CASE OFFICER'S REPORT

Application Reference:	PL/2023/06286
Application Type:	Householder planning permission
Site Inspection:	
Consultation ends:	26 September 2023
Case officer:	Selina (Nina) Parker-Miles

Site Address:	28 BARTERS DRIVE, CHAPMANSLADE, WESTBURY, BA13 4GL
Proposal:	Proposed change of use of garage to office accommodation after permitted development has been revoked under condition 13 of planning approval 18/06223/FUL
Recommendation:	Approve with Conditions

Proposal and Site Description

This application site relates to 28 Barters Drive Chapmanslade, a detached chalet style bungalow. the host dwelling is located off the main route through the village within a recently constructed residential development of 43 dwellings (planning reference 18/06223/FUL).The application site lies within a Special Landscape Area and within the consultation zone of the Bath and Bradford on Avon Special Area of Conservation for bats.

The property benefits from a detached single storey garage with off road car parking provision to the side elevation. This application is seeking planning permission to change the use of the existing garage to office accommodation. Condition 13 of planning approval 18/06223/FUL attached a condition removing permitted development rights to convert the garage to habitable accommodation, in order to secure the retention of adequate parking provision, in the interests of highway safety.

Policies

National Context:

National Planning Policy Framework (2019)

Planning Practice Guidance (PPG)

Town and Country Planning (General Permitted Development) (England) Order 2015

Local Context:

The Wiltshire Core Strategy (WCS)

CP32 – Spatial Strategy for the Westbury Community Area

CP50 - Biodiversity and Geodiversity

CP51 - Landscape

CP57 - Ensuring High Quality Design and Place Shaping

CP60 - Sustainable Transport

CP61 - Transport and New development

CP64 - Demand Management

West Wiltshire District Plan 1st Alteration 2004, saved Policy C3 - Special Landscape Area

Wiltshire Local Transport Plan 2011 – 2016

Key Issues
Principle of Development
Design and Visual Impact on the Special Landscape Area
Impact on Neighbouring Amenity
Highway Impact
Ecology

Relevant Planning History
18/06223/FUL Full planning for erection of 43 dwellings (including bungalows and affordable housing) with open space, landscaping, access, parking and associated works - Approve with conditions
20/07952/VAR Variation of condition 22 (approved plans) on 18/06223/FUL to allow for design changes - Approve with conditions

Consultation Responses
Chapmanslade Parish Council - Objection '*Condition 13 of 18/06223/FUL Decision states that garages shall not be converted to habitable accommodation - Reason: To secure the retention of adequate parking provision, in the interests of highway safety. Condition 14 of 20/07952/VAR Decision reiterates this condition. A verbal discussion with Newlands Homes provided information regarding a street scene agreement with residents of Honey Glade which prevents external changes to properties for a period of 2 years. The plans for this application seek to change the East (front), West and South elevations apparently contrary to this agreement*'

Wiltshire Council Highways - No objection

Representations
Consultation consisted of advertisement by site notice and neighbour notification. No representation letters were received.

Planning Considerations and 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
The proposed development comprises alterations to an existing residential property set in an established residential curtilage within the settlement boundary of Westbury. The proposed works are wholly within the residential curtilage and as such the principle of development is acceptable subject to the following considerations.

Design and Visual Impact on the Special Landscape Area

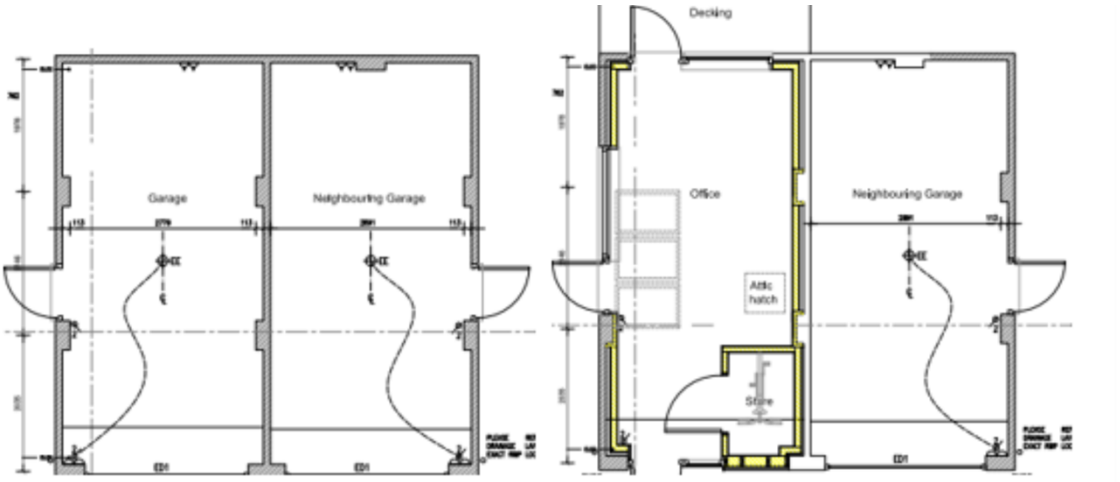
Core Policy 57 requires a high standard of design in all new developments, of particular relevance to householder extensions is paragraph (iii) which requires development to respond positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting.

CP51 Core Policy 51 of the adopted Wiltshire Core Strategy also states that “great weight will be afforded to conserving and enhancing landscapes and scenic beauty”.

Saved Policy C3 requires the landscape character of this area to be “conserved and enhanced and development will not be permitted which is considered to be detrimental to the high quality of these landscapes”.

As the application site lies within a special landscape area, views into and out of the application site need to be appraised with any potential negative impact of any future development being duly assessed.

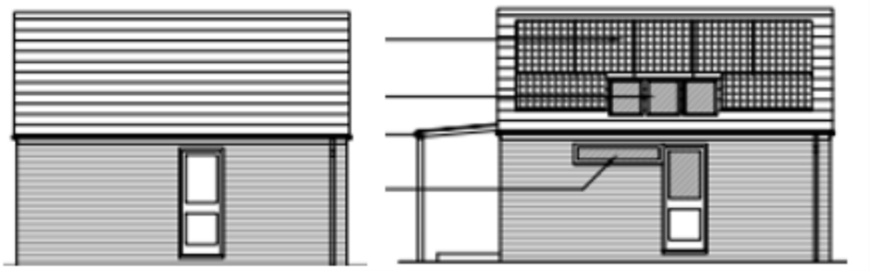
The host dwelling benefits from a detached position with a large driveway extending the length of the north side elevation with the semi-detached garage beyond. The applicant seeks to convert the existing garage to office accommodation for domestic homeworking. The existing garage door would be removed, and a pedestrian door inserted with cladding detail. Pedestrian doors and windows are also proposed on the south side and west rear elevations. Solar panels are proposed on the south side roofscape with velux roof windows inserted to illuminate the internal space.



Existing (left) and proposed (right) floor plan of the garage



Existing (left) and proposed (right) front east elevation



Existing (left) and proposed (right) south side elevation

Officers acknowledge the comments raised by the Parish Council in relation to a verbal discussion with Newlands Homes regarding a street scene agreement with the residents of Honey Glade which prevents external changes to properties for a period of 2 years. However officers have not been party to any discussions on this matter and the previous applications (18/06223/FUL and 20/07952/VAR) have not attached any conditions to prevent any works to the external elevations of the properties within the development. Therefore, no objections are raised to the proposed development relating to the conversion of the garage building. Given the limited extent of the works contained within the existing built form of the application site, set back from the public highway with only glimpsed views obtainable from the street scene, officers consider the scheme is acceptable.

Given the limited extent of works it is considered that the proposed works would by virtue of their height, scale and design constitute a complementary addition to the host dwelling that would appear commensurate to the size of the property and plot. The development would therefore comply with Policy CP51 and CP57 and it is considered that the proposal would not detrimentally impact the wider valued landscape character of the Special Landscape Area.

Impact on Neighbouring Amenity

Core Policy 57 of The WCS states that 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 having 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 (e.g. light intrusion, noise, smoke, fumes, effluent, waste or litter)

All windows proposed would look out over the applicant's private gardens to the front side and rear and given the single storey nature of the existing building no overlooking concerns are raised. No substantive concerns are raised with respect to overshadowing or overbearing effects. The host dwelling benefits from a detached position with adequate separation distances to the adjacent neighbours.

Officers are cognisant that the conversion of the existing garage to habitable office use could give rise to increased levels of noise disturbance. However, given the separation distances to any

immediate neighbours it is considered that any disturbance would be limited and nominal. This application seeks to utilise the existing garage as ancillary to the host dwelling and a condition would be applied on any planning permission granted to ensure that the accommodation shall remain as ancillary to the host property and not as separate independent accommodation.

Given the scale of the development proposal, it is considered that the proposed conversion would not result in an unacceptable loss of light, overlooking, overshadowing and would not have an overbearing impact upon neighbouring properties. For these reasons, the development proposals would comply with Policy CP57 of the adopted Wiltshire Core Strategy.

Highway Impact

Impact on parking provision – Core Policy 64 (Demand Management) seeks to manage the demand for vehicle parking and confirms that residential parking standards are to be based on minimum parking standards. In order to comply with the Wiltshire Local Transport Plan 2011 – 2026: Car Parking Strategy (March 2015) two on-site car parking spaces are required for a 1-2 bedroom property and three on-site car parking spaces would be required for a 4+ bed dwelling (standard min. size 2.4m x 4.8m).

Condition 13 of planning approval 18/06223/FUL attached a condition removing permitted development rights to convert the garage to habitable accommodation, in order to secure the retention of adequate parking provision, in the interests of highway safety. The purpose of the previously attached condition is to ensure that adequate parking provision is provided for properties within the development.

Therefore, this planning application seeks to review the highway safety impact of the removal of one off-street garaged parking space. The proposed scheme would convert the existing garage, therefore the garage parking could not be counted as an off road parking space. However, it is considered that sufficient off-street parking for three cars would be provided to the side elevation of the host dwelling, as illustrated by the plan insert and officers site visit photo below.





Paragraph 111 of the NPPF states' d*evelopment should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*'. The highway's officer was consulted on

the proposed scheme and wished to offer no objections subject to a condition to be attached to ensure the office accommodation would only be used solely for the use of the applicant.

The proposed plans and officer site appraisal have demonstrated sufficient off road parking provision would be provided for the host dwelling and therefore it is not considered to result in severe highway harm to warrant the refusal of this application. The proposal retains the existing access and would not give rise to significant harm in terms of highway safety. As such the proposal accords with policies CP60, CP61 and CP64 of the Wiltshire Core Strategy and Paragraph 111 of the NPPF.

Ecology
The application site sits within the Bath and Bradford on Avon Special Area of Conservation for bats and as this application involves disturbance to the existing roof due consideration has to be given to the potential disturbance of any bats because of the proposed development. As a precautionary measure, an informative would be added to any decision that in the event any evidence of bat activity is detected the applicant should follow the advice of a professional ecologist or contact Natural England.

RECOMMENDATION: Approve with conditions

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:
Location and Site Plans DWG No 4307-AL-1-01
Existing Plans and Elevations DWG No 4307-AL-1-02
Proposed Plans and Elevations DWG No 4307-AL-1-03
All Plans Received 26.07.2023

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

3 The office accommodation hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling, known as 28 Barters Drive and it shall remain within the same planning unit as the main dwelling.

REASON: The additional accommodation 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.

Informatives: (1)

4 If bats or evidence of bats are found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or to contact Natural England's Bat Line through the internet.