

APPLICATION FOR HOUSEHOLDER PLANNING PERMISSION DELEGATED REPORT

APPLICATION REFERENCE:	PL/2026/02611
APPLICATION TYPE:	Householder planning permission
SITE ADDRESS:	11 St Margarets Place, Bradford on Avon, BA15 1DT
DEVELOPMENT DESCRIPTION:	Replacement of existing rear conservatory
RECOMMENDATION:	That Planning Permission be GRANTED

SITE DESCRIPTION/CONTEXT

The subject property is a detached dormer bungalow at the top of the historic lane St Margaret's Place which rises from the southern side of the historic core of Bradford on Avon and terminates in a right of way.



Location Plan and submitted Site Photo

The application site is within the Bradford on Avon Conservation Area and is located above a terrace of listed buildings lining St Margaret's Place.

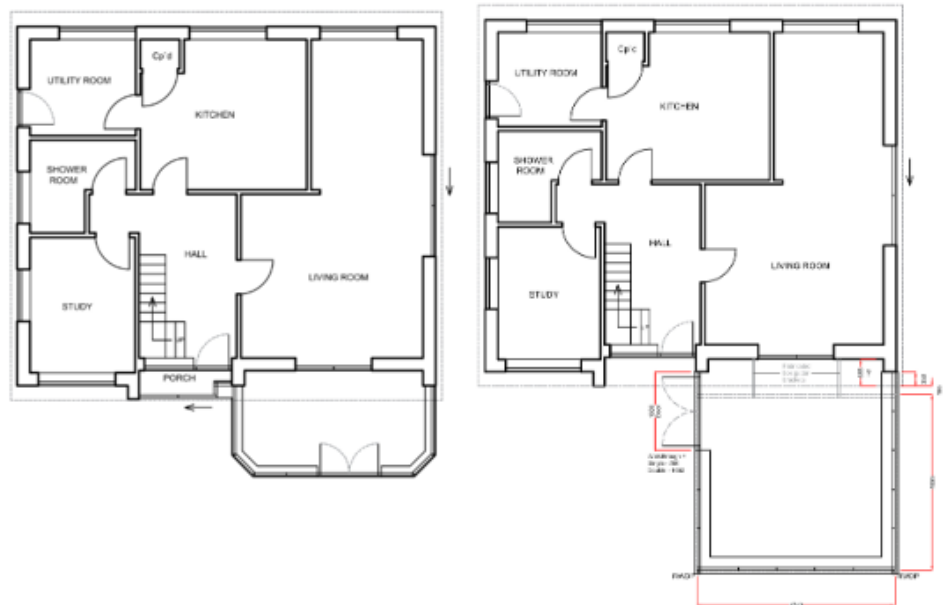


**Proposed Block Plan and map showing
Conservation Area (shaded green and surrounding listed buildings (hatched)).**

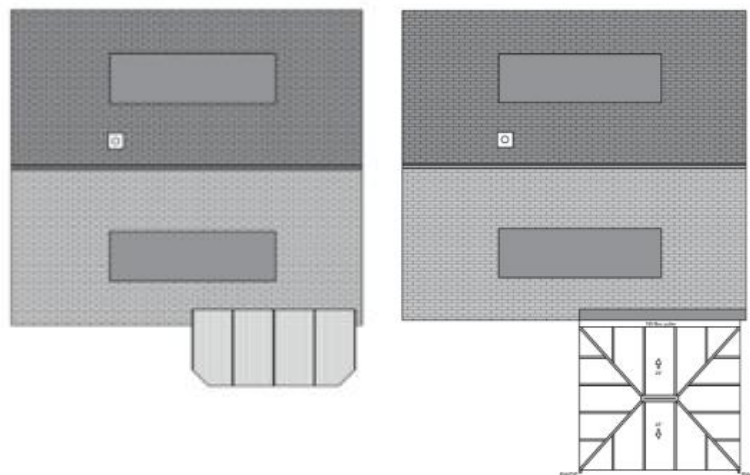
The site is within buffer zones of various bat roosts and so within the Bradford on Avon and Bath Bats Special Area of Conservation.

PROPOSAL

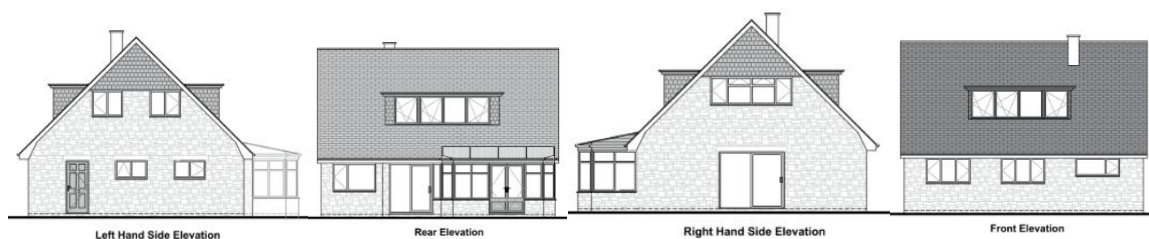
The proposal seeks planning permission to replace a rear conservatory which is in a poor state of repair, with a new conservatory measuring 4.2m x 4.7m, with anthracite grey frames and toughened DG glass roof sheets.



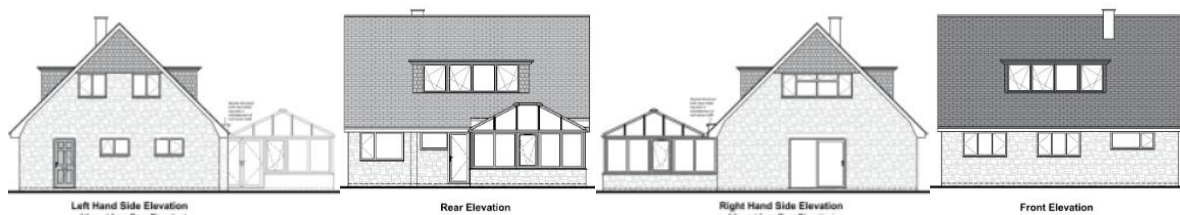
Existing and Proposed Ground Floor Plans



Existing and Proposed Roof Plans



Existing Elevations



Proposed Elevations

PLANNING HISTORY

W/92/00615/FUL - Full planning permission Decision - Approved with Conditions Date: 22/6/1992 – Erection of sun lounge to rear of property

RELEVANT POLICIES AND GUIDANCE

The National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG)
National Design Guide

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

Wiltshire Core Strategy:

- Core Policy 50: Biodiversity and Geodiversity
- Core Policy 57 Ensuring High Quality Design and Place Shaping
- Core Policy 58: Ensuring the Conservation of the Historic Environment

Bradford on Avon Neighbourhood Plan, made 2017

CONSULTATION RESPONSES

Bradford on Avon Town Council: No objections.

Bradford on Avon Preservation Trust: a no comment submitted.

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.

Heritage, Design and Impact upon the character and context of the area

From the point of view of the historic environment the main statutory tests are set out within the Planning (Listed Building and Conservation Areas) Act 1990.

Section 72(1) of the Act requires the Council to pay special attention to the desirability of preserving or enhancing the character or appearance of designated Conservation Areas.

The Council's Core Strategy Policy CP58 'Ensuring the conservation of the historic environment' requires that designated and non-designated heritage assets and their settings will be conserved, and where appropriate enhanced, in a manner appropriate to their significance and encourages proposals which improve the condition of heritage assets at risk.

The Council's Core Strategy CP57: Ensuring high quality design requires a high quality of design in all new developments. The policy requires applicants to "demonstrate how the proposal will make a positive contribution to the character of Wiltshire through (amongst other things) responding to the value of the natural and historic environment and being sympathetic to and conserving historic buildings and landscapes. Development is required to respond positively to the existing in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting.

The NPPF outlines government policy for planning. Chapter 16 of the NPPF 'Conserving and enhancing the historic environment' sets out the Government's high-level policies concerning heritage and sustainable development.

The proposal is for a replacement conservatory having a modest increased footprint and improved design and sustainability. There would be no substantive harm to the streetscape or Conservation Area due to the continued siting to the rear of the property, at the greatest distance from the listed buildings and visually buffered by the steep topography. As a replacement of a modern conservatory, there would be no increased impact on the setting of neighbouring listed buildings than the current status quo.

The proposed materials, design and scale are considered appropriate for the modern subject dwelling and commensurate to the plot.

The proposal, by virtue of its scale, design, and use of materials, is considered to preserve the character and appearance of the conservation area and setting of neighbouring listed buildings and will integrate successfully with the modern dwelling.

The development is therefore considered to comply with Core Policy 58 and 57 of the Wiltshire Core Strategy and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as the relevant provisions of the NPPF.

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.

The proposed replacement conservatory, as a single storey structure, of only nominal increased dimensions, will have no increased impact on residential amenity.

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

Ecology Impacts

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.

The proposals pose no loss of biodiversity, and the application does not meet the threshold set out in legislation to demonstrate BNG.

All UK bat species are protected by European and UK legislation; the Conservation of Habitats and Species Regulations and the Wildlife and Countryside Act. Considering the scale and form of proposed development, as a single storey replacement conservatory, within a suburban area, no substantive ecology impact is raised and as such does not meet the threshold for a habitat regulations assessment.

An informative is included as a precautionary measure, raising the profile of the Bat SAC, including that if any evidence of bat activity is detected, that the applicant should follow the advice of a professional ecologist or contact Natural England.

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.

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

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 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.