CASE OFFICER'S REPORT

Application Reference:	PL/2023/05311
Application Type:	Full planning permission
Consultation ends:	3rd August 2023
Case officer:	Isabel Gatier

Site Address:	22, UPPER SEAGRY, CHIPPENHAM, SN15 5EX
Proposal:	Demolish the existing and build a garage and store
Recommendation:	Approve with Conditions

PROPOSAL

This application seeks Planning Permission for a detached garage and store at 22, Upper Seagry. The proposal will allow for a two-vehicle car port and a storeroom. The building will consist of a door and window on the front (east) elevation with a pitched roof and will have timber cladding on the external walls.

The site benefits from planning permission PL/2022/02353 which was approved in 2022 and remains extant. The applicant has re-submitted the application from a proposed annex to a garage and store building with a slight increase in width to allow for the parking of vehicles (from approx. 4.91m to approx. 5.15m), however, the length remains the same. The materials have also been altered from render with brick quoins to timber cladding.

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

- Single storey detached garage/store building
- Demolition on detached store

The development and works are intended for purposes associated with the occupation and use of 22, Upper Seagry as a single residential dwellinghouse.

DESCRIPTION/CONTEXT

The site consists of a detached dwelling found within an established frontage in Upper Seagry. The site also consists of a detached piece of land west of the site (pertaining to 22, Upper Seagry) used for parking for the dwellinghouse which is the subject of the current proposal. The site is separated by a road that run across Upper Seagry and is situated directly adjacent to the road.

The dwelling is located within the Countryside Character Area of Avon Vale but is not covered by any archaeological or ecological designations.

PLANNING HISTORY

- PL/2022/02353- Proposed annex ; Approved
- 18/03696/FUL- Demolish existing single storey extension & erect a new two storey far end & side extension with allied alterations; 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:

Seagry Neighbourhood Plan:
Policy SNP5: Character and Design

Wiltshire Core Strategy Policies 2015 (WCS):
Core Policy 57: Ensuring High Quality Design and Place Shaping
Core Policy 61: Transport and Development

National Planning Policy Framework 2023(NPPF)

ISSUES

The main issues in the consideration of this application are:

- Principle Of Development
- Design and appearance
- Residential Amenity
- Impacts on Highways

ASSESSMENT

Design and appearance

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 proposal is a detached building and is considered to adopt a relatively simple design approach that will allow it to integrate sufficiently. The proposal is modest in size and would remain similar in size then that previously approved in 2022. With regards to the proposed use of timber cladding, whilst being divergent from the white render and brick approved in 2022, it was concluded that the timber would assist in diminishing the bulk of the building to the eye and give it an appearance of an outbuilding then the

previously approved rendered annex. Although it is noted that timber cladding is not a primary material seen within the surrounding area, the finish will emulate the colour of the host dwelling. Therefore, on balance, it is considered that the appearance of the development would not cause substantial harm to the character of the area.
In terms of the design, the proposed two carports would also diminish the bulk and therefore not be considered to create an incongruous or unduly prominent feature in this location.

As such, the scale and design of the proposals are considered to be acceptable and comply with Core Policy 57 of the WCS and Policy SNP5 of the Seagry Neighbourhood Plan.

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.

In respect of the residential amenity, the proposed development would not present a significant impact upon the living conditions of the neighbouring resident through unacceptable overlooking or oppressiveness. Due to the modest scale and distance from neighbouring dwelling, it is considered that the impact on neighbour amenity will be low.

Given the limited scale, mass, and position, the proposal would not result in significant harm, significant loss of daylight or sunlight and would not be intrusive to neighbour amenity.

It is also noted that during public consultation, there were no objections or concerns raised by neighbouring properties. One letter of support from a neighbouring resident was also received.

In the context of the nature and layout of the development, there is no significant detrimental impact upon the amenities and living conditions of the neighbouring properties, thereby complying with the relevant provision of CP57 of the WCS.

Highways Impacts

Wiltshire Core Strategy policy CP61 states that new development should be capable of being served by safe access to the highway network. Core Policy 64, states that provision of parking associated with new residential development will be based on minimum parking standards.
The site is located directly adjacent a C classified section of public highway and subject to a speed limit of 30mph. A replacement of the previous building with a garage and store would not be considered of detriment to the public highway and would provide the existing property on the opposite side of the carriageway with parking for two vehicles in an area where parking already takes place. Whilst the Highways Officer had no objections or concerns regarding parking, an informative advising the applicant to acquire a licence/permit from Highways prior to works being carried out on the highway has been requested.
As such, the parking standards and requirements are considered to have no unacceptable impact upon highways safety, thereby complying with the relevant provision of CP61 and CP64 of the WCS.

CONSULTATION

Seagry Parish Council: *The Council has no objections to the proposal. The Council is mindful of their comments on application PL/2022/02353 and feel that any planning permission given should cover issues*

of ownership and occupation so that the accommodation remains ancillary to the host dwelling and the ownership remains with that dwelling.

Highways Team: *The site is located on a C classified section of public highway subject to a speed limit of 30mph. The highway boundary is directly adjacent to the proposed site. It would appear that the building has already been demolished.*

A replacement of the previous building with a garage and store would not be considered of detriment to the public highway, it would provide the existing property on the opposite side of the carriageway with parking for two vehicles in an area where parking already takes place.

In order to construct the building, the applicant is advised that a licence/permit will be required to carry out any works on or adjacent to the public highway. Therefore, I would not wish to raise an objection subject to the following informative:

Informative
The proposal includes alterations to the public highway, consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license will be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact the vehicle access team on telephone 01225 713352 or email vehicleaccess@wiltshire.gov.uk for further information.

REPRESENTATIONS

Consultation has been carried out and no neighbours or third parties have objected or submitted comments.

Principle of Development

The principle of householder extensions and alterations is established as acceptable where they are found to be in accordance with CP57 of the WCS.

Irrespective of the above, the existence of an extant planning permission for a single storey detached building across the western piece of land along the road and in a similar position to that now proposed (under reference PL/2022/02353), must be regarded as a significant material consideration weighing in favour of the development now under consideration.

Of course, and with regard to the extant 2022 permission, the detail of such proposals must still be assessed against the provisions of other policies within the development plan, and that assessment is set out below.

CONCLUSION

The potential impacts of this development have been taken into consideration. In terms of the scale, design 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 objectives of the relevant Core Policies in the WCS; CP57, CP61 and CP64 and Policy SNP5 of the Seagry Neighbourhood Plan. It is therefore recommended that this application be approved with conditions.

Conditions: (4)

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:
Existing Block Plan: DWG No. E1-2; Received 3 July 2023
Existing Elevations: DWG No. E1-1; Received 3 July 2023
Proposed Floor Plan: DWG No. P1-2; Received 3 July 2023
Proposed Block Plan: DWG No. P1-2; Received 3 July 2023
Proposed Elevations: DWG No. P1-2; Received 3 July 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 ’22, Upper Seagry” 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.

Informatives: (4)

5 The proposal includes alterations to the public highway, consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license will be required from Wiltshire’s Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact the vehicle access team on

telephone 01225 713352 or email vehicleaccess@wiltshire.gov.uk for further information.

6 The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply, and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website https://www.wiltshire.gov.uk/dmcommunityinfrastructurelevy.

7 Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

8 The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required, it will be necessary for the applicant to obtain the landowners consent before such works commence. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.