DELEGATED REPORT

Application Reference:	PL/2023/05259
Application Type:	Planning Permission
Site Address:	Merryfields, Star Corner, Colerne, Chippenham, SN14 8DG
Proposal:	Proposed outbuilding.
Recommendation:	That Planning Permission is GRANTED with Conditions

PROPOSAL

This application seeks Planning Permission for a proposed detached outbuilding on the eastern side of the plot located at Merryfields, Colerne. The proposal will measure 9.7m in length and 7.8m in width and will consist of two large, glazed panels on the south elevation and a door and window on the west (side) elevation.

The applications set out the following components for which permission and consent are sought:

- Proposed detached outbuilding.

The development and works are intended for purposes associated with the occupation and use at Merryfields as a single residential dwellinghouse.

DESCRIPTION/CONTEXT

Merryfields is a detached dwelling situated on a large plot which has been extended significantly over time and sits on the edge of the village of Colerne. The property is located within the Conservation Area and Cotswolds Area of Outstanding Beauty. The site sits partially within the Greenbelt to the south, however, the area in which the dwelling is in does not lay within the Greenbelt itself. The dwelling is constructed of stone with timber windows and doors and a mix of clay tiled and slate roof. The property is set within a large garden which is bordered by hedgerow and stone wall. The surrounding properties vary in size and are predominantly constructed of stone with clay tiled roofs. The dwelling is partially overlooked from the north, west and east but the southern (front elevation) aspect looks out onto open fields.

The dwelling is not covered any archaeological or ecological designations.

PLANNING HISTORY

PL/2023/02250	Loft extension	**Approved**
19/11634/FUL	Single storey side extension	**Approved**
17/03376/FUL	Replacement out building (retrospective)	**Approved**
16/0943/FUL	Single storey side extension	**Approved**

14/00463/FUL	Single storey extension and associated alterations	**Approved**
N/08/02483/S73A	Erection of two pairs of replacement two-meter-high timber gates	**Approved**
N/07/03096/FUL	Single storey and two storey extensions	**Approved**

POLICIES

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. At the current time the statutory development plan in respect of this application consists of the Wiltshire Core Strategy (WCS) (Adopted January 2015); and the 'saved' policies of the North Wiltshire Local Plan (NWLP) 2011 (adopted June 2006).

Though the development plan is considered as a whole, those parts deemed to be particularly relevant to this application are listed below:

Colerne Neighborhood Plan
Policy BE1: Character and design
Policy BE2: Heritage
Policy NE1: Landscape and Natural Environment

Wiltshire Core Strategy Policies 2015 (WCS):
Core Policy 51: Landscape
Core Policy 57: Ensuring High Quality Design and Place Shaping
Core Policy 58: Ensuring the Conservation of the Historic Environment

Cotswolds AONB Management Plan 2023:
Policy CE1 (Landscape)

National Planning Policy Framework 2021 (NPPF)

ISSUES

The main issues in the consideration of this application are:

- Principle Of Development
- Green Belt
- Heritage
- Landscape
- Scale and Design
- Residential Amenity

CONSULTATION

In relation to the revised plans, the following consultation responded were received:

Colerne Parish Council: *The Parish Council supports this application.*

REPRESENTATIONS

Consultation was carried out and no comments were received by neighbouring properties or third parties.

ASSESSMENT

Principle of Development

Extensions, additions and alternations to existing properties across the plan area are acceptable in principle subject to consideration of any site-specific impacts and conformity with the relevant policies of the plan and national guidance, in particular the criteria set out in CP57 of the WCS.

However, the detail and other site-specific impacts, must also be considered against other relevant policies within the development plan and the guidance and provisions as contained within the National Planning Policy Framework.

Green Belt

There is no relevant local development plan policy on Green Belt and as such the NPPF, Section 13 is the only policy consideration on this matter. This sets out a negative planning approach and is one of the most restrictive planning policies in England. It sets out that development, except for specific exclusions at paragraphs 149 and 150 of the NPPF, is inappropriate. Furthermore, it states that inappropriate development is, by definition, harmful. It explains that development should not harm the defining characteristic of the Green Belt which is its openness.

IN this particular case the outbuilding is considered to be in close proximity to the dwelling to which it relates and for that reason may be reasonable considered to be an extension for the purposes of paragraph 149(c) to the NPPF (as has been held in court decisions on the matter). Although large, it is not considered to be of disproportionate since in comparison to the original building (of the dwelling). Similarly, the development may also be considered to represent limited infilling in the village of Colerne, thereby meeting the exception set out in paragraph 149(e) to the NPPF.

In other respects, the outbuilding would be seen within the context of the surrounding buildings and would not impact upon the openness of the green belt.

Ultimately, it is concluded that the proposal is not inappropriate development in the green belt.

Landscape

In regard to impacts on the AONB, Policy NE1 of the Colerne Neighbourhood Plan (CNP), Core Policy 51 of the WCS and Policy CE 1 of the Cotswolds Management Plan (CMP) seek to ensure that the landscape character, scenic quality and geological features of the AONB are conserved, and where possible enhanced.

The proposed development is located within the confines of the existing, and well established, residential curtilage. The proposed building would be finished in sympathetic materials that would

be considered to be acceptable. The proposal would not be harmful in terms of design and scale and would not create harm to the openness of the AONB due to the location of the proposal. For this reason, the proposal is not considered to result in any unacceptable impact upon the landscapes special qualities.

The proposal is located entirely within the Cotswold AONB, as required by CP51 of the WCS due consideration is given to the potential impact of the proposal upon the character and appearance of the AONB. As a result of the nature of the proposal and location within the built form of Colerne it is considered that the proposal will not be harmful to the AONB. As such, the proposed development will meet the requirements of Policy CP51 to the WCS, NE1 of the CNP and Policy CE1 of the CMP.

Heritage

The Planning (Listed Building and Conservation Area) Act 1990 provides powers for the designation, protection and enhancement of conservation areas and the preservation of listed buildings. The Act requires that special regard should be given to the desirability of preserving a listed building or its setting (s. 16 and 66) as well as giving special attention to preserving or enhancing the character of appearance of the conservation area (s.72).

The NPPF requires local planning authorities to identify and assess the particular significance of any heritage asset that may be affected by the proposal (including any development affecting the setting of a heritage asset). Core Policy 57 requires, amongst other things, that new development much be sympathetic to and conserve historic building. Core Policy 58 and Policy BE2 requires that development should protect, conserve and where possible, enhance the historic environment.

The application site is situated within the Colerne Conservation Area, as required by the CP58 of the WCS, due consideration is given to the potential impact upon the character and setting of the conservation Area. The Grade II listed garden wall at Washmere House, lies some 20.0m to the west. Whilst the proposal site lays directly adjacent to the listed garden wall, the nature of the proposal and the distance is not expected to harm the setting or character of the listed garden wall. It is also noted that the proposal will be situated on the east side of the host dwelling and will not be seen by Washmere House. The Grade II listed Farmhouse (Rooks Nest) lies some 60.0m to the southwest. The distance and screening between ensure that there is no unacceptable harm caused to its setting. The Grade II listed dwelling (3 High Street) is situated approximately 70.0m north of the site. Several dwellings separate the listed building with the proposal site and it is considered that no unacceptable harm is caused to its character or setting. It is considered that overall, there will be no unacceptable harm caused to the setting of any listed building within the vicinity of the proposal.

The proposal is situated a distance away from the main road. The materials proposed will also be in keeping with the character of the surrounding area and as such, it is considered to have a negligible impact on the setting of the Conservation Area. Due to the nature, scale, and positioning of the proposal, there would also be minimal views from public vantage point and where seen, the proposed works would be read against the existing residential context and associated built form. There is a large mature hedge on the north and east of the proposal which will help further screen the outbuilding.

For the above reasons, there is considered to be no unacceptable harm caused to the Conservation Area and the proposal is considered to be in accordance with Core Policy 57 and 58 of the WCS, BE2 of the Colerne Neighbourhood Plan, advise in the NPPF and in compliance with the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.

Scale and design

Core Policy 57 requires a high standard of design in all new developments; of particular relevance to householder developments is paragraph (iii) which require development to respond 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.

Good design helps to provide a sense of place, creates, or reinforces local distinctiveness, and promotes community cohesiveness and social wellbeing; the layout and design of new developments must also be based on a thorough understanding of the site itself and its wider context, and seek to maximise the benefits of the site's characteristics. This will require careful consideration of the site layout. No two sites share the same landscapes, contours, relationship with surrounding buildings, street pattern and features. The proximity of poor quality or indistinct development is not a justification for standard of poor design solutions. New development should integrate into its surroundings whilst seeking to enhance the overall character of the locality. A high standard of design is required in all new developments, including extensions, alterations, and changes of use of an existing building.

The proposed development lies wholly within the residential confines of the settlement boundary of Colerne. In terms of the wider setting, the proposal can be partially views from Box View Road to the north and west of the site. Whilst the development will be visible to surrounding residents, the visibility is not automatically regarded as being unacceptable and were seen, the proposed works would be read against the existing residential context and associated built form and is not considered unacceptably impact on the character of the area.

In terms of the design, whilst the existing dwelling is of no particular architectural merit, the application has not demonstrated a high quality of design. In the context of the street scene and noting the variations in dwelling type and extensions already completed, the proposed development would not appear congruent within this setting. The applicant has sought through the proposed finishing materials and low profile, to mitigate the impact on the street scene which would allow it to integrate acceptably. Though sizable, the outbuilding remains subservient and is easily accommodated within the large plot. The proposal is set back from the road (c.10.0m to the north and c.17.0m to the east) and in conjunction with the use of matching materials will ensure that the additions do not appear prominent within the street scene. The outbuilding will also be bounded by a tall mature hedge to the north and east which further screens the proposal from the street scene and reduces impacts upon the wider setting. However, it is to be noted that building the proposal so close to the hedge, may impact the mature hedging if not protected during the building phase.

The proposal is considered to broadly reflect and respond to the character of the building and is largely sympathetic to the appearance of the host dwelling and the wider area. The increase in

scale and mass of the proposal would therefore not be considered to create an incongruous or unduly prominent feature in this location. The fenestrations are proposed on the south and west elevation and will overlook upon the applicant own residential garden. It would not be considered to unacceptably harm the character of the dwelling or the setting. Therefore, on balance, it is considered that the development would not cause unacceptable harm to the character of the area amounting to a reason for refusal.

As such, the scale and design of the proposal are considered to be acceptable and comply with Core Policy 57 of the WCS.

Residential amenity

Core Policy 57 states that development should have regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants and ensuring that appropriate levels of amenity are achievable within the development itself. Section 12 of the NPPF also states that planning decisions should create places with a high standard of amenity for existing and future users.

The proposed development would not Immediately present an Impact upon the living condition of neighbouring residents through overlooking or oppressiveness. Due to the location of the proposal, it is considered that the impact on neighbour amenity will be low. Whilst the scale of the proposal is large, the size is appropriate for the large property and located 6pprox.. 20.0m to the nearest neighbouring dwellinghouse to the east and approx.. 15.0m to the nearest neighbouring dwellinghouse to the north. Given the location, position and orientation, it would not result to unacceptable harm, or be intrusive to neighbour amenity. There is considered to be no unacceptable loss of daylight, sunlight or privacy for immediate neighbours as a result of the proposal.

During public consultation, there were no objections or concerns raised by neighbouring properties or third parties.

In the context of the nature and scale of the development, it is considered to have no unacceptable impact upon the amenities and living conditions of the neighbouring properties, thereby complying with the relevant provision of CP57 of the WCS.

Other Matters

It is understood that part of the dwellinghouse is being used as a holiday let on Airbnb. The applicant should note that uses such as these may require a change of use from residential to holiday let. A condition should be imposed on this decision to expressly prohibit the use of the new floorspace for purposes other than ancillary to the operation of Merryfields as a single dwellinghouse.

CONCLUSION

The potential impacts of this development have been taken into consideration. Subject to conditions, the principle of development is established as acceptable and the proposal is not inappropriate development in the green belt.

In terms of the scale and materials, the proposal would not harm amenity or the character of the dwelling or the area. The proposal is in accordance with the aims of the NPPF, the Core Policies in the WCS; CP51, CP57 and CP58, Policy BE1, BE2 and NE1 of the Colerne Neighbourhood Plan and Policy CE1 of the Cotswolds AONB Management Plan. It is therefore recommended that this application be approved with conditions.

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

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:

Proposed Plan: Drawing No. 5049-2; Received 29 June 2023
Existing Plans: Drawing No. 5049-1; Received 29 June 2023
Block Plan: Received 29 June 2023
Site Location Plan: Received 29 June 2023

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

3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those detailed on the application form and approved drawings.

REASON: In the interest of visual amenity and the character and appearance of the area.

4 The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the use of the main dwelling, known as ‘Merryfields’ and it shall remain within the same planning unit as the main dwelling.

REASON: The additional structure is sited in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit a wholly separate dwelling.