

Date of Meeting	12 August 2015
Application Number	15/03114/FUL
Site Address	Land rear of 119 St Thomas Road Trowbridge BA14 7LU
Proposal	Construction of detached 3 bed chalet bungalow
Applicant	Mr Neal Raines
Town/Parish Council	TROWBRIDGE
Ward	TROWBRIDGE ADCROFT
Grid Ref	386428 158676
Type of application	Full Planning
Case Officer	Steve Vellance

Reason for the application being considered by Committee

This application is brought to Committee at the request of Councillor Blakemore for consideration of the scale of development, visual impact on the surrounding area, relationship to adjoining properties, design, environmental or highway impact and car parking.

1. Purpose of Report

To assess the merits of the proposal and to recommend that planning permission be granted.

2. Report Summary

The proposals are considered in terms of the development plan which is formed by the Wiltshire Core Strategy that was adopted in January 2015. The key policy is Core Policy 57 which relates to Ensuring High Quality Design and Place Shaping.

Neighbour objections and consultee response are considered with the recommendation for approval based on the conclusion that the site is acceptable where the proposals would not give rise to significant harm to planning interests.

Neighbourhood Responses: Three objectors submitted responses over the two consultation periods, some with several items of correspondence.

Trowbridge Town Council – No Objections raised, subject to there being no significant adverse impact on neighbours amenities

3. Site Description

The site is located within the town policy limits of Trowbridge. The site currently forms a part of the rear garden to 119 St. Thomas Road, Trowbridge and is located within an established residential development; the proposal would be accessed off Rodwell Park. The scheme would comprise of an infill dwelling within a section of the existing rear garden area of number 119. The immediate area has a mix of building styles, ranging from bungalows to two storey detached and semi detached buildings.

4. Relevant Planning History

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|--------------|--|
| 14/09371/CLP | Infilling the rear of dwelling to create bedroom. Conversion of existing garage into ensembles and an additional bedroom. Construction of replacement garage in front of original garage (Certificate of Lawfulness for Proposed Development). Refused. 21.10.2014 |
| 14/10212/FUL | Infill rear area of building with new bedroom, convert existing garage, and construct new attached garage in front of existing. Not Determined. |
| 15/07054/FUL | New fencing adjacent the highway. Application in progress. |

5. The Proposal

The proposal is for the construction of an infill development comprising of a detached three bedroom chalet bungalow within a section of rear garden land belonging to 119 St. Thomas Road. The dwelling would have three bedrooms, one at ground floor and two at first floor level, with an open plan kitchen, dining/living room and utility and W.C. on the ground floor. The property would have 2 parking spaces located to the front south west aspect of the site.

The proposed plans have been amended to omit the original two high level windows on the front elevation to address the neighbour concerns relating to this fenestration.

The proposed dimensions would approximately be: 19.3 metres (length) by 9 metres (width) 2.7 metres (height to eaves) and 5.5 metres height to ridge.

6. Local Planning Policy.

Wiltshire Core Strategy (adopted January 20th 2015):

Core Policy 1: Settlement Strategy;
Core Policy 2: Delivery Strategy;
Core Policy 57: Ensuring high quality design and place-shaping.

National Policy: National Planning Policy Framework (NPPF)

7. Summary of consultation responses:

Trowbridge Town Council – No objections subject to there being no significant adverse impact on neighbours amenities

Highways Officer – No objection subject to two planning conditions.

Wiltshire Fire Service – Comment on the application and advise the use of a sprinkler system.

Wessex Water – No objections.

8. Publicity

The first consultation process generated four letters of representation with one person writing in twice raising the following points:

- Inferior, inappropriate design because of profit
- Problems accessing Council's system and inappropriate title of applicant.
- Inaccurate descriptions/statements within the D & A Statement
- Highway concerns.
- Design inappropriate for locality and inappropriate description
- Overdevelopment and Council refused similar scheme and asked for amendments
- First floor windows overlook 2 Rodwell Park and 119 St. Thomas Road.
- Retention of hedgerow
- Block plan omits extension which is currently being constructed on bungalow at 119 St. Thomas Road.
- Proposal is not similar to 1A Rodwell Park
- First floor window would overlook rear garden area of 117 St. Thomas Road.
- Proposal too large for plot and is a house and not a bungalow.
- Proposal wouldn't follow building line and would restrict light to front of 2 Rodwell Park.
- Detail over existing boundary between site and 2 Rodwell Park.
- Proposal would impact on amenities of 2 Rodwell Park.

The second consultation process following the submission of revised plans generated two letters of representation raising the following points:

- Reiteration of points raised within previous letter/s.

- Reference to previous permission for single storey bungalow opposite at 1A Rodwell Park.
- Scheme not suitable.
- Highway concerns.
- Overdevelopment of the site.
- Loss of amenities and privacy for number 2 Rodwell Park.

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.

The proposed dwelling would be located within the settlement limits of Trowbridge, whereby the town is also designated as a Principal Settlement in the Wiltshire Core Strategy within Core Policy 1. The Core Strategy identifies this as a site which has the potential for significant development that will increase jobs and homes in each town in order to help sustain and where necessary enhance services and facilities. The policy also aims to promote better levels of self containment and viable sustainable communities.

Core Policy 57 is of relevance and which states in part:

“Making efficient use of land whilst taking account of the characteristics of the site and the local context to deliver an appropriate development which relates effectively to the immediate setting and to the wider character of the area. AND

Having regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing; vibration; and pollution (such as light intrusion, noise, smoke, fumes, effluent, waste or litter)”.

The principle of a new dwelling within the settlement limits is therefore consistent with the development plan policy of the Wiltshire Core Strategy subject to other material planning considerations, as discussed further within this report.

Impact on the highway.

The scheme would create a new access to the site on the south west aspect by the removal of a domestic hedgerow which currently serves No. 119. The scheme proposes two off street car parking spaces that would be located to the front of the proposed dwelling. Neighbour concerns have raised the creation of this access as a possible highway problem, however importantly and of significance, the Highways Officer has not raised any objections within this respect, which is seen as a response to such concerns.

Impact on neighbouring amenity.

The proposal would see the continuation of the existing building line which is apparent and which is an important consideration within the policy requirements of the Core Strategy. Acknowledging neighbour concerns in relation to the two high level windows on the proposed front elevation, the applicant has submitted revised plans omitting this fenestration; this is significant because by doing so, the perception of being overlooked has been removed. A second neighbour consultation process was undertaken whereby two letters of neighbour objections have been received.

Consequently, the two first floor bedrooms within the proposal would solely rely on roof lights for natural light, as would the bathroom and cloakroom at this level. This is considered to be acceptable and it is noted that concerns have been received from the neighbour at number 2 Rodwell Park relating to amenity and overlooking from these roof lights. The three proposed roof lights whilst being sited within the direction of this dwelling would not overlook this property and more specifically its rear patio area because they would be set at a high level following the pitch of the roof and pointing up towards the sky.

Likewise, this household has also raised concern that the front of their dwelling would have light restricted to it. It is considered that due to the approximate separation distance of 3.5 metres between the proposed build and number 2 Rodwell Park and because this neighbouring property does not have side windows, the relationship of the proposed new build to this existing dwelling is considered to be acceptable and would not incur any substantial loss of light, if any at all. It is further noted that there is a high level boundary fence in place between the two sites, which may currently serve to restrict light. Number 2 Rodwell Park has also raised a private boundary issue relating to the low level chain link fence which is sited within the application site and which abuts and touches the boundary fencing. This is a private civil matter between the parties.

Concern has also been raised that the proposed development constitutes overdevelopment. This is not considered to be the case as the built form would not utilise the entire site but would leave a sufficient area of private rear amenity space for both the proposal and the existing bungalow, it is further noted that there are varying sizes of residential plots of land and garden areas within the immediate vicinity of which the proposal would be one. The objectors make reference to 1A Rodwell Park which is a dwelling sited opposite the current proposal and which is of a similar design to the proposal but smaller by solely occupying the ground floor. It is considered that whilst every planning application has to be considered on its own individual planning merits, the current proposal is considered to sit comfortably within its setting

Impact on the Character of the area

The residential properties in this particular area consist of a variety of styles, ranging from two storey semi detached/detached buildings to bungalows. The scheme would be subject to conditions controlling its final appearance, which would include a condition relating to materials and a condition controlling landscaping/boundary treatment. It is considered that for these reasons the built form would not negatively impact on the mixed character of the area.

10. Conclusion.

The proposal is considered to accord with Core Policy 57 of the Wiltshire Core Strategy in terms of the applicable criteria and appropriate conditions would address issues of materials, highway safety and landscaping/boundary details.

RECOMMENDATION: 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 No development shall commence on site until the exact 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

- 3 The development hereby permitted shall not be first brought into use until the access and parking spaces have been consolidated and surfaced (not loose stone or gravel). The access and parking area shall be maintained as such thereafter.

REASON: In the interests of highway safety.

- 4 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 brought into use until surface water drainage has been constructed in accordance with the approved scheme.

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

- 5 No development shall commence on site until a scheme of hard and soft landscaping and boundary details has been submitted to and approved in writing by the Local Planning Authority, prior to the commencement of any such works. The works shall then be carried out strictly in accordance with the approved details.

REASON: To ensure a satisfactory landscaped setting for the development

- 6 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.

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), there shall be no first floor windows on the south west elevation and north east elevation.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for such additions.

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

Drawing reference 648/BL registered on 02 April 2015

Drawing reference 648/01b received by email on 08 July 2015

Drawing reference 648/SP registered on 02 April 2015

Drawing reference 648/S01 registered on 02 April 2015

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

- 9 INFORMATIVE: The applicant is advised to contact Wessex Water direct on 01225 526 000 with regard to the connection of water and waste supplies for this proposed development.