DELEGATED REPORT

Application Reference:	PL/2023/06114
Application Type:	Planning Permission
Site Address:	Willow Cottage, West End, Foxham, Chippenham, SN15 4NB
Proposal:	Porch, first floor extension and enclosure of courtyard
Recommendation:	That Planning Permission is GRANTED with Conditions

PROPOSAL

This application seeks Planning Permission for the erection of a front porch on existing footprint, a first-floor side extension, the enclosure of courtyard (single storey side extension) and garage conversion into habitable space. The porch will continue to give space for a lobby area and the front entrance will remain as existing. The first-floor side extension will make space for two bedrooms an ensuite and a study (moved from ground floor to proposed extension and will consist of a window and bay window front elevation, two smaller windows on the rear elevation, a high-level window on the side (east) elevation, and a skylight on the hipped/flat roof. The first-floor extension is also proposed on stilts and will create a hanging from the side elevation. The proposed ground floor side extension will make space for a new family room and kitchen extension and will consist of a bi-fold door on the side (east) elevation and two skylights on the proposed flat roof. The garage conversion will make space for a study and store and will consist of a bay window on the front elevation where the garage door was situated.

The applications set out the following components for which permission and consent are sought:

- Erection of a front porch over existing footprint
- Erection of first-floor side extension
- Enclosure of courtyard (single storey side extension infill)
- Garage conservation to habitable space
- Solar panel on front elevation roof

The development and works are intended for purposes associated with the occupation and use of Willow Cottage as a single residential dwellinghouse.

Revised plans have been submitted by the application received on the 3rd November 2023. Those revised plans indicate the omission of the air source heat pumps (ASHP). The application has been determined in relation to these revised plans. Those revised plans were not subject to consultation and publicity.

DESCRIPTION/CONTEXT

Willow Cottage is a detached property situated in Foxham, just northeast of Chippenham. The property is accessed via a main arterial route- West End and sits within an extensive ground surrounded residential properties to the south, east and west. The site benefits from a modest sized front garden and parking area and a large rear garden. The dwelling was built in the late 1980's and consists of an attached annex to the rear which is connected by a garden room. An outdoor courtyard sits between the dwelling and annex.

The surrounding dwellings are of mixed character, design, materials, size and layout. The site is situated adjacent to a listed building (West End Cottage) to the west.

The property is located within the Avon Vale Countryside Character Area but is not covered by any archaeological or ecological designations.

PLANNING HISTORY

N/94/01943/FUL	Extensions and alterations to existing dwelling to provide self-contained disabled accommodation and associated works accommodation for disabled	Aproved
N/80/0120/F	Erection of dwelling and construction of vehicular access	Approved

POLICIES

Under the provisions of 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); the 'saved' policies of the North Wiltshire Local Plan (NWLP) 2011 (adopted June 2006); and the made Bremhill Parish Neighbourhood Plan (2019).

Though the development plan is considered as a whole, those parts deemed to be particularly relevant to this application are listed below:

Bremhill Parish Neighborhood Plan:
Policy NP1: General Development

Wiltshire Core Strategy Policies 2015 (WCS):
Core Policy 42: Standalone Renewable Energy Installations
Core Policy 57: Ensuring High Quality Design and Place Shaping
Core Policy 58: Ensuring the Conservation of the Historic Environment
Core Policy 61: Transport and Development
Core Policy 64: Demand Management

National Planning Policy Framework 2023 (NPPF)

ISSUES

The main issues in the consideration of this application are:

- Principle Of Development
- Heritage Impacts
- Design and appearance
- Impact on residential amenity
- Highway impacts

CONSULTATION

Bremhill Parish Council: *Ward Councillors have reviewed this application and are happy to support it. The next door neighbour has been consulted and raised no objections. The applicant has stated that they have consulted all neighbours likely to be affected by this application. There are no two properties alike in this section of West End and, if the application is approved, Willow Cottage will remain sympathetic to the rest. The extension will enhance the external appearance of the property by reflecting the form, scale and finishes of the original building. It will also add to the utility and flexibility of this home and facilitate future multi-generational occupancy. The application is not contrary to the Neighbourhood Plan.*

Highways Department: *I am happy that the current parking arrangement can accommodate the required number of spaces and as such I am minded to offer no highway objection.*

Public Protection: Public Protection were consulted, however, applicant decided to remove the ASHP from this application. Public Protection comments were never received.

REPRESENTATIONS

Consultation has been carried out and no neighbours or third parties have objected. Two letters of support have been received from neighbouring properties.

ASSESSMENT

Principle of Development

The principle of extending existing residential properties is considered acceptable in principle. Furthermore, proposals for the installation of low carbon and renewable energy generation/installations are welcomed in principle by policy CP42 to the Wiltshire Core Strategy.

However, the detail and other site-specific impacts, must also be considered against other relevant policies within the development plan and the guidance and provisions as contained within the National Planning Policy Framework.

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 east of a Grade II listed building (West End Cottage) and situated 4.0m away from the dwelling. It is not expected that the proposals will cause harm to the setting or character of the adjacent listed building. It has also been noted that West End Cottage benefits from a later side/rear extension which is situated between the proposal site and the listed building.

In terms of the wider area, there is no set character and all the houses along West End Road are of mixed character, size, and design with a variety of extensions done throughout the vicinity. Whilst it is appreciated that the first-floor side extension is designed with stilts descending down from the side elevation, this is not automatically regarded as inappropriate. In this case, it is not considered that the design of the proposal, albeit, unique, will harm the setting of the listed building or the wider area.

For the above reasons, there is considered to be no unacceptable harm caused to the neighbouring heritage assets and the proposal is considered to be in accordance with Core Policy 57 and 58 of the WCS, NP1 of the Bremhill Neighbourhood Plan, and 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 and Policy NP1 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.

Development along West End is of varied design and neighbouring properties to Willow Cottage have been extended with substantial variations. However, cumulatively, the proposals are relatively large in footprint and scale but remain relative to the property it relates to and the plot within which it sits.

The design of the first- floor side extension is large in scale and does not sit particularly well with the existing form of the dwelling; the resulting dwelling appearing unbalanced. However, to help reduce the visual imbalance and achieve a more uniform finish, brickwork finished in white paint will be applied to the new built elements to match existing. Whilst the proposed first floor side extension roof will have an asymmetrical roof differing from of the host dwelling, it breaks up the overall built mass and reduces impacts upon the neighbouring dwelling to the east in terms of built form.

In the context of the street scene and noting the variations in dwelling type and extensions already completed, the proposed development would not appear unduly harmful within this setting. The applicant has sought through the proposed finishing materials and layout, to mitigate the impact on the street scene. Therefore, on balance, it is considered that the development would not be unacceptable to the character of the area amounting to a reason for refusal.

With regard to the front extension and garage conversion, the proposals will be situated on the existing footprint, albeit, the front extension will be slightly larger in size. The proposals will retain similar characteristics from the existing and will not be unacceptable in terms of design and scale nor is it considered unacceptable within its setting. The addition of the courtyard extension will not be visible from the street scene will create a more congruous internal layout which will remove the rear annex aspect. The infill extension will consist of a flat green roof which is considered acceptable in design and scale.

Whilst some of the proposals will be visible from the street scene, the visibility is not automatically regarded as being unacceptable. In this case, the proposals are relative to the dwelling and plot and where seen, the development would be read against the existing residential context and associated built form. The dwelling is set back from the road slightly and in conjunction with the use of matching materials will ensure that the additions do not appear prominent within the street scene. The proposals are additionally partially screened from the public with mature vegetation on the front elevation.

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 NP 1 of the Bremhill Parish 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.

The development would introduce a 2-storey side (east facing) high-level window towards Trejenda. This would serve a bedroom on the new extension however it will be conditioned to be obscured glazed as to protect the privacy of the neighbouring property due to its close proximity.

Whilst the development is large in scale, neighbouring property to the east would not be unacceptably impacted due to the low hipped/flat first-floor side extension which would reduce the bulk and it is not expected to have light loss of any ‘overbearing’ impact. The single storey side extension is being proposed with a flat roof and will be a distance away from the boundary line. The proposed development is not considered to immediately present an impact upon the living condition of neighbouring resident through overlooking or oppressiveness that would result in a reason for refusal. Given the scale, mass, and position,

the proposal would not result in unacceptable harm, significant loss of daylight or sunlight and would not be intrusive to neighbour amenity.

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 unacceptable impact upon the amenities and living conditions of the neighbouring properties, thereby complying with the relevant provision of CP57 of the WCS.

Highways

Wiltshire Core Strategy policy CP61 states that new development should be capable of being served by safe access to the highway network. Core Policy 64, states that provision of parking associated with new residential development will be based on minimum parking standards.

The proposal will not increase or change the parking standards for the site. Whilst the existing garage will be converted into habitable space, the site benefits from a large from area which can accommodate the standard of 3 parking spaces for 6 bedrooms. Highways has been consulted and have not objected and/or raised concern over the proposal.

As such, the parking standards and requirements are considered to have no unacceptable impact upon highways safety, thereby complying with the relevant provision of CP61 and CP64 of the WCS.

CONCLUSION

The potential impacts of this development have been taken into consideration. In terms of the scale and materials, the proposal would not harm amenity or the character of the dwelling or the area. The proposal is in accordance with the aims of the NPPF and the objectives of the relevant Bremhill Parish Neighbourhood Plan; NP1 and Core Policies in the WCS; CP42, CP57, CP58, CP61 and CP64. 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:

Site and Location Plan: DWG No. S-01; Received 21st July 2023
Proposed Section Through Courtyard Infill: DWG No. S-10; Received 21st July 2023
Existing-Proposed North Elevations: DWG No. E-21; Received 21st July 2023

Existing-Proposed East Elevations: DWG No. E-22; Received 21st July 2023
Existing- Proposed West Elevations: DWG No. E-23; Received 21st July 2023
Proposed Ground Floor Revised: DWG No. P-01 Rev B; Received 3rd November 2023
Proposed First-Floor: DWG No. P-02; Received 21st July 2023
Proposed Roof Plan: DWG No. P-03; Received 21st July 2023
Existing Ground Floor Plan: DWG No. X-01; Received 21st July 2023
Existing First Floor Plan: DWG No. X-02; Received 21st July 2023
3D Perspective Sheet 1: DWG No. PER-1; Received 21st July 2023
3D Perspective Sheet 2: DWG No. PER-2; Received 21st July 2023
Design & Access Statement: Received 21st July 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.

4 Before the development hereby permitted is first occupied, the window in the east elevation (first-floor) shall be glazed with obscure glass only to an obscurity level of no less than level 5 and said window shall be permanently maintained with obscure glazing in perpetuity.

REASON: In the interests of residential amenity and privacy.

INFORMATIVES:

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 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.