CASE OFFICER'S REPORT

Application Reference:	PL/2024/00003
Application Type:	Householder planning permission
Site Inspection:	
Consultation ends:	29 February 2024
Case officer:	Brook Bishop

Site Address:	Cleeve Cottages, Rodbourne, Malmesbury, Wilts, SN16 0EZ
Proposal:	Proposed replacement garage
Recommendation:	Approve with Conditions

SITE DESCRIPTION:
The application site comprises a two-storey dwelling constructed from coursed rubblestone with a slate roof and brick chimney stacks within a long private amenity area containing a detached two-bay garage. The dwelling is set back from the highway within a private amenity area. The detached two-bay garage is atop a raised platform at the south end of the site with access to and from the highway. There is a further access to and from the highway towards the northwest side of the site with landscaping leading to the dwelling.

The site is set approximately 1km south of the village of Rodbourne, along an unclassified public highway. The locality is very rural and there are no immediate neighbouring dwellings.

The site lies outside of a defined settlement boundary and is therefore within open countryside for planning purposes. The site is not subject to any sensitive or special land-use designations.

PROPOSAL:
The application seeks planning permission for the replacement of an existing detached garage with one of a different style. The proposed garage is sited in the same location as the garage it replaces. It has a dual-pitched roof and there is a lean-to style outshot on the west elevation. It has a single bay with internal measurements of approximately 5.75m by 3.1m for keeping a vehicle. To the left of the vehicle bay there is a window and door allowing access to a separate internal space with stairway access to a first-floor level within the roof space providing approximately 5.75m by 2.8m of unrestricted headroom. There are windows on the east and west gable ends. The proposed garage is externally constructed from local stone and oak timber cladding. The specific material to be used in the roof covering is not clear on the submitted plans and is yet to be determined by the applicant. Externally the garage measures approximately 6m x 6m x 5.5m.

POLICIES:
Legislation:
Town and Country Planning Act 1990

National Policy:
National Planning Policy Framework 2023 (NPPF)

• Paragraphs 11, 115, 131, 135.
National Planning Practice Guidance (NPPG)
National Design Guidance (Planning practice guidance for beautiful, enduring and successful places) 2019 (NDG)

Local Policy:
Wiltshire Core Strategy (WCS):
• Core Policy 1: Settlement Strategy (CP1)
• Core Policy 2: Delivery Strategy (CP2)
• Core Policy 13: Spatial Strategy for Malmesbury Community Area (CP13)
• Core Policy 57: Ensuring High Quality Design & Space Shaping (CP57)
• Core Policy 60: Sustainable Transport (CP60)
• Core Policy 62: Development Impacts on the Transport Network (CP62)
• Core Policy 64: Demand Management (CP64)
Wiltshire Local Transport Plan 2011-2026 (LTP)
• Car Parking Strategy (CPS) - Policy PS6

Neighbourhood Plan:
Malmesbury Neighbourhood Plan Volume I – Main Body (Made 2015) (MNP1)
Malmesbury Neighbourhood Plan Volume II – Design Guide (Made 2015) (MNP2)

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 be made in accordance with the Development Plan unless material considerations indicate otherwise.

RELEVANT PLANNING HISTORY:
There is no planning historic for the site which is considered to materially affect consideration of this proposal.

ISSUES:
The main considerations which are material to the determination of this application are listed below:
• Principle
• Impact on Local Character and Appearance
• Impact on Neighbouring Amenities
• Access and Parking

CONSULTEE RESPONSES:
The following consultees were invited to comment on this application:
• Parish Council: No objection.
• Highways Engineer: No objection, subject to condition.

RESPRESENTATIONS:

No letter(s) of representation were made by members of the public.

PLANNING ASSESSMENT:

Principle:

The application site is outside of a defined settlement boundary and is within open countryside for planning purposes; however, the principle of providing and extending facilities in association with existing residential accommodation is considered acceptable in principle and in accordance with policies CP1, CP2 and CP13 of the adopted Wiltshire Core Strategy, subject to assessment of site-specific impacts, related policy considerations and compliance with the other policies contained within the development plan and the guidance and provisions as contained within the National Planning Policy Framework.

Impact on Local Character and Appearance:

CP57 requires a high standard of design for all new developments, including extensions, alterations, and changes of use of existing buildings. Well-designed development should create a strong sense of place, reinforce local distinctiveness, and promote community cohesiveness and social wellbeing. No two sites share the same landscapes, contours, relationship with surrounding buildings, street pattern and features and so the design of new developments must draw on an understanding of the site itself and the local context, seeking to maximise the benefits of those characteristics and enhance the overall character of the locality. New development should integrate into its surroundings, but the proximity of poor quality or indistinct development is not a justification for standard or poor design proposals.

The proposed garage will have a rustic appearance and the design communicates its utility and ancillary use. It references the materiality of the host dwelling with its local stone walls which helps anchor it despite the degree of separation between the two and, while the timber boarding is a new feature, it will weather overtime and help the garage integrate into its setting. The proposed replacement garage is substantially larger than the existing one and will have a more prominent presence in the locality. However, this is not considered to be significantly overbearing or incongruous such that it would not have a significant harmful impact on the character of the locality.

There is a lack of certainty within the submitted plans regarding the material to be used in the roof covering and, although the applicant was given the opportunity to provide further details or samples prior to determination, the material is yet to be determined. It is therefore not possible to fully assess the impact the proposed roofing material would have on the visual amenity of the area. However, a condition is recommended to require that details and samples of the material to be used in the roof covering are submitted to and approved in writing by the local planning authority prior to continuation of the construction of the garage above slab level. Such a condition is considered necessary in the interests of proper planning and the visual amenity of the area and to meet other relevant tests.

The proposal is found in accordance with CP57 and can be supported. However, a condition is recommended that the proposed materials to be used in the external surfaces of the walls are as stated. Such condition is considered appropriate in this instance and to meet other relevant rests.

Impact on Neighbouring Amenities:

CP57 requires that development should ensure the impact on the amenities of existing occupants/neighbours is acceptable and that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing, vibration, and pollution (e.g. light intrusion, noise, smoke, fumes, effluent, waste or litter). Residential amenity is affected by significant changes to the environment including privacy, outlook, daylight and sunlight, and living areas within private gardens and this, therefore, needs to be carefully considered accordingly.

There are no adjacent neighbours to the application site or proposed garage whose residential amenity it is considered would be adversely impacted by the development, nor is the residential amenity of existing or future occupants of the site considered to be adversely impacted.

No letters of representation have been received which would affect consideration of this proposal. The proposal is not considered to result in unacceptable harmful impacts on residential amenity and therefore is in accordance with CP57 and is acceptable.

Access and Parking:
Core Policy 62 of the WCS states that developments should provide appropriate mitigating measures to offset any adverse impacts on the transport network at both the construction and operational stages. CP64 states that the provision of car parking associated with well-designed new residential development will be based on minimum parking standards. Policy PS6 of the CPS states that the provision of car parking associated with well design development should be compliant with the adopted minimum parking standards, but reduced requirements will be considered subject to dwelling size, parking mix, design and heritage concerns, or the demand for parking. It also states that garages will only count towards a site's parking allocation where it complies with adopted minimum size requirements of be 6m x 3m (internal dimensions).

The proposed garage is of a size sufficient to provide parking for one car with sufficient space for a cycle and other storage within the building. Although the existing garage (to be replaced) had two bays, the site is considered to have sufficient space within its residential curtilage for up to three vehicles and can therefore meet its parking provision needs.

Highways were consulted and raised no objection subject to a condition that permitted development rights be removed for conversion of the garage into habitable space as it is considered to be required to meet the sites parking provision. Such a condition is considered necessary in the interests of highway safety and amenity and to meet other relevant tests.

The proposal is not considered to result in severe impacts on highway safety and is considered in accordance with CP62, CP64 and Policy PS6 of the Local Transport Plan and can be supported.

CONCLUSION:
The proposal is not considered to conflict with the statutory requirements, the national and local planning policies nor the Malmesbury Neighbourhood Plan. The proposal would not result in unacceptable harmful impacts to the residential character of the locality or to residential amenity. The proposal can be supported.

RECOMMENDATION:

It is therefore recommended that planning permission be GRANTED subject to relevant conditions.

Conditions: (6)

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:

Application Form Received 1 January 2024.
Location Plan Received 30 January 2024.
Proposed Floor Plans and Elevations Received 30 January 2024.
Block Plan Received 1 February 2024.

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

3 The species of timber to be used in the construction of the external surfaces of the development hereby permitted shall be oak as stated in the approved plans.

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

4 The natural stonework to be used externally on the proposed development shall match that of the host dwelling, known as Cleeve Cottages, Rodbourne, Malmesbury, Wilts, SN16 0EZ, in terms of type, colour, size, dressing and bedding of stone, coursing, type of pointing and mortar mix.

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

5 No development beyond slab shall continue on site until the exact details and samples of the materials to be used for the construction of the roof covering have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be

considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by an Order revoking or re-enacting or amending that Order with or without modification), the garage hereby permitted shall not be converted to habitable accommodation.

REASON: To ensure that adequate provision is maintained for parking in the interests of highway safety and amenity.

Informatives: (3)

7 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.

8 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.

9 The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.