

APPLICATION FOR HOUSEHOLDER PLANNING PERMISSION

OFFICER DELEGATED REPORT

APPLICATION REFERENCE:	PL/2025/09406
APPLICATION TYPE:	Householder planning permission
SITE ADDRESS:	3 Chubb Close, Malmesbury, SN16 9JW
DESCRIPTION:	Single-storey rear extension and external alterations
RECOMMENDATION:	APPROVE WITH CONDITIONS

PROPOSAL

Revised plans were submitted 5 and 6 February 2026, together with changes made to the description of development, the intention of which was to omit proposals for a loft conversion due to insufficient ecological appraisal; it was not deemed necessary to re-consult on what was the remainder of the initial scheme. The application seeks planning permission for the erection of a single-storey rear extension and various external alterations. The single-storey extension (measures approx. 18m wide, 6m deep, and 3.5m max height) partially wraps around to the side and it is constructed from a combination of buff brick, timber cladding, metal sheet roofing, and aluminium glazed fenestration. The external alterations include insertion of new and replacement fenestration and planters and raised platform/patios to rear.

SITE DESCRIPTION

The application site is a detached two-storey dwelling known as 3 Chubb Close. It has walls of coursed reconstituted stone, a gabled tile roof, uPVC fenestration, a single-storey integrated garage, front driveway and rear garden. Its setting is characterised by the consistent architectural styling of dwellings, built in reconstituted stone with classicised details and asymmetric gabled frontages, arranged organically around a curving cul-de-sac. It is in the settlement boundary of Malmesbury. Relevant designations and constraints include priority habitat to rear of site and bat roost recorded in the roof.

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 50: Biodiversity and Geodiversity (CP50)
- Core Policy 57: Ensuring High Quality Design and Place Shaping (CP57)
- Core Policy 62: Development Impacts on the Transport Network (CP62)
- Core Policy 64: Demand Management (CP64)

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

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

Malmesbury Neighbourhood Plan: Made 2015 (MNP)

- Volume I - Main Body: Policy 13
- Volume II – Design Guide

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide (NDG)

Wiltshire Design Guide SPD (WDG):

- Appendix D – Design Guidance for Householder extensions

CONSULTATION RESPONSES

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

Malmesbury Town Council – No objection (17/12/2025).

Wiltshire Council's Ecology Team – Objection advising that insufficient information and surveys have been undertaken to understand the nature of the roost and likely impact on protected species or that the proposed mitigation would be suitable, although they do advise that the submitted lighting assessment suggests mitigation for the stairwell that would avoid light spill at levels likely to harm protected species (20/01/2026).

REPRESENTATIONS

Immediate neighbouring dwellings were notified of the application. One letter of representation was made by a member of the public. The letter comments in respect of the southwest elevation window and potential harmful overlooking effects on privacy of neighbours, raising no objection subject to a condition to control the obscurity level of the window as this is not confirmed on the submitted plans.

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, among other things, ensuring a positive response to the features of the site itself and its landscape or townscape setting.

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 proposed extension is a considerable addition but a proportionate response. Its modern design contrasts with the existing dwelling's architectural style, through a mix of timber cladding, aluminium-framed glazing, a seamed metal roof covering, and natural stone coloured brickwork. It projects out to the south side as a bulky blank wall, but it is set back and would recede into the street scene were the brickwork to tonally blend with the existing stonework. Conditions can be used to require approval of a sample panel of the brickwork to ensure a harmonious architectural treatment is delivered, subject to which the extension would make an individual architectural statement that complements the dwellinghouse and street scene as a subservient addition.

The proposed external alterations, including raised areas to rear garden, would make a similar and complementary individual statement while respecting the predominant architectural style of the dwelling and street scene. They would assist in assimilating the proposed extension into the setting and articulating the connection between internal and external spaces.

Subject to such conditions as are necessary to ensure delivery of the design to an acceptable standard, the development is considered to satisfy the expectations of adopted design guidance and the aims of Policy 13 of the Malmesbury Neighbourhood 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 2 and 4 Chubb Close and Fox House. One letter of representation was made by a member of the public, the comments within which relate to conditions to secure the obscurity level of the southwest elevation window.

The proposed extension is single-storey, and the bulk of its built form would maintain a considerable separation distance from the boundaries of the site. Its roof is primarily flat and could cause harmful direct overlooking were it to be used as an amenity space, and therefore a condition to prevent and ensure planning permission is required for its use as such is considered necessary.

The proposed external alterations primarily replace fenestration in existing openings; however, additional openings would be created on the southwest and northeast side elevations. The opening on the northeast elevation serves a bathroom, however it would not harmfully overlooking neighbours based on the local circumstances. The opening on the southwest serves a stairwell and, while this would be a space where views are likely to be transitory space, this would enable views towards the rear amenity areas of 2 Chubb Close. The relationship and layout between the dwellings limits views and provides a high degree of privacy to rear gardens.

Any planning permission for an opening on the southwest side elevation of No.3 would go with the land, and the Local Planning Authority would have limited control over the use of the internal spaces serving the windows. The plans state that the windows would be obscurely glazed, although they do not specify the level to which this would be. Therefore, for avoidance of doubt, and in the interests of residential amenity and privacy, a condition is recommended to ensure an obscurity level of no less than level 3 and the restriction of the opening of the windows with a ventilation stay.

The proposal would have an acceptable impact on the amenity of neighbours, subject to such conditions as meet the relevant tests. It would not therefore harm the living conditions afforded to occupants of the site or adjoining land now or in the future,

satisfying the expectations of adopted design guidance and the requirements of CP57 (vii) of the Wiltshire Core Strategy.

Ecological matters, including Biodiversity Net Gain (BNG)

The application is supported by an Ecological Technical Note which identifies evidence of bat roosting in the soffit. The initial proposal included a loft conversion; however, this was omitted from the plans following Wiltshire Council's Ecology Team objection on grounds of insufficient information to conclude the level of impact on roosting bats or that the design of mitigation would be suitable. This part of the proposal was omitted from the plans on 5 February 2026.

The proposed extension would not harm features of ecological value. The proposed external alterations are minor, however the proposed window opening on the southwest elevation has the potential to spill light onto the identified bat roost entry point. In response, the applicant's Ecological Technical Note and Lighting Assessment proposes a scheme of mitigation to minimise impacts, and Wiltshire Council's Ecologist is satisfied that the effect would not harm protected species.

The development is exempt from the requirement to deliver 10% BNG introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021); however, the decision notice should include an informative reminding the applicant of the requirements.

Subject to conditions to ensure development proceeds in accordance with the Ecological Technical Note and Lighting Assessment, it is reasonably certain that the development would not harm the ecological value of the site, including habitat features and protected species that may be using it. Accordingly, it would not conflict with CP50 of the Wiltshire Core Strategy. As protected species are known to reside on the site, the risk of harm is low and an informative can be added to remind the applicant of their legal obligations.

PLANNING BALANCE AND CONCLUSION

The development would have acceptable effects in respect of matters of acknowledged importance to the public interest, subject to such conditions as meet the tests. It would not conflict with the provisions of the development plan, and material considerations do not indicate that a decision should be made other than in accordance with the development plan. The statutory requirements are met, and the application 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:

Application Form. Materials. Received 1 December 2025.

PROPOSED - First Floor Plan. 609 - 3 102 - P02. Received 15 December 2025.

Light Spill Report. By Design For Lighting (dated 9 January 2026) 4360-DFL-ELG-XX-RP-EO-13001-S3-P02. Received 12 January 2026.

Ecology Technical Note. By Ethos Environmental Planning (dated 8 January 2026). Received 12 January 2026.

PROPOSED - Ground Floor Plan. 609 - 3 101 - P03. Received 19 January 2026.

PROPOSED - Roof Plan. 609-3 104-P02. Received 5 February 2026.

PROPOSED - South East Elevation. 609-3 201-P02. Received 5 February 2026.

PROPOSED - South West Elevation. 609-3 202-P03. Received 5 February 2026.

PROPOSED - North West Elevation. 609-3 203-P02. Received 5 February 2026.

PROPOSED - Site plan. 609-3 002-P04. Received 6 February 2026.

PROPOSED - North East Elevation. 609-3 204-P02. Received 6 February 2026.

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

3. The development shall not proceed other than in accordance with the recommendations of the Ecological Technical Note by Ethos Environmental Planning (dated 8 January 2026) and the Light Spill Report by Design For Lighting (dated 9 January 2026), unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of proper planning and ensuring potential adverse impacts on protected species are minimise and mitigated, as required by Core Policy 50 of the Wiltshire Core Strategy.

4. 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.

5. Notwithstanding the requirements of Condition 3, the brickwork walls of the extension hereby permitted shall not be constructed on site until a sample panel of the brickwork, not less than 1 metre square, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved sample.

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

6. The window in the southwest elevation hereby permitted shall be glazed with obscure glass only to an obscurity level of no less than level 3 and permanently fixed shut or fixed with a ventilation stay restricting the opening of the window to no more than 100mm and shall be maintained as such for the life of the development.

REASON: In the interests of residential amenity and privacy.

7. The roof area of the development hereby permitted shall not be used as a balcony, roof garden or similar amenity area.

REASON: In the interests of residential amenity and privacy.

Informatives to the Applicant:

1. Protected species have been identified on the site. The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2017) it is an offence to disturb or harm any protected species including for example, breeding birds and reptiles. The protection offered to some species such as bats, extends beyond the individual animals to the places they use for shelter or resting. Please note that this consent does not override the statutory protection afforded to any such species. In the event that protected species are encountered during implementation of the development hereby permitted, you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

2. 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).