DELEGATED REPORT

Application Reference:	PL/2023/10967
Application Type:	House Holder Planning permission
Site Address:	22 Sheldon Road, Chippenham, SN14 0BW
Proposal:	Single storey side-return extension with flat roof, rear dormer extension for loft conversion and internal layout alterations.
Recommendation:	Planning Permission be GRANTED

PROPOSAL

Planning permission is sought for extensions to a domestic dwellinghouse. The extensions comprise several elements.

Revised plans have been received during the life of the application to remove a two-storey extension addition to the existing rear projecting two storey, reduce the ground floor side return extension to the side of the existing two storey and reduce second floor rear extensions which projected from the main rear roof slope of the original property onto the roof of the existing rear two-storey extension.

The description of development was amended to reflect the revised scheme.

Single storey flat roof side extension.

The application proposes a single storey side extension with a flat roof. The height is approximately 2.9 metres the width is approximately 1.4 metres, the extension is ground floor and attaches to the side of an existing two storey rear gable extension at the property which projects approximately 6.8 metres from the rear of the house and is set to the east side boundary forming the boundary with no. 20 Sheldon Road. The proposed single storey will project along the west side elevation of the rear two storey and come to the boundary with no. 24 Sheldon Road. The area is currently a hard surfaced patio area to the side of the existing kitchen of the house. The single storey will be built up off the common boundary with no. 24 Sheldon Road, the applicant has confirmed the boundary wall is solely within the ownership of no. 22 Sheldon Road.

The elevations are proposed in brick painted to match the elevations of the rear of the existing dwelling.

The flat roof is proposed of an EPDM roof system with a rooflight proposed adjacent the rear elevation of the house. The extension is to provide the widening of the existing kitchen. A set of three bifold doors are proposed to the north end elevation or rear elevation looking to the rear gardens. The west elevation has no openings this is to the elevation to the common boundary with no. 24 Sheldon Road.

The proposed materials for the extension have been confirmed as 75 mm brick courses, the flat roof material EPDM rubber single-ply membrane with a sedum blanket covering.

Rear dormer extension.

The proposed flat roof dormer extension is to the whole width of the rear roof slope of the dwelling which is approximately 4.5 metres. The height is approximately 2.5 metres set down slightly from the existing ridge tiles the dormer projects approximately 4 metres to meet the rear elevation wall of the house.

The elevations for the dormer are to be clad in cement board at a slanted angle as shown in the drawings, the colour is confirmed to be a dark grey to mimic the colour of weathered lead. The roof is a EDPM rubber single-ply membrane.

The dormer provides a bedroom at second floor level with an ensuite. There are two windows to the rear elevation to the bedroom approximately 1.8 metres by 0.9 metres bedroom showroom 0.6 x 0.6 metres ensuite.

SITE DESCRIPTION/CONTEXT

The property known as 22 Sheldon Road, Chippenham is a terrace property set within an establish residential street to the west of the Town Centre of Chippenham. The properties to the north side of Sheldon Road have relatively long rear gardens extending to approximately 37 metres with parking and vehicular access off Sidney Wood Court to the rear via a private track to the north and rear of the properties of Sheldon Road. The original dwelling has red brick elevations and concrete tiles to the roof. The property has previously been extended to the rear by a two-storey rear gable roofed extension approximately 8 metres projection, the elevations are in brown brick and brick which has been painted white. Neighbouring properties within the terrace have a range of rear single storey and two storey extensions and there are rear flat roof dormers to properties further down the street to the west. The property is currently a three-bedroom dwelling.

There are no other policy designations covering the application site.

PLANNING HISTORY

None relating to the application site itself, but several covering the wider locality:

92/01103/D – 53 Houses and garages – Approved with conditions.

92/01364/D – Landscape and external appearance – approved with conditions.

91/01417/OL – Residential development - approved with conditions.

POLICIES

<u>Wiltshire Core Strategy 2015 (WCS)</u>
Core Policy 1: Settlement Strategy
Core Policy 2: Delivery Strategy
Core Policy 10: Spatial Strategy for Chippenham Community Area
Core Policy 57: Ensuring High Quality Design and Place Shaping

<u>National Planning Policy Framework 2023 (NPPF)</u>
Section 2: Achieving sustainable development
Section 12: Achieving well designed and beautiful places

ISSUES

- Principle of Development
- Scale and design
- Residential amenity
- Access and parking
- Other matters

CONSULTATION

Chippenham Town/Parish Council – In response to original submission, comments:

> *It is requested that the Case Officer visits the site to ascertain whether or not the proposed extensions would have any adverse impacts on neighbours in terms of loss of light/outlook and access/boundary issues.*

No comment received in response to revised plans.

REPRESENTATIONS

The application was publicised by direct neighbour letter, one third-party representation has been received. The comments are relating to the initial drawings for the application with no representations received to the revised round of drawings. Main issues raised:

- Proposed Northern elevation- Ground floor and second floor proposed designs seemingly pass beyond outer boundary point for No24. New design appears to extend beyond boundary for No22 on both levels. Clarity required confirming this is not the case.
- Proposed extension will require relocation of gateway from No22 to No24 back gardens. Clarity required in relation to new location of gateway.

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. The National Planning Policy Framework (NPPF) is a key material planning consideration. Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations.

Principle of Development

Decisions on planning applications are made in accordance with the policies contained in the Wiltshire Core Strategy and government guidance.

The principle of domestic extensions, alterations and/or outbuildings within the curtilage of existing dwellings is considered acceptable, providing those proposals are complaint with the requirements of relevant policies within the development plan.

Scale and design

WCS Core Policy 57 requires development to respond positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, elevational design, materials amongst other things. Sections 12 of the NPPF expects a good standard of design.

The proposal includes the construction of a ground floor rear extension. The ground floor extension infills an area of patio at the rear of the property the proposed extension of single storey with a flat roof appears appropriate in scale, size, height and design and are considered acceptable. The materials used in the construction of the proposed elevation of the extension match those of the existing building and the proposed flat roof while a bringing a new design feature and materials to the property is considered acceptable.

The proposed flat roof dormer extension is of full width of the existing rear roof slope and rises off the rear elevation wall of the existing dwelling. It is noted that several neighbouring properties within the terrace have similar rear roof dormer extensions on display. Being set to the rear of the terrace while the design fills the rear roof slope with no set-in detail from the eaves or ridge or sides while not considered of a good design it is located in a position which is not easily visible from public views and on this basis there is not considered to be harm enough to warrant a refusal in design terms.

whilst it is fairly large increase in scale and mass, it is noted that it would be appropriately positioned within the curtilage and the extension is considered acceptable in this location such that the proposal could not reasonably be refused on this basis. Whilst it would be preferable for the proposed extensions to be stepped in and down to appear more subservient, the proposal would be constructed in complementary materials and the ground floor elevation maintains the spacing between the properties. It is deemed that overall, the rear extension and alterations would have a satisfactory relationship with the parent building and would not be detrimental to the character and appearance of the area.

In summary, the design of the proposed development is in keeping with the setting of the rear of the terrace of properties where a variety of extensions and roof developments are on display. The proposal would therefore be in keeping with existing built form and remains considerate to the surrounding properties. On this basis it is considered that the proposals comply with Core Policy 57 of the Wiltshire Core Strategy Development Plan and are considered acceptable.

Residential amenity

Core Policy 57 states that development should have 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. Section 12 of the NPPF also states that planning decisions should create places with a high standard of amenity for existing and future users. The Chippenham Town Council raise no objections specifically, but comment that consideration should be given to the loss of light/outlook and access/boundary issues.

The neighbouring properties most sensitive to the development are no. 20a and 20b Sheldon Road to the East boundary and no. 24 Sheldon Road to the West.

No. 24 Sheldon Road

A comment has been received from a neighbouring occupier to the initial proposal. The comments were in relation to the depth of the proposed two storey along the boundary that would result in the covering of the existing gate access to the rear of the application property via the garden of no. 24 Sheldon Road. The two storey projecting elevation together with the associated single storey side return extension have been removed from the scheme. A second round of consultation in respect of the reduced scheme did not receive any comments.

Comments were also received in regard to the common boundary between no. 22 and no. 24 Sheldon Road, that the existing block boundary wall was the property of no. 24 Sheldon Road with the facing wall to no. 22 forming the boundary for no. 22. That the elevation of the extension would be proposed off the site of the existing boundary wall and therefore from the property of no. 24 Sheldon Road. No comments have been received to the reduced depth of proposal for the single storey side extension. The plans show the side elevation wall to be built in the same location as the initial plan.

In respect of no. 24 Sheldon Road, the single storey extension to the common boundary will result in an elevation of a brick painted white wall to a height of approximately 2.9 metres at a length of approximately 6.8 metres. The existing boundary wall is painted white at approximately 1.5 metres in height with a trellis above.

The area is of a side access and ground floor windows look to a relatively narrow courtyard area with side door from the rear garden. The patio and gardens of no. 24 are arranged beyond the rear elevation of the single storey of no. 24.No. 22 Sheldon Road has pedestrian access across the rear of no. 24 to the passageway which serves as rear access from Sheldon Road to the gardens.

While the extension will result in a higher elevation at the boundary, the white finish is considered to lessen the impact in terms of overbearing and overshadowing. The existing two storey extension at no. 22 is approximately 1.4 metres from the boundary and painted white extending to 6.8 metres in length. Therefore, the relationship and impacts from the single storey side extension are not considered to give rise to unacceptable impacts beyond the existing situation. The rear elevation of the properties face north, the rear elevations at two storey and single storey of the application property and neighbouring property are painted white. No. 24 has an existing single storey extension projecting approximately 6.5 metres and the neighbouring property to the west of no. 24 has a two-storey extension projecting approximately 6 metres. Therefore, the proposal is not considered to cause further overbearing or overshadowing than is the existing situation. The single storey is to the east of no. 24, with the existing two storey existing at approximately 1.4 metres from the boundary at approximately 6.8 metres in depth. The single storey at a width of approximately 1.4 metres and height of approximately 2.9 set to the east with the existing two storey extension to the east and behind the proposal is not considered to cause unacceptable overshadowing or overbearing other than the existing situation. There are existing ground floor windows and the side door at no. 22 which will be removed as a result of the extension with no overlooking to the side at ground floor to the courtyard/patio of no. 24 from the proposal.

There have been no representations from neighbouring occupiers concerning amenity issues. The matter of boundary wall ownership has been discussed under a separate paragraph below.

No. 20a and 20 b Sheldon Road

The neighbouring properties to the east boundary are of two flats, one at ground floor and one at first floor of no. 20 Sheldon Road. The dormer extension would be the most sensitive part of the proposal to the occupiers of no. 20a and 20b. The flat roof dormer is set wholly within the existing roof and does not project beyond the existing rear elevation of the dwelling and is north facing. The proposed window for an ensuite shower room window to the rear elevation of the dormer closer to the common boundary with the flats. There are rear facing windows from both flats to the rear gardens.

Due to the siting and orientation of the dormer there are considered to be no unacceptable impacts to the existing amenities enjoyed by the occupiers of the flats by overbearing, overshadowing or overlooking.

In respect of the initial proposals the Chippenham Town Council commented there was no objection to the proposals but would require the case officer to visit the site to considered amenities to neighbouring properties. The case officer has visited the site and revised proposals to reduce the proposals have been submitted and considered from the initial scheme.

Conclusion of impacts to amenity

The proposals are considered not to give rise to additional unacceptable impacts upon the amenities of neighbouring properties and to be in accordance with CP 57 of the WCS.

Access and parking

Wiltshire Core Strategy policy CP61 states that new development should be capable of being served by safe access to the highway network. Core Policy 64, states that provision of parking associated with new residential development will be based on minimum parking standards.

The parking is to the rear there is existing off-street parking of two car spaces and a garage and there is unrestricted parking to the highway in Sheldon Road. The property is currently a three-bedroom dwelling. The loft extension will include an additional bedroom. The Wiltshire Highways Standards require a new development for a four bedroom plus dwelling to provide three off street parking spaces.

The proposal is found to be in accordance with CP 61 in terms of Highway Access and the provision of parking meets with CP 64 of the WCS.

Other matters

Planning permission is granted in accordance with the plans provided and details submitted within the planning application form. The occupiers of no. 24 Sheldon Road have raised initial concerns about the redline site plan and the common boundary wall and proposed elevation at the common boundary. The grant of this planning permission as set out above under amenity does not override any third-party interest in the land for which a separate notice may have been required to be served on the landowner. The applicant was

advised of the comments and has confirmed that no ownership notice is required under certificate B for the planning application.

In addition, the agent has confirmed that the extension will be built off land within the ownership of the applicant.

Matters of land ownership are not for the LPA to determine, however, it is relevant in terms of the planning application details being submitted as a legal true reflection, any misrepresentation of the information would make the planning permission invalid and therefore it is in the interest of the applicant to provide correct information in order for the local authority to assess the application. An informative is to be included with any permission to clearly set out the position that planning permission does not override any ownership rights, thus:

> *It has been brought to the attention of the Local Planning Authority the arrangements of existing boundary fences, in regard to these comments it is strongly recommended that the applicant be advised of separate legislation for the Party Wall Act and land ownership as set out above.*

In conclusion, the application has been considered as submitted, should there by any requirement for consent for the development to be undertaken on land not within the ownership of the applicant as stated within the application form, the grant of planning permission does not override any third-party interest in the land.

CONCLUSION

The design, scale, siting and materials are considered to in keeping with the host dwelling and setting of the area. There are considered to be no unacceptable impacts to amenities of neighbouring occupiers. The highways access and parking arrangements are found to be in keeping with Highways provisions. The proposals are found to be in accordance with CP 57, CP 61 and CP 64 of the WCS.

RECOMMENDATION: That Planning Permission be GRANTED subject to the following conditions:

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:

   Drawing no. 730 – PA - 00 - Location plan 1:1250 scale
   Drawing no. 730 – PA -01 - Existing site block plan 1:200 Scale
   Drawing no. 730 – PA -02 ex - Existing ground floor plan 1:100 Scale
   Drawing no. 730 – PA – 03 ex - Existing first floor plan 1:100 Scale

Drawing no. 730 – PA – 04 ex – Existing loft plan 1:100 Scale
Drawing no. 730 – PA – 05 ex – Existing roof plan 1:100 Scale
Drawing no. 730 – PA – 06 ex – Existing elevations and sections 1:100 Scale
Drawing no. 730 – PL – 12A - Revised proposed ground floor plan 1:100 Scale received 9th February 2024.
Drawing no. 730- PL- 14B – Revised proposed loft plan 1:100 Scale – received 21st February 2024.
Drawing no. 730 – PL – 15B Revised Proposed Roof Plan 1:100 Scale received 21st February 2024.
Drawing no. 730 – PL – 16B Revised rear elevation and Section A 1:100 Scale received 21st February 2024.
Drawing no. 730 – PL – 17 – Proposed side elevations received 5th March 2024.

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

INFORMATIVES:

3. 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.

4. 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.

5. 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.

6. It has been brought to the attention of the Local Planning Authority the arrangements of existing boundary fences, in regard to these comments it is strongly recommended that the applicant be advised of separate legislation for the Party Wall Act and land ownership as set out above.