DELEGATED REPORT

Application Reference:	PL/2023/08384
Application Type:	Planning Permission
Site Address:	Northey Arms, Bath Road, Box, Corsham, SN13 8AE
Proposal:	Formation of an external pergola over the existing rear beer garden/patio seating area.
Recommendation:	That Planning Permission is GRANTED with Conditions

PROPOSAL

This application seeks Planning Permission for the erection of a timber pergola to cover existing patio and seating area. The pergola will measure 3.3m in height and will extend roughly 16.3m across the patio (abutting the building) and will measure 9.0m at its furthest point in depth. The pergola will be skewed in shape to match the existing patio and will consist of a flat roof.

The application sets out the following components for which permission and consent are sought:

- Erection of a timber pergola over existing rear patio/seating area

The development and works are intended for purposes associated with Northey Arms as a pub and hotel.

DESCRIPTION/CONTEXT

The Northey Arms is a detached property located along the A4 to the west of Box Village. The pub hotel dates from around 1840 with an asphalt car park to the side (west) of the building and a thick screening of trees to the rear and side of the site. There is an existing patio along the eastern end of the building's rear elevation for outdoor seating. The site is located on a low density residential area with several other commercial entities situated along the northern side of the A4.

The site is within the North Wiltshire Green Belt and the Cotswolds Area of Outstanding Natural Beauty but not covered by any archaeological or ecological designations.

PLANNING HISTORY

15/03117/FUL	Retrospective application for proposed use of part of existing car park for car washing and erection of small shed.	Refused
15/07420/FUL	Retrospective application for proposed use of part of existing car park for car washing.	Approved
14/07830/FUL	Proposed access track to access woodland to rear.	Approved
13/05987/FUL	Detached building to provide 6 additional bedrooms (Resubmission of N/12/03328/FUL)	Approved
N/12/03328/FUL	Proposed detached building to provide 6 new high-quality bedrooms.	Refused

N/90/00293/FUL	Installation of external fire escape and fire exit door.	Approved
N/90/01130/FUL	Erection of children's play equipment.	Approved
N/90/00828/FUL	Extension of the Northey Arms Hotel Public House to provide 10 letting bedrooms.	Refused
N/89/00052/FUL	Construction of entrance porch.	Approved

POLICIES

Under the provisions of 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. 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); and the made Corsham Neighbourhood Plan (2019).

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 Policies 2015 (WCS):

Core Policy 51: Landscape
Core Policy 57: Ensuring High Quality Design and Place Shaping

National Planning Policy Framework 2023 (NPPF)

The Cotswolds National Landscape (formerly AONB) Management Plan 2023-2025 (CNLMP) is a relevant material consideration, Policy CE1 (Landscape) is particularly relevant.

ISSUES

The main issues in the consideration of this application are:

- Principle Of Development
- Impact to the Green Belt
- Impact to the AONB
- Impacts on TPO
- Design and appearance
- Impact to Residential Amenity

CONSULTATION

The following consultation responses were received:

Box Parish Council: No objections in principle to this application but supports the Arboricultural Officer's request for a revised block plan.

Arboricultural Officer (re-consultation): Following the submission of the Pre-development Arboricultural Report prepared by Sharples Tree Services dated 15th January 2024, which demonstrates that the proposed Pergola will not have a negative impact on two prominent protected Giant Redwood trees. I have no further comments to make.

Arboricultural Officer: *To enable me to give an informed response, can we request a Proposed Block Plan which shows the location of the pergola along with any adjacent trees. The Block Plan must show the canopy spread and root protection of trees. We can then assess what impact this proposal will have on trees on and adjacent to the site.*

REPRESENTATIONS

Consultation has been carried out and no comments or objections were received by neighbouring properties or third parties.

ASSESSMENT

Principle of Development

Extensions, additions and alternations to existing properties across the plan area are acceptable in principle subject to consideration of any site-specific impacts and conformity with the relevant policies of the plan and national guidance, in particular the criteria set out in CP57 of the WCS. These matters are addressed further below.

Green Belt

Chapter 13 of the NPPF states that development in the Green Belt by definition is considered to be harmful to the Green Belt. An exception is the extension of buildings providing they are not disproportionate over and above the original building.

In this particular case, the application site falls outside the settlement boundary for Box Village, but is located within an established built-up residential and commercial area where it is not considered necessary to strictly control development providing it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. The proposal is considered small in scale and proportionate to the host building. Furthermore, the addition would not alter the amount of open space around the building and would be seen within the context of the surrounding area. The development does not encroach into the countryside or lead to the further sprawl of the built-up area.

It is not considered that the proposal would harm the openness of the Green Belt or conflict with the purposes of the Green Belt. It is therefore considered to be acceptable in principle.

Area of Outstanding Natural Beauty

In regard to impacts on the Cotswolds National Landscape, Core Policy 51 of the WCS and Policy CE1 of The Cotswolds National Landscape Management Plan (CNLMP) seek to ensure that the landscape character, scenic quality and geological features of the National Landscape are conserved, and where

possible enhanced. As required by CP51 of the WCS and Policy CE1 of the CNLMP, due consideration has been given to the proposal's potential impact upon the National Landscape.

The development is located within the confines of the existing property and the proposal would be finished in sympathetic timber materials that are prevalent in the Cotswolds National Landscape and are in keeping with the surrounding area. The proposals would integrate effectively and would not create harm to the scenic quality or character of the wider landscape.

For this reason, the proposed development is not considered to result in any unacceptable impact upon the landscapes special qualities. Therefore, the proposed development will meet the requirements of policy CP51 to the WCS, and Policy CE1 of the CNLMP.

Impact on TPO

Planning records indicate there is a TPO - (TPO154) on the site, due to the sensitivity of this the Arboricultural Officer has been consulted. They have not provided an objection as the Pre-Development Arboricultural Report prepared by Sharples Tree Services dated 15th January 2024 demonstrated that the proposed pergola would not negatively impact on the two prominent protected Giant Redwood trees.

Therefore, subject to a satisfactory AMS, there are considered to be no unacceptable impacts to the protected tree.

Design and appearance

Core Policy 57 requires a high standard of design in all new developments; of particular relevance to householder developments is paragraph (iii) which require development to respond positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape, and rooflines to effectively integrate the building into its setting.

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 of 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 an existing building.

In this instance, the proposal is considered to be relatively minor in terms of scale, mass and height and would be constructed out of timber materials to be appropriate within the setting of the pub/hotel. The position of the proposed pergola would be mainly obscured from the view within the street scene by the Public House itself. The overall design of the pergola is modest in scale and is not considered to be overly dominant or overbearing. The cumulative built form would not read as harmful overdevelopment of the site or as an excessive addition in terms of scale. The scale ensures the structure would sit sympathetically within the plot and within the setting of the wider area, whilst providing an all-weather undercover area for

customers. The proposal would therefore not be considered to create an incongruous or unduly prominent feature in this location.

Taking account of the above, it is considered that the development would not cause unacceptable harm to the character of the property in terms of building layout, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines amounting to a reason for refusal. As such, the scale and design of the proposal are considered to be acceptable and comply with Core Policy 57 of the WCS.

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.

The pergola would be placed over an existing rear patio/seating area. The proposal is not situated near any boundary to neighbouring properties and is not considered to immediately present an unacceptable impact upon the living conditions of neighbouring residents through oppressiveness or mass. The proposals size would not result in unacceptable harm to neighbouring properties on either side or result in unacceptable harm in terms of significant loss of daylight and sunlight to immediate neighbours.

It is noted that during public consultation there were no objections or concerns raised by neighbouring properties.

In the context of the nature and layout of the development, there continue to be no unacceptable impacts upon the amenities and living conditions of the neighbouring properties, thereby complying with the relevant provision of CP57 of the WCS.

CONCLUSION

The potential impacts of this development have been taken into consideration. In terms of the scale and materials, the proposal would not harm amenity or the character of the dwelling or the area that would be deemed unacceptable. The proposal is in accordance with the aims of the NPPF, the objectives of the relevant Core Policies in the WCS; CP51 and CP57 and Policy CE1 of the Cotswolds National Landscape Management Plan 2023. It is therefore recommended that this application be approved with conditions.

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

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:

Existing Rear Elevation: DWG No. 4775-09-01; Received 28 September 2023
Pergola Large Detail: DWG No. 4775-09-03; Received 28 September 2023
Site Location Plan: DWG No. 4775-01-01; Received 28 September 2023
Pergola Detail: DWG No. 4775-09-04; Received 28 September 2023
Site Block Plan Existing: DWG No. 4775-01-02; Received 28 September 2023
Proposed Rear Elevation: DWG No. 4775-09-02; Received 28 September 2023
Arboricultural Report: Received 19 January 2024

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 drawings.

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

4 The work hereby permitted shall be carried out in accordance with the approved Arboricultural Method Statement prepared by Sharples Tree Services dated 15th January 2024.

REASON: To prevent inappropriate work being undertaken to protected trees.

INFORMATIVES:

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 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.