

APPLICATION FOR HOUSEHOLDER PLANNING PERMISSION DELEGATED REPORT

APPLICATION REFERENCE:	PL/2025/10013
APPLICATION TYPE:	Householder planning permission
SITE ADDRESS:	Oldbury House, 1 Labour in Vain Hill, Cherhill, Calne, SN11 8UW
DEVELOPMENT DESCRIPTION:	Demolition of existing outbuildings and erection of oak framed garage, woodshed, workshop and store
RECOMMENDATION:	That Planning Permission be GRANTED

PROPOSAL

The proposal seeks planning permission for the demolition of existing outbuildings and the erection of a larger oak framed garage, shed, workshop and store.

The proposed building will be oak framed with external framing members with oak cladding. The roof will be clad in slate to match the adjacent house. 3No gable ended dormer windows located on the internal facing elevations.

Positioned to the eastern boundary of the site, the development will be set behind an existing bank, with additional native hedging extending beyond.

SITE DESCRIPTION/CONTEXT

Located to the south side of Labour in Vain Hill, the site lies in isolation, outside of the settlement of Cherhill. To the south-east of the site lies the Landsdowne monument and Cherhill White Horse.

The property is a former farmhouse, detached and located on a good sized plot with gardens to front and rear. To the east of the site is an existing bank with native planting beyond

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

- North Wessex Downs National Landscape
- Flood Zone 1

PLANNING HISTORY

n/a

RELEVANT POLICIES AND GUIDANCE

Wiltshire Core Strategy:

- Core Policy 57 Ensuring High Quality Design and Place Shaping
- Core Policy 50: Biodiversity and Geodiversity
- Core Policy 51: Landscape

Cherhill Neighbourhood Plan

Wiltshire Design Guide: Appendix D – Design Guidance for Householder extensions

The National Planning Policy Framework (NPPF)

The Planning Practice Guidance

National Design Guide

CONSULTATION RESPONSES

Parish/Town Council: No objection subject to conditions

- 1. The applicant provides a proportionate landscape-led appraisal demonstrating how the proposed development conserves and enhances the National Landscape character and valued qualities, and addresses NPPF 2024 para 189. This is to protect the gateway views of the National Landscape, specifically the views of the White Horse, Lansdowne Monument and the Downs.*
- 2. Clear identification of the colour palette to be used is submitted to the Planning Officer for approval.*
- 3. The building is used for domestic purposes only (specifically garaging, storage and a 'domestic' workshop). It is noted that the applicant is a builder. It must not be used for commercial purposes or converted into residential accommodation (without additional planning approval). This is to protect the amenity of neighbours and the character of this part of the National Landscape- NPPF 2024 para 189 and 198.*
- 4. No external lighting is to be installed without LPA approval. This is to protect the amenity of neighbours and the National Landscape gateway.*
- 5. Bat and bird boxes to be installed to replace roosting/nesting sites lost when the old outbuildings are demolished. NPPF para 194.*
- 6. Ensure that new trees/shrubs designed to partially screen the development from the National Landscape are integral to the permission, are planted withing the next planting season and are replaced in the event of loss. NPPF 2024 para 189.*
- 7. It is noted that no solar panels are included in the plan for the new development - the roof orientation seems ideal for such a purpose, the main house doesn't seem to have them either. NPPF 2024 - para 167.*

Ecology No objection subject to conditions

'Prior to the commencement of any works, including vegetation removal and demolition, details of the number, design and locations of ecological enhancement features including bat boxes, bird boxes, reptile features and hedgehog hibernacula shall be submitted to the Local

Authority for approval. The approved details shall be implemented for the lifetime of the development and before completion of the final works.

REASON: To provide mitigation /enhancement for biodiversity and comply with Core Policy 50'

Highways No objection subject to new building remaining ancillary

REPRESENTATIONS

No comments were received.

ASSESSMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:

"If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise."

In accordance with this statutory requirement, this application has been assessed against the relevant policies of the Development Plan, including the adopted Wiltshire Core Strategy (2015) and, where applicable, any made Neighbourhood Plans.

Design and Impact upon the character and context of the area

Core Policy 57 - Ensuring High Quality Design and Place Shaping of the Wiltshire Core Strategy seeks to ensure that all new development is of high design quality, reflecting local context, character, and distinctiveness.

The proposed building, whilst broadly on the same footprint of the existing dilapidated structures, is more substantial, with a pitched roof, and storage over the ground floor garage and storage / workshop measuring approximately 2.4m to eaves and 5.6m to ridge at its highest point.



The building is set approximately 1m down into the site behind an existing bank with native planting beyond. The choice of materials includes oak framing and slate tiles to the roof.

Whilst an increase in built form on the site, the proposed building is considered commensurate with the size of the dwelling and plot, with similar examples of timber clad buildings to be found locally.

Having regard to the above, the proposal complies with the design principles set out in Core Policy 57 of the Wiltshire Core Strategy and Appendix D of the Wiltshire Design Guide.

Amenity

Point vii of Core Policy 57 - Ensuring High Quality Design and Place Shaping of the Wiltshire Core Strategy seeks to ensure that developments do not adversely affect neighbouring properties.

The National Planning Policy Framework (NPPF), particularly Paragraph 135(f), stresses that planning decisions should ensure developments provide a high standard of amenity for existing and future users.

The proposed development has been assessed in terms of its potential impact on the residential amenity of neighbouring properties, with particular regard to loss of light, overshadowing, loss of privacy, and overbearing effects.

There are no other properties in the vicinity therefore there is not considered to impact on amenities of local residents.

The proposal therefore accords with Core Policy 57 point vii in respect of safeguarding residential amenity and Appendix D of the Wiltshire Design Guide.

Highways Impact

Core Policy 57 (xiv) of the Wiltshire Core Strategy seeks to ensure that development must meet the requirements of Core Policy 61. This policy requires proposals to be capable of being served by safe access to the highway network. Core Policy 64 seeks to ensure compliance with parking standards set out in the Local Transport Plan.

The National Planning Policy Framework (NPPF), particularly Paragraph 115 and 116, requires that development proposals do not have an unacceptable impact on highway safety and that safe and suitable access to the site can be achieved for all users.

The proposed development would not result in any adverse impact on highway safety. Adequate parking and turning provision is provided in accordance with Wiltshire's adopted parking standards, and access arrangements are acceptable.

The Councils Highway Officer has been consulted and offers no objection to the proposal subject to condition relating to the use remaining ancillary.

The proposal is therefore considered to comply with Core Policies 57 (xiv), 61 and 64 of the Wiltshire Core Strategy, the NPPF, and the Wiltshire Local Transport Plan.

Ecology Impact

Core Policy 50 of the Wiltshire Core Strategy seeks to protect and enhance biodiversity and geodiversity, including through ensuring that development avoids harm to protected species and habitats.

The National Planning Policy Framework (NPPF), in Paragraphs 193, requires that development minimises impacts on and provides net gains for biodiversity, including ensuring mitigation is secured where harm cannot be avoided.

A Preliminary Roost Assessment has been carried out by Ellendale Environmental. The buildings were confirmed to have negligible potential for bats and no further surveys were recommended. The applicant has agreed to secure enhancement to include bat and bird boxes via condition.

The application site is not subject to any statutory or non-statutory ecological designations, and the scale and nature of development is such that significant harm to biodiversity is unlikely. No objections have been raised by the Council's Ecologist.

As such, the development complies with Core Policy 50 of the Wiltshire Core Strategy and the relevant provisions of the NPPF.

National Landscape

Core Policy 51 of the Wiltshire Core Strategy requires all development to protect, conserve, and where possible enhance the character and quality of Wiltshire's landscapes, giving particular weight to designated areas such as National Landscapes.

The National Planning Policy Framework (NPPF), in Paragraph 176, states that "great weight" should be given to conserving and enhancing landscape and scenic beauty in National Landscapes (formerly Areas of Outstanding Natural Beauty). Development within or affecting the setting of a National Landscape must demonstrate that it will not result in unacceptable harm to the special qualities of that area.

The site lies within the North Wessex Downs National Landscape, in a sensitive location due to its isolated location at the bottom of the Calstone and Cherhill Downs. Whilst in a sensitive location, the development is set within an established plot with strong boundary treatments. The proposal includes details of the extension to an existing native hedge and planting and it is considered reasonable to condition that this be planted and maintained.

Within the planning statement it is stated that rooflights will be installed along the roof slope however this is not shown on the plans nor does in form part of this application. Given the sensitivity of the site in the National Landscape it is considered necessary to remove permitted development rights for new openings on the east facing roof slope to prevent light spill. Similarly it is considered appropriate to require permission to be sought for any external lighting.

The proposal, by virtue of its scale, siting, and design, would not harm the special qualities or scenic character of the North Wessex Downs National Landscape. Appropriate mitigation ensures that any localised impacts are minimised.

The development therefore complies with Core Policy 51 of the Wiltshire Core Strategy and Paragraph 176 of the NPPF in conserving and enhancing the National Landscape.

Other issues

Comments have been received from the Parish Garden in respect of a colour palette being required for the development and that Solar Panels would be welcomed.

The building is to be of oak framed and clad therefore it is not considered necessary to request a colour palette. The use of renewables are supported, however at this stage there is no requirement for them to be provided for householder development.

Biodiversity Net Gain

Householder planning applications are exempt from the requirement to deliver Biodiversity Net Gain under Schedule 7A, Section 4(2)(a) of the Town and Country Planning Act 1990, as inserted by the Environment Act 2021.

CONCLUSION

The proposed development is considered to be acceptable in terms of its design, scale, and relationship with the surrounding area. It would not result in any unacceptable harm to the character of the locality, the amenities of neighbouring occupiers, or the interests of highway safety, heritage, or ecology.

The proposal is therefore considered to comply with the relevant policies of the Wiltshire Core Strategy, the Wiltshire Local Plan, and the National Planning Policy Framework. As such, the application is recommended for approval, subject to the conditions set out below.

RECOMMENDATION: That Planning Permission be GRANTED subject to 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:

Proposed Block Plan 255 A2 PBP 01

Survey of Buildings to be Removed - Block Plan 255 A2 SBP 01

Proposed North and East Elevations 255 A3 P02 Rev B

Preliminary Roost Assessment (PRA) CIC v1.0

Design and Access Statement - Rev A

A2 Proposed Ground Floor 255 A2 P01 Rev A

A3 Survey North and East Elevations 255 A3 S02

A3 Site Location Plan 255 A2 SLP 01

A2 Survey Ground Floor 255 A2 S01

A3 Proposed Attic and Roof Plan 255 A3 P04 Rev B

A3 Survey South and West Elevations 255 A3 S03

A3 Proposed South and West Elevations 255 A3 P03 Rev A

Planning Statement

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

- 3** No development shall commence above slab level until details of the number, design and locations of ecological enhancement features including bat boxes, bird boxes, reptile features and hedgehog hibernacula has been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be installed prior to the building being brought into use and maintained in situ for the lifetime of the development.

REASON: To provide mitigation /enhancement for biodiversity and comply with Core Policy 50.

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All soft landscaping comprised in the approved details of landscaping shown on plan 255 A2 PBP 01 shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 5** No external lighting shall be installed on-site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institution of Lighting Professionals in their publication "The Reduction of Obtrusive Light" Guidance Note 01/21 (reference GN01/21), have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.