

REPORT FOR WESTERN AREA PLANNING COMMITTEE

Date of Meeting	14 December 2022
Application Number	PL/2022/07194
Site Address	Ivy Lodge, Lower Woodrow, Forest, Melksham, SN12 7RB
Proposal	Proposed two storey extension to Ivy Lodge
Applicant	Ms. J Ayliffe
Town/Parish Council	Melksham Without Parish Council
Electoral Division	Melksham Without North & Shurnhold ED – Cllr Phil Alford
Grid Ref	392-165
Type of application	Householder Planning Permission
Case Officer	Jonathan Maidman

Reason for the application being considered by Committee

In accordance with the Council's Scheme of Delegation Specific to Planning', this application is brought to the area planning committee at the request of Cllr Phil Alford, based on the following:

"The building is to provide additional accommodation to support the business".

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 planning considerations and to recommend that the application should be refused.

2. Report Summary

The main issues discussed in the report are as follows:

- Principle of development
- Size, design, and impact on the building itself and appearance of the area
- Neighbour amenity
- Parking

3. Site Description

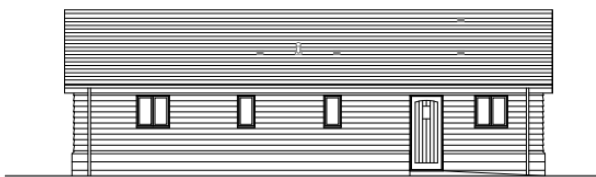
The application site is located in the open countryside and is accessed off the south side of the Lower Woodrow Road, to the north-east of Melksham. The surrounding area is characterised by hedged fields of varying heights interspersed with agricultural land and commercial and private equestrian holdings.

The applicant runs an equestrian business from the application site, which includes a range of buildings including two stable blocks with large loose boxes for foaling broodmares or horses

undergoing rehabilitation, a horse walker, a lunge pen, turn out paddocks, a solarium, wash down areas, indoor treatment areas, a hay barn, tack rooms, feed rooms and restrooms, a large riding arena, and an equestrian worker's dwelling. The plan below shows the layout of the site:



The application being reported to the elected members specifically relates to the existing 96sqm single storey dwelling, which is illustrated below, which was approved by the Council in March 2020 under application 19/11574/FUL and is subject to a restricted occupancy condition.

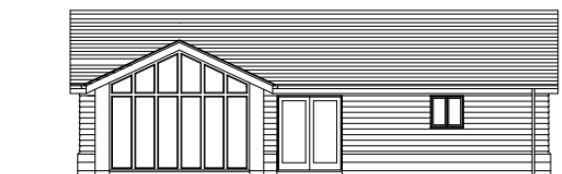


EAST ELEVATION

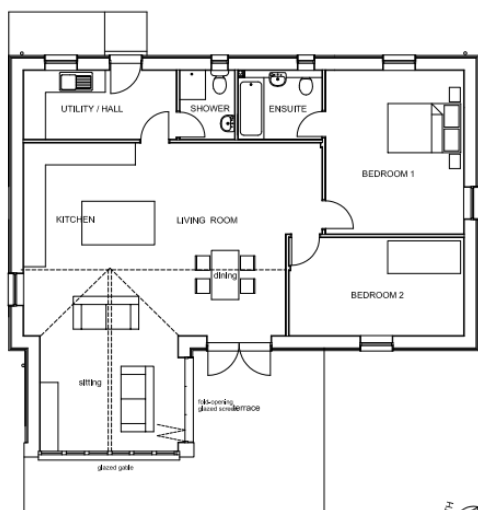


NORTH ELEVATION

PROPOSED MATERIALS-
 Roof - Natural Slates.
 Walls- Timber Horizontal Boarding over Beck Golden Buff Stone Plinth.
 Joinery- Old English White Painted Timber.



WEST ELEVATION

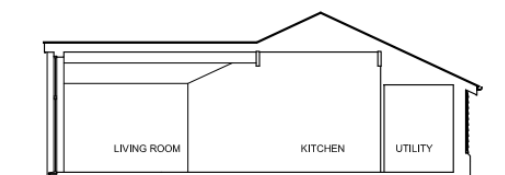


GROUND FLOOR PLAN

Gross Floor Area - 96 sq.m.



SOUTH ELEVATION



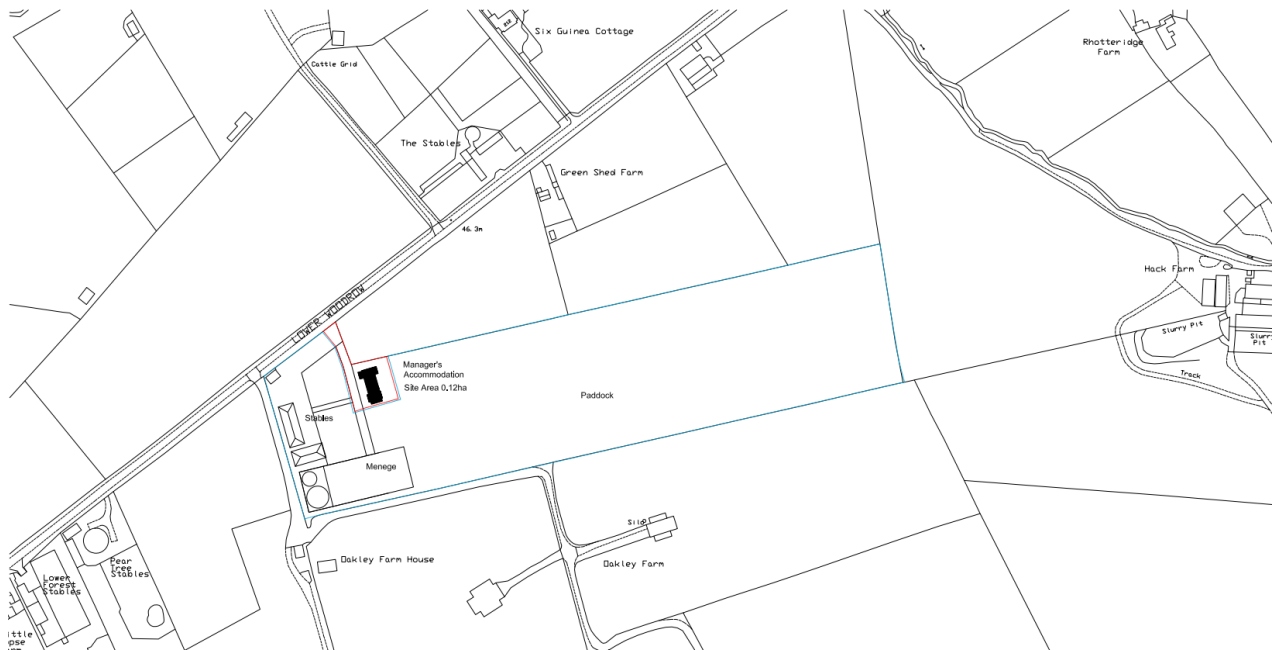
SECTION

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The bungalow shown above has a pitched roof and comprises 2 bedrooms (one with an en-suite), an open plan living room, kitchen and dining area, a shower room and a utility room.

The building is clad in timber with a slate roof.

The below insert illustrates the application site and its local context and includes land owned by the applicant (outlined in blue).



4. Planning History

- 16/08205/FUL: Erection of replacement equestrian stable block and temporary manager accommodation on existing equestrian use site - **Approved**. This permission was subject to a total of 19 conditions including condition 13 which stated, "the dwelling hereby permitted shall be removed and its use discontinued, and the land restored to its former condition on or before 18 November 2019."
- 19/11574/FUL: Permanent retention of equestrian worker's dwelling (approved under 16/08205/FUL for a temporary period) - **Approved**.

Note: This permission was subject to a total of 6 conditions including the following conditions which are relevant to the current planning application:

Condition 2

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), there shall be no additions to, or extensions or enlargements of the dwelling hereby permitted.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

Condition 3

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), no garages, sheds, greenhouses and other ancillary domestic outbuildings shall be erected anywhere on the site on the approved plans.

REASON: To safeguard the character and appearance of the area.

- PL/2022/05827: Proposed two storey extension to Ivy Lodge - **Withdrawn** in August 2022. This application was withdrawn after the case officer raised concerns about the size and bulk of the proposed extension.

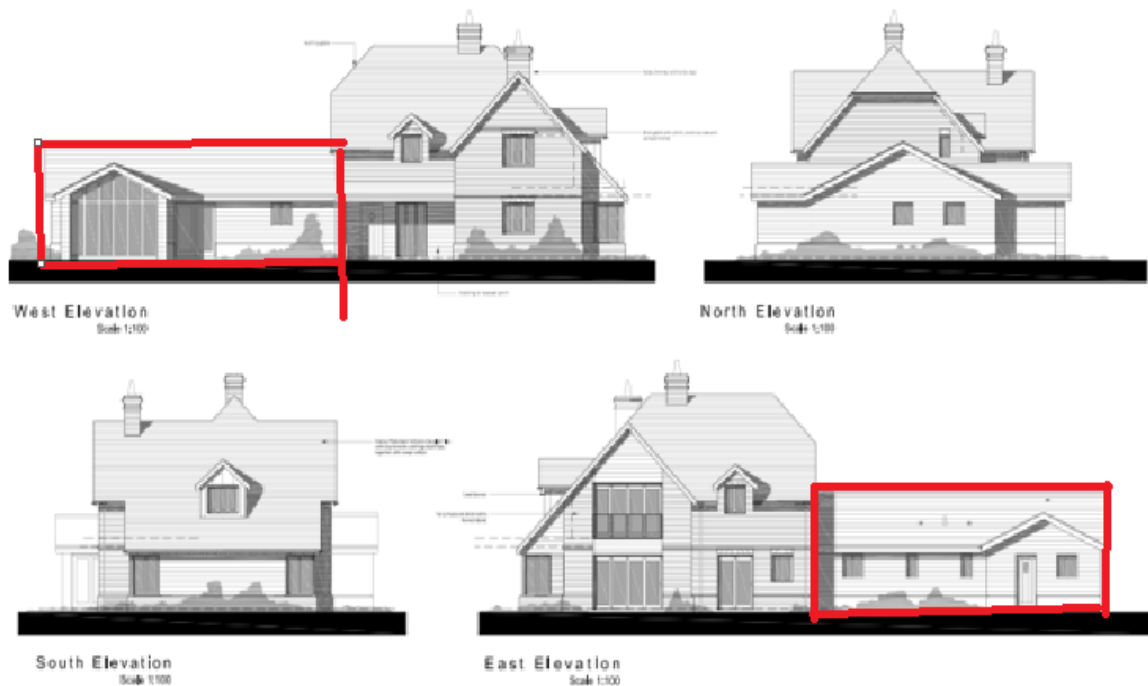
Note: The plans for the current application are identical to the plans of the withdrawn application.

5. The Proposal

This application seeks planning permission to erect a two-storey extension onto the southern elevation of the existing bungalow.

The proposed elevational plans are reproduced on the next page, which reveals the existing approved single storey structure identified in red.

As set out by the terms of the approved 2019 application, the property does not benefit from any permitted development rights for extensions.



In addition to the proposed 110 sq.m two storey extension to be constructed off the existing south gable elevation, an 11 sqm single storey extension is also proposed on the eastern elevation of the existing bungalow.

The nearest 'neighbouring' residential property is Oakley Farmhouse, which is approximately 100 metres to the south.

In support of the application, the applicant has argued the following:

The consented dwelling does not provide a family sized house with facilities for grandparents, children, and grandchildren to stay. The existing dwelling is a bungalow design giving the appearance of a chalet type holiday home and does not reflect the surrounding properties.

It provides one room for cooking, eating and living with two bedrooms whereas the proposed house is a storey and a half with the design and size of other dwellings with a tie in the locality. Examples being: Oakley Farm, Oatley Farm, Hack Farm and Owl Lodge.

The proposal provides an additional living space on the ground floor and only one addition bedroom [and would create a] three-bedroom house with a floor area similar to the above examples.

This would provide a dwelling for me an any other rural worker with a home that is necessary for a close-knit generational family”.

6. Planning Policy

National Planning Policy Framework (NPPF)

Chapter 2. Achieving sustainable development; 4. Decision-making 12. Achieving well-designed places; and 15. Conserving and enhancing the natural environment

Wiltshire Core Strategy (WCS)

Core Policy 1: Settlement Strategy; Core Policy 2: Delivery Strategy; Core Policy 15: Melksham Community Area; Core Policy 48: Supporting Rural Life; Core Policy 51: Landscape; Core Policy 57: Ensuring High Quality Design and Place Shaping; and Core Policy 64: Demand Management

Wiltshire Local Transport Plan 2011-2026 Car Parking Strategy

7. Summary of consultation responses

Melksham Without Parish Council: No objection.

WC Highways Department: The site is able to provide at least 3 car parking spaces, therefore, no highway objection is raised.

8. Publicity

The application was advertised by neighbour notification and no third-party responses were received.

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 of Development

9.1.1 The site is located outside of a settlement boundary and is therefore in the open countryside as far as the adopted Plan is concerned. The application proposal however relates to an existing approved dwelling, and although conditions were imposed to remove permitted development rights under the 2019 application, there is no objection to the principle of extending the existing bungalow.

The following section critically assesses the merits of the proposed size and design of the extension – which are considered the most important determining factors.

9.2 The Size, Design, and Visual Impacts of the Proposed Extension

9.2.1 There is no dispute that there is an essential functional need for the applicants to occupy the single storey dwelling which was approved and constructed in recent years following the granting of application 19/11574/FUL. There is also no prescriptive national or adopted local policy for Wiltshire that sets a size or floor plan threshold for a rural worker's dwelling. Officers maintain that every application should instead be tested on its own merits and be subject and assessment of the adopted Wiltshire Core Strategy (WCS) and any other material considerations.

9.2.2 Adopted WCS Core Policy 48 explains the approach that will be taken to support rural communities, outside the limits of development of Principal Settlements, Market Towns, Local Service Centres and Large Villages and outside the existing built areas of Small Villages. The policy is based on some key objectives, the first of which is to “*protecting the countryside and maintain its local distinctiveness*”.

9.2.3 Adopted WCS Core Policy 51 moreover states that all new development should protect, conserve and where possible enhance landscape character and it must not have a harmful impact upon landscape character and any negative impacts must be mitigated through sensible design and landscape measures.

9.2.4 Adopted WCS Core Policy 57 requires a high standard of design in all new development that must respond positively to the existing characteristics and landscape features in terms of, amongst others, building line, plot size and streetscape, to effectively integrate the new development with its setting.

9.2.5 In support of the application proposal, the applicant argues that some of the proposed extension is required to support the management and running of the equestrian business with an extended utility/boot room in the proposed single storey extension and an office at ground floor in the two-storey extension.

9.2.6 The following insert reveals the proposed extended floor plan of the dwelling and from the details submitted, officers do not consider the two-storey extension that would more than double the size of the footprint of the existing rural worker's dwelling, to be justified. In addition to having a dining and sitting room, a 60sqm drawing room is proposed and at the first-floor level, 75 sqm of additional floorspace would be provided to create a large landing area, additional bathroom, and 35sqm of floor space being dedicated to another bedroom with an en-suite and dressing area.



Ground Floor Plan



First Floor Plan

9.2.7 The existing dwelling has an agrarian modest design and form with a low-pitched roof. The following photographs (taken within the site) show the front and rear elevations of the existing dwelling, which are followed by photographs showing one of the stable buildings behind:



9.2.8 The existing dwelling has limited visual impact upon the wider landscape character and assimilates well with the existing single storey associated equestrian related outbuildings. As illustrated below, the site photo (which was taken in late November) illustrates the roof of single storey property being visible from the Lower Woodrow highway which is taken near the applicant's site entrance:



9.2.9 The proposed extension would represent a significant increase in terms of added bulk to the existing dwelling and would more than double the floor area. The proposed elevations would not be subservient to the existing property and would considerably change the visual relationship of the existing property with the equestrian outbuildings and rural setting.

9.2.10 The proposal would in turn make the dwelling significantly more prominent when viewed from the public domain including the road (particularly at the entrance) and from the MELW47 Public Rights of Way Footpath which runs parallel to the site's southern boundary as shown below:



9.2.11 The existing bungalow and the associated equestrian outbuildings are visible from extensive sections of the footpath as the following photographs illustrate:



9.2.12 The two-storey extension would dominate the existing dwelling and significantly change the appearance of the modest existing bungalow in public view, particularly at the entrance to the site

and from the footpath to the south. The scale and bulk of the proposed extension would completely subsume the host building, and consequently would not 'respond positively' to the existing built form, massing, scale and design of the host property, contrary to adopted WCS Core Policy 57.

9.2.13 The proposal would not be readily identifiable as a later subservient addition to the dwelling and would instead appear as an incongruous addition which would unbalance and adversely change the simple character and appearance of the host building.

9.2.14 The proposal is thus found to be contrary to CP57 in the WCS and the provisions of paragraphs 126, 130 and 134 of the National Planning Policy Framework which requires development to be of a high-quality design which is sympathetic to local character.

9.2.15 Whilst officers have had regard to the justification provided by the applicant (as quoted within section 5 of this report, the proposal is not supported and is recommended for refusal. Notwithstanding the applicant's own submission to support this application, it is necessary to reference the supporting submissions made when the applicant applied for permission in 2019. Within paragraph 6.5 of the Planning Statement (dated November 2019) to support application 19/11574/FUL, the size of the dwelling was "*commensurate with the needs of the business and suitable for the locality, having regard to its height, scale, appearance and landscaping*".

9.2.16 To support the two -storey addition, the applicant's agent has made numerous references to extensions which could be undertaken as 'permitted development', however as detailed in the planning history, condition 2 imposed upon 19/11574/FUL removed permitted development rights for additions and extensions.

9.2.17 To further support the application, the applicant and their appointed agent, have also referred to several nearby dwellings in the vicinity of the site and some further afield which are larger than Ivy Lodge and have been extended. Some of the examples relate to buildings which have an agricultural/equestrian/forestry tie, whilst some do not. Whilst the examples have been considered by officers, each application must be assessed on its own merits. None of the cited examples have exactly the same site characteristics. Furthermore, none of the shared examples relate to a single storey dwelling being extended with a two-storey addition that more than doubles the floor plan area. In the interests of keeping the applicant, agent, and local Cllr fully informed, the officer concerns were shared, and all were advised that officers would not be supporting this application, and given the call-in request, it would be reported to the elected members of the western area planning committee.

9.2.18 Notwithstanding the significant concerns raised about the two-storey extension, there is no objection to the proposed single storey extension. However, since local planning authorities cannot issue split decisions, this application is recommended for refusal on the basis that the two-storey addition is unacceptable in planning terms.

9.3 Neighbour Amenity Impacts

9.3.1 The nearest residential dwelling to Ivy lodge is Oakley Farmhouse, which is located approximately 100 metres to the south. Due to the separation distance, the proposal would not have an adverse impact on the living conditions of neighbouring residents in terms of overlooking or loss of privacy.

9.4 Parking Impacts

9.4.1 The proposed enlarged dwelling would have one additional bedroom and no objection has been raised by the Council's highway officers. It is accepted that there would be sufficient space to park at least 3 vehicles on the existing hard surfaced area within the curtilage of the dwelling.

10. Conclusion (The Planning Balance)

The proposal is not considered to comply with relevant policies of the adopted Wiltshire Core Strategy and the NPPF, and accordingly it is recommended for refusal.

11. RECOMMENDATION: Refuse for the following reason:

The proposed development by virtue of its scale and bulk would dominate and change the appearance of the existing bungalow in public views, particularly at the entrance into the site and from the footpath to the south. The proposal would not be identifiable as a subservient addition to the dwelling and would instead appear as an incongruous addition which would subsume, unbalance, and adversely alter the simple agrarian character and appearance of the host building. No substantive evidence has been submitted to justify the proposal for commercial reasons.

The application is not in accordance with section 2 - Achieving sustainable development (paragraph 8c), section 12 - Achieving well-designed places (paragraphs 126, 130 a), b), c) and d), and 134) of the National Planning Policy Framework, and is contrary to the adopted Wiltshire Core Strategy and in particular would conflict with the Council's policy approach to 'Protecting the countryside' (as set out within bullet point 1 of para.6.66 supporting Core Policy 48). The development would also conflict with Core Policies 51 and Core Policy 57 of the adopted Wiltshire Core Strategy – which requires a high standard of design for new development, and to respond positively to existing built forms, as well as massing, scale and design.

Informative

The decision to refuse this application has been based on the following plans:

P-01 (PROPOSED Floor Plans and Elevations) dated 05.2022

P-02 (LOCATION PLAN) dated 05.2022

P-03 (PROPOSED Site Plan) dated 05.2022