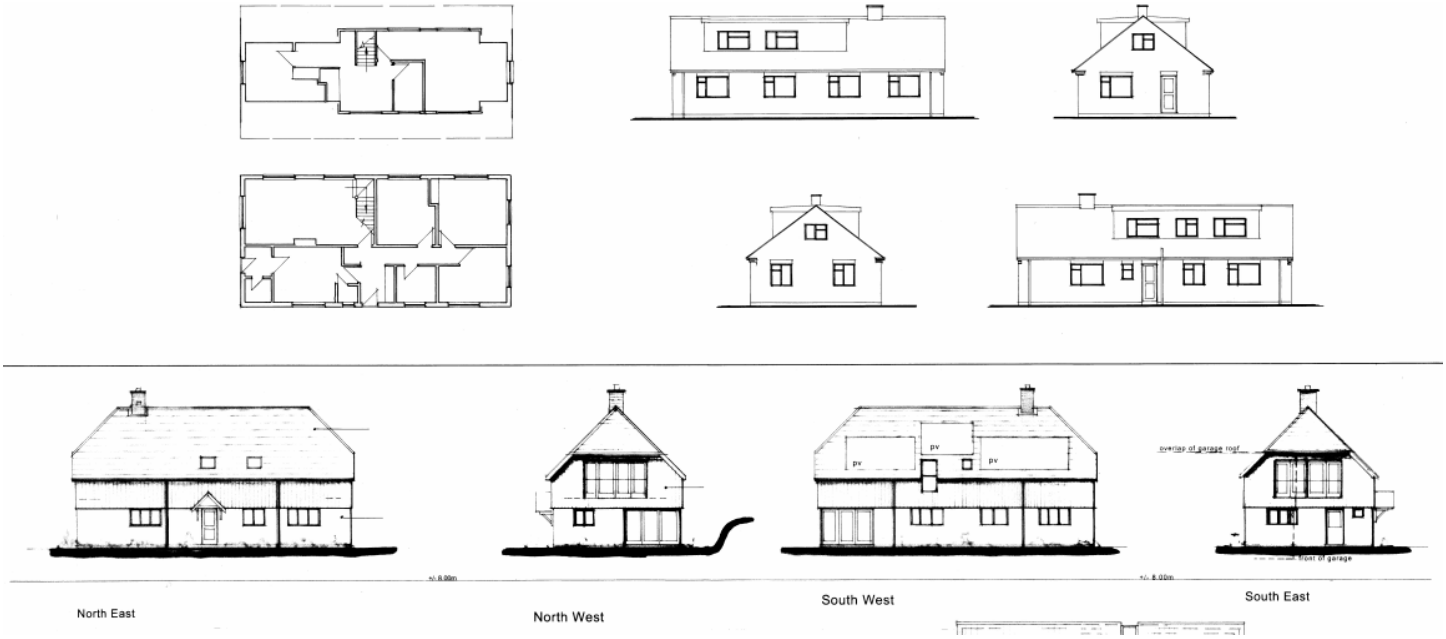
CASE OFFICER'S REPORT

Application References: PL/2023/05068
Date Site Notice erected: 05/08/2023
Press Advert date: 27/07/2023
Publicity expiry: 28/08/2023

PROPOSAL:

The existing property is a chalet style dwelling of brick elevations under a concrete tiled roof with rooms within the roof space and flat roof dormer windows to the north and south roof slopes. The application proposes to reconstruct the roof of the dwelling increasing the eaves and ridge height to provide revised first floor accommodation without the use of flat roof dormers:



There is an existing shallow pitched roofed existing single garage with attached flat roofed storeroom to the side towards the rear. The proposals also include extending to the side of the garage (attaching to the existing storeroom) and then roofing over the resultant increased ground floor footprint with a new wider/higher gabled roof and the resultant roof space for use as a home office study accessed from the rear garden (which is set at eaves level to the garage):



The application is a resubmission of PL/2022/06687.

RELEVANT PLANNING HISTORY:

The application is a resubmission of an earlier proposal (PL/2022/06687) which was refused on grounds of insufficient information with respect to protected species (specifically bats). The officer report is attached at appendix A.

The application documentation includes an ecology report which includes a bat activity report dated June 2023. This was further updated August 2023 to include revised mitigation proposals.

The site opposite (Portland Cottage) has recently had planning permission granted for a replacement dwelling under application reference PL/2021/08185. Planning permission has also been granted to divide the Portland Cottage site to allow development with an additional dwelling and associated parking area under PL/2021/09202.

Following amendments to the applications planning permission was granted for a replacement garage to Dukes Place (planning application reference no. 15/05250/FUL) and alterations to the garage to Druids Cottage (planning application reference no. 18/10471/FUL) only including proposed storage space within the loft, subject to the following condition:

(3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), the garage building hereby altered shall not be converted to habitable accommodation.

SITE CONSTRAINTS:

The site is situated in the Amesbury Community Area and the small village of Middle Woodford. The area is designated a Special landscape area.

The site is surrounded by residential properties and gardens and within the setting of the Grade II Listed All Saints Church and its associated graveyard.

The site is located within Flood Zone 1 and is identified to be at low risk of flooding from groundwater and surface

water in the Strategic Flood Risk Assessment.

REPRESENTATIONS

Conservation Officer: No objection
As per my comments on PL/2022/06687, I have no objections.

Archaeology: No Objection
Thank you for consulting Wiltshire Council's Archaeology Service regarding this planning application. Please note that my comments relate solely to the buried archaeological heritage and not to the historic built environment, which is a matter for your Conservation Officer.

As I understand it, this is a near identical proposal to refused application PL/2022/06687. The Archaeology Service had no archaeological concerns with the 2022 application as the property of Kite View largely sits within a former (19th-century?) quarry. There are no grounds to change my previous advice. I am therefore satisfied that it would not be proportionate to require an archaeological response to this proposal should it be permitted, and so no further action is required as regards the buried archaeological heritage in relation to this proposal.

Ecology:
Comments on revised Ecology Report: no objection subject to conditions:

Matters Considered:
Thank you for consulting Ecology, I have reviewed the additional information submitted in support of this application against OS Maps and aerial photography of the site and surrounding area, together with GIS layers of statutory and non-statutory sites and existing records of protected species.

We welcome the additional information submitted to include type 1F bitumastic felt within the new roof together with the inclusion of bat access tiles as detailed in Figure 4 of the report 'Bat Activity Survey Report dated August 2023 by Daniel Ahern Ecology'.
Conditions:
1. The development will be carried out in strict accordance with the following documents:
Bat Activity Survey Report dated August 2023 by Daniel Ahern Ecology.
REASON: For the avoidance of doubt and for the protection, mitigation and enhancement of biodiversity.

Informative:
Bats
The roof space of Kite View is used as a bat roost. Under the Conservation of Habitats and Species Regulations 2017 (as amended), it is an offence to harm or disturb bats or damage or destroy their roosts. Planning permission for development does not provide a defence against prosecution under this legislation. The applicant is advised that a European Protected Species Licence will be required before any work is undertaken to implement this planning permission.

Breeding Birds
The adults, young, eggs and nests of all species of birds are protected by the Wildlife and Countryside Act 1981 (as amended) while they are breeding.

Please be advised that works should not take place that will harm nesting birds from March to August inclusive. All British birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 while birds are nesting, building nests and sitting on eggs. The applicant is advised to check any structure or vegetation capable of supporting breeding birds and delay removing or altering such features until after young birds have fledged. Damage to extensive areas that could contain nests/breeding birds should be undertaken outside the breeding season. This season is usually taken to be the period between 1st March and 31st August but some species are known to breed outside these limits.

Original comments: Objection - further information required

Further Information Required:

Issue
Policy/Legislative Compliance
Date Information Requested & Further Information Required
Satisfactorily Addressed (Document & Date)
1. Protected Species WCA 1981, Hab.
Regs. Revised technical drawings to
include bat access slates and roofing membrane detail
The outstanding document(s) listed above are needed to enable the council's ecology team to consider all the relevant impacts and benefits of the proposed scheme. The council's ecologists will provide a further response once all the above information has been submitted via the case officer.
Please Note: When resubmitting a revised document, ALL changes must be highlighted to enable review.

Thank you for consulting Ecology, I have reviewed the application and supporting documents against OS Maps and aerial photography of the site and surrounding area, together with GIS layers of statutory and non-statutory sites and existing records of protected species.

The application is supported by the following ecological reports:
- *Preliminary Roost Assessment dated Oct 2022 by Daniel Ahern Ecology;*
- *Bat Activity Survey Report dated June 2023 by Daniel Ahern Ecology;*
- *Alterations to Garage 03922 dated July 2022 by Damen Associates Ltd and;*
- *Revised Proposed Extension 03922 Rev A dated July 2022 by Damen Associates Ltd*

Protected Species

We welcome the bat reports submitted in support of the application and note that the surveys were conducted in line with the BCT survey Guidelines. The surveys identified the presence of a small soprano pipistrelle roost within the main dwelling and that no evidence of bats were found within the garage. The proposals will impact upon the bat roosts present and the existing roosts will be lost. Recommendations were included in the ecology report which comprised bat access tiles to be included on the new roof. This mitigation has also been included on revised drawings.

A European Protected Species (EPS) bat Mitigation Licence will need to be obtained for the lawful construction of this development. In carrying out its statutory function the LPA needs to be reasonably sure that the proposed development will not result in adverse impact to protected habitats and species and that the necessary licence is likely to be forthcoming from Natural England. This information is required prior to determination of the application.

The revised drawings show the bat access tiles to be included on the north-eastern and south- eastern aspects of the new roof only, whereas the ecological recommendations were for a number of access tiles to be included on a variety of roof aspects to replicate the current use of the building. The proposal for access tiles included on one aspect only is therefore insufficient.

In Addition, due to the proposed access for bats between the roof tiles and roofing membrane, the specification of membrane to be used must also be provided. Breathable membranes must not be used as can pose entanglement threats to bats.

Further information required:
- *Details of the bat access tile locations, to include a variety of roof aspects. Technical drawings must be updated to reflect this.*
- *Specification of the roofing membrane to be used. Breathable membranes must not be used in combination with bat roosts.*

Natural England: No comments received

Highways: No Objection - Subject to Condition
I refer to the above planning application for the re-construction of roof to dwelling to provide accommodation and extension to garage with roof configuration over for home office use (Resubmission of PL/2022/06687).

The parking area is proposed to be widened to allow for additional parking and manoeuvrability. Adequate off-street parking is proposed for the development.

I wish to raise no highway objection providing the following conditions are imposed:

The development hereby permitted shall not be first brought into use until the first 5m of the access, measured from the edge of the carriageway and/or whole of the parking area, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.
REASON: In the interests of highway safety.

Notwithstanding the submitted details, the proposed development shall not be first brought into use until means/works have been implemented to avoid private water from entering the highway.
REASON: To ensure that the highway is not inundated with private water.

The vehicle access and parking area shall remain ungated.
REASON: In the interests of highway safety.

No part of the development hereby permitted shall be first brought into use until the access and parking spaces [3] have been completed in accordance with the details shown on the approved plans. The areas shall always be maintained for those purposes thereafter and maintained free from the storage of materials.
REASON: In the interests of highway safety.

The application involves an extension to the existing vehicle access/dropped kerb. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact our Vehicle Crossing Team on vehicleaccess@wiltshire.gov.uk and/or 01225 713352 or visit their website at http://wiltshire.gov.uk/highways-streets to make an application.

The applicant is advised that, if it is proposed to drain this development directly into the river or carry out any work within 8 metres of the watercourse then a Land Drainage Consent is required from the Environment Agency. For further information see www.environment-agency.gov.uk

Parish Council: No comments received

Third party representations: None received

POLICIES:

The following policies are considered the most relevant to proposals:

Development Plan Documents:

Wiltshire Core Strategy:
Core Policy 1 (Settlement Strategy)
Core Policy 2 (Delivery Strategy)
Core Policy 3 (Infrastructure Requirements)
Core Policy 4 (Development in the Amesbury Community Area)
Core Policy 41 (Energy Strategy)
Core Policy 50 (Biodiversity and Geodiversity)
Core Policy 51 (Landscape)
Core Policy 52 (Green Infrastructure)

Core Policy 57 (Ensuring high Quality Design and Place Shaping)
Core Policy 58 (Ensuring the conservation of the historic environment)
Core Policy 64 (Demand Management)
Core Policy 69 (Protection of River Avon SAC)

Adopted Salisbury District Local Plan saved policies:
C6 – Special Landscape area
C18 – Development affecting rivers and river valleys
C24 – extensions to buildings in the countryside
H31 – extensions to dwellings in the open countryside

Wiltshire Housing Site Allocations Plan (February 2020) (WHSAP)

Government Guidance:
National Planning Policy Framework (NPPF) September 2023
Planning Practice Guidance (PPG)
National Design Guide (NDG)

Supplementary Planning Documents/Guidance:

Wiltshire Local Transport Plan 2011-2026
Car Parking Strategy (Policy PS6 - Residential parking standards)

Adopted 'Creating Places Design Guide' Salisbury 2006

Strategic Appropriate Assessment of Developments in Wiltshire Occurring in the River Avon Sac Catchment

Wiltshire Green Blue Infrastructure (GBI) Strategy 2022

Climate Strategy

Relevant statutes:

The Planning (Listed Buildings and Conservation Areas) Act 1990
- Section 66: Special considerations affecting planning functions

Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019
Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations')

The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (SI No. 2019/579) makes changes to the three existing instruments which transpose the Habitats and Wild Birds Directives so that they continue to work (are operable) upon the UK's exit from the European Union (EU) including The Conservation of Habitats and Species Regulations 2017 (SI No. 2017/1012) and also amends section 27 of the Wildlife and Countryside Act 1981 to ensure existing protections continue.

Regulation 43 of the Habitats Regulations 2017 (as amended) relates to the protection of European protected species listed under Schedule 2 of the Regulations. Taken together it is an offence to undertake the following acts with regard to European protected species:
- *deliberately capture, injure or kill any wild animal of a European protected species;*
- *deliberately disturb animals of any such species in such a way as to be likely to:*
  - *impair their ability to survive, breed, rear or nurture their young, hibernate or migrate, or*
  - *affect significantly the local distribution or abundance of the species to which they belong;*
- *deliberately take or destroy the eggs of such an animal; or*
- *damage or destroy a breeding site or resting place of such an animal.*

Regulation 55 of the Habitats Regulations sets out the 3 "derogation" tests, which must be considered in reaching a recommendation on a Licence application for certain activities relating to animals or plants.
The 3 tests are:

1. *The activity … must be for imperative reasons of overriding public interest or for public health and safety*
2. *There must be no satisfactory alternative*
3. *Favourable conservation status of the species must be maintained.*

Regulation 63 of the Habitats Regulations 2017 (as amended) states the responsibilities for competent authorities thus:
(1) A competent authority, before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which—
(a)is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and
(b)is not directly connected with or necessary to the management of that site, must make an appropriate assessment of the implications of the plan or project for that site in view of that site's conservation objectives.
(2) A person applying for any such consent, permission or other authorisation must provide such information as the competent authority may reasonably require for the purposes of the assessment or to enable it to determine whether an appropriate assessment is required.

The Wildlife and Countryside Act 1981

The Wildlife and Countryside Act 1981 (as amended) is the principal piece of UK legislation relating to the protection of wildlife. It consolidates and amends existing national legislation to implement the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and Council Directive 79/409/EEC on the Conservation of Wild Birds (Birds Directive) in Great Britain.

The Act makes it an offence (with exception to species listed in Schedule 2) to intentionally kill, injure, or take any wild bird or their eggs or nests. Special penalties are available for offences related to birds listed on Schedule 1, for which there are additional offences of disturbing these birds at their nests, or their dependent young. The Secretary of State may also designate Special Protection Areas (subject to exceptions) to provide further protection to birds. The Act also prohibits certain methods of killing, injuring, or taking birds, restricts the sale and possession of captive bred birds, and sets standards for keeping birds in captivity. The Act makes it an offence (subject to exceptions) to intentionally kill, injure, or take, possess, or trade in any wild animal listed in Schedule 5, and prohibits interference with places used for shelter or protection, or intentionally disturbing animals occupying such places. The Act also prohibits certain methods of killing, injuring, or taking wild animals listed in Schedule 6.

Countryside and Rights of Way Act 2000

The Countryside and Rights of Way Act 2000 (CRoW) provides additional levels of protection for wildlife and strengthens the protection afforded to Sites of Special Scientific Interest.

Schedule 12 of the Act amends the Wildlife and Countryside Act 1981, strengthening the legal protection for threatened species. The provisions make certain offences 'arrestable', create a new offence of 'reckless' disturbance, confer greater powers to police and wildlife inspectors for entering premises and obtaining wildlife tissue samples for DNA analysis, and enable heavier penalties on conviction of wildlife offences.

Natural Environment and Rural Communities Act 2006

Section 40 of the Natural Environment and Rural Communities Act (NERC) requires 'Every public authority must in exercising its functions have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity. Section 40(3) of the same Act also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'.

Environment Act 2021

(Biodiversity Net Gain): Part 6 Nature and Biodiversity (s98)

Ancient Monuments and Archaeological Areas Act (1979) amended by the National Heritage Act (1983) and the National Heritage Act (2002)

ISSUES

- Principle
- Scale, design, impact to the character and appearance of the area and setting of Heritage Asset
- Potential impact to heritage assets with an archaeological interest
- Impact on amenities of nearby properties
- Highway considerations
- Ecology
- Protected species
- River Avon Special Area of Conservation - Phosphate Neutral Development
- Sustainable construction

PLANNING ASSESSMENT:

Principle:

At the heart of the NPPF is a presumption in favour of sustainable development and the Adopted Wiltshire Core Strategy seeks to build resilient communities and support rural communities but this must not be at the expense of sustainable development principles. The Settlement and Delivery Strategies of the Core Strategy are designed to ensure new development fulfils the fundamental principles of sustainability.

This means focusing growth around settlements with a range of facilities, where local housing, service and employment needs can be met in a sustainable manner. A hierarchy has been identified based on the size and function of settlements, which is the basis for setting out how the Spatial Strategy will deliver the levels of growth.

The site is within the Amesbury Community Area and Core Policy 4 confirms that '*Development in the Amesbury Community Area should be in accordance with the Settlement Strategy set out in Core Policy 1.*'

Core Policy 1 of the Wiltshire Core Strategy sets out the 'Settlement Strategy' for the county, and identifies four tiers of settlement - Principal Settlements, Market Towns, Local Service Centres, and Large and Small Villages. Only the Principal Settlements, Market Towns, Local Service Centres and Large Villages have defined limits of development/settlement boundaries. Settlement boundaries are essentially defined as the dividing line between areas or built urban development (the settlement) and non-urban or rural development (the open countryside).

Core Policy 2 of the Wiltshire Core Strategy sets out the 'Delivery Strategy'. It identifies the scale of growth appropriate within each settlement tier, stating that within the limits of development, as defined on the policies map, there is a presumption in favour of sustainable development at the Principal Settlements, Market Towns, Local Service Centres and Large Villages, and states *'Other than in circumstances as permitted by other policies within this Plan, identified in paragraph 4.25, development will not be permitted outside the limits of development, as defined on the policies map.'*

Middle Woodford is defined as a Small Village by Core Policy 4 and has no defined limits of development/settlement boundary being a village that does not have a range of services, facilities and few employment opportunities where new housing development will be restricted.

The application comprises two elements (alterations to and reconstruction of the roof of the main dwelling and extension and alterations to the detached garage).

Saved policy H31 is relevant to extensions to existing dwellings:

H31
In the countryside extensions to existing dwellings will be permitted provided that:
(i) the extension is subservient in size to the existing dwelling and house plot and does not substantially alter the character of the dwelling;
(ii) the design of the extension is in keeping with that of the existing dwelling and uses complementary materials; and
(iii) the extension would not create, or be capable of creating, a separate dwelling.

The existing garage has a shallow pitched roof with a small flat roof side storage room to the side at the rear and is set into a bank, with the garden at the rear of the site at just below eaves height. The garage proposals are to extend at ground floor level towards the main house and to add a new pitched roof over to provide a home office within the roof space.

The site is already in use for residential purposes and the principle of extensions or additions (including small-scale incidental domestic outbuildings within the existing curtilage to be used in association with the existing residential use of the site) is acceptable subject to the consideration of any site-specific impacts. Saved policy C24 is also relevant stating that:

'Extensions and additions to buildings in the countryside will only be permitted if they are sympathetic in scale and character with the existing building and surroundings and fall within the existing curtilage.'

Saved Policy H33 is however, restrictive of development to create annexe/ancillary living accommodation other than as an extension to the main dwelling, although as the proposals are for a home office use this would be considered an incidental use to the main dwelling.

It would be appropriate to condition that the resultant outbuilding (comprising the extension to garage with roof configuration over for home office use) should be used for the purposes of a garage, home office and storage purposes only and should not be used or occupied at any time other than for purposes incidental to the residential use of the main dwelling.

The principle of development is also subject to compliance with other relevant planning policies and the normal range of material considerations that have to be taken into account when determining a planning application and a judgement is necessary in terms of all the development impacts considered below.

Scale, design, impact to the character and appearance of the area and setting of Heritage Asset:

Paragraph 126 of the NPPF, which provides that, amongst other things, the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. The NPPF also states that the planning system should also contribute to and enhance the natural and local environment by protecting and enhancing landscape and scenic beauty in valued landscapes, and that the scale and extent of development should be limited and sensitively designed and located to avoid or minimise adverse impacts.

Core Policy 57 requires a high standard of design in all new development which is expected to create a strong sense of place through drawing on the local context and being complementary to the locality. Criteria (i), (iii) and (vi) specifically refer to development making a positive contribution to the character of Wiltshire through:

i. 'Enhancing local distinctiveness by responding to the value of the natural and historic environment, relating positively to its landscape setting and the exiting pattern of development and responding to local topography by ensuring that important views into, within and out of the site are to be retained and enhanced.'

iii '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.'

vi. 'Making efficient use of land whilst taking account of the characteristics of the site and the local context to deliver an appropriate development which relates effectively to the immediate setting and to the wider character of the area.

Core Policy 51 of the WCS seeks to protect, conserve and enhance Wiltshire's distinctive landscape character and development *'must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures.'*

The site is also with a Special Landscape Area and saved policy C6 of the Salisbury District Local Plan states:

Within the Special Landscape Area, proposals for development in the countryside will be considered having particular regard to the high quality of the landscape. Where proposals which would not have an adverse effect on the quality on the landscape are acceptable, they
will be subject to the following criteria;
(i) the siting and scale of development to be sympathetic with the landscape; and
(ii) high standards of landscaping and design, using materials which are appropriate to the locality and reflect the character of the area.

Landscape effects are generally defined as the effects of a proposal on the landscape as a shared public resource, with the quality and value of a landscape determining its capacity to absorb change. Visual effects relate to how people would be affected by changes to views and visual amenity at different locations. In the National Design Guide landscape is defined as the treatment of land for the purpose of enhancing or protecting the amenities of the site, the area in which it is situated and the natural environment.

Objective 21 of the council's design guide states:

Extensions to existing properties will normally be permitted where they demonstrate that:
- *The scale, design and character of the existing property has been respected*
- *The extension is designed to integrate into the wider area*
- *It does not have a harmful impact on the amenity of neighbours*
- *The materials are appropriate.*

The site is also within the setting of the Grade II listed church. The Planning (Listed Building and Conservation Areas) Act 1990 (Section 66) requires proposals affecting listed buildings or their settings to seek to preserve the special interest of the buildings and their settings. The principal considerations are to ensure that new development preserves the significance of listed buildings and their settings.

Core Policy 58 aims to ensure that Wiltshire's important monuments, sites and landscapes and areas of historic and built heritage significance are protected and enhanced in order that they continue to make an important contribution to Wiltshire's environment and quality of life. The policy seeks to conserve designated heritage assets and their setting as well as non-designated heritage assets that contribute to a sense of local character and identity.

The National Planning Policy Framework (NPPF) outlines the government's policy in respect of the historic environment (section 16). In paying 'special regard' to listed buildings and their settings, the NPPF requires an assessment as to whether the proposal causes 'substantial harm' or 'less than substantial harm. Paragraph 199 advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm. Paragraph 200 emphasises that any harm to, or loss of, the significance of a designated heritage asset, including from development within its setting, should require clear and convincing justification.

The NPPF defines the setting of a heritage asset as *'The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.'*

The existing property being single storey with low eaves heights (and with the previous loft conversion via dormer windows set back from the eaves and not breaching the original ridge height) is relatively unobtrusive and has a limited visual impact on the surrounding area.

The design and scale of existing properties in the area varies from single storey (Dukes Hall/Sunnyside) or 1 ½ storey high/dormer windows set within sloping roofslopes or have low eaves height with first floor windows set just under the eaves and narrower footprint/double pitched roofs thereby reducing the overall ridge heights (e.g., Druids Cottage, Dukes Place and Cedar Cottage).

The original bungalow has a relatively wide footprint and building a conventional first floor extension above this would significantly increase the height of the eaves/roof and overall bulk and massing of the dwelling, exacerbated by the site being at a higher level to dwellings to the NE/East. However, the proposed development by raising the eaves height and creating a 1 ½ storey height development is considered to be comparable to the scale of existing dwellings and appropriate to the overall character and appearance of the area.

Whilst the proposed first floor extension and alterations to the dwelling and garage will be clearly visible from Church Lane and surrounding area; it is considered that they will integrate into the surroundings.

Similarly, whilst the garage is already raised relative to Cedar and Druids Cottages; the design of the proposals has limited the increase in ridge height and results in a subservient appearance, similar to proposals that have been granted elsewhere.

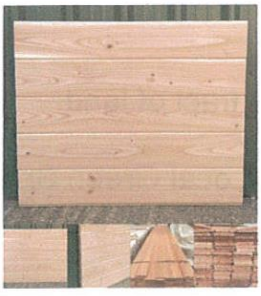
The existing dwelling is of yellow/buff brick elevations under a concrete tiled roof with timber boarded dormer windows and timber boarding in the gable ends. Whilst dwellings in the immediate vicinity of the site are characterised by having rendered elevations under a mixture of tile and slate roofs and the proposals seek to render the ground floor elevations with timber boarding at first floor level and slate roof.

Whilst the site forms part of the setting of the grade II listed church, the conservation officer has advised that the design of proposals to the main dwelling with cropped hipped roof and timber boarding has the character of a replica barn and it is not considered that it would have a significant or adverse impact on the setting of the church.

The agent has provided more details on the proposed materials:

Roofing --- Natural Slate

Cladding--- Douglas Fir T & G cladding Boards--- left natural



Render----- The page put forward is from the Weathertex range -- Travertine Stone



We therefore have Dark roof
Natural timber cladding to first floor
Neutral colour render to ground floor

This range would be used on the garage as well

The materials proposed are considered appropriate to the agrarian design and character of the resultant development which is considered acceptable in this rural location.

Potential impact to heritage assets with an archaeological interest:

The supporting text to Core Policy 58 explains that heritage assets include non-designated heritage assets such as buildings and archaeological sites of regional and local interest and paragraph 194 of the National Planning Policy Framework states that *'where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.'*

The Council's archaeologist has advised that the HER indicates that the site is within a former quarry and taking this into account and given the modest footprint increase to the garage it would not be proportionate to require an archaeological assessment of the site.

Impact on amenities of nearby properties:

The NPPF (para 130) states that planning decisions should ensure that development provides *'a high standard of amenity for existing and future users.'*

Core Policy 57 also requires new development to 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, including the consideration of privacy, overshadowing, vibration and pollution'*.

Residential amenity is affected by significant changes to the environment including privacy, outlook, daylighting and sunlight inside the house, living areas and within private garden spaces (which should be regarded as extensions to the living space of a house). The extent to which potential problems may arise is usually dependent upon the separation distance, height, depth, mass (the physical volume), bulk (magnitude in three dimensions) and location of a development proposal in relation to neighbouring properties, gardens and window positions.

Although the height of the dwelling will be increased, the proposals reduce the number of first floor level windows on the NE elevation/roofslope and as such it is considered that the proposals will reduce overlooking to the gardens of Druids Cottage and Portland Cottage (for which planning consent has been granted for a replacement dwelling set further eastwards on that site/more in line with Kite Cottage). A condition could be added to remove otherwise permitted development rights for additional openings in the NE elevation/roofslope at first floor level.

The proposed home office within the roof space of the garage will be accessed from the rear elevation at first floor level (the ground to the rear of the garage is at the level of the eaves). A window is proposed in the end (NE facing gable), and rooflight on the NW roofslope (facing towards the main dwelling). No windows are proposed on the SE roofslope. Although PV panels are proposed on the SE roofslope, it would also be appropriate to remove otherwise permitted development rights for openings in the SE roofslope in the interests of amenity and privacy as this roofslope faces towards the garden of Cedar Cottage.

Highway considerations:

The supporting text to Core Policy 64 refers to a parking study, commissioned by the council in January 2010, which included a comprehensive review of parking standards, charges and policy within both the plan area and neighbouring areas. The reviewed LTP3 Car Parking Strategy was adopted by the council in March 2015 and includes policy PS6 – Residential parking standards.

The parking standards are set out in the Wiltshire Local Transport Plan 2011-2026 – car parking strategy:

Table 7.1 Minimum parking standards (allocated parking)

Bedrooms	Minimum spaces
1	1 space
2 to 3	2 spaces
4+	3 spaces
Visitor parking	0.2 spaces per dwelling (unallocated)

7.4 Garages will only count as part of the allocated parking provision where they meet the minimum size requirement of 6m x 3m (internal dimensions). This is to ensure that there is sufficient room for an average sized family car, a cycle and some storage provision. Where these minimum size requirements are not met, the council will require design statements and/or transport assessments to demonstrate the need for such provision and/or to set-out the role of alternatives (e.g. car ports which are unlikely to be used for storage and could therefore count towards allocated parking provision).

The planning statement explains that the existing property can be considered a 4-bedroom dwelling. The proposals also include increasing the width of the parking area and 3 external parking spaces are marked on the revised layout:



Combined with the garage alterations is a proposal to increase the width of the parking area and provide better manoeuvrability by removing part of the upper ground on the west elevation and continuing through the alignment of the existing retaining wall. A new pedestrian access will be arranged leading to the front and back doors.

The proposals will increase the level of off-street parking and the highways authority has raised no objections subject to conditions (consolidated and surfaced access, runoff restricted from entering the highway, access and parking area to remain ungated and maintained for parking and informatives relating to the need for highways licence for work on land forming part of the highway/EA land drainage consent - although the site is not within 8m of a watercourse).

The recommended highways conditions require the access, parking area to be provided and consolidated 'prior to the first use of the development'. However, as the development relates to extensions/alterations to an existing dwelling and outbuilding already in occupation, and as such the existing parking area is already in use, this trigger needs to be amended such that the 3 parking spaces, the consolidation of the surface and restricting runoff are provided within a suitable timeframe of the works being undertaken to create the enlarged access/parking area – 6 months is considered reasonable (subject to also allowing a revised timetable to be agreed).

Ecology:

Protected species:

Core Policy 50 of the Wiltshire Core Strategy and the National Planning Policy Framework requires that the planning authority ensures protection of important habitats and species in relation to development and seeks enhancement for the benefit of biodiversity through the planning system.

Bats and their roosts are afforded stringent protection under the Conservation of Habitats and Species Regulations 2017 (as amended) and as such are a material consideration within the planning process. In carrying out its statutory function, the LPA must be reasonably sure that the proposal will not result in significant adverse effects on protected habitats or species.

PPG (Protected species and development: advice for local planning authorities updated 08/09/2022) confirms that the LPA:

'Should make sure developers use a suitably qualified and licensed ecologist to carry out surveys at the right time of year using appropriate methods and not decide on planning applications until you have received all the necessary surveys'

You should check the developer has:

submitted enough information for you to fully consider the effect on protected species and their habitats
as far as possible, planned to avoid harm or disturbance to protected species and their habitats with the location, layout, design and timing of the development

If the information is not adequate you should ask for further information, such as further surveys or mitigation measures.

You can refuse planning permission if surveys:

- *are carried out at the wrong time of year*
- *are not up to date*
- *do not follow standard survey guidelines without appropriate justification*
- *do not provide enough evidence to assess the likely negative effects on protected species*

and *'You should not usually attach planning conditions that ask for surveys. This is because you need to consider the full impact of the proposal on protected species before you can grant planning permission'*

A Licence is also required from Natural England or Defra if a developer/applicant plans to disturb or remove wildlife or damage habitats. This is in addition to the requirements for planning permission and Licences are subject to separate processes and specific policy and legal tests. The PPG guidance advises that the LPA:

'Must be satisfied that if a licence is needed it's likely to be granted by Natural England or Defra before you give planning permission.

For European Protected Species (set out in Regulation 55 of the Habitat Regulations) *you need to check that:*

- *the activity is for a certain purpose, for example it's in the public interest to build a new residential development*
- *there's no satisfactory alternative that will cause less harm to the species*
- *the development does not harm the long-term conservation status of the species'*

'5. Make a decision about a planning application
If the proposal is likely to affect a protected species, you can grant planning permission where:

- *a qualified ecologist has carried out an appropriate survey (where needed) at the correct time of year*
- *there's enough information to assess the impact on protected species*
- *all appropriate avoidance and mitigation measures have been incorporated into the development and appropriately secured*
- *a protected species licence is needed it is likely to be granted by Natural England or Defra*
- *any compensation measures are acceptable and can be put in place*
- *monitoring and review plans are in place, where appropriate*
- *all wider planning considerations are met'*

The Preliminary Roost Assessment submitted with the original application identified a bat roost within the roofspace of the dwelling (building 1) and identified a requirement for further survey work to characterise the bat roost (including assessment of the garage – building 2) and inform mitigation:

• Bats are considered to present an ecological constraint to the proposed development and following current best practice guidelines three activity surveys of Building 1 are recommended to characterise the roost. A single bat activity survey of Building 2 is recommended to confirm the presence or absence of bats using it as a roost.
Mitigation and habitat enhancement measures will be added to the project design based on the results of the bat activity surveys.

Table 5: Bat Roost Potential for the Buildings Surveyed

Building	Bat Roost Potential	Reason	Recommendations
1 – Main House	**CONFIRMED ROOST**	• Low number of PRF recorded internally or externally • C150 bat droppings recorded in one of the roof voids	Three bat activity surveys between 1st May and 31st August.
2 - Garage	**LOW**	• Low number of PRF recorded internally or externally • No evidence of bats recorded	One bat activity survey between 1st May and 31st August.

Without this information/detail, the previous application was refused.

This application includes the results of a bat activity report undertaken in June 2023. This identified the need for mitigation measures and the details have been included with this application (lead bat tiles to the roof of the main

dwelling and a bat box within an existing mature tree). The council's ecologist requested additional bat tiles and details of the membrane to be used on the replacement roof to the main dwelling (breathable membranes being unacceptable as can pose entanglement threats to bats)– the location of the bat tiles have been shown on figure 4 of the revised bat activity report dated August 2023 and this also confirms the use of an acceptable type 1F bitumastic felt membrane within the new roof. Following this update the council's ecologist has raised no objections subject to conditioning the updated bat survey activity report and informative referring to the need for a protected species licence. It is considered that the recommended condition should also be amended to explicitly refer to the bat mitigation details in the report.

River Avon Special Area of Conservation - Phosphate Neutral Development:

The site is within the catchment of the River Avon Special Area of Conservation (SAC). The Council has agreed through a Memorandum of Understanding with Natural England and others that measures will be put in place to ensure all developments permitted between March 2018 and March 2026 are phosphorus neutral in perpetuity. All applications for housing which result in a net increase in foul discharge has potential to cause adverse effects alone or in combination with other developments through discharge of phosphorus in wastewater. As the proposals are to extend an existing dwelling and an extension to an outbuilding including home office space incidental to the main dwelling which can be conditioned as such (and will not be creating additional housing) it is considered that the proposals will be phosphorus neutral.

Sustainable Construction:

The WCS' key strategic objective is to address climate change. It requires developers to meet this objective under Core Policy 41- Sustainable Construction which specifies sustainable construction standards required for new development.

Core Policy 41 identifies how sustainable construction and low-carbon energy will be integral to all new development in Wiltshire. The policy requires:

86. For residential development post-construction Code for Sustainable Homes assessments will be required which must be undertaken by an accredited assessor. For conversions and for non-residential development an appropriate post-construction BREEAM assessment will be required which must also be undertaken by an accredited assessor. Replacements for the BREEAM standards are being developed and this policy will apply the equivalent replacement standards. The policy will also apply to any future replacements to the Code for Sustainable Homes.

From February 2018 the LPA has not been applying CP41 to residential development (given it has effectively been superseded by the current government direction of travel favouring Building Regulations for these matters), although Carbon reduction is a key theme in the council's response to the climate emergency and the LPA encourages the incorporation of sustainable construction techniques/infrastructure and low carbon energy in development schemes where possible and the proposals include PV panels to the roof of the garage and rear roofslope of the main dwelling.

RECOMMENDATION: Approve

APPENDIX A OFFICER REPORT TO PL/2022/06687

CASE OFFICER'S REPORT

Application References:	PL/2022/06687
Date Site Notice erected:	20/09/2022
Press Advert date:	15/09/2022
Publicity expiry:	11/10/2022

The site is situated in the Amesbury Community Area and the small village of Middle Woodford. The area is designated a Special landscape area.

The site is surrounded by residential properties and gardens and within the setting of the Grade II Listed All Saints Church and its associated graveyard.

The site is located within Flood Zone 1 and is identified to be at low risk of flooding from groundwater and surface water in the Strategic Flood Risk Assessment.

POLICIES

Wiltshire Core Strategy:
Core Policy 1 (Settlement Strategy)
Core Policy 2 (Delivery Strategy)
Core Policy 3 (Infrastructure Requirements)
Core Policy 4 (Development in the Amesbury Community Area)
Core Policy 41 (Energy Strategy)
Core Policy 50 (Biodiversity and Geodiversity)
Core Policy 51 (Landscape)
Core Policy 52 (Green Infrastructure)
Core Policy 57 (Ensuring high Quality Design and Place Shaping)
Core Policy 58 (Ensuring the conservation of the historic environment)
Core Policy 64 (Demand Management)
Core Policy 69 (Protection of River Avon SAC)

Adopted Salisbury District Local Plan saved policies:
C6 – Special Landscape area
C18 – Development affecting rivers and river valleys
C24 – extensions to buildings in the countryside
H31 – extensions to dwellings in the open countryside

Wiltshire Local Transport Plan 2011-2026
Car Parking Strategy (Policy PS6 - Residential parking standards)

Wiltshire Housing Site Allocations Plan (February 2020) (WHSAP)

Government Guidance:
National Planning Policy Framework (NPPF) July 2021
Planning Practice Guidance (PPG)
National Design Guide (NDG)

Supplementary Planning Guidance:

Adopted 'Creating Places Design Guide' Salisbury 2006

The Council's 'Generic Appropriate Assessment of Developments in Wiltshire Occurring in The River Avon Sac

Catchment'

Relevant statutes:

The Planning (Listed Buildings and Conservation Areas) Act 1990
- Section 66: Special considerations affecting planning functions

Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019
Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations')

The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (SI No. 2019/579) makes changes to the three existing instruments which transpose the Habitats and Wild Birds Directives so that they continue to work (are operable) upon the UK's exit from the European Union (EU) including The Conservation of Habitats and Species Regulations 2017 (SI No. 2017/1012) and also amends section 27 of the Wildlife and Countryside Act 1981 to ensure existing protections continue.

Regulation 43 of the Habitats Regulations 2017 (as amended) relates to the protection of European protected species listed under Schedule 2 of the Regulations. Taken together it is an offence to undertake the following acts with regard to European protected species:
- *deliberately capture, injure or kill any wild animal of a European protected species;*
- *deliberately disturb animals of any such species in such a way as to be likely to:*
  - *impair their ability to survive, breed, rear or nurture their young, hibernate or migrate, or*
  - *affect significantly the local distribution or abundance of the species to which they belong;*
- *deliberately take or destroy the eggs of such an animal; or*
- *damage or destroy a breeding site or resting place of such an animal.*

Regulation 55 of the Habitats Regulations sets out the 3 "derogation" tests, which must be considered in reaching a recommendation on a Licence application for certain activities relating to animals or plants.
The 3 tests are:
1. *The activity … must be for imperative reasons of overriding public interest or for public health and safety*
2. *There must be no satisfactory alternative*
3. *Favourable conservation status of the species must be maintained.*

Regulation 63 of the Habitats Regulations 2017 (as amended) states the responsibilities for competent authorities thus:
(1) A competent authority, before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which—
(a)is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and
(b)is not directly connected with or necessary to the management of that site, must make an appropriate assessment of the implications of the plan or project for that site in view of that site's conservation objectives.
(2) A person applying for any such consent, permission or other authorisation must provide such information as the competent authority may reasonably require for the purposes of the assessment or to enable it to determine whether an appropriate assessment is required.

The Wildlife and Countryside Act 1981

The Wildlife and Countryside Act 1981 (as amended) is the principal piece of UK legislation relating to the protection of wildlife. It consolidates and amends existing national legislation to implement the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and Council Directive 79/409/EEC on the Conservation of Wild Birds (Birds Directive) in Great Britain.

The Act makes it an offence (with exception to species listed in Schedule 2) to intentionally kill, injure, or take any wild bird or their eggs or nests. Special penalties are available for offences related to birds listed on Schedule 1, for which there are additional offences of disturbing these birds at their nests, or their dependent young. The Secretary of State may also designate Special Protection Areas (subject to exceptions) to provide

further protection to birds. The Act also prohibits certain methods of killing, injuring, or taking birds, restricts the sale and possession of captive bred birds, and sets standards for keeping birds in captivity. The Act makes it an offence (subject to exceptions) to intentionally kill, injure, or take, possess, or trade in any wild animal listed in Schedule 5, and prohibits interference with places used for shelter or protection, or intentionally disturbing animals occupying such places. The Act also prohibits certain methods of killing, injuring, or taking wild animals listed in Schedule 6.

Countryside and Rights of Way Act 2000

The Countryside and Rights of Way Act 2000 (CRoW) provides additional levels of protection for wildlife and strengthens the protection afforded to Sites of Special Scientific Interest.

Schedule 12 of the Act amends the Wildlife and Countryside Act 1981, strengthening the legal protection for threatened species. The provisions make certain offences 'arrestable', create a new offence of 'reckless' disturbance, confer greater powers to police and wildlife inspectors for entering premises and obtaining wildlife tissue samples for DNA analysis, and enable heavier penalties on conviction of wildlife offences.

Natural Environment and Rural Communities Act 2006

Section 40 of the Natural Environment and Rural Communities Act (NERC) requires 'Every public authority must in exercising its functions have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity. Section 40(3) of the same Act also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'.

Environment Act 2021

(Biodiversity Net Gain): Part 6 Nature and Biodiversity (s98)

Ancient Monuments and Archaeological Areas Act (1979) amended by the National Heritage Act (1983) and the National Heritage Act (2002)

RELEVANT PLANNING HISTORY:

The site opposite (Portland Cottage) has recently had planning permission granted for a replacement dwelling under application reference PL/2021/08185.

Following amendments to the applications planning permission was granted for a replacement garage to Dukes Place (planning application reference no. 15/05250/FUL) and alterations to the garage to Druids Cottage (planning application reference no. 18/10471/FUL) only including proposed storage space within the loft, subject to the following condition:

(3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), the garage building hereby altered shall not be converted to habitable accommodation.

ISSUES

- Principle
- Scale, design, impact to the character and appearance of the area and setting of Heritage Asset
- Potential impact to heritage assets with an archaeological interest
- Impact on amenities of nearby properties
- Highway considerations
- Ecology
- Protected species

- River Avon Special Area of Conservation - Phosphate Neutral Development
- Sustainable construction

REPRESENTATIONS

Conservation Officer: No Objection

The site is close to the listed church and forms part of its setting, especially when viewed from the west. The design proposed, while substantially larger than surrounding properties, has something of the character of a replica barn, with its cropped hipped roof and timber boarding. I am satisfied that it would not have a significant or concerning impact on the setting of the listed building.

Archaeology: No objection

Thank you for consulting Wiltshire Council's Archaeology Service regarding this planning application. Please note that my comments relate solely to the buried archaeological heritage and not to the historic built environment, which is a matter for your Conservation Officer.

Wiltshire's Historic Environment Record (HER) shows the property of Kite View as lying within the presumed extent of the historic settlement of Middle Woodford, largely lying to the west of the Grade II listed All Saints' Church. However, historic mapping indicates that the property of Kite View largely sits within a former (19th-century?) quarry. The proposed extension to the garage is also very modest in area with limited below ground impacts.

I am therefore satisfied that it would not be proportionate to require an archaeological response to this proposal should it be permitted, and so no further action is required as regards the buried archaeological heritage in relation to this proposal.

Ecology: Objection

The application needs to be supported by a preliminary bat roost assessment, and any subsequently recommended survey work and reports. The buildings proposed for works show potential for supporting roosting bats if access if present; the site is highly likely to be used by bats. Please note that if further phase 2 survey work is required, this is seasonally dependent and can only be carried out in 2023 now.

If potential bat roosting features are found, or bat mitigation features are required as a result of the report conclusions, these features must be included in amended application drawings and plans.

Case Officer Note - The Preliminary Roost Assessment has identified a bat roost and requirement for further survey work to characterise the bat roost and inform mitigation. Without this the ecology team have advised the application should be refused.

A Preliminary Roost Assessment Ecological Assessment has been submitted in support of this application however this contains insufficient information to determine potential impacts on the following habitats and protected/ notable species: bats
In carrying out its statutory function, the LPA must be reasonably sure that the proposal will not result in significant adverse effects on protected habitats or species. The information outlined above must therefore be submitted and reviewed by the LPA's ecology team prior to determination of the application.

The proposal would result in loss of a bat roost. Bats and their roosts are afforded stringent protection under the Conservation of Habitats and Species Regulations 2019 (as amended) and as such are a material consideration within the planning consultation process. Sufficient and appropriate mitigation measures to ensure that bats are not adversely affected as a result of the proposed development must be submitted as part of the proposal, and shown on development drawings, where bats are present, or likely to be present.
The current proposal conflicts with Core Policy 50 of the adopted Wiltshire Core Strategy 2015 and Paragraphs 174 (a & d) and 180 (a) of the National Planning Policy Framework July 2021, because mitigation is not included in the proposal.

Highways: No Objection - Subject to Condition

I refer to the above planning application for the re-construction of the roof to the dwelling to provide accommodation and for an extension to the garage with roof configuration over for home office use.

The parking area is proposed to be widened to allow for additional parking and manoeuvrability. Adequate off-street parking is proposed for the development.

I wish to raise no highway objection providing the following conditions are imposed:

The development hereby permitted shall not be first brought into use until the first 5m of the access, measured from the edge of the carriageway and/or whole of the parking area, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.
REASON: In the interests of highway safety.

Notwithstanding the submitted details, the proposed development shall not be first brought into use until means/works have been implemented to avoid private water from entering the highway.
REASON: To ensure that the highway is not inundated with private water.

The vehicle access and parking area shall remain ungated.
REASON: In the interests of highway safety.

No part of the development hereby permitted shall be first brought into use until the access and parking spaces [3] have been completed in accordance with the details shown on the approved plans. The areas shall always be maintained for those purposes thereafter and maintained free from the storage of materials.
REASON: In the interests of highway safety.

The application involves an extension to the existing vehicle access/dropped kerb. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact our Vehicle Crossing Team on vehicleaccess@wiltshire.gov.uk and/or 01225 713352 or visit their website at http://wiltshire.gov.uk/highways-streets to make an application.

The applicant is advised that, if it is proposed to drain this development directly into the river or carry out any work within 8 metres of the watercourse then a Land Drainage Consent is required from the Environment Agency. For further information see www.environment-agency.gov.uk

Parish Council: None received

Third party representations: None received

ASSESSMENT:

Principle:

At the heart of the NPPF is a presumption in favour of sustainable development and the Adopted Wiltshire Core Strategy seeks to build resilient communities and support rural communities but this must not be at the expense of sustainable development principles. The Settlement and Delivery Strategies of the Core Strategy are designed to ensure new development fulfils the fundamental principles of sustainability.

This means focusing growth around settlements with a range of facilities, where local housing, service and employment needs can be met in a sustainable manner. A hierarchy has been identified based on the size and function of settlements, which is the basis for setting out how the Spatial Strategy will deliver the levels of growth.

The site is within the Amesbury Community Area and Core Policy 4 confirms that '*Development in the Amesbury Community Area should be in accordance with the Settlement Strategy set out in Core Policy 1.*'

Core Policy 1 of the Wiltshire Core Strategy sets out the 'Settlement Strategy' for the county, and identifies four tiers of settlement - Principal Settlements, Market Towns, Local Service Centres, and Large and Small Villages. Only the Principal Settlements, Market Towns, Local Service Centres and Large Villages have defined limits of development/settlement boundaries. Settlement boundaries are essentially defined as the dividing line between areas or built urban development (the settlement) and non-urban or rural development (the open countryside).

Core Policy 2 of the Wiltshire Core Strategy sets out the 'Delivery Strategy'. It identifies the scale of growth appropriate within each settlement tier, stating that within the limits of development, as defined on the policies map, there is a presumption in favour of sustainable development at the Principal Settlements, Market Towns, Local Service Centres and Large Villages, and states *'Other than in circumstances as permitted by other policies within this Plan, identified in paragraph 4.25, development will not be permitted outside the limits of development, as defined on the policies map.'*

Middle Woodford is defined as a Small Village by Core Policy 4 and has no defined limits of development/settlement boundary being a village that does not have a range of services, facilities and few employment opportunities where new housing development will be restricted.

The application comprises two elements (alterations and extension to the main dwelling and extension and alterations to the detached garage).

Saved policy H31 is relevant to extensions to existing dwellings:

H31
In the countryside extensions to existing dwellings will be permitted provided that:
(i) the extension is subservient in size to the existing dwelling and house plot and does not substantially alter the character of the dwelling;
(ii) the design of the extension is in keeping with that of the existing dwelling and uses complementary materials; and
(iii) the extension would not create, or be capable of creating, a separate dwelling.

The existing garage has a shallow pitched roof with a small flat roof side storage room to the side at the rear and is set into a bank, with the garden at the rear of the site at just below eaves height. The garage proposals are to extend at ground floor level towards the main house and to add a new pitched roof over to provide a home office within the roof space.

The site is already in use for residential purposes and the principle of extensions or additions (including small-scale incidental domestic outbuildings within the existing curtilage to be used in association with the existing residential use of the site) is acceptable subject to the consideration of any site-specific impacts. Saved policy C24 is also relevant stating that:

'Extensions and additions to buildings in the countryside will only be permitted if they are sympathetic in scale and character with the existing building and surroundings and fall within the existing curtilage.'

Saved Policy H33 is however, restrictive of development to create annexe/ancillary living accommodation other than as an extension to the main dwelling, although as the proposals are for a home office use this would be considered an incidental use to the main dwelling.

It would be appropriate to condition that the resultant outbuilding (comprising the extension to garage with roof configuration over for home office use) should be used for the purposes of a garage, home office and storage purposes only and should not be used or occupied at any time other than for purposes incidental to the residential use of the main dwelling.

The principle of development is also subject to compliance with other relevant planning policies and the normal range of material considerations that have to be taken into account when determining a planning application and a judgement is necessary in terms of all the development impacts considered below.

Scale, design, impact to the character and appearance of the area and setting of Heritage Asset:

Paragraph 126 of the NPPF, which provides that, amongst other things, the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.

Core Policy 57 requires a high standard of design in all new development which is expected to create a strong sense of place through drawing on the local context and being complementary to the locality. Criteria (i), (iii) and (vi) specifically refer to development making a positive contribution to the character of Wiltshire through:

i. 'Enhancing local distinctiveness by responding to the value of the natural and historic environment, relating positively to its landscape setting and the exiting pattern of development and responding to local topography by ensuring that important views into, within and out of the site are to be retained and enhanced.'

iii '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.'

vi. 'Making efficient use of land whilst taking account of the characteristics of the site and the local context to deliver an appropriate development which relates effectively to the immediate setting and to the wider character of the area.

The site is also with a Special Landscape Area and saved policy C6 of the Salisbury District Local Plan states:

Within the Special Landscape Area, proposals for development in the countryside will be considered having particular regard to the high quality of the landscape. Where proposals which would not have an adverse effect on the quality on the landscape are acceptable, they
will be subject to the following criteria;
(i) the siting and scale of development to be sympathetic with the landscape; and
(ii) high standards of landscaping and design, using materials which are appropriate to the locality and reflect the character of the area.

Objective 21 of the council's design guide states:

Extensions to existing properties will normally be permitted where they demonstrate that:
- *The scale, design and character of the existing property has been respected*
- *The extension is designed to integrate into the wider area*
- *It does not have a harmful impact on the amenity of neighbours*
- *The materials are appropriate.*

The site is also within the setting of the Grade II listed church. The Planning (Listed Building and Conservation Areas) Act 1990 (Section 66) requires proposals affecting listed buildings or their settings to seek to preserve the special interest of the buildings and their settings. The principal considerations are to ensure that new development preserves the significance of listed buildings and their settings.

Core Policy 58 aims to ensure that Wiltshire's important monuments, sites and landscapes and areas of historic and built heritage significance are protected and enhanced in order that they continue to make an important contribution to Wiltshire's environment and quality of life. The policy seeks to conserve designated heritage assets and their setting as well as non-designated heritage assets that contribute to a sense of local character and identity.

The National Planning Policy Framework (NPPF) outlines the government's policy in respect of the historic environment (section 16). In paying 'special regard' to listed buildings and their settings, the NPPF requires an assessment as to whether the proposal causes 'substantial harm' or 'less than substantial harm. Paragraph 199 advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm. Paragraph 200 emphasises that any harm to, or loss of, the significance of a designated heritage asset, including from development within its setting, should require clear and convincing justification.

The NPPF defines the setting of a heritage asset as *'The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.'*

The existing property being single storey with low eaves heights (and with the previous loft conversion via dormer windows set back from the eaves and not breaching the original ridge height) is relatively unobtrusive and has a limited visual impact on the surrounding area.

The design and scale of existing properties in the area varies from single storey (Dukes Hall/Sunnyside) or 1 ½ storey high/dormer windows set within sloping roofslopes or have low eaves height with first floor windows set just under the eaves and narrower footprint/double pitched roofs thereby reducing the overall ridge heights (e.g., Druids Cottage, Dukes Place and Cedar Cottage).

The original bungalow has a relatively wide footprint and building a conventional first floor extension above this would significantly increase the height of the eaves/roof and overall bulk and massing of the dwelling, exacerbated by the site being at a higher level to dwellings to the NE/East. However, the proposed development by raising the eaves height and creating a 1 ½ storey height development is considered to be comparable to the scale of existing dwellings and appropriate to the overall character and appearance of the area.

Whilst the proposed first floor extension and alterations to the dwelling and garage will be clearly visible from Church Lane and surrounding area; it is considered that they will integrate into the surroundings.

Similarly, whilst the garage is already raised relative to Cedar and Druids Cottages; the design of the proposals has limited the increase in ridge height and results in a subservient appearance, similar to proposals that have been granted elsewhere.

The existing dwelling is of yellow/buff brick elevations under a concrete tiled roof with timber boarded dormer windows and timber boarding in the gable ends. Whilst dwellings in the immediate vicinity of the site are characterised by having rendered elevations under a mixture of tile and slate roofs and the proposals seek to render the ground floor elevations with timber boarding at first floor level and slate roof.

Whilst the site forms part of the setting of the grade II listed church, the conservation officer has advised that the design of proposals to the main dwelling with cropped hipped roof and timber boarding has the character of a replica barn and it is not considered that it would have a significant or adverse impact on the setting of the church.

The materials proposed (the details of which could be conditioned) are considered appropriate to the agrarian design and character of the resultant development which is considered acceptable in this rural location.

Potential impact to heritage assets with an archaeological interest:

The supporting text to Core Policy 58 explains that heritage assets include non-designated heritage assets such as buildings and archaeological sites of regional and local interest and paragraph 194 of the National Planning Policy Framework states that *'where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.'*

The Council's archaeologist has advised that the HER indicates that the site is within a former quarry and taking this into account and given the modest footprint increase to the garage it would not be proportionate to require an archaeological assessment of the site.

Impact on amenities of nearby properties:

The NPPF (para 130) states that planning decisions should ensure that development provides *'a high standard of amenity for existing and future users.'*

Core Policy 57 also requires new development to 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, including the consideration of privacy, overshadowing, vibration and pollution'*.

Residential amenity is affected by significant changes to the environment including privacy, outlook, daylighting and sunlight inside the house, living areas and within private garden spaces (which should be regarded as extensions to the living space of a house). The extent to which potential problems may arise is usually dependent upon the separation distance, height, depth, mass (the physical volume), bulk (magnitude in three dimensions) and location of a development proposal in relation to neighbouring properties, gardens and window positions.

Although the height of the dwelling will be increased, the proposals reduce the number of first floor level windows on the NE elevation/roofslope and as such it is considered that the proposals will reduce overlooking to the gardens of Druids Cottage and Portland Cottage (for which planning consent has been granted for a replacement dwelling set further eastwards on that site/more in line with Kite Cottage). A condition could be added to remove otherwise permitted development rights for additional openings in the NE elevation/roofslope at first floor level.

The proposed home office within the roof space of the garage will be accessed from the rear elevation at first floor level (the ground to the rear of the garage is at the level of the eaves). A window is proposed in the end (NE facing gable), and rooflight on the NW roofslope (facing towards the main dwelling). No windows are proposed on the SE roofslope. Although PV panels are proposed on the SE roofslope, it would also be appropriate to remove otherwise permitted development rights for openings in the SE roofslope in the interests of amenity and privacy as this roofslope faces towards the garden of Cedar Cottage.

Highway considerations:

The supporting text to Core Policy 64 refers to a parking study, commissioned by the council in January 2010, which included a comprehensive review of parking standards, charges and policy within both the plan area and neighbouring areas. The reviewed LTP3 Car Parking Strategy was adopted by the council in March 2015 and includes policy PS6 – Residential parking standards.

The parking standards are set out in the Wiltshire Local Transport Plan 2011-2026 – car parking strategy:

Table 7.1 Minimum parking standards (allocated parking)

Bedrooms	Minimum spaces
1	1 space
2 to 3	2 spaces
4+	3 spaces
Visitor parking	0.2 spaces per dwelling (unallocated)

7.4 Garages will only count as part of the allocated parking provision where they meet the minimum size requirement of 6m x 3m (internal dimensions). This is to ensure that there is sufficient room for an average sized family car, a cycle and some storage provision. Where these minimum size requirements are not met, the council will require design statements and/or transport assessments to demonstrate the need for such provision and/or to set-out the role of alternatives (e.g. car ports which are unlikely to be used for storage and could therefore count towards allocated parking provision).

The planning statement explains that the existing property can be considered a 4-bedroom dwelling. The proposals also include increasing the width of the parking area and 3 external parking spaces are marked on the revised layout:

> Combined with the garage alterations is a proposal to increase the width of the parking area and provide better manoeuvrability by removing part of the upper ground on the west elevation and continuing through the alignment of the existing retaining wall. A new pedestrian access will be arranged leading to the front and back doors.

The proposals will increase the level of off-street parking and the highways authority has raised no objections subject to conditions (consolidated and surfaced access, runoff restricted from entering the highway, access and parking area to remain ungated and maintained for parking and informatives relating to the need for highways licence for work on land forming part of the highway/EA land drainage consent although the site is not within 8m of a watercourse).

Ecology:

Protected species:

Core Policy 50 of the Wiltshire Core Strategy and the National Planning Policy Framework requires that the planning authority ensures protection of important habitats and species in relation to development and seeks enhancement for the benefit of biodiversity through the planning system.

Bats and their roosts are afforded stringent protection under the Conservation of Habitats and Species Regulations 2017 (as amended) and as such are a material consideration within the planning process. In carrying out its statutory function, the LPA must be reasonably sure that the proposal will not result in significant adverse effects on protected habitats or species.

PPG (Protected species and development: advice for local planning authorities updated 08/09/2022) confirms that the LPA:

'Should make sure developers use a suitably qualified and licensed ecologist to carry out surveys at the right time of year using appropriate methods and not decide on planning applications until you have received all the necessary surveys'

You should check the developer has:

submitted enough information for you to fully consider the effect on protected species and their habitats
as far as possible, planned to avoid harm or disturbance to protected species and their habitats with the location, layout, design and timing of the development

If the information is not adequate you should ask for further information, such as further surveys or mitigation measures.

You can refuse planning permission if surveys:

- *are carried out at the wrong time of year*
- *are not up to date*
- *do not follow standard survey guidelines without appropriate justification*
- *do not provide enough evidence to assess the likely negative effects on protected species*

and *'You should not usually attach planning conditions that ask for surveys. This is because you need to consider the full impact of the proposal on protected species before you can grant planning permission'*

A Licence is also required from Natural England or Defra if a developer/applicant plans to disturb or remove wildlife or damage habitats. This is in addition to the requirements for planning permission and Licences are

subject to separate processes and specific policy and legal tests. The PPG guidance advises that the LPA:

'Must be satisfied that if a licence is needed it's likely to be granted by Natural England or Defra before you give planning permission.

For European Protected Species (set out in Regulation 55 of the Habitat Regulations) *you need to check that:*

- *the activity is for a certain purpose, for example it's in the public interest to build a new residential development*
- *there's no satisfactory alternative that will cause less harm to the species*
- *the development does not harm the long-term conservation status of the species'*

'5. Make a decision about a planning application
If the proposal is likely to affect a protected species, you can grant planning permission where:

- *a qualified ecologist has carried out an appropriate survey (where needed) at the correct time of year*
- *there's enough information to assess the impact on protected species*
- *all appropriate avoidance and mitigation measures have been incorporated into the development and appropriately secured*
- *a protected species licence is needed it is likely to be granted by Natural England or Defra*
- *any compensation measures are acceptable and can be put in place*
- *monitoring and review plans are in place, where appropriate*
- *all wider planning considerations are met'*

The Preliminary Roost Assessment submitted with the application has identified a bat roost within the roofspace of the dwelling (building 1) and has identified a requirement for further survey work to characterise the bat roost (including assessment of the garage – building 2) and inform mitigation (which needs to be included as part of the application):

• Bats are considered to present an ecological constraint to the proposed development and following current best practice guidelines three activity surveys of Building 1 are recommended to characterise the roost. A single bat activity survey of Building 2 is recommended to confirm the presence or absence of bats using it as a roost.
Mitigation and habitat enhancement measures will be added to the project design based on the results of the bat activity surveys.

Table 5: Bat Roost Potential for the Buildings Surveyed

Building	Bat Roost Potential	Reason	Recommendations
1 – Main House	**CONFIRMED ROOST**	• Low number of PRF recorded internally or externally • C150 bat droppings recorded in one of the roof voids	Three bat activity surveys between 1st May and 31st August.
2 - Garage	**LOW**	• Low number of PRF recorded internally or externally • No evidence of bats recorded	One bat activity survey between 1st May and 31st August.

Without this information/detail, the ecology team have advised the application should be refused. It has been suggested to the planning agent the application could be withdrawn and resubmitted later following the results of the activity surveys which need to be undertaken between May and August (and resultant mitigation measures being provided); but the agent has requested the application be determined as submitted.

River Avon Special Area of Conservation - Phosphate Neutral Development:

The site is within the catchment of the River Avon Special Area of Conservation (SAC). The Council has agreed through a Memorandum of Understanding with Natural England and others that measures will be put in place to

ensure all developments permitted between March 2018 and March 2026 are phosphorus neutral in perpetuity. All applications for housing which result in a net increase in foul discharge has potential to cause adverse effects alone or in combination with other developments through discharge of phosphorus in wastewater. As the proposals are to extend an existing dwelling and an extension to an outbuilding including home office space incidental to the main dwelling which can be conditioned as such (and will not be creating additional housing) it is considered that the proposals would be considered to be phosphorus neutral.

Sustainable Construction:

The WCS' key strategic objective is to address climate change. It requires developers to meet this objective under Core Policy 41- Sustainable Construction which specifies sustainable construction standards required for new development.

Core Policy 41 identifies how sustainable construction and low-carbon energy will be integral to all new development in Wiltshire. The policy requires:

86. For residential development post-construction Code for Sustainable Homes assessments will be required which must be undertaken by an accredited assessor. For conversions and for non-residential development an appropriate post-construction BREEAM assessment will be required which must also be undertaken by an accredited assessor. Replacements for the BREEAM standards are being developed and this policy will apply the equivalent replacement standards. The policy will also apply to any future replacements to the Code for Sustainable Homes.

From February 2018 the LPA has not been applying CP41 to residential development (given it has effectively been superseded by the current government direction of travel favouring Building Regulations for these matters), although Carbon reduction is a key theme in the council's recovery from COVID-19 and the LPA encourages the incorporation of sustainable construction techniques and low carbon energy in development schemes and the proposals include PV panels to the roof of the garage and main dwelling.

RECOMMENDATION: Refuse

Bats and their roosts are afforded stringent protection under the Conservation of Habitats and Species Regulations 2017 (as amended) and as such are a material consideration within the planning process. In carrying out its statutory function, the LPA must be reasonably sure that the proposal will not result in significant adverse effects on protected habitats or species. The Preliminary Roost Assessment submitted with the application has confirmed a bat roost within the roof space of the main dwelling and has recommended a requirement for further activity survey work to characterise the bat roost (including further assessment of the garage to confirm the presence or absence of bats using it as a roost) to inform the necessary mitigation. Sufficient and appropriate mitigation measures to ensure that bats are not adversely affected as a result of the proposed development must be submitted as part of the proposal, and shown on development drawings, where bats are present, or likely to be present. Because mitigation is not included with the proposal (informed by the required further survey work), insufficient information has been submitted to demonstrate that bats (a European Protected Species) will not be adversely affected as a result of the proposed development, contrary to Core Policy 50 of the adopted Wiltshire Core Strategy 2015, guidance within the National Planning Policy Framework July 2021 (Paragraphs 174 (a & d) and 180 (a), Planning Practice Guidance and the Conservation of Habitats and Species Regulations 2017 (as amended) and the Natural Environment and Rural Communities (NERC) Act 2006.