CASE OFFICER'S REPORT

Application Reference:	PL/2023/09330
Application Type:	Householder planning permission
Site Inspection:	
Consultation ends:	05 December 2023
Case officer:	Stefan Galyas

Site Address:	37 Calcutt Street, Cricklade, Swindon, SN6 6BA
Proposal:	Erection of outbuilding (part retrospective)
Recommendation:	Approve with Conditions

SITE DESCRIPTION:
The application relates to No.37 Calcutt Street, an end of terrace two-storey residential dwelling with a pitched roof. The site is set to the southern side of Calcutt Street, nearby the junction with High Street to the west. The dwelling is located within an area of high density in the centre of Cricklade where dwellings are afforded little garden amenity space and typically form a terraced pattern along the street scene. The dwelling is afforded a small courtyard area to it's southern elevation which is enclosed by neighbouring dwellings to the west and partially to the south.

The site is located within the settlement of Cricklade, identified by the Wiltshire Core Strategy as a Local Service Centre.

In regards to policy constraints, the site is located within the defined Cricklade Conservation Area. There are a number of listed buildings within the sites locality, such as 107 and 108 High Street to the west and south-west and Wesley Hall, 33 and 35 Calcutt Street to the east.

PROPOSAL:
The application seeks part retrospective planning permission for the erection of a single storey, pitched roof outbuilding set within the existing southern rear courtyard. External materials would comprise red brick walls and slate roof tiles. The proposed detached outbuilding would measure at approximately 5.6m in length, 3.9m wide, have an eaves height of 2.3m and a ridge height measuring at 4.2m.

POLICIES:
Local Context:
Wiltshire Core Strategy (WCS) Adopted 2015
Core Policy 1 – Settlement Strategy
Core Policy 2 – Delivery Strategy
Core Policy 19 – Royal Wootton Bassett and Cricklade Community Areas
Core Policy 57 – Ensuring High Quality Design and Place Shaping
Core Policy 58 - Historic Environment

Cricklade Neighbourhood Plan (Made March 2018)
Policy H3 – Design of New Housing

National Policy:
National Planning Policy Framework (NPPF) December 2023
Paragraphs 2, 11, 12, 47, 114-116, 131, 135, 200, 201, 203, 205-208, 212 & 213.

Planning (Listed Buildings and Conservation Areas) Act 1990
Section 66(1) – Special regard to be had to the preservation of a listed building or its setting.
Section 72(1) – Special attention to be paid to preserving or enhancing the character or appearance of a conservation area.

National Design Guide 2021

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 be made in accordance with the Development Plan unless material considerations indicate otherwise.

The Planning (Listed Buildings and Conservation Areas) Act 1990 states within Section 66(1) that 'special regard' be given to the desirability of preserving a listed building, it setting or any features of special architectural or historic interest which it possesses.

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority, in considering whether to grant planning permission to pay special attention to the desirability of preserving or enhancing the character and appearance of the Conservation Area.

In having 'special regard' in regard to listed buildings and paying special attention to conservation areas, the NPPF states that the assessment must identify whether the proposal causes substantial harm, less than substantial harm or no harm to the heritage asset.

ISSUES

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

- Principle
- Impact on Character and Design, Including Heritage Assets
- Neighbouring Amenities
- Other Matters

RELEVANT PLANNING HISTORY:

N/07/01650/FUL - Erection of an Extension to Existing Outbuilding. Approved with conditions 26/10/07.

REPRESENTATIONS:

Cricklade Town Council – No objection. It was noted within the Town Council's response that the application was made upon request from Wiltshire Council's Enforcement Officer. The response stated that the town council members resolved to unanimously support the application subject to conditions previously placed on the development by the previous permission.

Wiltshire Council Archaeology – No objection.

Letters – There were two letters of representation received in response to the proposal. One of the letters commented that the application should be refused due to the conveyance deeds and plans following The Secretary of State for Environment purchased the freehold to No.106 High Street. It was noted that the property was demolished, and the area became Suche Place which was to be used as a public facility.

Principle of Development

The principle of extending or altering an existing dwellinghouse located within the defined settlement framework is considered to be acceptable and in accordance with Core Policies 1, 2, 19 and 57 of the WCS.

Impact on Character and Design:

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. 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.

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.

Paragraph 200 of the NPPF requires the applicant to describe the significance of any heritage asset affected. Significance is defined in Annex 2 of the NPPF as: "The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.". The applicant does not describe the Conservation Area's significance within the submitted Design and Access Statement and only provides a basic description of the proposals perceived impact on the Conservation Area.

Paragraph 201 of the NPPF requires the local planning authority to identify and assess the particular significance of any heritage asset that may be affected and take this into account when considering the impact of a proposal.

The National Design Guide (2021) states that “to communicate the benefits of a scheme, it is important to explain how the design of a development relates to context and local character” (Paragraph 44). It adds that “well-designed places and buildings are influenced positively by:
• The history and heritage of the site, its surroundings and the wider area, including cultural influences;
• The significance and setting of heritage assets and any other specific features that merit conserving and enhancing;
• The local vernacular, including historical building typologies such as the terrace, town house, mews, villa or mansion block, the treatment of facades, characteristic materials and details”. (Paragraph 46)

The conservation area by virtue of its designation is significant in heritage terms and this significance is likely to arise from its aesthetic (fortuitous) value and historical (illustrative) value.

The proposed detached outbuilding would be set approximately 0.5m away from the grade II listed building at 107 High Street. The listing description does not make note of the features currently displayed on the rear (eastern) elevation which would likely be affected by the proposal. The proposed outbuilding would obscure views at ground floor towards this elevation from the private courtyard at No.37 Calcutt Street. This eastern elevation is considered to hold some historic significance through the use of coursed rubble stone however, the overall appearance of the eastern elevation is not considered to be of great historic significance. The gable appears to have been previously repaired, using large, exposed breeze blocks which infill a previously damaged area. It is considered that the use of breeze blocks presents a juxtaposition between the existing render on the rear gable. The proposed outbuilding would increase the separation distance from the previous application (N/07/01650/FUL) by approximately 0.3m. Overall, it is considered that the proposed development would result in a neutral impact on the setting of the listed building at No.107 High Street by virtue of the outbuildings siting and with regard to the previous permission, which is considered a material planning consideration in this case.

Views towards the outbuilding from the public domain would likely be obscured by the existing boundary wall and gate. It is considered that the proposal would not contribute towards the street scene nor significantly affect the setting of the Conservation Area.

The proposed detached outbuilding would be set in a visually discrete position and would be sited in a position comparable to the previously approved outbuilding on site under application (N/07/01650/FUL). The proposal would be of a comparable size and scale to the previously approved scheme. The 4.2m height to the ridge would likely appear subservient to the host dwelling while offering an appearance commonly associated with ancillary outbuildings.

It was noted within Cricklade Town Council’s response to the current application that the original conditions appended to the permission granted under the previous application (N/07/01650/FUL) should be included in case the proposal is granted planning permission. The original permission conditionally controlled the external appearance of the proposed brickwork, roof tiles, doors and windows. Additional correspondence with the applicant clarified that the brickwork would use a

reclaimed batch of ‘cottage mix’ style bricks and that the roof tiles are expected to be composed of Redland Cambrian slate. The proposed joinery was stated as using a softwood timber frame with a painted finish. The brickwork on the existing dwelling are primarily of a rendered appearance and it is considered that these additional details are sufficient in rendering the aforementioned conditions un-necessary in this instance.

Accordingly, the proposed development is considered to result in a neutral impact on the Conservation Area and would likely have an acceptable impact on the relevant identified heritage assets. The proposal would not conflict with the provisions of Core Policy 57 and 58 of the WCS, Policy H3 of the Cricklade Neighbourhood Plan and the relevant paragraphs 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 outbuilding would be sited in a similar position to the previously approved outbuilding under application N/07/01650/FUL. The size and scale would slightly altered from the previous application, increasing the outbuildings length by approximately 0.2m and marginally reducing the width. The submitted plans demonstrate a greater offset from No.107s eastern elevation than the previous application, offering a 0.5m gap. It is noted that there are no windows on No.107 at ground floor level that would likely be obscured by the proposed outbuilding. The proposed outbuilding would be limited to a single storey height and is therefore not considered to result in an overbearing impact on adjacent neighbouring occupiers.

In light of the above, the proposed development is considered to have an acceptable impact on the residential amenities of the adjacent neighbouring occupiers and would not give rise to overbearing, overshadowing or a significant loss of outlook.

Other Matters:
The submitted plans and supporting statement do not indicate the specific purpose of the outbuilding, however this is a householder planning application and as such no change of use or additional planning units are proposed; the lawful use of the building would be C3 residential use associated with the main dwelling. A condition ensuring that the outbuilding remains in ancillary use is considered reasonable and necessary.

In response to the proposed development, a letter of representation raised concerns regarding the existing deeds to the courtyard. The conveyance deeds stated that following the demolition of 106 High Street that the courtyard area should be put to use as public space. It is acknowledged that the courtyard forms part of the established red line boundary as presented through the previous application on site and the area is an enclosed space for private use in association with No.37. With regard to the deeds, this is considered to be a civil matter and not a material planning

consideration. A grant (or refusal) of planning permission does not affect private property rights and therefore if any such issues exist they are not overcome through this application.

CONCLUSION
The proposed development is considered acceptable and in accordance with Core Policies 1, 2, 19, 57 and 58 of the Wiltshire Core Strategy, Policy H3 of the Cricklade Neighbourhood Plan and relevant paragraphs of the NPPF.

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:

23/2078/01 Existing- Proposed Outbuilding
Location and Block Plan
Both received 30/10/23

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 supporting statement and correspondence received on 05/01/24.

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

4 The accommodation hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling, known as 37 Calcutt Street, Cricklade, Swindon, SN6 6BA and it shall remain within the same planning unit as the main dwelling.

REASON: The additional accommodation is sited in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit a wholly separate dwelling.

Informatives: (3)

6 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.

7 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.

8 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.