CASE OFFICER'S REPORT

Application Reference:	PL/2023/05635
Application Type:	Full planning permission
Site Inspection:	
Consultation ends:	05 September 2023
Case officer:	Stefan Galyas

Site Address:	178 & 179 High Street, Royal Wootton Bassett. SN4 7BZ
Proposal:	Proposed new driveway entrance with associated landscape alterations
Recommendation:	Refuse

Site Description

The application relates to both Nos. 178 and 179 High Street, Royal Wootton Bassett, both positioned on the eastern side of the highway and nearby the town centre of Royal Wootton Bassett. The highway acts as a direct access route into the settlement's centre, which provides a range of retail outlets, community facilities and public transport facilities. Both dwellings are afforded spacious plots, containing both front and rear garden amenity space. A grass bank abuts the eastern side of the road, separating the dwellings from the roadside. Both dwellings sit at slightly elevated positions in relation to the road. The site had previously used a brick boundary wall adjacent to the roadside, however, it appears from Google Street View that this wall has been removed. There is an Infant School positioned directly across the highway in relation to the site.

The northern site boundary is adjacent to a pathway which links the main road with flatted and other developments to the north and north-east of the rear of the site, known as The Maltings.

The site is located within the defined settlement boundary of Royal Wotton Bassett, identified by the Wiltshire Core Strategy as a Market Town.

Part of the site is located within the Royal Wotton Bassett Conservation Area and is in the former location of The Hope Chapel.

Proposal

Planning permission is sought for the development of a new access which would adjoin the highway to the west. Associated landscaping works would also be included as part of the development proposal. Proposed materials would comprise brick paving, gravel and rockery. The proposed site entrance would be 13m wide and would have a total depth of circa 14m.
The application appears to be retrospective with works having been carried out to create a new access visible on google street view as of June 2023.

Policies

Wiltshire Core Strategy (Adopted January 2015)
Core Policy 1 – Settlement Strategy
Core Policy 2 – Delivery Strategy
Core Policy 19 – Royal Wootton Bassett and Cricklade Community Area

Core Policy 51 – Landscape
Core Policy 57 – Ensuring High Quality Design and Place Shaping
Core Policy 58 – Ensuring Conservation of the Historic Environment
Core Policy 61 – Transport and New Development
Core Policy 62 – Development Impacts on the Transport Network

North Wiltshire Local Plan (2006)
NE14 – Trees and the Control of New Development

Royal Wotton Bassett Neighbourhood Plan (Made 2018)
Policy 7 – Local Character
Policy 12 – Road Safety

Wiltshire Local Transport Plan 2011-2026
Car Parking Strategy

Draft Wiltshire Design Guide (Made 2023)

National Policy:
National Planning Policy Framework (NPPF) 2023
Paragraphs 2, 11, 12, 47, 110-112, 126, 130, 194, 195, 197, 199-202, 206 & 207

Planning (Listed Buildings and Conservation Areas) Act 1990
Section 72(1) – Special attention to be paid to preserving or enhancing the character or appearance of a conservation area.

National Design Guide 2021

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 be made in accordance with the Development Plan unless material considerations indicate otherwise.

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority, in considering whether to grant planning permission to pay special attention to the desirability of preserving or enhancing the character and appearance of the Conservation Area.

Key Issues
Principle of Development
Impact on Character and Appearance of the Area, Including Heritage Assets
Impact on Residential Amenity
Access and Parking

Relevant Planning History

PL/2021/03954 - Demolition of two storey annex building and the creation of a two storey rear extension with associated landscaping. Approved with conditions 11/06/21.

PL/2022/03432 - Demolition of existing double-storey rear extensions, erection of new double-storey rear extension. Approved with conditions 24/07/22.

It is noted that pre-application advice has previously been sought to demolish the former chapel wall and create an off-road parking area. The proposal was not considered acceptable, and highways issued a response stating that any scheme of this nature would be refused on highway grounds.

Consultation Responses
Royal Wootton Bassett Town Council: No objection

Wiltshire Council Highways Engineer: Objection. It was commented that a considerable amount of engineering works had taken place. Additionally, it was considered that the application contained insufficient information regarding the visibility splays and a demonstration of turning.

It was noted that the removal of the grass verge in front of 179 High Street saw the creation of an unauthorised vehicle access. It was considered that the works undertaken at the proposal site were conducted without the relevant licence to carry out works to a public highway.

Wiltshire Councils Conservation Officer: Objection. The following points and concerns were raised within their response:
• The omission of a Heritage Statement from the application.
• The previous front boundary wall with decorative stone capping, steps and rear stone retaining wall all being remnants of the former Baptist Chapel on site and non-designated heritage assets.
• The removal of the front boundary wall not falling within the remit of permitted development.
• The identified non-designated heritage assets made a positive contribution to the character and appearance of the Conservation Area.
• Archaeological remains may have been lost on site as part of the works.
• Appropriate enforcement action should be taken to reinstate the lost non-designated heritage assets.

The full response can be found online.

Representations
There were no letters of representation received in response to the application.

Impact on the Character and Appearance of the Area, Including Heritage Assets
Core Policy 57 of the WCS seeks to secure a high standard of design in all new developments, including extensions, alterations and changing the use of existing buildings. Part ii of Core Policy 57 states that the retention of landscaping features such as tree, hedges and banks help integrate proposals into their setting. Among other matters, it requires proposals to be sympathetic to and conserve historic buildings and historic landscapes (iv). Core Policy 58 (iii) states that designated heritage assets, including buildings and structures of special architectural or historic interest, and

their settings, will be conserved and where appropriate enhanced in a manner appropriate to their significance.

The Royal Wotton Bassett Neighbourhood Plan states within its objectives that an attractive street scene should be nurtured in the Town Centre, while maintaining and enhancing the Conservation Area. It is noted that there is no adopted Conservation Area Statement for Royal Wootton Bassett. Policy 7 of the Neighbourhood Plan states that development must respect local character and conserve or enhance heritage assets in a manner appropriate to their significance.

Paragraph 194 of the NPPF requires the applicant to describe the significance of any heritage asset affected. Significance is defined in Annex 2 of the NPPF as: “The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting.”. The applicant does not describe the Conservation Area’s significance within the submitted Design and Access Statement and only briefly acknowledges the heritage asset itself. Paragraph 195 of the NPPF requires the local planning authority to identify and assess the particular significance of any heritage asset that may be affected and take this into account when considering the impact of a proposal.

Policy NE14 of the North Wiltshire Local Plan requires development to incorporate existing important landscape features into the development and proposals that will result in the loss of these features will not be granted.

The National Design Guide (2021) states that “to communicate the benefits of a scheme, it is important to explain how the design of a development relates to context and local character” (Paragraph 44). It adds that “well-designed places and buildings are influenced positively by:
• The history and heritage of the site, its surroundings and the wider area, including cultural influences;
• The significance and setting of heritage assets and any other specific features that merit conserving and enhancing;
• The local vernacular, including historical building typologies such as the terrace, town house, mews, villa or mansion block, the treatment of facades, characteristic materials and details”. (Paragraph 46).
The conservation area by virtue of its designation is significant in heritage terms and this significance is likely to arise from its aesthetic (fortuitous) value and historical (illustrative) value.

A former Baptist Chapel existed on site and appeared in the 1st edition OS maps from the 1880s up until the 1930s/ early 40s. The front boundary wall, decorative stone capping, steps and rear stone retaining wall were all remains of the former chapel until they were removed between April 2021 and October 2022.

Upon consultation with Wiltshire Councils Conservation Officer, these features were identified as non-designated heritage assets and were considered to have a positive contribution to the character and appearance of the Conservation Area. The boundary wall was considered to hold significance as a visible feature of the street scene with architectural and historic interest. Additionally, the steps, brick piers and capping stones gave cues to the former building on site. This sentiment is concurred with by the Case Officer.

There is record of a permitted development enquiry made in 2021 to carry out maintenance works to the chapel wall. This was considered permitted development given the works would be in a like for like manner. The wall, steps, brick piers and capping stones were removed since with no evident replacement.

The site is located on the southern side of the Royal Wotton Bassett Conservation Area. Upon inspection, the proposed access would be set entirely within the Conservation Area, thus forming part of its setting. The locality is characterised by many traditional style buildings, both listed and unlisted. The two dwellings are positioned on the hill known as Mount Pleasant, a primary route into the town centre to the north-east.

There is a grass bank that abuts the eastern side of the road and presents a topographical change between the road and the dwellings. The grass bank continues up into the Conservation Area and concludes around 157 High Street. The grass bank is considered to be a prevalent feature when entering the town centre and its retention should be sought after.

It is noted that there are some driveways positioned to the south of the site on the same side of the highway as the proposal. It is considered that the driveways serving these properties such as No.182 and 183 are limited in width and typical of a residential development. Additionally, the entrance to County Infants School is positioned directly across the road from the site and presents a wider access opening of circa 10.6m. The access serves the schools car park and would provide sufficient room for cars both entering and exiting the car park. It is considered that a wide access serving the school is commonplace and widely associated with developments of a similar nature.

The proposed access would open on to the roadside with a width of 13m. The proposal would front the road with permeable block paving to prevent the gravel, used further back in the driveway, from escaping onto the highway. It is considered that the width of the accesses opening would be tantamount to a highway and would appear overlarge in relation to the residential properties it serves. This would result in an overlarge and extensive development within the Conservation Area. Additionally, the proposal would disrupt the continuity of the grass bank on the eastern side of the highway, presenting a juxtaposition between the sloped bank and a flat surfaced driveway.

It is noted that a landscaped bank would be set to the southern side of the access in order to limit its visual impact. The northern side of the access would use rockery to make the proposal more visually pleasing. In regard to landscaping, there had been no further details of landscaping works or its appearance submitted as part of the application. Thus, it is considered that the current plans do not provide sufficient information in order to determine the proposals impact.

In light of the above, the proposal is considered to result in harm to the Conservation Area through the loss of non-designated heritage assets, albeit this harm is likely to be less than substantial. Paragraph 202 of the NPPF requires that the local authority weigh any harm inflicted against the public benefits which would be achieved. Wiltshire Councils Conservation Officer considered the scheme to offer no discernible public benefits, and this is agreed with by the Case Officer. Although the proposal would offer two off street car parking spaces, these would be for private use without and would present a scheme without sufficient supporting information in regard to highways safety.

Overall, it is considered that the proposal would introduce an unnecessarily large and extensive gravel driveway that would appear incongruous when viewed in conjunction with the street scene. This would be detrimental to the character and appearance of the area because of its siting in a prominent location when entering Royal Wootton Bassett town centre from the south-west. Accordingly, the proposal would conflict with the provisions of Core Policy 57 and 58 of the WCS, Policy 7 of the Royal Wootton Bassett Neighbourhood Plan, Policy NE14 of the North Wiltshire Local Plan and Paragraphs 130, 202, 206 and 207 of the NPPF.

Impact on Residential Amenity

Section vii of Core Policy 57 of the WCS refers to the need to protect the amenities of existing occupants and to make sure that appropriate levels of amenity are achievable within the development itself. Additionally, Paragraph 130(f) of the NPPF states planning decisions should create places that are safe, inclusive and accessible. Furthermore, a high standard of amenity for existing and future users is encouraged among other matters.

The proposal would remove a considerable amount of front garden amenity space in relation to No.178s site. It is considered that the garden amenity space at the rear of the dwelling would be sufficient to accommodate the needs of present and future occupiers. It is noted that just over 50% of the garden amenity space would remain.

In light of the above, it is considered that the proposed development would have an acceptable impact on residential amenities.

Access and Parking

Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or residual cumulative impacts on the road network would be severe. Additionally, Core Policy 62 of the WCS states that developments should provide appropriate mitigating measures to offset any adverse impacts on the transport network at both the construction and operational stages.

Core Policy 61 of the WCS requires development proposals to demonstrate that the proposal is capable of being served by safe access to the highway. This is reiterated in Core Policy 57xiv.

Policy 12 contained within the Royal Wootton Bassett Neighbourhood Plan states that development should not harm highway safety. The importance of A roads within the settlement is acknowledged in the Neighbourhood Plan stating “Royal Wootton Bassett is located in close proximity to junction 16 of the M4 and is well connected with Class A roads to other settlements, including Swindon.”. Throughout the neighbourhood plan consultation, a key area of concern identified amongst local residents was road safety, especially around schools.

The proposal contains some information within the plan titled ‘Proposed Site Lines’ in regard to the proposed visibility splays from 2.4m back from the highway edge to 43m nearside the kerb on either side of the proposed access, as per Wiltshire Councils Highways Engineer’s comment. A further requirement set out within the comment was that plans should demonstrate no obstruction beyond 900mm. The application fails to demonstrate this. Additionally, the application fails to demonstrate that a car could adequately turn within the site to ensure entrance to the A road in a forward gear. As a result, the application does not demonstrate an acceptable impact on highway safety. It is noted that the proposal is in a prominent location with a close proximity to various services, including the infant school located directly across the road.

The proposal would result in the creation of two off road parking spaces within the locality and would help improve the availability of parking for the residents of the site. On this basis, the proposal is considered to be acceptable in terms of its parking provision, however, this does not overcome the concerns from the Highways Engineer that insufficient information has been provided to demonstrate turning within the site and that no obstruction within the splay exists beyond 900mm.

Upon further consultation, it was recognised by the Highways Engineer that the works carried out at the proposal site had been undertaken without the relevant licence to carry out works to a public highway. Therefore, it was considered that the vehicle access created was unauthorised.

On this basis, the proposal would give rise to an unacceptable impact on highway safety through failing to provide sufficient information relating to highway safety. As such the proposal would conflict with the provisions of Core Policies 57xvi, 61 and 62 of the WCS, Policy 12 of the Royal Wootton Bassett Neighbourhood Plan and Paragraphs 110 and 111 of the NPPF.

Conclusion
It is considered that the size and scale of the proposal is inappropriate within its setting. The proposal would fail to respect local character and would not conserve or enhance the setting of the Conservation Area. The proposal would introduce a discordant feature into the street scene and would appear visibly incongruous by virtue of its prominent location. Additionally, the proposal results in the loss of a non-designated heritage asset which had previously made a positive contribution to surrounding area. These alterations are considered to result in less than substantial harm on the Conservation Area with no evident public benefit. Accordingly, the proposal would fail to accord with the provisions of Core Policy 57 and 58 of the Wiltshire Core Strategy, Policy 7 of the Royal Wootton Bassett Neighbourhood Plan and Paragraphs 130, 194, 197, 199, 202, 206 and 207 of the NPPF.

It is also considered that the application would be detrimental to highway safety as the application fails to demonstrate no visual obstructions beyond 900mm along the visibility splays. The proposal also fails to demonstrate adequate turning space within the site to allow cars to enter and exit in forward gears. As such, the proposal is considered to be contrary to the provisions of Core Policies 61 and 62 of the Wiltshire Core Strategy, Policy 12 of the Royal Wootton Bassett Neighbourhood Plan and Paragraphs 110 and 111 of the NPPF.

Refusal Reason(s): (3)

1 By virtue of the proposed size and scale of the proposal, the development would fail to respond to the character and appearance of the locality and the Conservation Area and presents an overlarge development tantamount to the size of a highway.

The proposal would subsequently fail to preserve or enhance the appearance of the Royal Wootton Bassett Conservation Area. Accordingly, the proposal would conflict with the provisions of Core Policy 57(i, ii, iii and iv) and 58 of the Wiltshire Core Strategy (January 2015); Policy 7 of the Royal Wootton Bassett Neighbourhood Plan (April 2018); Policy NE14 of the North Wiltshire Local Plan (June 2006); and Paragraphs 130 (a, b, c, d and e) and 202 of the National Planning Policy Framework (September 2023).

2 By way of the removal of a non-designated heritage asset through the removal of the chapel wall without any clear or convincing justification. The proposal would fail to demonstrate any evident public benefits. Therefore, the proposal would be contrary to Core Policies 57(i and iv) and 58 of the Wiltshire Core Strategy (January 2015); and Paragraphs 130 (c), 194, 197, 199, 202, 206 and 207 of the National Planning Policy Framework (September 2023).

3 The proposals are not supported by adequate information to demonstrate that vehicles would have an un-obstructed view when exiting the site as well as failing to show that vehicles would be able to turn on the site to exit in a forward gear. Therefore, the proposal would be detrimental to highway safety and contrary to Core Policy 62 of the Wiltshire Core Strategy (January 2015); Policy 12 of the Royal Wootton Bassett Neighbourhood Plan (April 2018); and Paragraph 111 of the National Planning Policy Framework (September 2023).