

REPORT TO THE DEVELOPMENT CONTROL COMMITTEE Report No.

Date of Meeting	17 December 2008
Application Number	08/2416FUL
Site Address	Lower Lodge, 35 Bowden Hill, Lacock
Proposal	Erection of self contained residential annex in rear garden following removal of existing shed
Applicant	Mrs K DuBoulay
Town/Parish Council	Lacock
Grid Ref	393774 16774
Type of application	Full application

Reason for the application being considered by Committee

This application has been submitted to the Committee for decision under the scheme of delegation in force after the 8th April 2002 because Councillors Tonge and Hartless have requested that the application be considered by committee to assess the effect of neighbouring properties.

Summary of Report

This application seeks permission for the erection of a residential annex at Lower Lodge, Bowden Hill, Lacock. The annex is to comprise a single storey detached timber building measuring 10.4 metres by 5.1 metres with a ridge height of 3.5 metres.

The application site lies within the Bowden Hill Conservation Area and a number of trees along the northern boundary are the subject of Tree Preservation Orders.

The key considerations in the determination of this application are:

- Implications on DC Core Policy C3 and Housing Policy H8
- Impact on the character and appearance of the Conservation Area and Trees
- Affect of the character and appearance of the host dwelling

Officer Recommendation

Planning Permission be REFUSED

Contact Officer	Tracy Smith	01249 706642	tsmith@northwiltshire.gov.uk
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Proposal and Site Description

Lower Lodge comprises a large detached dwelling which also operates as a bed and breakfast. The dwelling has been much extended. Based on recent appeal decisions, the property has been extended to its limits due to the design of the dwelling and its proximity to significant trees.

The dwelling occupies a prominent position within the landscape given the land falls away sharply to the west. It is set within large grounds and is located within the designated Bowden Hill Conservation Area. Tree and vegetation dominate the northern boundary of the site with other less dense vegetation on its other boundaries.

The proposed residential annex will be a self contained timber structure measuring 10.4 metres by 5.1 metres with a ridge height of 3.5 metres. It is also inconsistently described as a mobile home on the plans.

The nearest properties are in excess of 90 metres of the site and largely to the north. These properties are screened from the proposed annex via the vegetation on the northern boundary.

Planning History		
Application number	Proposal	Decision
07/02984FUL	Two storey extension (partial demolition)	Refused/ Dismissed at appeal
07/02376FUL	Two storey extension (annex) on side elevation	Refused/ Dismissed at appeal
02/00538FUL	Two storey extension	Permission
96/2258FUL	Conservatory	Permission
92/02388FUL	Extension	Permission
80/01420FUL	Alterations and extensions	Permission

Consultations

Lacock Parish Council comments are awaited.

Representations

No letters of objection have been received

Planning Considerations

Principle of development

Residential extensions are permitted subject to relevant criteria being satisfied in Policies C3 and H8.

Impact on the character and appearance of the host dwelling

The annex is of considerable size providing a significant amount of accommodation for such an ancillary building.

It is considered that a condition/legal agreement could control this matter, however, the scale and siting of the building so close to the dwelling house is considered to be detrimental to the character and appearance of the dwellinghouse and would fail to preserve the Conservation Area contrary to Policies C3 and H8 of the Local Plan.

Impact on Conservation Area

The application site occupies a prominent position within the conservation area by reason of its elevated position when viewed from the east.

The proposed annex would be sited in close proximity to the main house along the northern boundary. The northern boundary contains 4 trees the subject of a Tree Preservation Order in addition to a Group Tree Preservation Order. A copy of the TPO is contained in Appendix I since the trees on this boundary are not all shown on the plans submitted with the application.

It is considered that siting the structure so close to the boundary would detrimentally harm the protected trees, based on the information provided.

The harm to the trees and their potential loss to accommodate the development, in turn would affect the landscape character of the countryside and would also fail to preserve the character and appearance of the conservation area at this location.

Accordingly the proposal is considered to be contrary to Policies C3, NE14, NE15, HE1 and H8 of the Local Plan.

It is acknowledged that during the determination of the previous application which was dismissed at appeal, the officer suggested that a small annex in the position of the existing cabin might be acceptable in principle and without prejudice. Since that time, Tree Preservation Orders are now in place and the current proposal is significantly larger than that envisaged.

Recommendation and Proposed Informative

REFUSE for the following reason:

1. The proposed development by reason of its scale, siting and subsequent loss of trees would be detrimental to the character and appearance of the host dwelling, the countryside at this location and would fail to preserve the character and appearance of the countryside at this location. Accordingly the proposal would be contrary to Policies C3, HE1, NE14, NE15, HE4 and H8 of the adopted North Wiltshire Local Plan 2011.

Informative

1. The following policies of the Development Plan are relevant to this decision:-

North Wiltshire Local Plan 2011:- C3, HE1, NE14, NE15, HE4, H8

2. 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.

dwg nos. 28037/04 rev C, 05, 06 and 07 received by the local planning authority 21 October 2008

Appendices:	I - TPO details
Background Documents Used in the Preparation of this Report:	1.20 2.02 4.03 5.01 5.04