CASE OFFICER'S REPORT

Application Reference:	PL/2024/00115
Application Type:	Householder planning permission
Site Inspection:	
Consultation ends:	14 February 2024
Case officer:	Selina (Nina) Parker-Miles

Site Address:	14 Mendip Close, Warminster, BA12 8QZ
Proposal:	Porch side extension to accommodate level access shower and single bedroom
Recommendation:	Approve with Conditions

Proposal and Site Description

The proposal relates to a end terrace two storey dwelling located in Mendip Close, on the north side of Warminster. The host dwelling benefits from shared on street parking provision within the cul-de-sac location. the immediate area is characterised by terraced properties all similar in style and sharing a similar palette of materials. The application site lies within the recreational impact zone of the Salisbury Plain Special Protection Area for birds.

The application seeks to create a single storey extension to the front elevation, the extension would extend from the form of the existing single storey front porch. In addition a ground floor window would be inserted on the east side elevation of the host dwelling. The works would facilitate an accessible downstairs bedroom and shower room for a wheelchair user.

Policies

National Context:
National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)

Local Context:
CP2 Delivery Strategy
CP31 – Spatial Strategy for the Warminster Community Area
CP57 - Ensuring High Quality Design and Place Shaping
CP50 – Biodiversity and Geodiversity
Warminster Neighbourhood 'Made' Plan 2015-2026 (Made November 2016)

Key Issues

Principle of Development
Design and Visual Impact
Neighbouring Amenity
Highways Impact
Ecology
Other Matters

Relevant Planning History
PL/2023/02243 Change of use of land to garden - Refuse

Consultation Responses
Warminster Town Council - No objection

Representations
Consultation consisted of advertisement by site notice and neighbour notification. Three representation letters were received that raised concerns over the breach of restrictive covenants, potential noise disturbance and potential further development that could occur at the application site. The comments received will be appraised within the officer report below.

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 proposed development comprises an extension to an existing residential property set in an established residential curtilage within the settlement boundary of Warminster. The proposed extension is wholly within the residential curtilage and as such the principle of development is acceptable subject to the following considerations.

Design and Visual Impact
Core Policy 57 requires a high standard of design in all new developments, of particular relevance to householder extensions is paragraph (iii) which requires development to respond positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting.

The single storey extension would be positioned on the southeast elevation, extending forward of the front elevation by a depth of 2.8m with a width of 3.8m. The front elevation would align with the existing built form of the single storey front porch and would sit at the same height with a matching flat roof form.

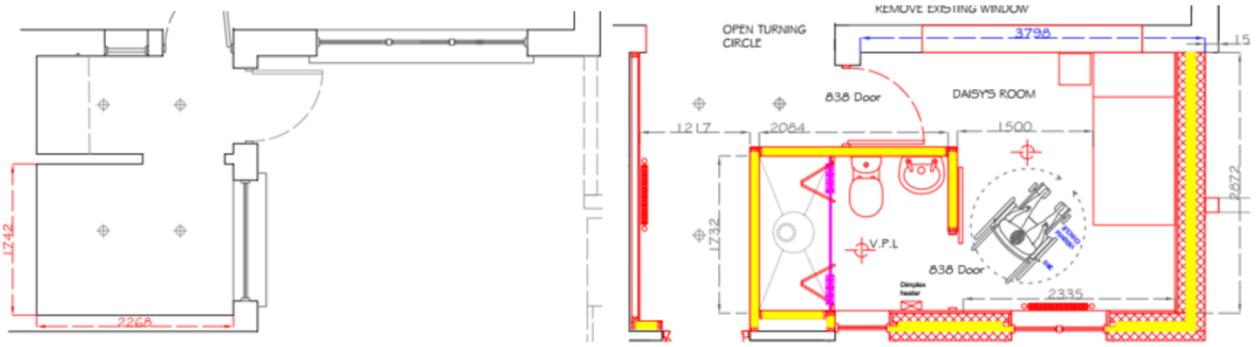
The existing hallway would be remodelled to allow for the creation of the additional bedroom and bathroom with the access doorway to the host dwelling inserted on the southeast elevation. Two windows would be inserted on the front elevation serving the bedroom and bathroom and to the east side elevation a ground floor window would be inserted to illuminate the existing downstairs room.



Front elevation of the host dwelling



Existing (left) and proposed (right) front elevation



Existing (left) and proposed (right) plan on the front elevation

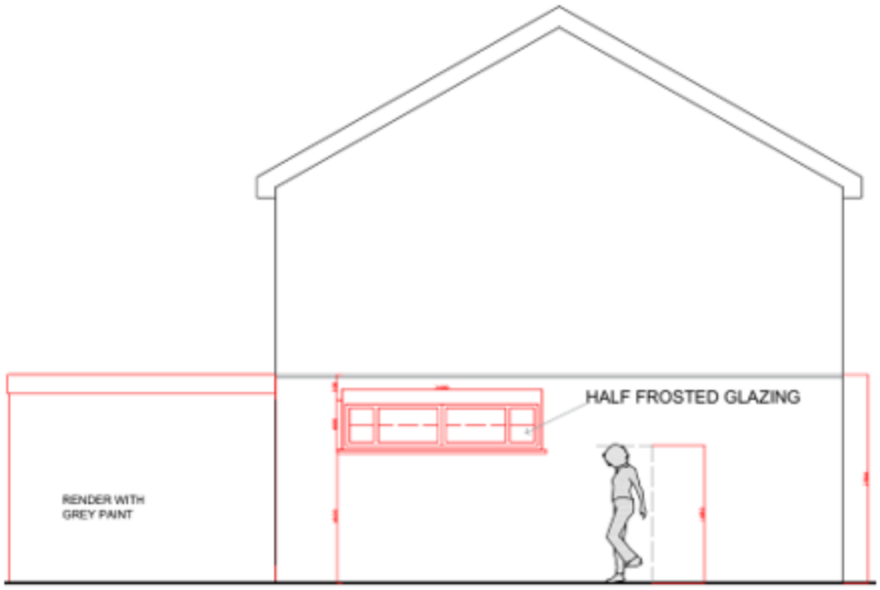
Interested parties have raised concerns that the applicants could further extend the property by introducing a first floor extension over the proposed single storey extension, however officers have to appraise the scheme before them and cannot give weight to what may or may not transpire in the future. It is also worth noting that any first floor extension would require submission of a formal application which be subject to the requisite planning consultation and appraisal.

The use of matching materials (grey render under an EPDM rubber roof) with matching UPVC fenestration would ensure the proposal would integrate into the surrounding setting and existing street scene. It is considered that the extension would by virtue of its height, scale and design constitute an acceptable addition to the host dwelling that would appear commensurate to the size of the property and plot. The development would therefore comply with Policy CP57 of the WCS.

Impact on Neighbouring Amenity

Core Policy 57 of The WCS states that applications for new development must be accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire through having regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, 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)

The windows proposed on the south east elevation would look out over the applicant's private garden to the front replicating the existing arrangement of the host dwelling. Officers acknowledge that the window to be inserted on the east side elevation does have the ability to introduce adverse overlooking to the adjacent property at No.27 Hollybush Road. However the plans illustrate that the window would be part glazed therefore no concerns are raised in relation to any averse overlooking.



Proposed east side elevation of the host dwelling

It is acknowledged that there would be an additional mass at ground floor on the front elevation of the host dwelling, however given the orientation of the dwelling, being an end terraced property without any adjoining neighbours to the east elevation, no overbearing or overshadowing concerns are raised.

A representation was received raising concerns regarding the construction hours and noise, however given the limited construction times a single domestic extension would introduce, this matter is considered not to result in significant material harm to adjacent occupiers to warrant refusal of the application on this basis given the temporary nature of the construction and scale of the proposal.

Given the scale of the development proposal, it is considered that the proposed extension would not result in unacceptable loss of light, overlooking, overshadowing and would not have an overbearing impact upon neighbouring properties. For these reasons, the development proposals would comply with Policy CP57 of the adopted Wiltshire Core Strategy

Highways Impact

Impact on parking provision – Core Policy 64 (Demand Management) seeks to manage the demand for vehicle parking and confirms that residential parking standards are to be based on minimum parking standards. In order to comply with the Wiltshire Local Transport Plan 2011 – 2026: Car Parking Strategy (March 2015) three on-site car parking spaces would be required for a 4+ bed dwelling (standard min. size 2.4m x 4.8m).

It is acknowledged that the properties within the terrace row are served by on street parking within the private cul-de-sac.

The host dwelling is currently served by two bedrooms and the development proposal seeks to introduce an additional downstairs bedroom which would increase the bedrooms within the property to three. The Local Transport Car Parking Strategy criteria for a two bedroomed property is the same as the criteria for a three bedroomed property, therefore no additional parking spaces would need to evidenced for the proposed development.

The proposal retains the existing access and would not give rise to significant harm in terms of highway safety. As such the proposal accords with policies CP60, CP61 and CP64 of the Wiltshire Core Strategy and Paragraph 115 of the NPPF.

Ecology
This application also lies within the 6.4km buffer zone of the Salisbury Plain SPA and in light of the HRA for the Wiltshire Core Strategy and the HRA for the Wiltshire Housing Site Allocations Plan it is screened into Appropriate Assessment due to the potential impact of recreational pressure on stone curlew in combination with other plans and projects. In April 2023 Natural England (NE) confirmed that the 2018 Appropriate Assessment for Salisbury Plain continues to be supported by NE. That Appropriate Assessment reached a conclusion of no likely significant effect on the conservation objectives of the SPA, for development within 6.4km of the SPA boundary provided that the mitigation scheme continues to be implemented. Annual stone curlew monitoring and protection measures continue to be secured by the Council.

Potential disturbance to nesting birds through the creation of additional visitor numbers to the Salisbury Plain has to be assessed, however given that this proposal relates to an extension to existing accommodation only, without the creation of separate independent living accommodation, it is considered that there would not be any adverse impacts on the Special Protection Area.

Other Matters
An interested party has also mentioned that the residential estate may be subject to a private covenant restricting the introduction of extensions to retain an open plan form. However matters contained within the respective title deeds for the host property and the neighbouring properties setting out restrictions and covenants are civil matters and as such they do not form part of the Council's assessment of this application and these civil matters hold no weight in the planning balance.

Interested parties have also made reference to previous noise disturbances at the application site and reference has been made to the distribution of domestic waste at the property. However these matters fall outside of the remit of planning control and any noise disturbance should instead be reported to the Local Authority Public Protection team
.

RECOMMENDATION: Approve with 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:
Location Plan - Received 04.01.2023
Existing Block Plan - Received 16.01.2023
Proposed Block Plan - Received 16.01.2023
Existing and Proposed Floor Plans DWG No 14193/1 - Received 09.01.2023
Existing Elevations DWG No 14193/2 - Received 09.01.2023
Proposed Elevations DWG No 14193/3 - Received 09.01.2023

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

3 Before the development hereby permitted is first occupied the window in the east elevation shall be part glazed with obscure glass only [to an obscurity level of no less than level 3] and the windows shall be permanently maintained with obscure glazing in perpetuity.

REASON: In the interests of residential amenity and privacy.