CASE OFFICER'S REPORT

Application Reference:	PL/2023/04672
Application Type:	Householder planning permission
Consultation ends:	27 July 2023
Case officer:	Selina (Nina) Parker-Miles
Site Address:	6 Clearwood, Dilton Marsh, Westbury, BA13 4BD
Proposal:	Construction of new garage, annex and store as well as extension of existing drive (resubmission of PL/2023/00638)
Recommendation:	Approve with Conditions

Proposal and Site Description

This application relates to a detached dwelling, 6 Clearwood, located in Dilton Marsh. The host dwelling benefits from an extended plot in a semi-rural position and lies within a Special Landscape area, and within the Bath and Bradford on Area Special Area of Conservation.

This application seeks to extend the existing driveway and erect a two storey garage, which would facilitate parking for two cars and garden store at ground floor with annexe accommodation at first floor. This application seeks minor amendments to a recently approved scheme (PL/2023/00638) Construction of new garage, annex and store as well as extension of existing drive). The amendments are for the insertion of first floor windows within the east elevation and alterations to the approved fenestration at first floor on the west elevation.

Policies

National Context:

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

Local Context:

The Wiltshire Core Strategy (WCS) 2015

CP2 Delivery Strategy

CP32 – Spatial Strategy for the Westbury Community Area

CP50 - Biodiversity and Geodiversity

CP51 – Landscape

CP57 - Ensuring High Quality Design and Place Shaping

CP60 – Sustainable Transport

CP61 – Transport and Development

CP64 – Demand Management

CP67 – Flood Risk

C3 Special Landscape Areas saved policy from the West Wiltshire District Plan 1st Alteration

Wiltshire Local Transport Plan 2011 – 2026: Car Parking Strategy (March 2015)

Key Issues
Principle of Development
Design and Visual Impact on the Special Landscape Area
Neighbouring Amenity
Highways Impact
Ecology
Flood Risk
Trees

Relevant Planning History
W/06/03278/FUL Replacement of garage with 2 storey extension to the side and replacement of conservatory with 2 storey extension to rear - Refuse
W/07/00436/FUL Replacement of existing single storey garage extension with two storey extension and garden room - Approve with conditions
17/00397/CLE Certificate of lawfulness for agricultural land for use as residential garden - Approve
17/09417/FUL Single storey timber orangery to rear - Approve with conditions
PL/2023/00638 Construction of new garage, annex and store as well as extension of existing drive - Approve with conditions

Consultation Responses
Wiltshire Council Highways - No objection
Dilton Marsh Parish Council - No comments received as of 02.08.2023

Representations
Consultation consisted of advertisement by site notice and neighbour notification.

Planning Considerations and Assessment
Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

Principle of Development
The proposed development comprises an extension to an existing residential property set in an established residential curtilage within the settlement boundary of Westbury. The proposed building is wholly within the residential curtilage and as such the principle of development is acceptable subject to the following considerations.

Design and Visual Impact on the Special Landscape Area
Core Policy 51 of the adopted Wiltshire Core Strategy also states that "*great weight will be afforded to conserving and enhancing landscapes and scenic beauty"*. As the application site

adjoins a special landscape area views into and out of the application site need to be appraised with any potential negative impact of any future development assessed.

Core Policy 57 *"requires a high standard of design in all new developments. of particular relevance to householder extensions is paragraph (iii) which requires development to respond positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting"*

The application site lies within a Special Landscape Area therefore due consideration has to be given to any development that may adversely impact upon the scenic quality of the special landscape designation.

The applicant seeks to erect a garage and store with first floor accommodation to be utilised for family members and guests. The garage would extend over a footprint of 123m2 with a ridge height of 7m and officers acknowledge the generous mass of the building and consider that it is on the upper end of acceptable additions. However, given the generous extended curtilage of the application site, with the building sitting subserviently to the host dwelling, on balance officers consider it acceptable with the proposed addition appearing commensurate to the plot.

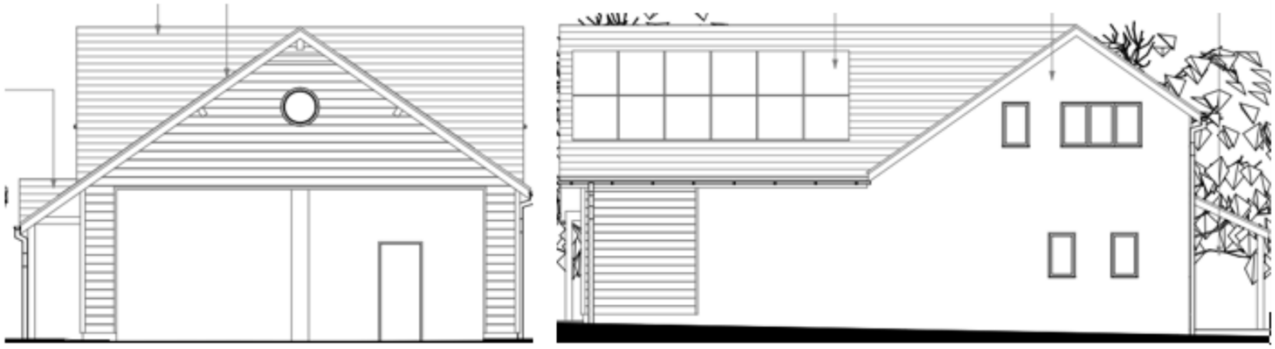


Google Earth image of the application site

The Parish Council and the Local Authority Highways officer have both raised concerns that the building could at some point in the future become a standalone dwelling, however a condition would be added to ensure that the proposed building would remain as ancillary to the host dwelling and remain within the same planning unit as the main dwelling. 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.

The front elevation would consist of a gable end with garage doors inserted and the roof would extend to pitched roof side elevations. The applicants propose the use of render to match the host dwelling with some timber cladding detail and roof tiles to match the host dwelling. The insertion of some solar panels on the roof is also supported. The applicant seeks to extend the existing drive from the front elevation of the host dwelling, along the eastern boundary to access the

proposed building and the existing gravel drive would be replaced with a light-coloured stone composite alternative, which would appear similar in appearance to the existing.



Proposed front (south) and side (east) elevation

The use of matching materials, render with matching roofing materials and matching fenestration to the host dwelling, would ensure the proposal would integrate into the surrounding setting and existing street scene. It is considered that the proposed addition would by virtue of its height, scale and design constitute a complementary addition to the host dwelling that would appear commensurate to the size of the property and plot. The development would therefore comply with Policy CP57 of the WCS.

It is considered that the proposal would not detrimentally impact the wider much valued landscape character of the special landscape area, as any additional form would be erected within the built envelope of the application site. It is therefore considered to comply with CP51 of the adopted Wiltshire Core Strategy.

Impact on Neighbouring Amenity

Core Policy 57 of The WCS states that applications for new development must be accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire through having regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing, vibration, and pollution (e.g. light intrusion, noise, smoke, fumes, effluent, waste or litter)

All windows proposed would look out over the applicant's private gardens to all elevations, however officers acknowledge that this revised proposal seeks to insert windows at first floor on the east elevation that faces the adjacent neighbours at No.1 and No.1a Clearwood therefore officers need to assess any potential overlooking to those neighbours.

Officers have assessed the separate distances between the proposed outbuilding and the adjacent neighbours to the east, and the distance to No.1Clearwood sits at 38m and No.1a Clearwood sits at 30m. The Council's preferred 'general rule of thumb' would be of 21 metres between habitable windows of adjacent properties and 10.5 metres between first floor habitable windows and neighbour's gardens (this approach has been accepted as good practice by the

Planning Inspectorate). Therefore, given the extended separation distances between the adjacent buildings, and the intervening public highway and boundary treatments, officers raise no concerns in relation to adverse overlooking

Due to the detached nature of the building with extended separation distances to any neighbouring properties no concerns are raised in relation to overbearing or overshadowing that would be introduced by the garage annex building.

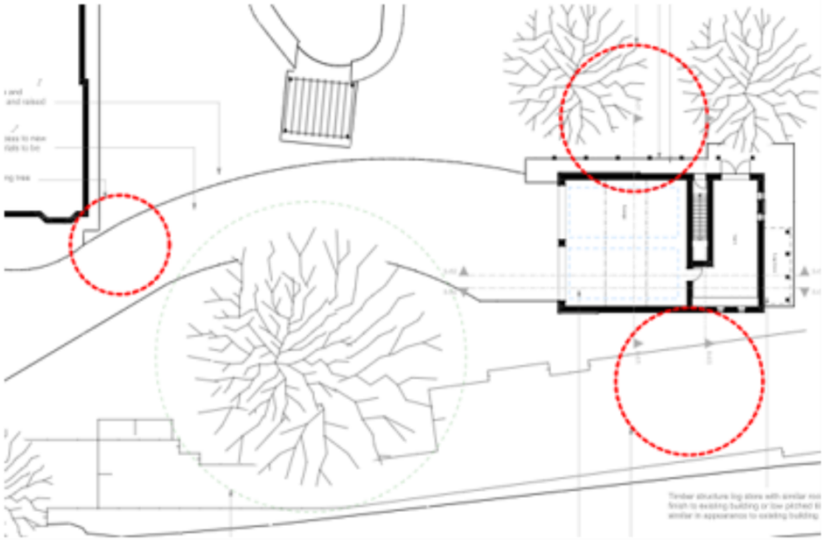


Plan insert illustrating the separation distances to the properties to the east.

Given the scale of the development proposal, it is considered that the proposed development would not result in unacceptable loss of light, overlooking, overshadowing and would not have an overbearing impact upon neighbouring properties. For these reasons, the development proposals would comply with Policy CP57 of the adopted Wiltshire Core Strategy

Highways Impact

Impact on parking provision – Core Policy 64 (Demand Management) seeks to manage the demand for vehicle parking and confirms that residential parking standards are to be based on minimum parking standards. In order to comply with the Wiltshire Local Transport Plan 2011 – 2026: Car Parking Strategy (March 2015) three on-site car parking spaces would be required for a 4+ bed dwelling (standard min. size 2.4m x 4.8m).



Plan insert of proposed extended drive

The proposed garage would provide parking provision for two cars and the extensive driveway would provide adequate off-road parking provision for several cars. The Local Authority Highway officer was consulted on the proposed scheme and wished to offer no objections, subject to the building remaining ancillary to the host dwelling.

The proposal retains the existing access and would not give rise to significant harm in terms of highway safety. As such the proposal accords with policies CP60, CP61 and CP64 of the Wiltshire Core Strategy and Paragraph 111 of the NPPF.

Ecology
This proposal falls within the Bath and Bradford on Avon Special Area of Conservation for bats and the host dwelling falls within the buffer zone of an ancient woodland therefore due consideration has to be given to the potential disturbance of any bats because of the proposed development.

Given that the development relates to erection of an outbuilding however the erection of the proposed building is not anticipated to disrupt any habitat. Therefore, no concerns are raised in relation to any adverse ecological impacts to be introduced by the proposed scheme and the proposal meets the requirements contained in policy CP50 of the WCS.

However, as a precautionary measure an informative would be added to any decision that in event any evidence of bat activity is detected that the applicant should follow the advice of a professional ecologist or contact Natural England.

Flood Risk
The application site does not lie within any flood zone so does not trigger a consultation with the Environment Agency, however the application site lies within an area with a risk of surface water flooding, which gives rise to concern over ground water and surface water flooding. Officers also acknowledge that the proposed driveway material would not provide similar drainage benefits to the existing loose gravel.

Therefore, as a precautionary measure flood standing mitigation measures would be conditioned to ensure the development would be free from flooding as outlined in Paragraph 167 of the NPPF 2021. No development shall commence on site until a scheme for the discharge of surface water from the site including surface water from the access and extended driveway, incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority.

Trees
Officers acknowledge that the proposed development would lead to the loss of a couple of small trees which could lead to loss of habitat, however the application site benefits from a number of mature specimens that line the boundary and sit within the development area. The arboricultural officer was consulted on the proposed scheme and wished to offer no comments.

RECOMMENDATION: Approve with conditions

Conditions: (4)

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 and documents:
Location and Site Plan DWG No 2236.03.01
Existing Ground Floor Plan DWG No 2236.03.02
Existing First Floor Plan DWG No 2236.03.03
Existing Sections S01 & S02 DWG No 2236.03.04
Existing South and West Elevations DWG No 2236.03.05
Existing North and East Elevations DWG No 2236.03.06
Existing Site Layout DWG No 2236.03.08
Proposed Ground Floor Plan DWG No 2236.03.09
Proposed First Floor Plan DWG No 2236.03.10
Proposed Garage Sections S01 & S02 DWG No 2236.03.11 Rev A
Proposed South and West Elevations DWG No 2236.03.12 Rev A
Proposed North and East Elevations DWG No 2236.03.13 Rev A
Proposed Site Plan DWG No 2236.03.15
All Plans Received 09.06.2023

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

3 The accommodation hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling, known as 6 Clearwood, and it shall remain within the same planning unit as the main dwelling.

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.

4 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 brought into use until surface water drainage has been constructed in accordance with the approved scheme.

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

Informatives: (1)

5 If bats or evidence of bats are found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or to contact Natural England's Bat Line through the internet.