

**REPORT TO THE DEVELOPMENT CONTROL COMMITTEE** Report No.

<b>Date of Meeting</b>	<b>24<sup>th</sup> September 2008</b>
<b>Application Number</b>	<b>08/01561/FUL &amp; 08/01562/CAC</b>
<b>Site Address</b>	<b>Church Cottage, 33 Bowden Hill, Lacock, Wilts</b>
<b>Proposal</b>	<b>Demolition of Existing Dwelling and Associated Works Including Trees and Replacement Dwelling</b>
<b>Applicant</b>	<b>Mr &amp; Mrs Kingsbury</b>
<b>Town/Parish Council</b>	<b>Lacock</b>
<b>Grid Ref</b>	<b>393715 167892</b>
<b>Type of application</b>	<b>Full application &amp; Conservation Area Consent</b>

**Reason for the application being considered by Committee**

These applications have been submitted to the Committee for decision under the scheme of delegation in force after the 8<sup>th</sup> April 2002 because Councillors Tonge and Hartless have requested that the application be considered by committee to assess the impact on the neighbouring properties and the setting of Bowden Hill.

**Summary of Report**

The proposal is for the erection of a replacement dwelling, following the demolition of the existing dwelling.

The site lies within in the open countryside and within the Conservation Area and therefore the key points to consider are as follows:

- Implications on DC Core Policy C3 and Housing Policy H4
- Impact on the Conservation Area and setting of a Listed Building
- Affect on the residential amenity of existing properties
- Impact on traffic and parking in the local area
- Demolition of the existing dwelling

**Officer Recommendation**

1. 08 /1561/FUL – Delegated to the Development Control Manager to PERMIT subject to expiry of consultations.
2. 08/1562/CAC – Delegated to the Development Control Manager to GRANT subject to expiry of site notice.

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## Proposal and Site Description

The proposal is for the demolition of the existing dwelling and the erection of a replacement dwelling.

The site is within the conservation area and in close proximity to St Anne's Church which is a Grade II Listed Building.

The site is accessed along an unmade track leading off Bowden Hill. The access is shared with the neighbouring property No. 34 Bowden Hill.

The existing property, which appears to be once a simple traditional stone cottage, has been subject to a number of piecemeal extensions over time and now resembles a dormer bungalow to the front and a full two storey suburban house to the rear.

The site occupies a relatively elevated position visible from the Common to the north and east and slightly longer range views from the public highway and footpaths to the south and west.

Planning History		
Application number	Proposal	Decision
N.01.02822.FUL	Alterations to dormer windows and conservatory	PER
N.07.01775.FUL	Two storey front and rear extension and alterations to fenestration alterations	PER

## Consultations

**Lacock Parish Council** objects on the grounds of scale and design; the impact on the environment; to match next door will make this proposal enormous and will be visual in the skyline; matter of opinion whether the replacement will enhance the area.

**Wiltshire County Council Highways** have no objections.

## Representations

One letter of objection has been received on behalf of the National Trust which states that it will be at least twice the size which will dominate and intrude on views of the landscape from National Trust land. Main concern is the impression from the plans that the roof line will be much higher (over 20%) than the existing house.

## Planning Considerations

### Principle of development

Policy H4 permits the replacement of existing dwellings within the countryside subject to meeting all of the three specified criteria, each of which are assessed below:

- a) The residential use has not been abandoned

The dwelling is not abandoned and is the applicant's family home.

- b) The existing dwelling is incapable of retention in its current state, is unsightly or is out of character with its surroundings

The existing dwelling is occupied and is capable of being retained.

Whilst the dwelling is visually unattractive, it is not considered to be unsightly.

In order to determine if the existing dwelling is out of character, it is important to assess what the existing character of the area is. The advice from the Senior Conservation Officer was sought and the following assessment was given.

The character of the conservation area is composed of largely individual house of various periods and sizes, set in their own grounds, the majority of which are unaltered and retain their original historical character. Whether the buildings were old or new, they represent clear examples of the architecture of the time they were built. The site dwelling appears to have been once a small, stone built cottage of modest proportions. Over the years the cottage has been extended and altered, with large dormer windows so that there is very little left of its original character. It is concluded that the property was out of character with its surroundings and has long ceased to make a positive contribution to the conservation area, detracting from the views over the common and the setting of the St Anne's church.

- c) The replacement dwelling is of a similar size and scale to the existing dwelling within the same cartilage.

Planning permission was granted for two storey extensions to the front and rear of the dwelling last year, under planning reference N.07.01775.FUL. This permission included the raising of the existing roof height to a level similar with No. 34 Bowden Hill. The existing 2007 permission is a material consideration and therefore, the comparison of the size and scale is made against this.

The agent has provided additional drawings which shows the proposed replacement dwelling superimposed on the 2007 plans. Whilst the proposed replacement dwelling is slightly wider than the 2007 permission, it is reduced in scale and proportions on both of the side elevations, facing north and south.

Overall, the size and scale of the proposal is no greater than the existing dwelling with the 2007 extensions added.

### Design and appearance

The proposal will have quite a traditional form on the front and side elevations. The main front section of the proposed dwelling will be constructed from random rubble stone with a slate roof. Moving to the rear elevation, this will be contemporary in form with the 2 no. two storey curved glazed bay windows.

### Impact on Conservation Area and Listed Building

The proposal is considered to be a visual improvement on the existing dwelling. The ridge height will be no greater than already approved under the 2007 permission. The contemporary rear elevation will be visible from the west, but it will be no more obvious in the landscape than the white rendered walls of the existing dwelling.

The proposal is not considered to adversely affect the setting of a listed building and will preserve the character and appearance of the conservation area.

### Highways and Access

The parking and access arrangement remains largely unchanged.

### Affect on the residential amenity of existing properties

The development will not have an adverse impact on the amenities of any adjoining occupiers.

## Demolition of the existing dwelling

The existing building is considered to be out of character with its surroundings and its demolition will help to preserve the character and appearance of this part of the conservation area.

### **Recommendation and Proposed Conditions/Informatives**

#### **1. 08/01561/FUL**

Delegated to the Development Control Manager to PERMIT subject to expiry of consultations.

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out strictly in accordance with the approved plans subject to such minor amendments to the development as may be approved in writing under this condition by the local planning authority.

Reason: To ensure that the development is implemented in accordance with this decision in the interests of public amenity, but also to allow for the approval of minor variations which do not materially affect the permission.

3. No development shall commence until samples of the materials to be used in the construction of the external surfaces, including roofs, have been submitted to and approved in writing by the Local planning authority. The development shall thereafter be carried out in accordance with the details so approved.

Reason: In the interests of the appearance of the development and the character and appearance of the Conservation Area.

4. No development shall commence until a sample panel of all the external walling materials to be used shall be erected on site, approved in writing by the Local Planning Authority, and kept on site for reference until the development is completed.

Reason: In the interests of the appearance of the development and the character and appearance of the Conservation Area.

5. No development shall commence until details of the windows frames, door frames and brise soleil have been submitted to and approved in writing by, the local planning authority. These details shall include depth of reveals, materials and full drawings including both horizontal and vertical sections, to a scale no less than 1:20. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the appearance of the development and the character and appearance of the Conservation Area.

6. No development shall commence until a hard and soft landscape scheme has been submitted to and approved by the local planning authority, shall a scheme shall include details of all walls, fences, trees, hedgerows and other planting which are to be retained; details of all new walls, fences and other boundary treatment and finished ground levels; a plant specification to include the number of species and position of all new trees and shrubs; details of the surface treatment of the open parts of the site; and a programme of implementation.

Reason: To ensure the provision of an appropriate landscaping setting for the development.

7. All hard and soft landscaping works shall be carried out in accordance with the approved details.

The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the local planning authority. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size to be first approved in writing by the local planning authority. All hard landscape works shall be permanently retained in accordance with the approved details.

Reason: To ensure that the landscape scheme is implemented and maintained.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) there shall be no extension or external alteration to any building forming part of the development hereby permitted.

Reason: In order to safeguard the amenity of the area by enabling the local planning authority to consider individually whether planning permission should be granted for extensions and external alterations.

#### **Informatives:**

1. This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

#### Plan References

07/36/E3, 07/36/P2B, 07/36/P3A received by the Local Planning Authority on the 27/06/08; and

07/36/E1A, 07/36/P1C, 07/36/P5, 07/36/P6 received by the Local Planning Authority on the 28/08/08

## **2. 08/01562/CAC**

Delegated to the Development Control Manager to GRANT subject to expiry of site notice.

1. The works to which this consent relates shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. The demolition hereby permitted shall not be undertaken before a contract for the carrying out of the works of redevelopment of the site has been made and planning permission has been granted for the redevelopment for which the contract provides.

Reason: To avoid the creation of a vacant site which would harm the character and appearance of the Conservation Area.

#### **Informatives**

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## Plan References

07/36/E2; 07/36/D2; 07/36/E1 all received by the local planning authority 27/07/08

## Reason for Decisions

### 1. 08/01561/FUL

The proposal will replace an existing dwelling which is considered to be out of character with its surroundings. The development and demolition of the existing dwelling will help to preserve the character and appearance of the conservation area and will not adversely affect the setting of the nearby listed building nor will it adversely affect the residential amenities of any adjoining occupiers in accordance with Policies C1, C3, H4, HE1, HE2 and NE15 of the North Wiltshire Local Plan 2011.

### 2. 08/01562/CAC

The existing building is not in character with its surroundings, the wider conservation area or the setting of the listed building. Its demolition and replacement with an appropriately designed building would enhance the character and appearance of the conservation area and setting of the listed building in accordance with policies C3 and HE2 of the North Wiltshire Local Plan 2011.

<b>Appendices:</b>	<b>None</b>
<b>Background Documents Used in the Preparation of this Report:</b>	<b>1.20, 2.02, 4.02, 4.04, 5.01</b>