Wiltshire Council

The Town and Country Planning Act 1990

Refusal of Householder Planning Permission

Application Reference Number: PL/2023/08555

Decision Date: 22 March 2024

Applicant:	Ms Melissa Pearson 22 Bristol Street, Malmesbury, Wiltshire, SN16 0AX
Particulars of Development:	Demolition of roof of existing rear extension and external rendered store. Erection of new extension roof, rebuilding of external store, altered landscaping to consolidate levels, new side access with ramp, rebuilt roof dormer window, new skylights in existing slate tile roof, internal knock-through at first floor level, internal alterations to meet building regulations, new Air source heat pump to replace gas boiler, new fenestration to front elevation, and new first floor roof terrace with access via an enlarged existing opening.
At:	22 BRISTOL STREET, MALMESBURY, SN16 0AX

In pursuance of their powers under the above Act, the Council hereby REFUSE TO GRANT PERMISSION for the development referred to in the above application and plans submitted by you, for the following reason(s):

Refusal Reason(s): (2)

1 The proposed alteration and extension will result in an incongruous changes to the fabric of the building further detracting from the character and appearance of 22 Bristol Street the grade II listed building. In addition, the proposal, due to its proximity of other listed buildings and monuments in the area, and being within a conservation area, would result in harm to the character and appearance of the Malmsbury Conservation Area and other designated heritage assets. Under the NPPF September 2023, the proposals will cause ‘less than substantial harm’ and this level of harm will not be offset by public benefits.
The proposals would therefore conflict with the requirements of Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990; the Wiltshire Core Strategy 2015, Core Policies 58 ‘Ensuring the Conservation of the Historic Environment’ and 57 ‘Ensuring High Quality Design & Place Shaping’; and with Central Government policy contained within the National Planning Policy Framework 2023; in particular Chapter 16 ‘Conserving and Enhancing the Historic Environment’.

2 The proposed balcony and alteration would result in loss of privacy by virtue of

overlooking and a sense of overbearing to the private amenity of the existing and future occupiers which is deemed to be significant,
The proposal would therefore not be in accordance with Policy, 57 of the Wiltshire Core Strategy and paragraph 135 of the NPPF.

Parvis Khansari - **Corporate Director, Place**

NOTES

1. **Appeals.** If the applicant is aggrieved by the decision of the local planning authority to refuse permission, he may appeal to the Secretary of State for the Environment in accordance with Section 78(1) of the Town and Country Planning Act 1990 within 12 weeks of the date of this decision. (Information and forms relating to the appeals process can be found at the Planning Portal - Appeal a householder planning decision: Overview - GOV.UK (www.gov.uk)).