DELEGATED REPORT

Application Reference:	PL/2023/04421
Application Type:	Planning Permission
Site Address:	3 St Dunstan Court, Calne, SN11 9SD
Proposal:	Replacement windows throughout the property
Recommendation:	That Planning Permission is GRANTED with Conditions

PROPOSAL

This application seeks Planning Permission for the replacement of the timber framed windows and doorsthroughout the property with double glazed uPVC frames, with a cream colour finish on all proposed windows and an ivory grain finish to the door.

The development and works are intended for purposes associated with the occupation and use of 3 St Dunstan Court as a single residential dwellinghouse.

DESCRIPTION/CONTEXT

The site consists of a modern terraced dwelling with an attached 2 dwellings to the side (T shape building) found within the established residential frontage along St Dunstan Court and sits within the settlement boundary of Calne. The area is characterised as light-coloured stonework throughout the dwelling with onsite parking situated at the front of the property. The dwelling is situated adjacent, but not attached to, a Grade II Listed Building Dunstan House.

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

PLANNING HISTORY

No previous history found that is considered relevant.

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:

Calne Neighbourhood Plan:
Policy BE2: Design Principles for Local Distinctiveness
Policy BE4: Heritage Assets

Wiltshire Core Strategy Policies 2015 (WCS):

Core Policy 57: Ensuring High Quality Design and Place Shaping
Core Policy 58: Ensuring the Conservation of the Historic Environment

National Planning Policy Framework 2023

ISSUES

The main issues in the consideration of this application are:

- Principle Of Development
- Heritage Impacts
- Design and appearance
- Residential Amenity
- Drainage

CONSULTATION

Calne Town Council: No comments received.

REPRESENTATIONS

Consultation has been carried out and no neighbours have objected or commented.

ASSESSMENT

Principle of Development

Extensions, additions and alternations to existing properties across the plan area are acceptable in principle subject to consideration of any site-specific impacts and conformity with the relevant policies of the plan and national guidance, in particular the criteria set out in CP57 of the WCS. These matters are addressed further below.

Heritage Impacts

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. In addition, Section 72 of the Act states that in the exercise of any functions, with respect to any buildings or other land

in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. In having 'special regard' (in relation to listed buildings) and/or in paying 'special attention' (in relation to conservation areas) the NPPF states that regard must be had as to whether the proposal will cause 'substantial harm', 'less than substantial harm' or no harm to the asset.

Core Policy 57, amongst other things, requires that applications for development should respect the historic environment, and be sympathetic to and conserving historic buildings and historic landscapes. Core Policy 58 aims to ensure that Wiltshire's heritage assets such as the conservation area are protected and enhanced in order that they continue to make an important contribution to Wiltshire's environment and quality of life. It also, however, confirms that the designation of a Conservation Area or listed building does not necessarily preclude the possibility of a new development and the Council is committed to working pragmatically with owners to find positive solutions which will allow adaptation of such buildings to reflect modern living aspirations.

Paragraph 195 of the NPPF requires local planning authorities to identify and assess the particular significance of any heritage asset that may be affected by the proposal (including any development affecting the setting of a heritage asset). Paragraphs 201 and 202 require local authorities to assess whether there is substantial harm, less than substantial harm or no harm to the heritage asset.

Whilst the proposal site is not located within a conservation area, the site is located just north of a Grade II listed building (St Dunstan House) and situated some 14.0m away. It is not considered that the proposed replacement fenestration will cause harm to the setting of St Dunstan House. The proposed fenestration will maintain the same characteristics of the existing and is considered to be of appropriate form.

As no harmful impacts upon the character and setting of the heritage assets has been identified, it is considered that the proposal complied with Core Policy 57 and 58 of the WCS, BE2 and BE4 of the Calne Neighbourhood Plan, advise in the NPPF and in compliance with the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.

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 application property is one half of a pair of none symmetrically designed terrace of cottages. It is considered that the replacement fenestrations adopt a relatively simple design approach that will allow them to integrate sufficiently with the property. Whilst the materials are to change from wood to cream colour uPVC, it is not considered that the resulting form will be detrimental or harmful to the character and appearance of the host dwelling. It is also noted that the neighbouring semi-detached dwelling (No.4) has had a recent approval for a similar replacement of fenestration, material and appearance and other properties in the area use plastic framed windows.

In terms of design and materials, the proposal is considered to broadly reflect and respond to the character of the building and is largely sympathetic to the appearance of the property and the wider area. The proposal will not increase in scale and mass of the dwelling and would 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 BE2 of the Calne 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 nature of the proposal, the works will only include replacement of the existing fenestration within the north and south elevations of the cottage and will not include any new openings. Therefore, is it considered that there would be no unacceptable impacts upon neighbouring amenity due to the proposal than what already exists.

It is also noted that during public consultation, there were no objections or concerns raised by neighbouring properties.

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.

Drainage

Although the application has not been accompanied by any drainage details, any necessary drainage provision will be addressed through approval of Building Regulations. Given the relatively low level of flood risk on the site it would not be reasonable or necessary to require the submission of additional information in this respect in support of the application.

CONCLUSION

The potential impacts of this development have been taken into consideration. In terms of the scale, design and materials, the proposal would not unacceptably impact on the character or appearance of the dwelling or the area and causes no harm to the setting of the listed St Dunstan House. The proposal is in accordance with the aims of the NPPF, the objectives of the relevant Core Policy in the WCS; CP57 and CP58 and Policy BE2 and BE4 of the Calne Neighbourhood Plan. It is therefore recommended that this application be approved with conditions.

RECOMMENDATION: That Planning Permission be GRANTED subject to the following conditions:

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:

Location and Site Block Plan: DWG No. 2508 01; Received 25 August 2023
Existing Elevation Plan: DWG No. 2508 02; Received 25 August 2023
Proposed Elevation Plan: DWG No. 2508 03; Received 25 August 2023
Proposed Window Schedule: Received 25 August 2023
Revised Planning Statement: Received 26 October 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.

INFORMATIVES:

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 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.