

REPORT OUTLINE FOR AREA PLANNING COMMITTEES

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|----------------------------|---|
| Date of Meeting | 4 th October 2017 |
| Application Number | 17/03112/FUL |
| Site Address | Land adjacent to Barton Piece, Silver Street, Colerne, SN14 8DY |
| Proposal | Conversion of an existing dilapidated garage into a 2 bedroom house |
| Applicant | Mr Aleem Hosein |
| Town/Parish Council | COLERNE |
| Electoral Division | BOX AND COLERNE – Cllr Brian Mathew |
| Grid Ref | 381799 171129 |
| Type of application | Full Planning |
| Case Officer | Rose Fox |

Reason for the application being considered by Committee

The application was due to be considered at Planning Committee on 9th August 2017 but was deferred at the meeting as the applicant had proposed changes to the scheme to address neighbours' concerns. Following consultation in respect of revised plans submission a new call-in form has been received from Cllr Mathew for the committee to consider the scale of the development.

The changes to the scheme comprise the replacement of car ports to an integral garage and a modest increase in the dimensions of the proposed building. The length of the building would be increased by approximately 1.2m to increase the floorspace within the garage (to address neighbour concerns over parking). A minor amount of additional usable floorspace would also be gained at first floor level to increase bedroom space. The ridge height would be increased by approximately 500mm and the width of the building would be increased by approximately 300mm above the previously proposed scheme.

1. Purpose of Report

The purpose of the report is to provide an update to the previous report submitted to members ahead of the 9th August Planning Committee following the further public consultation in respect of the revised scheme proposals and deferral in that respect. The 9th August Committee Report is appended to this Committee Report (hereafter in this report referred to as Annexe A) and should be read alongside this update report, which will assess the merits of the revised proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be approved, subject to conditions.

2. Report Summary

The critical issues in the consideration of the application are as follows:

- Principle of Development
- Impact on Heritage Assets
- Design/Character and Appearance of the Area (AONB)
- Highways and Parking
- Residential Amenity

The application has met with objection from Colerne Parish Council. Whilst there was previously objection from members of the public (please see Annexe A), no representations have been received from members of the public further to the most recent revisions to the scheme and reconsultation.

3. Site Description

The site comprises a single storey garage and amenity space to the rear which is mainly grassed with some shrubs. The building is finished in stone, set beneath a terracotta tiled roof. It has timber shutters and doors to the front, two timber doors to the side, two ground floor windows to the rear and a first floor circular window to the rear. It is enclosed by a stone boundary wall and the neighbouring building's flank wall along the western boundary.

The application site is located centrally within the settlement limits of Colerne, which is defined as a Large Village within the Core Strategy. It is situated to the east of Silver Street, accessed via a private drive to the north which serves a cluster of residential properties. The surrounding residential properties comprise a mix of 1 and 2 storey buildings, which are finished in stone, with some variance in roof materials. The site is situated within the Colerne Conservation Area and Cotswolds AONB.

4. Planning History

16/11202/PREAPP – Conversion of garage to residential
 15/11988/FUL - Proposed Conversion of Existing Garage into 3 Bedroom Dwelling (Resubmission of 14/11032/FUL) – Withdrawn
 15/09384/PREAPP - Conversion of garage to residential
 14/11032/FUL - Conversion & Extension of Existing Double Garage with Loft Over to Create Residential Unit with Integral Garage & Parking - Withdrawn
 N/04/01225/FUL - ERECTION OF WORKSHOP – Approve with Conditions

5. The Proposal

The proposal comprises the conversion of the existing garage into a two bedroom dwelling. To facilitate the conversion there would be a modest increase in the height, length and width of the building through extensions with stone to match. The accommodation is to comprise an open plan kitchen/diner/living room, bathroom, storage and car port for two parking spaces on the ground floor and two bedrooms and a bathroom at first floor.

The two timber doors to the front would be removed and replaced with new timber doors for a double garage. The timber shutter above would be replaced with a single window. A single rooflight is proposed in the existing roof (eastern side) above the staircase, and the rear flat roofed extension would include bifold doors to the rear and a rooflight. It is proposed that the existing terracotta tiles are replaced with slate tiles to match

neighbouring properties. There would be an area of timber decking to the rear of the property, and paving and a gate to the side.

6. Local Planning Policy

The following policies of the Wiltshire Core Strategy (Jan 2015) (WCS) are relevant:

Core Policy 1 (Settlement strategy)

Core Policy 2 (Delivery strategy)

Core Policy 11 (Community Area strategy: Corsham Community Area)

Core Policy 45 (Meeting Wiltshire's Housing Needs)

Core Policy 51 (Landscape)

Core Policy 57 (Ensuring high quality design and place shaping)

Core Policy 58 (Ensuring the conservation of the historic environment)

Core Policy 61 (Transport and development)

Core Policy 64 (Demand management)

National Planning Policy Framework (NPPF)

Paragraphs 7, 11, 14, 17, 55, 58, 115, 129, 133, 134 and Sections 4 (Promoting sustainable transport), 6 (Delivering a wide choice of high quality homes), 7 (Requiring good design), 11 (Conserving and enhancing the natural environment) and 12 (Conserving and enhancing the historic environment) of the National Planning Policy Framework are also relevant.

7. Summary of consultation responses

Colerne Parish Council

"Colerne Parish Council request that this application be CALLED IN.

- 1. Overdevelopment of site in an already congested area with little or no parking.*
- 2. Covenant exists on land regarding building development.*
- 3. No legal right of vehicular access"*

In considering the above comment, it is understood there is a legal right of access but any covenant is a legal/property issue between the relevant parties and not a material planning consideration.

Conservation Officer

No objection to revisions

Highways

"I note the parking is contained within a 6 m by 6 m garage (plan A1.00 Rev 02) and thus complies with current parking standards.

As the site can be accessed via private agreement to the public highway at Silver Street I can raise no highway objection."

Drainage

"Site is in FZ 1 and not in an area at risk of surface water flooding for 1 in 30/100 events according to EA mapping

Application form states foul and storm drainage disposal will be to main sewer – not aware of location of sewers or whether there are any storm sewers in the area (nothing on Wessex Water drawings) and Wessex Water would not want storm water flows into the foul system

No drainage disposal information within the submission

Recommendation could be support but with drainage conditions (although if no storm sewers exist it would mean a condition which may not be able to be met) or a holding objection pending submission of drainage disposal arrangements”

After discussing further with the Drainage Officer, given the proposal is for a conversion within a built up area, and there is not a significant increase in hardstanding, a suitable drainage solution is considered achievable in principle. Drainage details will be conditioned.

Environmental Health

No objection but following condition suggested: *“No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.”*

Given there is the ability to disturb adjoining residents during construction, it is considered necessary to apply the condition to require a Construction Method Statement which will agree hours of construction amongst other construction details e.g. parking of construction vehicles.

Ecology

“I have reviewed the proposal alongside its supporting documentation, site photos and GIS ecological information, and determined that no ecological survey input is required to inform a planning decision.

The building proposed for works appears in good condition with little opportunity for bats to access potential roosting inside. It's in an urban setting in close proximity to adjacent buildings. The potential risk to roosting bats appears minimal.”

Two informatives are suggested to be applied to any permission in relation to bats and birds.

8. Publicity

The application was advertised by site notice and neighbour notification letter.

No representations have been received from local residents since the reconsultation. Please refer to Annexe A for a summary of previous objections.

9. Planning Considerations

Principle of development

Under the provisions of section 38(6) of the Planning and Compulsory Purchase Act 2004, applications for planning permission must be determined 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).

Core Policy 1 of the WCS sets out that Colerne is defined as a 'Large Village' within Wiltshire where development will be limited to that needed to help meet the housing needs of settlements. Core Policy 2 sets out that within the defined limits of development of Large Villages there is a presumption in favour of sustainable development. The location of dwellings in this area is therefore considered appropriate in principle as long as it constitutes sustainable development and complies with the other relevant policies of the WCS.

Heritage Assets

The Planning (Listed Buildings and Conservation Areas) Act 1990 provides powers for the designation, protection and enhancement of conservation areas and the preservation of listed buildings. The Act requires that special regard should be given to the desirability of preserving a listed building or its setting (s. 66) as well as giving special attention to preserving or enhancing the character or appearance of the conservation area (s.72).

Paragraph 129 of the NPPF requires local planning authorities to identify and assess the particular significance of any heritage asset that may be affected by the proposal (including any development affecting the setting of a heritage asset). Paragraphs 133 and 134 require local authorities to assess whether there is substantial harm, less than substantial harm or no harm to the heritage asset. Core Policy 57 requires, amongst other things, that new development must be sympathetic to and conserve historic buildings. Core Policy 58 requires that development should protect, conserve and where possible enhance the historic environment.

The property is situated within the Colerne Conservation Area. There is no Conservation Area Appraisal currently published for this designation. However, the conservation area, by virtue of its designation, is significant in heritage terms. The only listed building with a view of the application site is the rear of Charter House (no 10 High Street), the Grade II listed building to the south (approximately 21m from the edge of the new rear elevation of the proposed building). This building has aesthetic value and architectural significance.

The Conservation Officer does not consider the proposal to cause harm to the character or appearance of the conservation area as it would not be highly visible from the main thoroughfares in the area and the form of the building is similar to the existing. Given the appearance of the existing building would not be vastly changed, it is considered that the proposals result in a neutral impact to the conservation area. Large scale drawings and samples of all new materials are requested to be conditioned should the application be approved, however given the lack of harm identified and that the development does not affect a listed building itself it is not considered necessary or reasonable to require additional drawings at large scale of the proposed development. Given the location within the Conservation Area it is considered necessary and appropriate to condition to

the use of materials and rainwater goods. Given the application building is situated a moderate distance away to the rear of the listed building, the revised proposals will not harm the setting or significance of this listed building.

Should the application be approved, Permitted Development rights for further extensions, external alterations and outbuildings would be removed to enable the LPA to consider individually whether planning permission should be granted for such development, in the interests of visual amenity, residential amenity and safeguarding heritage assets.

Design/Character and Appearance of the Area (AONB)

WCS Core Policy 57 requires new development to be of a high standard of design and requires development to create a strong sense of place through drawing on the local context and being complimentary to the locality. Amongst other matters, the policy requires development to respond positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials streetscape and rooflines, to integrate the building into its setting effectively.

The design of the proposed dwelling is to reuse the existing building but modestly increase it in height, length and width to provide a first floor and sufficient parking. Matching materials will be used for the stone, and the terracotta roof tiles will be replaced with slate, which are used within the local area. External materials including rainwater goods would be conditioned to ensure good quality materials and matching stone would be used within the proposal. There are a mix of single storey and two storey dwellings within the area, so it is appropriate in scale. It is not considered that the proposal would be harmful in design terms, and it would be in keeping with the local character of the area.

The property is situated within the Cotswold AONB, which Policy CP51 of the Wiltshire Core Strategy applies great weight to conserving and enhancing landscapes and scenic beauty. Given this proposal is for a modest extensions and alterations to an existing building within the Large Village of Colerne, the proposals would not be harmful to the AONB.

Highways and Parking

The Council's Highway Officer has considered the proposals in respect of the adequacy of car parking and the safety of the access and egress of the private access onto the public highway. The revised scheme proposes parking to be contained within a 6 m by 6 m garage (plan A1.00 Rev 02) and thus complies with current parking standards. As the site can be accessed via private agreement to the public highway at Silver Street, no highway objection is made. Please refer to Annexe A for further commentary on the previous proposals.

Residential amenity

No objections have been received since the application was last reconsulted on. Please refer to Annexe A for a detailed assessment in considering residential amenity. In

summary, it is not considered that the neighbouring properties would suffer loss of daylight, sunlight or privacy as a result. There would be no adverse impacts.

Conclusions

Overall, it is considered that the revised proposals for a new dwelling represents sustainable development in accordance with Core Policies 1, 2, 11, 45, 51, 57, 58, 61 and 64 of the WCS (Jan 2015; and Paragraphs 7, 11, 14, 17, 55, 58, 115, 129, 133, 134 and Sections 4, 6, 7, 11 and 12 of the NPPF, and is acceptable in planning terms.

RECOMMENDATION – Approve 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:

A 0.00

0.01 REV 05

A 0.10 REV 01

A 0.11 REV 01

A 0.20 REV 01

A 0.30

A 1.00 REV 02

A 1.01 REV 01

A 1.02 REV 01

A 2.00 REV 02

A 2.01 REV 01

A 3.00 REV 02

Received 14/08/2017

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

3 No part of the development hereby approved shall be first brought into use until the car parking shown on the approved plans (A 1.00 REV 02) has been consolidated, surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times thereafter.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

4 The car port hereby approved must not be enclosed and shall remain open in perpetuity.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

5 Notwithstanding the approved drawings, no works shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority:

(i) Full details and samples of external materials, including rainwater goods.

The works shall be carried out in accordance with the approved details.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of preserving the character and appearance of the conservation area.

6 The natural stonework to be used externally on the proposed development shall match that of the existing building in terms of type, colour, size, dressing and bedding of stone, coursing, type of pointing and mortar mix.

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

7 No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in constructing the development; and
- d) hours of construction, including deliveries.

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, and dangers to highway safety, during the construction phase.

8 No development shall commence on site until a scheme for the discharge of foul water from the site, including any third party permissions, has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the development can be adequately drained.

9 The development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained.

10 No development shall commence on site until a scheme for the discharge of surface water from the site, incorporating any required third party permissions, has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the development can be adequately drained.

11 The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained.

12 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), there shall be no additions to, or extensions, enlargements or external alterations of any building forming part of the development hereby permitted.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

13 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.

14 INFORMATIVE TO APPLICANT:

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

15 INFORMATIVE TO APPLICANT:

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

16 INFORMATIVE TO APPLICANT:

Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

17 INFORMATIVE TO APPLICANT:

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

18 INFORMATIVE TO APPLICANT:

There is a low risk that bats may occur at the development site. Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most

species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected all times by the Conservation of Habitats and Species Regulations 2010 (as amended) even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or to contact the Bat Advice Service on 0845 1300 228, email enquiries@bats.org.uk or visit the Bat Conservation Trust website.

19 INFORMATIVE TO APPLICANT:

The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (Section 1), it is an offence to remove, damage and destroy a nest of any wild bird while that nest is in use or being built. Planning permission for a development does not provide a defence against prosecution under this Act. Trees, scrub and other vegetation, such as dense ivy, are likely to contain nesting birds between 1st March and 31st August. It should be assumed that onsite vegetation contains nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

20 INFORMATIVE TO APPLICANT:

The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy.

ANNEXE A

REPORT OUTLINE FOR AREA PLANNING COMMITTEES

| | |
|----------------------------|---|
| Date of Meeting | 9 th August 2017 |
| Application Number | 17/03112/FUL |
| Site Address | Land adjacent to Barton Piece, Silver Street, Colerne, SN14 8DY |
| Proposal | Conversion of an existing dilapidated garage into a 2 bedroom house |
| Applicant | Mr Aleem Hosein |
| Town/Parish Council | COLERNE |
| Electoral Division | BOX AND COLERNE – Cllr Brian Mathew |
| Grid Ref | 381799 171129 |
| Type of application | Full Planning |
| Case Officer | Rose Fox |

Reason for the application being considered by Committee

The application has been called to Committee by Cllr Mathew in order to consider the impact on highways, parking, residential amenity and scale of the development.

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 consider the recommendation that the application be approved, subject to conditions.

2. Report Summary

The critical issues in the consideration of the application are as follows:

- Principle of Development
- Impact on Heritage Assets
- Design/Character and Appearance of the Area (AONB)
- Highways and Parking
- Residential Amenity

The application has met with objection from Colerne Parish Council, 13 letters of objection from local residents and a petition of 27 signatures in objection.

3. Site Description

The site comprises a single storey garage and amenity space to the rear which is mainly grassed with some shrubs. The building is finished in stone, set beneath a terracotta

tiled roof. It has timber shutters and doors to the front, two timber doors to the side, two ground floor windows to the rear and a first floor circular window to the rear. It is enclosed by a stone boundary wall and the neighbouring building's flank wall along the western boundary.

The application site is located centrally within the settlement limits of Colerne, which is defined as a Large Village within the Core Strategy. It is situated to the east of Silver Street, accessed via a private drive to the north which serves a cluster of residential properties. The surrounding residential properties comprise a mix of 1 and 2 storey buildings, which are finished in stone, with some variance in roof materials. The site is situated within the Colerne Conservation Area and Cotswolds AONB.

4. Planning History

16/11202/PREAPP – Conversion of garage to residential
15/11988/FUL - Proposed Conversion of Existing Garage into 3 Bedroom Dwelling (Resubmission of 14/11032/FUL) – Withdrawn
15/09384/PREAPP - Conversion of garage to residential
14/11032/FUL - Conversion & Extension of Existing Double Garage with Loft Over to Create Residential Unit with Integral Garage & Parking - Withdrawn
N/04/01225/FUL - ERECTION OF WORKSHOP – Approve with Conditions

5. The Proposal

The proposal comprises the conversion of the existing garage into a two bedroom dwelling. To facilitate the conversion there would be a modest increase in the height and length of the building through extensions with stone to match. The accommodation is to comprise an open plan kitchen/diner/living room, bathroom, storage and car port for two parking spaces on the ground floor and two bedrooms and a bathroom at first floor.

The two timber doors to the front would be removed and for use as a carport for two cars. The timber shutter above would be replaced with a single window. A single rooflight is proposed in the existing roof (eastern side) above the staircase, and the rear flat roofed extension would include bifold doors to the rear and a rooflight. It is proposed that the existing terracotta tiles are replaced with slate tiles to match neighbouring properties. There would be an area of timber decking to the rear of the property, paving along the side and a gate to the front.

6. Local Planning Policy

The following policies of the Wiltshire Core Strategy (Jan 2015) (WCS) are relevant:

Core Policy 1 (Settlement strategy)

Core Policy 2 (Delivery strategy)

Core Policy 11 (Community Area strategy: Corsham Community Area)

Core Policy 45 (Meeting Wiltshire's Housing Needs)

Core Policy 51 (Landscape)

Core Policy 57 (Ensuring high quality design and place shaping)

Core Policy 58 (Ensuring the conservation of the historic environment)

Core Policy 61 (Transport and development)

Core Policy 64 (Demand management)

National Planning Policy Framework (NPPF)

Paragraphs 7, 11, 14, 17, 55, 58, 115, 129, 133, 134 and Sections 4 (Promoting sustainable transport), 6 (Delivering a wide choice of high quality homes), 7 (Requiring good design), 11 (Conserving and enhancing the natural environment) and 12 (Conserving and enhancing the historic environment) of the National Planning Policy Framework are also relevant.

7. Summary of consultation responses

Colerne Parish Council

“Colerne Parish Council request that this application be CALLED IN.

- 1. Overdevelopment of site in an already congested area with little or no parking.*
- 2. Covenant exists on land regarding building development.*
- 3. No legal right of vehicular access”*

In considering the above comment, it is understood there is a legal right of access but any covenant is a legal/property issue between the relevant parties and not a material planning consideration.

Conservation Officer

“No objection – The flat roof rear extension (and rooflight) is not typical of the conservation area, however it would not be highly visible from the main thoroughfares in the area. The form of the building is similar to existing so the proposal would not result in any harm to character or appearance of the conservation area. If approved, large scale drawings should be requested of the roof surface, eaves treatment, verges, gable (no fascia/barge boards – tiles should overlap the masonry by an inch to two inch with a simple mortar joint), and all new windows and doors. Full details should also be provided of rainwater goods and ventilation details. Materials should be conditioned to match and samples of all new materials to be submitted to the local planning authority.”

Highways

Initial objection to the proposal on grounds that the internal dimensions of the parking spaces within the garage were insufficient and the red line did not indicate access to the highway. The proposed integral garage has since been amended to a car port and the red line amended. Revised Highways Comments are as follows:

“I note the amended plan A 1.00 REV 01 demonstrates two parking spaces of standard size 4.8 m x 2.4 m. As discussed with the agent these are adequate parking spaces for a car port and I would be satisfied that the parking requirements have been demonstrated, should the parking be car port and open rather than with a garage door. The standard for a double garage is 6m x 6m internally. I note that the parking is still labelled ‘garage’ but it should not be enclosed to avoid adverse highways comment due to lack of provision for parking.

I am satisfied that there is sufficient space to manoeuvre along the private lane in order to enter and egress the public highway perpendicular and in forward gear. Should additional manoeuvres occur they will be away from the highway.

I am satisfied that there is sufficient indication that the site is linked to the public highway at Silver Street along the private lane and that the property has right of access to the highway.

Therefore I can raise no highway objection to the proposal subject to the following condition being attached to any permission granted.

No part of the development hereby approved shall be first brought into use until the car port parking shown on the approved plans (A 1.00 REV 01) has been consolidated, surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times thereafter.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.”

Drainage

“Site is in FZ 1 and not in an area at risk of surface water flooding for 1 in 30/100 events according to EA mapping

Application form states foul and storm drainage disposal will be to main sewer – not aware of location of sewers or whether there are any storm sewers in the area (nothing on Wessex Water drawings) and Wessex Water would not want storm water flows into the foul system

No drainage disposal information within the submission

Recommendation could be support but with drainage conditions (although if no storm sewers exist it would mean a condition which may not be able to be met) or a holding objection pending submission of drainage disposal arrangements”

After discussing further with the Drainage Officer, given the proposal is for a conversion within a built up area, and there is not a significant increase in hardstanding, a suitable drainage solution is considered achievable in principle. Drainage details will be conditioned.

Environmental Health

No objection but following condition suggested: *“No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.”*

Given there has been some objection to the proposal, it is considered necessary to apply the condition to require a Construction Method Statement which will agree hours of construction amongst other construction details e.g. parking of construction vehicles.

Ecology

"I have reviewed the proposal alongside its supporting documentation, site photos and GIS ecological information, and determined that no ecological survey input is required to inform a planning decision.

The building proposed for works appears in good condition with little opportunity for bats to access potential roosting inside. It's in an urban setting in close proximity to adjacent buildings. The potential risk to roosting bats appears minimal."

Two informatives are suggested to be applied to any permission in relation to bats and birds.

8. Publicity

The application was advertised by site notice and neighbour notification letter.

Representations have been received from 13 local residents, raising a number of concerns which can be summarised as follows (comments are addressed by the Planning Officer in italics where the issue is not addressed in the below Planning Consideration section):

- Additional parking on Silver Street (existing parking issues)
- Parking spaces provided too small – *spaces are standard size 2.4 x 4.8 m since being revised*
- Concern for parking, loss of turning space and safety on private drive – *On the assessment that adequate parking can be provided on-site, the specific issue of parking/turning on private land is a civil matter and not a material planning consideration*
- Highway safety issues entering/exiting private drive onto highway (and over a pavement)
- Overlooking/loss of privacy/overbearing on:
 - 10 High Street, Colerne (property to rear/south) from rear windows.
 - The Barn House (bungalow to north on other side of private drive).
Concern over first floor window overlooking into bedroom window.
Requests obscure glazed windows.
- Overdevelopment
- Not in keeping with conservation area/visual harm
- Comments on land values – *Not a material planning consideration*
- Concern not in compliance with building regulations – *Not a material planning consideration (if this is the case, where relevant, planning would have to be revised at a future date)*
- Queries location of bin store – *Now added to plans*
- Queries whether ecology study is needed (bats) – *Ecology confirmed this is not required*
- Covenant on land to prevent development – *Not a material planning consideration. It is understood there is a right of access.*
- Does not comply with The Nationally Described Spaces Standards – *There are no local space standards and the national standards are optional.*

- Queries over why Certificate B had not been served and party wall – Certificate B now served. *Party wall is separate legislation to planning but an informative would be applied to any permission stating advice should be sought on this.*
- Queries accuracy of plans – *Plans are considered to be accurate.*
- Proposed South/West elevation missing – *Now provided*
- Concerns over drainage – *Drainage Officer has been consulted and this detail can be conditioned.*
- Potential contamination issues – *No concerns raised by Public Protection.*
- Harm to trees on neighbouring property to east – *It is not considered there would be an adverse impact on any trees as a result of the proposal.*
- Concern that carport could be turned into a garage in the future – *This can be addressed by way of condition.*

A petition of 27 signatures has also been submitted in objection to the proposal on grounds of the following (summarised):

- No need for housing in the village centre;
- Need for parking spaces in the village will be best met by retaining the garage;
- Overdevelopment of the area and overuse of the drive;
- Parking space size inadequate; and
- Visitors will be forced to park on Silver Street and Grocyn Close, which is over congested and hazardous.

9. Planning Considerations

Principle of development

Under the provisions of section 38(6) of the Planning and Compulsory Purchase Act 2004, applications for planning permission must be determined 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).

Core Policy 1 of the WCS sets out that Colerne is defined as a 'Large Village' within Wiltshire where development will be limited to that needed to help meet the housing needs of settlements. Core Policy 2 sets out that within the defined limits of development of Large Villages there is a presumption in favour of sustainable development. The location of dwellings in this area is therefore considered appropriate in principle as long as it constitutes sustainable development and complies with the other relevant policies of the WCS.

Heritage Assets

The Planning (Listed Buildings and Conservation Areas) Act 1990 provides powers for the designation, protection and enhancement of conservation areas and the preservation of listed buildings. The Act requires that special regard should be given to the desirability of preserving a listed building or its setting (s. 66) as well as giving special attention to preserving or enhancing the character or appearance of the conservation area (s.72).

Paragraph 129 of the NPPF requires local planning authorities to identify and assess the particular significance of any heritage asset that may be affected by the proposal (including any development affecting the setting of a heritage asset). Paragraphs 133 and 134 require local authorities to assess whether there is substantial harm, less than substantial harm or no harm to the heritage asset. Core Policy 57 requires, amongst other things, that new development must be sympathetic to and conserve historic buildings. Core Policy 58 requires that development should protect, conserve and where possible enhance the historic environment.

The property is situated within the Colerne Conservation Area. There is no Conservation Area Appraisal currently published for this designation. However, the conservation area, by virtue of its designation, is significant in heritage terms. The only listed building with a view of the application site is the rear of Charter House (no 10 High Street), the Grade II listed building to the south (approximately 21m from the edge of the new rear elevation of the proposed building). This building has aesthetic value and architectural significance.

The Conservation Officer does not consider the proposal to cause harm to the character or appearance of the conservation area as it would not be highly visible from the main thoroughfares in the area and the form of the building is similar to the existing. Given the appearance of the existing building would not be vastly changed, it is considered that the proposals result in a neutral impact to the conservation area. Large scale drawings and samples of all new materials are requested to be conditioned should the application be approved, however given the lack of harm identified and that the development does not affect a listed building itself it is not considered necessary or reasonable to require additional drawings at large scale of the proposed development. Given the location within the Conservation Area it is considered necessary and appropriate to condition to the use of materials and rainwater goods. Given the application building is situated a moderate distance away to the rear of the listed building, the revised proposals will not harm the setting or significance of this listed building.

Should the application be approved, Permitted Development rights for further extensions, external alterations and outbuildings would be removed to enable the LPA to consider individually whether planning permission should be granted for such development, in the interests of visual amenity, residential amenity and safeguarding heritage assets.

Design/Character and Appearance of the Area (AONB)

WCS Core Policy 57 requires new development to be of a high standard of design and requires development to create a strong sense of place through drawing on the local context and being complimentary to the locality. Amongst other matters, the policy requires development to respond positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials streetscape and rooflines, to integrate the building into its setting effectively.

The design of the proposed dwelling is to reuse the existing building but modestly increase it in height and length to provide a first floor. Matching materials will be used for the stone, and the terracotta roof tiles will be replaced with slate, which are used within the local area. External materials including rainwater goods would be conditioned to ensure good quality materials and matching stone would be used within the proposal. There are a mix of single storey and two storey dwellings within the area, so it is appropriate in scale. It is not considered that the proposal would be harmful in design terms, and it would be in keeping with the local character of the area.

The property is situated within the Cotswold AONB, which Policy CP51 of the Wiltshire Core Strategy applies great weight to conserving and enhancing landscapes and scenic beauty. Given this proposal is for a modest extensions and alterations to an existing building within the Large Village of Colerne, the proposals would not be harmful to the AONB.

Highways and Parking

The Council's Highway Officer has considered the proposals in respect of the adequacy of car parking and the safety of the access and egress of the private access onto the public highway. The initial proposals included a garage with insufficient space for car parking. However, the scheme has since been revised to propose a car port which can accommodate two parking spaces of the standard size 2.4 x 4.8 m. The Highways Officer is satisfied that these are adequate sizes for a car port but that the car port should remain open and a garage door should not be installed or there could result in insufficient parking. Given these comments, it is considered necessary to apply a planning condition to prevent the car port from being enclosed and becoming a garage in the future. Two parking spaces are appropriate for a two bedroom dwelling in accordance with the Wiltshire Council Parking Standards, and with the above condition to prevent the car port being later converted to a garage, the parking is considered sufficient.

The Highways Officer is satisfied that there is sufficient space to manoeuvre along the private lane in order to enter and egress the public highway perpendicular and in forward gear, and the proposal would not result in highway safety issues. There is sufficient indication that the site is linked to the public highway at Silver Street along the private lane and that the property has right of access to the highway.

Parking tended to be one of the main concerns made by local residents, the parish and the ward councillor, with particular reference to the proposal exacerbating the existing parking on Silver Street and surrounding roads which is already limited. In considering this proposal, it is for a small two bedroom property which would have two off-street parking spaces in line with Wiltshire Council parking standards. Given sufficient parking is being provided off-street, it cannot be considered that the development would result in an adverse impact to on-street parking within the local area.

As already noted the use of and access to land and possible restrictions over rights of access are civil property matters between the relevant parties. The Highways Officer has assessed that there is a reasonable access to the property; the applicant has

provided information demonstrating a right of access over this land, any dispute in that respect is therefore a civil matter between the parties and does not provide a defensible basis for refusal of the application not being a material planning consideration.

Residential amenity

Concerns have been raised in relation to overlooking/loss of privacy to 10 High Street (property to the south), and The Barn House (bungalow to the north). 10 High Street is the listed building (Charter House) situated to the south. It is approximately 21 m from the rear elevation of the application building to the listed building, and approximately 10 m from the rear elevation of the application building to the boundary with this property. Given these separation distances it is not considered the rear windows within the proposal would result in an adverse impact on residential amenity of the listed building or its garden.

The Barn House is the bungalow situated to the north of the property, on the other side of the private drive. Concerns have been raised in relation to overlooking of the windows from the first floor bedroom of the application property. Given these windows are already overlooked from a driveway where residents and visitors of the properties on the private drive can come and go, it is not considered these windows relate to a private space. Consequently, a window on the front elevation on the other side of the private drive would not be detrimental to the residential amenities of the neighbour opposite. There are a mix of single storey and two storey dwellings within the area and it is not considered the proposal would be overbearing on any neighbouring properties.

There are no windows in the side elevations aside from a single roof light which given it's positioning and the roof slope is not considered to provide for or result in significant overlooking and consequent loss of privacy.

Consequently, the neighbouring properties would suffer no loss of daylight, sunlight or privacy as a result. There would be no adverse impacts.

Conclusions

Overall, it is considered that the revised proposals for a new dwelling represents sustainable development in accordance with Core Policies 1, 2, 11, 45, 51, 57, 58, 61 and 64 of the WCS (Jan 2015; and Paragraphs 7, 11, 14, 17, 55, 58, 115, 129, 133, 134 and Sections 4, 6, 7, 11 and 12 of the NPPF, and is acceptable in planning terms.

RECOMMENDATION – Approve 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:

Existing Ground Floor Plan, Dwg No: A 0.10, Dated: 02/09/2015;

Existing Roof Plan, Dwg No: A 0.11, Dated: 02/09/2015;

Existing Elevations, Dwg No: A 0.20, Dated: 27/07/2015;

Existing Sections: Dwg No: A 0.30, Dated: 02/09/2015;

Proposed First Floor Plan, Dwg No: A 1.01, Dated: 02/09/2015;

Proposed Roof Plan, Dwg No: A 1.02, Dated: 02/09/2015;

plans as received by the LPA 27/03/2017;

Proposed Elevations, Dwg No: A 2.00, Rev: 01, Dated: 27/07/2015;

Proposed Sections, Dwg No: A 3.00, Rev: 01, Dated: 02/09/2015;

plans as received by the LPA 14/06/17; and

Location Plan and Site Plan, Dwg No: 0.01, Rev: 04, Dated: 02/09/2015;

plan as received by the LPA 25/07/17; and

Proposed Ground Floor Plan, Dwg No: A 1.00, Rev: 01, Dated: 02/09/2015; and

Proposed SW Elevation, Dwg No: A 2.01, Dated: 26/07/2017;

plans as received by the LPA 26/07/2017.

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

3 No part of the development hereby approved shall be first brought into use until the car port parking shown on the approved plans (A 1.00 REV 01) has been consolidated, surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times thereafter.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

4 The car port hereby approved must not be enclosed and shall remain open in perpetuity.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

5 Notwithstanding the approved drawings, no works shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority:

(i) Full details and samples of external materials, including rainwater goods.

The works shall be carried out in accordance with the approved details.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of preserving the character and appearance of the conservation area.

- 6 The natural stonework to be used externally on the proposed development shall match that of the existing building in terms of type, colour, size, dressing and bedding of stone, coursing, type of pointing and mortar mix.

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

- 7 No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in constructing the development; and
- d) hours of construction, including deliveries.

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, and dangers to highway safety, during the construction phase.

- 8 No development shall commence on site until a scheme for the discharge of foul water from the site, including any third party permissions, has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the development can be adequately drained.

- 9 The development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained.

- 10 No development shall commence on site until a scheme for the discharge of surface water from the site, incorporating any required third party permissions, has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the development can be adequately drained.

- 11 The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.
- REASON: To ensure that the development can be adequately drained.
- 12 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), there shall be no additions to, or extensions, enlargements or external alterations of any building forming part of the development hereby permitted.
- REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.
- 13 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.
- 14 INFORMATIVE TO APPLICANT:
- The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.
- 15 INFORMATIVE TO APPLICANT:
- The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.
- If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.
- 16 INFORMATIVE TO APPLICANT:
- Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.
- 17 INFORMATIVE TO APPLICANT:

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

18 INFORMATIVE TO APPLICANT:

There is a low risk that bats may occur at the development site. Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected all times by the Conservation of Habitats and Species Regulations 2010 (as amended) even when

bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or to contact the Bat Advice Service on 0845 1300 228, email enquiries@bats.org.uk or visit the Bat Conservation Trust website.

19 INFORMATIVE TO APPLICANT:

The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (Section 1), it is an offence to remove, damage and destroy a nest of any wild bird while that nest is in use or being built. Planning permission for a development does not provide a defence against prosecution under this Act. Trees, scrub and other vegetation, such as dense ivy, are likely to contain nesting birds between 1st March and

31st August. It should be assumed that onsite vegetation contains nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

20 INFORMATIVE TO APPLICANT:

The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the

Council's Website

www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructure
elevation.