

## REPORT FOR NORTHERN AREA PLANNING COMMITTEE

<b>Date of Meeting</b>	28 January 2015
<b>Application Number</b>	14/10498/FUL
<b>Site Address</b>	Corsham Police Station Priory Street Corsham Wiltshire SN13 0AY
<b>Proposal</b>	Demolition of Former Police Station & Construction of 10no. New Residential Units
<b>Applicant</b>	Mr Andrew Turner
<b>Town/Parish Council</b>	CORSHAM
<b>Ward</b>	CORSHAM PICKWICK- Cllr MacRae
<b>Grid Ref</b>	386712 170796
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Alex Smith

### Reason for the application being considered by Committee

#### 1. Purpose of Report

To consider the application and recommend that planning permission be GRANTED subject to planning conditions.

#### 2. Report Summary

The main issues in the consideration of this application are:

- Principle of Development;
- Impact to the visual amenities and character of the surrounding area;
- Impact to the residential amenity of the adjoining occupiers;
- Highways Impacts & Parking;
- Planning Obligations
- Other Issues

Corsham Town council object to the application and 8 letters of objection have been received.

#### 3. Site Description

The application relates to the former police station situated at the junction of Priory Street and Kings Avenue, in central Corsham. At present, the site is occupied by a large, single-storey building set over an L-plan and attached to a more traditionally proportioned, two-storey, former dwelling at its southeast end. Both are finished externally in brick under a concrete tile roof and there is a detached garage building at the northwest corner of the site. Parking is provided in a rear yard within the

regularly shaped plot, whilst the street-facing elevations are set well back from the highway behind a substantial verge laid to grass. Access into the site is from an existing crossover in Kings Avenue.

To the north of the application site are the two-storey, semi-detached dwellings of No.2 & 4 Thames Lane and their residential gardens. Separated by the highway of New Priory Street to the west of the site, is the two storey residential dwelling of No.118 Priory Street and its residential curtilage.

The site is not within a Conservation Area and the buildings are not Listed. The site is located within the designated framework boundary of Corsham as identified in the Policies of the Wiltshire Core Strategy and the North Wiltshire Local Plan 2011.

#### **4. Planning History**

The following planning applications have been determined at the application site:

00/02059 – COU of Flat to Restroom

84/01282 – 2 Garages, Hardstanding and Car Parking

#### **5. The Proposal**

The application seeks planning permission for the demolition of the existing police station and associated outbuildings and the erection of 10 dwellings with car parking, amenity space and vehicular access.

The proposal would comprise of 1 detached dwelling, 1 pair of semi-detached dwellings and a terrace of 3 dwellings (totalling 6 dwelling) facing onto the highway of Priory Street. A pair of semi-detached dwellings would be provided to the north of the site, facing towards Kings Avenue. A further set of semi-detached dwellings would be provided in the north-eastern corner of the site, which would be accessed from the new vehicular access from Kings Avenue. All of the dwellings within the site would be two storeys.

The proposal would provide each dwelling with a garden area and a total of 22 off-street parking spaces would be created, two for each dwelling and two visitor spaces.

#### **6. Local Planning Policy**

Wiltshire Core Strategy:

CP1 – Settlement Strategy

CP2 – Delivery Strategy

CP3 – Infrastructure Strategy

CP11 - Spatial Strategy for the Corsham Community Area

CP53 - Providing Affordable Homes

CP57 - Ensuring High Quality Design and Place Shaping

CP60 – Sustainable Transport

CP67 – Flood Risk

North Wiltshire Local Plan 2011:

C3- Development Control Policy;

H3 – Residential Development within Framework Boundaries;

H5 – Affordable Housing in Urban Areas

NE18 – Noise and Pollution;

NE22 – Surface Water Run-off

National Planning Policy Framework 2014:

Chapter 6 - Delivering a wide choice of high quality homes

Chapter 7 – Requiring Good Design.

#### **7. Summary of consultation responses**

**Corsham Town Council:** Resolved that the application be refused on the grounds that the proposal is too imposing due to it being forward of the existing building line on that side of Priory Street and Kings Avenue; poor traffic management on site; inappropriate layout; overdevelopment of the site; unacceptable levels of overlooking onto existing properties; impact of parking on already busy roads

and a lack of proper consultation with neighbours and residents. The Town Council are happy in principle that the site be used for housing but feel that this proposal is unsuitable for the reasons stated above.

**Spatial Plans:** There are no spatial planning policy objections to the proposal submitted. The principle of development is acceptable given the location of the site on previously developed land within the Corsham Market Town settlement boundary. The site is well located to Corsham town centre and services / facilities in the area.

**Highways:** Revised plan 3802/204F addresses the issues that had been previously raised and that the layout is now satisfactory, subject to imposition of a condition (see condition 9).

**Public Open Space:** Ordinarily the scheme would have attracted a requirement for a contribution towards public open space. However, as the scheme is for 10 units or less and less than 1,000 square metres, no contribution can be sought.

**Education:** Ordinarily the scheme would have attracted a requirement for a financial contribution towards secondary school education places. However, as the scheme is for 10 units or less and less than 1,000 square metres, no contribution towards educational facilities can be sought.

**Public Protection:** I have now had an opportunity to look at the site and proposed plans. The major consideration should be given to the historic land use and whether there is any contamination. Therefore I recommend that the land contamination condition is attached.

**Corsham Civic Society:** We support much of the objection raised by local residents. The plans presented show effort has been made to blend the external architecture with existing housing and this is greatly appreciated. However, the site has an overcrowded look. Removal of plot 10 will give an improved balance and provide traffic visibility from both Priory Street and Kings Avenue. The passage between plots 6 and 7 seems unnecessary.

**Wiltshire Fire and Rescue:** No objection.

**Wiltshire Police:** I note that there is no mention of what consideration has been given to the potential impact in terms of crime and disorder that this proposed development may have on the community and what steps will be taken to reduce this. While I do not wish to formally object to the proposals at this time, I will draw attention to the fact that there are opportunities to design out crime and the fear of crime and to promote community safety. Therefore, should the proposals gain planning approval, I ask that an informative relating to secure by design be added to any approval.

## 8. Publicity

The application has been advertised by site notice and neighbour consultation. This resulted in the submission of 8 letters of objection and none in support. The issues raised in the letters of objection can be summarised as follows:

- i) Overdevelopment of the site causing harm to the character and appearance of the surrounding area;
- ii) Insufficient parking resulting in displacement of parking to surrounding residential streets;
- iii) Harm to highway and pedestrian safety;
- iv) Loss of residential amenity through overlooking and noise disturbance;

In addition the following issues were raised which are not material planning considerations:

- i) Noise and dust disturbance during building demolition and building works at the site;
- ii) Removal of asbestos from the site;
- iii) Letters advertising the applicant's public consultation were only delivered the night before the public consultation event;

## **9. Planning Considerations**

### Principle of the Development

Core Policy 2 of the WCS states that within the defined limits of development, in this instance the Market Town of Corsham, there is a presumption in favour of sustainable development. Core Policy 19 of the e-WCS states that a provision of 330 dwellings needs to be provided within the framework boundary of Corsham within the plan period.

The proposed development would see the re-use of a brownfield site within the framework boundary of Corsham and the presumption in favour of development would apply. As such, the proposal would be considered to comply with Local, emerging Local and National Planning Policy and, therefore, is acceptable in principle.

### Impact to the Visual Amenities and Character of the Surrounding Area

Policy H3 of the North Wiltshire Local Plan states that a minimum density of development of 30 dwelling per hectare should be sought and higher densities maybe appropriate in towns. A number of neighbouring occupiers have objected to the proposal as they considered it to be an overdevelopment of the site. The current proposal has a density of 41.7 units per hectare, which is slightly higher than the minimum of 30, but is in keeping with the density of the surrounding area and considered acceptable, given the location within a designated Market Town.

The proposed development would result in development which is forward of the building lines on Priory Street and Kings Avenue. However, the nearest building to the highway, Unit 10, would be 2.7 metres from the highway of Priory Street and 4.7 metres from Kings Avenue. This distance separation would be sufficient to ensure that the dwelling would not appear overly dominant in the streetscene and would have an acceptable impact on the visual amenities of the surrounding area.

The design of the dwellings has been taken from the surrounding residential properties and their appearance are considered to harmonise with the character of the surrounding area. The materials proposed for each of the dwellings reflect those of the street to which they belong, with orange brown brick use for units 1 & 2 to match those on Kings Avenue and reconstituted Bath Stone for the elevations facing Priory Street. A condition relating to sample materials will be added to ensure the quality of these materials have an acceptable impact on the surrounding area. Unit 10 has been design to reflect its location as a corner plot and provides architectural interest to both elevations facing the highway and is considered an appropriate design solution.

Overall the scheme is considered to have an acceptable impact on the visual amenities and character of the surrounding area and is considered to comply with Core Policy 57 of the Emerging Wiltshire Core Strategy (submission Draft as proposed to be amended April 2014) and Policy C3 of the North Wiltshire Local Plan 2011.

A condition will be added to remove permitted development rights for outbuildings to ensure that further development within gardens to protect the character of the area from further built form within the site.

### Impact on the Residential Amenity of the Adjoining Occupiers

The proposed development would create a pair of semi-detached dwellings to the south of the side elevation of No.2 Kings Avenue. The layout of this building has no windows in the side elevation of the application site which are the primary light source to a habitable room. The distance separation between the side elevation of this dwelling and Unit 1 is typical of a residential street and ensures no significant loss of light would occur. The rear elevation of units 1 & 2 are proposed to be set just behind the original rear elevation of No.2 Kings Avenue, which has also undergone a significant single storey rear extension. The proposal would not breach the 45 degree guideline from the rear windows of this neighbouring dwelling and would result in no significant harm in terms of loss of light.

The principal elevation of Unit 3 is located 14.5 metres from the rear elevation of the ground floor extension on No.2 Kings Avenue and 20 metres from its original rear elevation, both on a splayed

angle. The first floor windows between Unit 1 and Unit 3 would retain a distance separation of 17metres. Given this degree of distance separation between dwellings the proposal would have an acceptable impact in terms of overlooking of the neighbouring occupiers and the proposed dwellings within the site. Whilst some degree of overlooking would occur of the amenity space of No.2 Kings Avenue, this would be typical of a residential estate such and would be considered to have an acceptable level of harm to the residential amenity of this neighbouring occupier.

The remaining units within the site would not significantly harm the residential amenity of the adjoining occupiers. A neighbouring resident has objected on the grounds of odour and noise disturbance. Given the proposed residential use, this would be no worse than the existing surrounding residential units and would not cause significant harm to the neighbouring occupiers.

### Highways Impacts & Parking

Following the initial comments of the Highways Officer, the applicant submitted a revised site layout to address some concerns about the siting of the parking for unit 1 & 2 and the vehicular access into the site. The boundary wall to the southern boundary of the front garden of Unit 2 would now allow for sufficient visibility into the access road for when cars exit Unit 2.

A number of residents have objected due to the siting of Unit 10 and concerns about visibility at junction between Priory Street and Kings Avenue. The dwelling is sufficiently sited from the junction to ensure that the required visibility splays are available and the front boundary wall is only 0.5 metres in height allowing for views over it towards the adjoining street. Therefore, the highways officer has raised no concern in this regard and a condition to remove permitted development rights for boundary treatments will be added to ensure the protection of visibility splays at this junction. It is noted that a tree is shown in close proximity to the junction in the front garden of Unit 10. The landscaping shown is indicative and planting plans required by pre-commencement condition would ensure that any planting should not unacceptably obstruct visibility splays.

The plans demonstrate how a refuse vehicle can access and turn in the site to enter and exit in forward gear, to allow for bin collection within the site. Alternatively a bin collection point is shown adjacent to Unit 2, where occupiers could present their bins on collection day, should waste services wish not to access the site.

The plans show that two car parking spaces would be provided per dwelling with an additional two visitor spaces provided within the site. The Highways Officer has reviewed this proposal and raised no objection to parking provision within the site, which complies with the Council's Parking Standards.

Given the location of the site within a designated framework boundary of a Market Town, the proposed location is considered to be well served by employment, services and shopping facilities and is considered a sustainable location.

### Planning Obligations

In his ministerial statement on 28<sup>th</sup> November 2014, the Minister of State for Housing and Planning (Brandon Lewis) announced a change in national policy with regards to S106 planning obligations with site of 10 units or less and less than 1,000 square metres of floor spaces. Under applications which meet these criteria, affordable housing and tariff style contributions should not be sought. The proposal meets both of these criteria and this policy change has been introduced into the Planning Practice Guidance at paragraph 012.

The Council's Housing Team has advised that no provision of affordable housing would be required within the site.

The applicant has provided a floor space schedule for the 10 units which shows the gross internal floor area for the development would be 997 square metres. Therefore, no planning obligations will be sought in relation to this scheme with regards to education, public open space and indoor leisure services, in line with the updated guidance.

## Other Issues

No plans have been submitted for the drainage within the site. However, given the location the details of drainage systems could be secured by way of a suitable pre-commencement condition.

The site plans show a large amount of planting / trees along the boundary of No.2 Kings Avenue, with further off-site trees along the eastern boundary to Priory New Street. Therefore, a tree protection condition would be added to any approval to ensure the protection of these off-site trees during building works.

The Council's Public Protection Officer has reviewed the proposal and considers that, given the history of the site, an initial site investigation in relation to contamination is dealt with by way of a pre-commencement condition.

## **10. Conclusion**

Paragraph 14 of the NPPF states the presumption in favour of sustainable development, whilst paragraph 7 states the three dimensions of sustainable development as being, economic, environmental and social factors.

The proposed development would provide the benefit of 10 new residential units within a sustainable location, via the use of a previously developed site. The impacts to the visual amenities of the surrounding area, residential amenity of the adjoining occupiers and highway safety would be considered acceptable. Therefore, the benefits of the development would outweigh any harm and the proposal would be considered to be sustainable development and the application is recommended for approval.

## **RECOMMENDATION**

### **To GRANT planning permission subject to 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:

Site Location Plan – 3802/201 Rev A – Received 5<sup>th</sup> November 2014  
Proposed Site Plan - 3802/204 Rev G – Received 12<sup>th</sup> January 2015  
Proposed Streetscene Elevation - 3802/230 Rev D - Received 12<sup>th</sup> January 2015  
Plot 10 Elevations - 3802/229 Rev A – Received 22<sup>nd</sup> December 2014  
Plot 10 Floor Plans - 3802/228 – Rev A Received 22<sup>nd</sup> December 2014  
Plots 1 & 2 Elevations - 3802/221 – Received 5<sup>th</sup> November 2014  
Plots 1 & 2 Floor Plans - 3802/220 - Received 5<sup>th</sup> November 2014  
Plots 3 & 4 Elevations - 3802/223 - Received 5<sup>th</sup> November 2014  
Plots 3 & 4 Floor Plans - 3802/222- Received 5<sup>th</sup> November 2014  
Plots 5 & 6 Elevations - 3802/225- Received 5<sup>th</sup> November 2014  
Plots 5 & 6 Floor Plans - 3802/224 – Received 5<sup>th</sup> November 2014  
Plots 7, 8 & 9 Elevations - 3802/227 – Received 5<sup>th</sup> November 2014  
Plots 7, 8 & 9 Floor Plans - 3802/226 – Received 5<sup>th</sup> November 2014  
Design and Access Statement – Received 5<sup>th</sup> November 2014  
Material Schedule - Received 5<sup>th</sup> November 2014

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

3. No development shall commence on site until details and samples of the materials to be used for the external walls and roofs 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: In the interests of visual amenity and the character and appearance of the area.

4. No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development, including off-site trees.
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- means of enclosure;
- car park layouts;
- other vehicle and pedestrian access and circulation areas;
- all hard and soft surfacing materials;
- minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
- proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables pipelines etc indicating lines, manholes, supports etc);

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

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. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

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

6. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first first occupied until surface water drainage has been constructed in accordance with the approved scheme.

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

7. No development shall commence on site until details of the works for the disposal of sewerage including the point of connection to the existing public sewer have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans.

REASON: To ensure that the proposal is provided with a satisfactory means of drainage and does not increase the risk of flooding or pose a risk to public health or the environment.

8. No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been undertaken and until:

a) The Local Planning Authority has been provided with written confirmation that, in the opinion of the developer, the site is likely to be free from contamination which may pose a risk to people, controlled waters or the environment. Details of how this conclusion was reached shall be included.

b) If, during development, any evidence of historic contamination or likely contamination is found, the developer shall cease work immediately and contact the Local Planning Authority to identify what additional site investigation may be necessary.

c) In the event of unexpected contamination being identified, all development on the site shall cease until such time as an investigation has been carried out and a written report submitted to and approved by the Local Planning Authority, any remedial works recommended in that report have been undertaken and written confirmation has been provided to the Local Planning Authority that such works have been carried out. Construction shall not recommence until the written agreement of the Local Planning Authority has been given following its receipt of verification that the approved remediation measures have been carried out.

REASON: To ensure that land contamination can be dealt with adequately prior to the use of the site hereby approved by the Local Planning Authority.

9. No part of the development hereby permitted shall be first brought into use until the access, turning area 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.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no buildings or structures, or gate, wall, fence or other means of enclosure, other than those shown on the approved plans, shall be erected or placed anywhere on the site on the approved plans.

REASON: To safeguard the character and appearance of the area and in the interests of highway safety.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, doors or other form of openings other than those shown on the approved plans, shall be inserted in the side northern elevation of Unit 3 (facing the amenity space of No.2 Kings Avenue) of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted



Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no garages, sheds, greenhouses and other ancillary domestic outbuildings shall be erected anywhere on the site on the approved plans.

REASON: To safeguard the character and appearance of the area.

**INFORMATIVES:**

13. Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

14. The developer is advised to discuss the contaminated land issues relevant to the site and what works, if any, are required in order to comply with the relevant conditions attached to this approval. The developer should contact Richard Francis in the Council's Public Protection Team.

15. The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.  
If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

16. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license may be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

17. The applicant should note that the works hereby approved could involve the removal and disposal of asbestos cement roofing. This should only be removed by a licenced contractor. Asbestos waste is classified as 'special waste' and as such, can only be disposed of at a site licensed by the Environment Agency. Any contractor used must also be licensed to carry 'special waste'.

18. Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

19. The applicants should aim to achieve Secured by Design (SbD) award status for this development. SbD is an initiative owned by the Association of Chief Police Officers with the aim of providing an acceptable minimum standard of security and crime prevention measures within the built environment. The scheme has a proven history of reducing crime and generally improving the quality of life within communities. The principals and standards involved provide an excellent guide to effective and acceptable measures that can and should be adopted to reduce crime opportunities and otherwise prevent crime and anti-social behaviour. Details can be found on line at [www.securedbydesign.com](http://www.securedbydesign.com).

