

**REPORT TO THE DEVELOPMENT CONTROL COMMITTEE** Report No.

<b>Date of Meeting</b>	<b>14<sup>th</sup> May 2008</b>
<b>Application Number</b>	<b>08/00406/FUL</b>
<b>Site Address</b>	<b>6 Common Road, Malmesbury</b>
<b>Proposal</b>	<b>Proposed alterations and extensions to existing dwelling to create four bed dwelling</b>
<b>Applicant</b>	<b>Mr and Mrs Jones</b>
<b>Town/Parish Council</b>	<b>St Paul Malmesbury Without</b>
<b>Grid Ref</b>	<b>392334 186873</b>
<b>Type of applications</b>	<b>FUL</b>

**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 8<sup>th</sup> April 2002 because more than 5 letters of objection have been received

**Summary of Report**

This application is for extensive alterations to an existing single storey property to create a two-storey house with 4 bedrooms.

This report is prepared to allow Members of DC Committee to consider the proposal in the context of planning policy and guidance. The key points to consider are as follows:

- Implications of Policies C3, H3 and H8 of the adopted North Wiltshire Local Plan 2011
- Design, scale and appearance of extensions and alterations
- Impact upon residential amenity

**Officer Recommendations**

Planning Permission be **GRANTED** subject to the following conditions:

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## Proposal and Site Description

This application is for extensive alterations to an existing single storey property to create a two-storey house with 4 bedrooms (although it should be noted that the number of bedrooms made reference to is potentially misleading since the submitted floor plans label 4 of the first floor rooms as bedrooms with 1 additional room of commensurate size being labelled as a “study”). Materials are proposed to be render with tiled roof.

The property is part of a series of dwellings fronting on to Common Road. Those properties vary greatly in respect of their design, scale, external appearance and their relationship with the road. Primarily on the south-eastern side of Common Road (but by no means exclusively so), in several circumstances the original dwelling has been demolished and the resulting site comprehensively redeveloped for residential purposes. Other neighbouring properties have been extended and altered to varying degrees.

Common Road represents the south-western extremity of Malmesbury, and as such has been given a distinct and separate Settlement Framework Boundary from the town.

This proposal follows an earlier planning application for similar extensions and alterations considered and refused by the Development Control Committee on 30<sup>th</sup> January 2008. This proposal now reduces the extent of projection forward of the original dwelling and the immediately adjoining property.

Relevant Planning History		
Application number	Proposal	Decision
07/02478/FUL	Alterations and extensions to existing dwelling to create five bed dwelling  Refused for the following reason :  01 The proposed alterations and extensions are of a design and scale that fails to respect the character of the area, and that creates an unacceptable impact upon the amenities of the nearest neighbours. As such the proposal is considered to be contrary to the provisions of policies C3 and H8 of the adopted North Wiltshire Local Plan 2011	Refused 30/01/08

## Consultations

St Paul Malmesbury Without Parish Council :

“This application is a revised version of an application we commented upon at Ref A, and although the increase in distance the proposed property extends in front of the building line has been reduced, the bulk of the building still extends forwards towards the road and beyond the general building line by about 5 ft (1.6 M). These revised plans do not adequately satisfy objections put forward by us at Ref A. We therefore still object to this application on the following grounds:

1. The overall size of the proposed building is out of proportion with its environs and the plot on which it stands. It is therefore detrimental to the local visual amenity.
2. The 2 story extension towards the road, being well (5ft – 1.6m) forward of the general building line, fails to harmonise with the character and appearance of the street scene in general along Common Road.

3. The development is high on a hill site that gives, in particular, added height to the four 1<sup>st</sup> floor windows. They would then overlook a number of neighbouring properties further down the hill. The amenities of the occupiers of these properties would therefore be adversely affected by reason of loss of privacy through being overlooked. It must be remembered that this is an area of bungalow dwellings by virtue of being built on a hillside with an inherent overlooking problem.
4. The roofline is heightened by 600mm above that of the next highest property in that part of Common Road and is detrimental to the local visual amenity.

This is a case of creeping increase in property sizes in all 3 dimensions. In view of this and the 4 objections listed above, we strongly recommend that you refuse this application.”

## **Representations**

Six (6) letters of objection received. Main issues raised:

- Appearance of alterations would not respect existing development along Common Road
- Scale of development excessive
- Overlooking into neighbour properties and loss of privacy – excessive number windows inserted into new first floor – drop in ground levels exacerbates

Lack of parking provision

## **Planning Considerations**

### Design, scale and appearance

The north-western side of Common Road appears to have originally been developed as individual properties with very little uniformity in design, scale, external appearance or indeed relationship with Common Road. The vast majority of those properties appear to have been single storey in design (although the land to the rear falls away dramatically), but in more recent times has been modified to accommodate alterations and additions, which has introduced a further degree of variety (particularly No.8 to the south-west). Diversity of appearance is even further pronounced on the south-eastern side of Common Road.

As per the previous 2007 application, the configuration of the proposed additions do much to alter the character and appearance of the existing dwelling. In this way, it is perhaps more realistic to consider the proposal as a replacement dwelling, rather than a simple domestic extension. The apparent reduction in projection of the extensions forward of the property from that previously proposed does not alter this view.

Again, as per the 2007 proposal, it can only be acknowledged that the proposed dwelling does not possess great architectural merit, although it does at least display a degree of symmetry with twin projecting gables to the frontage, with the garage (and first floor accommodation) relocated to the side. Nevertheless, the same could be said of the existing property, and to most of the adjoining. In this way, it is considered that the design of the proposal alone cannot be regarded as a reason to refuse planning permission.

Similarly, within the context of a road that displays many forms of development, the increase in height to a (relatively) low two-storey height (measuring 7.7m to ridge as seen from the road frontage) should not be viewed as being immediately out of character. Full two-storey properties can already be seen at “Ridgemead” and “The Hawthorns” on the opposite site of the road, as well as dormer bungalow type additions to several properties, particular No.9. In the event of a resolution to grant planning permission, conditions controlling finished floor levels could adequately control the extent to which new development would be raised above the falling ground to the rear of the dwelling.

## Impact upon residential amenity

The neighbouring property to the south-west (No.7) presents a single storey garage to the application site. Conversely, No.5 to the north-east actually presents a ground floor living-room window directly towards the proposal, although it is a secondary aspect.

Because of the above relationship, at the time of the 2007 proposal it was considered necessary to ensure that the new dwelling presents a front elevation that was no further forward (toward Common Road) than that of the neighbouring property's front elevation. At that time the applicant failed to submit plans that fulfilled that brief, and the proposal was duly refused planning permission.

In contrast, this revised application does now reduce the extent of forward projection to 600mm (as stated by the agent) compared with the 2.0m of the previous proposal. This is commensurate with the adjoining property and is thought to overcome the previous reason for refusal. The full height of the first floor accommodation over the garage to the side is not thought to significantly adversely affect neighbouring amenity.

### **Recommendation:**

Subject to the submission of plans satisfactorily demonstrating the proposal would project no further forward toward Common Road than the adjoining No.5, then:

APPROVE planning permission 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 - Prior to the commencement of the development hereby permitted, details of materials to be used externally shall be submitted to, and approved in writing by, the local planning authority. The development shall be built in the materials approved.

Reason: In the interests of visual amenity.

4 - Prior to the commencement of the development hereby permitted, details of the proposed and existing levels across the site (including details of the finished floor levels of all buildings hereby permitted) shall be submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the details so approved.

Reason: To ensure a satisfactory layout in the interests of the amenity of the area.

5 - The development hereby permitted shall not be commenced until details of the landscaping of the site, including wherever appropriate the retention of existing trees, have been submitted to, and approved in writing by, the local planning authority.

The approved landscaping scheme shall be implemented within one year of either the first occupation or use of the development, whether in whole or in part, or its substantial completion,

whichever is the sooner, and shall be maintained thereafter for a period of not less than five years. The maintenance shall include the replacement of any tree or shrub which is removed, destroyed or dies by a tree or shrub of the same size and species as that which it replaces, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of amenity.

6 - 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.

7 - Prior to the first occupation of the dwelling hereby approved, the first floor en-suite bathroom window to the north-east elevation shall be fitted with obscure glazing and shall remain in that condition thereafter.

Reason: In the interests of residential amenity.

#### Informatives

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.

Site location plan  
Proposed elevations 5/2  
Proposed ground floor plans 3/2  
Proposed first floor plans 4/2  
Existing elevations 2  
Existing floor plan 1 – all dated 20/02/2008

#### **Reason for Decision**

The proposal is considered to comply with the provisions of Policy C3 and H3 of the adopted North Wiltshire Local plan 2011.

**Appendices: NONE**

**Background Documents Used in the Preparation of this Report: 1.20; 4.02; 4.04; 5.02**