CASE OFFICER'S REPORT

Application Reference:	PL/2023/09760
Application Type:	Householder planning permission
Site Inspection:	
Consultation ends:	23 April 2024
Case officer:	Stefan Galyas

Site Address:	70, Bradenstoke, Chippenham, SN15 4EL
Proposal:	Timber Frame with tin roof over existing gravel this application is in relation to ENF/2023/00525. Height: 295cm, Width: 504cm, Length: 750cm
Recommendation:	Approve with Conditions

SITE DESCRIPTION:
The site consists of a two-storey mid terraced dwelling positioned to the south-eastern side of the highway and is offered a linear style plot commonly associated with burgage style historic areas. The existing dwelling is composed of a red brick exterior wall and a tiled roof and abuts the roadside with no front garden amenity space. There is an existing gravel access track which skirts the rear (south-east) of the site and serves various rear garage outbuildings associated with the terrace in which the proposal site is associated. The access track adjoins the roadside to the north-east near the entrance to the Church Park static home development.

The application site is located within Bradenstoke, identified by the Wiltshire Core Strategy as a Small Village. There is no settlement boundary for the settlement of Bradenstoke and the site is considered to be located within the open countryside for planning purposes.

With regard to policy constraints, the site is located within the Bradenstoke Conservation Area and is adjoined by a listed building immediately to the north-east at Little Tudor Cottage which is grade II listed. There are a number of other grade II listed buildings positioned along the terrace such as at Honeysuckle Cottage, Little Tudor Cottage and No.66. Furthermore, there are additional listed buildings clustered along the roadside primarily, but not exclusive to, grade II listed standard.

PROPOSAL:
The application seeks retrospective planning permission for a car port which is constructed of a timber frame and tin sheet roof. The proposal would have a maximum length of 7.6m, 4.8m in width, 2.1m high to the eaves and 2.8m in height to the ridge.

POLICIES:
Wiltshire Core Strategy (WCS) Adopted 2015
Core Policy 1 – Settlement Strategy
Core Policy 2 – Delivery Strategy
Core Policy 19 – Royal Wootton Bassett and Cricklade Settlement Strategy
Core Policy 51 – Landscape

Core Policy 57 – Ensuring High Quality Design and Place Shaping
Core Policy 58 – Historic Environment
Core Policy 62 – Development Impacts on the Transport Network
Core Policy 64 – Demand Management

Wiltshire Design Guide Adopted March 2024
Appendix D – Design Guidance for Household Extensions

National Policy:
National Planning Policy Framework (NPPF) December 2023
Paragraphs 2, 8, 11, 12, 38, 47, 88, 89, 114-116, 131, 135, 139 200, 201, 203, 205-208, 212 & 213.

Planning (Listed Buildings and Conservation Areas) Act 1990
Section 66(1) – Special regard to the preservation of a historic building or its setting.

Section 72(1) – Special attention to be paid to preserving or enhancing the character or appearance of a conservation area.

National Design Guide (2021)

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.

Sections 66 and 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require the local planning authority, in considering whether to grant planning permission and listed building consent respectively, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72(1) of the same act requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area in which the building and land are situated.

KEY ISSUES:
The main considerations which are material to the determination of this application are listed below:
• Principle
• Impact on Character and Appearance, Including Heritage Assets
• Neighbouring Amenities
• Other Matters

RELEVANT PLANNING HISTORY:
N/03/00665/FUL - Erection of Single Garage. Withdrawn 18/03/03.

REPRESENTATIONS:
Lyneham and Bradenstoke Parish Council: Object. It was considered that the structure in its current format would be overly large in width and height and therefore not in keeping with the character of the village and its surroundings. Further concerns were raised over the structures built quality and the adequacy of the structures drainage.

Wiltshire Council's Highways Department: No comment.

Letters: There were no letters of representation received in response to the current proposal.

Principle of Development:
The principle of extending or altering an existing dwelling is considered acceptable in principle and in accordance with Core Policies 1, 2, 13 and 57 of the WCS, subject to a range of site-specific considerations and compliance with policies found within the development plan and the NPPF.

The proposal would not fall within the remit of permitted development under Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for outbuildings. The car port is within 2m of the property boundary and the height exceeds the 2.5m criterion.

Impact on the Character and Appearance of the Area, Including Heritage Assets:
Among other matters, Core Policy 57 of the WCS requires proposals to be sympathetic to and conserve historic buildings and historic landscapes (iv). Core Policy 58 (iii) states that designated heritage assets, including buildings and structures of special architectural or historic interest, and their settings, will be conserved and where appropriate enhanced in a manner appropriate to their significance.

Paragraph 200 of the NPPF requires the applicant to describe the significance of any heritage asset affected. Significance is defined in Annex 2 of the NPPF as: "The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.". The applicant acknowledges the presence of the Conservation Area and also makes note of the nearby listed buildings.

Paragraph 201 of the NPPF requires the local planning authority to identify and assess the particular significance of any heritage asset that may be affected and take this into account when considering the impact of a proposal.

Paragraph 212 of the NPPF requires Local Planning Authorities to look for opportunities for new development within Conservation Areas and within the setting of heritage assets to enhance or better reveal their significance.

Appendix D of the Wiltshire Design Guide requires development proposals to not dominate the existing building and appear subservient. There are a number of factors which may influence the design of the extension, including the location, plot shape and size proximity to neighbours.

Furthermore, Appendix D states that detached outbuildings should not be placed to the front of houses nor should they exceed 1 storey in size.

The National Design Guide (2021) states that “to communicate the benefits of a scheme, it is important to explain how the design of a development relates to context and local character” (Paragraph 44). It adds that “well-designed places and buildings are influenced positively by:
• The history and heritage of the site, its surroundings and the wider area, including cultural influences;
• The significance and setting of heritage assets and any other specific features that merit conserving and enhancing;
• The local vernacular, including historical building typologies such as the terrace, town house, mews, villa or mansion block, the treatment of facades, characteristic materials and details”. (Paragraph 46).

The conservation area by virtue of its designation is significant in heritage terms and this significance is likely to arise from its aesthetic (fortuitous) value and historical (illustrative) value. It is noted that there is no adopted Conservation Area Statement for Bradenstoke for proposed development to respect.

The car port would be visible from the public domain, albeit contained to a relatively visually discrete location along the gravelled access track to the rear of the site. It is noted that there are a number of other outbuildings contained to the rear of the sites along the terrace which feature an eclectic mix of designs and finishes. Immediately adjoining the structure is a similar wooden clad structure which is set at a slightly lower height in comparison to the proposal.

The proposal would be of a scale which is approximately 0.3m over what would be deemed permitted development under Part 1, Class E of the GDPO. The car port is considered to be of a single storey appearance and therefore appears subservient to the host dwelling on site and does not dwarf the existing property. Following a site visit conducted by the Case Officer, it was concluded that the car port was reflective of other outbuildings positioned along the access track and that an existing timber clad material was apparent and present abutting the north-western side of the access. It is therefore considered that the proposal would not appear overly incongruous within its setting and would not be of a significant un-subservient scale.

In relation to the Bradenstoke Conservation Area, the car port is considered to result in a neutral impact by virtue of its discrete position with regard to the street scene. Equally, the proposal is not considered to adversely affect the setting of the nearby grade II listed buildings. The proposal would therefore meet the provisions of Core Policy 57 of the Wiltshire Core Strategy, Appendix D of the Wiltshire Design Guide and the relevant paragraphs of the NPPF.

Neighbouring Amenities:
WCS policy CP57 (Ensuring High Quality Design & Space Shaping) requires that development should ensure the impact on the amenities of existing occupants/neighbours is acceptable and ensuring that appropriate levels of amenity are achievable within the development itself. The

NPPF includes that planning should “always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”. 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.

The proposal would be contained to the rear of the property on site and therefore would likewise be positioned away from the other dwellings along the terrace. The car port would however be positioned directly up against the shared boundaries with No.69 to the north and No.71 to the south. The structure would directly adjoin the existing wooden structure at the neighbour site at No.71 and therefore would not be of detriment to the existing neighbouring amenities more so than the previous arrangement. As for No.69, the open area to which the structure abuts acts as a driveway more so than a garden amenity space and serves the neighbouring outbuilding. It is therefore considered that the proposal does not give rise to an unduly unacceptable impact with regard to the neighbouring amenities of the area.

Other Matters:
Some concerns were raised with regard to the drainage measures for the structure and whether or not this arrangement would be adequate. This matter would not trigger consultation with Wiltshire Council’s Drainage department and such details can be covered off at the building regulations stage.

CONCLUSION:
It is concluded that the proposed development is acceptable in principle and in design and amenity terms, in accordance with Wiltshire Core Strategy Core Policies 1, 2, 19, 51, 57, 58, 62 and 64, Appendix D of the Wiltshire Design Guide and the relevant paragraphs of the NPPF.

RECOMMENDATION:
That planning permission be GRANTED subject to the following conditions:

Conditions: (3)

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:

Proposed carport (retrospectively) Rev 02
Received 30/04/24

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 plans.

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

Informatives: (3)

4 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.

5 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.

6 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.