CASE OFFICER'S REPORT

Application Reference:	PL/2023/09793
Application Type:	Householder planning permission
Site Inspection:	
Consultation ends:	02 January 2024
Case officer:	Jane Sanger

Site Address:	South Lawn, Kings Road, Market Lavington, Devizes, SN10 4QB
Proposal:	Erection of detached garage with studio over
Recommendation:	Refuse

POLICIES

The National Planning Policy Framework (NPPF) 2021:
Chapter 4 – Decision Making
Chapter 9 – Promoting Sustainable Transport
Chapter 11 – Making Effective Use of Land
Chapter 12 – Achieving Well Designed Places
Chapter 15 – Conserving and Enhancing the Natural Environment

The Wiltshire Core Strategy, Adopted January 2015:
Core Policy 51 – Landscape.
Core Policy 57 – Ensuring High Quality Design & Place Shaping
Core Policy 61 – Transport and New Development.

Planning Practice Guidance (PPG).

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

Market Lavington Neighbourhood Development Plan 2018 – 2026.

CONSULTATION RESPONSES

Bromham Parish Council – no objections received.
Highways Officer – no comments received.
Rights of Way Officer – no objections, subject to three informatives relating to; private vehicular rights; safety/reinstatement works; and any obstruction of the PROW during construction phase. Please see the electronic planning file for full comments.

REPRESENTATIONS

No third party representations have been received.

KEY ISSUES:

• Relevant planning history.
• Impact upon the character and appearance of the area.
• Impact upon neighbour amenity.
• Impact upon highway safety.
• Impact upon the open countryside.

ASSESSMENT

The application site relates to South Lawn, Kings Road, Market Lavington. It is a detached, L-shaped, cream rendered bungalow, under tiled, hipped and gable roof alignments. Adjacent to the north-eastern side elevation there is a single storey flat roof extension, comprising a garage and a workshop, together with some living space. In the recess between the L-shape sections of the dwelling, presenting to the south-eastern front elevation and the north-eastern side elevation, there is a single storey, flat roof extension accommodating a WC.

There is an existing, gated parking area laid to tarmac and concrete to the north-western, rear of the dwelling. A further vehicular access has been created in the north-eastern side boundary, forward of the front elevation. It is currently laid to gravel with timber posts either side of the entrance. This was granted Permission under extant approval PL/2023/01909, which is underway on site.

The property occupies a substantially sized, elongated plot and is enclosed with tall, dense, hedgerows along all the boundaries, except part of the north-western boundary which has timber post and rail fencing. The fenced off area to the rear of the site with a pedestrian gated access, appears to be agricultural land, with a large, timber barn and a greenhouse in it. There is a timber 5-bar gate adjacent to the south-western, side elevation of the house which separates the front garden from the rear. In the rear garden there is a timber constructed summerhouse. The topography of the site is flat.

The application site lies outside of the development boundary for Market Lavington and is therefore in the open countryside. Public Right of Way (PROW) MLAV9 (bridleway) runs along the north-eastern, side boundary, and also forms the vehicular access to the application site, which is an unclassified road.

<u>The proposals:</u>

The application proposes the construction of 1.5 storey, double garage, with room over accommodating a studio, with WC, forward of the principal elevation, with its gable roof ridgeline running parallel with the north-eastern boundary, albeit positioned adjacent to this boundary and set back from it. Two separate double leaf appearing garage doors in the north-western, front elevation, will face the front of the dwelling. Above these garage doors is a timber framed, projecting, ‘walk onto balcony’, accessed by double doors at first floor level. In the south-eastern gable end, there is an external staircase, under a gablet roof, giving access to the first floor. Below this, is a further door serving the ground floor of this building. On both the projecting balconies at first floor level on the gable ends of the outbuilding, a 1.8m solid timber screen is shown.

The proposed garage outbuilding/annexe will measure approximately; 6.6m long, excluding the staircase; 7.6m long, including the staircase; 6.3m wide; 2.8m to eaves; and 5.8m to ridge.

The outbuilding will be clad in untreated, horizontal timber boarding to the walls, above a brick plinth, under a plain tile gable end roof alignment. Windows are shown in the south-western side elevation in the wall and rooflights in the roof. These will face onto the front garden of the application property. No details have been

provided on the materials for the doors and windows and the material for the construction of the staircase and framework for the two end balconies and the related balustrades.

A gate is proposed across the approved access forward of the front elevation of the dwellinghouse. It's not clear whether posts are shown on each end of the gate. No elevations have been submitted of the gate and the related posts. The post and gates in the location referred to above did not form part of extant approval, PL/2023/01909.

A new hedgerow is proposed along part of the north-eastern, side boundary of the site to replace the existing hedgerow. The overhead electric cable to the front of the bungalow is annotated as requiring diversion.

Relevant planning history:

PL/2023/01909 - Erection of 1.5 storey extension to dwelling; attic conversion with new dormer window; erection of balcony to rear including the construction of screens either side; and formation of new parking area. Cladding to elevations – Approved with conditions – 28.06.2023.

K/79/0087 – Extension to dwelling – Approved with conditions – 20.02.1979.

Impact upon the character and appearance of the area:

Core Policy 57 – 'Ensuring high quality design and place shaping' of the WCS 2015 seeks a high standard if design in all new developments. Development is expected to create a strong sense of place through drawing on local context and being complimentary to the locality. New developments should make a positive contribution to the character of Wiltshire through:

iii) responding positively to the existing townscape and landscape features in terms of building layouts; built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting.

vi) making efficient use of land whilst taking account of the characteristics of the site and the local context to deliver development which relates effectively to the immediate setting and to the wider character of the area; and

xii) the use of high standards of building materials, finishes and landscaping.

Whilst the principle of having an outbuilding forward of the principal elevation of the existing dwelling is considered to be acceptable, as the approved alterations and extensions to the existing bungalow under Permission PL/2023/01909 will result in a 1.5 storey high dwelling, the current proposed double garage with room over providing for an annexe, is tantamount to a house, due to its height, size, massing and scale. Therefore, it will not read as an ancillary outbuilding. It will be too high, in relation to the approved dwelling, with an eaves height of approximately 2.8m; a ridge height of approximately. 5.8m, compared to a ridge height on the approved dwelling at 6.22m. Furthermore, the width of the approved 1.5 storey dwelling across its front, south-eastern elevation, scales at approximately 12m. Under basic planning principles, outbuildings should aim to have a width of approximately half the width of the main dwellinghouse. This proposed garage/outbuilding will exceed this recommendation by nearly 2m. Therefore, the footprint, size, higher than average eaves height, resultant ridge height and scale of the proposal, will not be subservient enough in relation to the relatively modest, approved 1.5 storey, chalet style bungalow, under Permission PL/2023/01909. If the extant approval is not built, the proposal will have an even greater impact upon the existing single storey, bungalow which currently occupies the site. In view of the above, the proposed

double garage with room over, will appear overly dominant in the streetscene, and compete with main dwelling, to the detriment of the character and appearance of the immediate and wider area. In particular, it will set an undesirable precedent for disproportionately large, 1.5 storey outbuildings, forward of principle elevations of dwellings, where currently none exist in the immediate area. In view of the above, the proposal will conflict with the requirements of the Wiltshire Core Strategy (WCS) 2015; Core Policy 57 'Ensuring High Quality Design and Place Shaping; and with the National Planning Policy Framework (NPPF) 2023, in particular Chapter 12 'Achieving Well Designed Places'.

Subject to design, a simple single storey garage outbuilding, with its length extending south-eastwards along the north-eastern side boundary of the property, with normal eaves height or lower and a single storey ridgeline not exceeding 4.5m high, is likely to be more acceptable. The outbuilding needs to be positioned setback from the boundary with the road. Consideration needs to be given, to position, size, scale and overall height of the outbuilding and the use of appropriate materials for its rural setting.

Impact upon neighbour amenity:

Core Policy 57 of the WCS 2015 further seeks new development to:

vii) "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, including the consideration of privacy, overshadowing…".

The proposed 1.8m screens shown on the side elevations of the two balconies at first floor level will serve to prevent overlooking of the rear garden of the neighbouring dwelling to the north-east side, however these in isolation are not sufficient to overcome the other concerns relating the outbuilding itself.

The proposed 1.5 storey double garage with room over due to its position, height and scale, will cause a loss of light to part of the rear garden area, to the north-western rear elevation of Sandlewold, next door and will result in an overbearing impact from these occupier's outlook from within their rear garden.

This neighbouring garden receives sunlight from the east and south-west sides. Whilst this neighbouring dwelling is separated from the application site by a narrow, single track, PROW MLAV9, this rear garden is open plan by design, with a low level (approximately 1m high) timber picket fence forming it's south-western, side boundary, due to its position adjacent to the highway. The proposed double garage with room over, will cause an unacceptable loss of sunlight from the south-western side of this private amenity space and will have an oppressive impact upon the outlook of these occupiers from their rear garden, at a distance of approximately 7.9m away.

In view of the above, the proposal will conflict with the requirements of the Wiltshire Core Strategy (WCS) 2015; Core Policy 57 'Ensuring High Quality Design and Place Shaping; and with the National Planning Policy Framework (NPPF) 2023, in particular Chapter 12 'Achieving Well Designed Places'.

Impact upon highway safety:

The site is located on Kings Road, a section of unclassified public highway, with access over a PROW, bridleway, MLAV9. The property benefits from parking areas to both the front and rear of the site and as such can provide parking for both the proposed garage with room over/annexe and the dwellinghouse, complying with The Wiltshire Local Transport Plan 2016-2026: Car Parking Strategy (March 2015), which requires 3 car parking spaces for 4+ bedroom properties (under the extant approval). The Council's Highways Officer has no comments to make on this proposal.
In view of the above, the proposals will not cause any harm to highway safety.

It noted that the application proposes a gate and posts to the new access at the front of the house, and no elevations have been provided showing these and the height of the structures.

Impact upon the open countryside:

The proposals will be contained to the application property, which is seen within the built form of properties along Kings Road, therefore, they are not considered to cause any harm to visual amenity in the open countryside.

Summary and Conclusion:

The proposed double garage with room over due to its position, height, size, scale and overall massing will not be sufficiently subservient to the host dwellinghouse; will appear overly dominant in relation to it; to the detriment of the character and appearance of the immediate and wider area; and it will result in an unacceptable loss of sunlight to the south-western side of the rear garden of Sandlewold. Therefore, the proposals will conflict with the requirements of the Wiltshire Core Strategy (WCS) 2015; Core Policy 57 'Ensuring High Quality Design and Place Shaping; and with the National Planning Policy Framework (NPPF) 2023, in particular Chapter 12 'Achieving Well Designed Places'.

RECOMMENDATION: Refusal.

Refusal Reason(s): (3)

1 Core Policy 57 of the Wiltshire Core Strategy requires amongst other things that proposals should enhance local distinctiveness, represent a high standard of design and take account of the characteristics of the site and the local context to deliver an appropriate development that relates effectively to the immediate setting and wider character of the area. Paragraph 131 of the National Planning Policy Framework also states that good design is a key aspect of sustainable development and paragraph 135(b) states that planning decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

The proposed double garage with room over forming an annexe, by reason of its position, size, height, massing and scale would fail to satisfy the above requirements. The resultant design and height of the proposal will not be sufficiently subservient to the host dwelling and will appear overly dominant in the context of the adjacent single storey and 1.5 storey dwellinghouse approved. This is to the detriment of the character and appearance of the area and the immediate and wider streetscene.

The proposals would therefore conflict with the requirements of the Wiltshire Core Strategy (WCS) 2015; Core Policy 57 Ensuring High Quality Design'; and with Central Government policy contained within the National Planning Policy Framework (NPPF) 2023; in particular Chapter 12 'Achieving Well Designed Places'.

2 Core Policy 57 of the Wiltshire Core Strategy requires, amongst other things, that proposals should represent a high standard of design and take account of the characteristics of the site and the local context to deliver an appropriate development that relates effectively to the immediate setting and wider character of the area. Crucially it requires under point vii. that they have regard to the compatibility of adjoining buildings and uses and the impact on the amenities of existing occupants. Paragraph 135 of the National Planning Policy Framework also states that planning decisions should ensure that developments create places with a high standard of amenity for existing users.

The proposed double garage with room over forming an annexe, by virtue of its position, height, scale, size and massing will cause an unacceptable loss of sunlight from the south-western side of the rear garden of Stonewold and will have an overbearing impact upon the outlook of these occupiers from within their rear garden.

In view of the above, the proposal will conflict with the requirements of the Wiltshire Core Strategy (WCS) 2015; Core Policy 57 ‘Ensuring High Quality Design and Place Shaping; and with the National Planning Policy Framework (NPPF) 2023, in particular Chapter 12 ‘Achieving Well Designed Places’.

3 The application contained insufficient information to demonstrate the elevational design, particularly the height, of the proposed entrance gate and posts, positioned forward of the principal elevation of the dwellinghouse would be of acceptable design.

In light of the above, the application has not demonstrated that the proposed development can meet the aims and objectives of Core Policy 57 ‘Ensuring High Quality Design and Place Shaping’ of the Adopted Wiltshire Core Strategy (WCS) 2015.