

APPLICATION FOR HOUSEHOLDER PLANNING PERMISSION DELEGATED REPORT

APPLICATION REFERENCE:	PL/2026/00435
APPLICATION TYPE:	Householder planning permission
SITE ADDRESS:	15 Wine Street, Bradford on Avon, BA15 1NS
DEVELOPMENT DESCRIPTION:	Demolition of existing single storey garden room, construction of new single storey replacement and installation of two high level windows in living room.
RECOMMENDATION:	That Planning Permission be GRANTED

SITE CONTEXT

15 Wine Street (the 'site') is a residential property situated on the south side of Wine Street and lies in the western area of Bradford on Avon (designated a Market Town in the Core Strategy).

Sections 1 and 3 of the submitted Design, Access and Heritage statement accurately describe the site and its context and is set out below:

"The application site comprises of a detached dwelling... [which] was constructed around the turn of the 19th century as part of an extension of the town connecting Wine Street with Winsley Road. Many of the original properties forming this expansion including the host dwelling turn their back on the street, with their primary elevations looking westwards across the valley.

The area has a consistent use of materials with rubble stone walling, red clay tiles or slates, white timber frame windows and door joinery...

The application dwelling is two storeys tall providing 3 bedrooms and a range of reception spaces and ancillary spaces. Attached and to the side is a single garage.

The house sits on the road edge of Wine Street, and the garage sits back from the street edge with a short driveway and access to the current front door.

The overall site is broadly rectangular in shape and is sat on a steep hillside, sloping from the front downwards to the rear. The rear garden is bounded by a mix of stone walls and substantial domestic shrubbery and a number of mature and semi mature trees...

The original dwelling was a relatively small two storey cottage with a smaller single storey lean to the north. Over the years subsequent developments have extended the original structures with a range of spaces to the north and now forms a split-level dwelling. A more modern garage structure has then been added which whilst connected to the building is externally accessed... the most recent extension, constructed in the 1970's and modified to provide the roof terrace in the early 1980's, was poorly constructed and is now showing signs of structural failure. In addition... it is poorly connected to the rest of the internal spaces."

In terms of its immediate surroundings, the property adjoins No. 16A to the north (a modern two storey dwelling), Wine Street to the east (a one-way road with a pavement on the north side) with historic and modern dwellings beyond, No. 14 to the south (a historic two-storey cottage) and No. 17 to the west (a modern bungalow set on notably lower ground).

The application site is subject to the following planning policy designations/constraints:

- Within Bradford on Avon Conservation Area No 1.
- The site lies within immediate proximity of the grade II listed 35 Wine Street.
- Within Bath & Bradford on Avon Bat Special Area of Conservation Greater Horseshoe bat 4km Core Roost Buffers: Combined Winsley Sites, Winsley/Murhill Rift, Combined Gripwood Sites and Iford Manor
- Within Lesser Horseshoe bat 2km Core Roost Buffers: Belcombe Court and Carpenter's Shop, Kingston Mills, BoA
- Within Bath & Bradford on Avon Bat Special Area of Conservation GHS 4km Core Roost Buffer: Bath & Bradford on Avon Bats.

PROPOSAL

The proposal involves the replacement of the 1970s extension (and its associated roof terrace) with a similar extension that is 1.3m deeper and is the same width and height of the extension it replaces. The extension is to be formed of a mix of rubble and ashlar stone walling that matches the existing dwelling, a dark membrane roof with paving over and a metal balustrade, plus aluminium-framed glazing. Revised plans have been submitted which now include an inward-facing bench on the roof terrace. Two ground floor high-level windows are also proposed on the north elevation adjacent to Wine Street. The proposal is shown below.



PLANNING HISTORY

Relevant Planning Records			
Reference	Description	Decision	Date
W80/00271/FUL	Extension to provide bedroom and shower room	Approved	15/04/1980
W81/01329/FUL	Extension	Approved	19/01/1982
W82/01126/FUL	Extension	Approved	07/12/1982
W/04/0567/FUL	Extension	Approved	03/06/2004

RELEVANT LEGISLATION, POLICIES AND GUIDANCE

Planning Legislation:

- Town and Country Planning Act 1990
- Planning and Compulsory Purchase Act 2004
- Planning (Listed Buildings and Conservation Areas) Act 1990

Development Plan:

- Wiltshire Core Strategy (Adopted January 2015):
 - Core Policy 41: Sustainable construction and low-carbon energy
 - Core Policy 51: Landscape
 - Core Policy 57: Ensuring high quality design and place shaping
 - Core Policy 58: Ensuring the conservation of the historic environment
- The Bradford on Avon Neighbourhood Plan 2013-2026 (Made October 2017):
 - Policy BE1 (relates to local distinctiveness and sense of place)
 - Policy BE2 (relates to land use efficiency and character of the area)

Material Considerations (Policy):

- National Planning Policy Framework (NPPF) December 2024:
 - Section 2. Achieving sustainable development
 - Section 12. Achieving well-designed places
 - Section 16. Conserving and enhancing the historic environment
- Wiltshire Local Plan Submission Draft 2020-2038 (Regulation 24)*:
 - Policy 4: Addressing climate change
 - Policy 85: Sustainable construction and low carbon energy
 - Policy 91: Conserving and enhancing Wiltshire's landscapes
 - Policy 98: Ensuring high quality design and place shaping
 - Policy 99: Ensuring the conservation and enhancement of the historic environment

*The examination of the emerging Wiltshire Local Plan has been paused and the weight to be afforded to any part of the emerging plan can be no more than very limited. A decision on how to proceed will be made by the Council in May 2026.

Material Considerations (Guidance):

- National Planning Practice Guidance
- National Design Guide (January 2021)
- Wiltshire Design Guide (March 2024)

CONSULTATION RESPONSES

Bradford on Avon Town Council: No objection.

Bradford on Avon Preservation Trust: No comment.

REPRESENTATIONS

No third party comments were received.

ASSESSMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise. In accordance with this requirement, this application has been assessed against the relevant policies of the development plan and the material considerations listed above.

Having regard to the planning context and nature of the proposal, the following key matters are considered pertinent to the assessment of the proposal and are addressed in turn:

- Design
- Heritage Impacts
- Neighbouring amenity effects

Design

Core Policy 57 of the Wiltshire Core Strategy requires that all development be of high design quality, create a strong sense of place and complement its context, including through enhancing local distinctiveness and responding positively to local characteristics. This requirement is carried forward in draft Policy 98 of the emerging Wiltshire Local Plan.

Appendix D of the Wiltshire Design Guide states that extensions should be subservient to and respect the scale, form, appearance and character of the host dwelling and should harmonise with its context.

Policy BE1 of the Bradford on Avon Neighbourhood Plan states that development should reinforce local distinctiveness, help create a sense of place and respond positively to its immediate and wider context, including in respect of materials palette.

Policy BE2 states that development should make efficient use of land and respect the character of the area.

The new extension is very similar to the structure it would replace. The key differences are that it would be 1.3m deeper, with a deeper terrace with an inward-facing bench and would utilise a higher-quality materials palette. The proposed extension would remain secondary and subservient to the host dwelling and its form and appearance is appropriate. It is also of an overall higher quality and would improve the thermal efficiency of the building. The proposed windows on the front elevation reflect the style of the first-floor window (albeit are slightly larger which is appropriate to their ground floor siting).

Having regard to the above, the proposal is considered to comply with the design principles set out in Core Policy 57 of the Core Strategy, draft Policy 98 of the emerging Local Plan, Neighbourhood Plan Policies BE1 and BE2 and the Design Guide.

Heritage Impacts

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard be had to the desirability of preserving listed buildings, their settings or any features of special architectural or historic interest which they possess.

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

Core Policy 57(i) and (iv) require that development proposals be sympathetic, respond positively to and conserve the historic environment.

Core Policy CP58 states that development should protect, conserve and, where possible, enhance the historic environment. The policy requires that heritage assets and their settings be conserved and/or enhanced in a manner appropriate to their significance. This requirement is carried forward in draft Policy 99.

Paragraph 207 of the NPPF states that local planning authorities should require applicants to describe the significance of any heritage asset affected by development, including any contribution made by their setting. The level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on the asset's significance.

Paragraph 212 clarifies that great weight should be given to an asset's conservation, irrespective of the level of harm.

Paragraph 213 states that any harm to the significance of a designated asset, including from development within its setting, requires clear and convincing justification.

Policy BE1 of the Bradford on Avon Neighbourhood Plan states that development should reinforce local distinctiveness, help create a sense of place and respond positively to its immediate and wider context, including in respect of materials palette.

Policy BE2 states that development should make efficient use of land and respect the character of the area.

The submitted Design, Access and Heritage Statement includes a concise heritage impact assessment, which officers consider proportionate to the modest scale of the proposed development. The assessment states that the extension would form a modest and discreet addition to the property, employ high-quality materials, and would not be readily perceived from the public realm. It concludes that the scheme would generate an impact “*at the lower end of the less than Significant Harm but that the positive and careful consideration of this development outweigh this harm*”. Officers broadly concur with this view, though note that the extension may be partially visible in a small number of restricted viewpoints and that the new windows would be perceptible.

Nonetheless, having regard to the above design assessment, officers do not consider that the proposal is harmful and, as such, there is no requirement to weigh the impacts against the benefits of the proposal. The proposal is therefore considered to conserve the historic environment in accordance Core Policies 57 and 58 of the Core Strategy, draft Policies 98 and 99 of the emerging Local Plan, Neighbourhood Plan Policies BE1 and BE2, section 16 of the NPPF and the Design Guide.

Neighbouring Amenity Effects

Core Policy 57(vii) requires that development be compatible with the adjoining uses and protect the residential amenity of existing and future users of the site and its surroundings, including in respect of natural lighting, privacy, outlook and pollution sources. This requirement is carried forward in draft Policy 98.

The Design Guide states that minimum garden areas for all houses should be equivalent to the footprint of the house and that a back-to-back separation distance of minimum 20m should be respected. The guide also refers to the BRE Site layout planning for daylight and sunlight as an appropriate source for assessing proposals. Appendix D of the guide states that extensions should not be unduly overbearing or obtrusive to neighbouring properties.

The site lies side-by-side with No. 14 to the south and sits on higher ground due to the sloping topography of Wine Street. The existing roof terrace already allows unobstructed views into No. 14's garden. The proposed extension would increase the terrace depth by 1.1 m, resulting in a modest increase in overlooking. In response to officer concerns, revised plans were submitted incorporating an inward-facing bench along the southern edge. This feature provides a low-level physical barrier and encourages users to orientate away from No. 14, thereby offering a degree of mitigation. This design solution is considered to provide a limited but sufficient betterment to offset the potential additional overlooking, ensuring the privacy of No. 14 is safeguarded to a level comparable with the existing situation. Note the Council would support alternative solutions achieving a similar outcome – see informative 1 for more information.

Given No. 16's position (its rear elevation projecting 7 m forward of No. 15), the screening provided by mature vegetation, steep topography and the significant distance from No. 17 and the properties along Sandy Lane, the proposal would adequately safeguard the privacy of all surrounding neighbours.

The proposal would increase the building height and depth within notably proximity of the nearest habitable room windows of No. 14. However, as the extension is to the north of No. 14, it would not result in any loss of sunlight. In relation to daylight, the proposal satisfies the horizontal and vertical 45- and 25-degree line tests set out in the BRE guidance. As such, the proposal would retain a sufficient level of daylight for the neighbouring property. In addition, given its physical separation from the surrounding properties and modest scale, the proposal would not affect the natural light levels of any other nearby property.

Having regard to the above and as the proposal maintains sufficient amenity space for the host dwelling, it therefore achieves an acceptable standard of residential amenity in accordance with Core Policy 57(vii) and the Wiltshire Design Guide.

CONCLUSION

Having regard to its modest scale, sympathetic appearance, and the overlooking mitigation proposed, the extension is acceptable in respect of design, heritage and neighbouring amenity. The proposed front windows are also acceptable. The proposal therefore complies with the policies and guidance of the Wiltshire Core Strategy, West Wiltshire District Plan, emerging Wiltshire Local Plan, Bradford on Avon Neighbourhood Development Plan, NPPF and the Wiltshire Design Guide. As such, the application is recommended for approval, subject to the conditions set out below.

RECOMMENDATION: That Planning Permission be GRANTED subject to the following conditions and informatives:

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 documents:
 - Location Plan, ref: A17 25 21 S01
 - Proposed Block Plan, ref: A17 25 21 P01
 - Proposed Floor Plans, ref: A17 25 21 P02 rev C
 - Proposed Elevations, ref: A17 25 21 P03 rev D
 - Design, Access and Heritage Statement, ref: A17 25 21 rev B

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 used in the existing building unless otherwise stated on the approved plans.

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

4. The inward-facing bench shown on the approved plans shall be installed prior to the first use of the roof terrace hereby permitted and shall thereafter be retained and maintained as such for the lifetime of the development.

REASON: To secure the mitigation to minimise levels of overlooking and loss of privacy to neighbouring properties.

Informatives:

With regard to condition 4, the applicant is encouraged to consider additional safety and screening measures though these would need to be subject to a separate planning application such as installing a soft privacy screen of obscure (privacy) glass to an obscurity level of no less than level 3); which could be further supported by some planters.