CASE OFFICER'S REPORT

Application Reference:	PL/2023/07877
Application Type:	Householder planning permission
Site Inspection:	13 October 2023
Consultation ends:	20 October 2023
Case officer:	Helena Carney

Site Address:	Baynton Cottage, 18 Horsepool, Bromham, Chippenham, Wilts, SN15 2HD
Proposal:	Replace an existing garage outbuilding with a new annexe structure together with alterations to the existing access walls
Recommendation:	Approve with Conditions

POLICIES

Wiltshire Core Strategy (adopted January 2015):
Core Policy 51: Landscaping
Core Policy 57: Ensuring High Quality Design & Place Shaping
Core Policy 58: Ensuring the Conservation of the Historic Environment

Bromham Conservation Area Statement, July 2002

The National Planning Policy Framework (NPPF) 2023

Planning Practice Guidance (PPG)

Sections 16 & 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990

ISSUES

- Impact upon the amenity of occupiers of neighbouring properties
- Impact upon the character and appearance of the area and upon heritage assets
- Impact upon trees
- Impact upon highway safety and parking provision
- Impact upon buried archaeology

REPRESENTATIONS

Bromham Parish Council: no comment at time of writing

Wiltshire Council Conservation Officer: no objection (full comment available on council's website)

Wiltshire Council Tree Officer: no objection subject to conditions (full comment available on council's website)

Wiltshire Council Highways Officer: no objection subject to informative

Assistant County Archaeologist: no objection

Third party representations: comments were received from occupiers of neighbouring properties as follows:

• 53 The Pound, in support of the proposals, commenting as follows: “The property is ageing and needs renovating. Anything that the new buyers are proposing I feel sure will only enhance the site, which in turn will enhance the village. The proposed changes are in keeping with the original build and realistically are well thought through and sensitive to the surrounding area”.

• Elm Cottage, 42 Yard Lane, in support of the proposals, commenting as follows: “The proposed annex looks an improvement from the existing building and in keeping with the property. The family appear to be sensitive to the preservation of the character of the site and its outbuildings. We feel this annex should enhance the property and we support its application. This will enable the family to live together offering support to each other”.

• 24 Horsepool, commenting “Having discussed this application with the applicant, we are aware that some trees will need to be felled. This is understandable, based on the position of the current garage that is to become a two storey annexe. Two of the trees are sadly suffering from Ash dieback and the others in question will hinder the build. It would be reassuring to see some native trees planted in other areas of the garden to compensate for the loss of these specimens. They were planted several years ago by the then owners whose son was the village tree warden”.

RELEVANT PLANNING HISTORY

• K/42507 - Replacement garage, approved 24/01/2002
• K/42730/L - Demolition of existing lean-to and erection of replacement lean-to, approved 27/03/2002
• K/42731 - Demolition of existing lean-to and erection of a replacement lean-to, approved 27/03/2002
• PL/2023/07844 - Minor renovations and alterations to improve insulation and to ensure longevity, addition of a new window on first floor and two rooflights on North East elevation, under consultation at time of writing

ASSESSMENT

The application site relates to Baynton Cottage, a detached Grade II listed dwelling located within the village of Bromham. The dwelling sits within a large plot surrounded by mature planting. The application site has a walled frontage onto the highway with a narrow access leading to the dwelling. A detached garage is located within the south-western corner of the application site, adjacent to the front and side boundaries.

There is an access track located to the western side of the application site, with neighbouring properties on the other side. There are also neighbouring properties located to the eastern side of the application site and on the opposite side of the main road.

The statutory listing description, for means of identification purposes only, is as follows:

> *ST 9665 BROMHAM HORSEPOOL*
>
> *10/44 No 18 (Bayntun Cottage)*
>
> *GV II*
>
> *House, early and mid C19, red brick with slate roofs, 2 storeys. Two sections, original 3-window range to le| haswest end stack, cambered head 16-pane sashes, raised band, dentilled eaves and 6- panel door in gabled porch. Slightly taller one-window addition to right has similar band and eaves, ground floor tripartite sash, 4- 16-4 panes, and 16-pane sash above, both with cambered heads.*
>
> *Listing NGR: ST9666465532*

Proposals:
The proposals involve the demolition of the existing garage and the construction of an annexe in the same location and alterations to the existing access walls. The proposals comprise the following key elements:

Annexe/outbuilding:
• Demolish low quality 2000s garage structure;
• Remove poor quality trees and planting as shown; and
• Form brick and slate storey-and-a-half traditional outbuilding/annexe

Boundary walls:
• Remove a small section of existing walling to the south-east of the existing entrance. Bricks and copings set aside for re-use;
• Form wider entrance splays and extend walls into the site to create a safe vehicular pull-in;
• Form brick piers and entrance gates for both vehicles and pedestrian access;
• Painted timber entrance gates to be as detailed;
• All brickwork and copings to match existing and to be constructed in lime mortar to match;
• Form new close boarded or picket timber fence from revised entrance to corner of existing house to create a division between formal front garden a more private rear/side garden.

Impact upon amenity of occupiers of neighbouring properties:
Neighbouring properties are located to either side of the application site and on the opposite side of the highway.

The proposed alterations to the front boundary comprise widening of the access and the erection of a pair of entrance gates and considered to be relatively minor in nature. Furthermore, the development will be sufficiently distanced from the immediate neighbouring properties located to

the east and south such that it will not adversely impact upon the occupiers as a consequence of overbearing impact or overshadowing.

The proposed annexe will provide accommodation at ground floor and first floor levels (kitchen, dining room, bathrooms and bedroom at ground floor level and lounge at first floor level) and will be sited in the same location as the existing garage that it will replace, adjacent to the front boundary. It will be sited at least 13m from neighbouring property located to the west and at least 10m from neighbouring properties to the south, located on the opposite side of the highway. Given the separation distances that exists it is considered that the proposed annexe will not adversely impact upon the occupiers as a consequence of overbearing impact or overshadowing.

The proposed annexe comprises first-floor accommodation. It is noted that there are first floor windows in the south-west elevation, facing towards the neighbouring property on the opposite side of the highway. However, it is also noted that the separation distance measured from elevation to elevation is approximately 16m and therefore it is considered that the proposed annexe will not result in such a material loss of privacy to warrant a reason for refusal.

Impact upon the character and appearance of the area and upon heritage assets:
The adopted Wiltshire Core Strategy CP 57 requires a high quality of design in all new developments. Proposals are required to "demonstrate how the proposal will make a positive contribution to the character of Wiltshire through:

i. enhancing local distinctiveness by responding to the value of the natural and historic environment, relating positively to its landscape setting and the existing pattern of development…
ii. the retention and enhancement of existing important landscaping and natural features…
iii. responding 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

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant listed building consent for any works the local planning authority [or the Secretary of State] shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires 'special regard' to be given to the desirability of preserving a listed building or its setting.

The Council's Core Strategy 'Core Policy 58: Ensuring the conservation of the historic environment' requires that designated heritage assets and their settings will be conserved and where possible enhanced.

The application property is Grade II listed as is the neighbouring property located to the west (Weavers Cottage).

The council's Conservation Officer was consulted on the proposals to consider the impact upon the significance of the listed building and the setting of listed buildings and she provided the following assessment, summary and conclusion:

“**Assessment:** Paragraph 194 requires that applicants describe the significance of any heritage assets affected, including any contribution made by their setting. The current statement incorporates some analysis of character but a future application will need to be accompanied by an assessment which should be allowed to inform the proposals.

Paragraph 194 requires that applicants describe the significance of any heritage assets affected, including any contribution made by their setting. This should include sufficient information to provide a clear understanding of the significance of the heritage asset and its setting and the potential impact of any proposals on that significance. In this case, whilst the applications are accompanied by a “Design, Access and Heritage Statement” the document provides limited information about the building and fails to provide any objective assessment of the fabric affected, its date or significance or of the impact of the proposals and, as a result, it fails to meet the requirements of the NPPF.

Paragraph 194 requires that applicants describe the significance of any heritage assets affected, including any contribution made by their setting. This should include sufficient information to provide a clear understanding of the significance of the heritage asset and its setting and the potential impact of any proposals on that significance. In this case, the applications are accompanied by a “Design and Heritage Statement” which provides sufficient information to understand the impact of the proposals and is proportionate to their scope. The requirements of the NPPF are therefore met in this respect.

However, paragraph 195 also provides for the local planning authority to make its own assessment of impact and the following heritage recommendations are offered on this basis.

The listed property is a detached house located approximately within the centre of a large plot surrounded by mature planting. The site has a walled frontage onto the highway with a narrow entrance to the west of the house. Within the north-west corner of the plot adjacent to the road behind the existing boundary/frontage wall is an early 2000s detached garage.

The works include alterations as follows:

1. Boundary walls.
a. Remove a small section of existing walling to the south-east of the existing entrance. Bricks and copings set aside for re-use.
b. Form wider entrance splays and extend walls into the site to create a safe vehicular pull-in.
c. Form brick piers and entrance gates for both vehicles and pedestrian access.
d. Painted timber entrance gates to be as detailed.
e. All brickwork and copings to match existing and to be constructed in lime mortar to match.
f. Form new close boarded or picket timber fence from revised entrance to corner of existing house to create a division between formal front garden a more private rear/side garden.

2. Annexe/outbuilding.
a. Demolish low quality 2000s garage structure.
b. Remove poor quality trees and planting as shown.
c. Form brick and slate storey-and-a-half traditional outbuilding/annexe

Both the entrance and replacement outbuilding closely follow the existing layout arrangement. The entrance alterations are of no change in scale to the existing whilst the scale of the proposed replacement outbuilding is of a more appropriate scale suitable to its context and host building.

The entrance would have no material changes except for the addition of painted timber gates. The proposed annexe/outbuilding would be of a traditional form with a brick and slate structure with timber joinery.

The minor alterations to the entrance as proposed will improve safety without compromising the setting of the heritage assets and the replacement outbuilding is of a more appropriate traditional form and materiality that will improve the setting of the listed building whilst providing improved living standards for the occupants. As such in heritage terms these proposals are considered acceptable.

Summary & conclusion: The NPPF confirms that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). It makes clear that any harm to a designated heritage asset requires clear and convincing justification.

The impact of the proposals on heritage assets will be neutral and the requirements of current conservation legislation, policy or guidance are considered to be met and there is therefore no objection to the approval of the application".

Given the above, it is concluded that the proposed development will not cause harm to the significance of the listed building and its setting, or to the setting of the neighbouring listed building and it is also considered not to harm the character and appearance of the area.

Impact upon trees:
To facilitate the construction of the proposed annexe, a number of trees are required to be removed. The proposed annexe will also be constructed in close proximity to existing trees that are to be retained. In consideration of this, the council's Tree Officer provided the following comment "I've had a look at the application, our maps, and the site visit photos. It looks like it would be hard to justify protecting the trees that are proposed to be removed, however they really do need a tree protection plan to ensure no damage is caused to the trees to be retained, and some form of mitigated planting would be good. Please can these be conditioned".

In light of the comments from the council's Tree Officer, it is considered reasonable to impose conditions on the planning approval to ensure that existing trees are protected and some form of mitigation planting is carried out.

Impact upon highway safety and parking provision:
The council's Highways Officer was consulted on the proposed development and commented as follows "I refer to the above planning application to replace the existing garage with a new annexe. The site is located on Horsepool, a C classified section of public highway subject to a speed limit of 30mph.

The proposals seek to replace the existing double garage with annexed accommodation comprising of a 1 bed self-contained annexe. There would appear to be sufficient parking within the site curtilage to meet the minimum residential standards for the annexe and the main dwelling, with an area for turning which allows access and egress in a forward gear.

The proposals widen the existing access with the public highway which involves removing and replacing a section of wall and providing a set back gated entrance with refuge for a vehicle prior to gates opening and the gates would open into the site as required. The minor works involved in upgrading the access would require a licence or permit from the Highway Authority in order to carry out the works.

The proposal would not be considered an over intensification of the access, and therefore I would not wish to raise a highway objection subject to the following informative:

INFORMATIVE
The proposal includes alteration 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 details".

Given the above, the proposed development does not give rise to any highway safety concerns and is therefore considered acceptable.

Impact upon buried archaeology:
The Assistant County Archaeologist was consulted on the proposed development who confirmed that there were no archaeological issues to raise.

Conclusion:
The proposed application seems fitting with regards to scale, design and materials. The proposals are considered acceptable in the context of its surroundings and in accordance with the general criteria set out in the aforementioned policies of the local development plan.

Conditions: (5)

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:

Application Form
Heritage/Design and Access Statement, Ref: NJK/2302/E1

Plans:
L-000-2 Revision A, Location Plan
PL-001-2 Revision A, Proposed Block Plan
PL-002-2 Revision A, Proposed Site Plan
PL-101-2, Proposed Plans & Elevations
PL-201-2 Revision A, Proposed Entrance Elevations

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

3 The annexe hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling, known as Baynton Cottage, 18 Horsepool, Bromham, Chippenham, SN15 2HD 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.

4 No demolition, site clearance or development shall commence on site, and no equipment, machinery or materials shall be brought on to site for the purpose of development pertaining to the annexe hereby approved, until the retained trees on the site, identified on the approved block plan PL-001-2 Rev A, have been enclosed by protective fencing, in accordance with British Standard 5837 (2012): “Trees in Relation to Design, Demolition and Construction - Recommendations”.

Before the fence is erected, its type and position shall be approved with the Local Planning Authority and after it has been erected, it shall be maintained for the duration of the works and no vehicle, plant, temporary building or materials, including raising and or, lowering of ground levels, shall be allowed within the protected areas(s).

If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place, at a size and species that is similar at maturity to the tree removed.

No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained trees or hedgerows or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be retained on the site or adjoining land.

[In this condition “retained tree” means an existing tree which is to be retained in accordance

with the approved block plan PL-001-2 Rev A; and paragraphs above shall have effect until the expiration of ten years from the first occupation or the completion of the development, whichever is the later].

REASON: To ensure the retention of trees on the site in the interests of visual amenity.

5 No development above slab level of the annexe hereby approved shall occur until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include a detailed planting specification showing 4 replacement trees as mitigation for trees removed to facilitate development, including all plant species, location, and planting sizes.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority to ensure a satisfactory landscaped setting for the development.

Informatives: (1)

6 The proposal includes alteration 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 details.