**CASE OFFICER'S REPORT**

**Application Number:** PL/2023/07449

**Address:** Coombe Down Farm, Annexe
Blandford Road
Coombe Bissett
SP5 4LJ

**Proposal**: Formation of balcony with external stairs and two new windows.

**Date of Inspection:** N/A
**Consultation Expiry:**
09/10/23
**Press Advert:** N/A

**POLICIES**
**National Planning Policy Framework and the NPPG**

**Wiltshire Core Strategy**
CP35 Existing Employment Land
CP48 Supporting Rural Life
CP50 Biodiversity and Geodiversity
CP51 Landscape
CP57 Design

**ISSUES**

- Principle
- Scale, design and impact on the character and appearance of the area
- Impact on neighbouring amenity
- Ecological Matters and River Avon SAC

**REPRESENTATIONS** :

**Parish Council –** No comment

**Third Party Comments –** None received

**PLANNING HISTORY:**

PL/2023/03919 - Erection of bungalow – Refused

PL/2022/02111 - Change of use of first floor store into small living accommodation – Approved, with conditions

**ASSESSMENT**:

The application site is an existing working car garage repair workshop at ground floor. The application seeks approval for the retrospective use of the first-floor level as living accommodation. Council Tax records indicates that domestic rates have been paid for this accommodation since 2017.

1. **Principle**

The application must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF confirms that applications must be determined in accordance with the development plan and that proposals which conflict with the development plan should be refused unless material considerations indicate otherwise. (Section 70(2) of the Town and Country planning Act and Section 38(6) of the Planning and Compensation Act 2004). The NPPF is also a significant material consideration and due weight should be given to the relevant policies in existing plans according to their degree of consistency of the framework.

2. **Scale, design and impact on the character and appearance of the area**

Wiltshire Core Strategy Core Policy 57 states:

*A high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complimentary to the locality. Applications for new development must be accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire….*

The site is located on the outskirts of Coombe Bissett and falls outside of the Settlement Boundary. However, from the planning history of the site the unit is well established with the living accommodation being resided in for a substantial time and formally approved in 2022.

The current proposal is for two new windows within the side elevation at first floor to serve the living are which would have an outlook upon Blandford Road. The proposal also seeks approval for an external staircase up to a balcony upon the front elevation.

The overall scale of the proposal is modest, and the introduction of such features are not considered to result in any visual harm to the overall character and appearance of the area. The new glazing would be visible; however, it is noted that currently the living accommodation at first floor has limited windows providing natural light.

The glazing proposed is not considered to be excessive and being on the side elevation facing the highway and not being rooflights they are not considered to pose a level of harm upon the wider AONB which could warrant a refusal.

Again, the Front elevation as existing has limited openings. The proposed bifold doors to gain access out to the balcony are not considered to pose any harm.

As per the previous approval, the living accommodation is not a new development, and forms part of a well-established existing business. It was confirmed by the agent/applicants on the 2022 application that the occupants would solely be the owners of the garage and was conditioned to ensure the living area cannot be let/sold on. Therefore, such a condition would be carried forward upon any approval.

The proposal is therefore not considered to result in any detrimental effects upon the wider character and appearance of the area and is considered to comply with the requirements of Core Policy 48, 51 and 57.

2. **Impact on neighbouring amenity**

Policy CP57 also states:

*vii. Having 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, including the consideration of privacy,*

*overshadowing; vibration; and pollution (such as light intrusion, noise, smoke, fumes, effluent, waste or litter)*

The building is positioned within a substantial sized plot. The proposed balcony would have an outlook upon the open land to the front of the building and its access road. The closest residential property to the South (Beech Cottage) would be over 200m away. Therefore, the proposed additions are not considered to pose any detrimental effects upon any residential amenities.

Therefore, it is considered that the proposal does not adversely affect the residential amenities of any neighbouring properties, In line with Core Policy 57.

**3. Ecological Matters including the River Avon SAC**

WCS policy CP50 (Biodiversity and Geodiversity) and the NPPF requires the Local Planning Authority to ensure protection of important habitats and species in relation to development andseeks enhancement for the benefit of biodiversity through the planning system. Whilst the site is not immediately adjacent to any rivers or in any respective flood zones; it is situated within the River Avon Special Area of Conservation (SAC) catchment area.

This development falls within the catchment of the River Avon SAC and has potential to cause adverse effects alone or in combination with other developments through discharge of phosphorus in wastewater. The Council has agreed through a Memorandum of Understanding with Natural England and others that measures will be put in place to ensure all developments permitted between March 2018 and March 2026 are phosphorus neutral in perpetuity. To this end it is currently implementing a phosphorous mitigation strategy to offset all planned residential development, both sewered and non sewered, permitted during this period. The strategy also covers non-residential development with the following exceptions:

- Development which generates wastewater as part of its commercial processes other than those associated directly with employees (e.g. vehicle wash, agricultural buildings for livestock, fish farms, laundries etc)
- Development which provides overnight accommodation for people whose main address is outside the catchment (e.g. tourist, business or student accommodation, etc)

Following the cabinets resolution on 5th January 2021, which secured a funding mechanism and strategic approach to mitigation, the Council has favourably concluded a generic appropriate assessment under the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. This was endorsed by Natural England on 7 January 2021. As this application falls within the scope of the mitigation strategy and generic appropriate assessment, it is concluded that the proposal will not lead to adverse impacts alone and in-combination with other plans and projects on the River Avon SAC.

In addition, as the existing building has gained permission as a live/work unit and it benefits the retention of an employment use, its considered to be “planned development” in accordance with CP48.

**Conclusion:**

On balance, the proposal is considered to be acceptable and would not result in any adverse harm which could warrant a refusal. The proposal is therefore considered to be in accordance with the NPPF and Core Policy 48, 50, 51 and 57.

**RECOMMENDATION: Approve, subject to conditions.**