CASE OFFICER'S REPORT

Application Reference:	PL/2023/07702
Application Type:	Householder planning permission
Consultation ends:	19th October 2023
Case officer:	Stefan Galyas

Site Address:	4 Cherry Brier Close, Lydiard Millicent, Swindon, SN5 3NT
Proposal:	Single Storey Rear Extension
Recommendation:	Approve with Conditions

Site Description

The application relates to No.4 Cherry Brier Close, a single storey property set to the western side of the road. The locality is primarily residential with bungalows abutting either side of Cherry Brier Close in varying forms with cross hipped roofs. There is a small outbuilding to the north-western corner of the site and the dwelling is afforded a spacious plot with ample garden amenity space to its rear (south-western) elevation. The existing dwelling does not appear to have been previously extended with its original form intact.

The site is located in Lydiard Millicent, identified as a small village by the Wiltshire Core Strategy. There is no defined settlement boundary for Lydiard Millicent and the site is accordingly considered to be located within the open countryside for planning purposes.

In regard to policy constraints, the site is not located within any designated area.

Proposal

The application seeks planning permission for the development of a single storey, flat roofed extension to the rear (southwestern) elevation. External materials would constitute brick and blocked walls, likely a single ply flat roof membrane despite the application form stating slate roof tiles and uPVC windows and doors.

The proposed rear extension would be approximately 2m in length, 3.3m in width and would have a maximum height of 1.7m.

Policies

Local Context:

Wiltshire Core Strategy (WCS) Adopted 2015

Core Policy 1 – Settlement Strategy

Core Policy 2 – Delivery Strategy

Core Policy 19 – Royal Wootton Bassett and Cricklade Community Area

Core Policy 51 – Landscape

Core Policy 57 – Ensuring High Quality Design and Place Shaping

Lydiard Millicent Neighbourhood Plan (May 2021)

LM1 – Managing Design in Lydiard Millicent

National Policy:

National Planning Policy Framework (NPPF) 2023

Paragraphs 2, 11, 12, 47, 110-112, 126 & 130.

National Design Guide (2021)

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
Other Matters

Relevant Planning History

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

Consultation Responses

Lydiard Millicent Parish Council: No objection

Representations

There were no letters of representation received in response to the application.

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.

The proposal would be set in a discreet position with regard to the public domain and would face away from the roadside. The proposed eaves would not match the existing and would be set slightly above the existing. While the design of the proposal is not considered to be optimal, it is not considered reasonable to refuse the application on this basis. The rear extensions height and scale would be limited and would not result in a significant level of harm to the character and appearance of the area.

Impact on Residential Amenities

Section vii of Core Policy 57 of the WCS refers to the need to protect the amenities of existing occupants and to make sure that appropriate levels of amenity are achievable within the development itself. Additionally, Paragraph 130(f) of the NPPF states planning decisions should create places that are safe, inclusive and accessible. Furthermore, a high standard of amenity for existing and future users is encouraged among other matters.

The proposal would introduce a large bi-folding door to the dwelling's rear elevation, this would likely face out towards the properties at No.85 and 86 along The Street. A distance of approximately 31m would exist between the proposal and No.85 and views would likely be further obscured by established rear boundary treatment and foliage. The proposed bi-folding door is considered to mirror the existing view provided by the rear elevation and is therefore not considered to give rise to an unacceptable overlooking impact. It is noted that no letters of representation were received in response to the scheme.

In light of the above, the proposal is not considered to result in significant harm in regard to loss of outlook, overshadowing or noise impact on neighbouring properties.

Conclusion

It is concluded that the proposed development is acceptable in principle and in design and amenity terms, in accordance with Wiltshire Core Strategy Core Policies 1, 2, 19, 51 and 57, Policy LM1 of the Lydiard Millicent Neighbourhood Plan and the relevant paragraphs of the NPPF.
The proposal accords with the adopted development plan and as such, should be granted permission.

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:

23-006-01 Existing and Proposed Elevations, Floor, Location and Site Block Plans
Received 20/09/23

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)

6 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.

7 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.

8 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.