DELEGATED REPORT

Application Reference:	PL/2023/08920
Application Type:	Householder Planning Permission
Site Address:	2 Moon Close, Colerne, Chippenham, SN14 8EJ
Proposal:	Single storey rear extension together with internal alterations
Recommendation:	Planning Permission be GRANTED.

PROPOSAL

The initial description of development as submitted on the application form stated: *'Single storey and two storey rear extensions together with internal alterations.'* This description did not correlate with the submitted plans, as no second storey element was indicated. The applicant has since confirmed that this was an administrative error, and the description of development has been changed to: '*Single storey rear extension together with internal alterations*.' The application proceeds on this description of development.

The proposal seeks planning permission for the construction of a single storey extension to the rear (north) elevation to provide additional internal habitable space. Alterations include the redistribution the room arrangement and creating an open planned kitchen and dining space to the rear and create a study. The existing downstairs bathroom and living room space to the front of the dwelling would remain.

The "householder" application form has been completed and there is no suggestion that the extension and internal alterations would be for any other purpose than that associated with the occupation of no.2 Moon Close, Colerne as a domestic dwelling.

DESCRIPTION/CONTEXT

The application relates to a 2 bedroomed end of terrace dwelling accessed from Bath Road, Colerne. the property is set within a relatively sizable plot, which is characterised by a narrow linear garden which projects to the north.

The property is of traditional, stone built/sliding casement window construction, and although part of a terrace, its eaves and ridge profile differ from the adjoining properties. It is not a listed building.

This application is located within the Cotswold National Landscape (formerly the Cotswold AONB) and the Colerne Conservation Area but is not covered by any ecological designations.

PLANNING HISTORY

No relevant planning history pertinent to this application.

POLICIES

- National Planning Policy Framework (NPPF)
- Wiltshire Core Strategy Policies (WCS): CP51, CP57, CP58, CP61
- Colerne Neighbourhood Plan Policies: BE1 (Character and Design), Policy NE1: Landscape and Natural Environment
- Cotswolds Management Plan 2023 - 2025: Policy CE1 (Landscape)

ISSUES

- Principle of Development
- Design, Scale and Materials
- Heritage
- Residential Amenity
- Landscape
- Access and Parking
- Archaeology
- Other Matters

CONSULTATION

Colerne Parish Council: Support, but make following comments:

> *Colerne PC Recommendation is to support but with the following comments.*
>
> *1. Consideration must be given to the height of the single-story extension due to the impact of loss of light to the neighbouring cottage No.3 Moon Close, the garden of which is lower than No.2 (see proposed East elevation).*
>
> *2. Due to the pedestrian only access to No.2, a 'Construction Traffic Management Plan' (CTMP) is recommended to establish vehicle routing and ensure that vehicles can access and egress the site safely during the construction. Also ensure there is regular communication to the neighbouring homes.*

Council Archaeologist: No comment.

Council Highways Engineer: No objection:

> *'I refer to the above planning application dated 13/10/2023 seeking permission for the construction of a single storey and two-storey rear extension with internal alterations.*

The site is located with existing access onto Bath Road, an unclassified section of public highway subject to a speed limit of 30mph. The existing access is not proposed to be altered as part of the application and would be considered suitable.

The extension appears to be only ground floor level and would not increase the available bedroom quantum on site. No alterations to existing access or parking appear to be proposed. Therefore, in relation to highway safety and capacity I would not wish to raise an objection.'

REPRESENTATIONS

Consultation has been carried out and three representation letters of objection and two letters of comment have been received.

Main issues raised:

Design and Scale

- *Presently the plans do not show any exact detail re the height and length of the extension.*
- *Can we be given more information about where the extension will end exactly.*

Noise

- *This property was bought in March 2021 and has undergone extensive renovations for the last two years, whilst we understand old properties need some improving we are at a loss as to understand why this work was not carried out then.*
- *We were originally told the work would take 6 to 8 weeks, for it to last two years was like living on a building site, the constant noise from lorries and workmen's radios and shouting is something we do not want to live through again.*
- *Moon Close is accessed by a single track lane which ends at our house number 1 moon close, so number 2 Moon Close has no vehicle access, we have had to contend with builders vans, lorries delivering building material and other numerous parties trying to access number2 which has resulted in the lane being blocked, homeowners unable to get out as their cars are blocked in, and two years of noise and disruption which has had a negative impact on our lives. My partner works permanent nights so all this noise has disrupted his sleep seven days a week for the last two years.*

Loss of Light

- *Previous development it has already reduced the amount of light that my garden receives.*
- *If there is to be further development (and as I understand it whilst the extension will be single story it will be taller than the existing extension and almost double the width of the present extension), this will impact the light that my garden receives dramatically. I may well find that almost a third of my garden will be in permanent darkness. This is not acceptable. I would like to see plans which not only show exact measurements but also show how the light will fall over the seasons of the year and how much of my garden I will loose to darkness.*

Access and Parking

- *The property has no vehicle access or parking. Moon Close is a single track private lane off of Bath Road . The property has pedestrian access only. Some properties do have parking off Moon Close.*
- *potential impact from the demolition and construction of the extension causing noise and possible obstruction to driveways and access over Moon Close to Bath Road.*
- *With no parking or vehicle access delivery of materials and disposal of builders rubble will have to be carefully managed in order not to cause blocking of our access and our neighbour's access to properties in Moon Close. This has previously been an issue causing us some stress at times as we regularly have to attend doctor and appointments and would generally like to come and go from our home uninterrupted.*
- *The extension is single storey and replaces an existing single storey extension to our boundary with no. 2 Moon Close. It will extend further south than the existing extension to form a porch at the west side. The west elevation will be hard on our boundary adjacent our driveway.*
- *We do not object to the principle of the extension but we are concerned that the construction should not affect the use of driveway and access.*
- *Delivery of goods by contractors would affect access to Moon Close, this would be dangerous to other road users, pedestrians and cars parked on the left hand side of the highway.*
- *Potential impact from the demolition and construction of the extension causing noise and possible obstruction to our driveway and access over Moon Close to Bath Road.* Do not object to the principle of the extension but we are concerned that the construction should not affect the use of our driveway and access.
- *A condition should be added to any planning permission that there be no obstruction to the access for us and our neighbours at Moon Close and the hours of construction/noisy work should be limited between the hours of 8 am - 6 pm week days and not at all on weekends or bank holidays. Also, that a construction management plan be provided to allow neighbours to understand the construction details including deliveries, disposal of waste materials/hardcore, proposed siting of skips and the proposed parking for the builders.*

Other Matters

- *All building material, bricks, scaffolding etc will have to be manually carried to number 2 via a narrow path which runs parallel to our house and garden wall, this path is approximately 3 foot wide, so we are concerned about the gable end of our house being knocked and damaged.*
- *We note that as per the application no trees are to be felled - can we have confirmation of this, as again if these are felled it reduces our privacy.*
- *Believe it will have a detrimental impact on property desirability.*
- *Concern that once the ground floor footprint is extended, further development in years to come would logically be to make the rear of the house into a double story house, there again dramatically effecting the light, well-being experience and value of my property.*
- *In addition, we note that a new wall is proposed to run adjacent to the fence boundary we share with 2 Moon Close. How high will this be as it brings about questions surrounding security/privacy for us*

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. At the current time the statutory development plan in respect of this application consists of the Wiltshire Core Strategy (WCS) (Adopted January 2015); and the 'saved' policies of the North Wiltshire Local Plan (NWLP) 2011 (adopted June 2006).

Principle of Development

The principle of domestic extensions and alterations within the curtilage of existing dwellings is established as acceptable. However, the detail of such development must also be considered against relevant policies within the development plan. That consideration is carried out in the sections below.

Design, Scale and Materials

Core Policy 57 of the WCS requires new development to respond positively to existing landscapes in terms of building layout, built form, height, mass, scale, building line and materials in order to effectively integrate the building into its setting. Consideration must also be given to Policy BE1 within the Colerne Neighbourhood, which states that development proposals should respond positively and distinctively to the National Model Design Code and the Colerne Design Statement as appropriate to their scale, nature and location. In particular, BE1 highlights that development proposals should be designed in a way which takes account of their surroundings in their built form, height, materials, historic character and boundary treatments.

The proposal seeks to construct a single storey rear extension to increase the internal habitable space to the ground floor, somewhat wrapping around the ground floor and being positioned across the entire width of the plot. Part of the current arrangement of outbuildings and extensions, which are irregular and mismatched in terms of design and siting, would be removed. The extension would measure approximately 7.4m (w) x 2.4m (h to eaves) x 2.8m (h).

Although actually quite significant in scale, because the extension would effectively remove existing collection of extensions and out-buildings, the proposals are perhaps not as significant an addition in comparison with the existing property that would first be seen from the proposed floorplan. The design is simple, single storey, flat roof type and delivers a cohesive approach to the floorspace to the rear of the property compared with the existing arrangement. The extension would spread across the entire width of the plot, but in this instance the nature of the garden is such that it is relatively narrow, but long and therefore giving sufficient space to accommodate the addition. For these reasons, the scale of the extension is not considered to be excessive.

The design incorporates a flat roof with large central lantern, with French patio doors into the garden with casement windows and would be single storey in form. The design is very much divergent from the more traditional form of the existing property, but it is of a type that is not

without precedent in the locality and is located to the rear of the property where public views will not be overtly possible. Indeed, high quality, divergent designs can be an effective way to extend buildings of more traditional appearance without potentially adding inappropriate pastiche that in fact causes much more harm to the character and appearance of the historic core. In this case the extension would be finished in scratch finish cream render with stone lintels over openings, charcoal grey UPVC windows and doors, set beneath an EPDM roof. Rainwater goods would be black UPVC. Soffits and fascias would be finished in charcoal zinc. The porch would have an oak frame above the existing dwarf wall. Given the context of the extension being single storey within the rear garden, it is an acceptable design for a domestic extension.

During public consultation representations have been received which suggest there is a lack of drawings or written details explaining the appearance and size of the proposed extension. In this particular case, it is considered that the submitted details and scaled plans are sufficient to understand and conclude upon the acceptability of the proposals.

The proposal is considered to be acceptable in terms of size, design and materials and complies with the requirements of CP57 to the Wiltshire Core Strategy as well as policies BE1 of the Colerne Neighbourhood Plan.

Heritage

Planning (Listed Buildings and Conservation Areas) Act 1990 provides powers for the designation, protection and enhancement of conservation areas and the preservation of listed buildings. The Act requires that special attention should be given to preserving or enhancing the character or appearance of the conservation area (s.72).

Paragraph 195 of the NPPF requires local planning authorities to identify and assess the particular significance of any heritage asset that may be affected by the proposal (including any development affecting the setting of a heritage asset). Paragraphs 201 and 202 require local authorities to assess whether there is substantial harm, less than substantial harm or no harm to the heritage asset. Core Policy 57 requires, amongst other things, that new development must be sympathetic to and conserve historic buildings. Core Policy 58 requires that development should protect, conserve and where possible enhance the historic environment.

The proposal is wholly located within the Colerne Conservation Area. There does not appear to be a conservation area appraisal for this designation. However, the conservation area by virtue of its designation is significant in heritage terms and this significance is likely to arise from its aesthetic (fortuitous) value and historical (illustrative) value. Given the nature, positioning, modest single storey scale of the proposals and use of complementary materials, it is considered that the proposed development would not compromise, impact or harm the identified heritage assets. The proposed extension would be located to the rear of the dwelling and where views could be glimpsed, they would be read against the established residential context and built form.

For the above reasons, there is considered to be a neutral impact to the conservation area in this regard, the proposal would comply with the requirements of policy CP57 and CP58 to the Wiltshire Core Strategy.

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.

New fenestration and built form is proposed to the rear at ground floor level and given the close proximity of the immediate neighbours (particularly no.3 Moon Close adjoining to the east), there is the potential for impact of overshadowing and loss of privacy. Concerns have understandably been raised within the representation to that effect. It is acknowledged that the proposed extension to no.2 would be in very close proximity against the shared boundary with no.3. Following concerns about this, the red line has been slightly amended, and the extension moved so that it no longer overhangs onto the neighbours land. The proposed extension would extend approximately 4.7m to the rear of no 3 Moon Close. However, considering the modest single storey scale of the proposed works, combined with the arrangement of surrounding properties and existing shed and extension in this location, it is considered that the proposals would have no unacceptable impacts to the occupiers of neighbouring properties, including in terms of loss of light. The proposed extension is approximately 2.8m in height, and whilst the flat roof can add the perception of bulk, given the proposed extension is situated to the north, it is unlikely to add significantly to existing levels of overshadowing. There are no windows proposed on side elevations of the extension. Windows/doors are limited to the rear elevation so there would be no overlooking concerns. It is considered there would be no adverse amenity impact on this neighbouring dwelling.

“The Haven” is the residential property on the western side of the application site. The built form for this property extends further back as shown on the site plan. Given the massing of the extension (single storey), it is not considered the proposal would cause any adverse harm to the residential amenity of this property.

In terms of the impact on the existing property, it is noted that the proposal takes a modest increase of garden space than the previous arrangement, with the proposals incorporating some minor landscaping changes to accommodate the extension. Moreover, the proposal leads to a marked increase in the amenities of the existing dwelling through the provision of sufficient space for internal space ancillary to the enjoyment of the main dwelling.

During public consultation concerns have been raised in relation to construction noise, whilst concerns in relation to building works are noted and understood. The applicant has voluntarily submitted a Construction Method Statement following these concerns. This provides hours of construction, plans for delivery, parking and other measures to minimise disturbance to neighbours. This can be added to the approved plans condition to ensure this is adhered to during the construction period. An informative can also be added to recommend that the applicant adhere to the UK Constructors Group Good Neighbour Site Guide during the construction of the development in the interests of neighbourliness.

The application and plans indicate the carrying out works in the immediate vicinity of the site boundary, the applicant is advised that it may be expedient to seek their own advice with regard

to the requirements of the Party Wall Act 1996. 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. An informative to this affect will be applied to this permission.

In the context of the nature and layout of the development, there is considered to be no unacceptable impacts upon the amenities and living conditions of neighbouring properties, thereby complying with the relevant provision of CP57 of the WCS.

Landscape

Core Policy 51 and Chapter 11 of the NPPF is applicable as the application site is wholly located within the Cotswold National Landscape (formerly the Cotswolds AONB). In regard to impacts on the AONB (Cotswold National Landscape), Core Policy 51 of the WCS and Policy CE1 the Cotswolds Management Plan and position statement seek to ensure that the landscape character, scenic quality and geological features of the National Landscape are conserved, and where possible enhanced. The site is located within the Cotswolds National Landscape where the impact of development on the wider landscape is an important consideration.

Additionally, Core Policy 57 indicates that proposals should relate positively to its landscape setting by ensuring that important views into, within and out of the site are retained and enhanced. Core Policy 51 requires that proposals affecting the AONB shall demonstrate they have taken account of the objectives, policies and actions set out in the Management Plans for these areas.

Due to the application proposing a single storey extension and internal alterations to the rear of an existing envelope of the dwelling there would be not any unacceptable impacts on the character and appearance of the area or Cotswolds National Landscape as a result. Due to the appropriate scale of the proposal and the design being read within an existing residential curtilage, there is considered to be no harm to the wider landscape views of the AONB (Cotswold National Landscape). It is considered that the proposal complies with CP51 and CP57 to the Wiltshire Core Strategy and Cotswolds Management Plan 2023 - 2025: Policy CE1 (Landscape).

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. Section 9 of the NPPF expects development to ensure safe and suitable access to the site can be achieved for all users and that development can be refused on highways grounds if there would be an unacceptable impact on highway safety.

The proposal is seeking to construct a single storey extension to the ground floor, which would not alter the existing bedroom quantum or access/parking arrangements associated with the property. The highways engineer has been consulted and raises no objection to the proposals nor requests that a CMS be submitted in lieu of the parking constraints at the application site.

As noted above, a number of concerns have been raised in relation to deliveries of materials, blocking of neighbouring accesses and builder vehicle arrangements due to the property having no formal parking allocation at the property. The applicant has since prepared a Construction Method Statement and this addresses all of these concerns adequately. Consequently, this can be added to the approved plans condition to ensure that this is complied with.

There is considered to be no implications for parking, highway safety or road network capacity as a result of development taking place, compliant with CP61 and CP64 of the WCS.

Archaeology

Planning records indicate that the site is in an archaeologically sensitive location. The archaeology officer has been consulted on the proposal and has raised no objections or requirements for a site assessment and there is no reason to conclude otherwise.

Other Matters

The application form states that no trees are to be felled to accommodate the proposed works. Privacy concerns have been raised in relation to the potential loss of trees. If trees in the ownership of the applicant are required to be felled during construction or at a future date, as the trees are within a conservation area these tree works would require separate permission.

Concerns were also raised in relation to making good any potential damage to neighbouring walls and access drives that may occur during the construction phase of the development. If any damage were to occur, this would be outside of the planning remit and would be a private legal matter between the respective landowners. In this instance, it would not be for consideration under this planning application.

Apprehensions were also raised within representations in relation to the desirability of neighbouring properties and value following the completion of the proposed works. Unfortunately, such is not a material consideration when determining the acceptability of a planning application.

It was identified that the initial proposed extension included an overhang onto neighbour's land. The red line has since been adjusted and the extension repositioned. The applicant now asserts that the location plan is fully within the applicant's ownership in accordance with the title plan. Consequently, no notice is required to be served on any neighbours.

CONCLUSION

Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The above report has shown that, subject to the imposition of planning conditions, the proposed development is in accordance with the NPPF, Wiltshire Core Strategy Policies: CP51, CP57, CP58 and Colerne Neighbourhood Plan and the Cotswolds Management Plan 2023 - 2025, as it will not harm the significance of the conservation area, is of an acceptable design and will not have a detrimental effect on the character and appearance of the existing property, will not present an unacceptable impact on neighbouring

amenity, or adversely affect the wider landscape including the National Landscape. It is therefore recommended that this application is approved with conditions.

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:

Location and Existing Site Block Plan AA/23/07/01
Existing Ground Floor Plan AA/23/07/02
Existing First Floor Plan AA/23/07/03
Existing Elevations AA/23/07/04
Existing Section Drawings AA/23/07/05
Proposed Block Plan AA/23/07/11 Rev A
Proposed Ground Floor Plans AA/23/07/12
Proposed First Floor Plan AA/23/07/13 Rev A
Proposed Elevations AA/23/07/14 Rev A
Proposed Section Drawings AA/23/07/15

Received: 10/05/24

Construction Method Statement and associated site plan

Received: 16/05/24

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 drawings.

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

INFORMATIVE

The Council recommends that the applicant notes and implements the recommendations of the UK Constructors Group Good Neighbour Site Guide during the construction of the development hereby approved.

PLUS STANDARD INFORMATIVES / CIL