OFFICER REPORT

Application Number	PL/2023/10723
Site Address	Tiryberth, Middleton Road, Winterslow, Salisbury. SP5 1PQ
Proposal	Demolish existing dwelling and construct new two storey 3 bedroom dwelling with new off-road parking.

Date of Inspection	May 2022
Date site notice posted	N/A – neighbour letters only
Publicity Expiry	28/5/24

POLICIES

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990

National Planning Policy Framework (NPPF) 2023 and Planning Policy Guidance (NPPG)

Neighbourhood Plan - none

Wiltshire Core Strategy 2015

CP1 (Settlement Strategy)

CP2 (Delivery Strategy)

Core Policy 23: Spatial Strategy for the Southern Wiltshire Community Area

Core Policy 24: New Forest National Park

Core Policy 50: Biodiversity and Geodiversity

Core Policy 51: Landscape

Core Policy 57: Ensuring high Quality Design and Place Shaping

Core Policy 58: Conservation of the Historic Environment

Core Policy 67: Flood Risk

Saved Policy C6 Special Landscape Area (Saved in Annexe D of WCS)

Other:

- Level 1 Strategic Flood Risk Assessment
- National Model Design Code July 2021
- Wiltshire Design Guide
- Building for a Healthy Life - A Design Code for neighbourhoods, streets, homes, and public spaces (Homes England June 2020).
- Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.
- EC Habitats Directive when as prescribed by Regulation 3(4) of the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) Circular 06/2005
- Wiltshire Local Transport Plan 2011-2026: Car Parking Strategy
- Adopted Supplementary Planning Document 'Creating Places Design Guide' April 2006
- ***** FINAL VERSION (26/01/2022) Wiltshire Council INTERIM RECREATION MITIGATION STRATEGY FOR THE NEW FOREST INTERNATIONALLY PROTECTED SITES January 2022

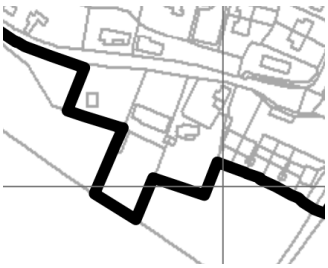
SITE AND CONSTRAINTS

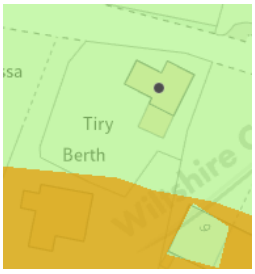
The site is an existing two storey dwelling with lean to outbuildings, positioned side-on to Middleton Road, within the settlement of Winterslow. To the rear of the property is an attached, small brick and

flint barn which is for the storage of garden tools. There is a large garden area to the west and south of the dwelling on a downward sloping site. The site area measures 480m² or 0.0480ha. There is currently no vehicular access to the site and no off-road parking within the plot.

The boundary treatments are a mixture of timber fence panels, hedging and chain link fencing with concrete posts. There is a mix of development within the surrounding area of bungalows (east and west), two storey dwellings and terraced housing. Ladymead Cottage to the south west of the site is Grade II listed.

The site lies within the large village of Winterslow, in the Special Landscape Area and within the 13.8km buffer for the New Forest Special Protection Area. The site is in Flood Zone 1 in the River Test catchment and SPA and SAC. The southern boundary of the garden clips the edge of an area susceptible to surface water flood risk + climate change. There is no groundwater risk.





Surface water + climate change









MAIN PLANNING ISSUES

1. Principle of development
2. Scale, design and impact on the character of the area, the Special Landscape Area (SLA) and the setting of the listed building and streetscene

3. Ecology, New Forest and River Test
4. Neighbouring and future amenities
5. Highway Safety
6. Drainage

RELEVANT HISTORY: NONE

REPRESENTATIONS

Highways – No objection subject to conditions
Conservation - No objection - *I am satisfied that this revision addresses my concerns adequately. The scale and proportions are much less dominant in the setting of the listed cottage, and subject to suitable slates and ridge tiles I am satisfied that the setting of the listed building would be preserved.*
Drainage - support subject to conditions - see below

Parish Council – No Objection *- subject to a Condition that the access and Highways visibility is considered on the application.*

Third Parties: 3 comments received prior to amendments being made:

First of all, please note that the elevations on the plans are very faint and hard to see and that the new building will be 4 bedrooms, not 3.

We do not object to the principle of this application. However, please consider the following: The increased height and bulk of the new building, which will have moved from 2 beds to 4, will have an impact on the light levels and privacy of our home. We will move from having 1 window directly looking in to our home, to having 6 and much more of the morning light will be blocked. The proposed building looks very bulky and will be imposing alongside a thatched cottage and a bungalow. The visual impact of such a significant increase in size could be softened by not having one colour from floor to roof ridge such as red brick then clay tiles. Instead, a softer brick colour, rendering and a more natural-looking slate roof could all be considered. We are not clear about how the retaining wall for the parking will look. Please consider the impact on water flows when it rains heavily. Will what is currently earth/lawn, which soaks up some of the rain, become concrete because of the parking? Will what little garden is left have sheds placed on it? On Thursday 4th January 2024, several gardens in this section of Middleton Road were flooded because the existing drains could not cope with the degree of run off from the saturated land. Any non-porous materials, including in retaining wall foundations, will worsen this problem.

Will the new design have a benefit to road safety? Whilst the angle of the house might improve the sight line, if a high vehicle is usually parked in the new space, this may also prevent good sight lines to those leaving our driveway and the driveway next to ours.

Although we have no objections to the proposed and the plot / surroundings would benefit from the demolish and construct of a new dwelling I would like the following to be considered. The existing South West elevation is in effect a single storey. With the increase to a two storey and increase in bulk of the proposed dwelling and extending towards our boundary this will have a real term imposing impact on Ladymead Cottage. This will also be the case with the proposed lounge on the North West elevation moving towards Ladymead Cottage.

It would be beneficial to understand more around the impact of the retaining wall and how this will be landscaped to hide the wall (Hedge, Sleepers etc).

We would like to also consider the highways aspects. Currently it's very dangerous exiting the steep drive of Ladymead cottage blind on to Middleton Road. It would be beneficial to consider the highways

aspect and what improvements should be made now that there will also be off road parking for Tiryberth at this pinch point.

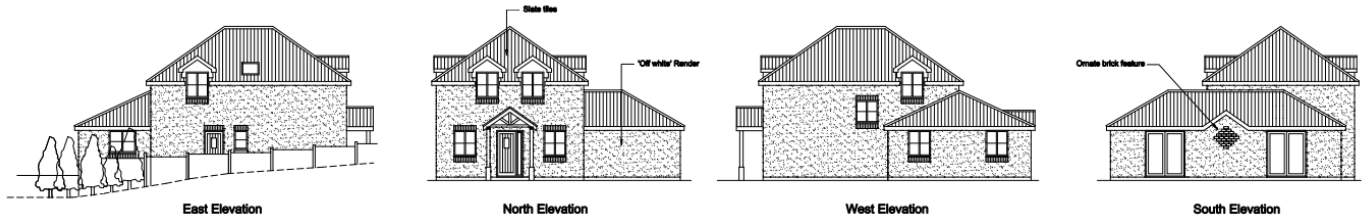
Amended plans were received to reduce the bulk and scale of the dwelling and improve its detailing. Neighbours were re-consulted on 7/5/24. No further neighbour comments were received.

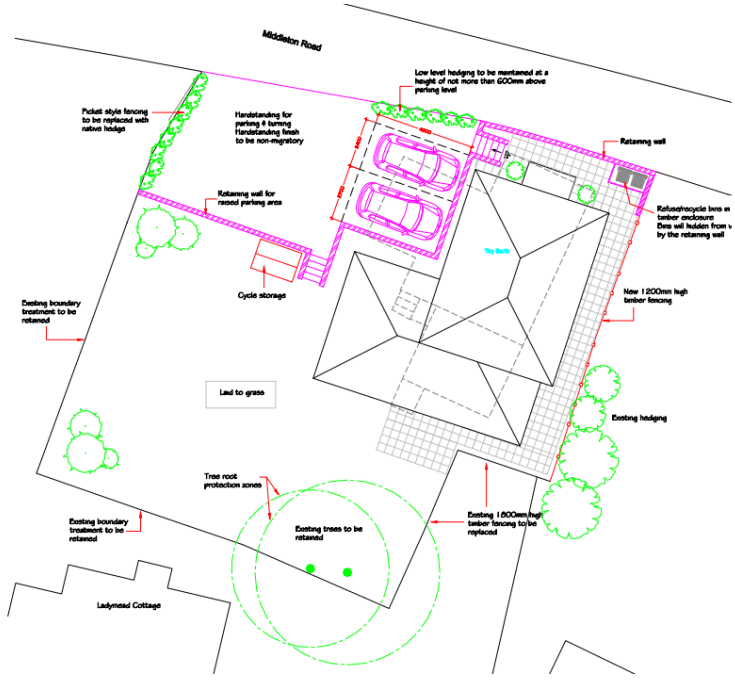
PROPOSAL

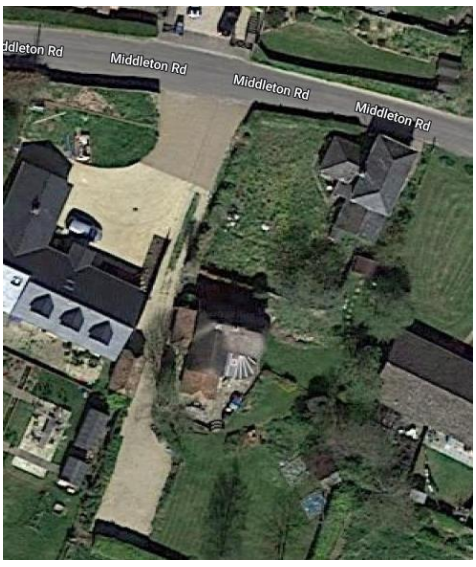
Existing Elevations:



Proposed Site Plan and Elevations:







The applicant is seeking to replace the house and outbuildings with a two storey dormer dwelling with a hipped roof with a short ridge and a single storey rear section. A new vehicular access would be provided with off street parking for two cars. The dwelling would be set slightly further back into the site behind the existing frontage with Middleton Road. The garden area to the south would be laid to grass and separated from the parking area with a retaining wall and steps, leading to cycle storage and a paved patio area. Existing mature trees to the south and hedging would be retained

with some new hedge planting to take place. Materials comprise off white render and brick detailing for the walls, brick heads and footers and slate for the roof.

ASSESSMENT

Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. (Section 70(2) of the Town and Country planning Act and Section 38(6) of the Planning and Compensation Act 2004). The revised NPPF is also a significant material consideration and due weight should be given to the relevant policies in existing plans according to their degree of consistency of the framework.

1. **Principle for the development**

The site lies within the adopted settlement boundary for Winterslow which is identified as a large village under Core Policy 1 (Settlement Strategy).

Core Policy 2 states: *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.*

The principle for a replacement dwelling is therefore acceptable in principle, subject to the detailed policy considerations below.

2. **Scale, design and impact on the character of the area, the Special Landscape Area (SLA) and the setting of the listed building and streetscene**

S66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that:

In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall 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.

The revised NPPF 2023 sets out the considerations for Local Planning Authorities when considering the impacts of development on heritage assets, their significance and settings.

Core Policy 58 considers the impact of development on the settings and significance of heritage assets, including listed buildings and archaeology. Core Policy 57 sets out the criteria for new development. A high standard of design is required in all new developments. Development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality. Core Policy 51 of the WCS states that development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures. Saved Policy C6 sets out the considerations for the Special Landscape Area.

Then scheme has been reduced in design and scale since the application was first submitted. Officers are now content that the scale, detailing and appearance of the replacement dwelling would provide an enhancement to the streetscene and overall, it would enhance the character of the area given the dilapidated condition of the present house. The setting of the Grade II listed building is an important consideration for the proposal and the conservation officer has commented:

The planning authority is required to pay special regard to the desirability of preserving the character and setting of listed buildings by section 66 of the PLBCA Act 1990. The NPPF and CP58 provide further guidance regarding the assessment of heritage significance and the impact of proposals thereon. The NPPF recognises that historic buildings may make positive contributions to the character of a place but may not warrant statutory listing, referring these as undesignated heritage assets. Applicants should be required to provide sufficient information to enable the council to assess the impact of proposals: a detailed heritage statement has been produced that considers the impact of proposals on the setting of Ladymead, the grade II listed thatched cottage to the south of the site, but says virtually nothing of the interest of Tiryberth itself. It is identified as existing prior to the 1880 OS map but absent from the 1840 tithe. The position of Tirybrth relative to Ladymead is unusual, in that it was erected on land between the earlier property and the lane, apparently associated with a C19 sawmill. The land was already in separate occupation prior to 1840.

Winterslow has a number of such oddities, with a mixture of laneside squatters' cottages and a late C19 social housing project in response to an Enclosure Act-inspired crisis. Tiryberth bears more than a passing resemblance to those built by that project, but seems likely to predate it. It would be useful to understand better the origins and construction of Tiryberth prior to agreeing to its demolition - the author of a 2022 book on Winterslow may be able to assist. It isn't considered to be deserving of consideration for listing, but its traditional form, proportions and materials contribute a degree of historic interest to the streetscene and the setting of Ladymead.

With regard to the setting of Ladymead, the view from the street is only available across Tiryberth's garden, and the arrangement is such that the passing viewer might assume the garden belonged to Ladymead. Originally part of a range of cottages, the others have been demolished and a large mid-C20 dwelling erected to the west and a cluster of bungalows to the east. The positioning of Tiryberth is intrusive, but this has been tempered by the passage of time, both in its weathering and the fact that its historic one-room deep proportions are modest compared with typical modern dwellings.

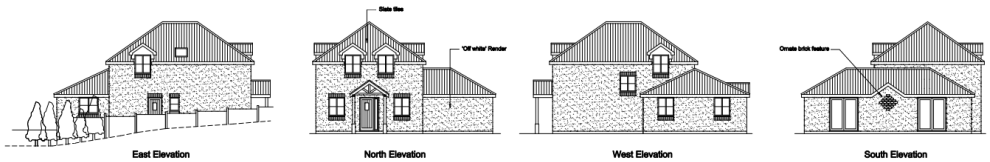
I am satisfied that this revision addresses my concerns adequately. The scale and proportions are much less dominant in the setting of the listed cottage, and subject to suitable slates and ridge tiles I am satisfied that the setting of the listed building would be preserved.

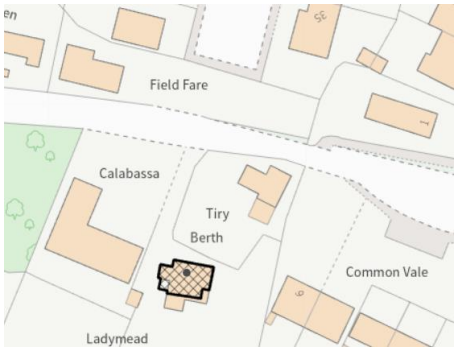
In conclusion, the scale, design. materials and siting for the replacement dwelling are considered to be acceptable and there would be no harm arising from the development on the character of the area, the setting of the listed building or the streetscene. The provision of off street parking for the dwelling would be a benefit of the development. No objection is raised under CP57, CP58, CP51 and C6 subject to suitable materials being agreed to suit the local vernacular.

3. Impact on neighbouring amenities

CP57 also states that the development should make a positive contribution to the character of Wiltshire through:

(vii) having 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, overshadowing, vibration, and pollution (e.g. light intrusion, noise, smoke, fumes, effluent, waste or litter)







East - Common Vale The proposed east elevation roof dormer would face towards the side elevation gardens of Common Vale. However, given the existing levels of overlooking afforded by the two existing first floor windows, this is considered overall to result in a reduction in overlooking and an amenity improvement.

North – Field Fare Two dormer windows would face towards the garden of Field Fare. However, given the change in levels between the sites, the existing close board fence and mature planting, it is not considered that this would result in a detrimental impact on the amenities of Field Fare.



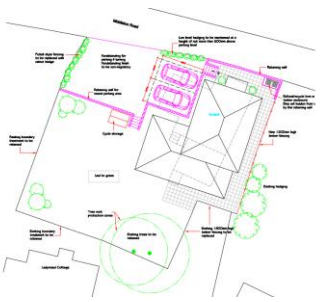


West – Calabassa Any west facing overlooking afforded by the first floor west facing dormer would be mostly obscured by the single storey extension to the replacement dwelling. The driveway to Ladymead Cottage also separates the properties. Any new levels of overlooking from the dormer and hallway window would be at an acceptable level, given the separation.



South – Ladymead Cottage (Grade II listed)





The proposed layout would ensure that the frontage of Ladymead Cottage is not obscured from the roadside and views of the thatched cottage would be maintained across the garden space.

The single storey rear extension to the main body of the dwelling would ensure that the replacement structure does not appear overbearing or dominant, or detrimentally affect light levels reaching the listed cottage. There are no first floor south facing window proposed, which would maintain existing levels of privacy for the occupiers of Ladymead Cottage.

Consequently, the proposed replacement dwellinghouse as amended by the latest scheme is considered to have a limited impact on the amenities of the surrounding properties due to the location and arrangement of the proposal. No harm has been identified under Core Policy 57(vii) and appropriate levels of amenity are considered to be achievable within the development.

4. Highway Safety

Core Policies CP57, 60 and 61 are relevant to the application. The Local Transport Plan sets out the requirements for off street parking. The highways officer has stated:

I refer to the amended plans for the above planning application.
The amendments do not have an impact on highway matters and I therefore adhere to my previous comments:
The existing dwelling does not benefit from off street parking and therefore the addition of off street parking is beneficial in highway terms. Adequate off street parking is proposed to meet Wiltshire's current parking standards and turning is available within the site to enable vehicles to enter and exit in a forward gear. I wish to raise no highway objection providing the following conditions are imposed.

Therefore, no highway safety objection is raised under Core Policies CP57, 60 and 61.

5. Ecology, trees, protected species, River Test catchment SAC and SPA and New Forest Protected Sites

CP50 and the NPPF requires the Local Planning Authority to ensure protection of important habitats and species in relation to development and Core Policy 50 of the Wiltshire Core Strategy requires all development to demonstrate no net loss of biodiversity. CP24 seeks to protect the New Forest protected sites and an interim approach is in place to replace the current interim strategy (see * in policy section). The site is within the River Test SAC catchment.

Protected Species

An updated Ecological Assessment has been submitted and it concludes:

Ecological Consultancy Services Ltd (ECS) was appointed in February 2023 to undertake a Preliminary Phase 1 bat survey of the building. No confirmed evidence of bats was found but some potential (bat roost) features (PRFs) were identified beneath ridge tiles on the roof, in wooden soffits and some other localised features. ECS recommended and has subsequently undertaken three evening emergence (Phase 2) surveys over the spring, summer and autumn in 2023; no bats have been seen emerging from any of the PRFs. Some former bird nest sites were noted (although no active nests were seen during visits in 2023).

As no signs of bats have been found the proposals may go ahead as planned. Some measures to achieve biodiversity enhancement should be integrated into the new build in order to comply with policy. This

could include bat roost bricks in the new elevations and/or nest sites for house martins Delichon urbica and/or swifts Apus.

It is considered that the proposed bat roost bricks and swift bricks described in the mitigation section on page 22 can be appropriately conditioned and secured as part of the development, in compliance with CP50.

Trees

Two existing trees are shown to be retained on the plans and this is acceptable. However, as the site is not within a Conservation Area, the trees are not required to be protected. New hedge planting is proposed and this is welcomed as an ecological benefit.

River Test catchment SAC and SPA

WCS policy CP50 (Biodiversity and Geodiversity) and the NPPF requires the Local Planning Authority to ensure protection of important habitats and species in relation to development and seeks enhancement for the benefit of biodiversity through the planning system. Whilst the application site is not adjacent to any rivers or in any respective flood zones, it is situated within the River Test SAC catchment and has potential to cause adverse effects alone or in combination with other developments through discharge of nitrates in wastewater.

As this proposal seeks to replace an existing dwelling served by the existing mains sewer within the River Test catchment, there are no proposed changes to the existing means of foul drainage or potential for subsequent increases in nitrates levels from the site, as there is no net increase in the levels of overnight accommodation available at the site or the number of households. Therefore, it is possible to conclude that the project would not lead to adverse impacts alone and in-combination with other plans and projects on the River Test SAC and as a replacement dwelling, the project is nutrient / nitrate neutral.

Test of likely significance

This development falls within the catchment of the River Test SAC and has potential to cause adverse effects alone or in combination with other developments through discharge of nitrates in wastewater. A test of likely significance has been carried out by the relevant Competent Authority (Wiltshire Council) as required by Regulation 63 Conservation of Habitats and Species Regulations 2017 (as amended). This concluded that as the proposals are for the replacement of an existing dwelling, is no mechanism for adverse effect and operational impacts would be de-minimis. The HRA has concluded that the application is not likely to have significant impacts on the SAC and Appropriate Assessment is not required.

New Forest 13.8km buffer

Test of likely significance

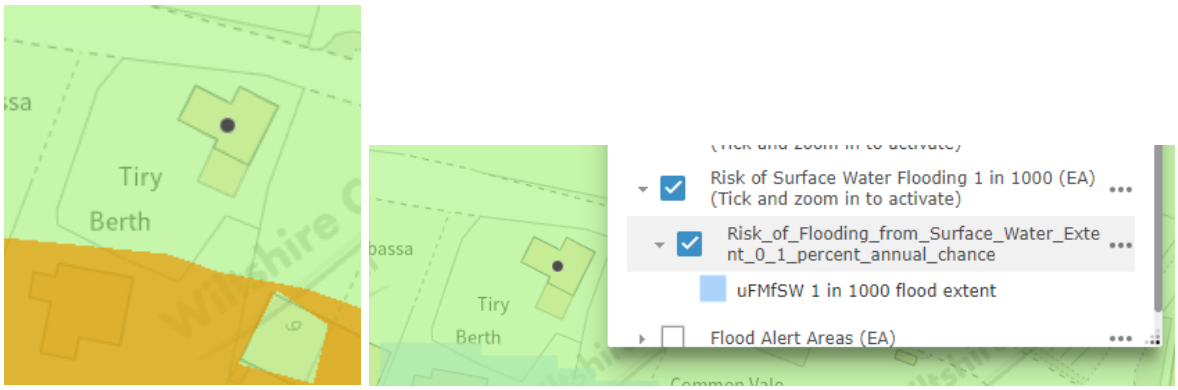
The site falls within a 13km Buffer zone for the New Forest Protected Sites 13.8km Recreation zone of influence. A test of likely significance has been carried out by the relevant Competent Authority (Wiltshire Council) as required by Regulation 63 Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. This concluded that as the proposals are for the replacement of an existing dwelling, there is no mechanism for adverse effect and operational impacts would be de-minimis. The

HRA has concluded that the application would not have significant impacts on the protected site and Appropriate Assessment is not required.

The development proposals would comply with CP50 and CP24.

Drainage

From the Level 1 Strategic Flood Risk Assessment, the bottom corner of the garden area is subject to surface water flood risk:



The SFRA defines low risk flood areas as:

> *In Wiltshire, for a site to be considered at low risk of flooding, it meets the following conditions, determined by the Council:*
>
> - *Site is within Flood Zone 1*
> - *Site is not within Flood Zone 3 plus climate change*
> - *Less than 10% of the site is at risk from surface water flooding in the 1 in 1,000- year event*
> - *Less than 10% of the site is within highest risk category in JBA Groundwater map (groundwater is <0.025m below the surface in the 1 in 100-year event)*
> - *Less than 75% of the site is within the second highest risk category in JBA Groundwater map (groundwater is between 0.025m and 0.5m below the surface in the 1 in 100-year event)*
> - *Site is not within an area highlighted on the Historic Flood Map*
> - *Site is not at risk of reservoir flooding*
> - *Site does not contain a Main River*

Therefore, as less than 10% of the site and only the garden area is shown on the mapping to be at any risk from surface water flooding in the 1 in 1,000- year event, no further action is required by the applicant and no objection is raised under CP67. The development, which retains the lawn area, is unlikely to result in additional risk to flooding elsewhere and permitted development rights can be removed for the addition of further hard surfaces and outbuildings to ensure that any risk is not increased.

Conclusion

The proposed replacement of an existing dwelling within the Winterslow settlement boundary is acceptable in principle. No objections are raised to the scale, impact or design of the replacement dwelling and planning permission should be granted. There would be no harm to designated heritage assets and their settings or significance. There would be no likely significant adverse impacts arising from the development on the River Test SAC and SPA or

the New Forest protected sites. The bottom of the garden is shown to be at risk of surface water flooding but overall, the site is considered to be at low risk under the SFRA criteria. The development is unlikely to increase the risk of flooding elsewhere. Appropriate ecological mitigation and enhancement measures can be secured by condition. Materials have been considered and can continue to be conditioned appropriately to ensure that the development is harmonious and in keeping with the local vernacular. There would be no other adverse impacts arising from the development.

RECOMMENDATION: APPROVE

Subject to the following conditions:

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.

The development hereby permitted shall be carried out in accordance with the following approved plans listed in schedule:

Location Plan ref 3004-01 dated December 2023
Proposed Elevations, Floor Plans and Roof Plan 3004-03 Rev B dated December 2023
Site Layout, Site Section and Streetscene View ref 3004-05 Rev A dated December 2023
Site Details and Visibility Splays ref 3004-04 Rev A dated December 2023
Assessment of the Impacts on Bats & Nesting Birds by Ecological Consultancy Services Ltd dated Sept 2023

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

The materials to be used in the construction of the development hereby approved shall be in accordance with the details as shown on the approved elevations plan ref 3004-03 Rev B unless otherwise agreed in writing by the Local Planning Authority, and should be namely, an off white/cream/neutral coloured render for the walls, slate tiles for the roof and brick details for the window header and footers.

Reason: To secure a harmonious form of development.

The development hereby permitted shall not be occupied until the area between the nearside carriageway edge and a line drawn 2.4m parallel thereto over the entire site frontage has been cleared of any obstruction to visibility at and above a height of 900mm above the nearside carriageway level. The visibility shall be maintained as such thereafter.

REASON: In the interests of highway safety.

The development hereby permitted shall not be occupied until the first 2m of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

Notwithstanding the submitted details, the proposed development shall not be occupied until means/works (including the proposed native hedge planting forming the north and west boundaries for the parking area and the retaining wall to the south boundary) have been implemented to avoid private surface water from entering the highway and the private lane forming the west boundary and serving Ladymead Cottage. The drainage for the parking area shall be maintained as such thereafter.

REASON: To ensure that the highway and private access is not inundated with private surface water.

The vehicle access and parking spaces shall remain ungated.

REASON: In the interests of highway safety.

No part of the development hereby permitted shall be occupied until the access, turning area & parking spaces [2 No] have been completed in accordance with the details shown on the approved plans. The areas shall always be maintained for those purposes thereafter and maintained free from the storage of materials.

REASON: In the interests of highway safety.

No part of the development hereby permitted shall be occupied until the soakaway has been completed in accordance with the details shown on the approved site plan. It shall be maintained for the lifetime of the development.

REASON: To ensure the development can be adequately drained

The development shall be implemented in strict accordance with the proposals for bat and bird mitigation and enhancements set out on page 22 and in Section 4.3.4 of the Assessment of the Impacts on Bats & Nesting. The measures shall include 2 x house martin nest sites, 2 x swift bricks and 1 x bat brick.

The bat and bird mitigation and enhancement measures shall be installed and available for use before the dwelling is occupied. The measures shall be available for use by bats and birds for the lifetime of the development.

Reason: To ensure adequate mitigation and enhancement for bat and bird species identified as using the site.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or reenacting or amending that Order with or without modification), there shall be no additions/extensions or external alterations (including additional first floor windows, dormers or rooflights) to the dwelling hereby permitted.

REASON: In the interests of the amenity of the area, neighbouring amenities and the setting of the Grade II listed cottage and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions/extensions or external alterations.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or reenacting or amending that Order with or without modification), no garages, sheds, greenhouses and other ancillary domestic outbuildings shall be erected anywhere on the site on the approved plans. Any additional hard surfaces installed within the curtilage shall be porous and water permeable.

REASON: To safeguard the character and appearance of the area and the setting of the Grade II listed building. To ensure that any existing risk of surface water flooding is not increased.

INFORMATIVES

CIL: 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. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website

www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy

Protected Species: The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.