26th October 2023

Our Ref: SWLC.LPC1813

Development Services – North
Wiltshire Council
Monkton Park
Chippenham
Wiltshire
SN15 1ER

Dear Sir/Madam

Town and Country Planning Act 1990
Erection of outbuilding (part retrospective) at
37 Calcutt Street, Cricklade, SN6 6BA

Further to my client's recent exchange with Ms K Hayes in your Council's enforcement team I have pleasure to enclose, as promised, a new application to authorise the completion of the outbuilding at the above.

The photographs inserted below show that works have already begun and of course the submitted plans show the scale and built form proposed.

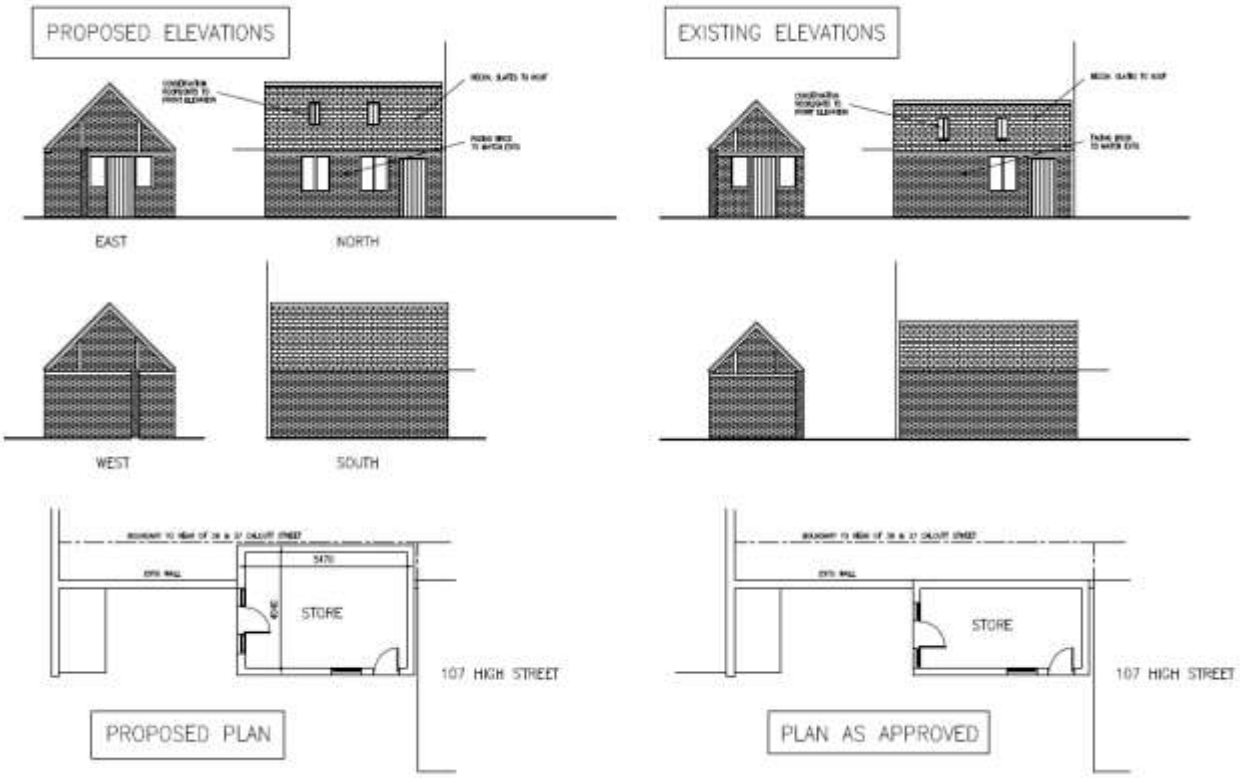





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In that regard it should be stressed that planning permission has previously been granted by application N/07/01650/FUL to extend the original outbuilding. The approved plan extract inserted below shows the nature and scale of the change previously sanctioned.



By reference to the above permission, it is material to note the decision was issued at a time when Local Planning Authorities had to provide reasons for the grant of permission. Whilst the relevant Development Plan policy framework may have changed it is still material therefore to note that the statute regarding the assessment of acceptable development in the Conservation Area is unchanged and there has been no material change in physical circumstances that indicate the findings reproduced below are no longer relevant.

The proposed development is considered to be acceptable based on its siting, scale and design which are in keeping with the character and appearance of the property and the streetscene, and will have no adverse impact on the amenities currently enjoyed by the neighbouring residents. The proposal is in accordance with Policy C3, HE1 and H8 of the North Wiltshire Local Plan (2011).

The new outbuilding will be 4.2m high to the ridge and has a built footprint of approximately 22.23m², measured externally. It will be constructed from red brick, with windows (and a door) on the inner sides (North and East), facing into the associated amenity space for No 37. It will have a roof tile to match those of the main house, as previously conditioned (Condition No 3 - 07/01650/FUL).

I understand that the original outbuilding collapsed, and indeed this occurred when Mr Paul Kalbskopf from your Building Control Team was on site.

My client's error was to begin to rebuild, not appreciating the need for a new permission. The 2007 plan extracts above show that the built footprint is almost identical to the previously approved proposal (22.1m²), and thus it is easy to understand why it was assumed the rights to rebuild were established.

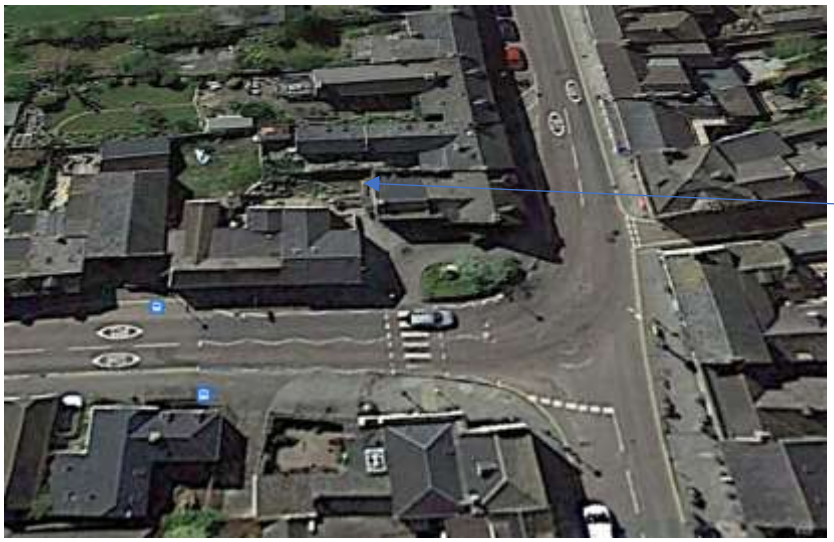
The need for permission though is not disputed, although the site's planning history heavily weights in support of the consistent merits of the new outbuilding. The applicant would not resile from the reimposition of any of those conditions previously imposed in 2007.

As indicated above the Development Plan policy framework has change since the comparable grant in 2007. In accordance with Section 38(6) to the Planning and Compulsory Purchase Act 2004 it is acknowledged that all planning decisions must be made in accordance with the Development Plan unless material considerations indicate otherwise.

The National Planning Policy Framework (NPPF) provides the Government's planning policies for England and explains how they should be applied. It is a material planning consideration.

A proportionate assessment of the character and appearance of the Conservation Area, where Section 72 to the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that development either preserves or enhances the character and appearance, indicates no material changes from when that assessment was previously made.

No 37 is a rendered two storey dwelling with a slate roof set tight up against the pavement edge. That is characteristic of the housing along Calcutt Street in this part of the town. There is a dense built pattern which includes a similarly light grain behind the application site (shown with an arrow below).



The area's characteristic is clearly dominated by residential properties, as the principal land use in the area. There is a consistent two storey built form and very

little visual permeability from the road frontage to the amenity spaces behind the road frontage.

The new outbuilding not only replaces a previous structure, in the same position, but is clearly subservient to the host, and as part of that built hierarchy echoes other ancillary developments mixed into the tight built grain.

It is single storey, set tight up against the boundary, with a pitched roof ensuring the ridge is furthest from the shared boundary to the rear too.

Conclusion

The proposed development is considered to be acceptable contextually, by reason of the siting, scale, design and construction materials. It will not diminish the reasonably residential amenities of the nearest neighbours. Moreover, it is commensurate with the host dwelling and will not harm the qualities of the wider area's character and appearance as a designated Heritage Asset.

The proposal satisfies the requirement of Section 72 to The Planning (Listed Buildings and Conservation Areas) Act 1990 and the relevant section to the NPPF. Additionally, it accords with the relevant requirements at Policies CP57 and CP58 to the adopted Wiltshire Core Strategy (2015).

Notwithstanding these conclusions if you have any questions to ensure your support, please do not hesitate to contact me.

Yours faithfully

[redacted]

Simon Chambers
Director

Enc.

Cc: Mr & Mrs M Ingle