DELEGATED REPORT

Application Reference:	PL/2023/08423
Application Type:	Planning Permission
Site Address:	1 Longstone Road, Chippenham, SN14 0JX
Proposal:	Proposed double storey side extension and shed after demolition of garage
Recommendation:	That Planning Permission is GRANTED with Conditions

PROPOSAL

This application seeks planning permission for the erection of a two-storey side extension, new parking access, removal of part of boundary wall and hedge for new access and demolition of existing garage as well as the demolition of existing shed to replace with a pitched roof shed at the rear of the garden.

The ground floor side extension will make space for a kitchen and games room and will consist of a window on the northwest (front) elevation, a pedestrian door on the northeast (side) elevation and a window on the southeast (rear) elevation. The first-floor side extension will make space for a two additional bedroom, a shower room and landing area and will consist of a window on the northwest elevation, a small window on the northeast elevation and a window on the southeast elevation. The proposal will consist of a pitched roof measuring approx. 7.7m to the ridge and 4.8m to the eves (front elevation). The roof then drops in height into a gable end and measures approx. 6.5m and approx. 4.7m to the eves. The extension measures 11.0m in length and 4.0m in width.

The proposed shed will consist of double doors on the northwest elevation and a window on the northeast elevation. The shed is proposed with a pitched roof measuring 3.5m in length, 3.0m in width and 3.0m to the ridge of the roof. The proposal also includes paving the side of the property to make room for two additional parking spaces.

The applications set out the following components for which planning permission is sought:

- Erection of a two-storey side extension following demolition of existing garage
- Erection of a rear shed following demolition of existing shed
- Addition of access point and parking area to provide two additional spaces to the side of property to involve removal of part boundary wall and hedge

Revised plans have been submitted by the applicant received on 12th December 2023. Those revised plans indicate the existing hedging and which area of the hedge to be removed as well as the 600mm stone boundary wall situated at the front of the property (Existing and Proposed Block Plan). The application has been determined in relation to these revised plans.

The development and works are intended for purposes associated with the occupation and use of 1 Longstone Road as a single residential dwellinghouse.

DESCRIPTION/CONTEXT

The site consists of a semi-detached early 50's – mid 60's dwelling found within the established residential estate and sits within the western settlement boundary of Chippenham. The site is situated on a corner plot with Longstone Road to the southwest and Allington way to the north. The site is characterised as render with recon stone material throughout with a small frontage for parking. The area has similar detached properties with a mix of pebble dash, cream render and recon stone.

The dwelling is located within the Countryside Character Area of Avon Vale but is not covered by any archaeological or ecological designations.

PLANNING HISTORY

14/08296/FUL	Erection of fence and removal of wall in rear garden.	Refused
N/04/03541/FUL	Single storey extension	Approved

POLICIES

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. At the current time the statutory development plan in respect of this application consists of the Wiltshire Core Strategy (WCS) (Adopted January 2015); and the 'saved' policies of the North Wiltshire Local Plan (NWLP) 2011 (adopted June 2006).

Though the development plan is considered as a whole, those parts deemed to be particularly relevant to this application are listed below:

Wiltshire Core Strategy Policies 2015 (WCS):

Core Policy 57: Ensuring High Quality Design and Place Shaping

National Planning Policy Framework 2023 (NPPF)

ISSUES

The main issues in the consideration of this application are:

- Principle of Development
- Design and Appearance
- Residential Amenity
- Impacts on Highways

CONSULTATION

Chippenham Town Council: No comments received

Highways Officer: No objection subject to a condition stipulating that no vertical obstruction to visibility exists and there is clear line of sight to the bend at Longstone Road to allow unimpeded views for the new driveway along Allington Way.

No part of the development hereby permitted shall be first brought into use until means/works have been implemented to maintain visibility splays between the edge of the carriageway and a line extending from a point 2.4 metres back from the edge of the carriageway, measured along the centre line of the access, to the junction with Longstone Road. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 600 mm above the level of the adjacent carriageway.
REASON: In the interests of highway safety

Informative
The application involves an extension to the existing/creation of a new vehicle access/dropped kerb. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will 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. Please contact our Vehicle Crossing Team on vehicleaccess@wiltshire.gov.uk and/or 01225 713352 or visit their website at http://wiltshire.gov.uk/highways-streets to make an application.

REPRESENTATIONS

Consultation has been carried out and objections were received by 2 local residents. Their concerns are as follows:

- Application form is incorrect regarding the removal of trees and hedges. The application states that no trees and hedges will be removed but the hedge running adjacent to the foot path will have to be removed for vehicle access as show in proposed block plan P2 and P3. Previous planning application 14/08296/FUL for Erection of Fences stated Chippenham Town council would prevent additional vehicle access as a condition of the application. The refusal of this application stated, "The proposed fence would be an unattractive feature in the street scene and would create and unfortunate precedent for further unsatisfactory development elsewhere". However, similar developments have been allowed recently.

- The purpose behind the proposed extension is unclear. If the purpose is to expand the taxi business, which is already being run from the premises, this is unacceptable due to the increase in disruption during unsociable hours and associated movements/traffic. If the purpose is to house more people, the property/area is not suited to this and would devalue the surrounding properties.

- Proposed Garage is much larger and taller than the current shed. The pitched roof will tower above the current fence line, causing loss of light and is within falling distance of a tree which contradicts the statement on the application form.

- The proposed fairfaced blockwork shed is to be erected right next to my boundary wall at 3m x 3.5m with a pitched roof and within falling distance of another neighbour's tree, (which contradicts the statement on the application form.) I feel a brick-built structure of this height and length with a pitched roof would tower above the existing fence line causing loss of light and impede my flowers, plants and trees from growing. I am also concerned that as this will be a brick built construction and therefore permanent, that in the future this maybe used as (or converted to) a separate dwelling.

- The proposed two storey side extension may prevent me having my bathroom windows open whilst in the shower, which would be necessary for ventilation and airflow. As bedroom 4 on the plans would look straight into my bathroom from the proposed window. Another concern is that the proposed extension is not converted into a separate dwelling in the future.

ASSESSMENT

Principle of Development

Extensions, additions and alternations to existing properties across the plan area are acceptable in principle subject to consideration of any site-specific impacts and conformity with the relevant policies of the plan and national guidance, in particular the criteria set out in CP57 of the WCS. These matters are addressed further below.

Design and appearance

Core Policy 57 requires a high standard of design in all new developments; of particular relevance to householder developments is paragraph (iii) which require development to respond positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape, and rooflines to effectively integrate the building into its setting.

The application site is a semi-detached dwelling located within the western edge of the settlement boundary of Chippenham. It is considered that the side extension adopts a relatively simple design approach, and the use of matching materials will allow the extension to integrate appropriately with the host dwelling. Whilst the proposal is a sizable addition, it can easily be accommodated within the plot. The extension will be partly situated over the ground footprint of the existing garage (to be demolished), albeit, larger in size. Whilst the proposal will be clearly visible from the street scene, the visibility is not automatically regarded as being unacceptable. In this case, the development would be read against the existing residential context and associated built form. The dwelling is set back from the road and in conjunction with the use of matching materials will ensure that the additions do not appear out of place within the street scene. In terms of design and materials, the proposal is considered to broadly reflect and respond to the character of the building and is largely sympathetic to the appearance of the host dwelling and the wider area. The increase in scale and mass of the proposed extensions would therefore not be considered to create an incongruous or visually harmful feature in this location.

With regard to the garden shed, the existing shed will be demolished and rebuilt on the existing footprint. The shed is proposed in fair faced blockwork which is in keeping with the mix of materials in the area.

The proposed shed is a small outbuilding located at the rear of the property and would not create a prominent feature in the street-scene. The development would be read against the existing residential mix of development and associated built form.

As such, the scale and design of the proposals are considered to be acceptable and comply with Core Policy 57 of the WCS.

Residential Amenity

Core Policy 57 states that development should have 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. Section 12 of the NPPF also states that planning decisions should create places with a high standard of amenity for existing and future users.

In respect of the residential amenity, the proposed development would not present an unacceptable impact upon the living conditions of the neighbouring resident through unacceptable overlooking or oppressiveness. The proposed side extension will be situated c.2.5m from the boundary and c.7.2m to the neighbouring dwelling at no. 39 Allington Way. Due to the orientation (facing the side elevation) and separation distance of the neighbouring property, it is considered that the impact on neighbour amenity will be low. The extension is considered to be proportionate in height and it is noted that the height decreases by c.1.2m for the rear facing gable. The neighbour dwelling (39 Allington Way) is not situated directly next to the host dwelling and sits more to the rear of the property.

During consultation, an objection was received regarding the first-floor bedroom window. Whilst comments have been taken into consideration, the window is located a distance away from 39 Allington Way. The first floor windows of the existing property already create elevated views towards this neighbour and whilst the new window will be closer, this arrangement is to be expected in suburban housing areas. There is a degree of existing mutual overlooking in the area and the proposal would not unacceptably worsen the existing arrangement. The first floor bathroom window facing north is shown to be obscure glazed.

Given the scale, mass, and position, the side extension would not result in unacceptable harm, significant loss of daylight or sunlight and would not be intrusive to neighbour amenity.

In respect of the garden shed, concerns were raised with regards to the height, scale and the loss of light to neighbouring properties. Whilst the shed will sit close to the boundary of neighbouring properties, it will sit within the existing footprint of the existing shed. The shed will contain a pitched roof and will be a total height of c 3.0m to the ridge and c 2.3m to the eves which would minimise any additional impact of loss of light to 39 Allington Way and 3 Longstone Road. The height at the eaves close to the boundary would be largely similar to a 2m high domestic fence that could be erected in this location. Whilst the roof does rise to 3m at the ridge, due to the graduated form the overall visual impact or effect on levels of light are likely to be minimal and would not warrant a refusal on this basis.

In the context of the nature and layout of the development, there is no unacceptable impact upon the amenities and living conditions of the neighbouring properties, thereby complying with the relevant provision of CP57 of the WCS.

Highways Impacts

Wiltshire Core Strategy policy CP61 states that new development should be capable of being served by safe access to the highway network. Core Policy 64, states that provision of parking associated with new residential development will be based on minimum parking standards.

The proposal will see an increase from 3 to 5 bedroom which would require a minimum of 3 spaces. Whilst the existing garage space will be lost, the site benefits from a modest sized area on the side of the dwelling which can accommodate the standard of 2 parking spaces and one parking space on the front of the dwelling. There is also a new access being proposed which will require part of the 600mm high reconstituted stone wall to be removed along with part of the existing hedge. Highways has been consulted and have not objected and/or raised concern over the proposal subject to a visibility spays being provided and an informative regarding the applicant requiring a licence from the Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

As such, the parking standards and requirements are considered to have no unacceptable impact upon highways safety, thereby complying with the relevant provision of CP61 and CP64 of the WCS.

Other Matters

Comments have been received from local residents raising concerns that there is a taxi business running from the site and additional parking would provide extra parking for more vehicles, noise and allow the taxi business to expand. However, the application submitted is for a householder residential extension to the dwelling and garden shed. The additional parking proposed is to meet minimum Council parking requirements for a 4+ bedroom dwelling which requires a total of three parking spaces.

Comments have also been received from local residents raising concerns on the side extension and rear garden shed potentially being used as separate dwellings. The application as submitted, is for ancillary use and has been considered on that basis. Use of any part of the property in a manner which result in a material change of use from a residential dwelling would require planning permission.

Comments have also been received regarding the plans not indicating the existing hedge and what area of the hedge will be removed. The applicant has since submitted revised plans to clarify the existing and proposed site layout. The revised plans now clearly show an area of hedging removed, along with a section of stonewall at the front elevation to facilitate access to the new parking spaces. It should be noted that removal of the hedge and wall do not require planning permission and so there is no need to reconsult on the revised plans.

CONCLUSION

The potential impacts of this development have been taken into consideration. In terms of the scale, design and materials, the proposal would not unacceptably harm to residential amenity of nearby residents or the character and appearance of the area. The proposal is in accordance with the aims of the NPPF and the requirements of the relevant Core Policies in the WCS; specifically CP57. It is therefore recommended that this application be approved with conditions.

RECOMMENDATION: That Planning Permission be GRANTED 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:

Location & Existing Site Block Plans Revised: DWG No. 2487-01 P4; Received 12 December 2023
Proposed Block Plan Revised: DWG No. 2487-05 P4; Received 12 December 2023

Existing Ground Floor Plan: DWG No. 2487-02 P3; Received 2 October 2023
Existing First Floor Plan: DWG No. 2487-03 P3; Received 2 October 2023
Existing Elevation Plan: DWG No. 2487-04 P3; Received 2 October 2023
Proposed Ground Floor Plan: DWG No. 2487-06 P3; Received 2 October 2023
Proposed First Floor Plan: DWG No. 2487-07 P3; Received 2 October 2023
Proposed Elevations & Sections: DWG No. 2487-08 P3; Received 2 October 2023
Proposed Shed Elevations and Floor Plans: 2487-09-P3; Received 2 October 2023

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

3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those detailed on the application form and approved drawings.

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

4 Before the development hereby permitted is first occupied, the first-floor side window in the northeast elevation shall be glazed with obscure glass only to an obscurity level of no less than level 5 and said window shall be permanently maintained with obscure glazing in perpetuity.

REASON: In the interests of residential amenity and privacy.

5 No part of the development hereby permitted shall be first brought into use until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2.4 metres back from the edge of the carriageway, measured along the centre line of the access, to the junction with Longstone Road. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 600 mm above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

INFORMATIVES:

6 The application involves an extension to the existing/creation of a new vehicle access/dropped kerb. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will 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. Please contact our Vehicle Crossing Team on vehicleaccess@wiltshire.gov.uk and/or 01225 713352 or visit their website at http://wiltshire.gov.uk/highways-streets to make an application.

7 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 https://www.wiltshire.gov.uk/dmcommunityinfrastructurelevy.

8 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.

9 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.