

<b>Date of Meeting</b>	6 <sup>th</sup> February 2020
<b>Application Number</b>	19/09544/FUL
<b>Site Address</b>	Stoneleigh Church Street Winterbourne Stoke Wiltshire SP3 4SW
<b>Proposal</b>	Proposed two storey rear extension and associated works.
<b>Applicant</b>	Mr Tom De Jonge
<b>Town/Parish Council</b>	WINTERBOURNE STOKE
<b>Electoral Division</b>	Till and Wylve Valley – Cllr Darren Henry
<b>Grid Ref</b>	407682 141011
<b>Type of application</b>	Householder
<b>Case Officer</b>	James Repper

**Reason for the application being considered by Committee**

Councillor D. Henry has called the application to committee for the following reason:

- Relationship to adjoining properties

**1. Purpose of Report**

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be approved

**2. Report Summary**

The main issues which are considered to be material in the determination of this application are listed below:

- Principle of development
- Scale, design, impact to character and appearance of the area
- Residential amenity/living conditions

The application has generated three letters of objection from two neighbours and one other.

### **3. Site Description**

The application site is a detached modern residential dwelling located on a primarily residential through road within the main built up area of the small village of Winterbourne Stoke as defined by Wiltshire Core Strategy (WCS) core policies 1 (Settlement Strategy), 2 (Delivery Strategy) and 4 (spatial Strategy for the Amesbury Community Area). The property is next to but not within the designated Winterbourne Stoke Conservation Area and is surrounded by other residential properties, several of which have undergone alterations and/or extensions over time, and their amenity/parking provision.

### **4. Planning History**

**16/11519/FUL** – Replacement Garage – approved January 2017

**18/00375/FUL** – Erection of a single storey rear extension – approved Feb 2018

**S/1999/1378** – Two storey extension to rear of property – approved Oct 1999

**S/2004/2041** - Single storey extension & conservatory at rear – approved Dec 2004

### **5. The Proposal**

This is a householder application proposing a staggered two storey extension to the rear elevation (West) of the application site. The proposals have been adjusted after comments raised by neighbours to the plans now proposed. The extension is proposed to be “set-in” from the existing northern elevation placing it further away from the common boundary between Stoneleigh and 2 Church Street (Greystoke). On the ground floor the proposal details a garden room with glazed doors onto the southern elevation and an office area with a window onto the Western aspect. The first floor after revisions is now proposed to be set back by approximately 1m from the western most edge of the ground floor and is also to have a hipped rather than gabled roof, these alterations from the original plan have been proposed to reduce overshadowing on Greystoke. A new window is to be introduced into the northern elevation serving an en-suite, this window is to be obscure glazed with limited top opening capability and located within the existing building.

### **6. Local Planning Policy**

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

National Design Guidance (Planning practice guidance for beautiful, enduring and successful places) 2019

*Wiltshire Core Strategy:*

CP1 (Settlement Strategy)

CP2 (Delivery Strategy)

CP57 (Ensuring High Quality Design & Space Shaping)

*Supplementary Planning Guidance:*

Creating Places Design Guide SPG (April 2006)

## **7. Summary of consultation responses**

Winterbourne Stoke Parish Council

- For reasons outside of the control of Winterbourne Stoke Parish Council councillors have been unable to discuss this application.

## **8. Publicity**

This application was advertised through the use of a site notice and letters of consultation.

Letters of representation were received from the occupiers of Greystoke, 6 Brook Close and a resident from Warminster; The following comments were made:

- Over development of an already over developed area of the village
- Concern over proximity to an oil tank and its potential fire risk
- Ground floor window in the western elevation would compromise the privacy of 6 Brook Close
- Detrimental effect on the view from the designated conservation area
- Concern over environmental impacts of the build within such a confined space
- Access would be required via land outside of the ownership of the applicants
- Health and safety concerns regarding delivery arrangements
- Misleading plans specifically relating to the distance between the proposal and the boundary with Greystoke
- Overshadowing and overbearing effect on Greystoke
- Breach of Right to light covenant
- Loss of countryside view

## **9. Planning Considerations**

### **9.1 Principle of Development**

The application site is located within the small village of Stapleford, part of the Amesbury Community Area, which is defined as a small village by WCS core strategies 1 and 2. The housing policy boundaries have been removed from small villages effectively categorizing them as the countryside. Saved policy H31 from the previous Salisbury District Local Plan has been retained following the adoption of the WCS.

The WCS states that within small villages some modest development may be appropriate to contribute to the vitality of rural communities by ensuring better facilities and homes.

Saved policy H31 from the Salisbury District Local Plan 2003 states that In the countryside extensions to existing dwellings will be permitted provided that

- a) The extension is subservient in size to the existing dwelling and house plot and does not substantially alter the character of the dwelling;

b) The design of the extension is in keeping with that of the existing dwelling and uses complementary materials;

c) The extension would not create, or be capable of creating, a separate dwelling.

These principle acceptability's are however subject to the detail, such as their implications for the character of the area and neighbouring amenities. These will, therefore, be addressed in more detail below.

## **9.2 Character & Design**

Core Policy 57 states that new development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality. Residential extensions such as this are acceptable in principle subject to there being no adverse impacts.

Good design helps to provide a sense of place, creates or reinforces local distinctiveness, and promotes community cohesiveness and social wellbeing; The layout and design of new developments must also be based on a thorough understanding of the site itself and its wider context, and seek to maximise the benefits of the site's characteristics. This will require careful consideration of the site layout. No two sites share the same landscapes, contours, relationship with surrounding buildings, street pattern and features. The proximity of poor quality or indistinct development is not a justification for standard or poor design solutions. New development should integrate into its surroundings whilst seeking to enhance the overall character of the locality; A high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings.

The two-storey rear extension is to be constructed of materials to match the existing dwelling and others in the immediate surrounds and is to have a set-down from the original ridge. The revised drawings received on the 20<sup>th</sup> November 2019 have reduced the depth of the first-floor element and changed the roof structure from a gable end to a hipped roof. The form and design of the proposals are considered to be in keeping with the character of the application site and the local area which contains a variety of housing forms as well as similarly extended properties. Overall it is ,therefore, considered that the proposals would be of an appropriate character and design for the host dwelling and would have limited impact on the surrounding area.

## **9.3 Neighbouring Amenity**

WCS policy CP57 requires that development should ensure the impact on the amenities of existing occupants/neighbours is acceptable and ensuring that appropriate levels of amenity are achievable within the development itself. The NPPF includes that planning should 'always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings'. Residential amenity is affected by significant changes to the environment including privacy, outlook, daylight and sunlight, and living areas within private gardens and this therefore needs to be carefully considered accordingly.

In this instance it is considered that the proposed works will have limited implications on the amenities enjoyed by the occupiers of neighbouring dwellings.

6 Brook Close is located almost directly due West from the application site and is considered to be insufficiently affected by the massing of the proposed works and will not be unduly over shadowed. Nor will 6 Brook Close be overlooked by the proposals, in fact the proposals will remove a first floor bedroom window which currently overlooks the properties amenity space. The ground floor office window proposed is not considered to offer a material effect on amenities enjoyed by the occupiers of 6 Brook Close as it offers no views beyond the boundary treatment already in place.

Greystoke is the closest property to the proposed works and the most affected by them. The properties are arranged in a staggered linear form with Greystoke being located to the northwest of Stoneleigh. The proposed works will, on the ground floor, overlap the original rear elevation of Greystoke by approximately 1.5m but, more importantly, by 0.5m on the first floor. The roof design has also been altered to a hipped roof to further reduce this area of overlap. Whilst it is considered that the overlap will undoubtedly create some form of additional shadowing this is not considered to be sufficient to refuse the application. The orientation of the properties also, it is considered, dictates the window of this overshadowing would be limited to the morning hours by dint of the sun's transit. Therefore, it is considered that whilst some additional shadowing will exist it is not sufficient to warrant a refusal and would not affect a considerable proportion of the amenity space available to the occupiers of Greystoke.

### **9.3 Outstanding Concerns Raised**

Several concerns were raised during the process that are not considered to be relevant to planning matters these include health and safety concerns regarding an oil tank, deliveries access and turning, access to the site via land outside of the ownership of the applicant and issues relating to covenants of title and the party wall act. All these concerns are covered by alternative legislation and, therefore, have no bearing on the planning application. Regarding the issue of overdevelopment in an "already over developed area of the village" the application does not breach the three principle conditions for development within the countryside and is, therefore, not considered over development. Concerns were raised regarding the loss of a view and the effect of the view from the designated conservation area, there is no "right" to a view within planning and the only "views from" given weight within heritage terms are from castles or watchtowers. The environmental impact of the proposals have been raised but due to the relatively small scale of the proposals and the nature of the land upon which it is proposed, these impacts are not considered significant. Finally concerns have been raised regarding the plans and the possibility that they are misleading. The original plans did omit the proposed en-suite window from the elevations but included it upon the floorplans, having spoken to the agent this omission was immediately rectified on the revised plans and cited as an error. Having inspected the site the distances proposed, less than a metre from the boundary fence for the proposed works, appear to be sufficiently accurate to prevent any material mis-direction.

## **10. Conclusion**

Throughout the application process the concerns raised by the occupiers of Greystoke have been considered and it is concluded that the proposals would be of an acceptable overall scale and design for the character of the application site and surrounding area. Similarly, due to the staggered nature of the dwellings and the limited scale of the proposals, it is considered that the proposal would be unlikely to have a significantly

detrimental effect on the amenities enjoyed by the occupiers of adjacent dwellings.

## **RECOMMENDATION**

Approve 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:

Application Form & Certificate	Received 11 <sup>th</sup> October 2019
Revised Proposed Elevations & Plans 1158/02 rev C	Received 20 <sup>th</sup> November 2019
Block Plans	Received 11 <sup>th</sup> October 2019
Site Plan	Received 11 <sup>th</sup> October 2019

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

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the existing building.

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

4. **OBSCURE GLAZING**

Before the development hereby permitted is first brought into use the window in the Northern elevation (serving the En-Suite) shall be glazed with obscure glass and be top opening only. The window shall be maintained as such in perpetuity.

REASON: In the interests of residential amenity and privacy.