DELEGATED REPORT

Application Reference:	PL/2023/11183
Application Type:	Planning Permission

Site Address:	60 NEW ROAD, CHIPPENHAM, SN15 1ES
Proposal:	Proposal of an external cast iron staircase into the first floor flat with the replacement of a window to door & minor internal alterations to the rear at ground floor.
Recommendation:	Planning Permission be GRANTED

PROPOSAL AND SITE

The application relates to 60 New Road, Chippenham which is a historic, but unlisted property in Chippenham town centre. The property is also located within the Chippenham Conservation Area and Secondary Retail Frontage Area. There are numerous listed buildings in the locality including the grade II listed Black Horse Public House approximately 10m to the south, the grade II listed 54-55 New Road (The Brunel) approximately 35m to the north, the grade II listed Baptist Church and Piers approximately 30m to the north-east and most notably the grade II* listed Railway Viaduct approximately 80m to the north. The surrounding area is characterised by predominantly commercial properties with residential accommodation to the upper floors. The site is not subject to other ecological, archaeological or landscape policy designations.

At present a barber shop operates at ground floor, with permitted development scheme for residential on the floor above. The permitted development scheme related to a proposed change the use of a building from a use within Class E (commercial, business and service) to a mixed use for a Class E use on the ground floor and one two bed flat to the first floor in line with Class G of Part 3 of Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (GPDO). Unlike some other classes which concern the change of use and associated works to buildings, Class G relates only to the change of use. Following the grant of Prior Approval for the PD scheme, planning permission was granted in November 2023 for the installation of a flat roof dormer window and roof lights to facilitate a loft conversion to create an additional bedroom and bathroom to the already permitted two-bedroom flat (PL/2023/01258 refers).

This application seeks permission for the installation of an external metal staircase to provide separate access to the new flat instead of via the existing internal staircase. Internally the ground and first floors are shown to be rearranged with the internal stair removed. This involves creating a larger kitchen area to serve the barber shop and a larger bedroom and shower room for the flat at first floor. The new staircase will enter the property via a new door which is to be created utilising an existing window opening to the rear elevation of the building.

POLICIES

Wiltshire Core Strategy 2015 (WCS)
Core Policy 1: Settlement Strategy Core Policy 2: Delivery Strategy
Core Policy 57 Ensuring high quality design and place shaping
Core Policy 58 Ensuring the Conservation of the Historic Environment

National Planning Policy Framework 2023 (NPPF)

North Wiltshire Local Plan 2011 (NWLP)

ISSUES

The main issues in the consideration of this application are:

- Principle of Development
- Design and Appearance
- Heritage Impacts
- Residential Amenity

CONSULTATION

Chippenham Town Council – No objection

REPRESENTATIONS

The application was advertised by site notice and direct neighbour letter.

No responses have been 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. 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).

Principle of Development

Prior Approval was granted Class G of Part 3 of Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (GPDO) for the change the use of a building from a use within Class E (commercial, business and service) of Schedule 2 to the Use Classes Order, to a mixed use for a Class E use on the ground floor and one two bed flat to the first floor.(ref PL/2022/04364). Any physical works to the building were outside of the scope of the prior approval.

Notwithstanding the above, the site is located within the defined settlement boundary of Chippenham where new residential development is permitted in established as being acceptable in accordance with CP1 and CP2 of the Wiltshire Core Strategy (WCS), subject to site specific considerations.

Externally, the proposal will result in the installation of a new external stair to the rear of an existing commercial building, the principle of extensions or alterations to such buildings is considered acceptable, providing those proposals are compliant with the requirements of relevant policies within the development plan. Those detailed considerations are set out in the relevant sections below.

Design and Appearance

Wiltshire Core Strategy Policy 57, requires development to respond positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, elevational design, materials amongst other things. Section 12 of the NPPF expects a good standard of design.

The new staircase is sited to the rear of the building and reaches to first floor, it is typical of an external staircase seen to the rear of commercial town centre properties to provide emergency escape. It is apparent that the rear of the application property and the adjoining properties have been subject to significant extension and new build in recent years. That new development includes flat roofs at ground and first floor level, significant fixed plant and air conditioning units as well as large two-storey buildings. The new staircase would be largely screened from wider views as a result. The context in which the staircase would be placed is such that it can be concluded that the development would integrate sufficiently into its surroundings.

In light of the above, the proposed development is considered to comply with the requirements of policy CP57 to the Wiltshire Core Strategy and section 12 to the National Planning Policy Framework.

Heritage Impacts

The Planning (Listed Buildings and Conservation Areas) Act 1990 provides powers for the designation, protection and enhancement of conservation areas and the preservation of listed buildings. The Act requires that special regard should be given to the desirability of preserving a listed building or its setting (s. 16 and 66) as well as giving special attention to preserving or enhancing the character or appearance of the conservation area (s.72).

The NPPF requires local planning authorities to identify and assess the particular significance of any heritage asset that may be affected by the proposal (including any development affecting the setting of a heritage asset). Local authorities are required to assess whether there is substantial harm, less than substantial harm or no harm to the heritage asset. Where less than substantial harm is identified, this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use.

Core Policy 57 requires, amongst other things, that new development must be sympathetic to and conserve historic buildings. Core Policy 58 requires that development should protect, conserve and where possible enhance the historic environment.

The property is situated within the Chippenham Conservation Area. The Conservation Area Appraisal (2007) describes lower New Road as primarily retail, with buildings dated from the early 19th century onwards. The application site, 60 New Road is located opposite the bottom of Station Hill, 2 properties away from the grade II listed Black Horse Pub. As discussed above the grade II* Railway Viaduct is located approximately 80m away from the site and therefore any development must be assessed in this context. The Conservation Area Statement for Chippenham states that the buildings to the west of New Road “lack attention and care”, although since it was prepared in 2007, the quality of shopfronts and signage has improved.

To the rear of the application site lies Ivy Lane. Within the Conservation Area Appraisal, the section of Ivy Lane covered states: “on entering the area from the north through the viaduct a pleasant vista gradually opens out of a skyline of mature vegetation…” When viewed from the other

direction the appraisal states: “Looking up Ivy Lane offers a view of the rear of the retail units fronting Lower New Road and a glimpse of the rear of 54- 55 Lower New Road (formerly the Brotherhood homes and possibly stayed in by Brunel) with the viaduct behind it…”. There are substantial buildings to the rear of the application site, one of which being 2.5 storeys high, effectively screen the rear roof slope of 60 New Road. The focal point when driving westwards on Ivy Lane is the Grade II* listed viaduct and higher level views of The Brunel (a Grade II Listed Building. Within the viaduct’s setting are the back of the various buildings which front onto New Road, which includes the application site.

Given the scale and location of the proposed staircase, it is not considered likely that it would appear prominently visibly in any public viewpoints, either from New Road or Ivy Lane to the rear. As has been noted in the sections above, significant development has taken place to the rear of the application property and adjoining properties which largely screens the development. As such, the new staircase is unlikely to detract from, or intrude into any significant views of nearby listed buildings including Grade II* listed viaduct, the setting of the nearer listed buildings (notably The Brunel). For the same reason, the development is unlikely to appear as an incongruous addition to street scene that would cause any harm to the character and appearance of the surrounding conservation area.

The proposed development will cause no harm to the setting of the listed buildings and the proposal will have a neutral impact on the Conservation Area setting. The proposal therefore complies with policies CP57 and CP58 of the WCS and policies within the NPPF together with sections 66(1) & 72(2) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.

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

The staircase is located to the rear of the property approximately 28m from the new flats under construction. When taking into account the existing windows along the rear elevations of this section of New Road at both two and three stories, it is not considered that any use of the external staircase will compromise existing levels of amenity.

For the above reasons, there is not considered to be an unacceptable impact upon the amenities of living conditions of any nearby residential occupiers, and, in this regard, the proposal would comply with the requirements of policy CP57 to the Wiltshire Core Strategy

CONCLUSION

The proposed new staircase and associated alterations are acceptable and would cause no harm to the setting of surrounding listed buildings or the character and appearance of the Chippenham Conservation Area. The amenity impacts are acceptable. Accordingly, the proposal is considered to comply with the relevant provisions of policies CP1, CP2, CP57 and CP58 of the Wiltshire Core Strategy as well as the aims and objectives of the NPPF.

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 and documents:

Location Plan ref: 065A_PLOS2
Existing and Proposed Elevation and Floor Plans ref: 065A2_PL01A
(received 27 December 2023)

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

Informatives: (2)

3 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.

4 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