# CASE OFFICER'S REPORT

**Application Reference:** PL/2023/05731
**Site:** Birch House, 187 Avondown Road, Durrington, SP4 8JE
**Date site notice posted:** N/A
**Publicity Expired:** 10.10.2023
**Target Date:** 10.11.2023

**SITE DESCRIPTION:**
The site is situated within the defined built up area of Durrington, which is designated as a Market Town in line with Wiltshire Core Strategy (WCS) policies CP1 (Settlement Strategy), CP2 (Delivery Strategy) and CP4 (Amesbury Community Area). It is surrounded on all sides by other residential properties and their associated amenity/parking provision. More specifically, its northern boundary abuts a grass highway verge fronting onto Avondown Road; whilst the western and southern boundaries share a boundary with the rear gardens of the properties fronting onto Bulford Road. The eastern boundary of the site is defined by a footpath that links from Avondown Road to the north; and serves the flats in Avon Mead Court to the southeast of the site. Whilst the site is not in the vicinity of any rivers, and is in Flood Zone 1, it is situated within the catchment of the River Avon Special Area for Conservation (SAC). It is also within 6.5 kilometres of the Salisbury Plain Special Protection Area (SPA).

The site originally consisted of a left over parcel of garden land that once formed part of the dog legged garden of 26 Bulford Road to the west; wrapping behind the gardens of 28 and 30 Bulford Road. It has however since been fenced off from the Bulford Road properties and has been developed with a 3 bedroom, detached dwelling with associated parking and private amenity provision (in line with the planning permission granted under ref: 20/05272/FUL). The site now has a vehicular access over the adjacent grassed verge onto Avondown Road in the north western corner of the site and the house fronts on and contributes to this street scene. On the road frontage (Avondown Road) two off site trees exist, which are protected by Tree Preservation Orders (TPO) and overhang the site frontage.

**PROPOSAL:**
This is a retrospective householder application proposing the retention of a single storey timber shed that has been erected in the north eastern corner of the plot. It is suggested that permission for the shed is only sought for a temporary period while a new garage is developed elsewhere on the site (currently being considered under a tandem application ref: PL/2023/05731). The shed has a footprint of 3.6 x 2.5 metres and is 2.6 metres to its ridge (1.6 metres to its eaves). It currently sits parallel to the road with its opening being positioned on the western elevation looking into the existing driveway. It does not appear to be sited on a concrete base

During the course of the application a set of amended plans have been received which have corrected the red line site plan so that it now includes all of the site including the vehicular access/cross over onto Avondown Road. Notice has also been served on the Highway Authority. The application has been readvertised accordingly.

A tandem application for other outbuildings in the curtilage of the dwelling is currently being considered under separate measure (under ref: PL/2023/05731).

**RELEVANT PLANNING HISTORY:**

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|---|---|
| S/2012/0753 | Erection of dwelling and creation of access. Withdrawn |
| 20/05272/FUL | Erection of a detached (C3) dwelling, 3 car parking spaces, dropped kerb (to Avondown Rd), bin and cycle store and hard and soft landscaping. Permission – 30.04.2021 |
| PL/2023/05731 | We are proposing a new single-storey garage to the right side of the existing property; At the rear of the existing property we are proposing a single-storey studio space/summer room. Pending |

**POLICIES:**

*National Planning Policy Framework (NPPF)*
*National Planning Practice Guidance (NPPG)*
*National Design Guide (January 2021) (NDG)*

*Salisbury District Local Plan policies (Saved by Wiltshire Core Strategy) (SDLP):*
CN17 – Trees
R2 – Public Open Space Provision

*Wiltshire Core Strategy (January 2015) (WCS):*
CP1 (Settlement Strategy)
CP2 (Delivery Strategy)
CP3 (Infrastructure Requirements)
CP4 (Amesbury Community Area)
CP50 (Biodiversity and Geodiversity)
CP57 (Ensuring High Quality Design & Space Shaping)
CP59 (The Stonehenge, Avebury and Associated Sites World Heritage Site)
CP60 (Sustainable Transport)
CP61 (Transport & Development)
CP62 (Development Impacts on the Transport Network)
CP64 (Demand Management)
CP69 (Protection of the River Avon SAC)
Wiltshire Housing Site Allocations Plan (February 2020) (WHSAP)

*Supplementary Planning Documents:*
Creating Places Design Guide SPG (April 2006)
Achieving Sustainable Development SPG (April 2005)
Durrington & Larkhill Village Design Statement (VDS)
Wiltshire Local Transport Plan – Car Parking Strategy
Stonehenge and Avebury World Heritage Site Management Plan (2015)

**REPRESENTATIONS:**

**Durrington Town Council** – No comments received

**Trees** – Objection

- I have seen the shed this afternoon – it doesn't appear to be on a concrete base.
- However, it has been constructed in the rooting area of the trees which is likely to have a detrimental effect.
- I therefore object

**Letters** – None

**ISSUES:**

The main considerations which are material to the determination of this application are listed below:

- Principle
- Character & Design
- Trees
- Neighbouring Amenities

**PLANNING ASSESSMENT:**

**Principle:**

As is identified above, the site is situated within the defined settlement boundary of the Market Town of Durrington, as determined by WCS policies CP1 (Settlement Strategy), CP2 (Delivery Strategy) and CP4 (Amesbury Community Area). The site also already comprises of a detached dwelling and is thus already in residential use. The principle of extensions, alterations and new outbuildings on this plot, that are to be used in association with the existing house, is therefore accepted.

This principle acceptability is however subject to the detail in terms of the potential implications for the character of the area; neighbouring amenities; and offsite protected trees. These matters will therefore be addressed in more detail below.

**Character & Design:**

The revised NPPF puts greater emphasis on the need for good design. Paragraph 130 sets out that developments should function well and add to the overall quality of the area, be sympathetic to local character and establish a sense of place. It states at Paragraph 134 that development that is not well designed should be refused.

Locally, WCS policy CP57 (Ensuring High Quality Design & Place Shaping) further requires '*A high standard of design'*; and that new development should be '…*complementary to the locality'*; relate *'…positively to…the existing pattern of development'*; ensure '*the retention and enhancement of existing important landscaping and natural features'*; and respond *'…positively to the existing townscape and landscape features in terms of building layouts, built form…building line…streetscape'*.

In this instance, the site is situated within an existing built up area and the character of the area is inherently urban. There is a mix of house types, styles and ages consisting of the 2 storey Victorian development fronting onto Bulford Road; the more modern 2 storey, terraced development that extends easterly from the site; and the bungalow development opposite. The highway verges and properties' set back from the road have created quite a spacious, verdant

character to this street scene but it is also quite highway dominated with parked cars and large expanses of tarmac.

A two storey dwelling has been built on this site in line with the permission granted in 2021 (under ref: 20/05272/FUL). The existing house is set back on the plot, further back than the existing development to the east, and has a large, open, gravelled drive between it and the existing grassed verge containing two TPO'd trees. The existing dwelling is of modern vernacular and is of brick construction with timber cladding details and a tiled roof. It has a rather open road frontage as the front boundary is defined only by a post and rail fence, but the existing development on the site is softened by the dappled screening of the offsite protected trees, especially in the summer months. The property's permitted development rights were however removed on the permission for the original house, to ensure that the nearby residential amenities and visual amenities of the area would be preserved into the future.

The applicant has however erected, without planning permission, a new garden shed in the north eastern corner of the site, immediately adjacent to the road. The structure is of standard shed design, timber construction and of relatively modest form at 3.6 x 2.5 metres in footprint and a maximum height of 3.6 metres. However its position at the very front of the plot means it extends further forward than the main house. It is also positioned further forward in the street scene than the existing properties to the east. Despite its modest size; the open site boundary and forward sitting position of the structure means that it is currently very prominent in the street scene. Whilst the shed is of functional design it is not particularly attractive and could quickly become scruffy. There are also no other such forward sitting structures to the front of any of the neighbouring houses in the vicinity of the site.

Overall it is not considered that the forward sitting shed is a form of development that is appropriate in the front garden of this plot. It takes away from the attractive appearance and character of the main house. Its position and prominence also have a negative impact on the overall character of the street scene. Whilst the offsite trees do provide a dappled screening of the structure from the front, this will only be during the summer months and in winter its prominence is likely to be more pronounced. It is not therefore considered that the proposals accord with the provisions of the NPPF or WCS policy CP57 (Ensuring High Quality Design & Place Shaping) in terms of good design and respecting the existing character and pattern of development. The retention of the shed in this front garden cannot therefore be supported.

The applicant has confirmed that the shed is only required on a temporary basis while the new garage that is proposed in the tandem/separate application (ref: PL/2023/05731) is built out. After which anything that is stored in this shed will be transferred into the garage and the shed will be removed. However, there is no way of ensuring that the garage, should it receive planning permission, is ever built out. In addition the plot is relatively large and already consists of a large three bedroom house with loft space as well as an existing shed building to the side of the house. It also benefits from relatively large, private rear gardens. It is not therefore considered that this shed and its position is the only means to provide temporary storage while the garage is built. There is simply no need for this structure to be positioned to the front of the existing dwelling, even on a temporary basis, and its impact is considered to be considerable and unacceptable. The proposals are therefore recommended for refusal on this basis and as a result of its retrospective nature, the Council's Enforcement Team will be instructed accordingly.

**Trees:**
As has been identified above, two off site trees are growing at the front of this site and immediately adjacent to the existing post and rail boundary fence. Both trees are protected by TPO and whilst they are off site, their roots and canopy overhang/extend into a large proportion of the front part of the site.

The new shed has been positioned immediately adjacent to the site boundary and underneath the trees' canopies. Whilst it is of modest form and does not appear to be positioned on a concrete base, it has none the less been positioned within the root protection zone of the offsite trees. The Council's Tree Officer has therefore raised an objection to the proposals, even on a temporary basis, as the structure is likely to be resulting in harm and compaction for the off site trees. This matter will therefore be added to the reason for refusal for this element.

**Neighbouring Amenities:**
WCS policy CP57 (Ensuring High Quality Design & Space Shaping) requires that new development should be designed to ensure that the impact on the amenities of existing occupants/neighbours is acceptable and that appropriate levels of amenity are achievable within the development itself. The NPPF further confirms that planning should '*always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings*'. Residential amenity is affected by significant changes to the environment including privacy, outlook, daylight and sunlight, and living areas within private gardens and this therefore needs to be carefully considered accordingly.

Whilst the new shed has been positioned immediately adjacent to the eastern boundary and sits forward of the adjacent residential property; this neighbour is separated from the site by an intervening footpath serving a rear parking court and the properties at Avon Mead Court. Given the neighbour's slight orientation away from the site; this intervening separation; and the amount that the shed extends further forward in the street scene, it is not considered that the proposals have resulted in any implications for neighbouring amenities in terms of loss of light or dominance.

**CONCLUSION:**
The existing shed, by virtue of its position and forward sitting nature on this plot is considered to have a detrimental, prominent and unacceptable impact for the character of the area, site and street scene. It's continued retention within the root and canopy zone of offsite TPO trees is also likely to result in significant harm which will compromise their long term retention. The shed is not therefore considered to represent good design; does not reflect or positively enhance the existing street pattern, building line or character of the area; and it does not respect important landscape features. The proposals are recommended for refusal accordingly.

**RECOMMENDATION:**
Refusal

1. The proposed retention of the unlawful shed, by virtue of its position and forward sitting nature on this plot, is considered to have a detrimental, prominent and unacceptable impact for the character of the area, site and street scene. It's continued retention within the root and canopy zone of offsite protected trees is also likely to result in significant harm which will compromise their long term retention. The shed is not therefore considered to

represent an appropriate form of development or good design; does not reflect or positively enhance the existing street pattern, building line or character of the area; and its position does not respect important landscape features. The proposals are therefore considered to be contrary to the provisions of the National Planning Policy Framework; National Design Guide; and Wiltshire Core Strategy policy CP57