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Our ref.: MW/Blake

7th August 2023

Development Services
Wiltshire Council
County Hall
Bythesea Road
Trowbridge
Wiltshire
BA14 8JN

Dear Sir,

Town and Country Planning Act 1990
The New House, Tuners Lane, Crudwell, Malmesbury, SN16 9EN

1. We are instructed by the owners of the above property, Mr J. & Mrs A. Blake to prepare and submit this householder planning application for the erection of a single-storey extension at the rear of the property. This is a revised proposal following the refusal of a similar application under ref. PL/2023/02505. Please find enclosed;
- the completed Householder application forms
- location plan and block plan with the extent of the property outlined in red
- plan and elevations as existing, plan no. 2529/1
- plan and elevations as proposed, plan no. 2529/2 Rev A
As this is a resubmission within 12 months of the refusal of a similar proposal, no application fee is required.

2. It is proposed to demolish the existing UPVC conservatory at the rear of the dwelling and to erect a single-storey kitchen and utility room extension. The proposal is not dissimilar in scale to the extension added to the rear of the adjoining property, 1 Tuners Lane, recently approved by the Council (under ref. 18/03550/FUL).

3. The previous planning application (ref. PL/2023/02505) was refused for the following two reasons;

1. *By virtue of its height and mass, the proposal would result in a significant loss of light and overbearing feel for the neighbouring dwelling at 1 Turners Lane which would not comply with Core Policy 57 vii of the Wiltshire Core Strategy and the Wiltshire Draft Design Guide.*

2. *By virtue of its scale and design, the proposal would be uncharacteristic of the area, resulting in a conglomeration of built form that would not relate well to the locality and detract from the rural openness of the site and its surroundings. The proposal would therefore be contrary to Core Policy 57 of the Wiltshire Core Strategy, Crudwell Neighbourhood Plan (2021), Crudwell Design Guide (2021) and Wiltshire Draft Design Guide.*

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4.. Having carefully read the officers report in connection with the previous application, it is noted that the case officer was concerned only about the potential impact on the adjoining property, 1 Tuners Lane. Applying the 45 degree test, the case officer concluded that;

> *'no development should intrude over a line drawn at and angle of 45 degrees in the horizontal plane from the midpoint of the nearest window of a habitable room'.* The report concluded that; *'the proposed development, including the proposed extension that would adjoin the existing garage, significantly fails the 45 degree test which demonstrates that there would be an adverse impact on neighbouring loss of light to the rear of the dwelling from the proposal which would be unacceptable.'*

5.. Regrettably, this is simply not the case, and it suggests that in applying the 45 degree test the case officer neglected to take into account the recently erected single-story extension at the rear of 1 Tuners Lane. The ground floor plans for the extension to 1 Tuners Lane as existing and as proposed approved by the Council in July 2018, are attached as **Appendix A**. I have marked the '45 degree line' in red on the approved plan plans and note that when considered against the recently erected extension, no part of the previous proposal would have projected beyond the 45 degree line - including the narrower part of the extension which would adjoin the garage, expressly mentioned by the case officer in her report. The only part of the development which would have projected beyond the 45 degree line is the EXISTING garage, where the applicants proposed to replace the existing pitched roof with a flat roof. As a result, the garage roof would have been lower than the existing garage (expressly approved by the Council in 2006).

6. The suggestion that the proposed extension would '*significantly impact on neighbouring light*' is simply wrong. The only possible impact on direct sunlight entering the garden would be late evening sun, as in this orientation the sun sets over the garage and behind a tree. However, the difference in height between the existing pitched roof and the proposed flat roof could only reasonably be described as marginal - certainly not '*significant*'.

7. However, notwithstanding the foregoing, it will be noted that this amended scheme has been revised so that the projecting part of the extension and the alterations to the roof of the garage have been omitted and the proposed rear extension extends to the rear of the property more or less in line with the existing extension at the rear of 1 Tuners Lane. Thus the first reason for refusal has been entirely overcome.

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8. Turning to the second reason for refusal, the proposed single-storey extension will be constructed using reconstructed stone to the existing dwelling, which is the predominant walling material hereabouts. It will have no significant adverse impact on the amenities of the neighbouring dwelling (1 Tuners Lane) or on the wider street scene. The substantial hedge along the west boundary of the dwelling will be retained, which means that most of the proposal will be entirely obscured from public view.

9. The proposed development fully accords with national and local planning policy guidance and in particular the Crudwell Neighbourhood Plan, which states;

> *"…. extensions …. should be made in proportion to the original and/or adjacent buildings. Architectural detailing and materials should match those which exist, or complement them.*

10. There is reference in the previous officers report to the Crudwell Design Guide, which forms part of the Neighbourhood Plan. However, it is noted that the Design Guide speaks principally to the older, traditional parts of the village and not to the Tuners Lane development of post-second World War ex-Council Houses. It is notable that whilst the Design Guide specifically identifies several post-Second World War developments at Crudwell, the former Council houses at Tuners Lane, which clearly have their own unique character, are not mentioned at all in the Design Guide.

11. Any assessment of design must take into account context. The host dwelling was approved as an infill plot by the Council in 2006 and it was carefully designed and sited in a contemporary style which closely reflects the fact that it is situated within the estate of former Local Authority houses, which are a homogeneous group of dwellings, quite distinct from the wider Cotswold vernacular which dominates the rest of the village.

12. This is a well-designed single-storey rear extension, similar in size and shape to the rear extension approved by the Council at the rear of 1 Tuners Lane in 2019. It is not harmful to the amenities of 1 Tuners Lane or to the character and appearance of the area. The proposal replaces an existing UPVC conservatory is almost entirely - if not completely hidden from view by the existing garage, 2m high fence and a very substantial hedge alongside Tuners Lane. There is no conflict with Core Policy 57.

Yours faithfully,

Marc D. Willis BTP MRTPI