CASE OFFICER'S REPORT

Application Reference:	PL/2023/06020
Application Type:	Householder planning permission
Site Inspection:	
Consultation ends:	17 August 2023
Case officer:	Meredith Baker

Site Address:	Apple Tree Cottage, Rivar Road, Shalbourne, Marlborough, SN8 3PU
Proposal:	Formation of swimming pool and erection of pool house
Recommendation:	Approve with Conditions

Planning Policy

National Planning Policy Framework 2021 (NPPF)

Section 12 (Achieving well-designed places)
Section 15 (Conserving and enhancing the natural environment)
Section 16 (Conserving and enhancing the historic environment)

Planning Practice Guidance (PPG)
National Design Guidance

Wiltshire Core Strategy (WCS):

Core Policy 51 Landscape
Core Policy 57 Ensuring High-Quality Design and Place-Shaping
Core Policy 58 Ensuring the conservation of the historic environment

Other documents

North Wessex Downs Area of Outstanding Natural Beauty Management Plan 2019-2024
Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990
Section 85 of the Countryside and Rights of Way Act 2000
Shalbourne Conservation Area Statement

Relevant Planning History:

PL/2023/04273– 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.- Granted 13.07.2023

PL/2023/02597 – Change of use from agricultural to residential use /garden – Withdrawn

PL/2022/09328 – Change of use from agricultural land to domestic use (garden – Refused 02.02.2023

PL/2022/06354 – Change of use of agricultural land to domestic use (garden) – Withdrawn

21/01789/FUL - Erection of a 2-bay garage with store and first floor office – Granted 22.04.2021

20/07052/FUL - Erection of single storey side extension, and erection of a 2-bay cartshed. Felling of 2 no. trees. – Granted 07.12.2020

13/06690/FUL – Change of use agricultural land to domestic garden- Granted 04.02.2014

Consultation Responses

None received.

Representations

None received.

Application Site and Proposal

The application site comprises the residential plot of Apple Tree Cottage, which includes the land permitted as residential under planning references 13/06690/FUL and PL/2023/02597. The application site lies within the setting of the Shalbourne Conservation Area which lies to the north (and includes the dwelling in association with this application – Apple Tree Cottage). The site is also washed over by the North Wessex Downs Area of Outstanding Natural Beauty.

The proposal seeks planning permission for the formation of a swimming pool and the erection of a single storey pool house located to the south of the existing dwelling, and is to be situated within the land permitted for residential under reference PL/2023/02597.

During the course of the application an amended site plan was submitted at the request of the Case Officer. The hedgerow was amended in siting to the permitted siting under planning reference PL/2023/02597 (on the boundary line).

ASSESSMENT

Design and Visual Impacts

Core Policy 51 of the WCS requires development to protect, conserve and where possible enhance landscape character and negative impacts must be mitigated where possible through sensitive design and landscape measures. Core Policy 57 states development is expected to create a strong sense of place through drawing on the local context and being complimentary to the locality and must, amongst others, relate positively to its landscaping setting.

The proposed development is to be sited within the already permitted residential land extension under reference PL/2023/02597. The principle of incidential structures within residential plots is acceptable.

The proposed swimming pool would be set within the ground and therefore by virtue of the hedgerow planting required (under PL/2023/02597) and the pool house/hedge now being proposed, this element would not be prominent from any public vantage points. The swimming pool scale is sensitive to the

site, and whilst would have been preferred to be sited within the existing residential plot rather than the recent permitted extension, this is not a harmful siting as to raise an objection.

Regarding the pool house, this would be a modest single storey building that would have a subservient relationship to the existing dwelling. Although would be pool house would reduce the space around the dwelling to the south, given the single storey nature and siting, this is considered acceptable in this instance and would not be harmful to the character and appearance to the area, street scene or the host building. The proposed beech hedging would further provide some screening on site from the eastern views. The proposed materials of feather-edged timber cladding walls and slate tiles are considered sensitive to the rural character of the area and would not be harmful materials to the immediate context. As such it is considered that the proposal is acceptable in terms of its design and visual impacts and would also not harm the special rural characteristics of the AONB, being incidential structures within a permitted residential land.

Impact on Heritage Assets

Local Authorities are required by Section 72 of the Planning (Listed Buildings and Conservation Area) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas and the setting of listed buildings respectively when considering development proposals that affect the setting or views into it. This is locally reflected within Core Policy 58.

The application site does not lie within the Shalbourne Conservation Area however lies within the immediate setting of this designation (to the north). As assessed above the proposal by virtue of its design and siting would not give rise to demonstrable harm to the landscape or the host dwelling and it is not considered that any harm would occur to the character and appearance of the Conservation Area and would preserve its existing appearance. In particular noting that the proposal would be contained within the previously permitted residential plot and will be viewed with the permitted garage, if built out.

It is therefore considered, having regard to the points made above, that due regard has been given to the statutory duties set out within Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as the requirements of the National Planning Policy Framework (2021) and Policies 57 and 58 of the Core Strategy.

Neighbour Amenity

Core Policy 57 of the WCS requires a high standard of design in all new developments and that development has regard to the compatibility of adjoining buildings and uses and the amenities of existing occupants including the consideration of noise issues.

The proposed swimming pool and pool house is located to the southern side of the dwelling with no immediate neighbouring properties, whereby there is an intervening agricultural field to the dwelling to the south. Given the siting of the swimming pool and pool house and the single storey nature of the pool house there would be no adverse impacts in terms of overbearing effect, loss of outlook, overshadowing or loss of light to any neighbouring amenities. Whilst the swimming pool use may result in additional noise pollution on site, this is a personal residential use within a residential plot and therefore would not give rise to such harmful noise pollution as to justify an objection. The proposal is therefore acceptable in terms of its impacts upon neighbouring amenities.

RECOMMENDATION:

Approve with conditions.

Conditions: (2)

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:

Application Form
Covering Letter/Design and Access Statement
Location Plan - Drawing Number: 200148-01
Proposed Site Plan - Drawing No. 200148-131 Rev B
Pool House Design Scheme - Drawing No. 200148-132 Rev A

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