

APPLICATION FOR HOUSEHOLDER PLANNING PERMISSION DELEGATED REPORT

APPLICATION REFERENCE:	PL/2025/09711
APPLICATION TYPE:	Householder planning permission
SITE ADDRESS:	70 WHITE LION PARK, MALMESBURY, SN16 0QP
DEVELOPMENT DESCRIPTION:	Single Storey Rear and Side Extension
RECOMMENDATION:	That Planning Permission be GRANTED

PROPOSAL

The proposal seeks planning permission for the erection of a flat roof single storey extension to the rear and side of the property. Chosen materials include painted render, UPVC windows and doors with a grey GRP roof and lantern rooflight to the rear. The extension will provide an enlarged kitchen / diner to the rear and a utility and wc to the side. Measuring approximately 2.4m to the side and 3.4m to the rear, all openings will be to the rear elevation..

SITE DESCRIPTION/CONTEXT

The application site is a post-war, two-storey, semi-detached dwelling, externally constructed from red bricks with a rendered first floor under an interlocking tile roof. It enjoys a front amenity area, including a garden and paved driveway, and a rear amenity area with a single-storey garage to the side. The site is set within a post-war residential area comprised of straight and staggered rows of semi-detached dwellings constructed from render and brick with gabled roofs. The site lies within the settlement boundary of Malmesbury. There are archaeological features nearby recorded on the Swindon and Wilts HER. The site is not subject to any other sensitive or special land-use designations

PLANNING HISTORY

Proposal / Summary
PL/2024/04405 - Householder planning permission Decision - Approve with Conditions Date: 26/7/2024 – 2 storey side extension

RELEVANT POLICIES AND GUIDANCE

Wiltshire Core Strategy:

- Core Policy 57 Ensuring High Quality Design and Place Shaping
- Core Policy 61: Transport and New Development
- Core Policy 64: Demand Management

Neighbourhood Plan:

- Malmesbury Neighbourhood Plan Volume I – Main Body (Made 2015) (MNP1)
Malmesbury Neighbourhood Plan Volume II – Design Guide (Made 2015) (MNP2)

Wiltshire Design Guide:

- Appendix D – Design Guidance for Householder extensions

The National Planning Policy Framework (NPPF)

The Planning Practice Guidance

National Design Guide

CONSULTATION RESPONSES

Town Council: No objection

REPRESENTATIONS

No comments were received.

ASSESSMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:

"If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise."

In accordance with this statutory requirement, this application has been assessed against the relevant policies of the Development Plan, including the adopted Wiltshire Core Strategy (2015) and, where applicable, any made Neighbourhood Plans.

Design and Impact upon the character and context of the area

Core Policy 57 - Ensuring High Quality Design and Place Shaping of the Wiltshire Core Strategy seeks to ensure that all new development is of high design quality, reflecting local context, character, and distinctiveness.

MNP2 (Task 8.1) states that development must make a positive contribution towards the distinctive character and form of the town as a whole and relate well to its site and its surroundings and (Task 8.2) that its "style must be appropriate to the context.

The wider White Lion estate consists of mostly semi-detached properties, a large number of these having been extended to the sides and rear in various styles. The existing property has an attached garage to the side examples of which can be found across the estate. The side extension replaces an existing garage and whilst and outbuildings and whilst the height is increased, the extension is set further back into the side and its depth is reduced. The rear addition is relatively modest in depth and is not considered out of keeping with the character of the area taking into account the choice of matching materials and low profile.

Having regard to the above, the proposal complies with the design principles set out in Core Policy 57 of the Wiltshire Core Strategy and Appendix D of the Wiltshire Design Guide.

Amenity

Point vii of Core Policy 57 - Ensuring High Quality Design and Place Shaping of the Wiltshire Core Strategy seeks to ensure that developments do not adversely affect neighbouring properties.

The National Planning Policy Framework (NPPF), particularly Paragraph 135(f), stresses that planning decisions should ensure developments provide a high standard of amenity for existing and future users.

The proposed development has been assessed in terms of its potential impact on the residential amenity of neighbouring properties, with particular regard to loss of light, overshadowing, loss of privacy, and overbearing effects.

The closest neighbours to the application site are 69 and 71 White Lion Park, where No.69 is on the southeast side of the application site and has the most potential to be impacted. The proposed extension replaces an existing garage and abuts the neighbours extension. No side windows are proposed. The rear extension is modest in depth and is not considered to result in unacceptable levels of overshadowing and given the orientation of the windows will not result in additional overlooking.

The proposal therefore accords with Core Policy 57 point vii in respect of safeguarding residential amenity and Appendix D of the Wiltshire Design Guide.

Highways Impact

Core Policy 57 (xiv) of the Wiltshire Core Strategy seeks to ensure that development must meet the requirements of Core Policy 61. This policy requires proposals to be capable of being served by safe access to the highway network. Core Policy 64 seeks to ensure compliance with parking standards set out in the Local Transport Plan.

The proposal will result in the loss of the garage which is not considered to meet modern space standards. The extension is set further back into the site resulting in additional space for off street parking.

The proposal is therefore considered to comply with Core Policies 57 (xiv), 61 and 64 of the Wiltshire Core Strategy, the NPPF, and the Wiltshire Local Transport Plan.

Biodiversity Net Gain

Householder planning applications are exempt from the requirement to deliver Biodiversity Net Gain under Schedule 7A, Section 4(2)(a) of the Town and Country Planning Act 1990, as inserted by the Environment Act 2021.

CONCLUSION

The proposed development is considered to be acceptable in terms of its design, scale, and relationship with the surrounding area. It would not result in any unacceptable harm to the character of the locality, the amenities of neighbouring occupiers, or the interests of highway safety, heritage, or ecology.

The proposal is therefore considered to comply with the relevant policies of the Wiltshire Core Strategy, the Wiltshire Local Plan, and the National Planning Policy Framework. As such, the application is recommended for approval, subject to the conditions set out below.

RECOMMENDATION: That Planning Permission be GRANTED subject to 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, existing and proposed site plan
- Existing plans and elevations
- Proposed plans and elevations
- Received 11.12.25

REASON: For the avoidance of doubt and in the interests of proper planning.

Informative Notes

Biodiversity Net Gain not required

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Wiltshire Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. For further information on exempt developments please refer to:

<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements is considered to apply.

Building Regulations

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.