CASE OFFICER'S REPORT

BURY LODGE, DUCK STREET, TISBURY, SALISBURY, SP3 6LJ
PL/2023/09063

Proposal - Proposed relocation of access from the south east elevation to the north west elevation of the building. Replace the approved entrance door on the south east elevation with a high level window.

Date of Inspection: 07/12/23
Consultation Expiry: 24/11/23
Press Notice: N/A

POLICIES
National Planning Policy Framework and the NPPG

Wiltshire Core Strategy
CP51 Landscaping
CP57 Design
CP58 Ensuring the conservation of the historic environment
CP60 Highways

Tisbury Neighbourhood Plan – BL.4 Design and Landscape

Planning (Listed Building and Conservation Areas) Act 1990
Section 72

PLANNING HISTORY

PL/2022/02636 - Proposed ground floor extension to Bury Lodge including replacing the adjacent lean to tiled roof over the Boiler Room with Welsh slate. Inserting 2No. semi circular headed double hung sash windows on the first floor of the North East elevation to match the existing. Raising the height of the roof of the previously approved garage to provide home office space including changing the roof cover from slate to tiles to match Bury Lodge. (resubmission of PL/2021/11474) – APPROVED, with conditions.

PL/2021/11474 - proposed ground floor extension, including replacing the adjacent lean to tiled roof over the Boiler Room with Welsh slate due to the pitch. Inserting 2No. semi circular headed double hung sash windows on the first floor of the North East elevation to match the existing. Raising the height of the roof of the previously approved garage to provide home office space including changing the roof cover from slate to tiles to match Bury Lodge. APPROVED, with conditions.

ISSUES

- Principle
- Scale, design and impact on the character of the Conservation Area and impact upon a Heritage Asset and AONB
- Impact on neighbouring amenity

REPRESENTATIONS :

Highways – No objection

Tisbury Parish Council – Object due to level of proposed glazing and potential impact upon the AONB

Neighbours – No further letters were received

ASSESSMENT:

The application site is an attractive detached property set within a sizeable plot. The property is not Listed but the site falls within the Conservation Area and the AONB.

Application PL/2022/02636 - Proposed ground floor extension to Bury Lodge including replacing the adjacent lean to tiled roof over the Boiler Room with Welsh slate. Inserting 2No. semi-circular headed double hung sash windows on the first floor of the North East elevation to match the existing. Raising the height of the roof of the previously approved garage to provide home office space including changing the roof cover from slate to tiles to match Bury Lodge, (resubmission of PL/2021/11474) was approved in June 2022.

The current application has a revised design to the proposed access to the garage accommodation. It proposes to relocate the access from the Southeast elevation to the Northwest elevation of the building and to include a small balcony. In addition, replace the approved entrance door on the Southeast elevation with a high-level window.

Amended plans were submitted during the application to remove the proposed balcony, therefore the description was amended accordingly.

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 of the Conservation Area, Heritage asset and the wider character of the AONB**

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….

Furthermore, there is a duty placed on the local planning authority under Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, which requires local planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas when considering planning applications.

In relation to heritage assets, the NPPF states:

189. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary,

a field evaluation.

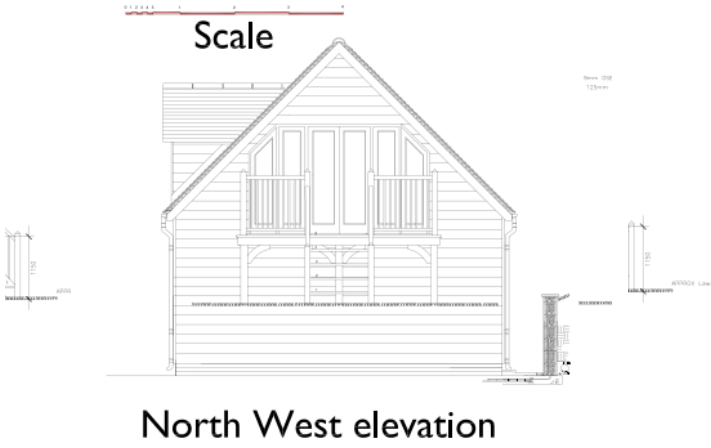
190. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

193. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

The Conservation policies of the local plan and the NPPF seek to ensure that the existing significance, character and setting of the Conservation Area and listed buildings would be preserved or enhanced.

The principle of the outbuilding has clearly been determined from the previous approval. The current application relates solely to the redesign/proposed position of the access into the ancillary accommodation. The proposed revisions would allow the access staircase to be on the rear within the site's garden area. The revised position would be better screened from view from within the streetscene than the previous approved plans with the Southeast elevation now boasting a high-level window only.

The initial submission also proposed a balcony to the top of the staircase. Concerns were raised due to its position being in close proximity to the neighbouring property and therefore revised plans were submitted.





Initial submission *Revised submission*

Therefore, the staircase would not result in any visual harm upon the overall character and appearance of the Conservation Area. As previously confirmed within the 2022 officer report, the proposed additions would be seen in the contact of the existing built form and is not considered to pose any harm upon the wider landscape character of the AONB.

The Parish Councils concerns have been carefully considered. However, it appears that the total area of glazing on the North West elevation has been reduced to that indicated on the previously approved drawing. The South East elevation would now boast a high level glazed window with the plans omitting the previously approved glazed door. This would equal an approx. 17 sq. metres reduction than that shown on the previously approved drawing. Therefore, considering the previously approved level of glazing to the current proposal there does not appear to be any justification for a refusal reason on these grounds.



North West elevation South East elevation

Previously approved application 2022



North West elevation South East elevation

Current proposal

Therefore, on balance, the proposal is acceptable in scale, design, detailing and appearance in relation to the existing building and would not have any appreciable impact on the wider character of the Conservation area or AONB. The proposed materials would be appropriate for and sympathetic towards the Listed Building and wider locality. The development would not result in a level of harm upon the Heritage Asset which would warrant a refusal reason and would not result in harm upon the setting of nearby listed buildings or the Conservation Area. The proposal would therefore comply with CP51, CP57, CP58, the NPPF and S72 of the 1990 Act.

3. 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 revised position of the staircase would be close to the shared boundary with Swifts Orchard.



Although this property is set at a higher level than the application site and its garden and boasts a high timber fence running along the boundary and therefore overlooking or loss of privacy is not a concerns. However, Initially officers had concerns in regard to potential noise and disturbance which could be caused by the proposed balcony.

From visiting the site it was apparent that Swifts Orchard has 4 windows facing the shared boundary with the application site with one serving the main living area. Therefore, after liaising with the agent/applicant revised plans were submitted omitting the balcony.

The removal of this raised, outside seating area ensures that the proposed staircase is used for access only and would ensure minimal noise or disturbance to the neighbouring property, particularly during the summer months when windows are often open.

The previously impose condition ensuring that the office remains ancillary to the main dwelling house would still be required to ensure its use does not result in any unnecessary disturbance,

Conclusion:

In light of the above, 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 51 57, 58, 60 and S72 of the 1990 Act.

RECOMMENDATION: Approve, subject to conditions.