DELEGATED REPORT

Application Reference:	PL/2023/10558
Application Type:	Householder Planning permission
Site Address:	156 SHELDON ROAD, CHIPPENHAM, SN14 0BZ
Proposal:	Change of use of part of the front garden to driveway with access over the adopted footpath.
Recommendation:	Planning Permission be GRANTED

PROPOSAL

The application seeks planning permission for a change of use of part of a domestic front garden to create a new driveway and access.

The proposed development will see the removal of part of the existing boundary treatment (wall and hedging) and the creation of a gravelled parking area with 1m of consolidated entrance. The driveway will cross over an adopted footway.

SITE DESCRIPTION

The application relates to no.156 Sheldon Road, which is a domestic dwellinghouse. The property is a semi-detached and of mid-20th century construction, sited in an area with similarly laid out and constructed properties. The property is parallel to Sheldon Road. There is a low stone wall at the edge of the garden.

There are no additional constraints in terms of conservation, ecological and heritage planning policy designations.

LOCAL PLAN POLICIES

Wiltshire Core Strategy 2015 (WCS)
Core Policies 57, 60 and 61

MAIN ISSUES

- Principle of development
- Scale and design
- Residential amenity
- Highways

CONSULTATION

Chippenham Town Council: No objection, but does raise concerns:

> *"Whilst noting that there are recent consents for off-street parking in close proximity to the site, the piecemeal loss of further boundary wall and hedging along Sheldon Road would be*

regrettable and would ultimately have a negative impact on the character and appearance of the area. As such, the Town Council requests that only that section of boundary wall/hedging required to enable a single car to access the frontage is removed and the remainder retained. The width of the access as currently proposed, at 6.8m, appears excessive."

Wiltshire Council Highways: No objection subject to condition:

The proposal will reduce on street parking and pedestrian visibility of 2m by 2m can be achieved. I therefore raise no objection subject to the following. With highway works consisting of a drop kerb for a single dwelling the applicant should complete the highway crossover under a S184 licence.

The development hereby permitted shall not be first brought into use 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.

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

No representations received.

ASSESSMENT

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 National Planning Policy Framework (NPPF) and is a key material planning consideration. Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations.

Principle of Development

Decisions on planning applications are made in accordance with the policies contained in the Wiltshire Core Strategy and government guidance.

The principle of alterations ancillary to the use and occupation of a domestic dwellinghouse is established as acceptable. However, the detail of the proposals must also be considered against other policies within the development plan.

Scale and design

The proposal will see the removal of the existing wall and hedge and the creation of a parking space to the front, accessed via a dropped kerb.

While the scale of the proposed parking area is noticeable when viewed from the street. The scale of the proposed parking area is considered to be an acceptable in terms of scale and does not suggest that the site is being overdeveloped.

The comment from the Town Council regarding the loss of the wall is noted. While it would be preferable to avoid removal of further walling since it would have the potential to further erode a strong frontage to Sheldon Road and division between public and private space, in this instance the locality is somewhat defined by the prevalence of driveways and openings in boundary treatments fronting the public highway. In that context, this proposal cannot be said to fatally undermine the character of the locality, since it is merely one of many such features which can already be seen along the "street scene". The 6.8m width of the access is perhaps somewhat large, but is not considered excessive in the above context.

In its totality the removal of the section of wall and resurfacing is considered to be acceptable and in keeping with the properties adjacent to the application site. In terms of design and materials the proposal is considered to reflect and respond to the character and appearance of the host dwelling and the wider area.

It is considered that the proposal is acceptable in terms of both scale and design and the proposed parking area reflects the character and appearance of the wider area and complies with CP57 of the WCS.

Impact upon amenity

The proposal will see the delivery of a new parking area to the front garden of the in a similar manner to neighbouring properties.

In terms of amenity, it is considered that creation of the parking area will have limited impacts upon the character and amenity of the neighbouring dwelling in terms of overlooking, overbearing impact, or privacy as it is a sufficient distance away from the neighbouring properties to ensure that any resulting amenity impact would be limited.

Any light encroachment as a result of vehicles using the parking area would be comparable to that experienced on a typical parking area in a residential area.

It is considered that in terms of amenity the proposal has complied with the requirements of CP57 of the WCS.

Highways

The Council's Highway Engineer observes that the proposed development will have the effect of reducing on street parking, with the submitted plans confirming that pedestrian visibility of 2m by 2m can be achieved. For that reason, they raise no objection subject to a condition requiring the surface of the first five metres of the driveway/access being constructed of a consolidated material (ie. not loose stone or gravel that would migrate onto the highway). They also observe that the development constitutes works that would require a licence under S184 of the Highways Act.

In light of the comments of the Highway Engineer, it can be concluded that the development would not constitute an unacceptable impact on highway safety, nor a severe residual cumulative impact n the road network. The proposal would comply with policies CP60 and CP61 to the Wiltshire Core Strategy.

CONCLUSION

The proposal is considered to be acceptable in respect of size, scale and design. The development is not considered to unacceptably impact upon the character of the area, the road network and highway safety or on the living conditions of neighbours. The proposal is therefore in accordance with Core Policy 57, 60 and 61 of the Wiltshire Core Strategy and relevant sections of the National Planning Policy Framework.

RECOMMENDATION: That Planning Permission be GRANTED subject to the following conditions:

See decision notice