

# PLANNING COMMITTEE

22 JUNE 2006

## Planning Applications for Determination

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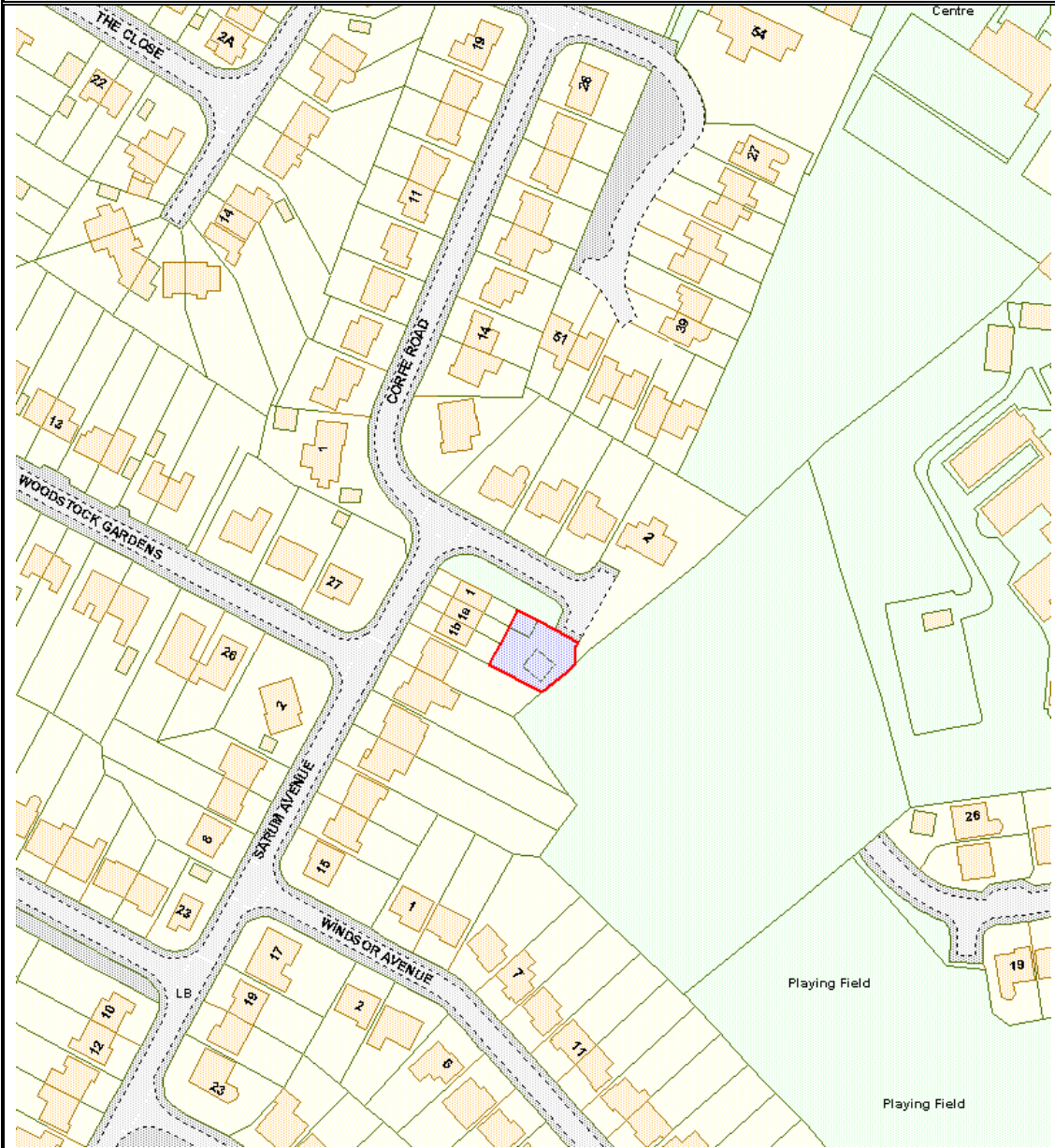
# PLANNING COMMITTEE

22 June 2006

ITEM NO: 01

APPLICATION NO: 06/01065/FUL

LOCATION: Land Rear Of 1 To 1b Sarum Avenue Melksham  
Wiltshire



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SLA: 100022961

**01 Application: 06/01065/FUL**

**Site Address: Land Rear Of 1 To 1b Sarum Avenue Melksham Wiltshire**

Parish: Melksham (Town) Ward: Melksham Spa

Grid Reference 390769 163093

Application Type: Full Plan

Development: Erection of two semi detached dwellings with parking

Applicant Details: Westhead Estates Ltd  
Care Of Agent

Agent Details: Willis And Co  
30 The Causeway Chippenham Wiltshire SN15 3DB

Case Officer: Miss Nicola Rogers

Date Received: 30.03.2006 Expiry Date: 25.05.2006

**REASON(S) FOR PERMISSION:**

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

**RECOMMENDATION: Permission**

**Condition(s):**

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

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

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

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

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

- 3 No development shall take place until 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 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.

- 5 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.

- 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 development hereby permitted shall not be occupied until works for the disposal of sewage have been provided on site to serve the development hereby permitted, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

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

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

- 8 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, or any order revoking and re-enacting that Order with or without modification, no windows or doors, other than those hereby approved, shall be added above ground floor level to the north west elevation of the pair of semi-detached dwellings hereby permitted.

REASON: In the interests of amenity and privacy.

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

- 9 The development hereby permitted shall not be occupied until three parking spaces have been provided within the curtilage of the site.

REASON: IN the interests of highway safety

# COMMITTEE REPORT

## APPLICATION DETAILS

This application was deferred from Planning Committee on 1 June 2006 for a site visit. The application presented to the Planning Committee as Melksham Town Council object to the application and your Officers recommend permission.

The application is for the erection of a pair of semi-detached dwellings on land to the rear of 1 - 1b Sarum Avenue. The three dwellings to the front of the site have been permitted in their current form by appeal on application number 05/00880/FUL. This proposal allowed parking at the front of the site and shorter gardens at the rear, thereby relieving space for the current proposal.

The applicant has stated that the present use of the site is as a domestic garden, therefore the application site should be considered as previously developed land. However, it is noted that when planning permission was granted for the three dwellings in Sarum Avenue (05/00880/FUL) the application site was not included. There is therefore no planning permission for the use of this land as a rear garden. As land in a built-up area which has not been developed previously it does not fall into the category of previously developed land as defined by PPG3 Annex C.

The proposal in this case included the siting of a pair of semi-detached dwellings directly to the rear of 1-1b Sarum Avenue, these would be positioned to face onto the spur of Corfe Road to the side of the site.

Each dwelling would have two bedrooms and a suitable amount of outside space. Two parking spaces are allocated for the two dwellings.

## CONSULTATION REPLIES:

- MELKSHAM TOWN COUNCIL: object to the application on the grounds that the proposed development would contravene policy C38 (detrimental to neighbouring properties) and H1 (overdevelopment of the site).

## STATUTORY CONSULTEES

- HIGHWAY AUTHORITY: In view of the Planning Inspector's decision on the appeal for application 04/00612, I wish to raise no highway objection subject to the following condition being attached to any permission granted:

"The development hereby permitted shall not be occupied until three parking spaces have been provided within the curtilage of the site."

## PUBLICITY RESPONSES

Four letters of objection have been received. The following points are raised:

- Increase the problems from traffic at a busy junction
- Destroying the fabric of the estate
- Problems with overlooking the surrounding properties
- Pattern of development is not in keeping with the rest of the estate
- A similar scheme has already been refused by the Council
- Confusion over land ownership

## RELEVANT PLANNING POLICY

Wiltshire Structure Plan 2016

DP1 - Priorities for Sustainable Development

DP3 - Towns and Main Settlements

DP7 - Housing in Towns and Main Settlements

DP9 - Reuse of Land and Buildings

West Wiltshire District Plan - 1st Alteration 2004

C31a - Design

C38 - Nuisance

H1 - New Housing Development

H24 - New Housing Design

T10 - Car Parking

U1a - Foul Water Disposal

U2 - Surface Water Disposal

PPS1 - Delivering Sustainable Development

PPG3 - Housing

Supplementary Planning Guidance - House alterations and extensions

## RELEVANT PLANNING HISTORY

02/01014/FUL - Demolish existing house and construction of 3 houses (permission 12/12/02)

03/01045/FUL - Erection of 3 dwellings (revised proposal) (refused 26/8/04)

04/00612/FUL - Erection of two semi-detached dwellings at land to the rear of 1 Sarum Avenue and retention of three dwellings and formation of parking off Sarum Avenue for existing dwellings 1-3 Sarum Avenue, Melksham without complying to Condition 5 of permission W02/01014 (parking). (No decision; appeal dismissed on 15/3/05)

05/00880/FUL - Erection of three dwellings with parking (revised) (refused 8/9/05 allowed on appeal 22/2/06)

## KEY PLANNING ISSUES

The main issue in this case is if the proposal is in accordance with policy H1 of the West Wiltshire District Plan 1st Alteration 2004. The suitability of the parking provision and the effect on neighbouring properties should also be considered.

The planning history of the site is a key material consideration on this application, the site has been the subject of three appeals, one of which related to two dwellings on this land.

## PLANNING OFFICER COMMENTS

The scheme proposed in this case is identical to that included in application 04/00612/FUL, subsequently dismissed at appeal. Therefore the appeal decision letter contains key pointers for the determination of the application and will be quoted throughout this report.

The plot of land is within the town policy limits of Melksham and as such new development would be subject to the criteria in Policy H1 of the West Wiltshire District Plan 1st Alteration. The development of the site for housing is acceptable in policy terms if it meets these criteria.

## Character and Appearance of the Area

This site is located in a residential area, characterised by single detached dwellings and pairs of semi-detached dwellings. The dwellings in Corfe Road at this point are two-storey detached dwellings in good sized plots.

In this case the development would make efficient use of this land consistent with advice in PPG3. The proposal would be at a density of 72 dwelling per hectare, compared to an average density of approximately 31 dwellings per hectare in the immediately surrounding area.

The siting and form of the two semi-detached dwellings would be in-keeping with those already constructed of 1, 1a and 1b Sarum Avenue and would face on the street, akin to the detached dwellings to the north of the application site. However, the gardens associated with these proposed dwellings would be significantly smaller than the average in the area.

The previous application and subsequent appeal did not address issues such as the density of the development in relation to the surrounding area in the reasons for refusal and appeal decision. As the scheme being considered in this case is the same as that considered by application number 04/00612, and subsequently dismissed on appeal, these issues should not be used to refuse this application.

## Parking Provision

The parking provision for this scheme is appropriate. The proposal makes provision for two spaces for the two dwellings.

The Highway Authority have not objected to the application on the basis of parking provision provided.

## Effect on Neighbouring Properties

The Inspector also addressed this issue, he stated: "The two new houses would be built to the rear of and right angles to the existing three. There would be no windows in the side of them and so no potential for overlooking the rear of No objections. 1-1b Sarum Avenue, but the rear elevations would face the rear garden of no.3 Sarum Avenue and other gardens beyond. At their nearest the rear of the houses would be within about 5.5m of the boundary with no.3. However, at ground floor level the windows could be screened whilst on the first floor the bathroom windows are shown to be fixed and obscure glazed with the bedroom windows set further back."

This proposal is slightly different to the scheme considered in the appeal. The difference being a small fixed and obscure glazed window in either side elevation, to serve a stairwell. The window facing the existing properties would, likewise, not result in overlooking.

## Other Issues

It is not clear as to what the Town Council is referring when they comment that the applicant has failed to comply with previous planning conditions imposed on this application. This is because the previous application was refused. The buildings at 1 - 1b Sarum Avenue are not part of this application and should be considered as a separate matter.

One neighbour has suggested that the applicant does not own the entire site and has provided a number of plans to that effect. However, it would appear that the plans contradict on another and the piece of land in question is approximately 11 square metres in area and constitutes part of parking space number 2. The neighbour is not claiming to be the owner of this land and the person named by the neighbour to be the owner has not backed up the assertion. Land ownership is not a material consideration in this case, however, the applicant should be made aware of the situation through an informative on any permission.

## CONCLUSION

Whilst the scheme may not follow the pattern of development in this part of the estate, the previous Inspector's decision addresses the relevant issues and the application should be permitted in line with the appeal decision.





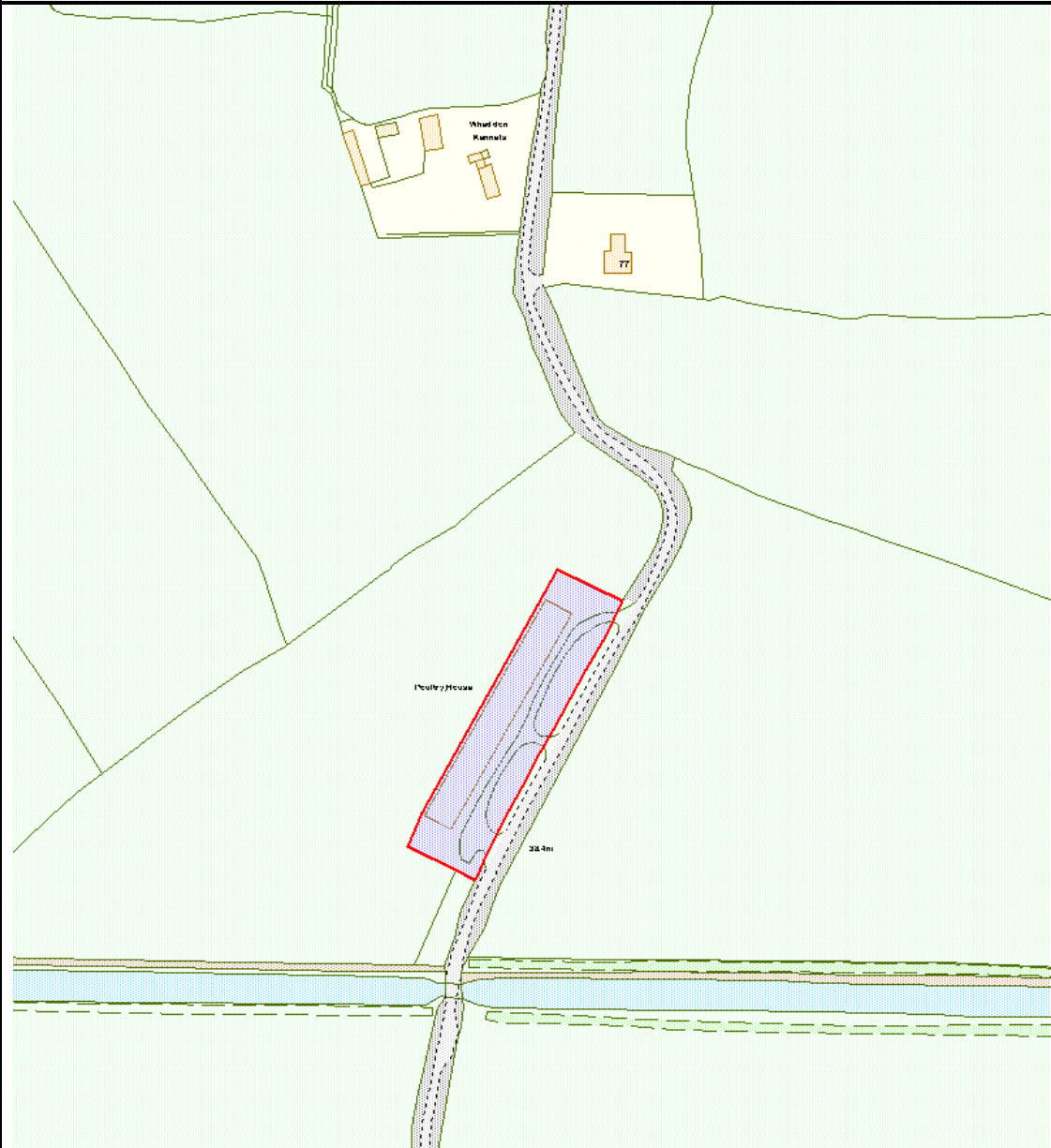
## PLANNING COMMITTEE

22 June 2006

ITEM NO: 02

APPLICATION NO: 06/00633/FUL

LOCATION: Units 1 To 2 75 Whaddon Hilperton Wiltshire BA14 6NR



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SLA: 100022961

**02 Application: 06/00633/FUL**

**Site Address: Units 1 To 2 75 Whaddon Hilperton Wiltshire BA14 6NR**

Parish: Hilperton Ward: Paxcroft

Grid Reference 387930 160874

Application Type: Full Plan

Development: Change of use of agricultural building to domestic storage units

Applicant Details: Mr D Tucker  
Whaddon Grove Farm Whaddon Lane Hilperton Trowbridge  
Wiltshire

Agent Details: David R Pearce  
Land Development And Planning Consultants Ltd Lavender Cottage  
Nettleton Chippenham Wiltshire

Case Officer: Miss Nicola Rogers

Date Received: 23.02.2006 Expiry Date: 20.04.2006

**JUSTIFICATION REASON:**

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

**RECOMMENDATION:**

**Planning permission be granted at a future date in the event of the Development Control Manager being satisfied as to the prior agreement of a Legal agreement to secure a contribution towards improvements to the highway in this location.**

**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 premises shall be used for the storage of domestic goods owned by the tenant(s) of the building and for no other purpose (including storage in connection with any commercial or industrial activity or any other purpose in Class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification).

REASON: In order to protect the amenity of the surrounding area

POLICY: West Wiltshire District Plan 1st Alteration 2004 policy C38

- 3 Before the use hereby permitted is implemented the area between the nearside carriageway edge and an area extending 2 metres parallel to it over the entire site frontage shall be cleared of any obstruction to visibility at and above a height of 900mm above the nearside carriageway level and thereafter maintained free of obstruction at all times.
- REASON: In the interests of highway safety
- 4 Each entrance shall be recessed, having a minimum width of 4.5 metres and they shall be constructed 4.5 metres back from the carriageway edge and the sides shall be splayed outward at an angle of 45 degrees toward the carriageway edge. The area between the entrances and the edge of the carriageway shall be properly consolidated and surfaced (not loose stone or gravel) to the satisfaction of the Local Planning Authority.
- REASON: In the interests of highway safety
- 5 The building shall not be subdivided into more than fifteen separate units.
- REASON: In order to protect the amenity of the surrounding area
- POLICY: West Wiltshire District Plan 1st Alteration 2004 policy C38
- 6 There shall be no outside storage or display of goods, materials, plant, machinery, equipment, waste or other items.
- REASON: In the interests of the appearance of the site.
- POLICY: West Wiltshire District Plan - 1st Alteration - Policies E2, E4 & E6.

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

This application was deferred from the Committee meeting on 11 May 2006 in order to seek a contribution from the applicant towards improvement to the highway in this location. This application is now recommended for permission subject to the completion of a Legal agreement to secure appropriate highways improvements in the form of covering the cost for the provision of an additional lay-by in proximity of the application site. This location will be agreed by the Highway Authority and the applicant.

This item is presented to the Planning Committee as Hilpertown Parish Council objects to the application and your Officers recommend permission.

This is an application for the change of use of a poultry building to domestic storage units. The building is in an isolated location to the north of Hilpertown village, few residential properties are located nearby and agriculture is the predominant use in the vicinity.

The building appears to be in good structural condition and is of a similar design to the building subject to an appeal mentioned below.

It is the applicant's intention to divide the building into smaller units as per the other building.

The building is positioned approximately 16 metres back from the road and has the benefit of a substantial drive/parking area off the road, accessed at three separate points.

## CONSULTATION REPLIES:

### STATUTORY CONSULTATIONS

- HILPERTON PARISH COUNCIL: "We object to this application on the same grounds as our objections to the previous application (05/01085/FUL) on the following grounds:

- a) environmental damage caused by vehicles,
- b) inconvenience to pedestrians
- c) inadequacy of the road system, with Whaddon Lane being narrow and without footways, having a substandard junction with the B3105 and the inadequacy and unsuitability of the road to serve the proposed development.
- d) prejudicial to highway safety.

- HIGHWAY AUTHORITY: No objection. "When taking into consideration the approval given at appeal to a similar planning application at a nearby site (W05/1085), I would recommend that no highway objection be raised subject to ...conditions"

### PUBLICITY RESPONSES

Three letters of objection have been received. The following points are raised:

- Increase in traffic numbers and size of vehicles
- Noise pollution resulting from storage uses
- Suspicion that commercial use will increase

### RELEVANT PLANNING POLICY

West Wiltshire District Plan - 1st Alteration 2004

- C1 Countryside protection
- C38 Nuisance
- H21 Conversion of rural buildings
- E6 Rural employment
- E7 Farm diversification

### RELEVANT PLANNING HISTORY

None on the site, but the following application is relevant to this case:

05/01085/FUL - Change of use of agricultural buildings to domestic storage at Whaddon Grove Farm, Whaddon Lane (refused 5/8/05 appeal allowed 19/12/05)

### KEY PLANNING ISSUES

The main issues in this case are the suitability of the proposed use in this location, especially in relation to the highways situation and effects on the neighbouring residential uses.

A key material consideration on this application is the decision of the Inspector in respect of an appeal at Whaddon Grove Farm for an almost identical scheme. This site is to the north of the application site.

### PLANNING OFFICER COMMENTS

It is accepted that the road is narrow and poorly aligned, being single track for much of its length. However, it was concluded by the Inspector in respect of the adjacent site that the proposed use would give rise to a modest number of additional daily vehicle movements, in comparison to the movements to and from the building when it was used for keeping poultry. As this scheme is almost identical to that which was granted at appeal, it is unlikely that the additional vehicle movements would be detrimental to highway safety, indeed, the Highway Authority have not objected to this application in the light of the Inspector's decision.

Whilst it is accepted that the road and the junction with the B3105 are both substandard, the low number of additional daily movements would not be prejudicial to highway safety. As the number of units is not specified at present a condition is recommended to limit the amount of separate storage units to 15. This is reasonable given the size of the building and that the adjacent building is 20 metres shorter and has permission for 12 units. It is hoped that this condition will limit the number of daily movements and would prevent the over intensive use of the building.

The comments of the neighbours in relation to industrial uses or commercial storage have been considered, however, this recommendation for permission is given on the provision that the building is used for domestic storage only, and a condition is recommended to ensure this remains the case.

The neighbouring residents also have concerns over increased noise pollution resulting from the change of use, however, it should be noted that the nearest residential property is located approximately 140 metres away from the building. It is unlikely that a significant loss of amenity would be suffered by any of the surrounding residential properties.

No structural statement has been submitted to show that the building is worthy of conversion, however, the building is in a very similar state to the building already permitted for conversion, on which the Inspector commented: "I consider that the proposal could be accommodated in this building without significantly altering its character or that of the surrounding countryside." The proposal is therefore in accordance with policy H21 of the West Wiltshire District Plan 1st Alteration 2004.

## CONCLUSION

On balance, and in the light of the Inspector's decision on the adjacent site, the proposal is acceptable in terms of the effect on the highway network and the neighbouring properties.



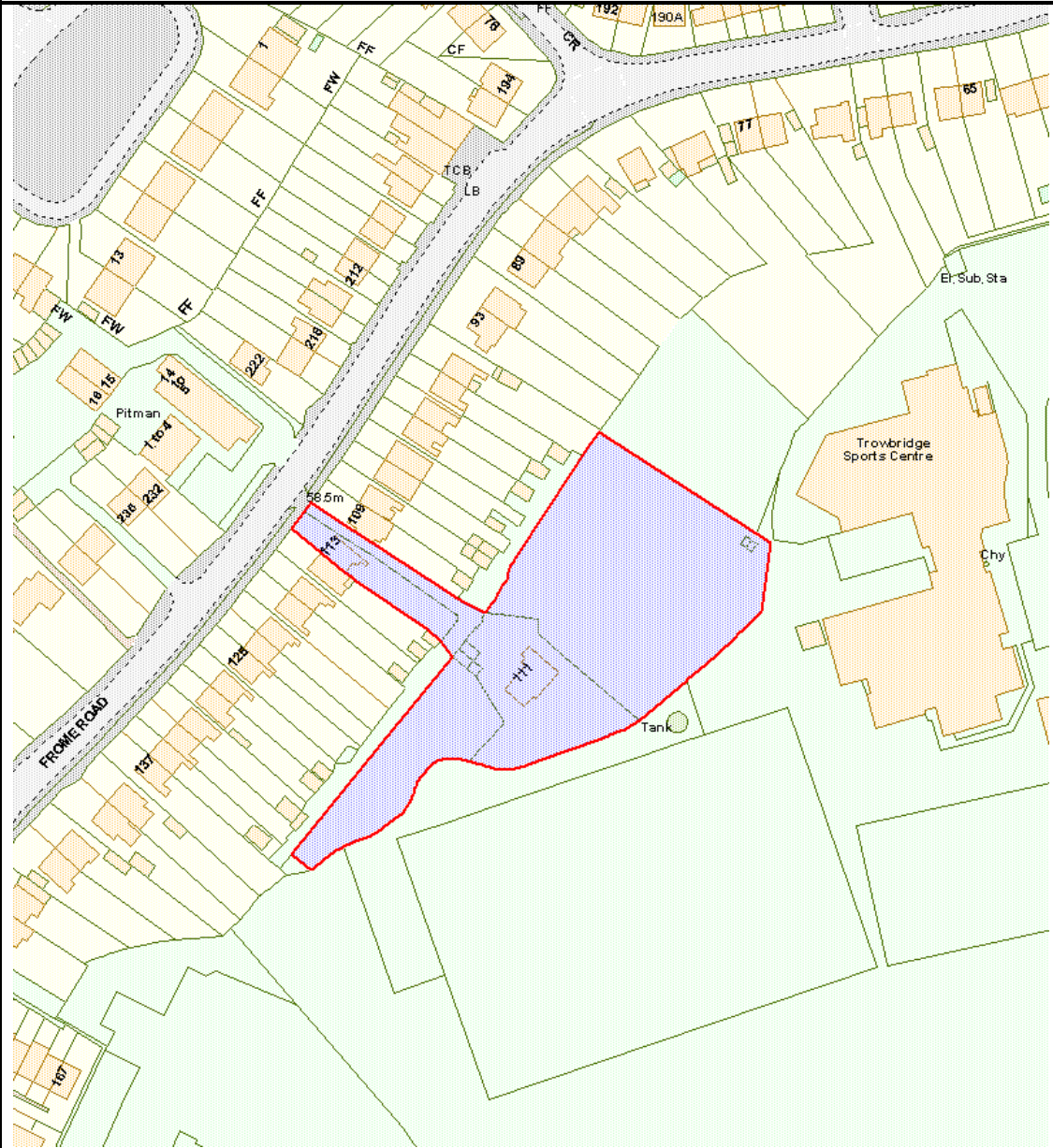
# PLANNING COMMITTEE

22 June 2006

ITEM NO: 03

APPLICATION NO: 05/00807/FUL

LOCATION: Land Rear Of 95 To 133 Frome Road Trowbridge  
Wiltshire



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SLA: 100022961



**03 Application: 05/00807/FUL**

**Site Address: Land Rear Of 95 To 133 Frome Road Trowbridge Wiltshire**

Parish: Trowbridge Ward: College

Grid Reference 384693 156904

Application Type: Full Plan

Development: Demolition of two existing dwellings to allow for the erection of sixteen dwellings with associated access, parking, landscaping and other works

Applicant Details: Persimmon Homes (Wessex) Ltd  
C/o Pegasus Planning Group 6-20 Spitalgate Lane Cirencester  
Glos GL7 2DE

Agent Details: Pegasus Planning Group  
6-20 Spitalgate Lane Cirencester Glos GL7 2DE

Case Officer: Mrs Judith Dale

Date Received: 26.04.2005 Expiry Date: 26.07.2005

**JUSTIFICATION REASON:**

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

**RECOMMENDATION:**

**Planning permission be granted at a future date in the event of the Development Control Manager being satisfied as to the prior completion of a Legal Agreement to secure: -**

**1. Index linked and bonded contribution to the LEA towards local education provision.**

**2. A financial contribution towards the enhancement and maintenance of offsite facilities in accordance with the Council's SPG on open space.**

**Condition(s):**

- 1 The development hereby permitted shall be begun 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.

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

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

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

- 3 Details, including samples where appropriate, of the materials for the surface of all roads, footways and pedestrian areas, cycleways and all other hard surfaced areas shall be submitted to and approved by the Local Planning Authority prior to the commencement of development, or prior to the commencement of any relevant phase of the development, whichever is appropriate. The development shall be carried out in accordance with approved details.
- REASON: To ensure that the development harmonises with its setting.
- POLICY: West Wiltshire District Plan - 1st Alteration - Policy C31A.
- 4 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.
- 5 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.
- 6 Notwithstanding the submitted plans, full details of all external boundaries to the site shall be submitted to and approved in writing by the Local Planning Authority before development commences. The work shall be carried out in accordance with the approved details before occupation of any of the dwellings.
- REASON: To provide a satisfactory landscape setting for the development and in the interests of residential amenity.
- POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies C32 & C38.
- 7 Notwithstanding the details required by Conditions 4 and 6, the existing tree and hedge screen along the north and eastern boundary of the site shall be retained.
- REASON: To provide a satisfactory landscape setting for the development and in order to protect wildlife habitats.
- POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies C32 & C7.
- 8 Prior to the commencement of the development hereby permitted, an ecological survey, investigating and recording details of all protected species and their habitats, likely to be affected by the development, and measures to mitigate the effect of the development on them, shall be submitted to and approved by the Local Planning Authority. Development shall then only be carried out in accordance with the approved details.
- REASON: In the interests of natural species which have statutory protection.
- POLICY: West Wiltshire District Plan - 1st Alteration - Policy C7.

- 9 Before the dwellings hereby permitted are first occupied the area between the nearside carriageway edge of Frome Road and lines drawn between a point 2.4 metres back from the carriageway edge along the centre line of the access and points on the carriageway edge 90 metres from and on both sides of the centre line of the access road, shall be cleared of obstruction at and above a height of 150mm above the nearside carriageway level and thereafter maintained free of obstruction at all times.

REASON: In the interest of highway safety.

- 10 Before the dwellings hereby permitted are first occupied the visibility splays of 2.4 metres by 45 metres for the rear access lanes to numbers 97 to 137 Frome Road, as shown on the submitted plans, shall have been provided with no obstruction to visibility at and above a height of 300mm above the nearside carriageway level. The visibility splays shall thereafter be maintained free of obstruction at all times.

REASON: In the interest of highway safety.

- 11 The proposed accesses serving the rear of numbers 97 to 137 Frome Road shall incorporate splays on both its sides to the rear of the footway based on co-ordinates of 2.4 metres by 2.4 metres and which shall be kept free of obstruction above a height of 300mm.

REASON: In the interest of highway safety.

- 12 The driveways and parking spaces shall be surfaced in a bound materials (not loose stone or gravel) to the satisfaction of the Local Planning Authority.

REASON: In the interest of highway safety.

- 13 Provision shall be made within the driveways/parking spaces 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 interest of highway safety.

- 14 Details of the proposed driveway gradients shall be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interest of highway safety.

- 15 Details of lighting to the site (including measures to minimise sky glow, glare and light trespass) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The scheme shall only be carried out in accordance with the approved details.

REASON: In the interests of pollution prevention.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy C35.

- 16 The development hereby permitted shall not be occupied until works for the disposal of sewage have been provided on site to serve the development hereby permitted, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

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

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

- 17 The first floor window in the northwest elevation of Plot 1 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 interest of amenity and privacy.

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

- 18 No materials shall be burnt on site.

REASON: In order to minimise nuisance.

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

- 19 Notwithstanding the provisions of Town & Country Planning (General Permitted Development) Order 1995, the works identified on plans 05703/A001A and A002A for the making good of number 115 Frome Road shall be implemented in full before any of the dwellings hereby approved are occupied.

REASON: In the interest of residential and visual amenity.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies C31A & C38.

**Note(s) to Applicant:**

- 1 The applicant is advised to consult with Wessex Water on agreement to a point of connection to Wessex infrastructure for the satisfactory disposal of foul and surface water flows; a minimum of 3 metre easement width on either side of the existing foul sewer; protection of Wessex infrastructure.
- 2 The applicant is advised to satisfy themselves over land ownership of all parts of the application site.
- 3 The applicants are advised to contact the Highway Authority regarding the proposed detailing of any traffic calming feature within the proposed access road.

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

This application is brought to Committee at the request of Councillor Osborn due to the extent of neighbour concern and access onto the main highway.

This is a detailed application for the demolition of two dwellings, and the erection of 16 units. The wedge-shaped site measures approximately 0.55 hectare and is located in a backland position to the rear of 19 terraced and semi-detached properties which front the eastern side of Frome Road. It is relatively flat and occupied by a single property, number 111, set within extensive gardens. It is currently accessed by a narrow tarmac track approximately 52 metres long between numbers 109 and 113 Frome Road which then continues at right angles in front of the site to serve the rear of the frontage properties.

The proposal is for the demolition of the property and its replacement with 16 dwellings, and for the demolition of 113 at the junction of the access road with Frome Road to allow for a widening and upgrade of this road to adoptable highway standards.

In detail, the redevelopment provides for a mixture of two-storey, two, three and four bedroomed dwellings in a combination of terrace, semi-detached, link detached and detached units; 32 vehicles are accommodated in both parking spaces, and integral, attached and detached garages. The demolition of number 113 Frome Road, currently a semi-detached property, will "convert" number 111 to a detached unit.

The application, which has been revised since its original submission, is accompanied by a Brief Design Statement, an Ecological Survey and a Structural Survey relating to the demolition of number 113 Frome Road.

#### CONSULTATION REPLIES:

##### - TROWBRIDGE TOWN COUNCIL:

###### Original Plans

1. Access and egress to and from the proposed development will be hazardous.
2. The demolition of one-half of the semi-detached house will result in a house which is out of keeping with the streetscene and will result in a loss of amenity for neighbours.

Revised Plans - No further comments received.

#### STATUTORY CONSULTATIONS

##### - HIGHWAY AUTHORITY:

###### Original Plans

No objection to the principle of the internal layout, although amendments required to the proposed carriageway width and length of driveways and parking spaces.

###### Revised Plans

No objection subject to conditions relating to visibility splays, surfacing of driveways and parking spaces, and disposal of surface water and details of driveway gradients.

- ENVIRONMENT AGENCY: No objection as regards flood risk.

- WESSEX WATER: No objection subject to agreement to a point of connection for the satisfactory disposal of foul and surface water flows; a minimum 3 metre easement width on either side of the existing foul sewer; protection of Wessex infrastructure.

- ENGLISH NATURE: "The development does not appear to impact on any badger setts, and therefore badgers are not taken to be a material consideration in this application.

However, there may be other protected species present, such as reptiles, bats and Great Crested newts and we advise that a survey be undertaken by a qualified ecologist at an appropriate time of year to assess the likelihood of their presence, potential impacts and any necessary mitigations."

- CHIEF EDUCATION OFFICER: Identifies that 3 additional Secondary places will be required at a DfES published cost multiplier of £13,929 per Secondary School place.

#### INTERNAL WWDC CONSULTATIONS

- PLANNING POLICY: "The site is located within town policy limits. It constitutes backland development, which is not inappropriate, given the existing settlement pattern. The current land use is residential garden land and therefore constitutes brownfield land in PPG3 terms. The principle of housing development is therefore acceptable.

The site area has been given as 0.55 hectares, although the Badger Survey suggests the area as 0.7 hectare. Assuming 0.55 hectare is correct, the proposed development is for 16 dwellings, at 29 dwellings to the hectare, which is slightly below national density requirements, although I recognise that the shape of the site with a long access road dictates a lower gross density than would otherwise be achievable.

The proposed layout is generally acceptable with properties fronting the access road. Suitable landscaping will be required along the boundaries with existing properties. House materials should respond to the traditional materials used in Trowbridge. This includes the use of red brick (not brown or orange) and stone dressings.

Although there is no ecological designation in this area, it is noted that the site may provide valuable foraging areas for Badgers, a protected species. I can see no evidence that any proposed landscaping measures will mitigate against the loss of foraging areas.

The development of 16 dwellings will require the provision of 0.09 hectares of public open space, including the provision of a children's play area on site. The proposed layout does not provide this open space. If there are proper planning reasons, a commuted sum may be appropriate to provide provision on an adjacent site or enhanced provision on an existing open space area. Again, there is no mention of this in the supporting statement.

Recommendation - Unacceptable in policy terms.

- LANDSCAPING OFFICER: Confirms a commuted sum payment for off site provision of approximately £9,000.

## PUBLICITY RESPONSES

The application was advertised by Site Notice and in the local press and neighbours were notified. 11 letters of objection from 9 residents have been received on the following grounds: -

- The existing access is a private right of way and cannot be widened to provide the required access road;
- A Deed of Covenant relating to 113 Frome Road restricts its use to that of a private dwellinghouse;
- Approval of this application will set a precedent of other similar developments in the area;
- Backland development which would impact on the amenity and privacy of adjoining properties;
- Previous applications on this site have been refused and dismissed on appeal;
- Additional traffic using and parking along Frome Road with increasing danger of accidents;
- Pressure on existing parking spaces along Frome Road;
- Inadequate standard of proposed access road;
- The development may proceed without the road being first constructed;
- The proposed development is at the minimum of PPG3 density and is therefore not the most efficient use of land;
- Car parking at 2 spaces per dwelling is contrary to paragraph 62 of PPG3;
- Loss of existing turning facilities at the head of the existing access road;
- Loss of parking spaces to the rear of the frontage properties while construction works on the proposed access road takes place;
- The development fails to provide for small accommodation for 1-person households as advised by PPG3;
- Recent press and media articles suggest that the ODPM do not consider houses and back gardens to constitute brownfield sites;
- Better use could be made of the land by converting it to tennis courts or recreational facilities associated with the adjoining Clarendon School;
- Impact on the security and safety of children due to the increase in traffic to the rear of the properties fronting Frome Road;
- Inadequacy of current sewerage system;
- Inadequate drainage of the site;

- The regional spatial strategy is requiring a reduction in the number of houses required in the West Wiltshire area;
- Additional pollution of the environment;
- Increase in levels of noise nuisance already high due to the construction of the swimming pool on the adjoining school site;
- Additional light pollution from street lighting;
- Potential increase in levels of crime;
- The existing loss of mature trees which has already reduced wildlife opportunities and opened up views of the adjoining school site;
- The submitted Ecological Survey is incomplete;
- The impact on existing badger setts and wild deer;
- Insufficient landscaping of the development;
- Impact on the security of the adjoining school;
- Number 113 has been allowed to fall into a state of disrepair over the past 2 years;
- The structural integrity of number 115 Frome Road has not been fully analysed and the full impact of the demolition of number 113 cannot be adequately measured;
- The creation of a detached "semi-detached" house would adversely affect the character and appearance of Frome Road;
- A conflicting architectural style between the proposed dwellings and those fronting Frome Road;
- Demolition of properties will generate waste;
- Loss of existing views;
- No details are included for public open space provision;
- Noise impact on residents of the new dwellings from the adjoining swimming pool and squash courts;
- Potential danger due to demolition of proposed buildings;
- The development does not encourage reduction in car dependency;
- Public transport links have not been considered;
- No cycleways are provided within the development;
- The proposed demolition of the boundary wall along the western edge of the site will reduce privacy and raises questions over future maintenance;
- There is no accompanying statement of sustainability, or details on bio-diversity, water efficiency or renewable energy;
- Part of the application site is not within the ownership of the applicants.

In addition, one letter has been received which raises no objection in general, but which seeks clarification on certain points of detail.

## RELEVANT PLANNING POLICY

### Wiltshire Structure Plan 2016

DP1	Priorities for sustainable development
DP2	Infrastructure
DP4	Housing and employment proposals
DP7	Housing in towns and main settlements
DP9	Reuse of land and buildings

### West Wiltshire District Plan - 1st Alteration 2004

H1	Further housing development within towns
H24	New housing design
C31A	Design
C32	Landscaping
C38	Nuisance
C7	Protected species
R4	Open space in new housing developments
T10	Car parking
S1	Education
I1	Implementation

PPS1 Delivering Sustainable Development

PPG3 Housing

SPG Public open space

SPG Design Principles

## RELEVANT PLANNING HISTORY

79/00239 - Outline application for the erection of 2 detached dwellings - Refused 02.05.1979

82/00302 - Erection of 1 bungalow on land adjacent to 111 Frome Road - Refused and subsequently dismissed on appeal

03/00553/OUT - Erection of 3 dwellings - Withdrawn

04/01250/FUL - Demolition of 2 existing dwellings and erection of 16 dwellings with associated access, parking, landscaping and other works - Withdrawn

## KEY PLANNING ISSUES

The main issues with this application are: -

- Policy issues including the planning history of the site, and the principle and density of residential development;
- Highway considerations;
- Design and amenity considerations;
- The demolition of 113 Frome Road;
- Contributions.

## PLANNING OFFICER COMMENTS

### Policy Issues

Reference has been made among the many points of objection, to the planning history of this land and previous refusals of planning permission. While planning history is a matter of consideration, Government advice makes it clear that decisions should be based primarily on the current Development Plan unless material considerations dictate otherwise.

The previous planning refusals on this site in 1979 and 1982 were taken more than 20 years before the adoption of the current District Plan in 2004. They were not on the general point of principle, but specifically on the grounds of: -

- An unsatisfactory form of backland development;
- Inadequate access onto the Frome Road.

With regard to the basic principle of development on the site, the land is now included within the town boundary limit, the current land use is residential garden land, and within the definition of such land in PPG3, constitutes brownfield development. Although the site maybe described as backland development, Policy H1 of the current District Plan recognises that this form of development is not always inappropriate, and given the existing settlement pattern could not, in this case, now be used as a reason for refusal. - the principle of housing development is therefore acceptable.



With regard to density, the total area of this site including the access road measures approximately 0.55 hectare, which results of an overall density of 29 dwellings per hectare, slightly below the PPG guidelines of 30 to 50 units. However, in this particular case, the long access effectively reduces the "developable" part of the site to approximately 0.488 of a hectare, which equates to a density of approximately 32. While this is at the lower end of advice by Government, paragraph 56 of PPG3 requires that new development should not be viewed in isolation but "must be informed by the wider context".

The context of this site is one located between existing residential development at a density of approximately 35 dwellings per hectare and the open grounds of the adjoining school site where a significantly higher density would not be appropriate.

### Highway Considerations

While previous refusals on this site have incorporated highway reasons, those earlier schemes were based on the intensification of use of the existing sub-standard track. The current scheme proposes the construction of a new estate road and the Highway Authority now raises no objection to either the principle or detailing of this application. Previous concerns over the inadequate standard of the access road, the visibility at its junction with Frome Road, the internal layout of the development, and aspects of ownership and control over the proposed means of access have been addressed and the development is now considered acceptable in highway terms.

The sub-standard lane is now to be replaced by a 4.8 metre wide road with separate footpath provision to both sides and constructed to adoptable standards. The increased width would provide improved facilities for vehicles associated with 97 to 137 to access and exit the Frome Road at the same time, to pass each other on the access road itself, and to emerge from the rear access lanes into the new estate road in greater safety. The internal layout details are now satisfactory, and parking levels at 32 spaces for 16 dwellings are commensurate with Government advice in PPG3 and PPG13.

All previous concerns have therefore been addressed and raise no basis for a continued refusal on highway grounds.

### Design and Amenity Considerations

To comply with the requirement of Policies H1 and H24 in the District Plan, development should generally be in keeping with the character and appearance of the surrounding area, not result in the loss of an open space or visual gap important for amenities purposes, and provide for a high quality design and layout which delivers a range and mix of dwelling types and sizes. Within this framework, the proposal can be assessed as follows: -

- Although the site is currently "open", this particularly benefit is limited to the immediate surrounding properties and its development could not be seen to result in the loss of a wider "amenity" area.
- Two-storey development is in keeping with the surrounding residential properties which are exclusively two-storey in height;
- The development proposes a mix of dwelling types and sizes with 4 two-bed units and 6 each of three and four bedroom units, in a combination of terrace, semi-detached, link detached and detached units;
- The submitted schedule proposes the use of 2 multi-brick types and concrete tiles across the development, which if of an appropriate colour, are entirely in keeping with existing properties;
- Appropriate conditions including submission of samples would ensure the use of materials which are in keeping with the overall character of the area;
- The internal layout based on a cul-de-sac arrangement, allows for the majority of dwellings to front onto the main access providing high levels of security and visibility over shared space and commensurate with "Secure by Design" principles;
- Existing rear gardens to frontage properties along Frome Road are in excess of 25 metres; together with the rear access lanes, any new dwellings will be located a minimum of 30 metres from these existing dwellings to retain appropriate levels of amenity and privacy for existing residents.

- Concern has been expressed over the lack of landscaping incorporated in the development, and the possible loss/changes to existing boundary screens as part of the overall scheme. Such matters can be addressed through appropriate planning conditions including the retention of existing hedgerows and natural screening;
- Despite observations about the design of this development being out of keeping with the predominately 1940's style of property in this part of Frome Road, the Local Authority's remit with regard to design is limited to ensuring "good or inclusive design" (PPS1). An insistence on a particular architectural style in this particular locality which is not within a Conservation Area or other designated townscape area, would not be reasonable.

On balance, therefore, this development meets design and amenity considerations required by both the provisions of the District Plan and Government Guidance.

#### Demolition of 113 Frome Road

This aspect of the development is dealt with more fully in a separate report to application 06/01053/FUL which follows this Committee item.

However, in summary, the proposal requires the demolition of 113 Frome Road, the northern half of a pair of traditional hipped roof semi-detached properties fronting onto the main road. A Structural Report has been submitted which concludes that "the stability of number 115 will not be affected by the removal of number 113", and additional plans show how the remaining "detached" unit is to be treated. The end result is somewhat unfortunate in design terms with the formation of a new gabled roof contrasting with the existing hipped roof of the standing property.

While this resultant design is, in itself, unsatisfactory, the following Committee report makes it clear that: -

- a) The demolition of this building does not, in itself, require planning permission;
- b) The Local Authority's "control" over the resulting development is limited to the methodology of the demolition and does not encompass control over the end design;
- c) This aspect of the development could proceed independently of the development of the land to the rear.

In a supporting letter, the applicants have stated that they have "previously discussed the option of squaring-off the roof of number 115 but we cannot reach agreement with the owners of that property". This contrasts with a more recent letter dated 21 April from the owners of number 115 who themselves suggest this as a design solution. However, for the reasons given above, this aspect of the development could not be used as a means of refusing this substantive part of this development.

#### Contributions

##### Affordable Housing

Since the scheme falls below the urban threshold for affordable housing, there is no requirement for a relevant contribution.

##### Education

A contribution towards the provision of 3 secondary school places has been requested and agreed.

##### Public Open Space

In accordance with Policy R4, this development requires a contribution towards public open space provision. In this particular case, and in line with the Council's current approach towards open space, a contribution towards the enhancement and maintenance of offsite facilities is being sought, rather than onsite provision.

## CONCLUSION

While the development of this backland site has been refused in the past, both changes in the policy framework and details of the scheme now require a full reassessment of the principle of development.

Despite a significant amount of local objection, this scheme now meets both policy and design objectives, would secure an appropriate and efficient redevelopment of a brownfield site and will deliver benefits in terms of contributions towards open space and education provision. The Highway Authority has no objection to the proposed access arrangement either in principle or detail, and matters of land ownership while of concern to local residents, would appear to have been in accordance with the required planning procedure.

This scheme is therefore recommended for permission.

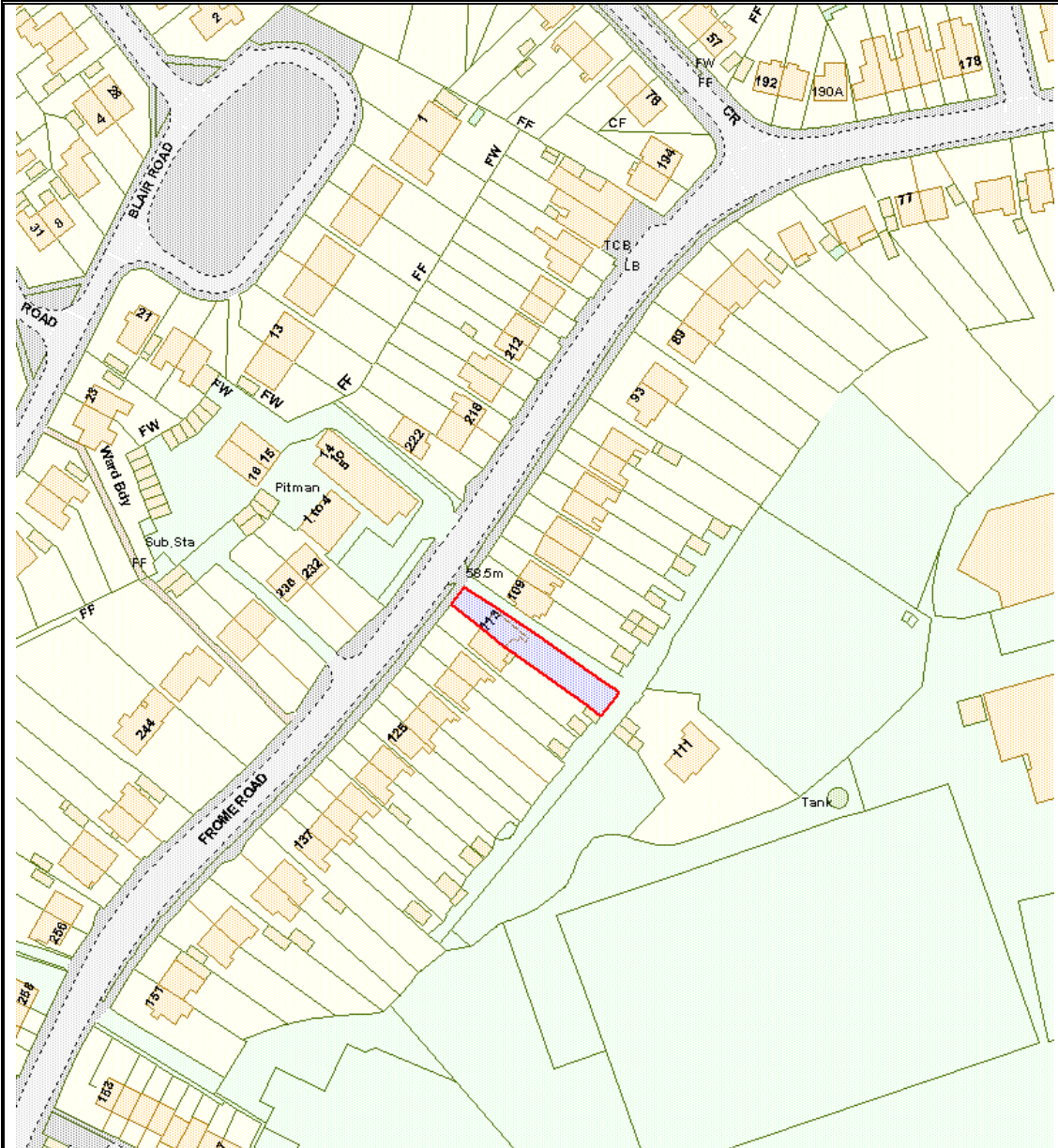
# PLANNING COMMITTEE

22 June 2006

ITEM NO: 04

APPLICATION NO: 06/01053/DEA

LOCATION: 113 Frome Road Trowbridge Wiltshire BA14 0DR



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SLA: 100022961

**04 Application: 06/01053/DEA**

**Site Address: 113 Frome Road Trowbridge Wiltshire BA14 0DR**

Parish: Trowbridge Ward: College

Grid Reference 384631 156933

Application Type: Demolition Approval

Development: Demolition of existing dwelling

Applicant Details: Pegasus Planning  
6-20 Spitalgate Lane Cirencester Gloucestershire GL7 2DE

Agent Details:

Case Officer: Mr Matthew Perks

Date Received: 28.04.2006 Expiry Date: 23.06.2006

**RECOMMENDATION: Agreement to demolition**

**Note(s) to Applicant:**

- 1 The applicant's attention is invited to the requirement for the submission of a notice under Section 80 of the Building Act, 1984 to the Authority relating to the intended demolition.
- 2 The applicant's attention is invited to the provisions of the Party Wall Act, 1996 in terms of which anyone intending to carry out works to a party wall must give adjoining owners written notice of their intentions.

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

This application is referred to Committee because Councillor Osborn has requested that it be considered at the same time as Application 05/00807/FUL (see Item 3) above. The development proposed under 05/00807/FUL would gain access via the site on which the building to be demolished is located.

This is an application for the prior approval of the proposed method of demolition of the dwelling at No. 113 Frome Road, Trowbridge. The proposed demolition is permitted development under Part 31, Class A of the General Permitted Development Order (1995) and therefore the principle of demolition cannot be considered. However, in terms of this legislation the Local Planning Authority may require details of the method of demolition and site restoration for prior approval.

The dwelling to be demolished is one of a semi-detached pair located to the south east of Frome Road approximately 1.5km from the town centre.

The applicant has submitted an engineering report assessing the building, proposing the method of demolition and remedial works for the remaining dwelling of the semi-pair.

## CONSULTATION

### TROWBRIDGE TOWN COUNCIL

Object to the proposal as being "...out of keeping with the street scene".

Whilst acknowledging the comment made by the Council, it is only the method of demolition and site restoration that may be considered.

### STATUTORY CONSULTATIONS

N/A

### INTERNAL WWDC CONSULTATIONS

#### BUILDING CONTROL

"I have no adverse comments to make on this application."

The developer is required to give notice to the Local Authority under Section 80 of the Building Act, 1984 relating to intended demolition.

#### KEY PLANNING ISSUES

The only matters for consideration are the method of demolition and site restoration.

#### PLANNING OFFICER'S COMMENTS

The documentation submitted by the applicant concludes that the demolition can take place without affecting the stability of no. 115 Frome Road (the remaining half of the semi-pair). The submitted plans include proposals for the restoration of the outer wall that would be exposed, as well as roofing and chimney remedial works. The LPA Building Control Section has no adverse comments on the proposal.

## CONCLUSION

The submitted details provide adequate information to indicate that the building can be demolished, and the remainder restored in an acceptable manner. Whilst the loss of one half of the semi pair would impact on the street scene, this is not a consideration that falls within the scope of Part 31, Class A of the General Permitted Development Order (1995). The method of demolition and restoration should be agreed to.





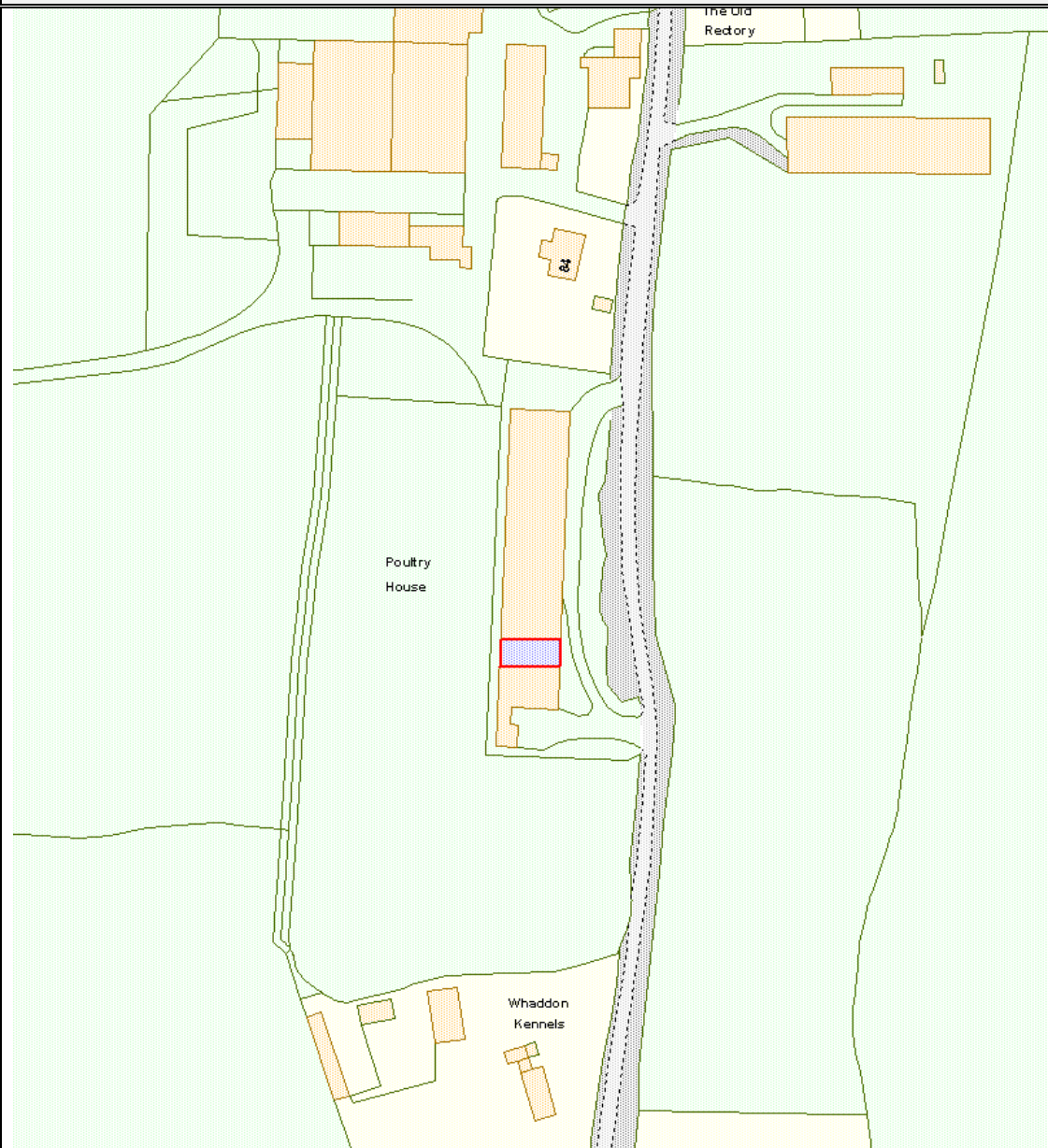
# PLANNING COMMITTEE

22 June 2006

ITEM NO: 05

APPLICATION NO: 06/01067/FUL

LOCATION: Unit 12 84A Whaddon Hilperton Wiltshire



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SLA: 100022961



**05 Application: 06/01067/FUL**

**Site Address: Unit 12 84A Whaddon Hilperton Wiltshire**

Parish: Hilperton Ward: Paxcroft

Grid Reference 387921 161203

Application Type: Full Plan

Development: Change of use of unit 12 to recreational use (fitness and martial arts)

Applicant Details: Mr D K M Mosley  
33 Shails Lane Trowbridge Wiltshire BA14 8LN

Agent Details:

Case Officer: Mr Mark Reynolds

Date Received: 30.03.2006 Expiry Date: 25.05.2006

**REASON(S) FOR PERMISSION:**

**The use is acceptable based on the granting of a personal permission on a trial basis.**

**RECOMMENDATION: Permission**

**Condition(s):**

- 1 The use hereby permitted shall be discontinued and the building restored to its former condition on or before 22nd June 2008 in accordance with a scheme of work to be submitted to and approved by the Local Planning Authority.

REASON: Because this is a form of development which would not be appropriate on a permanent basis.

- 2 The use hereby permitted shall enure for the personal benefit of Mr D.K.M. Mosley and shall not confer any right or benefit on any other persons having an interest in the property.

REASON: Because the permission is only granted having regard to the particular personal circumstances of the applicant and in the interests of highway safety.

- 3 The premises shall be used as a fitness and martial arts centre and for no other purpose, including any other purpose in Class D2 of the Schedule to the Town and Country Planning (use classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification.

REASON: Because the use hereby permitted is acceptable whereas other uses within the same use class may not be.

# COMMITTEE REPORT

## APPLICATION DETAILS

This application is brought to committee at the request of Councillor Clark in the interests of public debate and clarification of the Planning Inspector's intent in respect of appeal decision ref: APP/F3925/A/05/1189023. Hilpertown Parish Council has also objected to the application unless certain conditions are placed on any permission. It is not considered acceptable to include all of the conditions suggested by Hilpertown Parish Council and on this basis the comments of the Parish Council are considered to amount to an objection.

This is a full planning application for the change of use of unit 12 to recreational use (fitness and martial arts). The existing unit forms one of a number of smaller units subdivided within the previously agricultural units. The units are currently in use for domestic storage a change of use that was allowed at appeal (ref: APP/F3925/A/05/1189023). The unit to which the change of use relates measures approximately 60 sq. metres. The application is retrospective and the use has already commenced.

The unit is currently being used by the applicant regularly on Monday and Wednesday evening and on the odd occasion at weekends. The applicant runs a not for profit organisation which teaches martial arts of varying styles and ethos, fitness and life skills to a number of private members. The applicant suggests that the unit is currently generating 5/6 vehicle movements a week. The application site is located along Whaddon Lane which is a narrow lane leading from Hilpertown Village to Whaddon Farm. The site is accessed at two points one from the north east and another from the south east of the site.

## CONSULTATION REPLIES

### HILPERTON PARISH COUNCIL

Comment ;The Parish Council objects to this application for a change of use unless a condition is imposed by the planning authority stating that no recreational activity will be allowed to operate on site after 9pm on any evening. This condition should be personal to the applicant and not generic to the unit in question. We would also remind Development Control of our concern over the substandard condition of the highway and the growth of traffic along Whaddon Lane and, should planning permission be granted, we would ask for this to be temporary for, say, three years, this permission again being personal to the applicant and reviewed after this period. The Parish Council does not regard this as a precedent for further change of use of units granted permission - on appeal - for domestic storage.

## STATUTORY CONSULTEES

### HIGHWAY AUTHORITY

No objections subject to a condition limiting the use permitted to enure for the benefit of the applicant only.

### WESSEX WATER

No objections

## INTERNAL WWDC CONSULTATIONS

## PLANNING POLICY

A previous application to convert these former poultry buildings for domestic storage purposes was permitted on appeal. The Inspector stated that the buildings were in good structural condition and that conversion would not significantly alter the character of the building or the countryside.

Policy supports the conversion of former agricultural buildings for recreation or employment re-uses, subject to the satisfaction of detailed criteria. In terms of the appropriateness of the building for conversion, the Inspector's previous decision makes clear that this is acceptable.

Issues of highway safety, and broader matters of sustainability, require an assessment of the likely increase in traffic movements and the types of traffic movements which any permission would create. Clearly a fitness and martial arts re-use will result in other people accessing the site other than the existing tenant, leading to potentially unsustainable traffic movements. The views of the highway authority should be established.

Recommendation: Acceptable in policy terms, subject to the views of the highway authority on matters of highway safety and increase in traffic movements.

## ENVIRONMENTAL HEALTH

No comments received

## ECONOMIC DEVELOPMENT

Have no comments to make

## NON-STATUTORY CONSULTTEES

No comments received

## PUBLICITY RESPONSES

The proposal was advertised by a site notice, neighbour notifications and through the local press. Two letters were received raising the following issues.

- Internal works undertaken in Unit 12
- Drainage runs past a neighbour property
- No septic tank
- Precedent will be set and activities may increase
- Traffic generation
- The use is unacceptable in this location
- Use may change

## PLANNING POLICY

West Wiltshire District Plan 1st Alteration (2004)

C38 Nuisance  
E7 Farm Diversification  
E8 Rural Conversions

PPS1 Delivering Sustainable Development  
PPS6 Planning for Town Centres  
PPS7 Sustainable Development in Rural Areas  
PPG13 Transport

## RELEVANT PLANNING HISTORY

05/01085/FUL - Change of use of agricultural building to domestic store - Allowed at appeal  
At another site to the south of the application site a further application is pending determination:

06/00633/FUL - Change of use of agricultural building to domestic storage units - Deferred from Planning Committee 11th May 2006. Decision pending.

## KEY PLANNING ISSUES

The key planning issues in this case are planning history, planning policy, highway safety, neighbouring amenity and the principle of conversion.

## PLANNING OFFICER COMMENTS

It is important to clarify the planning history of the site. An application was refused planning permission for the conversion of the former poultry houses to domestic storage. There were two highway authority reasons for refusal and one further reason for refusal relating to the lack of submission of a structural survey to accompany the application. That proposal was however allowed on appeal.

The key issue in that planning appeal was highway safety implications. It is accepted that the road is narrow and poorly aligned, being single track for much of its length. However, it was concluded by the Inspector in respect of the site that the proposed use would give rise to a modest number of additional daily vehicle movements, in comparison to the movements to and from the building when it was used for keeping poultry.

The current use of the application site for a recreational use for martial arts generates in the region of 5/6 traffic movements a week. The applicant confirmed that he often jogs to the site and where possible he meets students at the end of the lane to share a lift to the site. The Highway Authority were consulted on this application and in view of the use detailed in a letter submitted in support of the application they considered that the level of usage described would not result in an increase in vehicular movements along Whaddon Lane compared with the permitted use. The Highway Authority therefore raise no objection to the proposal subject to a condition being placed on any permission to limit the use permitted to enure for the benefit of the applicant only.

In terms of the use itself the following is noted. The proposal would involve the conversion of a rural building for a recreational purpose which is acceptable in policy terms subject to criteria. One criterion being that the building is of substantial, sound and permanent construction and capable of conversion without extensive alteration, rebuilding, and/or extension or otherwise significantly altering its original character. The inspector dealing with the previous appeal at the site noted that the units seemed to be in a good structural condition, with a sound roof. The unit when inspected internally appeared to be structurally sound and it is considered that the proposal would meet this policy test. The proposal to change the use of the unit does not alter its external appearance and the proposal would therefore meet with a further test of Policy E8.

The Planning Policy team find the proposed use to be acceptable subject to the views of the Highway Authority. The use involves a minimum of traffic movements and the Highway Authority are satisfied to this effect. It is noted here that PPS 6 paragraph 3.9 requests that need must be demonstrated for any application for a main town centre use which would be in an edge-of-centre or out-of-centre location. The applicant is not required to submit a justification for the proposal in this case because this is not a main town centre use as identified in PPS 6. The use is small scale and would not require a sequential approach to be carried out.

It should be made clear at this point that whilst the existing use appears acceptable in principle there is insufficient evidence for the Local Planning Authority to be certain of its impact on highway safety. It is therefore suggested that a temporary permission be granted to give the use a trial run. Paragraph (111) of Circular 11/95 advises that 'where an application is made for a permanent use which may be potentially detrimental to existing uses nearby, but there is insufficient evidence to enable the authority to be sure of its character of effect, it might be appropriate to grant a temporary permission in order to give the development a trial run'. It is therefore considered that granting a temporary permission would be consistent with government policy. It is also felt that a personal permission should be granted in this case because under different ownership the use may change dramatically and become unacceptable.

Turning to neighbouring amenity issues the building is located a considerable distance from neighbouring properties and the use which is small scale is not considered to harm neighbouring amenity. There would be only a limited number of traffic movements which would be unlikely to cause harm.

The Parish Council have suggested a condition that the unit should not be allowed to operate after 9pm. The application site is located approximately 100m from the closest residential property and it not considered necessary or reasonable for such a condition to be imposed. It should also be remembered that when these formerly agricultural buildings were granted a change of use to domestic storage units no conditions were placed on the permission by the Planning Inspectorate relating to operating hours. The appeal proposal also included a much larger site with 12 domestic storage units proposed.

A neighbour objection has been received suggesting that the use may be changed and that a precedent may be set. The recommendation for permission put forward here includes conditions to strictly control the use to avoid the set of circumstances occurring which the neighbour puts forward. Every application is considered on its merits and this would not set a precedent for similar proposals elsewhere.

A neighbour has objected that internal works have taken place to Unit 12 already. Any works which have taken place so far do not appear to require planning permission in their own right.

Concerns have been raised regarding the existing drainage from the site running past a neighbouring property and the fact that no septic tank exists. The existing unit has no washing or toilet facilities and the applicant has confirmed with the Building Control Department that such facilities will not be required for this training venue. Therefore whilst concerns regarding drainage are noted they are not considered material in this case.

## CONCLUSION

The granting of a personal permission would be acceptable on a temporary basis initially.

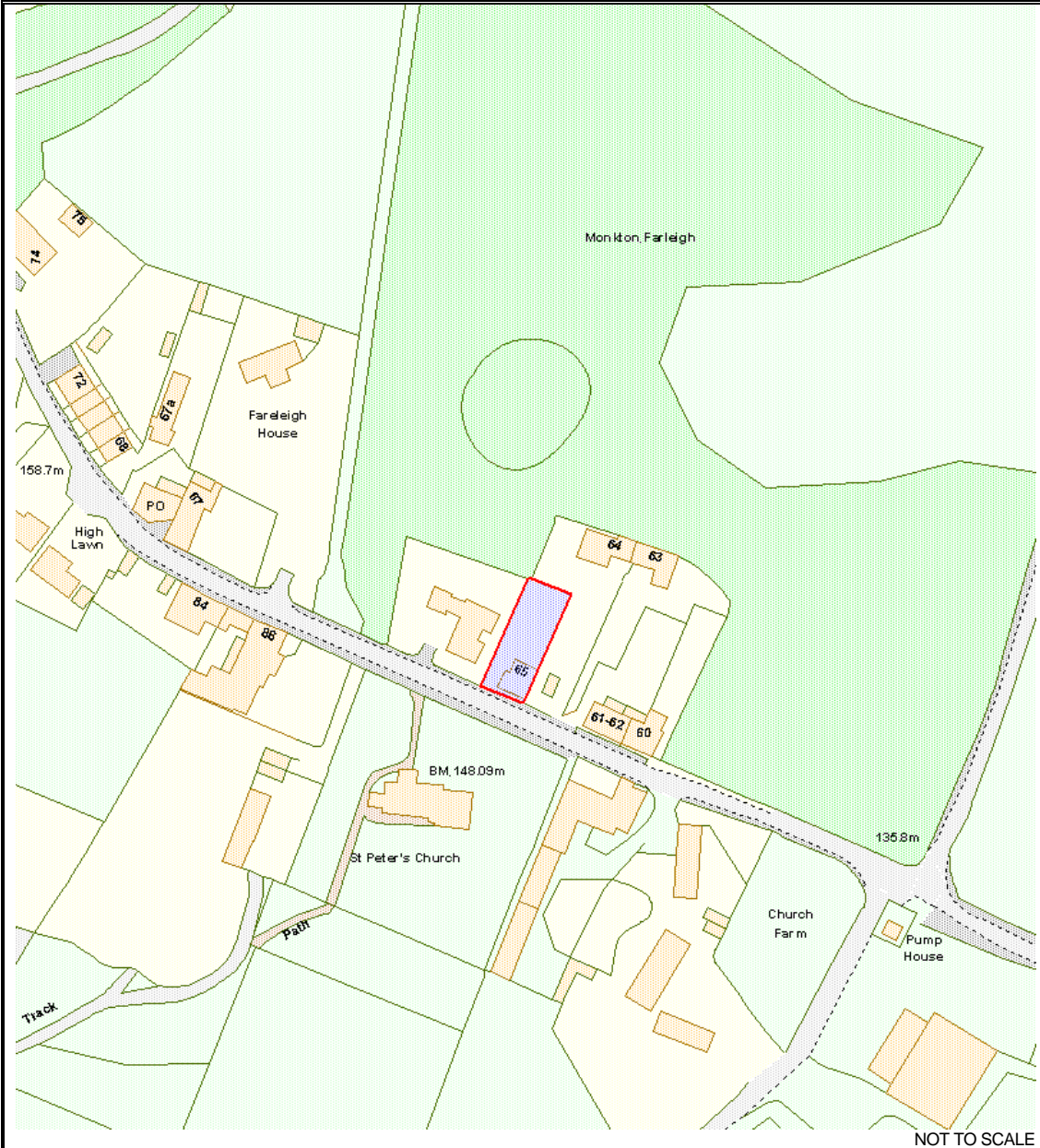
# PLANNING COMMITTEE

22 June 2006

ITEM NO: 06

APPLICATION NO: 06/01425/FUL

LOCATION: 65 Monkton Farleigh Wiltshire BA15 2QJ



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SLA: 100022961

**06 Application: 06/01425/FUL**

**Site Address: 65 Monkton Farleigh Wiltshire BA15 2QJ**

Parish: Monkton Farleigh

Ward: Manor Vale

Grid Reference 380633 165303

Application Type: Full Plan

Development: Alteration to existing single storey building and conversion of roof to provide new bedroom

Applicant Details: Mr And Mrs D Rolls  
St Peters Cottage 65 Monkton Farleigh Wiltshire BA15 2QJ

Agent Details: The David Thurlow Partnership  
The Studio Chilliswood Church Lane Limpley Stoke Bath

Case Officer: Mr Mark Reynolds

Date Received: 04.05.2006

Expiry Date: 29.06.2006

**RECOMMENDATION: Refusal**

**Reason(s):**

- 1 The proposal by reason of the size, form, height and bulk of the proposed extensions would result in disproportionate additions over and above the size of the original building and therefore inappropriate development, which would not maintain the openness of the Western Wiltshire Green Belt. No very special circumstances have been demonstrated to clearly outweigh the presumption against inappropriate development in the Green Belt. This proposal is therefore contrary to Policy GB2 of the West Wiltshire District Plan 1st Alteration 2004 and Planning Policy Guidance Note 2 (Green Belts).
- 2 The proposed extensions would by reason of their form, design, positioning, size and scale be detrimental to the host building and the visual amenity of the area, contrary to Policy C31A of the West Wiltshire District Plan - 1st Alteration 2004 and the Supplementary Planning Design Guidance - Household Alterations and Extensions.
- 3 The proposed extensions would by reason of their form, design, positioning, size and scale harm the character and appearance of the Conservation Area contrary to Policies C17 and C19 of the West Wiltshire District Plan 1st Alteration 2004.

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

This application is brought to planning committee at the request of Councillor Viles.

This is an application for full planning permission for extensions to a stone built residential property with tiled roof within the settlement of Monkton Farleigh. Specifically this proposal makes provision to raise the roof of an existing extension which was permitted in 1994 by 2m. It would involve increasing the pitch of the roof and a flat roofed dormer window would be added at the rear. Two dormer windows would also be added to the host building.

The application site is located within the Western Wiltshire Green Belt, within a Conservation Area and within an Area of Outstanding Natural Beauty.

A similar application Ref: 06/00523/FUL was refused under delegated powers on the 7th April 2006. The current application does however differ in several ways from that which was previously refused by the Council. The proposed flat roofed dormer window would be reduced in width by 615mm and the depth of the dormer window would be reduced from 2.4m previously to 1.8m in this case. These alterations would reduce the volume of the dormer window by approximately 5 cubic metres.

## CONSULTATION REPLIES

### MONKTON FARLEIGH PARISH COUNCIL

'Applications not supported in the light of your Refusal Notice dated 7.4.06'

## PUBLICITY

One letter was received raising the following objections;

- The proposed dormer window is over-sized and out of scale with the existing building and materials and detailing which are alien to the local area and more at home in a business park.
- Loss of privacy to neighbour
- Loss of daylight to neighbour
- Massive light pollution from expanse of windows in the extension
- The proposal will be conspicuous in the landscape and the design, proportion and materials are inappropriate
- Moderations to the new scheme are either insignificant or ineffective

## RELEVANT PLANNING HISTORY

05/02627/FUL - Rebuild garage extension to include dormer rooflight - Withdrawn 13.12.05

06/00523/FUL - Alteration of existing single storey annex to provide studio over and conversion of main cottage attic to bedroom - Refusal 7.4.06

## PLANNING POLICY

Wiltshire and Swindon Structure Plan 2016

DP12 The Western Wiltshire Green Belt

HE7 Architectural and Historic Heritage

C8 Area of Outstanding Natural Beauty

West Wiltshire District Plan - 1st Alteration 2004

GB1 Green Belt

GB2 Green Belt

C2 Area of Outstanding Natural Beauty

C38 Effects of development on neighbouring properties

C31A Design

PPS1 Delivering Sustainable Development

The Planning System: General Principles

PPG2 Green Belts

SPG Supplementary Planning Design Guidance - Household Alterations and Extensions



## KEY PLANNING ISSUES

The main issues to consider in this application for full planning permission are to determine whether the proposal amounts to inappropriate development in the Green Belt and whether the scheme impacts upon neighbouring amenity. The impact, which the scheme will have upon the Conservation Area, neighbouring listed buildings and the Area of Outstanding Natural Beauty will also be considered. An assessment of whether this revised proposal has overcome the previous reasons for refusal will also be undertaken.

## PLANNING OFFICER'S COMMENTS

The Green Belt issues raised by this proposal may be addressed by considering PPG2, and Policy GB2 of the West Wiltshire District Plan 1st Alteration 2004. Policy GB2 states that within the Western Wiltshire Green Belt the limited extension and/or alteration of existing dwellings is acceptable provided it does not result in disproportionate additions over and above the size of the original building. It is therefore crucial to document the original building's volume, as of 1st July 1948, and the percentage increase in volume which this proposal in conjunction with previous extensions to the building would result in.

The original building is approximately 414 cubic metres in volume. A rear extension has been added, as has a garage and kitchen. These additions combined represent extensions of approximately 134 cubic metres equating to a percentage increase in volume of approximately 32%. The submitted proposal would result in an increase in volume of approximately 20 cubic metres which would result in a total of approximately 568 cubic metres. If this proposal were permitted the increase in volume from the existing building would therefore be approximately 37%. The proposed extension would by increasing the roof pitch at the south elevation and incorporating a dormer in the rear elevation substantially increase the bulk of this currently fairly modest side extension which would appear as a disproportionate addition to the dwelling house. This proposal would result in disproportionate additions over and above the original building and represents inappropriate development. Inappropriate development is by definition harmful to the Green Belt and this proposal would lead to a loss of openness, the fundamental attribute of Green Belts.

A general presumption against inappropriate development within Green Belt exists and such development should not be approved unless very special circumstances can be demonstrated. The agent has submitted details of certain properties which have been extended quite considerably. Several of the properties identified by the agent notably No.66 and 74 were extended prior to the adoption of the first district wide West Wiltshire District Plan in 1996 and also before the introduction of PPG 2 in 1995. These decisions were therefore made in a very different policy context to that which exists today and Officers therefore suggest that these cases should not be directly compared. It is further noted that the test of proportionality may be assessed by a variety of means and whilst overall volumes provide an indicator this would be only one indicator of proportionality. It is therefore difficult often to directly compare examples and Officers contend that each case should be judged on its individual merits and the Council cannot support this further extension to this modest cottage.

It is not considered that this proposal has put forward any very special circumstances to justify inappropriate development that would outweigh the harm by reason of inappropriateness to the Green Belt. PPG 2 notes that the Secretary of State will attach substantial weight to the harm to the Green Belt when considering any planning application or appeal concerning such development.

Regarding the design of the scheme the following is noted. The existing single storey extension which forms a garage and ancillary accommodation to the rear is visually subservient to the host building. It was designed to step back from the front of the host building and the roof sits below the eaves of the original building. This extension maintains the majority of the gable end wall in clear view when the site is approached from the north west. This maintains a visual gap between the host property and the immediate neighbour No.66. Within Conservation Areas Policy C19 of the West Wiltshire District Plan 1st Alteration 2004 states that open spaces and views into, out of and within the area, which are important to its character will be protected. The proposed extension

would reduce the visibility of the gable wall of the host building. It would also potentially interfere with the eaves of the original roof at the rear of the building. This proposal would reduce the perception of a gap between the host building and No.66 particularly when viewed from the north west.

It is unclear whether the proposed flat roofed dormer window to be added in the extension would be visible from the main street however if glimpsing views are possible this would further harm the appearance of the Conservation Area. The rear of the property is visible from a footpath which runs to the west of the site. The proposal to introduce a flat roofed dormer window at the rear and two dormers to the roof of the original house would not be characteristic of the host building. This would originally have been a modest two storey cottage style building and the proposed further extension of the building and the introduction of alien design features would not preserve nor enhance the character or appearance of the Conservation Area.

Policy C19 of the West Wiltshire District Plan 1st Alteration 2004 states that proposals to alter an unlisted building in a Conservation Area which require planning permission will be permitted only if certain criteria are met, most notably in this instance that; the design should be sympathetic to the scale, form and fenestration of the building and that the alterations will preserve or enhance the character or appearance of the Conservation Area. Further Policy C31a of the West Wiltshire District Plan 1st Alteration 2004 states that proposals for new development on prominent or sensitive sites will be required to pay particular attention to proportion, composition, form, massing and scale. This site located within a Conservation Area, AONB and in relatively close proximity to listed buildings is considered to represent a sensitive site and the proposed works would not have due regard to the quality of the host building. Whilst the proposed extensions have been slightly reduced in size it is not considered that the previous reasons for refusal have been overcome in this case.

There exist several listed buildings within relatively close proximity to the site. The listed buildings are located to the south of the application site across the main road and although one such building is Grade II\* listed it is not considered necessary for this application to be sent to English Heritage given the separation distances and the visual break which the road creates this proposal would not harm the setting of any neighbouring listed buildings.

The proposal to introduce further first floor windows at the rear elevation is not considered to result in overlooking to the detriment of the neighbouring property to the north. The neighbouring property No.66 projects further to the north than the proposed extension and it is not considered that this proposal would result in any significant loss of privacy for this property. The concerns of the neighbour regarding the potential for overshadowing are noted it is however felt that the gap retained between the two properties should be sufficient to avoid overshadowing occurring.

A neighbour has objected on the basis of light pollution it is however noted that a number of windows already exist on the rear elevation of the building and it is not considered that any greater level of light pollution would warrant a reason for refusal although it is noted that the rear elevation of the building would become somewhat dominated by glazing.

The application site is located within an Area of Outstanding Natural Beauty. The proposals are however to be located on an existing building within an existing row of properties in the village and the proposed works would not detract from the landscape quality of the Area of Outstanding Natural Beauty.

The proposal would not harm highway safety with ample on street parking available at and around the site.

## CONCLUSION

The revised proposal with only a small overall reduction in size of the dormer window resulting in approximately 5 cubic metres in volume is still considered unacceptable. The proposals do not overcome the original reasons for refusal and are accordingly recommended for refusal on the same three grounds as before.



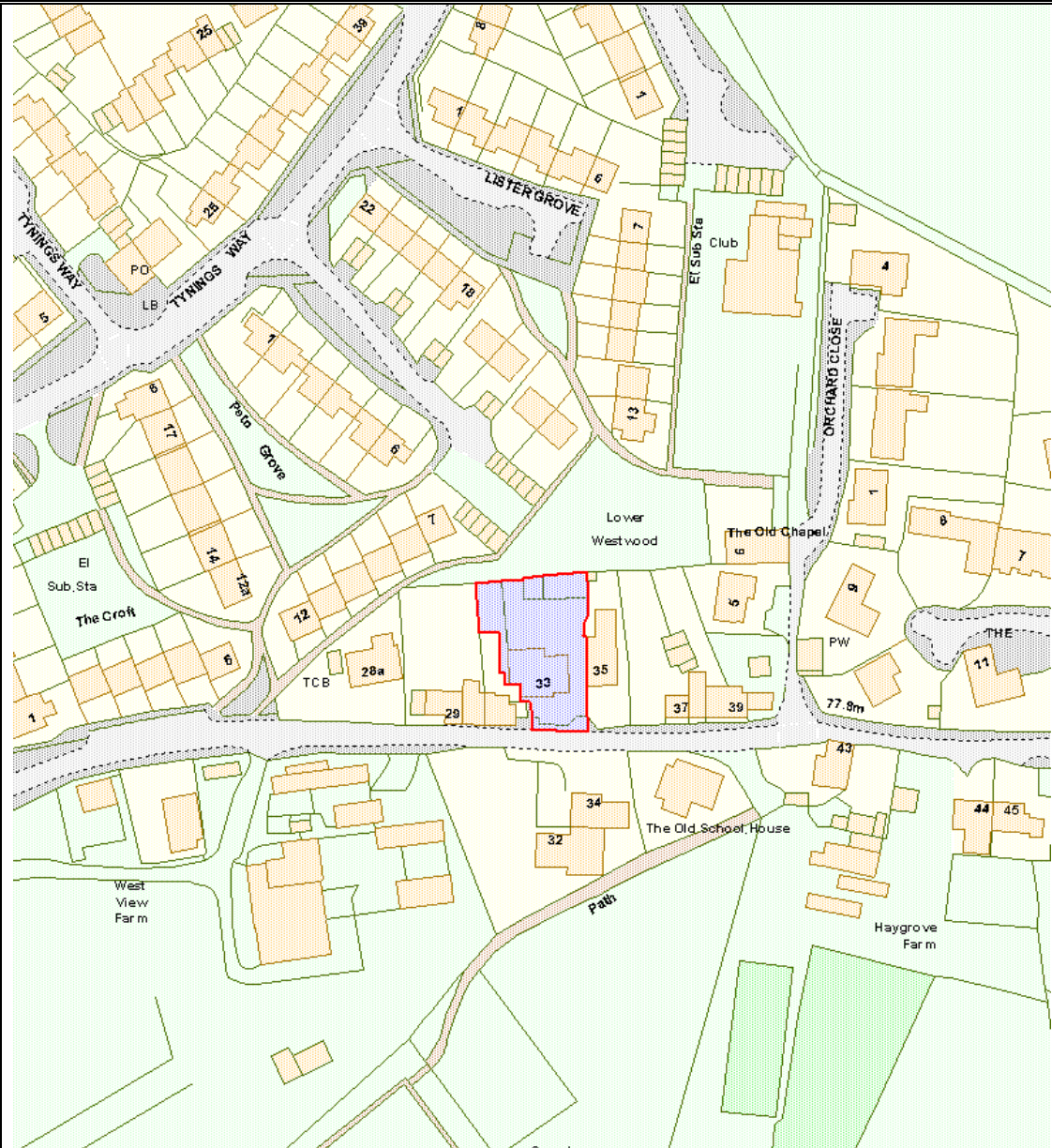
# PLANNING COMMITTEE

22 June 2006

ITEM NO: 07

APPLICATION NO: 06/00524/FUL

LOCATION: 33 Lower Westwood Westwood Wiltshire BA15 2AR



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SLA: 100022961

**07 Application: 06/00524/FUL**

**Site Address: 33 Lower Westwood Westwood Wiltshire BA15 2AR**

Parish: Westwood

Ward: Manor Vale

Grid Reference 380837 159139

Application Type: Full Plan

Development: Demolition of existing bungalow and construction of five dwellings  
(Revised house types)

Applicant Details: SPE Developments  
F A O Mr S Earl 46 Lower Westwood Bradford On Avon Wiltshire  
BA15 2AQ

Agent Details: Mr Ian Sing  
29 Lower Street Rode Bath BA3 6PU

Case Officer: Miss Julia Evans

Date Received: 17.02.2006

Expiry Date: 14.04.2006

**REASON(S) FOR PERMISSION:**

**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 - Policies C31A.

- 3 A sample wall panel, not less than 1 metre square, shall first be constructed on site and approved by the Local Planning Authority before construction proceeds. The panel shall then be left in position for comparison while the development is carried out. The development shall be carried out in accordance with the approved sample.

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

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

- 4 The eight parking spaces shown on the approved plan, together with any access thereto, shall be provided concurrently with the development to which they relate.
- REASON: To ensure that an adequate area for parking and/or servicing is available in the interests of highway safety.
- POLICY: West Wiltshire District Plan - 1st Alteration - Policy T10.
- 5 The dwellings hereby approved shall not be occupied until the turning space shown on the submitted plans has been properly consolidated and surfaced to the satisfaction of the Local Planning Authority. Such turning space shall be kept clear of obstruction at all times.
- REASON: in the interests of highway safety.
- 6 A recessed entrance having a minimum width of 4.5m shall be constructed 4.5m back from the carriageway edge and its sides shall be splayed outward at an angle of 45 degrees toward the carriageway edge. The area between the entrance and the edge of the carriageway shall be properly consolidated and 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.
- 7 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, 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.
- 8 Before the dwellings hereby permitted are first occupied the area between the nearside carriageway edge and lines drawn between a point 2.4m back from the carriageway edge along the centre line of the access and points on the carriageway edge 70m from and on both sides of the centre line of the access shall be cleared of obstruction to visibility at and above a height of 600mm above the nearside carriageway level and maintained free of obstruction at all times.
- REASON: In the interests of highway safety.
- 9 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, as amended, (or any order revoking and re-enacting that Order with or without modification), no development falling within Schedule 2, Part 1, Classes A - E of the Order shall be carried out without the express planning permission of the Local Planning Authority. There shall also be no insertion of additional windows or doors in the properties without the express planning permission of the Local Planning Authority.
- REASON: To protect neighbouring amenity.
- POLICY: West Wiltshire District Plan - 1st Alteration - Policy C38.
- 10 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.

- 11 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.

- 12 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.

- 13 Contaminated water shall not be discharged to any stream, watercourse or underground strata, whether direct or via soakaways.

REASON: To minimise the risk of pollution of the water environment.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy U4.

- 14 The development hereby permitted shall not be commenced until surface water drainage works have been carried out and completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

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

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

- 15 The development hereby permitted shall not be occupied until works for the disposal of sewage have been provided on site to serve the development hereby permitted, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

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

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

**Note(s) to Applicant:**

- 1 The proposed development is situated within 250 metres of a known landfill site. Before commencement of the development, the applicant must ensure that all reasonable steps have been taken to investigate and where appropriate, remediate against the possibility of gas migration affecting the development site. Please contact the Environment Agency for further information.
- 2 You are advised to contact Wessex Water to arrange and agree protection of and point of connection onto their apparatus.

## COMMITTEE REPORT

### APPLICATION DETAILS

This application has been brought before the Committee because the Parish Council have objected to it and your officers are recommending permission.

This is a full application for the demolition of an existing bungalow and construction of five dwellings at 33 Lower Westwood, Westwood. The proposal is for revised house types on a previously approved scheme, 05/00437/FUL. The buildings are currently under construction.

The bungalow had been demolished and the building works are well underway. The site is approximately 860m<sup>2</sup> in size and is bounded by residential properties to the east and west. To the north lies an area of public open space with more residential properties beyond. To the south lies Lower Westwood Road, and further residential properties. The site slopes uphill from the road towards the public open space.

This revised scheme is for a pair of semi-detached properties on the road frontage, with a terrace of three properties to the rear of the site. The semi-detached two-bedroomed houses would be constructed of natural random rubble Bath stone to the front and rear elevations, Ashlar Bath stone to the sides, and second-hand double Roman clay tiles to the roof. The terrace of three would now be three-bedroomed properties instead of the permitted two-bedroomed ones. These properties would be the same size as those permitted with rooms in the roof resulting in additional windows.

The access to the site would be off Lower Westwood Road, in the south eastern corner of the site. It would lead onto a shared car parking area, providing eight parking spaces. The scheme has not been submitted with any landscaping or sectional details.

The site lies within the Westwood village policy limit. To the south of the road lies the village's conservation area and the Western Wiltshire Green Belt.

### CONSULTATION REPLIES:

- WESTWOOD PARISH COUNCIL: "has observed that this application was for development that was now largely completed. It appeared to be an attempt to obtain permission for significant changes to the buildings that when these features were illustrated in an earlier planning application (03/01382), the planning application was refused by WWDC.

"The proposed changes significantly alter the character of the buildings by adding an additional storey, rooflights and other features. Neighbouring properties would be overlooked, further highway issues would arise there would be insufficient available space for 'on-site' car parking resulting from the increased occupancy of the dwellings.

"The Council also observed that the developer had assured the Council that the buildings were intended as 'affordable' or 'starter' homes and would be priced accordingly and that this argument had helped to persuade the Council to raise no objection - albeit by a narrow margin - to the subsequently successful planning application (05/00437). The conversion of the buildings into significantly larger properties destroys this argument."



## STATUTORY CONSULTATIONS

- HIGHWAY AUTHORITY: state 'The layout drawing submitted with the application (drawing no.405/04) is identical to that previously submitted in respect of application 05/00437. On that basis I adhere to my previous recommendations dated 30 March 2005.

"This stated ' no highway objection be raised subject to the following conditions being attached to any permission granted:-"

- provision of eight parking spaces;
- turning space provision;
- entrance visibility splays and surfacing;
- surface water drainage; and
- visibility splays.

- CHIEF EDUCATION OFFICER: has not responded

- ENVIRONMENT AGENCY: has not responded

- WESSEX WATER: states 'The development is located within a foul sewered area. It will be necessary for the developer to agree a point of connection onto the system for the satisfactory disposal of foul flows generated by the proposal. This can be agreed at the detailed design stage.

"The developer has proposed to dispose of surface water to soakaway. It is advised that your Council should be satisfied with any arrangement for the satisfactory disposal of surface water from the proposal.

"According to our records, there is a public foul sewer near the site. Please find enclosed a copy of our sewer records indicating the approximate position of the apparatus. Wessex Water normally requires a minimum, three-metre easement width on either side of its apparatus, for the purpose of maintenance and repair. Diversion or protection works may need to be agreed.

"It is further recommended that a condition or informative is placed on any consent to require the developer to protect the integrity of Wessex systems and agree prior to the commencement of works on site, any arrangements for the protection of infrastructure crossing the site. The developer must agree in writing prior to the commencement of works on site, any arrangements for the protection of our infrastructure crossing the site.

"With respect to water supply, there are water mains within the vicinity of the proposal. Again, connection can be agreed at the design stage.

"It is recommended that the developer should agree with Wessex Water, prior to the commencement of any works on site, a connection onto Wessex Water infrastructure."

## INTERNAL WWDC CONSULTATIONS

- PLANNING POLICY: conclude 'Given the 0.09ha area of the site, the proposal for five dwellings meets the requisite density standard. I have no particular comments to make about the design of the dwellings; the appearance, scale, proportions and materials of the dwellings fronting the road seem satisfactory. Comments from the highway authority should be sought on the adequacy of the access. No information is supplied on boundary treatments, landscaping or about the provision of affordable housing. However, it is understood that these issues and the access have already been addressed in a previous application which has recently been approved. Acceptable in policy terms'.

- HOUSING SERVICES: confirms "we can only treat this as a loft extension and would therefore not be seeking a commuted sum."

Additionally comment - Housing Services confirmed that as the units are already constructed, the proposal can only be treated as a loft extension and would therefore not be seeking a commuted sum.

## PUBLICITY RESPONSES

The application has been advertised with a site notice and neighbour notifications have been undertaken. No responses have been received.

## RELEVANT PLANNING POLICY

Wiltshire Structure Plan

DP1 - Priorities for sustainable development

DP3 - Development strategy

DP8 - Affordable housing

DP9 - Re-use of land and buildings

T6 - Demand management

C5 - The water environment

HE7 - Conservation areas and listed buildings

West Wiltshire District Plan

C17 - Conservation areas

C18 - New development in conservation areas

C31A - Design

C32 - Landscaping

C38 - Nuisance

H2 - Affordable housing within towns and villages

H17 - Village policy limits

C24 - New housing design

T10 - Car parking

U1A - Foul water disposal

U2 - Surface water disposal

U4 - Groundwater source protection area

SPG

Residential design guide

Affordable housing

National Guidance

PPS1 - Delivering sustainable development

PPG3 - Housing

PPG15 - Planning and the historic environment

Circular 6/98 - Planning and affordable housing

## RELEVANT PLANNING HISTORY

88/00438/FUL - Erection of detached house - Permission 07.06.88

90/00378/FUL - Erection of detached bungalow - Permission 24.04.90

03/01382/FUL - Six 2-bedroomed new dwellings and demolition of existing bungalow - Refused 13.11.03 - Appeal dismissed 01.09.04

05/00437/FUL - Demolition of existing bungalow and construction of five 2-bedroom dwellings - Permission 02.06.2005.

## KEY PLANNING ISSUES

This application raises the following planning matters:-

- principle of development and planning history;
- affordable housing;
- impact on the setting of the conservation area;
- parking and highways matters;
- amenity; and
- the water environment.

## PLANNING OFFICER COMMENTS

This application is a revised house types one for five dwellings at 33 Lower Westwood, Westwood. Consequently the previous permission 05/00437/FUL, established the principle of five units on the site. At this time, the proposal was considered acceptable in terms of density (ie approximately 55 dwellings per hectare) and in terms of siting and design. The current application has changed materials on the semi-detached units to the front of the site, and has proposed a terrace of three 3-bedroomed houses, instead of three 2-bedroomed ones.

The change of materials raises no objection in terms of impact on the conservation area and its setting and the street scene. The use of natural stone, both random rubble and Ashlar is considered acceptable and in accordance with policy. Subject to materials conditions, therefore, no objection is raised to this aspect of the scheme.

As regards the extra bedrooms in the terrace of three, the proposal has resulted in additional windows to allow rooms in the roof. The Parish Council has objected to this, as they consider that there will be overlooking of neighbours. The amenity of neighbouring residents is not materially impacted on over and above the previous permission, as this proposal is for rooms in the roof-space. However, a condition has been suggested removing permitted development rights so as to control any future addition of windows.

The Parish Council has also objected to the houses being no longer affordable. Proposals for housing within village policy limits require an affordable housing contribution of up to 50% under the requirements of Policy H2 of the West Wiltshire District Plan - 1st Alteration. The applicant undertook an 'open book' procedure with the previous permission, and it demonstrated to the Housing Services Section that the provision of affordable housing was not viable on the site. The Housing Services Section have not requested an affordable housing contribution to this scheme in view of an additional bedroom being in the loft space. Consequently no contribution is required, and the views of the Parish Council cannot be supported.

The Parish Council has also objected to the proposal generating increased on-street car parking. The Highway Authority has raised no objection to the access and parking proposals, subject to conditions being attached concerning parking provision, visibility splays, surfacing and surface water arrangements. Consequently, subject to the suggested conditions being attached, the views of the Parish Council cannot be supported.

Wessex Water have required details of protection and connection onto their apparatus and this has been attached as an informative.

## CONCLUSION

The principle of the development was established with the previous permission in 2005. The current proposal is considered acceptable subject to the suggested conditions.

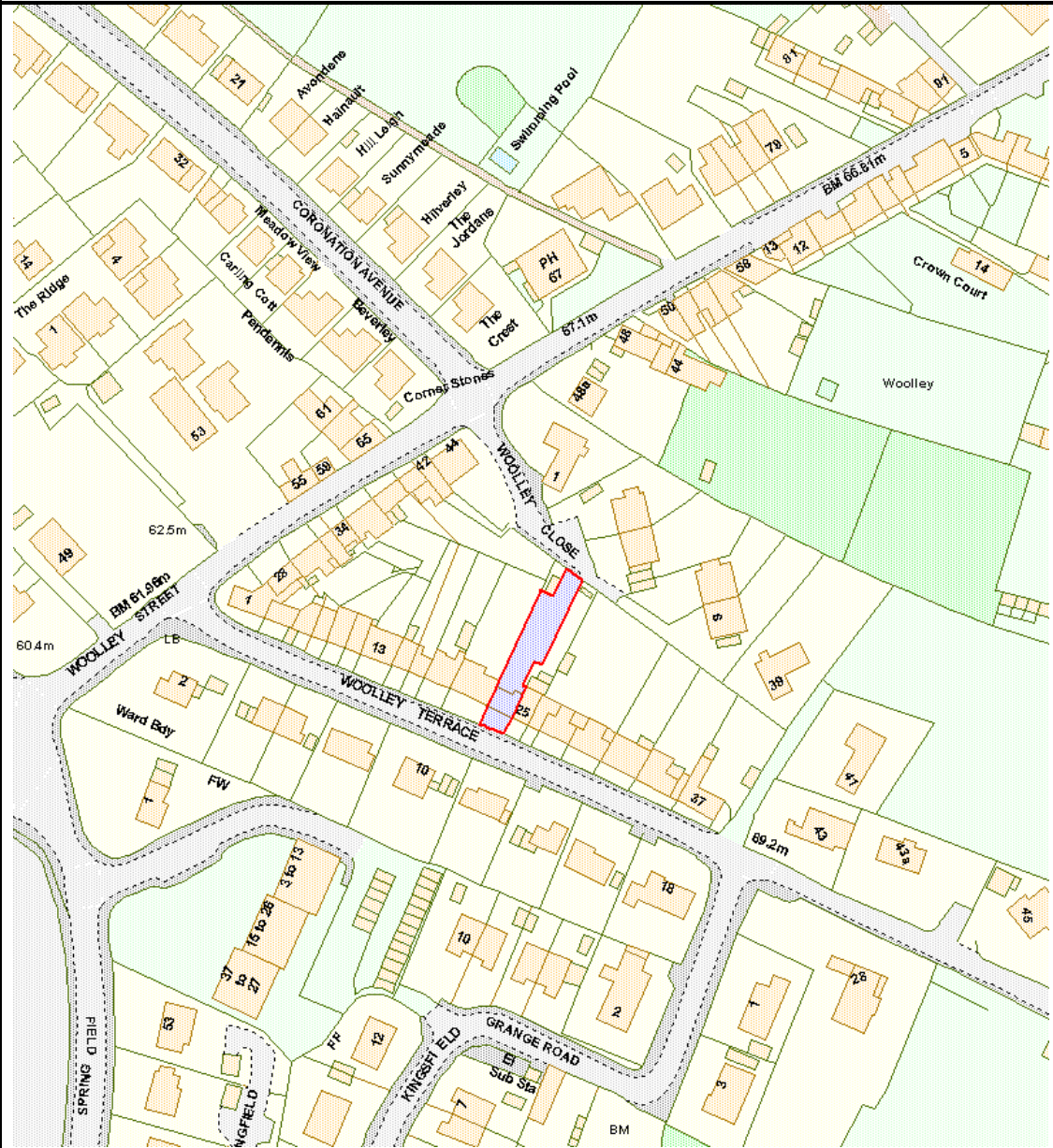
# PLANNING COMMITTEE

22 June 2006

ITEM NO: 08

APPLICATION NO: 06/01372/FUL

LOCATION: 23 Woolley Terrace Bradford On Avon Wiltshire BA15 1AY



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[www.westwiltshire.gov.uk](http://www.westwiltshire.gov.uk)

SLA: 100022961

**08 Application: 06/01372/FUL**

**Site Address: 23 Woolley Terrace Bradford On Avon Wiltshire BA15 1AY**

Parish: Bradford On Avon Ward: Bradford On Avon North

Grid Reference 383323 161159

Application Type: Full Plan

Development: Ground & first floor extensions & velux roof windows in rear roof slope - vehicle access & parking off Woolley Close

Applicant Details: Mrs F J Johnston  
23 Woolley Terrace Bradford On Avon Wiltshire BA15 1AY

Agent Details: Mr Alan Barnes  
Yew Tree Cottage 5 Church Street Norton St Philip Bath BA2 7LU

Case Officer: Mr David Cox

Date Received: 02.05.2006 Expiry Date: 27.06.2006

**REASON(S) FOR PERMISSION:**

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

**RECOMMENDATION: Permission**

**Condition(s):**

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

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

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

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

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

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

REASON: In the interests of amenity and privacy.

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

- |   |   |
|---|---|
| 4 | The proposed access shall incorporate splays on both its sides to the rear of the existing footway based on co-ordinates of 2.4m x 2.4 m and which shall be kept free of obstruction above a height of 600mm.<br><br>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.<br><br>REASON: In the Interests of Highway Safety  |
| 6 | The first 5 metres of the driveway 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.<br><br>REASON: In the interests of Highway Safety |

## COMMITTEE REPORT

### APPLICATION DETAILS

This application is brought to committee because Bradford on Avon Town Council object and your officers recommend granting planning permission.

This is an application for full planning permission for a ground and first floor rear extension with velux rooflights and new access and parking off Woolley Close at 23 Woolley Terrace, Bradford on Avon. The site is within the Bradford No 2 Conservation Area.

The host building is built with natural stone blocks under a brown concrete tiled roof. It also has a single storey rear section built with random stone blocks and has a grey slate roof. The slate roof matches that used on the roofs of the adjoining properties. Both No 21 and No 25 are located either side of the host building have 2 storey rear extensions with mono pitched roofs. Both properties also have velux rooflights on their rear elevations.

The dwellings of this terrace each have deep gardens that back on to the access road that serves Woolley Close.

The proposals include adding a first floor on the existing single storey rear section. It would have a gable end and be set down approximately 1.2 metres from the ridge of the main roof. It would be built using natural stone and have window detailing to match the existing windows. This includes the stone mullions and white glazing bars. The proposal would also include the insertion of a en-suite bathroom window (also using the white glazing bar detailing) to serve an en-suite bathroom.

Attached on to the rear extension would be a new single storey section with a mono-pitched roof, which would re-use the slates from the previous single storey section. The velux rooflights would be inserted on the slope of the main roof.

The driveway would be located at the rear of the deep garden alongside a detached garage belonging to No 21.

## CONSULTATION REPLIES:

### BRADFORD ON AVON TOWN COUNCIL

Object because "The roof pitch to the rear gable extension is too low and resulting proportions are poor. The pitch of the roof should be increased to the ridge height of the original host building. Also the new windows to the main building are utilitarian and should be more in keeping with the original character of the house. The proposal is therefore contrary to Policy C18. The Town Council has no objection to the car parking off Woolley Close."

## STATUTORY CONSULTATIONS:

### HIGHWAY AUTHORITY

No objection subject to conditions.

### PUBLICITY RESPONSES

Neighbours were notified of the proposal by letter and site notice. One letter of objection was received from the owner of No 21 Woolley Terrace.

- The plans do not properly show all the adjacent building lines and it is not clear how it is intended to construct the extension and whether it is to be joined to adjacent buildings.
- It appears that it is intended that the west wall of the garden room should either replace or be formed from my masonry wall on the boundary. This would not be acceptable.
- It also appears that it is intended that the 1st floor extension would cross onto my property to link with my 1st floor extension, which was built shire of the boundary. This would not be acceptable without further details and my agreement.

## PLANNING POLICY

West Wiltshire District Plan 1st Alteration 2004

C17 - Conservation Areas

C18 - New Development in Conservation Areas

C31a - Design

C38 - Nuisance

SPG - House Alterations and Extensions

PPG 15 - Planning and the Historic Environment

## RELEVANT PLANNING HISTORY

None

## KEY PLANNING ISSUES

The key issues in the determination of this application are whether the proposal complies with development plan policy and whether there are any material considerations to outweigh the policy.

## PLANNING OFFICER COMMENTS

PPG 15 and Section 72 of the Planning (Listed Building and Conservation Area) Act 1990 states that local planning authorities have a duty to pay special attention to the desirability of preserving and enhancing the character or appearance of the conservation area. This is emphasised by Policies C17 and C18 of the Local Plan.

The retention of the stone mullions and the white glazing bars detailing would preserve the character of the host building. The use of matching stone and the reusing the existing slates on the new single storey roof would also assist in preserving and enhancing this part of the Conservation Area. The roof slate roof for the main section of the host building would also preserve the character and appearance of the host building by matching those used on adjacent dwellings.

The objection of the Town Council cannot be supported. This is because SPG states that an extension should be a subservient element to the host building and not upset the symmetry of the building as a whole whilst also stating that any extension should respect the host building and its setting in the street scene. The proposed ridge would be set well down from the ridge of the main roof it would therefore be a subservient addition to the host building that would not detract from the character and appearance of the host building or the Conservation Area. In order to be subservient, as the SPG suggests, the pitch of the roof is in some circumstances going to have to be shallow. However, in this case it is not considered that the pitch is too shallow as to represent an unsympathetic or inappropriate addition to the host building.

The Town Council's objection to the windows are also not supported. The windows on the first floor would re-use the existing windows and the additional en-suite bathroom window would also match its detailing. The ground floor windows would be clear glazed but this is what is currently exists on the ground floor of the host building and on the ground floors of the adjoining buildings (No 21) and No25. Therefore no harm to the conservation area would be caused.

The two-storey rear extension would not cause any overshadowing or overlooking of neighbouring amenity. This is because the two-storey element will not project beyond the rear wall of the 2-storey rear section of the neighbouring dwelling No 21. The windows of the extension would look out onto the properties own rear garden and to overlook either neighbouring rear garden would mean having to look at an obscure angle. To refuse for this reason would be unreasonable.

The parking area and new access drive raises no planning objection as a number of properties have access off Woolley Close. The Highway Authority has raised no objection.

The issues raised by the neighbour are civil matters and not material planning considerations.

## CONCLUSION

For the above reasons the application should be granted planning permission.





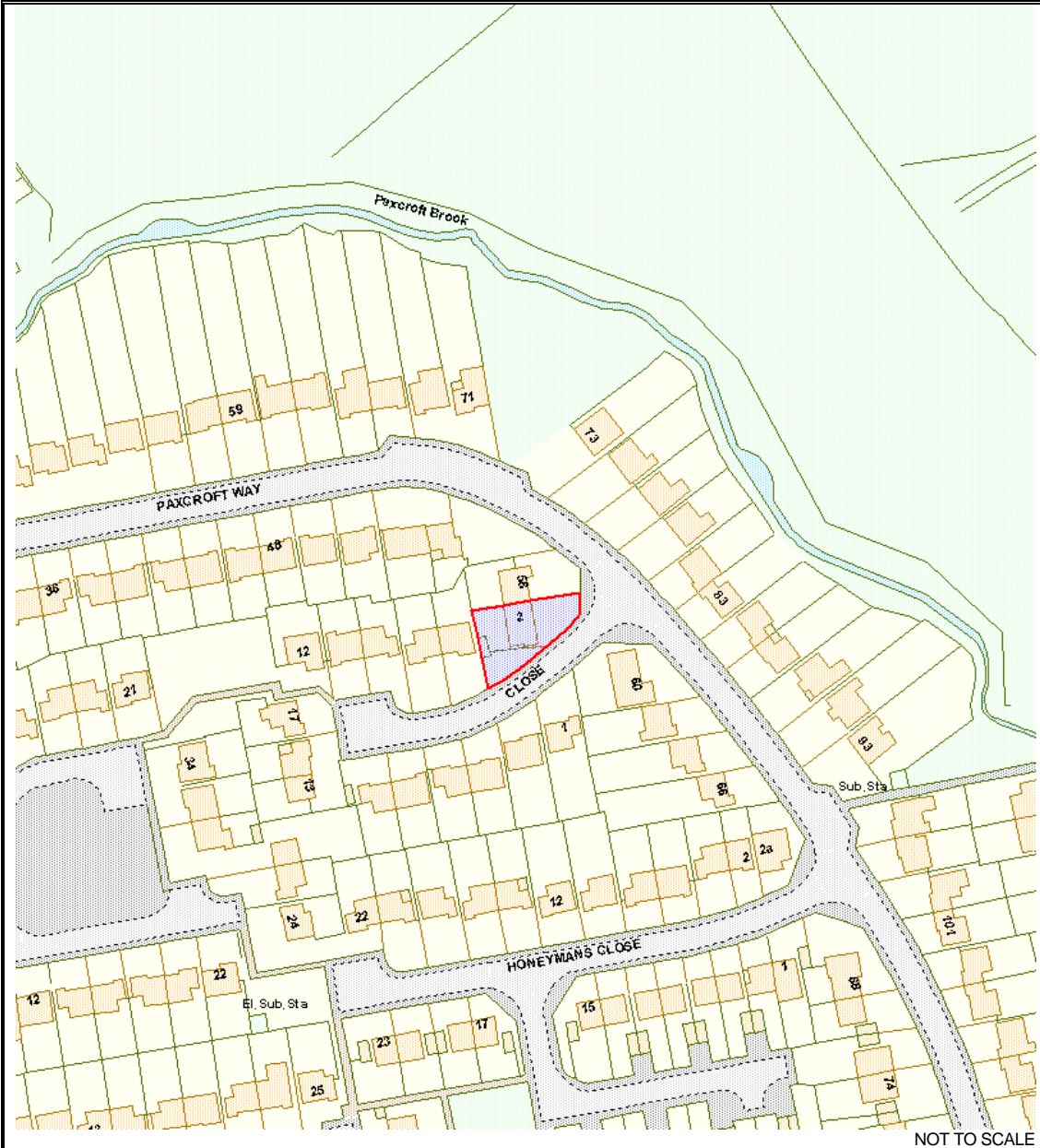
**PLANNING COMMITTEE** **22 June 2006**

**22 June 2006**

**ITEM NO: 09**

**APPLICATION NO: 06/01174/FUL**

**LOCATION:** 2 Smithywell Close Trowbridge Wiltshire BA14 7DP



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SLA: 100022961

**09 Application: 06/01174/FUL**

**Site Address: 2 Smithywell Close Trowbridge Wiltshire BA14 7DP**

Parish: Trowbridge Ward: Park

Grid Reference 386766 157932

Application Type: Full Plan

Development: Conversion of single dwelling to form two separate dwellings

Applicant Details: DS Windows  
21 Whitehays South West Wilts Trading Estate Westbury BA13 4JT

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

Case Officer: Mr James Taylor

Date Received: 12.04.2006 Expiry Date: 07.06.2006

**REASON(S) FOR PERMISSION:**

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

REASON: In the interests of highway safety.

- 3 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.

- 4 The area allocated for parking on the submitted plans 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.

- 5 The proposed access shall incorporate splays on both its sides to the rear of the existing footway based on co-ordinates of 2.4 metres by 2.4 metres and which shall be kept free of obstruction above a height of 600mm.
- REASON: In the interests of Highway safety.
- 6 The existing garage shall be demolished in accordance with the submitted plans before the development hereby permitted is first occupied.
- REASON: In the interests of amenity, highway safety and the street scene.
- 7 The area allocated for parking and the extension of the dropped kerb shall be completed in accordance with the plans hereby permitted prior to the first occupation of the development.
- REASON: In the interests of amenity and Highway safety.
- 8 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.
- 9 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.
- 10 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 to E 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 the Planning Committee because Trowbridge Town Council objects to the application and Officers recommend permission.

The proposal is for the conversion of an existing dwelling into 2 units, a three-bedroom property and a one-bedroom property. Each dwelling would have ground and first floor accommodation, together with 2 allocated parking spaces, and front and rear garden areas.

It is not proposed to create any additional built form, and a detached garage would be demolished to the rear. The parking provision would be to the side of the dwelling on an existing hard standing with access as existing onto Smithywell Close.

The existing dwelling is half of a semi-detached pair on a spacious corner plot in a residential cul-de-sac.

It gained planning permission for a first floor side extension flush with the front elevation in 1987, so that the semi-detached pair has lost its symmetrical appearance. The dwelling is constructed from buff brick with concrete tiles to the roof.

It has a flat roof detached double garage to the rear with hard standing to the side of the dwelling. A 1.5 metre high fence encloses the rear garden and a 2.5 metre high conifer hedge encloses the front garden.

2 Smithywell Close forms part of a residential area within the built up area of Trowbridge.

#### CONSULTATION REPLIES:

##### TROWBRIDGE TOWN COUNCIL

Objects as it would be inappropriate and out of keeping with local area.

##### STATUTORY CONSULTTEES

##### HIGHWAY AUTHORITY

No objection subject to conditions.

##### WESSEX WATER

No objection.

##### PUBLICITY RESPONSES

Neighbours were notified.

One letter received, making no objection in principle, but requesting conditions are imposed to ensure the parking is executed as indicated prior to occupation of the two dwellings.

#### RELEVANT PLANNING POLICY

West Wiltshire District Plan 1st Alteration (2004)

- C31a Design
- C32 Landscaping
- C38 Nuisance
- H1 Further Housing Development Within Towns
- H16 Flat Conversions
- T10 Car Parking

SPG Supplementary Planning Guidance on House Alterations and Extensions

PPS1 Delivering Sustainable Development

PPG3 Housing

#### RELEVANT PLANNING HISTORY

87/00110/FUL - First floor extension at 2 Smithywell Close - Permission - 24/03/1987.

#### KEY PLANNING ISSUES

The main issues to consider regarding this development are the potential impact on the neighbouring amenity, highway safety and the character of the area and the existing building.

## PLANNING OFFICER COMMENTS

Local planning authorities are encouraged to make efficient use of land, and PPG3 recommends densities of between 30-50 dwellings per hectare and a greater intensity of development in accessible locations.

The existing site density equates to approximately 26 dwellings per hectare, below the government's guidelines. The proposals would increase this to approximately 52 dwellings per hectare, only nominally above the government guidance.

The area is characterised by a moderate density, with this plot being one of the most spacious in the area due to its corner position. As the existing density is below the government guidance, then an intensification of this should be encouraged in principle, as it would be a more sustainable urban form. It should also be noted that the proposal does not add any volume to the existing building. Indeed in this instance there would actually be a reduced built form on site with the removal of the existing detached garage. Both properties would have car parking provision and front and rear amenity areas of a modest but reasonable size compared to that of neighbouring properties. As such it is considered that the proposed density of the arrangement would cause no harm to the character of the area.

The proposal would result in one 3-bedroom family home and a one bedroom property of modest proportions. This would result in a greater mix of size and type of housing consistent with Government Guidance. There would be no extensions to the built form, and the only change to the outward appearance of the building would be the addition of a front door.

The area is characterised by residential development forming predominantly open frontages. The proposal would be in keeping with the character of the area.

The proposal has been modified to incorporate 2 allocated parking spaces per dwelling in accordance with the Highway Authority's request. It is considered that 2 parking spaces for both dwellings is more than adequate in this location, which is reasonably close to local facilities. The location of the parking provision is on an area that is currently hard standing, with access to the highway via a dropped kerb onto an unclassified road. It is only proposed to formalise this arrangement and extend the dropped kerb. This arrangement is typical in this cul-de-sac, with many front gardens completely covered by hard surfacing for parking. The Highway Authority raises no objection to the proposal subject to conditions.

Wessex Water raises no objection.

The proposal would have no impact on the neighbouring amenity, or the amenity of future occupiers as there is currently no overlooking and this arrangement is unaltered. No increase in volume is proposed, but it is considered prudent to restrict permitted development rights of the property so that the Council maintains control of any future extensions. This would ensure that neighbouring amenity and the street scene are protected.

## CONCLUSION

The proposal is in accordance government guidance, and Council policy and there are no planning objections.





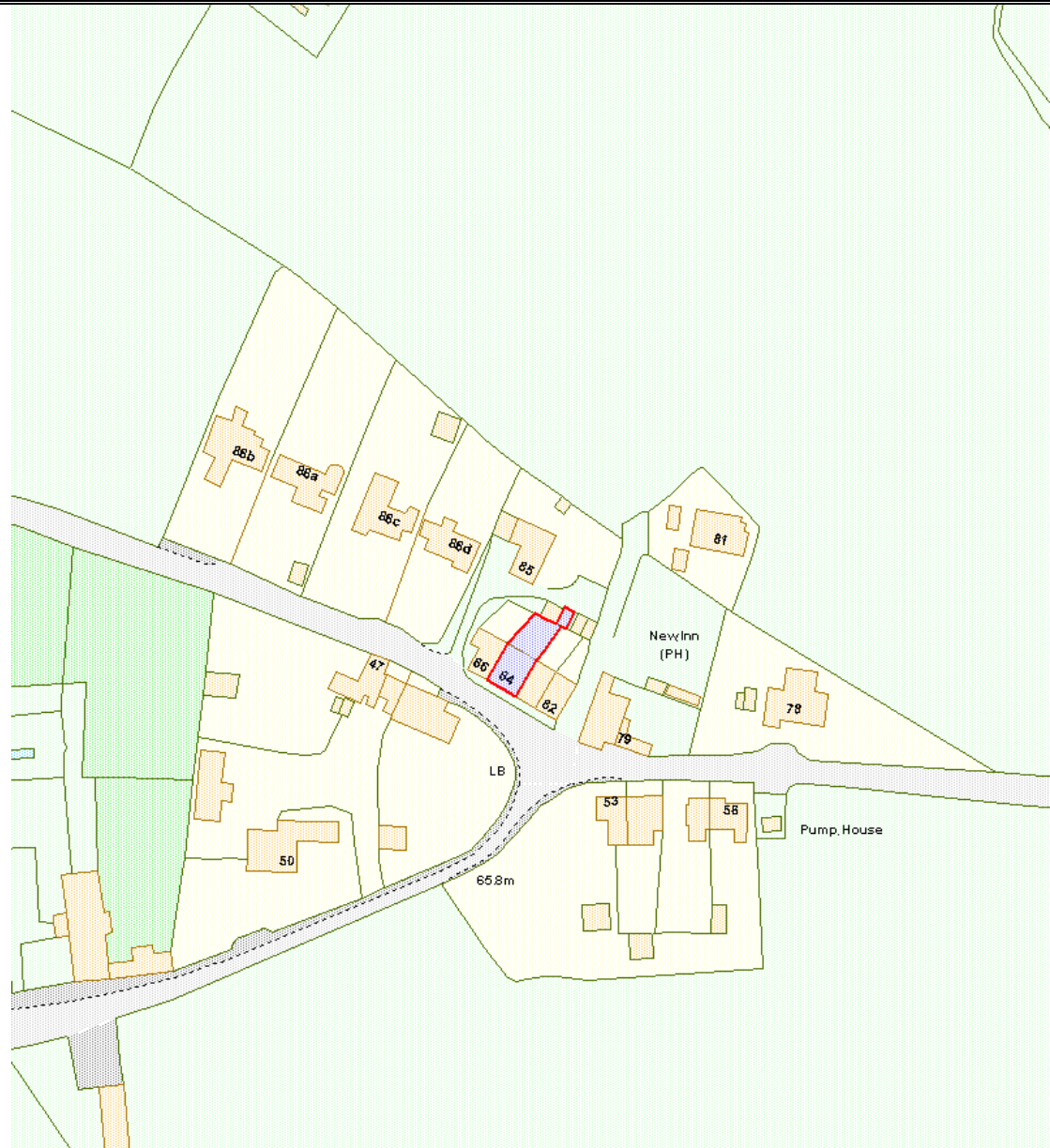
# PLANNING COMMITTEE

22 June 2006

ITEM NO: 10

APPLICATION NO: 06/00560/FUL

LOCATION: 84 Lower Westwood Westwood Wiltshire BA15 2AG



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SLA: 100022961



**10 Application: 06/00560/FUL**

**Site Address: 84 Lower Westwood Westwood Wiltshire BA15 2AG**

Parish: Westwood

Ward: Manor Vale

Grid Reference 381388 159085

Application Type: Full Plan

Development: First floor rear extension

Applicant Details: Mr And Mrs Sanders  
84 Lower Westwood Westwood Wiltshire BA15 2AG

Agent Details: Mrs E Welch  
98 The Common Broughton Gifford Melksham Wilts

Case Officer: Mr Russell Brown

Date Received: 17.02.2006

Expiry Date: 14.04.2006

**REASON(S) FOR PERMISSION:**

**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 roof tiles and the render to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

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

- 3 A sample wall panel, not less than 1 metre square, shall first be constructed on site and approved by the Local Planning Authority before construction proceeds. The panel shall then be left in position for comparison while the development is carried out. The development shall be carried out in accordance with the approved sample.

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

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

- 4 Details of the new external window including any glazing, at a scale of not less than 1:20, and sections through all frames, glazing bars and opening mechanisms, at a scale of not less than 1 :2, shall be submitted to and approved by the Local Planning Authority prior to their installation in the building. The works shall then only be carried out strictly in accordance with those approved details.

REASON: To protect and preserve the character of the listed building.

POLICY: West Wiltshire District Plan - 1st Alteration - Policies C27 & C28.

- 5 Details of all new or replacement rainwater goods, which shall be of cast iron or cast aluminium construction and finished in black, shall be submitted to and approved by the Local Planning Authority prior to their installation in the building. The works shall then only be carried out strictly in accordance with those approved details.

REASON: To ensure that the character and appearance of the listed building is conserved.

POLICY: West Wiltshire District Plan - 1st Alteration - Policies C27 & C28.

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

This application has been brought to the Planning Committee as the Parish Council object and Officers are recommending permission.

This is a full planning application for a first floor rear extension to this mid-terrace Grade II listed building in Lower Westwood. The building is constructed in coursed rubble stone and double roman roof tiles.

The whole terrace is listed Grade II. The property is mid-terrace between properties that have been substantially extended including a two storey rear gable extension to No. 86 and a raised first and second floor mansard extension to No. 83. The western neighbouring property, No. 86, is at a raised ground level.

No. 84 itself has a single storey flat roof extension that projects 2.6 metres into the rear garden. The extension is located in the centre of the property, 2 metres away from each of the side boundaries. This extension is built in Bradstone blocks.

The proposal would extend over this single storey extension, keeping to the same footprint and creating a rear facing gable in matching roof tiles 1 metre below the ridge height of the main roof, which in itself 1.5 metres below the ridge height of the neighbouring property, No. 86.

The application has been revised to show that the proposal would be finished in lime render and that the existing single storey Bradstone element would also be finished in a lime render.

The site is within a Conservation Area but the rear of the property cannot be readily viewed from a public viewpoint.

The Parish Council have not objected to the parallel listed building consent application and that has therefore not been brought to the Planning Committee.

### **CONSULTATION REPLIES**

#### **WESTWOOD PARISH COUNCIL**

Objection - would deprive the neighbouring property of natural light

## STATUTORY CONSULTTEES

N/A

## INTERNAL WWDC CONSULTTEES

N/A

## NON-STATUTORY CONSULTTEES

## PUBLICITY

The application has been advertised and a site notice attached to the site. Neighbour notifications have also been undertaken. One letter has been received, making the following points:

- Raising the extension by another storey and creating internal access at first floor level would remove historic fabric and further obscure the external elevation.
- The materials would match the late-20th Century single storey extension which would be out of character with the fabric of the listed building.
- It would result in loss of light particularly during the 4 winter months.
- No. 86 is at a higher level and not affected by the lower part of the proposal, but the roofline would have an effect.
- The parking of worker's vehicles during construction would cause harm to highway safety.
- The garage shown on the block plan does not belong to the applicants.

## PLANNING POLICY

West Wiltshire District Plan 1st Alteration 2004

C17 - Conservation Areas

C27 - Listed Buildings

C28 - Alterations to Listed Buildings

C31a - Design

C38 - Nuisance

SPG - Planning Design Guidance: House Extensions and Alterations

PPS1 - Delivering Sustainable Development (Jan 2005)

Planning System - General Principles (Jan 2005)

PPG15 - Planning and the Historic Environment

## RELEVANT PLANNING HISTORY

06/00568/LBC - First floor extension to rear and demolition of wall dividing kitchen and dining room - Pending decision

## KEY PLANNING CONSIDERATIONS

The key issue in this application is the impact of the proposal on the character of the listed building, the impact on the special character and appearance of the Conservation Area and the impact on neighbouring amenities.

## PLANNING OFFICER'S COMMENTS

The extension would remove the small uPVC window over the existing single storey extension and would remove also the flat roof element from the rear of the property. These are considered to be improvements to the appearance of the rear of the building.

The form and design of the proposed rear facing gable would be in keeping with the property as it would be a shallow pitch similar to the main roof, but would be set much lower than the main roof. In principle therefore, the proposed extension would not appear as subservient and would significantly harm the character of the listed building.

With regard to the materials, the existing single storey extension is built in a Bradstone block. This is not a traditional material and detracts from the original building. The proposed extension would be finished in lime render which would be in keeping with the stonework of the main building as it is a complementary natural material. The additional benefit is that the lime render would be continued over the existing Bradstone blocks of the single storey extension, thereby improving the appearance of the whole of the rear of the property.

The rear of the property cannot be readily viewed from a public viewpoint within the Conservation Area. Consequently, the special character and appearance of the Conservation Area would not be harmed.

In terms of the impact on neighbouring amenities, the proposed extension would be built 2 metres from each boundary with the side neighbours and would only project 2.6 metres from the rear of the main rear building line. A 45 degree line drawn from the middle of the neighbouring window, as detailed in the Council's SPG - Planning Design Guidance: House Extensions and Alterations, would not be interrupted by this extension due to its small projection and location away from the boundaries of the site. In addition, the neighbouring property No. 86 is at a higher ground level than the application property further mitigating any impact on that property. Consequently, the proposed extension would not result in any significant overshadowing effect and would cause no detrimental loss of light. The extension would not therefore harm neighbouring amenities.

The red line plan has been amended to show the correct site area. Potential disruption caused during the building works is not a material planning consideration that can be taken into account in the determination of this application. The nature of such works are temporary and any statutory nuisance can be controlled by other legislation.

## CONCLUSION

The proposed extension would enhance the character of the listed building and would not significantly harm neighbouring amenities or the special character and appearance of the Conservation Area.



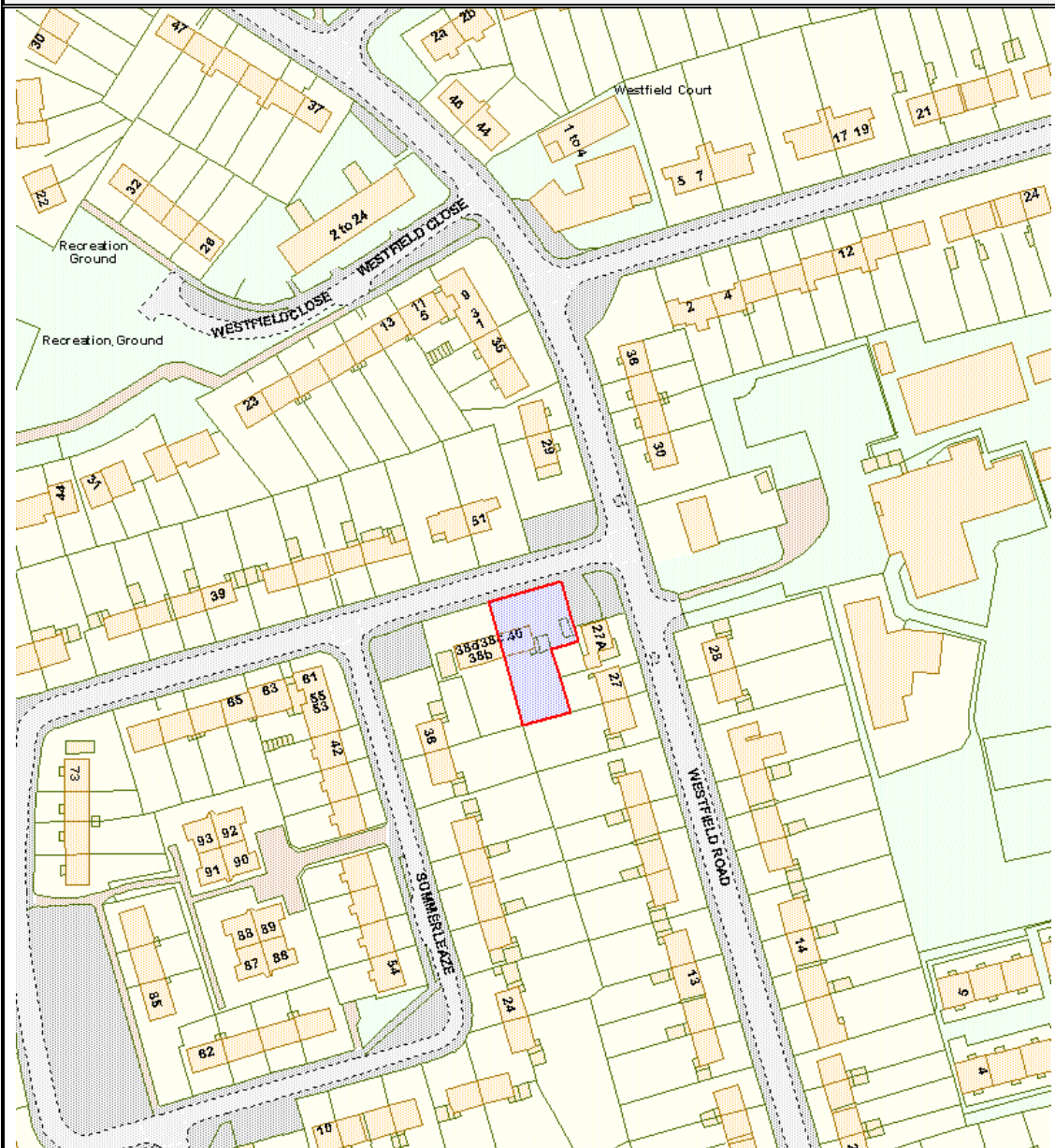
# PLANNING COMMITTEE

22 June 2006

ITEM NO: 11

APPLICATION NO: 06/01436/FUL

LOCATION: 40 Summerleaze Trowbridge Wiltshire BA14 9HZ



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SLA: 100022961

**11 Application: 06/01436/FUL**

**Site Address: 40 Summerleaze Trowbridge Wiltshire BA14 9HZ**

Parish: Trowbridge Ward: John Of Gaunt

Grid Reference 384188 156907

Application Type: Full Plan

Development: Conversion/extension to dwelling to form four flats

Applicant Details: Mr P Morris  
11 Manton Close Trowbridge Wiltshire BA14 0RZ

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

Case Officer: Mr Mark Reynolds

Date Received: 05.05.2006 Expiry Date: 30.06.2006

**REASON(S) FOR PERMISSION:**

**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 The windows at first floor level in the south elevation of the extension hereby permitted 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.

- 4 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, or any order revoking and re-enacting that Order with or without modification, no windows or doors, other than those hereby approved, shall be added to the south elevation of the development hereby permitted.
- REASON: In the interests of amenity and privacy.
- POLICY: West Wiltshire District Plan - 1st Alteration - Policy C38.
- 5 The development hereby permitted shall not be occupied until 6 parking spaces have been provided within the curtilage of the site.
- REASON: In the interests of highway safety.
- 6 Before the development is occupied, the parking spaces shall be properly consolidated and 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.
- 7 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.
- 8 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.
- 9 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.
- 10 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.
- 11 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.

- 12 The development hereby permitted shall not be commenced until surface water drainage works have been carried out and completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

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

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

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

This application is brought to planning committee because Trowbridge Town Council objects to the application and Officers recommend permission.

This is a full planning application for the conversion and extension of an existing dwelling to form four flats. The existing dwelling No.40 is to be converted into two flats and an extension would be attached to No.40 which would create a further two flats. A central staircase would be installed to gain access to each of the flats. The application site measures 539 sq.m. It is proposed that parking would be at the front of the dwellings and six car parking spaces would be provided. An existing garage and single storey extension would be demolished as part of this proposal. The proposed extension to the building would measure 10m in width, 6m in depth with a projecting gable at the front increasing the depth to 7.2m. The proposed extension to the building would be 7.5m in height to ridge level matching the height of the host dwelling. The garden area would be split into four separate parcels.

The existing property forms part of what was previously a semi-detached pair but is now a terrace of properties occupying a corner plot at a road junction within this post war residential estate.

### **CONSULTATION REPLIES**

#### **TROWBRIDGE TOWN COUNCIL**

'Object on the grounds that it affects the street scene and the character of the area and lowers the quality of the housing stock'.

#### **STATUTORY CONSULTEES**

##### **HIGHWAY AUTHORITY**

No objections subject to conditions

##### **WESSEX WATER**

No objections

#### **PUBLICITY RESPONSES**

The proposal was advertised by letters to the neighbouring properties no comments were however received

## PLANNING POLICY

Wiltshire Structure Plan 2016

DP7     Housing in towns and main settlements

T5       Parking

West Wiltshire District Plan 1st Alteration (2004)

H1 - Further Housing Development within Towns

H16 - Flat conversion

H24 - New housing design

C31a - Design

C32 - Landscaping

C38 - Nuisance

T10 - Car parking

PPS 1 - Delivering Sustainable Development

PPG 3 - Housing

## RELEVANT PLANNING HISTORY

None on the site however the adjoining property No.38 was granted planning permission which has been implemented for a two storey extension to and conversion of the building to form four flats - Ref: 04/00520/FUL - Permission 3.6.04

## KEY PLANNING ISSUES

The issues to consider in this case are policy issues, car parking, neighbouring amenity, design and planning history.

## PLANNING OFFICER COMMENTS

In this case the planning history of the adjoining site is a material planning consideration. The adjoining property was granted planning permission Ref: 04/00520/FUL and has extended in a very similar format to that proposed here to create four flats.

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. The most recent Housing Needs survey highlighted the requirement for smaller dwelling units in West Wiltshire to meet identified needs, and in principle therefore, there is no general objection to such proposals.

Policy H16 of the adopted District Plan permits the conversion of properties into flats providing that they do not result in the over intensive sub-division of properties, are not detrimental to the appearance of the building or the character of the area, have adequate parking provision and amenity space, and are otherwise not detrimental to the amenity of the neighbouring residents.

With reference to these particular criteria, the following are considered relevant:-

- The character of the surrounding area is mostly that of semi-detached and terraced properties in a comparatively low density pattern of development. However it should be noted that planning application 04/00520/FUL was permitted for a very similar proposal for an extension and conversion to four flats at Land adjoining 38 Summerleaze which is adjacent to the application site. Further planning permission was granted for a similar development involving the extension and conversion of an existing dwelling into four flats. at 49 Summerleaze on the opposite side of the road. The current proposal would result in a density of 74 dwellings per hectare which would represent an efficient use of land. Given the planning history of these adjacent sites the proposal is not considered to harm the character of the surrounding area.

- The proposed 2-bedroomed units are a comfortable conversion of the existing, and although an extension is incorporated as part of the overall proposal, the existing dwelling is capable of conversion into self contained units.

- The principle of an extension, although large, is not unacceptable in this particular situation where the side garden is large measuring in excess of 11m in width.

- The position of this particular property in relation to the corner makes for a potentially difficult arrangement with regard to overlooking of rear gardens along the return frontage. This has been addressed by first floor windows in the "extension" being high level and obscurely glazed to retain a degree privacy to existing residents.

- The proposed layout of the flats within the existing property will retain bedroom accommodation against the party wall to reduce noise and maintain existing amenities.

- The proposed extension does not conform with the principles of the recently adopted design guide in that it is certainly not subservient to the host building, it is not set back from the frontage. However, in terms of design, the development reads more as an extension to the existing terrace mirroring the form of the rest of the terrace and a subservient extension in this position would appear incongruous.

- Car parking has been provided in the front garden. In an area where there is on-street parking, the provision of 1.5 spaces per dwelling is not unacceptable and while the visual loss of a traditional front garden to parking is not to be welcomed, it is a pattern of development which exists elsewhere. Additionally the Highway Authority has raised no objection on parking grounds.

- It is acknowledged that the sub-division of the rear garden into 4 separate areas will result in an intensification not obviously characteristic of the area. However in the current development climate, garden size is increasingly less of a planning issue and certainly could not be used as a reason for refusal in the event that all other factors were considered acceptable.

The Town Council have raised concerns that the proposal would lower the quality of the housing stock in the area. Whilst this concern is noted the current proposal would act to increase the volume and range of housing stock within the Studley Green area and it is considered that this proposal would increase the quality and variety of the housing stock. The Town Council also object on the grounds that it would affect the character of the area and the street scene. The proposed extension would however mimic the extension at No.38 and the proposal is considered to be in keeping with the area.

## CONCLUSION

The proposal accords with the development plan and no planning objections are raised.