# DELEGATED REPORT

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| **Application Reference:** | PL/2023/07647 |
| **Application Type:** | House Holder Planning permission |
| **Site Address:** | Tyning Cottage, Lower Kingsdown Road, Kingsdown, Corsham, SN13 8BB. |
| **Proposal:** | Dormer |
| **Recommendation:** | Planning Permission be Granted |

**PROPOSAL**

The application seeks planning permission for the enlargement of an existing flat roof dormer window on the rear roof slope of a residential dwellinghouse. The application is made as ancillary accommodation to the existing dwelling.

The proposed dormer will attach to the gable side of the two-storey element of Tyning Cottage and will be approximately 3.6 metres in width and 2 metres deep set in from the boundary roof coping with the joining cottage known as Tumbledown by approximately 300 mm and set down from the existing ridge by approximately 300 mm.

The existing dormer is set away from the gable end of Tyning Cottage by 1.2 metres and is approximately 1.8 metres in width set down from the ridge of the roof by approximately 700 mm and has a height of approximately 1.4 metres. The existing dormer is set approximately 1.2 metres from the boundary roof coping stones with the neighbouring terraced property, Tumbledown.

The materials are proposed of horizontal hanging tiles to the elevations with a flat roof of an EPDM warm roof system. The dormer is to an existing bedroom of the property within the roof space.

The proposed tiles to clad the dormer have been confirmed as Redland Plain Concrete Ornamental Tile in brown with a granular surface. The existing window is of white uPVC and the proposed is of White uPVC.

The fascia is proposed to be in timber and brown in colour, the proposed window is smaller in scale to the existing window measuring 1200 mm wide by approximately 850 mm high as opposed to the existing at approximately 1700 mm wide by 850 mm.

Information to confirm the external finish of materials for the dormer have been received during the life of the application. Revised plans were also received during the life of the application correcting the block plan so as to accurately identify the proposed dormer.

**SITE DESCRIPTION/CONTEXT**

The property known as Tyning Cottage, is an end terrace dwelling set within the hamlet of Kingsdown approximately half a mile southwest from the village of Box within the Corsham Community Area. As such the property is situated outside of any framework boundary and within open countryside.

Wormcliffe Lane below to south west runs parallel to Lower Kingsdown Road.

Foot paths nearby are Box 86 approximately 80 metres north west to the garden boundary of Tyning Cottage footpath Box 85 lies approximately 120 metres west running parallel to Lower Kingsdown Road and the rear boundary of the site. There are footpaths to the north boundary of Box 99 further footpaths of Box 85 to the north and Box 86 to the west in the fields below would have some views towards the rear of Tyning Cottage.

The area is over washed by the designations of the Cotswold Area of Outstanding Natural Beauty and the Western Wiltshire Green Belt.

Tyning Cottage has ashlar stone elevations with double roman clay tiled roof and white painted timber windows. The property has been previously extended by a single storey side extension which contains the kitchen with a later conservatory added to the rear, and a rear single storey flat roofed extension off the living room. There is an existing dormer window to the rear roof slope. The cottage is the north end terrace of three properties, comprising Tyning Cottage, Tumbledown and Downunder. The cottages are to the west side of Lower Kingsdown Road where the land slopes away steeply from the road down to fields and Wormcliffe Lane beyond. The properties have parking and garaging to the opposite side of the road on level ground. The cottage has a one and a half storey section containing the dining room with a bedroom above containing the rear dormer to be extended and a taller full two storey part of one room width with sitting room with stairs to the two first floor bedrooms and an ensuite. To the side of the sitting room is a bathroom and day room at ground floor in a single storey extension. The kitchen is to the rear of the day room and has a further conservatory extension to the rear. There is a further flat roofed extension off the sitting room. The gardens of the cottage fall away steeply to meet with the garden Tumbledown which extends northwards along the rear boundary of the gardens of Tyning Cottage. The rear gardens of Tyning Cottage overlook the north gardens of Tumbledown as do the rear windows of Tyning Cottage. The gardens of Tyning cottage extend to the north side and to the front (east) to the boundary with Lower Kingsdown Road.

There are no other designations upon the property.

**PLANNING HISTORY**

80/01325/F – Extension to dwelling – PER
90/00685/FUL – Two storey extension – PER – not implemented
07/00025/FUL – Erection of timber conservatory – Approved
09/02180/FUL – Replacement of rear Conservatory - Approved
10/04159/FUL – Replacement rear dormer window - Withdrawn

**POLICIES**

Wiltshire Core Strategy 2015 (WCS)
Core Policy 1: Settlement Strategy
Core Policy 2: Delivery Strategy
Core Policy 11: Spatial Strategy for Corsham Community Area
Core Policy 51: Landscape
Core Policy 57: Ensuring High Quality Design and Place Shaping

National Planning Policy Framework 2023 (NPPF)
Section 2: Achieving sustainable development
Section 12: Achieving well designed places
Section 13: Protecting Green Belt land
Section 15: Conserving and enhancing the natural environment

**ISSUES**

- Principle of Development
- Green Belt
- Scale and design
- Landscape and visual impacts – including impact on AONB
- Residential amenity

**CONSULTATION**

Box Parish Council – No objection.

**REPRESENTATIONS**

The application was publicised via individual neighbour letter, no representations have been received.

**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. The National Planning Policy Framework (NPPF) is a key material planning consideration. Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations.

Principle of Development

Decisions on planning applications are made in accordance with the policies contained in the Wiltshire Core Strategy and government guidance.

The principle of domestic extensions, alterations and/or outbuildings within the curtilage of existing dwellings is considered acceptable, providing those proposals are complaint with the requirements of relevant policies within the development plan. The development is to take place within the curtilage of the dwellinghouse, therefore, the proposal is considered to be acceptable in principle, subject to meeting with policies of the WCS which are discussed below.

Green Belt

There is no relevant local development plan policy on Green Belt and as such the NPPF, Section 13 is the only policy consideration on this matter. This sets out a negative planning approach and is one of the most restrictive planning policies in England. It sets out that development, except for specific exclusions at paragraphs 149 and 150 of the NPPF, is inappropriate. Furthermore, it states that inappropriate development is, by definition, harmful. It explains that development should not harm the defining characteristic of the Green Belt which is its openness.

Protecting the Greenbelt carries great weight within the planning system and inappropriate development is considered, by definition, to be harmful to the Green Belt. There is some allowance given for extensions as long as the extension or alteration does not result in disproportionate additions over and above the size of the original building. The original building is considered to be as existing on 1 July 1948 or if constructed at a later date, as it was built originally.

Section 13 to the NPPF does not define what constitutes "disproportionate" and the LPA has not adopted any policy which prescribes a floorspace or % increase what or what is not regarded as acceptable in the Green Belt

The development proposes the redevelopment of an existing rear dormer to an existing bedroom. The design, siting and materials are considered as individually acceptable, however the total amount of additions need to be considered as to whether they would exceed what is considered to be disproportionate additions over and above the size of the original building.

The drawings demonstrate that the existing form, materials and character of the dwelling is considered to be maintained previous additions are single storey to the rear of the dwelling and a conservatory to a single storey side extension. The rear dormer appears to have been in place for some time with an application made to replace it in 2010 which was withdrawn. Nevertheless, it remains clear that the property has previously been extended and the conservatory added by a visual assessment the previous extension of the property for the ground floor additions can be seen to be close to development that would exceed the scale of the original dwelling as at 1948.

In this particular case, the dormer will be well contained among the existing and original built form of the house and enlarges an existing dormer window, rather than creates additional floorspace which might introduce further sprawl of the built-up area. In itself, the enlarged dormer is considered to be relatively modest in the context of the building as it now is. However, the cumulative additions and increases to the *original* building are perhaps at the upper limit of what could be considered as disproportionate and for that reason the decision is finely balanced.

In this case, the modesty and discreet positioning of the enlarged dormer is, on balance, considered to not be a disproportionate extension to the original building and would therefore meet with the exception set out in paragraph 149(c) to the NPPF and therefore does not constitute inappropriate development in the Green Belt.

<u>Scale and Design</u>

WCS Core Policy 57 requires development to respond positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, elevational design, materials amongst other things. Sections 12 of the NPPF expects a good standard of design.

The proposed development uses materials of brown plain ornamental tiles with granular finish to blend the dormer with tiles used on the existing roof. The roof is proposed as a flat roof EDPM rubber flat roof system the fascia will be dark brown in colour of timber.

The dormer is of a flat roof design which is perhaps not one which is appropriate in many instances, and certainly is not reflective of the locality or the appearance of traditional development in the Wiltshire Countryside. It is, however, sited in a reasonably discreet potion to the rear roof slope away from overt views. Indeed, flat roof dormer window is also not a novel feature to this particular property, with the development effectively being an enlargement of an existing. For that reason, the design is not considered to be objectionable in this very particular instance.

The window frame itself is smaller than that of the existing and of white uPVC, as per the existing window detail. The use of hanging tiles to match the existing property is considered to respect and blend the dormer to the existing roof of the existing property and wider built area.

In light of the above, the proposal is considered to be in accordance with policy CP57 of the WCS in terms of siting, materials, scale and design.

Landscape and Visual Impacts – including impact on AONB

Core Policy 51 states that development should protect, conserve and where possible, enhance the landscape character. Section 15 of the NPPF expects decisions to ensure the protection and enhancement of valued landscapes.

The proposed dormer has been designed to use materials which will integrate with the existing dwelling being tiles which will match the existing roof tiles and a window of the similar size as the existing window which will have a neutral impact upon the appearance of the cottage in the landscape. The rear of the property is facing the landscape as it is on the west side of the Lower Kingsdown Road where the ribbon of buildings of Kingsdown can be seen in long views across the valley and from the footpath BOX 85 approximately 120 metres below, but the individual property is less obvious on its own. If it were to be seen from the surrounding area, it is likely it would be read in the context of the existing built environment and as such is not considered likely to cause harm to the openness and scenic beauty of the AONB.

Given the scale, the nature of the proposal being in part a replacement of an existing dormer and the property not easily visible within the landscape due to its siting and orientation where the residential built context within the locality if the development were to be seen from long views from the surrounding area including the nearby road below at Wormecliffe Lane or the footpath it would read in context of the existing built environment and as such it is considered to conserve the AONB in accordance with CP 51 to the WCS.

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 neighbouring property most sensitive to the proposal will be Tumbledown the attached mid terrace property to the south. The gardens of Tumbledown run to the rear (south west) and extend northwards below the gardens of Tyning Cottage. The dormer will be to the rear roof slope adjacent to Tumbledown and it is noted there is a two storey rear gable roof projection to Tumbledown adjacent the site for the dormer. The height and mass of the dormer will be increased from the existing, however, being sited within the roof slope and the extension of the existing dormer set to the north of Tumbledown and with the intervening rear two storey at Tumbledown it is considered there will be no additional impacts from overbearing or overshadowing. The proposed window is of scale similar to the existing, it is considered that there will be no unacceptable impacts in terms of overlooking above the existing situation.

There have been no representations received by neighbouring occupiers.

Given the scale and siting of the proposal there are considered to be no unacceptable impacts upon the amenities of neighbouring occupiers in accordance with CP 57 of the WCS.

**CONCLUSION**

The proposed development is considered to be not inappropriate development in the Green Belt.

In other respects, the scale, design and materials will respect and blend with existing property and wider built development, as well as not causing harm to the special character of the landscape and AONB. There are no unacceptable impacts to residential amenity.

The proposal is found to be in accordance with policies CP51 and CP57, of the WCS and the relevant sections to the NPPF.

**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 and documents:

   Site Location Plan 1:1250 Scale – received 7th September 2023.
   Drawing no. 2323-1 Existing and Proposed Elevations 1:100 Scale and Existing and Proposed Floor Plans 1:50 Scale – received 8th September 2023.

   Drawing no.2323-2 Block Plan 1:200 Scale – received 1st December 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 and colour those detailed in accompanying documents provided with the application.

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

**INFORMATIVES:**

4. 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.

5. 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.

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.