CASE OFFICER'S REPORT

Application Reference:	PL/2023/08623
Application Type:	Full planning permission
Site Inspection:	03 November 2023
Consultation ends:	13 November 2023
Case officer:	Helena Carney

Site Address:	209 High Street, Burbage, Marlborough, SN8 3AR
Proposal:	Proposed Extensions, Alterations & Conversion into 2 Dwellings
Recommendation:	Approve with Conditions

POLICIES

Wiltshire Core Strategy (adopted January 2015):
Core Policy 1: Settlement Strategy
Core Policy 2: Delivery Strategy
Core Policy 18: Spatial Strategy for the Pewsey Community Area
Core Policy 45: Meeting Wiltshire's Housing Needs
Core Policy 50: Biodiversity and Geodiversity
Core Policy 51: Landscape
Core Policy 57: Ensuring High Quality Design & Place Shaping
Core Policy 60: Sustainable Transport
Core Policy 61: Transport and Development
Core Policy 64: Demand Management
Core Policy 68: Water Resources

The Wiltshire Local Transport Plan 2016-2026: Car Parking Strategy (March 2015)

Burbage Neighbourhood Development Plan, Burbage Parish 2017 - 2026, made July 2018

The National Planning Policy Framework (NPPF) 2023

Planning Practice Guidance (PPG)

ISSUES

• Impact upon residential amenity
• Layout and design
• Impact upon highway safety and parking provision
• Impact upon ecology
• Impact upon the North Wessex Downs National Landscape [Area of Outstanding Natural Beauty (AONB)]

RELEVANT PLANNING HISTORY

• K/21071 - Erection of replacement porch, approved 10/01/1994
• K/41833 - The erection of two storey and single storey extensions, refused 09/10/2001
• K/42646 - The erection of a two storey extension and double garage re-submission of K/41833, approved 14/03/2002
• 21/02309/FUL - Part first floor and part 2-storey rear extension – approved 28/05/2021

REPRESENTATIONS

Burbage Parish Council: no objection

Wiltshire Council Highways Officer: no objection

Wiltshire Council Ecologist: no objection subject to conditions

Third Party representations: one objection was received from the occupier of a neighbouring property, commenting as follows:

Will take away light onto our property
No parking facility for 2 homes
Bungalow to side extension feel the proposal will dwarf us with height and density, overshadowing and reduction of natural light
Will impact on our privacy as overlooked

ASSESSMENT

This application relates to 209 High Street, a two-storey semi-detached dwelling located in Burbage. The application site is set back from the highway, and there is a communal parking area located immediately adjacent to the highway. The application site benefits from front and rear gardens. There are neighbouring properties located immediately to the north and east and south of the application site.

The application site is located within the Limits of Development of Burbage as designated by the Wiltshire Core Strategy. The site is located within the North Wessex Downs National Landscape and adjoins the Burbage Conservation Area. Approximately 25 metres to the west are some Grade II Listed structures.

The Proposals:
This application is seeking planning permission to construct two-storey and single-storey extensions and to sub-divide the property to create 2no. dwellings, each with 2no. bedrooms. The proposed extensions are similar in scale and design to those previously approved under planning permission 21/02309/FUL.

Principle of development:

The Wiltshire Core Strategy identifies the site as being within the limits of development where the Spatial Vision for sustainable development within Wiltshire (Core Policy 1 and Core Policy 2) directs new housing to be developed in the larger settlements. In terms of principle the development proposed would be in accordance with the Spatial Vision and policies of the Wiltshire Core Strategy.

The proposed extensions are similar in scale and design to those previously approved and as such the principle of this part of the proposals is also established.

Impact upon residential amenity:
New dwellings are expected to meet the minimum Nationally Described Space Standards, and private outdoor amenity space should, as a minimum, be equal to the footprint of the dwelling. The proposed layout plan indicates that the private outdoor amenity space afforded to each dwelling will meet the minimum space standards.

Consideration is also given to the potential impact of the proposed development on neighbouring amenities. The principle of the two-storey extension has been established under planning permission 21/02309/FUL and this is a material planning consideration in determining this application. It is acknowledged that whilst the footprint of the proposed extension will be the same as that previously approved, the ridge height will be higher (matching the ridge height of the host dwelling). Whilst it is acknowledged that the proposed two-storey extension is not particularly neighbourly and will sit higher than previously approved, it is considered not to result in such harm to residential amenity as a consequence of overbearing impact or overshadowing to warrant a reason for refusal in this instance.

The proposals also involve inserting a roof light in the north facing roof slopes of the host dwelling and two-storey extension. However, the roof light in the proposed extension will be higher than that previously approved due to the increase in ridge height proposed under this application. The proposed roof lights will be set higher in the roof slopes than the roof light previously approved and are therefore not considered to result in such a material increase in overlooking of neighbouring properties compared to the previously approved scheme or indeed the existing situation to warrant a reason for refusal.

The proposed single-storey rear extension will not materially impact the occupiers of the adjoining property as a consequence of overlooking, overbearing impact or overshadowing, due the modest single-storey nature of the proposals.

Layout and design:
The adopted Wiltshire Core Strategy (WCS) Core Policy 57 requires a high standard of design in any new developments including alterations or extensions to a dwelling. Development is to create a strong sense of place through drawing on local context and being complementary to the locality. The policy seeks for any new development to positively respond to the existing townscape and landscape and effectively integrate into its settings.

It is acknowledged that the scale of extension works to the existing building have fundamentally been agreed under application 21/02309/FUL, including moving the parking further south along the sites boundary. As such the scheme in terms of built form is considered acceptable.

Impact upon highway safety and parking provision:

Planning permission is being sought for the sub-division of the existing dwelling into two 2-bedroom properties and the construction of a two-story and single-storey extension.

Core Policy 64 titled 'Demand Management' in the Wiltshire Core Strategy seeks to manage demand for parking with residential parking standards based on minimum parking standards.

These minimum parking standards are set out in the adopted Wiltshire Local Transport Plan 2011-2026. The Wiltshire Car Parking Strategy (which was adopted in 2015) states that the minimum parking standards for 2-3 bedroom dwelling houses require 2 allocated parking spaces. The minimum parking requirement for each external parking space to be 'counted' is 2.4m x 4.8m.

In consideration of the proposals, the council's Highways Officer commented "Based on the information provided I am happy to accept the principle of the change to the unit to make it two. The access to the proposed parking area is private. I am happy that the proposed area set aside for car parking is generous enough to accommodate the requirement for four cars. Though the car parking is located on the corner of the access track, I am minded that speeds of vehicles should be slower and movements not excessive so reversing vehicles should not lead to a significant detriment to the users.

As such I am happy to offer no highway objection subject to the fence line between the two plot (car parking area) being removed , to mitigate restriction to visibility and allow for more freedom in how cars can be parked.

In summary, based on the information I am happy to raise no highway objection".

The request for the fence line between the two plots to be removed was brought to the attention of the agent and in response the agent provided revised plans showing the fence line removed.

In consideration of the above, the proposed development does not give rise to any highway safety concerns and is considered acceptable in terms of parking provision.

Impact upon ecology:

In consideration of the potential impact of the proposed development upon ecology, the council's Ecologist raised no objection subject to conditions, commenting "I have reviewed the application and supporting documents against OS Maps and aerial photography of the site and surrounding area, together with GIS layers of statutory and non-statutory sites and existing records of protected species.

The application is supported by a Preliminary Roost Appraisal by Martin Ecology(Dated 18th September 2023). The ecology surveys found there to be no opportunities for roosting bats on the site and concluded that the proposals would not have any impact on roosting bats or nesting birds.

Core Policy 50 of the Wiltshire Core Strategy requires all development to demonstrate no net loss of biodiversity and encourages developments to seek opportunities to enhance biodiversity. Measures to enhance the site for biodiversity (e.g., bird nesting features, bat roosting

features or native species-rich planting) should therefore be included in the proposals, a condition has been recommended to secure this.

River Avon (Hampshire) Catchment

This development falls within the catchment of the River Avon Special Area of Conservation 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.

Following the cabinets resolution on 5th January 2021, which secured a funding mechanism and strategic approach to mitigation, the Council has favourably concluded a strategic 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, I conclude it will not lead to adverse impacts alone and in-combination with other plans and projects on the River Avon SAC.

The strategic mitigation is being delivered by the council on behalf of developers, providing that burdens are avoided and mitigated on site as far as practicable, such as the use of sustainable urban drainage systems (SuDS). For this application the above criteria have been met.

CONDITIONS:

1. Prior to the commencement of any works, including vegetation removal and demolition, details of the number, design and locations of features for wildlife(e.g., integrated bird nesting/bat roosting features)shall be submitted to the local authority for approval. These details should be clearly shown on an enforceable plan (e.g., site plan/technical elevations drawing). The approved details shall be implemented before occupation of the final works. These features will continue to be available for the target species for the lifetime of the development.

REASON: To provide enhancement for biodiversity.

2. The overnight development hereby approved shall be designed to ensure it does not exceed 110 litres per person per day water consumption levels (which includes external water usage) and a water efficiency assessment should be submitted. Before the development is brought into use, a water efficiency report certifying that this standard has been achieved shall be submitted to the local planning authority for its written approval.

REASON: To ensure compliance with the prevailing mitigation strategy for nutrient neutrality in the water catchment within which this development is located.

INFORMATIVES:

Bats

There is a low risk that bats may occur at the development site. Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected all times by the Conservation of Habitats and Species 2017 (as amended) even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or the applicant is advised to follow the advice of a professional ecologist or to contact Natural England's Batline through the internet".

In consideration of the above and subject to the recommended conditions, the proposed development does not give rise to any ecological concerns.

Impact upon the North Wessex Downs National Landscape [Area of Outstanding Natural Beauty (AONB)]:
As the proposals will be within the main built-up part of the settlement and there will be no encroachment into the open countryside, no harm will be caused to the special qualities of the National Landscape.

Conclusion:
In conclusion the proposals seem fitting with regards to scale, design and materials. The proposal is considered acceptable in the context of its surroundings and is in accordance with the general criteria set out in the aforementioned policies of the local development plan.

Conditions: (5)

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:

Application Form
Design and Access Statement, June 2023
Preliminary Roost Appraisal, 18th September 2023

Drawing Number: 209 High Street - Proposed - 02 Rev B, Proposed Elevations, Ground and First Floor Layout, Roof Plan / Site Layout and Block and Site Location Plan, received 21/11/2023

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

3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.3) (England) Order 2020 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, doors or other form of openings other than those shown on the approved plans, shall be inserted in the north, south and west facing elevations above ground floor ceiling level of the development hereby permitted.

REASON: In the interests of residential amenity and privacy

4 Prior to the commencement of any works, including vegetation removal and demolition, details of the number, design and locations of features for wildlife (e.g., integrated bird nesting/bat roosting features) shall be submitted to the local authority for approval. These details should be clearly shown on an enforceable plan (e.g., site plan/technical elevations drawing). The approved details shall be implemented before occupation of the final works. These features will continue to be available for the target species for the lifetime of the development.

REASON: To provide enhancement for biodiversity.

5 The development hereby approved shall be designed to ensure it does not exceed 110 litres per person per day water consumption levels (which includes external water usage) and a water efficiency assessment should be submitted. Before the development is brought into use, a water efficiency report certifying that this standard has been achieved shall be submitted to the local planning authority for its written approval.

REASON: To ensure compliance with the prevailing mitigation strategy for nutrient neutrality in the water catchment within which this development is located.

Informatives: (2)

6 There is a low risk that bats may occur at the development site. Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected all

times by the Conservation of Habitats and Species 2017 (as amended) even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or the applicant is advised to follow the advice of a professional ecologist or to contact Natural England's Batline through the internet.

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.