

**REPORT OUTLINE FOR AREA PLANNING COMMITTEES****Report No.**

<b>Date of Meeting</b>	21 <sup>st</sup> June 2023
<b>Application Number</b>	PL/2022/08432
<b>Site Address</b>	Corner House, The Common, Heddington, Calne, Wiltshire, SN11 0NZ
<b>Proposal</b>	Extension and outbuildings. Change of use of land for residential purposes.
<b>Applicant</b>	Jonathan Llewellyn
<b>Town/Parish Council</b>	Heddington
<b>Electoral Division</b>	Calne South – Cllr Pearce-Kearney
<b>Grid Ref</b>	53.431359, -5.512302
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Kate Clark

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

The application has been called into committee at the request of Cllr Pearce-Kearney to consider scale of development, the visual impact upon the surrounding area, relationship to adjoining properties, design - bulk, height, general appearance, environmental/highway impact and car parking.

**1. Purpose of Report**

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to delegate authority to the Head of Development Management to **GRANT** planning permission, subject to conditions.

**2. Report Summary**

The key issues in considering the application are as follows:

- Principle of the development
- Size, scale and design of the extensions and outbuilding
- Impact on landscape including change of use of land
- Residential amenities of adjoining neighbours
- Highway impact

### **3. Site Description**

The application site comprises a detached two-storey dwellinghouse, with a detached flat store to the side. The property is finished in a rough cast render with clay tiled, asymmetric roof.

The majority of the garden space associated with the dwelling lies to the front of the property with a small strip of private amenity space to the rear. Also within the same ownership is a paddock / field adjoining the site.

The closest residential properties are Hill View, approximately 12m to the north-west of the site, and Wick Corner approximately 25m to the north-east. Those properties which can be seen do vary in their relationship with the road frontage, built form (houses and bungalows, detached and semi-detached), roof profiles (shallow and steep pitched, hipped and gabled, with and without dormer windows and rooflights), facing materials (render, stone and brick), fenestration (materials, colours, horizontal and vertical casement, glazing bars and without bars).

The application site is located in the open countryside and outside of any settlement boundary identified within the development plan. No Public Rights of Way are adjacent or with close proximity of the site. The nearest listed building is Marsh End Farm to the North, but is of sufficient distance from the application site to avoid an impact or harm being caused to its setting.

There are no other heritage, landscape or ecological designations.

### **4. Planning History**

- PL2021/11944 – Extension and outbuildings – Withdrawn
- PL.2021/11943 – Certificate of lawfulness - Refused

### **5. The Proposal**

The proposal comprises the construction of two storey extensions to the side and rear of the property, single storey extensions to the side (incorporating an existing outbuilding), new porch, as well as the erection of single storied detached garage and separate home office/store buildings. The proposed development will see the ridge of the dwelling being raised by approximately 0.6m to allow for a “master bedroom”, together with 3No dormer windows to be constructed on the front elevation with Juliette style balconies shown to the rear.

The depth of the proposed rear extension is approximately 3.5m, spanning the width of the existing property; with the part single, part two storey, side extension having a maximum of 4m in width. To the North side elevation a 6m wide single storey extension is proposed. The detached double garage is shown to the north of the dwellinghouse with a hipped roof to a maximum height of 3.5m. The separate home office/store building is shown to have a flat roof with an approximate height of 2.5m, situated to the south of the dwelling.

Chosen external materials include rendered elevations under an artificial slate roof on the front of the

dwelling, with timber weatherboarding on the rear extension.

To the west of the property, permission is sought to incorporate between a c.9 -15m deep section of the field to the rear into the domestic curtilage of Corner house.

During the life of the application, revised plans were submitted by the applicant. Those plans revised the following elements of the proposal:

- Extent of land to be incorporated into garden
- Size and positioning of garage.

## **6. Local Planning Policy**

Wiltshire Core Strategy Jan 2015:

Core Policy 51- Landscape

Core Policy 57- Ensuring high quality design and place shaping

Core Policies 60, 61 and 62 – Transport and new development

## **7. Summary of consultation responses**

Parish Council – Raises concerns:

In relation to the original submission (23.01.23):

*The rear red line boundary of the property encloses what is currently an orchard/arable land and so until such time as this land has received approval for change of use to residential/garden the proposed development may not proceed. The proposed increase of height of the property to create a three storey building will have an over imposing influence on the site in such a prominent position. The ability of cars to access the proposed garage is questioned and the layout drawing showing four cars parked in front of the proposed garage suggests that manoeuvring of cars would have an adverse effect on the adjacent highway.*

In relation to the revised plans (31.03.23):

*With regards to this amended application; the Parish Council's views are unchanged from those previously stated. It is noted that this amended application still proposes an increase in height of building to incorporate an additional floor.*

Council Archaeologist - No objection.

Council Highways Officer – No objection:

*I refer to the above householder planning application received on 9th November 2022 for extensions and outbuildings, including a loft conversion. This is a resubmitted application*

*following the withdrawal of the earlier application submitted under reference PL/2021/11944.*

*The existing property is a 3-bedroom two-storey building, with a small store building to the north of the dwelling, and some outbuildings at the end of the rear garden to the north-west. The proposal seeks to provide single-storey side and rear extensions in order to provide improved ground floor accommodation and to increase the accommodation at first floor level to provide a fourth bedroom. The loft conversion would also provide for a further bedroom. A new double garage is proposed to accommodate two cars, which would be served off the existing access drive where sufficient room would be also available for further parking and turning facilities to cater for this size of dwelling, and in accordance with the current parking standards.*

*It is also proposed that a detached office outbuilding would be constructed to the south of the dwelling.*

*Having regard to the above, I would have no highway objections to the proposed extensions to the main dwelling and revised parking provision. With regard to the proposed office outbuilding, I would have no objections subject to its use being for the personal use of the applicants.*

*I therefore recommend the following conditions be attached to any permission granted:-*

*The office outbuilding hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Corner House.*

*REASON: In the interests of residential amenity and sustainable development.*

## **8. Publicity**

The application was advertised by neighbour letter on the initial plans on 9<sup>th</sup> November 2022 and following the receipt of revised plans, again on 8<sup>th</sup> March 2023. In total, 7 letters of objection were received. A summary of the representations is set out below:

- 3 storey dwelling out of keeping with the area
- Loss of agricultural land and extension of domestic curtilage
- Lack of site notice
- Insufficient time to review plans
- Inaccurate plans and erroneous plan labelling
- Size, scale and design of the proposal
- Excessive amount of parking and garaging

## **9. Planning Considerations**

### Principle of development

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made

in accordance with the Development Plan, unless material considerations indicate otherwise. At the current time the statutory development plan in respect of this application consists of the Wiltshire Core Strategy (WCS) (Adopted January 2015); and the 'saved' policies of the North Wiltshire Local Plan (NWLP) 2011 (adopted June 2006).

The principle of domestic extensions, alterations and/or outbuildings within the curtilage of existing dwellings is considered acceptable, providing those proposals are compliant with the requirements of relevant policies within the development plan.

The proposed change of use of land to domestic curtilage/garden is not unacceptable in principle but must be compliant with other policies in the statutory development plan, including those relating to landscape and amenity. The consideration of those, and all other details, are set out in the sections below.

### Size, scale and design

The planning system promotes high quality development through good inclusive design and layout and the creation of safe, sustainable mixed communities. Good design should be indivisible from good planning and recognised principles of good design seek to create a high-quality built environment for all types of development. Core Policy 57 of the WCS requires new development to respond positively to existing landscapes in terms of building layout, built form, height, mass, scale, building line and materials in order to effectively integrate the building into its setting.

The existing dwelling is relatively modest in scale and the extensions would add approximately 0.9m to the existing ridge height, a more elaborate roof profile and a consideration increase in its footprint through the rear and side extensions, as well as the two new outbuildings. However, whilst the proposals will see what is a fundamentally simple, detached property being considerably altered and changed in to a large house with a range of extensions and roof additions, those changes are not considered to result in an unacceptable impact. Indeed, the extensions, which still significant, still do display a dropped eaves and ridge, thereby preserving a degree of visual subservience, and the dormer windows being of proportions which are appropriate to the roof. Render is specified presumably with an intent to compliment the rough cast render used for the existing property. The fenestration adopted for the extensions is perhaps a more radical departure from the existing property, but it is not considered to be so divergent that it would somehow be out of keeping with the property.

In respect of the new garage, this has been positioned forward of the front elevation and whilst we would normally seek to minimise the visual impact of outbuildings, in this instance it is of a low profile and does not present a mass that would unbalance the property. Similarly, the detached home office/store is similarly low profile and, whilst sited a little further away, is still close enough to the property to be considered ancillary in appearance and function.

In terms of the proposed extensions and buildings impact on the wider locality, it is noted that the bulk of the additions would be positioned to the rear of the property and, importantly, behind the position of the front elevation in relation to the highway, thereby in large part preserving the openness of the existing front garden area and the property's presentation to the road. Similarly, whilst local and Parish Council concern has been raised about the appropriateness of the raised roof height and dormer windows being created, the change is not considered to be so out of keeping that it would be inappropriate – particularly on a corner plot such as this where an increased height and prominence

would perhaps be unexpected in urban design terms. The new porch and detached garage do break that notional *building-line*, but not to any degree that the character of the locality could be said to be unacceptably affected. The plans show that a section of hedging is to be removed to allow for the garage, but the hedging fronting the public highway junction remains substantively unaffected by the development.

Whilst no three-storey dwellings are located in close proximity of the application site, it is noted that several of the nearby houses have been extended. There is considered to be no overriding or strong prevailing character of the buildings seen in the locality – with built form, roof profiles, facing materials, fenestration all being reasonably mixed. Equally, the application site is located in a conservation area or protected landscape and for the foregoing reasons, there is not considered to be a reason to regard the proposals as being unacceptably out of character.

Ultimately, whilst the scale and extent of the additions and extensions is substantial, the proposed development would not be unacceptably out of keeping and would integrate into the setting of the locality, with appropriate design, built form, massing and external materials. Accordingly, the proposals would accord with CP57 of the Wiltshire Core Strategy.

### Landscape and visual impact

Core Policy 51 states that development should protect, conserve and where possible, enhance the landscape character. Section 15 of the NPPF expects decisions to ensure the protection and enhancement of valued landscapes.

The site comprises a detached dwelling with a large garden to the front with limited private amenity space afforded, the rear garden being approximately 2m deep. Due to these specific site details, In these particular circumstances it is considered unreasonable to object to the principle of the change of use of a section of agricultural land. The area of land proposed for the change of use for residential purposes runs across the rear boundary at a depth of 7m to the north and approximately 15 at the southmost point. Whilst there is some ambiguity on the matter it would appear that historically it was grazing land which seem to be supported by aerial photographs.

The land in question will be broadly screened by the dwelling as extended, but it remains likely that views of the site will be possible from public vantage points along the highway. It is considered that the change of use of land, given appropriate boundary treatments could be made to integrate effectively into the existing landscape (it amounting to a simple shift of the existing boundary 9-15m Westward). It is, however, considered reasonable to impose a condition removing permitted development for further outbuildings and domestic paraphernalia given the rural nature of the site and in the interests of visual amenity.

The distance of the application site to the AONB to the East (some 2-3km) does mean that the development is unlikely to be overtly visible in the context of surrounding development.

Representations have suggested that the land, and associated outbuilding, to the rear of the property was used for the grazing of animals up until recently. There is no reason to dispute the history of the land or the outbuilding, but neither does it change the conclusions reached that the change of use of a relatively small part of it to garden land is acceptable in this instance. The land is classified as being grade 3 (good to moderate) and there is no proposal to build on that land, with an ability to use it for

agriculture in the future requiring no further planning permission and, to that extent, the proposal would comply with paragraph 174 to the NPPF..

In summary, the proposed development does not result in an unacceptable level of harm and remains considerate to the surrounding landscape. On this basis it is considered that the proposals comply with Core Policy 51 of the Wiltshire Core Strategy Development Plan and are considered acceptable

### Residential amenity

Core Policy 57 states that development should have regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants and ensuring that appropriate levels of amenity are achievable within the development itself. Section 12 of the NPPF also states that planning decisions should create places with a high standard of amenity for existing and future users.

The closest property to Corner House is Hill View. Plans indicate that at the closest point the distance will be approximately 18m between the two properties. Plans show 2No Juliette type balconies on the west elevation. In this instance, given the respective orientations of the two properties and the presence of windows in the existing dwelling, there is not considered to be any further unacceptable loss of privacy or overlooking compared with the existing situation. Similarly, whilst there is likely to be a change to the outlook from Hill View (particularly over the extended rear garden area and towards the new garage outbuilding), such a change is not considered to constitute an unacceptable impact on the amenities or living conditions of the occupiers.

Wick Corner and other properties on the opposite side of the highway are further removed and not likely to be unacceptably impacted by the development.

In the context of the nature and layout of the development, it is considered that, in this respect, the proposal is complies with CP57 of the Wiltshire Core Strategy

### Highways

Core Policy 61 of the Wiltshire Core Strategy states that development should be capable of being served by safe access to the highway network.

In this particular case, the application proposes no change to the existing point of access or the driveway across common land. The accommodation proposed is to be ancillary to the existing dwelling and the plans show there is space to comfortably accommodate off-street parking for at least three cars (although the potential for four being shown on the plans) as well as the space within the new double garage. Therefore, the quantum of parking space would comply with the standards set out in the car parking strategy to the Wiltshire Local Transport Plan.

Whilst the Parish Council expresses concern about the space available to maneuver cars, the Council's Highway Officer has been consulted on the application and has offered no objection, subject to a condition requiring the garage not to be converted into habitable accommodation. Such a condition is considered reasonable, although in general there is no suggestion any of the new accommodation would be used for any purposes other than ancillary to the existing dwelling.

Accordingly, the proposals would not result in an unacceptable impact on highway safety and the residual cumulative impact on the road network would not be severe and the proposal is considered to meet with the requirements of policies CP60, CP61 and CP62 to the Wiltshire Core Strategy as well as the requirements of section 9 to the NPPF.

### Other matters

Concerns have been raised in respect of the lack of a site notice to publicise the application and that insufficient time was given to review the submitted plans. It can be confirmed that the application was advertised in accordance with the Council's Scheme of Community Involvement for householder type applications. Neighbour letters were sent out on 9<sup>th</sup> November 2022, and following the receipt of revised plans, a further round of letters were sent on 8<sup>th</sup> March 2023 and in both instances, neighbours were given three weeks to comment on applications as a minimum. As is normally the case, comments received after the closure of the publicity window will be taken into account.

Comments were also received suggesting inaccuracies in the submitted plans. In response, revised plans were submitted correcting those inaccuracies and changing the description of development. Any residual concerns over misleading labelling of the plans (and in particular, the existence and previous use of the vehicular access) is not considered to block an understanding of what is being proposed and an assessment of the likely impacts.

The future intention of the applicant to further develop the agricultural land has been raised within representations. Whilst there may well be an intention by the applicant to propose, or seek planning permission for, further development, the current application must be determined at face value and on its own merits. Any future intention, including any intent or attempt to use of this decision as a, so called, "fall back" to a future proposal cannot be reasonably used as a reason to refuse planning permission.

## **10 Conclusion**

Subject to the imposition of planning conditions, the proposed development is considered to be acceptable in respect of size, scale and design and would not unacceptably impact on the character of the area, wider landscape or on the amenity and living conditions of surrounding neighbours. There is no unacceptable impact on highway safety and the residual cumulative impact on the road network would not be severe.

Therefore, and subject to the imposition of the aforementioned conditions, the proposed development is considered to accord with Core Policies 51, 57, 60, 61 and 62 to the Wiltshire Core Strategy as well as relevant sections of the National Planning Policy Framework.

### **RECOMMENDATION: That Planning Permission be GRANTED subject to the following 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:

JLL\_104\_E0F

JLL\_104\_E2F

JLL\_104\_P2F

JLL\_104\_P1F

JLL\_104\_E1F

Received 06.03.23

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

3. The office outbuilding and garage hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Corner House. The garage shall not be converted into habitable accommodation unless otherwise agreed in the form of a separate planning permission in that regard.

REASON: In the interests of residential amenity and sustainable development and so as to ensure sufficient car parking and manoeuvring space is maintained on site.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no garages, sheds, greenhouses and other ancillary domestic outbuildings shall be erected anywhere on the site on the approved plans.

REASON: To safeguard the character and appearance of the area

5. No railings, fences, gates, walls, bollards and other means of enclosure development shall be erected in connection with the development hereby permitted until details of their design, external appearance and decorative finish have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the development being first occupied

REASON: In the interests of visual amenity and the character and appearance of the area.