

APPLICATION FOR HOUSEHOLDER PLANNING PERMISSION

OFFICER DELEGATED REPORT

APPLICATION REFERENCE:	PL/2025/08895
APPLICATION TYPE:	Householder planning permission
SITE ADDRESS:	43 BENDY BOW, OAKSEY, MALMESBURY, SN16 9TN
DEVELOPMENT DESCRIPTION:	Proposed covered porch, single storey extension, demolition of existing detached garage and erection of triple bay garage.
RECOMMENDATION:	That planning permission be GRANTED

PROPOSAL

The proposal seeks planning permission for addition of a porch canopy, erection of a single-storey side extension, and erection of a detached three-bay garage to replace an existing garage. The porch canopy has a mono-pitched tile roof and is supported on timber posts. The single-storey extension has a shallow gabled tile roof and render walls with uPVC fenestration; it measures approx. 3.65m wide, 5.6m deep and 3.5m tall. The proposed garage is constructed from timber with a shallow gabled shingle roof; it measures approx. 9m wide, 6m deep and has a maximum height of 3.6m.

SITE DESCRIPTION

The application site is a two-storey end-of-terrace dwelling known as 43 Bendy Bow. It has walls of render, a gabled tile roof, uPVC fenestration, a detached timber garage, and driveway within its surrounding garden. Its setting is characterised by the surrounding residential street scene of mostly terraced or semi-detached dwellings set back from the road. It is in the settlement boundary of Oaksey. It is relevant to note that the Oaksey Conservation Area boundary is approx. 30m north of the site, but the site is not within the designated area.

PLANNING HISTORY

No planning history has been found at or nearby to the site that would affect consideration of the proposal.

RELEVANT POLICIES AND GUIDANCE

Wiltshire Core Strategy (WCS):

- Core Policy 57 Ensuring High Quality Design and Place Shaping (CP57)
- Core Policy 58: Ensuring the Conservation of the Historic Environment (CP58)

Saved policies of the North Wiltshire Local Plan 2011 (NWLP)

- Policy NE14: Trees, site features and the control of new development

Oaksey Neighbourhood Plan (First Review) – Made 2024

- Policy 4: Design of New Development and Local Distinctiveness
- Policy 6: Boundary Treatment, Trees and Public Realm

Wiltshire Design Guide SPD (WDG):

- Appendix D – Design Guidance for Householder extensions

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide (NDG)

CONSULTATION RESPONSES

The following consultees and interested parties were invited to comment on the application:

Oaksey Parish Council – No responses received at time of case officer recommendation.

Wiltshire Council's Highways Team – No objection as the proposal would not be deemed detrimental to the surrounding public highway network (05/12/2025).

Wiltshire Council's Tree Officer – Comment requesting a plan to show all trees on and off site affected by the proposal including canopy and root protection areas of those trees (18/12/2025).

REPRESENTATIONS

Immediate neighbouring dwellings were notified of the application. No letters of representation were made by members of the public.

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.

Design and local character and appearance

CP57 requires all new development, including extensions and alterations to existing buildings, to meet a high standard of design by ensuring a positive response to the features of the site and the character of its landscape and townscape setting.

Policy 4 of the Oaksey Neighbourhood Plan advises that all new development should demonstrate good quality design that reinforces local distinctiveness and complements the fabric of the existing built-up area. It advises that residential extensions and outbuildings will be supported where they are subordinate to the original building; are constructed of materials which reflect the materials of the original building or those found in the surrounding area; do not result in the loss of existing boundary features; make a positive contribution to the streetscene; and do not adversely affect the inter-relationship between the front of the original building and the public realm. Policy 6 states development proposals which impact negatively on the boundary treatment, landscaping or trees which make a positive contribution to the public realm will be resisted.

Saved Policy NE14 of the North Wiltshire Local Plan states that permission will not be granted for proposals that would result, or be likely to result, in the loss of trees, hedges, lakes/ponds

or other important landscape or ecological features that could be successfully and appropriately incorporated into the design of a development and that planning conditions will be imposed and Tree Preservation Orders made, for safeguarding single and small groups of trees in the interests of public amenity.

Appendix D of the Wiltshire Design Guide expects, amongst other things, that a well-designed householder development should be carefully considered to respect the original building and the neighbouring properties, by not dominating the existing building and appearing as a subservient, supporting addition, and fitting into the general street scene, which could be achieved by replicating the style, form, rhythm, materials and architectural detailing of the original house or by contrast with a modern or traditional aesthetic.

The design of the proposed porch canopy and single-storey extension utilise scale, forms, materials and details that are considered to respect the architectural style of the host dwelling and they are legible as subservient supporting additions.

The proposed garage outbuilding is inoffensive in design but of substantial size compared to the host dwelling, however it occupies a similar footprint to the existing garage it replaces and is an improvement in visual terms. The garage would necessitate the removal of two trees, however the trees to be removed would not merit preservation in the interests of amenity. Although the Council's Arboricultural Officer has requested additional information in order to make informed comments, based on the case officer's inspection of the site and the information submitted the proposal would not lead to significant encroachment into the rooting areas of retain trees over and above that cause by existing developed areas.

Taken as a whole, the development is considered to be an acceptable response to the character and appearance of the site and local area. Subject to such conditions as are necessary to ensure delivery of the design to an acceptable standard, the proposal is considered to satisfy the expectations of adopted design guidance and would not conflict with Policy 4 and 6 of the Oaksey Neighbourhood Plan, Saved Policy NE14 of the North Wiltshire Local Plan, and CP57 of the Wiltshire Core Strategy.

Residential amenity

CP57 (vii) seeks to ensure that the design of new development has regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants and that appropriate levels of amenity are achievable within the development itself.

Appendix D of the Wiltshire Design Guide expects a well-designed householder development to respect neighbouring properties by advising, amongst other things, that they should not be unduly overbearing or unduly obtrusive, and that windows should not directly overlook neighbouring properties.

The closest neighbouring dwellings to the application site are 42 and 44 Bendy Bow. No letters of representation were made by members of the public.

The proposed extensions are single storey in scale with ground floor fenestration and a high-level rooflight. The proposed garage is approx. 1m taller than the existing garage it replaces, and it is positioned closer to the boundary with No.42.

Taken as a whole, the development is considered to have an acceptable impact on the amenity enjoyed by neighbours and occupants of the site itself. It therefore satisfies the expectations of adopted design guidance and the requirements of CP57 (vii) of the Wiltshire Core Strategy.

Highway matters

The proposal would not increase the bedroom quantum of the dwelling nor alter the site access, and the proposed garage does not meet minimum size standards; however, no objection is raised by the Council's Highways Team and the proposal is not considered to be of detriment to the safety of the surrounding public highway.

Biodiversity Net Gain

The proposal was validated as a householder planning application and is therefore understood to be exempt from the requirement to deliver 10% Biodiversity Net Gain (BNG) introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). An Informative is to be added reminding the applicant of the BNG requirements.

PLANNING BALANCE AND CONCLUSION

The proposal is considered to have acceptable impacts in respect of matters of acknowledged importance to the public interest, subject to such conditions as meet the tests. It is not found to conflict with the statutory requirements or the provisions of the development plan, and other material considerations do not indicate that a decision should be made other than in accordance with the development plan. The proposal should therefore be supported.

RECOMMENDATION

That planning permission be GRANTED subject to the following conditions:

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 and documents:

Location Plan and Existing and Proposed Block, Roof, Elevations and Floor Plans.
354/101. Received 10 November 2025.

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 in material, colour and texture those used in the existing building unless otherwise stated on the approved plans.

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

Informatives to the applicant:

4. Tree roots are normally located in the first 600mm of soil. Roots that are exposed should be immediately wrapped or covered to prevent desiccation and to protect them from rapid temperature changes. Any wrapping should be removed prior to backfilling, which should take place as soon as possible. Roots smaller than 25mm diameter can be pruned back making a clean cut with a sharp tool. Roots occurring in clumps or over 25mm should be severed only following consultation with a qualified arboriculturist, as such roots might be essential to the tree's health and stability. Prior to backfilling retained roots should be surrounded with topsoil or uncompacted sharp sand (builders sand should not be used because of its high salt content, which is toxic to tree roots).