

REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Date of Meeting	4 th March 2019
Application Number	19/08542/FUL and 19/08758/LBC
Site Address	Sundawn, Chapel Hill, Lacock, Chippenham, Wiltshire, SN15 2LG
Proposal	Proposed Ground Floor and Upper Ground Floor Extension
Applicant	Mr and Mrs Johns
Town/Parish Council	Lacock
Electoral Division	Councillor Ben Anderson
Grid Ref	391506 168648
Type of application	Full Planning
Case Officer	James Webster

Reason for the application being considered by Committee

The application has been called to the Northern Area Planning Committee by Councillor Anderson so as to allow consideration of the proposal in the context of the objections raised by the National Trust and Lacock Parish Council.

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 planning permission and Listed Building Consent be granted.

2. Report Summary

This report will examine the proposed extensions and explore the process by which the appropriate conclusion has been reached. It will set out the public benefits which will be obtained as a result of the application and the various impacts which may occur.

The key issues in considering the applications are as follows:

- Principle of development
- Design and scale
- Impact upon Listed Building and the Conservation Area
- Impact on residential amenity
- Highways and parking

The Parish Council have raised an objection to the proposal as they have concerns over the potential impacts on both the listed buildings and the wider area.

Twenty-five (25) representations have been received. Eleven (11) in support and Fourteen (14) in objection. This is total number of comments received for both applications (FUL and LBC).

3. Site Description

The property is Grade II listed detached dwelling within the Lacock Conservation Area. The property is surrounded by a number of other listed properties of varying designations. The property is of a historic form and construction being of a typical form which would be expected of a rural cottage. The full listing for the property is included below:

Cottage, C17 or earlier, heavily remodelled c1900, rubble stone and timber-frame with half-hipped Bridgwater tile roof. 1 1/2 storeys. South end wall has gable half-timbering in pine over recessed door and small bay window. West side wall is rubble stone to right, half-timber and red brick to left. Two-light and 4-light stone mullioned windows to stone section, c1900, and triple casement to left. Two c1900 gabled eaves dormers to left. North end has original truss exposed and rear has original chimney gable to right. Included for group value.

The property has undergone a number of extensions and additions. Consent was granted for the change to the aluminium windows and extensions to the side of the property, adjacent to The Old Chapel in 1993.

Whilst Sundawn is surrounded by several other listed buildings, or most relevant to its setting and garden area (within which development is to take place) is the Church of St Stephen (United Reformed and Methodist), now known as The Old Chapel. Set in an elevated position above Sundawn, The Old Chapel adjoins the garden with high level chapel style windows directly facing the garden. The Old Chapel is Grade II listed, its description being:

Congregational Chapel, 1812, squared rubble stone with hipped stone slate roof. Flush quoins. Rectangular plan with Y-traceried 2- light pointed windows, one to front and two each side. Front double doors in moulded segmental-pointed surround with hood on brackets. TB 1812 scratched at one corner. Plain interior with panelled-fronted gallery. Congregation was founded 1783.

The application site is not covered by any other landscape, ecological or archaeological designations. The site is at a limited risk of groundwater flooding, under the revised drainage consultation matrix, drainage do not wish to be consulted as any issues can be resolved during the buildings regs process.

4. Planning History

Consent was granted for a number of works under N/93/02273/FUL (Proposed demolition of a lean to store/erection of an addition comprising a scullery staircase. cloakroom and bathroom/ erection of garage.

Full planning history listed below:

- N/93/02273/FUL- Proposed demolition of lean to store/erection of an addition comprising a scullery staircase/cloakroom and bathroom, erection of garage/demolition/extension/garage- APPROVED

- N/93/02274/LBC- Proposed demolition of lean to store/erection of an addition comprising a scullery staircase/cloakroom and bathroom, erection of garage/demolition/extension/garage- APPROVED
- N/98/02301/DOC- Submission of details pursuant to conditions 2(a)(i) & 2(a)(ii) of permission N/93/2273- Details of fenestration/dormer/doors/staircase
- N/07/02590/FUL- Works to Form Terrace to Garden, Construction of Summer House, upgrading of Materials on Main Building, Demolition of Pig Sty and Rebuild of Boundary Wall- REFUSE
- N/07/02591/LBC- Works to Form Terrace to Garden, Construction of Summer House, upgrading of Materials on Main Building, Demolition of Pig Sty and Rebuild of Boundary Wall- REFUSE
- 18/08231/FUL- Proposed replacement garden storage- REFUSE
- 18/11411/FUL- Replacement garden storage following removal existing garden shed and 'Wendy' house.- WITHDRAWN
- 18/11589/PREAPP Proposed Rear Extension
- 19/02720/FUL- Retention of 2 garden storage sheds. (Application for a Temporary permission for 2 years). – WITHDRAWN
- 19/03004/LBC- Retention of 2 garden storage sheds. (Application for a Temporary permission for 2 years).- REFUSE

5. The Proposal

The proposal seeks planning permission and Listed Building Consent for domestic extensions to “Sundawn”, a listed cottage fronting Chapel Hill, Lacock.

The extension will link from the 20th Century addition on the eastern elevation and extending across a single level, will extend from the edge of the property at a point at which the ground level drops away via the link into the ground floor extension link into a subterranean element. Only a small proportion of the accommodation would be visible above ground – glazing to the South elevation and the insertion of 4no. domed rooflights. The proposal involves an extensive excavation of the rear garden and to form a largely subterranean extension

Linking via an internal staircase, the underground accommodation would link to an also proposed garage conversion and extension at above ground level. The garage extension is to be 600mm higher than the current garage building.

The materials proposed for the above ground extension are generally modern in appearance and would be a slight juxtaposition against the historic form of the property. There is a noticeable amount of glazing and use of treated timber cladding, stone tone render and limestone render which would be a high quality addition to the main property. There would also be solar panels on the flat roof of the proposed garden room/ garage conversion, which would be pyramidal pantiles and vegetal flat roof, the walls being constructed of SIP panels and clad with timber.

6. Local Planning Policy

NPPF (2019) Paragraphs 190, 192, 196 and 200
CP57 and CP58 of the Wiltshire Core Strategy

7. Summary of consultation responses

Lacock Parish Council - Objects to the proposal.

First consultation:

“The above mentioned planning application was considered at the meeting of Lacock Parish Council held on 14 October 2019. The Council resolved to OBJECT to the proposed development. In passing this resolution the Council had regard to objections that had already been lodged against the application. In particular, the Council was fully in agreement with the reasons for objection lodged by the National Trust. To name some of the main reasons for objection. The Council is most concerned about the scale, extent and wider impacts of the proposed extension. On scale and extent, the Council considers that the proposed development, by taking up most of the garden, would result in the over development of the site. The large scale of the extension would require major excavation works which could have adverse effects on the stability of surrounding land, especially the land occupied by the Old Chapel. What is more, the two storey element would give rise to an incongruous feature, out of keeping with the surrounding area. In terms of the wider impacts, it should be noted that the property is surrounded by four other listed buildings and is within the Lacock Conservation Area. The Council concurs with the National Trust that the proposed extension would not conserve or enhance the character and appearance of the Conservation Area. By way of conclusion, the Council considers the proposed extension to be out of scale and character with the site itself and the surrounding area, and would represent the over development of the site. As a consequence the Parish Council objects to the proposed development.”

Second consultation:

“At the meeting of Lacock Parish Council on 9 December 2019 the members considered the amended plans submitted with the above mentioned applications. The amendments were considered inconsequential and in no way changed the Council’s resolution to OBJECT to the proposed development. It therefore wishes to emphasise that it’s objection lodged on the 17 October 2019 still stands. To reiterate, Lacock Parish Council considers that the proposal would result in an incongruous form of development totally out of keeping with the small close knit cluster of listed buildings in that part of Lacock. It would also be contrary to the principles and objectives of the Conservation Area.”

Conservation Officer – Objection.

“In reference the current package I am note the inclusion of additional public benefits in terms of helping to diversify the type of housing stock available in the Lacock area and the provision of improvements to the fenestration of the original cottage.

Whilst not a material planning consideration I also note the plans address the recent issues of a garden storage by incorporating this into the new subterranean structure. In general the works are consider to cause less than substantial harm to the listed building, it is concluded that this harm is at the lower degree of less than substantial harm.

We need to seek information as to the format of the proposed new windows at the earliest opportunity as this key element terms of potential enhancement of the property. I whilst I maintain objection to the scheme as previously discussed I understand that Council in weighing the up the wider planning balance the scheme may prove to acceptable.”

REPRESENTATIONS

A public site notice was displayed in the usual manner. Responses were received to the original consultation which have been summarised above. A further re-consult was carried out as a result of further clarification to the plans and the submission of a sectional drawing at the officer's request.

A total of twenty-five (25) representations have been received (23 for the FUL application and 2 for the LBC), they will not be replicated in full here as they are available to view on the Council's website. Main issues raised:

- Concern over the massing, size and scale of the proposal
- The impact it will have on the wider area
- How it will relate to the character of the conservation area,
- Potential size of the proposed garage extension element
- Overdevelopment of the site
- Impacts upon the amenity of the old chapel and neighbouring properties
- Potential problems arising from the excavation works and stability of surrounding and
- Potential use of the business in a business, requests controls to prevent this
- Parking issues, being a reason for no subdivision to occur

Eleven (11) representations have been broadly supportive of the application, raising among other matters:

- The moderate size of the extension to the garage
- The benefits to the owners of the property by securing much needed space
- The relatively limited potential visual impact as a result of the proposal on the wider street scene
- Stating that the proposal will be an enhancement to the listed property.
- States that it would be of high quality
- States there is no detriment to the local community
- Would allow more room for the family to grow

8. Planning Considerations

Policy Context

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.

Section 16, 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990- requirement to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The National Planning Policy Framework (2019)- Section 16 paras 190, 192 and 196

Historic England's "Conservation Principles" provides policy and guidance for the "sustainable management of the historic environment".

Wiltshire Council's Core Strategy CP51, CP57 and CP58

Principle of development

The proposal occurs within the built area of Lacock which is defined as a small village under CP1, which does not have a settlement boundary.

The proposal is for a domestic extension to an existing dwelling, within the confines of an established residential curtilage. Such development is considered to be acceptable in principle, but the details of which must be considered against national and local policy. Those details are considered in the sub-sections below.

Impact upon heritage assets

Sundawn is a Grade II listed building situated wholly within the Lacock Conservation Area. Due consideration must be given to CP58 of the WCS, the NPPF 2019 and The Planning (Listed Buildings and Conservation Areas Act, 1990). As required by the NPPF, consideration must be given to whether the proposal causes harm to the heritage assets and if so, whether that harm is outweighed by the public benefits of development taking place, including securing its optimum viable use.

The proposal will see the creation of a large single storey extension which will extend from the 1993 rear extension, the south elevation will be glazed and will be partially buried by the existing back garden. The existing garage and outbuilding will be altered with a box form addition which will be fronted with glazing. Access into the new extension will be from the scullery formed in 1993.

The materials used in the above ground portion are limestone rubble, stone tone render and treated wood cladding. The walls will also have large full-length windows on the ground floor element. The proposed garden room/ garage conversion is constructed of similar materials as the main extension and is topped with solar panels.

Significance of Listed Building

Sundawn is a traditionally designed and styled cottage of C17th antecedence but remodelled in 1900. Set across two storeys, the property is of stone and clay tile construction with nicely proportioned half-hipped gables ends and exposed timbers. Several aluminium windows have been installed which are considered to sit awkwardly with the otherwise well-preserved historic appearance.

While an attractive property is largely typical of the immediate area. The rear extension to the North East elevation is of less significance having been constructed relatively recently. The significance of the property appears to lie in its attractive form and overall appearance which is typical of the tradition vernacular and is considered to be an attractive but, perhaps unremarkable example.

Harm to listed building

The proposed extension will be attached to the eastern gable elevation in what is a mid-20th century addition to the property through the conversion of the 1993 scullery which will be converted into an entrance hall. The existing scullery will be moved into the new extension. The new extension will be accessed by a new opening cut into the large opening into the end gable wall of the NE which was constructed under the 1993 permission. Access to the new garden from the existing dwelling utilises the existing half landing of the 1993 stairway creating a new opening in the NE gable wall both to gain direct garden access and to let light into one of the darkest areas of the existing dwelling. Double doors in the opening will be fully glazed and views through to the garden will be enjoyed up and over the external steps in to the extended, re-landscaped 'sensory' upper garden level.

The junction between existing and new accommodation will be achieved via a relatively modern addition to that existing dwelling and, as such, there is to be no loss of significant historic fabric and, accordingly, only limited harm will result to the fabric of the listed building from the underground extension taking place.

With the exception of the garage extension, the majority of the development will be buried underground and would not be as visible in the context of the listed buildings as would a conventional above ground extension. However, several above ground elements of it would be visible: namely the glazing to the Southern elevation link and domed rooflights to be inserted into the garden, so as to light the depth of the accommodation. In this instance both elements are considered likely to be read as a modern addition to the property's evolution. Indeed, the rooflights to the proposed ground floor extension will again be largely hidden by proposed landscaping and will therefore be screened by the proposed planting and will only have a limited impact upon the character and setting of the listed building.

Turning to the garage which is proposed to be linked to the underground element via a a timber clad box type addition with flat roof. The existing garage is detached from the listed building and is clearly a more recent addition to the property. Whilst acknowledged as being positioned higher than the ridge of the existing garage, such an addition of overtly modern design would continue to be perceived as an ancillary structure in the garden and is considered to do little to conflict with the setting of the listed building. A reasonable amount of solar panels are proposed for the flat roof. However, submitted cross sections appear to demonstrate that they would not protrude above the flat roof, thereby minimising their contribution to the height and bulk of the garage extension. To that extent a planning condition can be reasonably imposed to ensure they are not installed in such a manner that does in fact increase the height of the flat roof extension.

The development will result in an increase in the ground level of the garden 2.5m between the ground level of the proposed ground floor extension and the new level of the garden, this is the deepest part and is due to the topography of the site, effectively increasing the height of the existing land in the garden by 500mm. Furthermore, this increase in height is only 500mm above the historic garden level as before the 1993 extension. However, such an increase is considered to be relatively minor, when viewed in the context of the existing topography of the site and the existing boundary treatment, as the Old Chapel is considerably higher than Sundawn and will not fundamentally alter the current situation

between either the neighbouring properties and the relationship between the host dwelling and garden whereby the garden is already at a higher level than that of the property to which it relates. Such an increase in height is not considered to be harmful to the setting of the listed building.

As noted in several representations there are several listed buildings in the immediate vicinity. Appropriate consideration has been given to the potential impact of the proposals upon both the character and setting of other listed buildings. The main concern has been the perceived view that the proposal would represent an over development of detriment to the setting of surrounding listed buildings. Due to its direct relationship with the garden area where development is to take place, The Old Chapel (also Grade II listed) is considered to be the most likely to be affected. The Old Chapel is an attractive church conversion, this listing description suggesting that the significant element being the Y-traceried (or patterned) 2 light pointed windows, with one on the front and two to each side. These windows will not be obscured by the proposal and will remain largely visible from the wider area. There is not suggestion that the garden area to Sundawn plays a particular role in the interpretation of The Old Chapel as a listed building.

No.4 Chapel is also Grade II listed but is somewhat separated from the garden where development is to take place, with the existing garage block providing an intervening barrier. For this reason, the setting of No.4 is not considered to be harmed.

In large part due to the underground nature of the additions, with only limited above ground elements, the proposal continues to take place within a defined residential curtilage and would not greatly harm the setting of surrounding listed buildings.

Comments from the National Trust and the Parish Council rightly observe that the extension proposed is large and will add considerable volume to the property. Indeed, a comparison of the existing and proposed floorspace at the site does indeed reveal a substantial addition. However, the extension would, in very large part, take place underground and the visual effect of the development would be limited for that reason. Above ground the proposal will largely be viewed as a connecting link from the main dwelling house and a moderate addition to the existing garage.

Harm will be caused to the setting of the listed buildings surrounding the development. That harm is caused to the setting of those listed buildings (Sundawn and The Old Chapel) by the above ground elements of the proposal and the raising of land levels. The proposal does not result in the loss of any historic fabric to Sundawn. Indeed, in totality the proposal is not considered to have a significant impact since it is largely subterranean. Accordingly, and for the above reasons, the harm caused is less than substantial harm in the minor end of the spectrum.

Conservation Area

Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of that area. Consideration has also been given to paragraphs 190, 192 and

200 of the NPPF, which refers to avoiding or minimising conflict with conservation and any aspects of the proposal.

Whilst it is certainly evident that the elevated position of the garage extension would be clearly visible in the street scene and from vantage points to the South, that visibility does not in and of itself render the proposed development unacceptable. In this particular case, the extension is of a simple design and does not seek to compete with surrounding buildings in terms of construction or materials used. Whilst there may be some harm to the Conservation Area as a result of development taking place, it will be at the lower end of the *less than substantial* scale.

The proposed use of solar panels on the flat roof element of the outbuilding is considered to be acceptable as they will be screened from view and will not intrude into the visual perception of the wider Conservation Area.

While the proposal is noticeable it is not considered to be so detrimental to the character of the immediate area as to be unacceptable when assessed against planning policy. It is anticipated that the actual visual intrusion into the character of the Conservation Area would be quite minor. This is further reinforced by the fact that the property is located some way back off a side street within the village, and it is not visual intrusive into the conservation area. This has been further demonstrated by the applicant's submission of several photo montages which illustrate the extent of the potential visual intrusion. This has been further reinforced by the comments from the Conservation Officer.

CP58 of the Wiltshire Core Strategy requires development to preserve or enhance the character and setting of the conservation area. As a result of the relationship between the property and the conservation area, there will be no detrimental impact upon the conservation area, so in this respect the character of the Conservation Area has been preserved. For the above reasons, the proposal is considered likely to cause less than substantial harm to the character of the Conservation Area at the very minor end of the spectrum.

Public benefit

Under paragraph 196 of the NPPF (2019), where a development will lead to less than substantial harm to significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. These public benefits can be secured and will be appropriately

Generally, it would be considered that the main public benefit of the proposal would be securing of the optimum viable use of the listed building and thereby securing the future of the listed building for the future. However, the property is currently occupied and does not appear to be in any imminent danger of being lost. The application does seek to suggest that some public benefit might be ascribed to the development allowing for the creation of a more diverse building stock within the village and enabling the property to more appropriately respond to modern living patterns, and ultimately securing the optimum viable use. However, such benefit (if there is any) cannot be regarded as being determinative due

to the already substantial existing size of the property and the more likely need for smaller houses in the locality, not larger ones. Indeed, as has been astutely noted within one of the received local objections, a previous application the property has already identified it as being in *optimum viable use*.

However, it is evident that the vast majority of the proposed development would be positioned underground and therefore not viewed in the context of the listed building or Conservation Area. For this reason, the harm caused to the significance of both heritage assets is not considered to be great (that harm being less than substantial, within the minor range). For this reason, the public benefits that must exist to outweigh such harm need also be relatively minor.

In this particular instance, the change to the aluminium windows currently to be found at Sundawn appears to have been granted under the 1993 permission. The existing aluminium windows would usually be acceptable for a modern property and would be considered to be acceptable for the proposed extension, they are not sympathetic to the historic character of the property.

The change from aluminium windows to timber within the main dwelling house is considered to be a distinct improvement to the historic character of Sundawn, clearly offering a public benefit. Whilst discussions with the Council's Conservation Officer has indicated that they are satisfied that the proposed timber windows would be acceptable, a condition can be attached to the Listed Building Consent which requires final details of the replacement windows to be submitted and agreed prior to the commencement of work.

The proposed replacement of the existing aluminium windows to timber is considered to be a public benefit that outweighs the less than substantial harm identified above and, accordingly, the requirements of paragraph 196 to the NPPF have been met.

Scale and design

The majority of the proposed development would take place underground, with only limited elements being visible above ground – that being the domes rooflights and extended to the garage building. Therefore, whilst substantial in size, the underground accommodation does not present to the street scene or relate to the existing property in the same manner that a conventional above ground extension of this scale would. When assessed against the requirements of policy CP57 of the Wiltshire Core Strategy, the underground extension is considered to be acceptable.

The proposal will also see a raising in the height of the land of the rear garden. This is as a result of the increase the infill which will be created by the proposed extension, from the plans this reads as the most significant, but it is no different to that which would occur if it was otherwise impacted upon. The remaining increase in height is modest at approximately 500-600mm and is considered to be acceptable in terms of scale and design.

The proposed glazing elements on both the front elevation of the proposed ground floor extension and the proposed garden room extension to the garage are largely screened from

the views of the immediate area due to the layout and orientation proposed. It is noted that it is a modest departure from the prevailing norm but as it is of a sufficiently high quality it is considered to be an acceptable addition to the proposal and will create a sufficient level of architectural intrigue to warrant its inclusion in the proposal.

The proposed sun lights into the subterranean elements are considered to be acceptable as based on the plans it appears that they would largely be obscured by planting, and when combined with their low profile it is not considered that they will be visible from the wider area, and as they are essentially roof lights it is not considered that they would result in any overlooking. Confirmation from the agent regarding the location of the windows is welcomed, and the location is considered to be acceptable.

The above ground garage extension garage is some 600mm higher than the existing structure and is not considered to be a dramatically imposing extension, since it will be viewed in the context of the existing garage/outbuilding.

It is noted that the materials are not of a typical architectural vernacular. Nevertheless, the use of the timber cladding for the garage extension is considered to be acceptable since, as previously identified, this will read as a traditional outbuilding constructed of timber – timber often being associated with ancillary out-buildings, precisely as the extended garage would be perceived here, with the linkage to the main house being achieved internally via the underground accommodation and thus being hidden from view. Timber cladding is not thought to be common in the Lacock area, but this is not thought to be fatal to the acceptability of the proposal.

Locally raised comments in respect of the potential deterioration of the cladding are noted, but it is not considered that this could reasonably translate into a reason for refusal, since it must be assumed that appropriate maintenance/care will be taken in the same manner as any home owner.

The resulting alterations to the garden as a result of the proposal will also help to change it back into a more useable space as opposed to the current configuration. The introduction of a therapeutic garden is not considered to result in any detrimental impacts, as this simply relates to a particular style of gardening in relation to planting and form.

The scale and design of the proposal is considered to be acceptable and will not detrimentally affect the setting or visual amenity of the immediate properties or the wider area. The proposals are considered to comply with the requirements of Policy CP57 of the Wiltshire Core Strategy.

Impact upon amenity

Concern has been raised over the amenity impacts of the proposal on the immediate neighbours from overlooking. It is noted that there is currently overlooking into the applicant's property from The Old Chapel. The Old Chapel is sited in an elevated position above the garden to Sundawn, with windows in its flank wall directly facing (and "looking down") into the garden to Sundawn. The upper windows to The Old Chapel serve an

upstairs living area, the lower level windows serve the kitchen and the immediate ground floor living area with limited light due to the internal mezzanine floor. There is an existing boundary treatment (wall and hedging) which mitigates this impact, further aided by the topography of the site.

Acknowledging that overlooking occurs to some extent already and given the height difference between the Old Chapel and the proposed outbuilding extension in Sundawn (and noting that obscure glazing is used by the facing windows of the The Old Chapel), it is not considered that the proposal would result in an unacceptable impact upon the amenity, living conditions of the occupiers of The Old Chapel or somehow represent feeling of oppressiveness.

The proposed garage extension will provide for a substantial bank of windows facing The Old Chapel. However, those windows would be at effective ground floor level and set at approximately 6m distance between the proposed garden room and the existing boundary treatment and approximately 7m distance between the proposed garden room and the Old Chapel and it would be reasonable to conclude that the distances involved would be no worse than that which would typically be expected to be found in a usual residential area, and are particularly prominent in both the immediate and wider area.

Comments have been received which state the applicant has deliberately omitted the lower part of the church style windows on the ground floor of the Old Chapel, the windows being of a typical church style. This has been raised with the agent, who explained that due to the survey technique used it is not possible to scan through solid objects, such as the boundary wall. The concern is noted, when carrying out a site visit to the neighbouring property it is not considered that the proposal will be particularly intrusive into this window and any potentially for overlooking is off set by the existing solid boundary treatment and the existing planting.

There will be no detrimental impact upon the amenity of the neighbouring properties South East of the proposed extension to the garage as the modest increase in height will not result in any detrimental overshadowing, loss of lights or overlooking to the neighbour as there is sufficient space between the proposal and the neighbouring properties.

The proposed increase in the ground level of the garden is not considered to be detrimental to the amenity of any of the neighbouring properties and will read largely as both a conventional increase in the garden and when combined with the existing boundary treatments is not considered to be detrimental to the amenity of any neighbouring properties. The existing windows on the ground floor of the Old Chapel are set quite high in relation to the existing and proposed ground level and would typically be expected to be acceptable and in keeping with the similar ground levels and window heights as found on the south east side of the property, with Sundawn's garden being slightly higher than the neighbouring property due to the slope of the hill.

The proposal has demonstrated compliance with the requirements of CP57 of the WCS in relation to amenity impacts upon the amenity and is acceptable.

Parking

As one more bedroom is to be created as part of the works appropriate consideration has been given to the requirements of the Wiltshire Parking Strategy. There is enough space to accommodate the appropriate number of parking spaces (3 parking spaces) in a manner which is in keeping with the wider area. As such it is considered to be suitable and as such is supported.

The parking provision for an increase from three to four-bedroom property has been considered and there is sufficient parking to deliver the required number of parking spaces in accordance with the standards of the Wiltshire Parking Strategy. This will not have any detrimental impact upon the amenity of the wider area as the appropriate parking provision can be delivered and meets the standards of the Wiltshire Parking Strategy.

Other matters

Ground stability and party wall

The stability of the ground in and around the site is an area of concern raised within a number of the representations received. However, whilst those concerns are understandable given the unusual subterranean nature of the development, such matters are not a consideration of the planning application process and is instead covered by Building Regulations.

Concern has been raised in respect of the lean-to formed between the applicant's property and The Old Chapel (created under the 1993 permission) and the potential to affect the common boundary shared between the properties. Such matters are covered by the Party Wall Act and are a separate civil matter between the applicant and any neighbours with no role for the Local Planning Authority to intervene.

Construction phase

In order to ensure that there are no detrimental impacts as a result of the construction process, a condition can be attached to the permission requiring the applicant to submit a construction method statement prior to starting works.

Correction of application forms

One representation received makes mention of the number of residential units being delivered. It appears that the original application form was filled out incorrectly and four bedrooms would be within the property, not four, two-bedroom houses.

Unauthorised development

Representations have been made to effect that the aluminium windows in the existing property have been installed without consent and that this new application seeks to regularise those works. However, the aluminium windows were in fact consented under the 1993 decisions.

Sub-division

Two of the representations received have made mention of potentially controlling the use of the extension by way of a S106 agreement to remove a business/commercial use, prevent subdivision of the property, prevent the use of the property as House of Multiple Occupation (HMO). Whilst such concerns are understood, none of those uses have been sought and the extension is understood to be entirely ancillary to the occupation of Sundawn as a single dwellinghouse. Nevertheless, given the amount of accommodation being created (albeit largely underground), a condition can be reasonably imposed which make it clear that the extended property may only be used as a single dwellinghouse.

9. Conclusion

The submission seeks planning permission and listed building consent for domestic extensions. Those extensions take the form of a largely subterranean accommodation linking to an extended garage.

Whilst relative extensive, the accommodation would be largely hidden from view and, subject to the imposition of planning conditions, is not considered to unacceptably impact upon the amenities of the surrounding residential occupiers or to represent an overdevelopment of the site. Access and parking arrangements are considered sufficient to serve the extended property.

The development and works are considered to harm the significance of the listed building. That harm is considered to be less than significant at the moderate scale and is considered to be outweighed by public benefit associated with the development/works taking place, including securing the optimum viable use of the building.

The proposed development and works are considered to meet with the requirements of policies CP57, CP58, CP60 and CP61 of the Wiltshire Core Strategy and relevant provisions of the NPPF.

RECOMMENDATION: That Planning Permission and Listed Building Consent be GRANTED, subject to the following conditions:

Planning Permission 19/08542/FUL

- 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those detailed on the approved plans.

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

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:

Drg No. 007:004 Proposed Elevations: South (Aug 2019)
Drg No. 007:005 Proposed Elevations: West (Aug 2019)
Drg No. 007:006 Proposed Elevations: East (Aug 2019)
Drg No. 007:007 Proposed Section/Elevation: North (Aug 2019)
Drg No. 007:008 Proposed Section/Elevation: West (Aug 2019)
(Received by LPA 05 Sep 19)
Drg No. 007:001:A Proposed Site Plan (Nov 2019)
Drg No. 007:002:A Proposed Ground Floor Plan (Nov 2019)
Drg No. 007:003:A Proposed First Floor Plan (Nov 2019)
Drg No: Section A:A (Nov 2019)
(Received by LPA 25 Nov 19)

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

- 4 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;
- d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- e) wheel washing facilities;
- f) measures to control the emission of dust and dirt during construction;
- g) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- h) measures for the protection of the natural environment.
- i) hours of construction, including deliveries
- j) measures taken to ensure the stability of the ground is not compromised and details of the steps to be taken in the event of any problems

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 application contained insufficient information to enable this matter to be considered prior to granting planning permission and 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, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

- 5 The extension hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling, known as Sundawn (2 Chapel Hill) and it shall remain within the same planning unit as the main dwelling.

REASON: The additional accommodation is sited in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit a wholly separate dwelling.

- 6 In complete accordance with the approved plans, no solar panels to be installed on the roof of the garage extension shall protrude above the highest extent of the roof.

REASON: So as to ensure the panels do not result in an increase in the height and bulk of the proposed garage extension which would adversely impact upon the setting of surrounding listed buildings.

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.

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.

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.

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.

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.

Listed Building Consent 19/08758/LBC

- 1 The works for which Listed Building Consent is hereby granted shall be begun before the expiration of three years from the date of this consent.

REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) 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:

Drg No. 007:004 Proposed Elevations: South (Aug 2019)
Drg No. 007:005 Proposed Elevations: West (Aug 2019)
Drg No. 007:006 Proposed Elevations: East (Aug 2019)
Drg No. 007:007 Proposed Section/Elevation: North (Aug 2019)
Drg No. 007:008 Proposed Section/Elevation: West (Aug 2019)
(Received by LPA 05 Sep 19)

Drg No. 007:001:A Proposed Site Plan (Nov 2019)
Drg No. 007:002:A Proposed Ground Floor Plan (Nov 2019)
Drg No. 007:003:A Proposed First Floor Plan (Nov 2019)
Drg No: Section A:A (Nov 2019)
(Received by LPA 25 Nov 19)

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

- 3 No works shall commence on site until details of all new external window and door joinery and metal framed glazing have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include depth of reveal, details of heads, sills and lintels, elevations at a scale of not less than 1:10 and horizontal/vertical frame sections (including sections through glazing bars) at not less than 1:2. The works shall be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and/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 listed building and its setting.

- 4 No works shall commence on site until a scheme for the protection of existing architectural / historic features in situ (such as plasterwork, ironwork, cupboards, fireplaces, doors, windows, staircases, staircase balustrading and other woodwork) has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and 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 listed building and its setting.

- 5 The works hereby granted consent shall be carried out in such a manner as to ensure that the existing building is preserved and not structurally or superficially altered in any way whatsoever, save in accordance with the approved plans and the said building shall be structurally supported and weatherproofed at all times during the construction period in accordance with established building practice.

REASON: To preserve the special architectural and historic interest of the listed building.