CASE OFFICER'S REPORT

Application Reference:	PL/2023/08748
Application Type:	Full planning permission
Site Inspection:	
Consultation ends:	09 November 2023
Case officer:	Peter K-Gyabong

Site Address:	40 MARLBOROUGH ROAD, ROYAL WOOTTON BASSETT, SWINDON, SN4 7SA
Proposal:	Remove garage and erect a dwelling.
Recommendation:	Refuse

Site Description:
The application site comprises is an L-shaped two storey detached dwelling, with a detached double garage and associated extensive private amenity space to the side and rear located on the east side of Marlborough, Wootton Bassett. The existing dwelling has a gabled roof. Exterior materials constitute painted render, interlocking roof tiles and white uPVC fenestration.
There is no dominant architectural style on this part of Marlborough Road. In terms of physical constraints, a review of constraints mapping indicates that the site is not subject to any major constraints which would prevent development of the proposed nature. The application site within the open countryside and outside of the framework settlement boundary.

Relevant Planning History:
PL/2023/08747 - Proposed Annex for the enjoyment of friends and family. Refused.
20/01767/FUL - Single storey rear extension and 2 storey side extension. Approved with Conditions.
19/05019/FUL – Extension to rear of dwelling. Withdrawn.

Proposal:
The application seeks planning permission for the removal of existing double garage and construction of a new L-shaped 4 bedroom detached house. The proposed dwelling would be juxtaposed directly opposite the southeast wing of the doner property. The proposed would measure 13.7m in depth, 6m in width and approximately 8.70m in height with gable roof incorporating 2 x rooflights and solar panels. The proposed dwelling would provide 3 x parking spaces withing the front forecourt and generous rear garden space. The proposal would provide a habitable room.
The development would be finished in render and be covered in concrete tiles.

Policy Considerations:
National Planning Policy Framework (NPPF) 2019
Paragraph 11 – Presumption in favour of sustainable development
Paragraph 127 - Function and form of development

Wiltshire Core Strategy adopted 2015 (WCS)

Core Policy 1 - Settlement Strategy
Core Policy 2 - Delivery Strategy
Core Policy 44 - Rural Exceptions Site
Core Policy 48 - Supporting Rural Life
Core Policy 50 - Biodiversity and Geodiversity
Core Policy 51 - Landscape
Core Policy 57 - Ensuring High Quality Design and Place Shaping
Core Policy 60 - Sustainable Transport
Core Policy 61 - Transport and New Development
Core Policy 67 - Flood Risk

Wiltshire Local Transport Plan 2011-2026

Royal Wootton Bassett Neighbourhood Plan:
Policy 7: Design

Key Issues:

Principle of Development
Impact on the character and appearance of the area
Impact on neighbouring occupiers
Impact upon the open countryside
Access, Parking and Highway Safety

Consultations

Royal Wootton Bassett Town Council – The Council's Planning Committee have no objections to the application.

Letters of Representation

No letters of representation were received.

Highways

Highways is raising no objection and mindful that the site and access can be made suitable for the increased vehicle use associated with a single additional dwelling.

ASSESSMENT:

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, and the provisions of the NPPF i.e. para 2, applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

Core Policy 1 of the Wilshire Core Strategy explains that there is a general presumption against development outside the defined limits of the Principle Settlements, Market Towns, Local Service Centres and Large Villages. Core Policy 2 sets out the delivery strategy and advises that within the limits of development, as defined on the policies map, there is a presumption in favour of sustainable development at the Principal Settlements, Market Towns, Local Service Centres and Large Villages. It supports a plan-led approach to development outside of the limits of development of existing settlements, stating that such development will only be permitted in exceptional circumstances, or if the site is identified for development through a site allocation document or a Neighbourhood Plan. The exceptional circumstances are set out in paragraph 4.25 of the Core Strategy.

This part of Wootton Bassett is identified in the local plan as part of the open countryside. The site has not been promoted through either a site allocations plan, and nor is it identified for residential development in a neighbourhood plan. In addition, the proposal does not meet any of the exceptional circumstance as set out within paragraph 4.25 of the WCS.

It is therefore considered the principle of development for the scheme is not supported.

Five year housing land supply (5YHLS)

For the purposes of the revised NPPF Wiltshire Council is a ‘paragraph 77 authority’; and, because Wiltshire Council has an emerging local plan that has now passed the Regulation 19 stage of the plan-making process, with both a policies map and proposed allocations towards meeting housing need, it is now ‘only’ required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of four years’ worth of housing. This situation will remain for a period of two years from the publication date of the revised NPPF.

The Council’s most recent Housing Land Supply Statement [HLSS] (published May 2023; base date April 2022) sets out the number of years supply against local housing need as 4.60 years. This changed to 4.59 years following a more recent appeal decision. These figures exceed the 4-year threshold now applicable to Wiltshire, and this means that the relevant policies of the WCS are up-to-date and that the planning balance is ‘level’ rather than ‘tilted’. In terms of paragraph 11 of the NPPF, for decision making part 11(c) is now relevant.

As such, with a level balance the weight to be given to the housing delivery policies of the WCS, notably CP1 and CP2, has reverted to substantial.

Impact on the Character and Appearance of the site and the area

Core Policy 2 of the Wiltshire Core Strategy states that development in small villages should respect the character and appearance of the area. The preamble to Core Policy 57 states that good design helps provide a sense of place and reinforces local distinctiveness and that enhancing the character of Wiltshire’s settlements is of the utmost importance that the presence of indistinct development is not a justification for standard or poor design solutions and for that matter all new development should integrate satisfactorily into its surroundings whilst seeking to enhance the overall character of the locality.

The Wiltshire Core Strategy Policy 57 and the Royal Wootton Bassett Neighbourhood Plan (Policy 7) are consistent with the National Planning Policy Framework (2023) which requires that development be expected to create a strong sense of place through drawing on local context and being complementary to the locality. CP57 (iii) states that development must respond positively to the existing built form in terms of layout, height, mass, elevational design, streetscape, and rooflines to effectively integrate the building into its setting.

The above policies highlight that development should draw on local context and relate positively to the existing pattern of development.

The existing property and those surrounding it are situated on arguably large plots with some generous space around them. The proposed new dwelling would be two and half storey which would measure 13.7m in depth, 6m in width and overall height of approximately 8.70m in height. The proposed would be almost hard-up with the east wing of the existing house with little or no gap between the existing and the proposed. It is considered that the design and height of the proposed outbuilding would a cramped form of development would appear overly prominent in the street scene and be harmful to the visual amenity of the locality as it fails to integrate successfully with the existing surrounding and designed aesthetic and as such is contrary to the criterion of policy CP57 and the Royal Wootton Bassett Neighbourhood Plan, as well as the guidance and provision of the revised NPPF 2023.

Impact on the living conditions of neighbouring and future residents

Core Policy 57 of the WCS requires development to 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, including the consideration of privacy and overshadowing.

The proposed two and a half storey dwelling would be located in close proximity to the side garden of the donor property (No. 40 Marlborough Road) along the southeast boundary of the application site. Although the existing property would be likely to lose some daylight in the early morning, given the siting and orientation to the east of the doner property, would not result in a development that is considered harmful to the living conditions of neighbouring residents, in particular residents at No. 40 Marlborough Road or Carlotta east of the proposed new dwelling.

The proposed development is therefore compliant to Core Policy 57 of the WCS which states development should have regard to the compatibility of adjoining buildings, in this specific instance.

Drainage issues

The application site is located outside flood risk zones. In terms of foul water drainage, the dwelling would connect to the existing foul water sewer. In terms of surface water drainage SuDs this could be covered by planning conditions to submit is details for drainage systems if planning permission is granted.

Access, Parking and Highway Safety

The proposal would create 4 bedrooms adjacent to the existing dwelling. It proposes 3 x parking spaces on the front gravel area which would be adequate. The Highways officer has assessed the plans and raise no objection stating the provision appears have suitable width and be acceptable subject submission of revised plans with a tracking diagram showing that all spaces can be accessed independently. The Highways officer also suggest that the applicant moves the parking spaces for the new dwelling southwards to allow for more space behind them and a drawing showing the access with radii curves (3m) which will accommodate the turning and passing of vehicles more easily as well as a drawing showing a visibility splay cleared of obstruction at and above 900mm and further stating from a point at the centre of the access, 2m from the edge of kerb to a point approximately 50m (nearside carriageway edge to clear the bend in the road) to the North and approximately 120m (to nearside carriageway edge) to the south to cope with the increase in the vehicle movements. As the principle of the development is not acceptable, the revised have not been necessary to be sought.

Conclusion:
The proposed new dwelling would have no negative impact to neighbour amenity, in terms of light received, overshadowing or loss of privacy. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The proposal is located outside any settlement boundary and within the open countryside and does not accord with the spatial strategy within the development plan.

Wiltshire Council is a ‘paragraph 77 authority’; and, because Wiltshire Council has an emerging local plan that has now passed the Regulation 19 stage of the plan-making process with both a policies map and proposed allocations towards meeting housing need – it is now ‘only’ required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of four years’ worth of housing.

The Council’s most recent Housing Land Supply Statement [HLSS] (published May 2023; base date April 2022) sets out the number of years supply against local housing need as 4.60 years. This changed to 4.59 years following a more recent appeal decision. These figures exceed the 4-year threshold now applicable to Wiltshire, and this means that the relevant policies of the WCS are up-to-date. Accordingly, the housing delivery policies of the WCS, notably CP1 and CP2, can be given full weight.

In terms of positive impacts of the development, there would be some short-term benefits afforded to the construction phase of the development with the conversion of the building through direct and indirect job creation and the future householders would pay council tax. In addition, the development would contribute towards CIL infrastructure funding in the area. These benefits can cumulatively be given moderate weight in the planning balance.

With regards neutral impacts officers are satisfied that sufficient off-road parking can be provided on site and the development would be served by a safe access to the road network subject to submission of revised plans or planning conditions.

In terms of the negative impacts of the scheme, the proposed development, due to its siting, height, mass, bulk and design and cramped nature would have an adverse impact on the character and setting of the locality which is not offset by any public benefit. As a result, the proposal fails to meet with the requirements of national and local policy which must be given significant weight in the planning balance.

The development has been assessed against policies of the Council's local plan and the Framework and it is considered the adverse impacts of the development significantly and demonstrably outweigh the benefits. As such the development is recommended for refusal.

RECOMMENDATION:
Refuse.

Refusal Reason(s): (2)

1 The proposed development by reason of its location outside any defined limits of development and having regard to all the submissions and relevant policies, including the policies of the National Planning Policy Framework taken as a whole, the application is considered to be an inappropriate, form of development which would significantly and demonstrably outweigh the benefit of providing one additional dwelling in an open countryside location. As such the proposal, in the absence of suitable justification, is not considered to represent sustainable development being contrary to Core Policies 1, 2 and 31 of the Wiltshire Core Strategy and the policies of the National Planning Policy Framework taken as a whole.

2 1. The proposed new dwelling, by reason of its position in proximity to the doner property along the west side boundary, size, height, massing, and scale would represent a cramped form of development and will appear overly dominant in the context of the locality and detriment to the character and appearance of the open countryside, and the immediate and wider street scene. The proposals would therefore conflict with the requirements of the Wiltshire Core Policy 57 Ensuring High Quality Design and with Central Government policy contained within the revised National Planning Policy Framework (NPPF) 2023.