CASE OFFICER'S REPORT

Application Reference:	PL/2023/09540
Application Type:	Householder planning permission
Site Inspection:	
Consultation ends:	11 December 2023
Case officer:	Stefan Galyas

Site Address:	4 Hillcrest, Malmesbury, SN16 9LU
Proposal:	Widening drive, two storey and single storey extensions, terracing of garden, and the installation of air source heat pump on the south elevation
Recommendation:	Approve with Conditions

SITE DESCRIPTION:
No. 4 Hillcrest is a detached, two storey dwelling set to the northern side of the Swindon Road, Malmesbury. The existing dwelling features stone exterior walls, reconstituted stone roof tiles, uPVC windows and timber doors. The existing dwelling presents dormers at first floor level to the roadside and has two primary elements set perpendicular to one another. The property is afforded ample garden amenity space, which slopes downwards to the south-east, and the dwelling is served access by a front private driveway to the west. The property is located in a residential setting, with private driveways sporadically placed along the northern side of the highway at differing intervals.

The property is set within the settlement framework for Malmesbury, identified by the Wiltshire Core Strategy as a Market Town.

With regard to policy constraints, the site is not located within any sensitive land-use designations, and it is not subject to high risk of flooding.

PROPOSAL:
The application seeks planning permission for the erection of a two-storey extension to the north and south-eastern elevations and a single storey extension to the rear (south-eastern) elevation. As part of the development proposal, the garden amenity space would be terraced, the existing front driveway would be widened, and air source heat pump would be installed on the south elevation. External materials would constitute stone walls, reconstituted stone roof tiles and zinc, uPVC windows and painted timber doors.

POLICIES:
National Planning Policy Framework (NPPF) December 2023
National Planning Practice Guidance (NPPG)
National Design Guidance (Planning practice guidance for beautiful, enduring and successful places) 2021

Malmesbury Neighbourhood Plan Made February 2015 (Volume I) :
Policy 13

Malmesbury Neighbourhood Plan (Volume II):
Task 8.1, 8.2 and 8.3.

Wiltshire Core Strategy:
CP1 (Settlement Strategy)
CP2 (Delivery Strategy)
CP13 (Malmesbury Community Area)
CP57 (Ensuring High Quality Design & Space Shaping)
CP62 (Development Impacts on the Transport Network)
CP64 (Demand Management)

Supplementary Planning Documents:
Malmesbury Conservation Area Appraisal (2007)
Malmesbury Conservation Area Management Plan – Adopted 22 February 2010
Wiltshire Local Transport Plan 2011-2026

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.

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

RELEVANT PLANNING HISTORY:
None

REPRESENTATIONS:

St Paul Malmesbury Without Parish Council – No objection.

Wiltshire Council's Highways Engineer – No objection

Letters – 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, 13 and 57 of the WCS.

Character & Design:
Core Policy 57 states that new development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality. Residential extensions/alterations such as this are acceptable in principle subject to there being no adverse impacts.

Policy 7 of the Neighbourhood Plan states that development must respect local character and conserve or enhance heritage assets in a manner appropriate to their significance.

Good design helps to provide a sense of place, creates or reinforces local distinctiveness, and promotes community cohesiveness and social wellbeing; The layout and design of new developments must also be based on a thorough understanding of the site itself and its wider context, and seek to maximise the benefits of the site's characteristics. This will require careful consideration of the site layout. No two sites share the same landscapes, contours, relationship with surrounding buildings, street pattern and features. The proximity of poor quality or indistinct development is not a justification for standard or poor design solutions. New development should integrate into its surroundings whilst seeking to enhance the overall character of the locality; A high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings.

The proposed two storey extension to the north elevation would match the existing ridge height of the element running from south to north and would have a ridge height of approximately 6.4 metres. The two storey extension to the south-east elevation would have a lower ridge height, which allows the extension to be subservient to the host dwelling. The design of the extension would also take ques from the existing dwelling, such as window reveal at first floor level, eaves height and dormer to match those on the host dwelling. The use of matching materials also helps assimilate these extensions well to its surroundings.

With regard to the single storey rear extension, a zinc standing seam roof would be used with glazed metal framed doors set behind oak posts. These are not materials found within the current material palette displayed along the existing property. The single storey extension would use a lean-to roof pitch and would infill the south-eastern corner between the existing property and the proposed two storey extension. Views towards this element would likely be obscured from the roadside by existing boundary treatment such as close board fencing and mature hedgerow. Whilst this element is not considered to be optimal in design terms with regard to the roof pitch and proposed materials, it is not considered that the single storey extension would appear overly incongruous in its setting and would be limited in size and scale.

As part of the development proposal, the existing front driveway would be widened, thus marginally encroaching on the front lawn to the north. The use of blocked paving to match the existing driveway is considered to be acceptable. The air source heat pump on the south elevation is modest in scale and would also be obscured by the existing boundary treatment. In this instance, it is considered that the proposal would not result in unacceptable impact on the character or appearance of the locality.

In light of the above, the proposal would not conflict with the provisions of Core Policy 57 of the WCS, The Malmesbury Neighbourhood Plan and the relevant paragraphs of the NPPF.

Neighbouring Amenities:
WCS policy CP57 (Ensuring High Quality Design & Space Shaping) 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. The NPPF includes that planning should "always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings". 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 proposal would include a window reveal at first floor level on the two-storey extension to the south-eastern elevation. This window would face out towards the properties at Nos 1 and 2 Kembles Close. This window was reduced in size to mirror the existing window on the same elevation, and the Juliette balcony was also removed from the original proposal. The window is not considered to give rise to an unacceptable overlooking impact on the adjacent neighbouring occupiers subject to conditions to ensure that this window to be obscured with fixed shut position and no other new window(s) to be installed at the first level on this elevation.

The proposed two-storey extension to the north elevation is smaller than the new extension to the south eastern elevation. No window is proposed on the first floor elevation. There would still be a reasonable separation distance between the extension and the boundary. As such, the residential amenity upon the neighbouring properties would deem to be acceptable.

The terracing of the garden has the potential to raise the finished floor level which in turn would allow the occupiers to view the neighbouring properties from a higher level. A site section was provided in order to demonstrate that 1.8 metres would remain between the finished floor level and the top of the boundary fence. This plan is considered to provide sufficient detail to satisfy concerns relating to overlooking from the proposed terraced garden. Additionally, spot heights were provided on the existing and proposed block plans in order to demonstrate that the ground floor level would not significantly be raised. It is noted that no letters of representation were received in response to the proposed development.

Regarding the proposed air source heat pump, given it would be adjacent to the public highway, it is considered that the proposed installation would not result in unreasonable impact upon the neighbouring properties.

In summary, there are no objection from residential amenity perspective.

Highways and Access:
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.

The proposal would increase the number of bedrooms at No.4 Hillcrest from 4 to 5 bedrooms. In order to meet the requirements as set out in the Wiltshire Local Transport Plan, the property must have the provision of 3 parking spaces. The proposal would widen the existing driveway to incorporate three parking spaces as per the requirement for a 5 bedroom property. The Highways Engineer raised no objection to this proposed widening. Although it was noted that the third parking space to the north would not be accessible without overrunning the grassed area, the existing hardstanding would still be able to provide 2 parking spaces and the existing garage would not be adversely affected in terms of its size. As such, there are no highway objections to the proposed works and extensions.

CONCLUSION:
The proposed development is considered to accord with Core Policies 1, 2, 13, 51, 57, 62 and 64 of the Wiltshire Core Strategy, Policy 13 and tasks 8.1 and 8.2 of the Malmesbury Neighbourhood Plan and the relevant paragraphs of the NPPF. Accordingly, it is recommended that the application be approved.

RECOMMENDATION:
That planning permission be GRANTED subject to the following conditions:

Conditions: (6)

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:

23.1553/01 Existing and Proposed Site Plan
23.1553/03 A Plans and Elevations as Proposed
All received 19/12/23.

23.1553/06 B Proposed Site Plan and Section
Received 22/01/24.

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.

4 The window in the first floor south east elevation shall be glazed with obscure glass only to an obscurity level of no less than level 3 and permanently fixed shut prior to the first occupation of the development hereby permitted and shall be permanently maintained in perpetuity.

REASON: In the interests of residential amenity and privacy.

5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.3) (England) Order 2020 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, doors or other form of openings other than those shown on the approved plans, shall be inserted in the south eastern elevation above ground floor ceiling level of the two-storey extension to the south eastern elevation hereby permitted.

REASON: In the interests of residential amenity and privacy

6 The fences at the proposed height shown on the approved plans shall be erected prior to the first use of the garden terraces hereby permitted and shall be retained and maintained as such at all times thereafter.

Reason: To prevent overlooking & loss of privacy to neighbouring property.

Informatives: (3)

7 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.

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.

9 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.