

PLANNING COMMITTEE

24 AUGUST 2006

Planning Applications for Determination

Item No	Application No	Location	Parish	Page No
01	06/01777/FUL	15m flexicell 2 type E monopole to replace the existing 15m monopole with an additional equipment cabinet adjacent - Land Adjacent Eversfield Station Road Warminster Wiltshire	Warminster	1
02	06/01971/FUL	Proposed rear warehouse extension - 15 Merlin Way Bowerhill Wiltshire SN12 6TJ	Melksham Without	7
03	06/01396/FUL	Detached house and garage - Land Rear Of 12B Westbury Road Warminster Wiltshire	Warminster	11
04	06/01798/FUL	Application to delete condition removing permitted development rights - The Beeches Leigh Road Bradford On Avon Wiltshire BA15 2RQ	Bradford On Avon	17
05	06/01794/FUL	Application to vary a condition relating to first floor windows/doors - The Beeches Leigh Road Bradford On Avon Wiltshire BA15 2RQ	Bradford On Avon	21
06	06/02026/FUL	Vary condition on application 04/01934 relating to removal of existing single garage - The Beeches Leigh Road Bradford On Avon Wiltshire BA15 2RQ	Bradford On Avon	27
07	06/02150/FUL	Removal of existing ground floor windows on south elevation and block up openings with cut bath stone ashlar in lime mortar - St Margarets Hall St Margarets Street Bradford On Avon Wiltshire BA15 1DE	Bradford On Avon	33
08	06/01867/FUL	Division of existing house into two dwellings - 33 Newleaze Hilperton Wiltshire BA14 7SD	Hilperton	37

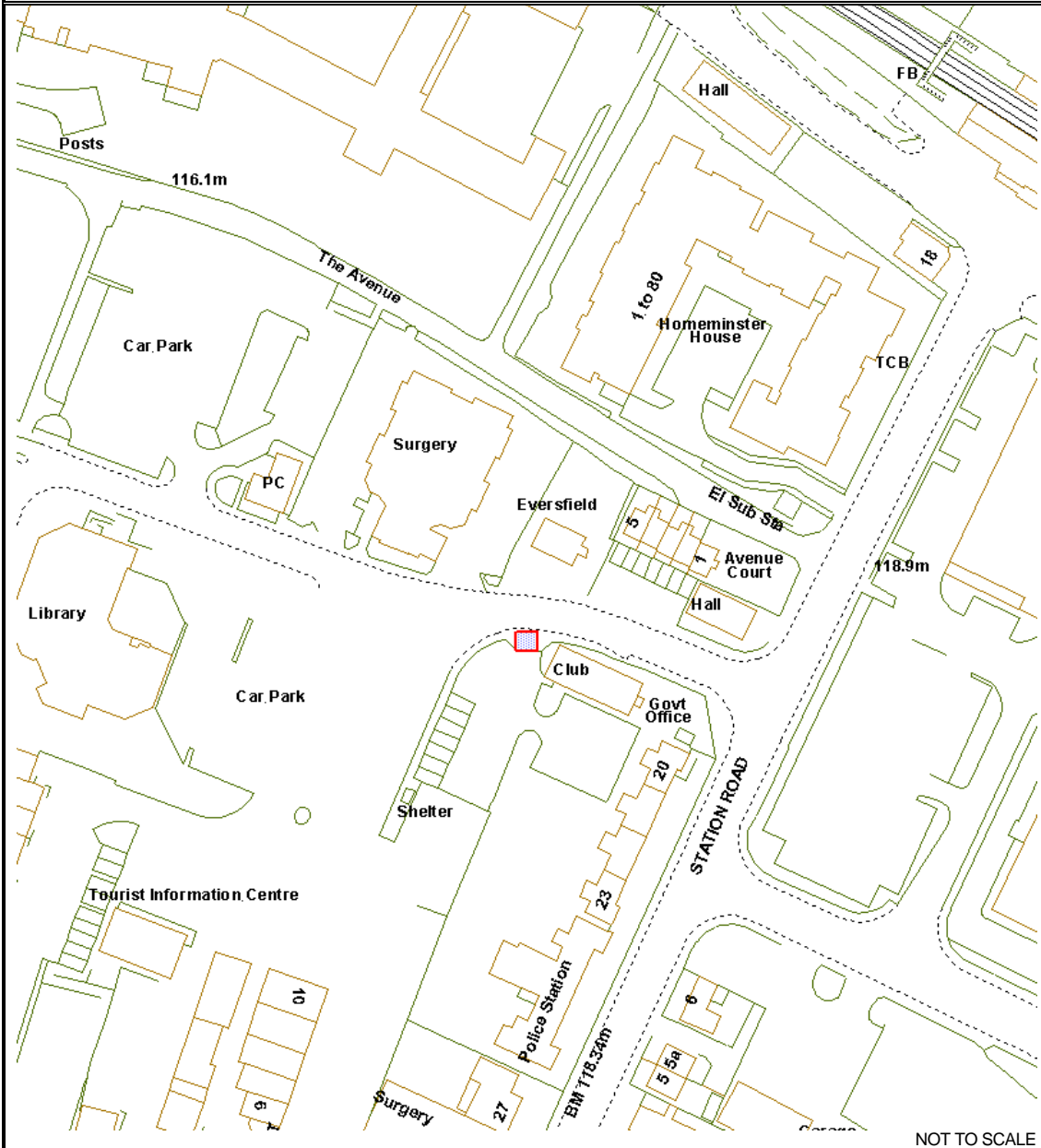
PLANNING COMMITTEE

24 August 2006

ITEM NO: 01

APPLICATION NO: 06/01777/FUL

LOCATION: Land Adjacent Eversfield Station Road Warminster
Wiltshire



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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

SLA: 100022961

01 Application: 06/01777/FUL

Site Address: Land Adjacent Eversfield Station Road Warminster Wiltshire

Parish: Warminster Ward: Warminster East

Grid Reference 387643 145208

Application Type: Full Plan

Development: 15m flexicell 2 type E monopole to replace the existing 15m monopole with an additional equipment cabinet adjacent

Applicant Details: O2 UK Limited
260 Bath Road Slough Berkshire SL1 4DX

Agent Details: Turner And Partners
The Old Hospital Ardingley Road Cuckfield Haywards Heath
RG17 5HF

Case Officer: Mr David Cox

Date Received: 08.06.2006 Expiry Date: 03.08.2006

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 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.

Note(s) to Applicant:

- 1 The applicant is advised that the Council would seek a colour that would match the existing monopole and for a grey colour for the equipment cabinet to ensure that the development harmonises with its setting.

COMMITTEE REPORT

APPLICATION DETAILS

This application is brought to the Planning Committee because Warminster Town Council have objected to the application and officers recommend permission.

This is a full planning application for a replacement 15m high telecommunications monopole mast with an additional equipment cabinet at land adjacent to Eversfield, Station Road, Warminster. The monopole and second equipment cabinet would be positioned at the back of the pavement tight up to an existing stone wall at the entrance to the car park north west of station road. Therefore the pole will be in the same position as the existing one. The application site is within a Conservation Area of Warminster.

The proposed 15m high monopole would support three antennas within a shroud at a height of 14 metres. This is at the same height as the existing monopole which has two antennas supported in its shroud. The proposed second equipment cabinet would be 1.89m in length, 0.75m in width and it would be 1.65m in height. These works are to allow for 3G Network coverage.

The application has been supported by an ICNIRP declaration, coverage information, alternative site consideration and a statement addressing national planning policy.

In support of the application the applicants have made the following statements:

'Like the existing pole its replacement and the equipment cabinet will be placed on the verge with its back to the wall to minimise its intrusion on highways land. The location has been chosen as it benefits from the screening provided by the existing street furniture and the upgrade of an existing installation is preferred as stated in PPG8. In this way the impact of the site is vastly reduced when compared to a second installation in the areas.'

'Given that there is already an existing installation which is in line with PPG8 it was decided to upgrade the existing installation rather than propose an additional mast in the area. This is considered to be the most appropriate solution as opposed to the provision of a further installation in the town centre of Warminster.'

'Adjacent sites are too far away to provide the required level of network coverage.'

'Pre-application consultation letters were sent to the Ward Councillors, local MP, Town Council and The Avenue Primary School.'

WARMINSTER TOWN COUNCIL

Objects to this proposal on the grounds of consistency and integrity adjacent to a School and Surgery in that area.

HIGHWAY AUTHORITY

No highway objection is raised.

ENVIRONMENTAL HEALTH

No comments received.

PUBLICITY

The application was publicised by site notice and neighbours, including the Governors of The Avenue Primary School, have been notified to which there has been no response.

RELEVANT PLANNING HISTORY

04/01144/FUL - 15m streetworks type monopole and single Nokia equipment cabinet - Permitted at Committee - 28.10.04

PLANNING POLICY

Wiltshire Structure Plan 2011

TE1 Telecommunications

HE7 Conservation Areas and Listed Buildings

West Wiltshire District Plan - 1st Alteration 2004

U6 Telecommunications

C17 Conservation Areas

C18 New Development in Conservation Areas

PPG8 - Telecommunications

PPG15 - Planning and the Historic Environment

PLANNING OFFICER'S COMMENTS

This application raises the following planning matters: -

- The supporting evidence submitted by the applicant;
- The siting, appearance and design of the proposal; and
- Town Council's concern about possible health risks.

To deal with the issue of evidence in support of the application the following Government guidance and Development Plan Policy should be considered. Government guidance found in PPG8 makes it clear that "Local Planning Authorities may reasonably expect applicants for new masts to show evidence that they have explored the possibility of erecting antennas on an existing building, mast or other structure". The agent has provided a supporting statement for the application, highlighting the process of site selection and the rationale for the proposed site. Other alternative sites were investigated in 04/01144/FUL and the results were found to be acceptable in that application.

These submissions are considered satisfactory.

West Wiltshire District Plan 1st Alteration 2004 Policy U6 states that proposals for new telecommunications developments will be permitted provided that the siting and external appearance of apparatus, including any location and landscaping requirements, have been designed to minimise the impact of such apparatus on amenity and the environment, having full regard to any statutory and local designations, while respecting operational efficiency. The materials and design should also minimise obtrusiveness because of the existing street furniture, which has a number of lampposts for example. When viewing the site from the supermarket opposite the existing monopole appears to blend in with the other lampposts. The lampposts in the surrounding area are painted different colours and so the colour of this monopole although it may be different will not have an adverse impact on the street scene.

New development in conservation areas will be permitted only if it preserves or enhances the character or appearance of the Conservation Area.

The context in which the mast and cabinet equipment box would be viewed is relevant in determining their suitability. The application site is located in an urban area of Warminster town centre. There is a large car park, road network and later twentieth century buildings. New building work is being undertaken on the Fairfield Road Retail Park. The application site is away from the main views within the Conservation Area, located at the northwest corner of the Conservation Area within an area of mixed uses comprising retailing, industrial, community and residential uses. This proposal would only replace the monopole with a like for like structure with the only a new equipment cabinet being adjacent to the existing Nokia cabinet.

PPG8 states that siting and design concerns may centre particularly on the type of mast and its impact particularly if located in a designated area such as a Conservation Area. The proposed mast is a slim monopole structure, which would stand 15m above ground level. PPG8 states that height may be an important consideration, but that many antennas have special siting needs because they have a limited range or require line of site. This point is pertinent in that the proposed height is necessary to provide the required levels of coverage to the target area, whilst avoiding interference from nearby buildings and other vertical structures. The proposed mast should be viewed in the context of surrounding structures notably this area displays numerous lamp posts, evidence of a surveillance camera mounted on a pole, a small floodlight and large antennas projecting above properties in the area.

This area is therefore characterised by large vertical structures and your officers note that although the mast would exceed the height of surrounding lamp posts it would be similar in design and colour and would not in your Officer's opinion detract from the character or appearance of the Conservation Area. The proposed mast would not detract from views into, out of and within the Conservation Area.

The proposed equipment cabinet would be positioned backing onto an existing stone wall and when viewed in this context would represent a modest structure acceptable in terms of its dimensions and visual appearance.

The proposed mast and cabinet would be in accordance with Policies U6, C17 and C18 of the West Wiltshire District Plan 1st Alteration 2004.

Although objections have been raised by Warminster Town Council (on the grounds of consistency which refer to health concerns expressed in 04/01144/FUL). PPG8 states that it is the Government's firm view that the planning system is not the place for determining health safeguards. It remains Central Government's responsibility to decide what measures are necessary to protect public health. In the Government's view, if a proposed mobile phone base station meets the ICNIRP guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them.

An INCIRP Declaration has been submitted with the application and therefore, in accordance with Government guidance, health considerations should not be considered further in the determination of this application.

CONCLUSION

It is considered that the proposed monopole mast and second equipment cabinet would be acceptable in design terms and that the proposed development conforms to Policies C17, C18 and U6 of the West Wiltshire District Plan 1st Alteration 2004. An INCIRP Declaration has been submitted with the application and therefore, in accordance with Government guidance, health considerations should not be considered further in the determination of this application.

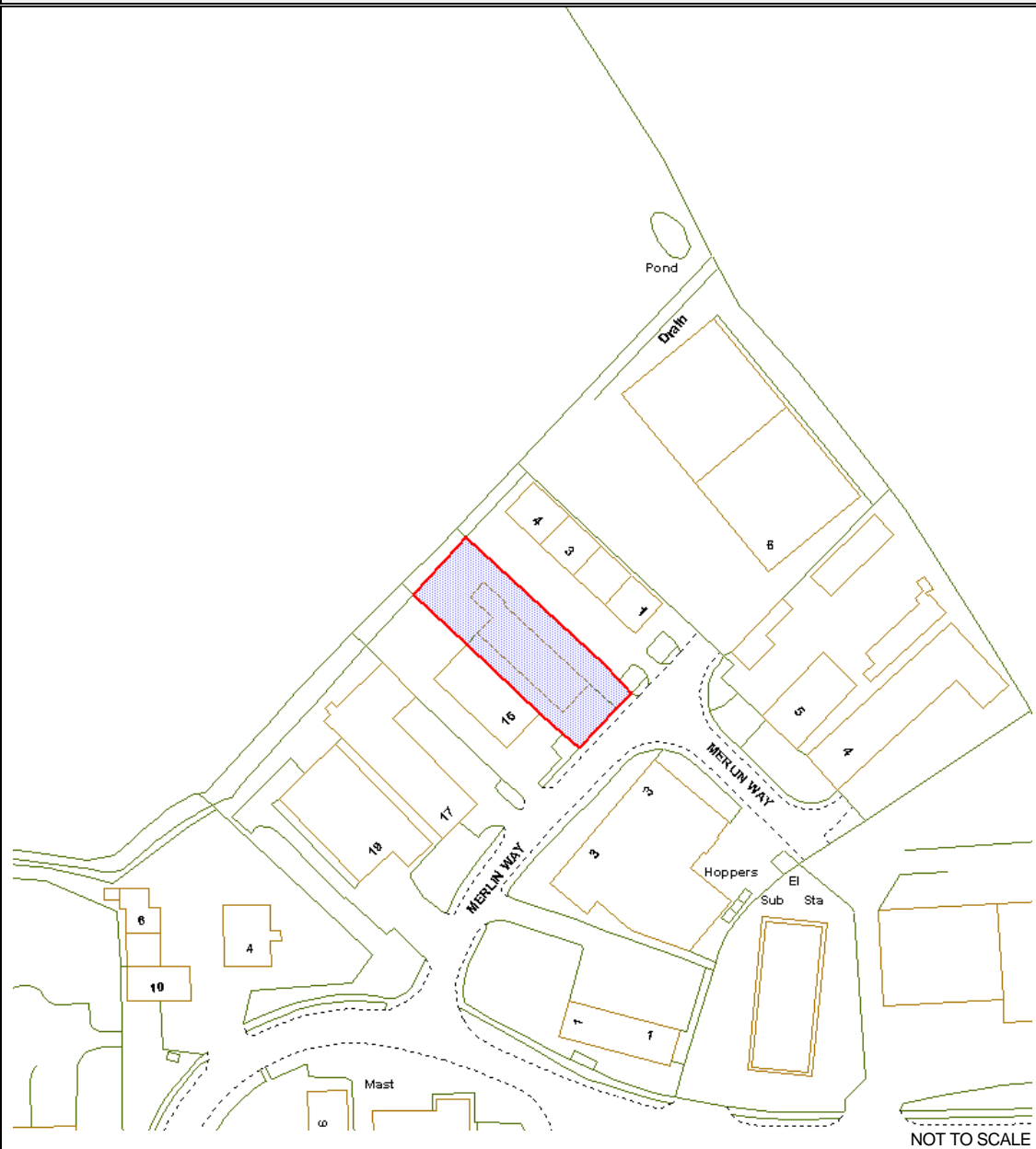
PLANNING COMMITTEE

24 August 2006

ITEM NO: 02

APPLICATION NO: 06/01971/FUL

LOCATION: 15 Merlin Way Bowerhill Wiltshire SN12 6TJ



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www.westwiltshire.gov.uk

SLA: 100022961

02 Application: 06/01971/FUL

Site Address: 15 Merlin Way Bowerhill Wiltshire SN12 6TJ

Parish: Melksham Without Ward: Melksham Without
Grid Reference 390971 162486
Application Type: Full Plan
Development: Proposed rear warehouse extension
Applicant Details: Mr Mark Anderson
15 Merlin Way Bowerhill Wiltshire SN12 6TJ
Agent Details: Mr A Harlow
46 Longford Road Melksham Wiltshire SN12 6AT
Case Officer: Miss Nicola Rogers
Date Received: 26.06.2006 Expiry Date: 21.08.2006

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.

COMMITTEE REPORT

APPLICATION DETAILS

This application is presented to the Planning Committee as Melksham Without Parish Council object to the application and your Officers recommend permission.

This is a full planning application for an extension to an existing warehouse building located on the Bowerhill Industrial Estate. The existing building is approximately 28.5 metres in length by 10.2 metres with a height of 3.3 metres. The proposed extension would measure 14.8 metres in length by 16.2 metres with a height of 7.2 metres to the ridge of its pitched roof. The proposed extension would be located to the rear of the existing building.

The area in which this building is located is characterised by a wide variety of industrial buildings of varying heights, sizes and materials. There are no residential buildings located in the vicinity.

CONSULTATION REPLIES (SUMARISED)

- MELKSHAM WITHOUT PARISH COUNCIL: Object to the application as the extension is too large and comprises over-development of the site as no space is left for any screening which is needed around such a stark construction. The proposed building is far too high and out of keeping with the existing build.

- ENVIRONMENT AGENCY: No objections

- ENVIRONMENTAL HEALTH: No objections

PUBLICITY RESPONSES

- No comments received

RELEVANT PLANNING POLICY

West Wiltshire District Plan 1st Alteration 2004

C31a Design

C38 Nuisance

E2 Employment Policy Areas

RELEVANT PLANNING HISTORY

None

KEY PLANNING ISSUES

The main issues in this case are the appearance of the proposed extension and its effects on the area in which the building is located.

PLANNING OFFICER COMMENTS

The application site is located in an area which is identified for employment development under Policy E2. This policy states that extensions to existing premises will be permitted so long as they do not create significant adverse impact on the appearance and character of their surroundings.

The proposed section of the building is considerably larger in terms of height and width than the existing building and the front elevation plan shows this fully. However, the existing building is particularly long, 28.5 metres and the photographs show that, with the addition of perspective, the proposal would not dominate the building, when viewed from the front.

The surrounding area is entirely in employment use and there are a wide range of types of industrial and other employment buildings. The building in this case is one of a number of single storey buildings in the vicinity and is located between a two storey brick built building to the west, and a set of large workshop units constructed in pressed steel sheeting to the east. The units to the east are of a comparable height to the proposed extension and the proposal would not appear out of keeping with the surrounding area. It is considered therefore that the proposal represents an appropriate addition consistent with Policy E2 of the District Plan. The objection of the Parish Council can therefore not be supported.

The Parish Council have commented that the proposal leaves no room for any landscaping of the site, however, there is a belt of trees on the rear boundary, which will remain and there is no cause to screen the building from the other industrial buildings in the locality.

The Environmental Health department has suggested a condition to restrict the hours of operation of the building, however, this is not a reasonable condition to impose as the building is surrounded by industrial with buildings which do not have their hours of operation restricted. There are no residential properties which would be affected by the proposal. The applicant has volunteered hours of operation and it would not be reasonable to condition those hours.

CONCLUSION

The proposal is consistent with development plan policy. It would not be detrimental to the appearance of the area or detract from the appearance of the host building. There are no material considerations to outweigh it's compliance with policy.

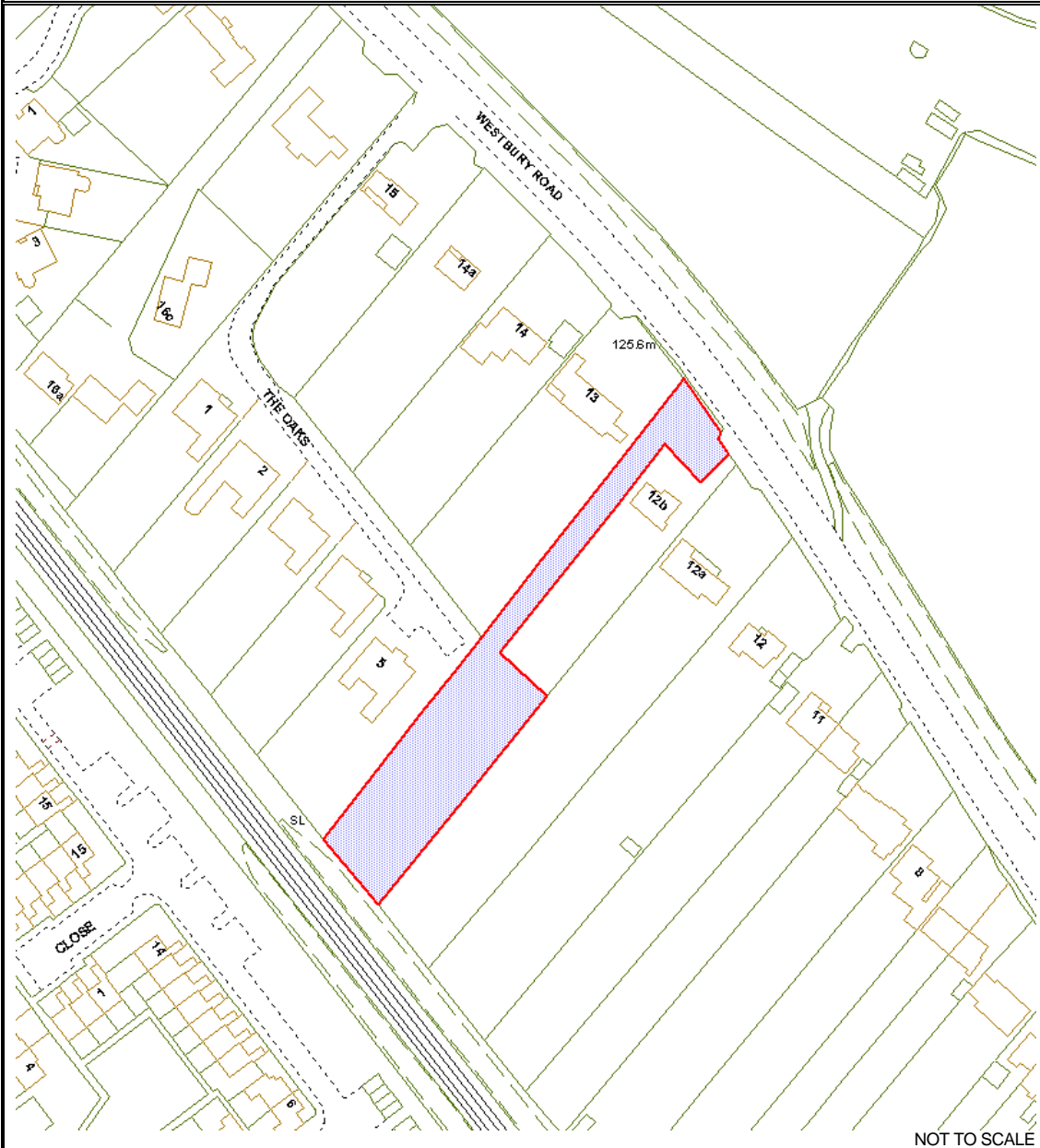
PLANNING COMMITTEE

24 August 2006

ITEM NO: 03

APPLICATION NO: 06/01396/FUL

LOCATION: Land Rear Of 12B Westbury Road Warminster
Wiltshire



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SLA: 100022961

03 Application: 06/01396/FUL

Site Address: Land Rear Of 12B Westbury Road Warminster Wiltshire

Parish: Warminster Ward: Warminster West

Grid Reference 387395 145760

Application Type: Full Plan

Development: Detached house and garage

Applicant Details: Mr And Mrs I Britten
12B Westbury Road Warminster Wiltshire

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

Case Officer: Miss Nicola Rogers

Date Received: 02.05.2006 Expiry Date: 27.06.2006

REASON(S) FOR PERMISSION:

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

RECOMMENDATION: Permission

Condition(s):

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

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

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

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

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

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

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

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

- 4 No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. This shall include indications of all existing trees and hedgerows on the land, and details of any to be retained.
- REASON: To provide a satisfactory landscaped setting for the development.
- POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C32.
- 5 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
- REASON: To provide a satisfactory landscaped setting for the development.
- POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C32.
- 6 Before the development is first used, provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway.
- REASON: In the interests of highway safety.
- 7 The development hereby permitted shall not be occupied until works for the disposal of sewage have been provided on site to serve the development hereby permitted, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
- REASON: To ensure that the development can be adequately drained.
- POLICY: West Wiltshire District Plan - 1st Alteration - Policy U1A.
- 8 The first 5 metres of the driveway shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing to the Local Planning Authority.
- REASON: In the interests of highway safety

COMMITTEE REPORT

APPLICATION DETAILS

This application is presented to the Planning Committee as Warminster Town Council object to the application and your Officers recommend permission.

This is a full planning application for one dwelling on land to the rear of Westbury Road, access to the plot would be gained from an existing access off Westbury Road, currently serving 12b. The proposed property would be located adjacent to the existing development at The Oaks.

The property proposed is a large, four bedroom detached dwelling over two storeys, with a sun room and utility area, both single storey at the rear, a detached garage is proposed to be positioned to the front of the property.

The plot currently forms part of the garden of 12b Westbury Road, which is approximately 150 metres in total length, and is heavily wooded with various species of trees. The proposal would divide the garden of 12b approximately in half.

CONSULTATION REPLIES (SUMARISED)

- WARMINSTER TOWN COUNCIL: Object to the application on the grounds that it is overdevelopment of the site and do not agree to the shared access. The visibility would be a problem and there are no passing places.

- HIGHWAY AUTHORITY: No objections

PUBLICITY RESPONSES

Letters of objection from three properties have been received and raise the following planning matters:

- loss of privacy to surrounding dwellings
- the size and height of the property is excessive
- design and materials are not in keeping
- too many trees will be removed
- access is not suitable

RELEVANT PLANNING POLICY

West Wiltshire District Plan - 1st Alteration 2004
H1 Further housing development within towns
C31A Design
C32 Landscaping
C38 Nuisance

PPS1 Delivering Sustainable Development
PPG3 Housing

RELEVANT PLANNING HISTORY

None

KEY PLANNING ISSUES

The main issues in this case are if the proposal is in accordance with policy H1 of the West Wiltshire District Plan 1st Alteration 2004, the design of the property, access to it and its effect on the amenity of the neighbouring residents.

PLANNING OFFICER COMMENTS

The application site is located within the town policy limits where the principle of housing development is acceptable subject to satisfactory detailed criteria, adequate and convenient servicing and infrastructure, and the development not resulting in the loss of important open space or visual gap or constituting inappropriate backland development. The site is technically brownfield land and as such, its reuse is encouraged in preference to the development of greenfield sites.

Clearly the site involves backland development a similar pattern of development already exists on the sites immediately adjoining and at other points on this road.

Backland development is not ruled out entirely, especially in this area where it is common, however, the development must be suitably accessed. This proposed development would be accessed via a private drive off an existing access to Westbury Road. This access would be approximately 97 metres in length and would pass beside the entire length of the existing property and their garden, bounded by a close-boarded fence. The Highway Authority have not objected to this access or the entrance onto Westbury Road and are satisfied that this arrangement is acceptable.

The design of the dwelling is particularly large, with four bedrooms and three large reception rooms. The dimensions of the property are approximately 15.75 metres in width by 10.5 metres in depth, with a height of 8.6 metres to the ridge and sloping to 5.6 metres at eaves.

This property would be entirely hidden from view from Westbury Road, but would be visible from The Oaks. As access is not gained from The Oaks, the proposed dwelling would not be part of the street scene as such. However, the building would be visible over the boundary treatment existing, and would be dominant at the end of this road.

The proposed property is shown to be located some 67 metres from the existing property and an even greater distance to the other properties on Westbury Road. There are no windows facing the existing property 5 The Oaks and the proposed property would have no impact on the amenity of the residents surrounding the property.

It is acknowledged that a number of mature trees will be removed as a result of this development, however, the block plan shows that the majority will remain in situ and the plot will remain substantially wooded. None of these trees are protected by a Tree Preservation Order and the site is not located in a conservation area, therefore the trees are not protected by planning legislation.

CONCLUSION

The site lies within the town boundary of Warminster where the principle of development of this brownfield site is acceptable subject to appropriate details. The amenity of existing properties is maintained and the scheme will make a more efficient use of the site, and is considered to result in a scheme which meets the policies and objectives of the District Plan.

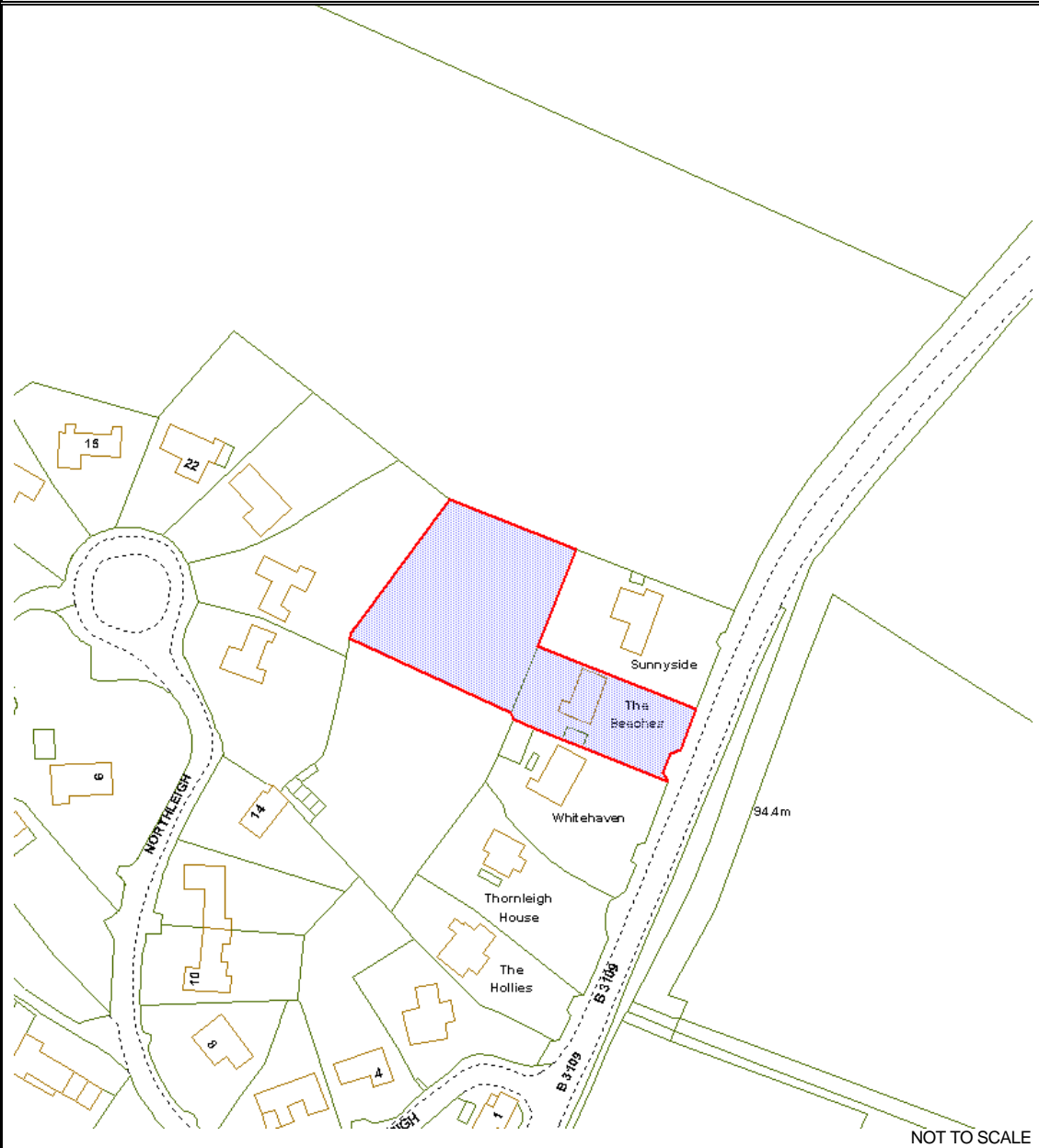
PLANNING COMMITTEE **24 August 2006**

24 August 2006

ITEM NO: 04

APPLICATION NO: 06/01798/FUL

LOCATION: The Beeches Leigh Road Bradford On Avon Wiltshire
BA15 2RQ



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SLA: 100022961

04 Application: 06/01798/FUL

Site Address: The Beeches Leigh Road Bradford On Avon Wiltshire BA15 2RQ

Parish: Bradford On Avon Ward: Bradford On Avon North

Grid Reference 383206 162085

Application Type: Full Plan

Development: Application to delete condition removing permitted development rights

Applicant Details: Mr And Mrs J D And J Thomson
The Beeches Leigh Road Bradford On Avon Wiltshire BA15 2RQ

Agent Details:

Case Officer: Mr Peter Westbury

Date Received: 09.06.2006 Expiry Date: 04.08.2006

RECOMMENDATION: Refusal

Reason(s):

- 1 The removal of Condition 5 attached to permission 05/02892/FUL would afford the opportunity to add development falling within Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 1995 without the prior approval of the Local Planning Authority. Such development has the potential to have a detrimental impact on the openness of the Western Wiltshire Green Belt in this location.

COMMITTEE REPORT

APPLICATION DETAILS

This application is brought to Planning Committee because the applicant is a member of the Council's Staff.

The Beeches is one of six dwellings dating from the 1960s fronting Leigh Road. The existing property is a bungalow set some 25 metres back from the highway. There is a detached prefabricated garage to the immediate south of the bungalow and a flat roofed sunroom to the rear. The accommodation is on one floor and comprises a kitchen, dining room, living room, three bedrooms and a bathroom.

In February 2006, planning permission was granted for a porch to the front elevation, two small dormer windows to the front elevation, extension to the west elevation at floor, first floor extension to the west elevation and one dormer window to the rear elevation (Application Reference 05/02892/FUL). Condition 5 attached to the permission states:

"Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, as amended, no development falling within Schedule 2, Part 1, Classes C-E and Part 2 Classes A & B of the Order shall be carried out without the express planning permission of the Local Planning Authority.

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

The Committee Report in support of the recommendation to remove all permitted development rights stated that :

"As the extensions to the dwelling are approaching the boundary of what may be termed 'limited' in policy GB2 of the West Wiltshire District Plan 1st Alteration 2004 and PPG2, a condition is recommended to remove all remaining permitted development rights on the property. This is in order to bring all additional increases in volume under the control of the planning system."

The applicants have taken the decision to implement permission 04/01934/FUL (see below) but would rather have the freedom to implement the 2006 permission with their remaining permitted development rights intact.

CONSULTATION REPLIES

- BRADFORD ON AVON TOWN COUNCIL

In the absence of further information, particularly an explanation by the District Council as to why it imposed this condition it would seem inappropriate to make a comment.

PUBLICITY RESPONSES

Neighbouring properties were consulted. As a result no representations were received.

RELEVANT PLANNING POLICY

Wiltshire Structure Plan 2016
DP12 The Western Wiltshire Green Belt

West Wiltshire District Plan - 1st Alteration 2004
GB2 Western Wiltshire Green Belt
C1 The Countryside
C31a Design
C38 Nuisance

PPS1 Delivering Sustainable Development
PPG2 Green Belts
PPS7 Sustainable Development in Rural Areas

Supplementary Planning Guidance (House Alterations and Extensions)

RELEVANT PLANNING HISTORY

04/01934/FUL - Alterations and extension - Permission 9.12.2004

05/02892/FUL - First and ground floor extensions to the dwelling (Permission 03.02.2006)

Despite gaining planning permission for First and ground floor extensions to the dwelling earlier this year. The applicants have not implemented this permission. Accordingly, the applicants are currently implementing the planning permission granted in 2004 (04/01934/FUL).

06/01794/FUL - Application to vary condition 3 attached to 04/01934/FUL (Pending consideration)

06/02026/FUL - Vary condition on Application 04/01934 relating to removal of existing single garage (Pending consideration)

KEY PLANNING ISSUES

The main issues for this application are the presumption against inappropriate development in the Western Wiltshire Green Belt and the planning history of the application site.

PLANNING OFFICER COMMENTS

There is a wealth of planning history on this site but actual building work has only just commenced. The applicants have taken the decision not to implement their latest permission but to implement the permission granted to application 04/01934/FUL. They have indicated to Officers that they feel that the 2006 permission places an unacceptable restriction on the ability of the applicants to make any alteration to any part of their property and its gardens. Accordingly they are seeking an amendment to this 2006 permission to remove this condition.

There is no scope under permitted development rights to add any further volume to the main property. The applicants have been advised that permitted development rights under Schedule 2 Part 1 Class A of the Town and Country Planning (General Permitted Development) Order 2005 are exhausted.

The condition restricts the ability of the applicant to add outbuildings, enclosures and fences. The applicants' concern is that this means that a small rabbit hutch or chicken coop would require planning permission.

The applicants also assert that it would restrict their ability to "maintain any existing or future structure without prior approval", such as re-felting a roof is not accepted. However, such operations would be considered either as repairs or de minimus, and would not therefore require planning permission.

Your Officers concern is to ensure that any outbuildings that could otherwise be erected as permitted development, which would be prejudicial to the openness of the Green Belt, be subject to the prior approval of the Local Planning Authority. Accordingly, in your Officer's opinion this application cannot be supported. However, a resubmission seeking to vary Condition 5 so that it only relates to development falling within Schedule 2, Part 1, Classes E of the Order might be considered acceptable as it would not then relate to fences, gates, walls and similar minor operations.

This would enable the applicant to install fences and garden walls but would still require them to seek the approval of the Council for the provision within the curtilage of the property of any building or other enclosure, for a purpose incidental to the enjoyment of the dwelling house. It would also require further approval for the alteration of such buildings should they be approved.

CONCLUSION

The removal of condition 5 would in effect allow the potential for large outbuildings to be added in the rear garden of this property without the approval of the Local Planning Authority. Up to 50% of the rear garden could be covered with buildings. Your Officers conclude that this should be resisted as without planning permission such buildings have the potential to have a detrimental impact on the openness of the Green Belt in this location.

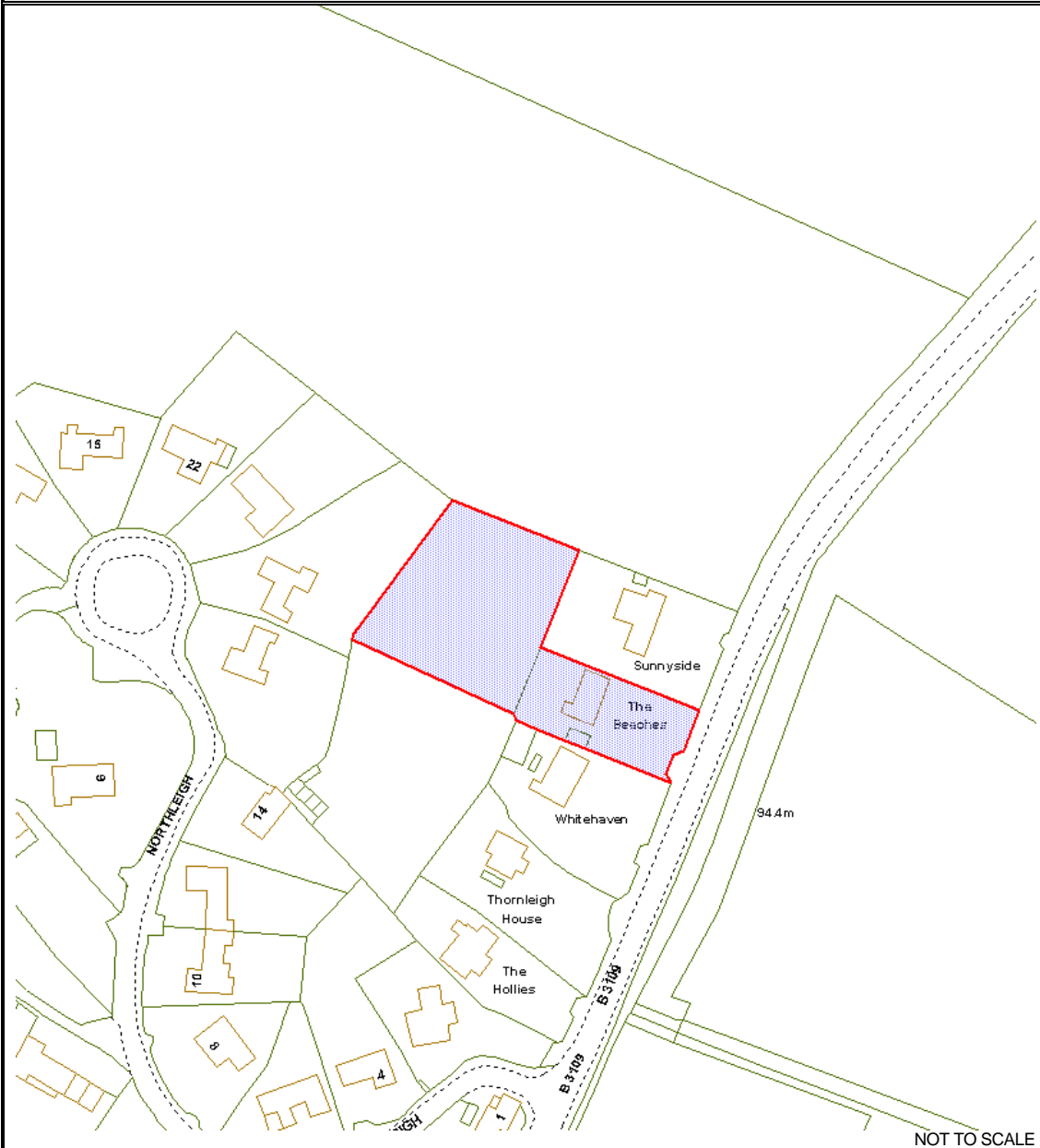
PLANNING COMMITTEE

24 August 2006

ITEM NO: 05

APPLICATION NO: 06/01794/FUL

LOCATION: The Beeches Leigh Road Bradford On Avon Wiltshire
BA15 2RQ



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www.westwiltshire.gov.uk

SLA: 100022961

05 Application: 06/01794/FUL

Site Address: The Beeches Leigh Road Bradford On Avon Wiltshire BA15 2RQ

Parish: Bradford On Avon

Ward: Bradford On Avon North

Grid Reference 383206 162085

Application Type: Full Plan

Development: Application to vary a condition relating to first floor windows/doors

Applicant Details: Mr And Mrs J D Thomson
The Beeches Leigh Road Bradford On Avon Wiltshire BA15 2RQ

Agent Details:

Case Officer: Mr Peter Westbury

Date Received: 09.06.2006

Expiry Date: 04.08.2006

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 Within 6 months of the date of this permission, the existing garage as annotated on the approved plan shall be demolished and its former ground area surfaced to provide a hardstanding area for ancillary car parking for the main dwelling and shall be maintained as such thereafter.

REASON: To maintain the openness of the Western Wiltshire Green Belt and to ensure that an adequate area for parking is maintained.

POLICY: West Wiltshire District Plan 1st Alteration 2004 - Policies GB2 & T10.

- 3 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, or any order revoking and re-enacting that Order with or without modification, no windows or doors to the North, South or West elevations, other than those approved as part of planning permission 04/01934/FUL, shall be added above ground floor level of the development hereby permitted.

REASON: In the interests of amenity and privacy.

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

- 4 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.

Note(s) to Applicant:

- 1 The applicant is advised that some of these conditions may already have been discharged and that this permission should be read in conjunction with planning permission reference 04/01934/FUL, granted on 09.12.04.

COMMITTEE REPORT

APPLICATION DETAILS

This application is brought to Planning Committee because the applicant is a member of the Council's Staff.

The Beeches is one of six dwellings dating from the 1960s fronting Leigh Road. The existing property is a bungalow set some 25 metres back from the highway. There is a detached prefabricated garage to the immediate south of the bungalow and a flat roofed sunroom to the rear. The accommodation is on one floor and comprises a kitchen, dining room, living room, three bedrooms and a bathroom.

In December 2004, planning permission was granted for ground and first floor extensions at the above property (Application Reference 04/01934). Condition 3 attached to the permission stated:

"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 of the development hereby permitted.

REASON: In the interests of amenity and privacy."

The application proposal seeks to vary this condition insofar as it relates to the north, south and west elevations (the two sides and rear elevation) but not the front elevation.

This permission is now in the process of being implemented and 3 front rooflight windows have been added. Therefore the development that would result from this variation has already been implemented at the Applicant's risk.

In February 2006, planning permission was granted for an amendment to the permission 04/01934/FUL to allow an additional rear dormer. A condition was attached to this permission removing all permitted development rights. The applicants have submitted an application removing this condition (06/01798/FUL) which is also included in the Committee Papers.

CONSULTATION REPLIES

- BRADFORD ON AVON TOWN COUNCIL

No comment.

"In the absence of further information, particularly an explanation by the District Council as to why it imposed this condition it would seem inappropriate to make a comment."

- PUBLICITY RESPONSES

Neighbouring properties were consulted. As a result no representations were received.

RELEVANT PLANNING POLICY

Wiltshire Structure Plan 2016
DP12 The Western Wiltshire Green Belt

West Wiltshire District Plan - 1st Alteration 2004

GB2 Western Wiltshire Green Belt

C1 The Countryside

C31a Design

C38 Nuisance

PPS1 Delivering Sustainable Development

PPG2 Green Belts

PPS7 Sustainable Development in Rural Areas

Supplementary Planning Guidance (House Alterations and Extensions)

RELEVANT PLANNING HISTORY

04/01934/FUL - Alterations and extension - Permission 9.12.2004

05/02892/FUL - First and ground floor extensions to the dwelling (Permission 03.02.2006)

Despite gaining planning permission for First and ground floor extensions to the dwelling earlier this year. The applicants have not implemented this permission. This is because in their view it places unreasonable restrictions on their ability to alter their property. A separate application has been made to address their concerns in relation to the permission 05/02892/FUL. This is application 06/01798/FUL.

Accordingly, the applicants are implementing the planning permission granted in 2004 (04/01934/FUL) at this time. As the permission attached to application 05/02892/FUL is an amendment to the permission 04/01934/FUL, this report should be read in conjunction with the report in respect of application 06/01798/FUL, which is also included in the Committee Papers.

06/01798/FUL - Application to delete condition removing permitted development rights (Pending consideration)

06/02026/FUL - Vary condition on Application 04/01934 relating to removal of existing single garage (Pending consideration)

KEY PLANNING ISSUES

The main issues for this application are amenity and privacy of neighbours, the presumption against inappropriate development in the Western Wiltshire Green Belt, and the planning history of the application site.

PLANNING OFFICER COMMENTS

There is a wealth of planning history on this site but actual building work has only recently commenced. The applicants have taken the decision not to implement their latest permission but to implement the permission granted to application 04/01934/FUL. Accordingly they are seeking an amendment to this permission, specifically to allow alterations to be made to the front roof. By varying this condition so that it removes the restriction on permitted development rights to the front elevation, three rooflights would be retained.

The retention of these rooflights would have no impact on the amenity of occupiers of neighbouring dwellings or the openness of the Green Belt in this location. The rooflights would effectively add no volume to the property.

Furthermore, as the planning permission for first and ground floor extension granted planning permission in February 2006 included these rooflights at an identical size, it is considered that it would be inappropriate for the Council to resist this variation.

CONCLUSION

There would be no harm to neighbouring amenity or the openness of the Green Belt.

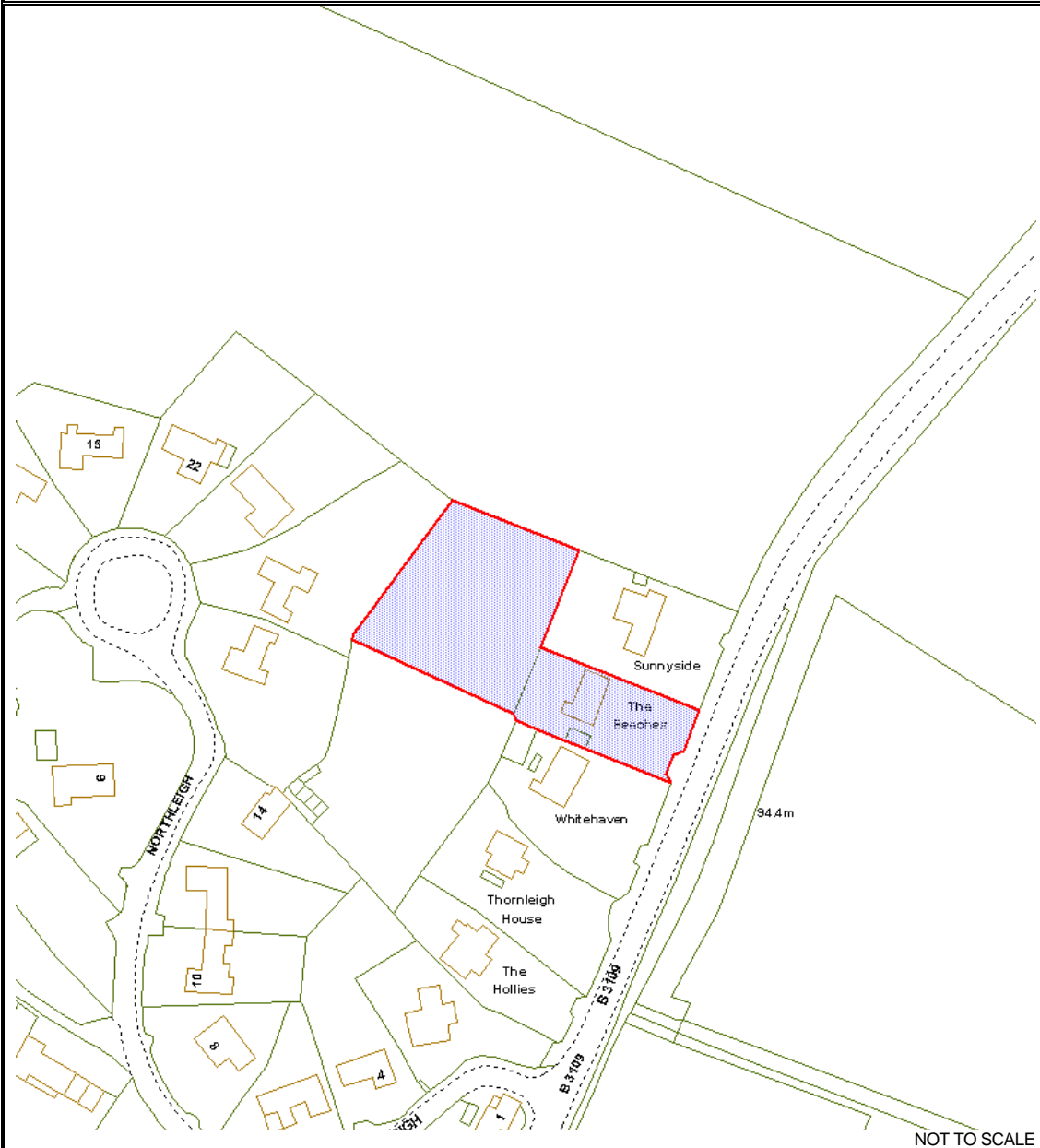
PLANNING COMMITTEE

24 August 2006

ITEM NO: 06

APPLICATION NO: 06/02026/FUL

LOCATION: The Beeches Leigh Road Bradford On Avon Wiltshire
BA15 2RQ



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SLA: 100022961

06 Application: 06/02026/FUL

Site Address: The Beeches Leigh Road Bradford On Avon Wiltshire BA15 2RQ

Parish: Bradford On Avon

Ward: Bradford On Avon North

Grid Reference 383206 162085

Application Type: Full Plan

Development: Vary condition on application 04/01934 relating to removal of existing single garage

Applicant Details: Mr And Mrs Thomson
The Beeches Leigh Road Bradford On Avon Wiltshire BA15 2RQ

Agent Details:

Case Officer: Mr Peter Westbury

Date Received: 04.07.2006

Expiry Date: 29.08.2006

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 Within 6 months of the date of this permission, the existing garage as annotated on the approved plan shall be demolished and its former ground area surfaced to provide a hardstanding area for ancillary car parking for the main dwelling and shall be maintained as such thereafter.

REASON: To maintain the openness of the Western Wiltshire Green Belt and to ensure that an adequate area for parking is maintained.

POLICY: West Wiltshire District Plan 1st Alteration 2004 - Policies GB2 & T10.

- 3 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, or any order revoking and re-enacting that Order with or without modification, no windows or doors to the North, South or West elevations, other than those approved as part of planning permission 04/01934/FUL, shall be added above ground floor level of the development hereby permitted.

REASON: In the interests of amenity and privacy.

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

- 4 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.

Note(s) to Applicant:

- 1 The applicant is advised that some of these conditions may already have been discharged and that this permission should be read in conjunction with planning permission reference 04/01934/FUL, granted on 09.12.04.

COMMITTEE REPORT

APPLICATION DETAILS

This application is brought to Planning Committee because the applicant is a member of the Council's Staff.

The Beeches is one of six dwellings dating from the 1960s fronting Leigh Road. The existing property is a bungalow set some 25 metres back from the highway. There is a detached prefabricated garage to the immediate south of the bungalow and a flat roofed sunroom to the rear. The accommodation is on one floor and comprises a kitchen, dining room, living room, three bedrooms and a bathroom.

In December 2004, planning permission was granted for ground and first floor extensions at the above property (Application Reference 04/01934). Condition 2 attached to the permission stated:

"Within 3 months of the commencement of any development on site in connection with this permission, the existing garage as annotated on the approved plan shall be demolished and its former ground area surfaced to provide a hardstanding area for ancillary car parking for the main dwelling and shall be maintained as such thereafter.

REASON: To maintain the openness of the Western Wiltshire Green Belt and to ensure that an adequate area for parking is maintained.

This permission is now in the process of being implemented.

This application seeks to vary this condition. In support of their application the applicants state:

"Condition number 2 of the 2004 approval relates to the removal of our existing single garage. This is required within three months of the commencement of construction. However, the garage is required as essential storage space during construction which is programmed to take longer than the prescribed three month period. In the first instance we would wish to extend the period to allow the retention of the structure for a longer period relating to the completion of the extension of our property."

In addition to this request, the applicants question the necessity for the removal of this building as part of the approved scheme. The applicants' intention is to replace the garage and accordingly would accept a condition "reworded to require the demolition of the existing garage, prior to beneficial use of any new garage structure built in the rear garden".

CONSULTATION REPLIES

- BRADFORD ON AVON TOWN COUNCIL

No objection

"We have no objection to varying the condition to allow the present garage to remain until the new garage is built but it should be removed within six months of the new garage being in beneficial use."

PUBLICITY RESPONSES

Neighbouring properties were consulted. As a result no objections were received.

RELEVANT PLANNING POLICY

Wiltshire Structure Plan 2016
DP12 The Western Wiltshire Green Belt

West Wiltshire District Plan - 1st Alteration 2004

GB2 Western Wiltshire Green Belt

C1 The Countryside

C31a Design

C38 Nuisance

T10 Car Parking

PPS1 Delivering Sustainable Development

PPG2 Green Belts

PPS7 Sustainable Development in Rural Areas

Supplementary Planning Guidance (House Alterations and Extensions)

RELEVANT PLANNING HISTORY

04/01934/FUL - Alterations and extension - Permission 9.12.2004

05/02892/FUL - First and ground floor extensions to the dwelling (Permission 03.02.2006)

Despite gaining planning permission for First and ground floor extensions to the dwelling earlier this year. The applicants have not implemented this permission. This is because in their view it places unreasonable restrictions on their ability to alter their property. Accordingly, the applicants are implementing the planning permission granted in 2004 (04/01934/FUL).

06/01794/FUL - Application to vary a condition relating to first floor windows/doors (Pending consideration).

06/01798/FUL - Application to delete condition removing permitted development rights (Pending consideration)

KEY PLANNING ISSUES

The main issues for this application are the presumption against inappropriate development in the Western Wiltshire Green Belt and the planning history of the application site.

PLANNING OFFICER COMMENTS

There is a wealth of planning history on this site but actual building work has only just commenced. The applicants have taken the decision not to implement their latest permission but to implement the permission granted to application 04/01934/FUL. Accordingly they are seeking an amendment to this permission, specifically the rewording of Condition 2 to require the demolition of the existing garage, prior to beneficial use of any new garage structure built in the rear garden.

Officers concern about the rewording Condition 2 to allow a new garage structure to be built in the rear garden, is that the replacement garage could fail to maintain the openness of the Western Wiltshire Green Belt in this location. Until details are submitted it seems appropriate for this condition to remain.

The applicants concern that they are required to remove the garage within 3 months of work commencing on site not fitting into their development programme is recognised and it is accepted that this condition should be amended. The suggestion of the Town Council that the period be increased to six months seems entirely appropriate. As building work has already commenced and it is not possible to confirm the exact start date, it is recommended that the condition be reworded to require that the garage be removed within 6 months of the date of permission.

CONCLUSION

The rewording of the condition to allow a replacement garage of an unspecified size cannot be supported as such a replacement has the potential to have a detrimental impact on the openness of the Western Wiltshire Green Belt in this location.

This would not prevent the applicant applying at a later date for a detailed garage elsewhere in the garden and this would be considered on its merits at that time. However, this would not be encouraged as it would be likely to be prejudicial to the openness of the Green Belt.

However, it is accepted that the condition should be amended to allow for the retention of the garage for a six month period from the date of the permission, to allow for the suitable storage of building material required as part of the alterations to the main dwelling.

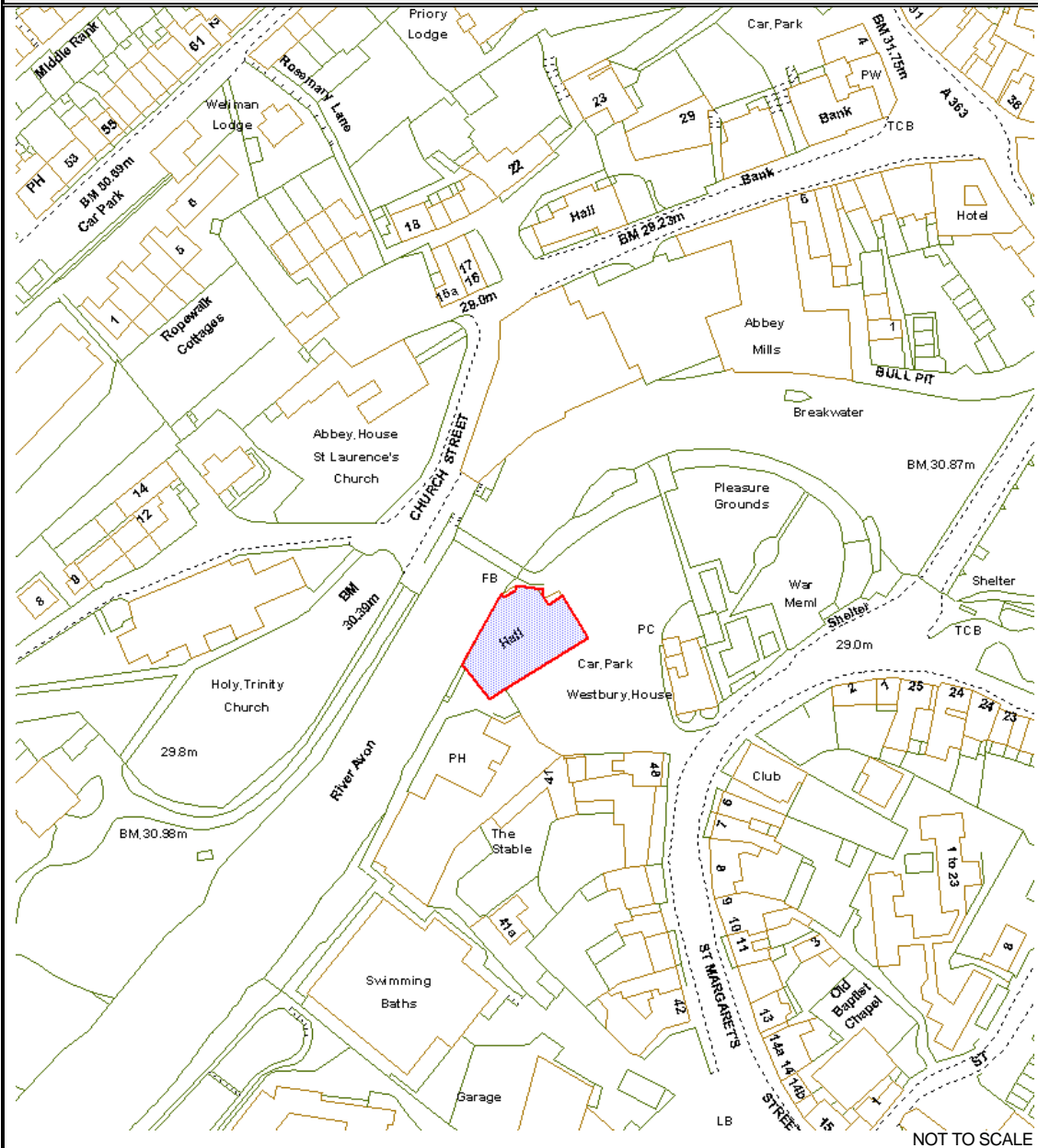
PLANNING COMMITTEE

24 August 2006

ITEM NO: 07

APPLICATION NO: 06/02150/FUL

LOCATION: St Margarets Hall St Margarets Street Bradford On
Avon Wiltshire BA15 1DE



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SLA: 100022961

07 Application: 06/02150/FUL

**Site Address: St Margarets Hall St Margarets Street Bradford On Avon
Wiltshire BA15 1DE**

Parish: Bradford On Avon Ward: Bradford On Avon South
Grid Reference 382492 160873
Application Type: Full Plan
Development: Removal of existing ground floor windows on south elevation and
block up openings with cut bath stone ashlar in lime mortar
Applicant Details: Ms Holmes
Town Clerk Bradford On Avon Town Council St Margarets Hall St
Margarets Street Bradford On Avon
Agent Details: Hetreed Ross Architects
Attika Workspace Bath Brewery Toll Bridge Road Bath BA1 7DE
Case Officer: Mr James Taylor
Date Received: 12.07.2006 Expiry Date: 06.09.2006

RECOMMENDATION: Refusal

Reason(s):

- 1 The proposals by reason of their deadening impact on the prominent south elevation of the building would be injurious to the host building and as such would not preserve or enhance the character and appearance of the Conservation Area. Contrary to Policy C17, C19 and C31a of the West Wiltshire District Plan 1st Alteration (2004).

COMMITTEE REPORT

APPLICATION DETAILS

This proposal is brought to the Planning Committee at the request Cllr. Janet Repton so that it may be debated in public.

The proposal is a resubmission of a similar scheme that was refused planning permission by the Planning Committee on 28 March 2006. That application was to remove the ground floor fenestration and block up with bath rubble stone in lime mortar to match the existing external wall surface. The work related to the south elevation only. This application is identical except it would be to block the ground floor fenestration with Ashlar, recessed by 100mm rather than rubble stone recessed by 50mm.

The host building is an unlisted building in the Conservation Area of Bradford on Avon. It is located on the banks of the River Avon and has a short stay car park to the south. Running adjacent to the south elevation of the building is a public walkway along the River Avon. The south elevation faces into the car park and is a prominent site in the locality as a public facility and office to the Town Council.

CONSULTATION REPLIES:

BRADFORD ON AVON TOWN COUNCIL

This is the Town Council's own application. Therefore the Town Council has made no comment.

PUBLICITY RESPONSES

The proposal was advertised by letters to the neighbouring properties, a site notice and through the local press.

13 letters of objection have been received. The concerns raised included:

- the lack of consultation undertaken regarding the approach to the scheme
- the proposals are inconsistent with the Community Plan
- no business or economic plan evident
- the previous reasons for refusal have not been overcome
- detrimental to the visual harmony of the building, which is in a conservation area and prominent location
- existing situation is an offence to the eye, but appalled at proposal which would be sacrilege
- blocking up of windows in wrong
- damage to original architectural concept of the building and spoil the visual harmony
- any vandalism problem may be reduced by exterior lighting and toughened glass, or mesh
- loss of important elements in the character and appearance of the building

RELEVANT PLANNING POLICY

West Wiltshire District Plan 1st Alteration (2004)

C17 - Conservation Areas

C19 - Alterations in a Conservation Area

C27 - Listed buildings

C31a Design

C38 Nuisance

PPG15 - Planning and the historic environment.

RELEVANT PLANNING HISTORY

06/00421/FUL - Removal of existing ground floor windows on south elevation and block up openings with cut bath rubble stone in lime mortar - Refusal - 20.04.2006

KEY PLANNING ISSUES

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

The main issues to consider regarding this application are the potential impact on the character and appearance of the Conservation Area, the host building and its setting in the street scene. It is important to note that this application must overcome the previous reason for refusal to be granted permission.

PLANNING OFFICER COMMENTS

The planning application relates to the ground floor of the south elevation of St. Margaret's Hall. This is a prominent elevation in the street scene, which is in the heart of the Bradford Conservation Area. The Conservation Area has been designated for its historic and architectural interest and although the application site itself is not listed it is an important feature within the Conservation Area and is of some historic and architectural merit.

PPG15 highlights that the local planning authority has a special duty to preserve and enhance the character and appearance of Conservation Areas. This has been reflected in Policy C17 and C19 of the West Wiltshire District Plan 1st Alteration (2004) which requires any development to unlisted buildings in the Conservation Area to preserve or enhance the character and appearance of the area.

The existing fenestration on the ground floor and first floor is in a poor state of repair and needs to be repaired or replaced. Currently the ground floor and half the first floor has been blocked from the inside by breeze blocks. From close inspection this is obvious and has some detrimental impact on the building's appearance and as such the Conservation Area. However it is considered that the proposed blocking in of the ground floor fenestration would have a deadening impact on this prominent elevation, under both a close inspection and a wider perspective. It is accepted that good quality matching materials would be utilised; however this is not sufficient to mitigate the harm to the host building. The elevation is very prominent in the Conservation Area; adjacent to a well used car park and a river walk along the banks of the River Avon. Due to the deadening impact and its prominent location it would fail to preserve the character and appearance of the Conservation Area.

It is not considered that the use of Ashlar rather than rubble stone, or recessing the infill by 100mm, 50mm more than previously, would improve the proposal. Indeed it certainly does not address the previous reason for refusal; as this current proposal would still have a deadening impact on this prominent elevation in the Conservation Area. As such the previous reason for refusal has not been overcome and this application should therefore be refused.

The proposals would not cause any significant harm to the setting of the neighbouring listed buildings, beyond that of the existing setting, which is a short stay car park.

It has been presented that the proposed works would be easier to maintain against the elements and vandalism. Also it is noted that the ground floor windows are currently blocked internally. These issues have been considered, however they are not of a significant weight and certainly do not outweigh the harm to the appearance of the building and the character and appearance of the Conservation Area, that would be caused by the proposals.

Finally it is noted that there have been numerous letters of objection received during the consultation process. The design and Conservation Area points have been considered in reaching the officer's recommendation. However the comments regarding the lack of a business plan and consultation prior to the planning application are not planning matters.

CONCLUSION

For the above reasons the proposal would be contrary to Policy C17, C19 and C31a of the West Wiltshire District Plan 1st Alteration (2004).

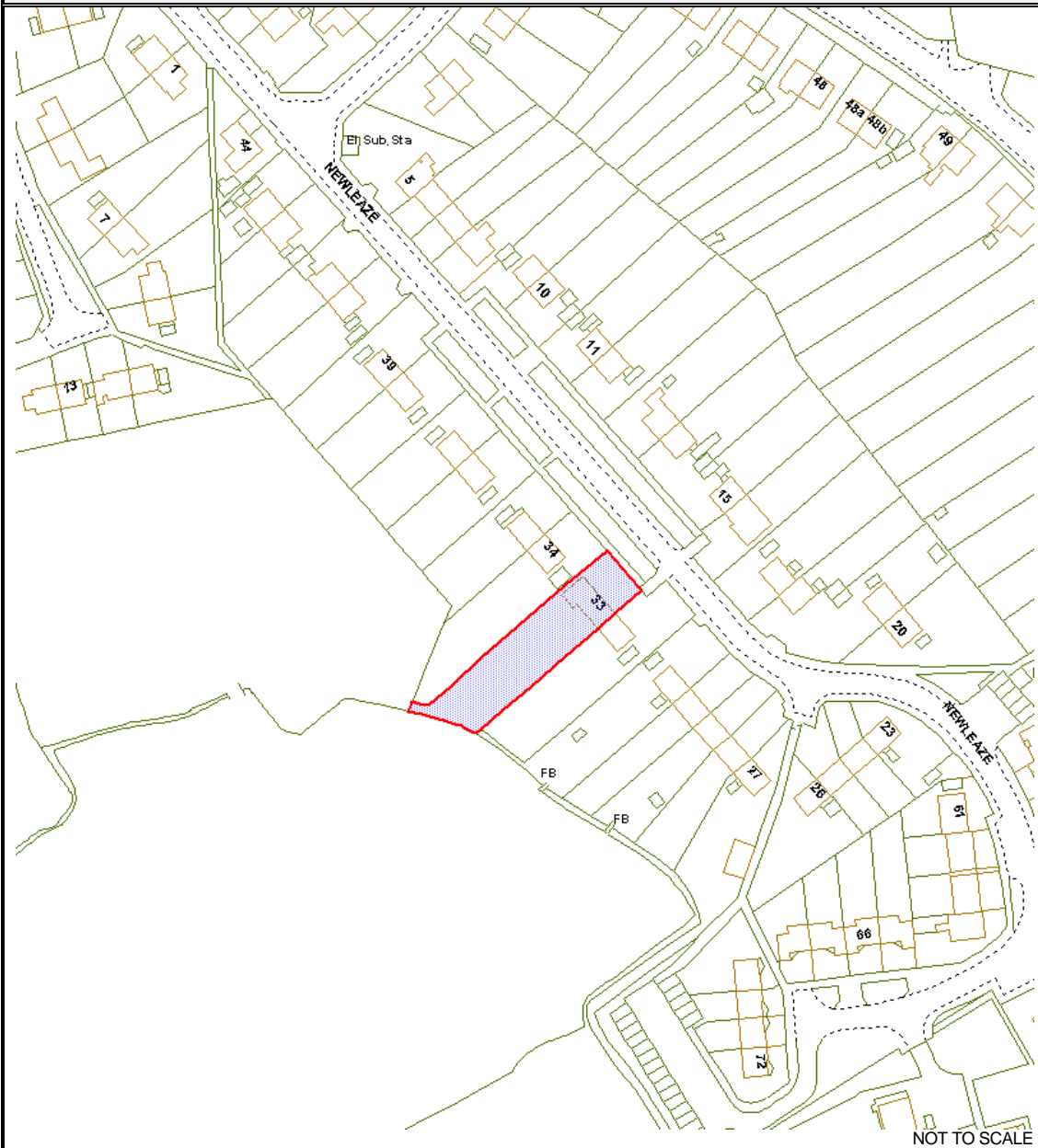
PLANNING COMMITTEE

24 August 2006

ITEM NO: 08

APPLICATION NO: 06/01867/FUL

LOCATION: 33 Newleaze Hilpertont Wiltshire BA14 7SD



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SLA: 100022961

08 Application: 06/01867/FUL

Site Address: 33 Newleaze Hilperton Wiltshire BA14 7SD

Parish: Hilperton Ward: Paxcroft

Grid Reference 387007 159646

Application Type: Full Plan

Development: Division of existing house into two dwellings

Applicant Details: Mrs Kerena Angell
33 Newleaze Hilperton Wiltshire BA14 7SD

Agent Details:

Case Officer: Mr Mark Reynolds

Date Received: 19.06.2006 Expiry Date: 14.08.2006

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 No development shall take place until details of a proposed means of boundary treatment to separate the garden areas of the existing dwelling and the dwelling permitted here have been submitted to and approved in writing by the local planning authority. The boundary treatment shall be completed before the building is occupied.

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

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

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

REASON: In the interests of amenity and road safety.

COMMITTEE REPORT

APPLICATION DETAILS

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

This application is for the conversion of an existing granny annex into a separate dwelling.

33 Newleaze is a semi-detached dwelling within a group of similar residential properties. Planning permission was previously granted for an annex as ancillary accommodation to the side of the dwelling in 1989. Currently the annex comprises four rooms at ground floor level and three at first floor level. The annexe has an independent staircase and front door from the main house. There are no alterations proposed to the existing dwelling or annexe. The new dwelling would have an area of garden to the rear, and the original would similarly retain a garden at the rear. There exists parking at the front of the dwelling.

CONSULTATION REPLIES:

HILPERTON PARISH COUNCIL

Comment, "in October 1989, an application was made for a two-storey granny annexe by the previous owners and this was given planning permission. The Parish Council objects to this current application because, although the original extension was not conditioned, as it was specifically a granny annexe it would be subservient to the main building and therefore it would be reasonable to presume that it would not be sub-divided. Although it is the intention of the applicant that her son will be living in the proposed 33a, if both houses are sold at some future date there will be insufficient garden or amenity land for either of them".

STATUTORY CONSULTATIONS

HIGHWAY AUTHORITY

The proposed layout allows space for two cars to park for both the existing and proposed dwellings, therefore I recommend that no highway objection be raised.

INTERNAL WWDC CONSULTATIONS

HOUSING

There is no requirement for affordable housing.

BUILDING CONTROL

A building regulation submission will be required.

ENVIRONMENTAL HEALTH

No objections received

PUBLICITY RESPONSES

Neighbours have been notified to which one response was received raising the following issue;

- Water supply

RELEVANT PLANNING POLICY

West Wiltshire District Plan - 1st Alteration 2004

H17	Village Policy Limit
H2	Affordable housing
H16	Flat conversions
T10	Car parking

RELEVANT PLANNING HISTORY

89/01635/FUL - Two storey extension forming granny annexe - Permitted 31.10.1989

KEY PLANNING ISSUES

The principle of a separate dwelling unit at the site is the key planning consideration in this case.

PLANNING OFFICER COMMENTS

Planning permission has previously been granted for an extension to the dwelling in the form of a residential annex for a dependant relative. This application made the annexe effectively independent from the main house given it had its own front door and all of the rooms associated with a separate dwelling. In this instance no condition was placed upon the annexe linking it to the original residential accommodation. A planning application is however required here because this proposal creates a new dwelling.

Since 1989 when the annex was originally approved Government Guidance has changed significantly. It is considered that the proposal would now fall within the principles contained within Planning Guidance Note 3 to make more efficient use of land. There exists in the Highway Authority's view adequate car parking within the application site available.

Although the division of the property would form two entirely separate dwellings, it is not dissimilar in principle from the conversion of houses into flats, which would be on a horizontal rather than on a vertical alignment as currently proposed. Council policy encourages residential conversions into flats and it is considered that the principle of the current proposal is no different to such a conversion.

The outward appearance of the building would be maintained and a rear garden area would be created for the proposed new dwelling. This garden would be 10m in depth and this would avoid concerns regarding overlooking of the garden for the existing dwelling which would wrap around the proposed garden at the rear. The concerns of the Parish Council regarding the size of both gardens are noted however it is considered that ample garden space would be achieved for both dwellings.

Since this part of the building has already been used as an annex and no additional windows are proposed the amenity of neighbours would be unaffected.

Although the proposals would result in a formation of an additional dwelling, the Housing Officer has confirmed that there is no requirement for affordable housing at the site.

A neighbour has commented regarding water supply a building regulations application would however be required for the proposed works which would consider issues such as drainage.

CONCLUSION

The proposals would make efficient use of land and increase housing opportunities in the area by providing an additional dwelling and would not result in any detrimental impact on the area.