CASE OFFICER'S REPORT

Application Reference:	PL/2023/10932
Application Type:	Householder planning permission
Site Inspection:	9th January 2024
Consultation ends:	13th February 2024
Case officer:	Brook Bishop

Site Address:	14 Swan Barton, Sherston, Malmesbury, SN16 0LJ
Proposal:	Demolish existing conservatory. Replace with singe storey extension forming access hall and kitchen
Recommendation:	Approve with Conditions

SITE DESCRIPTION:
The application site is a dwelling comprised of two gable-ended single-storey structures of different length. The western part has a steeper roof pitch, sitting slightly elevated, with a brick end stack. To the front elevation, on the west end there is a cube-shaped flat-roof extension with a short parapet, a short distance east of this is a uPVC conservatory. The dwelling is externally faced in pebbledash render and there are some reconstituted stone quoins to the flat-roofed extension.

The site is set in the historic core of the village along Swan Barton, a narrow lane linking High Street with the parallel Cliff Road. Adjoining on the west of the site is the Grade II listed building known as 10 Cliff Road and to its front it enjoys an amenity area bounded by a drystone wall within which are patio areas, a shed and an electricity substation.

The site lies within the settlement boundary of Sherston, which is within the Cotswold National Landscape (AONB). The site is also included in the designated Conservation Area and there are a number of listed buildings (Grade II and II*) in the surrounding area. The site is not subject to any other sensitive or special land-use designations.

PROPOSAL:
The application seeks planning permission for the demolition of the existing uPVC conservatory and its replacement with a single-storey flat-roofed extension, and associated alteration, to integrate the new extension into the existing flat-roofed extension.

The proposed extension is approximately 6.5m wide and will project approximately 2.7m, flush with the existing extension. It is to be externally rendered with quoins, matching the materiality and detailing of the existing extension. It will have windows to the front and east side elevation and a door left of centre on the front elevation. The windows and doors proposed are ‘cottage style’ timber casement windows and glazed timber door. Atop the flat roof there will be two flat rooflights, but these will sit behind and below the height of the parapet which surrounds the roof edge.

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

National Policy:
National Planning Policy Framework - December 2023 (NPPF)
- Paragraphs 11, 131, 135, 201, 203, 205, 206, 207, 208.

National Planning Practice Guidance (PPG)
National Design Guidance (Planning practice guidance for beautiful, enduring and successful places) 2019 (NDG)

Local Policy:
Wiltshire Core Strategy

- 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)

Neighbourhood Plan:
Sherston Neighbourhood Plan – Made 2019 (SNP)

- Objective 2

Conservation Area:
Sherston Conservation Area Statement – April 1999

Historic England Advice Notes:
Listed Buildings and Curtilage: Historic England Advice Note 10 (HEAN10)
Managing Significance in Decision-Taking in the Historic Environment. Historic Environment Good Practice Advice in Planning: 2 (GPA2)
The Setting of Heritage Assets. Historic Environment Good Practice Advice in Planning: 3 (2nd Edition) (GPA3)

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/00/02194/FUL – Conservatory (Approved with Conditions 01/11/2000)
N/00/02543/FUL – New Cabin Store/Workshop (Approved with Conditions 06/12/2000)

ISSUES:
The main considerations which are material to the determination of this application are listed below:

- Principle of Development
- Impact on Local Character, Appearance, and the Historic Environment
- Impact on Neighbouring Amenities
- Other Matters

CONSULTEE RESPONSES:
The Parish Council, Wiltshire Council's Conservation Officer, were consulted on this application.

- Parish Council – no objection.

• Conservation Officer – no objection.

RESPRESENTATIONS:
One letter of support was received related to this proposal. No other representations were received.

PLANNING ASSESSMENT:
Principle:
The site is in Sherston, a large village in the Malmesbury Community Area. CP1, 2 and 13 of the WCS set out a settlement and a delivery strategy for the Malmesbury Community Area and confirm that within a large village, the principle of development is considered acceptable, 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. Residential extensions and alterations such as the proposed are acceptable in principle subject to there being no adverse impacts.

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 application site lies within Sherston Conservation Area and adjoins 10 Cliff Road, a Grade II listed building. There are other listed buildings in the vicinity, mostly Grade II and some Grade II*, and some buildings likely to be identified as non-designated heritage assets, like the British School Rooms.

The Conservation Area and 10 Cliff Road are considered to be sensitive to the proposed development. Therefore, the significance of these designated heritage assets has been assessed followed by the impact of the development on that significance and on the character and appearance of the area.

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.

The NPPF (Annex 2: Glossary) 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 a heritage asset’s physical presence, but also from its setting which is defined as the surroundings in which a heritage asset is experienced, it 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.

Sherston Conservation Area (Designated heritage asset)
Sherston provides a good example of a small medieval planted borough, first granted a market in the early 13th century. The medieval village was ‘completely burnt’ in 1511, but its form remains clear today laid out

on an irregular grid pattern centred around its central marketplace, now High Street. Major rebuilding took place during the 17th and 18th centuries, and, although the Cotswold vernacular prevails, very few buildings escaped the allure of polite architectural fashions to some degree. Despite modern infill development around the historic core, and housing developments adjoining its perimeter, the form and traditional character of the small, planted borough has been well preserved.

The High Street forms the main focal point and historic core of the village. The street is bounded by a continuous line of buildings fronting onto the former market verges, now car parking, from ancient burgage plots. The only gap in the build line is on the western side where Swan Barton provides a narrow link to parallel Cliff Road (formerly Back Street). Cliff Road is much more domestic in character, and its architecture is more humble, but it has the same continuous build-line and burgage plot layout seen on High Street.

The village's open spaces, highways, footpaths and watercourses and significant trees and foliage, frame key views of its streets and buildings, and the village is enjoyed against the backdrop of the Cotswold National Landscape (AONB). The Sherston Conservation Area Statement provides further analysis.

The heritage significance of Sherston is primarily comprised of its architectural (fortuitous), historic (illustrative) interest, and this is recognised by its designation as a Conservation Area.

10 Cliff Road (Designated heritage asset)
10 Cliff Road [NHLE: 1356011] is a late 17th century cottage forming part of a terrace and built in the local vernacular; it is constructed from limewashed rubblestone and has a steeply pitched roof covered with stone slates. However, its owner, whose initials "D/T/N 1695" adorn the datestone; made a conscious effort to express their status by incorporating polite architectural ideas, designing it with a roughly symmetrical three-window front and finely carved first-floor chamfered mullion windows. Despite 20th century fenestration alterations and a front extension (altered again in 2012), the cottage has remained little altered since 1695 and its architectural interest is uncompromised.

No.10 forms part of a terrace of cottages along Cliff Road with Link Cottage [NHLE: 1023230] and 4 and 6 Cliff Road [NHLE: 1023229], with which it has group value. No.10 is unique, however, because it sits at a right angle and instead fronts Swan Barton, forming a focal point at the end of the lane. It is now adjoined by 14 Swan Barton within what is probably No.10s original burgage plot, bounded by a drystone wall which follows the lane. No.14's flat-roofed front extension, which has encroached in front of it, has had a negative impact on No.10's significance. However, No.10's 2012 pitched-roof extension has helped to screen this from the Cliff Road side and, overall, its setting contributes positively to its significance.

The heritage significance of 10 Cliff Road is primarily comprised of its architectural (design) and historic (illustrative) 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 it makes a positive contribution to the character and appearance of the Sherston Conservation Area. It is of national significance.

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.

The Council has statutory duties under sections 66, 16(2) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 when determining applications affecting Conservation Areas and listed buildings, or the setting of listed buildings.

The proposed flat-roofed extension will replace an existing uPVC conservatory and abut east of an existing, roughly cube-shaped flat-roofed extension. The design of the flat-roofed extension, while not of architectural merit befitting its surroundings, it will integrate well with the existing flat-roofed extension in terms of its form, detailing, and external materiality.

The proposed style of timber door and windows to the proposed extension, described as 'cottage style', while contrasting with the existing aluminium framed units found elsewhere on the building, are considered to preserve the overall traditional character of the area. The continuation of the parapet around the edge of the roof will conceal from view the flat rooflights atop it, which will not protrude above the parapet which would have been considered to negatively impact on the setting of the 10 Cliff Road.

The design of the proposed extension is considered to integrate well into the appearance and existing built form and materiality of the host dwelling. While not the most architecturally sophisticated solution, this less than substantial harm to the significance of the Conservation Area is, on balance, outweighed by the conservation benefits secured by demolition of the existing, poor quality uPVC conservatory.

It is noted that the Council's Conservation Officer made no objection to the application and their comments have informed this assessment.

The proposal will result in no harm to the significance of the Conservation Area, therefore preserving its character and appearance, and nor will it result in harm to the significance of the adjoining Grade II listed building, where part of its significance stems from its setting. The statutory duties under sections 66, 16(2) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 have been fulfilled and the proposal is in accordance with CP57, CP58 and Objective 2 of the SNP.

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 proposed extension will not overlook or overshadow neighbours. It is considered that the demolition of the existing conservatory and its replacement with the proposed extension will provide some minor improvements to the privacy experienced by the host dwelling.

There will be some level of overlooking from the neighbouring 10 Cliff Road, which has would not be worsened by this proposal. Furthermore, the rooflight which will be overlooked is already extant and therefore any overlooking is considered acceptable. Any light intrusion experienced by No.10, as a result of the rooflight, is also extant and therefore not considered to be unacceptable.

One letter of representation was received from neighbours expressing support for the proposal. The proposal is not considered to adversely impact on residential amenity and is therefore in accordance with CP57.

Other Matters:
The application site adjoins the east gable end of 10 Cliff Road, a Grade II listed building. The western-most end of the application site, that part which adjoins the listed building, is single storey but sits slightly more elevated than the rest of the site. The position of the brick gable stack and this part of the site's traditional construction, noted during the site inspection; leads one to suspect this may formerly have been an outshot of the adjoining dwelling at 10 Cliff Road. It was therefore considered necessary to assess whether 14 Swan Barton may be a curtilage listed building and whether Listed Building Consent should also be a requirement for this proposal.

10 Cliff Road was first designated a listed building on 12 December 1951 as part of a group with Nos. 4, 6, 8 and 10 Back Street (now Cliff Road). Its designation was amended on 3 December 1986, which resulted in separate designations for each address. The list entry for 10 Cliff Road [NHLE: 1356011] describes the building as follows:

> *SHERSTON CLIFF ROAD ST 8485-8585 (east side) 8/93 No 10 (formerly listed as 12.12.51 Nos 4, 6, 8 & 10 Back Street) GV II*
>
> *Terraced cottage. Dated D/T/M/1695 (on 2 stones above upper windows) with C20 alterations. Coursed rubble rendered and limewashed with stone dressings, some wooden lintels and gabled stone slate roof with west end stone stack and tall east brick stack. Set at right-angles to road. Two-storey, 3-window south front. C20 casement fenestration to ground floor, 2-light chamfered mullions with 2-pane casements to upper outer bays; central window has lost its mullion. Central gabled glazed C20 porch: part glazed C20 door.*
>
> *Listing NGR: ST8523885910*

It is evident from the description that no part of 14 Swan Barton has been described. However, this description is intended for identification purposes only and, as HEAN10 states, "any ancillary object or structure fixed to a listed building is also treated as part of the building… unless it is otherwise explicitly excluded in the list entry description". It has therefore been necessary to consider whether the application site was ancillary to 10 Cliff Road at the time of designation, in this case on 3 December 1986.

Historic England were contacted to provide a photograph of the paperback ("Greenback") designation map which, although not part of the statutory record, provides a helpful indication of the inspector's intention around the time of designation. A photograph of the map was provided (OS pub. 1981) which shows only 10 Cliff Road highlighted, and that 14 Swan Barton was a separate address.

The list entry identifying 10 Cliff Road does not include 14 Swan Barton in its statutory address and there is no planning history for 14 Swan Barton which indicates that Listed Building Consent has been a previous requirement. The comment received from the Council's Conservation Officer echoes this conclusion. Therefore, on the basis of the information available, 14 Swan Barton is not considered to be, or form part of, a listed building.

CONCLUSION:
The proposal is not considered to conflict with the statutory requirements, the national and local planning policies nor the Sherston Neighbourhood Plan. The proposal would not result in harmful impacts to the residential character of the locality nor to residential amenity. It will not cause harm to the Cotswold National Landscape (AONB), the significance of the Conservation Area nor any listed buildings. The proposal can be supported.

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

Conditions: (5)

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, Existing Block Plan, Elevations and Floor Plan. Received: 31 December 2023.
Door and Window Sample. Received: 22 January 2024.
Proposed Block Plan, Elevations and Floor Plan. MH/SB/002 Rev A. Received: 31 January 2024.
Atlas Rooflight Installation Manual. Received: 1 February 2024.
Atlas Flat Rooflight Technical Specifications. Received 1 February 2024.

REASON: For the avoidance of doubt and in the interests of proper planning.

3 With the exception of the render, all other 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 render to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture the render on the existing building.

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

5 No part of the rooflights to be used on the roof surfaces of the development hereby permitted shall protrude, or otherwise extend, above the copings of the parapet surrounding the flat roof.

REASON: In the interest of visual amenity, the character and appearance of the area and the significance of the adjoining listed building know as 10 Cliff Road.

Informatives: (3)

6 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.

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.

8 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.