CASE OFFICER'S REPORT

Application Reference:	PL/2023/05536
Application Type:	Householder planning permission
Site Inspection:	
Consultation ends:	04 August 2023
Case officer:	Stefan Galyas

Site Address:	123 WHITE LION PARK, MALMESBURY, SN16 0QR
Proposal:	Proposed single storey rear extension to replace Conservatory
Recommendation:	Approve with Conditions

Site Description

The application relates to No.123 White Lion Park, a two-storey semi-detached dwelling set within a modern housing estate to the north-west of Malmesbury's historic core. The dwelling is composed of facing brick walls with rendered panels at first floor level, interlocking concrete roof tiles and uPVC fenestration and doors. The existing dwelling has a pitched roof with a mono pitched front elevation porch. The dwelling has previously extended to its rear elevation through the addition of a small mono-pitch conservatory. The dwelling is afforded a relatively large plot with front and rear garden amenity space.

The site is located within the defined settlement boundary for Malmesbury, identified by the Wiltshire Core Strategy as a Market Town.

In regard to constraints, the site and its locality are susceptible to groundwater flooding.

Proposal

Planning permission is sought for the development of a rear elevation single storey extension. The extension would replace the existing conservatory and provide accommodation for kitchen and dining room.

External materials would constitute facing brick walls, a single ply flat roof with sky lantern and uPVC fenestration.

The proposal would be 4.2m in length, 6.6m in width, have an eaves height of 2.5m and a maximum height of 3.3m.

Policies

Wiltshire Core Strategy (WCS) Adopted 2015

Core Policy 1 – Settlement Strategy

Core Policy 2 – Delivery Strategy

Core Policy 13 – Malmesbury Community Area

Core Policy 51 – Landscape

Core Policy 57 – Ensuring High Quality Design and Place Shaping

Malmesbury Neighbourhood Plan Volume II Made 2015

Task 8.2 – Building Style Must be Appropriate to the Context

Task 8.16 – Complementary Materials

National Planning Policy Framework (NPPF) Adopted 2021
Paragraph 2 – Compliance with the Development Plan
Paragraphs 7 and 8 – Sustainable Development
Paragraph 11 – Presumption in Favour of Sustainable Development
Paragraph 38 – Proactive Approach to Decisions
Paragraph 47 – Determination in Accordance with the Development Plan
Paragraph 110 – Consideration of Development Proposals
Paragraph 130 – Function and Form of Development
Paragraph 176 – Conserving and Enhancing Landscape and Scenic Beauty

Malmesbury Conservation Area Appraisal (2007)

Assessment
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 be made in accordance with the Development Plan unless material considerations indicate otherwise.

Key Issues
Principle of Development
Impact on the Character, Appearance and Visual Amenity of the Locality
Impact on Residential Amenity

Relevant Planning History
There is no recent planning history of applications relating to the site.

Consultation Responses
Malmesbury Town Council: No objection

Representation
There were no representations received in response to the scheme.

Principle of Development
The principle of extending or altering an existing dwellinghouse located within the defined settlement framework is considered to be acceptable and in accordance with Core Policies 1, 2 and 57 of the WCS.

Impact on the Character, Appearance and Visual Amenity of the Area
The promotion of high-quality design is encouraged through the planning system and is reflected in Core Policy 57iii of the WCS, requiring design to relate closely to the existing pattern of development regarding size, scale, massing, materials, elevational design, roofline and the layout

of the proposal. Core policy 57vi also requires development to take into account the characteristics of the site and deliver appropriate development.
Objectives 8.2 and 8.16 of the Malmesbury Neighbourhood Plan Volume II requires that new development respects the local area, using building materials sympathetic to its immediate surrounding.
Paragraph 130 of the NPPF states, among other matters, that development should be visually attractive as a result of good architecture and be sympathetic to local character. The need for good design is reinforced by the National Design Guide (2021).
The proposed single storey extension would be set to the existing dwellings rear elevation and would not be in a conspicuous position in regard to the public domain. The proposal would appear subservient to the existing dwelling and the use of matching brick walls would further assimilate the extension to its surroundings.
Accordingly, the proposal is considered to accord with the provisions set out in Core Policy 57 of the WCS and would not be harmful to the character, appearance and visual amenity of the locality.

Impact on Residential Amenities
Paragraph 130(f) of the NPPF seeks to secure a high standard of amenity for existing and future users. This is further reflected in Core Policy 57(vii) of the WCS which requires the proposed development to achieve appropriate levels of amenity in respect to neighbouring buildings and within the development itself.
The proposal would be set towards the sites southern boundary and would be set circa 0.4m away from No.124s rear extension. The north-east elevation of No.124 does not contain any fenestration openings and the proposals south-west elevation would not either. It is therefore considered that the proposal would not give rise to an unacceptable overlooking impact.
In regard to height, the proposed extension would have an eaves height of circa 2.5m. This would be a similar height when compared to No.124s height, which also uses a single ply roof membrane. Accordingly, the proposal would not result in a significant overbearing impact on neighbouring properties.
The impact upon the amenities of the occupiers of relevant neighbouring dwellings and upon the host dwelling have been assessed and found to be acceptable.

Conclusion
The proposed development is considered to accord with Core Policies 1, 2, 13 and 57 of the Wiltshire Core Strategy, Task 8.2 and 8.16 of the Malmesbury Neighbourhood Plan and relevant paragraphs of the NPPF. Accordingly, it is recommended that the application be approved.

Recommendation
That planning permission be GRANTED subject to the following conditions:

Conditions: (3)

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:

PDW/23/100 Existing Ground Floor Plan
PDW/23/200 Existing Elevations
PDW/23/1100 Proposed Ground Floor Plan
PDW/23/1200 Proposed Elevations
PDW/23/1300 Proposed Site Block Plan
Site Location Plan
All received 7th July 2023

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

3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those detailed on the application form and approved plans.

REASON: In the interests of visual amenity and the character and appearance of the area.

Informatives: (3)

4 Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

5 The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

6 The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.