CASE OFFICER'S REPORT

Application Reference:	PL/2024/00434
Application Type:	Householder planning permission
Site Inspection:	
Consultation ends:	05 April 2024
Case officer:	Jane Sanger

Site Address:	The Cottage, 4 The Green, Marston, Devizes, SN10 5SW
Proposal:	Replace all windows and front door. Fit garage doors. Widen driveway. Replace oil combination boiler with Air Source Heat Pump. Replace side wall and gate with timber fence and gate. Remove existing rear extension and replace with larger single storey flat roof extension.
Recommendation:	Approve with Conditions

POLICIES

The National Planning Policy Framework (NPPF) 2023:
Chapter 4 – Decision Making
Chapter 9 – Promoting Sustainable Transport
Chapter 11 – Making Effective Use of Land
Chapter 12 – Achieving Well Designed Places
Chapter 16 – Conserving and Enhancing the Historic Environment

The Wiltshire Core Strategy, Adopted January 2015:
Core Policy 50 – Biodiversity and Geodiversity
Core Policy 57 – Ensuring High Quality Design & Place Shaping
Core Policy 58 – Ensuring the Conservation of the Historic Environment

Planning Policy Guidance (PPG).

Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

CONSULTATION RESPONSES

Marston Parish Council – No comments received.

REPRESENTATIONS

One letter of representation has been received. It is from the occupiers of Pound Cottage, 3 The Green, Marston. “We would like to offer our full support of their proposals, which have been carefully and sensitively prepared”.

KEY ISSUES:

• Relevant planning history.
• Impact upon neighbour amenity.
• Impact upon areas of archaeological significance.
• Impact upon the character and appearance of the conservation area.

ASSESSMENT

The application site relates to The Cottage, 4 The Green, Marston. It is a semi-detached, red brick built, thatched cottage, with a pitched roof porch, bridging both the application property and the adjoining neighbours dwelling, with the ground floor bay windows, with adjacent open canopy, under pent tiled roofs on either side of the porch. The existing windows are constructed from painted softwood and double glazed upvc. The existing doors are upvc, with the back door being half glazed.
The front garden is in part laid to lawn with a large adjacent driveway, which is surfaced in old tarmac which is in a state of disrepair in places and is falling away. Part of the driveway at the front of the site appears as a dirt track, with some gravel. Behind the driveway there is a double bay garage building, constructed from rubble stone, under a clay tiled, gable end roof, with tile hung cladding to part of the gable ends. The garage was missing its doors, at the time of the site visit they were covered in green sheeting. A stone wall with a brick cambered arch and coping stones to the top, adjoins the garage to the dwellinghouse. The wall has a pedestrian metal gate in the archway. Adjacent to the rear elevation of the dwellinghouse there is a single storey, flat roof extension. Adjacent to the eastern side elevation there is a two-storey extension, under a clay tiled, pitched roof.

The rear garden is enclosed by timber fencing and hedging. There are two timber sheds in the rear garden and a brick outbuilding, together with some makeshift sheds next to the brick building. The topography of the site is flat.

The application site lies within the Development Boundary for Marston and is located within the Marston Devizes Conservation Area. Vehicular access to the house is from a small unmade road, off Norney Road. To the rear of the site there is a field and beyond that to the north, is PROW MARS3, recorded as a footpath.

The proposals:

The application proposes the following:

• The replacement of all the windows and front door. The windows will be constructed from double glazed, painted timber softwood, flush, casements, finished in off-white, without any glazing bars. A new front door will be half glazed, painted softwood in a stable door arrangement;
• Changes to the existing bay window in the front elevation, include removing the tiled section which adjoins the roof of the bay to the roof of the porch creating a separate roof above the bay. The removed tiles and fascia will be reused to make the repairs;
• Install two, part glazed, double leaf timber garage doors to existing garage;
• Widen driveway and surface the additional part in gravel (stone shingle);
• Remove oil combination boiler and replace it with a new air source heat pump. This will be located behind the new fence, adjacent to the eastern, side elevation of the dwelling;
• Demolish side wall and replace it with a timber fence, at approximately 1.8m high and a timber gate;
• Demolish existing rear extension and replace it with a larger flat roof, single storey extension. The roof will be constructed in EPDM and the walls will be clad in vertical timber boarding, stained in black, with a roof lantern and windows, framed in softwood, to match the profile of the windows in the main house, finished in a dark grey/black.

The applicant signed the correct certificate, but completed it incorrectly, serving notice on another family member who lives in the same house as her. Therefore, a new certificate B was signed, serving the requisite notice on the neighbour at No. 3, Pound Cottage, as the proposed single storey rear extension will be built up to and adjacent to No. 3s rear extension. The 8-week clock was re-started to reflect this.

All of the proposals are development under the Town and Country Planning Act 1990, but under Schedule 2 of the General Permitted Development (GPDO) Order 2015 As Amended, some of the proposed development is Permitted Development and therefore, does not require planning permission. These include:

• Changes to the materials of the windows and doors, as they will be 'similar in appearance' to those existing, but will be changed to traditional timber painted windows and doors;
• Widening of the driveway, under Part 1, Class F2(a) and (b), as the hard surface would be situated on land between a wall forming the principal elevation of the dwellinghouse; and the area covered by the hard surface, or area of hard surface replaced would exceed 5 sqm and be made of a porous surface;
• Installation of an air source heat pump under Part 14, Class G is Permitted Development, as it complies with the provisions under this section, including G2.(d) where the cubic volume of the outdoor compressor pump will not exceed 0.6 cubic metres, at 0.55 cubic metres. G.3(d) of the GPDO requires that the ASHP is removed as soon as reasonably practicable when it is no longer needed. This will be dealt with via an informative.
• Changes to the side wall, fence and gate, as these will not exceed 2m in height;

Relevant planning history:

None.

Impact upon neighbour amenity:

The proposed single storey rear extension, due to its position, single storey height, built under a flat roof, built up to and alongside of the adjoining neighbours existing single storey extension, is not considered to cause any harm to neighbouring amenity. This extension together with the other proposals, will not cause any harm to neighbour amenity in terms of causing loss of light; having an overbearing impact; and will not give rise to any overshadowing of both neighbouring dwellings on either side.

Impact upon areas of archaeological significance:

There will be no impact upon any areas of archaeological significance as all the areas to be redeveloped are replacing existing development, therefore the land and any areas of archaeological interest have already been disturbed. The widening of the driveway is PD providing, the required drainage is put in place.

Impact upon the character and appearance of the conservation area:

Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 also requires the Council to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Areas.

The National Planning Policy Framework NPPF Feb 2023 outlines government policy towards the historic environment. Section 16 "Conserving and Enhancing the Historic Environment" sets out an overall aspiration for conserving heritage assets. In particular paragraph 205 When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is

irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Wiltshire Core Strategy Policy C58 relates to Ensuring the Conservation of the historic environment. And states that designated heritage assets and their settings will be conserved.

The proposed single storey extension, will be of an appropriate design, using traditional local materials; and although the new windows and doors are PD, they will be an enhancement changing the existing upvc framed windows to a more traditional timber. These will match the fenestration design to neighbouring dwellings at No. 1 and 2. In view of this, the proposals are not considered to cause any harm to the character and appearance of the area.

Other Issues:

The Design and Access Statement confirms that a Party Wall Agreement will be drawn up, as the proposed extension adjoins No. 3s rear extension next door and the applicant advised at the site visit that they will be making good the neighbours fascia board as part of the proposed rear extension element. Ownership and making good elements on land outside the ownership of the applicant fall outside the planning remit and are under civil law. This has been dealt with by the agent by signing the correct certificate B and serving the requisite notice on the adjoining neighbour to whom the development will affect. It is further noted that the neighbour has commented, positively on the application and are therefore fully aware of the proposals. These neighbours at No. 3 have further agreed to the making good arrangements with the applicant. Therefore, no further action is required in this respect.

Conclusion:

In consideration of the above it is concluded that the development would be in accordance with the development plan. With no circumstances warranting otherwise the application is recommended for approval subject to the conditions outlined below.

RECOMMENDATION: Approve with conditions.

Conditions: (2)

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
Design and Access Statement
Location Plan
MARS-SLA-01-XX-DR-A-0020 Rev C - Proposed Floor Plans
MARS-SLA-01-ZZ-DR-A-0010 Rev B -- Existing Plans, Section & Rear Elevation
Received 16.01.2024.

Drawing Nos:
Site Block Plan 1:200
MAR-SLA-01-XX-SR-A-0031 Rev B - Side Extension – Proposed Extension & Alterations
MAR-SLA-01-XX-SR-A-0040 Rev B - Proposed Section
MAR-SLA-01-XX-SR-A-0030 Rev B – Proposed Rear Elevation
Proposed Front Elevation Revision 1
Mock Stable Door
Existing & Proposed Garage Ground Floor Plans
Garage and Sidewall Front Elevation, Proposed
Garage and Sidewall Front Elevation, Existing
Existing Front Elevation Rev 1
Daikin Altherma 3M Air Source Heat Pump Specification
Proposed Window Flush Casement White
All received on 28.02.2024.

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

Informatives: (2)

3 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.

4 The applicant's attention is drawn to the installation of the air source heat pump. When its use is discontinued, the air source heat pump and all its associated equipment needs to be removed from site, and the land restored to it former use.