

APPLICATION FOR HOUSEHOLDER PLANNING PERMISSION DELEGATED REPORT

APPLICATION REFERENCE:	PL/2025/09827
APPLICATION TYPE:	Householder planning permission
SITE ADDRESS:	5 Bowden Hill, Lacock, Chippenham, SN15 2PW
DEVELOPMENT DESCRIPTION:	Proposed garden studio to be used as an ancillary annexe
RECOMMENDATION:	That Planning Permission be GRANTED

SITE CONTEXT

5 Bowden Hill (the 'site') is a residential property situated circa 170m to the north of Bowden Hill highway and lies in the open countryside between Briary Wood to the east and a small built-up area to the west.

Notwithstanding its open countryside setting, the site forms part of the Bowden Hill areas and is within the Conservation Area (CA). The CA description describes Bowden Hill as a scattered settlement that spans the Bowden Hill highway and comprises loosely scattered development, common land and the aforementioned built-up area.

The site is not directly referenced in the CA description; however, it adjoins Bewley Common which forms the historic setting of the Briary Wood entrance to Bowden Park (a grade I listed 18th century mansion some distance east of the site). The CA Description notes that the common is one of the larger open spaces that offers long distance views over Wiltshire.

The site comprises a detached two-storey dwelling with its associated garage, outbuilding and amenity space. According to the planning history, the dwelling comprises a modest cottage dating to the 1880s which has since been significantly extended to the side and rear in the late 20th and early 21st centuries. The proposal specifically relates to the northwest corner of the site, a piece of land that juts out from the plot and is enclosed by a stream to the east and a drainage ditch and mature boundary planting to the north and west. Historic maps illustrate that this piece of land has formed part of the property's curtilage since as early as 1885.

The site immediately adjoins agricultural fields to the north, Bewley Common to the east (with Briary Wood beyond) and south (with Bowden Hill highway beyond) and agricultural land to the west (with the small built-up area beyond).

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

- Within Bowden Hill Conservation Area.
- Within reasonable proximity of several grade II listed buildings, including:
 - West Lodges and Gates to Bowden Park ~260m to the southeast.
 - The Old Malthouse and its associated Coach House 230-240m to the west.
- Within a Special Landscape Area.

- Briary Wood County Wildlife Site, Ancient Woodland and Deciduous Woodland Priority Habitat ~180m to the east.
- Adjoins Bewley Common National Trust land to the east.
- Within reasonable proximity of public rights of way, including:
 - Public footpath LACO18 50-60m to the northeast.
 - Public footpath LACO25 ~130m to the southeast.
- Within area at low to high risk of flooding from surface water sources.

PROPOSAL

The proposal involves the construction of a garden studio which contains a main room, small kitchenette, WC and cupboard. The studio is situated in the secluded northwest corner of the site. It is a rectangular plan, single-storey structure with a shallow pitched roof. It measures 5m deep by 9.5m wide, with 39sqm+ of floorspace. The studio is mounted on a raised platform that is circa 0.5m above ground level. The eaves and ridge of the studio measure 2.9m and 3.7m above ground level respectively. A 1.2m wide walkway with an oak balustrade adjoins the studio on its front (east) and south side elevations. The external materials palette of the studio consists of horizontal cedar boarding, cedar roof singles and grey aluminium-framed doors and windows.

A revised plan was received on 27 January 2026 which illustrates the root protection areas (RPAs) of nearby trees, the stream, ditch and indicative screw pile positions. It also shows a revised drainage route which now avoids passing through most of the RPAs and notes that any excavations within the RPAs would be hand dug to avoid damaging any tree roots.

PLANNING HISTORY

Relevant Planning Records			
Reference	Description	Decision	Date
N/10/03753/FUL	Replace flat roof on rear extension to pitched roof	Approved	29/11/2010
N/12/01535/FUL	Two storey side extension	Approved	18/07/2012
N/12/01536/CAC	Demolition of existing single storey extension	Approved	18/07/2012
18/05085/FUL	New natural limestone Ashlar cladding over existing reconstituted stonework to rear elevation.	Approved	27/07/2018
19/03889/FUL	Extension and veranda	Approved	11/06/2019

RELEVANT LEGISLATION, POLICIES AND GUIDANCE

Planning Legislation:

- Town and Country Planning Act 1990
- Planning and Compulsory Purchase Act 2004
- Planning (Listed Buildings and Conversation Areas) Act 1990

Development Plan:

- Wiltshire Core Strategy (adopted January 2015):
 - Core Policy 41: Sustainable construction and low-carbon energy
 - Core Policy 50: Biodiversity and geodiversity
 - Core Policy 51: Landscape
 - Core Policy 57: Ensuring high quality design and place shaping
 - Core Policy 58: Ensuring the conservation of the historic environment
- North Wiltshire Local Plan 2011 (adopted June 2006):
 - Saved Policy NE14: Trees and the control of new development
 - Saved Policy NE18: Noise and pollution

Material Considerations (Policy):

- National Planning Policy Framework (NPPF) December 2024
 - Section 2. Achieving sustainable development
 - Section 12. Achieving well-designed places
 - Section 15. Conserving and enhancing the natural environment
 - Section 16. Conserving and enhancing the historic environment
- Wiltshire Local Plan Submission Draft 2020-2038 (Regulation 24):
 - Policy 4: Addressing climate change
 - Policy 85: Sustainable construction and low carbon energy
 - Policy 88: Biodiversity and geodiversity
 - Policy 91: Conserving and enhancing Wiltshire's landscapes
 - Policy 98: Ensuring high quality design and place shaping
 - Policy 99: Ensuring the conservation and enhancement of the historic environment

Material Considerations (Guidance):

- National Planning Practice Guidance
- National Design Guide (January 2021)
- Wiltshire Design Guide (March 2024)

CONSULTATION RESPONSES

Lacock Parish Council: No comment received.

Wiltshire Council Drainage Officer: *"The proposal is insignificant in nature and will not result in an adverse increase to surface runoff or flood risk. Additionally, the proposed development is raised, thus mitigating against pluvial flood risk from the adjacent stream."*

Wiltshire Council Ecologist: No objection, subject to conditions requiring the submission and approval of a Construction Method Statement and ecological enhancements prior to the commencement of development (see conditions 5 and 6).

Wiltshire Council Trees Officer: The officer initially requested more information which was subsequently provided by the agent. Following receipt of the additional information, the officer advised the following:

“I have no objections to this proposal... The trees which I did have concerns about are shown on the other side of the ditch and the agent has noted that the excavation for the foul drainage pipe will be dug by hand. The proposal is also noted to have a pile construction.”

They also recommended a condition to minimise any potential disturbance to tree roots (see condition 7).

REPRESENTATIONS

No third-party comments were received.

ASSESSMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise. In accordance with this requirement, this application has been assessed against the relevant policies of the development plan and the material considerations listed above.

Having regard to the planning context and nature of the proposal, the following key matters are considered pertinent to the assessment of the proposal and are addressed in turn:

- Principle
- Design
- Heritage
- Landscape
- Neighbouring amenity
- Trees
- Flooding and drainage
- Other matters

Principle

There is no policy in the Core Strategy regarding the principle of introducing a garden studio outbuilding that is ancillary and/or incidental to the residential use of its host dwelling and is located within the residential curtilage of said dwelling, as such development is inherently acceptable in principle. This planning matter is only assessed in regard to the use of the proposed studio and its relationship with the residential curtilage.

The description of development and submitted Design and Access Statement refers to the studio as an “ancillary annexe”. In planning terms, an ancillary use directly supports the primary function of a property (e.g. additional accommodation and/or living space). However,

the agent has clarified that the studio would be used as an artist studio/summerhouse. In this regard, its use would be incidental to the enjoyment of the dwellinghouse, rather than ancillary.

Nonetheless, given the description of development and as the building has a floorspace measuring 39sqm+ (which exceeds the minimum Nationally Described Space Standard for a 1-bed dwelling), it is considered that the studio may occasionally be used as accommodation for short stays by visiting family members or friends.

An independent dwelling would not be supported at this location and as such, it is necessary to impose a condition ensuring that the studio shall only be used for purposes incidental and ancillary to the residential use of the main dwelling and, for the avoidance of doubt, it shall not be used at any time as holiday accommodation (see condition 4).

Turning to the matter of residential curtilage, the studio is located in the secluded northwest corner of the site. This corner is clearly within the physical layout of the property. Furthermore, historic maps illustrate that this area has formed part of the curtilage since at least 1885. Moreover, the site visit confirmed that this area is tangibly domestic in character and use.

Having regard to the above, the proposal is considered acceptable in principle, subject to condition 4.

Design

Core Policy 57 of the Wiltshire Core Strategy requires that all development be of high design quality, create a strong sense of place and complement its context, including through enhancing local distinctiveness and responding positively to local characteristics.

The Wiltshire Design Guide advises that detached outbuildings placed in front of properties will not normally be acceptable and that they should be single-storey.

In terms of layout, the proposed studio is nestled into the secluded northwestern corner of the site to the rear of the property where it is largely screened by the surrounding vegetation. It is orientated to reflect the turn of the stream and ditch which is appropriate. In terms of scale, the studio is a low-lying single storey structure which has a limited visual profile, even accounting for its siting on a raised platform. Its appearance is that of a low status outbuilding which is appropriate to its use and siting. The use of cedar cladding and roof shingles will soften its appearance, and as the timber weathers, the muted tones and textures will help the building blend further into the garden and wider landscape setting.

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

Heritage

Section 66(1) of the Planning (Listed Buildings and Conversation Areas) Act 1990 requires that special regard be had to the desirability of preserving listed buildings, their settings or any features of special architectural or historic interest which they possess.

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

Core Policy 57(i) and (iv) require that development proposals be sympathetic, respond positively to and conserve the historic environment.

Core Policy CP58 states that development should protect, conserve and, where possible, enhance the historic environment. The policy requires that heritage assets and their settings be conserved and/or enhanced in a manner appropriate to their significance.

Paragraph 207 of the NPPF states that local planning authorities should require applicants to describe the significance of any heritage asset affected by development, including any contribution made by their setting. The level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on the asset's significance.

Paragraph 212 clarifies that great weight should be given to an asset's conservation, irrespective of the level of harm.

Paragraph 213 states that any harm to the significance of a designated asset, including from development within its setting, requires clear and convincing justification.

The site lies in the Bowden Hill Conservation Area and forms the peripheral setting of the nearby grade II listed buildings. However, having regard to the design subsection above, the proposal would have a minimal presence and, in so doing, would not materially impact the character and appearance of the conservation area, nor the setting of the proximate listed buildings. Consequently, it is considered that the proposal conserves the historic environment in accordance with sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Core Policies 57 and 58 and section 16 of the NPPF.

Landscape

Core Policy 51 requires development to protect, conserve and, where possible, enhance the character of Wiltshire's landscapes through sensitive design and landscape mitigation and enhancement measures. Proposals should have due regard to the relevant Landscape Character Assessments.

The site falls within the Wooded Greensands Hills landscape character area and is also designated as a Special Landscape Area. It lies in proximity to several Public Rights of Way. Owing to the studio's discreet siting, it would be visible only in highly localised views from Public Footpath LACO18 to the northwest. From this vantage point, the structure would be read within its garden setting and against a backdrop of mature planting. As the timber cladding weathers, its visual prominence would further diminish and resultantly better assimilate the studio into its setting.

The proposal does not include any external artificial lighting. However, given the sensitivity of the landscape setting, it is considered reasonable to retain control over any future lighting, and a condition is therefore recommended to secure this (see Condition 8).

Having regard to the above, proposal is considered to have an acceptable landscape and visual impact and would therefore conserve the local landscape in accordance with Core Policy 51 and Section 15 of the NPPF, subject to condition 8.

Neighbouring Amenity

Core Policy 57(vii) requires that development be compatible with the adjoining uses and protect the residential amenity of existing and future users of the site and its surroundings, including in respect of natural lighting, privacy, outlook and pollution sources.

By virtue of its secluded siting and modest scale, the proposed studio would not impact the residential amenity of any user of other properties in the vicinity. The proposal therefore complies with Core Policy 57(vii).

Trees

Saved Policy C40 states that trees of visual amenity value will be retained, particularly within conservation areas. The policy requires the replacement of protected trees with new specimens of an appropriate size and species in the immediate locality.

Having regard to the revised plans which show that the proposal would not significantly impact the root protection area of any tree, the Arboricultural Officer has confirmed that they are satisfied the proposal would safeguard all protected trees and recommended a condition to minimise any potential disturbance to tree roots (see condition 7). The proposal is therefore considered to comply with Saved Policy C40, subject to condition 7.

Ecology

Core Policy 50 seeks to protect and enhance biodiversity and geodiversity, including through ensuring that development avoids harm to protected species and habitats and seeks opportunities to enhance biodiversity.

The Ecology Officer has confirmed that the proposal will safeguard protected species and habitats and has the potential to enhance biodiversity, subject to the submission and approval of a Construction Method Statement and ecological enhancement features (see conditions 5 and 6). The proposal is therefore considered to comply with Core Policy 50, subject to conditions 5 and 6.

Flooding and Drainage

Core Policy 67 requires that development proposals safeguard people and property and avoid increasing flood risk on-site or elsewhere. All development must also incorporate sustainable urban drainage measures unless site-specific or environmental conditions make such measures unsuitable.

The drainage officer confirmed that the proposal will not result in an adverse increase to surface runoff or flood risk and would mitigate against pluvial flood risk from the adjacent stream. The proposal is therefore considered to comply with Core Policy 67.

Other Matters

Pre-commencement Conditions Agreement: This recommendation includes two pre-commencement planning condition(s) relating to ecology (Construction Management Plan and ecological enhancement features). In accordance with Section 100ZA of the Town and Country Planning Act 1990 and the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, the Local Planning Authority formally notified the applicant/agent of the proposed condition(s) and sought their agreement. Written confirmation of their agreement was received from the applicant's agent on 5 March 2026.

CONCLUSION

The proposed garden studio is a modest, low-scale and cedar-clad outbuilding that is ancillary and incidental to the host dwelling. It is sensitively integrated into its garden setting and wider historic and landscape context. In addition, there are no technical objections to the proposal. The proposal is therefore considered to be acceptable in respect of principle, design, heritage, landscape, neighbouring amenity and all other technical matters. As such, it complies with the aforementioned sections and policies of the Wiltshire Core Strategy, North Wiltshire Local Plan, emerging Wiltshire Local Plan, NPPF and the Wiltshire Design Guide. As such, the application is recommended for approval, subject to the conditions set out below.

RECOMMENDATION: That Planning Permission be GRANTED subject to the following conditions and informatives:

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, Proposed Site Plan, Ground Floor Plan and Elevations, ref. 4455-01 rev A

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 stated on the approved documents.

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

4. The garden studio hereby permitted shall not be used at any time other than for purposes incidental and ancillary to the residential use of the main dwelling, known as 5 Bowden Hill, Lacock, Chippenham, SN15 2PW and it shall remain within the same planning unit as the main dwelling. For the avoidance of doubt, the studio shall not be used at any time to provide holiday accommodation.

Reason: The additional accommodation is sited in a position where the Local Planning Authority, having regard to the Wiltshire Core Strategy settlement and delivery strategies, housing, environmental, transport and all other relevant technical planning policies, would not permit a wholly separate dwelling.

5. No development shall commence on site, until a Construction Method Statement which shall include a marked-up plan showing protection measures to the adjacent hedgerow and pollution protection measures to the adjacent stream during construction works has been submitted to, and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved Construction Method Statement.

REASON: To ensure the development avoids causing harm to the adjacent watercourse.

6. Prior to the commencement of any works, including vegetation removal and demolition, details of the number, design and locations of ecological enhancement features including bat and bird boxes shall be submitted to the Local Authority for approval. The approved details shall be implemented for the lifetime of the development and before completion of the final works.

REASON: To provide mitigation /enhancement for biodiversity and comply with Core Policy 50.

7. 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).

REASON: In the interests of the safeguarding protected trees within the Conservation Area and other trees outside the Conservation Area which have visual amenity value.

8. No external lighting shall be installed on-site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in

accordance with the appropriate Environmental Zone standards set out by the Institution of Lighting Professionals in their publication "The Reduction of Obtrusive Light" Guidance Note 01/21 (reference GN01/21), have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

Informatives:

1. The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Conservation of Habitats and Species Regulations 2017 (as amended) it is an offence to disturb or harm any protected species including for example, breeding birds, bats 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 your proposals could potentially affect a protected species 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.