DELEGATED REPORT

Application Reference:	PL/2023/01903
Application Type:	Householder Planning permission
Site Address:	7 PICKWICK, CORSHAM, SN13 0JD
Proposal:	Change of use to residential curtilage and retrospective Home Office/Garden Building
Recommendation:	Planning Permission be GRANTED

PROPOSAL

The application seeks change of use to residential curtilage and retrospective permission for a home/office garden building.

The proposal will see the creation of a single storey building with a footprint of 9m by 4.6m with a ridge height of 4.2m and eves height of 2.8m. The building is finished in redwood timber finish walls. The roof is finished in red Roman tiles, which match the existing main dwelling within the curtilage and other outbuildings.

The main dwelling is finished with red roof tiles and the other outbuildings within the curtilage are finished with red roof tiles.

The application was restarted following an amended description of development to incorporate the change of use of the area of land to residential curtilage.

SITE DESCRIPTION

No 7 is a detached two storey property facing the A4 road. The application site is boarded by two neighbouring properties, with the rear of the garden facing onto open countryside. The proposed outbuilding

There are no additional constraints in terms of conservation, ecological and heritage constraints.

POLICIES

Wiltshire Core Strategy 2015 (WCS)
Core Policy 1: Settlement Strategy
Core Policy 2: Delivery Strategy
Core Policy 57: Ensuring High Quality Design and Place Shaping

National Planning Policy Framework 2021 (NPPF)
Section 2: Achieving sustainable development
Section 12: Achieving well designed places

Corsham Neighbourhood Plan
CNP HE1: Design

MAIN ISSUES

- Principle of Development
- Scale and design
- Residential amenity

CONSULTATION

Corsham Town Council:

First consultation:
"Resolved: that, subject to the use of the building being ancillary to the main dwelling and the materials (especially the roof tiles) being in keeping with the vicinity, no objection be raised."

Second consultation:
"That, subject to the use of the building being ancillary to the main dwelling and the materials (especially the roof tiles) being in keeping with the vicinity, no objection be raised."

REPRESENTATIONS

One representation received. It is summarised below and available in full on the Council's website. Main issues raised:

- States that the building can be seen from Middlewick Lane, the A4 (near 17 Pickwick), Priory Lane and Hartham Lane.
- States they would normally object to development north of the A4, requests a condition making it clear that the proposed building can only be used in conjunction with the main building.
- Suggests that a condition that the materials to be used should be in keeping with the surrounding area, use of stone or grey slate.

No representations received under the restarted application process.

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. The National Planning Policy Framework (NPPF) and the Corsham Neighbourhood Plan are material planning consideration. Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations.

Principle of Development

Decisions on planning applications are made in accordance with the policies contained in the Wiltshire Core Strategy and government guidance.

The principle of domestic extensions, alterations and/or outbuildings within the curtilage of existing dwellings is established as acceptable. However, the detail of the proposals must also be considered against other policies within the development plan.

Based on satellite imagery it would appear that the land upon which the outbuilding is to be placed was until recently not readily identifiable as a domestic garden – it being distinctly different in appearance and character from the formal garden area closer to the house, with items of various types being placed in the manner of a junk yard. There is no planning history suggesting that a change of use to garden had occurred. For that reason, the newly proposed outbuilding would not have been within a domestic garden.

In subsequent discussion the applicant has claimed that the area is part of the curtilage having been "tidied up" by the applicant. Indeed, the applicant has repeated in correspondence that the rear garden had this appearance due to renovation on the main dwelling. The applicant has also provided historic deeds showing the extent of the curtilage of the property. However, these deeds do not confirm the use of the land, rather they demonstrate that the land is simply within the applicant's ownership.

In light of the apparent inability of the applicant to prove the land is domestic garden, it was suggested that the description of development be amended to incorporate a change of use from the agricultural hinterland appearance of the area of the plot on which the development subject of this application is located. This was accepted by the applicant and to description of development duly altered.

In respect of the new outbuilding on the land, a condition will be attached to any subsequent decision notice tying the development to the main dwelling.

The principle of development is considered to be acceptable, however the detail must be considered against other policies within the development plan, as set out below.

<u>Change of use of land</u>

The land subject to this application is well related to the existing garden and is defined by an existing boundary treatment from the open countryside beyond. Indeed, the land is also contiguous with the domestic garden to the adjoining properties.

For these reasons, the change of use of the land to domestic garden is not considered to result in an unacceptable impact on the character and appearance of the locality and the wider landscaped.

For the same reasons, it is not considered necessary to make use of a planning condition which removes permitted development rights.

<u>Scale and design of outbuilding</u>

WCS Core Policy 57 requires development to respond positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, elevational design, materials amongst other things. Sections 12 of the NPPF expects a good standard of design.

The resulting proposal will have a height of approximately 4.2m at ridge and 2.8m at the eves. The proposed development has been partially constructed. The proposal in this instance while a new development is of both a typical appearance and form for an ancillary residential structure.

The scale of the proposal is of a modest proportion and is not considered to result in an overwhelming addition to the curtilage. The quantum of development in this instance is not considered to result in an overwhelmed development of the plot.

The comment from the Town Council and representation are noted. While the proposal, would potentially be visible from the immediate fields and wider area, it is a building of typical appearance and will always be within the context of the established buildings with the visual appearance softened by intervening established planting and for that reason is not considered to be unacceptable out of character.

The buildings material palette of timber cladding reads as a typical ancillary building. Again, the comment from the representations are noted, specifically regarding the roof tiles which have been utilised. While it is noted that the general roof finish used is slate or stone the use of red roof tiles in this instance is not considered to be unacceptable as red tiles have been used on other buildings within the curtilage.

In terms of scale and design the proposal is considered to comply with the requirements of CP 57 of the WCS and CNP HE1 of the Corsham Design Guide.

Residential amenity

Core Policy 57 states that development should have 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. Section 12 of the NPPF also states that planning decisions should create places with a high standard of amenity for existing and future users.

The proposal will see the creation of an additional single storey domestic outbuilding to the rear of of No 7 Pickwick. As a result of the proposal's location and significant distance between itself and neighbouring properties the proposal is not considered to result in an unacceptable impact upon the amenity of neighbouring properties in terms of overlooking, overshadowing and loss of privacy impacts.

To address the comments received during the proposal. A condition will be attached to any subsequent decision notice tying the annexe/outbuilding to the same planning unit as the main dwelling.

On balance it is considered that the proposal would not result in unacceptable impacts upon the amenity or living conditions of surrounding residential occupiers when assessed against CP57 of the WCS.

CONCLUSION

The proposal is considered to be acceptable in respect of size, scale and design. The development is not considered to impact unacceptably upon the character of the area, wider landscape, highways safety or on the living conditions of neighbours. The proposal is therefore in accordance with Core Policy 57 of the Wiltshire Core Strategy, Policy CNP HE1 of the Corsham Neighbourhood Plan and relevant sections of the National Planning Policy Framework.

RECOMMENDATION: That Planning Permission be GRANTED subject to the following conditions:

See decision notice