**CASE OFFICER'S REPORT**

**Application Number:** PL/2023/05262

**Address:** CHURCH COTTAGE, DONHEAD ST MARY, SHAFTESBURY, SP7 9DQ

**Proposal**: Removal of existing garage and erection of ancillary outbuilding

**Date of Inspection:**
N/A
**Consultation Expiry:**
29/08/23
**Press Advert:** N/A

**POLICIES**
**National Planning Policy Framework and the NPPG**

Wiltshire Core Strategy
Core Policy 1: Settlement Strategy
Core Policy 2: Delivery Strategy
Core Policy 24: Spatial Strategy: Southern Wiltshire Community Area Core Policy 57: Ensuring high quality design and place shaping
Core Policy 58: Ensuring the conservation of the historic environment Core Policy

**Planning (Listed Building and Conservation Areas) Act 1990**
Section 72

**REPRESENTATIONS** :

Donhead St Mary Parish Council – No objection

Conservation – No objection, subject to conditions

Archaeology – No objection

Third Party Comments **–** None received

**Assessment**

- Principle
- Scale, design and impact on the character and appearance of the area
- Impact upon a Heritage Asset and the setting of a Listed Building and the Conservation Area
- Impact on neighbouring amenity
- Archaeology

**Scale, design and impact on the character and appearance of the Conservation Area and setting of a Listed Building**

The NPPF outlines government policy, including its policy in respect of the historic environment. Section 16 of the NPPF 'Conserving and enhancing the historic environment' sets out the Government's high-level policies concerning heritage and sustainable development. Paragraphs 201-3 of the NPPF require a balanced approach with any harm which would be caused being weighed against the potential public benefits which might be achieved. Paragraph 197 requires local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and of new development making a positive contribution to local character and distinctiveness.

National Planning Practice Guidance provides guidance on interpreting the NPPF.

The Council's Core Strategy Policy CP58 'Ensuring the conservation of the historic environment' requires that "designated heritage assets and their settings will be conserved, and where appropriate enhanced, in a manner appropriate to their significance." It is also required that distinctive elements of Wiltshire's historic environment, including non-designated heritage assets, which contribute to a sense of local character and identity will be conserved, and where possible enhanced.

Wiltshire Council's Core Strategy Policy CP57 'Ensuring high quality design and place shaping': 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 strong sense of place through drawing on the local context and being complementary to the locality.

The Council's Core Strategy CP 57: Ensuring high quality design requires a high quality of design in all new developments. Proposals are required to "demonstrate how the proposal will make a positive contribution to the character of Wiltshire through (amongst other things) "enhancing local distinctiveness by responding to the value of the natural and historic environment, relating positively to its landscape setting and the existing pattern of development" and "responding 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."

Historic England Advice Note 2 – Making changes to Heritage Assets illustrates the application of policies set out in the NPPF in determining applications for PP and LBC.

Church Cottage is a detached residential grade II listed building, which boasts a substantial sized plot and is sited close to St Mary's Church – a grade I listed building. The assets are also within the Donhead St Mary conservation area.

The application seeks approval to replace the existing dilapidated garage/outbuilding to the rear with a new outbuilding, with pitched roof, to provide ancillary accommodation.

Although larger in scale, the proposed ancillary outbuilding is not considered to be of an excessive scale and is of a sympathetic design for a such a setting. In addition, outbuildings are common within such large plots and given the overall size of the residential curtilage, the addition would sit comfortably and still appear subservient to the main dwellinghouse.

The proposed rear position ensures the structure is not overbearing or visual prominent from the public realm, but as it would be located upon the existing footprint of the garage present on site it will retain its relationship with the main house.

The overall design is complimentary to the host dwelling and the wider locality, and the materials proposed are considered to be appropriate for the character and appearance of the Conservation Area along with being suitable for the setting of the Heritage Asset.

The Councils Conservation officer was consulted on the proposal and raised no objection and provided the following comment:

*From the point of view of the historic environment the main statutory tests are set out within the Planning (Listed Building and Conservation Areas) Act 1990. Sections 16 (LBC) and 66 (PP) require that* ***special regard*** *be given to the desirability of preserving listed buildings, their settings or any features of special architectural or historic interest which they possess.*

*Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 also requires the Council to pay* ***special attention*** *to the desirability of preserving or enhancing the character or appearance of designated Conservation Areas*

*Church Cottage is a grade II listed building, sited close to St Mary's Church – a grade I listed building. The assets are also within the Donhead St Mary conservation area.*

*The existing garage is a detached structure to the rear of the cottage, located centrally in the garden.*

*Free-standing structures within the grounds of listed buildings, if pre-dating July 1948 could be covered by the listing of the principal dwelling (ie curtilage listed). The D&A statement tells us that this is a post 1948 structure which the photos substantiate. As such, the structure is not curtilage listed but is within the setting of Church Cottage and the church.*

*The existing structure is visually unattractive with a mono-pitched corrugated iron roof. It is shabby and utilitarian in appearance.*

*The proposal is to convert it into an annex. A first floor would be added, facilitated by the introduction of a pitched roof.*

***Issues**: impact on the conservation area, impact on the setting of two heritage assets (cottage and church)*

***Information considered/provided**: Paragraph 194 requires that applicants describe the significance of any heritage assets affected, including any contribution made by their setting. This includes conservation areas which are heritage assets. In this particular case, there is no such assessment.*

*However, paragraph 195 also provides for the local planning authority to make its own assessment of impact and the following heritage recommendations are offered on this basis.*

***Assessment**: of proposals including their impact on the special interest of the building/conservation area and any harm which will occur via loss of historic fabric, scale, bulk (etc as appropriate). Also, any benefits.*

*The proposals would improve the appearance of a shabby uninteresting building and would offer some enhancement to the setting of the church, cottage and the conservation area. As such, the proposals are in accordance with Sections 66 and 72 of the Planning (LBCA) Act.*

The overall design, position and use of materials are welcomed and would sit sympathetically alongside the Heritage asset, its setting and the setting of the Neighbouring Grade I Listed Church, with no negative visual impact from the streetscene preserving the overall character and appearance of the Conservation Area. Therefore, the proposal is considered to comply with Core Policies 57 & 58.

**Impact upon Residential Amenities**

Policy CP57 also states:

*vii. 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 (such as light intrusion, noise, smoke, fumes, effluent, waste or litter)*

Due to the plot size, and proposed position, such an outbuilding is not considered to pose any harm in terms of being overly dominant or overbearing. The building would be well stepped back from the shared boundary with number Clebe Cottage and St Marys Church.

The proposal has been designed to ensure there would be no windows which could provide an outlook upon the neighbouring residential property – Clebe Cottage, with the West Elevation

incorporating rooflights only. These will provide light only and with the position of the accommodation being towards the centre of the rear garden and with Clebe Cottage being stepped back again from the shared boundary, the proposal is not considered to pose any adverse effects in regard to potential overlooking or loss of privacy.

The Window proposed upon the East elevation will face towards the churchyard only with the North and South elevations facing towards the application site and its garden.

A condition can be placed upon any approval ensuring the outbuilding remained ancillary to the main house only.

Therefore, the proposal is considered to comply with Core Policy 57 in preserving residential amenities of any neighbouring properties.

**Archaeology**

Due to the nature of the site and proximity to St Marys Church the Councils Archaeologist was consulted on the proposal and provided the following comments:

*Church Cottage is a Grade II listed, late 17th-century, house that lies within the presumed extent of the historic settlement of Donhead St Mary, which is thought to have Saxon origins. The Cottage lies immediately adjacent to the fine, Grade I listed, late 12th-century Church of St Mary. Church Cottage and its garage therefore lie within an area of archaeological interest. However, this application proposes the conversion of the existing garage to a guest annex entirely on the same footprint. On this basis, the below ground impacts are likely to be modest at best. I am therefore satisfied that it would not be proportionate in this instance to recommend an archaeological response to this proposal and no further action is therefore required as regards the buried archaeological heritage in relation to this application.*

**Conclusion:**

On balance, the proposal is acceptable and would not result in any adverse harm upon the overall character and appearance of the Conservation area or negatively impact the historic interest of the Heritage Asset itself and the neighbouring Grade I listed Church, which could warrant a refusal. The proposal is therefore considered to be in accordance with the NPPF, Core Policy 57, 58, Planning (Listed Building and Conservation Areas) Act 1990 Section 72.

**RECOMMENDATION: Approve, subject to conditions.**