CASE OFFICER'S REPORT

Application Reference:	PL/2023/09685
Application Type:	Householder planning permission
Site Inspection:	
Consultation ends:	08 December 2023
Case officer:	Samantha Stockley

Site Address:	Church Farm, Hankerton, Malmesbury, SN16 9JZ
Proposal:	Erection of Timber Orangery
Recommendation:	Approve with Conditions

SITE DESCRIPTION

Church Farm is a is a two-storey detached dwellinghouse lying to the northeast of Hankerton. The existing dwelling is composed of stone with a slate roof, and timber windows and doors. The nearest neighbouring property lying approximately 100 metres to the southwest. There are residential properties to the southwest and east with open fields to all other aspects.

Hankerton is a small village located approximately 5 miles northeast of Malmesbury. The village is predominantly residential in nature and lasted within the designated open countryside. The site lies within an area of countryside designated land Character as Upper Thames Clay Vales. There is a public footpath HANK5 26m to the North of the host dwelling. The site is not subject to any sensitive landscape or ecological designations, and it is not located within a flood zone flood but the land to the northwest does.

PROPOSAL

Full planning permission is sought for the erection of timber orangery with a stone plinth. This will form additional living space to the northeast corner of the property creating a partial infill development with a roof lantern. The proposed would be accessed from two proposed openings, the first would see an existing window removed and the aperture opened up, the second would see an existing doorway widened. External door would open to the north and south elevations of the proposed orangery. The building would measure 5.6m x 5.5 m with a height of 2.9m to the roof and 3.5m to the lantern ridge.

RELEVANT PLANNING HISTORY

N/07/02642/FUL, Tennis Court, Approve with Conditions, 13/12/2007
N/05/02184/FUL Erection of Riding Arena, Approved with Conditions, 02/11/2005
N/88/00622/FUL, Extension to dwelling, Approved, 12/04/1988
N/76/00712/F Alterations and Extensions, Approved 12/07/1976

POLICIES

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:
Core Policy 1: Settlement Strategy
Core Policy 2: Delivery Strategy
Core Policy 13: Spatial Strategy for the Malmesbury Community Area
Core Policy 51: Landscape
Core Policy 57: Ensuring High Quality Design and Place Shaping

Saved policies of the North Wiltshire Local Plan:
none

National Planning Policy Framework (December 2023):
Section 2 Achieving Sustainable Development
Section 4 Decision-Making
Section 12 Achieving Well Designed Places

Assessment

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:
"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless
material considerations indicate otherwise."

Section 70(2) of the Town and Country Planning Act 1990 provides that:
In dealing with an application for planning permission, the authority shall have regard to:
• the provisions of the development plan, so far as material to the application,
• a post-examination draft neighbourhood development plan, so far as material to the application,
• any local finance considerations, so far as material to the application, and
• any other material considerations.

At the current time the statutory development plan in respect of this application consists of the Wiltshire Core Strategy (WCS) (Adopted January 2015); the 'saved' policies of the North Wiltshire Local Plan (NWLP) 2011 (Adopted June 2006).

PLANNING ISSUES

Those issues deemed to be most pertinent to the determination of the application are as follows:

• Principle of development
• Impact on the character and appearance of the area
• Neighbouring amenity

CONSULTATION RESPONSES

Hankerton Parish Council: No objection
Archaeology : No Further comment
WC Highways: No objection

REPRESENTATIONS

One representations were received regarding this case, one stating their general support for the application.

Principle of development

The proposed development sits within the existing established residential curtilage of a site within the opening countryside. As the proposal is for an extension to an existing residential building it is acceptable in principle subject to compliance with other relevant policies.

Impact on the character and appearance of the area

Section iii of Core Policy 57 of the WCS states new development must respond positively to existing townscape in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines. Moreover, Paragraph 130 of the NPPF states that developments should be visually attractive as a result of good architecture and be sympathetic to local character.

Additionally, Core Policy 51 states that development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures. Further to this, NPPF Paragraph 174 b) states that planning decisions should contribute to and enhance the natural and local environment by recognizing the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services.

The proposal would result in a modestly sized timber and stone extension to the northeast corner of an existing dwelling to form an orangery creating additional living space.

Some alterations are proposed to the existing openings on the host dwelling to create an access to the proposed orangery. The material for the walls are proposed to be timber, glazing on a stone plinth. The roof would be flat single ply with a roof Lantern with finials. it is considered that this would not detrimentally impact the character of the residence or the wider area. Also, it would not have any impact on the Public Right of Way or landscape.

Whilst the north west corner of the land is adjacent to the flood Level 2 Flood Risk Zone, the property itself is not within the flood plain and the submitted Flood Risk Assessment (FRA) submitted 8 November 2023 states that "as the applicant is aware the property has no history of flooding". The proposal also would not impact any existing Foul drainage services. All surface

water resulting from the proposed development would be discharged into a soak away or existing onsite gulley as set out in the FRA.

Accordingly, the proposal would have an acceptable impact upon the character and appearance of the locality in accordance with the provisions of Core Policy, 51 and 57 and NPPF Paragraphs 131 and 135. The proposal would have no additional landscape impact and thereby accord with the provisions of WCS Core Policy 51 and NPPF Paragraph 180.

Neighbouring amenity

Section vii of Core Policy 57 of the WCS refers to the need to protect the amenities of existing occupants and to make sure that appropriate levels of amenity are achievable within the development itself. Additionally, Paragraph 135 (f) of the NPPF states planning decisions should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the equality of life or community cohesion and resilience.

The submitted plans confirm that the additional built development would be contained within the plot with the location of existing neighbours. The proposed siting to the northeast, in addition to the existing boundary treatment neighbouring properties would have very limited visibility. With the proposed additional outlook from the proposed extension being out onto private garden and open countryside, it is considered there would not be any detrimental loss of privacy to any neighbouring dwellings or to the foot path users.

Overall, it is considered that the proposal would be acceptable in amenity terms in accordance with the provisions of Core Policy 57 of the WCS and Paragraph 135 of the NPPF.

CONCLUSION

The proposed development accords with the provisions of the development plan and with relevant paragraphs of the National Planning Policy Framework 2023.

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 and documents, received by the Council on 8 November 2023:
Proposed Floor Plan and Elevations - 12800 - 02
Flood Risk Assessment
Application Form,
Design and Access Statement,

and the following revised plans received by the Council on the 25 January 2024:
Location Plan Rev A- 12800 - 04
Proposed Block Plan Rev A- 12800 - 03

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 used in the existing building and as those specified in the approved plans and application form.

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

Informatives: (1)

4 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.