CASE OFFICER'S REPORT

Application Reference:	PL/2023/09126
Site Address:	2 Higher Farm Cottages, Rookery Lane, Swallowcliffe, SP3 5PE
Date of Inspection:	N/A
Date site notice posted:	N/A
Consultation Expiry:	28/11/23

POLICIES

National Planning Policy Framework
Section 2 Achieving Sustainable Development
Section 12 Achieving Well Designed Places
Section 15 Conserving and enhancing the natural environment

Wiltshire Core Strategy
Core Policy 1 Settlement Strategy
Core Policy 2 Delivery Strategy
Core Policy 51 Landscaping
Core Policy 57 Ensuring high quality design and place shaping
Core Policy 69 Protection of the River Avon SAC

Saved Salisbury District Local Plan
H31 Extensions to dwellings in the countryside
C24 Extensions to buildings within the open countryside

AONB Management Plan 2019 - 2024

RELEVANT PLANNING HISTORY

21/00063/FUL - Proposed two storey side extension and replacement of existing single storey extension to rear with associated works A.C 02.03.21

PL/2023/09127 - Discharge of Condition No 3 on 21/00063/FUL (Proposed two storey side extension and replacement of existing single storey extension to rear with associated works). APP 30.10.23

ISSUES

- Principle of development including design and scale;
- Impact to the neighbouring amenity and AONB;
- Protection of the River Avon SAC

REPRESENTATIONS

Swallowcliffe Parish Council – No objection

Third party representations – None received

Site Description

The application site, 2 Higher Farm Cottages is one half of a pair of traditional, two storey, semi-detached dwellinghouses located within the village of Swallowcliffe. The site is within the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty (AONB).

Proposal

Planning permission is sought for the variation of condition 2 (plans) associated with planning consent 21/00063/FUL for changes to the design of the outbuilding only. No other changes are proposed.

ASSESSMENT

Principle of development including design and scale

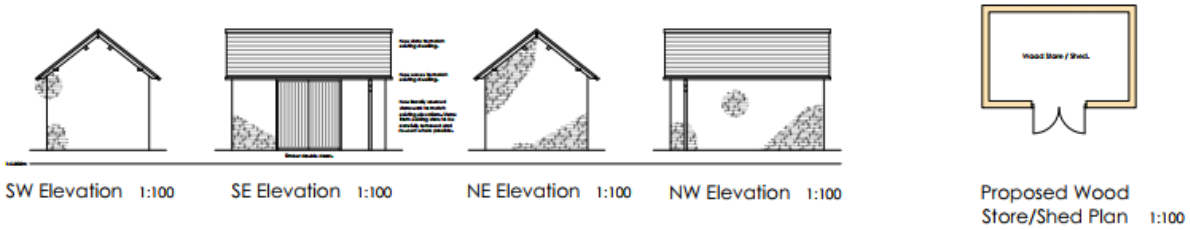
A Section 73 application allows for variation and/or removal of condition(s). Any new information received in relation to a previous condition can facilitate the removal of the condition requirements on any new decision notice issued as part of a Section 73 application.

The proposal should aim to conform to the objectives of Core Policy 57 of the Wiltshire Core Strategy (WCS) which aims to achieve a high standard of design 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.

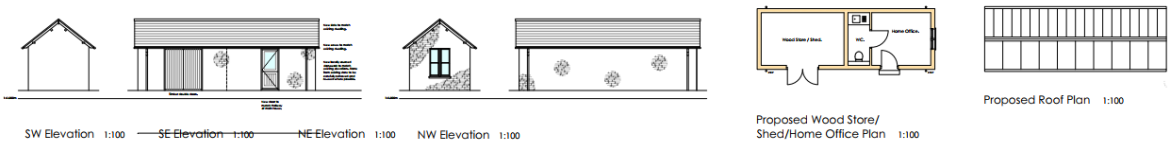
Saved Policy H31 of the Salisbury District Local Plan (SDLP) states: In the countryside extensions to existing dwellings will be permitted provided that:

(i) the extension is subservient in size to the existing dwelling and house plot and does not substantially alter the character of the dwelling;
(ii) the design of the extension is in keeping with that of the existing dwelling and uses complementary materials; and
(iii) the extension would not create, or be capable of creating, a separate dwelling.

The only changes proposed by way of this scheme is the enlarging of the wood shed to include a home office/WC. No other changes to the dwellinghouse are proposed by way of this scheme. The approved and proposed changes are shown below:



Approved Wood Shed Plans (above)



Proposed Wood Shed Plans (above)

The proposed changes to the wood shed would result in an increase in footprint to accommodate the home office/WC area. The proposed changes would not result in any increase in height of the outbuilding. The agent has provided an identical materials schedule for the works proposed which was also provided in order to discharge condition 3 (app ref PL/2023/09127) of the previous consent 21/00063/FUL that required material details to be used in the works permitted. Subject to the imposition of a condition requiring the works to be carried out in accordance with this materials schedule and that the outbuilding should be used as an ancillary use to the host dwellinghouse, officers are of the opinion that the changes in design to the outbuilding accord with the requirements of Core Policy CP57 of the WCS.

Impact to the neighbouring amenity and AONB

Core Policy 57 requires that development should ensure the impact on the amenities of existing occupants is acceptable, and ensuring that appropriate levels of amenity are achievable within the development itself, and the NPPF (paragraph 130f) states that planning decisions should 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.'

Core Policy 51 of the WCS states: Proposals for development within or affecting the Areas of Outstanding Natural Beauty (AONBs), New Forest National Park (NFNP) or Stonehenge and Avebury World Heritage Site (WHS) shall demonstrate that they have taken account of the objectives, policies and actions set out in the relevant Management Plans for these areas.

By way of the predominately rural location of the dwellinghouse and its siting and orientation in relation to the neighbouring semi-detached property, 1 Higher Farm Cottages, the proposed changes to the outbuilding, subject to a condition around the use, would not have any adverse impact on the amenity of this neighbouring property or to the wider area.

To preserve the special character and appearance of the AONB, a condition as previously alluded to around the materials schedule received, will be imposed onto this consent and thus upholding and preserving the appearance of the AONB in accord with Core Policy CP51 of the WCS.

Protection of the River Avon SAC

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).

By way of the proposal and the existing use within the building, it is not considered appropriate to request a bespoke mitigation scheme for phosphate mitigation in this instance.

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, officers conclude that the provision of the additional WC not lead to adverse impacts alone and in-combination with other plans and projects on the River Avon SAC.

CONCLUSION/PLANNING BALANCE

Guidance in the Planning Policy Guidance (PPG) makes clear that decision notices for the grant of planning permission under section 73 should also reinstate conditions imposed onto earlier permissions that continue to have effect. Whilst officers note that a material schedule has been provided to discharge the requirements of condition 3 of the previous consent, it is considered appropriate to impose a condition onto this consent requiring the materials to be used in the construction of the works are as outlined within this material schedule that has been provided.

For the reasons outlined above, officers consider that the development conforms to the objectives of Core Policies 51 and 57 of the Wiltshire Core Strategy, saved policy H31 of the SDLP and the aims of the NPPF. Taking the above into account, the application is not considered contrary to these policies as it does not cause any significant material harm that would justify a refusal of planning permission. Therefore, planning permission should be granted for the development.

RECOMMENDATION

Approve with conditions

1 The development hereby permitted shall be begun before 2nd March 2024.

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:

DWG No: 100 Site Location Plan Date Received 20.10.23
DWG No: 103 Rev B Proposed Plans, Elevations, Section and Site Plan Date Received 20.10.23

REASON: For the avoidance of doubt and in the interests of proper planning.

3 The development hereby permitted shall be carried out in strict accordance with the Materials Schedule dated November 2023 received by the Local Planning Authority

on the 4th December 2023.

REASON: To preserve and enhance the appearance of the AONB.

4 Notwithstanding Class C3 of the Schedule to the Town and Country (Use Classes) Order 1987 (as amended) (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification), the outbuilding shall only be used for purposes incidental to the enjoyment of the main dwelling known as 2 Higher Farm Cottages, Rookery Lane, Swallowcliffe, SP3 5PE.

REASON: This site is in a position where the Local Planning Authority, having regard to the planning policies pertaining to the area would not permit further permanent residential accommodation.

INFORMATIVE TO APPLICANT:

1. 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.