CASE OFFICER'S REPORT

Application Reference:	PL/2023/07528
Application Type:	Householder planning permission
Site Inspection:	
Consultation ends:	03 October 2023
Case officer:	Hilary Baldwin

Site Address:	SOUTHMEAD, UPPER MINETY, MALMESBURY, SN16 9PR
Proposal:	Proposed extension & alterations & associated works
Recommendation:	Approve with Conditions

Proposal and Site Description

Proposal

The application seeks planning permission for the construction of first floor accommodation and other alterations to this single-storey property.

The development would retain the “L” shaped footprint of the property but provide for a hipped roof, single storey extension to the front (south) elevation for the benefit of a living room.

The main ridge, which is parallel to the front of the property would be raised by approximately 1.4m in order to fully provide for first floor accommodation and would include raising the ridge on the original gable end projection to the rear. Three, equidistant gable end projections would be added to the front elevation and the original, wide rear elevation projection would be increased in height to accommodate a glazed wall. The existing box dormer would be removed in favour of a similar, gable end dormer as those proposed on the front elevation.

The fenestration would be upvc casement windows with stone cills and lintels, the roof would be double roman clay tiles with the elevations, roughcast painted render.

In terms of accommodation, the original property provides for four bedrooms and the proposed development would provide for enhanced habitable accommodation at ground floor level and five bedrooms and three bathrooms at first floor level.

Site Description

The property is a single-storey dwelling, which has the benefit of a loft conversion on the eastern end, served by a large box dormer. The property has highway access, a front amenity space with parking provision and a large open rear garden with no dwellings to the rear of the site. The original dwelling has painted render elevations and double roman clay roof tiles.

Upper Minety is designated as a Small Village within the WCS with no settlement boundary, nor is there a conservation area although there a few listed buildings within the wider area. Most properties are adjacent to the main roadways which run through the settlement and there is an eclectic mix of architectural forms and palette of materials.

Policies

National Context:

National Planning Policy Framework (NPPF) 2023
Paragraph 11 – Presumption in favour of sustainable development
Paragraph 130 - Function and form of Development

Planning Practice Guidance (PPG)

Local Context:

Wiltshire Core Strategy (WCS) adopted 2015
Core Policy 1- Settlement Strategy
Core Policy 2- Delivery Strategy
Core Policy 57- Ensuring High Quality Design and Place Shaping
Core Policy 60 - Sustainable Transport

Wiltshire Local Transport Plan 2011 - 2026
Car Parking Strategy

Key Issues

Principle of Development
Impact on the character and appearance of the settlement
Impact on adjacent neighbouring occupiers
Access, Parking and Highway Safety

Relevant Planning History

There is no planning history on the site which is considered to impact upon the determination of this proposal but it is pertinent to note that the dwelling to the east has been altered and extended over time and does have the benefit of a first-floor window on its western side elevation.

N/08/00103/FUL – Extension to side and conservatory to rear
Approved with Conditions

Consultation Responses

Minety Parish Council – No Objections or comments made.

Representations

1 Letter of Objection Received in relation to the proposed development.
Main Reason for Objection
• Loss of light to first floor window on neighbouring dwelling.

Planning Considerations and 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 must be

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

Principle of Development:
The principle of providing and extending facilities in association with existing residential accommodation is considered acceptable in principle and in accordance with policies CP1, CP2 and CP57 of the adopted Wiltshire Core Strategy, subject to assessment of site specific impacts, related policy considerations and compliance with the other policies contained within the development plan and the guidance and provisions as contained within the National Planning Policy Framework.

Impact on the Character and Appearance of the Area
The planning system promotes high quality development through good inclusive design and layout and the creation of safe, sustainable mixed communities. Good design should be indivisible from good planning and recognised principles of good design seek to create a high-quality built environment for all types of development.

In this case, the proposed development is considered broadly sympathetic to the host dwelling. There are examples of similar dormer windows within the settlement and there is a mix of elevational materials such clay roof tiles and rendered elevations. The host property is of its time and the design approach would modernize the dwelling with a mix of materials and not result in a pastiche of older properties. Whilst the wide gable end dormer to the rear and its glazed walling for the first-floor bedroom, is considered not in character, it is not so different to the existing gable end to justify a reason for refusal in this instance.

A condition to ensure that the works are carried out in accordance with the submitted plans and materials can be appended to any grant of permission.

It is noted that the Parish Council has no comments to make on the proposed works.

In this instance, due to the size and location of the development, and the use of appropriate quality material detailing, the proposal is considered in compliance with CP57 and the guidance and provision as contained within the NPPF.

Impact on Adjacent Neighbouring Occupiers
As informed in a preceding section of this report, the adjacent property to the east has been widened to its western elevation and includes a first-floor window. There is concern from neighbouring occupiers as to the loss of outlook and light to that room by way of the height and scale of the proposed development.

However, the representation has stated that the room in question is a bedroom at first floor level. From a site visit, it was evidenced that the intervening space is heavily overgrown with trees on that boundary and albeit a precise distance between the properties was not possible, there is a minimum of more than 2.5m. The proposed development would increase the height of the ridge by approximately 1.4m, but the roof slope is approximately 32º and the proposed dormer windows set away from that gable end. Therefore, on balance, the increased height of the roofscape in conjunction with the roof slope in that location is not considered to so significantly reduce light or outlook to the adjacent window as to justify a reason for refusal in this instance.

The application proposes a raised terrace, this is set away from the boundary, a condition will secure that it is limited in height to not propose any overlooking issues.

The development is not considered to impact on any other neighbouring occupiers.

Access, Parking and Highway Safety

The site benefits from an area of on-site parking within the front amenity space and whilst the proposal does provide for additional bedrooms there is sufficient parking to meet the needs of the dwelling in accordance with the Wiltshire Car Parking Strategy.

Conclusion

As such, the proposals would not conflict with the statutory requirements, as well as the national and local planning policies and can be supported. It is therefore recommended that the application should be permitted subject to relevant conditions to ensure the works are carried out in accordance with the submitted specification and that the site remains as one planning unit.

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:

5061/02 – Site Location Plan. Received on 05 September 2023
5061/03 – Existing Block Plan. Received on 05 September 2023
5061/01 – Existing Floor Plans and Elevations. Received on 05 September 2023
5061/52 – Proposed Block Plan. Received on 05 September 2023
5061/51 Rev B – Proposed Elevations. Received on 05 September 2023
5061/50 Rev C – Proposed Floor Plans. Received 05 September 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 be as stated on the application form and approved plans.

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

8 The height of the terrace hereby approved shall not exceed 0.5m in height from ground level at any point.

REASON: To protect the amenity of neighbouring residents.

Informatives: (4)

4 The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website https://www.wiltshire.gov.uk/dmcommunityinfrastructurelevy.

5 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.

6 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.

7 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.