Our Ref: ST/200148/P3

19 July 2023

Development Services Central Area
Wiltshire Council
County Hall
Bythesea Road
Trowbridge
Wiltshire
BA14 8JN

BY PLANNING PORTAL

Dear Sirs,

Town & Country Planning Act 1990
Proposal: Formation of swimming pool and erection of pool house
At: Apple Tree Cottage, Rivar Road, Shalbourne SN8 3PU
PP-12322027

Fowler Architecture & Planning Ltd have been instructed by Mr and Mrs P Reid to submit a Householder Planning Application to Wiltshire Council for the above development at Apple Tree Cottage.

The application has been submitted via the Planning Portal and comprises:

- Completed application form and certificates;
- Planning application fee of £206.00;
- Drawing No.200148-01: Location Plan;
- Drawing No.200148-131: Site Plan;
- Drawing No.200148-132: Design Scheme;
- Drawing No.MFappletreeTOPO: Topographical Survey; and
- CIL Form 1: Additional Information.

1. Site and surroundings

Apple Tree Cottage is located within the village of Shalbourne, Wiltshire. The site extends to 0.28ha and is located within the Settlement Policy Boundary of Shalbourne as designated by the CS adopted policy maps. Shalbourne is located approximately 4.2 miles south of Hungerford and 8.8 miles south east of Marlborough.

The site at Apple Tree Cottage is within the southern part of the settlement. To the north of the site is the more densely populated area of Shalbourne, to the east is Rivar Road and beyond that tennis courts and community open/play space. To the south of the site is the substantial residential dwelling Ashley House and beyond that open countryside and fields and to the west is open countryside and fields.

Apple Tree Cottage is located within the Shalbourne Conservation Area (designated 1989) and the North Wessex Downs Area of Outstanding Natural Beauty (AONB). The site is otherwise unconstrained and unaffected by any historical or ecological designation, or floodplain.

2. Planning History

PL/2023/04273	13.07.2023	Change of use of small portion of disused agricultural land into residential / garden to allow access to rear garden of Apple Tree Cottage for mowers / grass cutting equipment.	Approved
21/01789/FUL	22.04.2021	Erection of a 2-bay garage with store and first floor office.	Approved
20/07052/FUL	07.12.2020	Erection of single storey side extension, and erection of a 2-bay cartshed. Felling of 2 no. trees.	Approved
14/01680/FUL	27.06.2014	Erection of garden shed in area of domestic garden	Approved
13/06690/FUL	04.02.2014	Change of use of agricultural land to domestic garden	Approved
E/10/1619/FUL	24.03.2011	Demolition of garage, erection of two storey rear extension	Approved
E/10/1620/CAC	26.01.2011	Demolition of Garage	Approved
K/54892/F	08.09.2006	Two storey extension to rear of property	Refused
K/79/0212	19.04.1979	Vehicular Access	Approved

3. Proposed Development

This planning application seeks permission for the '*formation of swimming pool and erection of pool house'*.

The proposed swimming pool and pool house will be located wholly within the established residential curtilage of Apple Tree Cottage, as extended by planning application PL/2023/04273. The swimming pool and pool house will be positioned to the south-eastern edge of the site, allowing an access strip to be maintained for grass cutting equipment/mowers to access the rear garden.

The swimming pool will be located to the south of Apple Tree Cottage, along the south-eastern boundary of the site. The proposed pool measures 5m by 12m.

The pool house will be located to the north-east of the swimming pool, providing screening. The pool house will be modest in size, measuring 7m by 7m with a height of 2.6m to the eaves and 4.2m to the ridge. The pool house will be constructed from an oak frame on staddle stones, with feather edged timber cladding under a slate tile roof. The pool house will benefit from a covered porch to the south-west elevation (included in the above dimensions).

A new beech hedge is proposed to the north-east of the pool house, to provide additional screening and to create a logical split between the front garden/driveway and the rear garden. As noted on the plans, the new beech hedge specified under application PL/2023/04273 is also shown which will provide further screening as well as well as representing a material boundary to the Apple Tree Cottage curtilage.

As the GIA of the pool house is under 100sqm, this proposal is not CIL liable.

4. Planning Policy

Section 70(2) of the Town and Country Planning Act 1990 (as amended) states that in dealing with an application for planning permission the LPA shall have regard to the provisions of the development plan, so far as material to the application; and local finance considerations, as far as material to the application; and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Ace 2004 requires that, if regards is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.

For the purpose of this application, the development plan includes the **Wiltshire Core Strategy** (CS) adopted January 2015 covering the period 2006 to 2026, and retained saved policies (not deleted by the adoption of the CS) of the **Kennet District Local Plan 2011** (LP) adopted in 2004.

The Government's policies are within the **National Planning Policy Framework** (the Framework) published July 2021 that describes how the planning system should achieve sustainable development and when the presumption in favour of sustainable development is engaged. The **Planning Practice Guidance** (PPG) provides further interpretation of the policies of the Framework.

5. Planning Analysis

Policy CP57 ensures high quality design and place shaping, stating *'a high standard of design is required in all new developments, including extensions, alterations and changes of use of existing buildings. Development is expected to create a sting sense of place through drawing on the local context and being complementary to the locality'*. The site is located within the North Wessex Downs AONB where paragraph 172 of the Framework states great weight should be given to conserving and enhancing landscape and scenic beauty.

This application takes note of the site's situation within the North Wessex Downs AONB and consequently uses appropriate and sympathetic materials to match the locality and to reduce the impact on the surroundings. The proposed swimming pool and pool house would be sited to the south-east of Apple Tree Cottage, within the established residential curtilage - causing no harm to the surrounding landscape and AONB.

The proposed pool house is located to the south-east of the site, situated to the north-east of the proposed swimming pool – screening the pool from the site entrance and adjacent Rivar Road. Additionally, a beech hedge is proposed to the north-east of the proposed pool house, to soften the site and create a vegetation boundary between the existing driveway and the rear garden.

The site is well screened with a vegetation boundary and trees on site, leading to no or minimal visibility. The proposed swimming pool and pool house will be located within the residential curtilage of Apple Tree Cottage, with the landscape measures approved under application PL/2023/04273 to be fully implemented to ensure the visual gap between Ashley House and Apple Tree Cottage/settlement boundary is maintained.

There are a number of dwellings that benefit from swimming pools within Shalbourne – with it not being an uncommon feature within the individual garden curtilages of larger dwellings along Rivar Road. Examples of this include (but not limited to) Shalbourne Manor, Westcourt Farm, Long Meadow and Wheatlands. It is considered that the proposed pool at Apple Tree Cottage is of an appropriate size and scale for the context of the location where it is proposed and the overall plot size of the dwelling and curtilage – and is in keeping with similar sized dwellings in the locality.

The application site is large enough to accommodate the proposed swimming pool and pool house, allowing continued use of the private amenity space for current occupiers. The development would not affect the neighbours through overlooking, loss of privacy or overbearing nature. It is not considered that there will be any issues with the proposal regarding neighbour amenity.

6. Conclusion

Overall, the Applicant contends that, due to the location of the proposed swimming pool and pool house, coupled with the contained existing mature vegetation, the proposed development can successfully integrate into the landscape. Additionally, the buildings are designed to be sympathetic to the existing dwelling and landscape. Consequently, the scheme represents high-quality design in-keeping with the character and appearance of the locality and will not have adverse impacts on the landscape character of the AONB.

The scheme therefore accords with Policies CP57 and CP57.

I trust that the enclosed information is sufficient for this application to be registered at the earliest opportunity. Please do not hesitate to contact me should you require any additional information.

Yours faithfully,

Stella Turner MSc

FOWLER ARCHITECTURE AND PLANNING

Encs

cc: Clients