

CASE OFFICER'S REPORT

Application Reference: PL/2024/09323
Application Type: Full planning permission
Site Inspection:
Consultation ends: 31 December 2024
Case officer: Selina (Nina) Parker-Miles

Site Address: 489A Semington Road, Melksham, Wilts, SN12 6DR
Proposal: Retrospective use of building as a site office/store/welfare facilities and residential accommodation for a temporary period of three years by the owner/project manager in connection with the on-going development of the adjacent sites.
Recommendation: Approve with Conditions

Proposal and Site Description

This application relates to a semi-detached dwelling, 489A Semington Road, located within an established residential area in Melksham. The host dwelling benefits from an off-road parking area to the front and side elevation. The host dwelling lines the east side of Semington Road, the surrounding dwellings contain a mix of properties differing in age and style. To the south of the application site lies a consented scheme for 4 dwellings (Ref 18/07286/FUL)

This application is seeking retrospective permission for conversion of the existing ancillary garage building (consented under planning permission PL/2021/06824) to be utilised as temporary accommodation for the applicant as site manager to the adjacent building sites. The temporary period would be for three years after which time the garage building would be restored to its previous ancillary residential use as a garage with office above. Following officer advice, the development description was amended to reflect the retrospective use of the building and to clarify the period of temporary use. The revised description was consulted on with all interested parties for a period of 3 weeks.

Policies

National Context:

National Planning Policy Framework (NPPF) 2024
Planning Practice Guidance (PPG)

Local Context:

Wiltshire Core Strategy (WCS) adopted 2015
CP2 Delivery Strategy
CP15 – Spatial Strategy for the Melksham Community Area
CP57 - Ensuring High Quality Design and Place Shaping
CP60 – Sustainable Transport
CP61 – Transport and Development
CP64 – Demand Management

Key Issues

Principle of Development
Design and Visual Impact
Neighbouring Amenity
Highways Safety

Relevant Planning History

W/84/01092/FUL Extension - Approve with conditions
W/07/00150/FUL Proposed first floor side and single storey rear extension - Refuse
W/08/00353/FUL Extensions and replacement of extensions - Refuse
14/08915/CLE Certificate of Lawfulness for use of property as 2 dwelling houses - Approve
16/11901/OUT Outline application for up to 2 dwellings with all matters reserved - Approve with conditions
17/04649/FUL Erection of 4 no. terraced dwellings - Refuse
18/07286/FUL Erection of 4 no. dwellings (Resubmission of 17/04649/FUL) - Approve with conditions
PI/2021/03989 Non Material Amendment application pursuant to application 18/07286/F - Approve
PL/2021/06818 First Floor rear extension over existing single storey - Withdrawn
PI/2022/08518 First floor extension over existing single storey rear extension - Approve with conditions
PI/2022/08476 Certificate of Lawfulness for existing separate annexe - Refuse
PL/2023/02893 Certificate of lawfulness for existing separate annex (Resubmission of PL/2022/08476)- Refuse - Subsequently dismissed at Appeal (ref: APP/Y3940/X/23/3328012) 26 February 2024

Consultation Responses

Melksham Without Parish Council - Objection
Wiltshire Council Highways - No objection

Representations

Consultation consisted of advertisement by site notice and neighbour notification. Three letters of objection were received from two interested parties.
The points raised in the objection will be appraised in the officer report below.

Planning Considerations and Assessment

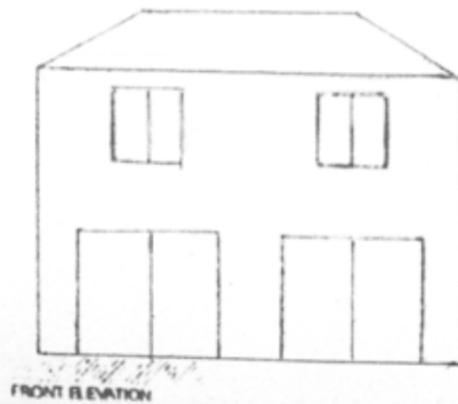
Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

Design and Visual Impact

Core Policy 57 requires a high standard of design in all new developments, of particular relevance to householder extensions is paragraph (iii) which requires 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.

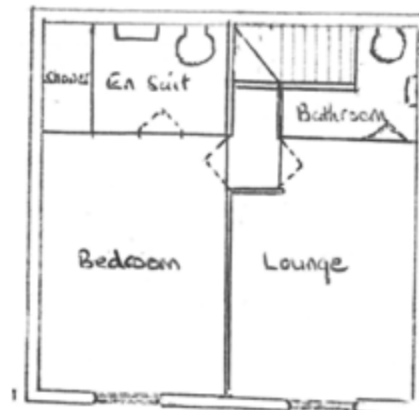
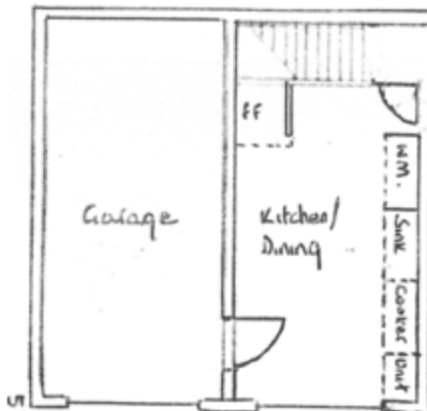
This proposal is seeking retrospective permission for conversion of the existing garage building that serves the host dwelling (consented under planning permission PL/2021/06824) to be converted for temporary residential use. The applicant seeks permission for the garage building to be utilised as temporary accommodation for himself as site manager to the adjacent building sites and has set out the operational timeline for the construction works within a supporting document. The temporary period would be for three years after which time the garage building would be restored to its previous use.

The building currently benefits from two large ground floor openings with two first floor openings on the front east elevation with a ground floor pedestrian door on the side elevation.



Existing (left) and proposed (right) front elevation

Externally the building would remain as existing with the existing internal arrangement of rooms reconfigured to serve a temporary residential use, as illustrated in the floor plans below.



Proposed ground floor (left) and first floor (right) plan

Interested parties and the Parish Council have objected to the proposal on the grounds that the building is in breach of the consented use (PL/2021/06824) as a garage building ancillary to the host dwelling, and have objected to the building being utilised as residential use, and this is duly acknowledged.

The Council having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit a wholly separate dwelling in this location. However, the positioning of a residential building (such as a mobile home) for a temporary period whilst building works are undertaken on construction sites is an established use. Any permission granted would be subject to a condition to ensure that the existing building would be restored to its original use following the expiry of the temporary use and would remain ancillary to the host dwelling.

Given the limited works proposed to the existing building set within the built envelope of the application site, officers raise no concerns in relation to the design and visual impact of the proposal and it is considered that the proposal subject to this application is deemed acceptable subject to the necessary conditions ensuring temporary use are imposed. The development would therefore comply with Policy CP57 of the WCS.

Neighbouring Amenity

Core Policy 57 of The WCS states that applications for new development must be accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire through 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 (e.g. light intrusion, noise, smoke, fumes, effluent, waste or litter)

The existing windows overlook the applicant's private parking area to the front elevation, set back from the public highway. Therefore, the temporary use of the building as a residential use would not introduce any adverse overlooking to any neighbouring occupiers.

The temporary conversion relates to use of any existing building in situ therefore the proposal would not introduce any overbearing or overshadowing impacts.

Given the scale of the development proposal, it is considered that the proposed development would not result in unacceptable loss of light, overlooking, overshadowing and would not have an overbearing impact upon neighbouring properties. For these reasons, the development proposals would comply with Policy CP57 of the adopted Wiltshire Core Strategy

Highways Safety

Impact on parking provision – Core Policy 64 (Demand Management) seeks to manage the demand for vehicle parking and confirms that residential parking standards are to be based on minimum parking standards.

Paragraph 116 of the NPPF states that ‘ *Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*’

The part conversion of the ground floor plan of the garage would remove one of the car parking spaces, associated with the host dwelling. However officers have appraised the existing site context and are cognisant that the host dwelling benefits from a parking area to the front elevation of the host building that could accommodate off road parking for a couple of vehicles.

The Local Authority Highways officer was consulted on the proposal and initially objected to the scheme raising concerns that sufficient off road parking could not be evidenced, given some of the parking area within the application site serves the adjacent building at No. 489.

However, following the submission of an updated statement (18.12.2024) illustrating the parking arrangement within the application site, the highways officer offered no objection, stating;
‘I refer to the email dated 18/12/2024.I can confirm that the contents of the email illustrates the car parking arrangement and addresses previous highway concerns’ .Any permission granted would be subject to a condition being added ensuring that the first 5m of the access, measured from the edge of the carriageway be consolidated and surfaced.

The proposal retains the existing access and would not give rise to significant harm in terms of highway safety. As such the proposal accords with policies CP60, CP61 and CP64 of the Wiltshire Core Strategy and Paragraph 116 of the NPPF.

Other Matters

Interested parties have raised concerns that the applicant seeks to utilise the building as a permanent residential building however unless future plans are included in the application documentation then worries or hearsay about possible future expansion or alternative uses of the application site are not a material planning consideration. In any event, such uses would be subject to planning controls and would be determined on the planning merits of the case at the time.

RECOMMENDATION: Approve with conditions

Conditions: (4)

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:
Location and Block Plans - Received 14.10.2024
Existing Elevations and Floor Plans DWG No PW_JH_02 - Received 14.10.2024
Proposed Elevations and Floor Plans DWG No PW_JH_03 - Received 19.11.2024
Perimeter Plan DWG No PW_JH_04 - Received 14.10.2024

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

- 3 The use hereby permitted shall be discontinued and the building restored to its former condition on or before 3 years from the date of this permission in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of amenity, in order to secure the restoration of the building upon use for which permission can be justified only on the basis of a special temporary need.

- 4 The accommodation hereby permitted shall be limited to a person solely or mainly working as a site manager for the adjacent development site (18/07286/FUL) while construction is ongoing and it shall remain within the same planning unit as the main dwelling.

REASON: The additional accommodation is sited in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit a wholly separate dwelling and this permission is only granted on the basis of an essential temporary need for accommodation in this location having been demonstrated.

- 5 The development hereby permitted shall not be first occupied 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.