Our Ref: ST/220203/P5

26 September 2023

Development Services Central Area
Wiltshire Council
Bythesea Road
Trowbridge
Wiltshire
BA14 8JN

BY PLANNING PORTAL

Dear Sirs,

Section 73. Town & Country Planning Act 1990
Proposal: Minor material amendment to vary condition 2 of PL/2023/02462 to allow for amendments to the approved design scheme.
At: Pettits, Spray Road, Ham, Wiltshire SN8 3QR
PP-12428076

Fowler Architecture & Planning Ltd have been instructed by Mr & Mrs N Medd to submit a Section 73 Application to Wiltshire Council for the above development at Pettits. The application has been submitted via the Planning Portal and comprises:

- Completed application form, certificates and notice;
- Planning application fee of £234.00;
- Drawing No.220203-01: Location plan;
- Drawing No.220203-02: Site Plan;
- Drawing No.220203-120: Garage Design Scheme;
- Drawing No.2022-1109-001: Topographical Survey;
- CIL Form 1: Additional Information; and
- CIL Form 8: Residential Annex Claim.

1. Introduction

The Proposal Site (the 'Site') is located within the village of Ham, Wiltshire. The site is approximately 3.2 miles south of Hungerford, and 10.8 miles east of Pewsey.

The site extends to approximately 0.42ha, and is located along Spray Road to the north-east of Ham.

Currently, the site consists of the residential dwelling of 'Pettits' and associated residential curtilage. The existing single-storey dwelling is located almost centrally within the plot, with the access drive located to the east of the site.

Planning permission PL/2022/09752 was approved in February 2023 to replace the existing dwelling with a new replacement dwelling. In addition to this, planning application PL/2023/02462 was approved in May 2023 for the erection of a garage (with ancillary

accommodation). This current planning application proposes amendments to the approved scheme.

To the north and south of the site lies agricultural land and fields. To the east and west of the site is the neighbouring dwellings of Ferne Down to the east and Field House to the west. The existing development along Spray Road comprises linear residential dwellings. The built-up village of Ham lies around 300m to the south-west of the site.

The site is currently accessed by a private access driveway to the east of the site, from Spray Road.

The site is not in close vicinity of any listed buildings and is located approximately 150m from the Ham Conservation Area. The site is located within the North Wessex Downs Area of Outstanding Natural Beauty (AONB).

The site is located within Fluvial Flood Zone 1, where there is low risk of surface water flooding. The site is not bound by an other local or national designations.

2. Planning History

PL/2023/02462	16.05.2023	Erection of two-bay garage with ancillary accommodation above	Approved
PL/2022/09752	10.02.2023	Demolition of existing dwelling and erection of replacement dwelling (revisions to PL/2022/05865). Erection of shed.	Approved
PL/2022/05865	20.10.2022	Demolition of existing dwelling and erection of replacement dwelling	Approved
K/12184/O	13.06.1988	Bungalow – Land adjacent to Pettits	Refused
K/14199/O	19.06.1989	Erection of bungalow – Land adjacent to Pettits	Refused
K/84/0453	10.07.1984	Two-bedroom extension	Approved

3. Proposed Development

This planning application proposes the '*erection of two-bay garage with associated store and ancillary accommodation above (amendments to PL/2023/02462)'.*

This current application is being made under S73 of the Town and Country Planning Act 1990, and seeks to vary Condition 2 of PL/2023/02462 to allow for minor material amendments to the approved scheme.

The proposal is for the erection of a two-bay garage with associated store and ancillary accommodation to the first floor. The garage will be located to the north elevation, aligned with the existing hedgerow, in the same location as previously approved.

There will be two garage spaces to the ground floor, with a store and plant room located to the western side of the garage. Ancillary residential accommodation will be located to the first floor, accessed via an external staircase. The ancillary accommodation will be open plan

studio space comprising kitchen/living space, 1 no. bedroom and associated bathroom. This ancillary accommodation will be used in connection with the main dwellinghouse of Pettits.

The garage will be 1.5-storeys with a large dormer window located to the first floor (north-west elevation) serving a Juliette balcony. The dimensions of the garage are as follows: a main plan width of 11mm, a main plan depth of 6.8m, with a height of 3.1m to the eaves and 6.3m to the ridge. Additionally, 4 no. rooflights are proposed – two to the north-west elevation and two to the south-east elevation. The garage has a total GIA of 105sqm.

The proposed garage will be constructed from hardwood posts on staddle stones, brick plinth and timber cladding under a clay plain tile roof, as previously approved.

The existing access will be retained for the dwelling.

The application wishes to very Condition 2 (approved plans) of planning permission PL/2023/02462 to allow for the approval of a new site plan and design scheme which incorporate the proposed amendments.

4. Planning Policy

Section 70(2) of the Town and Country Planning Act 1990 (as amended) states that in dealing with an application for planning permission the LPA shall have regard to the provisions of the development plan, so far as material to the application; any local finance considerations, so far as material to the application; and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.

For the purpose of this application, the development plan comprises the **Wiltshire Core Strategy** (CS) adopted January 2015 covering the period 2006-2026 and retained saved policies (not deleted by the adoption of the CS) of the **Kennet District Local Plan 2011** (LP) adopted June 2004.

The Government's policies are within the revised **National Planning Policy Framework** (the Framework) published February 2019, the describes how the planning system should achieve sustainable development and when the presumption in favour of sustainable development is engaged. The **Planning Practice Guidance** (PPG) provides further interpretation of the policies of the Framework.

5. Planning Analysis

The principle of residential development on the site has already been established under planning applications PL/2022/09752 and PL/2023/02462, for a replacement dwelling and associated garage.

Policy CP57 ensures high quality design and place shaping stating '*a high standard of design is required in all new developments, including extensions, alterations and changes of use of existing buildings'*. The site is located within the North Wessex Downs AONB where Paragraph 172 of the Framework states great weight must be given to conserving and enhancing landscape and scenic beauty. In terms of landscape, Policy CP51 sates *'development must protect, conserve and where possible enhance landscape character and*

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 garage is located within the curtilage of the replacement dwelling and will be sited to the northern boundary of the site, adjacent to the site access. The site boundary is well screened, and there are no neighbours to the north that will be impacted through overlooking or infringement.

Compared to planning permission PL/2023/02462, the garage has been amended slightly in accordance with updated client requirements. The staircase is now external and located to the north-east elevation, and the ground floor has been redesigned to comprise two-parking spaces with an associated store and plant room. It is considered that the proposed changes to the scheme will have no materially detrimental impact on the site compared to the previous permission.

The proposed garage will comprise two-parking bays on the ground floor, and ancillary residential accommodation to the first floor. The ancillary accommodation will be used in connection with the main residential dwellinghouse of Pettits (as approved under PL/2022/09752). The applicant is happy to accept a condition which ties the ancillary accommodation to the main dwellinghouse.

The garage will be constructed from hardwood posts on staddle stones, brick plinth and timber cladding under a clay plain tile roof – which is sympathetic to the locality.

The proposed development will ensure the retention of the existing access. The access driveway will remain in the same position and two parking spaces have been provided within the proposed garage, and there remains existing open parking and turning space to the front of the site. This is in line with the Wiltshire Council minimum parking standards.

6. Conclusion

Overall, the Applicant contends that due to the location of the proposed garage, to the north of the site, coupled with the existing mature vegetation, the proposed development can be successfully integrated into the rural landscape. Consequently, the scheme represents high-quality design in-keeping with the character and appearance of the locality and will not have adverse impacts on the landscape character of the AONB.

I trust that the enclosed information is sufficient for this application to be registered at the earliest opportunity. Please do not hesitate to contact me should you require any additional information.

Yours faithfully,

FOWLER ARCHITECTURE AND PLANNING

Encs

cc: Clients