

REPORT FOR WESTERN AREA PLANNING COMMITTEE

Date of Meeting	14/11/2018
Application Number	18/08115/FUL
Site Address	392 A Ham Green, Holt BA14 6PX
Proposal	Demolition of conservatory and proposed rear extensions. Alterations to the front boundary treatments.
Applicant	Mr Greenwell
Town/Parish Council	Holt
Electoral Division	Holt and Staverton – Cllr Carbin
Grid Ref	385920 161615
Type of application	Full Planning
Case Officer	Katie Tregay

Reason for the application being considered by Committee:

Cllr Trevor Carbin requested that this application be called-in for the elected members to determine should officers be minded to grant permission. The key issues identified by Cllr Carbin for Members to consider are as follows:

- The scale, design, bulk, height and general appearance of the development;
- The visual impact upon the surrounding area;
- The impacts on neighbouring amenity;
- This would be a second extension to the property located within a designated "Area of Minimum Change".

1. Purpose of Report

The purpose of this report is to assess the merits of the application proposal against the policies of the development plan and other material considerations and to recommend that the application be approved.

2. Report Summary

The main issues to consider with this application are:

- The principle of the development
- Impact on the character and appearance of the host dwelling
- Impact on the surrounding area including the Conservation Area, listed buildings and their settings
- Impact on an Area of Minimum Change
- Impact on neighbour amenity
- Impact on ecology

3. Site Description

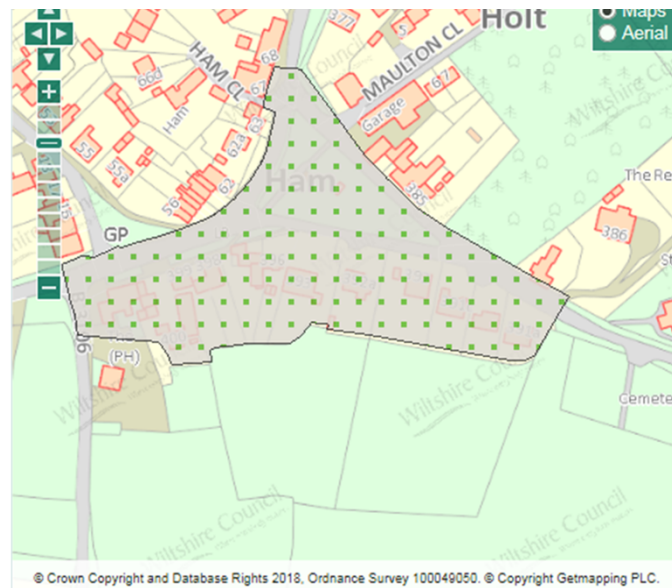
The application site relates to a two storey detached residential property at 392a Ham Green, Holt. The property is set back from the public highway enclosed by a low, reconstituted stone boundary wall. The subject property is set within a reasonable sized plot and has been subjected to two and single storey rear extensions granted under planning application ref W/04/01453/FUL.

The application site is bordered by residential properties (No. 392 and 393) to the east and west and agricultural land to the south. To the north of the site lies the Ham Green Village Green and Grade II listed war memorial enclosed by the Grade II listed bollards and chains.

The application site and the nearby listed buildings are illustrated on the site location plan and map extracts below.



The application site is also located in the Holt Conservation Area and an Area of Minimum Change as detailed on the map extract below.



Map extract showing Area of High Minimum Change

4. Planning History

The following planning history relates to the application site:

W/04/01453/FUL - Two storey extension and conservatory – Approved with conditions

16/04252/FUL - Proposed detached garage – Refused 23.09.2016 for the following reason:

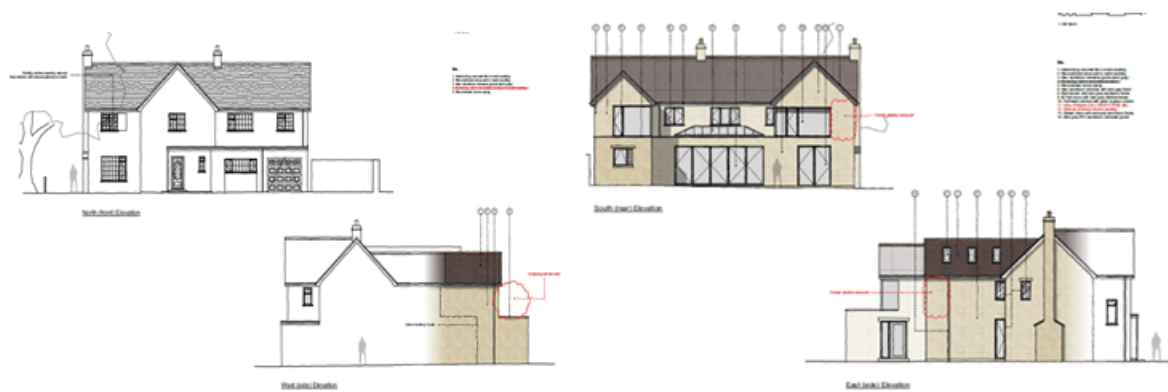
“The proposed detached garage by reason of its location and built form would fail to protect, conserve, enhance, be sympathetic, respond positively and integrate effectively with its immediate setting, the Conservation Area, Area of Minimum Change and the setting of the Grade II Listed Structures as it is located forward of the existing building line, would have a

large blank gable facing the existing street scene and would infill an existing open land to the front of the dwelling which contributes to the openness and character and appearance of the immediate area. The proposed garage would result in less than substantial harm to the Conservation Area and the Grade II Listed structures and would result in no public benefit. The proposal is therefore contrary to Core Policy 57 (namely criteria iii, iv) and Core Policy 58 of the Wiltshire Core Strategy, Saved Policy H18 of the West Wiltshire District Plan 1st Alteration, Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990 and the NPPF (namely paragraphs 131, 134)".

5. The Proposal



Existing elevations



Proposed Elevations

This application seeks full planning permission for the demolition of the existing conservatory and the construction of a two and single storey extensions to be constructed on the south elevation. The proposed extensions would be constructed of reconstituted stone under an interlocking concrete tiled roof. The application proposal also seeks to provide alterations to the existing front boundary comprising the re-positioning of the existing gate posts, the installation of 1.6m high iron gates and iron railings on top of the existing boundary wall (in total measuring 1.45m high that would be no higher than the existing pillars).

It should be noted that revised plans were submitted on 26 October modifying the proposed fenestration arrangement to the south and east elevations of the host dwelling.

The following insert illustrates the proposed changes to the front boundary treatment.



6. Planning Policy

Local Context: Wiltshire Core Strategy - CP1, CP2, CP3, CP7, CP57, CP58
 Saved Policy H18 of the West Wiltshire District Plan 1st Alteration 2004
 Holt Neighbourhood Plan – especially policy H2.1

National and Legislative Context: National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG)

Planning (Listed Building and Conservation Areas) Act 1990 - Section 66: General duties as respects listed building in exercise of planning functions

Section 72: General duties as respects Conservation Areas in exercise of planning functions

7. Summary of Consultation Responses:

Holt Parish Council: *“Objects on the basis that the application site is designated an “Area of Minimum Change” in Policy H18 of the West Wiltshire District Plan. The application site is also in the Conservation Area and in close proximity to several listed buildings. Additional concerns were raised with regards to the size, scale and bulk of the proposed extension which would be clearly visible from the street scene and the Green. Further, the proposed alterations to the boundary treatments would be incongruous in this location. Overall, the development does not comply with Core Policy 58 of the Wiltshire Core Strategy.”*

Council’s Conservation Officer: - No objection: The subject dwelling is not a non designated heritage asset and the nearest listed building (the boundary poles to the Green) are at the front of the building. The proposed rear extension would not have any impact on the listed boundary poles or to nearby listed buildings.

The proposed rear extensions would have a very limited impact on the Conservation Area being positioned to the rear with very limited visibility at oblique angles between the existing forms of development. This impact would be further mitigated subject to matching external materials.

The proposed development would result in either ‘no harm’ or a ‘very low level of less than substantial harm’ to the Conservation Area. However, even if the level of harm was identified as ‘less than substantial’, it would not be sufficient to refuse this application on Conservation impact grounds.

Council's Ecologist: No objections on the basis that the existing roof appears in good condition with little opportunity of access to roosting bats. A breeding bird informative should be attached to any planning permission.

8. Publicity

The public notification exercise comprised advertisement by site notice and neighbour notifications. One letter of objection has been received and in summary, the following comments were raised:

- The development would result in an over-bearing and out-of-scale appearance that would dwarf the neighbouring property (at No. 392).
- Detrimental impact on the occupants of No. 392's amenity levels by reason of overlooking and overshadowing.
- The proposed fenestration arrangement would cause overlooking concerns resulting in a significant loss of privacy to the occupants of No. 392.
- The development would constitute as over-development of the site, especially as the property is in the area of minimum change.
- Concern expressed about the visual impact of the development.
- Adverse effect on the character and appearance of the Conservation Area.

9. Planning Considerations

9.1 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.

9.2 **The Principle of Development:** Modest extensions and alterations to existing residential properties are acceptable in principle subject to the impacts and details of what is being proposed. The subject property and site are located within the Holt Conservation Area, Area of Minimum Change and within close proximity to a number of listed buildings and the effects of the proposed development within such protected areas are important considerations which the following sections respond to.

9.3 **Impact on the Character and Appearance of the Host Dwelling:** Adopted Wiltshire Core Strategy Core Policy 57 states that development is expected to create a strong sense of place through drawing on the local context and being complimentary to the locality and must, amongst others, relate positively to its landscape setting and the existing pattern of development and respond positively to the existing townscape and landscape features in terms of building layouts, built form, mass and scale to effectively integrate the building into its setting.

9.3.1 Policy H2.1 of the 'made' Holt Neighbourhood Plan requires all development to demonstrate good quality design that respects the character and appearance of the surrounding area. Development should be built from good quality materials sympathetic to the local style and be of a scale and size to fit with existing housing.

9.3.2 The proposed two and single storey extensions would be set within a reasonable sized plot and would retain an adequate level of outdoor amenity space. The development would retain adequate separation distances to the neighbouring properties and would not represent an overdevelopment of the property or the residential plot.

9.3.3 Officers appreciate that the proposed extensions represent sizeable additions to the host dwelling which has been previously extended. However, taking into account the existing built form of the host dwelling and the proposed height, scale, elevational design and roof form of

the proposed additions, officers consider that the extensions would be proportionate that would not overly dominate or detract from the appearance of the host dwelling or the character of the area.

9.3.4 The proposed extensions would be finished using complimentary materials i.e. interlocking concrete tiles and reconstituted stone, as per the existing dwelling.

9.3.5 The proposed alterations to the front boundary would be modest height which would not exceed the height of the existing boundary pillars. The new black painted iron railings would respect the character and appearance of the host dwelling and conservation area.

9.3.6 For the above reasons, the design and scale of the proposal would be acceptable and would accord with Core Policy 57 of the WCS and Policy H2.1 of the Neighbourhood Plan.

9.4 Impact on the Surrounding Area including the Conservation Area, Nearby Listed Buildings and their Settings The application site is located within the Holt Conservation Area therefore careful consideration must be given to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states that in the exercise of any functions, special attention should be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

9.4.1 The application site and land surrounding Ham Green is characterised by mainly two storey residential properties dating from the Victorian and Georgian periods. The properties, particularly those to the south of Ham Green and the more recent residential development are set within large plots. The properties are set at varying distances from the public highway and enclosed by a variety of boundary walls with iron railings being prevalent, as detailed in the photographs below.



Existing boundary treatments fronting Ham Green

9.4.2 The application site is located within 50m of a number of Grade II listed buildings; and due regard must be given to Section 66 of the Planning (Listed building and Conservation Area) Act 1990. The legislation requires local planning authorities to pay 'special regard' to the desirability of preserving the building or its setting.

9.4.3 The listed buildings surrounding the Green comprise predominately residential properties dating back to the 17th century and are constructed of a variety of materials including render, ashlar and rubble stone under stone slate, under slate and pan tiled roofs. Several local properties were listed primarily for their group value and for their important positioning on the edge of Ham Green. The Holt War Memorial, which stands on Ham Green, is also Grade II listed due to its historic and architectural interest and its group value with the

Grade II listed “Bollards With Chains Enclosing Ham Green On All Sides” and other Grade II-listed buildings around Ham Green.

9.4.4 Paragraph 189-192 of the NPPF requires local planning authorities to identify and assess the particular significance of any heritage asset that may be affected including any contribution made by their setting and consider the impact of the proposed development on its significance. Paragraphs 193 and 194 also requires local authorities to make an assessment as to whether there is ‘substantial harm’, ‘less than substantial harm’ or ‘no harm’ to the heritage asset.

9.4.5 The Council’s Conservation Officer has no objection to the proposed development. Given the proposed siting of the extensions on the rear elevation of the host dwelling, acceptable design and use of materials and the existing two storey residential localised context, the development is considered to be acceptable and would cause ‘no harm’ to the setting of the Grade II listed boundary poles, or other listed buildings in the vicinity.

9.4.6 The proposed extensions, being positioned to the rear, would only have limited visibility gained from oblique views from the street scene only. Further to this, the proposed extensions would be viewed within the existing two storey context and given the use of matching and complimentary external materials, the development would not harm the significance of the Conservation Area. If Members conclude that the development would have ‘less than substantial harm’ to the significance of the Conservation Area the level of harm would only be the ‘very lower end of the scale’ and as reported by the conservation officer, it would not be sufficient to warrant a refusal on heritage grounds.

9.4.7 Given the residential context, the existing boundary treatments bordering Ham Green and the proposed modest height, scale and use of appropriate materials, it is assessed that the development would not be out of keeping or harmful to the significance of the Conservation Area, listed buildings or their settings.

9.5 **Impact on an Area of Minimum Change:** The site is located within an Area of Minimum Change as defined by saved Policy H18 of the West Wiltshire District Plan. Policy H18 continues to be saved and sits alongside the policies of the adopted WCS. Policy H18 states that:

“Areas of Minimum change within Village Policy Limits have been defined, as indicated on the Proposals Map. Within Areas of Minimum Change planning permission will not be granted for new housing development.”

9.5.1 In addition to identifying the appropriate and necessary housing opportunities, the former West Wiltshire District Plan sought to protect open spaces and specific areas within villages (such as paddocks, glebe land, village greens and the grounds of large houses) from residential development through Policy H18 to preserve the essential form of such areas. It should be understood that the policy relates specifically to new housing development and is not relevant to appraising applications that propose alterations and extensions to existing dwellings.

9.5.2 As referenced above, the proposed extensions would not constitute as overdevelopment as the host property would retain a significant amount of garden around and behind the property. The rear extension would only be subject to partial views from the public domain and would be seen in a local context of two-storey properties. The character of the area would be preserved.

9.5.3 The proposed new boundary treatment would be of a modest height, scale and appropriate design that would appear in keeping with the other boundary treatments lining Ham Green and would not adversely affect the open character of the area.

9.6 **Impact on Neighbour Amenity:** CP57 of the Wiltshire Core Strategy requires a high standard of design in all new developments and that development should have regard to the compatibility of adjoining buildings and uses.

9.6.1 Concerns have also been raised that the proposed development would cause overshadowing, loss of light and overbearing impacts to the habitable rooms and garden area of No. 392 Ham Green. Whilst it is accepted that the proposed development would result in a material change to the views from the neighbouring property, the separation distances would be maintained. Officers are satisfied that the proposed extensions would not result in harm to neighbouring amenities. Officers are mindful of the sun's east to west orbit and submit that the proposed development would not significantly reduce the level of sunlight and daylight to the neighbour's principal garden areas and habitable rooms. There would be no overbearing or harmful domineering effects on the outlook of the neighbouring properties or the principal garden areas.

9.6.2 Taking into account the existing built form of the host dwelling, the height and scale of the proposed extensions and the relationship with No. 393 (as approved under planning ref 17/03787/FUL), there would be no unreasonable loss of light, overshadowing or overbearing impacts to the neighbours properties.

9.6.3 As set out by the revised proposed plans, the proposed windows on the south elevation of the dwelling would overlook the applicant's garden and the adjoining agricultural field only therefore no overlooking concerns are raised. No wall openings are proposed on the west elevation thereby preserving No. 393's existing amenity levels.

9.6.4 The revised plans also indicate that the proposed windows on the east elevation serving bedroom 1 (nearest No. 392) would be obscure glazed and a planning condition is recommended to ensure the obscure glazing level with the added restriction of being fixed with a ventilation stay to prevent harmful impacts on neighbouring amenities. Further, the proposed Velux windows would have a sill height above 2.0m above the floor level which would adequately restrict overlooking.

9.6.5 The proposed first floor wraparound window serving bedroom 2 on the southern and eastern elevation would overlook the applicant's garden and would be positioned approximately 15m to the shared boundary with No. 392. This distance would meet the standards expected between habitable room windows and garden boundaries within an urban setting and no officer concerns are raised. Furthermore, the proposed extensions would replace an existing balcony (in a similar position to the window) therefore no significant additional overlooking would occur above what could take place at present. The first floor window to the east elevation (serving bedroom 2) would overlook the applicant's property only therefore no overlooking concerns are raised thereto.

9.6.6 For the reasons explained above, the development proposal is considered compliant with Policy CP57 of the Wiltshire Core Strategy.

9.7 **Impact on Ecology:** The Council's ecologist reports no objection subject to a planning informative to cover the martin/swallow nest on the rear elevation.

10. Conclusion (The Planning Balance)

The proposal complies with national and local and neighbourhood plan policies having due regard to the visual impact on the immediate local context and the wider area, the effects on

the Conservation Area, the nearby listed buildings and the Area of Minimum Change. Furthermore, Officers submit that the proposed extensions would not cause material harm to the amenities enjoyed by the occupiers of the neighbouring properties; and, the development would not result in adverse harm to protected species.

Officers therefore recommend that planning permission should be granted subject to the following planning conditions and informatives.

11. RECOMMENDATION: Approve subject to the following:

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:

Site and location – Drawing no: E100 – dated 23/08/2018; Existing Plan – Drawing no: E101 – dated 23/08/2018; Existing Elevation – Drawing no. E120 – dated 23/08/2018; Existing Elevations – Drawing no: E121 – dated 23/08/2018; Proposed Site Plan – Drawing no: P100 Rev A – dated 12/09/2018; Proposed Ground Floor Plan – Drawing no. P101 Rev B – dated 23/08/2018; Proposed First Floor Plan – Drawing no. P102 Rev D – dated 24/10/2018; Proposed Elevations – Drawing no. P120 Rev C – dated 12/09/2018; Proposed Elevations – Drawing no. P121 Rev D – dated 24/10/2018; Proposed Street Elevation (including railings) – Drawing no. P122 – dated 12/09/2018

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

3. The reconstituted stonework and interlocking concrete tiles to be used in the construction of the external surfaces of the development hereby permitted shall match the material, colour and texture of materials used on the existing building.

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

4. The bedroom and ensuite window on the eastern elevation (annotated on Drawing no. P102 Rev D) shall be glazed with obscure glass only (to an obscurity level of no less than level 4) and shall be fixed with a ventilation stay restricting the opening of the window prior to the first occupation of the development hereby permitted; and thereafter, it shall be permanently maintained in perpetuity.

REASON: In the interests of residential amenity and privacy.

INFORMATIVE TO APPLICANT:

No works should take place that would result in harming nesting birds from March to August inclusive. All British birds (while nesting, building nests and sitting on eggs), their nests and eggs (with certain limited exceptions) are protected by the Wildlife and Countryside Act 1981

(as amended). If birds are nesting within the proposed development, work should be undertaken outside the breeding season for birds to ensure their protection, i.e. works should only be undertaken between September and February. Further advice on the above can be sought from the Council ecologist.