

**REPORT TO THE DEVELOPMENT CONTROL
COMMITTEE**

Report No.

Date of Meeting	20 th February 2008
Application Number	07/03221/FUL
Site Address	29 Cliff Road, Sherston
Proposal	Erection of first floor rear extension and external alterations to front elevation
Applicant	Mr & Mrs Bullman
Town/Parish Council	Sherston
Grid Ref	385189E 185842N
Type of application	Full Application

Reason for the application being considered by Committee

This application has been submitted to the committee for decision under the scheme of delegation in force after the 8th April 2002 at the request of Councillors Thomson and Henderson so the Committee can consider the impact of the development on surrounding residents and on the character and appearance of the Conservation Area.

Summary of Report

This application is for the erection of a first floor rear extension above the existing kitchen and sitting room. Alterations to the garage doors on the front elevation are shown on the drawings, but it is important to note that these proposals do not require planning permission and are not part of this application. The site falls within the Sherston Conservation Area and lies within the Chippenham framework boundary. The key points to consider are as follows:

- Implications on DC Core Policy C3.
- Implications on Policy H8 which considers residential extensions.
- Impact of the development on the Conservation Area (Policy HE1).

Officer Recommendation

PERMIT subject to conditions.

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Proposal and Site Description

This application is for the erection of a first floor rear extension above the existing kitchen and sitting room. The development site is located within the Sherston Conservation Area, along Cliff Road. The property forms part of a long row of terraced properties which have nearly all benefited from various extensions over the years of varying scale and design.

It would appear that the existing property was originally two cottages but was later converted to one residential unit with garage doors inserted on the front elevation to form a garage. The property also benefits from a single storey flat roof extension to the rear.

The applicant is seeking to erect a first floor extension above the existing single storey flat roof extension in the form of a double gable. The extension will provide two bedrooms at first floor level and will incorporate two sets of double doors at ground floor level and two windows at first floor level.

Planning History

Application number	Proposal	Decision
	There is no planning history relevant to this proposal.	

Consultations

The Town Council has raised the following objections:

- Removal of the garage will cause congestion.
- Use of render on the front elevation is unacceptable and out of keeping.
- All materials should match existing materials.
- Loss of privacy to neighbouring property from first floor extension.

County Highways raise no highway objections to the proposal.

Representations

Two letters of representation have been received from local residents. The following concerns have been raised:

- Alterations to front elevation are out of keeping with the Conservation Area.
- Objections to any party wall usage.
- Development will affect an existing vent.
- Development will lead to water penetration on adjoining properties.
- Development (external and internal) could affect foundations and structure of adjoining properties.
- No details of the positioning of vents/waste water pipes have been submitted.
- Footprint of the existing ground floor is to be extended.
- Adjoining residents ask that access be given to them during construction works to ensure development does not affect their property (party wall, foundations).
- Details of all materials to be used should be given.
- Overlooking from first floor windows.
- How and where is the scaffolding going to be erected.
- Extension will be close to an existing greenhouse and two conifer trees.

Planning Considerations

Principle of the development

The proposal seeks to erect a first floor rear extension above the existing kitchen and sitting room, and to convert the existing garage to a habitable room with external alterations to the front elevation.

Concerns have been raised with regards to the alterations to the front elevation of the property. Notwithstanding the fact that this aspect of the proposals does not require permission, officers have suggested that the existing garage doors be infilled with three small sash windows to match the existing windows and that natural stone be introduced under the windows cills. Amended plans are awaited, but are not necessary to determine the application.

Impact of the development on Policy HE1:

The first floor extension proposed on the rear elevation of the property is to be in the form of a double gable with the roof ridge set well below the roof ridge of the main property. Details on the plans show that the external walls are to be rendered whilst the joinery and lintels are to be timber. The extension will not be visible from public viewpoints.

The proposal is considered to be in accordance with Policy HE1 of the North Wiltshire Local Plan 2011.

Impact of the development on Policy C3 and H8:

In terms of the impact of the proposal on the amenities of local residents, consideration has been given to the objections raised by local residents and the Parish. However, many of the issues raised are civil matters which need to be resolved between the applicant and the concerned people prior to development taking place. Some of the concerns would also be covered under Building Regulations and/or the Party Wall Act.

With regards to the loss of off-street car parking, this is not an issue to be considered under this application since this aspect of the proposals is Permitted Development. In any event, the floor plan shows that the existing garage is approximately 3m wide and 3.5m long. This space is therefore too small to accommodate a car and therefore County Highways raise no objections to this area being converting to a habitable room. In addition, when visiting the site it was clear that this space was originally a room which formed part of the cottage as a fire place and cupboard to the side of the chimney breast are still apparent.

The plans submitted show that part of the existing flat roof single storey rear extension is to be extended outwards by approximately 700mm to bring it in line with the remaining part of the extension. This is a minor extension which will have no adverse impact on the adjoining residents.

Concern has been raised in relation to the proposed first floor windows and overlooking onto adjoining properties. This issue has been taken into consideration and especially the impact of the development on the amenities of No 31 which has rooflights within its flat roof rear extension. Other properties in this row of terraced properties have extended in this manner and on this basis, this extension would be difficult to resist. With regards to the overlooking into the rooflight windows, due to the angle and the distance, it is considered that the proposed extension will have a limited impact on the amenities of those living at No. 31.

Neighbours have raised objections to the external materials to be used in the development. With regards to the rear elevation, the use of render is considered to be acceptable on the basis that the extension will not be visible from any public viewpoints and that the rear elevations of this row of terraces incorporates a large mixture of styles and materials. The use of render would therefore be difficult to resist on this development.

One objector is concerned that the proposed extension is to be sited close to an existing greenhouse

and two conifer trees. On the basis that the proposed first floor extension is to sit above the existing single storey flat roof extension, there is no reason to assume that the rear extension will affect the existing trees. With regards to the greenhouse, this is a temporary building and could be re-sited should it be in the way of the ground floor extension.

The proposed development, by virtue of its scale, siting and design, is acceptable and in keeping with the character and appearance of the Conservation Area and will have no significant detrimental impact on the amenities currently enjoyed by the adjoining residents. As such, the proposal is in accordance with Policies C3 and H8 of the North Wiltshire Local Plan 2011.

Conclusion

The proposal will not be harmful to the character and appearance of the property or the Conservation Area and will have no significant detrimental impact on the amenities of the adjoining residents by virtue of the siting, scale and design of the proposal. On this basis, the proposal accords with Policies HE1, C3 and H8 of the North Wiltshire Local Plan 2011.

Recommendations and Proposed Conditions / Informatives

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 Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out strictly in accordance with the approved plans subject to such minor amendments to the development as may be approved in writing under this condition by the Local Planning Authority.

Reason: To ensure that the development is implemented in accordance with this decision in the interests of public amenity, but also to allow for the approval of minor variations which do not materially affect the permission.

3. Notwithstanding the information show on the approved plans, all stonework and work of making good on the front elevation of the property shall be finished to match the existing dwelling in respect of type, size, colour, pointing, coursing, jointing, profile and texture.

Reason: In order to ensure the satisfactory appearance of the completed development and to comply with Policy C3 and HE1 of the North Wiltshire Local Plan 2011.

4. The external roof tiles to be used in the development hereby permitted shall match those of the existing dwelling in colour, texture and profile, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure the satisfactory appearance of the completed development and to comply with Policy C3 and HE1 of the North Wiltshire Local Plan 2011.

5. No development shall take place until a sample panel of the render to be used on the external walls shall be made available on site to be inspected and approved in writing by the Local Planning Authority. The external render, as finished, shall match the approved sample in respect of colour, type and texture.

Reason: In order to ensure the satisfactory appearance of the completed development and to comply with Policy C3 and HE1 of the North Wiltshire Local Plan 2011.

6. All render indicated on the approved plans or approved under a condition attached to this permission shall be completed prior to the first occupation of the development hereby approved.

Reason: In order to ensure the satisfactory appearance of the completed development and to comply with Policy C3 and HE1 of the North Wiltshire Local Plan 2011.

7. No development shall take place until details of all new external joinery have been submitted to, and approved in writing by, the Local Planning Authority. These details shall include depth of reveal, materials and full drawings including both horizontal and vertical sections, to a scale of not less than 1:10. The development/works shall be completed in accordance with the approved details and at no time shall the approved joinery be altered without the prior written approval of the Local Planning Authority.

Reason: To enable the Local Planning Authority to be satisfied with the completed appearance of the development and to comply with Policy C3 of the North Wiltshire Local Plan 2011.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) there shall be no extension or external alteration to any building forming part of the development hereby permitted.

Reason: In order to safeguard the amenity of the area by enabling the Local Planning Authority to consider individually whether planning permission should be granted for extensions and external alterations.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no windows or other form of opening, other than those shown on the approved plans, shall be introduced into the elevations of the extensions hereby permitted.

Reason: In the interests of residential amenity and to comply with Policies C3 and H8 of the North Wiltshire Local Plan 2011.

Informatives:

1. This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

- Drawing numbers 3256/01, 3256/02B and 3256/03 date stamped 5th December 2007.

2. You are advised that this planning permission does not override any interests that third parties may have regarding civil matters such as ownership, covenants or private rights of way. Before any works are carried out which affect land outside your ownership you should ensure the necessary consents have been obtained from all persons having an interest in the land.

If you intend carrying out works in the vicinity of the site boundary you are also advised that it may be expedient to take your own independent advice with regard to the requirements of the Party Wall Act, 1996.

3. The following policies of the Development Plan are relevant to this decision:-

North Wiltshire Local Plan 2011:- C3, H8 and HE1

Reason for Decision

The proposal accords with Policies C3, H8 and HE1 of the North Wiltshire Local Plan (2011) in that the development will not be harmful to the character and appearance of the property or the Conservation Area and will have no significant detrimental impact on the amenities of the adjoining residents by virtue of the siting, scale and design of the proposal.

Appendices:	<ul style="list-style-type: none">• None
Background Documents Used in the Preparation of this Report:	<ul style="list-style-type: none">• 1.20• 2.02• 4.02• 4.03• 4.04• 4.07