

## REPORT TO THE AREA PLANNING COMMITTEE

<b>Date of Meeting</b>	17 September 2014
<b>Application Number</b>	14/07264/FUL
<b>Site Address</b>	1 Chubb Close Malmesbury Wiltshire SN16 9JW
<b>Proposal</b>	Extension to Garage (Resubmission of 14/03538/FUL)
<b>Applicant</b>	Mr Nick Sills
<b>Town/Parish Council</b>	MALMESBURY
<b>Division</b>	MALMESBURY
<b>Grid Ref</b>	393042 188261
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Sue Mehaffy

### Reason for the application being considered by Committee

Councillor Killane has submitted a request for the planning application to be considered by the committee to assess the effect on the visual impact upon the surrounding area, the design, bulk, height and general appearance of the development, the scale of the development and the relationship to adjoining properties.

### 1. Purpose of Report

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

### 2. Report Summary

There are no objections to the scheme and Malmesbury Town Council and the Residents Association both support the application, however, both state that residential use should be prevented.

The main issues in the consideration of this application are the acceptability of:

- Principles of development Policies C3 and H8 of the North Wiltshire Local Plan 2011 and Section 7 of the National Planning Policy Framework
- Impact on the scale and character of the existing dwelling and the surrounding area
- Impact on neighbour amenity

### 3. Site Description

The property is a detached dwelling, situated on a corner plot within Chubb Close, which is private a cul de sac of five dwellings, which is located off Tetbury Hill, in Malmesbury. The property is to the left of the entrance to the cul de sac and is in a prominent position, which is viewed initially, when entering the development. There is a grassed area to the side of the access road, with a 1.8 metre wooden fence on the rear boundary of the site. There also mature trees within the plot, some with Tree Preservation Orders. (TPO 166)

### 4. Planning History

N/01/00604/FUL	Erection of Fence adjacent to Highway - Approved
N/02/02421/FUL	Extension to Dwelling – Approved
N/05/00661/FUL	Single Storey Side Extension - Approved
N/11/00638/DDD	Fell 1 Walnut Tree – Approved – Further Details not Required
14/03254/DDD	Fell 2 Red Cedar Trees - Withdrawn
14/03538/FUL	Extension to Garage – Withdrawn - The extension to the garage was withdrawn by the agent on the 17 <sup>th</sup> June 2014 as he was informed that the proposal was going to be recommended for refusal, due to the size, scale, massing and it was also considered out of character with the area.

### 5. The Proposal

The proposal follows a previous application for an extension to the garage. This was subsequently withdrawn (Planning Ref: 14/03538/FUL). Permission is sought again for an extension to the garage, forming a studio and an office.

### 6. Consultations

**Malmesbury & St Paul Without Residents ' Association** state - *The Association continues to support this resubmitted application. We believe the massing of the proposed new extension on this large plot is totally acceptable, indeed we are aware that permissions have been granted in the recent past for dwellings in back gardens that are of higher density than this proposal; some consistency of assessment should be applied. The Committee are also content with the design of the extension and believe it is in character with other dwellings on this small development. We should like consideration being given to conditioning any approval with a requirement that the extension should not be used for residential purposes.*

**Malmesbury Town Council** – support the planning application with the condition that residential use is prevented.

## **7. Publicity**

The application was advertised by site notice and neighbour consultation.

## **8. Planning Considerations**

### Principle of Development

The proposal is for an extension to the garage and as such has been considered in relation to Policy C3 (Development Core Policy) and H8 (Residential Extensions) of the adopted North Wiltshire Local Plan 2011. These policies allow for household extensions provided that the proposal meets the criteria set out.

### Impact on the Host Building

The main issue is the effect that the proposed development would have on the character and appearance of the dwelling and the surrounding area.

Policies C3 and H8 indicate, amongst other things that proposals for extensions should be in keeping with the host building in terms of scale, form materials and details. Furthermore, development should respect the local character and distinctiveness of the area with regard to amongst other things design, size, scale, massing.

## **9. Assessment**

The proposed extension is to be sited to the side of the garage. The extension measures 11.5 metres in length and the office area is 5.3 metres in width and the studio element is 5 metres in width. The structure is 5.2 metres to the central apex and has a gross floor area of 48.81 square metres. The proposal has the same footprint and is the same scale as the previous application; however, the fenestration details have been changed.

The proposal incorporates a studio, an office and a WC. The building has a pitched roof, which is set down by 0.2 metres lower than the roof of the garage. To the south west (rear) of the building the roof incorporates four rooflights, a standard window and three high level windows. The south east elevation includes four full length windows and a round window above. The front elevation incorporates a personnel door, with an attached side window and a standard window within the studio element. All the materials to be used will match those of the existing dwelling.

Pre-application tree advice was sought regarding TPO on the site and it was provisionally agreed that two silver birches would need to be removed to allow for the development and these would be replaced, within the plot. However, the visual character impact of the loss of these mature trees would have a harmful bearing on the streetscene in general.

It is acknowledged that the property is not located within a designated area, however, the consideration of the impact of the proposal on the character and appearance of the host building and the area in general remains material. The local area has a distinct character and the proposed extension is wholly at odds with that character. It is considered that the

vast additional built form would detract from the character of the existing dwelling and the surrounding area particularly when entering the cul de sac, where it is sited in a prominent position.

It is recognised that the host dwelling has scope for an extension and it is considered this would be a less harmful, more appropriate design approach, than extending a detached outbuilding.

The cumulative impact of the proposed extension along with the existing structure, due to the bulk and massing would have a detrimental impact upon the character and appearance of the property and would appear prominent within the cul de sac.

## **RECOMMENDATION**

The application be REFUSED for the following reasons:

The proposed development would overwhelm the host dwelling appearing dominant over, rather than subservient to the host building. The scale, bulk and massing of the proposal would appear as an incongruous and harmful addition which would be exceptionally prominent in the locality and harmful to the residential character and appearance of the area. The proposal is considered to be contrary to Policies C3 and H8 of the North Wiltshire Local Plan and does not comply with paragraphs, 17, 55 and 56 of the National Planning Policy Framework and policy CP57 of the emerging Wiltshire Core Strategy (Submission Draft as proposed to be amended April 2014).

## **Appendices:**

### **Background Documents Used in the Preparation of this Report:**