CASE OFFICER'S REPORT

Application Reference:	PL/2023/06662
Application Type:	Householder planning permission
Site Inspection:	
Consultation ends:	24 October 2023
Case officer:	Clare Wood

Site Address:	5 VICTORIA ROAD, DEVIZES, SN10 1ET
Proposal:	Demolish existing lean-to glazed side extension. Proposed formal construction side/rear extension and structural works to create open plan Kitchen dining and separate utility and cloak room.
Recommendation:	Approve with Conditions

POLICIES

The National Planning Policy Framework (NPPF) 2023:
Chapter 4 – Decision Making
Chapter 9 – Promoting Sustainable Transport
Chapter 11 – Making Effective Use of Land
Chapter 12 – Achieving Well Designed Places
Chapter 16 – Conserving and Enhancing the Historic Environment

The Wiltshire Core Strategy, Adopted January 2015:
Core Policy 57 – Ensuring High Quality Design & Place Shaping
Core Policy 58 – Ensuring the Conservation of the Historic Environment

Planning Practice Guidance (PPG).

Sections 16 and 66 of the Planning (Listed Building and Conservation Areas) Act 1990.

Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

The Wiltshire Local Transport Plan 2011 – 2016: Car Parking Strategy (March 2011).

Devizes Area Neighbourhood Plan Referendum Version July 2015.

CONSULTATION RESPONSES

Devizes Town Council – No objections.

Trust for Devizes – No objections.

REPRESENTATIONS

No third party representations have been received.

KEY ISSUES:

• Relevant planning history.
• Impact upon neighbour amenity.
• Impact upon the heritage assets and their setting.

ASSESSMENT

The application site relates to 5 Victoria Road, Devizes. It is a mid-terraced, red brick dwelling, under clay tiled roofs.
The application site is within the Devizes: Victoria Road Quarter, Conservation Area Boundary and is recorded as part of a number of dwellings which are identified as being significant unlisted buildings; and is within the setting of a listed building. The towpath, associated with the non-designated heritage asset, the Kennet and Avon Canal encloses the rear of the site to the north, with Public Right of Ways (PROW), Footpath DEVI 6 and DEVI 35 running from east to west immediately to the rear of the site and Footpath DEVI 36 is to the north-west of the site, running northwards, over Park Bridge. The property is also the subject of a blanket, article 4 direction, relevant to alterations to the principal elevations and those fronting a highway.

The proposals:

The application originally proposed the demolition of the existing single storey, glazed, structure to the eastern side of the rear extensions. It was proposed to be replaced with a new single storey extension over a longer footprint than the existing, under a slightly shallower, longer pitched roof. Attached to this was a further single storey flat roof extension, which was proposed to be covered in EDPM (as annotated on the drawing or a felt roof as detailed on the application form), with new upvc double glazed doors, windows, fascias, guttering and rainwater goods. Rooflights are proposed to be inserted into the new and existing rear extensions. The walls of the extensions will be constructed from matching facing brick to the main dwellinghouse.

The application has been revised to replace both of the extensions referred to above, with pitched roof extensions. The first section of roofing over the rear extension to provide a kitchen/dining room will be covered in a monopitched roof, re-orientated by 45 degrees to extend away from the shared eastern boundary, slanting upwards towards the eastern side of the house and existing rear extensions. A further gable roof alignment will extend over the proposed WC and cloak/utility room, with the gable end presenting to the rear garden.

All the window and door joinery will be constructed in timber framing, with a painted finish, using double glazed units, and painted timber fascias. The rainwater goods will be Heritage Black Cast Aluminium and the rooflights will be the conservation type installations to the both the revised extensions and the existing lean-to extension.

Relevant planning history:

None.

Impact upon neighbour amenity:

It is noted that there is an existing rear single storey extension built up to and on the shared boundary with No. 7. There is also a single storey, monopitched roof extension attached to the rear elevation of this neighbouring dwelling. The position and height of these existing extensions and the boundary wall already cause a tunnelling effect and some degree of overbearing impact to the nearest ground floor window at No. 7. Therefore, the revised proposed, replacement extensions due to their position built up to, but inside the shared boundary with No.7 under pitched roofs, which will slope away from the shared boundary towards the eastern side of No. 5, are not considered to have any greater impact upon the reasonable living conditions of the occupiers of No. 7, over and above the existing situation. Sunlight to No.7s ground floor, rear window will remain unaffected due to it facing north and the existing structures around it. In view of this, on balance, the revised proposals are not considered to cause any significant harm to neighbour amenity, over and above the existing situation.

The agent has confirmed that the extensions will be built up to and inside of the site boundary and therefore, they will not result in any part of the development overhanging No. 7. This will be supported by an informative advising that planning permission only relates to development within the applicant's ownership.

Impact upon the heritage assets and their setting:

In considering applications for listed building consent the Council has a statutory duty, under section 16 (2) and 66 of the Planning (Listed Building and Conservation Areas) Act 1990, to have special regard to the "desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".

The National Planning Policy Framework NPPF July 2021 outlines government policy towards the historic environment. Section 16 "Conserving and Enhancing the Historic Environment" sets out an overall aspiration for conserving heritage assets. In particular paragraph 199 When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 also requires the Council to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Areas.
Wiltshire Core Strategy Policy C58 related to Ensuring the Conservation of the historic environment. And states that designated heritage assets and their settings will be conserved.

The revised proposals introduce more traditionally designed extensions, with pitched roofs, still retaining a low scale design and using good quality, traditional materials, which are more appropriate in the conservation area. The revised footprint and projections of the rear proposed extensions will not exceed the established precedent for the existing rear building lines to this row of dwellings, as shown on the submitted 'Proposed Site Plan' drawing.

The grade II listed Park Bridge, over the Kennet and Avon Canal is sufficiently separated from the application site by the PROWs to the rear of the site, the canal towpath and the canal itself, and therefore, the proposals will be well contained to the application site and will not be seen within the setting of this listed structure.

In view of the above, the proposals are not considered to cause any harm to the setting of the listed structure or the character and appearance of the conservation area. Due to the planning constraints affecting this site, the materials required will be conditioned, despite being annotated on the submitted plans.

Conclusion:

In consideration of the above it is concluded that the development would be in accordance with the development plan. With no circumstances warranting otherwise the application is recommended for approval subject to the conditions outlined below.

RECOMMENDATION: Approve with conditions.

Conditions: (4)

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 and documents:

Received 07.08.2023:

- Application Form
- MHPC-980-SP-001 Rev A – Existing Site Plan
- MHPC-980-SP-004 – Location Plan
- MHPC-980-FP-001 – Existing Roof Plan
- MHPC-980-FP-001 Rev A – Existing Ground Floor Plan
- MHPC-980-FP-002 Rev A – Existing First Floor Plan
- MHPC-980-FP-003 Rev A – Existing Attic Plan
- MHPC-980-EL-001 Rev A – Existing Elevations

All received on18.09.2023:

- MHPC-980-RP-002 Rev B – Proposed Roof Plan
- MHPC-980-EL-002 Rev C – Proposed Elevations
- MHPC-980-SP-003 Rev B – Proposed Site Plan
- MHPC-980-FP-006 Rev D – Proposed Ground Floor Plan
- MHPC-980-FP-007 Rev B – Proposed First Floor Plan
- MHPC-980-FP-008 Rev B – Proposed Attic Plan

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 used in the existing building.

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

5 The rooflights hereby approved shall be of the ‘conservation’ type with a single vertical glazing bar and mounted flush with the roof slope.

REASON: In the interests of preserving the character and appearance of the listed building and its setting.

Informatives: (1)

4 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.