CASE OFFICER'S REPORT

Application Reference:	PL/2023/09527
Application Type:	Householder planning permission
Site Inspection:	
Consultation ends:	01 January 2024
Case officer:	Stefan Galyas

Site Address:	THE DOVECOTE, LOWER FARM, EASTON TOWN, SHERSTON, MALMESBURY, SN16 0PS
Proposal:	Proposed replacement septic tank with a Tricel Novo UK6Gravity electrically powered, sewage treatment plant.
Recommendation:	Approve with Conditions

SITE DESCRIPTION:
The application relates to a detached dwelling, set to the eastern side of a private access track which terminates to the north of the site at Lower Farm. There is an existing neighbouring garage outbuilding positioned to the south-west of the site and the property is bounded by open agricultural fields to the east and north east. The property is afforded ample garden amenity space to the north-east and east of the property.

The site is not located within any defined settlement boundary and is accordingly considered to be located within the open countryside for planning purposes.

With regard to policy constraints, the site is located immediately south of the grade II listed Lower Farmhouse. The property at The Dovecote is forms part of the curtilage listing. The site is also located within the Cotswolds National Landscape, an Area of Outstanding Natural Beauty (AONB).

PROPOSAL:
The application seeks planning permission for the replacement of a septic tank with a sewage treatment plant nearby.

POLICIES:
Wiltshire Core Strategy (WCS) Adopted 2015
Core Policy 1 – Settlement Strategy
Core Policy 2 – Delivery Strategy
Core Policy 13 – Malmesbury Settlement Strategy
Core Policy 51 – Landscape
Core Policy 57 – Ensuring High Quality Design and Place Shaping
Core Policy 58 – Historic Environment

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.

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.

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

RELEVANT PLANNING HISTORY:
There is no recent history of planning applications relating to the site.

REPRESENTATIONS:
Sherston Parish Council – No objection.

Wiltshire Council's Conservation Officer – No objection.

Wiltshire Council Public Protection – It was commented that the system would likely be assessed at the building regulations stage or by the Environment Agency.

Environment Agency – No comment.

Letters – There were no letters of representation received in response to the proposal.

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, 13 and 57 of the WCS.

Impact on Character and Design, Including Heritage Assets:
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 listed buildings significance and does not describe

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 proposed sewage treatment plant would be located to the north east of the dwelling, nearby the existing septic tank. The septic tank would be made redundant and the dwelling would continue to be served by the new sewage treatment plant. The proposal would protrude the grounds surface by approximately 330mm and would cover an area of 0.7sqm.

The proposal would be located to the north-east of the site, approximately 18m away. Additionally, the proposed sewage treatment plant would be located around 39m away from the grade II listed property at Lower Farm. It is considered that the proposal would have a limited visual effect within properties garden amenity space and would not likely be of a significantly unacceptable appearance. It is noted that the Conservation Officer considered the proposal to result in a neutral impact on the setting of Lower Farmhouse and the curtilage listed Dovecote. This comment is concurred with by the Case Officer in this instance.

In light of the above, the proposal would not conflict with the provisions of Core Policy 58 of the WCS 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 sewage treatment plant would be located approximately 39m away from the neighbouring habitable building at Lower Farm. This is considered to be a sufficient degree of separation between the proposal and the adjacent neighbour to avert an unacceptable impact on residential amenities.

CONCLUSION:
It is concluded that the proposed development is acceptable in principle and in design and amenity terms, in accordance with Wiltshire Core Strategy Core Policies 1, 2, 13, 51, 57 and 58 and the relevant paragraphs of the NPPF.

The proposal accords with the adopted development plan and as such, should be granted permission.

RECOMMENDATION: That planning permission be GRANTED subject to the following conditions:

Conditions: (3)

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:

Tricel Novo Gravity UK P6 Technical Drawing Product Number TGUK0602
Received 02/11/23.

Site Plan
Received 29/11/23.

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 plans.

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

Informatives: (3)

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 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.

7 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.