DELEGATED REPORT

Application Reference:	PL/2023/10025
Application Type:	Planning permission
Site Address:	2 West View, Yatton Keynell, Chippenham. SN14 7BH
Proposal:	New porch to the front elevation and conversion of existing garage into habitable space. Garage flat roof replaced with pitched. Removal of rear single storey extension and replacing with two storey extension. Internal alterations and alteration to boundary fence.
Recommendation:	Planning Permission GRANTED

PROPOSAL

The application seeks permission for the erection of a new porch and conversion of existing garage into habitable space. Garage flat roof replaced with pitched. Removal of rear single storey extension and replacing with two storey extension. Internal alterations and alteration to boundary fence."

The applications set out the following components for which permission is sought:

- Partial removal of existing single storey extension
- 2 storey rear extension
- Removal of parapet and flat roof from garage
- Conversion of garage to habitable room with pitched roof
- New porch
- Existing boundary wall removed and replaced with fencing to same height

Plans show the proposed rear extension over the existing rear lean-to. It is not proposed to remove the section of lean-to roof attached to, and in the ownership of 1 West View. To both sides of the two-storey element a lean-to roof at ground floor is shown as being retained.

Plans show the extension to have a height to eaves of approximately 4m and a height to ridge of approximately 6.4m. Chosen materials include render for the extension and converted garage with tiles to be similar in appearance to the main dwelling. The existing canopy porch is to be enclosed by a rendered porch with a tiled roof.

The development and proposal are intended for purposes associated with the occupation and use of 2 West View as a single dwellinghouse.

DESCRIPTION/CONTEXT

The property is a semi-detached dwelling located within the defined settlement boundary of Yatton Keynell. To the rear is a single storey extension and to the side a flat roof attached garage. To the rear is a good size garden with a stone boundary wall.

To the northern side of the dwelling there is what appears to be a former outbuilding, attached to the property. With the exception of a small corner section, this falls outside of the ownership of the applicant, and whilst it appears to be located in the garden of 2 West View, it is in the ownership of 1 West View and forms part of their living accommodation.

The dwelling is located within the Yatton Keynell Conservation Area and Cotswold Area of Outstanding Natural Beauty (AONB). The attached property, 1 West View is a grade II listed and 50 m to the west lies the grade II listed Keynell Court (1-6 inclusive).

Right of Way YKEY9 runs along the southern boundary of the site in an east – west orientation. YKEY29 lies immediately opposite the site serving as a cut through the development known as The Maltings. The site is not subject to any further ecological or heritage constraints.

PLANNING HISTORY
None of relevance

POLICIES

Wiltshire Core Strategy 2015 (WCS)

Core Policy 51 Landscape
Core Policy 57 Ensuring high quality design and place shaping
Core Policy 58 Ensuring the Conservation of the Historic Environment

National Planning Policy Framework 2023 (NPPF)

Cotswolds National Landscape Management Plan 2023-2025

MAIN ISSUES

- Principle of Development
- Scale and Design
- Impact on landscape including AONB
- Impact on Heritage Assets
- Residential Amenity
- Impact on Public Right of Way

CONSULTATION

Yatton Keynell Parish Council: No Objection

> '*Subject to: Councillors noted that the adjoined property (1 West View) is a Grade II Listed Building (1183722) and both properties are within the Yatton Keynell conservation area, therefore the application will have to be carefully considered by the planning authority.'*

Council Conservation Officer: No objection subject to conditions:

> *'**Policy**: From the point of view of the historic environment the main statutory tests are set out within the Planning (Listed Building and Conservation Areas) Act 1990. Sections 16 (LBC) and 66 (PP) require that **special regard** be given to the desirability of preserving listed buildings, their settings or any features of special architectural or historic interest which they possess.*
>
> *Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 also requires the Council to pay **special attention** to the desirability of preserving or enhancing the character or appearance of designated Conservation Areas.*
>
> *The NPPF outlines government policy, including its policy in respect of the historic environment. Section 16 of the NPPF 'Conserving and enhancing the historic environment' sets out the Government's high-level policies concerning heritage and sustainable development. Paragraphs 201-3 of the NPPF require a balanced approach with any harm which would be caused being weighed against the potential public benefits which might be achieved. Paragraph 197 requires*

local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and of new development making a positive contribution to local character and distinctiveness.

National Planning Practice Guidance provides guidance on interpreting the NPPF.

The Council's Core Strategy Policy CP58 'Ensuring the conservation of the historic environment' requires that "designated heritage assets and their settings will be conserved, and where appropriate enhanced, in a manner appropriate to their significance."

Wiltshire Council's Core Strategy Policy CP57 'Ensuring high quality design and place shaping': A high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality.

Historic England Advice Note 2 – Making changes to Heritage Assets illustrates the application of policies set out in the NPPF in determining applications for PP and LBC.

Paragraph 194 requires that applicants describe the significance of any heritage assets affected, including any contribution made by their setting. This should include sufficient information to provide a clear understanding of the significance of the heritage asset and its setting and the potential impact of any proposals on that significance. In this case, the applications are accompanied by a "Design and Heritage Statement" which provides sufficient information to understand the impact of the proposals and is proportionate to their scope. The requirements of the NPPF are therefore met in this respect.

However, paragraph 195 also provides for the local planning authority to make its own assessment of impact and the following heritage recommendations are offered on this basis.

The development will impact on the setting of the neighbouring listed building and have a minor impact on the character of the Conservation Area.

The impact on the setting of the neighbouring listed building is considered to be minor in that there is already a single storey addition along the boundary wall between the buildings.

The works are mainly to the rear of the site and thus will have limited impact on the character of the Yatton Keynell Conservation Area

Whilst the existing single storey addition is to be replaced with a two storey addition it is on balance considered to be a traditional design in contrast to the present single storey which is more modern in character and appearance due to its use of grey cement blocks and slack lean-too roof.

Provided that the external walling and roofing materials to be used are controlled by conditions requiring the materials to be approved the works could be considered an enhancement on the existing arrangement and thus preserve or minorly enhance the setting of the listed building.

The impact of the proposals on the heritage assets will be neutral and the requirements of current conservation legislation, policy or guidance are considered to be met and there is therefore no objection to the approval of the application. '

Council Highways Officer: No objection:

I am happy that the changes do not impact on the off street parking availability and as such I am happy to offer no highway objection.

REPRESENTATIONS

The application was publicised by direct neighbour letter.
1 letter of objection has been received and comments are summarised below;

- Misleading map in design and access statement
- Works will be undertaken on adjacent (listed) property outside of applicants' ownership
- Impact of new 1st floor window
- Potential for overshadowing
- Need for a party wall agreement

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. The National Planning Policy Framework (NPPF) is a key material planning consideration. Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations.

Principle of Development

The principle of domestic extensions, alterations and outbuildings within the curtilage of existing dwellings is established as acceptable. However, the detail of the proposal must also be considered against other relevant policies within the development plan. In this instance of particular relevance are policies pertaining to the conservation area, adjacent listed building, AONB and design and amenity. Those details are considered below.

Scale, design & appearance including impact on PRoW

WCS Core Policy 57 requires development to respond positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, elevational design, materials amongst other things. Sections 12 of the NPPF expects a good standard of design.

PRoW YKEY9 runs along the southern boundary of the site, separated by a low stone wall. The proposed extension is therefore highly visible from public vantage point.

The scale of the proposal is considered sympathetic to the host dwelling and is subservient in design to the original building. The existing rear extension is of low quality cement block and appears as a low quality addition to what is a historical property. The proposed extension is to be rendered and it is considered that in this instance, subject to a suitable finish, will represent an improvement over the existing arrangement. Similarly, the rendering of the garage and the replacement of the existing flat roof with a tiled lean-to roof is considered improve the appearance of the building. The proposed porch is to be of similar dimensions to that on the adjacent dwelling.

Subject to suitable finishes, the proposals are considered to comply with the requirements of policy CP57 to the Wiltshire Core Strategy and section 12 to the NPPF in this respect.

Landscape and visual impacts – including impact on AONB

Core Policy 51 states that development should protect, conserve and where possible, enhance the landscape character. Section 15 of the NPPF explains that decisions should ensure development protects and enhances valued landscapes and that great weight should be given to conserving and

enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty. Policy CE1 the Cotswolds National Landscape Management Plan and associated documents seek to ensure that the landscape character, scenic quality and geological features of the AONB are conserved, and where possible enhanced.

Due to the proportionate scale of development and the proposed alterations being set within an existing residential curtilage and against existing built form, it is not considered there would be any significant adverse impact on the character and appearance of the area or AONB as a result. Whilst the dwelling does sit within an publicly visible plot due to the adjacent right of way, the proposal will not impact on the landscape character of the AONB.

The proposal is therefore considered to have limited impacts upon the natural beauty of the wider landscape and is compliant with CP51 of the WCS and CE1 of the Cotswolds National Landscape Management Plan 2023-2025

Heritage

The Planning (Listed Buildings and Conservation Areas) Act 1990 provides powers for the designation, protection and enhancement of conservation areas and the preservation of listed buildings. The Act requires that special regard should be given to the desirability of preserving a listed building or its setting (s. 16 and 66) as well as giving special attention to preserving or enhancing the character or appearance of the conservation area (s.72).

Paragraph 195 of the NPPF requires local planning authorities to identify and assess the particular significance of any heritage asset that may be affected by the proposal (including any development affecting the setting of a heritage asset). Paragraph 200 requires local authorities to assess whether there is substantial harm, less than substantial harm or no harm to the heritage asset. Paragraph 202 goes on to state that where less than substantial harm is identified, this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use. Core Policy 57 requires, amongst other things, that new development must be sympathetic to and conserve historic buildings. Core Policy 58 requires that development should protect, conserve and where possible enhance the historic environment.

Whilst not a listed building itself, 2 West view is attached to 1 West View which is grade II listed. The site also lies wholly within the Yatton Keynell Conservation Area. The significance of 1 West View as a heritage asset is clearly derived from its architectural appearance and date of construction.

The proposed rear extension is immediately adjacent to the grade II listed West View, albeit not touching the fabric of the building. The proposed extension will in part replace the existing poor quality single storey extension and is separated by the neighbouring single storey building which forms part of 1 West View. Subject to the use of high-quality materials, which, as is recommended by the Council's Conservation Officer can be the subject of a planning condition, it is considered that the rear extension will have a neutral impact on the adjacent listed building.

The property is located within the Yatton Keynell Conservation Area which encompasses the whole of the village. The development takes place within a well-established and defined residential curtilage. Given the low-key nature of the proposal it is not considered that the development and works would have an impact upon the character and appearance of the Conservation Area and would cause no

harm to its significance as a heritage asset. The proposals are therefore considered to comply with the requirements of policy CP58 to the Wiltshire Core Strategy and, in this specific regard, relevant paragraphs within the NPPF.

Residential amenity

Core Policy 57 states that development should 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. Section 12 of the NPPF also states that planning decisions should create places with a high standard of amenity for existing and future users.

No windows are proposed to be inserted into the north elevation of the extension which faces onto 1 West View however a new window at first floor is proposed on the east elevation of the extension serving the new first floor bedroom. There are currently no first floor windows on this elevation which faces onto the rear garden of 2 West View, the existing bedrooms at first floor being served by windows to the front of the property on the west elevation.

Notwithstanding the above, it is not considered that the window on this elevation will result in an unacceptable loss of privacy to occupiers of the adjacent property, the window is orientated down the gardens of both properties and doesn't directly overlook the most private amenity space, that closest to the dwelling. An additional window is shown in the southern side elevation of the property however this serves an en-suite and as such a condition requiring it to be obscure glazed is considered appropriate albeit it is noted that there are no first floor windows in the side elevation of the adjacent property to the south, 1 Coopers Meadow.

Concern has been raised from occupiers of 1 West View that the extension could have a significant effect on the kitchen and private courtyard space of 1 West View. The proposed extension is separated from the garden of 1 West View by the single storey element which forms part of the curtilage of 1 West View. The proposed extension is therefore approximately 4.2m from the garden of 1 West View which in addition to the depth of the extension of approximately 3m is not considered to result in an unacceptable impact in respect of overshadowing or overbearing impact.

The proposal is therefore considered to accord with policies CP57 and Section 12 of the NPPF in this regard.

Other matters

Concerns have been raised that part of the proposed works would be undertaken on part of 1 West View. The applicant has confirmed that this is not the case, and the plans show that the existing lean-to element on the single storey extension, outside of the ownership of 2 West View is not to be altered.

The need for a party wall agreement falls outside of the purview of this planning application however an informative is recommended advising the applicant of their responsibilities in this respect.

In respect of the concerns raised as to the maps used within the design and access statement, it is noted that the map showing the listed building status of 1 West View does not include the single storey outrigger in its hatching. As noted on the statement this was taken from the Councils' online mapping system however this is not indicative of the listing status of this section of building, indeed the submitted redline site plan identifies the building being in the ownership and curtilage of 1 West View

and as such is considered listed.

CONCLUSION

The proposed development is considered to be acceptable in principle. The design represents the standards expected and, subject to conditions relating to submission of details of materials the proposal does not pose any harmful visual impacts in accordance with CP57 of the WCS. Subject to the imposition of appropriate worded planning conditions, the proposal is considered not to give rise to unacceptable levels of overlooking. In all other respects, the impacts to the amenities of neighbouring occupiers are considered acceptable in accordance with policy CP57 of the Wiltshire Core Strategy.

Subject to the aforementioned conditions, the significance of 1 West View as a heritage asset will also be preserved and not harmed in accordance with CP 58 of the Wiltshire Core Strategy and section 16 to the NPPF. The character and appearance of the conservation area is preserved in accordance with CP58 of the WCS and the scenic beauty of the wider landscape is unharmed in accordance with CP51 of the WCS and CE1 of the Cotswolds National Landscape Management Plan 2023-2025

Taking into account the above considerations, it is found that the application is acceptable with regard to Core Policies CP51, CP57 and CP58 of the adopted Wiltshire Core Strategy and Sections 12, 15 and 16 of the National Planning Policy Framework.

RECOMMENDATION: That Planning Permission be GRANTED subject to the following conditions:

See decision notice.