

APPLICATION FOR PLANNING PERMISSION DELEGATED REPORT

APPLICATION REFERENCE:	PL/2026/04202
APPLICATION TYPE:	Full planning permission
SITE ADDRESS:	Emmanuel Church, Goldney Avenue, Chippenham, SN15 1ND
DEVELOPMENT DESCRIPTION:	Retrospective permission for a double length standard Portakabin to be used on a Sunday morning for 2 Sunday School class rooms
RECOMMENDATION:	That Planning Permission be GRANTED

PROPOSAL

Submission seeks planning permission to retain a portakabin type structure at the Emmanuel Evangelical Church, Goldney Avenue, Chippenham. Noting that the drawings suggest the structure is indeed a genuine Portakabin, rather than a similarly dimensioned/constructed clone. The proposed portakabin would be positioned along part of the northern boundary over several of the existing car parking spaces. It would be 12.3m long by 3.3m wide and 2.3m high with flat roof. The walls would be constructed of render coloured silk grey with white membrane roof, golden amber painted doors and standard portakabin windows.

The applicant explained in an email dated 28 April 2015 that the main intended time of use would be Sunday mornings 10.30 - 12.00 for Sunday school and that at present they do not plan to use the structure during the week, however this may alter in future. In addition to this the applicant advises that they have no intention to use the portakabin for any unstructured activities as it will only be used by appropriately supervised church related groups.

There is no intention for the structure to be hired out or allow parties or unsupervised youth clubs, etc. All of the activities will be supervised as the church is mindful not to create nuisance of any kind to their neighbours by way of late night use or uses which would result in excessive noise levels (email dated 28 April 2015 in relation to planning permission 15/02647/FUL and 19/00226/FUL).

SITE DESCRIPTION/CONTEXT

Emmanuel Evangelical Church is a modern building located within a residential area of the town of Chippenham. It was constructed in 1960's and formally used as a meeting hall before being purchased by the applicant in 2014. The building is positioned to the northwest of the site with car parking area to the east and south. There is an existing storage structure located in the car park to the east of the building. All surrounded by a dense leylandii hedge (approx. 3m in height). The site is accessed off the road to the south and there are residential properties surrounding the site on all other sides.

PLANNING HISTORY

Proposal / Summary

19/00226/FUL - Full planning permission Decision - Approve with Conditions Date: 18/9/2019 – Double length standard Portakabin unit set against the rear hedge line adjacent to the back door and canopy.

14/07609/FUL - Full planning permission Decision - Approve with Conditions Date: 30/10/2014 – Erection of Gospel Hall

RELEVANT POLICIES AND GUIDANCE

Wiltshire Core Strategy:

- Core Policy 57 Ensuring High Quality Design and Place Shaping

Chippenham Neighbourhood Plan 2023 to 2038 (Made: May 2024) ('CNP')

Wiltshire Design Guide

The National Planning Policy Framework (NPPF)

The Planning Practice Guidance

CONSULTATION RESPONSES

Chippenham Town Council: No objection

"No Objection: It is requested that covered secure cycle parking be provided."

Wiltshire Council Highways: No objection

REPRESENTATIONS

One response was received from Cycle Chippenham. Summarised below and available in full on the application web page;

- Suggests that cycle provision is included within the site.

ASSESSMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:

"If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise."

In accordance with this statutory requirement, this application has been assessed against the relevant policies of the Development Plan, including the adopted Wiltshire Core Strategy (2015) and, where applicable, any made Neighbourhood Plans.

Principle of development

As per 15/02647/FUL and 19/00226/FUL, it is considered that the proposed structure is acceptable in principle as an expansion of an established local community facility. Both Core Policies 10 and 49 of the Wiltshire Core Strategy and Section 8 of the NPPF establish a presumption in favour of new and expanded local community facilities within framework boundaries, and the proposal is clearly incidental to the general wellbeing of both the local and wider community.

Notwithstanding the acceptability of the proposed development in principle, the building to be retained at the site remains of a temporary nature; the application comprising genuine Portakabin structure, the manufacturer themselves confirming their construction as being non-traditional: *“buildings are constructed with a steel outer wall, steel roof and galvanised steel floor frame. The walls are injected with foam insulation”*.

Such structures are not intended to exist for an indefinite period and, in any event, are not appropriate in the longer term due to their appearance and degradation over time. For this reason, it continues to be considered that the principle of such a structure would only be acceptable in the context of an appropriately worded planning condition which compels its removal from the site and restoration of land to its former condition.

Design and Impact upon the character and context of the area

Core Policy 57 - Ensuring High Quality Design and Place Shaping of the Wiltshire Core Strategy seeks to ensure that all new development is of high design quality, reflecting local context, character, and distinctiveness.

Policies DP3 and DP4 of the National Planning Policy Framework require development to achieve a high standard of design that responds positively to local character and context. In assessing design quality, regard should be had to matters including scale, siting, form, appearance, materials and the relationship of development to its surroundings.

As per the 2015 and 2019 permissions, the portakabin type structure would be of standard utilitarian design typical of temporary buildings found on sites relating to local community and educational facilities. The proposed structure would be located to the rear of the existing Church car park, along part of the northern boundary. As a result of its proposed position on the site and also the screening afforded by the existing hedge it would not be particularly visible from surrounding public vantage points.

Having regard to the above, the proposal complies with the design principles set out in Core Policy 57 of the Wiltshire Core Strategy, Appendix D of the Wiltshire Design Guide and the NPPF and the Chippenham Neighbourhood Plan.

Amenity

Point vii of Core Policy 57 - Ensuring High Quality Design and Place Shaping of the Wiltshire Core Strategy seeks to ensure that developments do not adversely affect neighbouring properties.

Policy P3 of the National Planning Policy Framework requires development to be appropriate for its location, taking account of its likely effects on health, living conditions and the environment. In particular, Policy P3(2)(b) requires development to avoid giving rise to unacceptable impacts on the living conditions of neighbouring residents and occupiers. In assessing amenity impacts, regard should be had to matters including daylight and sunlight, outlook, privacy, overbearing impacts and other effects on residential amenity.

The proposed development has been assessed in terms of its potential impact on the residential amenity of neighbouring properties, with particular regard to loss of light, overshadowing, loss of privacy, and overbearing effects.

Unaltered from the 2015 and 2019 permissions, the structure is 2.6m high, approximately 0.4m lower than the existing boundary hedge surrounding the site. As a result it would not be visible from the majority of the surrounding residential dwellings and does not result in impacts upon the living conditions and amenities of neighbouring residents.

Although no information relating to hours of use has been submitted it is unlikely that the proposed structure would be used outside the normal hours of the existing church. Any use and potential noise would be unlikely to be any more than that of the church or the sites previous use as a meeting hall. As a result the proposal should not have an unacceptable impact on neighbour amenity with regard to use and hours of use.

The proposal therefore accords with Core Policy 57 point vii in respect of safeguarding residential amenity, Appendix D of the Wiltshire Design Guide and the NPPF.

Highways Impact

Core Policy 57 (xiv) of the Wiltshire Core Strategy seeks to ensure that development must meet the requirements of Core Policy 61. This policy requires proposals to be capable of being served by safe access to the highway network. Core Policy 64 seeks to ensure compliance with parking standards set out in the Local Transport Plan.

The transport policies of the NPPF seek to ensure that development provides safe and suitable access for all users and that any impacts on highway safety are appropriately considered.

As confirmed by the WC Highways Engineer, the proposed development would not result in any adverse impact on highway safety. Adequate parking and turning provision is provided in accordance with Wiltshire's adopted parking standards, and access arrangements are acceptable.

The proposal is therefore considered to comply with Core Policies 57 (xiv), 61 and 64 of the Wiltshire Core Strategy, the NPPF, and the Wiltshire Local Transport Plan.

Other issues

The comment from Cycling Chippenham and the Town Council regarding cycle parking provision is noted. However, this application seeks to retain the existing structure, and no new

use or floorspace is proposed. As such it is considered that the imposition of additional requirements would not satisfy the reasonableness test for a planning condition.

Biodiversity Net Gain

Householder planning applications are exempt from the requirement to deliver Biodiversity Net Gain under Schedule 7A, Section 4(2)(a) of the Town and Country Planning Act 1990, as inserted by the Environment Act 2021.

Public Sector Equality Duty (PSED)

In reaching this decision, due regard has been had to the Public Sector Equality Duty under Section 149 of the Equality Act 2010. This requires the Local Planning Authority to have regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between persons who share a protected characteristic and those who do not.

The Local Planning Authority is satisfied that the proposal would not result in any unlawful discrimination and that any impacts on protected groups have been appropriately considered as part of this assessment.

CONCLUSION

The proposed development is considered to be acceptable in terms of its design, character and appearance, and would not result in any unacceptable harm to the amenities of neighbouring occupiers.

Furthermore, the proposal would not result in any unacceptable impacts in respect of any other material planning considerations.

The proposal is therefore considered to comply with the relevant policies of the Wiltshire Core Strategy, the National Planning Policy Framework and all other relevant material considerations. As such, the application is recommended for approval, subject to conditions.

RECOMMENDATION: That Planning Permission be GRANTED subject to conditions.

The building hereby permitted shall be removed from the site and the land restored to its former condition on or before 1 October 2032 in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority beforehand.

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

The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Plan

Location Plan

Portacabin Layout Plan

Elevations and Floor Plan
(Received by LPA 22nd July 2026)

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