

**REPORT TO THE DEVELOPMENT CONTROL
COMMITTEE**

Report No.

Date of Meeting	9 January 2008
Application Number	07/2256FUL
Site Address	Land at Woodside and The Gardens, Hardenhuish Lane, Chippenham
Proposal	14 no. retirement homes
Applicant	Archstone Lifestyle Homes
Town/Parish Council	Chippenham/Langley Burrell
Grid Ref	391072 174906
Type of application	Full application

Reason for the application being considered by Committee

This application has been submitted to the Committee for decision under the scheme of delegation in force after the 8th April 2002 because 5 or more letters of objection have been received.

Summary of Report

This application proposes the erection of fourteen retirement homes aimed at persons aged 55 and over on land at Woodside and The Gardens, Hardenhuish Lane, Chippenham. The site lies within the framework boundary of the town.

The scheme has been the subject of a revision formally submitted in November 2007 making changes to the layout and access.

The main issues in considering this proposal are its accordance with DC Core Policy C3 in particular:

- The principal of development
- Design, scale and density of the development
- Impact on traffic and parking in the local area
- Impact of residential amenity

Officer Recommendation

The applicant be invited to enter an Agreement in respect of the following matters:

- (i) restrict occupancy of residents of the retirement dwellings to persons aged 55 and over following completion of which the Implementation Team Leader (Development Control and Listed Buildings) be authorised to GRANT Planning Permission subject to conditions.

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Proposal and Site Description

The application is seeking planning permission for the erection of fourteen retirement homes on land at Woodside and The Gardens on Hardenhuish Lane, Chippenham. The dwellings are proposed to be occupied by residents aged 55 and over.

The dwellings proposed are two storey and will have three bedrooms and are set out in the form of semi-detached properties or terraces around the periphery of the site with a central courtyard area off which are car ports, bin/cycle stores, an office and landscaped gardens.

The development will be gated and this is now proposed to be set back 10 metres from the edge of the highway following requests from officers at Wiltshire County Council.

The dwellings are proposed to be constructed of brick and render with stone quoin detailing and slate coloured roofs. Some of the dwellings have half dormer features to the front elevations and wooden porches.

The site comprises 0.44ha and contains a two storey dwelling known as The Gardens and a bungalow known as Woodside, both are set within large grounds and set back from the road via walling and hedging. Both will be demolished to facilitate this development.

The western and northern boundary to the site is defined by a brick wall which varies in height but is in the region of 3 metres in height on the northern boundary. This wall is proposed to be retained as part of the redevelopment on the entire northern boundary and as existing on the southern boundary.

The site is generally flat but slopes down marginally in the south west corner. There is no levels information provided outside of the site in Ridings Mead but observations reveal that any difference in levels is marginal. A number of trees are on the site and whilst the proposal will remove some there are trees and vegetation on the boundaries which is to be retained as part of the redevelopment. The majority of the trees lie outside the site adjacent the boundaries.

The site is surrounded by residential development with a detached bungalow known as Woodpeckers to the south and a variety detached bungalows (some with first floor accommodation) and dwellings to the north on Ridings Mead.

Planning History

Application number	Proposal	Decision
86/2001F	Detached garage	Approved
79/1789OUT	Residential development	Refused
	The application was refused as inappropriate backland	

76/230F	development and on highways grounds. One dwelling	Approved
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Consultations

Langely Burrell Parish Council "...The revised layout of the site is welcomed, being less intrusive on the neighbouring properties in Ridings Mead. However, we would reiterate that it is important that the views of these neighbours are sought and taken into consideration.

Our only other concern remains the increased traffic entering/exiting the site in conflict with the immediately opposite entrance to the Cepen Park North Estate. It is noted that the right turn filter lanes are proposed for both entrances, but the close proximity of these suggests a mini-roundabout junction might be more appropriate. Obviously Wiltshire County Highways will have a view on this aspect."

Wiltshire County Council Highways no objections to revised plans subject to conditions and a S278 agreement.

Wessex Water in terms of water supply the existing system is capable of accommodating the development. There is a connection in Hardenhuish Lane.

Surface water drainage will have to be via soakaways or a public storm sewer in Ridings Mead. The latter will require third party drainage.

Pumping may be required to connect to public foul sewers on Stainers Way or via third party land on Church View.

Representations

In relation to the original scheme 1 letter of support was received and 8 letters of objection. Objections were based on the following:

- density
- out of keeping with the character and appearance of the area
- parking/highways impact
- loss of The Gardens and existing wall
- overlooking/loss of privacy to residents of Ridings Mead.
- retirement bungalows more appropriate
- loss of sunlight due to higher levels
- residential impact on Woodpecker due to car ports

In relation to the revised application which was re-advertised via site notice and neighbour notification 1 letter of support was received and 4 letters of objection on the following grounds:

- overlooking/loss of privacy
- parking/highways
- refuse collection provision

Planning Considerations

Principle of development

The application site lies within the framework boundary of Chippenham. Consequently, there is a presumption in favour of development so long as the relevant criteria contained in Policy C3 are satisfied.

Comments in respect of the historical importance of The Gardens and associated wall are noted. However, the building is not listed. Consequently, there are no grounds for resisting the demolition of these dwellings. The wall is largely being retained and a new one erected on the boundary.

The scheme is proposed for persons aged 55 and over. In the event that this scheme was unrestricted open market housing education contributions would be required.

Accordingly, a legal agreement/undertaking is proposed to ensure the occupancy of the property is restricted to those aged 55 and over.

Design and Scale of Development

The scheme for fourteen units on the site would result in development of 32 dwellings per hectare. This level of density is consistent with Government guidance contained in PPS3 and is considered acceptable.

The site is surrounded by residential development in the form of detached bungalows and houses. Properties in Ridings Mead to the north are a mix of storeys and designs.

It is acknowledged that this form of development does not exist in the locality; however, development surrounding this site is low density and makes inefficient use of land. In terms of land use efficiency development should not replicate this low density (i.e. through the provision of development such as bungalows) since the emphasis is on making the most efficient use of land.

Character and appearance of the area

As mentioned above, the site is surrounded by a detached bungalows and dwellings which vary in their design and siting in relation to Hardenhuish Lane. It is not considered appropriate to alter the form of development of this site since it would result in a low density development contrary to Government guidance.

It is considered that the site is sufficiently self contained to accommodate this form of development without compromising the character and appearance of Hardenhuish Lane.

Highways, Access and Parking

The parking and highways arrangements for the site have been designed in conjunction with Wiltshire County Highways. The scheme is to be gated and served via a private drive.

WCC Highways make no objection to the revised plans received.

The officer is aware of the comments in the supporting information in respect of the accessibility of the site in respect of shops and public transport and is aware of the walking distance to such facilities (involving an uphill journey) and the fact that the nearest stop to the site is either in Cepen Park North or Malmesbury Road.

Notwithstanding these errors, the site is still considered to be acceptable on highways grounds.

Impact on residential amenity/privacy

The proposed dwellings are surrounded by bungalows (some with accommodation in the roof) and dwellings to the north and south.

The wall along the northern boundary ensures there is not overlooking from the ground floor. Window to window distances between the existing and proposed dwellings (on Ridings Mead) are 29-33 metres. Allowing for garden sizes of the proposed dwellings on the northern part of the site (Plots 11-14) which range in size to the boundary, this distance is considered to be acceptable and will not result in development that is detrimental to the amenity of existing and proposed residents. Landscape proposals submitted show a tree to be planted in the rear of Plot 14. It is considered that additional trees could be planted in the gardens of Plots 11-13 via condition to improve the appearance of this part of the site.

It is noted that the application site is to the south of properties on Ridings Mead, however, given these distances, loss of direct sunlight will be negligible and not detrimental.

The outlook of properties will change from existing but that is not harmful and not a reason to refuse permission.

The scheme has been designed to reduce overlooking of Woodpeckers which falls to the south. This is to be achieved through appropriately arranging the internal layout at first floor of Plot 5 and through retaining an existing tree in the garden of Plot 6.

It is noted that 6 car ports are sited along the boundary behind the 2.5 metre high stone wall. Due to the nature of the developments and the boundary treatment, noise and nuisance caused by residents parking cars is likely to be minimal and not detrimental to residential amenity.

Drainage

Following the response by Wessex Water, initial investigations undertaken by the applicant reveal that a gravity connection for foul sewage disposal is feasible without the need for pumping. If necessary alternative connections could be requisitioned by Wessex Water.

Soakways are present on the site further investigations are required to verify whether ground conditions are suitable to meet current BRE365 guidelines for infiltration drainage. If necessary, alternative connections could be requisitioned by Wessex Water off-site.

Refuse Collections

Notwithstanding the fact that the development is accessed via a private drive, the scheme is able to adequately have refuse collections through bins being appropriately sited by the access near the bin

store, off the highway and without causing potential harm to public safety.

Public Open Space

An off-site contribution is required in respect of open space and it is proposed to secure this via planning condition. The amount is to be negotiated with the applicant.

Conclusion

The proposed development comprises 14 no. Retirement homes to be occupied and controlled via condition by residents aged 55 and over. The development will be gated and served via a private drive with some 25 car parking spaces required. The scheme is considered to be acceptable on highways grounds.

The application site is well contained via a boundary wall and notwithstanding the detached nature of development surrounding the site, the terraced form of the proposed development is not considered to be detrimental to the character and appearance of this part of Hardenhuish Lane. The development makes efficient use of land at 32 dwellings per hectare, which is comparison with recent developments in the town is comparatively low and near the minimum density advocated in Government guidance.

Window to window distances range between 29 to 33 metres and overlooking of rear gardens for properties in Ridings Mead (which range between 17-28 metres) is limited due to the height of the retained boundary wall.

There are no infrastructure issues that cannot be resolved via condition.

Accordingly the proposal is considered to accord with Policies C2, C3 and CF3 of the North Wiltshire Local Plan 2011.

Recommendation and Proposed Conditions/Informatives

The applicant be invited to enter an Agreement in respect of the following matters:

(i) restrict occupancy of residents of the retirement dwellings to persons aged 55 and over following completion of which the Implementation Team Leader (Development Control and Listed Buildings) be authorised to GRANT Planning Permission subject to 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 Section 91 of the Town and Country Planning Act 1990

2. The development hereby permitted shall be carried out strictly in accordance with the approved plans subject to such minor amendments to the development as may be approved in writing under this

condition by the local planning authority

Reason: To ensure that the development is implemented in accordance with this decision in the interests of public amenity, but also to allow for the approval of minor variations which do not materially affect the permission.

3. Notwithstanding the details submitted, prior to the commencement of the development hereby permitted, details of the following matters (in respect of which approval is expressly reserved) shall be submitted to, and approved in writing by, the local planning authority:

- (1) walls, fences, gates and other means of enclosure;
- (2) ground surfacing materials;
- (3) finished floor levels of all buildings;
- (4) finished levels across the site;
- (5) the means of surface water disposal;
- (6) the means of foul sewage disposal.

The development shall be carried out in accordance with the details so approved.

Reason: In the interests of amenity and satisfactory layout.

4. Notwithstanding the details submitted, the development hereby permitted shall not be commenced until details of the landscaping of the site, including wherever appropriate the retention of existing trees, have been submitted to, and approved in writing by, the local planning authority.

The approved landscaping scheme shall be implemented within one year of either the first occupation or use of the development, whether in whole or in part, or its substantial completion, whichever is the sooner, and shall be maintained thereafter for a period of not less than five years. The maintenance shall include the replacement of any tree or shrub which is removed, destroyed or dies by a tree or shrub of the same size and species as that which it replaces, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of amenity.

5. Prior to the commencement of the development hereby permitted, details of materials to be used externally shall be submitted to, and approved in writing by, the local planning authority. The development shall be built in the materials approved.

Reason: In the interests of visual amenity

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) there shall be no extension or external alteration to any building forming part of the development hereby permitted.

Reason: In order to safeguard the amenity of the area by enabling the local planning authority to consider individually whether planning permission should be granted for extensions and external alterations.

7. The development hereby approved shall not begin until a scheme for a contribution towards the creation of, or improvement and/or management of, existing public open space, in accordance with the North Wiltshire Open Space Study, has been submitted to and approved in writing by the Local

Planning Authority. Such a contribution shall be made in accordance with the timing detailed within the approved scheme.

Reason: In accordance with Policy CF3 of the North Wiltshire Local Plan 2011.

8. Prior to the occupation of the first dwelling the road markings on Hardenhuish Lane in the vicinity of the access shall be amended in accordance with details submitted to, and approved in writing by, the Local Planning Authority.

Reason: In the interests of amenity and road safety.

9. No dwelling shall be occupied until a scheme for the future maintenance of the internal road has been submitted to, and approved in writing by, the Local Planning Authority.

Reason: In the interests of amenity and road safety.

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

Reason: In the interests of amenity and road safety.

11. The entrance gates shall be hung to open away from the highway only and shall be set back a minimum distance of 10.0m from the carriageway edge.

Reason : In the interests of Highway safety

12. The dwelling(s) hereby approved shall not be occupied until the turning space shown on the submitted plan has been properly consolidated and surfaced to the satisfaction of the Local Planning Authority. Such turning space shall be kept clear of obstructions at all times.

Reason : In the interests of Highway safety

Informatives:

The applicant should be informed that a legal agreement with the highway authority will be required for the works on Hardenhuish Lane.

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Reason for Decision

The proposed development by reason of its scale, design and siting is considered to not detrimentally impact upon the character and appearance of the area or the privacy and amenity of existing and proposed residents. Accordingly, the proposal accords with Policies C2, C3 and CF3 of the North Wiltshire Local Plan 2011.

Appendices:

- **NONE.**

Background Documents Used in the Preparation of this Report:	<ul style="list-style-type: none"><li data-bbox="540 233 1036 260">• 1.21 2.02 2.24 4.02 4.04 5.01 6.02