

REPORT OUTLINE FOR AREA PLANNING COMMITTEES**Report No.**

Date of Meeting	22 nd May 2024
Application Number	PL/2024/00649
Site Address	19 The Beeches, Lydiard Millicent, Swindon, SN5 3LT
Proposal	Proposed Side and Rear extension and new roof over accommodate rooms in the roof
Applicant	Mr and Mrs Nick Sturman
Town/Parish Council	Lydiard Millicent
Electoral Division	Councillor Steve Bucknell
Type of application	Householder Planning Permission
Case Officer	Stefan Galyas

Reason for the application being considered by Committee:

The application has been called to the Northern Area Planning Committee by Councillor Steve Bucknell. The development by virtue of its scale, bulk, mass, form, positioning and design features which would result in harm to the character, appearance and visual amenity of the locality; and harm to and loss of residential amenity by virtue of overbearing impact, loss of outlook; loss of privacy and overlooking and loss of daylight. As a result the proposal is contrary to Wiltshire Core Strategy Core Policy CP57 (i) (iii) (vi) (vii) (xi) (Jan 2015)

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 recommendation for planning permission is permitted subject to conditions.

2. SITE DESCRIPTION

The application relates to No.19 The Beeches, a detached bungalow featuring a hipped roof and red brick exterior walls. The dwelling has not previously extended to the rear and possesses a flat roofed side elevation garage. The property is set to the south of the roadside and is currently accessed through a gravelled driveway. There is both ample front and rear garden amenity space afforded on site.

The sites locality features an eclectic mix of architectural styles, finishes and materials including two storey dwellings. Many dwellings feature dormers of varying appearances in order to accommodate rooms at first floor level. There are two other bungalows to the west of the site which sit proud of the application property in terms of siting whilst No.19 is set more in line with the adjacent neighbouring property to the east at No.21.

Lydiard Millicent is identified as a Small Village by the Wiltshire Core Strategy but does not possess a settlement boundary and the property is considered to be located within the open countryside for planning purposes.

With regard to policy constraints, the site is not located within any designated area with the periphery of the village wide Conservation Area lying to the south of The Beeches.

3. PROPOSAL

The application seeks planning permission for the development of a side (eastern) and rear (southern) elevation extensions as well as raising the existing bungalow roof in order to accommodate space at first floor level. The current vehicle access would remain unaltered as stated within the submitted application form.

The proposal would enlarge the existing bungalows overall footprint from approximately 92sqm to 149sqm at ground floor level internally. The existing front gable would be increased in width to support the raising of the ridge to this element. Additionally, the existing flat roofed garage would be extended upon at first floor level and the proposal would primarily feature a pitched roof with a hipped side (western) element.

The property would increase the quantum of bedrooms from three at present to four and would feature several internal alterations. In terms of fenestration arrangement, there would be two dormer windows and a roof light contained to the front elevations roof slope as well as six rooflights contained to either side of the proposed rear gable and a new rear dormer. A new first floor window opening would be contained to the rear gable with two further ground floor windows serving the kitchen and a bi-fold opening door serving the dining area.

Proposed materials would comprise of facing brickwork walls, interlocking concrete roof tiles, white uPVC windows and doors.

4. POLICIES

Wiltshire Core Strategy (WCS) Adopted 2015

Core Policy 1 – Settlement Strategy

Core Policy 2 – Delivery Strategy

Core Policy 19 – Royal Wootton Bassett and Cricklade Settlement Strategy

Core Policy 51 – Landscape

Core Policy 57 – Ensuring High Quality Design and Place Shaping

Wiltshire Design Guide – March 2024

Paragraph 3.3.1

Paragraph 4.2.9

Appendix D – Design Guidance for Household Extensions

Lydiard Millicent Neighbourhood Plan – Made May 2021

Policy LM1 – Managing Design in Lydiard Millicent

National Policy:

National Planning Policy Framework (NPPF) December 2023

Paragraphs 2, 8, 11, 12, 38, 47, 88, 89, 114-116, 131, 135 & 139.

National Design Guide (2021)

5. KEY ISSUES

The main considerations which are material to the determination of this application are listed below:

- Principle
- Impact on Character and Appearance
- Neighbouring Amenities

6. RELEVANT PLANNING HISTORY

PL/2021/09418 - 13 The Beeches, Lydiard Millicent, Swindon, SN5 3LT. Erection of single storey front, rear and first floor extensions and replacement roofs with roof lights. Refused 03/03/22.

7. REPRESENTATIONS

Lydiard Millicent Parish Council: Objection. The Parish Council resolved to object to the application after having previously provided a 'no comment' response. It was considered that the same reasons for refusal as the nearby application at No.13 (PL/2021/09418) applied to the current proposal. The scale, bulk, mass, form, positioning and design features were considered to be unacceptable in this instance.

Wiltshire Council Highways: No objection.

Letters: There was a total of 12 letters of representation received in response to the proposed development from 7 local residents. With regard to the original proposal, the following issues were raised:

- The overall increase in height of the roof being of an obtrusive appearance that would not respond positively to the immediate character of the area or the adjacent properties.
- The installation of five velux rooflights which were considered to erode the current levels of privacy enjoyed by neighbouring occupiers.
- The proposed rear velux rooflights should be obscure glazed to maintain the privacy of the neighbours.
- Increasing the height above the existing roof line thus being out of sorts with the previous findings from the nearby decision at PL/2023/03135 and subsequent appeal.
- An overbearing impact being incurred through the proposed height on No.17. It was considered that the proposal would block light to the neighbouring kitchen, bedroom and dining room.
- All the properties within the inner horseshoe of The Beeches being of a bungalow design which was original to the development of the estate, thus forming the character of the area. Whilst alterations had been carried out on these inner dwellings, none have increase the roof ridge heights.

Following revisions submitted by the applicant, the proposal was hipped on its western roof pitch and the two storey rear extension was offset from the shared boundary with No.17 with the addition of a flat roofed single storey extension in its place. The proposed rear velux rooflights were removed and replaced with a rear dormer as well as a re-configured rear gable which featured a new window at first floor level. Further objections were received thereafter:

- The ridge height being 300ml over the previously proposed ridge line.
- Extra windows included to the rear elevation which would have the potential to overlook No.11s bedroom and garden.
- The proposal deterring the uniqueness of The Beeches development with houses featuring on the outer circle with bungalows contained to the inner horseshoe. The development was considered to set a precedent for future developments along the estate which would further erode its character.
- The proposed side (west) elevation rooflight having the potential to overlook the neighbouring property at No.17.
- The inner ring of bungalow developments being an important feature in the maintenance of the privacy of neighbouring occupiers which would be removed through the proposed development.
- The proposed rear elevation velux rooflight, dormer window and first floor window overlooking the property to the south at No.9 and No.11.

8. ASSESSMENT

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications be made in accordance with the Development Plan unless material considerations indicate otherwise.

Principle of Development:

The principle of extending or altering an existing dwelling is considered acceptable in principle and in accordance with Core Policies 1, 2, 19 and 57 of the WCS, subject to a range of site-specific considerations and compliance with policies found within the development plan and the NPPF.

Impact on Character and Appearance:

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/alterations such as this are acceptable in principle subject to there being no adverse impacts.

Policy LM1 of the Lydiard Millicent Neighbourhood Plan states that any development proposals in Lydiard Millicent must sustain and enhance the distinctiveness of the village.

Paragraph 135 of the NPPF states, among other matters, that new development should be visually attractive as a result of good architecture and be sympathetic to local character. The need for good design is reinforced by the National Design Guide (2021).

Appendix D of the Wiltshire Design Guide requires development proposals to not dominate the existing building and appear subservient. There are a number of factors which may influence the design of the extension, including the location, plot shape and size proximity to neighbours.

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 Beeches is a relatively modern development featuring residential dwellings of eclectic designs, positioned to either side of the horseshoe layout. Many of the dwellings within The Beeches have extended both from their original footprint and in terms of height and scale. These various alterations have resulted in the loss of the predominant vernacular in the area. The development is positioned west of the central core of development in Lydiard Millicent. The development as a whole is surrounded by open fields and adjoins Lydiard Green to the south.

The dwelling itself is positioned to south of the northern segment of the horseshoe at The Beeches. The cul-de-sac terminates to the east with dwellings positioned to the south, east and north of the turning circle. No.19 is set back from the two other bungalows abutting the southern side of the road at both Nos.15 and 17. The property is therefore more in line with the adjacent neighbouring dwelling to the south-east at No.21. While still perceivable from the roadside, this set back from the road decreases the properties overall visual prominence. Given the comparable building line between Nos.19 and 21 it is considered that the proposal should be considered more so within the context to the east of the site than the west. The uniformity and scale of the bungalows to the inner ring are considered to become diluted further to the eastern periphery and this can be seen at No.23 which features dormers and window openings at first floor level, thus increasing the properties overall scale.

It is considered that the proposed alterations would significantly change the external appearance of what would otherwise be a bungalow of a traditional appearance. The development would not entirely be out of sorts with its surroundings and would take cues from other design features within the sites locality. The inclusion of the two front dormers for example are considered to be reflective of the property at No.23. Whilst the inclusion of a front gable would be a break from the previous hipped appearance presented to the roadside, several gable ends of varying sizes and finishes can be observed within the sites locality, including both that of the properties immediate context at Nos.21 and 23.



Figure 1: No 13 Proposed Elevations at No.13 The Beeches under PL/2021/09418

It is acknowledged that the appeal decision at No.13 (PL/2021/09418) stated that there was a lack of abrupt changes and a coherence to the bungalows within the inner ring of development. Whilst each planning application is assessed based on its own merits, this previous decision does form a material planning consideration for the assessment of the current proposal. Figure 1 shows that the previously refused scheme at No.13 had a ridge height of approximately 8.5m and an eaves height of 5.3m. This was considered to be a significant change from the previous bungalow on site to a full 2½ storey house. The current proposal would raise the maximum ridge height be approximately 0.3m and would maintain the existing eaves height of 2.4m. Furthermore, the application site is considered to be set within a diluted position with regard to the inner ring of development as it matches the building line of the property to the south-east and is set back from the roadside. On the contrary, the previously refused proposal at No.13 was considered to be positioned in a highly visually prominent position with regard to The Beeches development in an open corner plot.

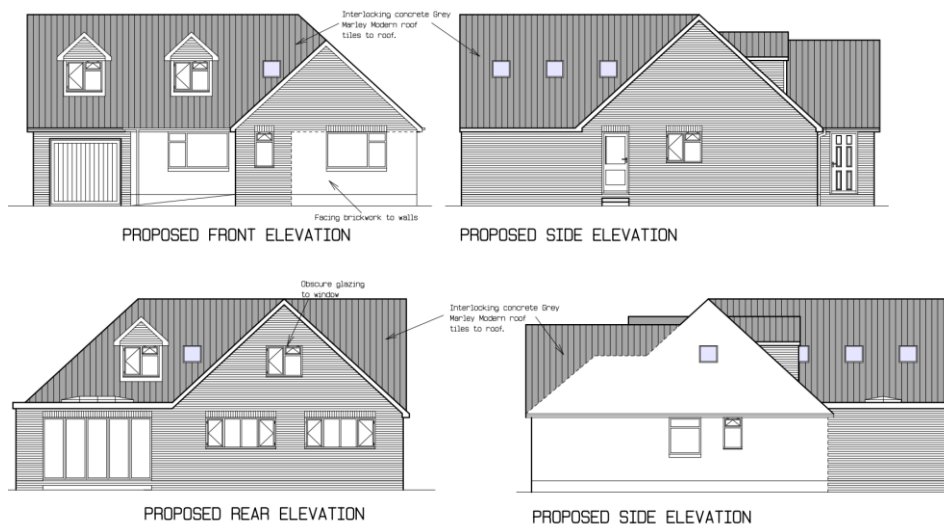


Figure 2: Proposed elevations under the current proposal PL/2024/00649

The proposed development would extend the existing bungalow to the side (eastern) elevation and would increase the overall internal footprint of the bungalow (at ground floor level) from 92sqm to 149sqm. A total of approximately 291sqm would be provided internally from the proposed extensions, loft conversion and raising of the ridge. Whilst this increase in footprint would likely result in a larger appearance to that of the original bungalow, the overall scale is not considered to give rise to an unduly unacceptable external appearance. The property would still present an overall height of a bungalow with a minimal increase in ridge height and retaining the same eaves height as at present.

It is therefore considered that the proposal would result in an acceptable appearance to the visual amenity of the locality. The proposal would be located to the periphery of the inner ring of development where the core character of bungalows is diluted moving further along from the south-east to the north-east where the cul-de-sac terminates. It is also of note that the site does not lie within the Lydiard Millicent Conservation Area. The proposal would remain of a height commonly associated with bungalows and the eaves height would remain unaltered. To this end, the proposal would accord with the provisions of Core Policy 57 of the Wiltshire Core Strategy, The Wiltshire Design Guide and the relevant paragraphs of the NPPF.

Neighbouring Amenities:

WCS policy CP57 (Ensuring High Quality Design & Space Shaping) 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.

Paragraph 4.2.9 of the Wiltshire Design Guide states that a traditional 20m back-to-back distance should prevent an unacceptable degree of overlooking. It is noted that this is a guideline, not a criterion, subject to offering a suitable design for the area and sensitive to reduce intrusive overlooking.

The proposed development would include three additional rear elevation windows at first floor level which would face out towards the south of the site. These windows would be positioned above what is currently in existence on the bungalow, with rear elevation windows only contained to ground floor level. There are some properties located to the site's southern boundary such as those at Nos.9 and 11. The sites are separated by a shared 2m high boundary fence which largely obscures views two and from each respective site at ground floor level. A separation distance of 32m would remain between the property on site and No.9 while a distance of approximately 33m would remain to the dwelling at No.11. Following a site visit conducted by the Case Officer, it is considered that there would be a substantial degree of separation which would remain between the two properties to overcome a significant overlooking impact. As a neighbourly gesture the applicant has proposed to maintain the window protruding furthest to the south on the gable in an obscure glazed finish. The proposed rear dormer window would be set further back at a greater separation distance from the sites to the south while the proposed rear elevation rooflight would serve the stairwell and would likely be used to supply light to this area as opposed to offering a degree of outlook. As for the neighbouring property at No.17, the rear dormer window would likely offer views at an obscure angle towards the neighbouring garden amenity space and would not face any habitable rooms. It is therefore considered that the inclusion of these windows along the rear elevation would not give rise to an unacceptable overlooking impact and would be in excess of the quoted 20m separation distance as per the Wiltshire Design Guide.

There would be several rooflights contained to the proposals western elevation, both to the original roof slope and the rear gable projection. The proposed rooflight on the original roof slope raised an objection following public consultation due to its proximity to No.17 immediately to the west. This rooflight is considered to be set at a high level (approximately 1.7m from the eaves) and would likely be used to supply further light into the bedroom. Nevertheless, given that the window would serve a habitable room and set approximately 5.5m from the neighbouring property, a condition ensuring that the velux rooflight contained to the original western elevation roof slope remains obscured glazed is considered relevant and necessary in the circumstance that planning permission be granted. With regard to the rooflights contained to the western roof slope of the rear gable projection, it is considered that these would be sufficiently offset from the site at No.17 to avert an unacceptable overlooking impact.

By virtue of the proposed increase in height, it was considered in response to the original proposal that the extension would result in an unacceptable overbearing impact with regard to the property at No.17, where a rear elevation conservatory is in existence. Subsequently, plans were revised to offset the extension from the shared boundary to the west and reduce the presence of a large red brick wall along No.17s garden amenity space. The proposal would remain hipped on the western roof slope but would be increased in height by 0.3m to the ridge. Given the limited increase in height and the use of a hipped roof as opposed to a gable, it is considered that the proposed development would not give rise to an unacceptable overbearing impact on the adjacent neighbouring property.

The neighbouring property to the east at No.21 is set further afield from the application site due to No.21s siting as the properties curve around the turning circle. This offers a greater degree of separation than what is offered to the east. While there are some side (west) elevation windows along at the neighbouring property, these windows are considered to provide limited outlook and use obscure glazing. In any circumstance, the separation distance between the two properties is considered to ensure that the proposal does not give rise to an unacceptable overbearing impact on No.21.

With regard to the proposed rooflights on the eastern facing roof pitch of the rear gable projection, these are considered to be set within a relatively close proximity to the site at No.21. As such, a condition that these rooflights remain shut and in obscure glaze is considered relevant and necessary should planning permission be granted.

In light of the above, the proposed development is considered to result in an acceptable impact with regard to the amenities of the adjacent neighbouring occupiers.

9. CONCLUSION

The proposed development is considered acceptable and in accordance with Core Policies 1, 2, 19, 51 and 57 of the Wiltshire Core Strategy, Policy LM1 of the Lydiard Millicent Neighbourhood Plan, The Wiltshire Design Guide and the relevant paragraphs of the NPPF.

10. RECOMMENDATION

That planning permission be GRANTED 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:

Y-23—123-1 A Proposed Side and Rear Extensions and New Roof Over to Accommodate Rooms in the Roof.

Y23-123-4 A Proposed Site Plan

Both received 05/04/24

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 be as stated on the approved plans, application form and submitted documentation.

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

4. The window in the rear (southern) elevation at first floor level serving the primary bedroom and the shall be glazed with obscure glass only prior to the first occupation of the development hereby permitted and shall be permanently maintained in perpetuity.

REASON: In the interests of residential amenity and privacy.

5. The roof light in the western roof pitch serving the secondary bedroom shall be glazed with obscure glass only and fixed with a ventilation stay restricting the opening of the window prior to the first occupation of the development hereby permitted and shall be permanently maintained in perpetuity.

REASON: In the interests of residential amenity and privacy.

Informatives: (4)

1. Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.
2. The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

3. The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.