CASE OFFICER'S REPORT

Application Reference:	PL/2023/07510
Application Type:	Householder planning permission
Site Inspection:	
Consultation ends:	12 October 2023
Case officer:	Stefan Galyas

Site Address:	12 BURY FIELDS, LYDIARD MILLICENT, SWINDON, SN5 3NF
Proposal:	Single storey side/rear extension.
Recommendation:	Approve with Conditions

Site Description

The application relates to No.12 Bury Fields, a semi-detached two storey dwelling with a pitched roof and single storey element to the rear elevation. The dwellings is set within a corner plot in the south-eastern corner of the junction between Bury Fields and the private driveway serving Nos. 12-15 Bury Fields. The site is spacious, and a small garage style outbuilding is positioned to the north-eastern boundary. The dwellings orientation is positioned so that the side elevation faces the Bury Fields to the east and is highly conspicuous from the roadside as a result of the lack of boundary treatment. The dwellings external materials are comprised of block rendered walls, interlocking concrete roof tiles and a single ply roof membrane.

The sites locality displays a plethora of materials and external finishes on primarily residential dwellings. Other properties within a close proximity of the site also appear to have extended, primarily through single storey extensions, to their rear elevations.

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

In terms of policy constraints, the site is not within the Lydiard Millicent Conservation Area but is within a close proximity of its boundary to the west. There is a public right of way that runs along the driveway to the north-west of the dwelling.

Proposal

The application seeks planning permission for a single storey rear and side extension. The proposal would use block rendered walls and a single ply flat roof membrane to match the existing.

The proposal would be 2.7m in length, 5m in width and a height of 2.8m.

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

Relevant Planning History
14/12084/FUL - Erection of Detached Dwelling (Revised Proposal). Refused 18/02/15.

Consultation Responses
Lydiard Millicent Parish Council – No response received.

Representations
There were no letters of representation received in response to the proposed development.

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, 19 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.

Policy LM1 of the Lydiard Millicent Neighborhood Plan requires development proposals to use building forms and materials appropriate when compared to the localities vernacular.
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 rear/side extension would be conspicuous from the roadside to the north-east. Currently, a small flat roofed porch infills the corner area where the proposed development would likely infill. The extension would be single storey and 2.8m in height, therefore the proposal would be visually subservient to the principal two storey element of the dwelling. While the use of a single ply flat roof membrane is not optimal given the proposals prominent position with regard to the street scene, it is not considered to be reasonable to refuse the application on this basis. The proposal would use a mono pitched roof that would cover the rear entrance which is also considered to be a visually subservient addition. It is considered that the use of matching materials would help further assimilate the proposal to its surroundings.
Accordingly, the proposal is not considered to have an unacceptable impact on the character and appearance of the locality. The proposal would meet the requirements of Core Policy 57 of the WCS, Policy LM1 of the Lydiard Millicent Neighbourhood Plan and Paragraph 130 of the NPPF.

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 create a new window opening on the dwellings rear (south-eastern) elevation which would face out towards the site at No.12a. While the window would be wider than the existing, it is considered that its view would be mirrored, albeit at a closer distance. It is considered that there would be a sufficient degree of separation between the two dwellings to avert an overlooking impact. Additionally, the proposal would ensure that sufficient garden amenity space remains on site for current and future occupiers' amenity.
Therefore, the proposed development is considered to have an acceptable impact on the residential amenities of the adjacent neighbouring dwellings.

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 of the Wiltshire Core Strategy, 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:

23/2045/01 Existing-Proposed Floor Plans and Elevations
Site Location Plan
Site Block Plan
All received 04/09/23

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)

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.