

**REPORT TO THE DEVELOPMENT CONTROL
COMMITTEE**

Report No.

Date of Meeting	3rd September 2008
Application Number	08/01473/FUL
Site Address	Tennis Courts, John Coles Park, Chippenham
Proposal	Erection of log cabin for use as tennis hut/changing facilities
Applicant	Mr D Bright
Town/Parish Council	Chippenham
Grid Ref	391694 173897
Type of application	Full application

Reason for the application being considered by Committee

This application has been submitted to the Committee for decision under the scheme of delegation in force after the 8th April 2002 because 5 letters of objection have been received.

Summary of Report

This application proposes a new log cabin on the western side of the tennis courts at John Coles Park. The area is currently formally set out for seating associated with the courts.

The key considerations in the determination of this application are:

- Implications on DC Core Policy C3 and Policy NE18
- Affect of the residential amenity of existing properties
- Affect on the character and appearance of the area
- Impact on traffic and parking in the local area

Officer Recommendation

Planning Permission be GRANTED subject to:

No objection from WCC highways and subject to conditions.

Contact Officer	Tracy Smith	01249 706642	tsmith@northwiltshire.gov.uk
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Proposal and Site Description

The proposal is for a log cabin structure measuring 5 metres x 4 metres with a ridge height of 2.5m.

The cabin will be sited along the boundary of the western edge of the tennis courts and will sit flush with the building line of the adjacent no. 6 Ricardo Road. The proposed cabin would be separated from the dwelling via approximately 3 metre high mesh fencing and a brick wall which at this location is approximately 2 metres in height.

There are no openings in the side elevation of the adjacent property other than a small single window serving the entrance hall.

The cabin is proposed to be constructed by Westinghouse Tennis Club but leased by the Town Council to the Club. It will be used for changing and light refreshment by the Club and is proposed to be used from the Autumn following the closure of the existing facility at Westinghouse.

The building is to be located on the existing tennis courts on John Coles Park and is surrounded by both park and residential with properties on Ricardo Road (a cul-de-sac) siding onto the courts and Park Lane backing onto the courts.

Planning History

There is no history of relevance to this specific part of the park.

Representations

Six letters of objection have been received from residents in Ricardo Road on the following grounds:

- No need for facility as existing building available
- Detrimental to residential amenity due to increased noise and disturbance
- Impact on existing parking
- Waste of council tax payers money to provide such a facility.

Of the above, only the potential effect on residential amenity and parking are planning considerations.

Planning Considerations

By way of background, following the closure of the existing facility at the Westinghouse Ground, the Tennis Club are looking to use the existing facilities as an alternative. There are no changing/refreshment facilities on the site than can be used by the Club. It is noted that there is an existing building within metres of this new proposed building but that is now used by the Town Council for other purposes.

It should be noted that this building could be erected by the Town Council using their permitted development rights if this building were for public use.

Impact on amenity of existing residents

The proposed cabin is to be located in line with no. 6 Ricardo Road from which it is separated via fencing and a high level block wall. Due to the scale, design and siting of the proposed cabin it would not result in any overlooking or overbearing impact.

The existing area is already used for seating and as such there is already a general level of activity in this location. The cabin will still enable some outdoor seating but would contain a level of the existing activity. Given that this facility already generates noise and having regard to the siting and design of the cabin, the proposal is not considered by Environmental Health officers to have any adverse impact on neighbouring properties by reason of noise and nuisance.

Impact on Character and Appearance of the Area

The proposal is considered to be sufficiently modest in scale and design. It is considered to be in keeping with the park environment and the surrounding residential area.

Impact on highways

At the time of preparing this report, no formal consultation response has been received from WCC highways.

The courts are located centrally with both on and off street parking available in the vicinity. There are no parking restrictions in the vicinity either. The capacity of the courts is not being increased and thus any intensification will be limited.

Recommendation and Proposed Conditions/Informatives

Subject to no objections from Wiltshire County Highways, 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 Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out strictly in accordance with the approved plans subject to such minor amendments to the development as may be approved in writing under this condition by the local planning authority.

Reason: To ensure that the development is implemented in accordance with this decision in the interests of public amenity, but also to allow for the approval of minor variations which do not materially affect the permission.

Informatives

1. The following policies of the Development Plan are relevant to this decision:-

North Wiltshire Local Plan 2011:- C3 NE18

2. This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

Plan References

Block plan 1:500 and 08/001/WES date stamped 16 June 2008

Reason for Decision

The proposed development by reason of its scale, design and siting is considered to be in keeping with the character and appearance of the area and would not be detrimental to the amenities of adjacent residents in accordance with Policies C3 and NE18 of the adopted North Wiltshire Local Plan 2011.

Appendices:	NONE
Background Documents Used in the Preparation of this Report:	1.20, 2.02, 3.03, 4.02, 4.04, 4.07