

**REPORT TO THE DEVELOPMENT CONTROL
COMMITTEE**

Report No.

Date of Meeting	25th April 2007
Application Number	07/00690/COU
Site Address	22 Ashfield Road, Chippenham
Proposal	Change of Use from residential to Osteopathy Practice (D1)
Applicant	Mr S. Hudson
Town/Parish Council	Chippenham
Grid Ref	391862E 174127N
Type of applications	Change of Use

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 more than five letters of objection have been received.

Summary of Report

This application is for the change of use of an existing terrace property to an osteopathy practice (D1 Use). The site lies within a residential street of Chippenham and forms part of a long row of terraced properties. The site falls within the Chippenham Conservation Area and lies within the Chippenham framework boundary. The key points to consider are as follows:

- Implications on DC Core Policy C3
- Impact of the development on the Conservation Area (Policy HE1)

Officer Recommendation

Delegate to PERMIT subject to consultation responses and conditions.

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Proposal and Site Description

This application is for the change of use of an existing terrace property to an osteopathy practice (D1 Use).

The development site is located to the north of Chippenham town centre in a quiet residential street which forms part of the Chippenham Conservation Area. The street is characterised by a long row of terraced properties on either side of the road. None of the properties benefit from off-street car parking but there is unrestricted on-street parking.

Planning History

Application number	Proposal	Decision
None	None	None

Consultations

The Town Council – Comments awaited

Wiltshire County Council Highways – Comments awaited

Representations

At the time of drafting this report, 9 letters of representation have been received from local residents. The 21 day consultation period does not expire until 26/04/07. The following concerns have been raised:

- A business use in a residential street in the Conservation Area is inappropriate.
- The change of use will devalue surrounding properties.
- The proposal will set a precedent.
- Car parking is already a problem in the street and the proposed use will only make matters worse.
- There is a lack of public car parks in the vicinity.
- Refuse collections and delivery vans block the road.

Planning Considerations

Principle of the development

The proposal seeks to change the use of an existing mid-terrace residential property to an osteopathy practice.

The plans submitted show that the existing dwelling incorporates a sitting room, dining room, kitchen, bathroom and outhouse on the ground floor with three bedrooms at first floor level. The applicant proposes to retain the internal layout as existing but convert the sitting room to a consultation room, the dining room to a reception and waiting room and the bedrooms at first floor level to a storage room and two further consultation rooms. Externally, the property is also to remain as existing.

Impact of the development on Policy H1:

The development site forms part of a long row of terraced properties located in the Conservation Area. The proposal seeks to change the use of the existing dwelling to an osteopathy practice but does not entail any alterations to the internal or external appearance of the existing property. On this basis, Officers take the view that the proposal will have no adverse impact on the character and appearance of the Conservation Area.

Impact of the development on Policy C3:

In terms of the impact of the proposal on the amenities of local residents, consideration has been given to the objections raised by local residents. Officers are aware that car parking in the vicinity of the development site is a concern and that it is often difficult for local residents to find anywhere to park in the street. However, there is no car parking restriction in the street. At this stage, Officers are still awaiting to hear from County Highways but any further information will form part of an update report.

In terms of potential noise from the proposed business use, it is considered that a D1 use (non-residential institutions) is an acceptable use in this residential street and will not lead to unreasonable nuisance. These uses are generally acceptable in such residential locations on the basis that they tend to be sympathetic to the amenities of adjoining residents.

Local residents have raised concerns relating to delays due to refuse collection trucks and delivery vans blocking the road which relates to the highways issues above. Residents also refer to the proposed change of use devaluing the surrounding properties. This issue cannot be taken into consideration when determining this proposal.

Conclusion

The proposal does not appear to conflict with Policies C3 and HE1 of the North Wiltshire Local Plan (2011) as the proposed change of use will not be detrimental to the residential amenities of the adjoining residents or highway safety and will not be unsympathetic to the residential character of the street and this part of the Conservation Area.

Recommendations and Proposed Conditions / Informatives

DELEGATE TO PERMIT subject to:

- Expiry of consultation period (24/04/07) and no new issues being raised which have not been addressed.
- Consultation response from Wiltshire County Council Highways
- The following conditions:

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.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) there shall be no extension or external alteration to any building forming part of the development hereby permitted.

Reason: In order to safeguard the amenity of the area by enabling the Local Planning Authority to

consider individually whether planning permission should be granted for extensions and external alterations.

4. The development hereby permitted shall be used for as an osteopathy practice and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To ensure that inappropriate uses do not take place in this locality.

Informatives:

1. 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.

- Site location plan and drawing showing existing and proposed floor plans date stamped 27th March 2007.

2. Policy C3 and HE1 of the North Wiltshire Local Plan (2011).

3. Any advertisement which does not have consent by virtue of the Town and Country Planning (Control of Advertisements) Regulations 1992 (as amended) must not be displayed unless you have received the necessary consent from the Local Planning Authority. Application forms are available, on request, from the Local Planning Authority.

Reason for Decision

The proposal accords with Policies C3 and HE1 of the North Wiltshire Local Plan (2011) in that it represents the change of use to a local health facility that does not materially harm the amenities of neighbouring properties, would not compromise highway safety, and would not affect the character and appearance of the Conservation Area.

Appendices:	<ul style="list-style-type: none">• None
Background Documents Used in the Preparation of this Report:	<ul style="list-style-type: none">• 1.20• 2.02• 4.02• 4.04