

## REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

<b>Date of Meeting</b>	29 <sup>th</sup> May 2013		
<b>Application Number</b>	12/03466/FUL and 12/03477/LBC		
<b>Site Address</b>	56 Bristol Street Malmesbury SN16 0AX		
<b>Proposal</b>	Demolition of Existing Rear Extension, Erection of New Rear Single Storey Extension, New Dormer Window and Removal of Chimney		
<b>Applicant</b>	Mr Coppola		
<b>Town/Parish Council</b>	Malmesbury		
<b>Electoral Division</b>	Malmesbury	Unitary Member	Councillor Killane
<b>Grid Ref</b>	392900 187355		
<b>Type of application</b>	Planning Permission and Listed Building Consent		
<b>Case Officer</b>	Kate Backhouse	01249 706684	kate.backhouse@wiltshire.gov.uk

### Reason for the application being considered by Committee

Councillor Killane has called the applications in to make sure that the applicant is able to bring this application to committee to allow Councillors to have the opportunity hear neighbor concerns and decide the application.

### 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 issues in the consideration of this application are the:

- Principle of development
- Impact on the Listed Building and Conservation Area
- Neighbour amenity
- Size, scale and design

The application has generated objection from occupiers of an adjacent property, the Town Council and the Malmesbury St Pauls Without Residents Association

### 3. Site Description

The site is located within the framework settlement boundary for Malmesbury. The application building consists of both 54 and 56 Bristol Street, now being occupied as one dwelling. The rear garden slopes away steeply to the rear with there being a drop in levels to the adjacent property No 58-60 Bristol Street, to the west.

### 4. Relevant Planning History – None

### 5. Proposal

The applicant seeks permission for the demolition of an existing rear extension and replacement with a modern single storey extension spanning the back of the property. Internally, various minor

alterations are proposed and externally, the chimney is to be removed and a dormer window added. Revised plans have been submitted following concerns raised from adjacent occupiers to attempt to overcome concerns relating to overlooking.

## **6. Planning Policy**

Adopted North Wiltshire Local Plan 2011

C3 - Development Control Policy

H8 - Residential Extensions

HE1 - Development in Conservation Areas

HE4 - Development, Demolition or Alterations Involving Listed Buildings

National Planning Policy Framework

## **7. Consultations**

Conservation Officers – Amendments requested in respect of materials

Town Council – Objection to design and impact on privacy of occupiers of neighbouring property

## **8. Publicity**

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

Objections to the application primarily relate to issues regarding the potential for overlooking, given the drop in land levels between the application site and the neighbours property. Revised plans show the extension set further away from the boundary with the adjacent property

## **9. Planning Considerations**

### Principle of Development

The principle of extending the property into usable accommodation is acceptable subject to the scale, size and design of the proposal being acceptable additions. In the case of listed buildings a modern approach is often welcomed to highlight later additions rather than attempting to create a pastiche of an earlier style of building.

### Size, Scale and Design

The proposed dormer window is to the same size and scale as the existing dormer, with materials to match and in this respect there are no objections raised, nor to the removal of the later chimney. The internal works are minimal and subject to appropriately worded conditions considered acceptable. The original features of the properties remain with any alterations not widening existing openings, but lengthening to create doorways.

The proposed extension is completely modern in design with aluminium framing and full height glazing to enable the original wall of the property to be seen. The departure in design style is welcomed given the existing unattractive extension and flat roof two storey extension to the neighbouring property. The agent has confirmed that the roof is to be zinc rather than the single ply membrane originally proposed. In the interests of privacy, render is proposed on side walls apart from the last 1 metre to the west elevation. The proposed addition spans the entire rear of the property and provides a new kitchen diner to property. The addition to the property is lightweight in nature with the height kept below that of the first floor windows. When viewed next to the substantial flat roof two storey extension to the adjacent property, the addition is considered in keeping with not just the size and scale of the existing property, but that of surrounding properties.

## Amenity Issues

The revised plans show the proposed extension sited further away from the west boundary in the interests of neighbour amenity. In addition to this a 1.6 metre high boundary fence is proposed. It is considered that these amendments satisfactorily address amenity issues. To the east, the adjacent property has already developed along the boundary and the proposed extension will not therefore impact on the privacy or amenities of occupiers of this dwelling.

## Impact on the listed building and Conservation Area

As noted in Policy H8 of the North Wiltshire Local Plan 2011, in the case of historic buildings, a change of style and / or materials may be desirable to indicate the evolution of the building. The modern lightweight structure proposed is clearly a departure from the existing property however this is an approach that should be encouraged where the original character of the property is maintained, as is the case in this proposal. In respect of the Conservation Area, whilst the site is not visible from public vantage points, the requirement for development to either preserve or enhance said area remains. The modern addition replaces a later unattractive addition whilst not detracting from the character of the original cottage or character of the row of cottages when viewed from the rear.

## Conclusions

The proposed development is considered to accord with policies C3, H8, HE1 and HE4 of the North Wiltshire Local Plan 2011. The revised plans showing the extension set further away from the adjacent property and the introduction of a fence have on balance, adequately addressed issues of overlooking. The modern design is considered to preserve and enhance the Conservation Area. The internal alterations to the property are acceptable as is the removal of the later chimney and the introduction of a dormer window to match the existing. The proposal is therefore considered to preserve the special architectural interest of the listed building.

The application is therefore recommended for approval subject to conditions.

## **10. Recommendation**

### **In respect of 12/03466/FUL**

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

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the environmental conditions of the area. The proposed extension and alterations are considered to be acceptable in the context of the surrounding area and would preserve the character and appearance of this part of the Malmesbury Conservation Area and the listed building. The proposals are therefore considered acceptable in this instance and in accord with policies C3, H8, HE4 and HE1 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.

2. The development hereby permitted shall be implemented in accordance with the submitted plans and documents listed below. No variation from the approved plans should be made without the prior approval of the local planning authority. Amendments may require the submission of a further application.

## Plans

1068.SU.110 date stamped 12.10.12  
1068.SU.111 date stamped 12.10.12  
1068.PL.112 date stamped 12.10.12  
1068.PL.113 date stamped 12.10.12  
1068.PL.114a date stamped 16.10.12  
1068.PL.115 date stamped 16.10.12  
1068.PL.116 date stamped 22.10.12  
1068.PL.111b received 07.01.13  
1068.PL.110a received 07.01.13

REASON: To ensure that the development is implemented as approved.

3. No development shall commence on site until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

4. No development shall commence on site until details of the fence shown on drawing 1068.PL.110a received 07.01.13 have been submitted to and approved in writing by the Local Planning Authority. The fence shall be erected in accordance with the approved details prior to first use of the extension hereby permitted and shall be retained and maintained as such at all times thereafter.

REASON: To prevent overlooking & loss of privacy to neighbouring property.

## In respect of 12/03467/LBC

Listed Building Consent be **GRANTED** for the following reason:

The proposed development by reason of its scale, design and siting is considered to be an acceptable addition to the property and the proposed alterations would not unduly affect the fabric or setting of the listed building. The proposed development is in keeping with the character and appearance of the area and would secure the future of the building and this will achieve objectives for preservation of the heritage asset in accordance with the National Planning Policy Framework and the North Wiltshire Local Plan 2011. The proposals are thus considered to comply with section 12 of the National Planning Policy Framework (2012) and with S16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Subject to the following conditions:

1. The works for which Listed Building Consent is hereby granted shall be begun before the expiration of three years from the date of this consent.

REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be implemented in accordance with the submitted plans and documents listed below. No variation from the approved plans should be made without the prior approval of the local planning authority. Amendments may require the submission of a further application.

## Plans

1068.SU.110 date stamped 12.10.12

1068.SU.111 date stamped 12.10.12  
1068.PL.112 date stamped 12.10.12  
1068.PL.113 date stamped 12.10.12  
1068.PL.114a date stamped 16.10.12  
1068.PL.115 date stamped 16.10.12  
1068.PL.116 date stamped 22.10.12  
1068.PL.111b received 07.01.13  
1068.PL.110a received 07.01.13

REASON: To ensure that the development is implemented as approved.

3. Notwithstanding the approved drawings, no works shall commence until details of the following matters have been submitted to and approved in writing by the Local Planning Authority:

- Large scale details of all external joinery including glazing (1:5 elevation, 1:2 section) including vertical and horizontal cross-sections through openings to show the positions of joinery within openings, depth of reveal, heads, sills and lintels;
- Large scale details of dormer window (1:5 elevation, 1:2 section)
- Full details of external flues, background and mechanical ventilation, soil/vent pipes and their exits to the open air;
- Large scale details of proposed eaves and verges (1:5 section);
- Full details and samples of external materials.

The works shall be carried out in accordance with the approved details.

REASON: In the interests of preserving the character and appearance of the listed building and its setting.

4. No development shall commence on site until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

5. No development shall commence on site until details of the fence shown on drawing 1068.PL.110a received 07.01.13 have been submitted to and approved in writing by the Local Planning Authority. The fence shall be erected in accordance with the approved details prior to first use of the extension hereby permitted and shall be retained and maintained as such at all times thereafter.

REASON: To prevent overlooking & loss of privacy to neighbouring property.

