

Date of Meeting	2 nd November 2017
Application Number	17/06147/FUL
Site Address	Elm Cottage, 42 Yard Lane, Bromham, Wiltshire SN15 2DT
Proposal	Demolition of existing dwelling and outbuildings and construction of replacement dwelling and outbuildings
Applicant	Mr & Mrs C Dalby
Town/Parish Council	BROMHAM
Electoral Division	BROMHAM ROWDE AND POTTERNE – Cllr Anna Cuthbert
Grid Ref	397683 165288
Type of application	Full Planning
Case Officer	Nick Clark

Reason for the application being considered by Committee

The application is being reported to the planning committee at the request of Councillor Cuthbert, who considers the replacement dwelling to be of a suitable scale and design for its plot and context and therefore in accordance with local planning policy. Additionally, she comments that there are no objections from the Parish Council or neighbours or local residents.

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 refused.

2. Report Summary

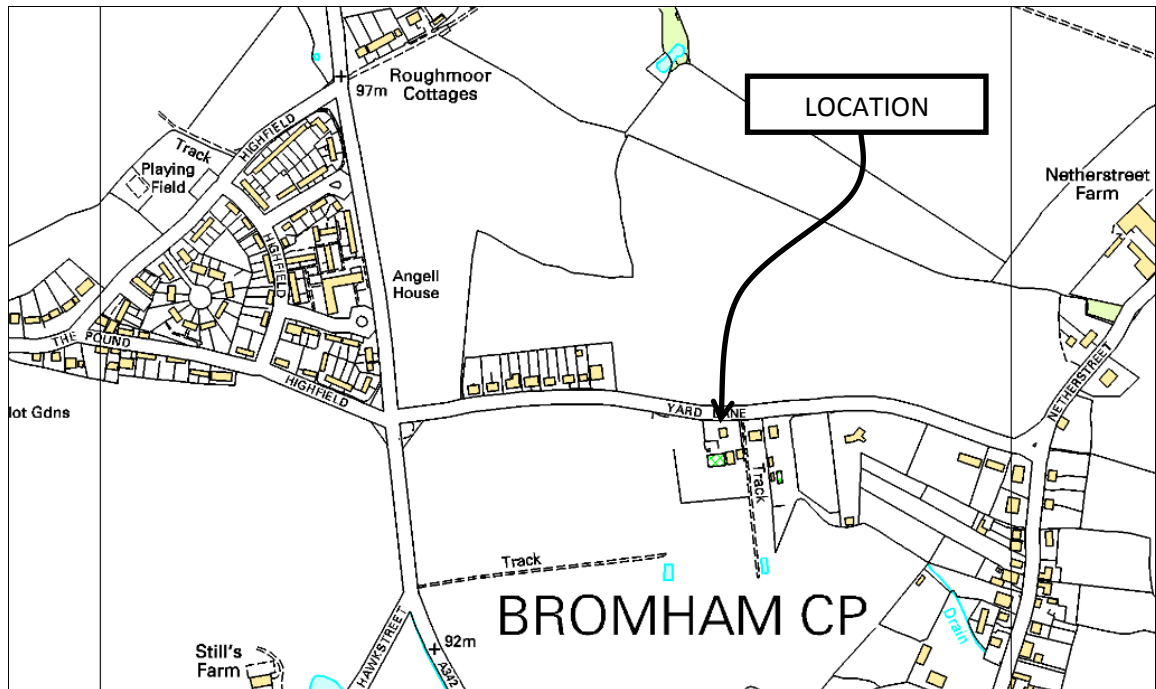
The main issues to be considered are the impact of the proposed house and outbuilding on neighbour amenity and the rural character, landscape and appearance of the area, taking into account the policy requirement for the scale of replacement rural dwellings not to be significantly larger than the original.

In these respects the report concludes that the height and massing of the dwelling and the introduction of a prominent third storey of accommodation would be inappropriate within the rural setting and detrimental to the rural character, landscape and appearance of the area.

3. Site Description

The site is located in a rural setting to the south side of Yard Lane. Open farmland surrounds the site to the west and south, and on the opposite side of Yard Lane to the north. Sporadic housing extends eastwards along the south side of Yard Lane towards

Netherstreet. The site is outside recognised Limits of Development where rural policies apply.



The site comprises a 2-storey Victorian/ Edwardian dwelling of red brick with stone quoins and window detailing, with ground floor bay windows facing the street and a plain tile roof. To the rear the property has 2-storey and single storey extensions. Viewed from the street, the extensions to the rear are not prominent and the balanced symmetry and well-composed design and architecture of the property remains largely unchanged and makes a positive contribution to the character of the area.



The site comprises an area of 0.3 hectares with a number of connected outbuildings and glasshouse to the rear, originally associated with former use as a market garden smallholding.

Partly retrospective consent for conversion and extension of one of the outbuildings to provide a self-contained residential annexe was granted in 2016.

4. Planning History

K/76/0647	One dwelling	Refused
K/76/0647	One dwelling	Refused
K/77/0088	Front Porch	Approved
K/80/0147	Two-storey extension to dwelling	Approved
15/09247/PREAPP	Replacement Dwelling	
15/11013/CLP	Application for a lawful development certificate for an existing single storey annex on driveway of existing property	Refused
16/01132/FUL	Conversion and alteration of existing domestic outbuilding to ancillary facilities	Approved
16/11968/FUL	Demolition of existing dwelling & outbuildings & construction of replacement dwelling & outbuilding	Withdrawn

5. The Proposal

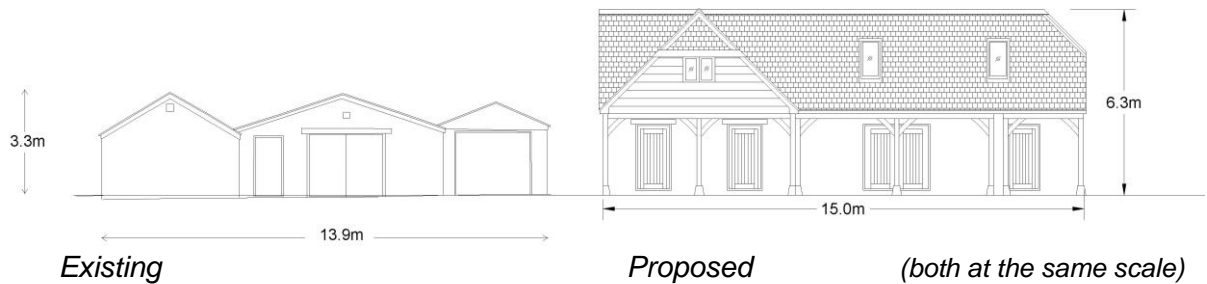
The application proposes the demolition of the existing dwelling and the erection of a 3-storey replacement dwelling.

Front elevations compared:



Outbuildings to the rear are also proposed to be demolished and replaced by a 1½ storey outbuilding with 3-bay garaging, a workshop, stores and covered 'passage' at ground floor level and a gym, office and further storage space at first floor level.

Outbuilding – east elevations compared



6. Local Planning Policy

The following policies of the Wiltshire Core Strategy are of relevance:

CP41	Sustainable construction and low carbon energy
CP51	Landscape
CP57	Ensuring high quality design and place shaping

Kennet Local Plan policy HC25 (replacement of existing dwellings) is of particular and direct relevance in providing that permission will only be granted for a replacement dwelling in the countryside where the siting relates closely to the footprint of the existing dwelling and the scale of the replacement dwelling is not significantly larger than the original structure.

The policies of the National Planning Policy Framework are also a material consideration.

7. Summary of consultation responses

Bromham Parish Council: “No objection”

WC Ecologist: “Support”

WC Highway Officer: “No objection”

Other:

- The neighbour to the east comments on the number and height of windows overlooking their property, when at present there are no such windows.
- 3 letters of support received (outside the consultation period) from residents elsewhere within Bromham.

8. Publicity

The application was publicised by way of a site notice posted on 21st July 2017 and direct consultation with the adjacent neighbour.

9. Planning Considerations

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 planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The principle of development

The Wiltshire Core Strategy offers no specific support for replacement dwellings or outbuildings in rural areas. Proposals thus need to be considered against Core Policy 51 which seeks the protection, conservation and enhancement of rural landscapes and Core Policy 57 which requires a high standard of design appropriate to the local context. Against these considerations, and the core principle of the NPPF of 'recognising the intrinsic character and beauty of the countryside', the principle of reasonable householder extensions and replacement dwellings and outbuildings in rural areas is capable of support subject to general principles of sustainable development, and the particular requirement of Kennet Local Plan policy HC25 for replacement dwellings not to be significantly larger than the original building.

Assessment

The house

The site is within the identified Bristol and Avon Clay Vale Landscape Character Area where the adopted Assessment identifies the area as having an essentially rural, agricultural character. Yard Lane sits well within this characterisation, having a clear rural character, being largely bounded by farmland on both sides, with the limited housing along the street being sporadic and generally of low visual impact.

Elm Cottage is the first property encountered on the south side of the lane when travelling eastwards. It is relatively exposed in views along the lane due to its forward position and the openness of the adjoining farmland. Its visual impact is softened to some extent by the established front garden and a large walnut tree (said to be 100 years old) to the west side of the house, but it nonetheless stands clearly visible for c. 100 metres when approached from the west. Visually it stands in relative isolation, with the neighbouring bungalows beyond (numbers 44 and 46) being largely hidden by boundary hedging.

Policy HC25 requires there to be no significant increase in the scale of a replacement dwelling. One measure of the scale is the floor area, which in this case would double from c. 147m² to c. 300m². As noted in the drawing extracts above, the height would also increase from 7.46m to 9.4m and in combination with the prominent 2nd floor windows and the increased width and overall footprint of the dwelling, it can only be concluded that the scale of the replacement dwelling would be significantly larger than the original dwelling and thus contrary to policy HC25.

In terms of the impact on the streetscene, the height and massing of the dwelling and the introduction of a prominent third storey of accommodation would look particularly out of

place within the rural character of the street. Given the relatively exposed position of the dwelling (more-so for the loss of the walnut tree) it is concluded that the impact would be contrary to Core Policy 57 and Core Policy 51.

The applicant justifies the increase in the scale of the dwelling in terms of there only being a 50% footprint increase. The footprint however is of limited relevance to scale when a further storey of accommodation is proposed. The applicant suggests that a reduction in the floor space of the outbuildings should also be taken into account, but when considering the relative scale of the replacement dwelling this is of no relevance when considering whether or not the replacement dwelling complies with policy HC25. A reduction in the footprint of outbuildings can be a material consideration however, but in this instance, as considered below, any benefit of reduced outbuilding footprint is considered to be outweighed by the 3m increase in height and associated massing from first floor accommodation in the outbuilding.

The applicant also seek support from 3 examples of replacement dwellings approved elsewhere in the past, both locally in Netherstreet and New Road and further afield in Worton. The full circumstances of these approvals are not available, but 2 of the approvals pre-date adoption of the Wiltshire Core Strategy. The decision in New Road followed an earlier appeal decision and there was an extensive history for the site in Worton where proposals included for removal of large barns and outbuildings. The third example is nearby in Netherstreet where, when viewed directly from the street, the dwelling is hidden by boundary hedging. Whilst the principle of consistency in planning decisions is important, the more important principle is that all applications need to be considered on their merits. The examples of replacement dwellings elsewhere are not considered to be directly comparable to the current proposal which is considered in this report on its merits.

The outbuilding

The replacement outbuilding is proposed at the rear of the site and would necessitate partial demolition of existing glasshouses and existing stores/ garaging. The footprint of the new building (155m²) would be smaller than that of the buildings to be demolished (211m²). There would be no visual benefit outside the site however from the reduced building footprint. At the same time however there would be a significant 3 metre increase in height associated with the introduction of the first floor accommodation, together with the massing arising from 4 gabled roof projections. Thus whilst there would be some reduction in built footprint at the rear of the site, any benefit of this is greatly outweighed by the increase in the height of the building and massing at roof level. Notwithstanding this however, the outbuilding would be positioned relatively discreetly to the rear of the site and adjacent to the existing annexe, where on balance it is concluded that on its own it would not materially harm the rural character or landscape of the area.

There would of course be a cumulative impact in terms of the 2016-approved extension to the annexe and the outbuilding as now proposed, and this does nothing to support the proposal for the significant increase in the size of the dwelling under the current application.

Neighbour amenity

A 2nd floor window in the east elevation would face directly across the neighbouring property at 44 Yard Lane and the neighbour raises concerns at loss of privacy. This window would directly face across the front garden of the property which provides the main private garden space for the property as land to the rear serves largely as a parking area. The front garden at No. 44 is north-facing however and as such is not heavily used and it is not considered to be key to the amenity of the property. On balance the loss of privacy to the front garden space would not warrant refusal of the application.

Any angle of view into ground floor living rooms would also be very restricted so as not to result in any material loss or privacy.

Biodiversity

The application is supported by an ecological report following survey of the buildings to be demolished. The Council's ecologist is satisfied with the methodology and findings of the report that the development would not impact on protected species. An informative is recommended in the event of approval for demolition works to be undertaken outside the bird nesting season.

Other matters

It is said that the application has been submitted because the house is in a poor state of repair, both visually and structurally. This is not substantiated by way of any structural assessment or otherwise. It is accepted that the dwelling is unlikely to meet modern standards of construction and thermal performance, but this is not considered to provide justification for the increase in the scale and impact of the replacement dwelling proposed.

10. Conclusion (The Planning Balance)

In terms of floor space, height and massing, the proposed dwelling proposed would be significantly larger than the original building on the site and in a prominent position along the street and with the introduction of a third storey of accommodation and associated fenestration, would be detrimental to the rural character, landscape and appearance of the area, contrary to Kennet Local Plan Policy HC25 and Wiltshire Core Strategy Core Policy 51 and Core Policy 57.

RECOMMENDATION

That planning permission is REFUSED for the following reason:

In terms of floor space, height and massing, the proposed dwelling would be significantly larger than the original building on the site and in a prominent position along the street and with the introduction of a third storey of accommodation and associated fenestration, would be detrimental to the rural character, landscape and appearance of the area, contrary to Kennet Local Plan Policy HC25 and Wiltshire Core Strategy Core Policy 51 and Core Policy 57.

