CASE OFFICER'S REPORT

Application Reference:	PL/2023/10171
Application Type:	Householder planning permission
Consultation ends:	26th December 2023
Case officer:	Hilary Baldwin

Site Address:	The Fields, Broad Town Road, Broad Town, Swindon, SN4 7RB
Proposal:	Detached annex to front garden
Recommendation:	Approve with Conditions

Proposal and Site Description

Proposal

The proposal comprises a detached, single storey building within the residential garden of the host property. Set in the south-western corner of the site and perpendicular to the host dwelling, it is stated it is for the benefit of annexe accommodation.

Measuring approximately 12m by 8m with a ridge height of 5.8m, the structure would have brick elevations and a tiled roof to match the host dwelling. Window openings are proposed on the front (north) and rear (south) elevations with an entrance door set centrally on the front elevation with an open, cantilevered, entrance porch.

The internal accommodation would provide for two bedrooms – one with an en-suite bathroom, a separate wet room, a kitchen and living room.

Site Description

The application site comprises a detached property known as The Fields and which has private residential amenity space separated from adjacent land within the ownership of the applicant by a post and rail fence. The property benefits from a large private amenity space, gated vehicle entrance, existing outbuildings and open pool.

There is a drop kerb vehicle access into The Fields to the north and an informal field access gate further to the south on the adjacent land. Located within the open countryside, the whole site is outside of any defined settlement boundary, there are no heritage assets within the vicinity of the site and Broad Town, which is designated as a Smaller Village in the WCS is approximately 1.5km to the south, with the outskirts of the town of Royal Wootton Bassett approximately 3km to the north.

Policies

National Context:

National Planning Policy Framework (NPPF) 2023

Paragraph 11 – Presumption in favour of sustainable development

Paragraph 131, 135 - Function and Form of Development

Planning Practice Guidance (PPG)

Local Context:
Wiltshire Core Strategy (WCS) adopted 2015
Core Policy 1- Settlement Strategy
Core Policy 2- Delivery Strategy
Core Policy 19 - Spatial Strategy: Royal Wootton Bassett and Cricklade Community Area
Core Policy 51 - Landscape
Core Policy 57- Ensuring High Quality Design and Place Shaping
Core Policy 60 - Sustainable Transport
Core Policy 61 - Transport and New Development

Wiltshire Local Transport Plan 2011 - 2026
Car Parking Strategy

Key Issues
Principle of Development
Impact on the character and appearance of the settlement
Impact on adjacent neighbouring occupiers
Access, Parking and Highway Safety
Other Considerations

Relevant Planning History
The planning history on the site reveals that the property known as The Fields was originally built as an agricultural worker's dwelling, but that tie was removed in 2016 and the property has subsequently benefitted from modernisation and additions. The wider site, in the ownership of the applicant for this proposal, benefits from permission for a glamping site and other camping amenities. A preceding application for a detached annexe, in 2023 was withdrawn by the applicant as there was concern from the LPA that the annexe was on land outside of the residential curtilage and would result in a new, detached dwelling in the countryside. The current application has been submitted to overcome those previous concerns.

PL/2022/07139 – Detached Annexe
Withdrawn

21/02347/FUL - Use of land for use as glamping/camping site independent of current Licence to Caravan and Camping Club through months March to October
Approved with Conditions

16/12149/VAR Removal of condition 2 of planning permission 195/69 (erection of a semi-bungalow residence for agricultural worker)
Approved with Conditions

Consultation Responses
Broad Town Parish Council – No Objection

Highways - No Objection

Representations
No letters of representation were received in relation to the proposed development.

Planning Considerations and 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.

Principle of Development:
The principle of providing and extending facilities in association with existing residential accommodation is considered acceptable in principle and in accordance with policies CP1, CP2 and CP57 of the adopted Wiltshire Core Strategy, subject to assessment of site specific impacts, related policy considerations and compliance with the other policies contained within the development plan and the guidance and provisions as contained within the National Planning Policy Framework.

The current application has been submitted to overcome the preceding application which was considered to represent a new dwelling within the rural countryside and therefore contrary to adopted local and national policies. The proposed structure, subject of this proposal is now located within the residential garden of the host property.

Impact on the Character and Appearance of the Site and Settlement
The planning system promotes high quality development through good inclusive design and layout and the creation of safe, sustainable mixed communities. Good design should be indivisible from good planning and recognised principles of good design seek to create a high-quality built environment for all types of development.

The application site lies within a rural area characterised by sporadic dwelling set close to the highway and open agricultural fields. The property on the site represents a chalet style dwelling which has benefitted from alterations and extensions over time. Adjacent to further land within the ownership of the applicant, there are stables, camping facilities and a paddock to the south of the garden, which is used for animal grazing.

The proposed development, whilst set close to the highway, would be shielded from public views by way of the mature and large hedgerow which bounds the site and the paddock to the south.

The proposed structure is considered relatively small when viewed in conjunction with the host dwelling and its scale, form and design is considered to represent a subservient building. The matching materials are considered to help assimilate the structure into the site and the wider rural area. It is considered to have overcome the concerns raised during the previous proposal, which sited the annexe on the paddock to the south of the dwelling.

The Parish Council has not raised any objection to the proposal and the there are no highway access concerns as the existing access into the site would be retained.

A condition is recommended that the development is carried out in accordance with the submitted drawings and can be appended to any subsequent grant of permission.

In this instance, due to the size and location of the development, and the use of the appropriate materials detailing to match the host property, the proposal is considered to be in accordance with CP57and the guidance and provision of the NPPF.

Impact on Adjacent Neighbouring Occupiers

The development is not considered to result in significant overlooking, overshadowing, loss of privacy or noise impact upon the adjacent occupiers over that which can normally be undertaken within a residential unit.

Access, Parking and Highway Safety

There is considered to be sufficient off-street parking for both the dwelling and the proposed annexe providing the structure remains as one planning unit, ancillary to the host dwelling and that there is no alternative vehicle access from the main highway to the west.

Other Considerations

The submission states that the proposal is for ancillary annexe accommodation to be used in conjunction with the host dwelling. Nevertheless, the level of accommodation indicates that the annexe could be occupied separately and this type of layout could lead to a further separate unit of accommodation. However, given the close association with the host dwelling, in terms of its position directly to the front of the property and its proximity to the host dwelling, the degree of separation is considered acceptable in this instance.

Notwithstanding this position it is considered appropriate that a condition to ensure that the structure remains associated within the main dwelling at all times and within one planning unit be appended to any grant of permission.

Conclusion

As such, the proposals would not conflict with the statutory requirements, as well as the national and local planning policies and can be supported. The proposal would not result in significant harmful impacts to the residential character of the locality or to residential amenity.

It is therefore recommended that the application should be permitted subject to relevant 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 and documents:

Location Plan. Received on 11 January 2024
23/059 (i) Existing Site Plan. Received on 23rd November 2023
23/059 (ii) Proposed Site Plan, Proposed Floor Plans and Elevations. Received on 23 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 be as stated on the application form, approved plans and application form.

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

4 The annexe hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling, known as The Fields, Broad Town Road, Broad Town, SN4 7RB 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: (4)

5 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.

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.