

REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	02 October 2013		
Application Number	N/12/03809/FUL & N/12/03810/LBC		
Site Address	36 HIGH STREET, SHERSTON, MALMESBURY, SN16 0LQ		
Proposal	Two Storey Rear Extension & Conversion of Outbuilding		
Applicant	Mr & Mrs Breakspear 36 High Street Sherston Malmesbury Wiltshire SN16 0LQ		
Town/Parish Council	Sherston		
Electoral Division	Sherston	Unitary Member	John Thomson
Grid Ref	385288 185757		
Type of application	Full Application		
Case Officer	Mark Staincliffe	01249 706682	mark.staincliffe@wiltshire.gov.uk

Reason for the application being considered by Committee

To consider the impact of the development on the conservation area and surrounding properties.

1. Purpose of Report

To consider the above application and to recommend that planning permission be REFUSED.

Sherston Parish Council raised no objection to the application. Two letters of support and one letter of objection were received from neighbouring properties.

2. Report summary

The main issues in the consideration of this application are as follows:

- Principle of development
- Impact on the character and appearance of the listed Building and character of the Conservation Area
- Impact on the privacy and amenity of existing neighbours

The application has generated no objection from the Parish Council; 1 letter of objection and 2 letters of support from the public.

3. Site Description

36 High Street is a Grade II Listed Building constructed in the 17th Century with 19 and 20 Century alterations, including an unsympathetic two storey flat roof extension. The property is located

within the Sherston Conservation Area and is in close proximity to other listed buildings, including numbers 32, 34 and 38 High Street.

4. Planning History

No relevant planning History

5. Proposal

Permission is sought for the construction of a large two storey rear extension, loft conversion with single dormer and the conversion of an existing outbuilding to habitable accommodation. It is also proposed to link the converted outbuilding to the principal dwelling by way of a modest single storey rear extension.

The proposal would provide additional ground floor accommodation and an additional bedroom. No alterations are proposed to the existing parking arrangements.

6. Planning Policy

North Wiltshire Local Plan: policies C3, HE1, HE4, NE4 & H8

Central Government Planning Policy: National Planning Policy Framework

7. Consultations

Sherston Parish Council-
No objection

Conservation-

- The extension is of excessive size in relation to the original building. The scale of the existing extension is still subservient to the original cottage, whereas the size of the proposed extension would mean that the extensions would be larger than the original building and would dominate it to an unacceptable degree.
- In addition, as shown, the extension has an unfortunate relationship with the neighbouring listed buildings to the south-west, cutting into the eaves. This would cause quite unjustified damage to that building and, moreover, consent for this is not explicitly sought.
- In order to maintain appropriate proportions I consider that the two-storey element should not extend further than the line of the two-storey rear gable of the adjoining property to the south-west, some 2.2m. The ground floor extension should not intrude upon the wall or gutter of the single storey range of the listed building to the south-west, so needs to be set in somewhat.
- This failure to sustain or enhance the significance of the heritage asset will be contrary to policy as expressed in para.131 of the NPPF. Para. 134 requires that where a proposal will lead to less than substantial harm the harm should be weighed against the public benefit of the proposal. In my view there is no mitigation provided by public benefits in this case, as the building already has a viable use. The proposal is therefore contrary to the provisions of the NPPF and thereby fails to be sustainable.

8. Publicity

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

2 households have supported the application and one household has objected to the application.

Summary of key relevant points raised;

- Height and size of extension will result in loss of sunlight and daylight to number 34
- Loss of privacy to number 34

- Noise disturbance during construction
- Highway safety during construction
- Good quality, sympathetic design

9. Planning Considerations

Principle of development

The original plans were amended to overcome concerns raised by officers. These amended plans saw changes to the dormer window, alterations to the converted outbuilding and changes to the link between the outbuilding and rear extension. These changes are considered acceptable, however, the amended plans have not overcome the fundamental objection to the size, mass and bulk of the two storey rear extension.

The site is situated within the village boundary of Sherston wherein the principle of extensions to existing residential properties is acceptable. The proposal is for a residential extension to a Grade II Listed Building which is located within the Cotswolds Area of Outstanding Natural Beauty and Sherston Conservation Area. As such, any extension to this residential property has to be considered against Policies C3 (Development Control Policy), HE1 (Development in Conservation Areas), HE4 (Development, Demolition or Alterations involving Listed Buildings), H8 (Residential Extensions) and NE4 (Areas of Outstanding Natural Beauty) of the adopted North Wiltshire Local Plan 2011 and Sections 6 & 12 of the NPPF. These policies and guidance allow for household extensions in principle.

Impact on the character and appearance of the listed Building and Conservation Area

Although it is accepted that the mid 20th Century extension does not add to the overall value of the building, its flat roof and modest proportions ensures that a clear distinction has been made between it and the much older parts of the building. The construction of a much larger rear extension which extends past the two storey projection constructed at the adjacent property would appear as a continuation of part of the original roof, this addition, if allowed, would blur the distinction between these separate elements and makes the extension more obvious. This needs to be balanced with the effect of providing a pitched and tiled roof which, in the most general of terms, is in keeping with the overall character of the building. However, in this respect, the introduction of such a large two storey rear extension and pitched roof would be an incongruous addition which appears out of place and would dominate this attractive and modest property.

The scale of the existing extension is relatively modest and subservient to the original cottage, whereas the size of the proposed extension would dominate it to an unacceptable degree. It is noted that a pitched roof is an improvement on the existing flat roof, however this must be balanced against the harm caused to the building due to such a large extension.

This failure to preserve or enhance the significance of the heritage asset is contrary to policy as expressed in paragraph 131 of the NPPF, which emphasises the desirability of sustaining and enhancing the significance of the heritage asset. Paragraph 134 requires that where a proposal will lead to harm to a listed building the harm should be weighed against the public benefit of the proposal. It is considered that there is no mitigation provided by public benefits in this case, as the building already has a viable use. The proposal is therefore contrary to the provisions of the NPPF.

Notwithstanding the efforts that have been made in ensuring that the materials of the extension match the older parts of the property, the result is that the modesty of this original property would be lost if permission was granted for this extension. It is considered that the proposed two storey rear extension unacceptably disrupts and dominates this rear elevation and therefore fails to preserve the special interest of the listed building.

It is considered that the existing building makes an important contribution to the character and appearance of the conservation area and this group of listed buildings. Although views of the proposed extension are very limited from outside the site, its importance can be appreciated from

within the site itself. In this respect, the works fail to either preserve or enhance the character or appearance of the conservation area which is a requirement of local and national planning policy.

Furthermore, the proposed two storey rear extension will be built onto the existing party wall with number 38 (also a listed building). If granted permission, the construction of the extension would result in the removal of the existing eaves overhang and guttering of the single storey projection to number 38. The removal of this eaves detailing is considered to be unacceptable as this detailing is a character of these properties. It is also important to note that the remaining eaves overhang to the single storey rear extension would remain and this would further harm the character and appearance of this group of listed buildings. It is also noted that no details of the proposed guttering between the properties has been provided. To deal with this detail by way of condition is unsatisfactory as it is difficult to establish how an acceptable gutter could be installed that would preserve or enhance the character of the Conservation area and listed buildings.

Impact on the privacy and amenity of existing neighbours

As acknowledged above, the proposed two storey rear extension is large. Having taken into consideration the size, design and scale of the proposed extensions and the layout of existing properties within the street scene it is considered that the development will not have an overbearing impact on adjoining properties.

Objections have been raised by number 34 High Street in relation to loss of privacy from the proposed dormer window. It is accepted that there will be an element of overlooking, however, the level of overlooking would be minimal and not significantly worse than the level of overlooking currently experienced from adjoining properties windows. It is considered that a reason for refusal based on privacy concerns would be difficult to sustain at an appeal.

An objection has also been received in relation to noise disturbance during construction of the development. If permission is granted for development there is an expectation that an element of noise disturbance will occur. However, legislation outside of the planning system would adequately control noise on site and the hours that work on site can take place. It would be difficult to sustain a reason for refusal based on noise disturbance.

Highways

The concerns raised by a local resident in relation to highways safety during construction are noted. However, it would be difficult to sustain a reason for refusal on this ground. Furthermore, should planning permission be granted for the development this issue could be adequately controlled by condition.

10. Conclusion

The construction of the large two storey rear extension is not acceptable. The property and many adjoining properties are listed buildings and form an important part of the historic fabric, character and setting of the heritage asset. The construction of the two storey rear extension will have an adverse impact on the character and setting of this listed building and the surrounding conservation area. The existing property makes a substantial, positive contribution to the character and appearance of the conservation area. The proposal is contrary to policies contained within the North Wiltshire Local Plan and the NPPF and refusal of the planning application is recommended.

11. Recommendation

N/12/03809/FUL

Planning Permission be REFUSED for the following reason:

The property is a Grade II listed building. Policy HE4 of the North Wilts Local Plan states that 'Development or alteration affecting a listed building will only be permitted where it preserves or enhances the building, its setting and any features of special architectural or historic interest that it possesses'

The construction of such a large and deep two storey rear extension and adjacent to another listed building would be harmful to the architectural and historic quality of the building, adjacent dwelling and character and appearance of the Conservation Area. The development is therefore contrary to the S.66(1) and S.72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Section 12 of the National Planning Policy Framework; the provisions of the development plan contained in Policy C3, HE1 & HE4 of the North Wilts Local Plan and Core Policy 57 & 58 of Wiltshire's Pre-Submission Core Strategy.

N/12/03810/LBC

Listed Building Consent be REFUSED for the following reason:

The construction of such a large and deep two storey rear extension and adjacent to another listed building, would be detrimental to the architectural and historic interest of the building and of the adjacent, listed dwelling, thereby causing harm to the heritage assets. The works are therefore contrary to the S.16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Section 12 of the National Planning Policy Framework.

