

REPORT TO THE DEVELOPMENT CONTROL COMMITTEE Report No.

Date of Meeting	15th October 2008
Application Number	08/01332/FUL
Site Address	Kingdom Hall, Ernle Road, Calne
Proposal	Demolition of Meeting Hall and Construction of Larger Meeting Hall & Associated Landscaping and Change of Use of Land to Form External Car Park
Applicant	Mr G White
Town/Parish Council	Calne
Grid Ref	400080 171600
Type of application	Full Application

Reason for the application being considered by Committee

This application was considered at the Development Control Committee on the 30th July 2008, Members resolved to give the DC Manager delegated authority to grant permission subject to submission of further details regarding surface water drainage and the resolution of any issue through suitable conditions.

Investigations have revealed that there is an existing problem with the drainage in this area which is caused by a broken piped watercourse running through the rear gardens of properties in Warren Close, this is made worse by the piped watercourse also being heavily silted. Following investigations it is understood that NWDC will not be taking action but Wiltshire County Council will be pursuing the matter, as flood water flows onto the highway.

In respect of this application, the agent has submitted plans of the drainage details, showing the surface water to be discharged via the drain to the west of the site, which is understood to be unconnected to the broken drain to the north. The Council's Drainage Engineer has been consulted on the submitted details and has stated that he has no objections on drainage grounds.

It is understood that the recognised drainage problem in the Ernle Road area will be addressed in the future through the Highways Department, however, this current planning application is unrelated to the flooding problem, and conditions cannot be imposed on this application to address this problem.

This application was considered at the Development Control Committee on the 24th September 2008, Members resolved to defer the decision to allow for further information to be sought regarding the level of use and to ascertain all the relevant facts.

The information has been requested from the agent and will be reported as 'Additional Information'.

The considerations remain as per the previous report and the "Additional Information" and the recommendation is as follows:

Planning Permission be GRANTED subject to conditions.

Summary of Report

This application proposes the replacement of the existing meeting hall with a larger building and the change of use of land to form a car park and associated landscaping. The site lies within the framework boundary of Calne and therefore the key points to consider are as follows:

- Implications on DC Core Policy C3
- Affect of the residential amenity of existing properties
- Design and scale of the development
- Impact on traffic and parking in the local area

Officer Recommendation

Subject to the conditions and the satisfactory comments of Wiltshire County Council as Highway Authority and Environmental Health (and the imposition of any conditions considered necessary as a result), the Development Control Manager be authorised to GRANT conditional planning permission.

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Proposal and Site Description

The site is located at the end of a cul-de-sac within a predominantly residential area. There is an existing religious meeting hall on the site with an area of hardstanding used for car parking in front of the building. The site is accessed through a gate from the turning head at the end of the cul-de-sac. The site is fairly well screened by a conifer hedge along the boundary.

There is an area of grass between the boundary of the existing site and the road, which is in the ownership of the Council. The application proposes to change the use of part of this land to create a larger car park. There will also be cycle parking facilities within the site and pedestrian access will be retained.

There is a public footpath along the north-eastern boundary of the site.

Planning History		
Application number	Proposal	Decision
None		

Consultations

CalneTown Council – Member had concerns over the change of access, now through Portemmarsh Industrial Estate and the fact that the grassy area which is currently owned by a local authority is included within the site boundary. Members decided therefore to defer their observations until the above points are addressed. (**NB:** An email addressing these points has been sent to the Town Council and any further comments will be reported as 'Additional Information').

Wiltshire County Council Highways – comments are awaited.

Environmental Health – Comments are awaited

Representations

Fifteen letters of objection have been received.

Below is a summary of the key point raised:

- Area is a quiet cul-de-sac of residential properties, which is already inconvenienced by the use of this hall and associated parking;
- The grassed area is used by children to play and kick a ball and is one of the few green areas left as the nearest play area is across the busy Hungerford Road, house deeds show that this was a children's play area and additional parking for residents since 1966;
- Used by dog walkers;
- The proposal to dispose of this land was discovered by residents by accident and there were 10 letters of objection to the proposal but despite this the Council decided to sell to the highest bidder;
- The application states that advice was sought in July 2006 as to the likelihood of permission being granted, it seems this was given the go ahead with no consultation with local residents. The whole process appears to be underhand and shrouded in secrecy, and local residents are not being listened to. If allowed residents should expect a reduction in council tax to offset the problems ;
- Majority of people using the hall drive and once the car park is full they park in the adjoining roads. Has a survey been carried out on the congregation to see whether their journeys can be completed by public transport. If not, is it because the hall would be better located close to the town centre. Extra traffic this development will attract will make matters worse;
- Ernle Road is losing an open space in return for an enlarged hall which none of us will make use of;
- The proposed enlarged hall will be double the size and whilst it is currently hidden behind a conifer hedge it will be in full view after redevelopment. There will be a large tarmac surface which will be an eyesore and there have already been drainage problems in this area. This proposal may exacerbate the problem;
- Vehicles accessing the site will cause disturbance to local residents, which is up to 4 times per week;
- Church congregations are cyclical in nature and we may be left with a "white elephant" in the future;
- The hedge is a haven for wildlife, we have seen hedgehogs and foxes transiting the area and there has been the suggestion of slow worms inhabiting the area. There are sometimes bats around the hall area.
- Will service vehicles such as dustbin lorries, delivery vans, emergency vehicles etc be able to access the area? As manoeuvring is difficult at the moment and supply vehicles accessing the site will cause inconvenience to residents, the road is barely able to allow two cars to pass as it is so narrow.
- Copies of objection letters originally sent to the Legal Department and the agent have also been received.
- Urge the Council to consider the implications of selling any council owned land to a religious group. The sale of the land is against the wishes of the local community.

Planning Considerations

Principle of Development

There is an established existing use of the site as a religious meeting hall and therefore the key issues are whether the proposed replacement building will be acceptable in terms of scale and design and to assess whether the proposal will have any significant harm on the amenities of existing residential properties.

Design and Scale of Development

The replacement hall will have a footprint of approximately 219m² compared to the existing building which has a footprint of approximately 112m². The height to the ridge will be approximately 6.3m. The proposed building will be sited in the same position as the existing hall, which is to the rear of No. 14 Ernle Road.

There is a fence and 1.8m high wall along the boundary with No. 14 and the plans indicate that this will remain. There is an existing row of conifers forming a high hedge along the boundary with the public right of way, part of which will be removed and replaced with the new building. A further section will be removed close to the northern corner of the building and replaced with a section of close boarded fence 2.4 metres high, which is to ensure that the trees do not have a detrimental impact on the new foundations. The rest of the conifers along this boundary will remain.

The existing conifer hedge along the boundary with Ernle Road will be removed and part of the grassed land will be changed to car parking and a new post and rail fence will be erected with some low level shrub landscaping. A wedge of grassed area will remain, with the boundary set back 1.4m at the closest point and nearly 10 metres back at the widest point from the road.

The proposed building is single storey and fairly utilitarian in appearance. It is set back behind existing development and although it will be more visible than the existing building it is considered that it will not appear particularly prominent in the street scene. In any event the trees forming the boundary of the site could be removed without the need for any consent.

Impact on amenity

The existing hall and its use as a religious meeting place have an established use on this site and whilst the replacement hall will be a larger building with additional car parking, it is not considered that there will be an overriding detrimental impact on the amenities of nearby residential properties.

The hall is not in continuous use and the agent has stated that the building is used for regular meetings two evening per week, generally between 6 p.m. and 10 p.m. and for four hours on a Sunday morning together with occasional other meetings and maintenance work. It is stated that the hall has been used in this way for some years and there is no intention to change the current situation. However, given that the position of the hall within a predominantly residential area Environmental Health have been consulted to ascertain whether an hours of use condition would be appropriate. Their comments are awaited and will be reported as 'Additional Information'.

Whilst it is acknowledged that part of the grassed area will be lost to car parking there will still be a section of grass remaining.

Concerns have been raised by local residents regarding flooding and drainage issues in the area and the Council's Drainage Engineer was consulted on the application. He has stated that there have been problems in the area and the Council has investigated the matter using CCTV surveys. It appears that the problem is in a section of pipe which has not been adopted by Wessex Water or could be maintained at public expense and therefore is the responsibility of the landowners. The Council has informed the landowners of the situation, which they will have to put right. It is stated that once this issue is resolved then the proposal for a larger hall and car park should be fine if there is capacity in the existing drainage system.

Highways and Parking

The comments of the Highway Authority are awaited.

The proposal uses the existing access and the car park will be extended from 9 parking spaces to an enlarged area encompassing 19 car park spaces which includes a disabled space. Additionally there will be cycle parking facilities within the site and the pedestrian access will remain unchanged.

Landscaping is proposed along the frontage of the site to soften the impact of the car parking.

Local residents have raised concerns regarding existing problems of cars parked on the adjoining roads and disturbance from cars accessing and exiting the site. However, this is an existing

situation as the meeting hall has been there for many years. The enlargement of the car park may ease some of the pressure of on-street parking in the vicinity

Recommendation and Proposed Conditions/Informatives

Subject to the receipt of comments from Wiltshire County Council Highways and Environmental Health, the Development Control Manager be authorised to GRANT permission subject to inclusion of 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.

3. No development shall commence until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the local planning authority:

- (1) walls, fences, gates and other means of enclosure;
- (2) ground surfacing materials;
- (3) the means of surface water disposal;
- (4) the means of foul sewage disposal.

The development shall be carried out in accordance with the details so approved.

Items (1) to (4) shall be completed prior to the use or occupation of the development.

Reason: In the interests of amenity and satisfactory layout.

4. The development hereby permitted shall not be commenced until details of the landscaping of the site, including wherever appropriate the retention of existing trees, have been submitted to, and approved in writing by, the local planning authority.

The approved landscaping scheme shall be implemented within one year of either the first occupation or use of the development, whether in whole or in part, or its substantial completion, whichever is the sooner, and shall be maintained thereafter for a period of not less than five years. The maintenance shall include the replacement of any tree or shrub which is removed, destroyed or dies by a tree or shrub of the same size and species as that which it replaces, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of amenity.

5. The area allocated for parking on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: In the interests of amenity and road safety.

6. The development hereby permitted shall not be used after 10:30 p.m. on any day.

Reason: In the interests of the residential amenity of the area

Informatives:

1. The following policies of the Development Plan are relevant to this decision:
North Wiltshire Local Plan 2011:- C3

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

2540/01, 2640/02 and 2640/03 received by the Local Planning Authority on the 30th May 2008.

Reason for Decision

The proposal is considered to be acceptable in terms of scale and design and is not considered to have an overriding detrimental impact on nearby residential properties. The proposal provides enhanced facilities on this existing site and is considered to be in accordance with Policy C3 of the North Wiltshire Local Plan 2011.

Appendices:	NONE.
Background Documents Used in the Preparation of this Report:	1.20, 2.02, 3.02, 4.02, 4.04,