CASE OFFICER'S REPORT

Application Reference:	PL/2023/06605
Application Type:	Householder planning permission
Consultation ends:	22nd September 2023
Case officer:	Hilary Baldwin

Site Address:	3 Seven Bridges Cottages, Water Eaton, Swindon, SN6 6JS
Proposal:	Removal of existing shed and replacement, in the same location, with a larger shed. Erection of greenhouse on existing concrete slab.
Recommendation:	Approve with Conditions

Proposal and Site Description

Proposal

The application seeks Planning Permission for the replacement of a shed and the erection of a greenhouse within the private rear garden of the property.

The replacement shed would measure approximately 4.8m by 2.4m with an overall ridge height of 2.4m. Constructed of horizontal timber featheredge weatherboard, the shed would include a door and three small windows on one side and a further window on both ends. The roof would comprise corrugated bitumen. Located at the end of the garden, the shed would have its long side parallel with the common boundary with No 4, Seven Bridges Cottages.

The proposed greenhouse would be located close to the property and the common boundary with No 2, Seven Bridges Cottages and sited on an existing area of hard standing. The greenhouse is typical of a standard modular garden structure with aluminium framing and glazed walls, roof and doors utilizing horticultural glass. This structure would measure approximately 2.4m by 1.8m with a ridge height of 2.4m in the centre.

Both structures are for personal use and are sited within the private rear garden of the site.

Site Description

The application site comprises a mid-terrace property, which is located adjacent but perpendicular to the A419, southeast of Cricklade. There is a slip road and access from that trunk road which then leads to the gated entrance of the terrace of three properties but to no other dwellings.

Located in a rural area, the cottages overlook open fields to the rear and benefit from a large parking area to the front.

Outside of any settlement boundary, all three dwellings in the terrace are Grade II listed structures, but there is no Conservation Area order and no other nearby heritage assets.

Policies

National Context:

National Planning Policy Framework (NPPF) 2023
Paragraph 11 – Presumption in favour of sustainable development
Paragraphs 127, 130 - Function and form of development
Paragraphs 189 to 190 - Proposals affecting heritage assets
Paragraphs 194 to 198 - Considering potential impacts upon heritage assets

There is a duty placed on the Council under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 'In considering whether to grant planning permission for development which affects a listed building or its setting' to '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.'

Planning Practice Guidance (PPG)
Planning (Listed Buildings and Conservation Areas) Act 1990

Local Context:
Wiltshire Core Strategy (WCS) adopted 2015
Core Policy 1- Settlement Strategy
Core Policy 2- Delivery Strategy
Core Policy 57- Ensuring High Quality Design and Place Shaping
Core Policy 58 - Ensuring the Conservation of the Historic Environment

Key Issues
Principle of Development
Impact on the Setting and Significance of Heritage Assets
Impact on the Character and Appearance of the Settlement
Impact on Adjacent Neighbouring Occupiers

Relevant Planning History
There is planning history on most of the properties within the terrace, however, these other historic applications are not considered to impact upon the determination of this current proposal.

Consultation Responses
Latton Parish Council – No Objection.

Conservation Officer – No Objection

> No. 3 is mid terrace the proposal is limited to a new shed to the rear of the garden and new greenhouse. The proposal is considered to have a neutral impact on the setting of the listed building.

Representations
No letters of representation were received in relation to the proposed development.

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 principle of providing and extending facilities in association with existing residential accommodation is considered acceptable in principle and in accordance with policies CP1, CP2 and CP57 of the adopted Wiltshire Core Strategy, subject to site-specific assessment and related policy consideration and compliance with other policies contained within the development plan.

Impact on the appearance of the Conservation Area and the setting of a Listed Building

The planning system promotes high quality development through good inclusive design and layout and the creation of safe, sustainable mixed communities. Good design should be indivisible from good planning and recognised principles of good design seek to create a high-quality built environment for all types of development.

Paragraphs 189 - 192 of the NPPF, advise that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting and Para 197, that the local planning authority should take account of:

a) The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
b) The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality, and:
c) The desirability of new development making a positive contribution to local character and distinctiveness.

In this instance, the development relates solely to the siting of two separate garden structures within the private rear amenity space of the site. Whilst both would be visible from the adjoining gardens, there would be no public views. There are no public rights of way close to the garden and the passing trunk road is heavily tree-lined. Both structures are considered modest in scale and befitting of the size and scale of the cottage and its private amenity space. The relevant materials for both structures are considered appropriate and visually acceptable when viewed against the backdrop of the properties. A condition that the development is undertaken in accordance with the details and materials is considered appropriate and necessary and can be appended to any subsequent grant of permission.

As the terrace of dwellings is Grade II listed the Council's Conservation Officer has been consulted and there is no objection to the proposal and the development is considered to result in a neutral impact upon the site and setting of the heritage assets.

The Parish Council has been consulted and there is no objection to the proposal.

The development is therefore considered to lead to a neutral impact upon the setting and significance of the listed buildings and acceptable in terms of the site and the area. The development is therefore considered acceptable and in accordance with policies CP57 and 58 and the guidance and provision of the Framework.

Impact upon Adjacent Neighbouring Occupiers

The development is modest in scale and is not considered to result in loss of outlook, noise nuisance or privacy of adjacent neighbouring occupiers. It is noted that no letters of representation were received.

Conclusion

It is considered that the proposed development would lead to a neutral impact on the designated heritage assets. In accordance with the advice contained in the NPPF, this harm can be qualified as neutral. Paragraph 132 states that as heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

As such, the proposal is considered to accord with Core Policies 2, 51, 57 and 58 of the Wiltshire Core Strategy and the guidance and provision as contained within the NPPF. It is therefore recommended that the application be permitted subject to relevant 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:

Site Location Plan. Received on 04 August 2023
Block Plan-Existing. Received on 14 August 2023
Block Plan-Proposed. Received on 14 August 2023
Existing Shed, Plan and Elevations. Received on 14 August 2023
Proposed Outbuilding Floor Plan. Received on 14 August 2023
Proposed Outbuilding Elevations. Received on 14 August 2023
Proposed Greenhouse. Received on 14 August 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 be as stated on the application form, supporting documentation and approved plans.

REASON: In the interests of visual amenity and the character and appearance of the area.

Informatives: (4)

4 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.

5 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.

6 The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

7 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.