CASE OFFICER'S REPORT

Application Reference:	PL/2023/07025
Application Type:	Householder planning permission
Consultation ends:	15th September 2023
Case officer:	Hilary Baldwin

Site Address:	THE HOUSE, OAKSEY, MALMESBURY, SN16 9TJ
Proposal:	Change of use of outbuilding to home office/living space, add chimney and change existing doors to glass bi-fold doors.
Recommendation:	Approve with Conditions

Proposal and Site Description

Proposal

The application seeks Planning Permission for the conversion of an existing, single-storey outhouse to that of ancillary and home office accommodation to be used in association with the dwelling on the site. The structural changes comprise changes to the fenestration design within existing openings to the eastern, western and northern elevations and the insertion of a chimney stack and pot to the main ridge for the benefit of a central woodburner within the space.

The northern and eastern elevation fenestration would remain as a doorway and window respectively, whilst the western opening would be changed from double garage doors to bi-fold door openings with glazing bars. All fenestration would be timber painted sage grey.
The proposed chimney stack would be constructed of Cotswold stone with pots of traditional clay.

In terms of accommodation, the development would provide for one, single-storey room, approximately 4.25m by 8m.

Revised plans were received which detailed the materials for both the chimney and the fenestration only. It is this plan upon which the report is based.

Site Description

The application site comprises a two-storey, detached dwelling set on the northern side of The Street and behind properties fronting that main highway. The site is served by a private driveway and access from to the east and benefits from a large private garden which sits between the front of the property and the building subject of this proposal.

There is a mix of dwellings within the vicinity of the site with an eclectic mix of scale, design and eras of properties. The site is within the defined settlement boundary of Oaksey and within the designated Conservation Area. There are Grade II listed dwellings within the settlement but not within the immediate vicinity of the site.

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
Para 189 to 190 - Proposals affecting heritage assets
Para 194 to 198 - Considering potential impacts upon heritage assets

There is a duty placed on the Council under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act to pay special attention to the preservation or enhancement of the character of the surrounding conservation area.

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
Core Policy 60 - Sustainable Transport

Wiltshire Local Transport Plan 2011-2026
Car Parking Strategy

Oaksey Neighbourhood Plan – Made May 2017
Policy 11 – Heritage Assets
Policy 12 – Conservation Area

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
Access, Parking and Highway Safety
Other Considerations

Relevant Planning History
There is no planning history on the site or on adjacent sites which is considered to impact upon the determination of the current proposal.

Consultation Responses
Oaksey Council – No objections made.

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 Appearance of the Conservation Area and the Area

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 - 202 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 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 case, the proposed development lies wholly within the Conservation Area of Oaksey and within the defined settlement boundary. However, the proposed development would be minimal in terms of structural and design changes as only the proposed chimney stack would be visible from the public realm. The window on the eastern elevation would not change and the proposed paint colour of sage grey would blend in with the stone elevations and not look out of place or discordant. The changes to the other doors and windows would not result in additional openings within the structure and the new timber and painted frames are considered acceptable.

The proposed development is considered to result in a neutral impact on the character and appearance of the area and the setting and significance of the conservation area. Its limited quantum of development and elevational materials are considered to retain the outbuilding as a subservient structure seen against and in conjunction with the dwelling on the site.

A condition is recommended that the works are carried out in accordance with the submitted drawings which is considered necessary and appropriate and can be appended to any Decision Notice.

It is noted that the Parish Council have not made any objection to the proposal and the proposal is considered to accord with the design and heritage aims of the Made Oaksey Neighbourhood Plan.

The proposed development is considered acceptable and would accord with CP57 & 58, the Made Oaksey Neighbourhood Plan and the relevant sections of the Framework.

Impact upon Adjacent Neighbouring Occupiers

The development is modest in scale and is not considered to result in any significant loss of outlook, noise nuisance or loss of privacy of adjacent neighbouring occupiers.

It is noted that no letters of representation were received in relation to the proposed development.

Access, Parking and Highway Safety

The proposed development would enlarge the habitable space of the dwelling only and the current parking provision would be retained and meet the adopted parking standards. From a site visit, it is clear that the garage has not been used as such for some time but there is ample off-street parking on the access driveway from The Street into the site which leads from the western side of the existing village shop and post office into the site.

Other Considerations

The proposal states that the use of the outbuilding would change to that of a home office and additional living accommodation. Albeit there is limited access from the highway, the outbuilding is separate from the main dwelling and it is therefore considered prudent to add a condition to any grant of permission to ensure that the outbuilding remains as one planning unit and ancillary to the host dwelling. Such a condition is considered appropriate and necessary and would meet the 6 tests for planning conditions.

Conclusion

It is considered that the proposed development would lead to a neutral impact on the designated Oaksey Conservation Area and the heritage asset. 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, 57, 58 and 60 of the Wiltshire Core Strategy, the Made Oaksey Neighbourhood Plan and the guidance and provision as contained within the NPPF. It is therefore recommended that the application be permitted subject to relevant 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 and documents:

Location Plan. Received on 17th August 2023
Block Plan. Received on 17th August 2023
23-2044/01 Rev B. Existing-Proposed Plans. Received on 24th 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 be as stated on the application form and approved plans.

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

4 The accommodation hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling, known as The House, The Street, Oaksey, SN16 9TJ 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.

Informatives: (4)

5 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.

6 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.

7 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.

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.