

REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Date of Meeting	11 March 2015
Application Number	N/13/01483/FUL
Site Address	1 CHESTNUT ROAD, CHIPPENHAM, WILTSHIRE, SN14 0EY
Proposal	Erection of Detached Dwelling
Applicant	Mr G Lyus
Town/Parish Council	CHIPPENHAM
Division	CHIPPENHAM LOWDEN AND ROWDEN- Cllr Linda Packard
Grid Ref	391059 173833
Type of application	Full Planning
Case Officer	Chris Marsh

Reason for the application being considered by Committee

The application was considered by Committee on 31 July 2013, at which time Members resolved to delegate to Officers to approve the application subject to conditions and completion of a Section 106 legal agreement. However since that time changes to the National Planning Policy Guidance relating to planning contributions warrant reconsideration of the application.

As such, this report remains unchanged hereafter, except for the section headed 'S106 contributions' and its final recommendation.

1. Purpose of Report

To consider the above application and to recommend that the application is **APPROVED, subject to conditions.**

Chippenham Town Council have objected to this application, which has also attracted 15no. objections from neighbours of the site.

2. Main Issues

The main issues in considering the application are:

- Principle of development
- Impact on the character and appearance of the area
- Impact on the privacy and amenity of existing neighbours and potential occupants
- Impact on highway safety
- S106 contributions

3. Site Description

Chestnut Road is a cul-de-sac located a short distance to the South of the Bristol Road in central Chippenham, an area characterised by its distinctive 1930s semi-detached properties. No.1 occupies a corner position close to the junction between Chestnut Road and the adjacent Plantation Road and benefits from a generous triangular plot to the rear that serves predominantly as domestic garden. The land is at present bounded by a mature hedgerow to the pavement side and otherwise by close-boarded timber fencing to the neighbouring properties.

The site is located within the development framework boundary for Chippenham, and otherwise undesignated under the adopted development plan.

4. Relevant Planning History

There is no planning history relevant to the site.

5. Proposal

The proposed development comprises the subdivision of the plot in order to accommodate a new detached dwelling, more closely related to no.3 in terms of orientation and access than to no.1 itself. The proposed dwelling appears fairly similar in terms of style and proportion to the nearby properties, although obviously differing in terms of its detached form, and is to be set over a full two-storey scale with a hipped roof over, modest projecting porch and rear single-storey lean-to. The internal accommodation is to comprise of an open-plan lounge/diner toward the rear of the property with separate kitchen, hallway and WC at ground floor level and three bedrooms and a bathroom above. Externally, the dwelling is to be finished principally in painted render, with a brick plinth and matching central string course and a hipped concrete roman tile roof covering. Two allocated parking spaces, connected to a newly-created access directly adjacent to no.3, are arranged in tandem next to the building. The land to the rear is to be used in conjunction with the property as amenity space, with the existing garden space to the East retained as ancillary to no.1 and incorporating a suitable boundary treatment to be agreed later.

6. Consultations

Chippenham Town Council – objections, citing the highways impact and unsuitable design
Highways – no objection, subject to conditions
Public Open Space – confirmed that a contribution of £5,820 should be sought

7. Publicity

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

15 letters of objection received

Summary of key relevant points raised:

- Insufficiency of proposed parking provision
- Overdevelopment of the site
- Inappropriate design
- Overlooking and loss of light

Concerns have also been raised in respect of the potential impacts of construction work on sewerage and neighbouring foundations; however these are civil matters and not material planning considerations.

8. Planning Considerations

Principle of development

The site is located within the development framework boundary for Chippenham; within which new residential development is supported in principle. The plot is well connected to local services and transport, with the B-classified Bristol Road a short distance away.

Impact on the character and appearance of the area

Whilst the prevalence of semi-detached properties in the vicinity of the site cannot be ignored, the general form of the proposed dwelling is otherwise in keeping in terms of scale and proportion. Later development consisting of additional detached dwellings is not uncommon, and examples can be seen nearby at High Gables and Woodside, a short distance to the East, in the immediate area. The general scale and proportion of the proposed dwelling is considered to be entirely in accordance with the consistent template set by neighbouring properties, including the hipped roof that typifies many properties of that era. Likewise, the set-back position of the property and tandem parking arrangements are typical of the surrounding properties, including no.1 itself.

Following negotiation, the external finish has been amended so as to be predominantly painted render, similar to that of no.5 Chestnut Road, with brickwork contained to course detailing only. Other details including the front porch have been amended to reflect the hipped coverings to the ground floor bay windows directly opposite, although it should be acknowledged that a slight variation in architectural details – including bays and porches – already exists in the near vicinity. The proposed timber-framed fenestration is consistent with the original materials of the surrounding properties, as are the concrete tiles to be used for the roof covering.

Impact on the privacy and amenity of existing neighbours and potential occupants

Owing to the siting and orientation of the proposed dwelling, the scheme will not result in the detrimental loss of amenity to neighbouring properties. The dwelling is orientated in such a way as to avoid direct overlooking of adjacent properties, particularly the gardens of nos.3 and 1 Chestnut Road, with which the building is to have a relationship similar to those seen throughout the street. The main front and rear elevations maintain a separation of 17.5m and 12.5m respectively from the boundaries of the properties opposite and this is considered entirely adequate as well as in keeping with the general pattern of development seen in the vicinity.

Impact on highway safety

Whilst it is appreciated that Chestnut Road itself may suffer from sporadic parking problems, planning proposals can only address the direct impacts of development and cannot be expected to remedy a pre-existing situation. In this instance, the proposed level of parking and access arrangements are considered adequate for the development proposed. The level of parking provision at no.1 itself is not a relevant consideration, although it is worthy of note that the reduction in the size of this property may yield a slight reduction in vehicular movements.

For the above reasons, the Highways Officer has recommended that the proposed access and parking provision are adequate in relativity to the dwelling. Due to the very limited traffic flow through the cul-de-sac and visibility afforded by the highway verge, it is considered acceptable to reverse onto the driveway or out into the road. The ownership of the verge

remains unclear, however – being neither under the control of the applicant or the Council – and therefore obtaining access is dependent upon securing suitable rights in this regard. This is a civil matter and not relevant to the determination of the application.

S106 contributions

At the time of its initial consideration by Committee, the scheme attracted a financial contribution of £5,820 toward the provision of local off-site public open space in accordance with the development plan. As of 28 October 2014 however, the National Planning Policy Guidance (NPPG) stipulates that such contributions should not be sought for developments of fewer than 10 units and 1,000m², except in Areas of Outstanding Natural Beauty or designated 'Rural Areas'. The Guidance is a material planning consideration and as such it is not considered reasonable to pursue the contribution in this instance. The recommendation is amended accordingly.

Conclusions

It is considered that the application site is suitable for limited infill development of the type and scale proposed. The scheme demonstrates a suitable regard for its context in terms of layout, scale, design and materials and will not appear unduly out of place in the street scene. The proposed parking and access arrangements are adequate and will not result in detriment to highway safety, the current issues in respect of on-street parking being outside of the control of the applicant.

9. Recommendation

That the application is APPROVED for the following reason:

The proposed development, by virtue of its location, siting, scale, massing, design and materials, is acceptable in principle and will not harm the character or appearance of the site or its setting. The proposal will not result in detriment to residential amenity or highway safety and as such accords with Policies C3 and H3 of the adopted North Wiltshire Local Plan 2011 and Sections 6 and 7 of the National Planning Policy Framework.

And 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:

788/CAM/2013/1 rev A - Proposed Plans and Elevations

Received 16 July 2013

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

- 3 No development shall commence on site until details and samples of the materials to be used for the external walls and roofs have been inspected on site and approved in writing by the Local Planning Authority. Development shall be carried out in

accordance with the approved details.

REASON: In the interests of visual amenity and the character and appearance of the area.

- 4 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.

- 5 No part of the development hereby permitted shall be first occupied until the access and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

- 6 No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained.

- 7 **INFORMATIVE TO APPLICANT:**
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.

- 8 **INFORMATIVE TO APPLICANT:**
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.

- 9 **INFORMATIVE TO APPLICANT:**
Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

