CASE OFFICER'S REPORT

Application Reference:	PL/2023/10743
Application Type:	Householder planning permission
Site Inspection:	
Consultation ends:	19 January 2024
Case officer:	Brook Bishop

Site Address:	Hill View, Hornbury, Minety, SN16 9QH
Proposal:	Kitchen extension to side of property with second storey en-suite.
Recommendation:	Approve with Conditions

SITE DESCRIPTION:
The application site is a two-storey dwellinghouse set back from, but facing onto, the Hornbury Hill road. The front elevation is of an Edwardian style, with its symmetrical three-window front elevation faced in red brick with white brick quoins, window surrounds, central porch and a first-floor plat band.

It has been extended multiple times to the rear, giving it an overall H-shape plan form. These extensions are faced in white render and the overall roof form is pitched, with gable ends jutting out at various points. To its east, it is neighboured by a bungalow (qv Twelve Trees) and to the west, separated by a lane, is the Minety Village Hall.

The site lies within the small village of Minety, which does not have a defined settlement boundary. As such, the site is in open countryside for planning purposes. The site is not subject to any sensitive or special land-use designations.

PROPOSAL:
The application seeks planning permission for side extension to accommodate a kitchen with an ensuite atop at first-floor level.

The kitchen extension is situated on the east side elevation of the host dwelling, infilling the limbs of the rough H-plan on this side. It has a flat roof topped by a roof lantern. Atop the kitchen extension is to be a first floor ensuite, at the south end of the kitchen’s flat roof. The ensuite is roughly square in plan and wraps around the corner of a gable end containing a bedroom.

Initially, the submitted plans presented a flat roof to the first floor ensuite, but this was later revised to a pitched roof.

POLICIES:
Legislation:
Town and Country Planning Act 1990

National Policy:
National Planning Policy Framework – December 2023 (NPPF)

• Paragraphs 11, 131, 135,
National Planning Practice Guidance (NPPG)
National Design Guidance (Planning practice guidance for beautiful, enduring and successful places) 2019 (NDG)

Local Policy:
Wiltshire Core Strategy (WCS):
• Core Policy 1: Settlement Strategy (CP1)
• Core Policy 2: Delivery Strategy (CP2)
• Core Policy 13: Spatial Strategy for Malmesbury Community Area (CP13)
• Core Policy 57: Ensuring High Quality Design and Place Shaping (CP57)

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.

RELEVANT PLANNING HISTORY:
N/78/0570/F – Extension (Approved 03/07/1978)
N/87/01718/FUL - EXTENSION AND ALTERATIONS TO DWELLING (Approved 19/08/1987)
N/91/01621/FUL - EXTENSION TO DWELLING (GARAGE) (Approved 23/09/1991)

ISSUES:
The main considerations which are material to the determination of this application are listed below:
• Principle
• Impact on Local Character and Appearance
• Impact on Neighbouring Amenities

CONSULTEE RESPONSES:
The Parish Council were consulted on this application, but no response was received.

RESPRESENTATIONS:
No letters of representation were received related to this proposal.

PLANNING ASSESSMENT:
Principle:
The site is in Minety, a small village in the Malmesbury Community Area. There is no defined settlement boundary for Minety, therefore the site is within open countryside for planning purposes.

CP1, 2 and 13 of the WCS set out a settlement and a delivery strategy for the Malmesbury Community Area and confirm that within small villages in the open countryside, which do not have

defined limits of development, new housing development will be restricted to infilling, the replacement of existing dwellings or the re-use of existing buildings or the redevelopment of existing buildings provided that the development:

- Is within the existing built-up area of the village;
- Does not consolidate an existing sporadic, loose-knit area of development; and
- The development is in harmony with the village in terms of its scale and character.

The principle of providing and extending facilities in association with existing residential accommodation in the open countryside is considered acceptable in principle, 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.

In this case, the application site is an existing dwellinghouse and therefore the principle of providing and extending facilities in association with its residential use is acceptable, subject to assessment of other material considerations.

Impact on Local Character and Appearance:
CP57 requires a high standard of design for all new developments, including extensions, alterations, and changes of use of existing buildings. Well-designed development should create a strong sense of place, reinforce local distinctiveness, and promote community cohesiveness and social wellbeing. No two sites share the same landscapes, contours, relationship with surrounding buildings, street pattern and features and so the design of new developments must draw on an understanding of the site itself and the local context, seeking to maximise the benefits of those characteristics and enhance the overall character of the locality. New development should integrate into its surroundings, but the proximity of poor quality or indistinct development is not a justification for standard or poor design proposals.

The proposed kitchen extension sits within the east-facing limbs of the H-shaped plan of the host dwelling. Despite its rectangular form, it is not felt to add bulk to the overall character of the host dwelling and will not be intrusive in the street scene. Additionally, the roof lantern atop will take some advantage of the sun as it rises in the east and breaks up the flat roof plane.

The ensuite at first-floor level is small in scale with a pitched roof and a single window facing north. Initially, submitted plans proposed a flat roof with coped edges and a rooflight and this was felt to not relate well to the existing roof form, be bulky in character and interact awkwardly with the gable end and eaves of the existing roof. This would have been visible from the public highway and was considered to have an adverse impact on the street scene as well as to the appearance of the host dwelling. Revisions were provided, in light of officer comments, to add a pitched roof to the ensuite and it is considered that this revised design relates better to the existing roof form and, although it appears to interact awkwardly with the existing gable end, it is felt to be a more appropriate design which will not result in unacceptable levels of harm to the character and appearance of the host dwelling or the surrounding area.

The external construction of the proposed kitchen extension and first-floor ensuite will be in render to match the host dwelling and the pitched roof of the ensuite will be covered in tiles to match the

existing roof form. It is considered that the materiality will help the extensions integrate with the host dwelling and will not, therefore, appear incongruous with the existing build form.

The proposal is not considered to have significant harmful impacts on the character and appearance of the host dwelling nor the surrounding area and is found in accordance with CP57 and can be supported. However, a condition is recommended to ensure that the proposed materials are as stated and can be added to any approval notice. Such a condition is considered appropriate and necessary in this instance and to meet the relevant tests.

Impact on Neighbouring Amenities:
CP57 requires that development should ensure the impact on the amenities of existing occupants/neighbours is acceptable and *"ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing, vibration, and pollution (e.g. light intrusion, noise, smoke, fumes, effluent, waste or litter)"*. Residential amenity is affected by significant changes to the environment including privacy, outlook, daylight and sunlight, and living areas within private gardens and this, therefore, needs to be carefully considered accordingly.

The application site is neighboured on the east by a single-storey dwelling (qv Twelve Trees) which has a single-storey extension running parallel to the application site. There is a degree of separation between the two properties at the boundary, but it is noted that window openings are found along the west side elevation of Twelve Trees one of which is frosted glazed, likely a utility room, and the other with normal glazing, possibly a bedroom.

The proposed first floor ensuite is considered to have the potential to cause a degree of overshadowing, additional to existing overshadowing caused by existing rear extensions at Hillview. There will remain a gap of approximately 1.5m at the boundary and the roof height of the proposed ensuite, at first floor level, is set slightly lower than the existing first-floor roof height. It is considered that this will not result in unacceptable levels of overshadowing so as to justify refusal.

In terms of outlook, the windows on the neighbouring property are already obstructed by an approximately 1.8m boundary fence, but the gap that will remain at the boundary will result in no significant adverse impact on outlook from the non-obscure glazed windows on this side. And in terms of privacy, the ensuite will have a north-facing window and this is not felt to unacceptably impact the privacy of the immediate neighbours.

Furthermore, it is understood from the applicant's agent that the immediate neighbour was involved in the development of the initial design and, therefore, when the plans were revised the case officer requested that neighbours were reconsulted. No letters of representation were received from neighbours that would affect consideration of the proposal.

The proposal is not considered to result in unacceptable harmful impacts on residential amenity and is therefore in accordance with CP57 and can be supported.

CONCLUSION:

The proposal is not considered to conflict with the statutory requirements, the national and local planning policies. The proposal would not result in harmful impacts to the residential character of the locality nor to residential amenity. The proposal can be supported.

It is therefore recommended that the application should be permitted subject to relevant 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 and documents:

Proposed Elevations, 3D View, Floor Plans and Location Plan. MH/CH/001 A. Received 29 December 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 stated in the 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 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.

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.