

APPLICATION FOR HOUSEHOLDER PLANNING PERMISSION DELEGATED REPORT

APPLICATION REFERENCE:	PL/2025/09408
APPLICATION TYPE:	Householder planning permission
SITE ADDRESS:	Oaksey Court, The Street, Oaksey, Malmesbury, SN16 9TF
DEVELOPMENT DESCRIPTION:	Proposed conversion of outbuilding to ancillary accommodation
RECOMMENDATION:	That Planning Permission be GRANTED

PROPOSAL

The proposal seeks planning permission for the proposed conversion of an outbuilding at Oaksey Court, to ancillary accommodation to be used in association with the residential property on the site.

The proposal is of a similar scheme to the approved plans of planning permission PL/2023/04186. Nevertheless, this report has been carried out with a full assessment based on the submitted plans.

Following clarifications requested, one set of amended plans has been submitted to omit the additional outbuilding on-site. The applicant has confirmed that this additional outbuilding does not form part of the application. The assessment below is based on the amended plans received.

Photographic samples of roof tiles have been received to confirm the type of proposed materials.

SITE DESCRIPTION/CONTEXT

The application site comprises a large, detached dwelling with a variety of outbuildings arranged around a central courtyard. The building subject of this application lies to the north of the main house with its northern wall forming the boundary with the public highway. The current building is separated into two distinct sections one being natural stone with natural stone roof tiles and the other, to the east, has a lower roof line is constructed of brick and corrugated sheet roof on the northern elevation.

The residential curtilage is acknowledged to be extensive; however, it corresponds directly with the extent approved under the previous outline planning permission

The site lies on the southern side of the main road running east-west through the village, is within the settlement boundary and lies within the designated conservation area. There are listed buildings within the village but none within the immediate vicinity of the site.

The application site is subject to the following planning policy constraints:

- Oaksey Conservation Area

PLANNING HISTORY

Proposal / Summary
PL/2023/04186 - Proposed Conversion of outbuilding to ancillary accommodation – Approved with conditions 13 June 2024

RELEVANT POLICIES AND GUIDANCE

Wiltshire Core Strategy:

- Core Policy 57 Ensuring High Quality Design and Place Shaping
- Core Policy 58: Ensuring the Conservation of the Historic Environment
- Core Policy 61: Transport and New Development

Oaksey Neighbourhood Plan:

- Policy 4 Design of New Development and Local Distinctiveness
- Policy 11 Heritage Assets
- Policy 12 Oaksey Conservation Area
- Annexe 1 Character Appraisal

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

Below is a summary of the responses. Full comments are available online.

Oaksey Parish Council: No comments received.

Highways: No objections

- No changes to access;
- Sufficient space for required car parking spaces.

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.

In this case, the proposed development includes a conversion with both internal and external alterations to an existing ancillary building; it would not add to the overall bulk and scale of the existing structure. The original roof form has clearly dropped overtime and the proposal would include the realignment of the roof, which is considered to retain the character whilst enhancing the overall appearance.

The proposed changes to the fenestrations are considered minor and the impacts on the character and appearance are considered limited given it faces away from the public realm and would provide a comparatively more domestic appearance. Two rooflights are proposed to be positioned on the southern roof slope, which faces away from the public highway. Furthermore, a window is also proposed on the west elevation. Whilst the proposed window can be seen from the public highway, these proposed additions altogether are not considered to bring upon unacceptable impacts to the character and appearance of the site and its surrounding areas.

It is important to note that the LPA considers the existing stone roof is a distinctive element of this building and characteristics of other nearby buildings set on the highway boundary. The proposed roof materials would be of reconstructed cardinal stone tiles on the southern elevation of the higher part of the building, which faces the public realm. Officers initially raised concerns regarding the proposed roof materials, however the applicant has submitted a sample of the roof tiles which are considered to be in harmony with the character of those existing stone tiles, as well as the site and surrounding areas. It is also considered that the existing stone tiles are of a poor condition, and that the proposed roof tiles would retain the character whilst enhancing the appearance of the overall building. Given this specific material is considered acceptable, imposition of a compliance condition in this case is considered reasonable.

In addition to the above, the proposed slate tiles on the smaller part of the outbuilding have been demonstrated on the samples provided which are also considered acceptable and would not result in harm to the character and appearance of the site and its surrounding areas.

The addition of the access gates has been considered and the design, form and scale are considered to be in keeping with the site and surrounding areas.

Overall, the proposal is considered to be of good design and would be reflective of the character and appearance of the original building, the site and surrounding areas.

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 use of the outbuilding for ancillary residential accommodation in association with the host property on the site is not considered to result in any significant increase in noise, loss of privacy or outlook to adjacent neighbouring occupiers. It is noted that no letters of representation were received in relation to the proposed development.

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 National Planning Policy Framework (NPPF), particularly Paragraph 115 and 116, requires that development proposals do not have an unacceptable impact on highway safety and that safe and suitable access to the site can be achieved for all users.

The existing property benefits from formal highway access and frontage driveway parking. The proposal comprises two additional bedroom over that which currently exists. The Council's Highways department has been consulted and considers there is sufficient space on-site to accommodate sufficient car parking spaces to meet the minimum requirements of the Car Parking Strategy.

The proposed development would not result in any adverse impact on highway safety. Adequate parking is provided in accordance with Wiltshire's adopted parking standards, and access arrangements are acceptable.

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.

Heritage Impact

From the point of view of the historic environment the main statutory tests are set out within the Planning (Listed Building and Conservation Areas) Act 1990.

Section 72(1) of the Act requires the Council to pay special attention to the desirability of preserving or enhancing the character or appearance of designated Conservation Areas.

The Council's Core Strategy Policy CP58 'Ensuring the conservation of the historic environment' requires that designated and non-designated heritage assets and their settings will be conserved, and where appropriate enhanced, in a manner appropriate to their significance and encourages proposals which improve the condition of heritage assets at risk.

The Council's Core Strategy CP 57: Ensuring high quality design requires a high quality of design in all new developments. The policy requires applicants to "demonstrate how the proposal will make a positive contribution to the character of Wiltshire through (amongst other things) responding to the value of the natural and historic environment and being sympathetic to and conserving historic buildings and landscapes. Development is required to respond positively to the existing in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting.

The NPPF outlines government policy for planning. Chapter 16 of the NPPF 'Conserving and enhancing the historic environment' sets out the Government's high-level policies concerning heritage and sustainable development.

Design Guideline 5, p116 of the NP states that alterations should preserve and enhance the character and special historic interest of buildings. Point 1 of that guide states that alterations and conversions should enhance the original building and preserve rooflines and make use of material characteristics of original buildings.

In this case, the application building lies within a prominent position within the Oaksey Conservation Area, with its northern elevation being directly adjacent to the public highway. As aforementioned in the earlier section of this report, the stone tiles and walls of this application building are considered distinctive and characteristics of the surrounding buildings in the vicinity. Together with another building of a similar character, set directly adjacent to the west of the entrance into the site, these two buildings with the intervening stone pillars, form a large part of the village's collective architectural attribute and are visually cohesive. The NP at para 95 states that it is this collective and cohesive palette of materials which makes it "*worthy of conservation status*".

The proposal would result in the conversion of the existing outbuilding and that some alterations to the building are proposed. Much of the proposed alterations would face inwards towards the private amenity areas of Oaksey Court, and the only change which would bring upon a significant change is the realignment of the roof form. There is a pronounced dip on the existing roof form that has occurred over time, suggesting a deterioration of structural

integrity. The proposal is therefore considered to enhance the appearance whilst retaining the existing character of the site.

The application is supported by photographic samples of the proposed materials and these are considered acceptable and would not result in harm to the heritage assets.

The proposed rooflights are stated within the submitted Heritage Statement to be of conservation-type rooflights. This is considered contribute to preserving the character of the conservation area. Nevertheless, the imposition of a compliance condition is considered reasonable.

The proposal, by virtue of its scale, design, and use of materials, is considered to preserve the character and appearance of the conservation area. It would not result in harm to the significance of any heritage assets.

The development is therefore considered to comply with Core Policy 58 of the Wiltshire Core Strategy and Sections 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as the relevant provisions of the NPPF.

Other issues

N/A

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; 5483 03A; received 1 December 2025

Proposed Floor Plan; 5483 50H; received 1 December 2025

Proposed Block Plan; 5483 52C; received 26 January 2026

Proposed Elevations; 5483 51L; received 26 January 2026

Proposed Tile Sample; 5483 150; received 26 January 2026

Proposed Tile Sample; 5483 151; received 28 January 2026

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 be as stated on the approved plans.

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

4. The accommodation hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling, known as Oaksey Court, The Street, Oaksey, SN16 9TF and it shall remain within the same planning unit as the main dwelling.

REASON: The additional accommodation is sited in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit a wholly separate dwelling.

5. The rooflights hereby approved shall be of the 'conservation' type with a single vertical glazing bar and mounted flush with the roof slope.

REASON: In the interests of preserving the character and appearance of the Oaksey Conservation Area and its setting.

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.

BNG 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.

Permission Not Authorising Work on Land Outside the Applicant's Control & Party Wall Act

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.