

# PLANNING COMMITTEE

27 March 2008

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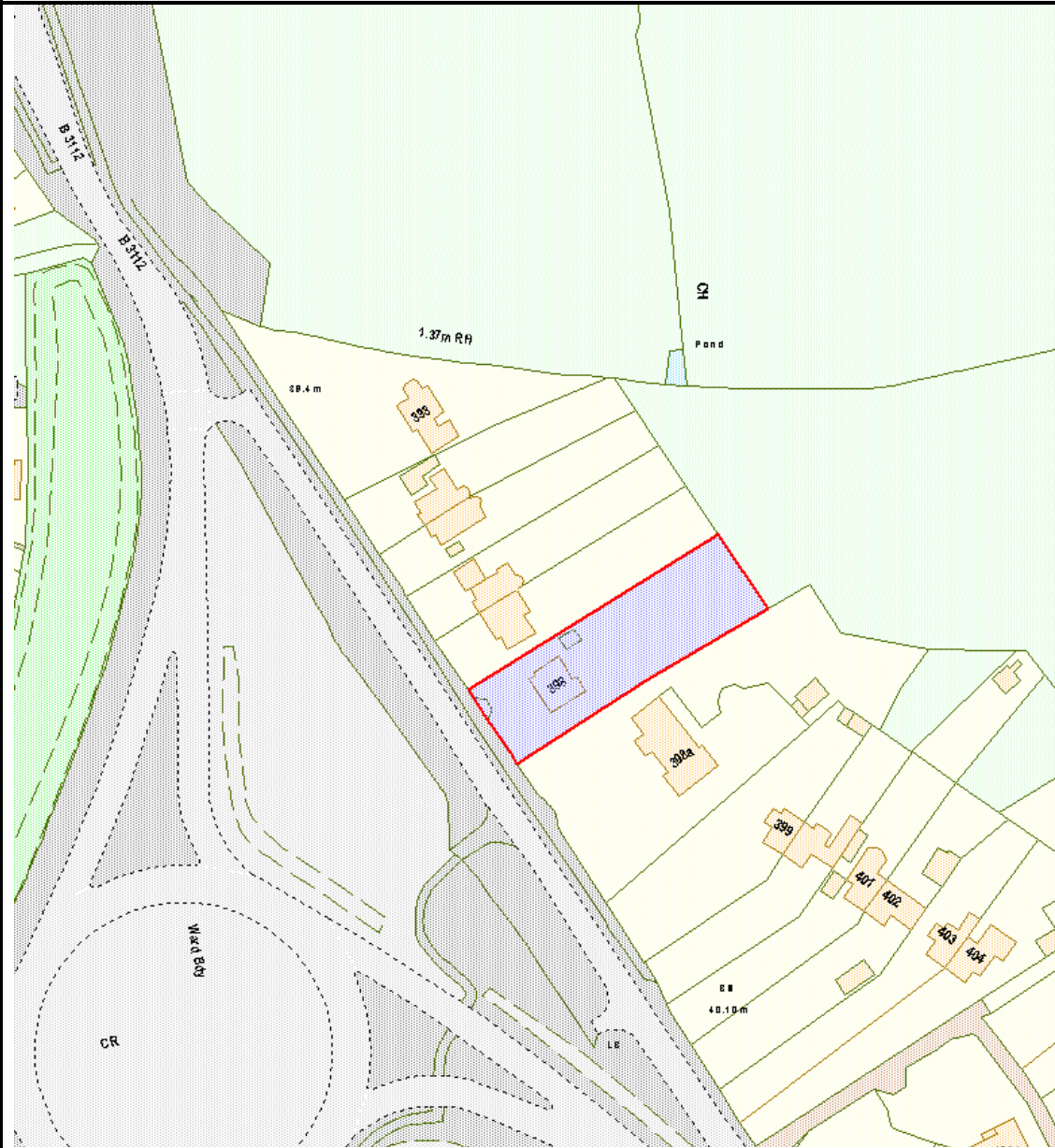
# PLANNING COMMITTEE

27 March 2008

ITEM NO: 01

APPLICATION NO: 07/03457/FUL

LOCATION: Fairlawns 398 The Spa Bowerhill Wiltshire SN12 6QL



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SLA: 100022961

**01 Application: 07/03457/FUL**

**Site Address: Fairlawns 398 The Spa Bowerhill Wiltshire SN12 6QL**

Parish: Melksham Without Ward: Melksham Without  
Grid Reference 391332 162885  
Application Type: Full Plan  
Development: Demolition of existing house, change of use to C2 and construction of eight bed residential care home for adults with learning disabilities, development to include associated parking  
Applicant Details: Voyage  
Garrick House 2 Queen Street Lichfield WS13 6QD  
Agent Details: Homewood Design Ltd  
9 Offa House Orchard Street Tamworth B79 7RE  
Case Officer: Miss Julia Evans  
Date Received: 05.11.2007 Expiry Date: 31.12.2007

**JUSTIFICATION 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 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 - Policy C31A.

- 3 The development hereby approved shall not be occupied until the access has been provided and the parking spaces have clearly marked out in accordance with the submitted plan.

REASON: In the interests of highway safety.

- 4 The access, driveway, parking and turning areas shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. The works shall be undertaken in accordance with these approved details.

REASON: In the interests of highway safety.

- 5 Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway details of which shall have been submitted to and approved in writing by the Local Planning Authority. The works shall be undertaken in accordance with the approved details.

REASON: In the interests of highway safety.

- 6 The area allocated for parking on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

REASON: In the interests of amenity and road safety.

- 7 Details of the measures to protect the public sewer running through the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development on the site. The works shall be undertaken in accordance with these approved details.

REASON: To protect public infrastructure.

POLICY: West Wiltshire District Plan – 1st Alteration 2004 – Policy U1A.

- 8 Prior to the premises being brought into use, a scheme providing for the adequate storage of refuse shall be submitted to and approved by the Local Planning Authority. The scheme shall then be carried out in accordance with the approved details, prior to the commencement of use, and shall be maintained at all times.

REASON: In the interests of public health and safety.

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

- 9 No development shall take place until proposals for the landscaping of the site have been submitted to, and approved in writing by, the Local Planning Authority. The landscaping scheme shall include provision for landscape planting, the retention and protection of existing trees and other site features, walls, fencing and other means of enclosure and any changes in levels.

Upon approval:

The approved scheme shall be fully implemented with new planting carried out in the planting season October to March inclusive, following occupation of the building(s) or the completion of the development whichever is the sooner, or in accordance with a timetable to be agreed in writing with the Local Planning Authority;

All planting shall be carried out in accordance with British Standards, including regard for plant storage and ground conditions at the time of planting;

the scheme shall be properly maintained for a period of 5 years and any plants (including those retained as part of the scheme) which die, are removed or become damaged or diseased within this period shall be replaced in the next planting season with others of a similar size and the same species, unless the Local Planning Authority gives written consent to any variation; and

The whole scheme shall be subsequently retained.

REASON: In the interests of visual amenity, to ensure that the approved landscaping scheme is carried out at the proper times and to ensure the establishment and maintenance of all trees and plants.

POLICY: West Wiltshire District Plan - First Alteration 2004 - Policies C32 and C40.

- 10 Prior to the commencement of demolition/development a pre-commencement site meeting shall be held and attended by the developer's arboricultural consultant, the designated site foreman and a representative from the Local Authority to discuss details of the working procedures. Subsequently and until the completion of all site works, site visits should be carried out on a monthly basis by the developer's arboricultural consultant. Copies of written site notes and/or reports detailing the results of site supervision and any necessary remedial works undertaken or required shall be submitted to and approved in writing by the Local Planning Authority. Any approved remedial works shall subsequently be carried out under strict supervision by the arboricultural consultant immediately following that approval.

REASON: In order that the Local Planning Authority may be satisfied that the trees to be retained on-site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice.

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

- 11 Details of existing and proposed land levels across the site, illustrated by means of spot heights, contours and sections across the site, and demonstrating the relationship between the proposed development and the surrounding land shall be submitted to and approved in writing by the Local Planning Authority. Development shall then only be carried out in accordance with the approved details. There shall be no land raising unless approved under the terms of this condition.

REASON: In the interests of proper planning of the area and to protect neighbouring amenity.

POLICY: West Wiltshire District Plan - First Alteration 2004 – Policy C38.

- 12 The window in the north and south elevations 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.

**Note(s) to Applicant:**

- 1 You are advised to contact Wessex Water to agree points of connection onto their apparatus.
- 2 You are advised to contact the Health and Safety Team of the Environmental Health Section at West Wiltshire District Council to discuss management of health and safety.
- 3 You are advised that a deep sink and a wash hand basin should be provided in the laundry area.

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

This application is brought before the Planning Committee because the Town Council has objected to the proposal and your officers have recommended permission.

This is a full application for the demolition of the existing detached house and construction of an eight-bed residential care home for adults with learning difficulties at 398 The Spa, Melksham. The care home would be two storeys and located on the approximate footprint of the existing dwelling. It would be constructed of brick, render, and reconstituted stone to the walls, with concrete tiles to the roof. The eight bedrooms would be located on both the ground and first floor, with a staff bedroom on the first floor as well. Most of the communal facilities would be located on the first floor. The fenestration has been arranged so that no habitable room windows overlook the neighbouring houses.

The existing access would be blocked up and a new one created centrally in the front garden. It would lead into a parking area for six cars, one of which is to be for disabled use. The existing garden would be retained along with its pond to the rear. A three metre easement has been provided to the public foul sewer which runs across the rear garden. A row of railings would run along the highway verge of the front garden.

The applicant has provided a Design and Access statement with the application, along with a Flood Risk Assessment, and Arboricultural Report.

## SITE VISIT / STATUTORY SITE NOTICES

The site is currently occupied by a detached two-storey house with rooms in the roof. It has a large rear garden, with a detached garage and greenhouse located along its northern boundary. It is constructed of reconstituted stone with concrete plain tiles to the roof. Areas of hard-standing lie to the front and rear of the property, with vehicular access from The Spa lying along the northern boundary of the site. A mature beech hedge fronts the highway, with hedges and fences to the other boundaries.

Along the northern boundary of the Spa lies ribbon development, of a mix of detached and semi-detached properties. Number 398 lies in a line with the houses to the north-west, with 398A to the west lying set back from it. To the west lies an area of planting before the large round-a-bout.

The application has been advertised with a site notice, and an additional information site notice.

## CONSULTATIONS

Parish/Town Council : MELKSHAM TOWN COUNCIL – state “The Council objects to the demolition of the existing dwelling to make way for a new building as the new dwelling being so much larger than other dwellings in this section of The Spa, will look out of character in the existing street scene. The provision for car parking is also wholly inadequate. Should the development go ahead, there needs to be at least 12 spaces to ensure enough on-site parking. Please note The Spa will shortly become the main pedestrian thoroughfare / cycleway for the new secondary school and so should not be relied on to provide the extra parking which would be needed for this type of development.”

External :

HIGHWAY AUTHORITY – state “The parking and access arrangement appear to be the same as for the previous application (W07.0703) therefore my comments remain the same as before. It should be noted that in order to provide the access as shown an electricity pole/telegraph pole will have to be relocated and possibly a utility cover in the footway lowered, this will be at the cost of the applicant.

“I recommend that no highway objection be raised subject to the following condition(s) being attached to any permission granted:

“The development hereby approved shall not be occupied until the access has been provided and the parking spaces have clearly marked out in accordance with the submitted plan. Reason: - In the interests of highway safety.

“The access, driveway, parking and turning areas shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Reason: - In the interests of highway safety.

“Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway details of which shall have been submitted to and approved in writing by the Local Planning Authority. Reason: - In the interests of highway safety.

“The area allocated for parking on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted. Reason: - In the interests of amenity and road safety.

ENVIRONMENT AGENCY – does not wish to make any comments on the application.

WESSEX WATER – require agreement of connection to and protection of their apparatus, including a three metre easement either side of the public foul sewer to the rear of the property. They also require details of surface water disposal, and the importance of checking with Wessex Water to ascertain if there are any other uncharted sewers or mains within or near to the site.

Internal :

PLANNING POLICY AND CONSERVATION – state “The proposal seeks the demolition and redevelopment of an existing residential dwelling located in the countryside between Melksham and Bowerhill. The proposal seeks to subsequently redevelop the plot for an eight bed residential care home for adults with learning disabilities. The proposal site falls within the wider setting of the adjacent listed buildings that form the Spa grouping.

“Planning policy allows for the replacement of dwellings in the countryside, providing that the new dwelling (or in this case residential use) is not materially larger than the existing dwelling and does not perpetuate a serious traffic hazard. I do not believe that the proposal will generate a serious traffic hazard, although I await the comments of the transport authority. However, based on the information supplied, the new building appears to be significantly larger than the original dwelling. Certainly, having nine bedrooms (including a single staff bedroom) suggests a larger dwelling - there are no contextual drawings or illustrations to suggest otherwise. It would be useful to have an indication as to whether the new dwelling is materially larger or not.

“The design policy implications of the proposal are a significant issue in terms of determining this application. This is particularly the case in respect of the proposal site's relation to the adjoining historic buildings at the Spa and in general terms of countryside location. I note the content of the applicants design statement. However, I disagree with a number of statements made within that statement. The bulk and massing of the proposed building is poor. Importantly I note the lack of any contextual analysis within the design statement either in terms of the wider historic environment or impact upon the countryside. A fuller analysis would aid the decision making process.

“I note that the proposal seeks to introduce six parking spaces. There is no supporting information to demonstrate how this proposed level of parking reflects our maximum parking standard. In this respect it would be useful to know how many staff will be on-site at anyone time. It would also be beneficial to understand how the care home operator will encourage staff to make sustainable travel choices when travelling from their homes to work. I strongly recommend that the applicant incorporates an employee travel plan, which promotes sustainable travel patterns and choices.

“Whilst not a policy requirement, I believe that it would be beneficial for the applicant and in terms of our determination to establish from Social Services and/or Wiltshire PCT the need requirement for care facilities such as this within this locality.

“Conclusions: - The proposal is light in terms of detail. Information on how the proposed new dwelling compares in size to existing dwelling is requested. An examination of the historic and countryside context is also required. Further information is also sought in respect of how the proposed level of parking was calculated. However, there is a fundamental issue with the design of the proposal. My discussion with our Urban Design Officer suggests that the proposed buildings bulk and massing are inappropriate. Unless the design issues can be overcome we should be seeking to refuse this application.

“Policy Recommendation: - Unacceptable in policy terms.”

ENVIRONMENTAL HEALTH – State “Whilst we do occasionally receive complaints about noise from the residents of care and other residential homes, I do not believe that an objection is sustainable, bearing in mind that care in the community is government policy. Recommendation: no objections. Conditions: none. Informatives: a deep sink and a wash hand basin should be provided in the laundry area. Please advise the client to contact the Health and Safety Team to discuss management of health and safety should the application be approved.”

LANDSCAPE OFFICER – has not responded.

HOUSING SERVICES – state “there is no requirement for any affordable housing contribution on residential care homes.” No comments have been received as regards the implications of a care home.

Neighbours : one response has been received objecting to the proposal.

#### NEGOTIATIONS / DISCUSSIONS

A Flood Risk Assessment report and completion of the application form was requested.

#### CONSTRAINTS

- \* Planning history;
- \* Community facility provision;
- \* Development in the open countryside;
- \* Flood issues;
- \* Amenity;
- \* Design;
- \* Highways and parking.

#### POLICIES

Wiltshire Structure Plan 2016 – DP1, DP2, DP9, DP14, T6, C1, C5.

West Wiltshire District Plan - First Alteration 2004 – C1, C31A, C32, C35, C38, H20, T10, CF1, U1A, U2, U4, I3.

Supplementary Design Guidance – Design Guidance – Principles (Adopted July 2004).

National Guidance – Planning Policy Statement 1 - Delivering Sustainable Development; Planning Policy Statement 3 – Housing; Planning Policy Statement 7 - Sustainable Development in Rural Areas; Planning Policy Statement 9 – Biodiversity and Geological Conservation; Planning Policy Guidance Note 24 – Planning and Noise; Planning Policy Statement 25 – Development and Flood Risk.

#### RELEVANT PLANNING HISTORY

06/00920/FUL – Single-storey granny annex – Permission 15.05.2006

07/00703/FUL – Demolition of existing house and change of use to C2 and Construction of 8-bed residential care home for adults with learning disabilities. Development to include associated parking – Withdrawn 13.08.2007.



## KEY ISSUES

- \* Planning history;
- \* Community facility provision and residential development in the open countryside;
- \* Flood issues;
- \* Amenity;
- \* Design;
- \* Highways and parking.

## OFFICER APPRAISAL

The demolition of the existing house and erection of a residential care home was the subject of previous application for the same scheme on the site. It was withdrawn due to the absence of a Flood Risk Assessment (FRA): no other matters were raised as regards the proposal. The current application is an identical resubmission of the withdrawn scheme, apart from the inclusion of an FRA. The proposal is being considered as a community facility, as it is a care home (ie. C2 use) and not a house in multiple occupation (ie. C3 use). The Planning Policy Section, however, have taken the view that it is a replacement dwelling in the open countryside. In view of the planning history and the use class of the proposal it is not felt that Policy H20 is the appropriate one to apply in this case: it is considered that Policy CF1 is (ie. the provision of community facilities), so this objection is not supported.

Policy CF1 states that "Proposals for the development of land for schools and higher education, health care facilities, places of worship, community halls and other community facilities will be permitted provided the proposals are acceptable and having regard to scale, siting, design, access, highways, parking provision, residential amenities and other local environmental considerations." Despite the concerns of the Town Council as regards highways matters, the Highway Authority have raised no objection to the proposal subject to conditions concerning the laying out of the access and parking spaces, their surfacing, the disposal of surface water, and obstruction-free parking spaces. Thus, no objection is raised as to the access, highways and parking aspect of the scheme, subject to the suggested conditions.

The Environment Agency have not commented on the application as it does not fall within their requirements to do so, whilst Wessex Water are concerned to protect their infrastructure. A condition has been attached as regards a three metre easement required to protect the public sewer running across the site, plus drainage, conditions and informatives have been attached as regards points of connection onto their apparatus.

The Environmental Health Section have not raised any concerns with the noise and amenity issues that the proposal raises, and have suggested no conditions. They would like to see an informative attached as regards washing facilities, and contacting the Health and Safety Section.

The Planning Policy Section have also objected to the design of the scheme, considering it to be inappropriate in terms of its countryside location, its built and massing. The Spa is characterised by ribbon development of a mix of large detached and semi-detached properties within large gardens. There are also a number of Listed Buildings amongst this ribbon of houses, but they are sufficiently far enough away from this proposal for it not to have any impact on their settings. Despite the concerns of the Planning Policy Section in view of the immediate surroundings of the site, the proposed home is not considered to be of such a poor design that it warrants a refusal. There are a mix of properties and house types along The Spa, and the proposed design is not considered to be so out of character with either the surrounding development or the open countryside that a refusal on design grounds could be substantiated at appeal. The proposal is also not considered to result in a greater loss of amenity to neighbouring properties than the existing house: overlooking windows on the first floor are for bathrooms, which are non-habitable rooms and could be conditioned to have obscure glazing. In addition a condition has been suggested for existing and proposed levels across the site to further protect neighbouring amenity.

## RECOMMENDATION

Permission subject to conditions.

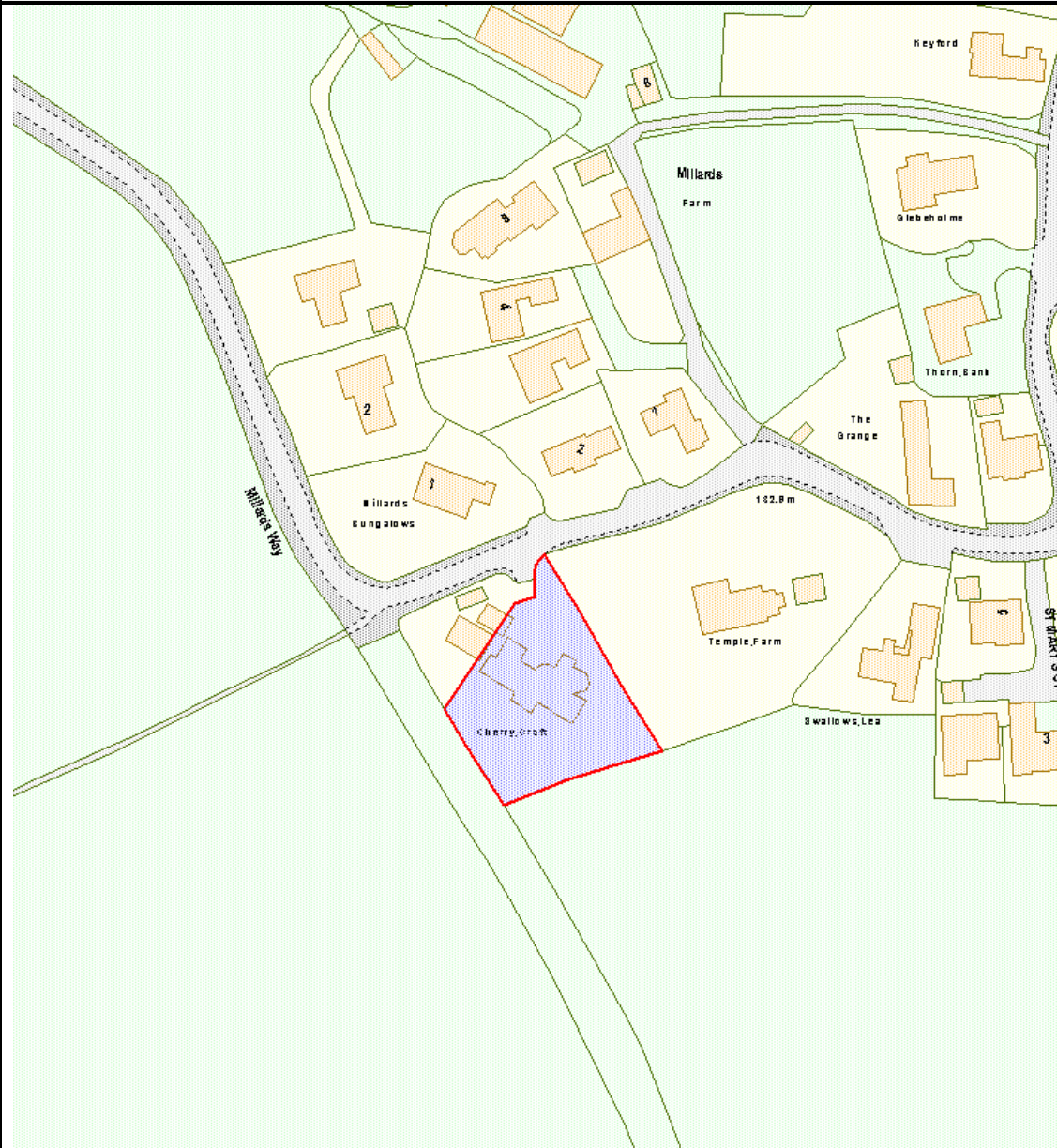
# PLANNING COMMITTEE

27 March 2008

ITEM NO: 02

APPLICATION NO: 08/00105/FUL

LOCATION: Cherry Croft Upton Scudamore Wiltshire BA12 0AQ



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SLA: 100022961

**02 Application: 08/00105/FUL**

**Site Address: Cherry Croft Upton Scudamore Wiltshire BA12 0AQ**

Parish: Upton Scudamore Ward: Dilton  
Grid Reference 386283 147664  
Application Type: Full Plan  
Development: Extensions and alterations to existing single storey dwelling  
Applicant Details: Mr K Smith  
Cherry Croft Upton Scudamore Wiltshire BA12 0AQ  
Agent Details: Beech Tyldesley  
F A O Mr A Howles Old Deanery Court Cathedral Green Wells  
Somerset  
Case Officer: Mr James Taylor  
Date Received: 11.01.2008 Expiry Date: 07.03.2008

**JUSTIFICATION 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 there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: To ensure the appearance of the development is satisfactory.

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

**COMMITTEE REPORT**

**APPLICATION DETAILS**

This application is brought to Committee because Upton Scudamore Parish Council objects contrary to your officer's recommendation.

This is a full planning application for alterations and extensions to a single storey dwelling. Principally the application involves increasing the building from a single storey property to 1½ storey in order to facilitate first floor living accommodation. There would be a full height extension to the south east elevation and a single storey extension to the north east elevation to create a new double garage. There would be numerous other comparatively minor alterations and extensions which include alterations to the front porch and the erection of a balcony on the south west elevation. Further there would be demolition works, including the removal of the existing detached garage, pool house and greenhouses at the northwest corner of the site.

The application site is located on the fringe of Upton Scudamore, within its designated village policy limits and an area of high archaeological interest/potential. Access to the site would remain at the same point as existing but be remodelled; there would be landscaping alterations in order to reflect the revised layout of the host building.

## **CONSTRAINTS**

Neighbour amenity  
Character of the area

## **POLICIES**

West Wiltshire District Plan – 1st Alteration 2004  
C31a Design  
C38 Nuisance  
R11 Footpaths and Rights of Way

Supplementary Planning Guidance on house alterations and extensions

## **RELEVANT PLANNING HISTORY**

04/00249/FUL - To form 2 no dormer windows to existing roof – Permission - 29.03.2004  
08/0228/FUL – New Dwelling - Pending

## **SITE VISIT / STATUTORY SITE NOTICES**

The site was visited on 23/01/2008 and a site notice erected on the northern boundary of the site adjacent to the public right of way.

## **KEY ISSUES**

The key issues to consider with this application are the impact of the alterations on the host building, the character of the area and the neighbouring amenity.

## **CONSULTATIONS**

*Parish/Town Council* : UPTON SCUDAMORE PARISH COUNCIL - Upton Scudamore Parish Council discussed both these planning applications (08/00105 and 08/00228) and could not support the applications for a number of reasons.

Firstly the present house has already been extended and a further increase would approximately double the size of the existing building and would dominate and be disproportionate to the original dwelling. Secondly, it would change the appearance of the street with the surrounding properties being mainly single storey bungalows and would affect the neighbours sunlight and privacy. WWDC guidelines state clearly 'any extensions should be a subservient element to the host building and not upset the symmetry of the building as a whole. This building would completely overwhelm and engulf the existing dwelling and the Council felt it would become subservient to the original building.'

The new roof pitch would also overshadow neighbouring properties and dominate the landscape and skyline. This would have an effect on the character and appearance of the area, impacting on the street scene and the surrounding landscape (for example the old fir trees on the boundary which also provide a screen for neighbours at present would have to be removed).

The second application for a 4 bedroom chalet style house would also be inappropriate and the Council felt for it would be gross over development of the area and would also have a serious effect on the neighbours and surrounding landscape.

In conclusion the Parish Council could not support these applications and would recommend strongly that a site visit should take place by the Planning Department. The Parish Council have also asked for you to look at comments from a document sent by a resident who lives in the property close to Cherry Croft. Again as before the Parish Council would like to thank Mr Taylor for the extra time and would like to have a representative at any site visit that would be made.

#### *Neighbours :*

5 letters from 3 parties objecting on the following issues:

- The site does not warrant further expansion
- Would interrupt the outlook of properties
- Highway safety close to a bend
- Financial motivation rather than for the visual impact on the village
- Out of keeping with the area – increased roof height by 1.8 metres would dominate other properties, the landscape and skyline.
- Unsympathetic to the host building
- Overlooking and loss of privacy
- Bats are evident in the locality
- Would want the new building excavated into the ground like they had to, maintaining the ridge lines of all properties

#### **OFFICER APPRAISAL**

This residential application is quite substantial in terms of the alterations proposed, but ultimately it must be borne in mind that this is still an application for alterations and extensions to a domestic property within the established built form of the village with no special designations on the land relevant to the nature of the application. As such the key issues are simply design and amenity.

The host building is situated within its own very spacious plot, it has developed a sprawling layout with uncoordinated alterations and extensions since its original construction. To the south and west is open countryside and the only adjoining neighbour is located to the east.

In the village there are numerous examples of 1½ storey houses, indeed of the modest fringe of village development this is quite typical. The proportions and scale of the development are perfectly acceptable given the context of the site presenting a neat, tidy and coherent appearance throughout the proposed built form. Matching materials are proposed. It has to be acknowledged that the proposed development would have a much more substantial appearance in the street scene, but this in itself is not harmful given that the design is acceptable and the proposal is located within the cluster of the village policy limits. The use of dormers and reduced ridge height is appropriate in this case to reflect the local built form and reduce the impact of the first floor extensions on the edge of the village.

The proposed development would result in a quite different building on the site, but that in itself is not harmful. The design is sympathetic to the wider context and can be considered a reasonable form of design, which expresses elements of the local vernacular. Further the development would present a more coherent and balanced form of development altering and removing rather ad-hoc additions to the site including the pool room, conservatories and detached garage.

The increased height of development and the proposals encroachment to the neighbouring boundary to the east would not cause demonstrable harm, because the neighbouring dwelling is located some 25 metres away and orientated to the east. The new first floor windows proposed on the north east elevation are to bathrooms and stores, so there would be no overlooking from habitable rooms. Further these windows would be approximately over 10 metres from the boundary. The proposed balcony would be sited on the south west elevation looking over open countryside only, there are no residential properties that could be viewed from this point.

It is noted that the demolition of buildings is occurring to the north west of the plot and a fence has been indicated on the proposed block plan to separate this parcel of land for 'proposed site for new dwelling'. The erection of another dwelling is an entirely separate matter and subject to another application. The erection of the fence is technically within the application site and therefore a condition is attached to require details to ensure that its height would not be unreasonable.

The comments of the local residents has been noted, in particular reference to excavation of the land to reduce the overall perceived height of the development in the landscape. Each case must be considered on its own merits, and without discussing other cases it is concluded in this instance that the increased height of the built form would not cause any demonstrable harm to the skyline, street scene, neighbouring buildings or the landscape.

The comment regarding protected species such as bats has also been noted. Wiltshire and Swindon Biological Records centre screen all planning applications and have made no comments in regards to these planning cases

## **RECOMMENDATION**

Permission with conditions.



# PLANNING COMMITTEE

27 March 2008

ITEM NO: 03

APPLICATION NO: 08/00228/FUL

LOCATION: Land Adjoining Cherry Croft Upton Scudamore  
Wiltshire



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SLA: 100022961



**03 Application: 08/00228/FUL**

**Site Address: Land Adjoining Cherry Croft Upton Scudamore Wiltshire**

Parish: Upton Scudamore Ward: Dilton  
Grid Reference 386262 147677  
Application Type: Full Plan  
Development: New dwelling  
Applicant Details: Mr K Smith  
Land Adjoining Cherry Croft Upton Scudamore Wiltshire  
Agent Details: Beech Tyldesley  
FAO Mr A Howles Old Deanery Court Cathedral Court Wells  
Somerset  
Case Officer: Mr James Taylor  
Date Received: 25.01.2008 Expiry Date: 21.03.2008

**JUSTIFICATION 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 - Policy C31A.

- 3 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: To ensure the appearance of the development is satisfactory.

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

- 4 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.
- 5 Prior to the first occupation of the development hereby permitted the first floor window on the north elevation of the building, annotated as bathroom shall be obscure glazed and shall remain so in perpetuity.
- REASON: IN the interests of neighbouring amenity.
- POLICY: West Wiltshire District Plan 1st Alteration (2004) Policy C38.
- 6 Prior to the first occupation of the development hereby permitted the proposed remodelling of the existing access shall be completed in accordance with the approved plan reference 3947/01/A or those otherwise submitted to and approved in writing by the Local Planning Authority.
- REASON: In the interests of Highway Safety.
- 7 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, as amended, no development falling within Schedule 2, Part 1, Class(es) A of the Order shall be carried out without the express planning permission of the Local Planning Authority.
- REASON: The implementation of permitted development rights on this site would be unacceptable.

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

This application is brought to Committee because Upton Scudamore Parish Council objects contrary to your officer's recommendation.

This is a full planning application for the erection of a detached 2-storey dwelling within the defined village policy limits of Dilton Marsh. The application site is currently part of the residential curtilage of an existing bungalow property and would replace the car parking area, swimming pool and associated structures.

The proposed dwelling would have dormer windows for the first floor accommodation, which provides for 3 bedrooms. It would also have a single storey front protecting wing and an integral garage. The property would benefit from enclosed side and rear gardens and frontage parking/turning. Access to the property would be shared with the existing property, but it proposed to modify this.

The application site is within the defined policy limits but on the very fringe of the established village with open countryside to the west. To the east, north and south are residential properties and their gardens in a low density arrangement. To the east of the application site is a public right of way.

### **SITE VISIT / STATUTORY SITE NOTICES**

The site was visited on 5 February 2008 and a site notice erected.

## CONSULTATIONS

### *Parish/Town Council :*

UPTON SCUDAMORE PARISH COUNCIL discussed both these planning applications (08/00105 and 08/00228) and could not support the applications for a number of reasons.

Firstly the present house has already been extended and a further increase would approximately double the size of the existing building and would dominate and be disproportionate to the original dwelling. Secondly, it would change the appearance of the street with the surrounding properties being mainly single storey bungalows and would affect the neighbours sunlight and privacy. WWDC guidelines state clearly 'any extensions should be a subservient element to the host building and not upset the symmetry of the building as a whole. This building would completely overwhelm and engulf the existing dwelling and the Council felt it would become subservient to the original building.'

The new roof pitch would also overshadow neighbouring properties and dominate the landscape and skyline. This would have an effect on the character and appearance of the area, impacting on the street scene and the surrounding landscape (for example the old fir trees on the boundary which also provide a screen for neighbours at present would have to be removed).

The second application for a 4 bedroom chalet style house would also be inappropriate and the Council felt for it would be gross over development of the area and would also have a serious effect on the neighbours and surrounding landscape.

In conclusion the Parish Council could not support these applications and would recommend strongly that a site visit should take place by the Planning Department. The Parish Council have also asked for you to look at comments from a document sent by a resident who lives in the property close to Cherry Croft. Again as before the Parish Council would like to thank Mr Taylor for the extra time and would like to have a representative at any site visit that would be made.

### *External :*

HIGHWAY AUTHORITY: The principle of a new dwelling is acceptable, subject to the access and parking arrangement meeting current standards. To support an additional dwelling and the associated increase in traffic generation, visibility splays of 2 metres x 43 metres are required from the centre line of the access in both directions; on the application plan this has been indicated to the west however the same splay is required to the east – this has not been shown and is not within the land in the applicants control.

Until I can be satisfied the vision splay as described above can be secured I feel bound to recommend that the application be refused on the following highway grounds – 'any increase of use made of the existing sub-standard access (due to its sub-standard visibility to the east) generated by the proposed development would be prejudicial to road safety.'

### *Neighbours :*

5 letters from 3 parties objecting on the following issues:

- The site does not warrant further expansion
- Would interrupt the outlook of properties
- Highway safety close to a bend
- Financial motivation rather than for the visual impact on the village
- Out of keeping with the area – increased roof height by 1.8 metres would dominate other properties, the landscape and skyline.
- Unsympathetic to the host building
- Overlooking and loss of privacy
- Bats are evident in the locality
- Would want the new building excavated into the ground like they had to, maintaining the ridge lines of all properties

## **NEGOTIATIONS / DISCUSSIONS**

The applicant's agent has been requested to review the first floor arrangement around the bathroom and bedroom 3 in order to reduce the overlooking potential to property to the north. Further they have been requested to amend the gates on the access so that they open inwards.

Additionally the comments of the local residents, the parish Council and the Highway Authority have been relayed.

## **CONSTRAINTS**

Highway safety  
Character of the area  
Amenity  
Public Right of Way

## **POLICIES**

West Wiltshire District Plan – 1st Alteration 2004  
C31a Design  
C38 Nuisance  
H17 Village Policy Limits  
H24 New Housing Design  
R11 Footpaths and Rights of Way

Supplementary Planning Document – Residential Design Guide  
Supplementary Planning Guidance on house alterations and extensions

National guidance  
PPS1 Delivering Sustainable Development  
PPS3 Housing  
PPG13 Transport

## **RELEVANT PLANNING HISTORY**

08/00105/FUL – Extensions and alterations to existing single storey dwelling - Pending

## **KEY ISSUES**

Highway safety  
Character of the area  
Amenity

## **OFFICER APPRAISAL**

Principle of development

The application site is located within the defined village policy limits and therefore the principle of further housing development subject to other environmental considerations is acceptable given the development plan policy H19. Further national advice in PPS3 states that a more efficient use of land should also be sought and encouraged on previously developed land.

The land under the applicants control is quite substantial but the subdivision proposed is reasonable in light of the configuration of the site and makes efficient use of the land especially considering the very low density arrangement in this part of the village. It is noted that this is a fringe of village location.

## Highway Safety

The intensification of the access after alteration to the hanging of the gates poses no significant concerns to your case officer. The area is subject to a 30mph speed restriction and visibility to both the east and west is quite clear. The only concern was the proximity to the bend to the west but the applicant has positioned the access at the furthestmost point to this bend. The application clearly shows sufficient parking and turning reasonable to the development including the integral garaging.

However the objection of the Highway Authority in this matter has been noted. They contend that visibility to the east (opposite end to the bend in the road) is currently substandard and since the land is out of the applicants control then the necessary splays are unlikely to be achieved since the current occupiers/owners object to the development. The applicants' agent has commented on this matter to highlight that the access is existing and being improved upon the existing partly due to the additional usage for the new house. They contend that it complies in every way with the guidelines set by County Highways. Further they wonder if a highways officer has visited the site and observed the open fence bounding the property on the road frontage to the east.

On balance it has been concluded that the Highway Authorities concerns do not present sufficient concern to merit refusal. The access is existing and the intensification is relatively modest and would be accompanied with improvements over and above the existing. To move the access further west would lead to concern in relation to the relationship with the bend in the road and the visibility to the east in reality is quite typical of the area.

## Design

The design of the development over 1½ / 2-storeys would not be out of keeping with the village which has a significant variety of dwelling types and forms. Numerous recent developments similar to that now proposed can be noted in the immediate street scene or a very short walk. It is conceded that the adjacent buildings are both bungalows, however it is noted that redevelopment of the 'host building' has been proposed under a separate application and without prejudice to the outcome of that the designs would present a coherent pattern of development with a variety of heights adding interest to the development and street scene. In summary the design of the proposed dwelling poses no concerns.

The comments of the local residents has been noted, in particular reference to excavation of the land to reduce the overall perceived height of the development in the landscape. Each case must be considered on its own merits, and without discussing other cases it is concluded in this instance that the increased height of the built form would not cause any demonstrable harm to the skyline, street scene, neighbouring buildings or the landscape. Therefore the use of dormers and reduced ridge height is appropriate in this case to reflect the local built form and reduce the impact of the first floor extensions on the edge of the village. Further from wider views it can be seen that the skyline of Upton Scudamore is in part characterised by a variety of building heights and levels, which is in part dictated by the natural contours of the land in this locality.

The design is sympathetic to the wider context and can be considered a reasonable form of design, which expresses elements of the local vernacular. Further the development would present a more coherent and balanced form of development altering and removing rather ad-hoc additions to the site including the pool room and detached garage.

## Amenity

The issue of amenity also poses little concern. There has been an amendment to the bedroom 3/bathroom layout in order to avoid unnecessary overlooking of the neighbour to the north. Otherwise there would be no overlooking nor would any significant harm occur to the host building, Cherry Orchard.

## Other matters

The right of way to the west of the site would remain unaltered and unaffected by the development.

The comment regarding protected species such as bats has also been noted. Wiltshire and Swindon Biological Records centre screen all planning applications and have made no comments in regards to these planning cases. Further there is other legislation to cover the protection of wildlife and species such as bats.

## **RECOMMENDATION**

Permission subject to conditions.



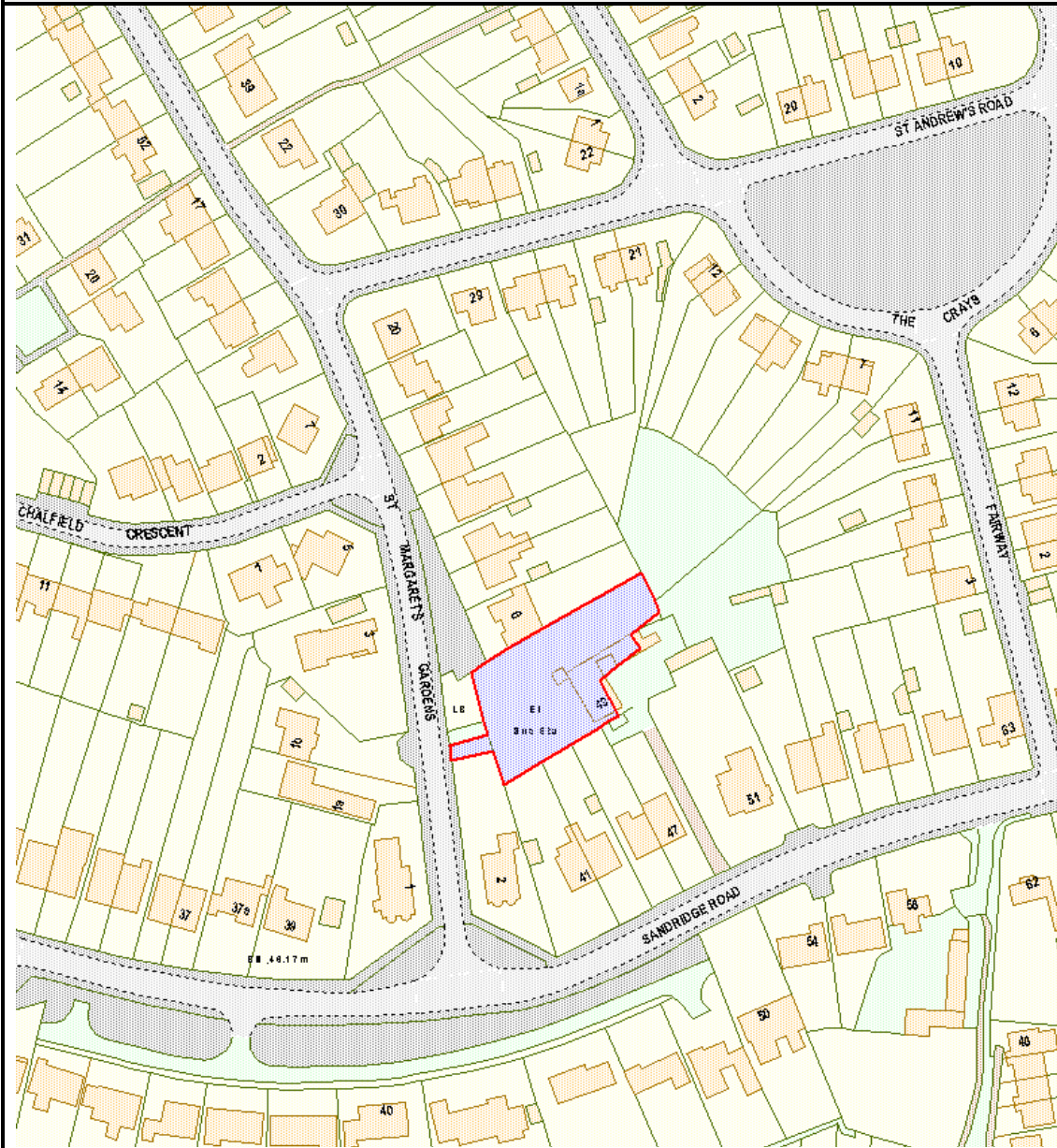
# PLANNING COMMITTEE

27 March 2008

ITEM NO: 04

APPLICATION NO: 07/03695/FUL

LOCATION: Land To The Rear Of 49 And 51 Sandridge Road  
Melksham Wiltshire



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SLA: 100022961



**04 Application: 07/03695/FUL**

**Site Address: Land To The Rear Of 49 And 51 Sandridge Road Melksham Wiltshire**

Parish: Melksham (Town) Ward: Melksham East  
Grid Reference 391176 164207  
Application Type: Full Plan  
Development: Erection of two pairs of semi detached houses (amendment to planning application 06/00335/FUL)  
Applicant Details: Brownston Homes Limited  
Brownston House New Park Street Devizes Wiltshire SN10 1DS  
Agent Details: Peter Kent Architect  
Brandon House Brownlease Potterne Devizes Wiltshire  
Case Officer: Miss Julia Evans  
Date Received: 21.11.2007 Expiry Date: 16.01.2008

**JUSTIFICATION 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 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 - Policy C31A.

- 3 The windows shown in the gable ends of the dwelling 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 amenity.

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

4 The development hereby approved shall not be occupied until 8 parking spaces have been provided within the curtilage of the site.

REASON: In the interests of highway safety.

5 Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway details of which shall have been submitted to and approved in writing by the Local Planning Authority. The works shall be undertaken in accordance with the approved details.

Reason: In the interests of Highway safety.

6 The first 5 metres of the driveway from the edge of carriageway shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. The works shall be undertaken in accordance with these approved details.

Reason: In the interests of Highway safety.

7 Before the access hereby approved is first brought into use the turning space shown on the submitted plan shall be properly consolidated and surfaced in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The works shall be undertaken in accordance with these approved details. Such turning space shall be kept free of obstruction at all times.

Reason: In the interests of Highway safety.

8 Details of existing and proposed land levels across the site, illustrated by means of spot heights, contours and sections across the site, and demonstrating the relationship between the proposed development and the surrounding land shall be submitted to and approved in writing by the Local Planning Authority. Development shall then only be carried out in accordance with the approved details. There shall be no land raising unless approved under the terms of this condition.

REASON: In the interests of proper planning of the area.

9 The boundary treatments indicated on the approved plans shall be completed prior to the occupation of the dwellings to which they relate.

REASON: In the interests of the appearance of the street scene.

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

10 No development shall take place until proposals for the landscaping of the site have been submitted to, and approved in writing by, the Local Planning Authority. The landscaping scheme shall include provision for landscape planting, the retention and protection of existing trees and other site features, walls, fencing and other means of enclosure and any changes in levels.

Upon approval:

The approved scheme shall be fully implemented with new planting carried out in the planting season October to March inclusive, following occupation of the building(s) or the completion of the development whichever is the sooner, or in accordance with a timetable to be agreed in writing with the Local Planning Authority;

All planting shall be carried out in accordance with British Standards, including regard for plant storage and ground conditions at the time of planting;

The scheme shall be properly maintained for a period of 5 years and any plants (including those retained as part of the scheme) which die, are removed or become damaged or diseased within this period shall be replaced in the next planting season with others of a similar size and the same species, unless the Local Planning Authority gives written consent to any variation; and

The whole scheme shall be subsequently retained.

REASON: In the interests of visual amenity, to ensure that the approved landscaping scheme is carried out at the proper times and to ensure the establishment and maintenance of all trees and plants.

POLICY: West Wiltshire District Plan - First Alteration 2004 - Policies C32 and C40 of the West Wiltshire District Plan – 1st Alteration 2004.

- 11 The protected species recommendations and mitigation measures detailed in the Chalkhill Environment Consultants report dated the 12 April 2007 shall be undertaken on the site to the satisfaction of the Local Planning Authority.

REASON: To protect any protected species found on the site.

**Note(s) to Applicant:**

- 1 The applicants should be informed that planning permission does not absolve them from complying with the requirements of the Wildlife & Countryside Act, and any other relevant legislation, including obtaining and complying with the terms and conditions of any licences required as described in Part IVB of the Circular 06/2005.
- 2 You are advised to contact Wessex Water as regards agreeing points of connection onto their apparatus.

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

The application is reported to Planning Committee because the Town Council has objected to the proposal and your officers recommend permission.

This is a full application for two pairs of semi-detached dwellings at land to the rear of 49 and 51 Sandridge Road, Melksham.

A previous scheme was permitted in 2006 on a larger site area with 3 detached dwellings on it, one of which was a bungalow. The current application does not include the bungalow: the semis are to the eastern part of the site, either side of the proposed access road. The access would be off St Margaret's Gardens, adjacent to the southern side of the electricity sub-station, and would lead through to a turning area and eight car parking spaces in front of the two blocks of semis. The access road would lead through the site towards the proposed bungalow. The four dwellings would be constructed of red brick with concrete double Roman tiles to the roofs.

### **SITE VISIT / STATUTORY SITE NOTICES**

The site is level with an existing access off St Margaret's Gardens, to the south of an electricity sub-station. There is a bungalow on site with out-buildings to the rear. The site is surrounded by residential development, a mix of housing and bungalows. The boundaries to the site are a variety of treatments, including hedges and fencing.

The application has been advertised by a site notice, and a revised plans site notice.

## CONSULTATIONS

*Parish/Town Council* : state “The Town Council noted the Reptile report. However the previous objections still stand i.e.:-

- \* Loss of amenity (Planning Policy H1)
- \* Height of the buildings and out of keeping and overlooking existing properties (Planning Policy C38)
- \* Further overdevelopment of the site
- \* Lack of splay to the exit, which will have a dangerous impact on visibility and also a danger that vehicles will cross the footpath
- \* Impact on wildlife. English Nature should be consulted.
- \* Loss of trees in the area
- \* Style of houses will be out of keeping with existing properties in the area
- \* Concern regarding an existing covenant which could affect this application.

*External* :

HIGHWAYS AUTHORITY – state “I note that a development at this site together with an access off St Margaret's Garden has already been approved (W06.0335). On that basis I have no further comment in respect of the access.

“I recommend that no highway objection be raised subject to the following condition(s) being attached to any permission granted:-

“The development hereby approved shall not be occupied until 8 parking spaces have been provided within the curtilage of the site. Reason: In the interests of highway safety.

“Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway details of which shall have been submitted to and approved in writing by the Local Planning Authority. Reason: In the interests of Highway safety.

“The first 5m of the driveway from the edge of carriageway shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Reason: In the interests of Highway safety.

“Before the access hereby approved is first brought into use the turning space shown on the submitted plan shall be properly consolidated and surfaced to the satisfaction of the Local Planning Authority. Such turning space shall be kept free of obstruction at all times. Reason: In the interests of Highway safety.”

WILTSHIRE WILDLIFE TRUST – state “Thank you for your letter of 09 January, inviting the Wiltshire Wildlife Trust to comment on the above application. We have no objections and have the following comments:

“Protected Species and Ecological Surveys - We are pleased that an ecological survey has been completed for this site, and its recommendation for a reptile survey acted upon (Chalkhill Environmental Consultants, April and May 2007). The Trust agrees with the recommendations regarding bats, which should be conditions of planning permission.

“It should be noted that Natural England no longer provides protected species advice. If evidence of protected species is found on the site, the relevant District Ecologist should be contacted, who may then refer the applicant to Natural England's licensing unit.

“Measures to Enhance Biodiversity - All public bodies (including the Council) have a Biodiversity Duty under the Natural Environment and Rural Communities Act (NERC) 2006, to have due regard for conserving biodiversity. This includes restoring or enhancing a population or habitat.

"We note that all trees are to be removed from the site and replaced. From the plans, it would appear that at least 2 fruit trees could be retained. Such trees provide valuable foraging habitat for a variety of species. If they cannot be retained, the Trust would recommend that the replacement trees consist of native species of local provenance, and should preferably include fruit trees. The site could be further enhanced for wildlife through the erection of bat and bird boxes, for example.

"Measures to Increase Sustainability - There are no details of any proposed sustainability measures, apart from the proposal to use soakaways, which we support.

"The Trust would like to see measures adopted to reduce the amount of resource consumption during construction and occupation. This could be in the form of appliances and equipment, such as energy efficient light bulbs, and through staff training.

"I hope that you find this information useful. Please do not hesitate to contact me if you wish to discuss any of the matters raised in more detail."

NATURAL ENGLAND – state "Based on the information provided, Natural England have no objection to the application subject to the inclusion of our recommended conditions and the proposal being carried out in strict accordance with the details of the application. The reason for this view is that we consider if these conditions are met that the proposal will not have a significant detrimental effect on any protected species.

"We advise that the mitigation proposals are assured through a planning condition, using all the recommendations contained within the Protected Species Assessment undertaken by Iain Donald of Chalkhill Environmental Consultants on 20 March 2007.

"Please note that the Reptile Survey requested has been carried out and it was decided that reptiles are not considered to be a material consideration in this case.

"The protection afforded these species is explained in Part IV and Annex A of ODPM Circular 06/2005 to PPS9 Biodiversity and Geological Conservation - Statutory Obligations and their Impact within the Planning System. Paragraph 98 of the Circular states that "the presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat."

"The applicants should be informed that planning permission, if granted, does not absolve them from complying with the relevant law, including obtaining and complying with the terms and conditions of any licences required as described in Part IV B of the Circular 06/2005."

*Internal* : N/A.

*Neighbours* : Four letters have been received making the following comments:-

- \* There is room for eight houses on the site;
- \* House size, plot size and density are inappropriate and not in keeping with the street scene;
- \* Blind access onto St Margaret's Gardens, causing highways and pedestrian safety concerns; and
- \* Will add to the existing road congestion.

## **NEGOTIATIONS / DISCUSSIONS**

Corrected site and location plans requested (no scale and inconsistent), clarification of the total number of units over the site, and protected species report requested.

## **CONSTRAINTS**

- \* Access;
- \* Amenity;
- \* Protected species;
- \* Design.

## **POLICIES**

Wiltshire Structure Plan 2016 – DP1, DP2, DP3, DP7, DP9, T6, C1, C5.

West Wiltshire District Plan - First Alteration 2004 – C31A, C32, C38, H1, H24, T10, U1A, U2, U4.

SPG – Design Guide - Principles (Adopted July 2004); Residential Design Guide (Adopted November 2005).

National Guidance – Planning Policy Statement 1 - Delivering Sustainable Development; Planning Policy Statement 3 – Housing; Planning Policy Guidance 9 - Biodiversity & Geological Conservation; Planning Policy Guidance 13 – Transport.

## **RELEVANT PLANNING HISTORY**

01/01335/FUL – Three dwellings and demolition of 49 Sandridge Road – Permission 21/12/2001

06/00335/FUL – Demolish existing bungalow, erect two detached houses, one new bungalow and construction of new vehicular access – Permission 20/04/2006

## **KEY ISSUES**

- \* Planning history;
- \* Protected species;
- \* Amenity;
- \* Design;
- \* Access, parking, highways, and sustainable transport matters.

## **OFFICER APPRAISAL**

The principle of the residential redevelopment of this site was established through the two previous permissions for 3 new dwellings. These schemes were on a larger site and resulted in a density of approximately 14 dwellings per hectare, which is significantly below the national indicative minimum density required by Planning Policy Statement 3 - Housing of 30 dwellings per hectare net. The current proposal would be to replace the two detached dwellings at the front of the site with two pairs of semis. The application site area excludes the permitted bungalow. The semis combined with the proposed bungalow would result in a total of five dwellings across the larger site. This would raise the density across the larger site to approximately 27 dwellings per hectare, and 35 dwellings per hectare on the smaller site area. The proposal is therefore considered to be more acceptable in terms of the national indicative density requirements.

The proposed semis are slightly more forward on the plot than the approved detached houses, but would occupy a similar footprint. The amenity of neighbouring residents is not felt to be any further compromised than with the approved schemes, and the proposed bathroom windows on the first floor could be conditioned to obscure glazing only. Residents have objected to the design and siting of the proposed semis being out-of-keeping with the area. However, the principle of residential development in this location has been established with the two earlier permissions, and the proposed design of the dwellings is not felt to be so incongruous with the area that a refusal could be supported. Subject to conditions requiring details of materials, no objection is raised to this aspect of the proposal.

Neighbours have raised concerns about poor visibility splays of the proposed access and the danger to traffic and pedestrians. Concerns have also been raised as to the increase in traffic generated by the proposal. However, the Highways Authority have raised no objection to the proposal, subject to conditions being attached concerning parking space provision, driveway surfacing, and turning space provision.

Neither Natural England or the Wiltshire Wildlife Trust have raised any objections to the proposal as regards protected species, subject to the works being undertaken in accordance with the mitigation measures proposed in the protected species report.

## **RECOMMENDATION**

Permission with conditions.

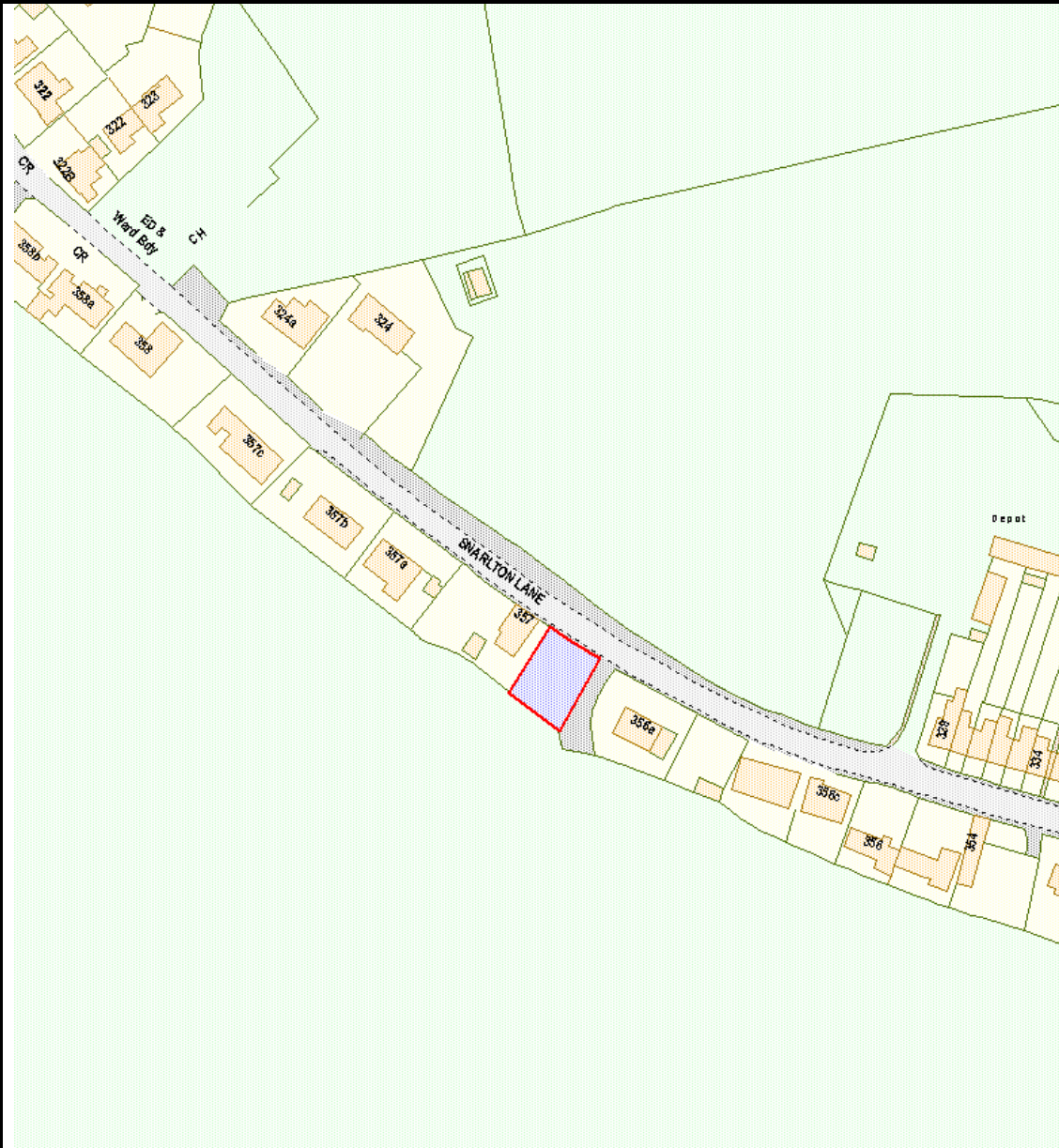
# PLANNING COMMITTEE

27 March 2008

ITEM NO: 05

APPLICATION NO: 08/00280/FUL

LOCATION: Land Adjoining 357 Snarlton Lane Melksham  
Wiltshire



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SLA: 100022961



**05 Application: 08/00280/FUL**

**Site Address: Land Adjoining 357 Snarlton Lane Melksham Wiltshire**

Parish: Melksham Without Ward: Melksham Without  
Grid Reference 391859 163888  
Application Type: Full Plan  
Development: Erection of two dwellings (revision to 07/01590/FUL)  
Applicant Details: Mr Broom  
C/o L P Planning Consultants The Studio 36 The Causeway  
Chippenham Wiltshire  
Agent Details: L P Planning Consultants  
FAO Ms Charlotte Watkins The Studio 36 The Causeway  
Chippenham Wiltshire  
Case Officer: Mr Rudolf Liebenberg  
Date Received: 30.01.2008 Expiry Date: 26.03.2008

**JUSTIFICATION 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 - Policy 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 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: To ensure the appearance of the development is satisfactory.

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

6 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, as amended, no development falling within Schedule 2, Part 1, Class A; of the Order shall be carried out without the express planning permission of the Local Planning Authority.

REASON: The implementation of permitted development rights on this site would be unacceptable.

7 Before the dwellings hereby permitted are first occupied the boundary treatments, within the site boundary, between the nearside carriageway edge and a line drawn 2.4m parallel thereto over the entire site frontage shall not exceed a height of 900mm above the nearside carriageway level and thereafter maintained at or below that height at all times.

REASON: In the interests of highway safety.

8 Before the development is occupied, the access roads and car parking areas shall be surfaced in a bound material (not loose stone or gravel) to the satisfaction of the Local Planning Authority and shall be maintained as such thereafter.

REASON: In the interests of highway safety.

9 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.

**Note(s) to Applicant:**

1 The applicant is advised by Wessex Water that storm flows must not be connected to the foul sewer.

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

This application is brought to Committee because the Parish Council objects to the proposals contrary to officer's recommendation.

This is a full planning application for the erection of two dwellings (revision to 07/01590/FUL) at Boxwood Cottage, 357 Snarlton Lane, Melksham.

There currently exists one dwelling on site which would be retained. The application site is a plot of 42m in width by 18m in depth. The proposed semi-detached dwellings would occupy a footprint of 12m in width by 8m in depth and these dwellings would be 6.6m in height.

Parking would be provided to the front of the dwellings in the form of two parking spaces each.

The application site is located within the town policy limit for Melksham.

Previously there was a planning permission under 07/01590/FUL for the construction of two semi-detached and one detached house. The current application proposes a minor revision to the footprint at the rear of the proposed semi-detached dwellings and similarly minor elevational changes. The application is effectively for a change of house type for the pair of semi-detached dwellings previously approved.

### **SITE VISIT / STATUTORY SITE NOTICES**

Carried out on 12.02.2008.

### **CONSULTATIONS**

*Parish/Town Council* : MELKSHAM WITHOUT PARISH COUNCIL: The Council has no objections to the principle of the development but in this rural setting it is felt that one dwelling would be more appropriate and there are concerns over the style and design of the development which should visually be in keeping with the surrounding area and Boxwood Cottage.

*External* : HIGHWAY AUTHORITY: The access arrangements are similar to those proposed in the previous application for this site (W07.0646), Therefore I recommend the same conditions be applied to this application as previously recommended.

ENVIRONMENT AGENCY: Have no comments to make on this application.

POLICY: No objection.

*Neighbours* : The proposal was publicised by site notice, to which there has been no response.

### **POLICIES**

RPG10/RSS10 - Regional Guidance for the south west

Wiltshire and Swindon Structure Plan 2016

DP1 Sustainable development

DP7 New housing in towns and main settlements

West Wiltshire District Plan – 1st Alteration 2004

H1 Further housing development within towns

H24 New housing design

C31a Design

C32 Landscaping

C38 Nuisance

T10 Car parking

## RELEVANT PLANNING HISTORY

07/01590/FUL - Permission granted for two semi-detached and one detached house - 23.08.2007.

## KEY ISSUES

The key planning issues to consider are planning history, policy, design, amenity and highway safety.

## OFFICER APPRAISAL

### Principle

This application follows the previous permission for two semi-detached and one detached dwelling and few changes are proposed to the siting or appearance.

The application site is located within the town policy limits for Melksham where Policy H1 allows for further residential development provided that it meets certain criteria. The principle of a pair of semi-detached dwellings in this location has been established by the previous permission.

The proposal for two dwellings makes an efficient use of land calculated at approximately 48 dwellings per hectare. The proposed dwellings would be setback from Snarlton Lane by in excess of 7m. Dwellings which are in a variety of styles and sizes along Snarlton Lane are setback a variety of distances with no strongly discernable building line. The proposed layout of the dwellings would not harm the spatial characteristics of the area. The spatial layout proposed allows the existing Boxwood Cottage to remain the focus of the land bordering closely as it does to Snarlton Lane.

### Design

The proposed dwellings would have a similar ridge height to that of the existing cottage which would relate well to the existing dwelling. The proposed dwellings would front onto the road with parking also being achieved in front. This would help to create an active frontage at this site. Whilst the development would necessitate the removal of a privet hedge at the frontage of the property additional planting can be achieved in front of the semi-detached dwellings so that the character of the area should not be harmed. The wider area is also characterised by open frontages onto Snarlton lane.

Snarlton Lane exhibits a mixture of housing styles and types. These range from single storey detached dwellings to terraces of two storey dwellings. There have been a number of residential infill developments along the lane in recent years. The lane itself is also surrounded by the West Wiltshire District Plan 1st Alteration 2004 Policy H6 land allocation for 750 dwellings and the proposed dwellings would overlook a formal sports provision space within this large residential allocation.

The proposed dwellings would be constructed in reconstructed stone with concrete roofing tiles. Both of these construction materials are common in the surrounding area. The dwellings are considered acceptable in this mixed residential environment.

### Amenity

There would be an adequate level of amenity space for each of the proposed dwelling and no harm to neighbouring amenity. The development would be in accordance with Policy H1 of the West Wiltshire District Plan 1st Alteration 2004.

## **RECOMMENDATION**

Permission, subject to conditions.

# PLANNING COMMITTEE

27 March 2008

ITEM NO: 06

APPLICATION NO: 08/00222/FUL

LOCATION: 145 Chantry Gardens Southwick Wiltshire BA14 9QP



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SLA: 100022961

**06 Application: 08/00222/FUL**

**Site Address: 145 Chantry Gardens Southwick Wiltshire BA14 9QP**

Parish: Southwick Ward: Trowbridge And Southwick

Grid Reference 383904 155457

Application Type: Full Plan

Development: Conversion and extension to existing dwelling to form 4 one bedroom flats

Applicant Details: Samuel Roze Ltd  
C/o Charlotte Watkins The Studio 36 The Causeway Chippenham Wiltshire

Agent Details: Charlotte Watkins  
The Studio 36 The Causeway Chippenham Wiltshire SN15 3DB

Case Officer: Mrs Judith Dale

Date Received: 26.01.2008 Expiry Date: 22.03.2008

**JUSTIFICATION FOR RECOMMENDATION:**

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

**RECOMMENDATION: Planning permission be granted at a later date in the event of the Development Control Manager being satisfied as to the prior completion of a legal agreement to secure a claw-back provision with regard to affordable housing in accordance with Council policy**

**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 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 The access and parking area shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority

REASON: In the interests of amenity and highway safety

- 6 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.

- 7 The area allocated for parking on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

REASON: In the interests of amenity and highway safety.

- 8 Details of the cycle storage facilities shall be submitted to and approved by the Local Planning Authority before installation on the site. The development shall subsequently be carried out before occupation of the units in accordance with the approved details

REASON: In the interests of amenity

- 9 The existing first floor window in the south west 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 2004 - Policy C38

- 10 Details of any proposed fencing or gates shall be submitted to and approved by the Local Planning Authority prior to their installation. The works shall subsequently be carried out before occupation of the units in accordance with the approved details.

REASON: In the interests of privacy and amenity

POLICY: West Wiltshire District Plan 1st Alteration 2004 - Policies C31a and C38

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

This application is brought to Committee because the Planning Officer's recommendation is contrary to that of the Parish Council.



The proposal is for the demolition of the existing double garage at the side of this semi-detached property, and the erection of a two-storey "extension" to the existing dwelling. Both elements would be converted to 2 no. one bedroom flats, with the front garden providing 4 parking spaces and cycle storage, and the remaining area shared community garden.

The new element measures approx 6.5 m by 5 m with an additional rear projection 2 m deep, similar to that of the host unit. Its design reflects existing scale and details, maintains the existing ridge and building lines, and is to be constructed of matching brickwork under double roman concrete tiles. The existing element is to be subdivided horizontally to provide 2 flats units, incorporating marginal alterations to the front elevation to provide an additional and separate entrance to the first floor flat.

The site itself occupies a corner plot at the junction of Chantry Gardens with Frome Road, opposite the Farmhouse PH and some 10 m from the small parade of mixed shops and residential units which adjoin the other half of this semi-detached pair.

The layout and elevational details have been revised since their original submission.

## **SITE VISIT / STATUTORY SITE NOTICES**

05/02 - Two site notices posted on the Chantry Gardens and Frome Road frontages

12/03 - Two site notices advising of revised plans, posted as above.

## **CONSULTATIONS**

### *SOUTHWICK PARISH COUNCIL:*

Original plans -

'The Council object to this application as they consider it to be over development of the site. In addition, the parking and traffic situation at the entrance to Chantry Gardens is already a known problem, which is currently being addressed by the Police, and it is felt a development such as this would only exacerbate the issue.'

Revised Plan – Comments awaited.

### *External :*

HIGHWAY AUTHORITY: No objections.

WESSEX WATER: No objections subject to agreement to a point of connection with Wessex infrastructure; the satisfactory disposal of foul flows and surface water; and agreement to connection for water supply.

### *Internal :*

HOUSING ENABLING OFFICER: I can confirm that the new figures confirm that there will be no commuted sum for affordable housing sought at planning stage, however, a 'clawback' S106 agreement will be required.

### *Neighbours :*

To date 9 letters of objection received on the following grounds: -

- Inadequate parking;
- Exacerbation of existing parking problem;
- Flats would be out of character with estate of family houses;
- Site too small for proposed development;
- Noise transference to adjoining semi-detached property;
- Conversion of a semi-detached property into a terraced unit;
- No turning space for parked vehicles;

- No provision for visitor parking;
- No disabled access;
- Alteration to physical appearance of entrance to estate;
- Failure to receive personal notification of application;
- Impact on value of properties.

## **NEGOTIATIONS / DISCUSSIONS**

Discussions were held with the agent on the need for contextual details, revised site and flat layout details, and elevational alterations - revised plans have been submitted to address these issues.

## **CONSTRAINTS**

Village Policy Limit  
 Corner plot location  
 Semi-detached property

## **POLICIES**

- West Wiltshire District Plan – 1st Alteration 2004  
 H2, H16, H17, H24, C31a, C38, T10
- PPS3
- Residential Design Guide

## **RELEVANT PLANNING HISTORY**

80/00747 – Replacement of existing detached garage with semi-detached garage and first floor bedroom – Permission 05.08.1990

## **KEY ISSUES**

Principle of flat development;  
 Design and impact on streetscene;  
 Amenity and impact on adjoining properties;  
 Access and parking;  
 Affordable housing.

## **OFFICER APPRAISAL**

Principle of Development

In terms of the general principle, national policy is to make the best use of urban land for housing, and the subdivision or extension of existing dwellings to create flat schemes can positively contribute to the housing stock. The most recent Housing Needs Survey highlights the need for smaller dwelling units in the District and in principle, therefore, there can be no general objection to such proposals.

As regards local policy, H16 permits flat conversions providing that they do not constitute an over intensive subdivision of an inadequate sized property, are not detrimental to the appearance of the building or character of the area, have adequate parking or amenity space, and are otherwise not detrimental to amenity of neighbouring residents.

With reference to the first consideration, both the existing and proposed extension subdivide into 2 one-bedroomed flats of approximately 40 sq ms. This is not inappropriate for units of this type and are virtually identical in size to the 4 flats recently permitted on the site immediately to the southeast, to the rear of the parade of nearby shops (07/00069).

With regard to the second consideration, PPS3 seeks to encourage a mix of housing, of sufficient quantity and in suitable locations which 'is well integrated with, and complements' the local area. While the Chantry Gardens estate as a whole is predominantly characterised by family dwellings, the area in the near vicinity is more mixed, with retail units, a Public House, flats above shops, and separate flat units, all within 30 metres of the application site.

Against this background, it would be difficult to argue that the proposed flat development would be significantly out of character with, or detrimental to, this particular area.

With regard to the appearance of the development, parking and amenity arrangements and impact on neighbouring amenity, all of these aspects are examined more fully in the following sections, but all are considered acceptable to secure compliance with the relevant policy.

## Design

The proposed extension matches the footprint, mass, style, height, fenestration details and general appearance of the existing dwelling to maintain the appearance of both the host dwelling and the existing semi-detached pair. The design intentionally creates the appearance of a terrace of properties rather than a subservient extension, which on this prominent corner site is considered to be a more appropriate solution.

The development will bring forward the existing two-storey building line along the Frome Road frontage by approximately 7 metres, but the revised line will still be approximately 4 metres behind that of number 17 Frome Road and generally level with no 1 Chantry Gardens which occupies the opposite corner plot. Combined with an appropriate elevational treatment to the new gable wall, the proposed development would have no detrimental impact on the streetscene at this point nor significantly reduce the sense of spaciousness on the entry into this development.

## Amenity and Impact on Adjoining Properties

In terms of amenity, there are two main considerations – whether the proposed development would result in a satisfactory residential environment for future residents and whether the scheme would be detrimental to the amenity of existing residents.

With regard to the former, the proposed units are of an appropriate size, have individual parking provision and although have no subdivided garden areas, have access to shared space and ancillary facilities.

With regard to the latter, the proposed extension would have little impact on the adjoining property in Frome Road which currently has a blank gable elevation facing the application site; in addition, the single first floor window already positioned in the rear elevation of the existing section is to be obscurely glazed to prevent any overlooking in that direction. In terms of impact on the adjoining semi detached property, the original internal layout was clearly unacceptable due to the proposed siting of living accommodation adjoining existing bedrooms with inevitable noise transference. However, this has been revised so that only bath and bedrooms adjoin the party wall at first floor level, as commonly found in all residential development.

## Parking and Access

The Highway Authority has raised no objection to the proposal which includes the widening of the existing access (in the direction away from the junction with Frome Road) and the provision of 4 parking spaces.

While this issue has formed much of the basis for local objection to the application, a ratio of 1 space per unit is entirely acceptable for one-bedroomed flats. In addition, the layout for the proposed spaces which would occupy much of the site frontage, will now naturally discourage roadside parking within 20 metres of the junction itself, a point of existing concern to residents.

## Affordable Housing

Policy H2 requires this development to contribute up to 50% towards affordable housing. Onsite provision of just 2 flats is not considered appropriate, and an open book analysis confirms that a financial contribution to offsite provision is not viable. A claw-back arrangement to be secured by legal agreement has been agreed by all parties.

## Conclusion

While this application has generated a great deal of local objection, the majority of concerns raised have been addressed through the processing of the application to produce a scheme which can now be supported.

The principle of flat development within an established residential area remains a contentious issue, but a very similar scheme in College Road, Trowbridge, which converted an end of terrace dwelling into 2 flats and added a pair of flats at the side, was allowed on appeal as follows: -

“4. The conversion of the house into 2 flats would involve only minor changes to its appearance and I consider that it would have no adverse effect on the character of the neighbourhood.

5. There is ample room at the side for a two-storey extension and I consider that its size and design would be acceptable in relation to the terrace as a whole. The extension would be in prominent view from the car park but it would not in my view be an obtrusive feature or out of keeping with the area.

6. I consider that the remaining front and rear garden areas would provide adequate outdoor amenity space for future residents.’

7. Although some nearby residents are concerned about the capacity of the shared car park, the Council’s observations do not support this concern as a reason for refusal. On the evidence before me I consider that the development would have no unacceptable effects in terms of car parking.

8. It seems to me that the scheme would contribute to the Government’s housing objectives set out in Planning Policy Guidance Note 3: Housing (PPG3). It would make efficient use of land and buildings in a sustainable urban location and it would increase the variety of housing in the local area by providing smaller units. The Council’s Housing Needs Survey has identified a particular need for more small dwellings.

9. I consider that the scheme does not conflict with Policy H4. I conclude on the first main issue that the proposal would not be an over-intensive form of development detrimental to the character of the area” (03/00493)

Against the background of a broadly parallel scheme, it would be difficult to resist the principle of a development which itself accords with council policy while meeting the Government objectives for an efficient use of land.

## RECOMMENDATION

Planning permission be granted at a future date in the event of the Development Control Manager being satisfied to the prior completion of a Legal Agreement to secure a claw-back provision with regard to affordable housing in accordance with Council policy.



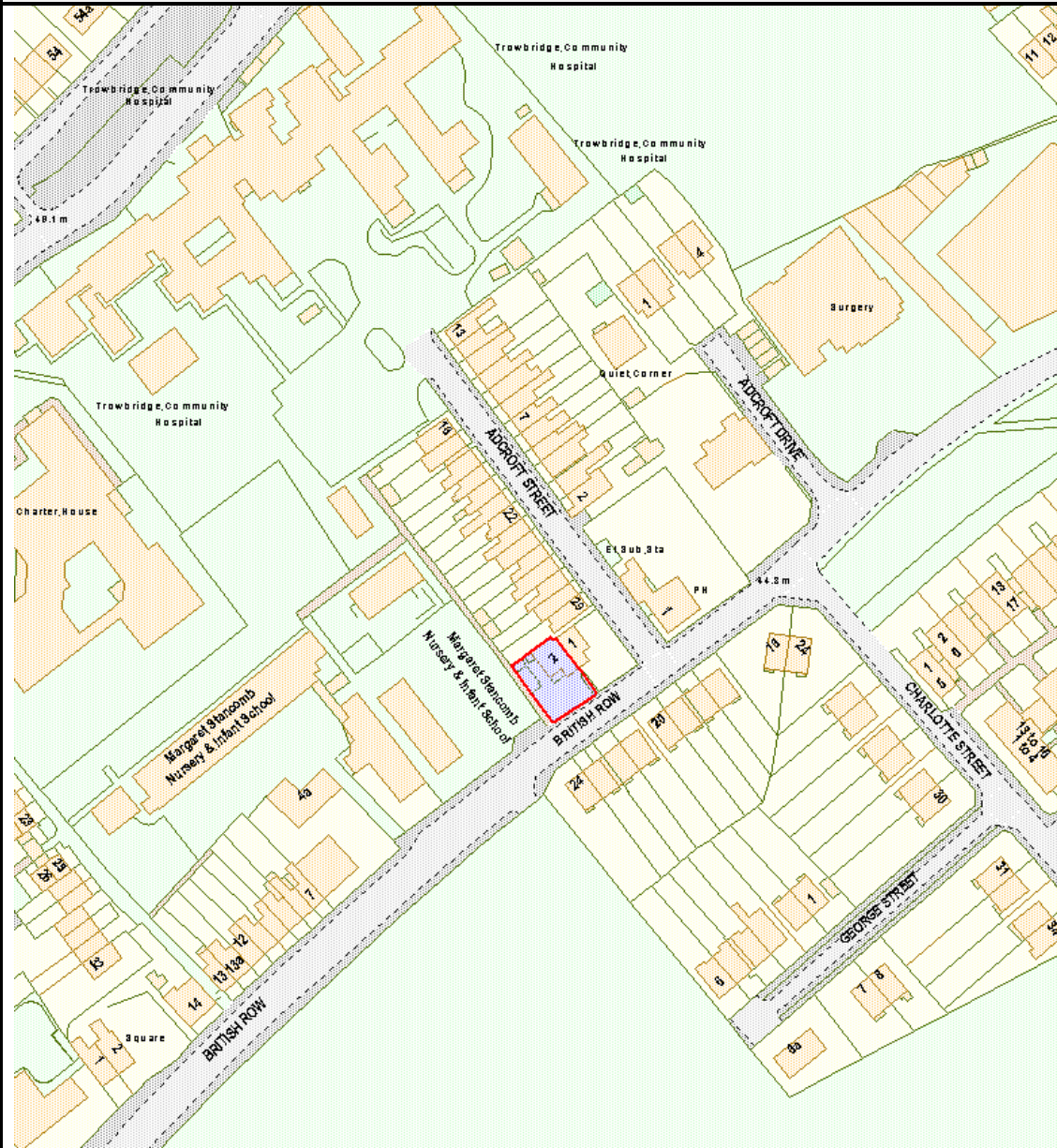
# PLANNING COMMITTEE

27 March 2008

ITEM NO: 07

APPLICATION NO: 08/00432/FUL

LOCATION: 2 Adcroft Cottages British Row Trowbridge Wiltshire  
BA14 8PE



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SLA: 100022961

**07 Application: 08/00432/FUL**

**Site Address: 2 Adcroft Cottages British Row Trowbridge Wiltshire BA14 8PE**

Parish: Trowbridge Ward: Trowbridge North East  
Grid Reference 385537 158373  
Application Type: Full Plan  
Development: Proposed change from one to two dwellings - ground floor and first floor flats  
Applicant Details: Mr P Clark  
Bath Furniture Mill Monkton Coombe Hill Monkton Coombe Bath BA2 7HD  
Agent Details: QHH Architects  
6 Fore Street Trowbridge Wilts BA14 8HD  
Case Officer: Mr Kenny Green  
Date Received: 15.02.2008 Expiry Date: 11.04.2008

**JUSTIFICATION 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 be begun before the expiration of five years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990.

- 2 The development hereby permitted shall be brought into use, unless and until the access gradient is formed to be no greater than 1 in 8..

REASON: In the interests of road safety.

POLICY: West Wiltshire District Plan - 1st Alteration - Policies C31a, C38 and H16 .

**COMMITTEE REPORT**

**APPLICATION DETAILS**

This application is brought to the planning committee because the Town Council objects to proposals and your planning officer recommends permission.

This planning application is for the proposed change from one to two dwellings to provide two flats (one on the ground floor and one on the first floor) at 2 Adcroft Cottages, British Row, Trowbridge.

The property is a semi detached two storey dwellinghouse located within the Town Policy Limits and Trowbridge Town Centre Conservation Area.

It is noted that the surrounding area is predominantly residential, with terraced properties to the north, and semi-detached properties to the south of the site. Margaret Stancomb Nursery and Infant School, which includes a Listed Building is located directly to the west of the site.

The applicant proposes to utilise the existing vehicular access off British Row and form two designated parking spaces on-site.

The proposals have been negotiated with Wiltshire County Council Highways Authority.

## **SITE VISIT / STATUTORY SITE NOTICES**

The site was visited on 19.02.08 with a site notice placed at the site frontage.

## **CONSULTATIONS**

*Parish/Town Council :*

Trowbridge Town Council objects to the application on the grounds of poor access from a narrow main road, inadequate parking and the loss of family housing stock.

*External :*

Highways – No objection on the grounds that the property has close proximity to the town centre and local amenities, where 1 parking space per flat is considered acceptable. Whilst the access is substandard in terms of achievable visibility, due cognisance must be given to the fact that the number of parking spaces provided on the site will not increase and there should be no projected significant increase of traffic movements from the site. On the basis of the above, a refusal could not be justified on the restricted visibility.

Wessex Water - No objections.

*Neighbours :* No third parties made any representations in terms of this application.

## **CONSTRAINTS**

Impact on the setting of two Listed Buildings (Margaret Stancomb School to the west of the site and Black Swan to the east of the site)

Impact on the Trowbridge Town Centre Conservation Area

## **POLICIES**

West Wiltshire District Plan 1st Alteration (2004) Policies:-

H1	Further Housing Development within Towns
H16	Flat Conversions
C31a	Design
C38	Nuisance

National Planning Policies:-

PPG15 - Planning and the Historic Environment.

Planning Policy Statement 1 - Delivering Sustainable Development

Planning Policy Statement 3 - Housing



## **RELEVANT PLANNING HISTORY**

07/03427 – Change of use from one to two dwellings (ground and first floor flats) – Refused 06.02.08 - due to inadequate parking provision.

## **KEY ISSUES**

Impact on residential amenity, particularly in respect to 1 Adcroft cottages, British Row

Would the proposed development have a detrimental impact on the setting of the adjoining Listed Buildings?

Would the proposed development be adequately serviced with off-street car parking provision, and would it satisfy the provisions of Policy H16 of the West Wiltshire District Plan?

## **OFFICER APPRAISAL**

The principle of converting the dwellinghouse to two flats is considered to be acceptable on the grounds that the site is in close proximity to the town centre and community facilities. The proposed room sizes as part of the proposed sub-division are considered to be adequate and will provide for adequate amenity for future occupiers. The site could be considered as a sustainable location which could be appropriate for increased residential densities in accordance with national planning guidance contained in PPS 1 and PPS 3. Local residential amenities and the character and setting of nearby listed buildings would not be detrimentally affected by the proposed development.

Proposals for the conversions of properties into flats must be assessed against West Wiltshire District Plan (2004) Policy H16. The Highways Authority report no objections following negotiations with the agent, and following the re-designed on-site parking space provision.

The Town Council concerns are duly noted, however, it is submitted that there would be no significant increase in traffic generation to and from the site, so road safety interests would not be detrimentally affected.

Whilst the concerns relative to any proposal which would result in the loss of a family home are understood, the provision of smaller residential units to satisfy the housing needs of society are equally relevant.

In this particular case, there are no material policy objections to justify refusing the application, and consequently, the application is recommended for approval.

## **RECOMMENDATION**

Permission.

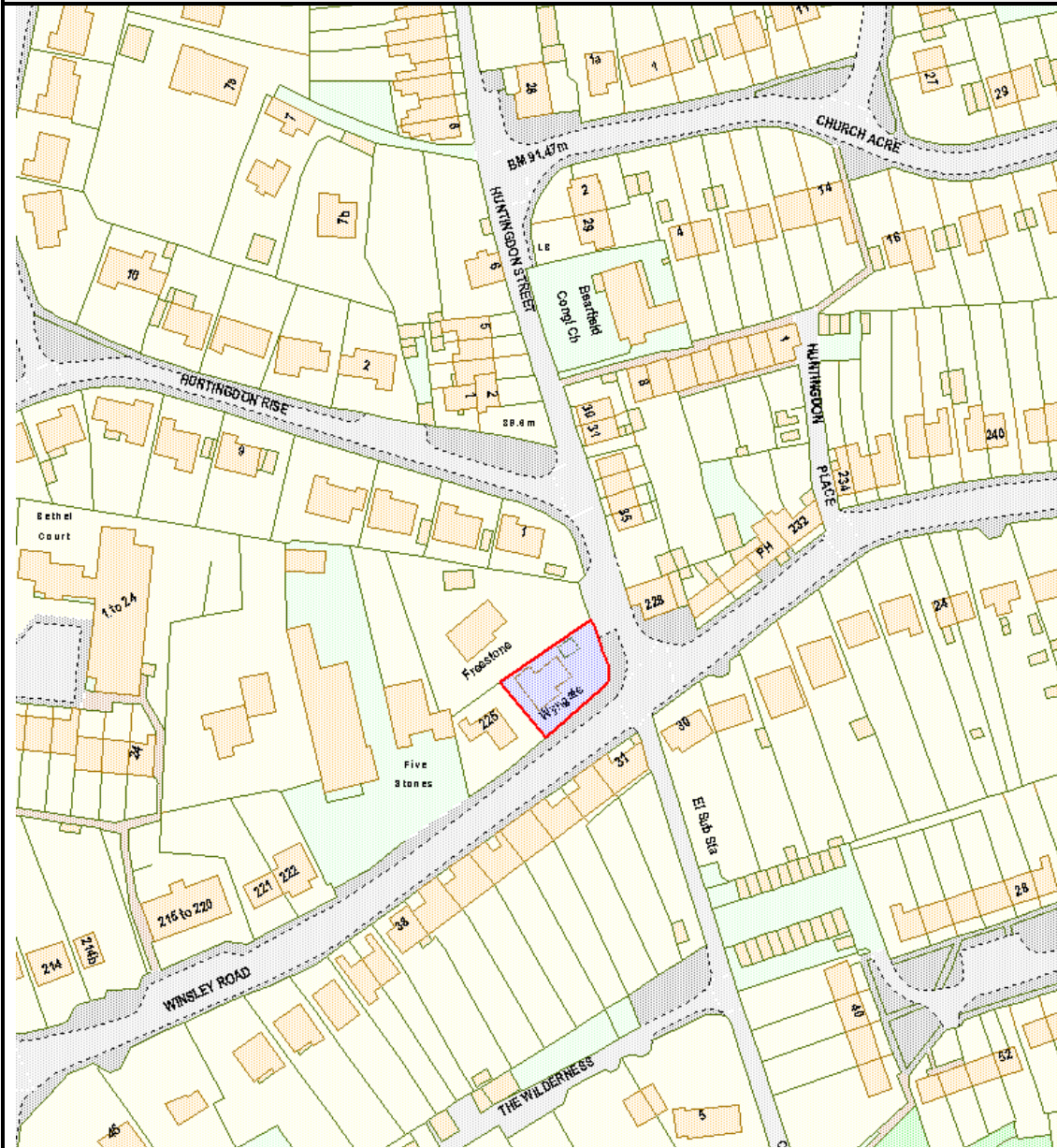
# PLANNING COMMITTEE

27 March 2008

ITEM NO: 08

APPLICATION NO: 08/00214/FUL

LOCATION: Wyngate Huntingdon Street Bradford On Avon  
Wiltshire BA15 1RQ



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SLA: 100022961

**08 Application: 08/00214/FUL**

**Site Address: Wyngate Huntingdon Street Bradford On Avon Wiltshire BA15 1RQ**

Parish: Bradford On Avon Ward: Bradford On Avon North  
Grid Reference 382369 161313  
Application Type: Full Plan  
Development: Erection of white PVCu conservatory to side of property  
Applicant Details: Mr Bolwell  
Wyngate Huntingdon Street Bradford On Avon Wiltshire BA15 1RQ  
Agent Details: Alan Joy Windows  
541 Outmarsh Semington Trowbridge Wilts BA14 6JX  
Case Officer: Mr Kenny Green  
Date Received: 15.02.2008 Expiry Date: 11.04.2008

**JUSTIFICATION 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.

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

This application is brought to Committee to determine on the grounds that the applicant is a serving Councillor.

This full planning application relates to a proposal to erect a 5.5 metre x 2.3 metre conservatory onto the western elevation. At its highest point (where the roof meets the gable), the conservatory would be 3.1 metres in height.

The proposed conservatory would have glazing on all three principal elevations. On the western side (where it overlooks No. 225 Winsley Road), the conservatory would have glazing 0.9 metres above ground level up to the eaves level.

It should be noted that at present, the dwelling has dining room and lounge room windows in the gable. These windows are positioned approximately 8 metres from the adjoining property.

Under this application, the conservatory would be about 4.9 metres from the neighbour which has one window in its opposing elevation. Following consultation with the occupants of No. 225, it has been confirmed that the window is of obscure glazing serving a bathroom.

## **SITE VISIT / STATUTORY SITE NOTICES**

The site was visited on 19.02.08. The site notice was displayed at the site frontage on the same date.

## **CONSULTATIONS**

*Town Council* : Consultation was sent on 18.02.08 – no objections raised.

External:

*Neighbours* : No third parties have made any representations against the proposed development.

## **NEGOTIATIONS / DISCUSSIONS**

23.01.08 - Submission of a pre-application to ascertain whether planning permission was required. The applicant, his agent and the Council's planning information officer had discussions concerning the proposals.

## **CONSTRAINTS**

None.

## **POLICIES**

West Wiltshire District Plan 2004:

Policy C31a - Design  
Policy C38 – Nuisance

## **RELEVANT PLANNING HISTORY**

There is no relevant planning history for the site.

## **KEY ISSUES**

Key to the determination of this application is whether the proposal complies with the Development Plan policies (listed above).

Impact the development would have on neighbouring amenities and privacies..

## **OFFICER APPRAISAL**

The proposed design, scale, massing and use of materials of the side extension are considered acceptable. The extension would appear as a subservient addition to the dwellinghouse and its character and appearance would not be compromised.

The neighbouring property at No. 225 Winsley Road would not be detrimentally affected by this proposal given that only an obscure glazed window exists within its eastern elevation.

No third party representations were received.

As a whole, the proposal complies with the Local Plan policies.

## **RECOMMENDATION**

Permission.

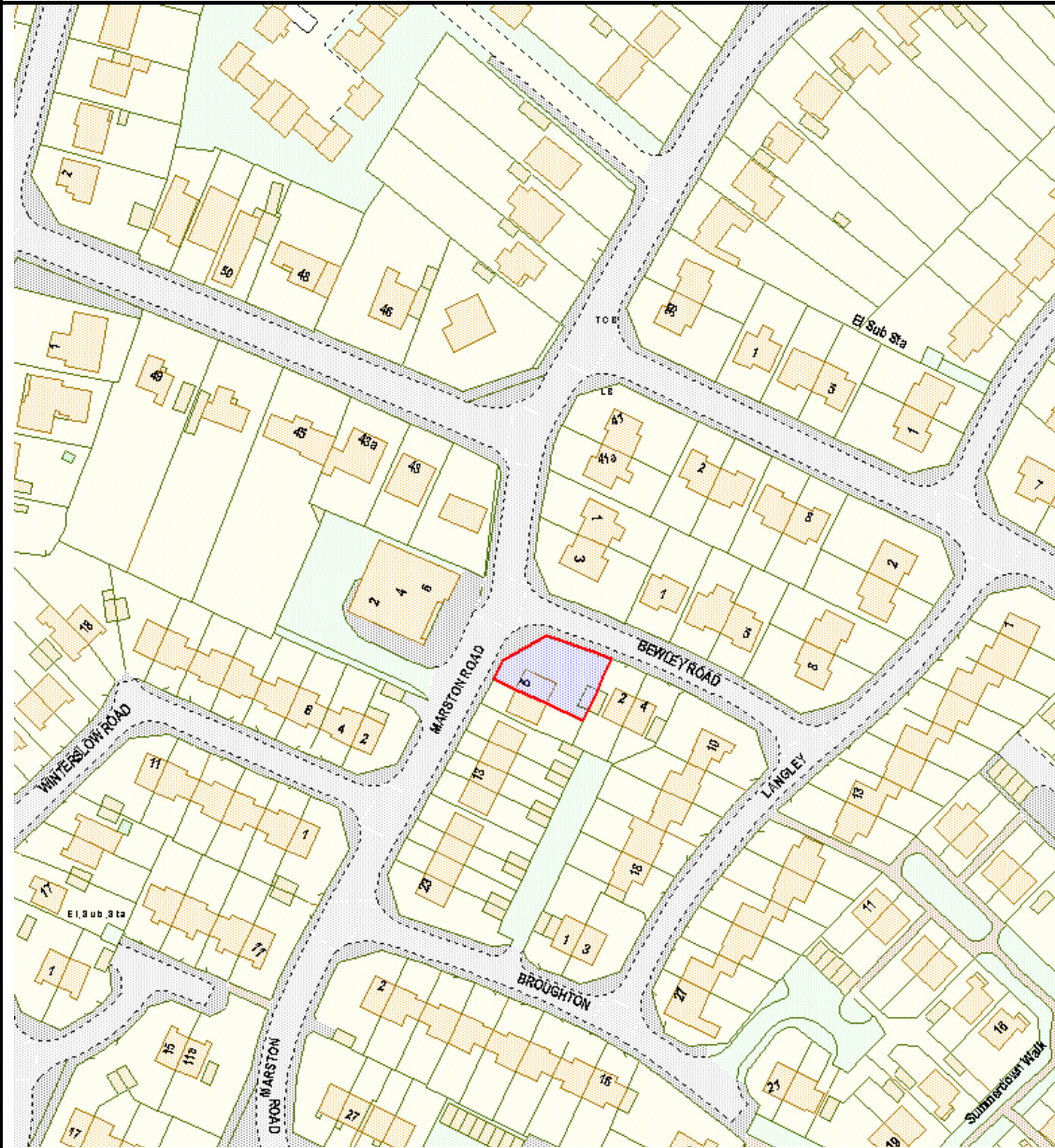
# PLANNING COMMITTEE

27 March 2008

ITEM NO: 09

APPLICATION NO: 08/00124/FUL

LOCATION: 5 Marston Road Trowbridge Wiltshire BA14 0LR



NOT TO SCALE

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West Wiltshire District Council, Bradley Road, Trowbridge, Wiltshire, BA14 0RD Tel: 01225 776655  
Fax: 01225 770314  
[www.westwiltshire.gov.uk](http://www.westwiltshire.gov.uk)

SLA: 100022961

**09 Application: 08/00124/FUL**

**Site Address: 5 Marston Road Trowbridge Wiltshire BA14 0LR**

Parish: Trowbridge Ward: Trowbridge South West  
Grid Reference 385053 156133  
Application Type: Full Plan  
Development: Alteration of existing semi-detached dwelling to 2no. dwellings  
Applicant Details: Ms Jane Cheasly  
5 Marston Road Trowbridge Wiltshire BA14 0LR  
Agent Details: Mr Roy Inwood  
Brookhaven The Churchyard Westbury Wiltshire BA13 3DA  
Case Officer: Mr Rudolf Liebenberg  
Date Received: 09.01.2008 Expiry Date: 05.03.2008

**JUSTIFICATION 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 Before the development is occupied, the access roads and car parking areas shall be surfaced in a bound material (not loose stone or gravel) 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 the Town Council objects contrary to your officer's recommendation.

This is a full application for the conversion of the existing semi-detached house into two separate dwellings at 5 Marston Road, Trowbridge.

The alteration of the existing semi-detached dwelling to 2 no. dwellings would include the conversion of the existing two storey extension to the side of the existing dwelling as a separate unit. The alteration of the existing access and parking arrangements to include one parking space for the new dwelling and two parking spaces for the existing dwelling is also proposed.

The application site is within the urban area of Trowbridge and is surrounded by two storey semi-detached and terrace properties.

The Highway Authority objected to the initial parking arrangements and revised plans have been submitted to show one parking space for the new dwelling and two parking spaces, in tandem, for the existing dwelling.

## **SITE VISIT / STATUTORY SITE NOTICES**

Carried out on 15.02.2008.

## **CONSULTATIONS**

*Parish/Town Council* : TROWBRIDGE TOWN COUNCIL: The proposal is cramped development with inadequate parking and access.

*External* :

HIGHWAY AUTHORITY: No objections to revised parking arrangements.

WESSEX WATER: No objection.

*Neighbours* :

## **CONSTRAINTS**

Urban residential area.

## **POLICIES**

West Wiltshire District Plan – 1st Alteration 2004

H1 Further Housing Development within Towns

C31a Design

C38 Nuisance

PPS3 Housing

SPG Planning Design Guidance (House alterations and extensions)

## **RELEVANT PLANNING HISTORY**

Original planning permission (91/01131/FUL) was granted in 1991 for the two-storey extension with a linked condition to prevent the letting or sale of the annexe as a separate dwelling unit.

## **KEY ISSUES**

The main issues to consider regarding this application are the potential impact on the host dwelling and the neighbouring amenity.



## **OFFICER APPRAISAL**

### Principle

The location of the new dwelling with adequate amenity and parking space would not result in a form of over development and would not be detrimental to the character of the area or the residential amenities of the nearby and existing dwellings. The proposal is an appropriate form of development that will not harm the amenity of future occupiers. It is important to note that the two storey addition is already in its built form and the application relates to the conversion into two separate dwellings. Previously the two storey addition was used as a granny annexe. The application site is located within the town policy limit for Trowbridge. Both national and local policy is to make the best use of urban land for new housing and the sub-division and extension of existing dwellings to create flat developments can enhance the range and increase the housing stock despite the fact that this area is characterised by semi-detached and terrace properties.

### Design

The host building forms, with its adjoining neighbour a pair, which has a distinctive symmetrical appearance. The SPG on house alterations and extensions states that an extension to a semi-detached house should be a subservient element to the host building and not upset the symmetry of the building as a whole. By having sited the two storey side extension flush with the front elevations of the host building it creates a balance to the symmetry of the pair. The proposal in its existing form would not harm the appearance of the host building and its setting in the street scene adhering to C31a West Wiltshire District Plan 1st Alteration 2004.

### Highway

The proposal for a new dwelling within the same plot as an existing dwelling, and sharing the same access is known as tandem development. This form of development within an area of properties with a well-defined frontage would generally be unacceptable as the two properties would be sharing one access, which would be likely to result in a loss of amenity to the host dwelling, as well as increased pressure upon highway safety. As this development caters for dwelling units it is likely that the increase in traffic would be significant. The Highway Authority raised no formal objection to the revised parking arrangements. The design follows the guidelines of the West Wiltshire Local Plan and SPG.

3 Parking spaces is provided and the Highway Authority has negotiated better space and is now satisfied with the parking arrangements for the site.

### Character

The area is characterised by semi-detached properties and terrace properties with regular spacing between each pair. The two-storey annexe in its existing form does not have an unbalancing effect upon the symmetry of the host building and furthermore it is noted that it does not come very close to the neighbouring properties as this is a corner plot location. Adequate amenity space is available for both the dwellings as separate units. The new conversion would not harm the street scene as the two storey element complies with the two storey character of the area.

### Conclusion

The proposal would not be detrimental to the character and appearance of the area and the street scene and would adhere to the aims of National and Local policies.

## **RECOMMENDATION**

Permission with conditions.