

CASE OFFICER'S REPORT

Application Reference: PL/2021/08218
Application Type: Householder planning permission
Site Inspection: 15 October 2021
Consultation ends: 01 October 2021
Case officer: Helena Carney

Site Address: 15 Edwards Meadow, Marlborough, SN8 1UL
Proposal: Two Storey front and rear extensions.
Recommendation: Approve with Conditions

POLICIES:

Wiltshire Core Strategy (adopted January 2015):
Core Policy 51 - Landscape
Core Policy 57 - Ensuring High Quality Design & Place Shaping

The National Planning Policy Framework (NPPF) 2021

Planning Practice Guidance (PPG)

ISSUES:

- Impact upon amenity of the occupiers of neighbouring properties
- Impact upon the character and appearance of area
- Impact upon the North Wessex Downs Area of Outstanding Natural Beauty (AONB)

REPRESENTATIONS:

Marlborough Town Council: advised "The Marlborough Town Council Planning Committee Meeting scheduled for 20 September 2021 was inquorate: Members present were therefore unable to vote or comment on this application"

Third party representations: 5 representations were received from occupiers of neighbouring properties, objecting to the proposals. A summary of the comments received is as follows (full versions of the submitted comments can be viewed on the Council's website):

- Impact of the two storey front and rear extensions, as per this revised application, remain significant;
- No extensions of this type in Edwards Meadow and within College Fields;
- Out of character, appearance and not in keeping with the residential character of the estate;
- Due to its location, elevated and central to the estate, such alterations and on-builds, attract attention;

- The size of the property with extensions, becomes unattractive, deviates from the building line and does not enhance the overall ambience of the estate;
- Side elevations become bulky and oversized;
- Don't want to see any precedent for such extensions, in Edwards Meadow or within the overall estate;
- Massive and unsuitable enlargement of an attractive house that forms an important part of the appearance of this central part of this very pleasant estate;
- Negative effect on adjacent properties with the extension being beyond the building lines adversely change the appearance of this corner of the road;
- Proposal does not conform with the Wiltshire Core Strategy adopted January 2015 nor the National Planning Policy Framework 2019;
- Drawing 1149-02 is incorrect as the elevations are incorrectly labelled;
- The existing south west corner wall of no 15 is already at 45 degrees to both the kitchen window (not a door as shown on the drawing) and bedroom window above;
- Extending the wall forward on the ground floor and both forward and out on the first floor will cause overshadowing and greatly affect the light that we currently enjoy in both rooms. It will cross the 45 degree code set out in BRE guidelines for habitable rooms;
- The eaves of the new gable on the first floor will protrude by about 35 cm, further increasing the impact on our light;
- The extensions will reduce the amount of sunlight and daylight into the habitable rooms on both the ground and first floors of our property;
- These houses were originally very carefully designed to work sympathetically with each other to minimise such impact;
- The two-story extension to the rear of No 15 would cause a severe loss of light to the windows facing east;
- The windows on our east elevation would lose all of their light with the proposed back extension of 3 metres, as they would now be facing a brick wall. This would dramatically affect the ambience of the room;
- No 15 is 1m from the eastern boundary with our property at No 17 and is 2m away from our house. The proposed front (south) two storey extension and the proposed 3m rear (north) two storey extension will have a detrimental impact on the enjoyment of our property;
- The proposed front (south) extension will overshadow our rear garden and harm the residential amenity of our property;
- The flank wall of these extensions adjacent to our property will create a large unattractive expanse of featureless wall and roof that will give a sense of oppressive enclosure;
- The existing is well-proportioned making a positive contribution to the appearance of the area;
- The proposed development of the site on two storeys would not respond positively to the existing townscape because it would excessively increase the bulk of the property as it is over two storeys with an extended single roof line;
- Proposed roof extensions are not subservient;
- The previous planning application for 2 storey extensions which was dismissed at appeal stated: "Reference is made to other applications that have been approved by the Council, but as no examples or details are given this inhibits a comparison with the appeal proposed. Nevertheless, the Council indicated that a limited number of such applications have been made and that these were all confined to the ground floor. It follows that they are unlikely to be of a similar scale and bulk to the proposal before me and therefore, are of limited weight";
- Paragraph No 9 of the same document: "The appellant highlights the existence of larger properties in Edwards Meadow. However, my observations were that these generally appeared to

have been originally designed as such, rather than because of extensions. Accordingly, their appearance is not disproportionate or harmful and their presence would not lead me to a different view regarding the impact of the appeal proposal”;

- We request that planning permission is refused for the above reasons and consider the proposal cannot be mitigated by planning conditions;
- the plans have been revised in December but can't see how. I wish to remind the officer that the CURRENT front wall of no 15 is 3.65m from the rear wall of our house;
- The overhang of the roof is a further approx 30 - 40 cm. There are 2m between the houses and the middle of our kitchen window is 1.5m from the side wall;
- The middle of our bedroom window is a further 30 cm - so 3.8m from no 15; and
- the new planning officer to come and see the impact for herself.

RELEVANT PLANNING HISTORY

- 19/11555/FUL - Two storey rear and front extensions, refused 20/02/2020 (appealed)
- Appeal Reference APP/Y3940/D/20/3249516 – dismissed 09/07/2020

ASSESSMENT:

The application relates to 15 Edwards Meadow, a two-storey detached dwelling occupying corner plot in a modern housing estate. Due to its siting on a corner, the site has a single immediate neighbour to the west with its east and north elevations fronting the highway and its southern elevation faces a public amenity green space.

The application site is located within the North Wessex Downs Area of Outstanding Natural Beauty (AONB).

A previous application (19/11555/FUL) for the construction of front and rear two-storey extensions, a single-storey extension and the enlargement of a dormer window was refused for the following reason:

The development, by the reason of its scale, design and prominent siting would causes harm to the character and appearance of the area. In particular, it would create a dominant feature in the form of a large dwelling with a vast, largely featureless and unobscured side elevation, which is not repeated in this part of the estate. It is therefore contrary to Core Policy 57 of the Wiltshire Core Strategy and Section 12 of the National Planning Policy Framework.

The refusal was appealed by the applicants. The issue considered at appeal was the effect of the proposal on the character and appearance of the area. In consideration of this issue, the Planning Inspector commented

“The proposal would make a number of alterations to the front elevation that would have a negative and pronounced impact. Firstly, the existing first floor gable would project further forward. Secondly, the modest gabled dormer would be significantly enlarged. Thirdly, the ground floor storey would have a lean to roof element that would span the width of the dwelling emphasising a horizontal line. In combination, these factors would give the front elevation a bulky

and disproportionate appearance. This harmful effect would be exacerbated due to its visibility in the wider street scene.

In addition, as two storey extensions are proposed at both the front and rear of the dwelling, the eastern side elevation would have an elongated appearance that would be particularly visible due to its proximity to the road. With only limited opportunities for detailing, the overall mass of the structure would be conspicuous. Taken together these factors would be harmful to the character and appearance of the area.

Accordingly, I find that the proposal would cause harm to the character and appearance of the area. Therefore, it would be contrary to Core Policy 57 of the Wiltshire Core Strategy, January 2015, which requires all new development to achieve a high quality design. This stipulates that, amongst other things, development should relate positively to its landscape setting and the existing pattern of development." In conclusion, the Planning Inspector dismissed the appeal.

Amended plans (Drawing No.s 1149-01 revision B and 1149-02 revision E) were received from the agent as the orientation of the elevations were incorrectly annotated at submission. No revisions were made to the proposals.

A site visit has been conducted by the current planning officer to assess the proposals in the context of the application site, neighbouring properties and the wider street scene.

Proposal:

The applicants have submitted a revised application to address the reasons for refusal of the previous planning application and the subsequent decision of the Planning Inspector to dismiss the applicants planning appeal. The proposed development subject of this application has been significantly reduced in scale compared to the previous scheme.

This application is proposing to construct two-storey front and rear extensions, to replace the existing ground floor window in the front facing elevation with a bay window and to insert 2no. windows in the west facing elevation of the host dwelling at first floor level.

The proposed two-storey rear extension will measure approximately 4.3m wide x 3m deep. It will be constructed with a pitched roof, measuring approximately 4.9m to the eaves and 7.1m to the ridge. It will be constructed of materials to match existing (facing brick, interlocking concrete roof tiles and white UPVC windows and doors).

It is also proposed to construct a two-storey front extension (on the LHS side of the dwelling), extending the ground-floor by approximately 1.6m in depth and 2.6m in width and the first-floor by approximately 1.9m in depth and 2.6m in width. The front extension will result in a larger dormer window, with an increase in ridge height of approximately 0.7m and an increase in width of approximately 1.7m.

The proposed bay window replacing an existing window will measure approximately 0.5m deep x 2.95m wide.

Impact upon amenity of the occupiers of neighbouring properties:

The comments received from the occupiers of No.17 in respect of this application have been duly noted.

However, in the interests of providing consistency in the decision making process, the previous planning officers' assessment in relation to neighbour amenity is still considered valid (the officers' delegated report is available on the council's website under planning application reference 19/11555/FUL). The previous planning officer considered that the previous scheme would have a cumulatively small amount of impact on the neighbour amenity of no. 17 Edwards Meadow in relation to loss of light and overbearing impact. The officer concluded that this impact alone was insufficient to warrant a refusal of the planning application. Furthermore, neighbour amenity was not considered to be an issue by the Planning Inspector.

Therefore, neighbour amenity has only been assessed on the material changes to the proposed development since the previous scheme, as detailed below.

The proposed two-storey rear extension subject of this application will be the same depth as the previous scheme but has been significantly reduced in width. The ridge height of the proposed extension has increased slightly compared to the previous scheme (by approximately 0.4m). This is a modest increase in height and given the sloping nature of the roof, it is considered not to materially increase the impact upon the occupiers of the neighbouring property as a consequence of overbearing impact or loss of light compared to the previous scheme. Therefore, no additional impact upon neighbour amenity has been identified arising from this element of the proposals.

This application proposes to insert 2no. windows in the west facing elevation of the host dwelling at first-floor level (serving a bathroom and en-suite) facing the neighbouring property. To avoid any loss of privacy, the agent has confirmed that the windows will be fitted with obscured glass and this will be conditioned on the planning approval.

The proposed two-storey front extension will be constructed on the LHS of the dwelling, adjacent to the shared boundary with the neighbouring property. Whilst the previous application did not propose to extend the first floor on this side of the property, it did propose to increase the height of the dormer window. This application proposes to extend the ground floor by approximately 1.6m and the first floor by approximately 1.9m. The height of the proposed dormer will be no higher than the enlarged dormer previously proposed.

Due to the combined factors of the application site being on lower ground (approximately 1.3 lower), the relatively modest increase in projection and height compared to the existing arrangement and the roof sloping away from the neighbouring property, it is concluded that the proposed two-storey front extension will not result in such a loss of light or overbearing impact to justify refusal of the planning application.

The point raised by the occupier of the neighbouring property regarding the proposed development failing the 45 degree test has been duly noted. However, failing this test alone is not considered a justification to refuse an application. It is acknowledged that the proposed plan shows the 45 degree line clipping the corner of the first floor element of the proposed extension. However, it is considered that this encroachment is negligible and will not result in such harm to the reasonable living conditions of the occupiers of the neighbouring property to warrant refusing the application.

Impact upon the character and appearance of area:

The immediate surrounding area is predominately characterised by moderately sized detached properties constructed in a uniform style and in uniform materials.

The previous application proposed to construct a two-storey rear extension, spanning the whole width of the host dwelling (approximately 9.7m) and a two-storey front extension to the RHS of the dwelling, resulting in an elongated eastern elevation. The proposed two-storey rear extension subject of this application has been reduced significantly in width, measuring approximately 4.3m wide. The side elevation of the extension will now be at least 7.6m from the eastern boundary of the application site.

Whilst the proposed rear extension will be visible, it will be set in from the eastern elevation of the host dwelling and will read as an extension and not as a continuation or elongation of the eastern elevation of the host dwelling. Coupled with the omission of the two-storey front extension to the RHS of the dwelling, the proposed development will not be so visually obtrusive in the street scene to warrant refusal of the planning application.

The proposed front extension to the LHS of the dwelling, includes increasing the size of the dormer window but it will remain subservient to the existing dormer window located on the RHS of the dwelling. The ground floor of the front extension will be constructed to the existing building line of the ground floor front projection (comprising a W.C) and the first floor dormer extension will be brought forward to be in line with the existing first floor dormer.

The dwelling is orientated such that the front extension will not be immediately adjacent to the highway and as such it will not be overly prominent. Given the modest scale and position of the front extension, it is considered that it will not harm the character and appearance of the area or the context of the host dwelling.

It is also noted that Edwards Meadow does not follow a regular building line with many houses offset against each other and therefore the proposed extensions will not have an adverse effect in relation to it.

Comments relating to the proposed development setting a precedent for future developments in the surrounding area have been duly noted. As no two development sites are alike all planning applications are judged on their own merit without any weight assigned to "precedent" set.

This application has been assessed on its own merit. The proposed development has been significantly scaled back compared to the previous application. It is therefore considered that the proposed extensions will be constructed to an acceptable scale and design and of suitable materials to match existing (facing brick, interlocking concrete roof tiles and white UPVC windows and doors). In conclusion, the proposed extensions are considered to be acceptable additions, which will not materially impact upon the character and appearance of the area or the context of the host dwelling and will not constitute an overdevelopment of the site.

Impact upon the North Wessex Downs Area of Outstanding Natural Beauty (AONB):

Although the development is located within the North Wessex Downs AONB due to its built-up environment setting and the location within an established domestic curtilage, it is considered that

the proposed development will protect and conserve the landscape character of the AONB. Therefore, the proposal is considered to comply with CP51 of the WCS.

Conclusion:

The previous application (19/11555/FUL) was refused by reason of its scale, design and prominent siting would cause harm to the character and appearance of the area. In particular, it would create a dominant feature in the form of a large dwelling with a vast, largely featureless and unobscured side elevation, which is not repeated in this part of the estate. It is therefore contrary to Core Policy 57 of the Wiltshire Core Strategy and Section 12 of the National Planning Policy Framework.

The Planning Inspector dismissed the appeal of the council's decision to refuse the application, concluding "the proposal would cause harm to the character and appearance of the area".

The proposed development subject of this application proposes a significantly reduced scheme, which officers are satisfied addresses the council's reason for refusal of the previous application and the subsequent decision by the Planning Inspector to dismiss the appeal.

It is also worthy to note, that whilst objections to this application have been received, the number of objections received are far less than received for the previous application. This is likely due to the revised application addressing previous issues.

Neighbour amenity was not considered a reason for refusal of the previous application. In consideration of the revised scheme, it is concluded that the proposed development will not result in such additional harm to the reasonable living conditions of the occupiers of the neighbouring property to warrant refusal of this application.

In conclusion, the proposed development seems fitting with regards to scale, design and materials. The proposals are considered acceptable in the context of its surroundings and in accordance with the general criteria set out in the aforementioned policies of the local development plan.

Conditions: (4)

- 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:

Application Form

Plans:

1149-01 revision B - Existing Elevations and Plans, received 14/12/2021

1149-02 revision E - Proposed Elevations and Plans, received 14/12/2021

1149-03 - Construction Details, received 23/08/2021

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

- 3 Before the development hereby permitted is first occupied the windows in the west-facing elevation at first-floor level shall be 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.

- 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 that Order with or without modification), no windows, doors or other form of openings other than those shown on the approved plans, shall be inserted in the west facing elevation above ground floor ceiling level of the development hereby permitted.

REASON: In the interests of residential amenity and privacy