DELEGATED REPORT

Application Reference:	PL/2023/09097
Application Type:	Planning Permission
Site Address:	Chapel Ground, Church Lane, Kington Langley, Chippenham, SN15 5NR
Proposal:	Proposed additional no.4 roof lights to front elevation.
Recommendation:	That Planning Permission is GRANTED

PROPOSAL

This application seeks Planning Permission for the installation of no.4 additional roof lights. The works consist of two split windows that sit either side of an existing roof truss which amount to no.4 small windows. The subsequent works are ancillary to a dwellinghouse known as Chapel Ground, Kington Langley.

The site benefits from planning permission PL/2022/09098 which remains extant and granted permission for no.2 additional windows either side of the no.2 existing.

The applications set out the following components for which permission and consent are sought:

- Addition of no.4 roof lights to front elevation.

The development and works are intended for purposes associated with the occupation and use of Chapel Ground as a single residential dwellinghouse.

DESCRIPTION/CONTEXT

Chapel Ground is a modern detached property built in 2008, with accommodation on three levels. It is located within the settlement boundary of Kington Langley and is found within the established residential frontage along Church Lane. The site is set back from the road behind a mature hedge and benefits from a sizable front, side and rear garden aspect. A double garage is situated to the front of the dwellinghouse near the front entrance and an agricultural field directly adjacent the property to the north.

The site is located within Kington Langley Conservation Area but is not covered by any landscape or ecological designations.

PLANNING HISTORY

N/10/03663/FUL	Provision of roof lights in rear roof slope.	APPROVED
PL/2022/09098	Installation of two additional roof lights to front elevation. To match scale and appearance of existing roof lights.	APPROVED

Application PL/2022/09098 was approved for the following:



POLICIES

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).

Though the development plan is considered as a whole, those parts deemed to be particularly relevant to this application are listed below:

Wiltshire Core Strategy Policies 2015 (WCS):

- Core Policy 57: Ensuring High Quality Design and Place Shaping
- Core Policy 58: Ensuring the Conservation of the Historic Environment

National Planning Policy Framework 2023 (NPPF)

ISSUES

The main considerations which are material to the determination of this application are listed below:

- Principle of development
- Design and materials
- Heritage
- Residential amenity

CONSULTATION

- Kington Langley Parish Council: Supports the application.

REPRESENTATIONS

Consultation has been carried out and no comments were received from neighbouring properties or third parties.

ASSESSMENT

Principle of development

The principle of domestic extensions, alterations and outbuildings within the curtilage of existing dwellings is established as acceptable. However, the detail of such proposals must still be considered against other polices within the development pan and relevant material considerations.

Impact on heritage assets

The site is located within the Kington Langley Conservation Area. In dealing with conservation areas, the statutory duty for local authorities is set out in Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990. This requires that local planning authorities pay 'special attention' to: "… the desirability of preserving or enhancing the character or appearance of that area." Policy Core Policy 57 of the WCS requires, amongst other things, that new development much be sympathetic to and conserve historic building and Core Policy 58 of the WCS requires that development should protect, conserve and where possible, enhance the historic environment.

The tests of 'preservation' and 'enhancement' does not necessarily mean that any particular approach to design is preferable, but rather that the quality of the design is of an appropriately high standard – as considered in the previous section.

Given the location of the proposal, views from the public realm are predominantly to the front aspect along Church Lane. However, the setting being within an existing built-up residential area, being partially screened by a pitched roof garage situated to the front of the dwelling and the minor alteration from the previously approved no.2 rooflights means that the wider views will not be compromised. The building will sit very much within its very localised context, and when glimpsed, will be seen in the context of the existing built form.

In terms of harm, it is considered that the appearance of the no.4 rooflights will result in no harm to the setting within the conservation area.

For the above reasons, there is considered to be no harm caused to the Conservation Area and the proposal is considered to be in accordance with Core Policy 57 and 58 of the WCS, advise in the NPPF and in compliance with the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.

Design and materials

Core Policy 57 requires, amongst other things, that new development must be sympathetic to and conserve historic buildings. Residential extensions/alterations such as this are acceptable in principle subject to there be no adverse impacts. Core Policy 58 aims to ensure that Wiltshire's heritage assets such as the conservation area are protected and enhanced in order that they

continue to make an important contribution to Wiltshire's environment and quality of life. It also, however, confirms that the designation of a Conservation Area or listed building does not necessarily preclude the possibility of new development and the Council is committed to working pragmatically with owners to find positive solutions which will allow adaption of such buildings to reflect modern livening aspirations.

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 of 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 an existing building.

In this instance, the existing roof trust falls between the proposed no.2 windows previously granted in 2022 and the addition of one window (either side) is impractical given the existing roof truss positioning. The alternative solution is to provide two split windows that sit either side of each truss which is shown on the proposed floor plan. This technically amounts to a total of 4 windows. However, their relationship and proximity to one another will ensure that the windows appear as one on either side of the existing roof lights. The visual change from the previously approved windows to this new solution will not materially alter and would not be considered to harm the character of the dwelling.

The finishing will be in keeping with the existing dwelling and the wider context. The proposed alterations would be appropriate in scale and would sit comfortably within the roof plane. It is therefore considered that the proposals comply with Core Policy 57 and 58 of the WCS Development Plan and are considered acceptable.

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. The NPPF also states that planning decisions should create places with a high standard of amenity for existing and future users.

In respect of the residential amenity, the proposed development would not present a significant impact upon the living conditions of the neighbouring resident through overlooking or oppressiveness. As the proposed works will largely remain internal and be situated on the front elevation, impact upon the amenity of neighbouring properties would continue to not appear unacceptable. Given the limited scale, mass, and position, the proposal would not result in significant harm, significant loss of daylight or sunlight and would not be intrusive to neighbour amenity.

It is also noted that during public consultation, there were no objections or concerns raised by neighbouring properties.

In the context of the nature and layout of the development, there is no significant detrimental impact upon the amenities and living conditions of the neighbouring properties, thereby complying with the relevant provision of CP57 of the WCS.

CONCLUSION

The potential impacts of this development, alongside comments received during consultation, have been taken into consideration. In terms of the scale and materials, the proposal would continue to not harm amenity or the character of the dwelling or the area. The proposal is in accordance with the aims of the NPPF and the objectives of the relevant Core Policies in the WCS; 57 and 58. It is therefore recommended that his application be 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:

Site Location Plan; Received 19 October 2023
Existing Site Block Plan; Received 7 November 2023
Existing Floor Plan; Received 7 November 2023
Existing Front Elevation; Received 7 November 2023
Proposed Front Elevation; Received 7 November 2023
Proposed Floor Plan; Received 7 November 2023
Proposed Site Block Plan: Received 7 November 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 drawings.

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

INFORMATIVES:

4 The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and

Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply, and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website https://www.wiltshire.gov.uk/dmcommunityinfrastructurelevy.

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 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.