DELEGATED REPORT

Application Reference:	PL/2023/09410
Application Type:	Householder Planning Permission
Site Address:	30, Bremhill, Calne, SN11 9LD
Proposal:	Installation of two-storey external lift to southern elevation of cottage.
Recommendation:	Planning Permission be GRANTED.

PROPOSAL

The proposal seeks planning permission for the installation of a two-storey external lift to the side (southern) elevation of cottage to support a disabled minor. The lift would have a stainless-steel external framework and infill panels would be with a solar reflective glass. The proposal would also incorporate a plinth and machinery plant box, which would be approximately 1.5m x 0.8m x 0.4m stainless steel enclosure which would house the hydraulic pump and its associated electrics and would be freestanding to the lift itself.

The “householder” application form has been completed and there is no suggestion that the lift would be for any other purpose than that associated with the occupation of no.30 Bremhill as a domestic dwelling.

In support of their application, the applicant has advanced a case that the lift structure is required to allow the applicant to continue to access the second floor of their home.

DESCRIPTION/CONTEXT

This application relates to a semi-detached dwelling located at the end of a private driveway in Bremhill, Calne. Bremhill is a small village situated approximately 1 mile northwest of the Town of Calne and is defined as a small village within the Calne Community Area within the Wiltshire Core Strategy (WCS). The application seeks to install an external lift to the dwelling to adapt the property to be more accessible for the occupants. The design and access statement identifies that internal lift options were explored but not viable due to a number of constraints.

The property is located within Bremhill Conservation Area but is not covered by any landscape or ecological designations. It is noted that Right of Way (ROW) footpath BREM6 runs through the application site, along the to the north eastern boundary.

PLANNING HISTORY

17/01947/FUL – Replacement Rear Single Storey Extension – Approve with Conditions

N/03/02894/FUL – Single Storey Side Extension – Withdrawn

N/92/00238/FUL - Proposed Extension to The Rear of Adjoining Properties Extension – Approve

POLICIES

- National Planning Policy Framework (NPPF)
- Wiltshire Core Strategy Policies (WCS): CP51, CP57, CP58
- Bremhill Parish Neighbourhood Plan Policy NP1: General Development, Policy NP2: Bremhill Village Landscape

ISSUES

- Principle of Development
- Design, Scale and Materials
- Heritage
- Residential Amenity
- Right of Way

CONSULTATION

Bremhill Parish Council: No Objection.

REPRESENTATIONS

Consultation has been carried out and no letters of representation have been received. There is one comment on file highlighting that there is no files to view. The LPA is satisfied that this was rectified, and the minimum statutory consultation period has been sufficiently completed.

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. At the current time the statutory development plan in respect of this application consists of the Wiltshire Core Strategy (WCS) (Adopted January 2015); and the 'saved' policies of the North Wiltshire Local Plan (NWLP) 2011 (adopted June 2006).

Principle of Development

The principle of domestic extensions and alterations within the curtilage of existing dwellings is considered acceptable, providing those proposals are compliant with the requirements of relevant policies within the development plan.

Design, Scale and Materials

Core Policy 57 of the WCS requires new development to respond positively to existing landscapes in terms of building layout, built form, height, mass, scale, building line and materials in order to effectively integrate the building into its setting. Consideration must also be given to Policy 1 (NP 1 – General Development) within the Bremhill Parish Neighbourhood Plan and design statement policies (DSP). DSP3 states that '*development should continue the tradition of adapting to change but should be of a scale and design that is compatible with a rural settlement.'*

The proposal seeks to install an external lift to the property, the lift would be housed within a stainless-steel framework and solar reflective glass infill panels and would connect the ground floor of the dwelling to a bedroom at first floor level. The external measurements of the lift, including the brick plinth would be approximately 5.2m (h) x 1.75 (w) x 1.65m (d). The proposed lift is of is of an overtly contemporary design with glass-infill panels, which in principle does allow for a "lightweight" visual effect of the addition compared with the heavier approach of masonry of the traditional cottage, and thereby preserving the primacy of the existing building as the historic core.

However, so as to allow for clearance of the lift, the flat roof of the additional would breach the eaves height of the existing property which does create a rather awkward relationship (the second-floor dormer window remaining unobstructed). Whilst a height which respects the existing eaves would be far preferable, the aforementioned lightweight nature of the addition does allow for a degree of visual detachment between existing and proposed elements, thereby somewhat reducing the friction between the heights, especially when viewed from ground level.

The submission provides evidence as to the medical needs of the applicant and how the insertion of a lift feature will assist in the longer-term occupation of their home. This has been given due weight in the determination of the application. Indeed, whilst there is no proposal to do so, it is clear that the nature of the design does lend itself to being a feature that could be removed in the future when no longer necessary without substantive effect on the existing property.

Whilst the height and design of the addition represents a departure from the character and appearance of the existing property (in particular, the awkward relationship between roof and eaves), the design approach is lightweight, somewhat reversible and will enable the applicant to continue to occupy their home into the future. Therefore whilst there may be a conflict with the terms of policy CP57 and the NPPF which, inter alia, requires new development to be of a high quality and respect existing heights, on balance the design, scale and materials of the proposal is considered to be acceptable. The proposal would also meet with the requirements of policy NP1 and NP2 of the Bremhill Parish Neighbourhood Plan.

Heritage

Planning (Listed Buildings and Conservation Areas) Act 1990 provides powers for the designation, protection and enhancement of conservation areas and the preservation of listed buildings. The Act requires that special regard should be given to the desirability of preserving a listed building or its setting (s. 16 and 66) as well as giving special attention to preserving or enhancing the character or appearance of the conservation area (s.72).

Paragraph 195 of the NPPF requires local planning authorities to identify and assess the particular significance of any heritage asset that may be affected by the proposal (including any development affecting the setting of a heritage asset). Paragraphs 201 and 202 require local authorities to assess whether there is substantial harm, less than substantial harm or no harm to the heritage asset. Core Policy 57 requires, amongst other things, that new development must be sympathetic to and conserve historic buildings. Core Policy 58 requires that development should protect, conserve and where possible enhance the historic environment.

Core Policy 57 of the WCS requires new development to respond positively to existing landscapes in terms of building layout, built form, height, mass, scale, building line and materials in order to effectively integrate the building into its setting.

The dwelling is not listed but lies within the southern periphery of the Bremhill Conservation Area. To the east and south of the dwelling lies open agricultural fields which includes ROW footpath BREM6. Consequently, on approach to the southern edge of the conservation area when travelling in a north westerly direction along BREM6 towards Bremhill, the side (southern) elevation of no.30 Bremhill is clearly obvious. The proposed works are to be external and would be of a contemporary design which could be viewed as divergent in this sensitive location, however the material considerations of the occupiers read in context with the design approach, illustrates a clear evolution of the dwelling in this setting. would Therefore, the proposed works are considered to cause less than substantial harm and the low to midrange of the scale.

The wording of CP58 and the supporting text to the policy is quite clear that if harm is identified, no matter what the level, it is in conflict with the policy. This is a matter that weighs against the scheme in the planning balance. However, failure of the proposed development to comply with CP58 is not necessarily fatal to the acceptability of the proposed development. 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 NPPF is a material planning consideration and paragraphs 201, 202 & 203 of the NPPF are relevant to the determination of the application. Paragraph 202 provides: '*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use'.*

There are public benefits associated with the proposal which would outweigh the mid to low level of harm caused in this case. In this instance it is considered that the proposals would help to ensure the delivery of a property which is better able to respond to the requirement of both current and future occupiers. It is considered that the public benefit of diversifying the housing stock and taking a proactive approach to change an existing dwelling into an accessible and adapted home

to support both the current and future occupiers would outweigh the low to mid level of harm caused in this case. The proposal could also be reversible and could be removed at a later date if desired. The proposal would have a modest economic benefit associated with the construction phase of the development and although permanent, would be fully reversible if desired at a later date. Given this conclusion of the 202 balancing exercise it is considered that in these terms the application is not in conflict with the NPPF, and this is a material consideration of sufficient weight to indicate that in this instance a decision otherwise than in accord with the development plan is justified and planning permission can be granted.

Taken as a whole, the works are considered to represent a positive and proactive approach to adapting an existing village family home to be more accessible. Therefore, following the balancing exercise set out in the framework to take account of the less than substantial harm involved in the installation of a contemporary external lift, the proposed development and alterations area considered to provide the applicants with a reasonable opportunity to remodel an existing dwelling to an adapted home.

As such, paying special regard to the desirability of preserving the conservation area and any features of special historic or architectural interest it possesses, the proposed works are considered acceptable in their impacts upon the conservation area. Subject to appropriate conditions, the proposal complies with CP57 and CP58 of the Wiltshire Core Strategy in addition to paragraphs 201 and 202 of the NPPF and Planning (Listed Building and Conservation Area) Act.

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.

Given the appropriate scale of the proposal and the site circumstances, it is considered that the proposed lift would not give rise to any unacceptable impacts in relation to loss of light, loss of privacy or overbearing impacts to immediate neighbours. It is considered that the location of the proposed lift to the southern elevations and how the neighbouring properties are orientated ensures that the resulting impacts upon amenity and living conditions of the occupiers would not be of an unacceptable level.

In the context of the nature and layout of the development, there is considered to be no unacceptable impacts upon the amenities and living conditions of neighbouring properties, thereby complying with the relevant provision of CP57 of the WCS.

Right of Way

Right of Way BREM6 runs immediately adjacent to the north eastern boundary of no.30 Bremhill. The plans do not indicate that the nearby ROW would be impeded or obstructed, however views when walking north west towards Bremhill along BREM6 would be clearly visible. The proposed

external lift would be positioned to the rear of the dwelling. Whilst this could be read as modern divergent addition, the proposal would be attached to the dwelling and would be read in conjunction with existing built residential form, within the existing residential curtilage.

Policy NP2: Bremhill Parish Landscape, of the Bremhill Parish Neighbourhood Plan states that '*development should not be permitted in the open countryside between Bremhill village and the parish boundary to the south and east'* to '*ensure that the landscape character of the area is protected or enhanced'.* The proposal is located within an established residential curtilage and whilst views would clearly be visible, the development would not encroach into open countryside or unduly affect the landscape character. Although visible from the wider landscape the views would be read in conjunction with the existing residential dwelling and the existing built form along the southern village boundary.

CONCLUSION

Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The above report has shown that this proposal is in accordance with the NPPF, Wiltshire Core Strategy Policy CP51 and policies NP1 and NP2 to the Bremhill Parish Neighbourhood Plan

Whilst the height and design of the addition represents a departure from the character and appearance of the existing property and would be harmful to the conservation area, in this particular case the design approach is lightweight, somewhat reversible and will enable the applicant to continue to occupy their home into the future, which is identified as a significant public benefit. Therefore, whilst there may be a conflict with the terms of policies CP57 and CP58 to the Wiltshire Core Strategy, there are sufficient benefits identified which would outweigh that conflict.

In light of the above, it is therefore recommended that this application is approved with conditions.

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:

Existing Elevations 2333 S/02
Existing Floor Plans 2333 S/01
Location Plan 2333 Location
Proposed Elevations 2333 P/02

Proposed Floor Plan 2333 P/01
Proposed Site Plan 2333 Site

Received: 31.10.23

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 drawings.

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