

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

<b>Date of Meeting</b>	27 <sup>th</sup> August 2020
<b>Application Number</b>	20/02825/FUL
<b>Site Address</b>	2 Lower Mooray, Chilmark, Salisbury, SP3 5BA
<b>Proposal</b>	Erect detached outbuilding housing double garage with office space to the side, consolidate access and associated works
<b>Applicant</b>	Ms K. Reardon
<b>Town/Parish Council</b>	Chilmark
<b>Ward</b>	Nadder & East Knoyle
<b>Type of application</b>	Householder application
<b>Case Officer</b>	James Repper

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

Councillor Bridget Wayman has called the application to committee for the following reasons:

- Scale of development
- Visual impact upon the surrounding area
- Relationship to adjoining properties
- Design – bulk, height, general appearance
- Environmental/highway impact
- Car Parking (Use)

**1. Purpose of Report**

To consider the above application and the recommendation of the Area Development Manager that planning permission should be APPROVED subject to conditions.

**2. Report Summary**

The main issues which are considered to be material in the determination of this application are listed below:

- Principle of development
- Scale, design, impact to character and appearance of the area
- Impact to AONB
- Residential amenity/living conditions

The revised application has generated Objection from Chilmark Parish Council and 8 letters of representation.

**3. Site Description**

The application site is to the south of the small village of Chilmark and is located outside of any settlement boundary. The site is one half of a pair of semi-detached cottages believed to be around 200 years old. The cottages are not located within a conservation area, nor are they listed in themselves, they are, however, located within the boundaries of the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty (AONB). The site in question is of an unusual makeup, insofar that the property is split into two distinct parcels of land by a farm track. The proposed works are to take place in the detached parcel of land to the immediate south-west of the property's principal elevation. The farm track leads to CHIL6 (bridleway) although mapping suggests the bridleway does not start for approximately 300m beyond the property and links up to TEFF3 (Bridleway) after 516m. The property is surrounded by open countryside or woodland on three sides with 1 Lower Mooray to the north-west. 1 Lower Mooray has

been subject to alterations/modernisations over time, including the removal of a single garage and the creation of a detached wood-clad double garage.

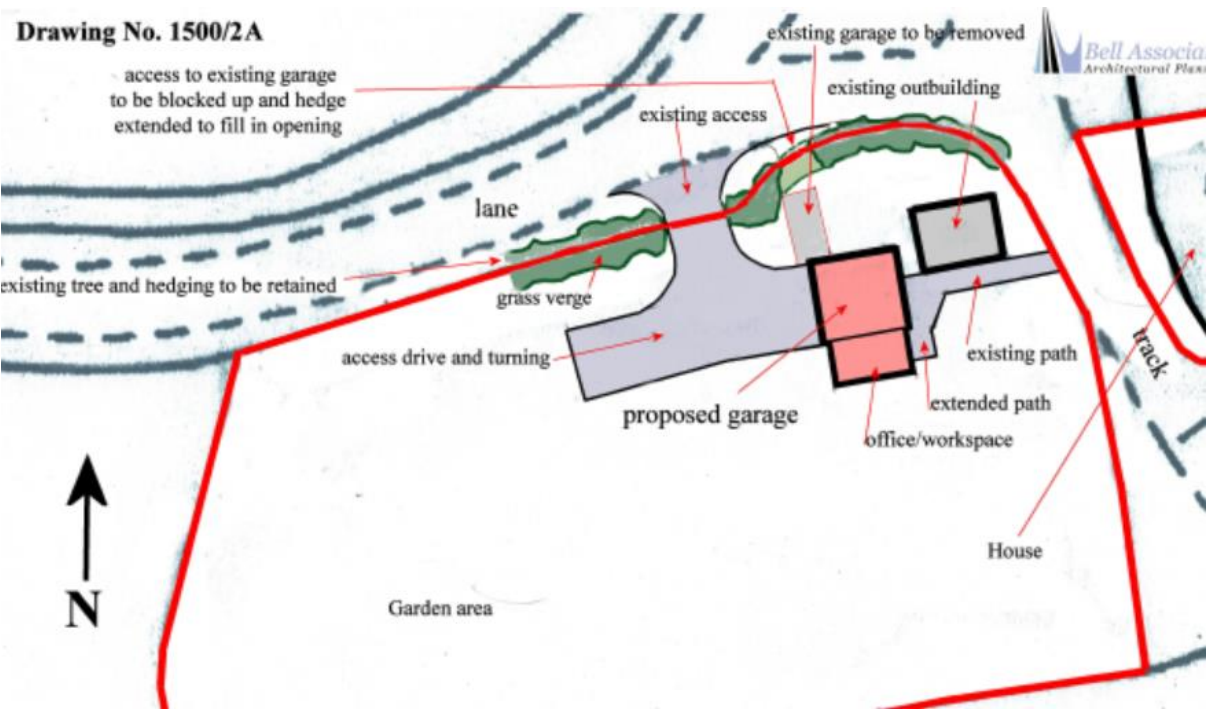
4. Planning History

No history on the existing property, but the following relates to the adjacent dwelling.

Application Ref	Proposal	Decision
S/2005/2438	Demolition of Single Garage and the creation of a detached two-bay carport	Approved 11/01/2006

5. The Proposal

This is a householder application proposing to consolidate an existing access into the western-most parcel of land, demolish an existing prefabricated single garage (in a rather dilapidated condition), remedy the gap created with additional hedging and create a detached wooden-clad double garage with office room to the side under a slate or tile roof. The proposal has undergone several re-designs throughout this application. Originally the proposal was for a two-storey building with the office space above the garages with dormer windows to front and rear, these plans were then revised to remove the dormers overlooking the cottages themselves and finally the plans were revised to those we have here.



6. Local Planning Policy

National Planning Policy Framework (NPPF)  
National Planning Practice Guidance (NPPG)  
National Design Guidance (Planning practice guidance for beautiful, enduring and successful places) 2019

**Salisbury District Local Plan policies (Saved by Wiltshire Core Strategy):**

C24 Extensions to Buildings in the Countryside

H31 Extensions to Dwellings in the Countryside

**Wiltshire Core Strategy:**

CP51 Landscape impact

CP57(Ensuring High Quality Design & Space Shaping)

**Supplementary Planning Guidance:**

Creating Places Design Guide SPG (April 2006)

Cranbourne Chase Partnership Plan (2019-2024) - Plan Policy - PT26

**7. Summary of consultation responses**

**Chilmark Parish Council: Object**

The majority view is that while members would be generally supportive of an appropriate application for a home working capability and off-road parking it is felt that this particular proposal does not take account of the unique characteristics of this site.

Lower Mooray, with its pair of historic semi-detached stone cottages, is a rural idyll and provides a special area of interest to many local residents and visitors to Chilmark.

The Parish Council recommend refusal or withdrawal of the application:

1. The application site forms one of the most picturesque and charming scenes within the Cranbourne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty and the proposals fail to demonstrate the special care that should be taken to preserve the character and appearance within the locality as required by the AONB.
2. The proposal is not sympathetic in scale and character with the existing historic buildings and surrounds as required by Saved Policy C24 of the Salisbury District Local Plan and the requirements of Wiltshire Core Policy 57, with a footprint of some 46sq metres and height of some 4.5metres, it is excessive in scale, size and appearance.
3. A specific consideration within The Wiltshire Householders' guide to planning for outbuildings and detached garages is that with detached garages the materials used should match those of the main house which would also imply materials to match the existing stonework outbuilding which is intended for refurbishment.
4. Members of Chilmark Parish Council submit this response in line with guidance advised by Mr Adam Madge, team Leader (South) and are asking Wilts Councillor Bridget Wayman for the application to be called in to Committee.

**Highways: No Objection**

- It is considered that the proposal will not have a detrimental impact on highway safety and therefore no highway objection is raised.

## **8. Publicity**

This application was advertised through the use of a site notice erected on 22<sup>nd</sup> June and letters of consultation sent 30<sup>th</sup> April 2020.

8 letters of representation were received from the residents of 6 properties to the latest revision of the application. The following comments were made:

- The proposal is too large and out of proportion
- Has a harmful visual impact on the rural corner
- Harmfully impact the AONB
- Be a prelude to a change of use application at a future date
- Be overbearing in height
- Potential deleterious to an existing established Beech Tree
- Unsympathetic and out of character for the area
- Disagreements with points in the statements submitted alongside the application.

## **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 the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

### **9.1 Principle:**

Saved policy H31 from the Salisbury District Local Plan 2003 states that In the countryside extensions to existing dwellings will be permitted provided that

- a) The extension is subservient in size to the existing dwelling and house plot and does not substantially alter the character of the dwelling;
- b) The design of the extension is in keeping with that of the existing dwelling and uses complementary materials;
- c) The extension would not create, or be capable of creating, a separate dwelling.

Saved policy C24 From the Salisbury District Local Plan 2003 states that:

Extensions and additions to buildings in the countryside will only be permitted if they are sympathetic in scale and character with the existing building and surroundings, and fall within the existing curtilage.

Guidance from the Cranborne Chase Partnership Plan 2019-2024 states:

Extensions to existing permanent buildings are only supported where:

- i. the proposed extension does not materially impact on the special qualities of the AONB, especially through its height or bulk; and
- ii. the size and scale of the proposed extension is not disproportionate to the existing building; and
- iii. the proposed development will not generate the need for additional ancillary development including storage, parking and hard surfacing.
- iv. The size and scale of any garage or outbuilding within the curtilage of a dwelling in the AONB and its setting must be proportionate to the dwelling.

These principle acceptabilities are however subject to the details, such as their implications for the character of the area; and neighbouring amenities.

## **9.2 Character & Design and impact on AONB**

Core Policy 57 states that new development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality. Residential extensions such as this are acceptable in principle subject to there being no adverse impacts. CP51 protects the landscape of the AONB.

In this instance, it is considered that whilst the proposed works are of a not insignificant scale when compared to the host dwelling, the garage would be of a size and dimensions normal for a double garage, and the roof pitch is at the normal angles required for slate.

The materials proposed are to be matching those materials found in the immediate area, the wood-clad sides are of similar design to the double garage found within the grounds of 1 Lower Mooray, the slate roof is matching to the existing “utility” outbuilding already on the site. Other examples of timber-clad outbuildings can be seen throughout the nearby village of Chilmark and surround countryside. With regards to the impact on the wider AONB, it is considered that whilst the proposed garage is reasonably tall it is also considered that the application site is well concealed behind established mature hedging of some height, hedging which is to be extended to fill the void left by the removal of the existing prefabricated single garage. The site topography does rise to the south however it is considered that the proposal will be dug into the site somewhat to create a level parking area. Whilst it may be possible to see the building when on the track it is considered that the use of a slate roof would not be significantly harmful on the special rural nature of this corner of the AONB especially when it is considered the expansive view from this location over the AONB contains particularly substantial and modern agricultural works to the south.

Overall it is, therefore, considered that the proposals, will be constructed of materials in keeping with the immediate and wider area for outbuildings, will be significantly concealed by the surrounding longstanding vegetation and trees and would not, therefore, cause significant harm to the street scene nor have a material impact on the special qualities of the AONB.

## **9.3 Neighbouring Amenity**

WCS policy CP57 requires that development should ensure the impact on the amenities of existing occupants/neighbours is acceptable and ensuring that appropriate levels of amenity are achievable within the development itself.

In this instance, it is considered that the proposed outbuilding will be situated in a location that does not overshadow neighbouring property, would be sufficiently distant from the track so as not to overbear people travelling along and in all likelihood, due to the topography and existing planting, be significantly hidden. Therefore, it is concluded that the proposed plans would not have a detrimental effect on the occupiers of the neighbouring property known as 1 Lower Mooray as they enjoy their amenity space nor would it materially detract from the enjoyment of the AONB by passers-by.

## **9.4 Highways and other matters**

Respondents have raised concerns that, due to the size of the proposal, an attempt may be made in the future to convert this outbuilding into a separate residential dwelling. Whilst there is no evidence to suggest that this would be the case it would be reasonable to condition this outbuilding to remain within the curtilage of the application site and be incidental to the residential usage of 2 Lower Mooray. Such a condition is suggested below.

Concerns have also been raised regarding inconsistencies in the planning statement regarding the track and parking. Whilst it is agreed that the site has an existing single garage, it is in a seriously dilapidated state, is not of sufficient size to accommodate a modern motor car nor does its location provide sufficient space to allow vehicles to access and egress in forward gear. Vehicles have currently been parking to the front of this garage although there are no specific parking restrictions that space is officially part of the public highway and being a single track road is not suitable for parking. The track itself is not owned by Lower Mooray cottages and the occupants do not, therefore, have any rights to park upon it. No comment can be made on how often the track is used by its owner but it is clearly sign-posted that parking is not acceptable as access is required at all times. Therefore, this scheme could offer improvements to safety of the narrow highway system by containing all parking and turning off road. WC Highways has no objections to the scheme.

## **10. Conclusion:**

Throughout the application process, the concerns raised by the parish council and residents from the village have been carefully considered and the proposals have undergone significant alteration to accommodate those concerns. It is, therefore, concluded that the proposals are of an acceptable design, scale, mass and height for the specific location proposed, the proposals are not considered to be significantly harmful on the enjoyment of amenity space by the occupiers of neighbouring properties and the proposals are not considered to have a material impact on the special qualities of the AONB. Highways safety is not harmed and may be improved.

## **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:

Application Form & Certificate	Received 29 <sup>th</sup> April 2020
Revised Garage Elevations DWG: 1500/4B	Received 25 <sup>th</sup> June 2020
Revised Garage Floorplans DWG: 1500/3C	Received 25 <sup>th</sup> June 2020
Revised Site Plan DWG: 1500/2A	Received 25 <sup>th</sup> June 2020

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

3. The outbuilding hereby permitted shall not be occupied at any time other than for purposes incidental to the residential use of the main dwelling, known as 2 Lower Mooray 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.

REASON: To ensure that the use of the building in the open countryside and on a separate parcel of land remains ancillary to the main dwelling.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), the garage space hereby permitted shall not be converted to habitable accommodation.

REASON: To secure the retention of adequate parking provision, in the interests of highway safety.