

REPORT TO THE AREA PLANNING COMMITTEE

Date of Meeting	9 th March 2011		
Application Number	10/04645/FUL		
Site Address	2 Portal Close, Malmesbury Road, Chippenham SN15 1QJ		
Proposal	Alterations, Relocation of Garage and Replacement of an Extension		
Applicant	Mr C Woods		
Town/Parish Council	Chippenham Town Council		
Electoral Division	Chippenham	Unitary Member	Paul Darby
Grid Ref	391477 174441		
Type of application	FULL		
Case Officer	Sue Hillier	01249 706685	sue.hillier@wiltshire.gov.uk

Reason for the application being considered by Committee

Councillor Paul Darby has requested that this application be considered by the Committee to consider the visual impact of the proposed garage upon the surrounding area.

1. Purpose of report

To consider the above application and to recommend that planning permission be GRANTED subject to conditions.

Chippenham Town Council object and 18 letters of objection have been received.

2. Main Issues

The application is for relocation of garage, a replacement of an extension and alterations to boundary treatments. The site lies within the framework boundary of Chippenham and therefore the key points to consider are as follows:

- Design and Scale of the development
- Affect on visual amenity
- Highway Safety

3. Site Description

The dwelling is detached and is situated on a corner plot within Portal Close, which is adjacent to Malmesbury Road. The property is built of reconstructed stone and has a concrete tiled roof. The existing garage is located to the side of the property. Opposite the dwelling, outside of the formal residential curtilage, there is a grassed area which borders and fronts Malmesbury Road, enclosed with a mature laurel hedge of approximately 2.5 metres in height. The dwelling and the land is separated via a drive, the use of which is shared with the adjacent dwelling, no. 1 Portal Close.

4. Relevant Planning History		
Application Number	Proposal	Decision
03/02452	Conservatory	Granted

5. Proposal

Permission is sought for the relocation of a garage, a replacement extension and alterations to the boundaries of the property.

The proposed extension is to be sited on the west elevation following demolition of the existing conservatory. It protrudes forward by 4 metres and is 4.9 metres in length. It is to be built of reconstructed stone and has a hipped, concrete tiled roof. The internal area of the existing garage is to be separated into two sections, one for storage and the other a hobbies room. The existing garage doors are to be removed and will be replaced with windows. The existing pedestrian door remains in the same position.

The newly proposed garage is to be sited on the grassed area which is adjacent to Malmesbury Road. The garage measures 6 metres x 6 metres and has a bin and store area which extends to the side by 900mm. The roof is hipped and the building measures 4.6 metres to the central apex. All the materials throughout the scheme, match that of the host dwelling.

The application also includes the erection of a 1.8 metre stone wall, which will run from the existing garage along the site boundary, enclosing the garden.

6. Planning Policy

North Wiltshire Local Plan 2011 – Policies C3 and H8

7. Consultations

Chippenham Town Council recommends refusal as the relocation of the garage would be unsightly and detract from the visual amenity of the area.

The Highway Authority has no objections to the proposal.

8. Publicity

The application was advertised by site notice, press advert and neighbour consultation.

18 letters of letters of objection have been received.

Summary of key relevant points raised:

- Outside of building line.
- Will make access/visibility poor.
- All other walls on estate are curved.
- Means of access over shared driveway.
- Criminal damage to property.
- The proposed garage will spoil current outlook/views and loss of visual amenity.
- Erode open character of the estate.
- The potential use of the building.
- Safety hazard.
- Height of proposed garage.
- Running private business from the dwelling.

- Roofline will be visible above the current 2.5 metre hedge line.
- Set precedent.

9. Planning Considerations

The planning application site lies within the defined framework boundary of Chippenham thus any development should satisfy the policies outlined in C3 and H8 of the North Wiltshire Local Plan 2011.

Design and scale of the development

The proposal seeks to relocate the existing detached garage to the frontage of the property, to Malmesbury Road, where currently land is not used. The land is bisected by the access road leading into number 1 Portal Close, where the applicants have the right to use this access. The existing garage is to be converted to a store/shed/hobbies and garden room, the existing hardstanding being dug up and laid to lawn and patio slabs. The boundary wall will be repositioned and extended to close off the existing access to the garage and to enclose the garden area alongside Portal Close. It will be constructed at the same height to create an extended private garden. The conservatory to the rear of the dwelling is to be removed and replaced with an extension in matching materials.

The original plans submitted showed the proposed wall being straight along the boundary and squaring off at right angles. Amended plans have been received curving the wall on both the east and west sides of the property which makes the wall more in character with the rest of the development. The proposed gravelled area adjacent to the proposed garage has also been altered to tarmac, as this is considered more appropriate for the area. Amended plans have also been received stepping the wall capping down to 1.8 metres where abutting the frontage of the garage of Portal Close. The steps will reflect the existing arrangement.

The garage will be visible from Malmesbury Road as well as Portal Close, but it is an appropriate design (reflecting in both size and design the existing garage). Being located at the entrance to Portal Close it will be prominent, but the impact will be lessened by existing hedging and walls. Accordingly, it would not be an incongruous addition and would not detrimentally impact the host dwelling, the estate and the street scene and accords with Policies C3 and H8 in this respect.

Impact on visual amenity

The principle objections have been regarding the proposed garage impact upon the visual amenity and loss of respect for the local character of the area. The proposed garage is set down 500mm lower than the existing shared surface and the garage slab level being set at 82.7m.

It is considered the proposed garage is acceptable in terms of design and scale. By reason of its scale and siting it would not have an overbearing impact on the amenity on neighbouring properties or the visual amenity of the area to such an extent as to warrant a refusal. It is accepted that views from properties will be altered but this is not considered to be harmful notwithstanding that there is no right to a view.

As mentioned above the design and scale of the development would not be detrimental to the character and appearance of the estate and wider residential development at this location and the general visual amenity of the area.

Highway Safety

Concerns have been raised regarding highway issues. The Highway Authority has noted that the wall has been curved and is satisfied that this change will not affect the existing visibility at the existing or internal access and the rounding of both walls should aid the pedestrian visibility. Therefore, there are no objections to the scheme.

Other matters

Some objections have raised concerns about the use of the proposed (and existing) garage, potentially for commercial use. The garage is proposed to be used in association with the residential use of the dwelling; any commercial use of the property (beyond what is 'ancillary') will require planning permission. This can be controlled via condition.

10. Conclusion

The proposals are considered acceptable in terms of scale and design and are also considered in character with the host building and the area in general in accordance with Policies C3 and H8 of the North Wiltshire Local Plan 2011.

11. Recommendation

Planning Permission be GRANTED for the following reason:

The proposed development, by virtue of its siting, scale and design, will not be harmful to the character and appearance of the street scene, will not be detrimental to the amenities of adjoining occupiers and acceptable in terms of highway safety. On that basis, the proposal accords with Policies C3 and H8 of the North Wiltshire Local Plan 2011.

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.

Policies - C3 and H8

2. The building hereby permitted shall not be occupied at any other time than for the purposes ancillary to the residential use of the dwelling known as 2 Portal Close.

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.

Policy - C3

3. The development hereby permitted shall be implemented in accordance with the submitted plans and documents listed below. No variation from the approved plans should be made without the prior approval of the local planning authority. Amendments may require the submission of a further application.

- Plan Ref: 713/CAM/2010/2 Rev C, 713/CAM/2010/4 Rev A, 713/CAM/2010/2 Rev B, 713/CAM/2010/1, 713/CAM/2010/5, 713/CAM/2010/3, 713/CAM/2010/2 Rev D and Elevation of Boundary Wall Adj. 3 Portal Close

REASON: To ensure that the development is implemented as approved.

Informatives

1. 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.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

