land shall be strictly limited to domestic garage and storage; and shall not be used for any living accommodation, habitable use, business or other purpose whatsoever unless the relevant Local Planning Authority grants planning permission otherwise.

REASON: In the interests of defining the terms of this permission, the proper planning of the area, neighbouring amenity and highway safety.

POLICY: West Wiltshire District Plan 1st Alteration (2004) Policy C38

- 2 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by any subsequent Orders), the east facing rooflights shall be fitted with obscured glazing and shall be so maintained thereafter.

REASON: In order to safeguard the amenities of neighbouring properties.

POLICY: West Wiltshire District Plan 1st Alteration (2004) Policy C38.

Note(s) to Applicant:

- 1 The applicant is advised that if they have any specific proposed uses or development for the land at the rear of 63 West Street then they can discuss these informally with the case officer James Taylor. Formal applications for permission must be made with supporting information, including plans as appropriate and the relevant planning application fee to the relevant Local Planning Authority.

- 2 The applicant is advised that they have the right to appeal the Council's decision within 6 months of the formal decision notice, for further information they should contact the Planning Inspectorate in Bristol on 0117 372 8000.

COMMITTEE REPORT

APPLICATION DETAILS

This application is brought to the planning committee because the Town Council concluded that no change to conditions should be allowed and your officers' consider that revised conditions to reflect the applicant's changed personal circumstances, whilst properly planning the area and defining the terms of permission, are more appropriate.

This is an application for the removal of conditions 1 and 2 attached to planning permission reference 01/01082/FUL - Erection of garages with office/studio and storage above. These conditions stated the following:

'Condition 1: Because permission would not be granted for the use of the building hereby permitted as a separate dwelling in the manner proposed, and therefore to enable the Local Planning Authority to ensure that the said building is not sold, let or otherwise used as a separate unit of living accommodation, the property as a whole shall be occupied as one dwelling unit, with the building hereby permitted occupied as part of, or an extension to, the main dwelling and it shall not be severed therefrom.'

'Condition 2: In order that the Local Planning Authority shall reserve control over subsequent uses of the site, and thereby safeguard against any possible inappropriate or non-conforming use becoming established, the use of the building hereby permitted shall be limited to the domestic and private needs of the occupier and shall not be used for any business or other purpose whatsoever.'

The applicant has provided the following justification for the removal of these conditions: 'I separated from my partner (Miss T. Avery), in the summer of 2005 when the property was jointly owned. My partner wished to retain for herself the residential part of the property, financially unable to purchase the whole we agreed that I would retain the proportion, which contained the partially constructed garage with land and access. Miss T Avery has now instructed a local estate agent to market the property. On reading my relevant paperwork I realise that the above conditions were applied in 2001 to my partially constructed garage. Therefore I am applying for the removal of these conditions. I own the original vehicular access, Miss Avery agreed to limited access for 63 West St on the separation.'

CONSTRAINTS

Planning history
Highway Safety
Neighbouring amenity
Character and appearance of the Conservation Area

POLICIES

West Wiltshire District Plan 1st Alteration (2004) Policies C17 and C38
National guidance in PPS1 and PPG15
Circular 11/95

RELEVANT PLANNING HISTORY

01/01082/FUL - Erection of garages with office/studio and storage above – Permission - 20.11.2001

SITE VISIT / STATUTORY SITE NOTICES

The site was visited on 13/03/2007 and a site notice was erected. Further the application was advertised in the Wiltshire Times and letters were sent to adjoining land owners.

KEY ISSUES

Section 72 of the Planning (Listed building and Conservation area) Act 1990 states that the local planning authority has a duty to pay special attention to the desirability of preserving and enhancing the character or appearance of the conservation area.

There are 2 key issues beyond the statutory requirements:

Is the removal of condition 1 tying the garage to 63 West Street in order to prevent the garage being sold let or otherwise used as a separate unit of living accommodation justified and/or are there any planning reasons to maintain this condition?

Is the removal of condition 2 limiting the use of the building and site to the domestic and private needs of the occupier justified and/or are there any planning reasons to maintain this condition?

CONSULTATIONS

Parish/Town Council : Object to the principle of removing planning conditions and there need to be true planning reasons for the conditions to be changed.

External : 1 consultation as follows:

Highway Authority: 'I consider that the garage and 63 West Street should not be detached from each other. With 63 West Street and the garage being used separately I consider that this would increase the use of a sub-standard access. I am also concerned that the first floor accommodation could be converted and used as a separate residential unit. It is also important to note that 63 West Street should have two car parking spaces and a turning area. The garage should also have a turning area indicated. I recommend that this application be refused on highway safety grounds for the following reasons:

Any increased use made of the existing sub-standard access generated by the proposed development would be prejudicial to road safety.

The site has insufficient frontage towards the east direction (town centre) to enable an access to be satisfactorily laid out incorporating the necessary visibility splays which are essential in the interests of highway safety.

The access by reason of its restricted width and sub-standard junction with West Street is considered unsuitable to serve as a means of access.

Adequate provision cannot be made on the site of 63 West Street for the parking and turning of vehicles in a satisfactory manner.

Internal : None

Neighbours : The following 2 responses were received from the consultation process:

'We did not object to the original application because the permission applied for was a garage. We would have objected if they had applied for permission to build a separate dwelling....we therefore object to this application'.

'I have just moved into 63 West Street and I do not want the land at the rear developed by Mr Hunt. There is not enough room at the back to get vehicles up and down the side of my house and the noise and pollution will be too much. It would take months and months to get the land cleared for starters so God knows how long it would take. I have 2 young children and the noise and dust created would not be good for them either.'

OFFICER APPRAISAL

The only justification presented by the applicant for the removal of conditions relates to their personal circumstances which are that they have separated from their partner and therefore the dwelling 63 West Street and the garage site are now in separate land ownership. Whilst personal circumstances are not generally a significant material consideration it is important that a practical approach to this situation is taken.

In short no 'planning justification' for the removal of conditions has been presented and from a thorough consideration of the site, consultation with the Highway Authority and reviewing the planning history file then it is considered that the planning motives for the conditions are still relevant. Namely that the garage that has now been substantially completed and is of a size and scale commensurate to use as a dwelling, and/or business but that this would have serious implications on neighbouring amenity and highway safety. The Highway Authority has recommended that this application be refused due to the substandard access to the site and that its use would intensify from removing the tie. Given this it is considered that conditions are still necessary in order to maintain planning interests. Further it then raises the question can these be altered in order to better reflect the personal circumstances of the applicant without causing significant harm to any acknowledged planning interests?

After deliberation it is considered that a condition limiting the building's use to domestic garaging and storage, making it clear that the building shall not be for any living accommodation, habitable use, business or other purpose whatsoever achieves the aims of the previous permission but reflects the personal circumstances of the applicant i.e. the garage of 63 West Street are now under separate ownership. This would result in some intensification of the access which is not ideal, but on balance this would not cause any significant harm to highway safety or neighbouring amenity, especially in light of this being a Conservation Area and the historic environment typically having highway arrangements that are below modern requirements and standards. This should be taken in the context that the intensification would be for access to a single domestic garage/store site and does not in any way set a precedent for other development which must be considered on its individual merits. Further this is a practical approach in order to regularise the existing situation.

The alternative approach is that the Council takes enforcement action seeking one of three outcomes, the demolition of the garage due to non-compliance with conditions, or the purchase of 63 West Street by the applicant, or the purchase of the garage by the owners of 63 West Street. The last two are completely beyond the control of planning and highly unlikely to be achievable.

The alternative condition has been suggested to the applicant but they would be opposed to this being used. Mindful of this it is considered that an additional line at the end would be appropriate in order to allow for further specific applications at the site to be made. Such applications could be tested on their own merits and if acceptable granted permission without the need to alter or remove this condition. If such schemes are refused then the right of appeal may be explored. This would be very useful in that this rather sensitive site could then have a considered and thoroughly thought out appraisal of what uses/development may be acceptable in an open and transparent way.

Finally as a point of procedure the other two conditions should be reapplied. However condition 3 is no longer relevant as the development has been completed and condition 4 has been amended to reflect the current standard protocol for conditions within the authority.

RECOMMENDATION

Permission subject to revised condition in order to define the terms of the permission, the proper planning of the area and protect neighbouring amenity and highway safety.

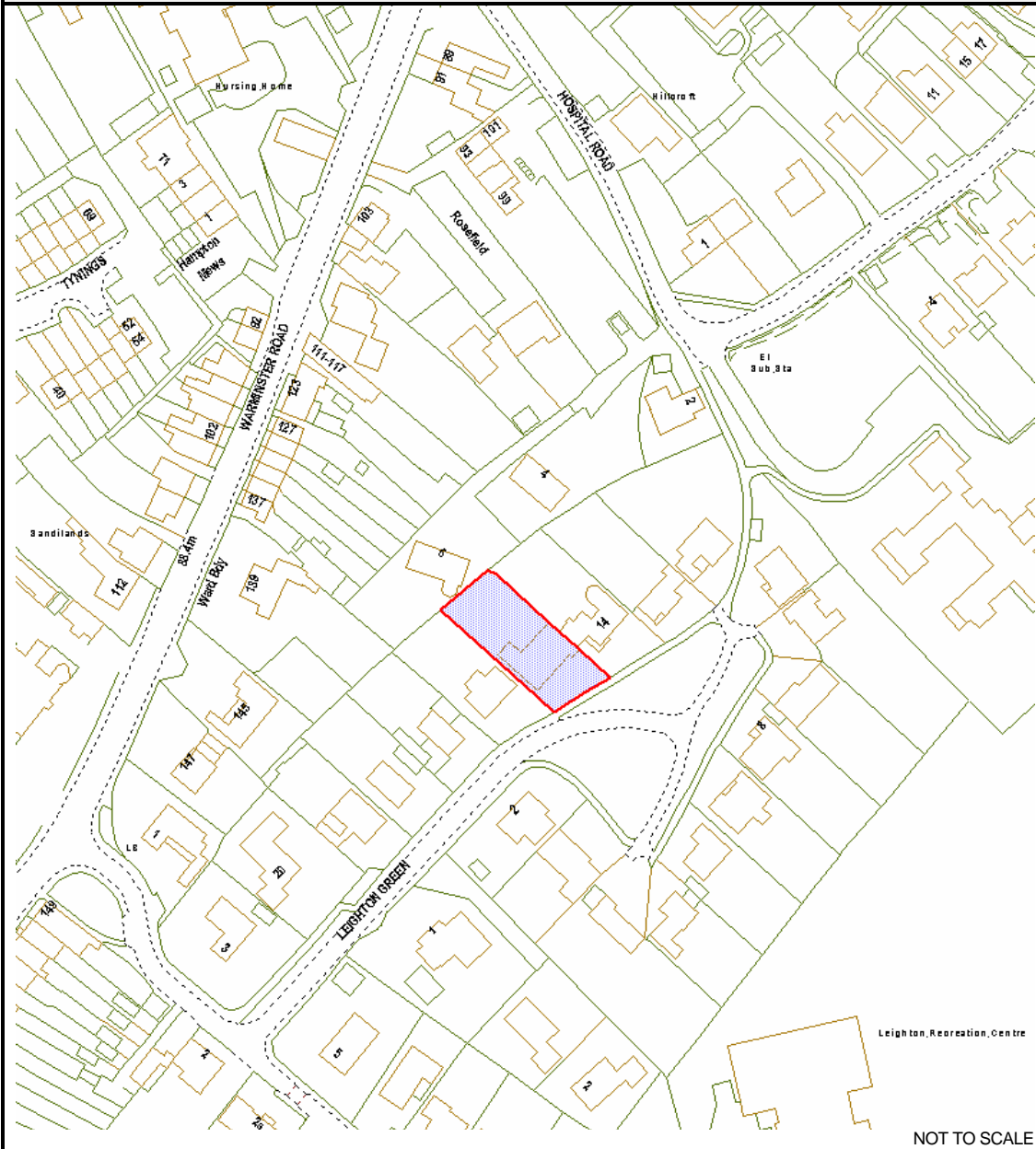
PLANNING COMMITTEE

17 January 2008

ITEM NO: 10

APPLICATION NO: 07/03647/FUL

LOCATION: 15 Leighton Green Westbury Wiltshire BA13 3PN



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SLA: 100022961

10 Application: 07/03647/FUL

Site Address: 15 Leighton Green Westbury Wiltshire BA13 3PN

Parish: Westbury Ward: Westbury Laverton
Grid Reference 387160 150647
Application Type: Full Plan
Development: First floor alterations and extensions including 3 dormer windows
Applicant Details: Mr J Parmley
15 Leighton Green Westbury Wiltshire BA13 3PN
Agent Details: Mr R Towler
4 Rosenheim Rise Bratton Westbury Wilts BA13 4SU
Case Officer: Mr James Taylor
Date Received: 19.11.2007 Expiry Date: 14.01.2008

REASON(S) FOR RECOMMENDATION:

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

RECOMMENDATION: Permission

Condition(s):

- 1 The development hereby permitted shall begin before the expiration of three years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

- 2 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

REASON: To ensure that the development harmonises with its setting.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C31A.

- 3 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, or any order revoking and re-enacting that Order with or without modification, no windows or doors, other than those hereby approved, shall be added to the first floor north east elevation of the development hereby permitted.

REASON: In the interests of amenity and privacy.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy C38.

Note(s) to Applicant:

- 1 This consent does not in any way imply that this Council has sought permission or will condone the use of consents to force any landowner to grant any civil consents that may be required beyond planning.

COMMITTEE REPORT

APPLICATION DETAILS

This full planning application is brought to the planning committee at the request of Councillor Georgie Denison-Pender 'due to the amount of public concern'.

The proposal is for extensions and alterations to a bungalow property in a residential cul-de-sac in Westbury. The alterations are for the erection of first floor extensions to the side and rear and the insertion of 3 dormer windows to the front elevation of the building. This is a revised application following the refusal of planning permission for a similar scheme reference 07/01828/FUL.

CONSTRAINTS

Character of the area and host building
Neighbouring amenity
Planning History

POLICIES

West Wiltshire District Plan 1st Alteration (2004) Policies C31a and C38
Supplementary Planning Guidance on house alterations and extensions

RELEVANT PLANNING HISTORY

07/01828/FUL – To construct a first floor extension over part of the existing 2-storey house –
Refused – 11/07/2007

SITE VISIT / STATUTORY SITE NOTICES

The site was visited on 4/12/2007 and a site notice was erected.

KEY ISSUES

Planning history, neighbouring amenity and design

CONSULTATIONS

Parish/Town Council : WESTBURY TOWN COUNCIL - No objection.

External : None

Internal : None

Neighbours : 1 letter of objection received raising the following comments:

- The supporting letter again states incorrectly that the bungalow was built as a chalet-bungalow in the 70s. In fact it was built as a single-storey dwelling in the 60s.
- The statement referring to the five children is again misleading as they do not all reside at No.15
- Cosmetic changes have been made to the original plans but this extension will still be an over-development of the property
- The proposed extension will still have an adverse effect on my property in its overbearing appearance and possibly also on the value of no.14
- I am very concerned about the proposed building on the boundary and any consents needed re The Party Wall Act
- Additional comments are enclosed from my friend and neighbour who has kindly given me his surveyor's comments on the plans.
- Concerned that officer is not completely impartial having advised the neighbours as to the best way to modify plans to achieve consent.

Enclosed surveyor comments:

- The two extensions proposed will have a high adverse effect on the amenity of the home (No14 Leighton Green)

- The proposed building is right on the boundary and could affect the Structural Stability of the property.
- There have been previous extensions made on this property by the former owner and this new proposal of a further two extensions will be out of scale with the neighbouring bungalows and properties in Leighton Green.

OFFICER APPRAISAL

Planning permission for a similar scheme was refused under delegated powers to officers for the following reason:

'The proposed development by reason of the insertion of roof lights on the front elevation of the dwelling and the overbearing nature of the rear extension in relation to the adjacent property would adversely affect the visual and residential amenity of this attractive area and would not accord with Policies C31a and C38 in the West Wiltshire District Plan 1st Alteration 2004 or the Councils Supplementary Planning Guidance-House Extensions and Alterations'.

As this case was handled by external consultants a new case officer was allocated to negotiate the scheme and pre-application discussions have taken place. The compromise is in accordance with those negotiations.

The scheme has removed all rooflights from the front elevation of the proposal and dormers have now been proposed. These are not characteristic of the building's front elevation but the building has a substantial rear dormer and there is one other dormer evident in the street scene. The street scene is characterised by a wide variety of residential dwelling types. The proposed dormers are in accordance with the Council's guidance as well positioned and proportioned additions. No demonstrable harm would result from the inclusion of dormer windows and it addresses the previous reason for refusal.

The proposal would still erect a first floor extension over the existing flat roof garage up to the boundary with the neighbour. This would obviate the existing flat roof to the side of the building which would give a more contemporary appearance to the building as viewed from the street scene. Extending up to the boundary poses some concern in design terms, but this did not form a reason for refusal previously and is therefore concluded to be acceptable.

Extending up to the boundary was previously considered harmful to amenity interests and it is for this reason that the extent of the rear projection on the boundary has been substantially reduced. It would no longer go past the neighbours' rear flat roof area and would therefore cause no significant harm. The proposal still includes a rear first floor extension of some 1.8 metres but this would be set away from the boundary by over 3.5 metres and would therefore cause no significant amenity harm.

The concern of the adjoining neighbour and their surveyor are understood but do not present sufficient planning reasons to refuse this application.

The side and rear extensions are not of a quality of design that would normally be approved, however given the context of the existing extensions and their positioned to the rear of the building, out of the public realm then no demonstrable harm would result.

In summary the previous reasons for refusal have been addressed and on balance the proposal would not cause any demonstrable harm to acknowledged planning interests.

RECOMMENDATION

Permission

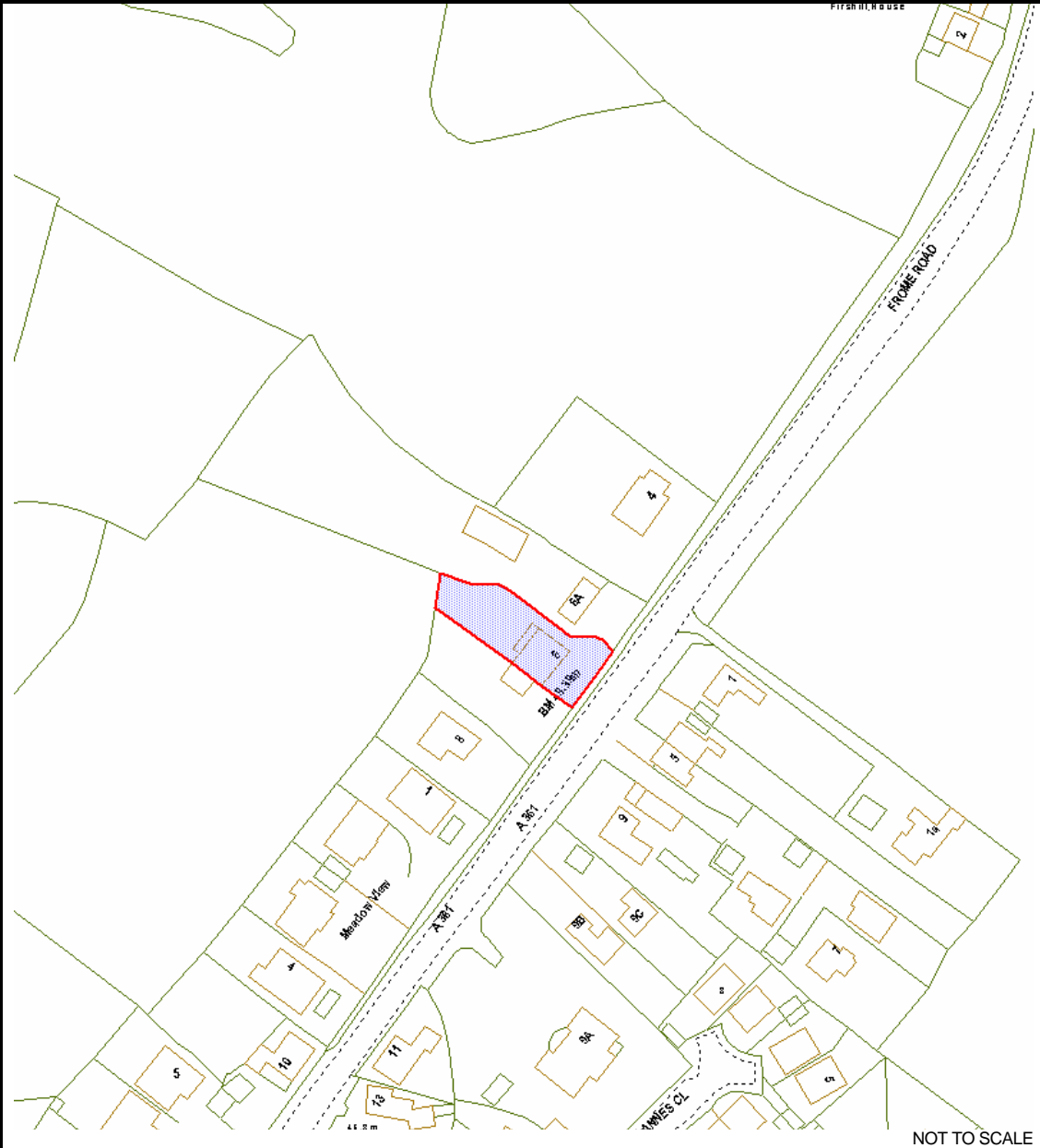
PLANNING COMMITTEE

17 January 2008

ITEM NO: 11

APPLICATION NO: 07/02754/FUL

LOCATION: Grove Farm 6 Frome Road Southwick Wiltshire BA14 9QD



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Fax: 01225 770314
www.westwiltshire.gov.uk

SLA: 100022961

11 Application: 07/02754/FUL

Site Address: Grove Farm 6 Frome Road Southwick Wiltshire BA14 9QD

Parish: Southwick Ward: Trowbridge And Southwick

Grid Reference 384013 155679

Application Type: Full Plan

Development: Single storey extension for kitchen/garden room and garage

Applicant Details: Mr G Whitbourn
6 Frome Road Southwick Wiltshire BA14 9QD

Agent Details: Mr E C Stockley
40 Clarendon Avenue Trowbridge Wilts BA14 7BN

Case Officer: Miss Andrea Levin

Date Received: 28.08.2007 Expiry Date: 23.10.2007

REASON(S) FOR RECOMMENDATION:

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

RECOMMENDATION: Permission

Condition(s):

- 1 The development hereby permitted shall begin before the expiration of three years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

- 2 No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: To ensure that the development harmonises with its setting.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies C31A.

- 3 The property as a whole shall be occupied as one dwelling unit, with the accommodation hereby permitted occupied as part of, or an extension to, the main dwelling and it shall not be let or sold as separate accommodation.

REASON: Because the creation of a separate dwelling unit would be inappropriate within this location.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy C31a.

COMMITTEE REPORT

APPLICATION DETAILS

This application is brought to Committee because Southwick Parish Council object and your officers recommend approval.

This is an application for a single storey extension on the rear of the property. The proposed extension would accommodate for a new kitchen and breakfast room, a garden room and a double garage. The extension would be constructed from a combination of natural stone and render under a reconstructed 'stone' slate roof.

CONSTRAINTS

None

POLICIES

West Wiltshire District Plan 1st Alteration 2004 – Policies: C31a, C38

RELEVANT PLANNING HISTORY

87/00387/FUL – Sun Lounge – Permitted 21.04.1987

87/01466/FUL – Detached garage block – Permitted 24.11.1987

90/00360/FUL – Change of use from agricultural to garden – Permitted 10.04.1990

02/00189/FUL – Vehicular access – Permitted 02.04.2002

03/00417/FUL – Erection of a detached garage – Permitted 13.05.2003

SITE VISIT / STATUTORY SITE NOTICES

Site visit conducted on the 23rd September 2007 to check context of site and surroundings.

KEY ISSUES

- Impact on host building
- Impact on neighbouring amenity

CONSULTATIONS

Parish/Town Council : SOUTHWICK PARISH COUNCIL: The Parish object to this application as they feel the scale and size of the extension, as detailed on the plans, are considered to be in excess to the scale and size of the existing building.

Following receipt of the revised plans the Parish Council provided the following comments:

The Parish Council comment that as the revision does not alter the overall size of the proposed development then they continue to object to this application as they feel the scale and size of the extension, as detailed on the plans, are considered to be in excess to the scale and size of the existing building.

Internal: None

External : None.

Neighbours : Neighbours were notified by way of neighbour notification cards. No comments received.

OFFICER APPRAISAL

The proposed development, although large in size would not have a detrimental impact upon the character of the host dwelling, as it would be single storey, and would be a design which would be sympathetic to the host dwelling. Due to the position of the proposed extension, it would be out of view from any public vantage points, therefore would have a minimal impact upon the character of the street scene.

An application on the land to the rear of the property, ref. 90/00360/FUL for change of use from agricultural to domestic curtilage means that there would be no loss of amenity to the host dwelling, as sufficient garden space would remain.

RECOMMENDATION

Permission