

**Wiltshire Council**  
**East Area Planning Committee**

**May 7<sup>th</sup> 2009**

**List of Applications for Consideration**

**1. E/09/0122/FUL** (page 2)

Full planning application for: Demolition of existing dwelling and replacement with new dwelling

At: 'Long View' Malthouse Lane, Upper Chute CHUTE SP11 9EG

RECOMMENDATION: Refuse planning permission.

**2. E/09/0351/LBC** (page 10)

Listed building consent for: Proposed pitch roofed extension with first floor gallery linked to existing cottage by single storey flat roofed parapet extension.

At: Dragonwell, 114 High Street, BURBAGE, SN8 3AB

RECOMMENDATION: Grant listed building consent

**3. E/09/0352/FUL** (page 15)

Full planning application for: Proposed pitch roofed extension with first floor gallery linked to existing cottage by single storey flat roofed parapet extension.

At: Dragonwell, 114 High Street, BURBAGE, SN8 3AB

RECOMMENDATION: Grant planning permission

|                     |   |
|---------------------|---|
| Date of Meeting     | 07/05/2009  |
| Application Number  | E/09/0122/FUL   |
| Site Address        | Long View Malthouse Lane Upper Chute SP11 9EG                     |
| Proposal            | Demolition of existing dwelling and replacement with new dwelling |
| Applicant           | Mrs S Debenham  |
| Town/Parish Council | CHUTE   |
| Grid Ref            | 429814 153766   |
| Type of application | Full Planning   |
| Case Officer        | Rob Parker  |

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

The application was referred to Committee before April 1<sup>st</sup> by the then district council ward member.

**1. Purpose of Report**

To consider the recommendation that the application be refused.

**2. Report Summary**

The main issues to consider are:

- a) whether the siting of the replacement dwelling would be closely related to the footprint of the original dwelling;
- b) whether the scale of the replacement dwelling would be significantly larger than the original structure; and
- c) whether the proposals would have an adverse impact upon the character and appearance of the landscape which is designated Area of Outstanding Natural Beauty.

**3. Site Description**

The site lies on the eastern edge of Upper Chute, immediately outside of the built-up area. On approaching the village from the direction of Chute Standen and Lower Chute the entrance to the site lies on the left hand side, approximately 60 metres before the village bus shelter. Long View lies approximately 90 metres from the road. The property is a twentieth century bungalow.



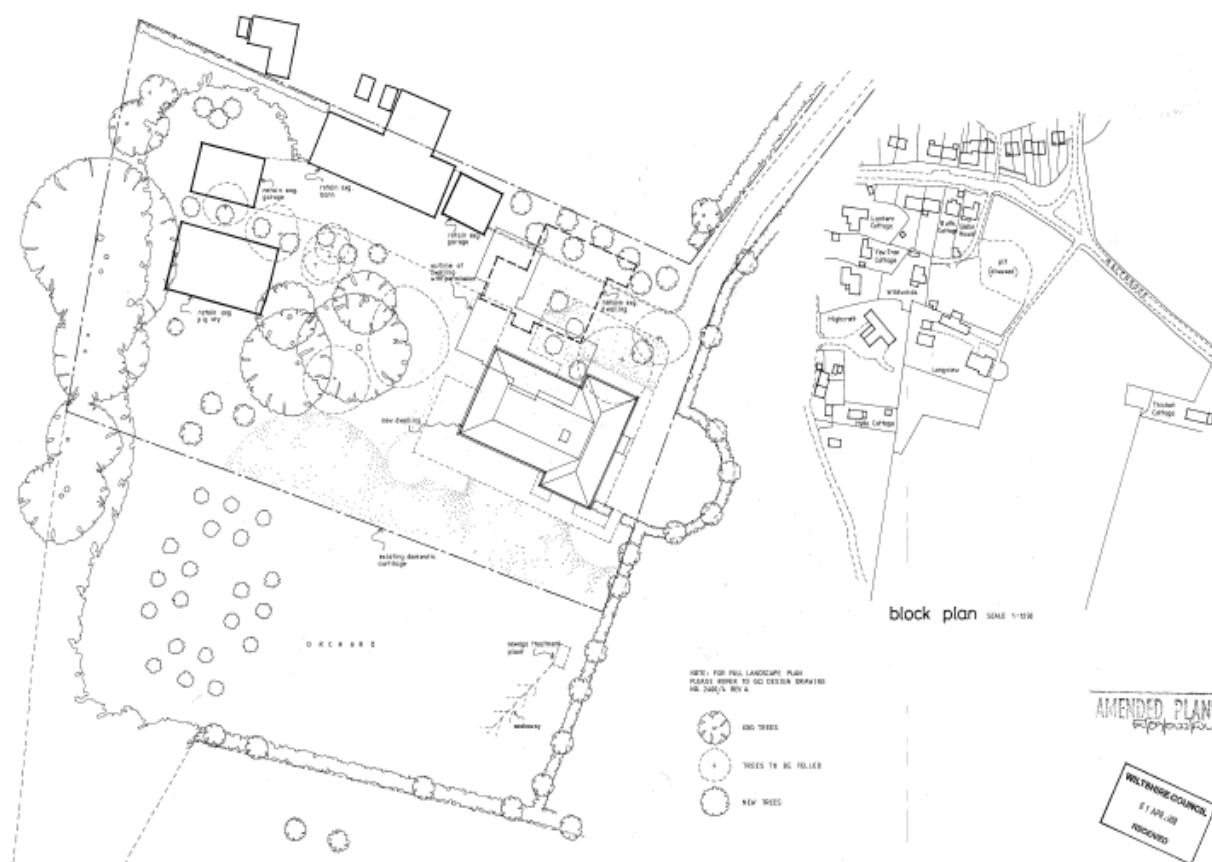
#### 4. Planning History

**K/53604/F** - Demolition of bungalow and outbuildings and construction of replacement dwelling with new garage, granted planning permission on 28<sup>th</sup> February 2006.

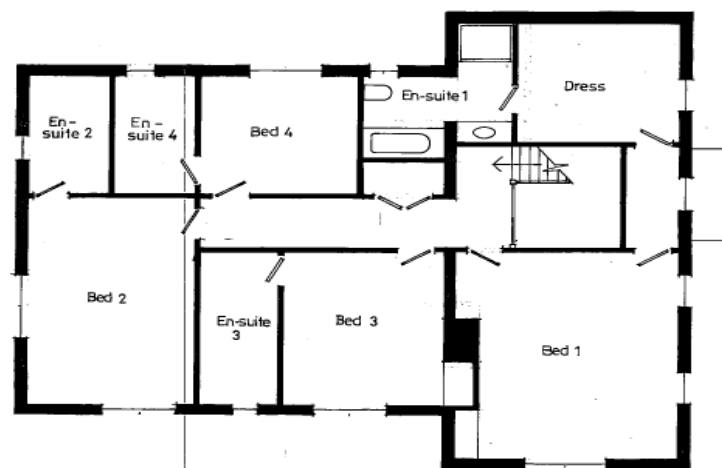
#### 5. The Proposal

The proposal is to replace the existing bungalow with a two storey house with a substantial rear wing.

Amended plans have been submitted during the course of the application. These show a redesign of the dwelling which has achieved a reduction in the length of the southern elevation.

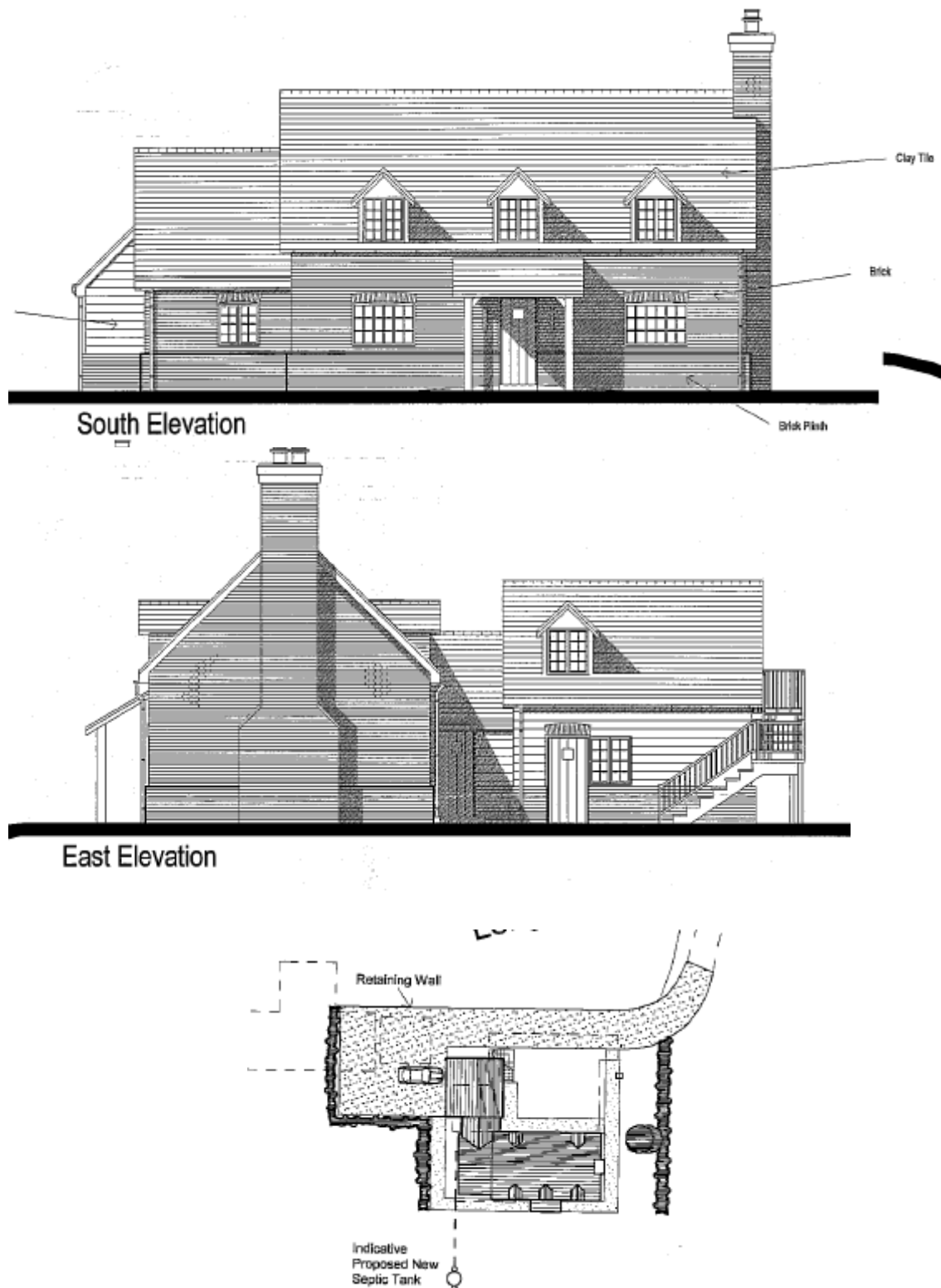


***Location and site plan – existing bungalow shown with dotted outline above proposed position of new house***



first floor plan

*Elevation and floor plans of proposed house*



*Elevations and plan of approved replacement dwelling*

## 6. Planning Policy

Kennet Local Plan - policies HC25, NR7 and PD1 are relevant to the consideration of this planning application. Supplementary Planning Guidance contained in the Kennet Landscape Conservation Strategy is also a material consideration, as is government guidance contained in PPS7: *Sustainable Development in Rural Areas*.

Policy HC25 is the primary policy consideration. This policy states that in the countryside the replacement of an existing dwelling which has not been abandoned will be permitted where:

- a) The siting is closely related to the footprint of the dwelling it replaces, unless the re-siting of the dwelling would remove a road safety hazard; *and*
- b) The scale of the replacement dwelling is not significantly larger than the original structure.

The policy states that in cases where a dwelling is re-sited to remove a road safety hazard careful attention will be given to the potential impact of the proposed development on the wider landscape, particularly where the site is located within the North Wessex Downs Area of Outstanding Natural Beauty.

## **7. Consultations**

Chute Parish Council – no objections to the plans originally submitted:

“An extensive planting scheme is proposed to minimise the impact of the new dwelling on the overall environment of the area. It is the view of the Parish Council that it must also be sympathetic to the concerns of neighbours of the property: but that this is not currently the case.

“With that proviso, the Council views the proposed replacement build in a very positive light and therefore makes no objection to this planning application.”

No comments have been received from the parish council on the amended proposals. Any comments which are received subsequent to this report being prepared will be reported verbally to members at committee.

Environment Agency –

“The applicant proposes use of non-mains (private) drainage facilities. However, if the site is located within an area served by a public sewer, in accordance with Circular 3/99 (Planning requirement in respect of the Use of Non-Mains Sewerage incorporating Septic Tanks in New Development), connection should be made to this sewer. The applicant must provide good reasons why a connection is unfeasible. The advice of Circular 3/99 has, in this respect, been supported by the Planning Inspectorate.”

Highways – no objection.

Landscape Officer – objects with the following comments:

“Whilst I welcome the reduction in the size of the dwelling I am still concerned at the prominence, bulk and location of the proposed dwelling. I do not consider that the reduction in size will overcome the adverse impacts identified in my previous response dated 16/03/2009. My concerns are as follows:

- The dwelling will be located significantly further forward in the plot than the existing one and the current permission.
- There is no intervening vegetation to mitigate views or contain the site in views from the open countryside to the south.
- The proposed landscape planting will take many years to mature sufficiently to have any meaningful impact on detrimental visual impacts.
- The planting will only screen a few viewpoints and in others the site will remain open.
- The changes in character resulting from the proposed development and visual mitigation proposals are unacceptable.
- The detrimental impact on the character and appearance of the AONB is significant and does not comply with the policy context of PPS7.
- The proposal falls foul of Council policies PD1 and NR7.

- The proposal has not given adequate consideration to the Kennet Landscape Conservation Strategy which is adopted SPG and should be given considerable weight.”

Wessex Water – no objection.

## **8. Publicity**

The application has been advertised with press and site notices. Neighbour notification has also been undertaken.

Two representations have been received raising the following concerns regarding the plans originally submitted:

### Owner/Occupier of Highcroft, Forest Lane

- a) The objector is concerned about increased noise, disturbance and traffic from a business being run from the property.
- b) Concern is expressed about the house being brought forward and being significantly larger than the original footprint.

### Owner/Occupier of Glebe House, Malthouse Lane

- c) The respondent queries whether the intention is to upgrade the various temporary outbuildings to be retained.
- d) The existing tree and hedge on the northern boundary of the Long View property are not shown on the site plan but would help screening if retained.
- e) The proposal to relocate the new dwelling on the plot is welcomed as this should lessen the impact of this substantial building on the landscape by being able to set it lower (and also by not exceeding the ridge height above ground level of the previously approved application).

## **9. Planning Considerations**

### Principle of Development

The application site lies outside of the built-up area of Upper Chute and as such it lies within the countryside for the purposes of interpreting planning policy. The principle of replacement dwellings in the countryside is accepted by Policy HC25 of the Kennet Local Plan, subject to certain provisos (see planning policy section above).

### Siting

The previously approved scheme (K/53604/F) shows a replacement dwelling overlapping the original bungalow's footprint. The slight alteration to footprint was considered necessary to pull the dwelling away from the northern boundary of the plot, against which the original bungalow had been constructed. The bungalow would need to be demolished prior to works commencing on the replacement dwelling.

The current proposal is for the replacement dwelling to be sited further south, to the extent that the bungalow could still be occupied whilst construction take place. The footprint of the replacement dwelling would be approximately 14 metres further south of the existing bungalow, leaving a 4 metre gap in between the two structures.

The judgement as to whether the footprint is “closely related” to the original dwelling is clearly a subjective one. However, in this case, the position is considered to be closely related.

### Scale

The proposal is to replace the existing bungalow with a two storey dwelling. There is no objection in principle to replacing the bungalow. However, the key issue is the scale of the replacement and the consequent impact on the appearance of the area. Planning permission has already been granted for a replacement dwelling, as shown on the plans above, where the first floor accommodation is provided in the roof of the structure, thereby reducing its bulk and landscape impact. (K/53604/F).

The current proposal is for a much larger and more bulky structure than either the existing bungalow or the approved replacement.

Comparisons of footprint and/or floorspace figures are not always helpful in these circumstances since they are rather crude measures which do not take into account the issue of visual impact. However, the following footprint figures form a useful starting point for making an assessment:

|   |         |
|---|---------|
| Existing bungalow                         | 115 sqm |
| Approved scheme (including double garage) | 133 sqm |
| Current proposal (no garage included)     | 183 sqm |

Officers consider that the proposals would constitute a significant increase in scale over the existing bungalow. The bungalow is an extremely modest structure, with the pyramidal roof and later flat roof additions. The proposed dwelling would, by contrast, constitute a much larger structure in terms of its massing. The dwelling would be based upon a broadly rectangular footprint of 13m x 16.5m (nearly 60% larger than the existing bungalow's footprint) and it would be full two storey.

The applicant is seeking to argue that the proposal is not materially larger than the previously approved scheme. However, this is not considered to be the case and the massing of the proposed dwelling is substantially greater than the approved scheme. Officers consider the applicant's argument to be a spurious one; the relevant comparison is between the proposed dwelling and the *existing* dwelling.

In short, the current proposal could be considered to be an example of 'planning creep', where planning permission is given for a larger replacement dwelling only for an even larger dwelling to be a proposed.

### Landscape Impact

The application includes a detailed landscape strategy for the site. The applicant argues that the current proposals will be better integrated into the landscape than the approved scheme. However, the Council's Landscape Officer is not in agreement. He is concerned at the prominence, bulk and location of the proposed dwelling. There is currently no intervening vegetation to mitigate views or contain the site in views from the open countryside. Additional planting is being proposed (including several woodland areas) but this will take many years to mature sufficiently to have any meaningful impact. The planting will only screen a few viewpoints and in others the site will remain open.

Overall, the Landscape Officer considers the proposals to be unacceptable, harmful to the character and appearance of the AONB and contrary to the provisions of policies NR7 and PD1 of the Kennet Local Plan 2011, Supplementary Planning Guidance contained in the Kennet Landscape Conservation Strategy and government guidance contained in PPS7.



## **10. Conclusion**

Your officers consider that the principle of replacement dwelling on this plot is acceptable. However, in spite of the amendments made to the scheme, the scale of this proposed replacement remains significantly larger than the existing bungalow and the approved replacement. This brings the proposal into conflict with Policy HC25 of the Kennet Local Plan 2011. Furthermore, the proposal would be harmful to the character and appearance of the North Wessex Downs Area of Outstanding Natural Beauty. The landscape strategy put forward as part of the application is inadequate to properly mitigate the impact of a dwelling of this siting and scale.

## **RECOMMENDATION**

### **REFUSE**

For the following reasons:

1. The proposed dwelling would, by virtue of its siting, bulk and scale, be significantly larger than the existing dwelling and would as a consequence be harmful to the character and appearance of the North Wessex Downs Area of Outstanding Natural Beauty. The landscape strategy put forward as part of the application is inadequate to properly mitigate the impact of the proposals. The proposals are therefore contrary to policies HC25, PD1 and NR7 of the Kennet Local Plan 2011, Supplementary Planning Guidance contained in the Kennet Landscape Conservation Strategy and government guidance contained in PPS7.

### **Appendices:**

None

### **Background Documents Used in the Preparation of this Report:**

Application file E/09/0122/FUL and the associated planning history file (K/53604/F)

|                            |  |
|----------------------------|--|
| <b>Date of Meeting</b>     | 07/05/2009   |
| <b>Application Number</b>  | E/09/0351/LBC  |
| <b>Site Address</b>        | Dragonwell 114 High Street Burbage SN8 3AB   |
| <b>Proposal</b>            | Proposed pitch roofed extension with first floor gallery linked to existing cottage by single storey flat roofed parapet extension |
| <b>Applicant</b>           | Mr Andrew Davidson   |
| <b>Town/Parish Council</b> | BURBAGE  |
| <b>Grid Ref</b>            | 422929 161631  |
| <b>Type of application</b> | Listed Building Consent  |
| <b>Case Officer</b>        | Peter Horton   |

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

This application and the following associated application for planning permission were referred to committee by the county councillor as the parish council consider that the extension should be thatched.

**1. Purpose of Report**

To consider the recommendation that the application be approved, subject to appropriate conditions.

**2. Report Summary**

The main issue to consider is

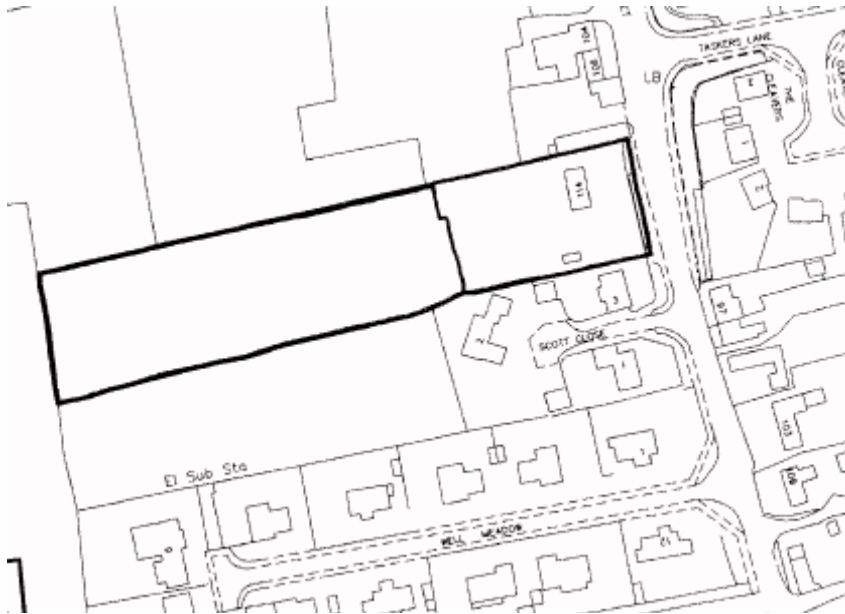
- The impact of the proposal on the character, appearance, setting and special architectural and historic interest of this grade II listed building.

**3. Site Description**

The site lies on the western side of Burbage High Street, immediately to the north of Scott Close.

It comprises a timber framed building dating from the early seventeenth century which is grade II listed. It is of one and a half storey timber framed construction with rooms within the roofspace under a thatched roof.

The building is largely obscured from view from the High Street by a high hedge. It lies within a large plot and has a big garden.



#### 4. Planning History

**K/51865/LBC** - Approve with Conditions 27/04/2005  
Remove internal wall between lounge and hallway

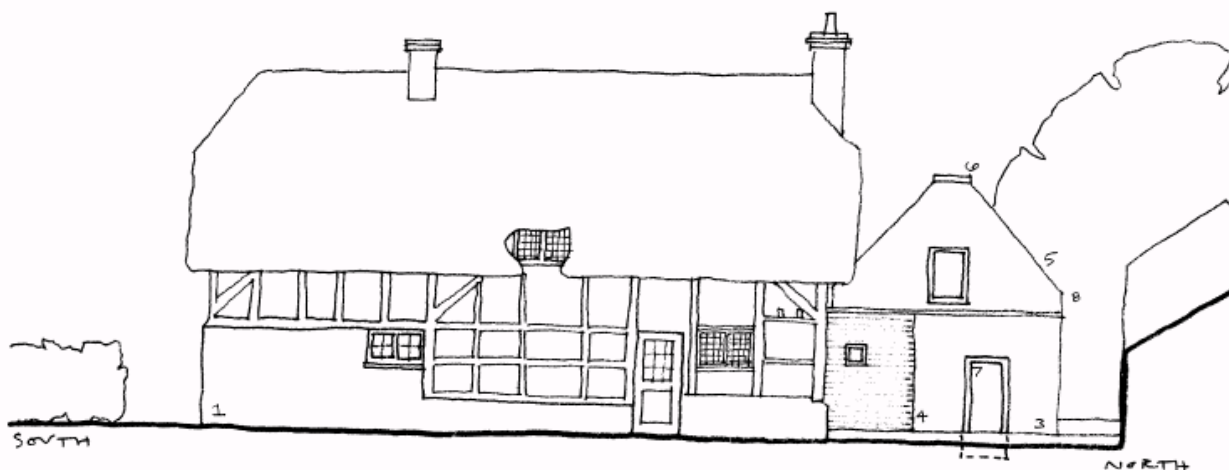
**K/55214/F** - Approve with Conditions 14/11/2006  
Raising central chimney height by 15 courses

**K/55216/LBC** - Approve with Conditions 14/11/2006  
Removal of central chimney to ridge level, rebuilding same width and depth to 15 courses above ridge. Removal of internal wall at ground floor between hall and living room. Removal and reinstatement of wall with studwork at first floor between landing and bedroom.

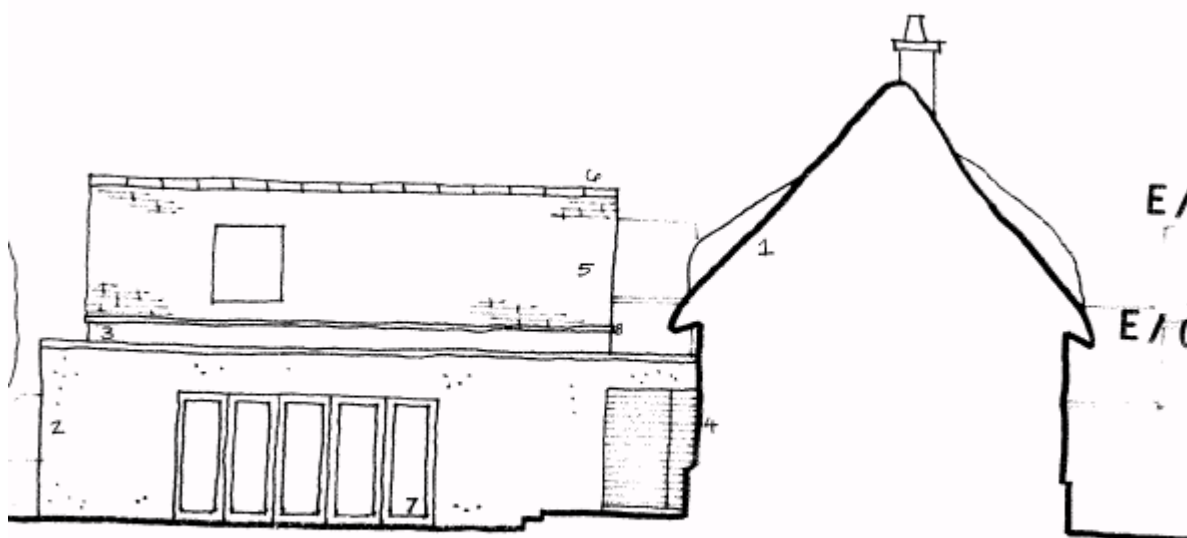
#### 5. The Proposal

The proposal is for a single storey extension with additional first floor accommodation provided within the roof space. This would be provided in a new wing built off the northwest corner of the existing house. It would have a slate roof with a lead ridge.

The application has been submitted following prior discussions between the agent and the Council's conservation consultant, Mr Colin Johns. The agent states that the extension has been designed to complement the existing cottage. In accordance with good conservation practice the extension is proposed to be of its time and therefore a contemporary design, with the intention that it will read as a 21<sup>st</sup> century addition to Dragonwell, reflecting the owner's use of the cottage today, whilst still respecting its historic character.



***EAST (front) ELEVATION***



***SOUTH (garden side) ELEVATION***

## **6. Planning Policy**

Central Government policy set out in Planning Policy Guidance Note 15: 'Planning & The Historic Environment' is relevant.

## **7. Consultations**

**Parish Council** – Object, considering that the roof of the extension should be thatch.

**Councils' Conservation Consultant** – The location selected for the proposed extension is logical and building in this position will have only a limited visual effect on the listed building. It will not impact on the street scene and there are no overlooking issues regarding neighbours. The agents have opted for a contemporary design, which is acceptable on the basis that the extension does not dominate the cottage and that the materials and details are in keeping.

The overall scale of the building is not in conflict with the original cottage and the simple window and wall treatments are complimentary. Details have been provided to illustrate how the flat roof section meets the listed building and these are also acceptable.

## **8. Publicity**

The application was advertised by site notice and press notice.  
No neighbour representations have been received.

## **9. Planning Considerations**

The application was submitted following pre-application discussions with the Council's Conservation Consultant and has his support.

The proposed extension is visually subservient to the listed building, being well below the ridge of the existing property. It is in a secluded position and will not harm the character, appearance or special historic interest of the listed building.

One of the aims of the proposal is to keep the scale of the extension down. The use of slate helps with this objective. Thatch, on the other hand, would considerably add to the bulk and height, as well as making for a very difficult junction.

It would be technically unfeasible to thatch the proposed structure as the pitch is not steep enough. The whole project would need to be completely re-designed and a steeper pitch proposed, thereby defeating the object of trying to reduce the bulk.

Slate is found locally on other houses in the village and is considered to be complementary to the thatch on the main house. Indeed, it is an acceptable complementary material, assisting in the visual differentiation between the old and the new and helping make the extension read more "honestly", as something new. It is common to find listed thatched properties with extensions, built both before and since listing, that use either slate or plain tiles for roofing extensions.

## **10. Conclusion**

The proposed extension will not harm the character, appearance or special historic interest of the listed building. Slate is considered to be a perfectly acceptable material for the roof of this modest extension and there is no justification to refuse the application.

## **RECOMMENDATION**

Approve with Conditions

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. No development shall take place until details of the materials to be used for the external walls and roofs (including samples) have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

REASON: To secure harmonious architectural treatment.

3. Before the development hereby approved is commenced, large scale joinery details for all new windows and external doors shall be submitted to and approved in writing by the local planning authority.

**REASON:**

To secure harmonious architectural treatment.

**4. INFORMATIVE TO APPLICANT:**

This Listed Building Consent authorises specific works only. It is essential that every person who is to carry out the works is made fully aware of the content of this Listed Building Consent, including a copy of the approved plans, and any specification for the works, and any conditions on the decision notice. If any one instructs or carries out any works other than those authorised by this Listed Building Consent they may be considered to have committed a criminal offence, and become liable to prosecution and/or enforcement action.

If you intend to undertake works that are in any way different from those authorised by this Listed Building Consent, (e.g. of extended or reduced scope, or amended in form or material) you should contact the local planning authority before commencing the work to ascertain whether further authorisation is necessary.

If additional work is identified as necessary during the course of carrying out like-for-like repairs, you should contact the local planning authority before commencing the work to ascertain whether further authorisation is necessary.

5. This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

Plan refs. 0708/SUR/01A, 02 & 03; 0708/P1/01, 02, 03, 04, 05, 06, 07, 08, 09, 10 & 11 all received 13 March 2009.

The Council is required to give a summary of the reasons for this decision. These are set out below:

The proposed works will not be detrimental to the character of the building.

**Appendices:**

None

**Background Documents Used in the Preparation of this Report:**

Application file E/09/0351/LBC

**REPORT TO THE EAST AREA PLANNING COMMITTEE**

Report No. 3

|                            |   |
|----------------------------|---|
| <b>Date of Meeting</b>     | 07/05/2009  |
| <b>Application Number</b>  | E/09/0352/FUL   |
| <b>Site Address</b>        | 114 High Street Burbage Wiltshire SN8 3AB   |
| <b>Proposal</b>            | Proposed pitch roofed extension with first floor gallery linked to existing cottage by single storey flat roofed parapet extension. |
| <b>Applicant</b>           | Mr Andrew Davidson  |
| <b>Town/Parish Council</b> | BURBAGE   |
| <b>Grid Ref</b>            | 422929 161631   |
| <b>Type of application</b> | Full Planning   |
| <b>Case Officer</b>        | Peter Horton  |

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

This planning application is associated with the previously reported application for listed building consent E/09/0351/LBC and is called in for the same reason.

**1. Purpose of Report**

To consider the above application and to recommend that planning permission be granted for the development proposed for the reasons detailed below.

**2. Report Summary**

The following information is all as reported under E/09/0351/LBC:

- Site Description
- Planning History
- Description of development.

The main issue to consider is:

The impact of the proposal on the character, setting and special architectural and historic interest of this grade II listed building. Also, the impact on the character and appearance of Burbage Conservation Area.

**6. Planning Policy**

The following policies and proposals are considered relevant to this proposal: Kennet Local Plan policy PD1

Central Government Planning Guidance Note 15: 'Planning & The Historic Environment'

**7. Consultations**

The same as reported in the previous item.

## **8. Publicity**

The same as reported in the previous item.

## **9. Planning Considerations**

The considerations with regard to the impact on the character and appearance of the listed building are identical as to those set out in the previous report, namely that the design of the extension is considered acceptable and that the use of slate is entirely appropriate.

The view of the site from the High Street is obscured by the frontal hedge, and this, together with the fact that the extension will be set behind the existing property, serves to ensure that the proposal will not harm the character or appearance of the conservation area.

There will be no adverse impact on the neighbouring property.

## **10. Conclusion**

The proposal will harm neither the character or appearance of either the listed building or the conservation area. There are therefore no grounds to withhold the granting of planning permission.

## **RECOMMENDATION**

Approve with Conditions

- 1        The development hereby permitted shall be begun before the expiration of three years of 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        No development shall take place until details of the materials to be used for the external walls and roofs (including samples) have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.  
  
          REASON:  
          To secure harmonious architectural treatment.
- 3        Before the development hereby approved is commenced, large scale joinery details for all new windows and external doors shall be submitted to and approved in writing by the local planning authority.  
  
          REASON:  
          To secure harmonious architectural treatment.
- 4        This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.



Plan refs. 0708/SUR/01A, 02 & 03; 0708/P1/01, 02, 03, 04, 05, 06, 07, 08, 09, 10 & 11  
all received 13 March 2009.

The Council is required to give a summary of the reasons for this decision. These are set out below:

The proposed works will not be detrimental to the character of the building or the character and appearance of the conservation area and are in accordance with policy PD1 of the Kennet Local Plan..

**Appendices:**

None

**Background Documents Used in the  
Preparation of this Report:**

Planning application file E/09/0352/FUL