

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

<b>Date of Meeting</b>	1 <sup>st</sup> April 2021
<b>Application Number</b>	20/10508/LBC
<b>Site Address</b>	20 A Lode Hill Downton SP5 3PN
<b>Proposal</b>	Proposed alterations to the built garage and walls at 20a Lode Hill (amendment to 19/11390/LBC)
<b>Applicant</b>	Mr & Mrs Andrew and Zoe Mitchell
<b>Town/Parish Council</b>	DOWNTON
<b>Electoral Division</b>	Downton and Ebble Valley – Cllr Richard Clewer
<b>Grid Ref</b>	418485 121487
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Emily Jones

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

Cllr Clewer has called the application into committee on the grounds that the application proposal's design will have an unacceptable visual impact on the surrounding area and a poor relationship to adjoining properties.

**1. Purpose of Report**

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

**2. Report Summary**

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

- Impact on heritage assets

The application has resulted in an objection from Downton Parish Council due to the wall and garage being overbearing on the street and the listed building, and the garage being out of character with the area. Two letters of support have been received stating that the application will not harm neighbouring or local residents.

### 3. Site Description

20A Lode Hill is a Grade II listed property set in a sloping, corner plot within the Downton conservation area.



### 4. Planning History

19/11390/LBC	Retrospective garage new build and all associated works – Refused
19/10972/FUL	Retrospective garage new build and all associated works – Refused
14/08687/LBC	Internal alterations to facilitate the conversion of existing pair of semi-detached properties to form one dwelling, including removal of one chimney stack and addition of new entrance porch – Approved
14/08652/FUL	Conversion of existing pair of semi-detached properties to form one dwelling, including removal of one chimney stack and the addition of a new entrance porch – Approved
14/03642/LBC	Rear porch – Approved
14/03639/FUL	Rear porch – Approved
13/06878/FUL	Erect two detached double garages including demolition of existing outbuildings, closing of existing vehicular accesses and provision of new vehicular access – Approved
13/06881/LBC	Alterations to facilitate the conversion of two dwellings into one – Approved
S/2003/0931	Remove some stud walls erect newly positioned stud walls remove stairs erect new stairs open right rear window upto same dimensions as left rear window – Approved

## 5. The Proposal

Permission was previously granted for the erection of two garages and boundary wall under 13/06878/FUL and 13/06881/LBC. Works began in 2014 however the development has not been carried out in accordance with the approved plans with the garage ridge higher than approved, the use of un-agreed and in-appropriate materials, and a re-designed boundary wall. Retrospective consent for the work was refused in 2020 for the following reason:

*“The development, through its height, massing, design and use of inappropriate materials and detailing would result in harm to the significance and character of the GII listed building and the Downton conservation area. It is therefore contrary to CP57 and CP58 of the Wiltshire Local Plan, LC1 and LC2 of the Downton Parish Neighbourhood Plan 2016-2026, and paragraphs 189, 192, 196, and 200 of the National Planning Policy Framework 2019.”*

This application seeks to overcome the reason for refusal and proposes to amend the design of the garage roof and roadside boundary wall. Planning permission is being considered under 20/09706/FUL.

## 6. Local Planning Policy

### Wiltshire Core Strategy

Core Policy 58: Ensuring the conservation of the historic environment

### Downton Parish Neighbourhood Plan 2016-2026

LC1

LC2

Government Guidance:

National Planning Policy Framework 2019 (NPPF)

Planning Policy Guidance (NPPG)

## 7. Summary of consultation responses

**Downton Parish Council** – Objects to the application due to the height of the wall being overbearing on the road and is not subservient to the listed building; the garage being overbearing on the road and is not subservient to the listed building; the garage roof design is out of character with the area; and the rear retaining wall is overbearing.

The council does support the proposed use of Michelmersh bricks and that the roadside boundary wall will be brick-faced; that the design of the wall has been simplified and the gate is at the western end; and that the driveway and dropped kerb is to be retained in its current position.

**WC Conservation** – Supports the amended plans (proposes a hedge instead of a boundary fence and uses Michelmersh Hampshire Stock Down Blend brick on the roadside wall). Supports the design of the roadside wall and garage as it is more in line with the previous consent subject to conditions.

## **8. Publicity**

The application was advertised via neighbour notification letters dated 30 November 2020. The consultation period expired on 11 January 2021.

Two third-party representations have been received from neighbouring occupants/owners. They support the proposal as it will not impact on neighbouring or residents.

## **9. Planning Considerations**

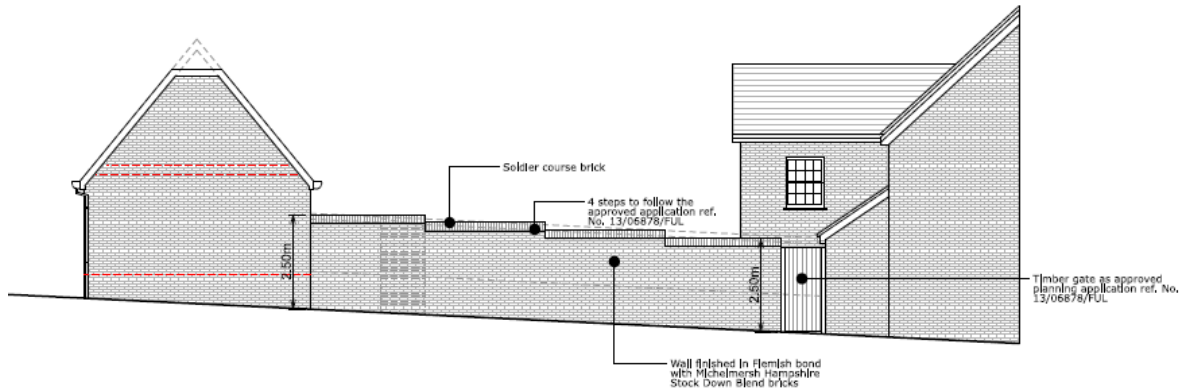
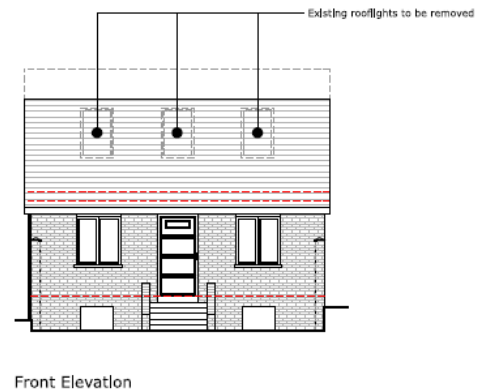
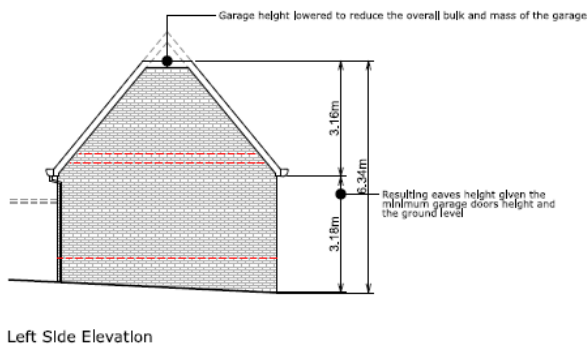
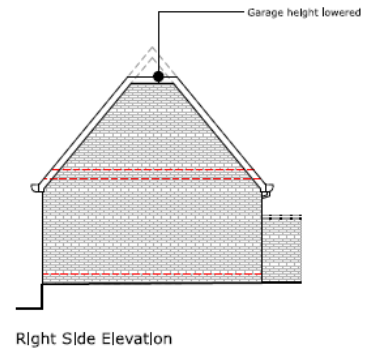
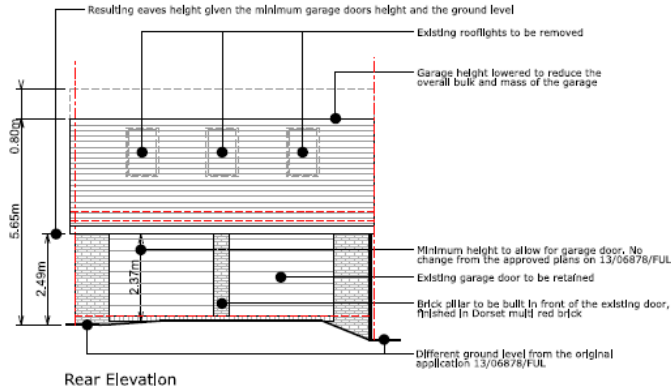
Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

### **9.1 Impact on heritage assets**

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the exercise of any functions, with respect to any buildings or other land in a conservation area, under or by virtue of any of the provisions mentioned in this Section, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

A number of adjustments are proposed to the scheme as built out:

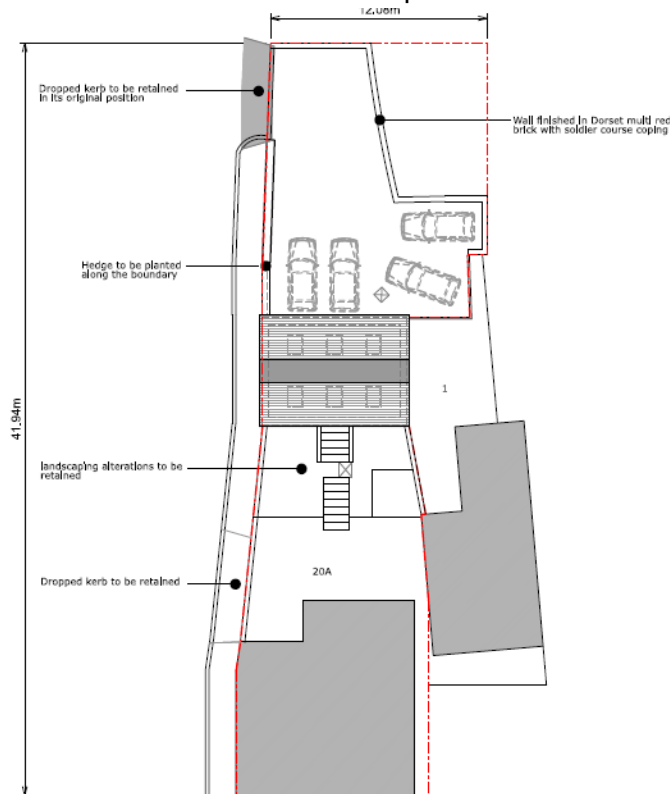
It is proposed to drop the ridge height of the garage by 80cm, creating a narrow capped roof, the rooflights would be removed, and a brick pier added to create two smaller garage doors. As such the garage would be more subservient to the listed building and would not be so unduly overbearing as to warrant a refusal of the scheme on this ground.



The proposed stepping down of the roadside wall allows for a more subservient approach to the listed building and the insertion of a gate at the western end of the wall allows for a visual separation between the wall and listed building that would result in minimal harm to the fabric of the building. Furthermore, the stepped design of the wall prevents it from becoming unduly overbearing on the street due to the sloping site and as such would make a positive contribution to the area.

It is proposed to re-clad the main walling using Michelmersh bricks which are considered to be appropriate for the heritage setting and would not be incongruous with the listed building or in the wider conservation area.

The retaining wall would be clad in multi-red bricks. To the east of the garage it is proposed to plant a hedge on the northern boundary. This is considered to accord with the verdant and rural character of this part of the conservation area.



The conservation officer raises no objection to the proposals subject to conditions regarding detailing. The proposal is therefore considered to result in less than substantial harm to the heritage assets. The proposal would bring about limited public benefit primarily economic benefit through the construction process and the tidying up of the site. This is considered to outweigh the harm and the proposal accords with CP57 and CP58 of the Core Strategy

## 10. Conclusion (The Planning Balance)

The revised scheme is considered to be of an acceptable scale, mass, bulk, and design that would result in less than substantial harm to the listed building. However this is outweighed by the public benefit of the proposal. The proposal therefore conforms to the objectives of CP58 of the Core Strategy and the aims of the NPPF. The recommendation is that planning permission should be granted.

**RECOMMENDATION: APPROVE, subject to the following:**

## Conditions

1. Within 2 months of the date of this decision a scheme for the timing of commencement and completion of the works hereby approved including:

- The hedge planting times and details of species and planting,
- The materials details for the garage walling, central pier, and roof,
- The materials details for the northern boundary wall and gate,
- The architectural detailing and materials for the truncated garage roof,
- Materials for the retaining walling
- Details of how any expansion gaps in the boundary walling are to be dealt with,
- Any making good to the structure/fabric of the listed building,

shall be submitted to the Local Planning Authority. The approved scheme shall be carried out and completed in accordance with the approved timescale and details. Unless otherwise agreed by the Local Planning Authority, the materials to be used for the northern roadside boundary wall shall be Michelmersham Hampshire Stock Down Blend brick and the wall shall be constructed in Flemish bond. The retaining wall shall be clad in Dorset multi red brick.

REASON: To ensure a satisfactory standard of development in the interests of visual amenities of the area and the character and setting of the heritage assets

2) The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

### Location Plan

As Built Block Plan – drawing no. 21174-01-401 – dated 14 October 2020

Proposed Block Plan – drawing no. 21174-01-402A – dated 15 December 2020

As Built Floor Plans – drawing no. 21174-01-101 – dated 14 October 2020

As Built Roof Plan – drawing no. 21174-01-102 – dated 14 October 2020

As Built Elevations – drawing no. 21174-01-201 – dated 14 October 2020

As Built Street View – drawing no. 21174-01-202A – dated 27 November 2020

Proposed Floor Plans – drawing no. 21174-01-103 – dated 14 October 2020

Proposed Roof Plan – drawing no. 21174-01-104 – dated 14 October 2020

Proposed Elevations – drawing no. 21174-01-203A – dated 15 October 2020

Proposed Street View – drawing no. 21174-01-204A – dated 15 October 2020

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