

Planning Applications

- (a) To receive and note the attached list of delegated decisions made since the last meeting (list herewith)
- (b) To determine planning applications received in accordance with the Committee's delegated powers (list herewith).

NOTES:

(i) LOCAL GOVERNMENT ACT 1972 – SECTION 100D

The background papers relating to the applications reported upon include not only relevant planning documents but also replies to consultations with other bodies and authorities, letters of representation from interested parties, previous planning decisions and source material otherwise referred to in the reports.

(ii) HUMAN RIGHTS ACT 1998

The human rights implications of the actions recommended in these reports have been considered and are acceptable and the checklist has been addressed.

PLANNING COMMITTEE

25 JANUARY 2007

Planning Applications for Determination

Item No	Application No	Location	Parish	Page No
01	06/00378/FUL	Installation of compressors and enclosure - 2 Northlands Industrial Estate Copheap Lane Warminster Wiltshire BA12 0BG	Warminster	01
02	06/03750/FUL	Warehouse extension (re application) - The Soundpost Limited Mayflower New Road Codford Wiltshire	Codford	05
03	06/03164/FUL	Construct two storey extension to rear of main house, demolish existing garage/stables outbuildings and construct new garage/store - Whitepits Farm 34 - 35 Kingston Deverill Wiltshire BA12 7HE	Kingston Deverill	11
04	06/03161/LBC	Construction of two storey rear extension to main house, general internal alterations at ground and first floor level, general refurbishment including re-thatching of main roof, demolition of garage/stable outbuilding and construction of new garage/store - Whitepits Farm 34 - 35 Kingston Deverill Wiltshire BA12 7HE	Kingston Deverill	19
05	06/03049/FUL	Four bed detached house - Land North Of 97 Deverill Road Warminster Wiltshire	Warminster	25
06	06/02823/FUL	New residential dwelling comprising four, two bedroom flats - 3 Littlejohn Avenue Melksham Wiltshire SN12 7AN	Melksham (Town)	31
07	06/03404/FUL	Demolition of existing bungalow and erection of 2 no. two storey houses - 1 Orchard Close West Ashton Wiltshire BA14 6AU	West Ashton	39
08	06/03403/OUT	Erection of 3 dwelling (outline) and resiting of electricity sub station - Land Adjacent 22 Cherry Orchard Codford Wiltshire	Codford	47
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10	06/01987/FUL	Removal of condition 1 of planning consent 06/00157/FUL to allow permanent use of Unit 13 as a builders merchant - Unit 13 Ashton Mills West Ashton Road Trowbridge Wiltshire	Trowbridge	61
11	06/01998/FUL	Demolition of sections of existing house erection of new extensions and alterations, alterations to garage - Old Chapel House Little Ashley Winsley Wiltshire BA15 2PN	Winsley	67

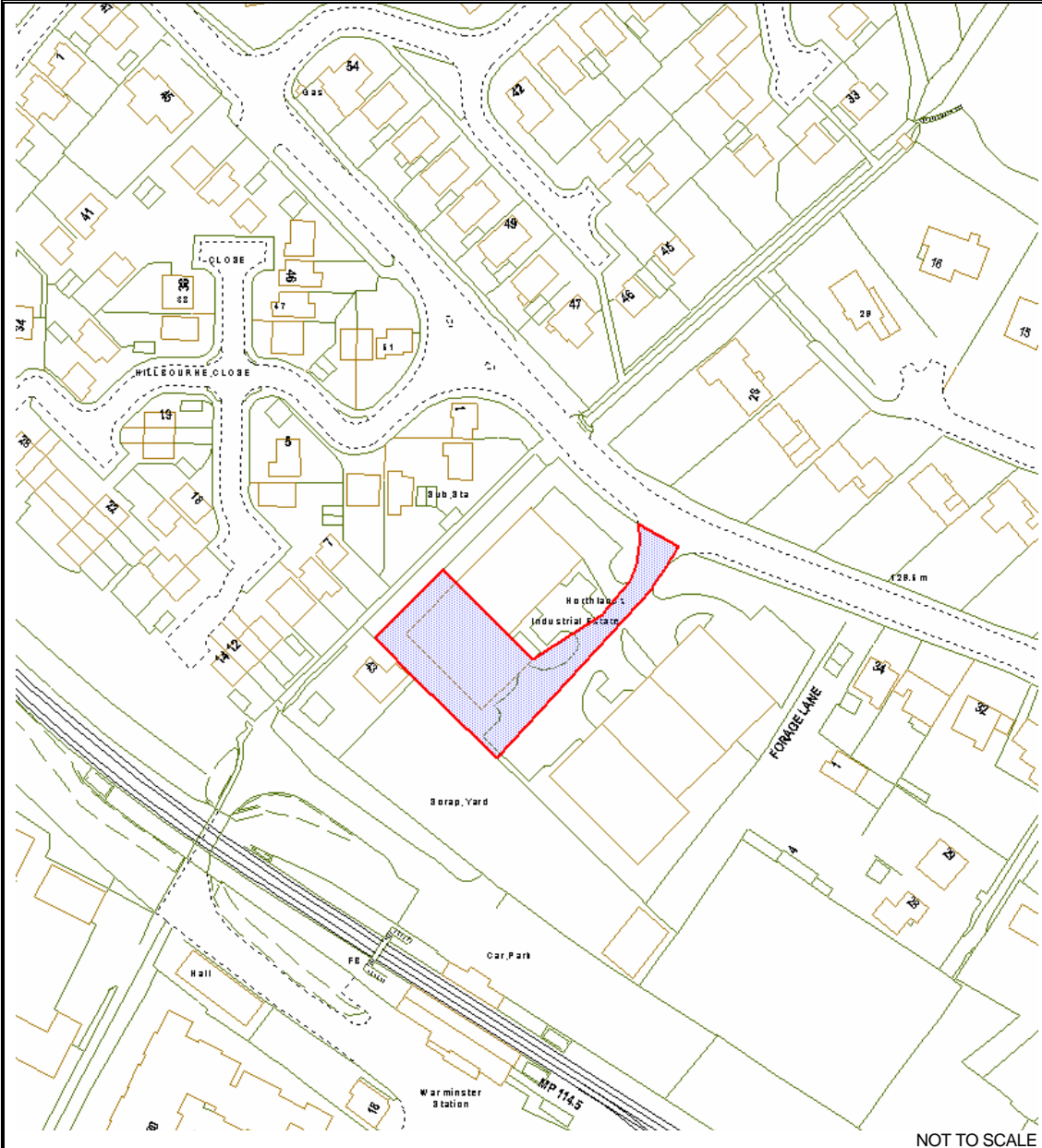
PLANNING COMMITTEE

25 January 2007

ITEM NO: 01

APPLICATION NO: 06/00378/FUL

LOCATION: 2 Northlands Industrial Estate Copheap Lane
Warminster Wiltshire BA12 0BG



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www.westwiltshire.gov.uk

SLA: 100022961

01 Application: 06/00378/FUL

**Site Address: 2 Northlands Industrial Estate Copheap Lane Warminster
Wiltshire BA12 0BG**

Parish: Warminster

Ward: Warminster East

Grid Reference 387748 145411

Application Type: Full Plan

Development: Installation of compressors and enclosure

Applicant Details: Trans Oceanic Meat Company Southwest Ltd
2 Northlands Industrial Estate Copheap Lane Warminster Wiltshire
BA12 0BG

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

Case Officer: Mr James Taylor

Date Received: 02.02.2006

Expiry Date: 30.03.2006

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 shall be carried out strictly in accordance with the approved and certified plans reference 06-11-1 Rev.B.

REASON: In order to define the terms of this permission.

COMMITTEE REPORT

APPLICATION DETAILS

This application was deferred by Committee on 1 June 2006 to invite Environmental Health and a suitably qualified consultant acting on behalf of the applicant to measure existing noise levels produced by the equipment and the background noise levels and agree mitigation measures to overcome unacceptable noise emissions. It was originally brought to Committee because the Town Council objected contrary to the officer's recommendation. The Town Council has now withdrawn its objection.

The application has now been revised following a survey by noise and vibration consultants taking into account their recommendations for mitigation of noise and potential loss of amenity to neighbours.

The proposal is for a building to enclose compressors and condensers essential to the operation of the meat-processing factory at Copheap Lane, Warminster. The compressors already exist on site, and have done for a number of years with a lightweight plywood framed structure, which is covered with corrugated sheeting, and wire mesh walls.

The proposal would measure approximately 4.9 metres long, 2.4 metres wide and 2.4 metres high. An internal wall would separate the compressor and condenser storage so that the compressors would be entirely enclosed. The condensers require some ventilation however, and double louvre doors on the front and side of the building have achieved this.

CONSULTATION REPLIES:

- WARMINSTER TOWN COUNCIL: Originally objected to the proposal on the following grounds:
- Would like the louvered doors on the side elevations only in accordance with neighbour's comments.
- Consider that solid doors be used to attenuate soundproofing.

Following the revision of the scheme the Town Council has no objection and comments that efforts appear to have been made to attenuate the noise.

INTERNAL WWDC CONSULTATIONS

- ENVIRONMENTAL HEALTH: No objection.

Environmental Health stated that they are "happy with the proposals for the enclosure as described in the JSP Report."

PUBLICITY RESPONSES

The proposal was advertised by letters to the neighbouring properties. 2 responses to the original consultation were received objecting to the proposal due to nuisance.

Following this revision to the scheme no further comments have been received.

RELEVANT PLANNING POLICY

West Wiltshire District Plan - 1st Alteration 2004

- C31a Design
- C36 Noise
- C38 Nuisance

- PPS1 Delivering Sustainable Development
- PPG4 Industrial, Commercial Development and Small Firms.
- PPG24 Planning and Noise

RELEVANT PLANNING HISTORY

03/00927/FUL - Retention of compressors and enclosure - Withdrawn - 20/08/2004

KEY PLANNING ISSUES

The main issues to consider are if the proposed compressors and insulated enclosure would cause unacceptable levels of noise which in itself would be a nuisance and harmful to neighbouring amenity.

PLANNING OFFICER COMMENTS

PPG4 on Industrial, Commercial and Small Firms states that development control should not place unjustifiable obstacles in the way of development, and that planning decisions must reconcile necessary development with environmental protection and other development plan policies. Planning permission should normally be granted unless there are specific and significant objections.

PPG24 on planning and noise guides local planning authorities and states that noise can be a material planning consideration, and that housing should be regarded as noise sensitive development. Policies C36 and C38 of the West Wiltshire District Plan reflect the national guidance and are fundamental to determining this application.

The applicants have had a noise and vibration consultant assess the proposals and conduct a report that has detailed that existing noise levels at night are not acceptable. Subject to some revisions the total enclosure design should give 20dBA attenuation, making 25dBA attenuation in total. The planning application has been amended according to these recommendations to achieve these reductions.

The revised proposals have been considered by Environmental Health, and no objection is seen to the proposal in its amended form.

Further the Town Council has removed its objection and no other comments have been received during the additional consultation process.

The revised design is acceptable in all other planning respects, considering its location and context.

CONCLUSION

This proposal would not result in any harm to neighbouring amenity.

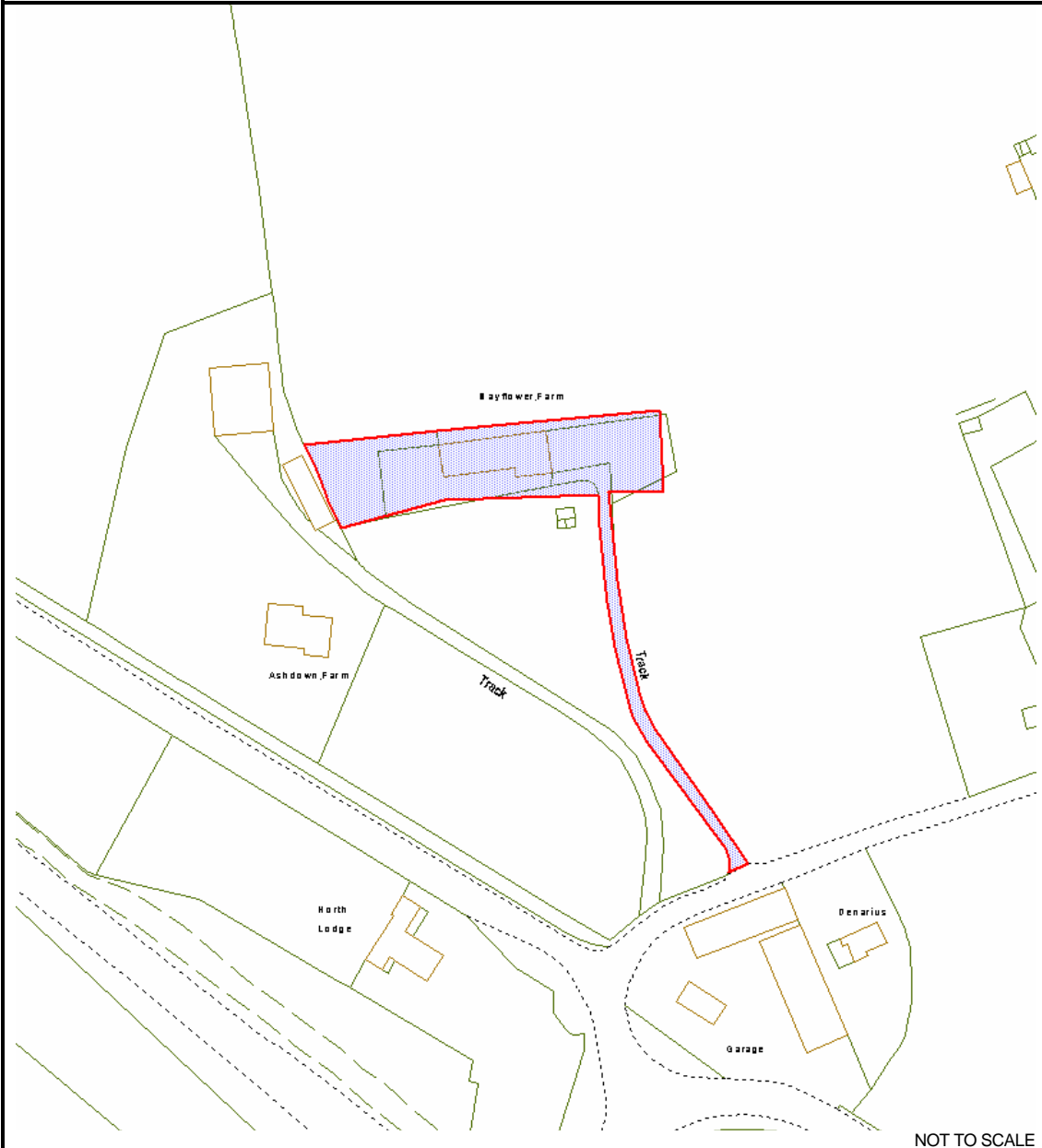
PLANNING COMMITTEE

25 January 2007

ITEM NO: 02

APPLICATION NO: 06/03750/FUL

LOCATION: The Soundpost Limited Mayflower New Road
Codford Wiltshire



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SLA: 100022961

02 Application: 06/03750/FUL

Site Address: The Soundpost Limited Mayflower New Road Codford Wiltshire

Parish: Codford

Ward: Mid Wylke Valley

Grid Reference 396207 140261

Application Type: Full Plan

Development: Warehouse extension (re application)

Applicant Details: The Sound Post Ltd
Mayflower Farm Codford St Peter Wiltshire

Agent Details: Mr Peter Grist
Furlong House 61 East Street Warminster Wiltshire BA12 9BZ

Case Officer: Mr James Taylor

Date Received: 12.12.2006

Expiry Date: 06.02.2007

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 is brought to the committee at the request of Cllr Newbury and because the parish council objects to the proposal contrary to your officer's recommendation.

The warehouse would be extended on the south elevation 17.5 metres in length and the same width and height as an existing lean-to on the building, measuring 3.6 metres wide and up to 4 metres high.

The host building is constructed from green corrugated sheeting following planning permission that was granted in 2003.

The industrial building is located in the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty. It is landscaped from the south by 2 mature trees and set into the characteristic undulating hills of this rural chalk landscape which has been designated of national significance.

The applicant states that their operation has grown and therefore they require more storage space to accommodate their continuing growth.

A previous scheme was refused and the proposals have been amended to remove the west elevation extension previously proposed and enlarge the south elevation extension proposed.

CONSULTATION REPLIES:

- CODFORD PARISH COUNCIL: The Council is opposed to this application on the grounds that the extension would be an increase, however minimal, of the original footprint. The Council understands that the original planning permission for the site was very specific in that, in order to prevent development outside the village policy limits, in the open countryside, the building must be on the footprint of the existing structure. It believes that there was no presumption that future extensions would be allowed. As a matter of planning principle and in the interests of consistency the Council objects to the application.

STATUTORY CONSULTTEES

- HIGHWAY AUTHORITY: No objection.

PUBLICITY RESPONSES

Letters to the neighbouring properties advertised the proposal and 2 letters of objection have been received on the following grounds:

- Harm to the Area of Outstanding Natural Beauty
- Design, appearance and layout
- Need to safeguard the countryside
- Inappropriate location for expanding business
- Non-compliance with previously permitted plans and associated conditions.

One further letter was received from Councillor Newbury requesting that the application be called to committee.

RELEVANT PLANNING POLICY

Wiltshire Structure Plan 2016

- DP1 Priorities for sustainable development
- T5 Parking
- C8 Areas of Outstanding Natural Beauty

West Wiltshire District Plan 1st Alteration (2004)

- C2 Areas of Outstanding Natural Beauty
- C31a Design
- C32 Landscaping
- C38 Nuisance
- E6 Rural Employment
- T10 Car parking

PPS1 Delivering Sustainable Development
PPG4 Industrial and Commercial Development
PPS7 Sustainable development in Rural Areas

RELEVANT PLANNING HISTORY

02/01416/FUL - Reconstruction and change of use of agricultural building to warehouse and office - Mayflower, New Road, Codford - Permission 13/03/2003.

Permitted development rights were removed.

06/01310/FUL - Warehouse extension - Refusal 14/06/2006. This was a substantially large building than the extension currently proposed.

KEY PLANNING ISSUES

The main issues to consider regarding this application are the potential impact of the proposals on the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty and rural employment in the district. Further to this the planning history of the site is a material planning consideration, and the previous reasons for refusal must be overcome.

PLANNING OFFICER'S COMMENTS

The previous proposal was refused because of the large scale and location of the extension and its impact on the Area of Outstanding Natural Beauty and rural amenity.

The existing building lies within the nationally important landscape of the Cranborne Chase and West Wiltshire Downs AONB. Policy C2 of the West Wiltshire District Plan 1st Alteration (2004) highlights that priority will be given to landscape over other considerations and development proposals likely to be detrimental to the special landscape character will not be permitted. This is in accordance with the Wiltshire Structure Plan 2016 and national policy guidance contained in the 2004 Planning Policy Statement (PPS) 7 on Sustainable Development in Rural Areas. Paragraph 21 of PPS7 states that 'nationally designated Areas of Outstanding Natural Beauty have been confirmed by the Government as having the highest status of protection in relation to landscape and scenic beauty. The conservation of the natural beauty of the landscape and countryside should therefore be given great weight in planning policies and development control decisions in these areas.'

The proposal has been amended to omit the west elevation extension, which was the main reason for refusal in the previous application due to its scale and location, increasing the width of the building by a substantial amount making it more prominent in this sensitive location. The single storey in fill element proposed previously was not considered to cause any harm. The previous reasons for refusal have therefore been overcome.

It is now possible to consider the planning merits of this specific proposal. The applicant has stated that there is a need for the extensions due to business success and expansion. As such the proposal should also be considered against Policy E6 of the West Wiltshire District Plan 1st Alteration (2004) which allows for expansion of small scale rural employment enterprises in existing premises subject to the proposals meeting specific criteria. The scale, design, siting, materials, use and operation should maintain or enhance, and be compatible with, the rural character of the area. It is considered in this instance that the use of the warehouse has established itself and that its current use causes no harm, and as such the extension of the activity should be compatible with the Area of Outstanding Natural Beauty.

The proposal would extend the south elevation of the building increasing the existing modest lean-to to cover the full width of the building. This may be considered a type of in-fill development, which would be very closely clustered with the existing built form of the warehouse, utilising matching materials to the existing. As such it is not considered to have any significant impact on the wider landscape context as from distance views in the village, which are mostly from the south then the building would not occupy a larger part of the landscape. This is because it is sympathetically sited. As such it is not considered that there is any demonstrable harm.

It is a matter of planning law that each application must be determined on its merits and that there is a presumption in favour of development. As such the harm of any proposal must be demonstrable for permission to be refused. As stated previously this application would cause no demonstrable harm and therefore should be recommended for permission.

The highway authority has raised no objections to the development in principle, and it is not considered that it would cause any additional harm to the neighbouring amenity over the present arrangement.

CONCLUSION

There would be no harm to the Area of Outstanding Natural Beauty or the rural amenity.

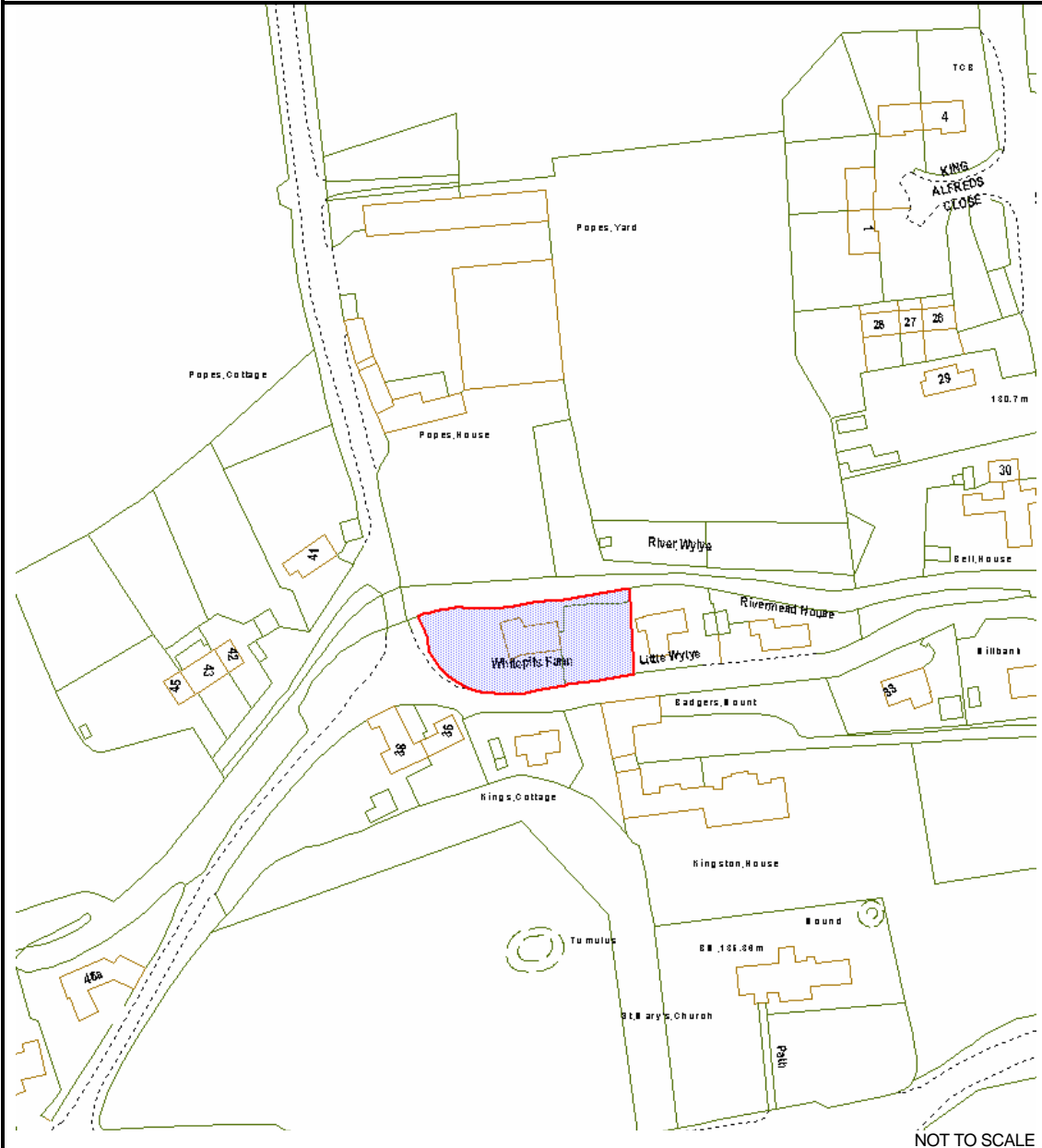
PLANNING COMMITTEE

25 January 2007

ITEM NO: 03

APPLICATION NO: 06/03164/FUL

LOCATION: Whitepits Farm 34 - 35 Kingston Deverill Wiltshire
BA12 7HE



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SLA: 100022961

03 Application: 06/03164/FUL

Site Address: Whitepits Farm 34 - 35 Kingston Deverill Wiltshire BA12 7HE

Parish: Kingston Deverill Ward: Shearwater

Grid Reference 384527 137153

Application Type: Full Plan

Development: Construct two storey extension to rear of main house, demolish existing garage/stables outbuildings and construct new garage/store

Applicant Details: Linnick Developments Ltd
PO Box 1630 Warminster BA12 8YA

Agent Details: Wolstenholme & Partners
The Old Church House Church Steps Frome Somerset BA11 1PL

Case Officer: Mr Russell Brown

Date Received: 17.10.2006 Expiry Date: 12.12.2006

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 character and fabric of the listed building is protected.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies C27 & C28.

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

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

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

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

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

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

- 5 The construction of the development hereby permitted shall adhere to the submitted Flood Risk Assessment, received on 30/11/06.

REASON: In the interests of flood protection.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy U3.

- 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.

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

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 Prior to the commencement of works on site, a construction method statement detailing how pollution to the river will be prevented shall be submitted to and approved in writing by the Local Planning Authority.

REASON: In order to prevent contamination of the river.

POLICY: West Wiltshire District Plan 1st Alteration 2004 - Policy U4

- 9 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 The proposed river bank restoration and stabilisation should make use of 'soft' engineering to create a natural profile allowing wetland vegetation to establish. Further advice is available, if required, from the Wessex Chalk Streams Project (tel. 01380 737008).

COMMITTEE REPORT

APPLICATION DETAILS

This application has been brought to the planning committee as the Parish Council objects contrary to officer's recommendation.

This is a full planning application for an extension to this Grade II listed building in Kingston Deverill and the construction of a detached garage/workshop building on the site of a former set of workshops, garaging and stables.

The site is situated within the Area of Outstanding Natural Beauty, a Conservation Area and lies within a flood risk area.

The property is a 2 storey thatched cottage that formerly had a small complex of outbuildings that have been previously demolished and removed prior to this application. The demolition has been added to this application as a retrospective element.

The proposed two storey extension would project 2.5 metres from the centre of the rear elevation and would comprise a 2 storey thatched gable 5 metres wide. The existing materials and window that would be removed from the building would be reused in the construction of the extension. There would also be an eyebrow window in the existing rear roof slope adjacent to the proposed extension.

The proposed garage and workshop building would be sited in the location of the former set of outbuildings, although the proposed garage building would be significantly smaller in terms of footprint. The garage building would be higher than the previous buildings, as these were single storey and flat roofed. The proposed building would be 5.6 metres tall, this has been reduced from 6 metres following consultation responses.

The garage building would comprise a double carport with a garden store/workshop and a study/office above. There would be an external timber staircase. The building would be for the domestic use of the occupiers of the main house.

The proposed garage building would have open fronted carports, timber framed, with a timber garage door on the store room. The remainder of the building would be rendered with brick quoins and a clay tile roof.

The neighbouring property to the east would be 3.5 metres away and the garage building would be set back, with its ridge behind the rear wall of the neighbouring property.

CONSULTATION REPLIES

- UPPER DEVERILLS PARISH COUNCIL: Objections -

- * Inaccuracies in the plans

- * The size of the garage/workshop is considered disproportionate to the main house - against Policy GB2

- * The garage would impose on the neighbour contrary to Policy C38 and the Supplementary Design Guidance

- * The garage building may, in the future, be used as accommodation

- * Out of keeping with the AONB contrary to Policy C2 - proposals do not enhance and preserve the character of the building

- * The proposals do not comply with listed building Policy C27

- * The rear extension would remove part of the catslide roof which is visually pleasing and a rare feature. Does not comply with Policy C28

- * The area of tarmac and concreting to the front of the property is considered disproportionate and would affect surface water runoff possibly causing flooding, against Policy U3

STATUTORY CONSULTEES

- LIBRARIES AND HERITAGE: No objections
- ENVIRONMENT AGENCY: A Flood Risk Assessment should be submitted in accordance with the Environment Agency's standing advice.

The Environment Agency have been consulted on the submitted Flood Risk Assessment and make no further comments as yet.

- WILTSHIRE WILDLIFE TRUST: No response
- NATURAL ENGLAND: No objections subject to conditions
- CRANBORNE CHASE & WEST WILTSHIRE DOWNS AREA OF OUTSTANDING NATURAL BEAUTY: No objections

- * Much of the character is being retained
- * The garage and workshop building would be domestic rather than business
- * The plain tile roof and general structure should echo local design, form and scale

PUBLICITY RESPONSES

The application has been publicised by site notice and press advertisement and neighbours have been notified. 2 letters have been received making the following points:

- The two storey extension should not be a problem
- The height of the garage building should be as before - single storey
- Inaccuracy of plans - Little Wylde is closer than shown
- The footprint of the proposed garage building is less than the previous outbuildings
- The previous outbuildings were all single storey in height
- The form and mass of the new garage building would be overbearing in its setting against the main dwelling
- The need for a garage/workshop/study building is out of keeping with the local area
- Potential for noise nuisance from workshop
- Possible future use of the garage building for accommodation
- The concept for the existing listed building is well thought out
- Possibility of flooding and pollution of the river

RELEVANT PLANNING POLICY

West Wiltshire District Plan 1st Alteration 2004

- C2 Area of Outstanding Natural Beauty
- C6 Area of High Ecological Value
- C15 Area of High Archaeological Interest
- C27 Listed Buildings
- C28 Alterations to Listed Buildings
- C31a Design
- C38 Nuisance
- U3 Flood Risk Area
- U4 Groundwater Source Protection Zone

- PPS1 Delivering Sustainable Development
- PPG15 Planning and the Historic Environment
- PPS25 Development Flood Risk

RELEVANT PLANNING HISTORY

None.

KEY PLANNING CONSIDERATIONS

The key issues in this application are the effect of the proposal on:

- the character and setting of the listed building
- the special landscape character of the Area of Outstanding Natural Beauty
- neighbouring amenities
- flooding implications and drainage
- protected species
- archaeological implications

PLANNING OFFICER'S COMMENTS

The character and setting of the listed building

The listed building has been empty for some time and has suffered deterioration as a result. The applicants have undertaken extensive pre-application discussions with the Heritage Development Officer and the Conservation Officer as regards the future of this building. There are stability issues at the rear of the building as there are no foundations for the existing rear lean-to. The proposed extension would remedy this problem and provide additional space in a sensitive and sympathetic manner.

The extension would be a thatched gable and would only project 2.5 metres from the existing rear of the house. This would be sympathetic to the scale of the existing building and would not result in an overbearing form of development. The thatched roof would be replaced on the rear roof slope, which is a necessary repair in any case, incorporating the new extension. A traditional eyebrow window would be inserted into the thatch adjacent to the extension in order to give light into the house.

The fenestration of the existing rear elevation would be reused as far as possible in the altered rear elevation and any new windows would be matching existing units. The doors would be traditional timber doors.

The character of the listed building would not be harmed by this extension due to the sympathetic and subservient nature of the proposed extension.

The proposed garage building has been sited in the location of the previous outbuildings. The roof height has been reduced to 5.6 metres to increase the subservience of the building in terms of its appearance and relation to the listed building and to the neighbour dwelling.

The design is simple and discreet and would not detract from the setting of the listed building. The listed building would still remain very much the focus of the site.

The special landscape character of the Area of Outstanding Natural Beauty

The site is within the village of Kingston Deverill. The site is surrounded by other development and is not prominent in the wider landscape due to the topography of the surrounding area. The scale of the proposed development is in keeping with its surroundings and the design and form of the development would not be prejudicial to the quality of the landscape. Consequently, it can be seen that the special landscape character of the Area of Outstanding Natural Beauty would not be harmed by either the proposed extension or the proposed garage building.

Neighbouring amenities

The proposed extension to the main listed building would not result in any harm to neighbouring amenities. No overlooking would be created by the extension and there would be no overshadowing effect either.

The proposed garage building would be sited close to the eastern neighbouring property. However, its ridge would be behind the rear wall of the neighbouring property and therefore the effect of its height would not be to the detriment of the amenities of the neighbour property. There would be no significant overbearing effect created by the proposed garage building due to its size and siting.

The neighbouring dwelling opposite, across the road, would not suffer any detrimental loss of light or overbearing effect and due to the reduction in height of the ridge, would not result in any adverse visual effect. The property opposite would be almost 20 metres from the garage building.

Flooding implications and drainage

The Environment Agency have no objections subject to a Flood Risk Assessment (FRA) being submitted in accordance with their standing advice. The FRA has been submitted and appears to be in line with the Environment Agency's advice regarding flood protection. A condition should be imposed ensuring the compliance with the FRA.

A new treatment plant would be installed on the site to deal with the foul drainage to ensure no contamination of the natural water sources.

Protected species

English Nature have no objections subject to conditions ensuring the construction process does not disturb any protected species and that mitigation measures are put in place for any protected species that are found.

A condition requiring a full ecological survey and report, together with mitigation measures prior to the commencement of building works should be imposed.

Archaeological implications

Nothing of archaeological significance would be affected by this development. The Libraries and Heritage department of Wiltshire County Council has no objection.

Other points raised by the Parish Council and publicity responses.

The site is not within the Green Belt and the hard surfacing proposed could be done without consent.

The proposed garage building is for domestic ancillary use, any potential use of the building in the future cannot be taken into account in this application. A further planning application would be required if any change of use was proposed.

Due to the domestic nature of the outbuilding, the workshop would not result in any noise over and above that of any other private residential site.

The revised plans have resolved and corrected the inaccuracies in the original plans, namely the relative positions of the neighbouring property.

CONCLUSION

The application would not harm any interests of acknowledged importance and therefore this application is recommended for permission.

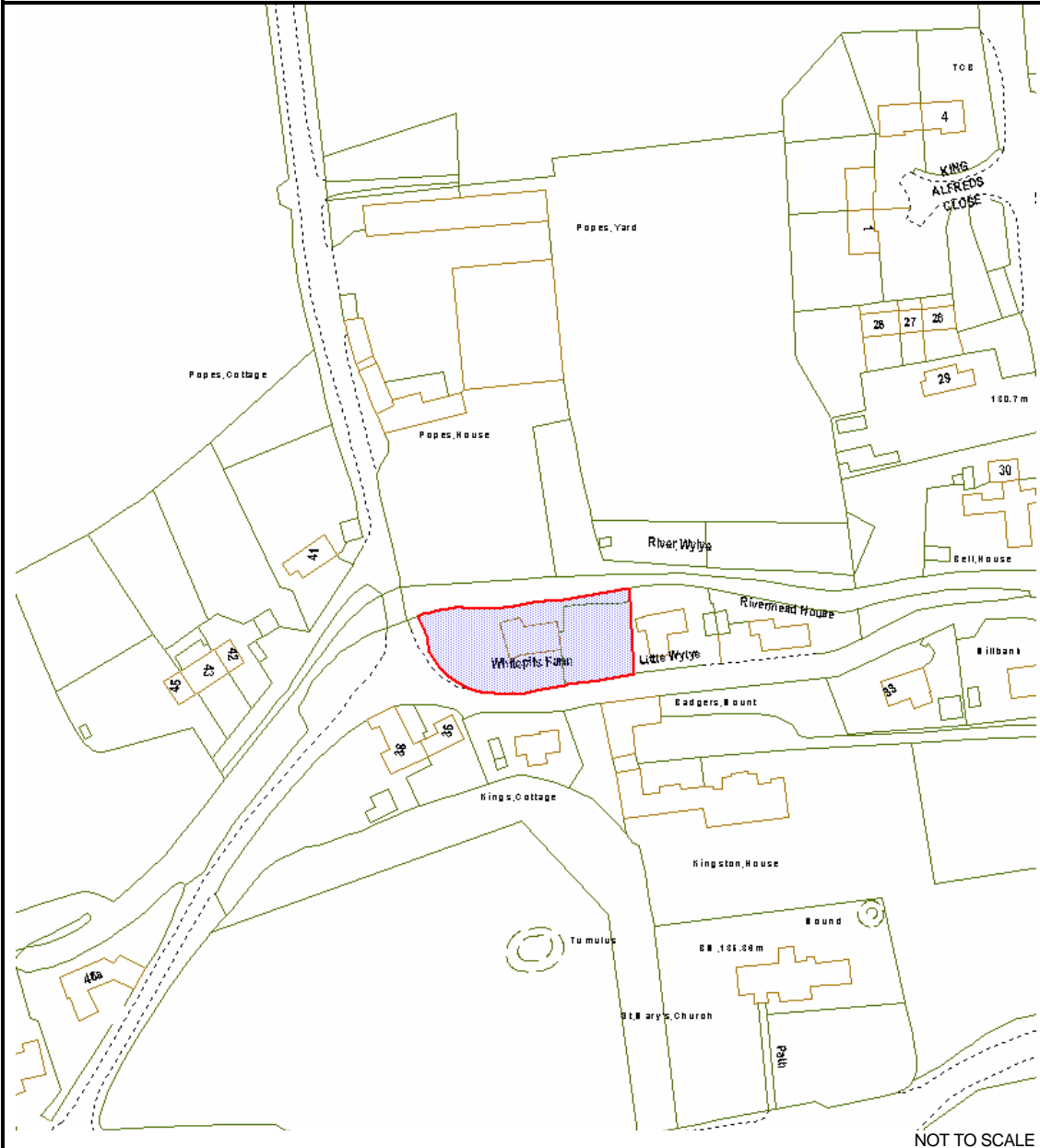
PLANNING COMMITTEE

25 January 2007

ITEM NO: 04

APPLICATION NO: 06/03161/LBC

LOCATION: Whitepits Farm 34 - 35 Kingston Deverill Wiltshire
BA12 7HE



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SLA: 100022961

04 Application: 06/03161/LBC

Site Address: Whitepits Farm 34 - 35 Kingston Deverill Wiltshire BA12 7HE

Parish: Kingston Deverill

Ward: Shearwater

Grid Reference 384527 137153

Application Type: Listed building

Development: Construction of two storey rear extension to main house, general internal alterations at ground and first floor level, general refurbishment including re-thatching of main roof, demolition of garage/stable outbuilding and construction of new garage/store

Applicant Details: Linnic Developments Ltd
PO Box 1630 Warminster BA12 8YA

Agent Details: Wolstenholme & Partners
The Old Church House Church Steps Frome Somerset BA11 1PL

Case Officer: Mr Russell Brown

Date Received: 17.10.2006

Expiry Date: 12.12.2006

REASON(S) FOR CONSENT:

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

RECOMMENDATION: Consent

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 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 character and fabric of the listed building is protected.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies C27 & C28.

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

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

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

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

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

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

- 5 Details of all new or replacement internal doors, door linings, architraves, beadings, skirtings, shall be submitted to and approved by the Local Planning Authority prior to their installation in the building. The works shall then only be carried out strictly in accordance with those approved details.

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

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

- 6 The thatching material used must be combed wheat straw.

REASON: To ensure that the character and fabric of the listed building is protected.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies C27 & C28.

COMMITTEE REPORT

APPLICATION DETAILS

This application has been brought to the planning committee as the Parish Council objects contrary to officer's recommendation.

This is a listed building consent application for an extension to this Grade II listed building in Kingston Deverill. The application also includes details of the construction of a detached garage/workshop building on the site of a former set of workshops, garaging and stables. These works do not require listed building consent, only planning permission, and therefore this matter is dealt with under the accompanying planning application 06/03164/FUL.

The site is situated within the Area of Outstanding Natural Beauty, a Conservation Area and lies in a flood risk area.

The property is a 2 storey thatched cottage that formerly had a small complex of outbuildings that have been demolished and removed prior to this application. The demolition has been added to this application as a retrospective element.

The proposed two storey extension would project 2.5 metres from the centre of the rear elevation and would comprise a 2 storey thatched gable 5 metres wide. The existing materials and window that would be removed from the building would be reused in the construction of the extension. There would also be an eyebrow window in the existing rear roof slope adjacent to the proposed extension.

The proposed internal works to the listed building comprise the removal of two ground floor partition walls and rebuilding of one in a revised position. Several internal doorways would be widened and a cloakroom would be created with a new partition wall. Part of the rear wall would be removed for the purposes of the extension. On the first floor the partitions are proposed to be rearranged to create bedrooms/bathrooms.

CONSULTATION REPLIES

- UPPER DEVERILL PARISH COUNCIL: Objections

- * Inaccuracies in the plans
- * The size of the garage/workshop is considered disproportionate to the main house - against Policy GB2
- * The garage would impose on the neighbour contrary to Policy C38 and the Supplementary Design Guidance
- * The garage building may, in the future, be used as accommodation
- * Out of keeping with the AONB contrary to Policy C2 - proposals do not enhance and preserve the character of the building
- * The proposals do not comply with listed building Policy C27
- * The rear extension would remove part of the catslide roof which is visually pleasing and a rare feature. Does not comply with Policy C28
- * The area of tarmac and concreting to the front of the property is considered disproportionate and would affect surface water runoff possibly causing flooding, against Policy U3

PUBLICITY RESPONSES

The application has been publicised by site notice and press advertisement and neighbours have been notified. 2 letters have been received making the following points:

- The two storey extension should not be a problem
- The height of the garage building should be as before - single storey
- Inaccuracy of plans - Little Wylde is closer than shown
- The footprint of the proposed garage building is less than the previous outbuildings
- The previous outbuildings were all single storey in height
- The form and mass of the new garage building would be overbearing in its setting against the main dwelling
- The need for a garage/workshop/study building is out of keeping with the local area
- Potential for noise nuisance from workshop
- Possible future use of the garage building for accommodation
- The concept for the existing listed building is well thought out
- Possibility of flooding and pollution of the river

PLANNING POLICY

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

None.

KEY PLANNING CONSIDERATIONS

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'S COMMENTS

The listed building has been empty for some time and has suffered deterioration as a result. The applicants have undertaken extensive pre-application discussions with the Heritage Development Officer and the Conservation Officer as regards the future of this building. There are stability issues at the rear of the building as there are no foundations for the existing rear lean-to. The proposed extension would remedy this problem and provide additional space in a sensitive and sympathetic manner.

The extension would be a thatched gable and would only project 2.5 metres from the existing rear of the house. This would be sympathetic to the scale of the existing building and would not result in an overbearing form of development. The thatched roof would be replaced on the rear roof slope, which is a necessary repair in any case, incorporating the new extension. A traditional eyebrow window would be inserted into the thatch adjacent to the extension in order to give light into the house.

The fenestration of the existing rear elevation would be reused as far as possible in the altered rear elevation and any new windows would match existing units. The doors would be traditional timber doors.

The character of the listed building would not be harmed by this extension due to the sympathetic and subservient nature of the proposed extension.

The internal alterations would result in a minimal loss of historic fabric. The widening of the doorways would not result in adverse effects to the listed building. There is no objection to the loss of part of the rear wall, as the rear wall is in a poor state and has no foundations. The proposed extension would ensure the future of the building and the rest of the existing rear wall.

The staircase would be replaced as the existing staircase is not capable of retention. The existing staircase was most likely to have been inserted into the building when the rear outshut extension was built. It is not therefore an original feature. The new staircase would be in the identical position, maintaining the historical reference to that period of change. On the first floor the wall would be lowered to incorporate the new staircase.

The windows that would be removed from the existing openings would be reused in the new extension, as would all salvageable building materials. Consequently, the existing fabric of the building would be retained.

There is no objection to the rearrangement of the first floor partition walls as the revised positions would create logical rooms that complement the window positions and maintain a sense of proportion to the first floor spaces.

The other matters raised by the Parish Council and the publicity responses are dealt with in the report of the planning application 06/03164/FUL.

CONCLUSION

There would be no harm the character or integrity of the listed building and therefore this application is recommended for consent.

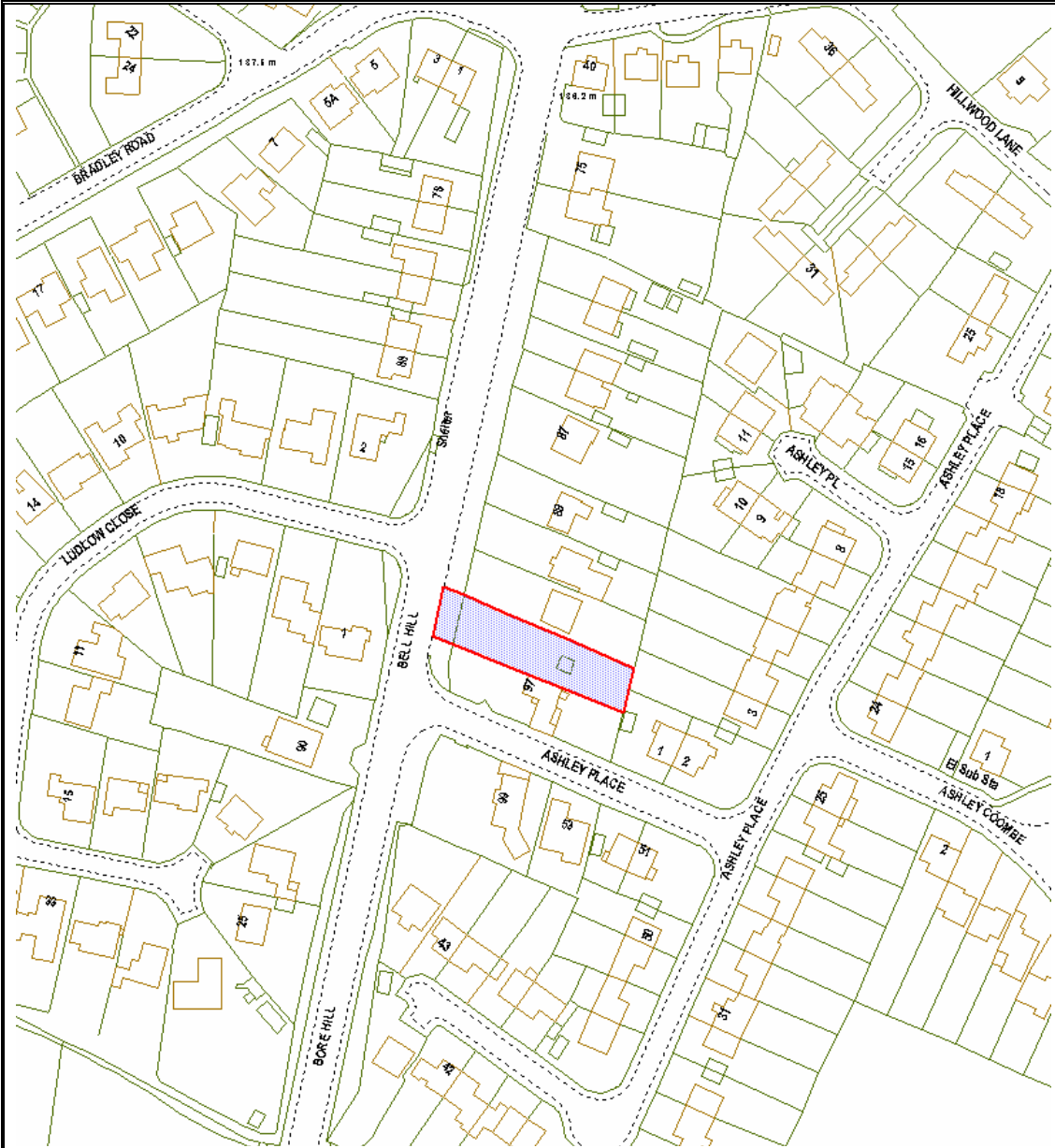
PLANNING COMMITTEE

25 January 2007

ITEM NO: 05

APPLICATION NO: 06/03049/FUL

LOCATION: Land North Of 97 Deverill Road Warminster Wiltshire



NOT TO SCALE

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SLA: 100022961

05 Application: 06/03049/FUL

Site Address: Land North Of 97 Deverill Road Warminster Wiltshire

Parish: Warminster Ward: Warminster East

Grid Reference 386855 143956

Application Type: Full Plan

Development: Four bed detached house

Applicant Details: Mr And Mrs Field
97 Deverill Road Warminster Wiltshire BA12 9QL

Agent Details: The CAD Company Ltd
Amphenol Business Complex Thanet Way Whitstable CT5 3JF

Case Officer: Mr Matthew Perks

Date Received: 09.10.2006 Expiry Date: 04.12.2006

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

REASON: In the interests of highway safety.

- 4 The 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.
- 5 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.
- 6 The turning area between the proposed dwelling and the garden area shall be constructed with a minimum width of 4.8m to allow for vehicle parking and turning.
- REASON: In the interests of safety for all users of the highway.
- 7 The upstairs windows in the northern and southern elevations shall be obscure glazed prior to the first occupation of the development hereby permitted and shall be maintained as such at all times thereafter.
- REASON: In the interests of amenity and privacy.
- POLICY: West Wiltshire District Plan - 1st Alteration - Policy C38.
- 8 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, or any order revoking and re-enacting that Order with or without modification, no windows other than those shown in the approved plan shall be added to the northern or southern elevations of the development hereby permitted.
- REASON: In the interests of amenity and privacy.
- POLICY: West Wiltshire District Plan - 1st Alteration - Policy C38.

Note(s) to Applicant:

- 1 The applicant is advised to contact Wessex Water (01225 526000) with regard to connection to water infrastructure.

COMMITTEE REPORT

APPLICATION DETAILS

This application is referred to Committee because the Warminster Town Council recommends refusal and officers recommend permission.

This is an application for full planning permission for the erection of a detached dwelling to the north of 97 Deverill Road, Warminster.

The proposed dwelling would be a mixture of double and 1.5 storey elements, with one of three proposed bedrooms located within the roof space and served by front and rear dormers above an integral garage. The ground floor level would occupy a footprint of $\pm 115\text{m}^2$. The building would be located between No's 97 and 93 Deverill Road, with the front of the dwelling aligned with the established "building line" on the eastern side of the road in this area.

A maximum roof-ridge height of 8.3m is proposed. The proposal is a revision to the design initially submitted, which was for a larger dwelling.

CONSULTATION REPLIES

WARMINSTER TOWN COUNCIL

Initial Plan:

"Outline permission was granted in 2005 for a linked detached house. This is a new application, no longer linked and is considered on its merits at this time. Councillor Lovell noted this property would contribute to flooding lower down the hill. Voting was 3 for permission, 2 against and one abstention. Permission was recommended.

Revised Plan:

" Councillor Lovell commented that this was more traditional but the main concern was the addition to the flooding problems further down the hill. He proposed refusal on the grounds of the current views of flooding in the area. Seconded by Councillor Burden. Voting was unanimous for refusal."

STATUTORY CONSULTTEES

HIGHWAY AUTHORITY

No objection subject to conditions in relation to the turning area and surface water disposal.

INTERNAL WWDC CONSULTATIONS

N/A

PUBLICITY RESPONSES

Neighbours were notified of the proposal. One letter of response was received in respect of the initial plan. The neighbour to the north objected on grounds of loss of light and overshadowing.

No comment was received in response to the advertising of the revised plan.

PLANNING POLICY

West Wiltshire District Plan 1st Alteration, 2004

C38 - Effects of development on neighbouring properties

C31a - Design

H1 - Housing development in towns

RELEVANT PLANNING HISTORY

05/00224/OUT: Link detached four bedroomed house with integral garage : Permission : 23.01.2005

06/00912/REM: Proposed linked detached dwelling: Refused : 12.05.2006

KEY PLANNING ISSUES

The principle of a dwelling on this site has been established by virtue of the approval of outline permission in January 2005. The main issues are therefore the effect of the proposed dwelling on the appearance of the street scene and the effect on the neighbouring property.

PLANNING OFFICER'S COMMENTS

This full planning application has been submitted following the refusal of the reserved matters application 06/00912/REM, which was refused for design reasons in relation to the roof form, a proposed link to the existing dwelling and the appearance in relation to surrounding buildings.

The proposed dwelling would now be fully detached from the existing dwelling on the parent property. The building would be sited such that the 1.5 storey element containing the room above the garage would be aligned with the gable end elevation to the neighbouring property to the north. The remainder of the building would be one storey in height on that side. There would be no direct overlooking onto neighbouring properties, with upstairs windows to habitable rooms facing either the front or rear of the site. A landing and a bathroom window are proposed at upstairs level in the side elevations, and a condition requiring the obscure glazing of these could be imposed. The design would be acceptable in the context of the variability of building design and use of differing materials in the neighbourhood. The building would be aligned with the street frontage approximately along the established "building line", set back by about 20m from the front boundary to the site.

The objection of the Town Council is noted. The site is however located on a relatively level section of Deverill Road (albeit on the ridge to the south of town) at a distance of some 400m from the low point in the valley area to the north where the potential for flooding has previously been identified. The development would result in an increase in roof area and hard surfacing, but it is considered that an appropriate condition for surface water disposal would address the issue of drainage adequately. The Environment Agency was consulted with the earlier outline application and did not object to the proposals, provided that foul drainage is connected to public sewerage systems. Surface water should be drained to soakaways. It should also be noted that the principle of a dwelling on this site has been accepted under application reference 05/00224/OUT.

The objection of the neighbour to the north is also noted. This was made in respect of the originally submitted plan, which included a significantly larger element adjacent to the boundary between the properties. No objection was received to the revised proposal. The revision would reduce the overshadowing potential to the rear garden space and rear extension to the neighbouring property. The observations on the loss of light to windows to the end elevation of the neighbour's dwelling remain relevant. However, these windows are not primary windows to the habitable rooms at this end of the dwelling, and are currently subject to overshadowing by a substantial tree on the boundary of the property. On balance it is considered that the revised plan would not harm neighbouring amenity to an extent that would justify refusal.

CONCLUSION

The principle of the development of this site with a dwelling has already been established and the proposal accords with development plan policy. The application should be granted permission.

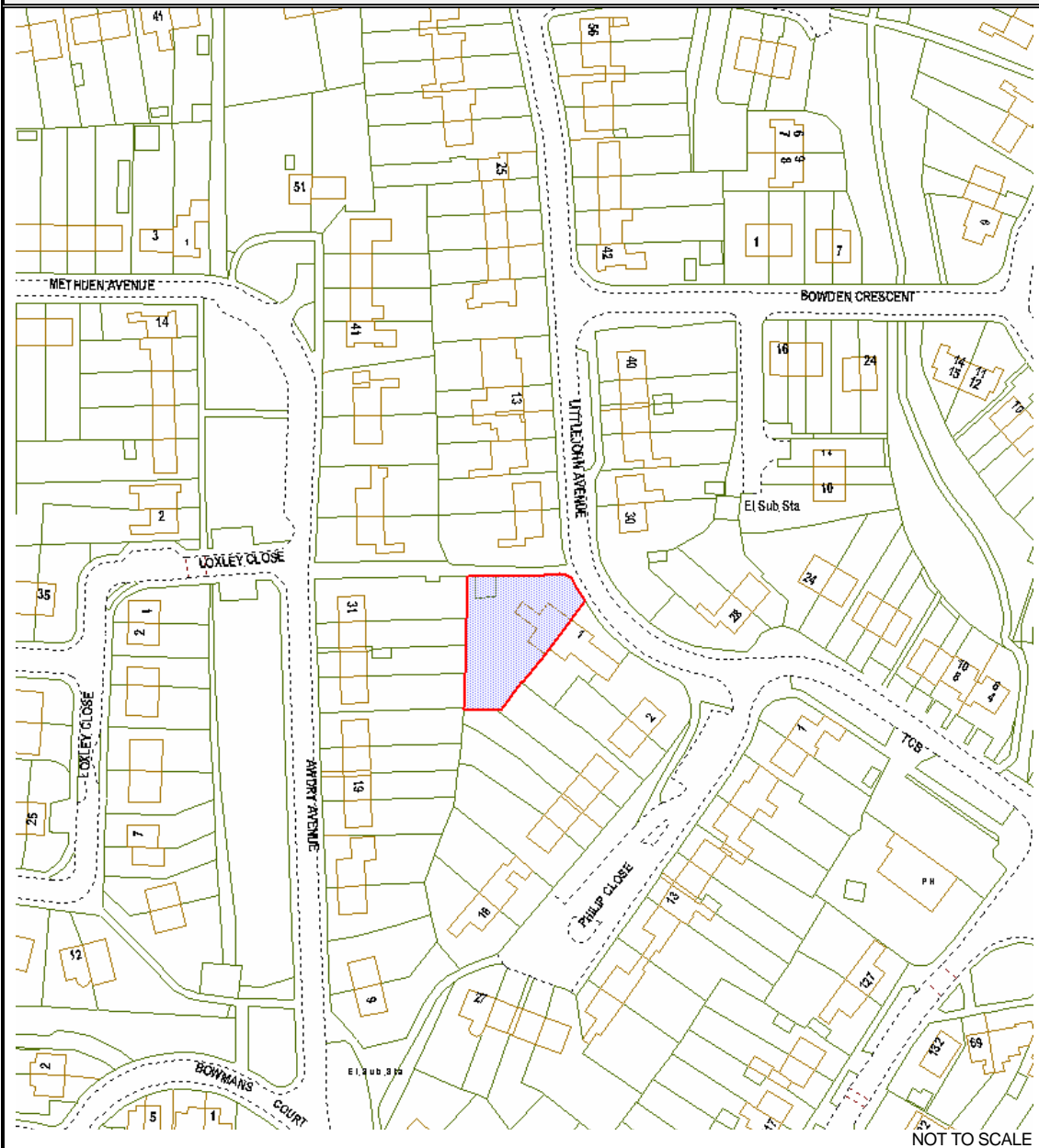
PLANNING COMMITTEE

25 January 2007

ITEM NO: 06

APPLICATION NO: 06/02823/FUL

LOCATION: 3 Littlejohn Avenue Melksham Wiltshire SN12 7AN



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SLA: 100022961

06 Application: 06/02823/FUL

Site Address: 3 Littlejohn Avenue Melksham Wiltshire SN12 7AN

Parish: Melksham (Town) Ward: Melksham North

Grid Reference 391095 164809

Application Type: Full Plan

Development: New residential dwelling comprising four, two bedroom flats

Applicant Details: KCM Developments Ltd
89A Trowbridge Road Bradford On Avon BA15 1EG

Agent Details: Mr Bill Lowe
43 Alexandra Road Frome Somerset BA11 1LX

Case Officer: Mr Matthew Perks

Date Received: 15.09.2006 Expiry Date: 10.11.2006

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

REASON: In the interests of highway safety.
- 4 The parking and servicing areas indicated on the approved plans together with the means of access thereto shall be completed and made available for use before the premises are occupied and shall be maintained as such thereafter.

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

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

- 5 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.

- 6 Before the dwelling hereby permitted is first occupied the boundary treatment for a distance of 2m on both sides of the access shall be lowered to and maintained at a height not exceeding 600mm. On the remainder of the frontage to Littlejohn Avenue the boundary treatment shall be lowered to and maintained at a height not exceeding 900mm.

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 upstairs window panels in the north elevation shown on the permitted plan as solid infill panels shall be maintained as such at all times.

REASON: In the interests of amenity and privacy.

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

Note(s) to Applicant:

- 1 Wessex Water advises that a private sewer traverses the site. Any re-routing or protection of this infrastructure should form part of the details referred to in condition 7 of this permission.

COMMITTEE REPORT

APPLICATION DETAILS

This application is referred to Committee because the Melksham Town Council recommends refusal and officers recommend permission.

This is an application for full planning permission for four two-bedroom flats at 3 Littlejohn Avenue, Melksham.

The application site is located to the west of Littlejohn Avenue and to the south of a public right of way. The block of flats would be located in the rear garden of the existing dwelling, and immediately south of the public right of way. The application site is in a residential area, the neighbouring properties are characterised by semi-detached and rows of terraced properties, all of which are 2 storey.

The block of four flats would be located in the north western corner of the property. Vehicular access to the parking and amenity space area to the rear of the site would be provided between the existing dwelling and the proposed block. Parking for 7 vehicles would be provided in the rear space, with two additional spaces for the existing dwelling to be provided to the front of No. 3. Separate amenity spaces ("sitting-out areas") for the flats, a clothes drying area and a garden

area for the existing dwelling would be provided in the rear outdoor space, which would be some 270m² in extent. Pedestrian access to the flats would be off of the rear courtyard area. The flats would be modest two-bedroom units within a double storey building of brick under tile. The building would be set back approximately 2m from the boundary with the right of way. A 1.8m high wooden fence would define the boundary to the site. A roof ridge height of 8m is proposed.

An existing flat-roofed extension to the dwelling and detached garage would be demolished as part of the development.

The proposal is a revision to the plans initially submitted, which were for five flats on the site.

CONSULTATION

MELKSHAM TOWN COUNCIL

Original application for five flats:

Objection :

- "- Overdevelopment of the site (C31a);
- Loss of amenity land;
- Out of keeping with nearby properties;
- The development does not enhance or respect nearby properties and the architecture is alien to other buildings in the area;
- The development is detracting from the amenities of neighbouring properties ie privacy etc (C38);
- Lack of parking (T10/C3)
- Over loaded sewerage system (U1A - 3.a.1.a)
- Poor surface water drainage facilities (U2 - 3.8.2)
- Highway issues ie on a dangerous corner, cars parking on the road making it difficult to negotiate, especially for emergency vehicles. This is the main road into the estate;
- A previous application for 2 semi-detached dwellings on this site had been turned down.

In addition, the Town Council were concerned that only two neighbours were written to regarding this planning application. Several more would be affected by these proposals should they go ahead."

Revised Plans

"Councillors objections remained the same, following the original application made in September 2006."

(Note:- Ten surrounding neighbours were notified of the application, and a public notice was posted)

STATUTORY CONSULTATIONS

HIGHWAY AUTHORITY

Original Plans

No objection subject to conditions in relation to parking, visibility splays, surfacing of the access and surface water disposal.

Revised Plans

No objection subject to conditions in relation to parking, surfacing of the access and surface water disposal.

WESSEX WATER

The development is located within a private foul and surface water sewered area. A private sewer crosses the site. The applicant should contact Wessex Water with regard to connection to water infrastructure. Council should be satisfied with the disposal of surface water from the site.

INTERNAL WWDC CONSULTATIONS

LOCAL PLAN SECTION

Original Plans

"The proposal seeks the intensification of residential uses on a site within the identified Melksham town policy limits. The proposal site is located within a suburban area located north of Melksham town centre. The proposal site is not subject to any site specific planning policy designations or constraints.

Principle of development

The proposal site is located within the identified town policy limits for Melksham. I have calculated that the proposal has a gross density of around 67 dwellings per ha. I note that this is a higher density than the surrounding housing. However, there needs to be an acceptance that if we (as a nation) are to make sustainable use of development land then higher densities will be necessary. Given the location of the proposal site, I consider the proposed density to be broadly acceptable in policy terms.

Design

The level of design information submitted with the application is sufficient to make a policy decision and the applicant should be commended for providing such a (relatively) high level of detail.

My one area of concern lies with the scale and mass of the proposed design. The surrounding properties are predominantly semi-detached dwellings, sited within large suburban sized plots. The proposal will result in a significantly larger residential unit - essential terrace like in configuration, which will be noticeably different from the surrounding residential units. This may be area that merits detailed consideration through the development control process.

Conclusions

The proposal is broadly acceptable in policy terms. However, detailed design issues, particularly the scale and mass of the proposed building, may mean the proposal is unacceptable in development control terms. If this should be the case, may I suggest that the proposed design be reduced in scale, perhaps through the omission of the unit that links the building with the adjoining semi-detached property.

Acceptable in policy terms."

Following this revised plans were received and the Local Plan section were reconsulted. They stated:

"Subsequent to my original comments, a revised scheme reducing the development from five to four dwellings has been submitted.

My original comments broadly welcomed the schemed and found it acceptable in policy terms. However, my original comments did note the potential negative impact of the scheme upon the surrounding townscape, particularly in terms of the original schemes bulk, scale and massing.

In response to this I note that the applicant has produced a revised scheme that removes the 'link' to the existing housing. I consider that this meets the design policy requirement and will enable the scheme to visually function within existing townscape.

In this respect I consider the revision to be acceptable in planning policy terms."

PUBLICITY RESPONSES

Neighbours were notified of the proposal and a public notice was posted. A total of 6 letters of response were received. One of these included a petition signed by 10 neighbours. Grounds of objection are as follows:

- Inadequate space for the building and sufficient parking;
- Highway safety due to the locality on a bend;
- Increase in noise, traffic, air pollution and health problems;
- Inadequate existing sewage disposal systems;
- Out of character with the surrounding area;
- Loss of privacy to neighbouring properties;
- Additional refuse bins on the narrow pavement on a dangerous curve.

The occupant of No.3 expresses concern that the alterations to the dwelling will result in it not being big enough for the family.

PLANNING POLICY

Wiltshire and Swindon Structure Plan 2016

DP7 - Housing in Towns and Main Settlements

West Wiltshire District Plan 1st Alteration, 2011

C38 - Effects of development on neighbouring properties

C31a - Design

H1 - Housing development in towns

T10 - Parking

PPS 3 - Housing

RELEVANT PLANNING HISTORY

88/01069/OUT: Two semi detached houses: Refused: 16.08.1988

89/01159/OUT: Proposed dwelling: Permission: 25.07.1989

KEY PLANNING ISSUES

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

PLANNING OFFICER'S COMMENTS

The plot of land is within the town policy limits of Melksham and as such new residential development is acceptable in principle subject to the criteria in policy H1 of the West Wiltshire District Plan 1st Alteration. The present use of the site is as a domestic garden, therefore the application site is considered in planning terms to contribute to the District's pool of previously developed (brownfield) land. PPS3 (Housing) inter alia encourages local authorities to provide a mix of accommodation types, with due consideration given to low-cost market housing. Development of housing should furthermore be focussed on the efficient use of previously developed land. Although this planning guidance comes into effect in April 2007, weight is given to it where the previous guidance (PPG3) has been withdrawn.

The application would provide four two-bedroom flats, comprising relatively low-cost dwellings that would add to the mix of development in this area. Off-street parking space for each of the flats, two off street spaces for the existing dwelling as well as three off-street spaces for visitors would be provided.

The highway authority is satisfied with the parking and access provision.

The building would be of brick under tile, with the addition of cedar cladding features. Whilst the cladding would depart from the type of materials used in the immediate area, the resultant building would not constitute a radical variation from the built form in the vicinity. The building would furthermore not have an elevation onto Littlejohn Avenue, and would be set back from the existing street scene. A 40m² rear garden area would be retained for the existing dwelling, and amenity spaces would be provided for the flats.

The orientation of the building would be such that there would be no direct intervisibility between windows to habitable rooms of the new building and those of neighbouring properties. The building would be approximately 28m from the neighbouring dwelling to the west. The boundary of the property to the south would be some 22m distant. The rear amenity space to the dwelling to the north would be situated beyond the public right of way and a garage within that property. There is a degree of potential overlooking onto that amenity space, but this has been addressed by providing only high level glazed openings to the rooms at the upper level of the proposed building. It is considered that neighbouring amenity would not be harmed by the proposal.

Whilst noting the neighbour objections, it is considered that the proposal should be accepted in terms of development plan criteria, and with due weight for PPS3 guidelines. The neighbourhood has a fairly consistent built form and character, but the new building would not be harmful in this context. The provision of flats would extend the mix of available (and entry-level) accommodation types in the neighbourhood. It is acknowledged that the access is on the bend in the road, but this is within a suburban residential neighbourhood and the highway authority does not object to the proposals. On-site parking would be provided. A condition should be imposed on any permission, requiring that appropriate and adequate surface and foul water drainage be provided.

CONCLUSION

The application should be granted permission.

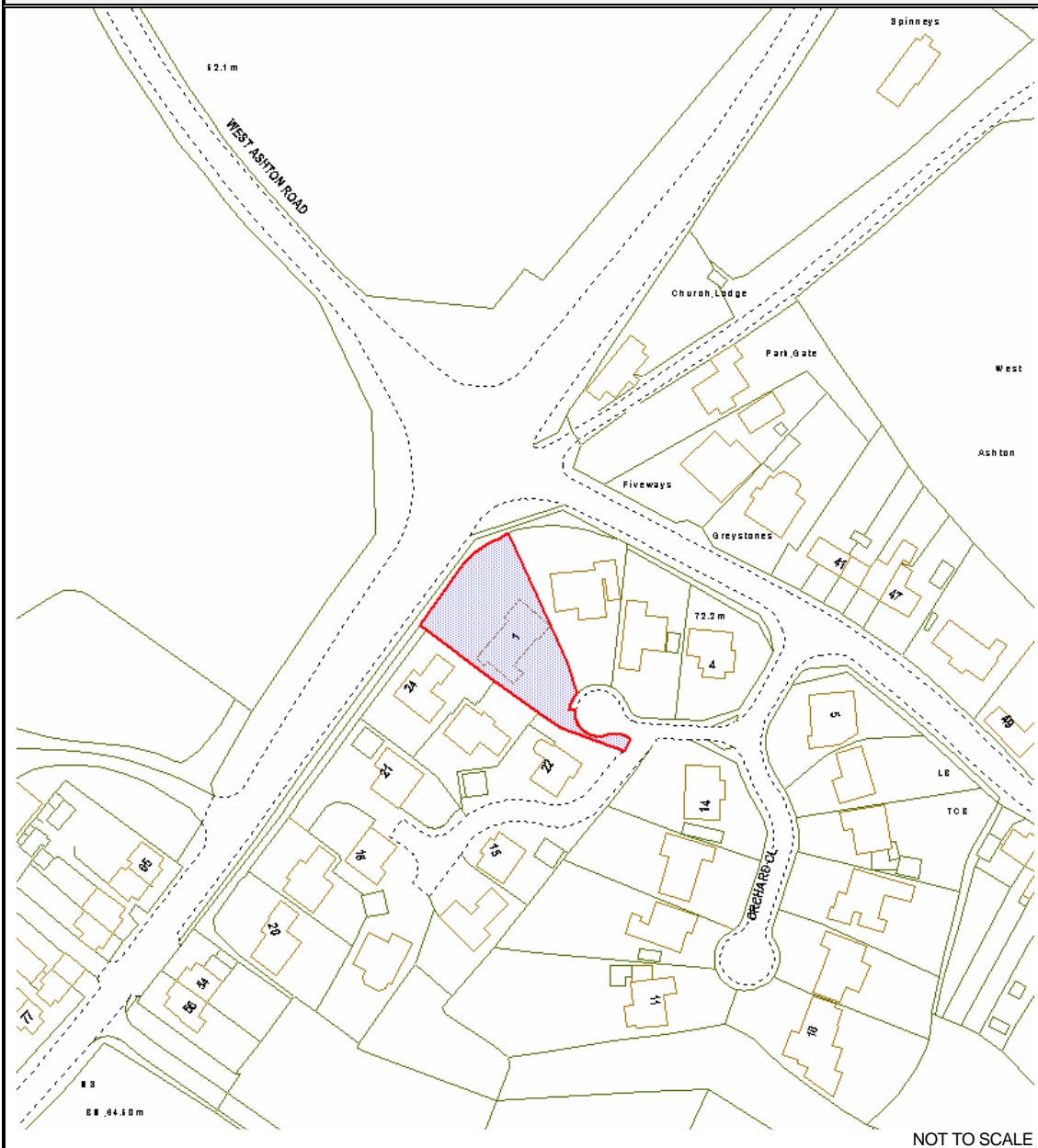
PLANNING COMMITTEE

25 January 2007

ITEM NO: 07

APPLICATION NO: 06/03404/FUL

LOCATION: 1 Orchard Close West Ashton Wiltshire BA14 6AU



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www.westwiltshire.gov.uk

SLA: 100022961

07 Application: 06/03404/FUL

Site Address: 1 Orchard Close West Ashton Wiltshire BA14 6AU

Parish: West Ashton Ward: Summerham

Grid Reference 387707 155769

Application Type: Full Plan

Development: Demolition of existing bungalow and erection of 2 no. two storey houses

Applicant Details: Mr D Canniford
58 London Road Andover Hampshire SP10 2PR

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

Case Officer: Miss Julia Evans

Date Received: 06.11.2006 Expiry Date: 01.01.2007

JUSTIFICATION REASON:

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

RECOMMENDATION:

Planning permission be granted at a future date in the event of the Development Control Manager being satisfied as to the prior agreement of a Legal Agreement to secure a contribution towards the provision of affordable housing in accordance with Development Plan Policy.

Condition(s):

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

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

- 2 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 Notwithstanding the provisions of the Town & Country Planning (GPD) Order 1995, or any Order revoking and re-enacting that Order with or without modification, no extensions or garages shall be erected, nor no windows, dormer windows or doors shall be added to the building, other than these approved.
- REASON: In the interests of amenity and privacy.
- 4 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, or any order revoking and re-enacting that Order with or without modification, the garages shall at all times remain available for the garaging of cars, and shall not be converted for use as living accommodation.
- REASON: To ensure that adequate provision is made for parking.
- POLICY: West Wiltshire District Plan - 1st Alteration - Policies C38 and H17.
- 5 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.
- 6 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.
- 7 Details of existing and proposed land levels across the site, illustrated by means of spot heights, contours and sections across the site, and demonstrating the relationship between the proposed development and the surrounding land shall be submitted to and approved in writing by the Local Planning Authority. Development shall then only be carried out in accordance with the approved details. There shall be no land raising unless approved under the terms of this condition.
- REASON: In the interests of the amenity of the neighbouring properties.
- POLICY: West Wiltshire District Plan - First Alteration 2004 - Policy C38.
- 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.

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

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

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

- 10 The entrance, having a minimum width of 4.5 metres for the first 5.0 metres back from the carriageway edge, shall be properly consolidated and surfaced (not loose stone or gravel) for which details shall have been submitted to and approved in writing by the Local Planning Authority. The works shall be undertaken in accordance with the approved details.

REASON: In the interests of highway safety.

Note(s) to Applicant:

- 1 You are advised by the Environment Agency that the proposed development is within 250 metres of a known landfill site. Before commencement of any development you are advised to contact the Environment Agency to ensure that reasonable steps have been taken to investigate and where appropriate remediate against the possibility of gas migration affecting the development site.
- 2 You are advised to contact Wessex Water to discuss and arrange points of connection onto their apparatus.

COMMITTEE REPORT

APPLICATION DETAILS

This application is brought to Committee because West Ashton Parish Council object and your officers recommend permission.

This is a full application for the demolition of the existing bungalow and the erection of two detached two-storey houses at 1 Orchard Close, West Ashton. The existing bungalow and attached garage lies in an approximately central location on the plot which lies at the northwest end of Orchard Close. The site slopes downwards towards its northern boundary with the A350, and has extensive views across to Trowbridge and the surrounding countryside. To the eastern boundary lies a detached bungalow, lying at a higher level than No 1, whilst to the south lies three modern detached two-storey houses. Vehicular access lies to the southern-most corner of the plot.

The existing bungalow is proposed for demolition and it is to be replaced with two detached houses, one 3-bedroom one and one 4-bedroom one, both with integral garages. The properties would be constructed of brick and reconstructed stone with concrete tiles to the roof, and would share an existing access off Orchard Close.

The application has been supported with a Design & Access Statement which concludes that "The design and scale therefore is considered to be in keeping with the character and appearance of the area and to have no adverse impact on the residential amenity of the locality". The Statement also states that a commuted sum of up to 50% affordable housing provision may be provided instead of on-site provision.

The site lies within the West Ashton Village Policy Limit.

CONSULTATION REPLIES:

- WEST ASHTON PARISH COUNCIL: Object.

State "... two houses on this site is excessive and not in keeping with the rest of Orchard Close. It was also felt that two for one could set a precedent for the rest of the Close and was not in keeping with the remainder of the Close. With two houses and a probable four cars, parking which is already tight in the Close would also cause a problem. However there would be no objection to one house or bungalow on the site."

STATUTORY CONSULTATIONS

- HIGHWAY AUTHORITY: No objection subject to the imposition of conditions.
- ENVIRONMENT AGENCY: No objection.
- WESSEX WATER: No objection.

INTERNAL WWDC CONSULTATIONS

- PLANNING POLICY: Have not responded.
- ENVIRONMENTAL HEALTH: Raise no adverse comments.
- HOUSING SERVICES: state "I can confirm that West Ashton is regarded as rural and as such the usual affordable housing policy applies - 50% affordable housing provided on site, preferably rented, on a nil subsidy basis, in perpetuity and managed by an RSL which is a member of the Council's Preferred Development Partnership. In this case, because that will result in half a house (because we only apply policy to new dwellings not replacements), we will take a commuted sum in lieu. However, we would prefer to see more smaller units on this site rather than two large detached dwellings as this mix better reflects the market needs of the District.

"There are 11 households in priority need in West Aston.

"The needs are supported from the waiting list and the housing needs survey. The WL indicates that 36% of households require 1 beds, 27% of households require 2 beds and 36% of households require 3 beds.

"The Housing needs Survey confirms that the greatest desire is for 2 beds across all tenures.

"We would therefore be seeking 50% of a commuted sum based on a 2 bed house. In West Ashton this figure would be in the region of £36,919, however, this is an indicative sum and we would encourage the applicant to contact us to discuss the commuted sum in more detail. Of course, if the applicant is unable to afford to make a contribution due to the viability of the scheme, provision exists for the applicant to enter into an open book appraisal which will test whether the viability of the scheme is prejudiced by the contribution and, if so, enables a reduced commuted sum to be made.

"However, in the absence of an agreement with the applicant as to the amount of the commuted sum, the application should be refused on the follow grounds:- The application fails to meet the requirements of policy H2 Housing in that no contribution towards the provision of affordable housing has been included within the application, nor has an open book exercise been undertaken which might justify a reduction of policy requirements"

PUBLICITY RESPONSES

Neighbour notifications have been undertaken. No responses have been received.

RELEVANT PLANNING POLICY

Wiltshire Structure Plan 2016

DP1	Priorities for sustainable development
DP2	Infrastructure
DP3	Development strategy
DP7	Housing in towns and main settlements
DP8	Affordable housing
DP9	Reuse of land and buildings
T6	Demand management
C5	The water environment

West Wiltshire District Plan - 1st Alteration 2011

C31A	Design
C32	Landscaping
C36	Noise
C38	Nuisance
H2	Affordable housing in towns and villages
H17	Village policy limits
H24	New housing design
T10	Car parking
U1	Infrastructure
U1A	Foul water disposal
U2	Surface water disposal
U4	Groundwater Source Protection Areas
I1	Implementation

SPG

Residential Design Guide (Adopted November 2005)

Affordable Housing (Adopted August 2005)

National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport
PPG24	Planning & Noise
PPS25	Development & Flood Risk

RELEVANT PLANNING HISTORY

None relevant.

KEY PLANNING ISSUES

This application raises the following planning matters:

- Principle of the development of the site for housing;
- Design matters;
- Amenity matters;
- Affordable housing provision;
- Highway matters; and
- The protection of the water environment.

PLANNING OFFICER COMMENTS

The site slopes downwards in a northwest direction towards the A350. No 2 Orchard Close is also a bungalow which lies slightly elevated from No 1. To the south lies the detached houses of a more recent age, which are separated from No 1 by their private access drive. These large detached dwellings are typical of modern dwellings from the last two decades of the twentieth century, and the proposal has sought to reference these in their own design. Habitable windows

of these properties overlook the site, and there is a distance of approximately 13m between them and the proposal. Between the proposed house and No 2 the plans indicate there is 4m. The proximity of the proposed dwellings and the detrimental impact of their impact on the amenity of the existing properties has to some extent been ameliorated by having no windows in the gable ends of the properties, and a single storey garage adjacent to No 2. Conditions could be attached removing permitted development rights from the proposed dwellings so as to be able to control further proposals at the site, and ensure the protection of the amenity of neighbouring properties.

The Parish Council have objected to the proposal in that the two houses are not in keeping with the bungalows in this part of Orchard Close. However, in view of the development to the south, your officer's view is that it would be difficult to defend this stance, particularly in view of the stepped visual impact of the property adjacent to No 2 by reason of its garage. Conditions have been suggested as regards materials and landscaping.

Recent government guidance now requires that "30 dwellings per hectare net should be used as a national indicative minimum to guide policy development and decision making, until local density policies are in place". (Para 37, PPS3 Housing). The net density is 19 dwellings per hectare which is considerably lower than that required by PPS3. However, this density is in keeping with development surrounding the site, which has been calculated to be 15 dwellings per hectare. In view of the triangular shape of the site and the characteristics of the surrounding area, it is felt that the proposed density is acceptable.

The Highway Authority have raised no objection to the scheme subject to a condition being attached in respect of access visibility splays and surfacing. Likewise the Environment Agency have no objections to the proposed development, subject to an informative being attached as regards the proximity of a landfill site nearby. Wessex Water have requested points of connection to be agreed onto their apparatus, and satisfactory surface water disposal.

Policy H2 of the Development Plan requires up to 50% affordable housing provision on sites within villages. The applicant has confirmed in writing that they will provide a 50% commuted sum. It has been agreed that this will be secured through the completion of the legal agreement. This forms part of the officer's recommendation.

CONCLUSION

The proposal is considered acceptable subject to the satisfactory completion of a Section 106 Legal Agreement to ensure an appropriate affordable housing contribution and the suggested conditions.

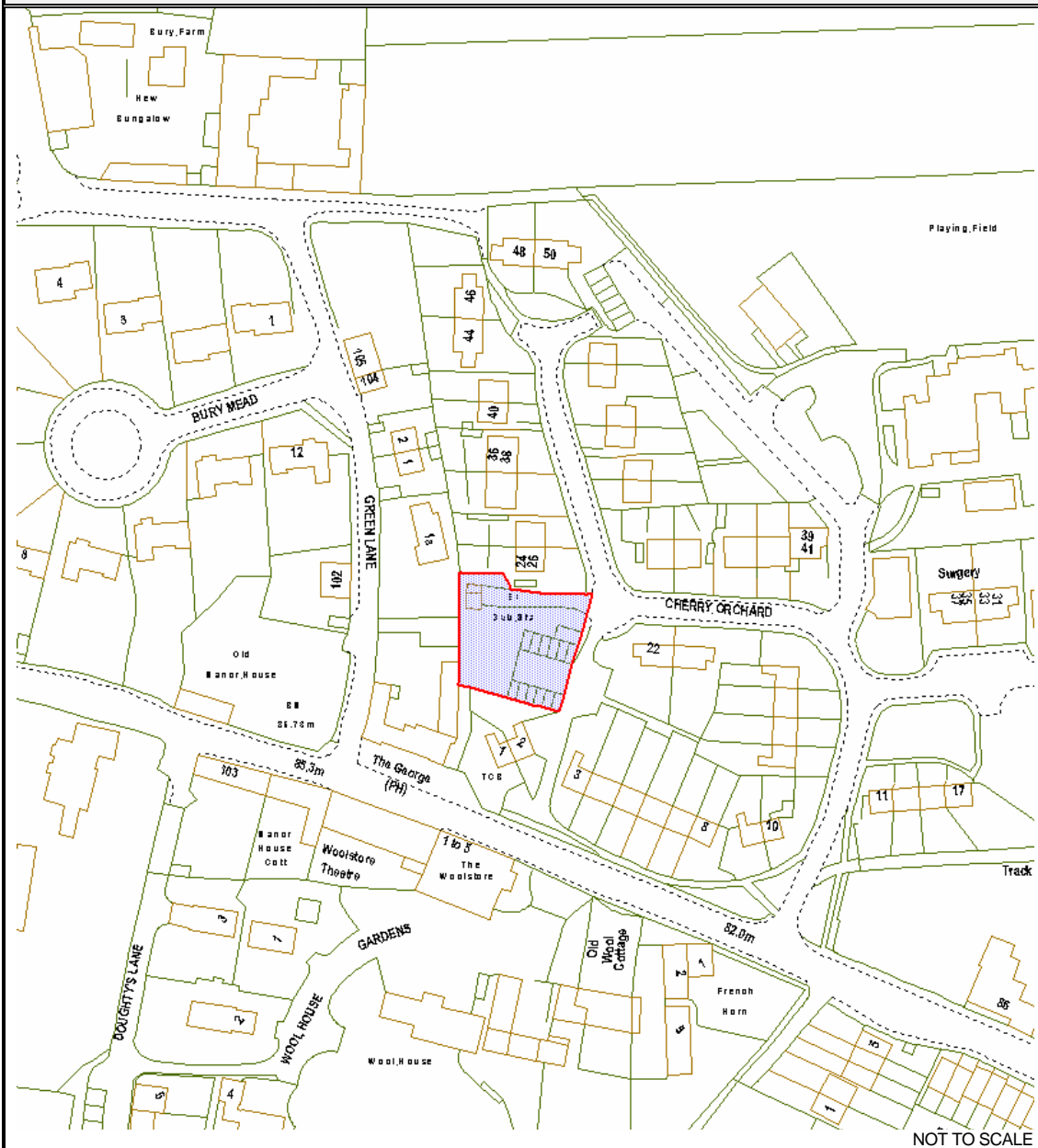
PLANNING COMMITTEE

25 January 2007

ITEM NO: 08

APPLICATION NO: 06/03403/OUT

LOCATION: Land Adjacent 22 Cherry Orchard Codford Wiltshire



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www.westwiltshire.gov.uk

SLA: 100022961

08 Application: 06/03403/OUT

Site Address: Land Adjacent 22 Cherry Orchard Codford Wiltshire

Parish: Codford Ward: Mid Wylze Valley

Grid Reference 396790 139909

Application Type: Outline Plan

Development: Erection of 3 dwelling (outline) and resiting of electricity sub station

Applicant Details: West Wiltshire Housing Society
C/O Willis And Co. 30 The Causeway Chippenham SN15 3DB

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

Case Officer: Mrs Judith Dale

Date Received: 06.11.2006 Expiry Date: 01.01.2007

REASON(S) FOR PERMISSION:

The proposed development is in accordance with the Development Plan policies, and would not materially affect the amenities of the neighbours or result in any detrimental impact on the street scene and any planning objections have been overcome by conditions.

RECOMMENDATION: Permission

Condition(s):

- 1 The development hereby permitted shall not be commenced until either improvement works have been carried out to the sewage treatment works receiving flows from this development, or satisfactory alternative works for the disposal of sewage have been provided to serve the development hereby permitted in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved details and subsequently maintained in a serviceable condition.

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

POLICY: West Wiltshire District Plan - 1st Alteration - Policies U1 & U1A

- 2 Approval of the details of the design, external appearance and landscaping ("the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

REASON: In accordance with Section 92 of the Town and Country Planning Act 1990.

- 3 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

REASON: In accordance with Section 92 of the Town & Country Planning Act 1990.

- 4 The development hereby permitted shall begin either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters, whichever is the later.
- REASON: In accordance with Section 92 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.
- 5 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.
- 6 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.
- 7 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.
- 8 The development hereby permitted shall not be commenced until surface water drainage works have been carried out and completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
- REASON: To ensure that the development can be adequately drained.
- POLICY: West Wiltshire District Plan - 1st Alteration - Policy U2.
- 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.
- 10 The development hereby approved shall not be occupied until 2 spaces per dwelling have been provided within the curtilage of the site.
- REASON: In the interests of highway safety.

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

REASON: In the interests of amenity and road safety.

- 12 The driveways 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.

- 13 The dwellings hereby granted shall be retained as affordable within the definition of affordable housing contained in Policy H2 of the West Wiltshire District Plan - 1st Alteration 2004 for so long as the dwellings remain on site.

REASON: To accord with the terms of the application and to secure the delivery of affordable housing on the site in accordance with Council policy.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy H2.

Note(s) to Applicant:

- 1 The applicants are advised to consult with the Local Authority's Drainage Engineer with regard to the capacity of the Cherry Orchard Sewerage Treatment Plant and the required infrastructure to enable this development to proceed.
- 2 The applicants are advised to consult with Wessex Water on the proposed arrangements for the disposal of foul sewage and connections for water supply.
- 3 The applicants are advised to consult with the Local Authority's Environmental Health Officer with regard to the proper dismantling and disposal of any asbestos materials on this site.

COMMITTEE REPORT

APPLICATION DETAILS

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

This is an outline application for the erection of three affordable dwellings on land adjoining Nos 24-26 Cherry Orchard.

The site measures approximately 0.085 hectare, is square shaped and currently comprises a parking forecourt with two carriage blocks of six units each, originally built to provide parking for residents in Cherry Orchard. The site is predominantly level, but rises up towards the northern boundary where a grassed bank abuts the rear of those properties located in Green Lane.

This parking area is accessed by a shared surface driveway which continues beyond the site as a pedestrian route only through to Green Lane; it also provides footpath access to the rear of a group of properties located between Cherry Orchard and Green Lane.

Although the proposal is submitted in outline form, layout and access are to be determined at this stage. The scheme proposes a pair of semi-detached units, together with one detached dwelling, all fronting directly onto the existing access; each is provided with two parking spaces in the "front" gardens of the dwellings. Design is for later consideration, but the accompanying Design & Access Statement states that the dwellings are to be two storey in height.

The development requires the relocation of an existing electricity substation to the north west corner of the site, although the access arrangements will remain unaltered.

This application is effectively a renewal of a previous permission granted by the Planning Committee in April 2004 (03/02156/OUT).

CONSULTATION REPLIES:

- CODFORD PARISH COUNCIL: The Parish Council is opposed to this application on the following grounds:-

1) Inadequate Sewerage Treatment Facility.

The existing sewerage treatment plant has proved inadequate to cope with the current number of households, having been subject to a number of failures due to overloading.

A replacement plant is long overdue to service the existing households and the PC would be opposed to the application until a new plant is installed. The WWDC condition for allowing WRHA to build on the allotment exception site was that a new treatment plant for the whole of Cherry Orchard should be included as part of the development costs. The initial outline planning application for three dwellings on the garage site was conditional on the existing sewerage plant being upgraded. As the WWDC withdrew the allotment land after the application was approved in April 2004 to enable the land to form part of the bid for the PFI grant, there has been a material change of circumstances. There should be no further applications granted for Cherry Orchard without adequate provision of suitable sewerage facilities for the whole site.

2) Unsatisfactory Parking Facilities.

Cherry Orchard has 58 properties and 88 electors and as far as it can be ascertained only 9 households have off street parking, resulting in a high occupancy of street parking space by residents. The loss of the 12 garages amounts to a serious reduction in amenities for Cherry Orchard. Traffic circulation problems are greater now than when the garages were built and the site should be retained for parking. The PC is of the view that the parking issue cannot be resolved unless the proposed development includes parking spaces for at least 12 additional vehicles.

This application cannot be considered in isolation, the same planning criteria should be applied which would be required if the neighbouring properties formed part of the scheme. Any permission should ensure that the properties nearby do not lose existing amenities and have adequate parking available. The WWHS has other properties in the immediate area, including 8 flats adjacent to the proposed site, only one of which, that the PC is aware of, is owner occupied. At present all the occupants are not car owners, but in future they might be.

3) Residents' Concerns.

In addition the following concerns have been expressed by residents:-

Proposed new siting of the electricity sub station is too near the back fence of 1A Green Lane.

Spread of asbestos dust onto neighbouring properties when garage roofs are demolished.

In conclusion the Parish Council request that, because of the serious concerns outlined above, this application should be referred to the full Planning Committee.

STATUTORY CONSULTATIONS

- HIGHWAY AUTHORITY: No objection subject to conditions requiring the provision and retention of two parking spaces per dwelling; consolidated surfacing of the driveways; satisfactory disposal of surface water; the provision of visibility splays along the frontage of the site.

- ENVIRONMENT AGENCY: No comment to make.

- WESSEX WATER: Comments that there are no existing foul sewers in the vicinity of the site and that alternative method for disposal, such as septic tanks, will be required.

With regard to water supply, the developer will be required to agree a point of connection to Wessex infrastructure.

INTERNAL WWDC CONSULTATIONS

- HOUSING ENABLING MANAGER: Confirms that there is demonstrable need for affordable housing in Codford. The proposed mix of units also meets the current need.

The application is being made by West Wiltshire Housing Society and I would therefore assume that the proposal is for 100% affordable housing. As such we would support this application.

- ENVIRONMENTAL HEALTH OFFICER: No objection.

- DRAINAGE ENGINEER:

Original Comments:

Unfortunately I do not have any knowledge of the capability of the existing sewage treatment works to serve the proposed development.

However, I suggest that the applicant is requested to supply details of:-

- a) Existing number of dwellings connected to the works together with flows rates.
- b) Hydraulic and Biological Capacity of the works together with consented discharge rate.
- c) Proposed flow rates to the works.

As suggested previously, the correct functioning of soakaways to serve the dwellings should also be proved to the satisfaction of Building Control.

Amended Comments:

I have researched the information required and can comment as follows:-

- a) There are apparently approximately 60 properties connected to the existing works including a primary school and a doctor's surgery. In theory 3 more properties give only a small percentage increase in flow -but see below.
- b) The consent limits for this works are 30:45:25 (BOD:SS:AmmN) which is quite a "slack" consent, but the works still substantially exceeds these figures on a regular basis. I have been informed that the hydraulic capacity is also near to its limit.
- c) So in summary I do not believe that the situation has changed from the last application to develop the site in that the sewage treatment works is not capable of accepting extra flows without refurbishment.

NON-STATUTORY CONSULTATIONS

- SOUTHERN ELECTRIC: No comment received.

PUBLICITY RESPONSES

The application has been advertised by site notice only as a Development of Public Interest, and neighbours have been notified of the proposal. Two letters of objection have been received on the following grounds:

- The proposed "hazardous" siting of the electricity substation and the close proximity to high frequency electrical equipment.
- A proposed health risk from the exposed asbestos roofing from the demolition of the garages.
- The historic importance of the wall along the western boundary of the site.
- The inadequacy of the existing sewage plant which has not been modified to accommodate additional dwellings.
- The loss of much needed parking spaces; approximately 8 vehicles are parked on the existing garage site.
- No guarantee that profits from the development will be spent by the Housing Society to improve facilities in the existing area.

RELEVANT PLANNING POLICY

Wiltshire Structure Plan 2016

DP9 Reuse of land and buildings

West Wiltshire District Plan - 1st Alteration (June 2004)

H2 Affordable housing

H17 Village policy limits

H24 Housing design

C31A Design

U1 Infrastructure

U1A Foul water disposal

T10 Car parking

PPS1 Delivering Sustainable Development

Draft PPS3 - Housing

RELEVANT PLANNING HISTORY

03/02156/OUT - Erection of three dwellings - Permission 11.12.03

KEY PLANNING ISSUES

The key issues raised by this application are considered to be:

- The principle of residential development, including site density.
- The loss of car parking.
- The capacity of the existing infrastructure, particularly drainage.
- Design and amenity considerations.
- Affordable housing.

PLANNING OFFICER COMMENTS

The Principle of Development

In terms of policy, this development, which is within village policy limits is acceptable, subject to conformity with the following criteria:

- The development would be in keeping with the character and appearance and spatial form of the settlement.
- It would not create inappropriate backland or tandem development.
- It would not result in the loss of an important area or visual gap.
- There are adequate services for the disposal of surface water, sewerage and water supplies.

The site is not in a backland position and because of its current use as a parking forecourt, would not result in the loss of an important visual open space. The proposed development for 3 units represents a density of 35 units per hectare in line with former PPG3 requirements. Although at the lower end of the previously advised density scale, this would not be out of keeping with the character of the surrounding development, which is predominantly two storey, and in the form of either semi-detached or terraced properties.

The matter of adequate services is dealt with separately in this report.

Loss of Car Parking

Although this has been identified as a major objection by the Parish Council, the Highway Authority has not raised it as a particular issue, while there is no evidence to suggest that the matter has become an increasing problem since permission was first granted three years ago. In determining that previous application, the loss of parking was addressed in some detail in the Planning Officer's report as follows:

" With regard to the proposed loss of the existing garages, they are currently under used and in a poor state of repair. The Housing Society's records show that of the 12 units available, only 4 are currently rented out, which has been the level of occupancy for the past six to twelve months.

A considerable amount of correspondence has been generated over this matter, with a second, detailed letter from the Parish Council which solely addresses this issue. The point is forcibly made that the Housing Society has failed to maintain the garages in good repair, which combined with a 33% increase in rent, has discouraged residents from applying to occupy the garages. This has created an artificially low level of occupancy not reflective of the number of requests made to rent the garages and creating the misleading impression that there is no demand for this facility. The Housing Society has responded by offering garages to those individuals who signed the petition referred to previously, but apparently no responses have been received taking up this offer. A parallel offer to provide hardstandings within front garden areas has similarly met with no response.

The Highway Authority supports the view that, while there is concern over the loss of car parking, it would be difficult to sustain an objection to the redevelopment of the site based solely on the loss of car parking - the actual loss is comparatively small as a percentage of the total availability; PPG3 and PPG13 place a reducing importance on the position of parking; there is unrestricted, although limited roadside parking in the vicinity; there is the potential availability of hardstandings being provided within individual garden areas. On balance, therefore, while the loss of the garages is unfortunate, it would be difficult to justify on appeal."

The accompanying Design & Access Statement confirms that in the intervening three years, the actual number of garages now occupied has in fact fallen further to only three (25%). In the light of the previous permission, this apparent 'improvement' in the situation with a reduced demand for parking would not now be an acceptable reason to refuse this latest application.

Drainage Considerations

The provision of infrastructure is important in all new developments and a material consideration in determining the acceptability of a proposal. Policies U1 and U1A of the Adopted District Plan will not permit developments unless adequate drainage and sewerage treatment facilities are available or where suitable arrangements are made for their provision.

Consultations with the relevant agencies confirm that there is an existing capacity problem with the current sewage treatment facilities - Wessex Water advise that the developer investigates alternative methods, such as septic tanks, while the Council's Drainage Engineer confirms that "the sewage treatment is not capable of accepting extra flows without refurbishment", and that some form of new facility will ideally be required.

The Parish Council again raises this as a major concern and requests that no further developments are allowed in Cherry Orchard until the current inadequacies of the existing system are addressed.

While planning permission could be refused for this development on the grounds that it does not strictly comply with Policies U1 and U1A, Circular 11/95 advises that in a situation where other works may be required which the developer has no power to carry out, or which would need the consent of a third party, it may be appropriate to impose a Grampian condition (ie. worded in a negative form) which would prohibit the development until a specific action has been taken. The particular example quoted in this Circular actually refers to inadequate sewerage facilities.

In granting the previous permission in April 2004, this approach was adopted as being the most pragmatic and condition 4 was imposed as follows:

"The development hereby permitted shall not be commenced until works for the disposal of sewage have been provided to serve the development hereby permitted in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority."

The Council's Drainage Engineer has commented that this condition does not guarantee that the existing works should be improved before the development can proceed and has suggested appropriate alternative wording - this has been incorporated in a revised condition 4. It is not considered that that this amended condition is any more onerous on the applicant than the original condition but does appear to address more directly this particular area of concern.

Design & Amenity Considerations

Although the application is in outline form only, siting and access are for determination at this stage. Consequently, the proposed siting and layout of the three units has been revised from the original submission in order to provide a more acceptable relationship with No 2 Green Lane, whose side/rear boundary is actually marked by the wall of the more southerly of the two garage blocks. The proposed distance between this property and the detached unit on Plot 3 would now measure 10m with the proposed parking spaces ensuring that adequate distances to the boundary are maintained. This also now accords with the layout previously approved under 03/02156 and which was similarly revised to accommodate the amenity considerations of existing properties.

Affordable Housing

The application has been submitted by the West Wiltshire Housing Society as a scheme for 100% affordable housing to be delivered through the Public Finance Initiative - as such this more than meets the 50% contribution required under Policy H2. However, in the event that the site is subsequently sold to a private developer, proposed condition 13 ensures that a further application would be necessary to vary this condition to deliver a level of affordable housing commensurate with policy.

CONCLUSION

Outline planning permission for an identical development was granted on 1 April 2004 under planning reference 03/02156/OUT and will expire in April of this year. Since there has been no material change in either circumstances or policy since that date, there can be no valid planning reasons for now resisting this development which will deliver a further three affordable units for the benefit of the local community.

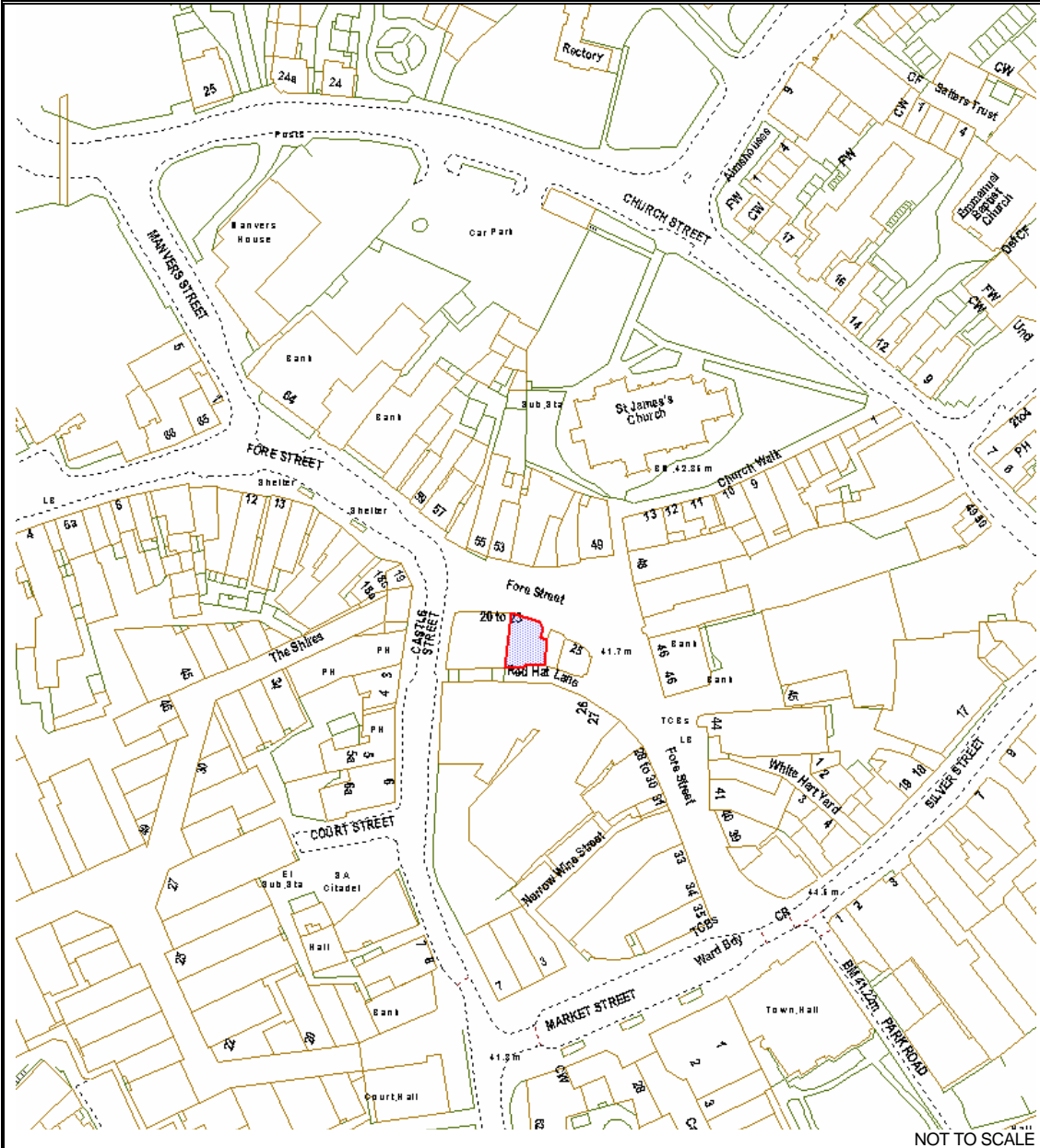
PLANNING COMMITTEE

25 January 2007

ITEM NO: 09

APPLICATION NO: 06/03376/ADV

LOCATION: 23 Fore Street Trowbridge Wiltshire BA14 8ER



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www.westwiltshire.gov.uk

SLA: 100022961

09 Application: 06/03376/ADV

Site Address: 23 Fore Street Trowbridge Wiltshire BA14 8ER

Parish: Trowbridge Ward: Adcroft

Grid Reference 385607 158009

Application Type: Advertisement

Development: Fascia sign, projecting sign

Applicant Details: Costa Ltd
Whitbread Court Houghton Hall Park Dunstable Bedfordshire LV5 5XE

Agent Details: SGM Management And Design Ltd
103 High Street Thame Oxon OX9 3DZ

Case Officer: Mr David Cox

Date Received: 03.11.2006 Expiry Date: 29.12.2006

REASON(S) FOR CONSENT:

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

RECOMMENDATION: Consent

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 applicant is advised to provide further details to the Local Planning Authority as to what exactly will be sold in the Coffee shop, whether items will be consumed on or taken away from the site and whether and by what means food will be prepared on site. This information will determine whether a change of use application from A1 to A3 is required or whether the Council would seek a Certificate of Lawful use application.

COMMITTEE REPORT

APPLICATION DETAILS

This application is brought to committee because Trowbridge Town Council recommend refusal and your officers recommend approval.

This is an application for advertisement consent for the erection of a "Costa" Fascia sign and a projecting sign at 23 Fore Street, Trowbridge. The fascia sign would advertise "Costa" and would be made of aluminium and have individual halo illuminated letters. The projecting sign would also be internally illuminated through the Costa coffee letters. It would be circular with dimensions of 100mm deep, 600mm in diameter projecting a total of 750mm.

CONSULTATION REPLIES:

TROWBRIDGE TOWN COUNCIL

Object: The Committee objected due to the proposed advertisement being incompatible with users for which the establishment has a current planning consent. The committee noted in reaching its decision that the application included both a plan drawing and signs, both clearly indicating an intention to operate an A1 or A3 establishment. The Council would be happy if the Planning Authority were able to make a condition of consent that no signage should be erected until approval for a change of use to A3 were granted.

STATUTORY CONSULTATIONS:

HIGHWAY AUTHORITY

No comments received as of yet but any comments received will be added to the late list.

PUBLICITY RESPONSES

Neighbours were notified of the proposal by letter and site notice. No comments were received.

PLANNING POLICY

West Wiltshire District Plan 1st Alteration 2004

C17 - Conservation Area

C24 - Advertisements

C31a - Design

PPG 15 - Planning and the Historic Environment

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. In this case does the advertisement cause any harm to the visual amenity of the area or impact upon highway safety.

PLANNING OFFICER COMMENTS

This application can only be considered on its impact on the visual amenity of the conservation area and on highway safety. Policies C17 and C24 of the District Plan are relevant. Policy C17 states that the special character and appearance of the conservation area should be preserved or enhanced. Policy C24 states that applications should have regard to interests of amenity and public safety.

As the site is within the Trowbridge conservation area the Council has a duty to pay special attention to preserving and enhancing it. Given that the sign would be changed from a white background and fascia sign to a aubergine 'Costa' sign this would in the officers opinion be a suitable colours for the conservation area. There are a number of different coloured signs along Fore street, including the bright yellow signage of the Juice bar next door. Therefore no harm would be caused to the visual amenity of the area.

The sign would also considered not to cause any highway safety issue as the shop front gives access to predominately pedestrians only. An illuminance condition may be included should the Highway Authority request it when their comments are received.

The objection of the Town Council cannot be supported as the sign is consistent with policy. A condition cannot be made to prevent the sign for being erected prior to a change of use application being submitted because there is not enough information as to whether a change of use application is actually taking place. If the proposal is for the shop to purely sell coffee, this may still fall under the use class A1. Accordingly an informative is attached to require the Applicant to seek the advice of the Council.

CONCLUSION

For the above reasons the application should be given advertisement consent.

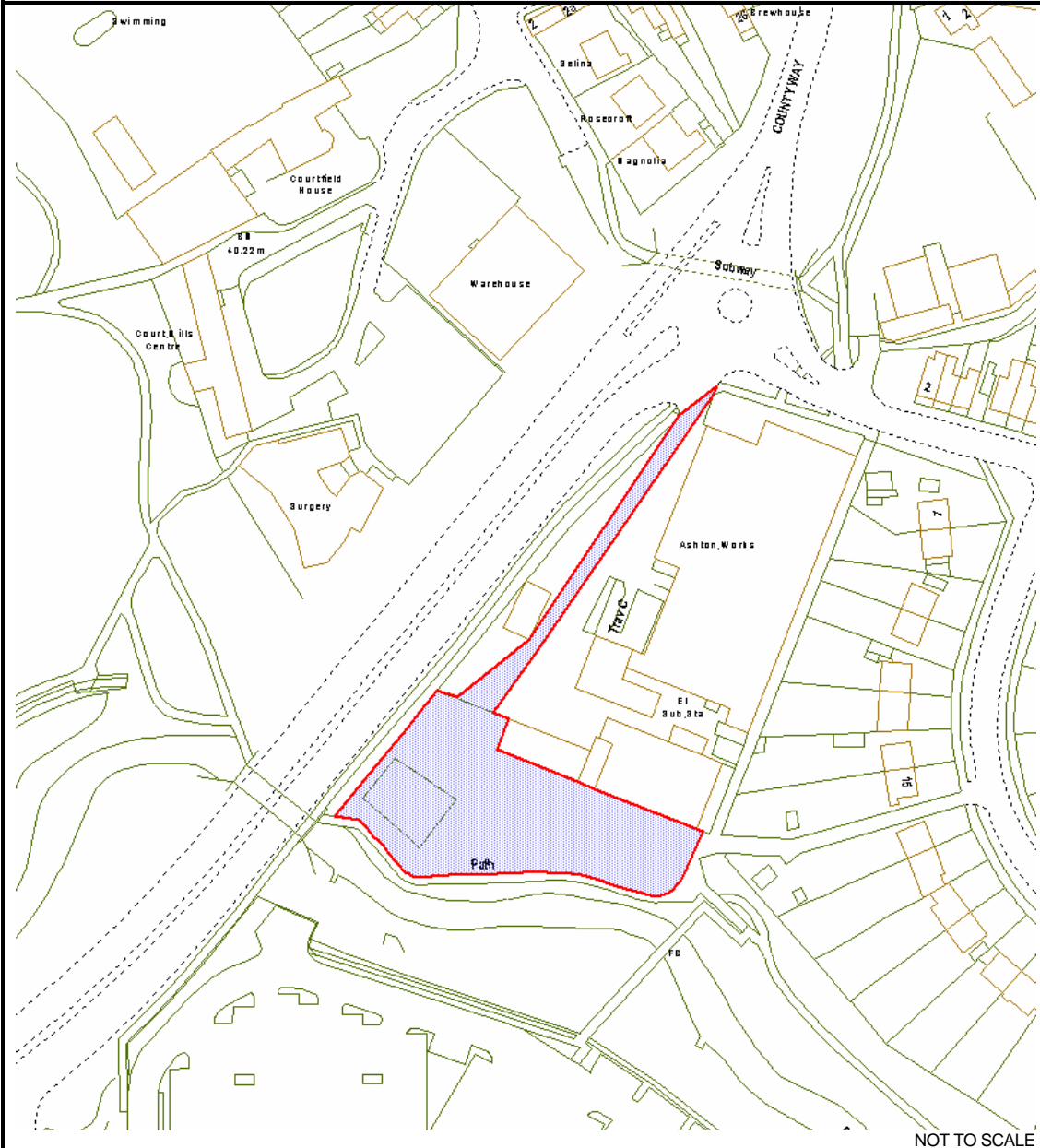
PLANNING COMMITTEE

25 January 2007

ITEM NO: 10

APPLICATION NO: 06/01987/FUL

LOCATION: Unit 13 Ashton Mills West Ashton Road Trowbridge
Wiltshire



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SLA: 100022961

10 Application: 06/01987/FUL

Site Address: Unit 13 Ashton Mills West Ashton Road Trowbridge Wiltshire

Parish: Trowbridge Ward: Park

Grid Reference 386021 157662

Application Type: Full Plan

Development: Removal of condition 1 of planning consent 06/00157/FUL to allow permanent use of Unit 13 as a builders merchant

Applicant Details: Trowbridge Building Supplies
F.T.A.O. Mr S D Tregelles Unit 13 Ashton Mills West Ashton Road
Trowbridge

Agent Details: Land Development And Planning Consultants Limited
F.T.A.O. David R Pearce BSC FRICS Lavender Cottage Nettleton
Chippenham Wiltshire

Case Officer: Mr Mark Reynolds

Date Received: 27.06.2006 Expiry Date: 22.08.2006

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 Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. 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 bund 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. Full details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The scheme shall only be carried out in accordance with the approved details.

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

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

- | | |
|---|---|
| 2 | 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 the pollution of the water environment.

POLICY: West Wiltshire District Plan 1st Alteration 2004 - U3. |
| 3 | Details of lighting to the site (including measures to minimise sky glow, glare and light trespass) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The scheme shall only be carried out in accordance with the approved details.

REASON: In the interests of pollution prevention.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy C35. |
| 4 | The storage of materials, goods, products, waste and goods for sale shall only take place in the areas shown on the approved plan in planning application No: 01/01592/FUL. The height of storage in these areas shall not exceed 2 metres.

REASON: In order to protect the appearance of the area. |
| 5 | The barrier shown on the approved plans of planning application 01/01592/FUL shall be retained whilst the use is being carried out.

REASON: In order to protect the integrity of the listed building.

POLICY: West Wiltshire District Plan 1st Alteration 2004 Policies C27 and C28. |

COMMITTEE REPORT

APPLICATION DETAILS

This application is brought to the planning committee because the Town Council objects to the proposal contrary to officer's recommendation.

This is an application made under Section 73 of the Town and Country Planning Act 1990 to develop land without compliance with condition 1 of planning application 06/00157/FUL at Ashton Mills, West Ashton Road, Trowbridge. The application site is currently being used as a builders merchants which has a temporary permission to operate until 11.5.09. The applicant in this case wishes to continue the current use on a permanent basis.

Condition 1 of planning permission Ref: 06/00157/FUL read as follows:

The use hereby permitted shall be discontinued and the land restored to its former condition on or before 11.05.09, in accordance with a scheme of work to be submitted to and approved by the Local Planning Authority.

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

CONSULTATION REPLIES

- TROWBRIDGE TOWN COUNCIL: Object on the grounds that this site was allocated for alternative use in the UDF.

STATUTORY CONSULTEES

- HIGHWAY AUTHORITY: Commented previously that 'having regard to the fact your Council gave approval to the previous application and that no accidents have been reported at the access since the use was first permitted, no highway objection is raised'.
- TROWBRIDGE CIVIC SOCIETY: Objects to this application to allow permanent use of this area for a builders merchant. There is no objection to its continuing use on a temporary basis. This site could be part of a future development as part of 'Transforming Trowbridge' and a permanent use could hinder such a desirable future development.

INTERNAL WWDC CONSULTATIONS

- ENVIRONMENTAL HEALTH: Has no objection to condition 1.
- PLANNING POLICY: Comment as follows:

'The southern part of the Ashton Mills site is currently in use as a builders merchant with access through the rest of the site from the West Ashton/County Way roundabout.

The District Plan 1st Alteration proposes a mixed use development for Ashton Mills, including residential and any other of the following uses: office, business, industrial, warehousing or leisure/arts.

A permanent builders merchants use may not be compatible with future proposals for residential uses and/or other future uses as part of a comprehensive redevelopment of the site. The whole Ashton Mills site is proposed for redevelopment in Phase 2 of the District Plan 1st Alteration (2006/2011) for about 40 dwellings and for any other of the following uses- office, business, industrial, warehousing or leisure/arts. The Trowbridge UDF identifies the conversion of the existing industrial buildings and additional development in the form of perimeter block development with this specific site identified as a possible enhancement of the adjacent River Biss country park to provide a waterside setting for the development.

Circular 11/95 sets out the tests for justifying a continued temporary permission, including cases where redevelopment proposals have been postponed. In this case, I would recommend writing to the owners of the site to determine whether proposals for the redevelopment of the Ashton Mills site are likely to come forward before the end of the Plan period in 2011. If there is no evidence of any proposals coming forward then I would suggest that there are no reasonable grounds for resisting a permanent use of the site.

- CONSERVATION OFFICER: Commented as follows on the previous application 06/00157/FUL:

'Trowbridge has identified this site for residential use I see no reason why this use cannot be accommodated for a temporary period until such time as a more comprehensive scheme comes forward. There are no changes to this scheme that indicate any harm to the setting of the listed mill'.

Earlier comments were made on application 01/01592/FUL -

This application does not directly affect the listed buildings on this site but will have an impact on their setting. The existing area proposed for this use is relatively well screened and also under used and neglected which does have a negative impact on the adjacent listed buildings. These were mill buildings and therefore functional in form and architectural composition. I therefore see no problem in allowing this change of use as it will simply reinforce the industrial feel to these buildings and their setting.

I would however wish to see measures to ensure that the western elevation closest to the builders yard are protected in some way from being used as a back wall for materials to be stored against as this could lead to damp being trapped in the masonry. I would also be concerned about the potential hazards of vehicles knocking into the buildings when loading and unloading so we need to get some form of strong barrier erected to protect this building. I would be grateful if this can be investigated with the applicant and details submitted.'

PUBLICITY RESPONSES

The application was publicised by site notice and press advertisement and neighbours were notified to which there has been no response.

PLANNING POLICY

West Wiltshire District Plan 1st Alteration (2004)

H1 Town Policy Limit
H4 Mixed use brownfield sites
C27 Listed buildings
C31a Design
C38 Nuisance
U3 Flood risk area

PPS1 Delivering sustainable development
PPG15 Planning and the Historic Environment
Circular 11/95 - Use of Conditions in Planning Permissions

RELEVANT PLANNING HISTORY

01/01592/FUL - Change of use, alterations and erection of buildings to form a builders merchant - Permission 03.01.2002
06/01987/FUL - Removal of condition 1 of planning consent 06/01592/FUL - Permission 11.05.06

KEY PLANNING ISSUES

The key planning consideration in this case is whether the proposal to vary condition 1 of 01/01987/FUL to allow a permanent use is acceptable.

PLANNING OFFICER'S COMMENTS

Section 73 of the Town and Country Planning Act 1990 states that on this form of application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted and -

- (a) If they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and
- (b) If they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.

This proposal is to operate the existing builders merchants on a permanent basis. Planning application reference no: 01/01592/FUL was granted on a temporary basis so that the Local Planning Authority could retain control over the situation. A further planning application reference no: 06/00157/FUL which was for a variation of condition was granted a three year temporary permission. The application site at Ashton Mills lies within an area allocated in the West Wiltshire District Plan 1st Alteration 2004 under Policy H4. Policy H4 identifies a site of about 0.84 hectares which is identified for conversion and redevelopment for a mix of uses including about 40 dwellings and any other of the following uses:- office, business, industrial, warehousing or leisure/arts.

The adopted Plan identifies the delivery of the mixed use scheme at Ashton Mills during phase 2 (2006-2011). The planning policy team previously felt that a 3 year temporary permission should be granted rather than a permanent permission, as a permanent permission could prevent a policy compliant scheme from coming forward before the end of the Plan period. On this basis a permanent permission was considered unacceptable in that it would be likely to prejudice the delivery of the above land allocation.

Planning policy was reconsulted on this application and advised that the owners of the site should be written to, to determine whether proposals for the redevelopment of the Ashton Mills site are likely to come forward before the end of the Plan period in 2011. If there is no evidence of any proposals coming forward then Planning Policy suggest that there are no reasonable grounds for resisting a permanent use of the site.

The owners of the site have advised that they are not at present contemplating any development of the site. The owners note that the site as a whole currently accommodates many tenants including their own engineering works and thus provides useful employment to many people. The owners currently lease the site to the applicants and can themselves control the use of the land outside the planning processes. The owners therefore retain control and may develop the site in another way at any time subject to planning permission being granted. Given the above additional information it is considered reasonable to recommend that a permanent use would be acceptable in planning policy terms.

Ashton Mills is itself a grade II listed building and the previous comments of the conservation officer are listed above. The Conservation Officer noted that there were no changes to the scheme which indicated any harm to the setting of the listed mill. The Mill building is functional in form and architectural composition and the builders merchants reinforces the industrial feel to these buildings and their setting. The Conservation Officer was keen to see a strong barrier to protect the integrity of the Mill building this has been undertaken in accordance with the original plans from the 01/01592/FUL permission. The proposal for a permanent permission should not in the view of the Case Officer harm the setting of the listed building. The use is not proposed to change as part of this application which applies only to vary a condition.

The concerns of Trowbridge Town Council and the Trowbridge Civic Society have been noted regarding the allocation of the land for residential use however there is no indication at this time that the site will come forward for development in line with the UDF and refusal would in Officer's opinion be difficult to sustain at appeal.

There are no further objections from other consultees.

CONCLUSION

The proposal for a permanent permission is considered acceptable.

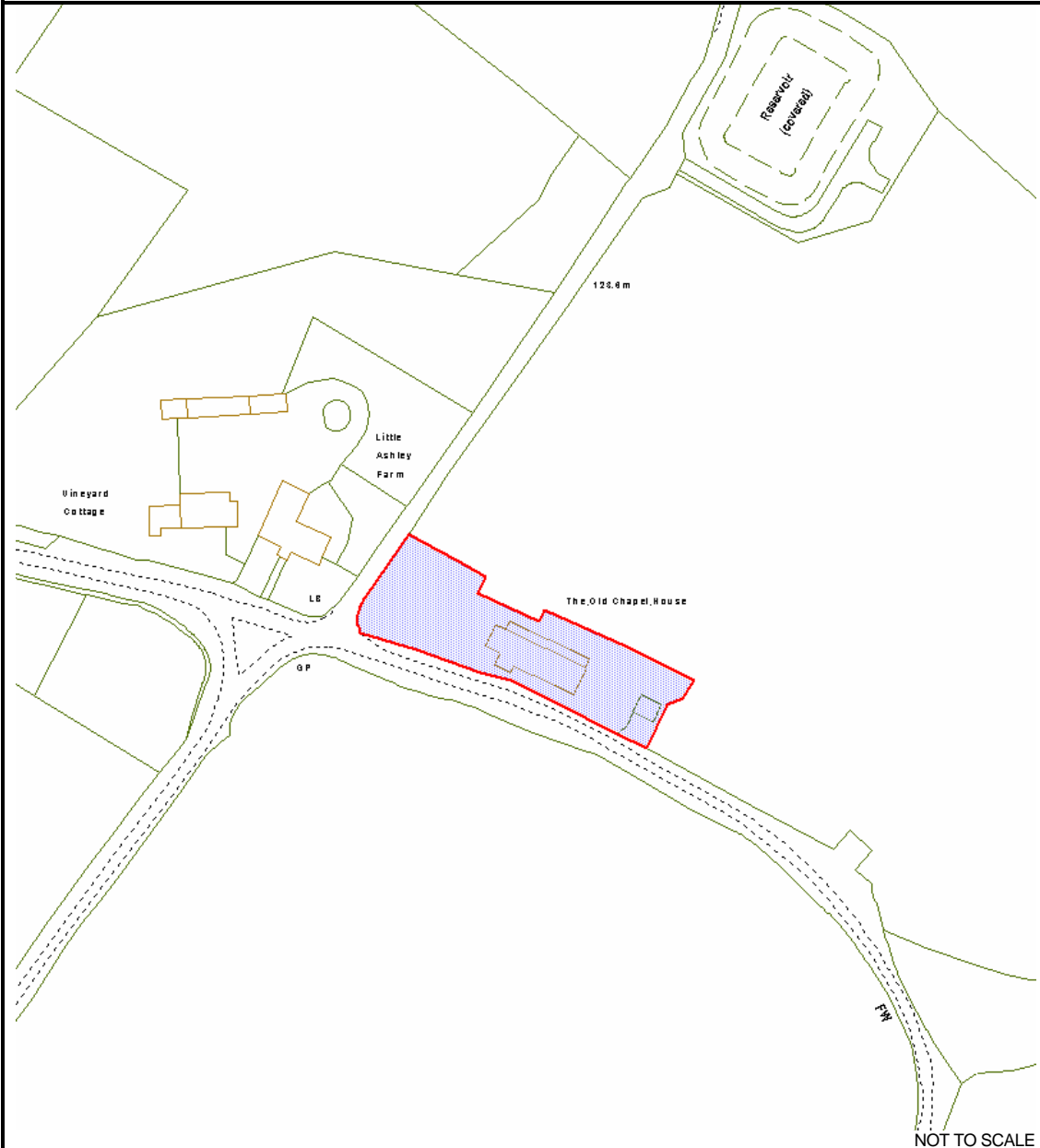
PLANNING COMMITTEE

25 January 2007

ITEM NO: 11

APPLICATION NO: 06/01998/FUL

LOCATION: Old Chapel House Little Ashley Winsley Wiltshire
BA15 2PN



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www.westwiltshire.gov.uk

SLA: 100022961

11 Application: 06/01998/FUL

Site Address: Old Chapel House Little Ashley Winsley Wiltshire BA15 2PN

Parish: Winsley

Ward: Manor Vale

Grid Reference 381524 162397

Application Type: Full Plan

Development: Demolition of sections of existing house erection of new extensions and alterations, alterations to garage

Applicant Details: Mr & Mrs R Sholarek
Old Chapel House Little Ashley Winsley Wiltshire BA15 2PN

Agent Details: Bennett Dlugiewicz Date
90 Walcott Street Bath BA1 5BG

Case Officer: Mr David Cox

Date Received: 01.11.2006

Expiry Date: 27.12.2006

RECOMMENDATION: Refusal

Reason(s):

- 1 The proposed extensions by reason of their size, scale, bulk, mass and proportions would result in a disproportionate addition over and above the size of the original building. This represents inappropriate development in the Western Wiltshire Green Belt, which is, by definition, harmful and which would also not maintain the openness of Green Belt. No very special circumstances have been demonstrated to outweigh the presumption against inappropriate development in the Green Belt. The proposal is therefore contrary to Policy GB2 of the West Wiltshire District Plan 1st Alteration 2004, Policy DP12 of the Wiltshire and Swindon Structure Plan 2016 and advice contained within Planning Policy Guidance Note 2 (Green Belts).
- 2 The proposal by reason of its two storey front extensions would be an incongruous addition to the host building that would interrupt its rooflines. This would harm its cottage style and appearance of the host building. The application is therefore contrary to Policy C31a of the West Wiltshire District Plan 1st Alteration (2004) and advice contained in the Council's Supplementary Planning Guidance - House Alterations and Extensions.
- 3 The proposal by reason of its large two storey eastern side extension would be an incongruous addition to the host building that would harm the balance and symmetry of the host building. This would harm the simple cottage style and appearance of the host building. The application is therefore contrary to Policy C31a of the West Wiltshire District Plan 1st Alteration (2004) and advice contained in the Council's Supplementary Planning Guidance - House Alterations and Extensions.
- 4 The proposal pitched roof over the existing double garage by reason of its height, size, scale, bulk and would be an overly dominant addition that would not be sympathetic the appearance of the host building and its position on the street scene. The application is therefore contrary to Policy C31a of the West Wiltshire District Plan 1st Alteration (2004) and advice contained in the Council's Supplementary Planning Guidance - House Alterations and Extensions.

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| 5 | The plans are inaccurate due to discrepancies between the submitted scale drawings showing the dormer windows and are therefore not a true representation of the site or the proposals. |
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COMMITTEE REPORT

APPLICATION DETAILS

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

This is a full planning permission application for the demolition of sections of the existing house, erection of new extensions and alterations to garage at Old Chapel House, Little Ashley, Winsley.

Old Chapel House is a cottage consisting of three separate 2 storey elements, with the central one the most dominant and with subservient sections on each side elevation. This is considered to be the original building.

The application building has been extended. There are single storey extensions, considered to have been built post 1948 on its front, eastern side and rear elevations. A detached double garage (also built post 1948) has also been added and is located approximately 15 metres from the host building.

The proposal would demolish the post 1948 extensions and replace them with a 2-storey eastern side extension, 2-storey rear extension with additional single storey extensions and a 2 storey front extension. The flat roof double garage would also have a pitched roof to allow for the storage on its first floor.

This site is within the Western Wiltshire Green Belt and within a Special Landscape Area.

CONSULTATION REPLIES:

WINSLEY PARISH COUNCIL

No objections provided Green Belt conditions are properly satisfied.

STATUTORY CONSULTATIONS:

PUBLICITY RESPONSES

Neighbours were notified of the proposal. 4 letters of support were received.

- The house as it currently stands is an eyesore and it spoils the view for nearby residents and the view across the fields around. The proposal will rid us of the dreadful extension at the front and side, and will create a house, which will sit very comfortably in the landscape.

- The appearance of the property would be greatly improved by making these changes and would be much more in keeping with the other properties in the neighbourhood.

PLANNING POLICY

Swindon and Wiltshire Structure Plan 2016

DP12 - The Western Wiltshire Green Belt
C9 - Special Landscape Areas

GB2 - Green Belt
C3 - Special Landscape Areas
C31a - Design
C38 - Nuisance

SPG - House Alterations and Extensions

Planning Policy Guidance Note 2 - Green Belts (PPG 2).

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

Green Belt:

The application proposal fails to comply with Green Belt Policy.

PPG 2 guidance is reflected in District Plan Policy GB2 (iv) which states that approval will not be given, except in very special circumstances for development other than:

"The limited extension and/or alterations of existing dwellings, provided it does not result in disproportionate additions over and above the size of the original building."

If a proposal would result in disproportionate additions to the original building then it would represent "inappropriate development" as defined in PPG2. There is a very strong presumption against inappropriate development in the Green Belt. Such development will not be approved, except in very special circumstances.

In order to help ascertain as to what is 'limited' and what results in a 'disproportionate addition to the original building' volume calculations are made. These are however, only a mathematical tool in which to aid what should be a visual consideration.

The original host building has been considered to be the existing three 2-storey main blocks with the centre block the most dominant with the two subservient blocks on both east and western elevations. The entire single storey front, western side and rear elements are considered to be additions to the host building built post 1948. The applicant has not submitted any evidence to show that these elements should be considered as part of the original building (. i.e. prove they were there prior to 1948). These are therefore considered to be extensions to the original building. It is also considered that the existing detached garage is also a modern structure built post 1948 and is also considered to be as an extension to the host building.

The plans indicate that the original host building had a volume of 764 cubic metres (286+247+231), the three different 2 storey sections. This does not include the detached double garage as it was built after 1948.

The plans indicate that the existing extensions added approximately 390 cubic metres (100+10.7+79.2+119+81.2), which includes the detached double garage. Therefore the existing volume increase in the size of the original host building is calculated to be approximately 51%.

The proposal would demolish the single storey front, side and rear elements, which will mean that this will reduce the volume increase of the host building. However the proposed extensions must be calculated along with the increased garage volume against the original building.

The proposed extensions are calculated to have a volume of approximately 678 cubic metres ($18+165.3+2.28+161+81.6+81.6+168$) which includes the detached double garage. This will mean that the proposals would have an approximate increase on the original dwelling of 88.8% ($678/764 \times 100$).

An 88.8% increase in the volume of the original building is not a 'limited' extension to the host building and would result in a disproportionate addition over and above the size of the original building. This increase represents inappropriate development that would be harmful to the Green Belt.

This volume calculation does not include the volume calculations of the proposed dormer windows on the front elevation. Additionally the plans are inaccurate, as the dormer windows are shown on the front elevation but not on the side elevation drawings.

No very special circumstances have been given by the applicant to justify or overcome the conflict with Development Plan policy. The applicant has stated that the dwelling needs to be increased for the needs of a growing family but this is not a very special circumstance or a material planning consideration.

Design:

The proposal also raises concerns with the impact on the appearance of the host building.

The proposed 2 storey front extension would add a tall but narrow front section with a flat roof. It would have a stone drip course near the top and a stone lintel over the front door. This structure would be at odds with the character and appearance of this relatively simple cottage. It would therefore be an incongruous addition to the host building that would also interrupt the existing rooflines.

The two-storey side extension would also harm the host buildings balance and symmetry. The existing built form is clearly defined and characterised by its main two storey centre block and the equal subservient blocks on its side. This proposal because of its height, size, parapet wall and bell tower/lantern would be an overly dominant addition to the host building to its detriment.

The two-storey rear extension would be subservient to the host building and would be an appropriate addition to the host building. Additionally because of its central location in line with the main dominant two-storey block it would not harm the balance or symmetry of the building. However this does not outweigh the harm caused by this 2-storey section and the single storey sections on the green belt as mentioned earlier.

The proposal for the garage would add a very large and dominant pitched roof over the existing garage. This is to allow for the roof space to be used as an additional storage area. However a roof at this height and of this size would not be an acceptable addition to the street scene. The garage relates poorly to the host building.

Other considerations:

The neighbours comments received cannot be supported as the proposed changes are at odds with Green Belt and Design Policy in the Development Plan and do not represent material considerations to overcome this fundamental conflict with policy.

CONCLUSION

For the harm caused to the West Wiltshire Green Belt and on the appearance of the cottage the application should be refused planning permission.