CASE OFFICER'S REPORT

Application Reference:	PL/2023/10791
Application Type:	Removal/variation of conditions
Site Inspection:	
Consultation ends:	30 January 2024
Case officer:	Ruaridh O'Donoghue

Site Address:	Soley House, West Soley, Chilton Foliat, Hungerford, RG17 0GW
Proposal:	Variation of Condition 2 of PL/2021/07750 - To amend roof height to allow thatch to be installed at a steeper pitch to approved farm manager's annexe
Recommendation:	Approve with Conditions

Site Description and Constraints
The application concerns Soley House near Chilton Foliat in Wiltshire. The property is a large, detached dwelling with extensive grounds lying within the open countryside in the North Wessex Downs National Landscape.

Proposal
The application proposes the variation of Condition 2 of PL/2021/07750 in order to amend the roof height to allow the thatch to be installed at a steeper pitch to the approved farm manager's annexe. PL/2021/07750 was approved against the officer's recommendation at the Eastern Area Planning Committee on the 2nd December 2021.

The application also proposed a change to the design of the porch as thatch can no longer be used for its construction.

Site History
Other than the aforementioned application, there is no relevant planning history pertaining to the site.

Policies
Wiltshire Core Strategy 2015 (WCS):
• CP 1 – Settlement Strategy
• CP 2 – Delivery Strategy
• CP 14 – Marlborough Community Area Strategy
• CP 48 – Supporting Rural Life
• CP 50 – Biodiversity and Geodiversity
• CP 51 – Landscape
• CP 57 – Ensuring High Quality Design and Place Shaping
• CP 60 – Sustainable Transport
• CP 61 – Transport and New Development
• CP 64 – Demand Management

National Planning Policy Framework (NPPF)

Section 85 of the Countryside and Rights of Way Act 2000: requires the Local Planning Authority to 'have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty'.

Wiltshire Landscape Character Assessment (2005)

The Kennet Landscape Conservation Strategy Supplementary Planning Guidance (May 2005) and associated Landscape Character Assessment (1999).

The North Wessex Downs Area of Outstanding Natural Beauty Management Plan

Wiltshire Local Transport Plan 2011 – 2016: Car Parking Strategy (March 2011).

Consultation Responses
No consultation responses have been received.

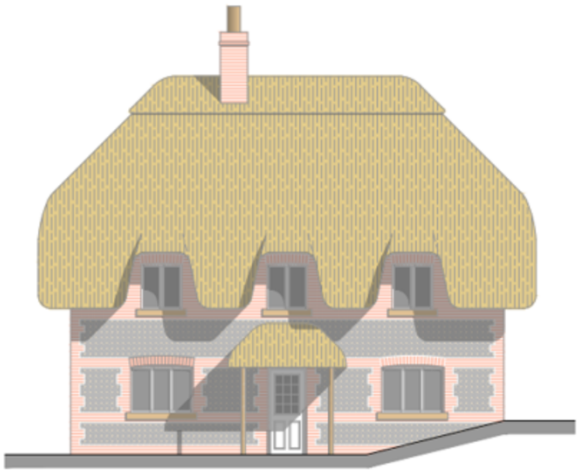
Representations
No third parties have commented on the application.

Assessment
As this is a s73 application, it is not necessary to reconsider all of the issues that were previously assessed by the Eastern Area Planning Committee when it made its decision to approve the application. It is only relevant to consider the changes that are proposed under this application to see whether they are acceptable in planning terms and therefore, whether this application should be approved or not. It is of course possible to impose additional planning conditions that are not present on the original decision notice if they are relevant to the changes proposed and meet the 6 tests for a planning condition.

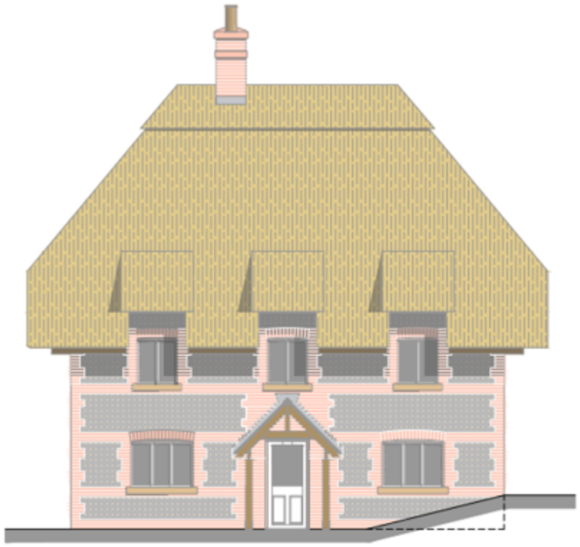
For information purposes, the original application was recommended for refusal on principle grounds i.e., the LPA took issue with the principle of a farm managers dwellings considering there not to be sufficient justification for one. The committee decided otherwise and felt they were able to support the application in principle. The LPA raised no other objections to the development nor did it identify any further conflict with the development plan. The committee in approving the application found the same.

Change 1: Ridge Height
Owing to building regulation requirements it has been necessary to steepen the pitch of the thatch to allow for quicker water run-off. This has resulted in a higher ridge height when compared with the original dwelling.

The original dwelling was approximately 8.8m high vs. the current proposal which is 10.2m high. The below picture shows the difference in height between the proposed and original scheme.



South Elevation of Originally approved Scheme



South Elevation of Proposed Scheme

The change above sees the dwelling increase in height by approximately 1.4m. Previous concern on the application related to the principle of development i.e. the need for a farm manager's dwelling. Issue was not taken with the design of the dwelling or its visual impact. Indeed the AONB unit were supportive of the proposal and did not identify any conflict with the landscape character or scenic beauty of the North Wessex Downs National Landscape (formerly the AONB).

The increase in height will make the dwelling more visually prominent within its locality. However, in the context of the wider receiving landscape, which is undulating, and contains woodlands, plenty of field hedging and trees, the additional increase in height is not a cause for concern. Its intervisibility from more distinct views would be limited due to these intervening features and as such, is not considered to cause any significant harm to the landscape character or scenic beauty of the National Landscape that would merit a refusal. No conflict is therefore raised with CP51 of the WCS.

Furthermore, it is just the ridge height increasing, the footprint of the dwelling remains the same. Although the increase in height adds to the massing and bulk of the roof, on balance, it can still be argued that it retains its cottage-like proportions. As such, the changes do not compromise the design of the dwelling to a standard that would no longer be considered worthy of approval under CP57.

The original application had a landscaping condition attached which is yet to be discharged. It is considered that this condition will be able to take account of the changes to the ridge height to ensure that it will have a satisfactory landscape setting. Other than the originally imposed conditions, no further ones are necessary to make this change acceptable in planning terms.

Chnage 2: Porch

The change from a thatched porch roof to a small projecting gable is a minimal one which is required due to the shallowness of the pitch for water run-off. This change does not have any significant visual impact nor will it comprise the design of the dwelling; such a style of porch being commonplace in rural areas like this (see picture above for a comparison between the two

schemes). As such, the LPA raises no concerns with this change against CP 51 and 57 of the WCS.

It is noted that a materials condition was placed upon the original consent required details to be agreed with the LPA. The precise materials of the porch have not been supplied with this s73 application, however, it is considered that this condition will ensure these details are controlled by the LPA. Other than the originally imposed conditions, no further ones are necessary to make this change acceptable in planning terms.

Conclusion
The proposed changes to the ridge height and design of the porch are considered to comply with development plan policy, namely CP 51 and 57. No additional conditions are considered necessary to make these changes acceptable in planning terms. As such, it is recommended that the application be approved subject to all relevant conditions from the original permission and with an update to condition 2 to allow for the revised plan references.

Conditions: (11)

1 The development hereby permitted shall be begun before the expiration of three years from the date of consent issued for planning application PL/2021/07750.

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:

- Dwg Ref: Application Form
- Dwg Ref: 2076-080 Rev A Location Plan
- Dwg Ref: 2076-090 Rev D Proposed Site Plan
- Dwg Ref: 2076-091 Rev C Proposed Block Plan
- Dwg Ref: 2076-095 Rev B Proposed Plan and Elevations
- Dwg Ref: 2076-097 Rev C Proposed Sections/Elevations in Context

REASON: For the avoidance of doubt and in the interests of proper planning.

3 No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

• location and current canopy spread of all existing trees and hedgerows on the land;
• full details of any to be retained, together with measures for their protection in the course of development;
• a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
• finished levels and contours;
• means of enclosure;
• all hard and soft surfacing materials;

REASON: To ensure a satisfactory landscaped setting for the development which is within the North Wessex Downs National Landscape where, in accordance with paragraph 176 of the National Planning Policy Framework, great weight should be placed on conserving and enhancing its landscape and scenic beauty.

4 No development shall commence on site above ground floor slab level until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and the character and appearance of the area which is within the North Wessex Downs National Landscape.

5 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development which is within the North Wessex Downs National Landscape where, in accordance with paragraph 176 of the National Planning Policy Framework, great weight should be placed on conserving and enhancing its landscape and scenic beauty.

6 The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.

REASON: The site is in an area where residential development for purposes other than the essential needs of agriculture or forestry is not normally permitted and this permission is only granted on the basis of an essential need for a new dwelling/residential accommodation in this

location having been demonstrated.

7 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 Soley House and it shall remain within the same planning unit as the main dwelling.

REASON: The development is in a position where the Local Planning Authority, having regard to the planning policies pertaining to the area would not normally permit a wholly independent dwelling, but approval is warranted in this instance solely due to the circumstances of the use of the building as set out in the application.

8 No part of the development hereby permitted shall be first brought into use until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.3) (England) Order 2020 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions/extensions or external alterations to any building forming part of the development hereby permitted.

REASON: In the interests of the amenity of the area which is within the North Wessex Downs National Landscape where, in accordance with the National Planning Policy Framework, great weight should be placed on conserving and enhancing its landscape and scenic beauty, and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions/extensions or external alterations.

10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.3) (England) Order 2020 (or any Order revoking or re-enacting or amending that Order with or without modification), no buildings or structures, or gate, wall, fence or other means of enclosure, other than those shown on the approved plans, shall be erected or placed anywhere on the site on the approved plans.

REASON: To safeguard the character and appearance of the area which is within the North Wessex Downs National Landscape where, in accordance with the National Planning Policy Framework, great weight should be placed on conserving and enhancing its landscape and scenic beauty.

11 The mitigation and enhancement measures detailed in the approved Ecological Assessment by Envirotech and dated 28th May 2021 shall be carried out in full prior to the first occupation of the development.

REASON: To mitigate against the loss of existing biodiversity and nature habitats and to ensure biodiversity net gain is achieved in accordance with the requirements of the National Planning Policy Framework.