BRIMBLE LEA

Chartered Planning Consultants & Architects
Unit 3 Kingsmead Business Park, Shaftesbury Road, Gillingham, Dorset SP8 5FB
Tel: 01747 823 232
blp@brimblelea.com www.brimblelea.com

Wiltshire Council
Development Management
County Hall
Bythesea Road
Trowbridge
BA14 8JN

Our Ref: 23068
Your Ref: ENF/2022/00935

31st July 2023

Sent Via Planning Portal Only

Dear Sir/ Madam,

RE: The Coach House, 5c Ash Walk, Warminster, Wiltshire, BA12 8PY

Further to my previous correspondence with Mark Williams (Planning Enforcement Officer) regarding ENF/2022/00935, please find enclosed retrospective applications for *householder planning permission and listed building consent*, sent on behalf of our client, ***Ms Kris Massey,*** for the retention of a lightweight canopy porch extension and new fencing at ***The Coach House, 5c Ash Walk, Warminster, Wiltshire, BA12 8PY.***

The following documents are provided to support these applications:

- Completed Householder Planning & Listed Building Consent Application Form
- Covering Letter & Design, Access, Heritage & Planning Statement (23068)
- 23068-1 (Existing Site Survey, Plans and Sections)
- 23068-2 (Location Plan)
- Site Photographs (23068)

The requisite application fee of £270.00, including the £64 Planning Portal fee, has been paid directly via the Planning Portal.

PLEASE NOTE:
In answer to the questions outlined under the ***'Description of Proposed Works'*** on the ***Application Form***, please note that the dates that the works started and were completed are unknown, as they were carried out before our client purchased the property. These parts of the application form have therefore been left intentionally blank, and do not form a reason for invalidating our applications.

DESIGN, ACCESS, HERITAGE & PLANNING STATEMENT (23068)

1.0 PLANNING POLICY CONTEXT

Development Plan

1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 (as amended) require Local Planning Authorities to determine Planning Applications in accordance with the Development Plan unless material considerations indicate otherwise.

1.2 The Wiltshire Core Strategy (2015), policies:

- CP1 (Settlement Strategy)
- CP57 (Ensuring High Quality Design & Space Shaping)
- CP58 (Ensuring the Conservation of the Historic Environment)
- CP62 (Development Impacts on the Transport Network)
- CP67 (Flood Risk)

1.3 **National Planning Policy**

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

2.0 RELEVANT PLANNING HISTORY

- **16/07604/FUL** - Conversion of redundant Coach House to a two-bedroom dwelling and associated external works – Approved with conditions 02/11/2016.

- **16/07965/LBC** - Conversion of redundant Coach House to a two-bedroom dwelling and associated external works – Approved with conditions 02/11/2016.

- **19/08531/FUL** - Conversion to 3 dwellings (5 Ash Walk) – Approved with conditions 07/11/2019.

- **19/08913/LBC** - Conversion to 3 dwellings (5 Ash Walk) – Approved with conditions 07/11/2019.

- **PL/2022/09685** - Amendments to ground floor layouts and alterations/repositioning of external openings (5 Ash Walk) – Approved with conditions 16/02/2023.

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3.0 PLANNING MERITS OF THE PROPOSED DEVELOPMENT

Principle

3.1 The works proposed relate purely to external alterations to an existing residential dwelling, permitted under permissions 16/07604/FUL and 16/07965/LBC. The site also lies within the development limits of Warminster. The principle of development is therefore acceptable and accords with the provisions of Policy CP1 of the Wiltshire Core Strategy (2015).

Heritage Statement/ Assessment

3.2 This statement has been prepared having regard to Chapter 16 of the National Planning Policy Framework and associated Planning Practice Guidance, Policy CP58 in the adopted Local Plan, Historic England's Advice Note 12 and the Wiltshire Historic Environment Record.

Significance of the Heritage Asset:

3.3 5 Ash Walk is a Grade II listed building and the official listing for the property (first made on 31/03/1978), taken from Historic England's records, is set out below:

"2. The Old Police Station. Formerly a pair of houses. Early C19. 2 storeys. Ashlar Bath stone. Projecting plinth and let floor string. Flat eaves. flipped slate roof with central ashlar chimney. Each half of front has a slight break to central bay. Glazing bar sash windows, 6 single hung 1st floor, 5 on ground floor (originally 4) and modern door in centre bay of right hand part. The windows in projecting bay are narrower (2 panes wide). Dwarf stone wall with rounded capping and 2 pairs of small gate piers to the road. Stable block detached at rear. Listing NGR: ST8708845181".

3.4 '*The Coach House'* is the detached rear *'stable block'* referred to at the bottom of the above listing.

3.5 It should be noted that no specific references are made to any special external or internal features/ characteristics of the stable block, other than it is detached and at the rear, whereas the features of 5 Ash Walk are described in detail.

3.6 Before *The Coach House* was converted into a residential dwelling it was used for storage in association with the use of 5 Ash Walk as offices (which are now being converted into 3 residential dwellings – see planning history section above).

3.7 5 Ash Walk is a Grade II Listed Building, and The Coach House, whilst not being designated in its own right, is deemed to be a curtilage listed building given its historic association/ connection with 5 Ash Walk, and its specific mention within the above listing description. The site is also located within the Warminster Conservation Area.

3.8 The external alterations proposed (retrospective) to The Coach House under these applications relate to the erection of a modest lightweight canopy porch extension on the front elevation, and the erection of boundary fencing, as shown upon the plans and relevant site photographs provided.

Impact on the significance of the Heritage Asset:

3.9 Whilst The *'Coach House'* is mentioned at the bottom of the official listing as being the detached rear stable block (see paragraph 3.3), it should be noted that no specific references are made to any special external or internal features/ characteristics of the stable block, other than it is detached and at the rear of 5 Ash Walk.

3.10 The planning case officer's report for listed building consent 16/07965/LBC confirms that *"The proposals have been negotiated with a view to ensuring that the heritage asset is not harmed whilst providing for bringing the structures back into functional use as a functional dwelling for the applicant. The issue of the principle of the change of use is addressed in the separate full planning application but, from the heritage perspective, the conversion and ongoing use of the* building would contribute to ensuring their ongoing preservation in the future".

3.11 The Council has therefore accepted that the use of the building as a residential dwelling is acceptable from a heritage perspective, and as such it must be accepted that certain alterations are necessary in order for the building to function as a dwellinghouse. In our view, it is not unreasonable for the owner of the property to expect their privacy to be retained, or for there to be a porch available for accessing their front door during periods of incremental weather.

3.12 The canopy porch erected has a lightweight and traditional design that incorporates the use of natural materials (timber and slate) that responds positively to the existing design features and appearance of the existing building, picking up on the use of natural slate and the pitched roof design of the existing dormer window, as shown in the site photographs provided on the next page.

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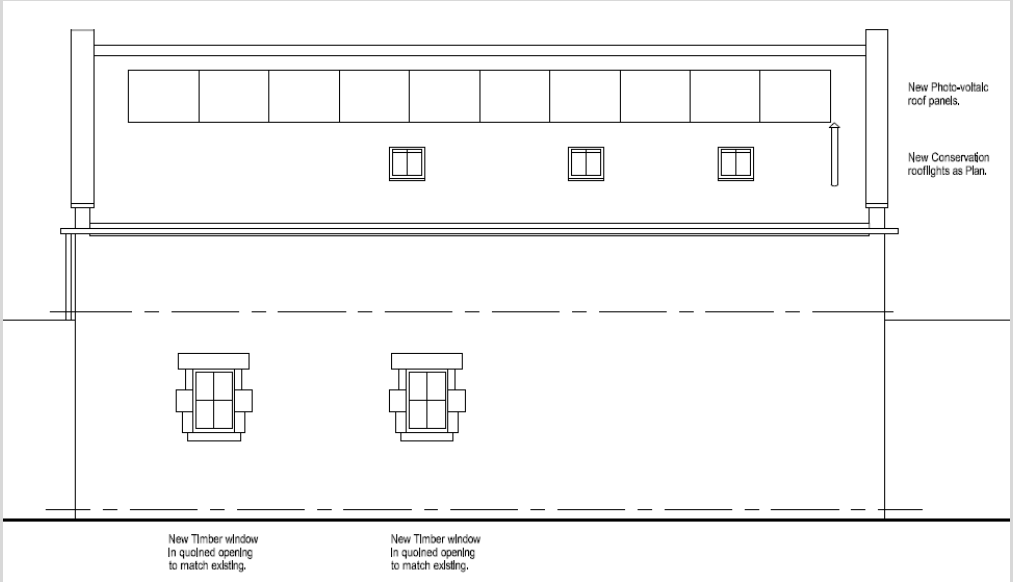
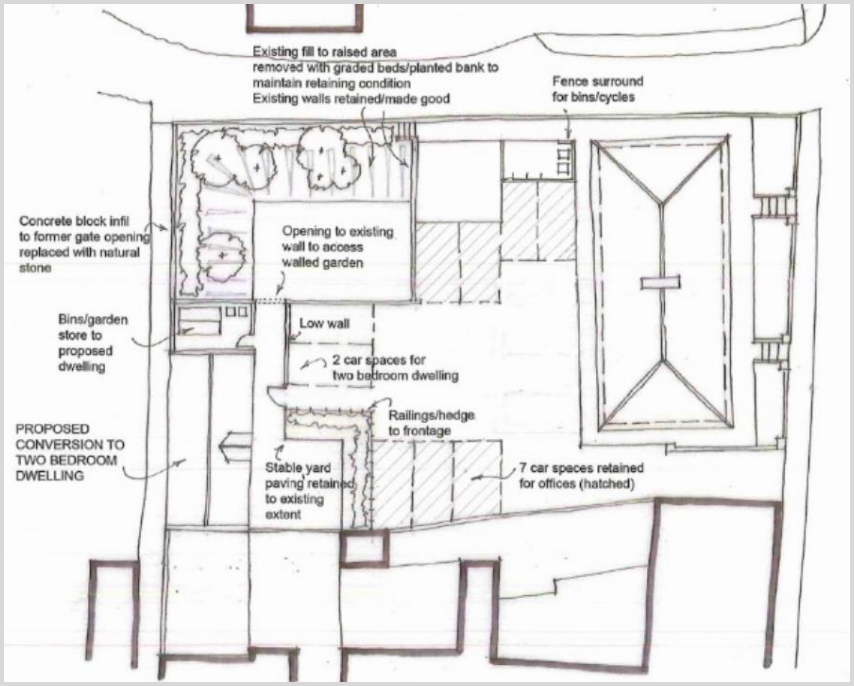
3.13 The approved elevations for listed building consent 16/07965/LBC include solar panels on the roof of the converted stables, which are generally frowned upon by Conservation Officer's. It is therefore accepted that such 'domestic' treatments, to allow for the residential occupation of this property, are necessary and indeed reasonable in planning and conservation terms. The solar panels approved are shown in the below plan extract, taken from approved drawing number 216029/11:



3.14 Turning to the impact of the proposed boundary treatments, the original planning permission and listed building consent permitted boundary treatments that sub-divide The Coach House from 5 Ash Walk, as such the principle of the sites sub-division is not in dispute here.

3.15 However, the previous permissions permitted the erection of *'railings/ hedge'* (with no defined height parameters) and the retention of low boundary walls, as shown by the below plan extract, taken from Drawing No. 216029/01A (Site Block Plan as Proposed) from listed building consent 16/07965/LBC:



3.16 Instead of the railings/ hedge, the previous owner of The Coach House, 5c Ash Walk, erected boundary fencing on top of the existing low walls, which can be seen in the site photograph provided below, and the other photographs provided under the *'Residential Amenities'* section:



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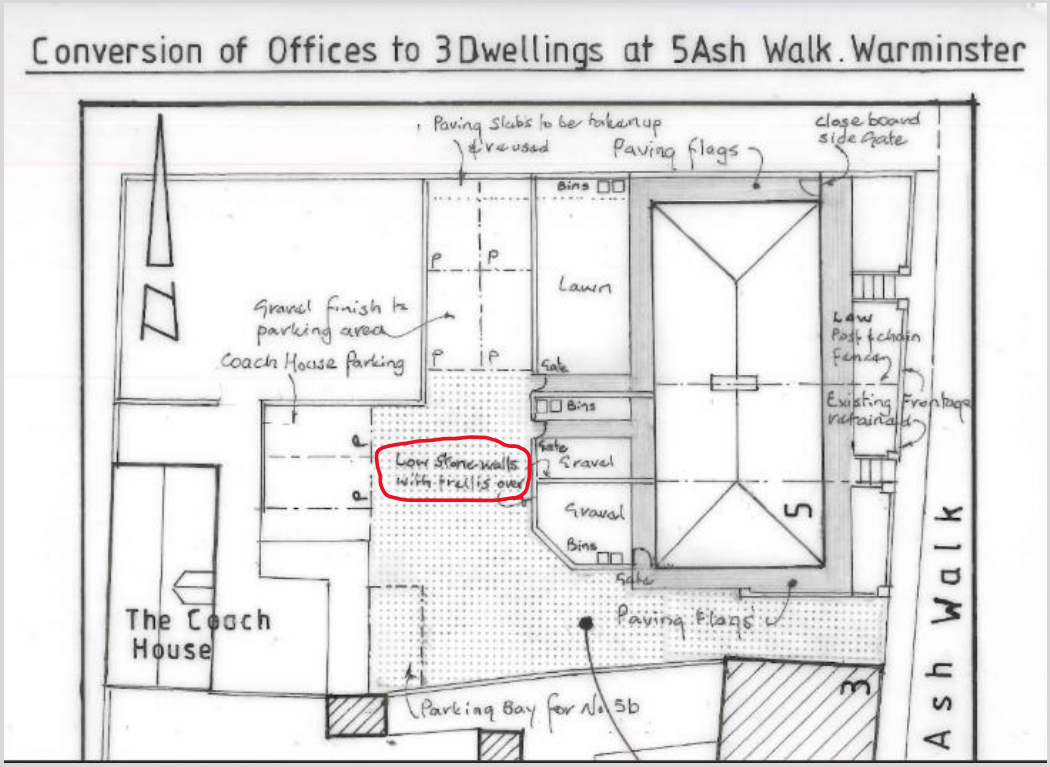
3.17 Given that the principle of the sub-division of The Coach House from 5 Ash Walk has already been approved/ established under the original permissions (as confirmed under paragraph 3.14), the key issue here comes down to the choice of boundary treatment and its visual impact.

3.18 Firstly, it must be emphasised that trellis fencing has already been approved as the relevant boundary treatment for the conversion of 5 Ash Walk to 3 dwellings, as part of permission PL/2022/09685 (see history section above). An extract from the approved 'site location plan' is provided below, which shows this approved boundary treatment:



3.19 Given that trellis fencing has already approved within the curtilage of this designated heritage asset (5 Ash Walk), there is no disputing that boundary fencing is an appropriate means of enclosure, and is consistent with the wider boundary treatments approved on this site.

3.20 It would therefore appear contradictory to enforce that the applicant take down the current fences and erect railings, which were not considered necessary to enclose the principle listed building/ designated heritage asset, which has a stronger degree of protection in terms of its listing.

3.21 Having regard to the above assessment, it has been demonstrated that the proposed development will preserve the character, appearance and significance of the curtilage listed building, and the setting of the listed building at 5 Ash Walk and the Warminster Conservation Area, in accordance with the provisions of Policy CP58 of the Wiltshire Core Strategy (2015) and Part 16 of the NPPF.

Character & Appearance

3.22 Having regard to the assessment provided above, it is considered that the proposed external alterations proposed will preserve the character and appearance of the existing curtilage listed building and the wider Warminster Conservation Area, in accordance with the provisions of Polices CP57 and CP58 of the Wiltshire Core Strategy (2015) and Parts 12, 15 and 16 of the NPPF.

Residential Amenities

3.23 Given the siting, design and layout of the development proposed and the separation distances to the nearest neighbours, it is considered that the development will not create any adverse harm to the residential amenities of neighbours.

3.24 The works proposed have enhanced the residential amenities enjoyed by the occupier(s) of The Coach House, as the fencing erected has created a private courtyard area and garden that, without the boundary fencing erected, would be completely overlooked by the new dwellings being created at 5 Ash Walk, and from adjoining neighbours, as shown by the below site photographs:





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3.25 The original planning permission and listed building consent included a set of metal railings/ hedge (with no defined height parameters) as the approved boundary treatment, around the current courtyard area, and the low walling around the side garden was to be retained, as shown by the plan extract provided under paragraph 3.15 above.

3.26 The previously approved boundary treatments would not address the overlooking generated by 5 Ash Walk, which has now been given consent to be converted into 3 residential dwellings, given the very close proximity of the amenity areas belonging to The Coach House. You can see from the above photos that views through the trellis fencing are currently available, so the railings would not have addressed the occupier's rights to retain their privacy from overlooking.

3.27 The new canopy porch erected has also enhanced the residential amenities of the occupiers of The Coach House, as it now provides them with the ability to access their property during incremental weather.

3.28 The residential amenities of the occupiers of the dwelling have been significantly improved by the works, which also preserve the residential amenities of neighbours. As such, the proposal complies with Policy CP57 of the Wiltshire Core Strategy (2015).

Highway Safety

3.29 The proposal includes no alterations to parking or access arrangements.

3.30 The proposal will preserve highway and pedestrian safety in accordance with Policy CP62 of the Wiltshire Core Strategy (2015).

Flood Risk

3.31 The site is located within Flood Zone 1 (lowest flood risk) and the development will not pose a threat to flood risk as surface-water drainage has been suitably accounted for within the design and layout of the scheme. As such, the proposal complies with the provisions of Policy CP67 of the Wiltshire Core Strategy (2015).

Ecology

3.32 The works proposed have no ecological implications and have already been carried out.

3.33 The proposal therefore complies with the provisions of Policies CP50 and CP51 of the Wiltshire Core Strategy (2015).

4.0 CONCLUSION

4.1 The above assessment sets out how the development proposed complies with relevant material planning considerations, and I therefore trust that planning permission and listed building consent will be granted.

4.2 Should you have any further queries in respect of this proposal, please do not hesitate to contact me. Otherwise, I would be grateful if the allocated planning case officer could provide me with feedback after the consultation period has ended, and before a recommendation/decision is made.

Yours sincerely,

J. U'Dell

James U'Dell
Planning Consultant
BRIMBLE LEA
james.udell@brimblelea.com
01747 82 32 32