

Date of Meeting	19 August 2020
Application Number	20/04037/FUL
Site Address	17 Blenheim Park, Bowerhill Melksham SN12 6TA
Proposal	Demolition of existing garage to erect a dwelling
Applicant	Mrs Sarah Davies
Town/Parish Council	MELKSHAM WITHOUT
Electoral Division	Melksham Without South - Councillor Nick Holder
Grid Ref	391630 161708
Type of Application	Full Planning
Case Officer	Jemma Foster

Reason for the application being considered by Committee

Councillor Nick Holder has requested that this application be considered by the Western Area Planning Committee if it is recommended for approval by officers, and that members consider the following:

- The scale of development citing overdevelopment
- The visual impact upon the surrounding area and the street scene
- The design – bulk, height, general appearance

1. Purpose of Report

The purpose of this report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application should be approved.

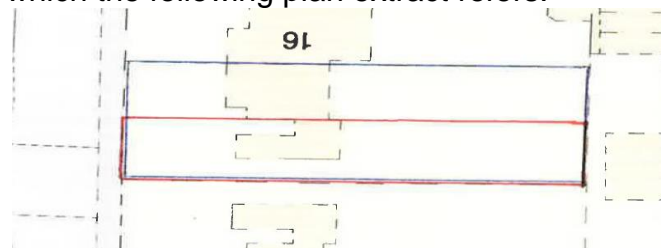
2. Report Summary

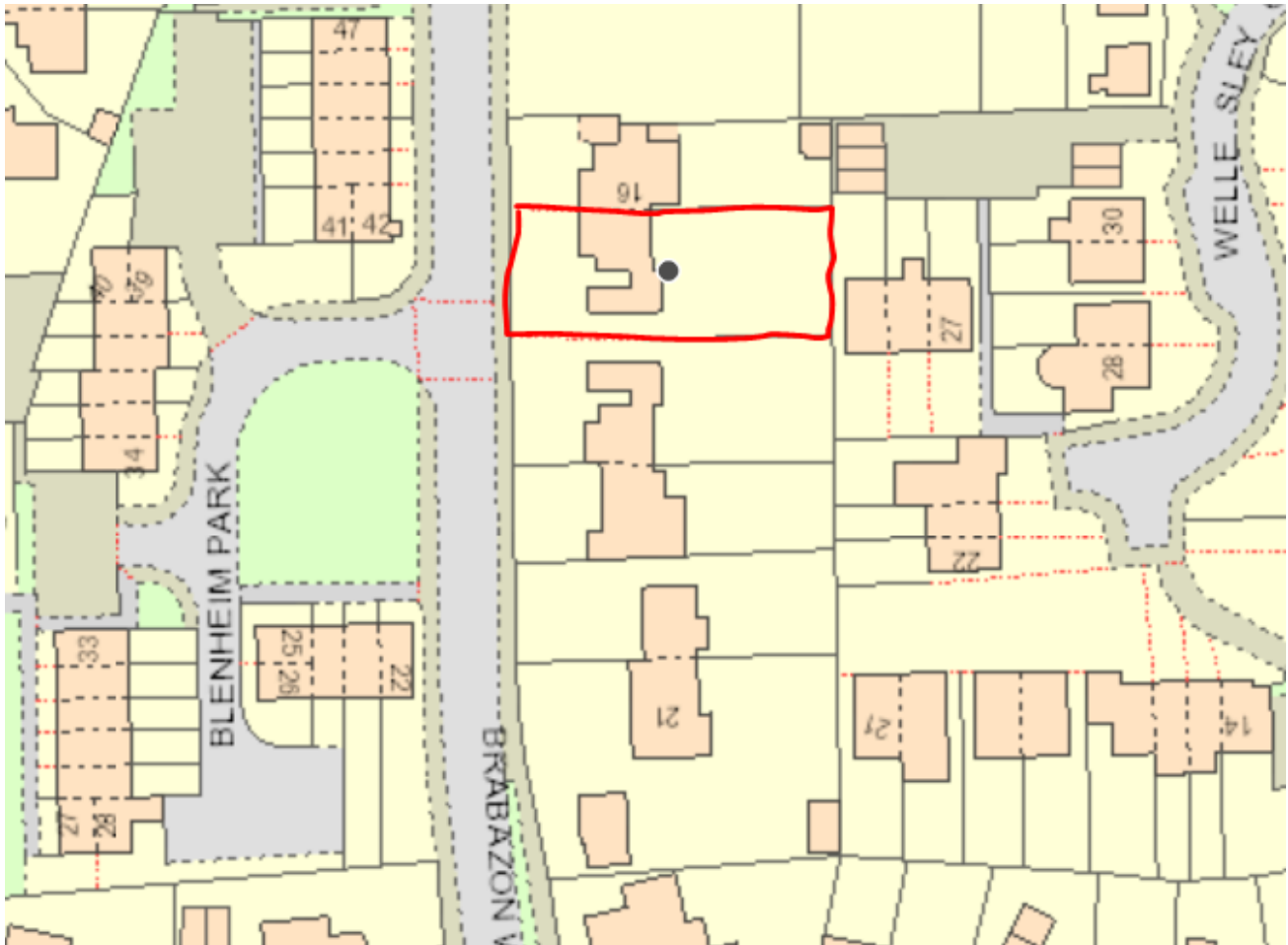
The key determining planning issues for this application are considered to be:

The principle of development; the design impacts; highway impacts; neighbouring impacts and biodiversity matters.

3. Site Description

The application site at No.17 Blenheim Park is located within the settlement limits of Melksham and Bowerhill village. The subject property is a two-storey red brick semi-detached dwelling which has a single-storey garage and utility room to the south – which are identified as part of the application site – to which the following plan extract refers.





The existing dwelling is shown below left (which along with No's 16 – 21 Blenheim Park) are built with red brick with white uPVC windows and doors under a concrete tiled roof.

The photo below right illustrates the property No's 18-21 Blenheim Park to the south.



Through the years, several extensions have been approved and constructed to these properties including a conversion of double detached garage to form an annexe and a two-storey extension to No. 21. As shown above, these properties have brick gables with cream render to the rear as the following photos reveal:



The dwellings opposite No. 16 – 21 Blenheim Park as shown below, are terraced units with a different design characteristic to the properties on the eastern side of the highway with the elevations being a mix of red brick and render.



4. Planning History

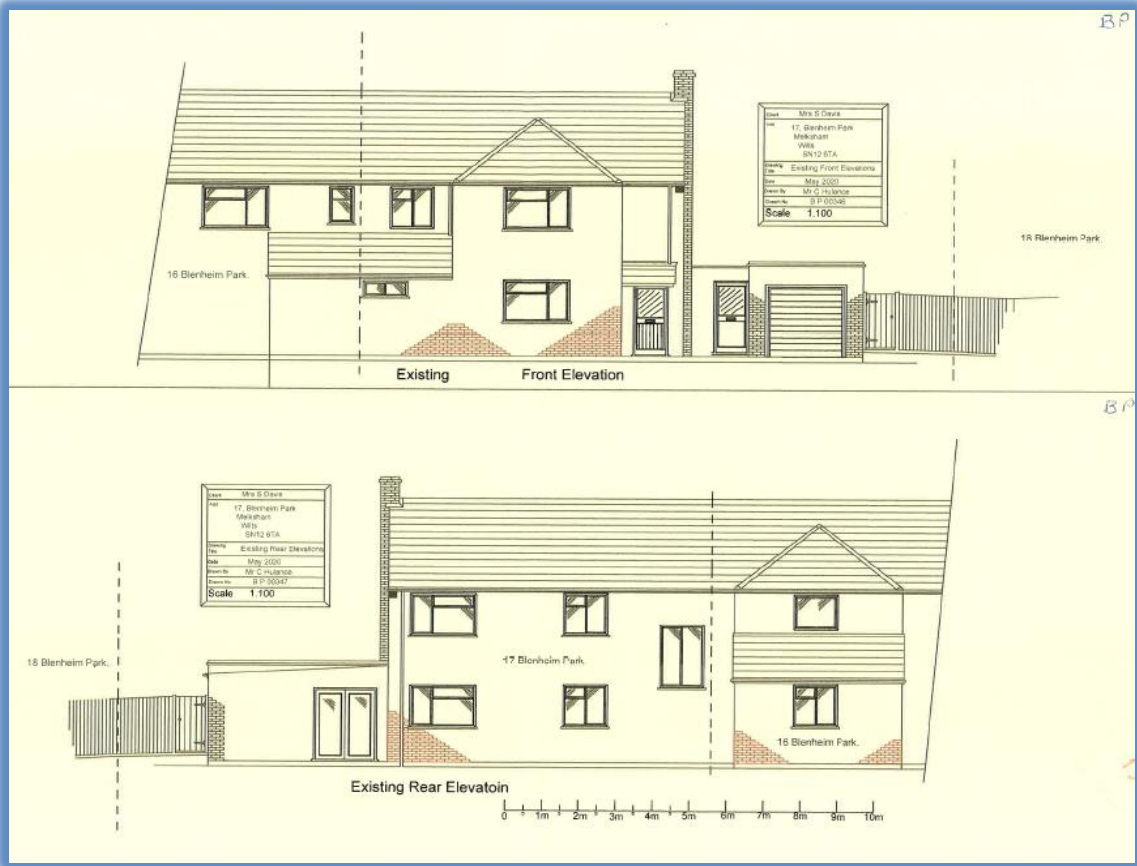
There is no recorded planning history for the subject property other than the historic application in 1976 which included the conversion of No's 17, 19 and 21 into semi-detached dwellings under approved application W/76/00080/HIS.

5. The Proposal

This application seeks permission to demolish the existing single storey link-detached garage and utility room which has a ground floor foot print of 49.5sqm and erect a two-storey two-bedroomed dwelling which would have a ground floor footprint of 47.5 sqm. A terrace of three properties would be created if approved and built, but as confirmed above, the footprint of the new building would be smaller than what currently exists on the site.

In early July, a revised plan was submitted to the Council removing the hedge to the front boundary to allow for a wider vehicular access.

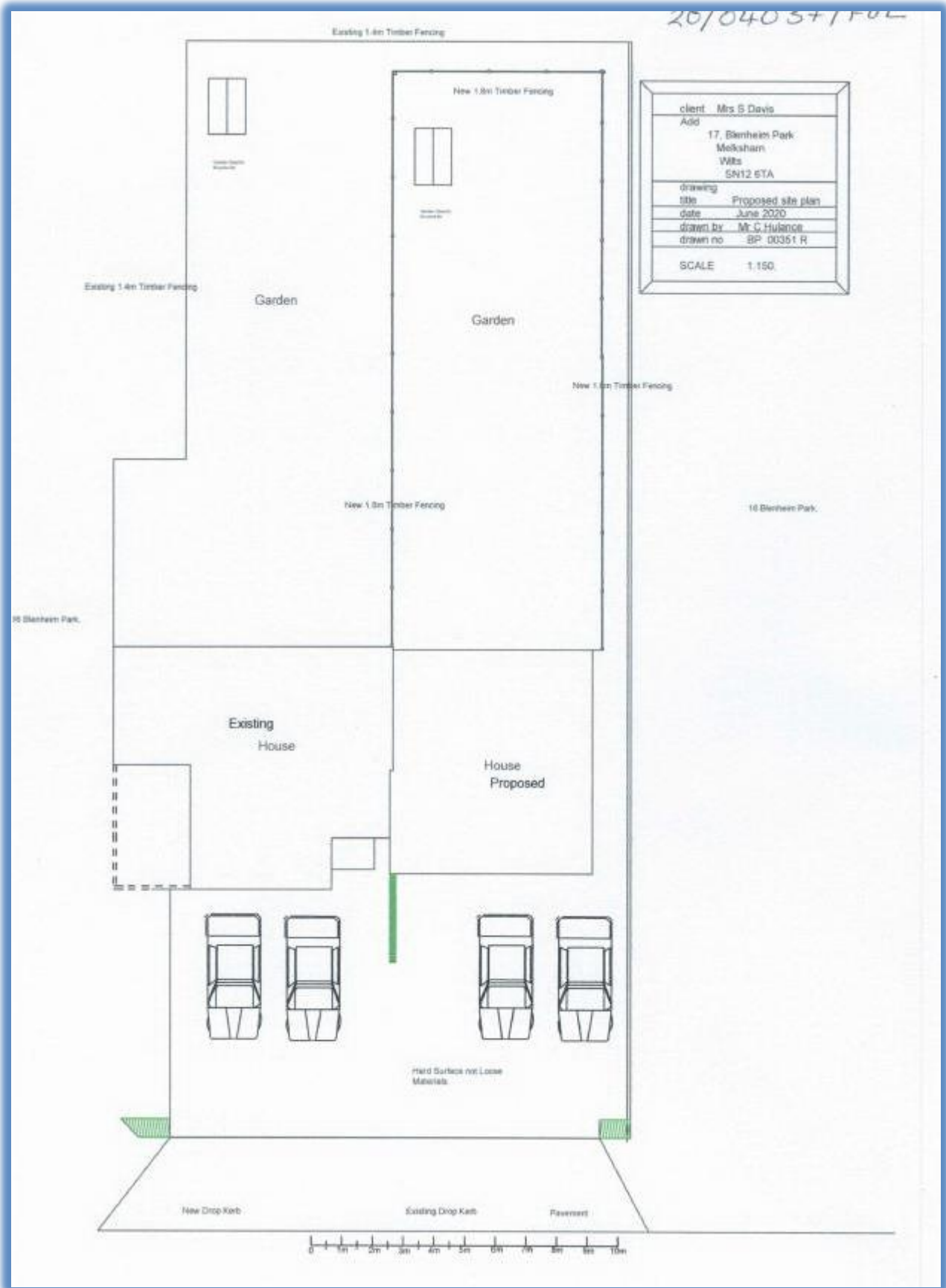
The following reproduced plan extracts illustrate the existing building elevations at No. 17 Blenheim Park:



The following plans illustrate the proposed front and rear elevations for comparison.



The following extract illustrates the revised proposed block plan layout for the site.



6. Planning Policy

The Wiltshire Core Strategy (adopted Jan 2015): CP1 – Settlement Strategy, CP2 – Delivery Strategy, CP15 – Spatial Strategy Melksham Area, CP51, CP57 – Ensuring High Quality Design and Place Shaping, CP60 – Sustainable Transport, CP61 – Transport and New Development, CP64 – Demand Management

Saved Policies for the West Wiltshire District Local Plan (1st Alteration): U1a Foul Water Disposal and U2 Surface Water Disposal

Other Material Considerations

- The Wiltshire Waste Core Strategy (adopted 2009)
- Policy WCS6 - Waste Reduction and Auditing
- The Wiltshire Local Transport Plan (LTP) and Car Parking Strategy
- National Planning Policy Framework 2019 (NPPF)
- Planning Practice Guidance (PPG)
- Circular 06/2005 – Biodiversity and Geological Conservation
- Building for a Healthy Life (2020)

7. Consultations

Melksham Without Parish Council - Objects to the revised application citing concerns about:

- It would be overdevelopment of the site
- It would be out of keeping with the streetscene
- If the application is approved, the brickwork should be the same colour as the existing RAF properties in the vicinity.

Wiltshire Council Highways – No objection subject to conditions.

Wiltshire Council Drainage Team - No objection subject to conditions.

Wessex Water - No objection.

8. Publicity

The application was advertised by a site notice and individually posted neighbour notification letters. The deadline for third party correspondence was 10th July 2020. 3 letters of objection were received which can be summarised as follows:

Principle Issues

- “We live opposite and like the way things look at present and don’t see the need for another house”.

Impact on Area

- This development would ruin the character of the area.
- The dwelling needs to be built with great care and attention to detail, windows, brick colour and texture, roof tiles all need to be as close a match as possible.

Drainage Issues

- Drainage is an issue in the street

- When the water supply to No.17 is switched off, No.19 has no water.
- No 17 currently is the end property on the drainage system descending to the North. Experience of blockages of the shared sewer descending to the south from No 18, occurs on average every 2 years, which indicates that the sewer is at maximum capacity. Any new house at No. 17 must link to the sewerage pipe through No. 17 and would become the new end property on the north sewerage pipeline.

Highway Matters

- “We live opposite and only have a front entrance that gives us problems with people parking outside our front and only door”,
- This proposal would generate more traffic.

9. Planning Considerations

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

9.1 Principle of Development

9.1.1 The application site is located within the limits of development of the market town known as Melksham and Bowerhill Village where there is a presumption in the favour of sustainable development and as such, the proposal in principle, is in accordance with CP1, CP2 and CP15 of the Wiltshire Core Strategy, but requires to be assessed against CP57 and the good design principles set out within the NPPF and Building for a Healthy Life publication.

9.2 Impact upon the Character and Appearance of the Area

9.2.1 Blenheim Park is characterised by a mix of semi-detached and terraced dwellings. The semi-detached dwellings numbered 16 – 21 are of differing designs some of which have had previous single and double storey extensions with brick and rendered elevations. Mindful of the mixed character of the immediate area, the proposed demolition of the existing single-storey garage and utility which have no architectural merit, would be replaced by a two-storey dwelling that would not appear discordant or out of keeping with the character of the area.

9.2.2 The hedge to the front of the property would be removed to provide a new vehicular access. It is acknowledged that there are gaps in the hedged front boundaries of other properties in the streetscene to accommodate vehicular accesses. And the proposal would respect this characteristic. Whilst it is always regrettable seeing the loss of any hedgerow, it should be appreciated that the hedge could be removed at any time without requiring the Council’s consent, and as such, this aspect of the application would not be sufficient grounds to base a refusal on.

9.2.3 The proposed additional dwelling to be constructed off the southern gable elevation of No. 17 would be a sensitive infill. The new dwelling would have external materials to match the existing host property and would be designed in a complementary manner with a slightly reduced ridge height and windows and doors that would match the size of the existing dwelling.

9.2.4 Overall, officers are satisfied that the design, layout and choice of materials would be compliant with adopted Core Strategy Core Policy 57 and the design principles set out within the NPPF and the recently published Building for a Healthy Life.

9.3 Drainage Matters

9.3.1 The planning application indicates that foul sewerage would be disposed via the main sewer and that surface water would be drained via a soakaway. Concerns have been raised from neighbours regarding water and drainage issues in the area, which were subject to consultation review by the Council's drainage Team and Wessex Water.

9.3.2 In response, the Council's Drainage Team have confirmed that the site is not at risk of flooding and raise no objection, subject to a planning condition securing the soakaway design details – which your officers recommend forms part of any planning permission.

9.3.3 Wessex Water confirmed raise no objections as well, but they have confirmed that their sewer records for this area are incomplete and have recommended that prior to any works taking place on the site, the applicant undertakes a private survey to determine the precise locations of all sewers and drainage infrastructure, some of which may be private which may cross through the site. This can be advised by a planning informative, and is recommended.

9.3.4 It is also noted that a neighbour has raised concern with regards to the water supply being turned off at No. 17 affecting other properties. This is not however a material planning consideration that the local planning authority can take into consideration when deciding on this application. It is instead, a civil matter that would need to be taken up with Wessex Water.

9.3.5 As far as drainage matters are concerned, the application is considered acceptable and policy compliant.

9.4 Biodiversity Matters

9.4.1 Paragraph 170 of the NPPF requires planning decisions to contribute and enhance the natural environment. It is accepted that the proposal would result in the loss of a short stretch of hedgerow at the front of the property which would not be compensated for as part of the application proposals. However, officers recommend that permission should be subject to a planning condition to secure a soft landscaping scheme to be submitted prior to the occupation of the dwelling so that the applicant can propose and implement biodiversity betterment, which could extend to bird boxes.

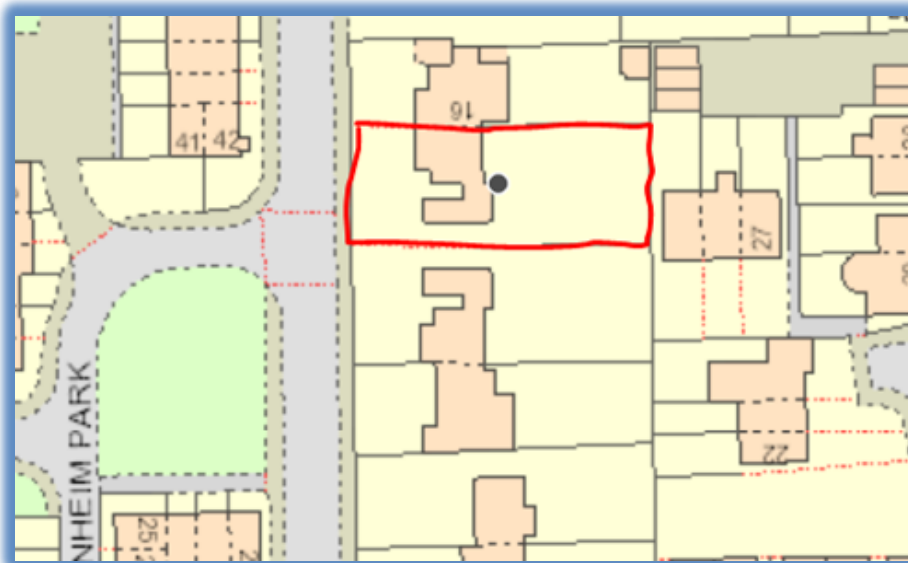
9.5 Impacts to Neighbouring Amenity

9.5.1 The proposed dwelling would be offset from the neighbouring boundary with No. 18 Blenheim Park and by virtue of its orientation and site separation, officers are satisfied that the proposed new dwelling would not cause harmful overbearing or substantive overshadowing.

9.5.2 There are also no windows proposed on the side elevation so as to prevent any overlooking. It is also important to note that the proposed dwelling would not extend any closer to the neighbouring property at No. 18 than the existing garage.

9.5.3 The proposed dwelling would not extend any further to the rear than the existing property. The proposal would result in some overshadowing to the rear towards the end of the day, but this would be temporary and limited to only certain parts of the day. The impacts would not be substantive enough to justify a refusal of planning permission.

9.5.4 The proposed dwelling would have upper floor windows inserted in the rear east facing elevation at first floor level which would introduce some additional overlooking of the garden of No. 17 (the host property) and part of the rear garden of No. 18, but the effects would not be significant enough to warrant a refusal of planning permission, and officers are mindful that the properties already experience various levels of mutual overlooking.



9.5.5 A 1.8-metre-high fence would define the new common boundaries of the rear garden to secure some private amenity space, which be commensurate to many other gardens found in the local area.

9.5.6 The dwellings located further to the east at Wellesley Close are two-storey but are located a sufficient distance away not to be impacted upon by overlooking or overshadowing (note: there would be approximately 21 metres separation to the side elevation of No. 25 Wellesley Close).

9.5.7 As far as amenity is concerned, the application complies with the relevant criteria of CP57 and the NPPF.

9.6 Highway Impacts

9.6.1 Two off-street parking spaces for the existing and proposed dwelling are proposed which complies with the Council's adopted Car Parking Strategy. The Council's highways officer has raised no objections to the proposal subject to a condition requiring the access and parking space be laid out prior to occupation which is considered to be appropriate, and is recommended accordingly. As far as highway matters are concerned, the application proposal complies with CP60, CP61 and CP64 and NPPF paragraph 109.

10. Conclusion

Officers are satisfied that the proposal complies with the relevant policies of the adopted Wiltshire Core Strategy and the NPPF, and is recommended for approval subject to conditions.

RECOMMENDATION: Approve with the following conditions

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

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan, Existing Site Plan, Block Plan, Existing and Proposed side elevations, existing front and rear elevations, proposed front and rear elevations, existing floor plans, proposed floor plans - Received 15th May 2020:

Revised Proposed Site Layout (BP 00351 R) received 3rd July 2020

REASON: For the avoidance of doubt and in the interests of proper planning.

- 3 No development hereby approved shall commence on site, except for ground investigation work and any necessary site remediation, until infiltration testing and soakaway design details in accordance with Wiltshire Council's Surface Water Soakaway Guidance have been undertaken and submitted to the Council for its written approval to verify that soakaways would be suitable for the development. If the infiltration test results demonstrate that soakaways are not appropriate, an alternative method of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority and be installed prior to the occupation of the development. The development shall be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner and to ensure that the development can be adequately drained without increasing flood risk to others.

- 4 No development hereby approved shall commence beyond slab level until a scheme of soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:

- * a detailed planting specification showing all to be retained and new plant species, supply and planting sizes and planting densities;
- * all soft surfacing materials; and
- * biodiversity improvements

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and biodiversity improvements.

- 5 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 6 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match the material, colour and texture of those used in the existing building at No. 17 Blenheim Park.

REASON: In the interests of visual amenity and the character and appearance of the area.

- 7 No part of the development hereby permitted shall be occupied until the access and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

- 8 The development hereby permitted shall not be occupied until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

INFORMATIVES TO APPLICANT:

The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website

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In order to discharge condition 3, the following information would need to be submitted:

- " A clearly labelled drainage layout plan showing the pipe networks and any links into the soakaway.
- " Evidence that the surface water drainage system is designed in accordance with national and local policy and guidance, specifically CIRIA C753 (The SuDS Manual), the Non-statutory Technical Standards for SuDS and Wiltshire Council's Surface Water Soakaway Guidance
- " Measures to prevent pollution of the receiving groundwater and/or surface waters.
- " Drawings showing conveyance routes for flows exceeding the 1 in 100 year plus climate change rainfall event that minimise the risk to people and property;
- " The proposed ownership details of the drainage infrastructure;
- " The maintenance programme and ongoing maintenance responsibilities of the drainage infrastructure
- " Geotechnical factual and interpretive reports, including infiltration tests in accordance with British Research Establishment (BRE) Digest 365 - Soakaway Design.

The applicant should follow the advice and guidance provided by Wessex Water as contained within their letter dated 15th July 2020 with reference to: WW/NC/ 4272.