CASE OFFICER'S REPORT

Application Reference:	PL/2023/07043
Application Type:	Full planning permission
Site Inspection:	
Consultation ends:	11 October 2023
Case officer:	Jemma Foster

Site Address:	Plot 5, Church Farm, Church Street, Hilperton, Trowbridge, Wiltshire, BA14 7RG
Proposal:	Additional of single timber framed carport with sedum roof to match those approved elsewhere on the development under planning ref. 20/09998/FUL.
Recommendation:	Approve with Conditions

Policies

National Context:
National Planning Policy Framework (NPPF) Planning – revised September 2023
Practice Guidance (PPG)
Planning (Listed Buildings and Conservation Areas) Act 1990

Local Context:
Wiltshire Core Strategy (WCS) adopted 2015:
CP1 – Settlement Strategy, CP2 – Delivery Strategy, CP29 - Trowbridge Community Area, CP51 – Landscape, CP57 – Ensuring High Quality Design and Place Shaping, CP58 – Ensuring the Conservation of the Historic Environment, CP60 – Sustainable Transport, CP61 – Transport and New Development, CP64 – Demand Management, CP67 - Flood Risk

Saved Policies from the West Wiltshire District Local Plan (1st Alteration):
U1a - Foul Water Disposal, U2 - Surface Water Disposal,

Hilperton Neighbourhood Plan
Summary of Officer View

Hilperton Parish Council: No objection

Wiltshire Council Highways Officer: no highway objection

Constraints:
The site is located in a Conservation area. There is a Grade II* listed building opposite the wider site entrance which is surrounded by Grade II listed walls. The war memorial to the North is also Grade II Listed.The church farmhouse on the site has been considered a non designated heritage asset.

Relevant Planning History:
20/09998/FUL - Redevelopment to include: demolition of agricultural buildings; the erection of

12 dwellings; conversion and alteration of existing buildings to create 2 No. dwellings; refurbishment and alterations to the principal house, and associated access; landscaping and drainage works - Approved 18th March 2022.

All of the conditions have been discharged as follows:

2022/05202 – Discharge of conditions 8, 10, 11, 14, 15, 16, 17 of 20/0998/FUL – Approved 01/12/2022

2022/07351 – Discharge of condition 13 of 20/0998/FUL – Approved 15/12/2022

2022/02325 – Discharge of condition 4 of 20/0998/FUL – Approved 08/04/2022

2022/02312 – Discharge of condition 3, 5, 6, 7 of 20/0998/FUL – Approved 08/04/2022

Proposal:
The proposal is to erect a timber frame car port with a sedum roof at Plot 5. Under the 2020 application the following was approved:



It shows a parking area with a bin and cycle store to the rear. The proposed purchaser would like to have a car port similar to those approved on plots 4, 6, 7, 8, 9, 12, 15 under the 2020 approved planning application.

The proposed purchaser is unable to carry out this car port under permitted development rights because the property has not been completed and therefore does not benefit from permitted development rights.

Assessment
Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.
• Principle of development
• Impact on the scale and character of the area/existing dwelling

• Impact on the significance of heritage assets, such as listed buildings/conservation areas/archaeology
• Impact on neighbour amenity
• Highway matters – including road safety /Parking

Principle of development

The site is located within the limits of development of the large village known as Hilperton where there is a presumption in favour of sustainable development and is in accordance with CP1, CP2 and CP29 of the Wiltshire Core Strategy. The application is for a car port linked to a dwelling that already has planning permission under the consent noted above and therefore in principle is considered to be appropriate.

Impact on the scale and character of the area/existing dwelling
The design of the proposed single storey car port which has a timber fame under a sedum roof is similar to those already approved on the site and as such it is considered appropriate to its immediate setting and as such would comply with the relevant criteria of CP57.

It is considered that this current application would not impact upon the approved discharge of conditions as the car port is covering an area of approved hardstanding so woud not impact the landscaping, highway or ecology conditions. In fact due to the proposed sedum roof, the proposal would actually benefit ecology and biodiversity in the area. The approved details also saw the location and size of the covered bin and cycle storage which lie adjacent to the proposed car port and would not be affected by this proposal.

Impact on the significance of heritage assets, such as listed buildings/conservation areas/archaeology
Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires 'special regard' to be given to the desirability of preserving a listed building or its setting.
Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the exercise of any functions, with respect to any buildings or other land in a conservation area, under or by virtue of any of the provisions mentioned in this Section, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
Above the various tiers of planning policy and guidance is the over-arching statutory requirement under the Planning (Listed Buildings and Conservation Areas) Act 1990 to give special regard to the "desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses" (s16 and s66).

Core Policy 57 of the Wiltshire Core Strategy states: "A high standard of design is required in all new developments, including extensions… Development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality. Applications for new development must be accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire through… being sympathetic to and conserving historic buildings"

Core Policy 58 of the Wiltshire Core Strategy echoes the above national policy in seeking the protection, conservation and, where possible, enhancement of heritage assets.

The erection of a car port which is of similar design and appearance to those already approved on the site it is considered not to raise harm to the setting of the conservation area. It is also considered that the proposed car port would not harm the setting of the nearby Grade II* and Grade II listed buildings and non designated heritage asset due to the distance between them and existing built development. The proposal is therefore considered to comply with CP58.

Impact upon neighbouring amenity
The location of the car port is away from any neighbouring properties/boundaries as it is on the edge of the site adjacent to the open countryside. As such it is considered that the proposed car port would not have an adverse impact upon neighbouring amenity in the form of overlooking, overshadowing or overbearing and would comply with the relevant criteria of CP57.

Highway Matters
The proposal still allows for three off street parking facilities as per the approved application and therefore the proposed car port would not impact the parking facilities associated with Plot 5. As such the proposal is considered to comply with CP60, CP61 and CP64.

Conditions: (3)

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

CHU: 300A (location plan), 301A (existing site plan), 302A (proposed site plan), 303A (car port plan and elevations) received by the Local Planning Authority on 18th August 2023.

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

3 The garage hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling shown as Plot 5 on the approved drawings and it shall remain within the same planning unit as the main dwelling.

REASON: In the interest of highway safety and to ensure adequate off street parking for plot 5.