

## APPLICATION FOR HOUSEHOLDER PLANNING PERMISSION DELEGATED REPORT

|                                 |                                                                                                                             |
|---------------------------------|-----------------------------------------------------------------------------------------------------------------------------|
| <b>APPLICATION REFERENCE:</b>   | PL/2025/09168                                                                                                               |
| <b>APPLICATION TYPE:</b>        | Householder planning permission                                                                                             |
| <b>SITE ADDRESS:</b>            | 83 The Down, Trowbridge, BA14 7NH                                                                                           |
| <b>DEVELOPMENT DESCRIPTION:</b> | Construction of first floor extension and rear dormer; alterations to porch, conservatory and fenestration (amended plans). |
| <b>RECOMMENDATION:</b>          | <b>That Planning Permission be GRANTED</b>                                                                                  |

### SITE CONTEXT

No.83 (the 'site') is a residential plot adjoining The Down – a mostly residential road which forms part of the historic northern route into Trowbridge (designated as a Principal Settlement in the Core Strategy), though is now fully integrated into the build-up area of the settlement.

The plot is occupied by a modern house set back from the street scene, its forward-sited adjoining/integrated annexe, detached converted garage and its associated amenity space with two small outbuildings in the rear garden.

The original house is a modern detached 1½-storey chalet-style property with a hipped roof form (though very closely resembles a pyramidal form). The original property has been significantly extended with a single-storey hipped roof side extension on its southern elevation which itself has been extended with the hipped roof porch and single-storey pyramidal roof annexe adjoining its front elevation and a conservatory to the rear. The garage is also a single-storey pyramidal roof form building. The external materials palette of the property generally comprises rendered walling, concrete tile roofing and uPVC-framed doors and windows.

The site is adjoined by the following land uses:

- North: 85 and the extended garden of 87 The Down – both modern detached bungalows (albeit no.87 features a loft conversion and associated front dormer).
- East: The Down (public highway) with the Grade II listed Cemetery Lodge and Grade II listed cemetery gates and walling beyond.
- South: The open entrance of 96 The Down – an agricultural/employment compound.
- West: 1a Greenway Gardens – a modern detached bungalow.

The site is subject to the following planning designations:

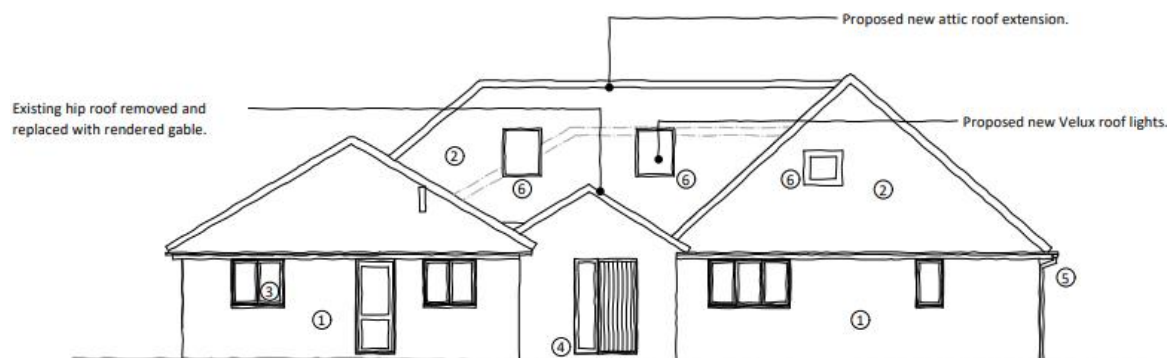
- Multiple Grade II listed buildings, including:
  - Gate piers and screen wall to cemetery, located circa 30m from the proposed development
  - Cemetery Lodge, located circa 40m from the proposed development
  - Cemetery Clark Monument, located circa 50m from the proposed development

- Trowbridge General Cemetery Grade II registered park and garden, located circa 30m from the proposed development.
- Bath & Bradford on Avon Bat Special Area of Conservation GHS 4km Core Roost Buffer: Combined Winsley Sites
- Low to high risk of flooding from surface water sources (for the avoidance of doubt, site is not within a Critical Drainage Area).

## PROPOSAL

The proposal originally sought planning permission for a *new roof extension* [over the south side extension]. *Alterations to existing conservatory to form new flat roof over and inclusion of large bi-fold rear doors with balcony over the new roof*. The proposal also involves replacing the hipped roof of the porch with a standard pitch roof and some minor fenestration changes, notably deepening the side windows of the annexe.

Following discussions with officers, revised plans have been submitted and the proposal now seeks permission for a more modest scale roof extension with two front-facing rooflights and an associated rear box dormer. The originally proposed balcony has been omitted and it is now proposed that the conservatory be reconfigured into a more robust flat roof structure with a roof lantern. The proposed porch and fenestration alterations are unchanged. The external materials proposed matches those of the host dwelling. The proposal is illustrated below:



Proposed front elevation (existing property outlined with grey dashed line).



Proposed rear elevation (existing property outlined with grey dashed line).

## PLANNING HISTORY

| Relevant Planning Records |                                     |          |            |
|---------------------------|-------------------------------------|----------|------------|
| Reference                 | Description                         | Decision | Date       |
| W/99/00257/FUL            | Extension and detached garage       | Approved | 31/03/1999 |
| W/02/00360/FUL            | Conservatory                        | Approved | 11/04/2002 |
| W/02/01332/FUL            | Granny annexe, garage and extension | Approved | 18/10/2002 |

## RELEVANT POLICIES AND GUIDANCE

### Development Plan:

- Wiltshire Core Strategy (Adopted January 2015):
  - Core Policy 57: Ensuring high quality design and place shaping
  - Core Policy 58: Ensuring the conservation of the historic environment

### Material Considerations:

- National Planning Policy Framework (NPPF) December 2024
  - Section 2. Achieving sustainable development
  - Section 12. Achieving well-designed places
  - Section 16. Conserving and enhancing the historic environment
- Wiltshire Design Guide
- Wiltshire Local Plan Submission Draft 2020-2038 (Regulation 24):
  - Policy 98: Ensuring high quality design and place shaping
  - Policy 99: Ensuring the conservation and enhancement of the historic environment

## CONSULTATION RESPONSES

**Trowbridge Town Council:** No objection.

## REPRESENTATIONS

No comments were received.

## ASSESSMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:

*"If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise."*

In accordance with this requirement, this application has been assessed against the relevant policies of the Development Plan and the material considerations set out above.

Having regard to the planning context and nature of the proposal, the following key matters are considered pertinent to the assessment of the proposal and are addressed in turn:

- Design
- Heritage
- Residential amenity

## **Design**

Core Policy 57 of the Wiltshire Core Strategy requires that all development be of high design quality, create a strong sense of place and complement its context, including through enhancing local distinctiveness and responding positively to local characteristics. This requirement is carried forward in draft Policy 98 of the emerging Wiltshire Local Plan.

Appendix D of the Wiltshire Design Guide states that extensions should be subservient to and respect the scale, form, appearance and character of the host dwelling and should harmonise with its context.

**Layout and scale:** The proposed extensions utilise the footprint of the existing property which is acceptable. The revised first-floor extension now sits below the ridge of the original dwelling and as such, reads as appropriately secondary and subservient.

**Appearance:** By and large, the half-hipped roof form of the proposed roof extension harmonises with the hipped roof form of the host dwelling. Officers hold minor concerns that this form does represent a slight deviation from that of the host dwelling. However, the form reads as appropriate when viewed from the site frontage and from the southern approach where it is seen in the context of 1a Greenway Gardens which has a half-hipped roof form. The box dormer is appropriate given its rear siting and significant set in.

The application of a pitched roof form to the porch is subtle and acceptable.

The minor adjustments to the annexe windows are similarly acceptable.

The proposed external materials reflect those of the host dwelling which is acceptable.

Having regard to the above, the proposal complies with the design principles set out in Core Policy 57 of the Core Strategy, draft Policy 98 of the emerging Local Plan and the Design Guide.

## **Heritage**

Section 66(1) of the Planning (Listed Buildings and Conversation Areas) Act 1990 requires that special regard be had to the desirability of preserving listed buildings, their settings or any features of special architectural or historic interest which they possess.

Core Policy 57(i) and (iv) require that development proposals be sympathetic, respond positively to and conserve the historic environment.

Core Policy CP58 states that development should protect, conserve and, where possible, enhance the historic environment. The policy requires that heritage assets and their settings be conserved and/or enhanced in a manner appropriate to their significance. This requirement is carried forward in draft Policy 99.

Paragraph 207 of the NPPF states that local planning authorities should require applicants to describe the significance of any heritage asset affected by development, including any contribution made by their setting. The level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on the asset's significance.

Paragraph 212 clarifies that great weight should be given to an asset's conservation, irrespective of the level of harm.

Paragraph 213 states that any harm to the significance of a designated asset, including from development within its setting, requires clear and convincing justification.

In this case, the proposal is located within reasonable proximity of several Grade II listed buildings towards the front of Trowbridge General Cemetery, which is also a Grade II registered park and garden. By virtue of the increase in roof height proposed and its proximity to the aforementioned designated heritage assets, it is acknowledged that the proposal has the potential to generate some impact the setting of these assets.

For the same reason as set out in the design section above, it is considered that the scale, form and appearance of the proposed extension would have a negligible impact on and thus conserve the significance and setting of the aforementioned assets.

Consequently, the proposal is considered to comply with section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Core Policies 57 and 58, draft Policies 98 and 99 and section 16 of the NPPF.

### **Residential Amenity**

Core Policy 57(vii) requires that development be compatible with the adjoining uses and protect the residential amenity of existing and future users of the site and its surroundings, including in respect of privacy, natural lighting, outlook and pollution sources. This requirement is carried forward in draft Policy 98.

The Design Guide states that a back-to-back separation distance of minimum 20m should be respected. The guide also refers to the BRE Site layout planning for daylight and sunlight as an appropriate source for assessing proposals. Appendix D of the guide states that extensions should not be unduly overbearing or unduly obtrusive to neighbouring properties.

No.83 has a close back-to-side relationship with 1a Greenway Gardens; the conservatory is circa 7.5m from 1a and the main house is circa 10.5m from 1a. However, officers acknowledge that the neighbouring property has no side-facing windows and that its private rear amenity space is already enclosed by an obscured-glazed conservatory. Notwithstanding this, officers note that, by virtue of its small size and thin layout, the rear area of no.1a provides little useable private amenity space and observed that the main useable amenity space is located to the front of the dwelling. Front gardens are typically semi-private spaces. However, in this case, the neighbour's front garden is enclosed by tall garden walling and is the only functional garden space that they have. Therefore, any additional loss of privacy to this space would have a disproportionate impact on the privacy of the property.

Consequently, officers raised concerns that, by virtue of this context and the proximity of the originally proposed roof terrace to 1a, the proposal would likely generate a harmful level of overlooking and therefore suggested that the roof terrace be omitted. The applicant has submitted amended plans omitting the roof terrace which officers welcome.

Officers are aware that there is some potential for the revised dormer to generate overlooking towards 1a. However, the applicant is currently able to introduce a larger rear dormer to the original property (which is closer to the sensitive amenity space of no.1a) in accordance with the criteria and conditions of Schedule 2 (Permitted development rights), Part 1 (Development within the curtilage of a dwellinghouse), Class B (additions etc to the roof of a dwellinghouse) of the General Permitted Development Order (the 'GDPO') – this is a material consideration. Officers consider the proposed dormer to constitute a superior alternative to the permitted development fallback and therefore support the proposal, subject to the removal of Class B permitted development rights.

With regard to the other neighbouring properties, by virtue of its siting away from no.85 and the extended garden of 87 The Down and given its subservient scale, the proposed roof extension would not have any notable additional impact on the residential amenity of these or any other nearby properties.

Having regard to the above, the proposal achieves an acceptable standard of residential amenity for existing and future users of the site and its adjoining uses in accordance with Core Policy 57(vii), draft Policy 58 and the Design Guide.

## **CONCLUSION**

In summary, the proposed development constitutes a modest first floor extension and a series of appropriate alterations that, collectively, make a more effective use of the property, harmonise with its character and the street scene, conserve the historic environment and safeguard the residential amenity of the site and neighbouring properties. Officers also acknowledge that the proposal forms part of a comprehensive renovation project that will bring the property up to modern living standards and this is supported and encouraged.

The proposal is therefore considered to be acceptable in respect of design, heritage, residential amenity and all other matters and therefore complies with the aforementioned sections and policies of the Planning (Listed Buildings and Conservation Areas) Act 1990,

Wiltshire Core Strategy, emerging Wiltshire Local Plan, NPPF and Wiltshire Design Guide. As such, the application is recommended for approval, subject to the conditions set out below.

**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:

- Location plan, ref: PP-14482309v1
- Proposed site and roof plan, ref: 83TD – PL-01A
- Proposed ground floor plan, ref: 83TD – PL-02
- Proposed first floor plan, ref: 83TD – PL-03A
- Proposed NE and SE elevations, ref: 83TD PL-04A
- Proposed SW and NW elevations, ref: 83TD PL-05A

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 used in the existing building unless otherwise stated on the approved plans.

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

4. 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 those Orders with or without modification), no development within Part 1, Class B shall take place on the existing dwellinghouse.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for roof additions.