

Town and Country Planning Act 1990

Planning Statement

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Kingsdown

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1. Appendix 1: Holmwood Appeal Decision (DCS ref: 400-068-179)

1.0 INTRODUCTION

- 1.1 This Planning Statement has been prepared by Tadman Planning Consultants Ltd and forms the supporting information to the erection of an outbuilding in the rear garden at Primrose Cottage, Lower Kingsdown Road.
- 1.2 The purpose of this statement is to explain the background to the scheme and provide an assessment of the key planning issues set against the context of national and local planning policy and guidance, and any relevant material considerations.
- 1.3 This statement should be read in conjunction with the following supporting information:
- Application Form, Ownership Certificates, and CIL Form;
 - Site Location Plan;
 - Existing and Proposed Plans, Elevations and Sections

2.0 SITE CONTEXT

- 2.1 Primrose Cottage is a one and a half storey dwelling, sited amongst mixed style properties. It is located outside of any identified settlement boundary and therefore is within the open countryside.
- 2.2 The site is located within the Green Belt and the Cotswold National Landscape. It falls within the Bath and Bradford on Avon Dat Special Area of Conservation (SAC) and within 2km of important bat roost buffer zones.
- 2.3 Numbers 1, 2 and 3 Pleasant View are Grade II listed cottages and which are sited near to the site.

3.0 THE PROPOSAL

- 3.1 The proposed description of development is
- “Erection of an outbuilding in the rear garden.”*
- 1.2 The proposed building would be sited at the southernmost point of the rear garden. It is proposed as an office/garden room.
- 1.3 The proposed building would have a footprint of 5m by 6m and a maximum height of 3.6m. There would be windows in the west and east elevations with bifold doors in the northern elevation. It would be constructed of horizontal timber cladding with a standing

seam room.

- 1.4 There will be solar panels on the roof slopes.
- 1.5 The proposal was subject to pre-application advice (ref: ENQ/2025/00780) and has been revised in light of the comments received.

4.0 PLANNING HISTORY

- 4.1 Below is a summary of the relevant planning history, with summaries and assessment
 - N/78/01365/F – Rebuilding and extension to the front porch - Approved
 - N/11/03527/FUL – Raise the roof of the existing bungalow to allow insertion of bedrooms in the roof space and rear extension and erection of a detached garage – Approved The Officer report for 17/03877/FUL sets out that this application involved the removal of a number of outbuildings and additions and the increase to the footprint was not more than limited.
 - 17/03877/FUL – Two storey side extension – Approved This application replaced an existing conservatory with a garden room and a room above. It was not considered to result in further spread of the building and would have minimal impact on the openness of the Green Belt.

5.0 PLANNING POLICY CONTEXT

Local Policy

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 places a duty on local planning authorities to determine proposals in accordance with the development plan unless material considerations indicate otherwise.
- 5.2 The Council's Development Plan comprises:
 - Wiltshire Core Strategy (adopted 2015)
 - Cotswold National Landscape Management Plan
 - Wiltshire Design Guide
- 5.3 The following policies are relevant to the determination of this application:
 - 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
- Policy CE5: Dark Skies

National Policy

5.4 Other possible Relevant Considerations (without limitation):

- National Planning Policy Framework
- National Planning Practice Guidance
- Planning (Listed Buildings and Conservation Areas) Act 1990 – sections 66 and 72

6.0 PLANNING ANALYSIS

Principle of development

- 6.1 The principle of development in terms of providing additional facilities for residential accommodation is acceptable, subject to site specific considerations. In this case, that is the impact on the Green Belt, impact on the Cotswold National Landscape, and the impacts on the adjacent listed building, ecology and residential amenity, as well as general design considerations.

Impact on the Green Belt

- 6.2 As the site is located within the Green Belt, strict controls exist to guard against inappropriate development, which is harmful to the Green Belt by definition. As the Wiltshire Core Strategy has no Green Belt specific policies, the proposed development must be considered in the context of paragraph 154 of the NPPF, which sets out the forms of development that are considered not to represent inappropriate development.
- 6.3 Limb (c) of paragraph 154 allows for the “*extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.*” Original in this context is the building on 1st July 1948. Although the proposed building is detached from the dwelling, due to its ancillary purposes, it could be considered as an extension.
- 6.4 Wiltshire Council does not have guidance for what represents a disproportionate addition. The proposed building would have a footprint of approx. 5m by 6m and a volume of approx. 87 cubic metres. Whilst it is accepted that the original building has been previously extended, it is not considered that the proposed outbuilding would

represent a disproportionate addition to the original building.

- 6.5 Notwithstanding this, the site is located outside any identified settlement boundary. Limb (g) of paragraph 154 allows for the *“partial or complete redevelopment of previously development land ... whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.”*
- 6.6 Previously developed land (PDL) is defined in the glossary as *“land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, **including the curtilage of the development land.**”* (my emphasis). The definition excludes land in built up areas such as residential gardens however, given its rural location, the site is not within a built-up area and therefore meets the definition of PDL.
- 6.7 Sites similar to the application site have been considered as PDL by Planning Inspectors, for example in the Holmwood decision (DCS ref: 400-068-179, Appendix 1). It must therefore be considered whether the proposed outbuilding would result in substantial harm to the openness of the Green Belt, this test is a very high bar.
- 6.8 As set out in paragraph 6.4, the proposed building has a modest footprint with a maximum height of 3.6m. It is located to the rear of Primrose Cottage and its visual impact, if any, would be minimal.
- 6.9 As a result the introduction of the building into the rear garden would not result in substantial harm to the openness of the Green Belt. The proposal is therefore in compliance with limb (g) of paragraph 154 and does not represent inappropriate development in the Green Belt.

Impact on the Cotswold National Landscape

- 6.10 The site is located within the Cotswold National Landscape (CNL) and the NPPF requires that great weight is given to maintaining and enhancing its scenic beauty.
- 6.11 When considered against this, the proposed development would be a modest, ancillary outbuilding sited within the established residential curtilage of Primrose Cottage. Due to the scale of the proposed development, the weighting given in relation to the impact on the National Landscape in the planning balance is limited.
- 6.12 It is acknowledged that the key aim of Policy CE5 of the CNL Management Plan is to limit light pollution to preserve dark skies in the landscape and due to this, plus the pre-application advice received, the amount of glazing has been reduced. The main glazed

doors would face towards the existing dwelling, limiting its visibility in the wider landscape, with two smaller windows in the east and west elevations. There are no rooflights proposed. The applicant would nevertheless accept a condition removing permitted development rights for the insertion of further windows and/or rooflights.

- 6.13 Furthermore, the building is considered to represent a positive contribution to sustainability by reducing the need to commute.
- 6.14 Given the modest scale of the building and the use of timber cladding, it would sit comfortably in the wider landscape and the use of timber cladding would weather in time.
- 6.15 The proposed development would therefore preserve the scenic beauty of the CNL and its dark skies.

Impact on Ecology

- 6.16 The site is located within the Bath and Bradford on Avon Bat Special Area of Conservation (SAC).
- 6.17 As a result the design has been careful to ensure that there are no windows to the rear elevation and that the side windows are small in size to minimise any impact. The proposed glazing has therefore been kept to a minimum would limit the light spill towards the wider countryside, specifically to the side and rear.
- 6.18 Any impact would be further lessened as the side boundary is marked by a stone wall, so there would be no increase in windows facing towards any hedgerows that might be used by bats.
- 6.19 As set out in paragraph 6.10, conditions can be used to remove the right for any additional windows to be inserted without further planning applications to safeguard bats. Furthermore, blackout blinds will be used to prevent artificial light impacting bat behaviour.
- 6.20 No external lighting is proposed to the building and conditions can be used to require any lighting to be submitted and approved by the Council prior to their installation.
- 6.21 For the reasons set out above, the proposed building, in conjunction with the level of glazing shown on the plans, would not result in any adverse impacts on any bats within the area.

Impact on the setting of the listed building

- 6.22 Numbers 1, 2 and 3 Pleasant View are Grade II listed cottages, sited near to the site. The Council has a duty to ensure that any new development preserves or enhances the special interests of the buildings however, due to the relationship between the site and the listed buildings, there would be no impacts on their immediate setting.
- 6.23 The previous sections detail how the modest scale and appropriate use of materials would not harm the character of the wider area. The proposed development would preserve the wider rural setting thus resulting in no impacts on the setting of the nearby listed buildings.

Impact on residential amenity

- 6.24 The proposed building would be sited so the main glazed doors would face back towards the host dwelling. The rear elevation of the nearest residential property (3 Pleasant View) is over 20m from the front of the proposed development. Due to this distance and the relationship, there would be no harmful loss of privacy. No other residential properties would be affected.

Design and visual amenity

- 6.25 The proposed building is of a modest size and scale. It would be constructed of complementary timber cladding to the host building and its rural context. It would be subservient to the host building. It would represent high quality design and is in compliance with Core Policy 57.

7.0 CONCLUSIONS

- 7.1 In conclusion, the proposals would not represent inappropriate development in the Green Belt. There would be no adverse impacts on the scenic beauty of the CNL. There would be no impacts on bats due to the limited glazing and its relationship with the wider rural landscape. There are no adverse impacts on residential amenity or the setting of the nearby listed buildings.
- 7.2 Overall, this is a well-conceived, high quality development proposal that is fully responsive to the site's characteristics and constraints, and the local context. It is therefore hoped that there will be support for the scheme and planning permission will be granted.

APPENDIX 1: Holmwood Appeal Decision (DCS ref: 400-068-179)
