

APPLICATION FOR HOUSEHOLDER PLANNING PERMISSION DELEGATED REPORT

APPLICATION REFERENCE:	PL/2025/09633
APPLICATION TYPE:	Householder planning permission
SITE ADDRESS:	Upper Westcourt, 2 Westcourt, Burbage, Marlborough, SN8 3BW
DEVELOPMENT DESCRIPTION:	Erection of single-storey orangery
RECOMMENDATION:	That Planning Permission be GRANTED

PROPOSAL

The proposal seeks planning permission for the erection of a single storey orangery and minor alterations to the existing dwelling, including alterations to the fenestration and internal configurations.

SITE DESCRIPTION/CONTEXT

The application site relates to a large detached house, known as Upper Westcourt, set within extensive gardens. The building features low eaves, a hipped roof form, and dormer window elements. There is a long, sweeping driveway bordered on one side by tall yew hedging, with a break in the hedge providing entry to an additional driveway to a domestic tennis court.

The property is accessed from the PROW Byway BURB14, providing a 12-metre connection to the unclassified public highway known as Westcourt to the southeast.

There is a PROW footpath BURB16 to the north of the site.

The property is situated within the North Wessex Downs National Landscape or Area of Outstanding Natural Beauty. It is within Flood Zone 1 and is at negligible risk from surface water flooding. The northern portion of the site is at negligible risk from groundwater flooding; there is however risk of groundwater flooding to surface and subsurface assets identified on the southern portion of the site.

PLANNING HISTORY

Proposal / Summary
13/04498/FUL - Full planning permission Decision - Refused Date: 10/12/2013 – Proposed double garage with store
K/14032 - Full planning permission Decision - Approve with Conditions Date: 9/5/1989 – DEMOLISH GARAGES AND BUILD NEW TWO STOREY EXTENSION AND GARAGES
K/32582 - Full planning permission Decision - Approve with Conditions Date: 4/4/1996 – Erection of extensions.
K/36300 - Full planning permission Decision - Approve with Conditions Date: 22/9/1998 – The erection of a two storey extension

15/05447/FUL - Full planning permission Decision - Approve with Conditions Date: 30/7/2015 – The erection of a detached garage
K/20237 - Full planning permission Decision - Approve with Conditions Date: 14/6/1993 – ERECT 2.75M HIGH FENCE AROUND TENNIS COURT
K/51448/F - Full planning permission Decision - Approve with Conditions Date: 7/2/2005 – Two storey side and rear extension; single storey side extension
PL/2021/04747 - Householder planning permission Decision - Approve with Conditions Date: 27/9/2021 – Proposed replacement of dormer, enlarge opening at rear, redesign porch, timber clad and build an Oak entrance.

RELEVANT POLICIES AND GUIDANCE

Wiltshire Core Strategy:

- Core Policy 57: Ensuring High Quality Design and Place Shaping
- Core Policy 51: Landscape

Burbage Neighbourhood Development Plan 2017-2026 (BNDP):

- Policy 1: Development Strategy

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

Burbage Parish Council: No comments received.

Rights of Way: No comments received.

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.

Policy 1 of the BNDP expects extensions of existing buildings to be modest in scale, and to be subservient to the main buildings, with the footprint of the new development to be smaller than the existing 'parent' building.

The proposed orangery would be of single storey height, in terms of its scale and footprint, it would remain subservient to the main dwelling.

Whilst the roof form would be of a flat roof, departing from the remaining character of the property full of large, pitched roofs, it would be single-storey, set on the west elevation away from the public realm, and completely screened, facing its private garden. As such, it is not considered that harm to the character and appearance of the existing dwelling would occur.

The proposed materials would mostly match the existing, aside from the proposed rendered walls on the orangery and parts of the west elevation, which faces away from the public realm. The proposed elevation plans do not specify the materials on the infill walls where the alterations to the windows are proposed, but confirmation from the applicant has been received, which confirms this would be of brick to match the existing. This is considered acceptable, and will be secured via a condition. The proposed windows would match the existing which are considered acceptable.

The alterations included in the proposal are also considered in keeping with the character and appearance of the host dwelling.

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 site is surrounded by agricultural fields and there is one neighbouring property adjacent to the south. Given the large plot and single storey nature of the proposed orangery, it is not considered that the site would bring upon unacceptable overshadowing, overlooking or overbearing impacts on the neighbouring amenity spaces.

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

National Landscape

Core Policy 51 of the Wiltshire Core Strategy requires all development to protect, conserve, and where possible enhance the character and quality of Wiltshire's landscapes, giving particular weight to designated areas such as National Landscapes.

The National Planning Policy Framework (NPPF), in Paragraph 176, states that "great weight" should be given to conserving and enhancing landscape and scenic beauty in National Landscapes (formerly Areas of Outstanding Natural Beauty). Development within or affecting the setting of a National Landscape must demonstrate that it will not result in unacceptable harm to the special qualities of that area.

Given the small-scale, domestic and single storey nature of the proposal, by virtue of its scale, siting, and design, the proposal would not harm the special qualities or scenic character of the North Wessex Downs National Landscape.

The development therefore complies with Core Policy 51 of the Wiltshire Core Strategy and Paragraph 176 of the NPPF in conserving and enhancing the National Landscape.

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.

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; 250225-01; received 15 December 2025
 - Proposed Block Plan; 250225-02; received 15 December 2025
 - Proposed Elevations, Floor Plans and Roof Plan; 250225-03; received 15 December 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 labelled as 'infill opening' on the east elevation within the Proposed Elevations (dwg no. 250225-03) hereby permitted shall be bricks matching the colour and texture of those used in the existing building.

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

INFORMATIVE NOTES:

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.

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.