

REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	28th April 2010		
Application Number	09/02107/FUL		
Site Address	21 The Maltings, Malmesbury, Wiltshire, SN16 0RN		
Proposal	Single Storey Rear Extension, Loft Conversion including 2 Roof Lights + Roof Extension		
Applicant	Mr Kemp		
Town/Parish Council	Mamesbury		
Electoral Division	Malmesbury	Unitary Member	Simon Killane
Grid Ref	393194 187064		
Type of application	Full Application		
Case Officer	Kate Backhouse	01249 706684	Kate.backhouse@wiltshire.gov.uk

Reason for the application being considered by Committee

Called in by Cllr Kilane to consider

- Scale
- Visual Impact
- Relationship to adjoining properties
- Design
- Highway/Environmental Impact

1. Purpose of Report

To consider the above application and to recommend that planning permission be GRANTED subject to conditions.

2. Main Issues

The main issue in the consideration of this application is the effect that the proposal would have on the adjacent properties and the Malmesbury Conservation Area.

3. Site Description

21 The Maltings is a mid terrace property located towards the end of a cul de sac. The access to the estate is via a narrow lane which serves approximately 36 properties, built in the early 1990s. To the rear of the property there is a narrow garden which slopes down to the river. To sides of the garden are trellised fencing with a low picket fence to the end boundary. The property has white painted timber windows and doors and is built of reconstructed stone.

4. Relevant Planning History		
Application Number	Proposal	Decision
87.00977.FUL	41 Retirement Dwellings and Managers Dwelling with 14 Integral Garages, 13 Garages, 22 Parking Spaces and Access Residential Development - (34 Dwellings and 2 Flats)	PER
97.1736.FUL		PER

5. Proposal

The application seeks permission for the erection of a single storey rear extension and loft conversion to include a roof extension.

6. Consultations

Malmesbury Town Council

7. Publicity

The application was advertised by site notice, press advert and neighbour consultation.

10 letters of letters of objection have been received.

Summary of key relevant points raised:

- Not in accordance with C3 and HE1 of the North Wiltshire Local Plan 2011 in terms of scale and massing.
- A covenant on the properties restricting extensions
- Not in accordance with PPG15
- Light reduction
- Party wall issues
- Rooflights to the front will cause overlooking
- The properties were originally retirement homes and should not be used as family homes
- Character of the property
- Access for builders
- Setting a precedent

Malmesbury and St Paul Residents Association have objected to the application and the key points are summarised below;

- Size and scale of the rear extension
- Not in accordance with C3 of the North Wiltshire Local Plan 2011

8. Planning Considerations

The proposed rear extension has a depth of 3 metres and is to be built of materials to match the existing dwelling. Due to the staggered nature of the terraces, this means that only 2 metres of extension will extend further than the rear wall of 20 The Maltings and at a single storey level. The rear of the terrace is non-uniform being made up of a mixture of different house types and roof lines, it is therefore not considered that the proposed alterations would be out of keeping with the surrounding properties or fail to preserve the character and appearance of the Malmesbury Conservation Area at this location.

The proposed alterations to the roof to create additional living accommodation will extend the existing rear gable and insert two roof lights to the front roof slope. These are set a distance of 15 metres away from the house opposite (34 The Maltings). In addition to this 21 The Maltings is set slightly down from the property opposite and it is therefore considered that this will cause no additional overlooking and is acceptable in terms of size design, and scale.

In respect of party wall issues this is a civil matter rather than a planning consideration, likewise is the covenant on these properties.

The original intention of the estate as retirement homes is no longer relevant as permission was granted for dwellinghouses and has been used as such for over 15 years therefore there is no restriction on families living there. Access for builders is also not a planning consideration of this application.

There are three conservatories visible from the garden of 21 The Maltings and it is not considered that the proposed works will create a precedent for future development of the estate as each application is considered on its own merits having regards to the character and appearance of the area and host dwelling.

The Environment Agency have offered the standing advice to the applicant regarding the flood risk. It should be noted that the site is outside of floodzone 3

9. Conclusion

It is considered that the proposal is acceptable in terms of size scale and design and that there will be no significant adverse impact on the amenities of the adjacent properties. The application preserves the character and appearance of the Malmesbury Conservation Area and is therefore considered to be in accordance with Policies C3, HE1 and H8 of the North Wiltshire Local Plan 2011.

10. Recommendation

Planning Permission be **GRANTED** for the following reason:

It is considered that the proposal is acceptable in terms of size scale and design and that there will be no significant adverse impact on the amenities of the adjacent properties. The application preserves the character and appearance of the Malmesbury Conservation Area and is therefore considered to be in accordance with Policies C3, HE1 and H8 of the North Wiltshire Local Plan 2011

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.

Appendices:	None
Background Documents Used in the Preparation of this Report:	1.20 4.02 4.03 4.04 5.01

