

APPLICATION FOR HOUSEHOLDER PLANNING PERMISSION DELEGATED REPORT

APPLICATION REFERENCE:	PL/2026/04397
APPLICATION TYPE:	Householder planning permission
SITE ADDRESS:	Mulberry House, 30 Rowden Hill, Chippenham, SN15 2AG
DEVELOPMENT DESCRIPTION:	Internal and external alterations comprising internal reconfiguration, creation of a new entrance, alterations to kitchen and fenestration, relocation of boiler, restoration of historic first-floor layout, and associated driveway, parking, landscaping and planting works.
RECOMMENDATION:	That Planning Permission be GRANTED

PROPOSAL

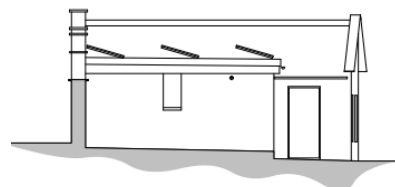
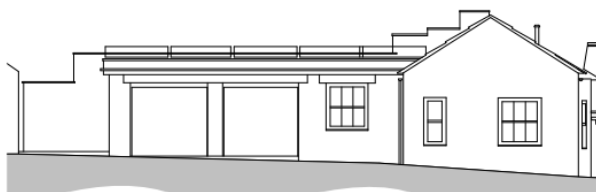
The proposal seeks planning permission for internal and external alterations comprising internal reconfiguration, the creation of a new entrance, alterations to the kitchen and fenestration, relocation of boiler, restoration of the historic first-floor layout, driveway, parking, landscaping and planting works. The application is submitted using Householder application forms.

During the course of the application, revised existing and proposed block plans were received to amend the red line to the boundary to bring it inside the fence line, whilst a title plan was submitted to confirm the land ownership of the Applicant.

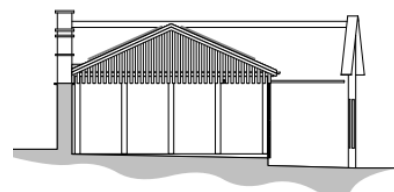
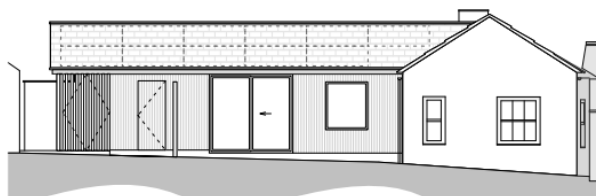
Given the various proposed works, each will be discussed within the subsections below.

Proposed works to the garage

The extracts below demonstrate the existing appearance of the existing garage, together with the proposed appearance subject to this application.



Existing south and west elevations



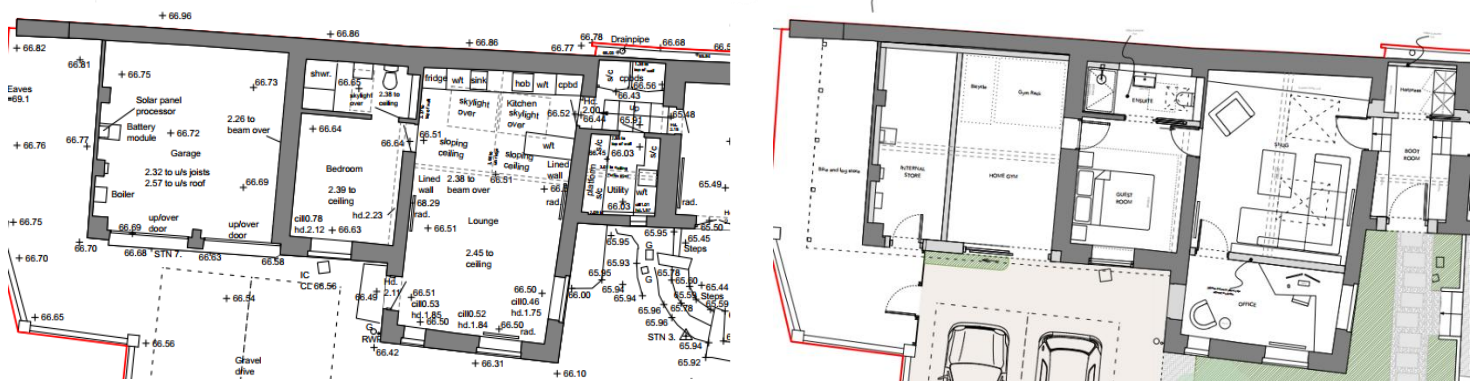
Proposed south and west elevations

The proposed development seeks to alter and extend the existing garage (which is integrated within the existing building) located to the far-left hand side of the building. The proposed works would repurpose the garage to become a home gym, whilst the insertion of an internal partition wall subdivides the floorspace to create a separate storage area. Currently, the garage displays a flat roof with parapet, with 2 rows of raised solar panels fixed to the roof. The proposal seeks to alter the roof form from a fibre glass roof to standing seam aluminium (to colour match slate on the rest of house) and would incorporate a pitched roof which is marginally lower than the adjoining section of the building, whilst also extending to the side wall to enable the creation of an adjacent bike and log store. The north and south roof slopes would reintroduce solar panels, however they would be flush fitting to the roof slope but would expand across the majority of the roof surfaces. The existing garage doors would be removed to enable the installation of a sliding door to access the home gym with a new entrance door to the adjoining storage space.

An internal fence is proposed directly in front of the garage structure, fixed to an existing stone pillar, which would section off the log and bike store and to further secure this section of the site.

Internal rearrangement to the west wing

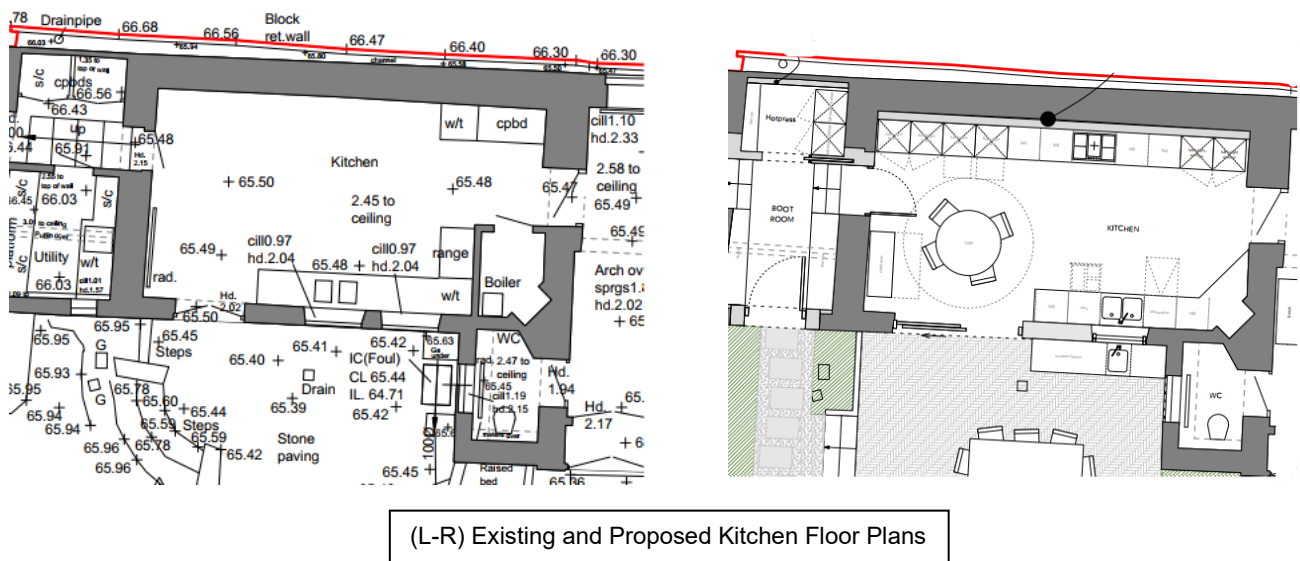
The western wing of the existing dwelling, located adjacent to the garage, currently comprises a bedroom and lounge area, connected to the main part of the house via an internal corridor and utility space. This section of the property is characterised by a series of differing floor levels, with the garage, lounge and bedroom situated at a lower level than the adjoining accommodation, which is accessed via a short flight of internal steps. The proposal seeks to rationalise and simplify the internal arrangement of this part of the dwelling whilst retaining its existing residential function. The bedroom would be retained with an en-suite bathroom created, while the existing lounge would be reconfigured to incorporate a dedicated office space. In addition, the link between the western wing and the adjoining kitchen area would be improved through the partial removal of internal walls, creating a functional boot room with stepped access down to the western wing and up to the kitchen. Whilst no alterations to the existing fenestration are proposed specific to these alterations, a new external entrance is proposed to the boot room.



(L-R) Existing and Proposed West Wing Floorplans

Alteration to existing kitchen and fenestration

The footprint of the existing kitchen is not proposed to be altered or increased, but more so it is proposed to redesign the existing kitchen to improve its overall layout and functionality. The internal boiler cupboard would be removed, contributing to and facilitating an increase in kitchen cabinetry. Two existing casement windows to the south wall would be removed and replaced with a single window in front of the sink, with adjacent large sliding doors proposed to enable direct access out to the outdoor sunken patio area. Whilst not expressly included within the description of development, an outdoor kitchen area is also proposed off of the south wall directly in front of the existing kitchen. Some of these elements may not require planning permission but have been taken at face value and considered as part of the whole submission.



Conversion of first floor study into laundry room, relocation of existing boiler and amendments to bedrooms 2 and 3

Currently, the existing first floor houses 3 bedrooms, a family bathroom and a study. It is proposed to convert the study into a laundry room which would also house the relocated boiler. An extractor fan is proposed to the north wall to serve the laundry room, with new cabinetry proposed within the room. Additionally, bedrooms 2 and 3 are proposed to be amalgamated to create a singular larger bedroom facilitated by the removal of modern internal partition walls. Again, it is possible that some elements may not require express planning permission.

Driveway and parking provision

The proposed works aim to reconfigure the existing layout within the garden and driveway, with improved pedestrian routes. It is proposed to install a new and enlarged entrance gate in the same position as the existing to enable the gates to fully open, whilst simultaneously altering the parking provision within the site by partially remodelling a section of landscaping. The level of parking provision within the site would remain unchanged, however the reconfiguration aims to improve the turning ability of vehicles within the site. It is not proposed to alter the existing vehicular access point to the property.

Landscaping and external spaces

It is proposed to remove 2 large and established trees within the front garden, one of which is close to the existing entrance gates. The proposed works aim to reconfigure the existing layout within the garden and driveway, whilst the removal of the tree in close proximity to the gates would enable the replacement gates to fully extend open. The existing sweeping pathway which runs across the front of the dwelling would remain, with additional pedestrian routes off the path directly to the boot room and main entrance hall. A large multi-level patio is proposed centrally within the curtilage and directly from the existing kitchen.

Currently, the east and south boundaries to the application site features a large stone wall which is shrouded by large, established leylandii trees. The tree's overhang both the internal and external boundaries considerably, which is especially evident when viewed from the adjacent pedestrian walkway along Rowden Hill. Due to a decline in the health of the tree's, it is proposed to remove all the leylandii's bounding the site and replace with pleached trees along both boundaries. A series of fruit trees are also proposed to the eastern boundary in close proximity to the eastern wing of the house. Dense shrub planting is also proposed around the patio area, with additional landscaping throughout the amenity areas.

SITE DESCRIPTION/CONTEXT

The site known as Mulberry House is a large and extensive dwellinghouse situated on Rowden Hill in Chippenham. The main building has been altered and extended over the passage of time and at present day, the property is a multi-level building with the western wing displaying single storey built form in contrast to the eastern wing which displays three storey form. The property is set in extensive landscaped grounds, with off-road parking fronting the western wing and is bound by large and established leylandii tree's fronting a large stone boundary wall which runs around both the east and south boundaries. The property displays a varied built form, with the western wing incorporating a flat parapet roof to the garage, with the adjoining section constructed with a pitched roof with a projecting section including a gable end. The three storey eastern wing displays a pitched roof with 2 pitched roof dormers to the south wall and a prominent bay window at ground floor. The property is accessed in the south-west corner of the curtilage via existing entrance gates which access directly onto the no-through road leading to Rowden Hill. The main building is of traditional stone construction with a tiled roof. The eastern wing incorporates sash windows across all floors, with the modern single storey western wing also incorporates UPVC casement windows which contributes to the varied built form evident today. The surrounding area displays a varied appearance in built form, with a mixture of single storey and two storey detached dwellings constructed from a variety of external materials.

Within third party comments, it is perhaps suggested that the property or surrounding properties are designated listed buildings. However, there is no record held by the Council which suggests that the application building or any nearby surrounding building is listed.

The application site is subject to the following planning policy constraints:

- Countryside Character Area – Avon Vales
- Groundwater Emergence - Negligible risk from groundwater flooding due to the nature of the local geological deposits

PLANNING HISTORY

Proposal / Summary
N/88/00556/REM - Reserved Matters Decision - Approved Date: 12/5/1988 – DETAILS OF BUNGALOW AND GARAGE
N/87/00742/REM - Reserved Matters Decision - Withdrawn Date: 15/6/1987 – DETAILS - ERECTION OF BUNGALOW (OUTLINE PERMISSION NUMBER N.86.0186.OL)

RELEVANT POLICIES AND GUIDANCE

Wiltshire Core Strategy

- Core Policy 41: Sustainable Construction and Low Carbon Energy
- Core Policy 57: Ensuring High Quality Design and Place Shaping
- Core Policy 61: Transport and New Development
- Core Policy 64: Demand Management

Chippenham Neighbourhood Plan 2023-2038

- No applicable policies

Wiltshire Design Guide

- Appendix D – Design Guidance for Householder extensions

Wiltshire Council Local Transport Plan

The National Planning Policy Framework (NPPF)

- Policy DP3: Key Principles for Well-Designed Places
- Policy DP4: The Design Process
- Policy P3: Living Conditions and Pollution
- Policy L2(d)(ii): Making Effective use of Land

The Planning Practice Guidance

ISSUES

- Design and appearance
- Amenity
- Highway and parking
- Climate change

CONSULTATION RESPONSES

Chippenham Town Council: No objection

Council Highway Engineer: No objection:

Having considered the information provided I am content that the changes will not lead to an impact on the users of the highway and on that basis, I am content to raise no highway objection.

REPRESENTATIONS

The application was publicised by direct neighbour letter. 3 letters of representation were received, with their comments summarised below:

- The height of the rear extension will be imposing and overbearing, with the length of the extension being excessive
- the effect of daylight and privacy on our property
- The imposing rear extension height will remove any possibility of intended solar panels on the rear of our garage, it will also prevent light from reaching the only place where we are able to dry clothes, and will be extremely invasive to our privacy at the rear of our property.
- The conversion of the garage to living premises may introduce additional noise issues (a gymnasium is being proposed), as well as potentially cooking, smells etc.
- we would not object if the application were to be modified keeping the works at the rear extension to its current height.
- The height of the raised garage roof will be very overpowering
- We hope provision will be made to mitigate noise from the proposed gym
- We require access when any access is required to maintain our side of the garage
- Concerns that the red line boundary shown across the plans was incorrect
- This development has no significant impact on my property. It will have more of an impact on my neighbours, where the addition of the pitched roof on the old garage will impact their sightline.
- On the plan it shows the culvert on the south boundary of my property as being part of Mulberry House which is contrary to the land registry map

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 statutory requirement, this application has been assessed against the relevant policies of the Development Plan, including the adopted Wiltshire Core Strategy (2015) and, where applicable, any made Neighbourhood Plans.

Design and appearance

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 and materials, with particular regard required for the compatibility of the design with the host dwelling and its surroundings, together with the relationship to adjoining buildings and spaces. The Wiltshire Design Guide elaborates on WCS Core Policy 57 and requires consideration that should be given to the external appearance, design and materials used for development.

Policies DP3 and DP4 of the National Planning Policy Framework require development to achieve a high standard of design that responds positively to local character and context. In assessing design quality, regard should be had to matters including scale, siting, form, appearance, materials and the relationship of development to its surroundings.

A site visit was conducted to the property to assess the current appearance and layout of the site, and to discuss the specific design principles related to the proposed development. Given the numerous proposals, each will be discussed in their own merits below.

Proposed works to garage

The proposed alterations to the garage roof would involve the replacement of the existing parapet roof with a pitched roof, resulting in an overall increase in height. Notwithstanding this increase, the revised roof form and appearance of the garage are not considered incongruous or unsympathetic when viewed in the context of the main dwelling. While the proposal would alter the existing form of the structure, the introduction of a pitched roof would reflect the established roofscape, heights and ridgelines of the main dwelling as well as the adjoining sections of the building, thereby ensuring a cohesive relationship with the principal property and remaining subservient. The revised design would enable the garage to remain functionally and visually integrated with the dwelling whilst aligning with its existing character and appearance.

The proposed side extension would result in a marginal increase in the footprint of the garage, however this is primarily to facilitate the provision of an attached log and cycle store. The log store would be lightweight in form and would read as a covered area as opposed to a substantial increase in built form.

Overall, the increased height and amended roof form are not considered to result in a dominant or overbearing feature that would compete with or overwhelm the western wing of the dwelling. Although the roof slopes would accommodate an additional expanse of solar panels, this is not considered to give rise to unacceptable visual harm. Furthermore, the proposed alterations to the garage doors and fenestration would remain sympathetic to the character of the building and would be appropriate to the intended use of the space.

Internal rearrangement to the west wing

The internal arrangements proposed would facilitate a more functional internal layout which would support the main dwelling. The proposal would rationalise and simplify the internal arrangement of this part of the dwelling, with the external alterations limited to the provision of a new entrance door to the boot room. Therefore, these alterations would be considered acceptable in enabling the improved functionality of this section of the building.

Alteration to existing kitchen and fenestration

Similarly, the internal alterations to the kitchen would enable the existing space to be utilised more functionally and befitting for the space within which it accommodates. The main external alterations are limited to the alterations to the fenestration, which are not considered to result in any overly glazed or incongruous appearance. The sliding doors would still enable a functional relationship with the sunken patio and dining space outside, enabling the kitchen area to be lit given that the main fenestration serving the kitchen is solely focused on the southern wall.

Alterations to the first floor and bedroom 2 and 3

These works primarily seek to alter the existing layout of bedrooms 2 and 3, removing modern partition walls and enabling the layout to return to its historic original layout. The alteration of the study into a laundry room are considered acceptable and would not be perceivable from the outside with the exception of the insertion of a small extractor fan on the northern wall which would be largely concealed from view given the existing and surrounding built form.

Driveway and parking provision

Whilst the acceptability of the proposed parking and driveway arrangements is assessed in greater detail within this report, the proposed layout and resultant appearance are considered acceptable and would not give rise to unacceptable visual harm. Although the proposal would alter the existing site arrangement, the dwelling benefits from extensive grounds and the changes are not considered to result in an overdeveloped or unsympathetic form of development given that adequate areas of landscaped garden and outdoor amenity space would be retained.

Landscaping and external spaces

The proposed remodelling of the external spaces immediately to the front of the dwelling is considered acceptable and would continue to provide attractive and functional outdoor amenity areas that maintain a direct relationship with the main house. Whilst the removal of

the trees located within the SW corner of the site would result in the loss of established landscape features, the proposed replanting strategy and wider garden redesign would ensure the retention of a landscaped setting.

It is acknowledged that the extent of the *Leylandii* proposed to be removed along the eastern and southern boundaries is substantial. However, their removal would facilitate greater visibility of the existing stone boundary wall whilst also reclaiming areas of amenity space currently restricted by the encroachment of the planting within the boundary. The proposed replacement planting, including pleached trees, would in time provide an appropriate degree of boundary softening and screening, helping to maintain privacy for the occupants whilst contributing positively to the overall landscape character of the site. Overall, the proposed landscaping works are well considered and would enhance the appearance of the external spaces associated with the main dwelling.

Conclusion

Overall, the proposed works are not considered to give rise to unacceptable visual impact. Whilst the development would result in a modest increase in the footprint and height of the existing garage, the resulting built form would remain proportionate and subservient to the host dwelling and would not appear incongruous or unduly dominant when viewed within the context of the main building and the wider site. The proposed design, appearance and construction materials would collectively be considered sympathetic to the established character of the property, enabling the development to integrate successfully with its surroundings and the existing built form. The internal remodelling and reconfiguration of the dwelling would improve the layout and functionality of the internal space with only limited alterations to the external facade. Furthermore, the proposed landscaping and external works would enable a sympathetic redevelopment of the outside space, retaining its established landscaped appearance whilst improving its overall functionality.

Therefore, it is considered that the proposal aligns with WCS Core Policy 57, the Wiltshire Design Guide and the relevant provisions within the NPPF.

Amenity

Point vii of Core Policy 57 - Ensuring High Quality Design and Place Shaping of the Wiltshire Core Strategy seeks to ensure that developments do not adversely affect neighbouring properties.

Policy P3 of the National Planning Policy Framework requires development to be appropriate for its location, taking account of its likely effects on health, living conditions and the environment. In particular, Policy P3(2)(b) requires development to avoid giving rise to unacceptable impacts on the living conditions of neighbouring residents and occupiers. In assessing amenity impacts, regard should be had to matters including daylight and sunlight, outlook, privacy, overbearing impacts and other effects on residential amenity.

The properties in close proximity to the application site are 30A Rowden Hill to the west, 28 Rowden Hill to the north and 1 St Josephs Drive to the NW. Each property submitted

comments in relation to the proposed development, therefore each will be discussed separately in the subsections below.

30A Rowden Hill

30A Rowden Hill is a detached bungalow which is positioned to the west of the application site. Mulberry House is set more recessed within its plot in comparison with 30A, however it is noted that the detached garage to 30A is positioned to the rear of their plot, directly opposite the end wall of the existing garage serving Mulberry House. Concerns were raised by the occupants of 30A in relation to the works to raise the roofline and extend the garage and the impact that this would have on their residential amenity, as well as the impact of any noise emanating from the proposed gym. Concerns were also raised that the red boundary line was inaccurate on the plans and was placed outside of the true boundary.

The application site was viewed from within the boundary of 30A, and the current spatial and visual relationship between the two sites was observed. Given the garage serving Mulberry House being recessed within its plot, it is not in close proximity to the main dwelling of 30A and therefore the proposed increase in footprint and height would not be considered to result in an overly dominant appearance, overshadowing or loss of light. Whilst the altered appearance and height would be visible and apparent to the occupants, the spatial relationship between the built form is considered to mitigate against any overpowering effects or sense of enclosure. The concerns relating to access to maintain the existing garage serving 30A are also fully understood, however the proposed works are not considered to exacerbate the existing relationship between the boundaries, given that there would still remain an approximate 2m gap between the side wall of the log store and the boundary running parallel with the side wall of the garage serving 30A, thereby enabling sufficient space to enable the maintenance of the structure.

The proposed alterations to fenestration are not considered to result in additional overlooking or loss of privacy to the occupants of 30A given the existing spatial distance between the properties, and the main alterations to fenestration remaining at ground floor level, effectively concealed by the existing boundary treatments.

The concerns relating to noise emanating from the proposed gym are also understood. However, the gym would remain ancillary to the residential use of the dwelling and is intended for private domestic purposes only and there is no evidence to suggest that the intended activities will be any different from other forms of typical domestic activities. Indeed, the scale and use would not be comparable to a commercial gym or fitness facility that may attract frequent users or sustained levels of activity – such commercial uses fall within a different use class and would require a further grant of planning permission to lawfully operate from the site.

The proposed gym would also be contained within a permanent building and there is no evidence before the Local Planning Authority to suggest that its use would generate noise levels that would be materially greater than those ordinarily associated with a residential property. Furthermore, given its domestic nature and relationship with the existing dwelling, it is considered reasonable to expect that any noise generated would be intermittent and limited in duration. It should be noted that noise nuisance is still capable of being separately reported

by concerned neighbours and enforced against by the Council through the Environmental Protection Act.

28 Rowden Hill

This property is located to the north of the application site. An existing outbuilding serving No.28 is located directly to the rear of the section of the garage proposed to be altered and extended. Despite the increase in height, the proposed works to the garage would remain relatively concealed from view given the existing height and built form of the outbuilding within the curtilage of No.28, although partial glimpses may be possible. The increase in height, comparative to the existing outbuilding within No.28, is not considered to result in loss of light or overbearing effects, whilst no additional fenestration throughout the proposed works would overlook the boundary with No.28 to result in increased overlooking or loss of privacy as the works to the fenestration at the front of the property would be wholly concealed from view.

1 St Josephs Drive

This property is located to the NW of the application site and is a detached two storey dwelling house benefitting from a modest rear garden. The main aspect of the proposed development which would be visible to the occupants of No.1 would be the raising of the roof and extension to the existing garage, given that the altered fenestration and landscaping works would remain effectively concealed from view.

Objections were received from the occupants of No. 1 in relation to the proposed works, and a site visit was undertaken to assess the relationship between the application site and No.1. During the visit it was noted that the SE corner of the garden at No. 1 has viewpoints to an opening within the existing stone boundary wall, through which partial views of the existing garage serving Mulberry House are possible. Owing to the existing flat roof form of the garage and the presence of boundary treatments, views are currently limited, with only partial glimpses of the existing structure and associated solar panels visible through and above the opening.

The proposed development would extend the garage to incorporate a log and bike store and replace the existing flat roof with a pitched roof. As a result, the building would be more readily visible from certain viewpoints within the curtilage of No. 1, particularly from the SE corner of the garden. Concerns have been raised in relation to the increased height and massing of the garage, perceived overbearing impacts, potential loss of light, effects on outlook, implications for the drying of washing within the garden and the potential impact on any future installation of solar panels on the garage serving No.1. These concerns have been carefully considered and informed by the site visit undertaken. Whilst it is acknowledged that the proposed roof form would be more visible than the existing flat roof, the overall increase in footprint is limited and the building would remain single storey in built form. Furthermore, the extension would not occupy the entire opening within the boundary wall, therefore retaining a degree of openness and avoiding a sense of enclosure. No additional fenestration is proposed to the structure which would directly overlook the garden of No.1, thereby not resulting in any perceived loss of privacy.

In respect of outlook, the proposal would alter views currently available through the wall opening. However, those views are presently restricted and focused towards the existing garage rather than open land or countryside. Whilst the development would partially reduce views through the opening, it would not be considered to result in an unacceptable loss of outlook. The proposed development would remain proportionate to its domestic setting and is not considered to appear unduly dominant or visually intrusive when viewed from neighbouring land within No.1.

Similarly, whilst some increase in overshadowing may occur at certain times of day owing to the proposed alterations to the roof form, the increase in height is relatively modest and is not considered sufficient to give rise to a demonstrable or harmful loss of daylight to neighbouring habitable rooms or outdoor amenity areas at No.1. With regard to concerns relating to the drying of washing, insufficient evidence has been provided to demonstrate that the scale of the development would result in any material reduction in sunlight exposure sufficient to significantly affect the normal domestic use of the garden for this purpose. The property benefits from a modest rear garden which is laid to lawn, as well as an area laid to patio where the existing washing line is located. Nevertheless, there is considered to be sufficient outdoor garden/amenity space available to the neighbour to undertake typical domestic activities.

Concerns regarding the potential future installation of solar panels on the neighbouring garage roof are also noted. However, the planning system must assess the proposal on its own merits and cannot reasonably reserve access to sunlight for speculative future development on adjoining land. Currently, there is insufficient evidence to conclude that the proposal would result in such a level of overshadowing as to inhibit the future installation or effective operation of domestic solar panels at No.1.

Overall, whilst the development would be visible from within the curtilage of No. 1 and would alter the existing outlook to some degree, the proposal is not considered to result in unacceptable harm to residential amenity in respect of an overbearing impact, loss of outlook, loss of light, overshadowing or loss of privacy.

Conclusion

The comments and objections raised by the neighbouring occupiers have all been taken into consideration during the assessment of this application. However, on balance, it is considered that the proposed development would not result in unacceptable impact on residential amenity. The proposed development is not considered to result in increased overlooking or loss of privacy, whilst the increase in built form is not considered to result in overbearing effects or unacceptable loss of light and overshadowing. Therefore, the proposed works therefore accord with Core Policy 57 point vii in respect of safeguarding residential amenity, Appendix D of the Wiltshire Design Guide and the NPPF.

Highways and parking

Core Policy 57 (xiv) of the Wiltshire Core Strategy seeks to ensure that development must meet the requirements of Core Policy 61. This policy requires proposals to be capable of being served by safe access to the highway network. Core Policy 64 seeks to ensure compliance with parking standards set out in the Local Transport Plan.

The transport policies of the NPPF seek to ensure that development provides safe and suitable access for all users and that any impacts on highway safety are appropriately considered.

The proposed development does not seek to alter the existing access arrangements serving the dwelling, however replacement gates are proposed to facilitate improved access. Currently, the existing gates are prohibited from opening inwards fully due to the existing tree to the SW corner of the site, therefore the removal of this tree would enable a new entrance gate to be fitted. Whilst the proposal would see the loss of the double garage, the existing parking provision fronting the garage would remain, alongside additional parking provision created as a result of the proposed landscaping and remodelling of the garden and amenity area.

Wiltshire Council Highways have not objected to the proposal, commenting that the proposals would not impact the users of the highway. The proposed development would not result in any adverse impact on highway safety and adequate parking and turning provision is provided in accordance with Wiltshire's adopted parking standards, and access arrangements are acceptable. The proposal is therefore considered to comply with Core Policies 57 (xiv), 61 and 64 of the Wiltshire Core Strategy, the NPPF, and the Wiltshire Local Transport Plan.

Climate Change

WCS CP41, Policy 1 and Policy 2 are supportive of measures that align with a transition to net zero. As such these policies should help shape places in ways that contribute to radical reductions in greenhouse gas emissions and support renewable and low carbon energy.

It is acknowledged that solar panels are already fitted on the garage flat roof, however the change to the roof form would facilitate a greater degree of panel provision across the front and rear roof slopes. The solar panel array would support measures to achieve net zero carbon by providing infrastructure that makes a positive contribution to reducing greenhouse gas emissions in line with national and local sustainability objectives.

The proposed development would make a very modest contribution to net zero goals, but cumulatively with other similar development is critical to the transition to net zero over the coming decades. The proposals would align with development plan policies and the NPPF in making a positive contribution to the spatial planning objective in the development plan of addressing climate change.

Other matters

Land ownership and party wall matters are not material to the determination of a planning application, with there being no role for the Council to resolve or otherwise mediate boundary disputes.

Nevertheless, comments have been received from the owner of 28 Rowden Hill claiming that a submitted plan shows the culvert on the south boundary of No.28 as being part of Mulberry House which is contrary to the land registry map. To that end a title deed plan provided by the

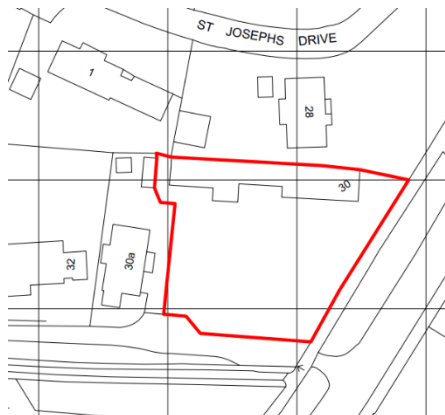
applicant to confirm the red line boundary to the application site and that the correct ownership certificate was completed on the application form. Whilst no title deeds have been provided to demonstrate the extent of the land ownership and boundary of No.28, there is no evidence or information available to suggest that the submission has been incorrectly made or that the declarations made are false. Therefore, based on the known information, the application is considered valid and proceeds on this basis.

Whilst land ownership itself is not a material planning consideration, an informative confirming the separate requirements of the Party Wall Act and/or any subsequent changes to plans should that transpire to be necessary) is considered appropriate.

Additionally, during the site visit conducted to visit the occupants of 30A, the matter of the red line boundaries shown on the submitted plans was raised and discussed, which was also referenced within the letter of representation received from 30A. During the visit, the occupants presented their title deeds for inspection and a photograph of the deed is included below. An adjacent extract shows the red line boundary on the location plan submitted within this application, as well as the title deed for Mulberry House. With the exception of the SW corner where the access to the site is located and omitted from the OS location plan, when comparing the plans the red lines are considered consistent with the title deed of Mulberry House.



Title Deed Plan of 30A Rowden Hill

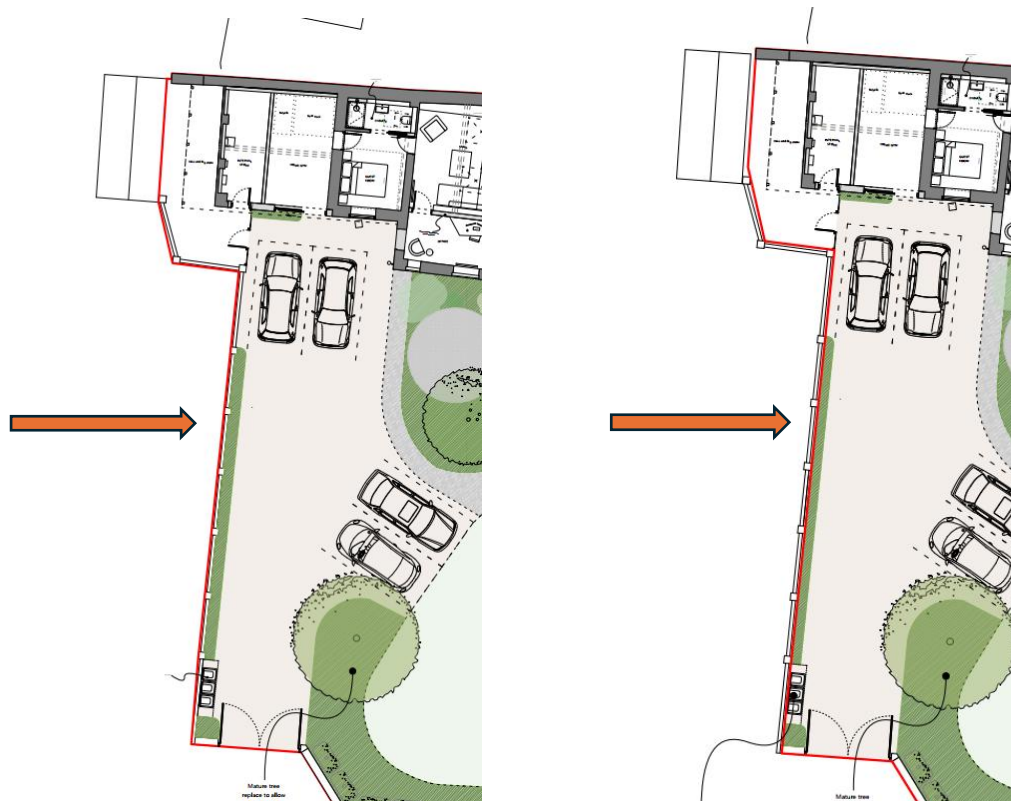


OS Location Plan



Title Deed Plan of Mulberry House

During the course of the application, revised site plans were submitted which amended the red line to place it inside the boundary fence line as opposed to outside the fenceline, also shown below. This may have been a contributory factor to the concerns raised by the occupants of 30A given that the plans show the red line in more detail than the location plan in isolation. Upon the site plans being amended and when comparing the red lines, the red line on the existing and proposed site plans would be considered to align with the red line boundary shown on the title deed in relation to this western boundary.



(L) Previous proposed site plan, (R) Revised proposed site plan
(section of boundary in question denoted by orange arrow)

Lastly, the concerns are also duly noted with the concerns of fixing an internal wall/fence to an existing pillar along the boundary with 30A. In this case, there is no suggestion that the ownership certificate on the application have been incorrectly completed and whilst the concerns regarding the position of the ownership boundary are noted and addressed above, it is not appropriate for the determination of this planning application to resolve such matters since they are separate private, civil matters. Such issues are typically addressed through separate legislation, including the Party Wall etc. Act 1996, where applicable.

Biodiversity Net Gain

Householder planning applications are exempt from the requirement to deliver Biodiversity Net Gain under Schedule 7A, Section 4(2)(a) of the Town and Country Planning Act 1990, as inserted by the Environment Act 2021.

CONCLUSION

The proposed development is not considered to result in unacceptable visual impact. By reason of the additional height and massing to the garage, the works are considered to represent a proportionate alteration which would still enable the garage to integrate with the established character and appearance of the main building. The external alterations are also considered acceptable and sympathetic to the existing built form and arrangement of the

building, whilst the proposed internal works enable the rooms to be made more functional and restorative of its historic layout. Externally, the proposed works are considered acceptable and help retain the existing landscaped appearance of the amenity space, without resulting in adverse impacts on highway safety and access arrangements. Additionally, the proposed development is not considered to result in unacceptable impact on the residential amenity of the adjoining neighbours, whilst still making a positive contribution to the spatial planning objective in the development plan of addressing climate change.

The proposal is therefore considered to comply with the relevant policies of the Wiltshire Core Strategy, the relevant provisions within the National Planning Policy Framework, the Wiltshire and Chippenham Design Guides and all other relevant material considerations.

As such, the application is recommended for approval, subject to 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 and documents:

792-3-00 – Location Plan received 24.07.26
792-3-12 – Proposed Ground Floor Plan received 24.07.26
792-3-13 – Proposed First Floor Plan received 24.07.26
792-3-14 – Proposed Second Floor Plan received 24.07.26
792-3-15 – Proposed Roof Plan received 24.07.26
792-3-16 – Proposed South Elevation received 24.07.26
792-3-17 – Proposed North Elevation received 24.07.26
792-3-18 – Proposed East and West Elevations and Section received 24.07.26
792-3-19 – Proposed Garage Elevation/Section received 24.07.26
792-3-20 – Proposed Kitchen Plan received 24.07.26
792-3-21 – Proposed Garage Section received 24.07.26
792-3-01A – Existing Site Plan received 10.09.26
792-3-11A – Proposed Site Plan received 10.09.26

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

INFORMATIVE:

The applicant is advised that the grant of planning permission does not remove the need to comply with the requirements of other legislation, including the provisions of the Party Wall etc. Act 1996 where applicable. Should issues relating to land ownership, legal interests, or third-party rights necessitate amendments to the approved scheme, the applicant may be required to seek further approval from the Local Planning Authority before implementing any revised proposals.