CASE OFFICER'S REPORT

Application Reference:	PL/2023/11164
Application Type:	Householder planning permission
Site Inspection:	24 January 2024
Consultation ends:	29 January 2024
Case officer:	Brook Bishop

Site Address:	Gauzebrook, Rodbourne, Malmesbury, SN16 0ES
Proposal:	Loft conversion. Rear extension. Front porch. Replacement of existing windows. Conversion of garage into Annexe to dwelling.
Recommendation:	Approve with Conditions

SITE DESCRIPTION:

The application site comprises a modern bungalow, externally constructed from reconstituted stone. To south end of the principal elevation, there projects a gable end. Appended to the north end there are two attached garages. It has a varied roof form, all pitched but there are a mix of ridge heights, which is likely a result of the contours of the site and this helps the building integrate into the landscape. The rest of the site is made up of garden amenity space which wraps around the site and is delineated by hedgerows, established trees and post and rail fencing.

The site is located and accessed from on the west side of Grange Lane but is set back from the road on an elevated plot. To the south runs a private lane leading to Rodbourne House and Old Coach House. Hill House is the closest neighbour, situated to the south. To the north, the site enjoys expansive views across the countryside which wraps around to the west in which the pyramidal tower of Rodbourne House catches the eye.

The site is set on the eastern edge of Rodbourne, a small hamlet which is not designated in the Wiltshire Core Strategy. However, it sits just outside the designated Conservation Area and to the northeast of Rodbourne House (Grade II) and is therefore within their setting. The site is not subject to any other sensitive or special land-use designations.

PROPOSAL:

The application seeks planning permission for the conversion of the attached garages into annexe accommodation, a two-floor rear extension, and the conversion of the loft into habitable accommodation. Other alterations include the addition of flat-roofed dormer windows to the rear-facing roof slopes, relocation of the existing front door and erection of timber-framed porch, replacement of all windows in UPVC and reconfiguration of some other openings.

The proposed rear extension has a gable-ended pitched roof and projects approximately 4m from the rear elevation. It is proposed with a north-facing flat-roofed dormer and full-height glazed openings on the north and west elevations. It is to be externally faced in through coloured render and covered with tiles to match the existing roof.

The conversion of the garage will see timber cladding and glazing added to the existing garage doorways and the addition of windows and a glazed door to the north side elevation.

Additionally, the proposal includes landscaping of the existing driveway to increase the vehicle turning space and parking provision.

POLICIES:

Legislation:

Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990

National Policy:

National Planning Policy Framework 2023 (NPPF)
• Paragraphs 11, 131, 135, 201, 203, 205, 206, 207, 208.
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 & Space Shaping (CP57)
• Core Policy 58: Ensuring the Conservation of the Historic Environment (CP58)
• Core Policy 60: Sustainable Transport (CP60)
• Core Policy 62: Development Impacts on the Transport Network (CP62)
• Core Policy 64: Demand Management (CP64)
Wiltshire Local Transport Plan 2011-2026:
• Car Parking Strategy (CPS)

Neighbourhood Plan:

Malmesbury Neighbourhood Plan Volume I – Main Body (Made 2015) (MNP1)
Malmesbury Neighbourhood Plan Volume II – Design Guide (Made 2015) (MNP2)

Historic England Advice Notes:

The Setting of Heritage Assets. Historic Environment Good Practice Advice in Planning: 3 (2nd Edition) (GPA3)
Managing Significance in Decision-Taking in the Historic Environment. Historic Environment Good Practice Advice in Planning: 2 (GPA2)

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.

Sections 66 and 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require the local planning authority, in considering whether to grant planning permission and listed

building consent respectively, 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. Section 72(1) of the same act requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area in which the building and land are situated.

RELEVANT PLANNING HISTORY:
N/74/1392/OL – Outline for erection of one dwelling (Refused 13/12/1974)
N/74/1392/OL – (APPEAL) Outline for erection of one dwelling (Appeal granted 13/04/1976)
N/76/1062/F – Agricultural bungalow (Approved with Conditions 09/08/1976)
N/98/1902/CLE – Certificate of Lawful Use or Development: Occupation of dwelling contrary to agricultural occupancy condition (certificate issued 26/08/1998)
N/00/20232/F – Proposed Single Storey Attached Single Garage (Aproved with Conditions 24/10/2000)
N/06/01739/FUL – Replacement porch (Approved with Conditions 21/08/2006)

ISSUES:
The main considerations which are material to the determination of this application are listed below:
• Principle
• Impact on Local Character, Appearance, and the Historic Environment
• Impact on Neighbouring Amenities
• Access and Parking
• Other Matters

CONSULTEE RESPONSES:
The Parish Council and Wiltshire Council's Highways Engineer were consulted on this application:
• Parish Council – no objection.
• Highways – no objection.

RESPRESENTATIONS:
One letter of objection was made by a neighbour with five points related to:
• Development Plan Policy (Principle)
• Design appearance and layout (Impact on Local Character, etc.)
• Highway safety and traffic (Access and Parking)
• Need to safeguard countryside (Impact on Local Character, etc.)
• Foul drainage (Other Matters)

These points have been discussed under the indicated parts of the assessment.

PLANNING ASSESSMENT:
Principle:
The site is within the hamlet of Rodbourne which is not designated in the Wiltshire Core Strategy and is therefore in open countryside for planning purposes. However, 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. Therefore, residential extensions/alterations such as the proposed are acceptable in principle subject to there being no adverse impacts.

The letter of objection made by a neighbour seeks to remind the Council that conditions have been placed on permissions for similar nearby annexe conversions. This is a standard condition for this type of application and a condition ensuring the annexe remains ancillary to the host dwelling will be added to any approval notice.

Impact on Local Character, Appearance, and the Historic Environment:
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.

CP57 and CP58 state that well-designed development should respond to the value of the historic environment by protecting, being sympathetic to, conserving and, where appropriate, enhancing the historic environment. Designated and non-designated heritage assets and their setting will be conserved in a manner appropriate to their significance.

The impact of the proposed development on local character and appearance has therefore been assessed together with its impact on the historic environment.

Assessment of Significance
The NPPF (201) advises that local planning authorities should identify and assess the significance of heritage assets likely to be directly affected by a proposal, or indirectly through development within their setting, and take this into account when considering the impact of the development on the heritage asset. It defines significance as the “value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic”.

The significance of a heritage asset derives not only from its physical presence, but also from its setting which is defined as the surroundings in which a heritage asset is experienced. The setting of a heritage asset is not fixed and may change over time. Elements of its setting may have a positive or negative affect on our appreciation of that significance or may be neutral.

Rodbourne House (Designated heritage asset)
Rodbourne House [NHLE: 1022278] is a large, detached house probably originally built in the late 17th or early 18th century and extensively altered in 1859 by Sir Hungerford Pollen. This was the

19th century home of the Hungerford Pollens, who owned and rebuilt much of Rodbourne, and were said to be close associates of the Pre-Raphaelites. Certainly, the 1859 alterations stand testament to, what some may call, the Pollen's Victorian-revivalist eccentricity. The north front is built in a Gothic-revival style with a pyramidal-capped tower, commanding expansive views out over the countryside and making a grand statement in the landscape, particularly as one approaches along Grange Lane.

To the east of the house it enjoyed a wide drive, a coach house, and a possible stable and menage, in the 19th century. Of this, only the Old Coach House (qv) remains, with modern dwellings replacing the rest. This has had a negative impact on its setting, but, overall, its setting is considered to contribute positively to its significance.

The heritage significance of Rodbourne House primarily consists of its architectural (design) and historic (illustrative and associative) interest, and the contribution made by its setting. Its special architectural and historic interest is recognised by its designation as a Grade II listed building and its inclusion in the Rodbourne Conservation Area. It is of national significance.

Old Coach House (Non-designated heritage asset)
The Old Coach House is a building of roughly L-shaped plan, probably of a contemporary date with the earlier core of Rodbourne House (qv) with which it was formerly attached to at least until the 19th century. It is not considered curtilage listed but has been identified as a non-designated heritage asset because of its historic interest and connection with Rodbourne House, which remains apparent in its current address. It is included in, and forms the eastern boundary of, the Rodbourne Conservation Area.

The heritage significance of the Old Coach House is thought to primarily consist of its historic (illustrative) interest and the contribution made by its setting and this is recognised by its inclusion in the Rodbourne Conservation Area. It is of local importance.

Rodbourne Conservation Area (Designated heritage asset)
There is no appraisal or management plan currently published for the Rodbourne Conservation Area. However, by virtue of its designation, it is significant in heritage terms.

Rodbourne has a very rural charm. The main road cuts through diagonally which the buildings loosely follow, buffered at varying distances by greenspaces and foliage which frame attractive views of key buildings, routes and its countryside setting. The handful of listed buildings scattered within the village, the earliest of which is the Church of the Holy Rood [NHLE: 1363874]; record and illustrate at least 900-years of human activity.

Since the 19th century there has been very little development within the hamlet, and the same is true of its countryside setting. The notable exception is along the eastern border with the Conservation Area in the former grounds of Rodbourne House (qv). The dwellings here are demonstrably modern, but their informal layout and leafy borders have helped to preserve the overall rural character and countryside setting of the Conservation Area and therefore have had an overall neutral impact on its significance.

The heritage significance of Rodbourne is considered to primarily comprise of its architectural (fortuitous) and historic (illustrative) interest, and the contribution made by its setting.

Impact on Significance
The NPPF (205-209) sets out the policy framework for considering the impact of a development proposal on the significance of a heritage asset(s), both designated and non-designated:

• Designated heritage assets: great weight will be given to the conservation of a designated heritage asset, and the more important the asset the greater the weight will be. Any harm to the significance of a designated heritage asset, irrespective of whether it amounts to substantial, total loss or less than substantial harm; requires clear and convincing justification and must be outweighed by the public benefits.

• Non-designated heritage assets: a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

As pertains to listed buildings and conservation areas, the Council has statutory duties under sections 66, 16(2) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. It is noted that section 72(1) does not place a statutory duty for special attention to be paid to the desirability of preserving or enhancing the setting of a conservation area. However, the indirect impact on the significance of all designated heritage assets, through development within their setting, should be considered in accordance with the relevant policies.

The application site sits separately to other modern dwellings in this area, in the southeastern corner of a field. Despite its presence and intrusion on views of Rodbourne House from Grange Lane, the site is well screened by foliage. It is therefore currently considered that it has an overall neutral impact on the setting of Rodbourne House and the Old Coach House. It is also considered to have a neutral impact on the setting of the Rodbourne Conservation Area.

It is considered that the proposed rear extension is the main part with the potential to have an impact on the character of the area and the significance of the Conservation Area, listed building, and non-designated heritage asset. The objection made by the neighbour raised concerns regarding the height and scale of the design and its impact on local character, appearance, and the historic environment, including the visual harm caused by addition cars parking within the curtilage.

The rear extension is proposed with a first-floor level and will project slightly more than the projection to the front elevation. However, the ridge height of the rear extension will match the core of the host dwelling and it is considered it will continue the feel of the roof form sloping from southwest to northeast. While the proposed extension is, essentially, a two-storey addition to a, currently, single-storey dwelling, it respects the roof form and has a gable end which closely matches the angle of the one found on the south elevation. It is not considered to be out of character with the overall form of the dwelling. Furthermore, it will obscure the dormers from view of neighbours and there are no windows proposed on the south elevation which would present amenity concerns.

The orientation of the dwelling, which is roughly angled from northwest to southeast, and its current foliage screening will mean that the rear extension will not intrude on key views of Rodbourne House and the Old Coach House as the appear in the landscape from along Grange

Lane. It will, therefore, have a neutral impact on their setting, resulting in no harm to their significance.

The other external alterations in this application, namely the relocation of the entrance and erection of a front porch, roof dormers, rooflights, addition of windows and doors, and cladding to the garage doorways, are all considered to be in keeping with the modern character of this dwelling and the rural character of the surrounding area both in their design and materiality. The dormers are of a modern, flat-roofed design but are site to the rear roof slopes and will not be readily visible in the public realm or by neighbours to the south.

As raised in the objection, the proposal also seeks to provide additional car parking provision within the front area of the site's curtilage. The plans show an optimum of five vehicles parked within the curtilage. While, if this optimum is reach, it may create some additional visual clutter, the site is well screened such that any visual harm at times of peak vehicle occupancy would be minimal.

The proposal is considered to be in keeping with the domestic character of the host dwelling and is not considered to have an adverse impact on the rural character of the surrounding area. It will, therefore, have a neutral impact on the setting of the Conservation Area, resulting in no harm to its significance.

The proposal is complaint with CP57 and CP58 and does not conflict with the statutory duties under Sections 66, 16(2) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal 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 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 sits atop a slightly elevated plot; however, the closest neighbouring dwelling is to the south (qv Hill House) which is at a higher ground level than the application site and is separated some distance from it by a private lane and well-defined borders. The proposed dormers are west and north facing and will not further views into neighbouring amenity areas. The proposed development will not cause the application site to overlook neighbours, nor will it cause overshadowing.

The west elevation gable end of the proposed rear extension was initially proposed with a span of four full-height glazed windows at first-floor level. It was considered that, during the night, this would create an unacceptable level of light intrusion within the landscape and for neighbours. This was revised to two openings only and will have a glazed Juliet balcony and is considered to be acceptable.

One letter of objection was received from a neighbour, but the points of objection have not highlighted any significant concerns for amenity which have not already been addressed in this assessment. The proposal is not considered to result in unacceptable harmful impacts on residential amenity and therefore is in accordance with CP57 and is acceptable.

Access and Parking:
Core Policy 62 of the WCS states that developments should provide appropriate mitigating measures to offset any adverse impacts on the transport network at both the construction and operational stages. CP64 states that the provision of car parking associated with well-designed new residential development will be based on minimum parking standards, as set out in the LTP CPS. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or residual cumulative impacts on the road network would be severe (NPPF 115).

The proposal will result in the loss of both garages as part of the car parking allocation for this site. However, the plans state that the existing front driveway will be relandscaped to allow for up to six vehicles to park within the existing residential curtilage. The proposal is compliant with the Council's adopted minimum parking standards.

The objection made by a neighbour raised concerns that the proposal will increase traffic at what they consider is a dangerous access point onto Grange Lane because of the increased occupancy. While the optimum occupancy of the dwelling will increase nominally, it is not thought this will result in a significant increase in traffic which would be detrimental to highway safety and therefore justify a reason for refusal in this instance.

Furthermore, Wiltshire Council's Highways Engineer was consulted on the application and raised no objection. In their comments, they considered that the existing access and relandscaped driveway provide ample space for vehicles to access and egress in a forward gear.

The proposal is not considered to have severe impacts on highway safety and is considered in accordance with CP62 and CP64 and can be supported.

Foul Drainage:
It is noted in the objection made by a neighbour that concerns are raised relating to sewage output and capacity.

The objector cites a comment made in an application at Old Coach House (PL/2023/08494) which was retrospective for the conversion of a garage to annexe accommodation. In the officer's report it was considered that such matters of this scale would be appropriately dealt with by way of building regulation legislation.

This application similarly seeks to convert a garage to annexe accommodation, but with some alterations and extensions to the host dwelling. Based on the information provided, this would increase the maximum occupancy from three bedrooms, or possibly four if counting the study; to five. However, the proposal would not result in a new separate residential dwelling, as it would be conditioned to remain ancillary to the host dwelling if the Council were minded to grant planning permission.

Given the similarities between the applications, it is not apparent that this application should be considered differently to PL/2023/08494. Therefore, matters related to sewage output and capacity in this instance would also be more appropriately dealt with by way of building regulation legislation.

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

It is therefore recommended that planning permission be granted subject to relevant 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:

Location Plan. 01. Received: 25 December 2023.
Application Form. Received: 25 December 2023.
Proposed Ground Floor Plan. 06. Received: 25 December 2023.
Proposed Sections. 09. Received: 18 December 2023.
Block Plans A3. 02A. Received: 11 January 2024.
Proposed First Floor Plan. 07B. Received: 2 February 2023.
Proposed Elevations. 08B. Received: 2 February 2024.

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.

4 The garage conversion (annexe) hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling, known as Gauzebrook, Rodbourne, Malmesbury, SN16 0LJ, and it shall remain within the same planning unit as the main dwelling.

REASON: The additional accommodation is sited in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit a wholly separate dwelling.

Informatives: (2)

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.