CASE OFFICER'S REPORT

Application Reference:	PL/2023/08000
Application Type:	Householder planning permission
Site Inspection:	
Consultation ends:	19 October 2023
Case officer:	Selina (Nina) Parker-Miles

Site Address:	Highlands, 53 Midford Lane, Midford, Bath, BA2 7DF
Proposal:	Recladding existing outhouse & replacing its windows & doors
Recommendation:	Approve with Conditions

Proposal and Site Description

This application relates to Highlands, a two storey double fronted detached property believed to date from the 1920's. The host dwelling is located in Midford and is accessed off Midford Lane to the west via a single-track lane serving two properties and benefits from an elevated position overlooking the Midford Valley to the west.

The host dwellings lies within the West Wiltshire Green Belt, within a Special Landscape Area and Cotswolds AONB. The application site also falls within the 2km recreational impact zone of the Bath and Bradford on Avon Special Protection Area for bats. This application is seeking permission for recladding of the existing garage outbuilding alongside replacement windows and doors.

Policies

National Context:
National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)

Local Context:
Wiltshire Core Strategy (WCS) adopted 2015
CP2 - Delivery Strategy
CP50 – Biodiversity and Geodiversity
CP51 - Landscape
CP57 - Ensuring High Quality Design and Place Shaping
West Wiltshire District Plan 1st Alteration 2004, saved policy C3 - Special Landscape Area
Cotswolds AONB Management Plan 2019-2023

Key Issues

Principle of development
Principle of development in the green belt
Design and Visual Impact on the Cotswolds AONB and Special Landscape Area
Neighbouring Amenity
Ecology

Relevant Planning History
18/06922/FUL Two storey side extension and internal alterations including loft conversion with dormer window - Approve with conditions
20/01237/FUL Two storey side extension and internal alterations including loft conversion with dormer window - Approve with conditions

Consultation Responses
Limpley Stoke Parish Council - Support

Representations
Consultation consisted of advertisement by site notice and neighbour notification. No letter of support was 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 building within the built envelope of the application site. The proposed alterations would be wholly within the residential curtilage and as such the principle of development is acceptable subject to the following considerations. Due to the limited nature of the works officers consider the development would not impact on openness, due to the scale, siting, and close relationship with existing development and the local topography.

Principle of Development in the West Wiltshire Green Belt
The 2021 NPPF regards the construction of new buildings in the Green Belt as ‘inappropriate development’, unless the proposal falls within the criteria set out in paragraph 149. Within this list of exceptions, extensions or alterations to existing buildings may be acceptable if they do not result in “disproportionate additions over and above the size of the original building”.

The NPPF does not quantify what disproportionate constitutes and the Council does not prescribe a volumetric /percentage maximum, so a planning judgement must be made in each case and be assessed on its own individual merits. The NPPF does however define ‘original building’ as “a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was originally built.”

The proposed scheme seeks to alter the external appearance of the existing outbuilding/ garage building only without any increase in built volumes on site. Therefore, it is not deemed necessary to calculate the existing and proposed volumes of cubic volumes on site to establish whether there would be any disproportionate additions over and above the size of the original building.

The proposed alterations would not be readily visible from the public realm, due to the detached secluded nature of the host dwelling and garage building, and extended separation distances to any immediate neighbours. As such, on balance officers conclude that paragraph 149 of the NPPF is satisfied in this instance.

Design and Visual Impact on the Cotswold Area of Outstanding National Beauty
The NPPF states in paragraph 176 that great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs, which have the highest status of protection in relation to landscape and scenic beauty, and the extent of development within AONBs and National Parks should be limited.

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.

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”. As the application site adjoins 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 assessed.

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”.

The application site lies within a Special Landscape Area of the Cotswolds Area of Outstanding National Beauty therefore due consideration has to be given to any development that may adversely impact upon the scenic quality of the special landscape designation.

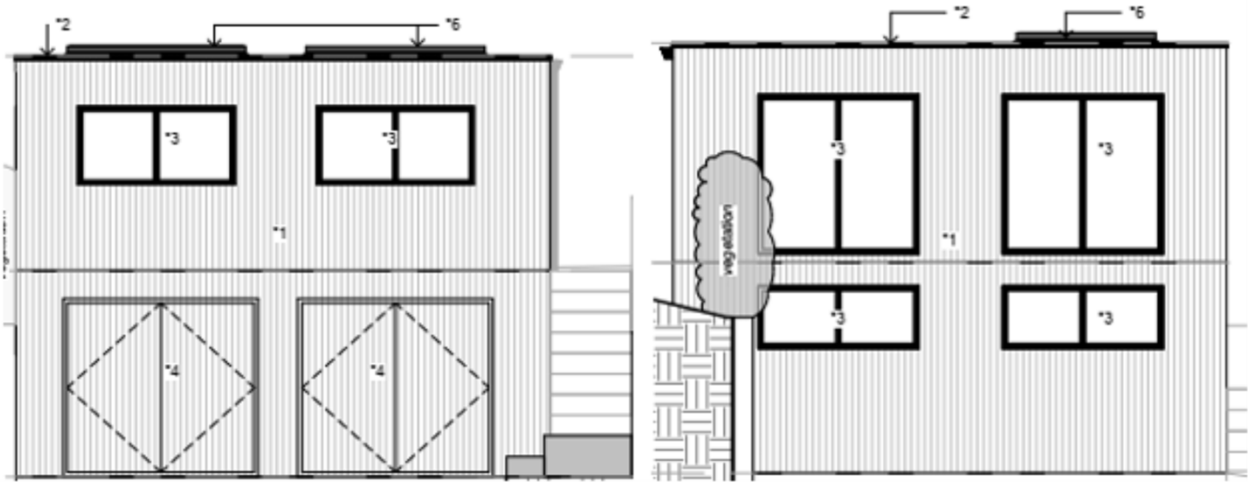
The outbuilding subject to this application lies to the south of the host dwelling and comprises of a two storey flat roof structure set into the steeply sloping bank. The first floor area is accessed from the front south elevation via a set of steps positioned on the east elevation and a pedestrian door on the north elevation. The application site benefits from an extended driveway and extended parking area to the front elevation of the garage building.



The applicants propose the removal of the existing garage doors on the outbuilding and replacement with timber composite clad double doors. The pedestrian door on the north elevation would be replaced with an aluminium framed obscure glazed door and all existing fenestration would be replaced with black aluminium framed glazing.
The existing smooth sandstone block elevations would be clad with composite timber cladding that would be in a golden oak colour. The existing corrugated metal flat roof would be replaced with EDPM rubber roofing with two skylights inserted to illuminate the internal space.



Existing front elevation of the garage outbuilding



Proposed front elevation of the garage outbuilding

The replacement of the existing poor quality corrugated roof with the rubber roof is supported however the introduction of black aluminium fenestration would be a deviation from the UPVC materials of the host dwelling. However, given the separation distance between the two buildings, within the garage building sitting lower in the landscape due to the topography of the site, any interrelation between the two buildings is minimal, and the existing soft landscaping also softens and screens any direct views across the site to the host dwelling from the parking area.

Within the preapplication advice previously given officers supported the use of sustainable materials such as wood cladding for the external elevations. However, it is acknowledged that the application submission proposes the elevations being clad with composite cladding. Whilst the material does deviate from officers' advice the applicant states that the cladding would be formed

from recycled materials and would negate any need for long term maintenance expense. Officers have appraised the visual impact of the proposed cladding and given the natural oak finish proposed conclude that in this instance the proposed material would be acceptable.

The use of sympathetic materials is supported, and it is considered that the structure would sit comfortably within the immediate setting and wider landscape. The proposal therefore complies with Core Policy 57 of the adopted WCS in addition to paragraphs 199 - 202 of the NPPF. It is considered that the proposal would not detrimentally impact the wider much valued landscape character of the special landscape area, as any alterations would upgrade the existing development, and the proposal is contained within the built envelope of the application site, it is therefore considered to comply with CP51 of the adopted WCS.

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)

Whilst it is acknowledged that the existing first floor windows on the west elevation would be enlarged, no concerns are raised in relation to any overlooking given the extended separation distances to neighbouring occupiers, the closest property at Perry Croft being located some 37m to the south of the outbuilding. No concerns are raised in relation to overbearing or overshadowing given that the proposed scheme relates to external refurbishment only, without any additional built form proposed.



Plan extract illustrating the extended separation distances to neighbouring properties

Given the scale of the development proposal, it is considered that the proposed development would not result in 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

Ecology

The application site is located within 1km of a Special Area of Conservation (Bath & Bradford on Avon Bats) and SSSI (Winsley Mines). In England, all bat species and their roosts are legally protected by domestic and international legislation. 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 event any evidence of bat activity is detected that the applicant should follow the advice of a professional ecologist or contact Natural England.

RECOMMENDATION: Approve with conditions

Conditions: (2)

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 Plan
Site Plan and Existing and Proposed Plans
Existing Elevations
Proposed Elevations
All Plans Received 19.09.2023

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

Informatives: (1)

3 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.