CASE OFFICER'S REPORT

Application Reference:	PL/2023/08939
Application Type:	Householder planning permission
Site Inspection:	
Consultation ends:	20 November 2023
Case officer:	Stefan Galyas

Site Address:	Lavender House, Rixon Gate, Ashton Keynes, Swindon, SN6 6PH
Proposal:	New oak framed double garage
Recommendation:	Approve with Conditions

SITE DESCRIPTION:

The application relates to Lavender House, a detached two storey dwelling positioned within the southern corner of the junction between Kent End and Rixon Gate. The site is accessed through a front elevation gravelled driveway and the property is partly screened from the roadside by mature boundary foliage. The existing dwelling presents two gable ends to the roadside with one to the east, set at first floor level, and one to the west set at single storey height.

The locality is largely characterised by modern estate style housing. The material palette in the locality primarily comprises light Cotswold tile and brick walls. Dwellings are sporadically placed along the road with a decent degree of separation between each property.

The site is located within the settlement framework for Ashton Keynes, identified by the Wiltshire Core Strategy as a Large Village. The site is also positioned within the Ashton Keynes Conservation Area and has risk of groundwater flooding.

PROPOSAL:

The application seeks planning permission for the development of a detached double garage. Proposed materials would be comprised of oak featheredge cladded walls, slate roof tiles and painted hardwood doors. During the course of the application, the scale, including the height, and design were amended to address the officers' concerns. The revised proposed garage would be 7m in length, 6.6m wide, 2.4m high to the eaves and 4.7m high to the ridge. No rooflights are proposed on the revised scheme.

POLICIES:

National Planning Policy Framework (NPPF) 2023
National Planning Practice Guidance (NPPG)
National Design Guidance (Planning practice guidance for beautiful, enduring and successful places) 2021

Ashton Keynes Neighbourhood Plan (Made 2017):

Policy HCP1 - Local Character

Wiltshire Core Strategy (Adopted 2015):

CP1 (Settlement Strategy)
CP2 (Delivery Strategy)
CP13 (Malmesbury Community Area)
CP57 (Ensuring High Quality Design & Space Shaping)
CP58 (Ensuring the Conservation of the Historic Environment)

Supplementary Planning Documents:
Ashton Keynes Conservation Area Statement Made 1998
Wiltshire Local Transport Plan 2011-2026 Car Parking Strategy
Planning Listed Buildings and Conservation Areas Act Adopted 1990
Section 72(1) – Special Attention to be Paid Towards the Preservation and Enhancement of a Conservation Area

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.

Section 72(1) of the of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area in which the building and land are situated.

RELEVANT PLANNING HISTORY:
None

ISSUES:
The main considerations which are material to the determination of this application are listed below:
• Principle
• Impact on the Character and Appearance of the Area, Including Heritage Assets
• Neighbouring Amenities
• Other Matters

REPRESENTATIONS:

Ashton Keynes Parish Council – It was commented that the Parish Council was cognisant of the concerns raised by the neighbouring occupiers.

Letters – There were two letters of representations received from three local residents. They objected to the proposal for the following reasons:
• The proposal being located nearby the sites western boundary, thus having a detrimental impact on the neighbouring properties privacy.
• The proposed materials not being in keeping with the village. It was noted that the precedent examples included within the application only detail partially cladded examples.

• The garages potential to block light into the neighbouring dwelling which is already obscured by the tall boundary hedge.
• The pitched roof causing rain to run off towards the boundary fence.
• Automatic security lighting being installed for the stairs leading to a distracting impact on the neighbouring occupiers.

Principle:
The principle of developing an outbuilding within the established residential curtilage is generally considered acceptable in principle and in accordance with Core Policy 1, Core Policy 2, Core Policy 13 and Core Policy 57 of the WCS, subject to a range of site-specific considerations and compliance with policies found within the development plan.

Impact on the Character and Appearance of the Area, Including Heritage Assets
Core Policy 57 states that new development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality. Residential extensions/alterations such as this are acceptable in principle subject to there being no adverse impacts.

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 or 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 existing buildings.

Core Policy 57 of the WCS seeks to secure a high standard of design in all new developments, including extensions, alterations and changing the use of existing buildings. Among other matters, it requires proposals to be sympathetic to and conserve historic buildings and historic landscapes (iv). Core Policy 58 (iii) states that designated heritage assets, including buildings and structures of special architectural or historic interest, and their settings, will be conserved and where appropriate enhanced in a manner appropriate to their significance.

Policy HCP1 of the Ashton Keynes neighbourhood plan requires new builds and conversions to use styles, proportions, materials and finishes to be in harmony with their surroundings.

The Ashton Keynes Conservation Statement sets out an appraisal of the Conservation Area. The Conservation Area is described as having an irregular grid of ancient streets without any village green but with a clear focus on the River Thames. The Conservation Area by virtue of its designation, is significant in heritage terms and this significance is likely to arise from its aesthetic and historical value.

The proposed garage would be sited to the northwest of the host dwelling and would be set in a conspicuous position with regard to the public domain. Within the sites locality there is an existing detached garage positioned at No.34 which displays a single storey appearance.

The proposed garage was revised from the original scheme to be sited more in line with the existing building line within the locality. Additionally, the size and scale were reduced in order to achieve better relationship with the host dwelling on site. Lavender House steps down moving from the south-east to the northwest with a single storey side 'add on' element. The proposed detached garage was reduced in height in order to match the aforementioned single storey element's eaves and ridge height. This is considered to ensure that the garage would remain of a subservient appearance and would negate any dominating effect on the host dwelling.

It is noted that the proposed oak featheredge cladded walls are not overly common within the sites locality and concerns were raised by neighbouring occupiers regarding the proposed materials relationship to the village of Ashton Keynes. The use of oak cladded walls is however considered to be a subservient or complementary material in relation to the more permanent light stone used on the host dwelling. Subject to a condition ensuring that the oak cladded walls be left to weather naturally to allow the oak cladding turns a natural silver colour over time, the proposal would not be harmful to the character and appearance of the site and the locality.

In summary, the proposal is considered to result in a neutral impact on the character and appearance of the Conservation Area. The proposal would accord with Core Policies 57 and 58 of the WCS, Policy HCP1 of the Ashton Keynes Neighbourhood Plan and Paragraphs 130, 194, 195 and 197 of the NPPF.

Neighbouring Amenities:
WCS policy CP57 (Ensuring High Quality Design & Space Shaping) requires that development should ensure the impact on the amenities of existing occupants/neighbours is acceptable and ensuring that appropriate levels of amenity are achievable within the development itself. The NPPF includes that planning should "always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings". Residential amenity is affected by significant changes to the environment including privacy, outlook, daylight and sunlight, and living areas within private gardens and this, therefore, needs to be carefully considered accordingly.

The proposed garage would introduce built form to an otherwise undeveloped open driveway space, set towards the rear boundaries at both No.5 and 7 Ashfield. The reduction in size from an original ridge height of 6.3m to a revised ridge height of 4.7m restricts the proposal to a single storey size and scale. This height is considered to ensure that the garage would not give rise to an unacceptable overshadowing impact on the sites adjacent neighbouring occupiers. Additionally, as part of the revisions, the proposed rooflights and raised platform were omitted, thus nullifying the proposals potential overlooking impact.

Accordingly, the impact upon the amenities of the occupiers of relevant neighbouring dwellings and upon the host dwelling have been assessed and found to be acceptable. The proposal would accord with the provisions of Core Policy 57(vii) of the WCS.

Other Matters:

Concerns were raised from adjacent neighbouring occupiers with regard to the proposed garages impact on rain run off towards the boundary fence. The proposal at the date of the objection was sited within a close proximity to the sites north-western boundary, almost adjoining the shared boundary with No.5 Ashfield. Plans were subsequently revised in order to respect the building line presented within the locality and the garage was positioned further away from the aforementioned shared boundary.

Further issue was raised with respect to the external staircase included within the original scheme and its potential distracting impact when used with security lighting. The external staircase was also omitted within the revised plans, thus negating the need for external security lighting for the purpose of serving this element of the proposal.

CONCLUSION:
It is concluded that the proposed development is acceptable in principle and in design and amenity terms, in accordance with Wiltshire Core Strategy Core Policies 1, 2, 13, 57 and 58, Policy HCP1 of the Ashton Keynes Neighbourhood Plan and the relevant paragraphs of the NPPF.

The proposal accords with the adopted development plan and as such, should be granted permission.

RECOMMENDATION:
That planning permission be GRANTED subject to the following conditions:

Conditions: (4)

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 plan and Proposed plan, Drawing no.: A-001 rev. 1
Proposed floor plan, Drawing no.: A-101 rev. 1
Proposed elevations, Drawing no.: A-102 rev. 1
Proposed front elevation illustrating context, Drawing no.: A-103 rev 1, all received by the Council on 4th 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, colour and texture those detailed on the application form and approved plans.

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

4 The oak featheredge cladding hereby approved shall be left untreated to weather naturally, and shall be maintained as such thereafter.

REASON: To preserve the character and appearance of the conservation area.

Informatives: (3)

5 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.

6 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.

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.