

# PLANNING COMMITTEE

3 AUGUST 2006

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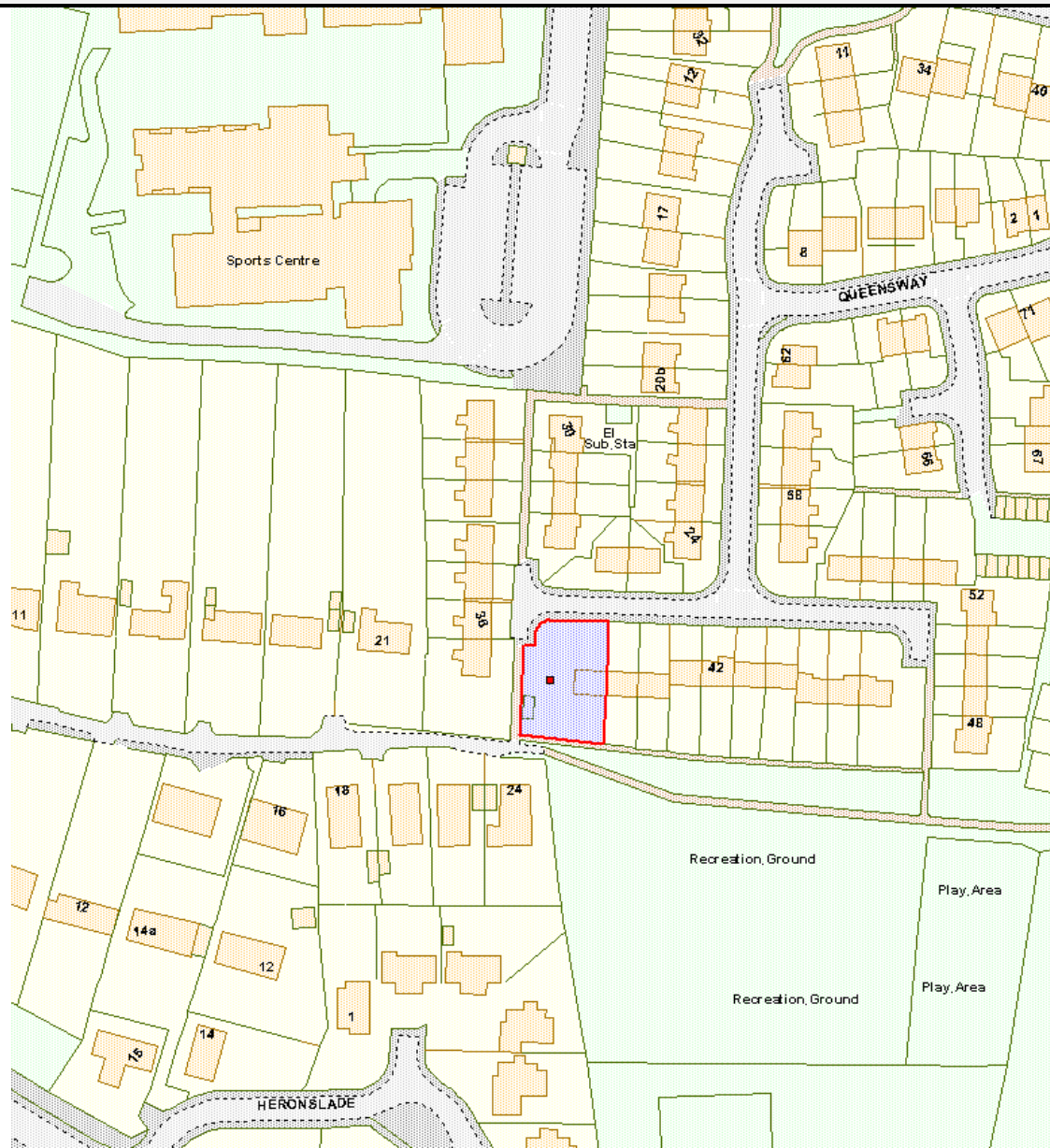
# PLANNING COMMITTEE

3 August 2006

ITEM NO: 01

APPLICATION NO: 06/01216/FUL

LOCATION: Land Adjacent 38 Queensway Warminster Wiltshire



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SLA: 100022961

**01 Application: 06/01216/FUL**

**Site Address: Land Adjacent 38 Queensway Warminster Wiltshire**

Parish: Warminster Ward: Warminster East

Grid Reference 388768 144561

Application Type: Full Plan

Development: Conversion/extension of existing end terrace dwelling to form two flats and two 2 bed dwellings

Applicant Details: D S Windows  
21 Whitehays South West Wilts Trading Estate Westbury Wiltshire  
BA13 4JT

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

Case Officer: Mr Mark Reynolds

Date Received: 18.04.2006 Expiry Date: 13.06.2006

**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 proposed access shall incorporate splays on both its sides to the rear of the existing footway based on co-ordinates of 2.4m x 2.4m and which shall be kept free of obstruction above a height of 600mm.

REASON: In the interests of highway safety.

- 4 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.

REASON: In the interests of highway safety.

- 5 Before the development is first used, provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway.
- REASON: In the interests of highway safety.
- 6 The parking spaces shown on the approved plan shall be provided concurrently with the development to which they relate. The area allocated for parking 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: 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.
- 7 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.
- 8 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.
- 9 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- REASON: To ensure the appearance of the development is satisfactory.
- POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C32.

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

This application was brought to the Planning Committee on the 13th July where members deferred the application for a site visit at 3pm on the 3rd August 2006.

This is a full planning application for the conversion and extension of an end of terrace dwelling to create two 2-bed flats and two 2-bed dwellings.

The existing building is currently a single 3-bed dwelling forming 38 Queensway, Warminster. The application site is located within a residential street of Warminster and the site itself would comprise 0.058 Ha. It is proposed that parking would be at the front of the dwelling and that eight car parking spaces would be provided. An existing flat roofed detached garage would be demolished as part of this proposal. The proposed extension would measure 10m in width by 6m in depth and it would stand 7m in height to ridge level.

This is a revised proposal following the refusal to grant planning permission for conversion and extension to provide five flats Ref: 06/00481/FUL. The revised proposal steps back the attached extension from the building frontage by 2m and two large front extensions previously proposed have been omitted with three modest porches included instead.

#### CONSULTATION REPLIES:

- WARMINSTER TOWN COUNCIL: Comment that the application should be refused on the following grounds:
  - Overdevelopment of the site;
  - Would have an adverse impact on neighbouring properties;
  - Lack of privacy from overlooking windows;
  - Road safety for children to and from school and playing in the area;
  - Car parking problems would be exacerbated with more traffic using the road;
  - An adverse impact on amenities regarding parking and would cause great difficulty for the local services trying to gain access.

The committee feel that District Council should go back to Wessex Water and outline the problems that will arise with regard to the drains/sewers in the vicinity.

#### STATUTORY CONSULTATIONS

- HIGHWAY AUTHORITY: No objections subject to conditions.
- WESSEX WATER: No objections.

#### PUBLICITY RESPONSES

The proposal was advertised by letters to the neighbouring properties ten letters were received raising the following objections:

- Sewerage overloading of main sewer and drainage problems;
- Parking/road safety problems;
- Off-street car parking will result in a loss of on street-car parking;
- Pedestrian safety;
- Access for emergency vehicles;
- Block light to No.37;
- Overdevelopment of the site;
- Planning history of the site;
- Planning process reform - greater consultation with the public;
- Proposal could become six flats;
- Overlooking;
- Public right of way adjacent to the site;
- Extension out of keeping with bungalows in the area.

#### RELEVANT 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
C15	Archaeological assessment
C31A	Design
C32	Landscaping
C38	Nuisance
T10	Car parking

PPS1 Delivering Sustainable Development

PPG3 Housing

Supplementary Planning Guidance - Household Alterations and Extensions

SPD Residential Design Guide

### RELEVANT PLANNING HISTORY

04/01792/FUL - Erection of a pair of two bedroom starter homes - Withdrawn 07.01.2005

06/00481/FUL - Conversion/extension of existing end terrace dwelling to form five flats - Refused 06.04.2006

### KEY PLANNING ISSUES

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

### PLANNING OFFICER COMMENTS

The planning history of the site is relevant in determining this application. An application was refused Ref: 06/00481/FUL in April 2006. This previous application included large front extensions which were considered out of keeping and uncharacteristic of the local area in size, design or form. A further reason for refusal was based upon the likelihood that the proposal would result in cars being parked on the public highway. This application needs therefore to overcome these reasons for refusal.

Both national and local policy is to encourage 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.

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 proposal to create four dwellings would result in a density of 69 dwellings per hectare which would represent an efficient use of land and would not be considered to represent overdevelopment in this case.

The character of the surrounding area is mostly that of terraced and semi-detached properties in a moderately dense form of development. Dwellings in the area often occupy the full width of their plots with reasonable sized front and rear gardens. The proposed extension would attach to the end of a row of 10 terraced properties it would be stepped back from the frontage which is considered acceptable given that the existing terrace exhibits several steps in its layout. Properties in the area tend only to have modest front extensions which appear to originally be simple open porch canopies. This revised proposal would introduce more modest porch features with simple mono-pitched roofs which would be more sympathetic to the character of the area than the previously proposed large front extensions.

It was previously considered that the width of the proposed extension at 10m would be considerably wider than the existing dwelling and neighbouring dwellings in the terrace of properties. This level of extension would act to unbalance this terrace of properties and would not relate well to the existing spatial pattern of development in the street. The revised proposal has however by incorporating two porches one at either end of the extension and by setting the extension back from the frontage acted to break up the frontage of the building to avoid creating the appearance of one long dwelling which would be considerably wider than neighbouring properties. The revised proposal is therefore considered to accord with Policies H1, C31a and H16 of the West Wiltshire District Plan 1st Alteration 2004.

By setting the extension back from the frontage it is possible to create eight car parking spaces which is consistent with the recommendations of the Highway Authority who have raised no objection to the proposal. Objections have been received regarding the fact that this proposal will displace cars to the highway. Given however that eight spaces will be provided this is considered adequate to avoid the displacement of cars onto the public highway. Concern has been raised that a loss of on-street car parking would result. The road is however only approximately 4m wide and on-street car parking is difficult without mounting the kerb. Given the proximity of the development to the hammer head turning point, parking at this position in front of the application site would be difficult without obstructing vehicles.

Concerns have been raised regarding pedestrian safety in the street, these concerns are noted however it should be noted that an existing vehicular access exists at the western edge of the site. Further the Highway Authority have not objected to the proposal given the amendments to the parking arrangement which have been discussed with the highway engineer which enable improved intervisibility with the path to the west of the site.

Neighbouring amenity has been raised as a source of objection in several letters received on the application. This proposal would be located some 22m from the property to the south No.24 Rock lane. This gap is considered sufficient to avoid overlooking occurring between dwellings. There are no windows above ground floor level to be inserted in the west elevation of the proposed extension. The two windows which are proposed at ground floor level would not serve habitable rooms and the proposal should not result in a loss of privacy. Whilst the proposed flats would be located approximately 10.5m from a bungalow at No.37 the proposed extension would be positioned to the south of the bungalow and the proposal should not overbear or overshadow this neighbouring dwelling.

Objections have been received stating that mains sewers cross the site. The agent is aware of this and has provided details of a sewer diversion. The issue of drainage has been looked at by Wessex Water and they have raised no objections to the proposal. This issue will further be looked at in more detail by the Building Control department.

A restrictive covenant exists on the land and this has been raised as an issue. This is not, however, a planning consideration in this case.

An objection has been received regarding access for emergency vehicles. However, the Highway Authority have been consulted and have not objected to the proposal. Furthermore given that the proposed extension and conversion is unlikely to result in increased parking on the road this proposal should not make access for emergency vehicles any more difficult than would currently be the case.

A neighbour has noted that there exists a public right of way adjacent to the site. There is a path of which the Council was aware when considering the application but it is not designated as a public right of way.

A neighbour has also reported that the proposal could result in six flats. The creation of any further dwellings would however require express planning consent.

The application site is located within an Area of Higher Archaeological Potential but the site does not exceed an area of 1 hectare and an archaeological survey would not therefore be required.

Comments have been received regarding the need for greater two way consultation in terms of finding suitable sites for development other than green field sites. These comments are not however directly relevant in this case given that the proposal site forms a side garden which can be defined as a brown field site.

## CONCLUSION

The proposal accords with the development plan and the previous reasons for refusal have been overcome.





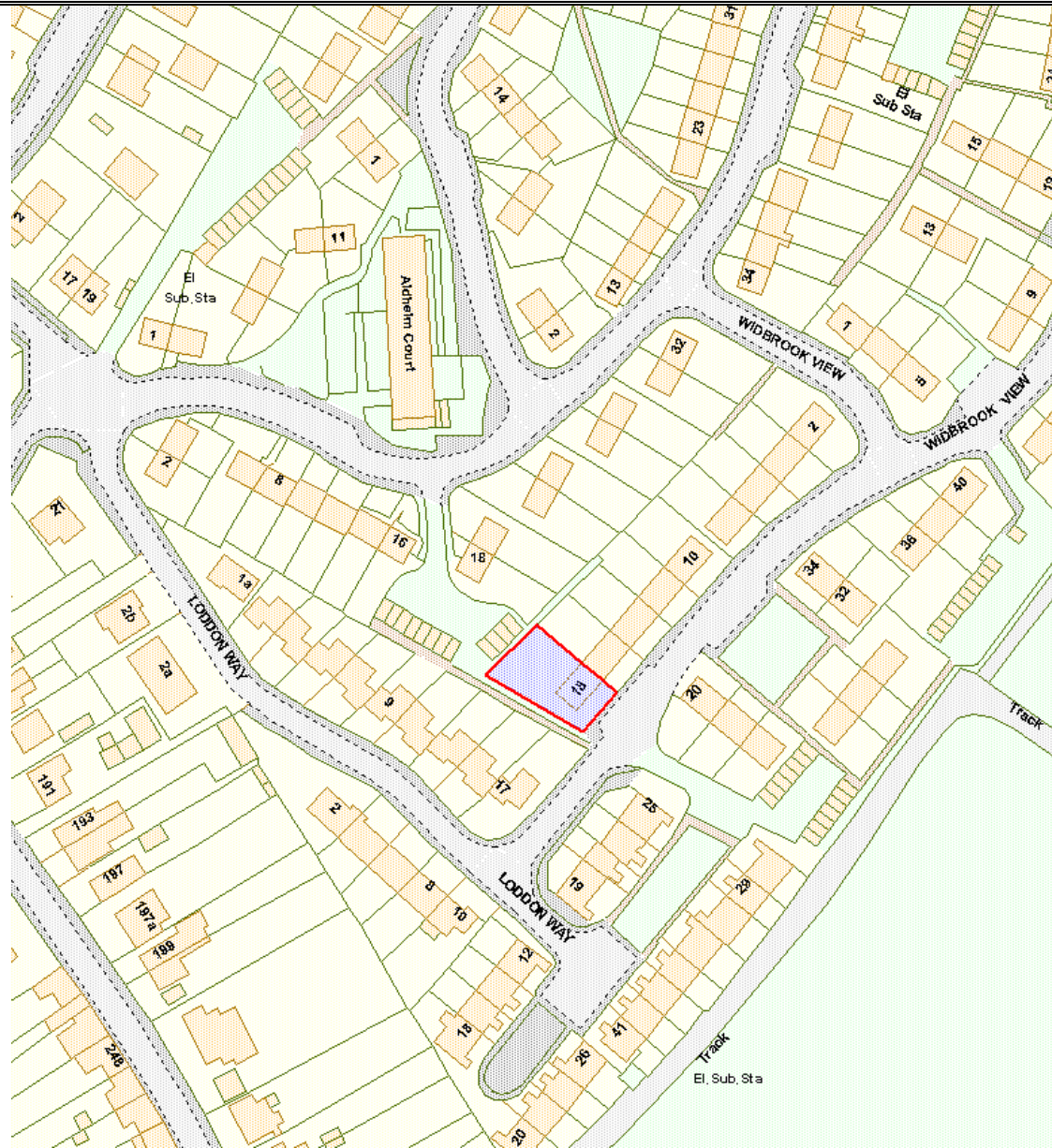
# PLANNING COMMITTEE

3 August 2006

ITEM NO: 02

APPLICATION NO: 06/00899/FUL

LOCATION: 18 Widbrook View Bradford On Avon Wiltshire BA15 1HH



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SLA: 100022961

**02 Application: 06/00899/FUL**

**Site Address: 18 Widbrook View Bradford On Avon Wiltshire BA15 1HH**

Parish: Bradford On Avon Ward: Bradford On Avon South

Grid Reference 383377 160038

Application Type: Full Plan

Development: Erection of 1.8 metre high close board fence and gate

Applicant Details: West Wiltshire Housing Society  
Bryer Ash Business Park Bradford Road Trowbridge Wiltshire  
BA14 8RT

Agent Details:

Case Officer: Mr David Cox

Date Received: 16.03.2006 Expiry Date: 11.05.2006

**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 A schedule of the materials to be used in the external surfaces of the proposed fence shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development.

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

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

**COMMITTEE REPORT**

**APPLICATION DETAILS**

This application was deferred to this Committee by the Planning Committee on 13 July 2006.

This application is brought back to committee after it was deferred on 1 June 2006 meeting. This was to allow for the plans to be revised so the side fence only extended up to the rear wall of the dwelling. This amendment to the plan has now been made. The original objection was made by Bradford on Avon Town Council.

This is an application for the erection of a 1.8 metre tall close-boarded fence on the side and rear elevation of 18 Widbrook View, Bradford on Avon.

An approximately 1-metre tall open wire meshed fence currently defines the side garden that is adjacent to a public footpath that links Widbrook view to Southville Road. The back gardens of 11-17 define the other side of the footpath and these properties have approximately 1.4 -1.6 metre tall fencing. The rear boundary is defined by an approximately 1.4 metre tall fence, part of which is also adjacent to the public footpath and is attached to a row of detached garages. Adjacent to the opening of the path onto Widbrook View there is a lamppost.

The fence would have concrete posts every three metres and would run from the rear boundary of the property, behind the row of garages around to and in line with the rear wall of the dwelling, as requested by the Occupier of number 18 Widbrook View.

#### CONSULTATION REPLIES:

- BRADFORD ON AVON TOWN COUNCIL: The Town Council has no objection if the fence ends in line with the back of the house as the resident actually wants but it should not continue to the pavement in Widbrook View.

#### STATUTORY CONSULTATIONS

- HIGHWAY AUTHORITY: No objection.

#### PUBLICITY RESPONSES

Neighbours were notified of the proposal by letter and site notice. One letter was received.

- The fence would be totally out of character to the plan of the bungalows, which are open plan style.
- If the proposed fencing is for security why does it have to be at that height?
- Has the height of the fence been measured from the pathway or the garden level (which has been raised)? If the garden level has been raised the fencing would be more than 1.8 metres high.
- The pathway is used constantly especially by elderly people. If a fence was erected this would darken the walkway of an uneven path making it quite unsafe and dangerous. An additional light will be required for the safety of users.

#### RELEVANT PLANNING POLICY

West Wiltshire District Plan - 1st Alteration 2004

C31A Design

C38 Nuisance

SPG House Alterations and Extensions

#### RELEVANT PLANNING HISTORY

None

#### KEY PLANNING ISSUES

The key issues 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

The fence would replace an open wire meshed fence that fails to adequately secure the side and rear of this property. This proposal would ensure security for the property by being at a height of 1.8 metres (5' 9").

The letter of objection raises a number of issues. It is considered that the fence would not harm the visual amenity of the area. The materials to be employed in the construction of the fence can be controlled by condition.

The entrance to the footpath is already enclosed by the rear garden fence of No 17, which additionally is closer to the main road than where the proposed fence was originally. The revised plans have moved the fence further back to be in line with the rear wall of the dwelling. Therefore when looking from Lodden Way from the south, the proposed fence would be not be visible as it would be screened by the existing fence of No 17 and by the host building itself when viewed from the north.

There is a lamppost, which should ensure that sufficient light is provided for users. The path is considered to be in reasonable condition so the application is not contrary to policy C38 of the Local Plan. Therefore the letter of objection and the Town Councils objection cannot be supported.

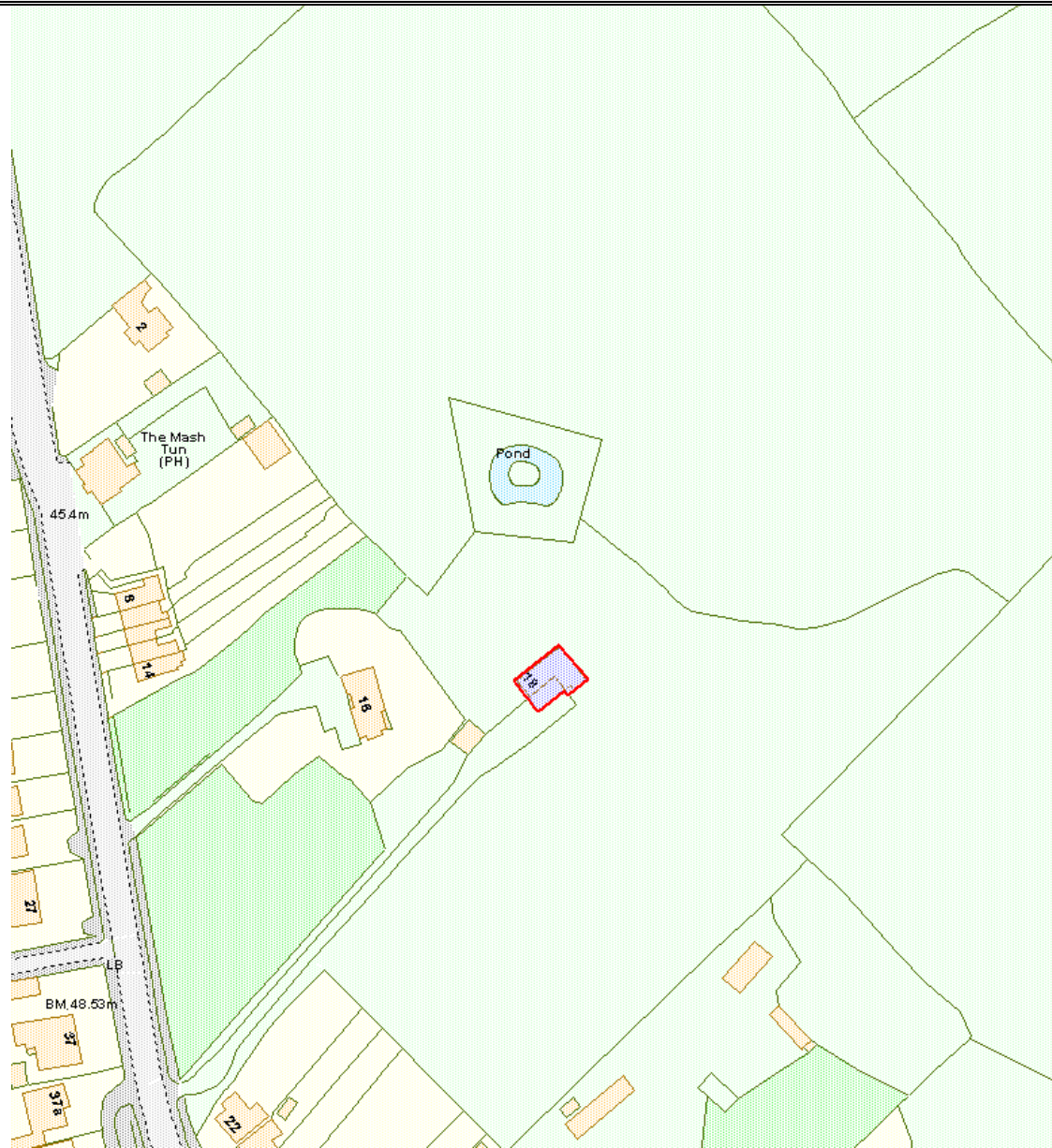
## CONCLUSION

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

**ITEM NO:** 03

**APPLICATION NO:** 06/01320/FUL

**LOCATION:** Woodmarsh Farm 18 Woodmarsh North Bradley  
Wiltshire



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SLA: 100022961

**03 Application: 06/01320/FUL**

**Site Address: Woodmarsh Farm 18 Woodmarsh North Bradley Wiltshire**

Parish: North Bradley

Ward: Dilton Marsh

Grid Reference 385690 155596

Application Type: Full Plan

Development: Land drainage works

Applicant Details: Mrs S K Brown  
7 Watts Farm Peppercorn Orchard Great Hinton Trowbridge BA14 6DB

Agent Details: Cousins Thomas Rose  
10 Church Walk Trowbridge Wilts BA14 8DX

Case Officer: Mr Matthew Perks

Date Received: 26.04.2006

Expiry Date: 21.06.2006

**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 An ecological survey, investigating and recording details of all protected species and their habitats affected by the development, and measures to mitigate the effect of the development on them and a timetable for the mitigation works, shall be submitted to and approved by the Local Planning Authority within 3 months of the date of this permission. The survey shall include an investigation of the ditch to the north-eastern boundary of the site that has been utilised for the discharge of drainage waters. Any measures necessary to mitigate the effect of the development on this ditch shall be carried out in accordance with the approved scheme and timetable.

REASON: In the interests of natural species which have statutory protection.

POLICY: West Wiltshire District Plan - Policy C7.

**COMMITTEE REPORT**

**APPLICATION DETAILS**

This application was deferred to this Committee by the Planning Committee on 13 July 2006.

This application is referred to Committee because the North Bradley Parish Council objects and officers recommend permission.

This is a full planning application for land drainage works at Woodmarsh Farm, 18 Woodmarsh.

The application is retrospective. The site is located to the east of Woodmarsh. The property slopes generally from south to a lower level at the north, and the drainage system would divert flows around the one dwelling centrally located on site to an existing ditch on the north eastern boundary of the site. A soakaway is proposed to the east of the dwelling. A pond is proposed approximately 40m to the north of the dwelling. The overall length of the drainage system would be roughly 280m. Stone surrounded 300mm perforated pipe would be used to create these land drains.

The applicant states that the works are proposed to alleviate existing localised flooding around and in the vicinity of Woodmarsh Farmhouse.

#### CONSULTATION REPLIES:

- NORTH BRADLEY PARISH COUNCIL: "This application was not approved as in the opinion of the Parish Council the size of the land drainage is far in excess of what is required, and in their opinion advice should be sought from the Ministry of Agriculture in connection with this scheme. Worries were also expressed about the discharge into the ditch as it is felt that the Environment Agency should also be consulted with regard to the possibility of flooding. The whole scheme was objected to by the Parish Council."

#### STATUTORY CONSULTATIONS

- ENVIRONMENT AGENCY: "The Environment Agency does not wish to provide any comment regarding the above planning application."

- ENGLISH NATURE: "The occurrence of protected species in the existing water bodies on this site is a possibility, but since the works will not affect these bodies of water we have no comments to make regarding this planning application."

- WILTSHIRE WILDLIFE TRUST: Holding objection. The Biological Records Centre does not hold records of protected species in the immediate area, but there is the potential for impacts on a pond and ditches. A survey is recommended for evidence of protected species to establish whether or not there is a presence of species, especially great crested newts or water voles, and to recommend a mitigation strategy if necessary.

#### PUBLICITY RESPONSES

Neighbours were notified of the proposal. No comments were received.

#### RELEVANT PLANNING POLICY

West Wiltshire District Plan - 1st Alteration 2004

C1 Protection of the rural landscape and environment

U4 Groundwater protection

#### RELEVANT PLANNING HISTORY

00/00702/FUL: Replacement farmhouse: Permission: 03.08.2000. This application is relevant in that it relates to the dwelling that is the subject of the drainage protection measures. The application included a condition requiring a landscaping scheme that is currently being addressed by Council's compliance officers to fully regularise development on the site. Recent developments include the submission of plans that include replacement planting, as well as the placing of Tree Protection Orders on protection worthy trees on the site.

#### KEY PLANNING ISSUES

The primary issue with this case relates to the impact of the drainage system on the local environment.



## PLANNING OFFICER COMMENTS

The drainage system is proposed as a protective measure against localised flooding at Woodmarsh Farmhouse. Impacts of the proposal would centre on the consequences of the directing water to discharge into the existing drainage ditch to the north of the property. The Environment Agency has considered the plans and does not wish to provide any comment. Although the works commenced without authorisation, it is considered that the existence of land drains carrying naturally occurring water to the drainage ditch would not result in pollution to existing watercourses or harm the agricultural potential of the site.

English Nature has not made any comment or suggestions in respect of the works. The Wiltshire Wildlife Trust has however identified a need to establish whether or not there are protected species present that may be affected by routing the flow into the ditch. Although the application is retrospective a survey is considered appropriate where there may well be species affected and there may be mitigating measures that should be put into place once the system is functional.

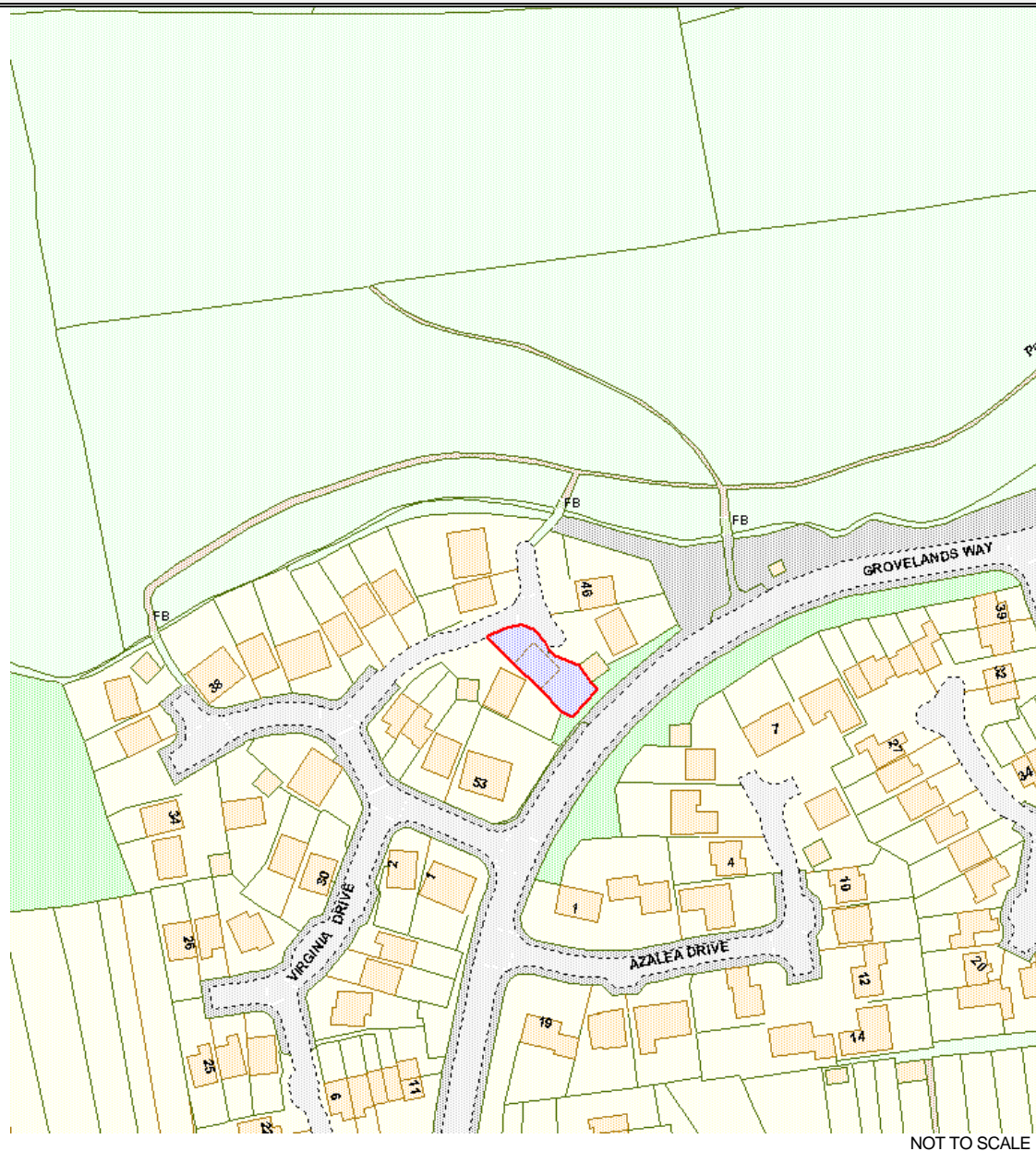
## CONCLUSION

The application should be granted permission subject to a condition regarding a protected species survey.

ITEM NO: 04

APPLICATION NO: 06/01327/FUL

LOCATION: 48 Virginia Drive Warminster Wiltshire BA12 8RR



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SLA: 100022961

**04 Application: 06/01327/FUL**

**Site Address: 48 Virginia Drive Warminster Wiltshire BA12 8RR**

Parish: Warminster Ward: Warminster West

Grid Reference 386117 145164

Application Type: Full Plan

Development: Timber single garage

Applicant Details: Mr H E Birdseye  
48 Virginia Drive Warminster Wiltshire BA12 8RR

Agent Details:

Case Officer: Mr Donncha Murphy

Date Received: 26.04.2006 Expiry Date: 21.06.2006

**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.

**COMMITTEE REPORT**

**APPLICATION DETAILS:**

This application was deferred to this Committee by the Planning Committee on 13 July 2006.

This application is brought to Committee because Warminster Town Council objects contrary to your officer's recommendation.

This is a full planning application for the erection of a timber garage to the rear of the dwelling. The proposed garage would be located in the rear garden and would measure 4.15 metres in width by 5.2 metres in length by 2.6 metres in height with a pitched roof. The development would have a metal up and over door 4 metres wide and 2 metres high.

The host dwelling is a two-storey detached dwelling located at the end of a residential estate of similar dwellings. It has an enclosed garden to the rear, which is surrounded by a two-metre high fence/ wall. There is an existing garage/ shed in the rear garden, which would be removed in order to accommodate the proposed new garage.

#### CONSULTATION REPLIES:

- WARMINSTER TOWN COUNCIL: Objection on the grounds that they feel that this garage would fill the back garden and be over development of the site. Also added this further comment 'If the District Council are minded to grant this, a condition not to use this for commercial purposes should be included'.

#### PUBLICITY RESPONSES

Neighbours were notified to which there has been no response.

#### RELEVANT PLANNING POLICY

West Wiltshire District Plan - 1st Alteration 2004

C31A Design

C38 Nuisance

SPG Planning Design Guidance (House alterations and extensions)

#### RELEVANT PLANNING HISTORY

None

#### KEY PLANNING ISSUES

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

#### PLANNING OFFICER COMMENTS

The design of the proposal and its impact on the neighbouring properties must first be considered. The proposed garage would be located in the rear garden of the property. There is an existing garage/shed similar in design to that proposed already in place. However the proposed development is larger in size. The existing rear garden is partly covered in concrete slabs, which would be removed as part of the proposal. This would result in lowering the height of the proposed garage so that it is approximately level with the height of the existing garage. However the length of the garage would be increased by approximately 2.5 metres.

There are neighbouring properties to the north east and to the west. Any impact on the neighbouring property to the northwest would be mitigated by the location of the neighbour's double garage, which is located on the boundary between the two properties.

Furthermore by virtue of the distance between the neighbouring property to the west and the proposed development there would be no adverse impact on the neighbouring amenity. Moreover the location of a two metre high fence on the boundary to the west would mitigate any possible impact. Therefore it is considered that the proposal would conform to policy C38 of the West Wiltshire District Plan 1st amendment 2004 which aims to protect residential amenity.

The materials used in the development would be similar to those used in the existing garage. In addition the design of the development would be very similar. As the proposed extension would be approximately the same height as the existing it would only be partially visible from the street scene. Therefore the proposal would comply with policy C31A of the West Wiltshire District Plan 1st Alteration 2004.

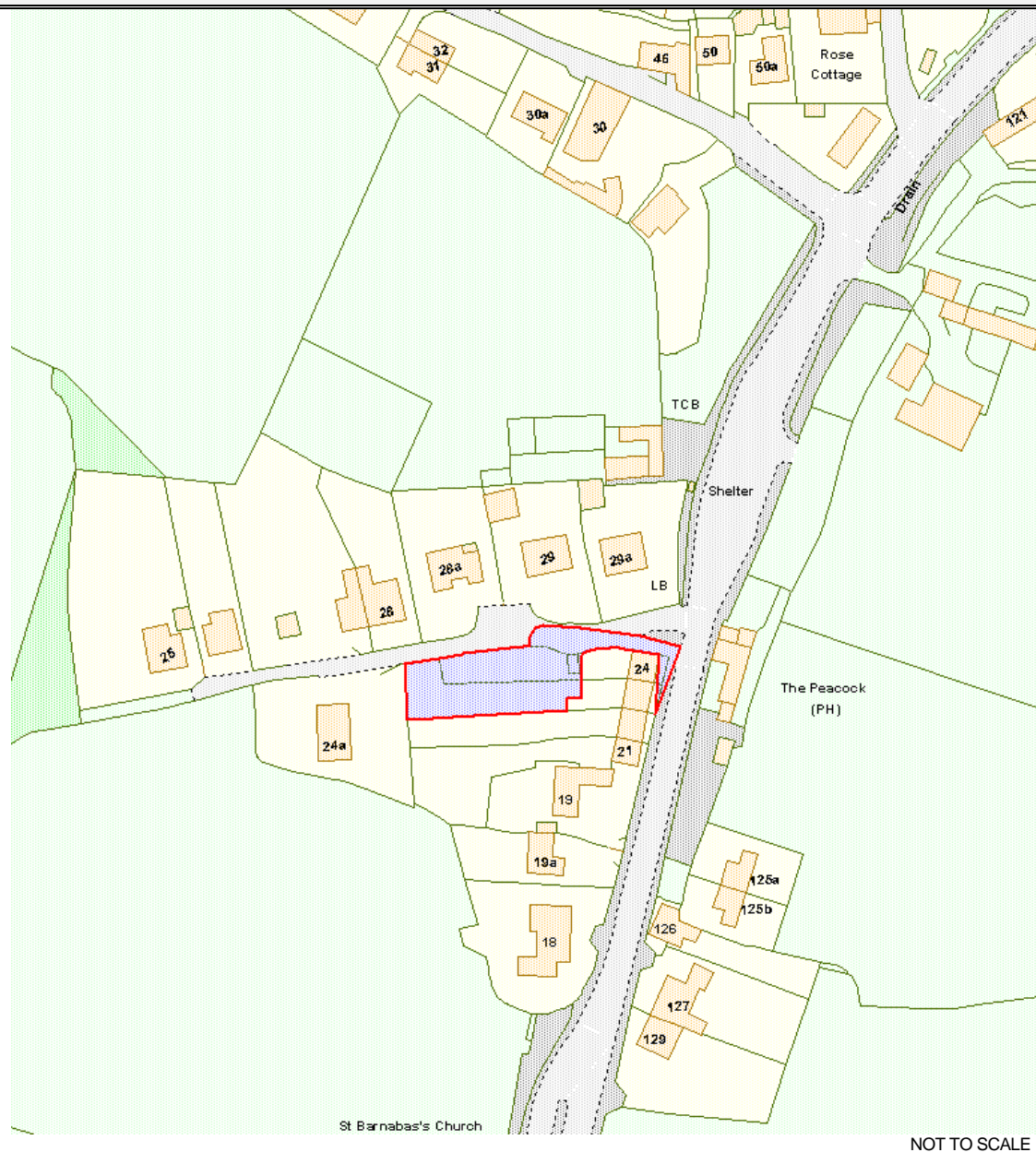
This is a domestic garage and there is no suggestion that it would be used for any other purpose. A formal application for change of use would be required if it were to be used for commercial purposes.

## CONCLUSION

The proposals would not constitute over development of the site as the dwelling has a relatively large garage. There would be no adverse impact on the neighbouring properties, the host building and the neighbouring amenity as result of this development.

## 3 August 2006

**LOCATION:** Land To Rear Of 23 - 24 Beanacre Wiltshire



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SLA: 100022961

**05 Application: 06/00420/FUL**

**Site Address: Land To Rear Of 23 - 24 Beanacre Wiltshire**

Parish: Melksham Without Ward: Melksham Without  
Grid Reference 390338 166187  
Application Type: Full Plan  
Development: Dwelling and garage  
Applicant Details: N. Keen Esq  
Lower Beanacre Farm Beanacre SN12 7PI  
Agent Details: Mr A Howard  
32 Shurnhold Melksham Wilts SN12 8DG  
Case Officer: Mr Mark Reynolds  
Date Received: 06.02.2006 Expiry Date: 03.04.2006

**REASON(S) FOR PERMISSION:**

**The proposed development would not materially affect the amenities of the neighbours and any planning objections have been overcome by conditions.**

**RECOMMENDATION: Permission**

**Condition(s):**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- 6 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. These details should prevent the discharge of surface water onto the highway.

REASON: To ensure that the development can be adequately drained and in the interests of highway safety.

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

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

REASON: In the interests of highway safety.

- 9 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 south elevation of the development hereby permitted.

REASON: In the interests of amenity and privacy.

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

- 10 The first floor window on the south elevation hereby permitted shall be glazing with obscure glass prior to the first occupation of the dwelling and shall be maintained as such thereafter.



REASON: In order to protect the amenity of occupiers of neighbouring dwellings to the south.

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

- 11 The proposed access follows the route of a public footpath (MELW 85) and therefore the proposed driveways shall incorporate splays on both sides to the rear of the existing access lane 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.

- 12 The development hereby permitted shall not be commenced until the existing wall to the front of 23 and 24 Beanacre is lowered to and maintained at a height not exceeding 900mm above the nearside carriageway edge.

REASON: In the interests of highway safety

- 13 No work shall commence on the development site until the improvements to the junction of the private lane with the junction of the A350 have been carried out in accordance with details, which shall have been submitted to and approved in writing by the local Planning Authority.

REASON: In the interests of highway safety.

**Note(s) to Applicant:**

- 1 The applicant is advised that they must agree in writing with Wessex Water prior to the commencement of works on site, any arrangements for the protection of infrastructure crossing the site. The developer should also agree a point of connection onto Wessex Water systems.
- 2 You are advised that this permission does not convey any civil consent for works on land that is outside the ownership or control of the applicant.
- 3 The applicant is advised that a public footpath exists within the site. In connection with Condition 11 if any alterations to the footpath are required the applicant should contact the Footpath Diversion Officer at the County Council on telephone number 01225 713000.

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

This application was deferred from the Committee of the 20th April 2006 for further negotiations with the applicant to remove a group of trees at the entrance to the site which is owned by a neighbour.

Following negotiations, revisions have been made to the planning application and the island of trees which currently occupy the middle of the entrance to this private road are now proposed to be removed to open up the access.

The application was originally brought to Committee at the request of Councillor Oakman.

This is a full planning application for a detached two storey, four bedroomed dwellinghouse together with a pair of garages on a vacant plot of land which was formerly garden in Beanacre. The site borders a privately owned road leading from the main highway.

The site is located within the village policy limits for Beanacre and has an area of approximately 0.031 Hectares. The principle of residential development at the site is long established with the original permission on this land dating from 1989. There is also an extant permission for a dwelling in outline form granted in August 2004.

The application site fronts onto a private road and access to this private road would be from the A350 which runs to the east of the application site.

It is proposed that the new dwelling would be located to the front of the plot and would be built from a mix of reconstructed stone and render under a concrete tiled roof.

A pair of linked double garages in matching materials are proposed. These would serve the proposed new dwelling and the two existing houses.

Access would be via the existing private driveway.

#### CONSULTATION REPLIES:

- MELKSHAM WITHOUT PARISH COUNCIL: No objections.

#### STATUTORY CONSULTATIONS

- HIGHWAY AUTHORITY: The plan indicates improvements to the junction of the access lane with the A350. These works will widen the access at this point sufficiently to allow two vehicles to pass, a vast improvement to the current situation. The speed limit at this location has recently been reduced to 30mph, thus reducing the sight lines required at this junction (to 90m along the near side kerb lines at 2.4m from the junction) and if a detail reducing the wall to the front of numbers 23 and 24 sufficiently is added to the current drawing I am satisfied the visibility requirements can be met.

In view of the above my objections on the grounds of the increased use of the sub-standard access and the increased vehicular traffic along the public footpath being hazardous may be withdrawn, providing amended plans are submitted satisfying the visibility requirement.

A further consultation with the Highway Authority is ongoing and any responses will be reported on the late list. It is noted here that revised plans have been received which indicate a reduction in the height of the walls of Nos 23-24 Beanacre.

- WESSEX WATER: No objection in principle.

#### PUBLICITY RESPONSES

The application has been publicised by Site Notice, press advertisement and neighbour notification. Further revisions to the plans are currently being consulted on and any further responses will be reported on the late list.

Objections have however been received from the occupiers of two neighbouring dwellings on the application, four letters from two addresses raising the following issues;

- Highway safety
- Land ownership

#### RELEVANT PLANNING POLICY

West Wiltshire District Plan - 1st Alteration 2004  
H17 Village Policy Limits  
C38 Effects of development on neighbouring properties  
C31A Design

## PPG3 - Housing

### RELEVANT PLANNING HISTORY

88/01395/OUT - Erection of 3 terraced dwellings and parking area - Refused 22.07.88  
89/01448/OUT - Erection of one detached dwelling and garage - Approved 12.12.89  
92/00974/FUL - Erection of one detached dwelling and garage (renewal) - Approved 15.09.92  
97/00009/OUT - Erection of one detached dwelling and garage - Approved 27.02.97  
98/00538/OUT - Two dwellings - Approved 09.07.98  
98/01390/OUT - One dwelling - Approved 26.11.98  
04/01632/OUT - Dwelling - Approved - 27.08.04  
05/01837/FUL - Dwelling - Withdrawn  
06/02115/FUL - Rebuild existing rear extensions - Pending Determination

### KEY PLANNING ISSUES

The key issues to consider in this application are whether the design of the dwelling in this location is acceptable, amenity of neighbours, highway safety issues and the planning history.

### PLANNING OFFICER COMMENTS

Design, amenity and planning history

The planning history of this site is relevant in this application for a dwelling.

The principle of residential development at this site which is located within the defined Village Policy Limits has already been established and there is a long history of permissions dating back over 17 years and an outline permission for one dwelling was most recently granted in August 2004.

The application plot is approximately 315m<sup>2</sup> in size but it has a relatively narrow depth and wide street frontage onto the private access road. It is important in considering the design of the dwelling and position of the external doors and windows that overlooking of neighbouring gardens and loss of privacy to the occupiers of neighbouring dwellings will need to be given careful consideration.

The Local Planning Authority has considered previously that a dwelling may be achieved at this property which would not result in unacceptable levels of overlooking. The Local Planning Authority continues to support this position.

It is for this reason that the orientation of the dwelling, its interior layout and fenestration have been designed in such a manner as to reduce any harmful impact it might have on the amenity of neighbours. There would be no direct overlooking of neighbouring gardens as a result of the only window on the elevation adjacent to the gardens being an obscure glazed bathroom window. The dwelling is sufficiently far from the rear of the adjoining two dwellings, and from the frontage of houses on the opposite side of the private road, so as to prevent any overlooking or loss of privacy.

The fenestration arrangement has resulted in an unusual design, particularly the rear side elevation, but the proposed dwelling is of a traditional vernacular style, and the frontage elevation that would be viewed when looking to the west is well balanced and overall there would be no harm to the visual amenity.

A condition to remove permitted development rights is recommended with regard to the fenestration and obscure glazing of a window is recommended. A current application is pending for two storey rear extensions at the rear of 23-24 Beanacre. These extensions would however, were they to be permitted, remain a suitable distance from the rear garden of the proposed dwelling to avoid any loss of privacy occurring.

#### Highway safety

Regarding the issue of highway safety this application has been revised to remove the existing island of trees which splits the road at the access point on to the A350. The proposal also incorporates the lowering of the front walls of Nos 23-24 Beanacre to below 900mm to enhance visibility to the south of the site. The Highway Authority advised that they would be content with the application if the walls of these two properties were lowered. The revised access arrangements proposed are considered to be a considerable improvement upon the current access situation.

#### Affordable Housing

This application does not make provision for affordable housing because the outline planning permission was granted in April 2005 and the Council's SPG on Affordable Housing was not adopted until the 31st August 2005. There was not a requirement when the outline permission was passed for affordable housing because the proposal only entailed a net gain of one dwelling in a village. It was considered unreasonable to request affordable housing in this full application given that a submission of reserved matters could be made for an identical scheme which could not consider the issue of affordable housing.

The issue of land ownership has been raised by a neighbour. The applicant has previously been able to confirm that he has a right of access across the private road to gain access to the plot.

#### CONCLUSIONS

The principle of residential development has previously been established. This revised proposal represents an improvement in highway safety terms and the current proposals are acceptable with regard to the design details and the effect on the amenity of neighbours.



# PLANNING COMMITTEE

3 August 2006

ITEM NO: 06

APPLICATION NO: 05/02488/FUL

LOCATION: 14 The Halve Trowbridge Wiltshire BA14 8SD



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SLA: 100022961

**06 Application: 05/02488/FUL**

**Site Address: 14 The Halve Trowbridge Wiltshire BA14 8SD**

Parish: Trowbridge Ward: Park

Grid Reference 385945 158167

Application Type: Full Plan

Development: Alterations and change of use to provide hostel accommodation for homeless persons

Applicant Details: Stonham - A Division Of Home Group Limited  
Second Floor High Point Thomas Street Taunton Somerset

Agent Details: Geoffrey Bowman  
Chartered Architect The Hay Barn Bibury Stud Bibury Cirencester

Case Officer: Mr Russell Brown

Date Received: 24.10.2005 Expiry Date: 19.12.2005

**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.

**Note(s) to Applicant:**

- 1 The use of the building as a hostel for homeless persons is a sui generis use class. Therefore planning permission would be required for any change of use, even to another form of hostel use.
- 2 Any external changes to the building, including such works as intercom systems, would require Listed Building Consent and may require planning permission.

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

This application has been brought to Committee at the request of Councillor Oldrieve.

This is a full planning application for the conversion and change of use of this Grade II\* listed building to create hostel accommodation for homeless persons. The physical alterations to the building are entirely internal and are therefore being considered under the accompanying listed building consent application 05/02485/LBC.

This full planning application relates to the change of use of the building.

It is currently a single residential dwelling and it is proposed to be changed to a hostel for homeless persons. The hostel would be run by the attached neighbouring property, No. 13 The Halve, which has been in this hostel use for many years.

This is a 3-storey building with a basement and was built in the late 18th Century. It is a brick built building on a stone plinth with stone quoins and string courses and a stone parapet. There is a large arched window to the ground floor front elevation and a decorative fanlight over the 4-panelled front door. The fenestration on the upper floors and rear are timber sash windows. There are no proposed external changes.

The property would be divided into 7 bed-sitting rooms with shared bathrooms and a common room on the ground floor.

#### CONSULTATION REPLIES:

- TROWBRIDGE TOWN COUNCIL: No response.

#### STATUTORY CONSULTATIONS

- HIGHWAY AUTHORITY: No objections.
- ENGLISH HERITAGE: No objections - revised plans have addressed all concerns.
- LIBRARIES AND HERITAGE: No objections.
- POLICE COMMUNITY SAFETY OFFICER - MELKSHAM POLICE DIVISIONAL HEADQUARTERS: No response.

#### INTERNAL WWDC CONSULTEES

- CONSERVATION OFFICER: No objections subject to structural details being conditioned on the parallel Listed Building Consent.
- COMMUNITY SAFETY OFFICER: No response.
- ENVIRONMENTAL HEALTH: No objections.
- HOUSING SERVICES: Support the application. There is an identified need for this scheme.

#### PUBLICITY RESPONSES

The application has been publicised by Site Notice and press advertisement and neighbours have been notified.

17 letters of objection have been received making the following points:

- The application is for a hostel of a specific client group of mainly ex offenders;
- The consultation was not adequate;
- The timescales on the application were incorrect;
- The application does not meet the requirements of the Local Plan;
- The need for a the hostel is unclear - WWDC recently closed down another hostel;
- Conversion to bed-sits will have a detrimental effect to the amenity of neighbouring residents;
- A previous application to split this property into 4 units has been refused;
- There is no parking provision for the property and no parking is allowed outside - lead to problems due to extra traffic;
- If the properties are joined by the back garden this will create a large recreation area which will change the environment to the detriment of the neighbours amenity;
- Large number of ex offenders - residents will feel intimidated from going to local shop;
- Move-on provision for ex offenders is difficult, if this was improved the existing provision at No. 13 would be adequate;
- The residents of No. 13 The Halve drink beer and shout at passers by in the summer - this shows the existing provision is not well managed - this is having a detrimental effect on the



neighbourhood and would be exacerbated by further bed spaces - no additional on site management is planned;

- An Audit Commission Report in May 2005 showed problems with management;
- The Report also suggest Stonham are making attempts to improve this situation;
- The unit would become larger and therefore more difficult to manage;
- There is an increased probability of incidents, crime and threats of violence;
- The residents would be tracked down by ex associates / vigilantes which would not happen if smaller units were provided elsewhere;
- The impact of crime has not been considered;
- Disability access will not comply with planning requirements;
- This residential area cannot sustain any additional sheltered housing;
- Concerns of rising crime;
- Concerns over safety of children;
- This is a fine listed building in a Conservation Area - concern over conversion - normal planning/listed building restrictions may be waived;
- Questions about studies and levels of this type of accommodation in Trowbridge;
- To create more social housing would create a ghetto style area in The Halve;
- These houses should not fall into decline;
- The local residents have improved the local area and this will detract from the area and could regress The Halve back to the kind of area no one wants to see in Trowbridge;
- Surrounding property prices would be adversely affected;
- The Planning Notice was attached to the site only 4 days before the Town Council meeting - not enough time;
- Detrimental to amenities of neighbouring residents;
- The listed building would be lost to subdivision;
- The proposed gate in the wall could undermine the stability of the wall;
- Loss of privacy from garden of No. 14 being used;
- There are other more appropriate buildings for a hostel use;
- The property should be turned into affordable flats or sold as a family home;
- Concerns over noise to neighbouring property from internal walls;
- One resident of No. 13 was firing a pellet gun out of the window - newspaper article also received.

## PLANNING POLICY

Wiltshire and Swindon Structure Plan 2016

HE7 Conservation Areas and Listed Buildings

West Wiltshire District Plan - 1st Alteration 2004

C17 Conservation Areas

C20 Changes of Use in Conservation Areas

C27 Listed Buildings

C28 Alterations to Listed Buildings

C38 Nuisance

H16 Flat Conversions

PPS1 Delivering Sustainable Development (Jan 2005)

Planning System - General Principles (Jan 2005)

PPG3 Housing

PPG15 Planning and the Historic Environment

## RELEVANT PLANNING HISTORY

79/00085/FUL - Change of use and conversion to one person units to house homeless persons, referred by the Probation and Social Services - 13 The Halve - Permission 02.05.1979

05/01485/LBC - Hostel accommodation - Pending

## KEY PLANNING ISSUES

The key issues in this application are the effect of the change of use on the special character and appearance of the Conservation Area, the effect on the character of the listed building and the effect on neighbouring and public amenities.

## PLANNING OFFICER COMMENTS

There would be no external changes made to the building and as such there would be no material change in the outward appearance of the existing building. This part of Trowbridge has a residential character both currently and established historically. Therefore, as the use of this building would be retained as residential, albeit in a subdivided form, the character of this building would not change. The use as residential is accordingly appropriate and acceptable to both the character of the listed building and the special character and appearance of the Conservation Area. The proposal therefore conforms to Policies C17, C20, C27, C28 and H16 criterion 2 of the West Wiltshire District Plan 1st Alteration 2004.

The rooms within the building are large and would result in adequately sized bed-sitting rooms. 7 such rooms in this building with shared bathrooms and a separate communal room would not be an unreasonable or over intensive subdivision of this property due to its spacious character. Therefore the proposal meets with criterion 1 of Policy H16 of the West Wiltshire District Plan 1st Alteration 2004. The remainder of the criteria for Policy H16 are covered throughout this report.

With regard to the use of this building as a hostel in relation to public amenities, the adjacent property has been is this type of hostel use since 1979, following planning permission from the Council, and therefore the principle of the use in this location has been established. Consequently, the main issue in this regard is whether or not the extension of this use in No. 14 is acceptable.

PPS1 - Planning System - General Principles (Jan 2005) paragraph 29 states: "The planning system does not exist to protect the private interests of one person against the activities of another, although private interests may coincide with the public interest in some cases."

This must be considered in conjunction with the human rights of both the local residents and the potential residents of the extended hostel use. The amenities of the local residents must be protected but so must the amenities of the residents of the hostel and the right for homeless persons to have somewhere to live.

Public safety and its perception are material planning considerations and case law advises the weight to attach to these concerns. The Community Safety Officer of the Police was consulted as was the West Wiltshire District Council Community Safety Officer. No comments have been received from either regarding this proposal for change of use.

There is an existing hostel use in No. 13 The Halve and No. 14 would be run as part of that established scheme. As there have been no concerns or comments submitted by the Police or the Community Safety Officer it is considered that approval of the scheme would not harm public amenities, with regard to public safety, to an unreasonable degree.

In addition, there are no objections from Environment Health. This indicates that there have been no complaints to the Council on Environmental Health grounds of a nature that would be increased by this change of use. The Highway Authority also offer no objections.

There are no additional windows proposed and consequently there would be no increase in overlooking to neighbouring properties as the windows are all existing and residential in use.

There are no proposed external changes to the building, therefore its character would be maintained. There would be a pedestrian gateway created in the rear garden side wall to create access through from the car park of No. 13 The Halve. There are no planning objections to this opening being created as this is a high red brick wall, the historic character of which would not be harmed by the introduction of a small pedestrian access opening. The opening would not undermine the stability of the wall, as the opening would be formed with proper regard to the structure and its continued longevity.

The pedestrian gate in the wall would be for access only, it would not result in the back garden areas being opened up into one large space. It is unlikely that this would lead to an increase in harm to neighbouring amenities.

The use of the building as a hostel for homeless persons is a sui generis use, meaning that it is in a use class of its own with no permitted changes to other use classes without planning permission. Therefore, if this building were to be used for an alternative use, even a different form of hostel use, a further planning application would be required. Consequently, no condition restricting the use of the building is required.

To address the further points raised by the public:

Housing Services have confirmed that there is a County-wide identified need for this housing type in this area.

Impact on property values in the surrounding area is not a material planning consideration.

The listed building would not be lost by the subdivision. The works involved in the subdivision are reversible and minimal in terms of the impact on the historic fabric of the building. There would be no long term damage to the listed building.

As with any application in the district, the standard planning and listed building restrictions and criteria are being applied to the conversion of the building.

The works to the listed building primarily comprise sound and fire insulation and therefore the noise between the attached properties would be greatly reduced. This would overcome any potential amenity concerns regarding noise and sound transference.

This is a Grade II\* listed building and therefore is not required to fully conform to the modern DDA standards as that would require alterations that would cause significant harm to the character and fabric of the building.

The public consultation process was carried out in accordance with legislation. The Site Notice attached to the site relates to the timescale for the public to respond directly to the District Council. The Site Notice does not relate to meetings of the Town Council, who organise their own meetings and are asked for their comments directly by the District Council. Publicity for a Town Council meeting would be organised by the Town Council.

## CONCLUSION

For the reasons described above, the conversion of this building to a hostel would not result in a significant increase in harm to the amenities of the local residents or the wider public and the conversion would not harm the special character and appearance of the Conservation Area or the character of the listed building.

# PLANNING COMMITTEE

3 August 2006

ITEM NO: 07

APPLICATION NO: 05/02485/LBC

LOCATION: 14 The Halve Trowbridge Wiltshire BA14 8SD



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SLA: 100022961

**07 Application: 05/02485/LBC**

**Site Address: 14 The Halve Trowbridge Wiltshire BA14 8SD**

Parish: Trowbridge Ward: Park

Grid Reference 385945 158167

Application Type: Listed building

Development: Alterations to provide Hostel accommodation for homeless people

Applicant Details: Stonham- Division Of Home Group Ltd  
Second Floor High Point Thomas Street Taunton Somerset

Agent Details: Geoffrey Bowman - Chartered Architect  
The Hay Barn Bibury Stud Bibury Cirencester Glos

Case Officer: Mr Russell Brown

Date Received: 24.10.2005 Expiry Date: 19.12.2005

**JUSTIFICATION REASON:**

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

**RECOMMENDATION:**

**The Secretary of State be informed that this Council raises no objection to the proposal and recommends that listed building consent be granted at a future date in the event of the Development Control Manager being satisfied that the Secretary of State remits the application to this Council for decision.**

**Condition(s):**

- 1 The works hereby authorised shall begin not later than three years from the date of this consent.

REASON: In accordance with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

- 2 Details of the finishes of the stud walling, and the method of fixings used to fix the new stud walling to the historic fabric, shall be submitted to and approved in writing 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 fabric of the listed building is conserved.

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

- 3 Details of all new or replacement internal doors, door linings, architraves, beadings, skirtings, cornices, shall be submitted to and approved in writing 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.

- 4 Details of the replacement soil pipe and the method and details of its concealment shall be submitted to and approved in writing 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 fabric of the listed building is conserved.

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

- 5 Details of the works to strengthen the structure of the spine wall shall be submitted to and approved in writing by the Local Planning Authority following investigative works and 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 fabric of the listed building is conserved.

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

- 6 Details of the method of blocking up the openings in the basement, and the finishes of those walls, 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 fabric of the listed building is conserved.

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

- 7 Details of the formation and finish of the opening in the rear boundary wall, including details of the gate, shall be submitted and approved in writing by the Local Planning Authority. The bricks to be removed shall be carefully dismantled, set aside and stored in a safe place for potential re-use in works to the listed building.

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

POLICY: West Wiltshire District Plan - 1st Alteration - Policies C27 & 28.

**Note(s) to Applicant:**

- 1 Any further works to the building, including such works as intercom systems, would require Listed Building Consent, and may require planning permission.

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

This application has been brought to Committee at the request of Councillor Oldrieve.

This is a Listed Building Consent application for alterations to this Grade II\* listed building in order to create hostel accommodation for homeless persons. The change of use of the building is being considered under the accompanying planning application 05/02488/FUL.

This Listed Building Consent application relates to the physical alterations to be undertaken in the building.

This is a 3-storey building with a basement and was built in the late 18th Century. It is a brick built building on a stone plinth with stone quoins and string courses and a stone parapet. There is a large arched window to the ground floor front elevation and a decorative fanlight over the 4-panelled front door. The fenestration on the upper floors and rear are large timber sash windows. There are no proposed external changes.

The proposed internal works include the installation of insulation to walls that divide private and shared areas of the building. Insulation would also be installed as part of an independent floating floors fixed over the existing floorboards.

There is an existing bathroom on the first floor and in the basement, in addition to these a bathroom would be created on the second floor, a shower room created on the ground floor and an additional shower room in the basement. 3No. studwork partitions would be created in order to create the additional bath/shower rooms.

The property would be divided into 7 bed-sitting rooms with shared bathrooms and a common room on the ground floor.

#### CONSULTATION REPLIES:

- TROWBRIDGE TOWN COUNCIL: No response.

#### STATUTORY CONSULTATIONS

- ENGLISH HERITAGE: No objections - revised plans have addressed all concerns.

#### INTERNAL WWDC CONSULTEES

- CONSERVATION OFFICER: No objections subject to structural details being conditioned.

#### PUBLICITY RESPONSES

The application has been publicised by Site Notice and press advertisement and neighbours were notified on the parallel planning application.

17 letters of objection have been received making the following points:

- The application is for a hostel of a specific client group of mainly ex offenders;
- The consultation was not adequate;
- The timescales on the application were incorrect;
- The application does not meet the requirements of the Local Plan;
- The need for a the hostel is unclear - WWDC recently closed down another hostel;
- Conversion to bed-sits will have a detrimental effect to the amenity of neighbouring residents;
- A previous application to split this property into 4 units has been refused;
- There is no parking provision for the property and no parking is allowed outside - lead to problems due to extra traffic;
- If the properties are joined by the back garden this will create a large recreation area which will change the environment to the detriment of the neighbours amenity;
- Large number of ex offenders - residents will feel intimidated from going to local shop;
- Move-on provision for ex offenders is difficult, if this was improved the existing provision at No. 13 would be adequate;
- The residents of No. 13 The Halve drink beer and shout at passers by in the summer - this shows the existing provision is not well managed - this is having a detrimental effect on the neighbourhood and would be exacerbated by further bed spaces - no additional on site management is planned;
- An Audit Commission Report in May 2005 showed problems with management;
- The Report also suggest Stonham are making attempts to improve this situation;
- The unit would become larger and therefore more difficult to manage;
- There is an increased probability of incidents, crime and threats of violence;

- The residents would be tracked down by ex associates / vigilantes which would not happen if smaller units were provided elsewhere;
- The impact of crime has not been considered;
- Disability access will not comply with planning requirements;
- This residential area cannot sustain any additional sheltered housing;
- Concerns of rising crime;
- Concerns over safety of children;
- This is a fine listed building in a Conservation Area - concern over conversion - normal planning/listed building restrictions may be waived;
- Questions about studies and levels of this type of accommodation in Trowbridge;
- To create more social housing would create a ghetto style area in The Halve;
- These houses should not fall into decline;
- The local residents have improved the local area and this will detract from the area and could regress The Halve back to the kind of area no one wants to see in Trowbridge;
- Surrounding property prices would be adversely affected;
- The Planning Notice was attached to the site only 4 days before the Town Council meeting - not enough time;
- Detrimental to amenities of neighbouring residents;
- The listed building would be lost to subdivision;
- The proposed gate in the wall could undermine the stability of the wall;
- Loss of privacy from garden of No. 14 being used;
- There are other more appropriate buildings for a hostel use;
- The property should be turned into affordable flats or sold as a family home;
- Concerns over noise to neighbouring property from internal walls;
- One resident of No. 13 was firing a pellet gun out of the window - newspaper article also received;

## RELEVANT PLANNING POLICY

Wiltshire and Swindon Structure Plan 2016  
HE7 - Conservation Areas and Listed Buildings

West Wiltshire District Plan - 1st Alteration 2004  
C27 Listed Buildings  
C28 Alterations to Listed Buildings

PPS1 Delivering Sustainable Development (Jan 2005)  
Planning System - General Principles (Jan 2005)  
PPG15 Planning and the Historic Environment

## RELEVANT PLANNING HISTORY

79/00085/FUL - Change of use and conversion to one person units to house homeless persons, referred by the Probation and Social Services - 13 The Halve - Permission 02.05.1979

05/01488/FUL - Hostel accommodation - Pending

## KEY PLANNING ISSUES

The key issue in this application is the effect of the proposal on the character and fabric of the listed building.

Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.



## PLANNING OFFICER COMMENTS

The works to the building have been revised in order to create the minimum of impact to the fabric of the listed building. The insulation to the walls would be housed in a new skin stud wall fixed to the existing wall. The original skirting boards, door architraves and cornices would be covered over without harm and replica decoration would be fixed to the new walls to match the historic fabric underneath.

This form of construction ensures that the insulation and studwork could be easily removed in the future and the original features exposed without harm.

The new insulated stud walls would be fixed to the rear or secondary rooms of the building, the principal rooms would not be altered and their character and full proportions would be maintained. The insulated floors would not harm the original flooring as they would be slightly suspended to protect the historic fabric.

If, in the future, the property is converted back into a single unit where the insulation is not necessary, this could be achieved without significant harm to the fabric of the building.

The existing soil pipe in the building would be removed and a more discreet replacement installed within the building. This would not significantly harm the fabric of the building and would remove the existing unsightly pipe.

The central spine wall would be structurally strengthened by the addition of new timber members within the existing frame. These works should form the basis of a condition.

There are no proposed external changes to the building, therefore its character would be maintained. There would be a pedestrian gateway created in the rear garden side wall to create access through from the car park of No. 13 The Halve. There are no objections to this opening being created as this is a high red brick wall, the historic character of which would not be harmed by the introduction of a small pedestrian access opening.

The comments received from the publicity process that do not relate to the listed building have been addressed in the report for the parallel planning application 06/02488/FUL.

## CONCLUSION

The proposed works involve minimal and reversible interruption to the listed building and as such would not significantly harm the character or fabric of the listed building. Therefore the application is recommended for consent.

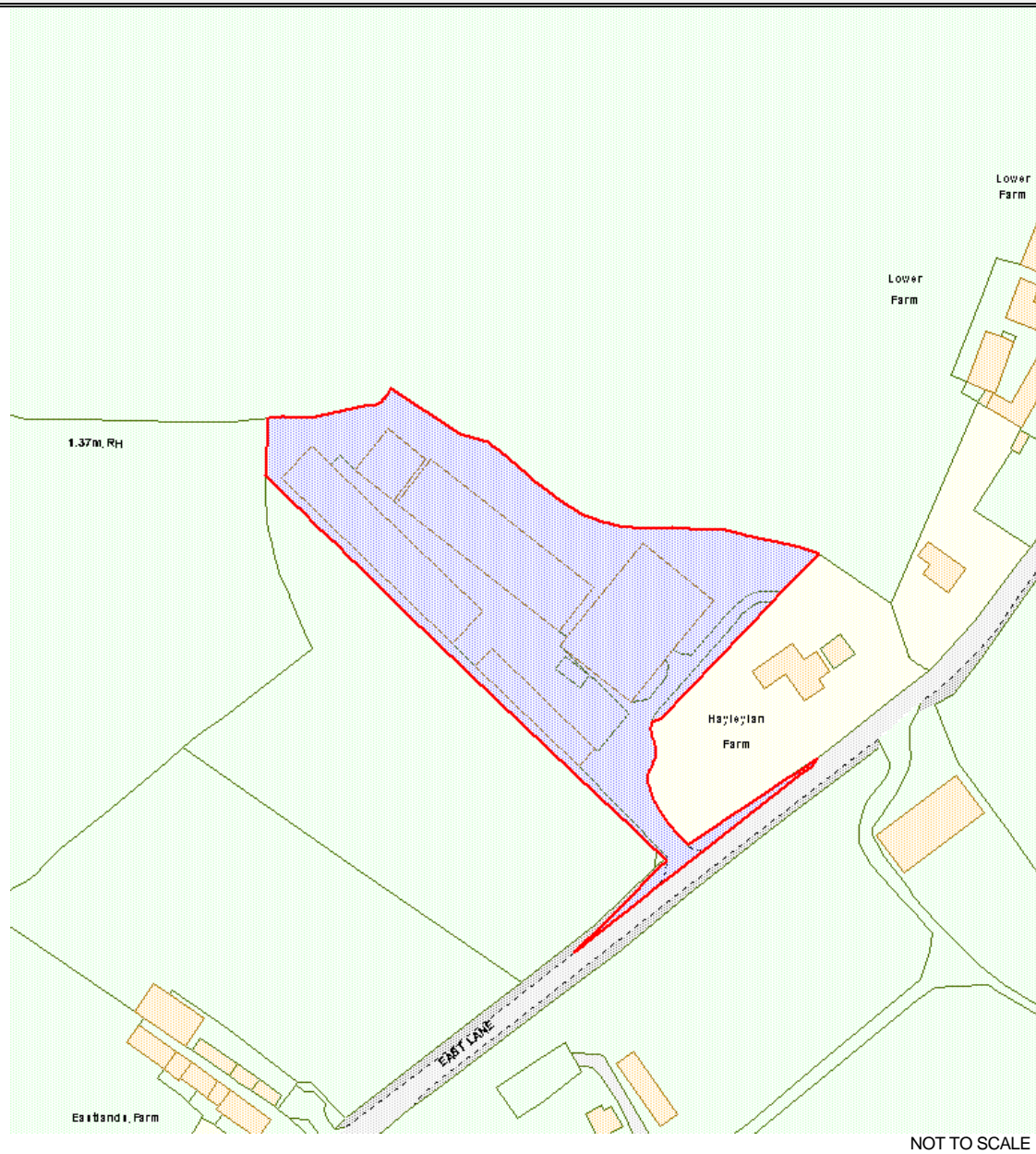
# PLANNING COMMITTEE

3 August 2006

ITEM NO: 08

APPLICATION NO: 06/01433/FUL

LOCATION: Land Adjoining Hayleyan Farm East Lane Holt  
Wiltshire



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

SLA: 100022961

**08 Application: 06/01433/FUL**

**Site Address: Land Adjoining Hayleyan Farm East Lane Holt Wiltshire**

Parish: Holt Ward: Holt

Grid Reference 387378 162883

Application Type: Full Plan

Development: Change of use of two agricultural buildings to B1/B8 use and the provision of car parking and turning area

Applicant Details: Charterhouse Standard Holdings  
12 Russell Gardens London W14 8EZ

Agent Details: Mr P Oakley  
Dreweatt Neate 48 Market Place Chippenham Wiltshire SN15 3HU

Case Officer: Mr Peter Westbury

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 development hereby approved shall not be occupied until 26 car parking spaces have been provided within the curtilage of the site.

REASON: In the interests of highway safety.

- 3 No building shall be occupied or otherwise used for any purpose until a properly consolidated and surfaced parking and turning space for vehicles has been constructed to the satisfaction of the Local Planning Authority within the site in accordance with details which shall have been submitted to and approved by the Local Planning Authority. Such turning space shall be kept clear of obstruction at all times.

REASON: In the interests of Highway Safety.

- 4 There shall be no discharge of foul or contaminated drainage or trade effluent from the site into either groundwater or any surface waters, whether direct or via soakaways.

REASON: To prevent pollution of the water environment.

- 5 Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from impermeable parking areas and hardstandings for vehicles and commercial lorry parks shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained,. Roof water shall not pass through the interceptor.

REASON: To prevent pollution of the water environment.

- 6 Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls, details of which shall be submitted to the Local Planning Authority for approval. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%; or 25% of the total volume which could be stored at any one time, whichever is the greater. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bunding shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground, where possible, and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

REASON: To prevent pollution of the water environment.

- 7 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.

**Note(s) to Applicant:**

- 1 Any oil storage facility of 200 litres or more must include a bund, and comply with the Oil Storage Regulations ("The Control of Pollution (Oil Storage) (England) Regulations 2001"), a copy of which has been forwarded to the Applicant/Agent.

The following informatives and recommendations should be included in the Decision Notice.

There are no water quality objections in principle to drain the foul effluent from the development via septic tanks provided that the applicant applies for and is granted a Consent to Discharge from the Agency under the Water Resources Act 1991 Schedule 10. Application Forms can be obtained by telephoning 01278 48414.

The applicant should be advised that during Consent to Discharge application they will need to demonstrate that:

- (i) The foul drainage will be kept separate from clean surface and roof water,
- (ii) The soakaway(s) is/are located at a safe distance from any watercourse, any other foul soakaway or any source of water supply.
- (iii) Percolation tests on the irrigation area confirms adequate porosity in accordance with BS 6297:83.

For information this process can take up to four months to complete and no guarantee can be given regarding the eventual outcome of an application until all the investigations associated with the determination have been completed and an evaluation of the proposal has been made.

If off-site waste disposal is utilised it must be in accordance with the Duty of Care and the Waste Management Licensing Regulations 1994.

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

This application is brought to Committee because both Holt and Broughton Gifford Parish Councils object contrary to your Officer's recommendation, that planning permission be granted.

This is an application for full planning permission for the change of use of 2 agricultural buildings to employment use, specifically B1 and B8 uses and the provision of associated car parking spaces.

Hayleyan Farm is a redundant poultry farm situated on the edge of the village of Broughton Gifford. The site has an area of 0.8 hectares. There are 5 main buildings on the site, the internal areas of which have been cleared. The farmhouse, which is immediately next to the main road passing the site, has been sold as a private residential unit.

The proposed change of use involves no alteration to the internal arrangement or external appearance of the buildings to be retained on the site. The applicants have provided a plan with the provision of 26 parking spaces on the site.

### **CONSULTATION REPLIES:**

- HOLT PARISH COUNCIL: Object.
- The application shows the bungalow as a separate item and therefore covers an agricultural covenant;
- Significant and unacceptable increase in traffic;
- Increased risk of accidents;
- No economic need for more commercial/ light industrial units.
- BROUGHTON GIFFORD PARISH COUNCIL: Object.

"The Parish Council strongly opposes the application on the grounds that the site is an agricultural site. The existing dwelling adjacent to the site has a direct tie with agricultural activities provided on the site, with permission only being granted for the dwelling after proving a need for the occupier to be earning his/her living from the agricultural activities taking place on the site. The change to industrialisation of part of the site will set a precedent, with the prospect of the entire site eventually becoming a small industrial estate in the middle of open countryside. A similar application in 2005 was refused by the District Council on the grounds of serious highway concerns contrary to Policy E6 of the West Wilts District Plan 1st Alteration. The Parish Council can see no improvements in either the access to the proposed site or in the suitability of the junction with the B3107 included in this application to change this decision and strongly objects to the application".

### **STATUARY CONSULTATIONS**

- HIGHWAY AUTHORITY: No objection subject to the imposition of conditions including one to ensure the provision of at least 26 parking spaces.
- ENVIRONMENT AGENCY: No objection subject to the imposition of conditions.

- WESSEX WATER: No objection.

The application proposal is not located within a Wessex Water sewered area. The Council should be satisfied with any arrangement for the disposal of foul and surface water flows generated by the development.

- WILTSHIRE AND SWINDON BIOLOGICAL RECORDS CENTRE: Recommend that a protected species survey of the site be undertaken.

#### INTERNAL WWDC CONSULTATIONS

- PLANNING POLICY: Planning policy encourages the appropriate re-use/ redevelopment of former agricultural buildings for employment, tourism or recreation uses as a mechanism for maintaining and enhancing the local rural economy. Consequently the proposed reuse of these particular agricultural buildings is acceptable in principle.

A full Traffic Impact Assessment should be provided.

#### PUBLICITY RESPONSES

The application was publicised by Site Notice and press advertisement and neighbours were notified.

No response received.

#### DEVELOPMENT PLAN POLICY AND OTHER RELEVANT GUIDANCE

Wiltshire Structure Plan 2011

DP15 Housing, Employment and Related Development in the Open Countryside

West Wiltshire District Plan - 1st Alteration 2004

- C1 Countryside Protection
- C7 Protected Species
- E6 Rural Employment
- E8 Rural Conversion
- T10 Car Parking

National Guidance/Statements

PPS1 Delivering Sustainable Development

PPS7 Sustainable Development in Rural Areas

#### RELEVANT PLANNING HISTORY

05/01279/FUL - Change of use of 2 agricultural buildings to B1/B8 use and the provision of car parking spaces (refused 22/08/05). Subsequently dismissed on appeal on 25/04/06 (Ref: APP/F3925/A/06/2005694/NWF). The appeal was dismissed on the grounds that there was inadequate space within the site for heavy goods vehicles to turn.

#### KEY PLANNING ISSUES

In order for this application to be recommended for approval, the main consideration is whether the concerns of the Inspector in dismissing the earlier appeal have been overcome.

The main concern was whether there is adequate space within the site for HGV vehicles to turn. In considering this new application however, the main considerations are also whether there is sufficient space for the provision of 26 car parking spaces, as required by the Highway Authority and whether there will be any detrimental impact on the nearby junction of Melksham Road and The Street.

The principle of the change of use to employment uses in this location complies with Development Plan policy.

## PLANNING OFFICER COMMENTS

### The Ability of HGV Vehicles to Turn within the Site.

This revised application is accompanied by plans indicating that HGVs can turn within the site without having a detrimental impact on the highway. This is confirmed by the comments of the Highway Authority, who state:

"The Inspector dismissed the appeal on the grounds that it had not been demonstrated that a large vehicle could turn within the site. The applicant has now shown that this is possible".

The concern of the Inspector in dismissing the earlier appeal has therefore been overcome.

### Car Parking Provision

The applicants have provided a plan indicating that the site can make provision for 26 parking spaces. The provision of this car parking does not compromise the ability of vehicles to turn within the site.

### Impact on the Nearby Junction

The Inspector considered the impact of the proposal on the junction of Melksham Road and The Street in detail. In the past the Local Planning Authority under the guidance of the County Highway Authority had taken the view that the proposal would give rise to highway problems at this junction. However in the Inspector's letter the following comment is made:

"Having regard for the low recorded accident record at this junction in recent years, I consider that the proposal would not be harmful to highway safety here."

In the light of these comments the Highway Authority have raised no objection to the proposal. They have not requested a full Traffic Impact Assessment (TIA) as have the Policy Section. It is considered that in the light of the advice of the Highway Authority an TIA is not required in this case.

### Objections Raised by the Parish Councils

The objections raised by the Parish Councils cannot be supported as reasons for refusal for the reasons set out above.

Planning policy for the area encourages the reuse of redundant agricultural buildings to employment use.

## CONCLUSION

The Inspector in dismissing the earlier appeal set the clear parameters by which any future application for this proposal should be considered. The outstanding issues related to highway considerations. As a result of the submission of additional information, the applicants have overcome the concerns of the Inspector and as a consequence this application should be supported.

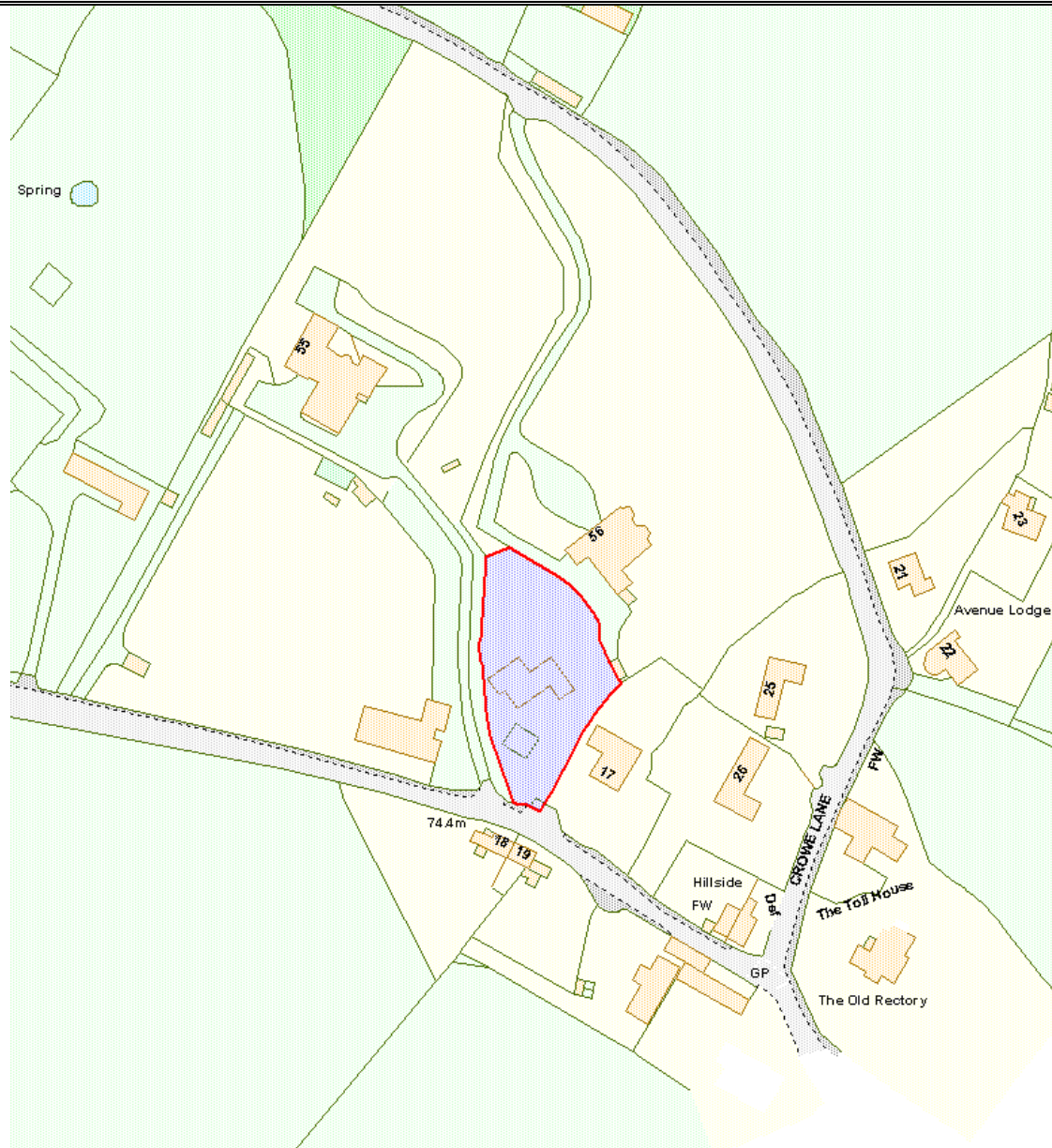
# PLANNING COMMITTEE

3 August 2006

ITEM NO: 09

APPLICATION NO: 06/01378/FUL

LOCATION: Glenthorne 15A Church Lane Limpley Stoke Wiltshire  
BA3 6ED



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SLA: 100022961



**09 Application: 06/01378/FUL**

**Site Address: Glenthorne 15A Church Lane Limpley Stoke Wiltshire BA3 6ED**

Parish: Limpley Stoke

Ward: Manor Vale

Grid Reference 378703 160325

Application Type: Full Plan

Development: Extensions to dwelling

Applicant Details: Mr And Mrs G Parker  
Glenthorne Church Lane Freshford Bath BA2 7WD

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

Case Officer: Mrs Jane Sanger

Date Received: 02.05.2006

Expiry Date: 27.06.2006

**RECOMMENDATION: Refusal**

**Reason(s):**

- 1 The proposal is contrary to Policy GB2 of the West Wiltshire District Plan 1st Alteration (2004) as the site lies within the Western Wiltshire Green Belt where approval will not be given, except in very special circumstances, for the extension and/or alteration of existing buildings which would result in disproportionate additions over and above the size of the original building. The proposed extension would be disproportionate to the original dwelling and is not supported by any material consideration, which would justify making a decision contrary to the plan.

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

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

This is a full planning application to build a first floor extension over the south-western side of the dwelling. It would be 10.5 metres long, 4.1 metres in height at the ridge measured from the ceiling of the ground floor and 8 metres wide. The family room at ground floor level would be extended towards the north-east, under a flat roof. It would be 2.9 metres long, 5.2 metres wide and 4.2 metres in height.

Two chimneys are proposed, one on the south-western elevation and one on the north-western elevation.

The host building is primarily a bungalow, built on different levels and constructed from reconstituted stone under a tiled roof. There is a two-storey section on the north-eastern side of the dwelling providing two bedrooms.

It is located in an elevated position, off Church Lane, a development originally built on the land adjoining 'Innisfree' house.

There is a double garage to the south-west of the dwelling and a garden running around the perimeter of the host building. The garden is enclosed on all boundaries by dense vegetation.

#### CONSULTATION REPLIES:

- LIMPLEY STOKE PARISH COUNCIL: No objections raised.

#### PUBLICITY RESPONSES:

This application has been publicised by neighbour notification to which no response has been received.

#### RELEVANT PLANNING POLICY:

West Wiltshire District Plan - 1st Alteration 2004

C31A Design

C38 Nuisance

GB1 West Wiltshire Green Belt

GB2 Control of Development in Green Belt

Wiltshire and Swindon Structure Plan 2016 (April 2006)

DP12 The West Wiltshire Green Belt

Supplementary Planning Guidance (House Extensions and Alterations) 2004

PPS1 Delivering Sustainable Development

PPG2 Green Belts

#### RELEVANT PLANNING HISTORY

73/P/E/218/0 - erection of dwelling - Permission - 15/10/73 - Allowed on Appeal.

#### KEY PLANNING ISSUES

The main considerations relating to this application include whether the development would be inappropriate in the Green Belt, the planning history, its potential impact on the openness of the Green Belt, on the host building and neighbouring amenity.

#### PLANNING OFFICER COMMENTS

PPG2 and Policy GB2 of the West Wiltshire District Plan 1st Alteration (2004) provides guidance on how development in the Green Belt should be assessed. GB2 states that approval will not be given, except in exceptional circumstances, for the development other than limited extension of existing dwellings provided it does not result in disproportionate additions over and above the size of the original building.

PPG2 guides that additions to the original building's volume since 1 July 1948 should be considered as additions over and above the original volume of the building. The dwelling's existing additions and the proposal scheme volume need to be calculated to determine if the proposal would be disproportionate.

The original building is approximately 798.72 cubic metres including the volume of the double garage, which is within 5 metres of the host building and is therefore considered as an extension to be included in this calculation. The buildings on site are all original and were permitted on appeal in 1973. There have been no additions or extensions since this time.

The original built form existing today is a modest development, currently providing 3 bedrooms. The proposal would significantly enlarge the dwelling, increasing its volume by an additional 31%, providing a further 2 bedrooms, resulting in a large 5 bedroom property.

Currently the dwelling is primarily single storey, with a limited amount of accommodation over two floors. The proposal would lead to a significant increase of the property in relation to the size of the application site, resulting in a disproportionate addition over and above the original building.

The proposed first storey addition would also increase the height of the building with the ridge height higher than the existing. Not only would this be contrary to Policy C31A of the West Wiltshire District Plan 1st Alteration (2004) and the Supplementary Planning Guidance (House Alterations and Extensions) 2004, but it would further increase the visual mass of the building creating a disproportionate appearance in terms of Green Belt policy. Furthermore, the proposed rooflights would draw attention to the proposed height of the building.

The proposal would make the dwelling significantly larger and more visible. Even though it is currently screened by the dense vegetation/hedgerow on all boundaries, in planning terms this vegetation is not considered as permanent features and could be removed at any time. Furthermore, the extensions would be visible from public vantage points.

The proposal is therefore considered to be inappropriate development as defined in PPG2, which would harm the openness of the Green Belt, its most important attribute. Inappropriate development should not be granted planning permission unless 'very special circumstances' can be demonstrated.

The applicant has provided a written document in support of this application stating that his belief is that 'Glenthorne' has been blighted by its original design, being primarily single storey, attracting only elderly people or couples with grown up children, who do not require additional bedroom space. The applicant bought this property with a view to extending it to bring up his young family, making it more sought after and in his opinion, more suitable for family habitation.

Personal circumstances are not a material consideration and do not equate to the very special circumstances that would be required to approve the proposals as a Departure from Green Belt policy.

There are not considered to be any neighbouring amenity issues as the nearest neighbour to the south-west is 12 metres away and the furthest neighbour to the north-west is 70 metres away. As the proposals mainly include extensions upwards and do not project from the building, these distances would remain the same, therefore minimising the impact on neighbouring occupiers.

## CONCLUSION

The proposals would create a dwelling disproportionate to the original building and as such would constitute inappropriate development in the Green Belt contrary to Policy GB2 of the West Wiltshire District Plan 1st Alteration (2004). The proposed scale, mass, form and height of the building, notwithstanding the significant increase in volume, would result in a visually more dominant and intrusive building that could not fail to harm the openness of the Green Belt.

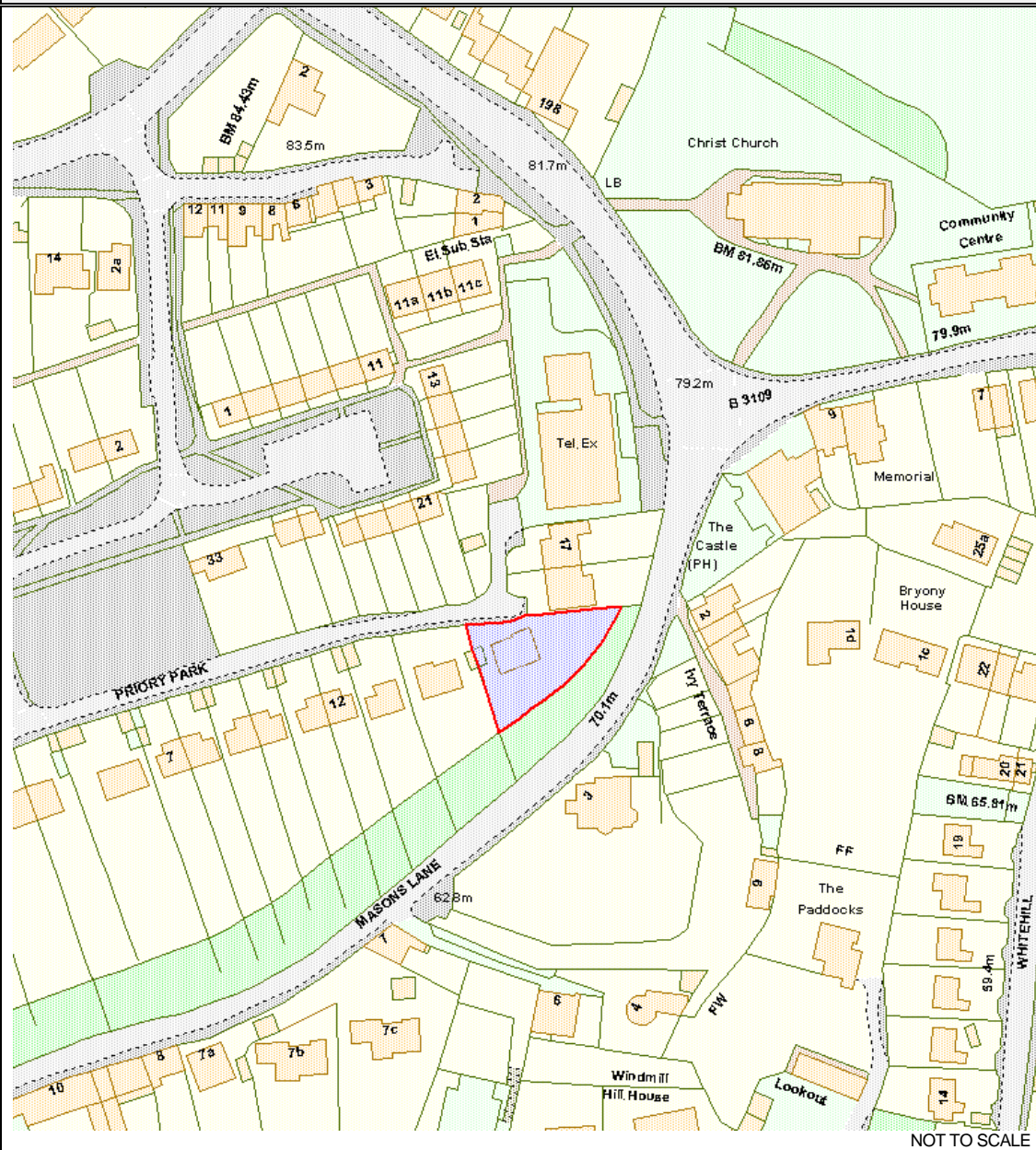
# PLANNING COMMITTEE

3 August 2006

ITEM NO: 10

APPLICATION NO: 06/01353/FUL

LOCATION: 15 Priory Park Bradford On Avon Wiltshire BA15 1QU



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SLA: 100022961

**10 Application: 06/01353/FUL**

**Site Address: 15 Priory Park Bradford On Avon Wiltshire BA15 1QU**

Parish: Bradford On Avon Ward: Bradford On Avon North

Grid Reference 382684 161244

Application Type: Full Plan

Development: 2 storey rear extension

Applicant Details: Mr And Mrs Isgrove  
15 Priory Park Bradford On Avon Wiltshire BA15 1QU

Agent Details: Martin Blake Associates  
28 Bellots Road Bath BA2 3RT

Case Officer: Mrs Jane Sanger

Date Received: 27.04.2006 Expiry Date: 22.06.2006

**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 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 west elevation of the development hereby permitted.

REASON: In the interests of amenity and privacy.

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

- 3 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.

- 4 In order to protect the trees within and adjacent to the site, details of the foundations, which shall be designed so as to prevent any damage to the roots of these trees, shall be submitted to and approved in writing by the Local Planning Authority prior to any excavations taking place on the site.

REASON: To ensure that existing trees of value are protected.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C40.

- 5 Before any development is commenced on site, including site works or storage of any description, all trees to be retained on site must be protected. The protective fencing should be at minimum, weld mesh panels (Heras or similar) erected on a scaffold framework driven in to the ground by a minimum of 600mm. Alternatively a three-bar post and rail fence should be erected with galvanised livestock mesh attached to it.

The protective fence should be erected at a minimum of 2 metres outside the canopy of each tree or hedgerow, or at a distance to be agreed in writing with the Local Planning Authority following site inspection. If a group of trees are to be protected the fence should be erected a minimum of 5 metres out side the group canopy.

Within the areas so fenced off the existing ground level shall neither be raised or lowered and no materials, temporary buildings or surplus soil of any kind shall be placed or stored thereon.

If trenches for services are required within the fenced off area, they shall be excavated and back-filled by hand avoiding any damage to the bark and any principal tree roots encountered shall be left unsevered. Where excavations do expose roots, should be surrounded with sharp/grit sand before replacing soil or other material in the vicinity. For further details relating to Tree in relation to construction the applicant should refer to BS 5837: 1991.

The fences shall not be removed without the consent of the local Planning Authority until the whole of the development is complete

REASON: To ensure that existing trees of value are adequately protected.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy C40.

## COMMITTEE REPORT

### APPLICATION DETAILS

This application is brought to the Planning Committee because Bradford on Avon Town Council objects to the application contrary to Officers recommendation.

The proposal is to build a two-storey extension off the southern elevation of the property to provide a sunroom at lower ground floor level and an enlargement of the kitchen at upper ground floor level. The extension would be 3.5 metres long, 6.1 metres wide and 7.2 metres in height to the ridge.

The host building is a detached split-level dwelling located in an elevated corner position, bounded to the south-east by Masons Lane and to the north by Priory Park. It is constructed from reconstructed stone, under a clay tiled roof.

The rear garden is enclosed to the east, south and west with vegetation in the form of hedgerow and perimeter trees, some of which are the subject of Tree Preservation Orders.

The plans have been revised during the course of the application.

## CONSULTATION REPLIES:

- BRADFORD ON AVON TOWN COUNCIL: The Town Council objects on the following grounds:
  - Overdevelopment of the site;
  - Potential loss of privacy to the neighbouring property to the west;
  - Development could potentially harm trees within the curtilage of the dwellinghouse which are the subject of a Tree Preservation Order;
  - The line of the development would spoil the symmetry at the garden façade by exceeding the building line.

## INTERNAL WWDC CONSULTATIONS

- LANDSCAPE OFFICER: It is the view of this officer that these protected trees are important amenity trees worthy of retention and careful protection during any development proposals.

The proposed extension footprint measuring 6 metres by 3 metres and centrally located along the rear elevation of this property will not be detrimental to the protected trees.

The method of construction and temporary construction access arrangements should be taken into consideration at this stage. Protected trees should not be removed or damaged in any way during enabling works.

## PUBLICITY RESPONSES

The application has been publicised by site notice, press advertisement and neighbours have been notified. A letter of objection has been received objecting to the original proposals from the occupier of the neighbouring dwelling:

- The proposed window in the western elevation at second floor level would overlook our conservatory at the rear of our property;
- The proposal would provide a view directly into our lounge-diner;
- Overlook our patio, deck and hot tub position;
- This would be overdevelopment;
- A large property could place added strain on access and parking;
- It would harm the symmetry of the two properties viewed from the rear;
- Concerned that a two-storey extension in this location would trap traffic fumes from Masons Lane.

A second letter of objection from the same person has been received, following the consultation on the revised plans, raising the following objections:

- The removal of the first floor window would overcome points a-c raised above
- The remaining full height patio doors at ground floor level would lead to overlooking/loss of privacy and although there is a hedgerow obscuring it from view now, when it loses its leaves in the winter, the problem would still exist.

## RELEVANT PLANNING POLICY

West Wiltshire District Plan - 1st Alteration 2004

- C17 Conservation Areas
- C18 New Development within Conservation Areas
- C19 Alterations in Conservation Areas
- C31A Design
- C38 Nuisance
- H1 Further Housing Development within Towns

Supplementary Planning Guidance (House Extensions and Alterations) 2004

PPS1 Delivering Sustainable Development

## RELEVANT PLANNING HISTORY

03/00827/FUL - Single storey extension - Permission 17/06/03

## KEY PLANNING ISSUES

The main considerations relating to this application are the impact of the development on the host building, neighbouring amenity and trees, some of which are the subject of Tree Preservation Orders.

## PLANNING OFFICER COMMENTS

The proposed two-storey extension would be situated in a central location off the rear elevation of the property, changing the built form from a T-shape to a cross.

The proposal would leave a reasonable size garden to the south which is of a well-proportioned scale to the property and the surrounding area. It is proposed to use matching materials and set the extension in from the boundaries, therefore respecting the host building.

It is noted that concerns have been raised over the projection of the extension over the established building line to the rear and the potential harm it may cause to the symmetry of the building. In addition it is seen as overdevelopment of the site.

It is considered that the design and siting of the proposal would be in scale with the host building and the size of the plot on which it is located, overcoming this objection.

The Supplementary Planning Guidance (House Alterations and Extensions) 2004 states:

"A minimum distance of 10 metres should be maintained between the neighbour's garden boundary and any directly overlooking windows in the extension". The proposal would be set back from the western boundary by 9 metres and a distance of 14 metres would be maintained between the neighbours property and the proposed extension.

The first floor window originally proposed on the western elevation has been omitted which would minimise any potential overlooking or loss of privacy to the neighbouring property. The proposed patio door is at ground level and sufficiently far from the boundary to similarly mitigate any overlooking.

A 45-degree projection line taken from the middle of the neighbouring property's nearest habitable window on the rear elevation demonstrates that a 90-degree open view would be retained, as recommended in the Supplementary Planning Guidance. The existence of the 2 metre high hedgerow forming the western boundary, although it cannot be regarded as a permanent fixture, would mitigate the majority of any potential overlooking/overshadowing affects, particularly at ground floor level.

In view of the above, it is considered that all objections raised on grounds of possible loss of neighbouring amenity have been overcome and there would be sufficient enough distance between the proposal, together with existing boundary treatments, obscuring it from view.

The Council's Tree and Landscape Officer has assessed the proximity of specified trees to the proposal, which are the subject of Tree Preservation Orders. It is concluded that a development of this size and height in this location would not cause significant harm to the root zone and canopy of these trees.

## CONCLUSION

The proposal is in accordance with the development plans and supplementary planning guidance on design because it would not cause significant harm to the host building, the amenity of the occupiers of neighbouring properties and the surrounding area.





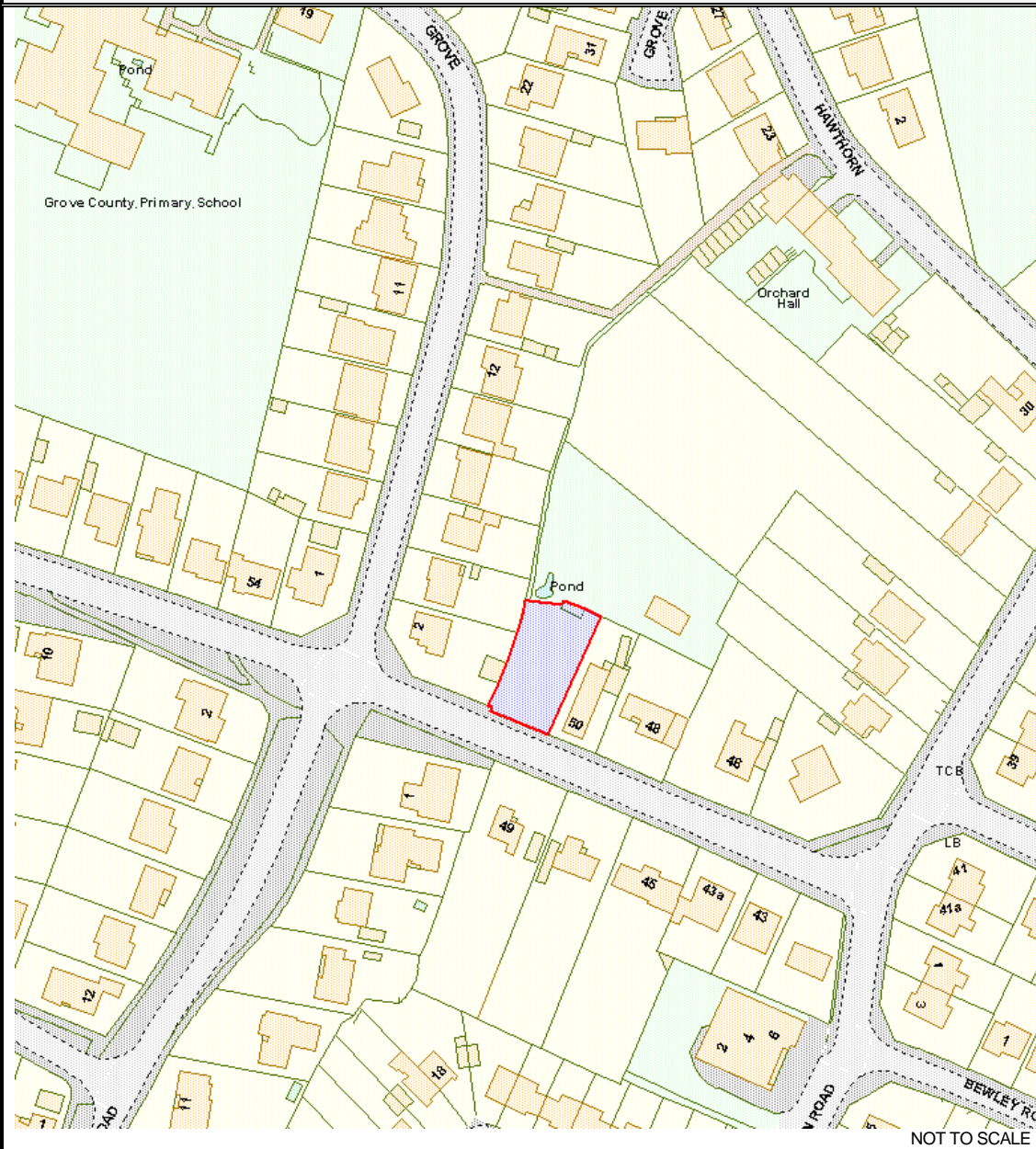
# PLANNING COMMITTEE

3 August 2006

ITEM NO: 11

APPLICATION NO: 06/01573/FUL

LOCATION: Land Adjacent 50 Silver Street Lane Trowbridge  
Wiltshire



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

SLA: 100022961

**11 Application: 06/01573/FUL**

**Site Address: Land Adjacent 50 Silver Street Lane Trowbridge Wiltshire**

Parish: Trowbridge Ward: College

Grid Reference 384965 156247

Application Type: Full Plan

Development: Two No 2 storey dwellings with internal garages

Applicant Details: Corleigh Ltd  
The Willows Homewood Farm Pipehouse Freshford Bath

Agent Details: Beresford Smith And Partners  
The Chase High Bannerdown Batheaston Bath BA1 7JZ

Case Officer: Mr Matthew Perks

Date Received: 18.05.2006 Expiry Date: 13.07.2006

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

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

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

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

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

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

- 5 The 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.

REASON: In the interests of highway safety.

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

REASON: In the interests of highway safety.

- 7 The proposed access shall incorporate splays on both its sides to the rear of the existing footway based on co-ordinates of 2.4m x 2.4m and which shall be kept free of obstruction above a height of 800mm.

- 8 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 applicant is advised to contact Wessex Water (01225 526000) in respect of arrangements for the provision of water services and foul water disposal.

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

This is an application for planning permission for the erection of 2 x 2 storey detached dwellings with integral garages on the land adjacent to 50 Silver Street Lane, Trowbridge.

The proposed dwellings would occupy a site of  $\pm 540\text{m}^2$  in extent. This land is to the west of the existing dwelling at no. 50 Silver Street Lane and was a garden/orchard that has now been cleared. At 6.5m from the front property boundary, the dwellings would be set back by  $\pm 4.5\text{m}$  from the existing dwelling relative to the street frontage. The rear of the buildings would be aligned with the rear extension to that dwelling. The dwellings would be double storey, four-bedroom units with integral garages. Materials would be rendered finishes under roof tiles. The buildings would be 7.5m in height at roof ridge.

The site forms part of the Silver Street Lane urban brownfield allocation for housing (Policy H3 of the West Wiltshire District Plan Revised Deposit, 2004). Permission was granted in December 2005 for the development of the rest of the brownfield allocation site to the north of the application site with 21 dwellings.

The proposal includes the removal of an existing Leylandii hedge of ±3m in height to the front boundary of the property, with an existing wall of 800mm in height to be retained.

#### CONSULTATION REPLIES:

- TROWBRIDGE TOWN COUNCIL: Objection "...on grounds of overcrowding".

#### STATUTORY CONSULTATIONS

- HIGHWAY AUTHORITY: Do not object to the proposal. Conditions are suggested with regard to parking, visibility, drainage and the proposed driveway.
- WESSEX WATER: Recommends the need for agreement to be reached (this can be done at detailed design stage) on sewer connections and water supply. The disposal of surface water must also be addressed to the satisfaction of the LPA.
- WILTSHIRE WILDLIFE TRUST: No comment received.

#### PUBLICITY RESPONSES

Neighbours were notified of the proposal. One response was received. Issues raised relate to the boundary between No. 50 and the neighbour to the east. The neighbour disputes the alignment of the boundary between No. 50 and No. 48 as shown on the proposal plan. "My main objections therefore relate to conditions regarding the provision of secure fencing to the rear and the line from the garage to the road. Any fencing nearing the road should be low so that traffic can be seen."

#### RELEVANT PLANNING POLICY

Wiltshire and Swindon Structure Plan 2016

DP1 Sustainable development

DP7 Housing in Towns and Main Settlements

West Wiltshire District Plan - 1st Alteration 2004

C38 Effects of development on neighbouring properties

H1 Housing development in towns

H3 Urban Brownfield Allocations

T10 Parking

PPS1 Delivering sustainable development.

PPG3 Housing

#### RELEVANT PLANNING HISTORY

05/02578/OUT: Proposed erection of 2 detached 2 storey dwellings with internal garages:  
Permission: 17.01.2006

The permission under reference 05/02301/FUL for 21 dwellings on the rest of this urban brownfield housing allocation site is also relevant and is discussed in the report below.

#### KEY PLANNING ISSUES

The main issues are the impact of the proposal on the character and appearance of the area, neighbouring amenity issues and highway safety considerations.

The proposal must however also be considered in terms Policy H1 of the West Wiltshire District Plan - 1st Alteration that guides consideration of housing development in the built up areas of Trowbridge. This policy states that proposals will be permitted provided that siting layout and design considerations are satisfactory and that they are in keeping with the character of the surrounding area. The development site plots would be smaller than other existing properties in the immediate vicinity, although there is no "ruling size" prevailing in the area. In addition, in granting permission for the development of the other section of this urban brownfield allocation site, Council considered that a density of approximately 39 dwellings per hectare would be appropriate. The application site is under separate ownership from the rest of the brownfield site. Dwellings on surrounding properties are generally 2 storey in height, although in the wider vicinity there are bungalows and terraces. Dwelling sizes are also highly variable with certain of the buildings being of fairly substantial proportions given the suburban setting.

The proposed dwellings would occupy a site of  $\pm 540\text{m}^2$  and would result in development that makes an efficient use of the site. It would also result in development at a density of approximately 37 units per hectare. This would accord with government guidance in PPG3, which has a guideline of between 30 and 50 units per hectare.

### Highway considerations

The proposed siting of the dwellings would provide for adequate driveways and on-site parking, as well as amenity spaces to the rear of the new dwellings. The highway authority is satisfied with the proposals subject to conditions. The authority has suggested a condition limiting the front wall to 600mm in height, but the proposals indicate the rebuilding of the existing wall to the front of the site, up to a height of 800mm. With the removal of the hedge (and provided that no new planting or increase in height of the wall occurs) sight distances would be adequate.

### Neighbouring amenity

The existing dwelling on no. 50 (under the control of the applicant) would be affected by the proposals since there are habitable rooms that are orientated towards the proposed new dwellings, the nearest of which would be  $\pm 1.8\text{m}$  away from the wall containing these windows. However, an application has been granted permission for alterations to this dwelling. The proposal includes the refurbishment of no. 50 to include the reconfiguration of the internal layout of the dwelling so that no windows to habitable rooms would be orientated towards the new dwellings to the west. At the time of the preparation of this report these works were under way.

With regard to other neighbouring dwellings, the rear amenity spaces to the properties at no.'s 2 and 4 Hazel Grove lie to the west of the side boundary of the development site. A garage to the west of the boundary on No.2 Hazel Grove and a substantial hedge ( $\pm 3\text{m}$  in height) on the boundary itself would however obscure direct views to a large degree. No upstairs windows to habitable rooms to the dwelling proposed on the western side of the site would overlook the neighbouring property to the west. The dwelling on no.'s 2 and 4 Hazel Grove would be 23 and 28m away from the nearest of the proposed dwellings respectively.

The rear boundary of the development site is a minimum of 8m from either of the new dwellings, and a minimum of 21m from the siting of the proposed dwellings in the new development to the rear of the site. This would limit any potential privacy issues to the rear to an acceptable degree.

### Nature Conservation

The possible presence of reptiles identified by the Wiltshire and Swindon Biological Records Centre was considered as part of the granting of permission 05/02301/FUL on the adjacent site. A study on the site revealed the presence of slow worms and an appropriate condition was imposed. The Wiltshire Wildlife Trust was consulted in this application but did not comment. The applicant did however submit a "Reptile Assessment" with the application. The report concludes that it is unlikely that there would be any movement of slow worms onto the application site.

The objector's comment is noted, but the red-line area on the application accords closely with Council's GIS records on property boundaries. The applicant has certified that the land within the red-line is not owned by anyone else. Any dispute would be a civil matter.

## CONCLUSION

The scheme would be situated on a portion of a site allocated for brownfield development in terms of the District Plan, and would approximately accord with the density of the approved development on the remainder of that site. On balance, and giving due weight to PPG3 guideline as well as Policy H1 of the West Wiltshire District Plan 1st Alteration, 2004, the development of the site with the proposed 2 dwellings should be supported.

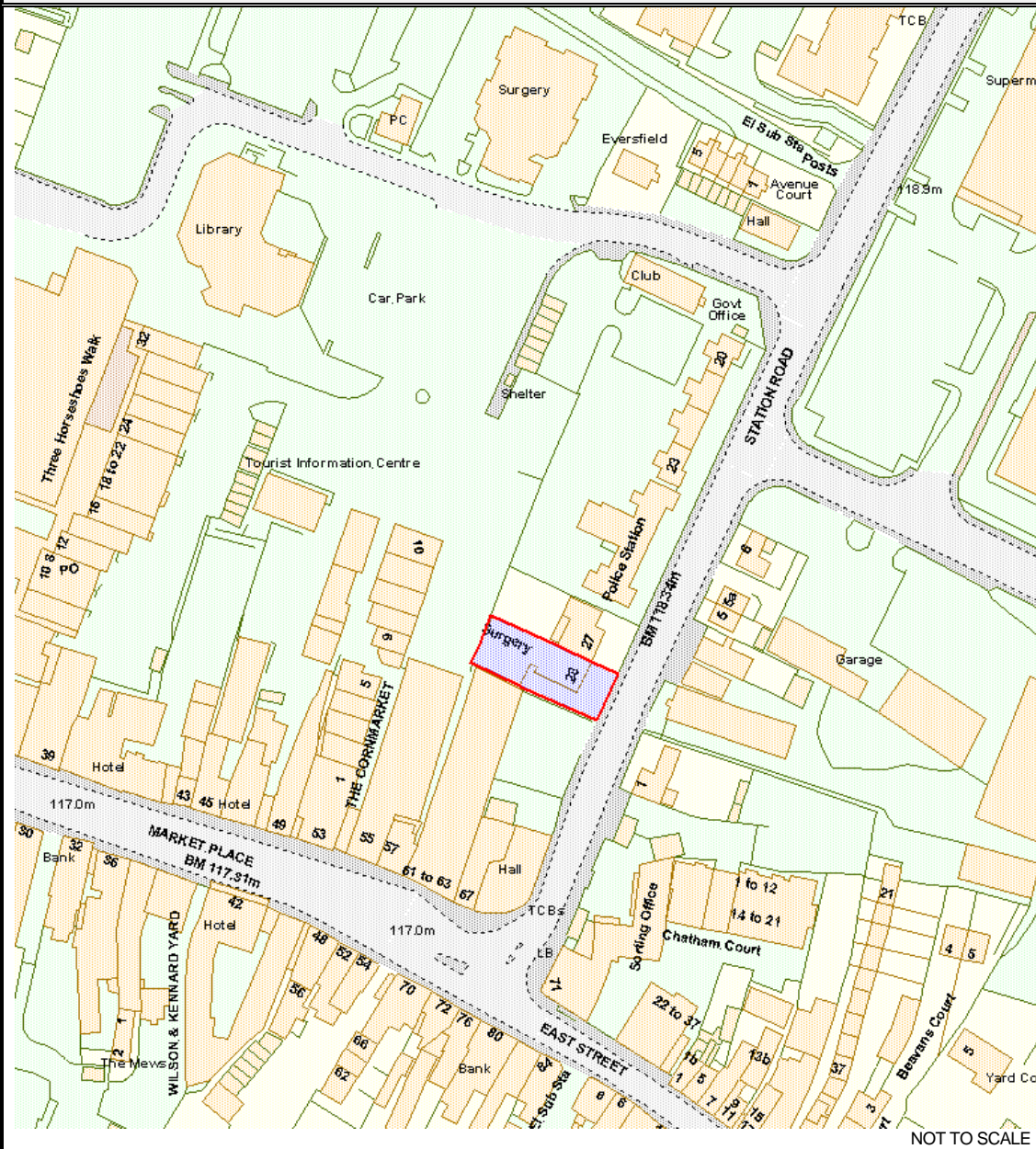
# PLANNING COMMITTEE

3 August 2006

ITEM NO: 12

APPLICATION NO: 06/01605/FUL

LOCATION: Jobcentre 28 Station Road Warminster Wiltshire  
BA12 9ND



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SLA: 100022961



**12 Application: 06/01605/FUL**

**Site Address: Jobcentre 28 Station Road Warminster Wiltshire BA12 9ND**

Parish: Warminster Ward: Warminster East

Grid Reference 387630 145106

Application Type: Full Plan

Development: Change of use from A2/B1 to D1/B1 and alter shop front

Applicant Details: Wylve Vale Health Limited  
FAO P Williams The Avenue Surgery 14 The Avenue Warminster  
Wiltshire

Agent Details: Philip Proctor Associates  
FAO S Rutter Grosvenor House Bleke Street Shaftesbury Dorset

Case Officer: Mr Matthew Perks

Date Received: 22.05.2006 Expiry Date: 17.07.2006

**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 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 building shall not be occupied or otherwise used for any purpose until a properly consolidated and surfaced turning space has been constructed to the satisfaction of the Local Planning Authority within the site according with details which shall have been submitted to and approved in writing by the Local Planning Authority. Such turning space shall be kept clear of obstruction at all times.

REASON: In the interests of highway safety.

- 4 A drop off/pick up zone shall be created to the front of the surgery in accordance with details to be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.

REASON: In the interests of highway safety.

# COMMITTEE REPORT

## APPLICATION DETAILS

This application is referred to Committee at the request of Councillor Lovell in view of concerns regarding the lack of parking space provision within the proposal.

This is a full planning application for a change of use from Class A2/ B1 (Job Centre/Benefits Agency) to D1/B1 (Consulting Rooms/Offices) of 28 Station Road, Warminster. The proposals include alterations to ground floor frontages of the building and internal changes to the layout of the building.

The application site is located to the west of Station Road, approximately 75m from the intersection with Market Place/East Street. The red brick building was until 2005 occupied by a Job Centre and Benefits Agency. The property falls within the conservation area.

The proposal is to provide administrative offices for 8 to 10 staff at the first floor level, with 6 treatment rooms, a reception area, consulting room and conference room at ground floor level. A staff room, computer, utility room and toilets would also be provided. It is proposed to retain six car parking spaces on site. The ground floor would be used as a health clinic for cosmetic surgery providing a variety of treatments.

## CONSULTATION REPLIES:

- WARMINSTER TOWN COUNCIL: Object.

"The committee appreciate that this would encourage people into the town but without car parking spaces this is contrary to policy. They felt that there would be insurmountable obstacles with regard to parking, especially on a Friday when one of the car parks is used for a market. Some Councillors thought that the applicants should be asked for a commuted payment to offset car parking charges. Voting 3 for with 2 against (Councillors Syme and Lovell). Carried for acceptance."

## STATUTORY CONSULTATIONS

- HIGHWAY AUTHORITY: No objection. Consider that there is sufficient car parking provision.

Notes that there would not be sufficient space to accommodate parking for all staff associated with the proposal, and that there would be no on-site parking for patients. However, Station Road in the vicinity of the site has parking restrictions and patients will not be permitted to park on the road. There is a public car park in close proximity to the premises and also good public transport links. There are no highway objections but it is suggested that a pick-up zone is created to the front of the surgery to allow patients to be collected by car. Conditions are suggested with regard to the pick-up zone and a turning space.

## INTERNAL WWDC CONSULTATIONS

- ECONOMIC DEVELOPMENT: Do not wish to comment.

## PUBLICITY RESPONSES

Neighbours were notified of the proposal and a public notice was posted. No comments were received.

## RELEVANT PLANNING POLICY

Wiltshire and Swindon Structure Plan 2016  
DP1 - Sustainable development  
DP5 - Employment, leisure and shopping

West Wiltshire District Plan - 1st Alteration 2004  
C19 - Alterations in Conservation Areas  
C20 - Change of use in Conservation Areas  
C38 - Effects of development on neighbouring properties  
SP1 - Retail development in town centres  
SP4 - Primary retail frontages  
T10 - Parking

PPS 1 - Delivering sustainable development.

## RELEVANT PLANNING HISTORY

None

## KEY PLANNING ISSUES

The main issues in this case are the principle of establishing the new consulting room use on this site, parking provision and the impact of the proposal on the conservation area.

## PLANNING OFFICER COMMENTS

The "fallback position" for the use of the building would be to revert to activities according with the use classes A2 (financial and professional services) and B1 (a) (offices). The proposal would bring building back into use (albeit in a different use class) in a manner that it is considered would not generate greater client traffic than the current lawful use. The applicant notes in a supporting statement that the patient capacity is dependent on the length of treatments, up to an hour long plus recovery time, that would be carried out. The principle of the use of the upper level for offices is already established. The building is situated within the Warminster town centre commercial area, but outside of the primary retail frontage area, where Policy SP5 of the District Plan provides a more flexible approach to allow for a diversity of retail, non-food retail and service uses, activities important to town centre commercial areas but which do not necessarily require a prime site in the retail core of a town.

The building falls within the conservation area. The proposed alterations to the frontage of the building would replace the existing large windows at ground floor level on the south and east elevations with smaller windows and an emergency exit door. It is considered that, although the building does not have any outstanding merit or role in the conservation area, the alterations would improve its appearance in the street scene.

Parking is an issue that has been identified by the town Council as well as the Highway Authority. District Plan Policy also identifies the need for adequate parking provision. Again, the fallback position in terms of existing use rights would also generate client traffic. Further, the property is located within the town centre, within easy reach of both rail and bus public transport for staff and clients. The central town parking areas are located within close proximity. It is considered that the Highway Authority recommendation that a drop-off point be identifies and implemented would reduce the pressure on parking demand associated with the site. The drop-off point, together with the sustainable locality and the nature of treatment (clients attending for procedures would be likely in most cases to arrange transport to and from the site) would, it is considered, indicate that parking issues should not on balance lead to a refusal of the proposal.

## CONCLUSION

The proposed use would add to the mix of activities contributing to the viability of the town centre and would bring the building into productive use. The alterations to the frontage of the building would improve its appearance. Whilst acknowledging the existence of parking issues in the area, the proposed use would be unlikely to generate client traffic additional to the existing fallback situation and the property is in a locality with good access to public transport. The application should be granted permission.

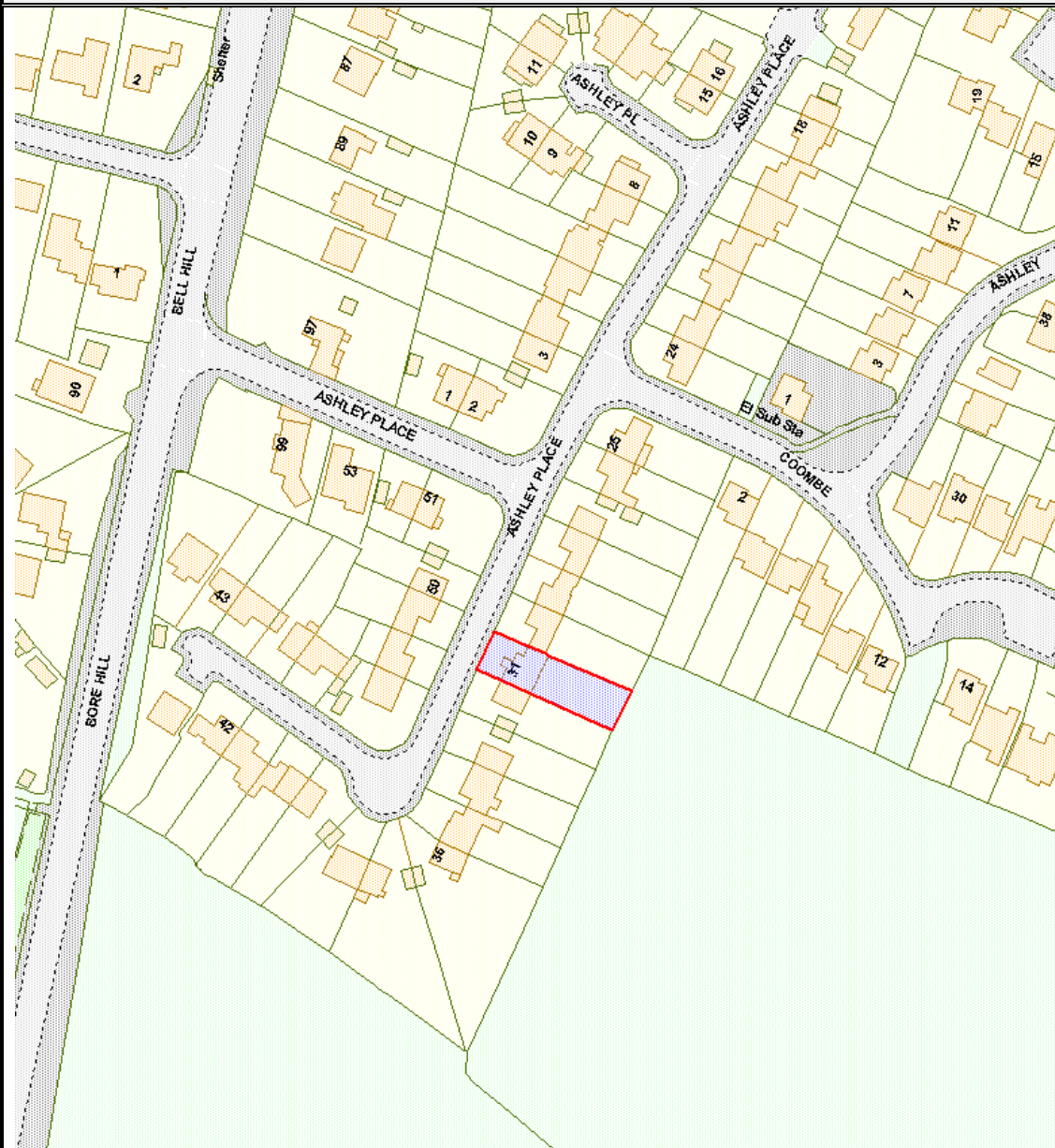
# PLANNING COMMITTEE

3 August 2006

ITEM NO: 13

APPLICATION NO: 06/01671/FUL

LOCATION: 31 Ashley Place Warminster Wiltshire BA12 9QJ



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SLA: 100022961

**13 Application: 06/01671/FUL**

**Site Address: 31 Ashley Place Warminster Wiltshire BA12 9QJ**

Parish: Warminster Ward: Warminster East

Grid Reference 386904 143865

Application Type: Full Plan

Development: Rear conservatory

Applicant Details: Mr & Mrs Guy  
31 Ashley Place Warminster Wiltshire BA12 9QJ

Agent Details: Mr J J Sample  
Parham Bungalow Parham Lane Market Lavington Devizes Wilts

Case Officer: Mr Donncha Murphy

Date Received: 26.05.2006 Expiry Date: 21.07.2006

**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.

**COMMITTEE REPORT**

**APPLICATION DETAILS:**

This application has been brought to Committee as Warminster Town Council objects contrary to officer's recommendation.

This is a full application for a rear conservatory to the existing dwelling. The proposed conservatory would be 5.5 metres in width and 3.9 metres in length. The proposal would be approximately 3.3 metres in height. There are similar rear extensions in nearby properties.

The materials used in this extension would be white PVCU frames, clear vertical glazing, polycarbonate roof sheeting and 600mm high dwarf wall constructed from matching materials to the existing dwelling.

The host dwelling is a two-storey semi-detached dwelling with an enclosed garden to the rear. There are neighbouring properties to the north and south. There is a 2 metre high fence on the northern and southern boundary.

#### CONSULTATION REPLIES:

- WARMINSTER TOWN COUNCIL: The Town Council objected to the application on the grounds that the proposal would be out of keeping with the area and too large for the size, a more modest design would be acceptable.

#### PUBLICITY RESPONSES

Neighbours were notified to which there has been no response.

#### RELEVANT PLANNING POLICY

West Wiltshire District Plan - 1st Alteration 2004

C31A Design

C38 Nuisance

SPG Planning Design Guidance (House alterations and extensions)

#### RELEVANT PLANNING HISTORY

01/01911/FUL - Two-storey side extension - Permission 21.01.2002

#### KEY PLANNING ISSUES

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

#### PLANNING OFFICER COMMENTS

The materials used would match those used in the host dwelling the proposal would conform to policy C31A of the West Wiltshire District Plan 1st Alteration 2004.

There is sufficient distance between the proposed development and the neighbouring property to the north to mitigate any possible adverse impact and neighbouring occupiers. Moreover the location of a 2 metre high fence on the boundary would screen any views of the proposed development.

A section of the existing boundary to the property to the south would be removed in order to accommodate this proposal. A solid wall on the southern elevation of the proposed conservatory would replace this section. Therefore there would be no issues of overlooking or loss of privacy to the neighbouring property to the south as a result of this proposal.

The comments submitted by the Town Council must also be considered. Although the proposal is for a large rear conservatory there is sufficient space in the rear garden to accommodate a development of this size.

Furthermore the proposal would not be out of keeping with the area. The proposed extension is to the rear of the property and would not be viewed from the street scene. Moreover there are similar rear conservatory extensions in the neighbouring properties to the north.

## CONCLUSION

There would be no adverse impact on the host dwelling or the neighbouring properties as a result of this development and it is therefore recommended for permission.

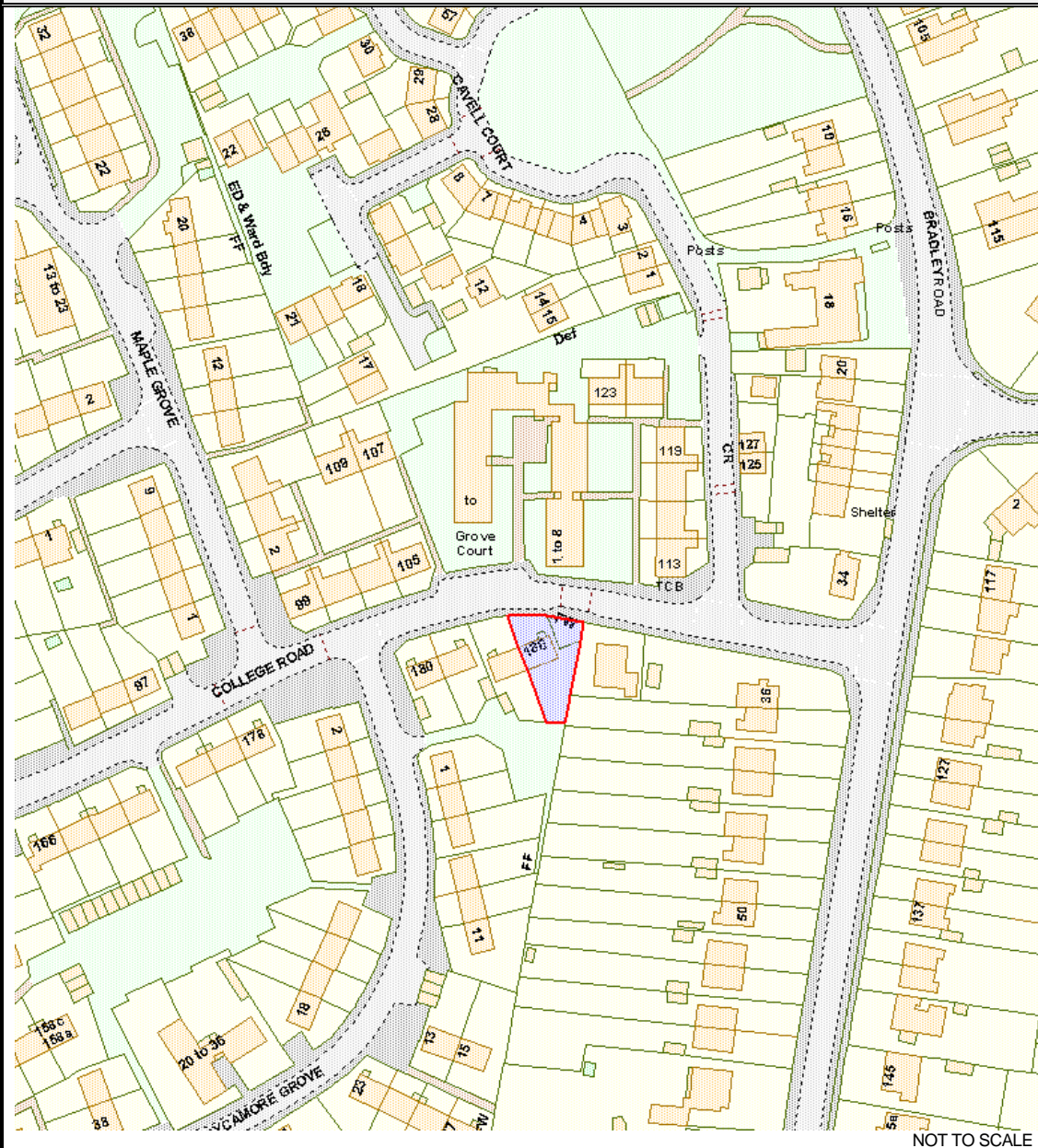
# PLANNING COMMITTEE

3 August 2006

ITEM NO: 14

APPLICATION NO: 06/01745/FUL

LOCATION: 186 College Road Trowbridge Wiltshire BA14 0EP



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West Wiltshire District Council, Bradley Road, Trowbridge, Wiltshire, BA14 0RD Tel: 01225 770344/770382 Fax: 01225 770314  
[www.westwiltshire.gov.uk](http://www.westwiltshire.gov.uk)

SLA: 100022961



**14 Application: 06/01745/FUL**

**Site Address: 186 College Road Trowbridge Wiltshire BA14 0EP**

Parish: Trowbridge Ward: College

Grid Reference 385208 156668

Application Type: Full Plan

Development: To build a single storey rear dining room extension, demolish a utility room and construct a front/side shower/wc, entrance hall and kitchen extension

Applicant Details: S Kinnaird  
186 College Road Trowbridge Wiltshire BA14 0EP

Agent Details:

Case Officer: Mr David Cox

Date Received: 06.06.2006 Expiry Date: 01.08.2006

**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 Notwithstanding the provisions of Class A of Part 1 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows shall be inserted on the rear extensions side (eastern elevation).

REASON: In the interests of neighbouring amenity

POLICY: C38 of the West Wiltshire District Plan 1st Alteration 2004

# COMMITTEE REPORT

## APPLICATION DETAILS

This application is brought to committee at the request of Councillor Osborn because of local neighbourhood concern in the local neighbourhood.

This is an application for a part front and side and a rear extension at No 186 College Road.

No 186 is a 2 storey semi-detached property built with light brown bricks under a gable ended brown tiled roof. It has an existing single storey rear extension built with the same materials. This rear section is approximately 9 metres from the garden boundary alongside the Bungalow (No 188). The ground level of the application site is also on an elevated position above that of the neighbouring bungalow. A 1.6 metre tall fence defines the two boundaries with only the upper part of the windows of No 188 visible above it.

The proposal would build a rear extension alongside the existing rear section however it would not be as deep. It would have the same roof design and form of the existing rear extension. It would have a window facing out on to its own rear garden with only a door facing No 188. The gap between the rear extensions and No 188 would be reduced to 6 metres. The rear extension would also be within the side wall of the host building.

The proposal would also include a front and side extension that would wrap around the front corner of the host building. On the front elevation there is currently a porch with a flat roof and projects 1.5 metres from the front wall (deep) of the host building. This proposal would result in the front porch being 2.2 metres deep and having a lean to roof. This roof would then wrap around the front corner and extend half way across the side elevation of the host building. This section would have a door and a porch window facing No 188.

This elevation is highly visible when viewing westwards towards the site, even from the junction with Bradley Road.

## CONSULTATION REPLIES:

- TROWBRIDGE TOWN COUNCIL: No objection subject to no loss of neighbour amenity.

## PUBLICITY RESPONSES

Neighbours were notified of the proposal. One letter of objection was received from the neighbouring bungalow No 188.

- Had already objected to application 06/01037/FUL on the grounds of flooding and are concerned about the size of the proposed extensions.
- The drawings should contain measurements so that we can consider the matter further.

One letter was received stating no objection.

## RELEVANT PLANNING POLICY

West Wiltshire District Plan - 1st Alteration 2004  
C31A - Design  
C38 - Nuisance

SPG - House Alterations and Extensions

## RELEVANT PLANNING HISTORY

06/01037/FUL - Construct first floor bedroom extension over existing single storey rear extension - REF -25.05.06

## KEY PLANNING ISSUES

The key issues 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

The 06/01037/FUL application was refused because it proposed adding a first floor on the existing rear section. It was decided that this would have had a detrimental impact on the amenities of the neighbouring semi, No 184 but not on No 188.

This proposal has removed the first floor extension and has now come in with the ground floor extension, which matches the form and design of the existing rear section. This would not bring the built form of the host building any closer to No 188 and would retain at least a 6-metre gap. Therefore no overshadowing would occur. The proposal would also not have any windows facing No 188 and so no overlooking will occur. Although only a part of the windows of No 188 are visible over the fence line a condition shall be made to ensure that no windows shall be inserted on this side elevation. The window on the front side extension would serve the front porch and so is not a habitable room in which to cause overlooking.

SPG states that front extensions should be small, sympathetic additions in scale with the original house and should not detract from the street scene. The depth of the new front porch would be only 0.7 metres more than the existing porch and it would also improve the appearance of the host building by replacing the flat roof. The only point to consider is that as this side elevation is highly visible when viewed from the west and that the extension only extends half way across the side elevation. Whilst this would look slightly unusual in the street scene it does not cause any adverse harm to either the host building or on its position in the street scene. To refuse the application because of this would be unreasonable.

## CONCLUSION

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