DELEGATED REPORT:

Application references: PL/2023/10607 (PP) and PL/2023/11060 (LBC)
Application types: Householder planning permission and listed building consent
Site address: 3 Waterside, Castle Combe, Chippenham, Wilts, SN14 7HX
Proposal: Single storey rear extension together with internal alterations, re-rendering of front elevation, addition of secondary glazing and air source heat pump
Recommendation: Planning Permission and Listed Building Consent be granted, subject to conditions.

This report considers both the above applications, as they are closely linked.

SITE AND PROPOSAL:

The site comprises a mid-terraced, 1.5-storeys, grade II listed building, located within Castle Combe. The settlement does not benefit from a settlement boundary. The site lies in both the countryside and the Cotswolds National Landscape designation.

Parsonage Wood to the east is an ancient woodland, which is also a County Wildlife Site and area of Priority Habitat. The site is within the Bath and Bradford on Avon Bat SAC 2km buffer zone for core roosts associated with lesser horseshoe bats.

The site lies within the Castle Combe Conservation Area and is one of several listed buildings arranged in a linear fashion relative to The Street and Water Lane. The bridge over By Brook is also Grade II listed and serves this river that passes a short distance away to the west.

The official listing notes how the dwelling is one of a pair of cottages, dating from the late 18th century. It appears to hold group value, as well as architectural importance.

The Council's Strategic Flood Risk Assessment maps and the Environment Agency mapping both show that the site is within flood zones 2 and 3. Parts of the site are also at high risk of surface water flooding (1 in 30 years).

This application seeks consent for several elements. These include:

- Demolition of an existing, single-storey, ground-floor kitchen extension to the rear, and its replacement with a larger single-storey, contemporary extension. This would have a carbon zinc flat roof with a skylight, and carbon zinc walls.

- Installation of an air-source heat pump in the rear garden.

- Removal of soft partitions between two existing bedrooms at first-floor level, to create a single bedroom. An existing bedroom would become an ensuite bathroom, the result being a change from a three-bed to a one-bed property.

- Removal of an existing rear dormer and the installation of two dormers.

Existing and proposed side and rear elevation excerpts are provided in Figure 1 below for context.



Figure 1: top – existing rear and side elevations; bottom – proposed rear and side elevations.

RELEVANT PLANNING HISTORY:

None.

POLICIES:

Development Plan:

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, applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. At the current time, the relevant statutory Development Plan Documents in respect of this application consist of the Wiltshire Core Strategy (WCS) (adopted January 2015); and 'saved' policies of the North Wiltshire District Local Plan (adopted 2006).

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 (2015):

- Core Policy 41: Sustainable Construction and Low-carbon Energy
- Core Policy 50: Biodiversity and Geodiversity
- Core Policy 51: Landscape
- Core Policy 57: Ensuring High Quality Design and Place Shaping
- Core Policy 58: Ensuring the Conservation of the Historic Environment
- Core Policy 67: Flood Risk.

Saved policies of the North Wiltshire District Local Plan: None.

Material considerations:

National Planning Policy Framework (2023):

- Paragraphs 8, 135, 139, 162, 174, 180, 182, 186, 200, 201, 203, 205 and 207.

Planning (Listed Buildings and Conservation Areas) Act 1990.

ISSUES:

The main issues in the consideration of this application are:

- Principle / Sustainable Development
- Design, Visual Impacts and the Historic Environment
- Neighbour Amenity
- Flood Risk / Drainage
- Ecology / Biodiversity.

CONSULTATION:

Castle Combe Parish Council: Comment:

> '*The new extension would be an improvement, but would like more information on why it needs to be larger, especially since this would have an impact on the historic fabric.*
>
> *It would also have some adverse impact visually for adjoining properties. The proposed changes to the upper windows would also have an adverse visual effect on adjoining properties. There is currently insufficient detail to make an informed decision*'.

Council Archaeologist**:** No comment.

Council Conservation Officer**:** No objection, confirming that:

> '*The works on balance are considered to preserve the special interest of the listed building.*

The works are confined to the removal of modern partion [sic] *at first floor level, and the significance of the building is maintained.*

At ground floor level a small section of masonry would be removed under the modern bathroom window this area of fabric is considered to make a neutral contribution to the historic and architectural interest and the building its removal is therefore not contentious.

The principle of rendering over the existing masonry is considered historically appropriate in this case if implemented in lime render.

In terms of the proposed replacement of the existing kitchen this is considered necessary to maintain the optimum viable use of the building as a modern dwelling in providing a reasonable-sized kitchen with improved garden access which is currently lacking.

The proposed secondary glazing will not harm the architectural interest of the building and is considered justified to deliver a carbon reduction and address the global energy crisis'.

A pre-commencement condition requiring additional details is suggested.

Council Ecologist: No objection, see relevant section of this report.

Council Public Protection team: No response received.

Environment Agency: No response received.

REPRESENTATIONS:

None received.

ASSESSMENT:

Principle / Sustainable Development

The alteration of domestic properties is established as acceptable. However, the detail of such development must be assessed against all other relevant policies within the Development Plan. That assessment is carried out below.

Design, Visual Impacts and the Historic Environment

Having spoken with the Council's conservation officer, I understand that the cottage was originally constructed to have only two rooms: an upstairs and a downstairs. Therefore, although the proposal would result in a change from a three-bed to a one-bed property, this would not in fact affect the historic origins of the building. Any partitions could be reinserted at a later date (subject to listed building consent).

The removal of a more modern rear dormer in favour of two that would be of an appropriate scale and design, would have a neutral impact on the listed building. The secondary glazing would also be neutral in terms of impact on the historic fabric of the building.

The scale of the rear extension would be larger than the one it replaces, but it would nevertheless appear subservient in scale. Although it would partially mask some of the historic rear of the dwelling, including the moulding around the present bathroom window and most of the exposed quoins on the southeast corner of the building, it would not be detectable in public view and the conservation officer feels the level of harm is less than substantial. This harm would be outweighed by the development maintaining the optimum viable use of the building as a modern dwelling through providing a reasonable-sized kitchen with improved garden access, which are currently lacking. Although the comments of the Parish Council are understood, in this particular case, there is not considered to be an unacceptable impact or harm caused to the listed building which is not outweighed by public benefits.

The air-source heat pump would measure around 1m wide, 1m high and 0.5m deep. It would be located discreetly towards the bottom end of the garden, meaning that it would not detract from the listed building or impact on its historic fabric.

None of the proposals would unduly compete or impact on the setting of neighbouring listed buildings, and the character and appearance of the conservation area would be conserved.

As such, subject to conditions, the proposal accords with WCS policies CP 41, CP 51, CP 57 and CP 58.

Neighbour Amenity

Upper-floor windows overlooking the bottom of neighbouring gardens is a common characteristic of this locality. In this case, the existing dormer has already established a relationship, and so having two in a similar location would not materially alter it. Although one of the proposed windows is labelled as obscure glazed, there is no planning reason to insist upon it.

The ground-floor extension would be of a single-storey scale and without any new openings that would introduce a materially greater level of overlooking beyond the existing situation. Indeed, the development would see the removal of a high-level window serving the current rear extension, which faces into the neighbour's garden. The threat of perceived overlooking would therefore be removed.

The concerns raised by the Parish Council are noted and addressed in respect of the likely visual impacts the works may give rise to in the previous section. The works are not deemed to be of a final design that are likely to give rise to significant, detrimental amenity impacts, in this instance.

Having regard to the ASHP, Public Protection has not provided comments, however, no significant concerns are raised in respect of the unit's siting and proximity to neighbouring dwellings.

As such, the proposal accords with WCS policy CP 57.

Flood Risk / Drainage

The site is within flood risk zones 2 and 3 and is susceptible to surface water flooding. The application was originally supported by a site-specific flood risk assessment that was not wholly tailored to the application site and included, for example, UPVC doors that would be inappropriate on a listed building. A revised version was therefore received, now illustrating aluminium doors, and the resistance and resilience measures set out in sections 6.2 and 7 can be conditioned to any grant of planning permission. The finished floor levels would be the same as existing, thus in accordance with the Environment Agency's standing advice.

As such, subject to conditions, the proposal accords with WCS policy CP 67.

Ecology / Biodiversity

The site lies in close proximity to the nearby ancient woodland, which is a Priority Habitat and County Wildlife Site, plus it is within the Bath and Bradford on Avon Bat SAC 2km core roost buffer zone. As the development would result in works to the roof of a historic building, the possibility of bats cannot be ruled out.

Photographs of the external and internal areas where development is proposed were forwarded to the Council's Ecologist and in their email of 04/06/24, they confirmed the following:

> *Thanks for the pictures. In this instance we would not request a bat survey but would suggest the inclusion of the following text on any planning decision….*
>
> *There is a risk that bats may occur at the development site. The council considers it would be unreasonable to require the applicant to submit a bat survey because this could be considered disproportionate to the scale of development. Furthermore, given the nature of this development, the council considers that if bats were found, mitigation would probably not require further planning permission and a European Protected Species Licence would be forthcoming. Nevertheless, anyone undertaking this development should be aware that bats and their roosting places are protected at all times by the Conservation of Habitats and Species Regulations 2017 (as amended). Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. Consideration should be given to obtaining a survey from a professional ecologist before commencing work. If bats or evidence of bats is found at any stage of development, the applicant is advised to follow the advice of a professional ecologist or to contact Natural England's Batline through the internet.*

In light of the Ecologist's commentary (the advice being appropriate to be included as an informative to the planning permission), the proposals are considered to meet with the requirements of Core Policy CP50 to the Wiltshire Core Strategy.

CONCLUSION:

The proposed design is acceptable for the site and locality, such that no heritage harm would arise. There would also be no material harm to neighbour amenity. Subject to conditions, planning permission and listed building consent should be approved.

Planning application Ref. PL/2023/10607:

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 and details:

- Location Plan and Existing Site Plan Ref: AA/23/09/01.
- Proposed Site Plan Ref: AA/23/09/11.
- Proposed Ground Floor Ref. AA/22/01/12.
- Proposed First Floor Ref. AA/23/09/13.
- Proposed Elevations Ref. AA/23/09/14.
- Proposed Section Ref. AA/23/09/15.
- Proposed Casement Window Elevation and Joinery Details Ref. AA/23/09/16.
- Secondary Glazing Details Ref. AA/23/09/17.
- Air-source Heat Pump Technical Specification Ref. PUZ-WM60VAA(-BS).

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

3. The development hereby approved shall be carried out in accordance with the flood risk resilience and resistance measures set out in section 6.2 and 7 of the approved flood risk assessment Ref. Flood Risk Assessment – January 2024 – Project Ref: 242480 - prepared Innervision Design.

REASON: to ensure the delivery of flood risk resistance and resilience measures.

INFORMATIVE TO APPLICANT:

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 landowner's 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.

INFORMATIVE TO APPLICANT:

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.

INFORMATIVE TO THE APPLICANT:

There is a risk that bats may occur at the development site. The council considers it would be unreasonable to require the applicant to submit a bat survey because this could be considered disproportionate to the scale of development. Furthermore, given the nature of this development, the council considers that if bats were found, mitigation would probably not require further planning permission and a European Protected Species Licence would be forthcoming.

Nevertheless, anyone undertaking this development should be aware that bats and their roosting places are protected at all times by the Conservation of Habitats and Species Regulations 2017 (as amended). Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. Consideration should be given to obtaining a survey from a professional ecologist before

commencing work. If bats or evidence of bats is found at any stage of development, the applicant is advised to follow the advice of a professional ecologist or to contact Natural England's Batline through the internet.

Listed building consent Ref. PL/2023/11060:

RECOMMENDATION: that listed building consent be GRANTED subject to the following conditions:

1. The works for which Listed Building Consent is hereby granted shall be begun before the expiration of three years from the date of this consent.

REASON: to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) 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:

- Location Plan and Existing Site Plan Ref: AA/23/09/01.
- Proposed Site Plan Ref: AA/23/09/11.
- Proposed Ground Floor Ref. AA/22/01/12.
- Proposed First Floor Ref. AA/23/09/13.
- Proposed Elevations Ref. AA/23/09/14.
- Proposed Section Ref. AA/23/09/15.
- Proposed Casement Window Elevation and Joinery Details Ref. AA/23/09/16.
- Secondary Glazing Details Ref. AA/23/09/17.
- Air-source Heat Pump Technical Specification Ref. PUZ-WM60VAA(-BS).

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

3. Notwithstanding the approved drawings, no works shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority:

(i) Large scale details of all external joinery including metal-framed glazing (1:5 elevation, 1:2 section) including vertical and horizontal cross-sections through openings to show the positions of joinery within openings, depth of reveal, heads, sills and lintels;

(ii) Large scale details of all internal joinery (1:5 elevation, 1:2 section);

(iii) Full details of external flues, background and mechanical ventilation, soil/vent pipes and their exits to the open air;

(iv) Large scale details of proposed eaves (1:5 section);

(v) Full details of proposed internal service routes;

(vi) Full details and samples of external materials including a sample panel of the proposed render.

The works 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. 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 preserving the character and appearance of the listed building and its setting.

4. The works hereby granted consent shall be carried out in such a manner as to ensure that the existing building is preserved and not structurally or superficially altered in any way whatsoever, save in accordance with the approved plans and the said building shall be structurally supported and weatherproofed at all times during the construction period in accordance with established building practice.

REASON: to preserve the special architectural and historic interest of the listed building.