

APPLICATION FOR HOUSEHOLDER PLANNING PERMISSION DELEGATED REPORT

APPLICATION REFERENCE:	PL/2026/00549
APPLICATION TYPE:	Householder planning permission
SITE ADDRESS:	43 Oak Road, Chippenham, SN14 0XJ
DEVELOPMENT DESCRIPTION:	Two storey side extension, demolish garage and increase parking area
RECOMMENDATION:	That Planning Permission be REFUSED

PROPOSAL

Planning permission is sought for the erection of a two-storey side extension, demolition of garage and increase to parking area. The development relates to a domestic dwellinghouse set within a residential estate.

The application has been submitted following an earlier grant of planning permission for a two-storey extension and a prior refusal for similar. Those previous decisions are set out in the planning history section of this report.

SITE DESCRIPTION

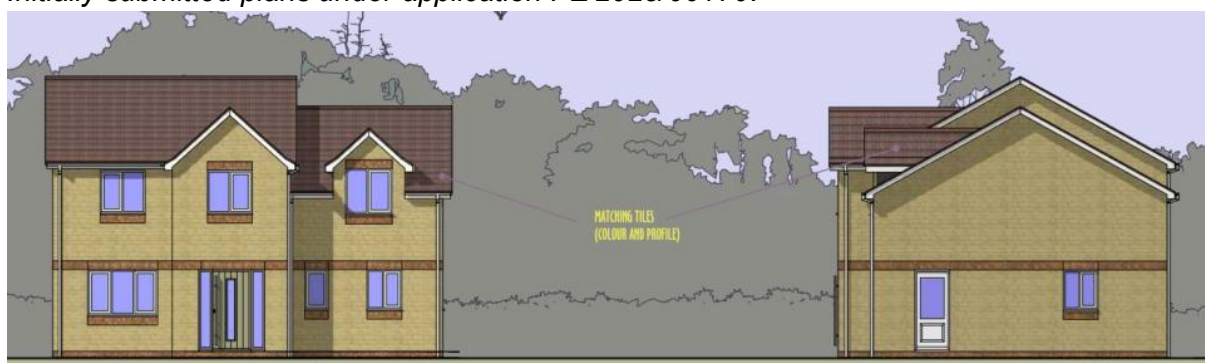
The dwelling occupies a corner-type arrangement with neighbouring properties along Truro Walk positioned set back to the north. The existing relationship benefits from an open gap between built forms, maintaining outlook, light, and a sense of space.

The site is situated in Flood Zone 1 and it is in an area at risk of groundwater flooding. There are no other site-specific designations.

PLANNING HISTORY

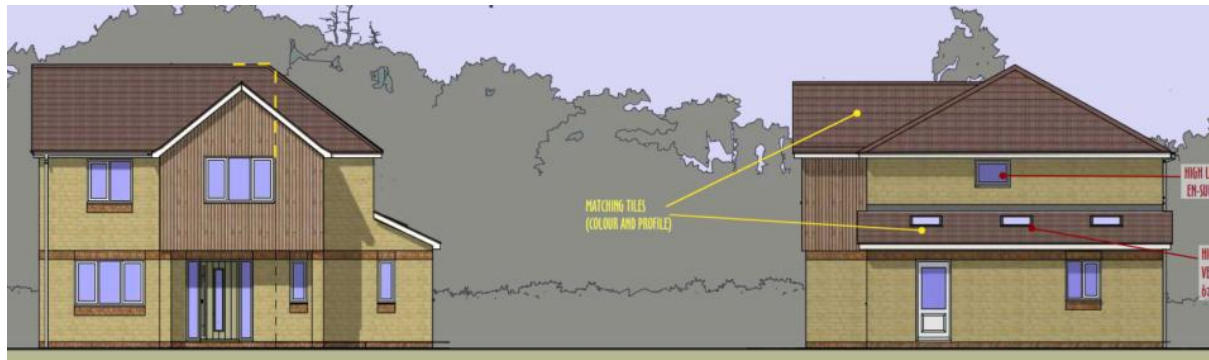
The site has a recent planning history under application reference PL/2025/00170, which originally proposed a two-storey side extension. During the assessment of that earlier submission, concerns were raised regarding the scale, siting and proximity of the two-storey element to the boundary shared with No. 3 Truro Walk, resulting in an overbearing impact and an unacceptable effect on neighbouring residential amenity, particularly in terms of outlook and perceived enclosure.

Initially submitted plans under application PL/2025/00170:



In response to these concerns, the applicant amended the design during the course of the consideration of that application. The revised scheme introduced a reduction in the massing of the side extension through the incorporation of a part single-storey element, front extension with changes to the roof form to reduce height and bulk adjacent to the neighbouring property. These amendments increased separation distances and significantly reduced the dominance of the development when viewed from neighbouring gardens and windows.

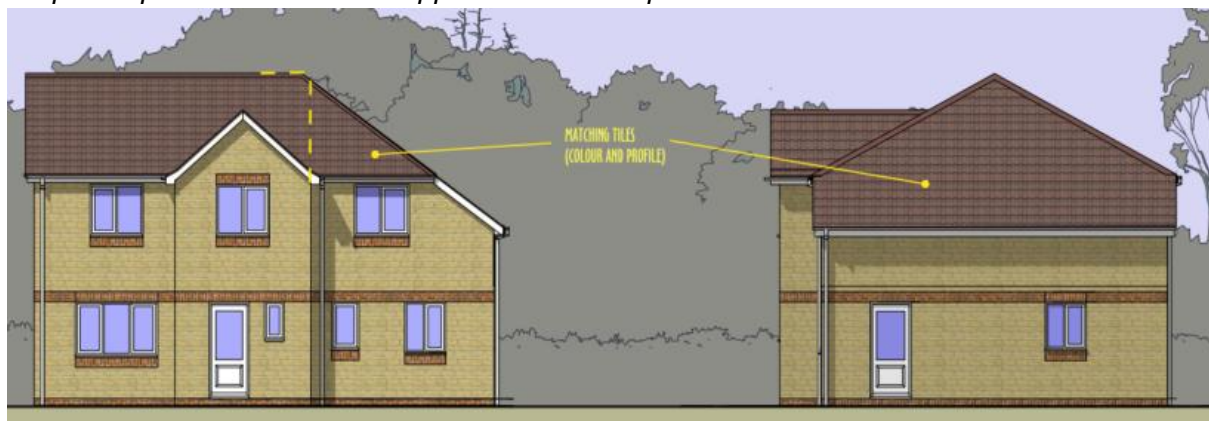
Approved plans under application PL/2025/00170:



Following these revisions, the Local Planning Authority was satisfied that the previously identified amenity impacts had been adequately addressed. The amended proposals were considered to result in an acceptable relationship with neighbouring properties, including No. 3 Truro Walk, and were therefore assessed as compliant with Core Policy 57 of the Wiltshire Core Strategy and Policy H2 of the Chippenham Neighbourhood Plan. Planning permission for the above shown development was therefore granted under reference PL/2025/00170.

The current proposal comprises a different and much larger form of development to that previously approved, with key elevations set out in the below image.

Proposed plans under current application for comparison:



A full planning history of the site is set out below.

Proposal / Summary
PL/2025/00170 - Householder planning permission Decision - Approve with Conditions Date: 9/5/2025 – Side and front extensions, demolish garage and increase parking area
18/04230/FUL - Full planning permission Decision - Approve with Conditions Date: 27/6/2018 – First Floor Rear Extension.
N/03/02279/FUL - Full planning permission Decision - Approve with Conditions Date: 21/10/2003 – FIRST FLOOR EXTENSION

N/94/02192/OUT - Outline Planning Decision - Approve with Conditions Date: 12/5/1995 – OUTLINE - RESIDENTIAL DEVELOPMENT INCLUDING MEANS OF ACCESS RESIDENTIAL DEVELOPMENT
N/97/02794/REM - Reserved Matters Decision - Approve with Conditions Date: 6/4/1998 – APPROVAL OF RESERVED MATTERS FOR ERECTION OF 63 DWELLINGS GARAGES/DRIVES/FOOTPATHS HIGHWAY/DRAINAGE AND ASSOCIATED WORKS 62 DWELLINGS
N/98/00371/TPO - Work to TPO Trees Decision - Approve with Conditions Date: 27/4/1998 – TREE SURGERY/TREE FELLING TREE SURGERY/FELLING
N/98/00898/DOC - Approval of details reserved by a condition Decision - Approve Date: 25/8/1998 – SUBMISSION OF DETAILS PURSUANT TO CONDITIONS 1 & 4 OF PERMISSION N/97/2794/D - DETAILS OF MATERIALS & BOUNDARY TREATMENTS MATERIALS/BOUNDARY TREATMENTS
N/98/00899/DOC - Approval of details reserved by a condition Decision - Approve Date: 5/6/1998 – SUBMISSION OF DETAILS PURSUANT TO CONDITION 1 (C) OF PERMISSION N/94/2192/OL - DETAILS OF LANDSCAPING DETAILS OF LANDSCAPING
N/98/01962/DOC - Approval of details reserved by a condition Decision - Approve Date: 30/9/1998 – SUBMISSION OF DETAILS PURSUANT TO CONDITION NO 3 OF N.98.0899DC - GROUND MATERIALS & SITE LEVELS GROUND MATERIALS/LEVELS
N/98/02302/TPO - Work to TPO Trees Decision - Approve Date: 8/12/1998 – TREE SURGERY TREE SURGERY
N/99/00839/DOC - Approval of details reserved by a condition Decision - Approve Date: 12/7/1999 – SUBMISSION OF DETAILS PURSUANT TO CONDITION 3(A)(5) OF N.97.2794.D - DETAILS OF SURFACE WATER & FOUL SEWERAGE DISPOSAL ARRANGEMENTS

RELEVANT POLICIES AND GUIDANCE

Wiltshire Core Strategy

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

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

Chippenham Town Council: Objection:

“It is considered that the revised submission under PL/2025/00170 for a similar such side extension resulted in a suitable compromise between allowing the Applicant to extend to the side and safeguarding the amenity of occupiers in Truro Walk (especially

No. 3) in terms of outlook and light. The proposal, as now submitted with increased massing at first floor level to the side, appears to be a retrograde step in terms of its impact on the amenity of occupiers of Truro Walk and the reduction in front extension would likely make little material difference as it relates to these neighbouring properties, but the Town Council will defer to the Case Officer to determine the finely balanced impacts.”

Highways Engineer: No objection:

“In highway terms this application is the same as PL/2025/00170 with the same parking provision proposed, I therefore offer the same comments:

Adequate off street parking is proposed for the 4 bed dwelling to meet Wiltshire’s current parking standards.

I wish to raise no highway objection.”

REPRESENTATIONS

6 objections have been received (from 5 neighbours). Objections can be read in full on the planning register. Key concerns are summarised as:

- Intrusive design and massing
- Harm to light and privacy to 1 and 3 Truro Walk
- Sense of intrusion, overbearing impact and lack of privacy to 5 Truro Walk
- Contrary to development plan
- Not enough distance to 1 Truro Walk
- Plans do not indicate if obscure glazed
- Conflict within original planning permission approval where this area was designated as a landscaped buffer area

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 appearance

Core Policy CP57 to the Wiltshire Core Strategy seeks to ensure that all new development is of high design quality, reflecting local context, character, and distinctiveness.

The existing dwelling is a two-storey detached property. The proposed extension comprise a two-storey side extension on the north side of the building. Presumably in an attempt to reduce bulk, the proposed extension incorporates a form of catslide roof, but overall the scale of the

extension is significantly greater than that previous permission and, arguably, larger than that of the initial submission under PL/2025/00170 in terms of its footprint.

The extensions would be finished in matching stone, brick and concrete roof tiles. Windows and doors would be finished in UPVC casements and grey aluminium patio doors. The materials palette would match that of the existing property and be reflective of those used for other buildings in the locality.

In other respects, the proposal also comprises the removal of a garage and to use this space for car parking. There would be some releveling works and a small wall erected around this parking area. The wall will be finished in stone to match. The creation of the parking area is considered compatible with the character and appearance of the locality and would comply with CP57 of the WCS.

Overall, the proposed extension is considered to be of a considerable scale both in proportion to the existing dwelling, but also in absolute terms in relation to the available curtilage. The scale of the development also appears to go beyond the initially submitted scheme previously considered to be unacceptable under PL/2025/00170.

Notwithstanding the above, it is concluded that the design and appearance of the extension in itself is not objectionable when considered against adopted planning policy. However, the effect of the scale does have an unacceptable impact upon the amenity and living conditions of the neighbouring residential properties, as is discussed in the separated sub-section to this report.

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. Appendix D to the Wiltshire Design Guide states that domestic extensions should not be unduly overbearing or unduly obtrusive to 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.

For context and as set out in more detail in the Planning History section of this report, the previous application (ref: PL/2025/00170) proposed a two-storey side extension which was considered to be overbearing to 3 Truro Walk. The application design was amended during the application process to address these concerns, and the revised design was considered acceptable.

The proposal would introduce a two-storey side extension positioned approximately 1.72 metres from the shared boundary with the rear gardens of properties on Truro Walk. The closest affected dwelling No. 3 Truro Walk, has a short rear garden. The proposed extension would sit directly adjacent to the principal area of private outdoor amenity space used by the occupiers. The dormers that overlook the application site appear to serve bathrooms, so these are not of significant concern in respect of amenity.

Although the proposed extension incorporates a catslide roof, which reduces the perceived height toward the boundary compared with the original proposal under PL/2025/00170, the development would still present a substantial built form close to the neighbouring property. The extension would have an eaves height of approximately 3.89 metres and a ridge height of approximately 7.21 metres, resulting in a tall and continuous mass close to the shared boundary. The boundary treatment consists only of standard fencing, which offers limited visual screening and does not provide meaningful mitigation against the scale of the structure, which would be visible from the garden.

Photos from 3 Truro walk towards the application building and of 3 Truro Walk amenity space:



Photos from application site showing current space between side of application dwelling and boundary with Truro Walk properties, and view towards 3 Truro Walk:



Due to the combination of height, depth, and proximity to the boundary, the extension would be experienced as visually dominant when viewed from the rear garden of No. 3 Truro Walk. The sense of enclosure would be most pronounced within the immediate garden area closest to the application site, which is a primary area for sitting out and day to day domestic use. There is a dining room extension and the rear and a decking area with seating. The property has a garden to the front, but this is not enclosed or private. From this viewpoint, the two-storey wall and descending roof form would significantly reduce the perception of openness currently enjoyed, creating an overbearing effect that would be out of keeping with the existing relationship between the properties. It is considered likely that when designing the original wider residential development, this building line was chosen to keep a separation and safeguard the amenity of properties on Truro Walk. This is precisely the impact which is warned as being unacceptable in Appendix D to the Wiltshire design Guide (third bullet point).

The proposed extension introduces two-storey built form closer to the shared boundary with Truro Walk properties, resulting in a more substantial mass close to the rear elevations and gardens along Truro Walk. The residents of all three properties have objected to the proposal, with 3 Truro Walk being the most directly affected due to its position immediately to the rear of the application site.

Turning to privacy and overlooking, the proposed first floor rear window serves a bathroom and could be conditioned to be obscure glazed. On this basis, overlooking concerns could be adequately addressed with conditions. No new first floor windows are proposed to be inserted into the North East elevation of the extension, facing the properties at Truro Walk, with it being possible to make use of conditions to prohibit their insertion in the future.

Given the orientation of the site and the position of neighbouring properties to the north, the proposed extension would not give rise to any adverse loss of light or overshadowing.

In view of the above, it is concluded that the proposed development will result in a visually dominant and overbearing form and will result in an unacceptable impact upon the rear

garden of 3 Truro Walk. The proposal therefore conflicts with CP57, and Appendix D of the Wiltshire Design Guide, all of which require safeguarding of neighbouring amenity.

Highways and parking

There is no change to the access arrangements for the property, but the existing garage is proposed to be demolished and new parking spaces be provided on site. There are some minor works associated with this including some minor groundworks and a new low wall with stone to match.

There is one additional bedroom proposed as part of the application. The proposal would comply with Wiltshire Council Parking Standards and the Council's Highway Engineer has no objection to the proposal. There is no evidence or reason to disagree with those conclusions and the proposal is considered to comply with policy CP57(xiv) and CP61 to the Wiltshire Core Strategy.

Flood Risk

The application site is situated in Flood Zone 1, at low risk of surface water, but there is a groundwater flood risk constraint within this area. As this is a householder application this would not trigger the need to consult with the Council in its capacity as the Lead Local Flood Authority. Accordingly, and in view of the scale of this ancillary domestic proposal, the matter of final drainage arrangements will be addressed at the Building Regulations stage.

Biodiversity Net Gain

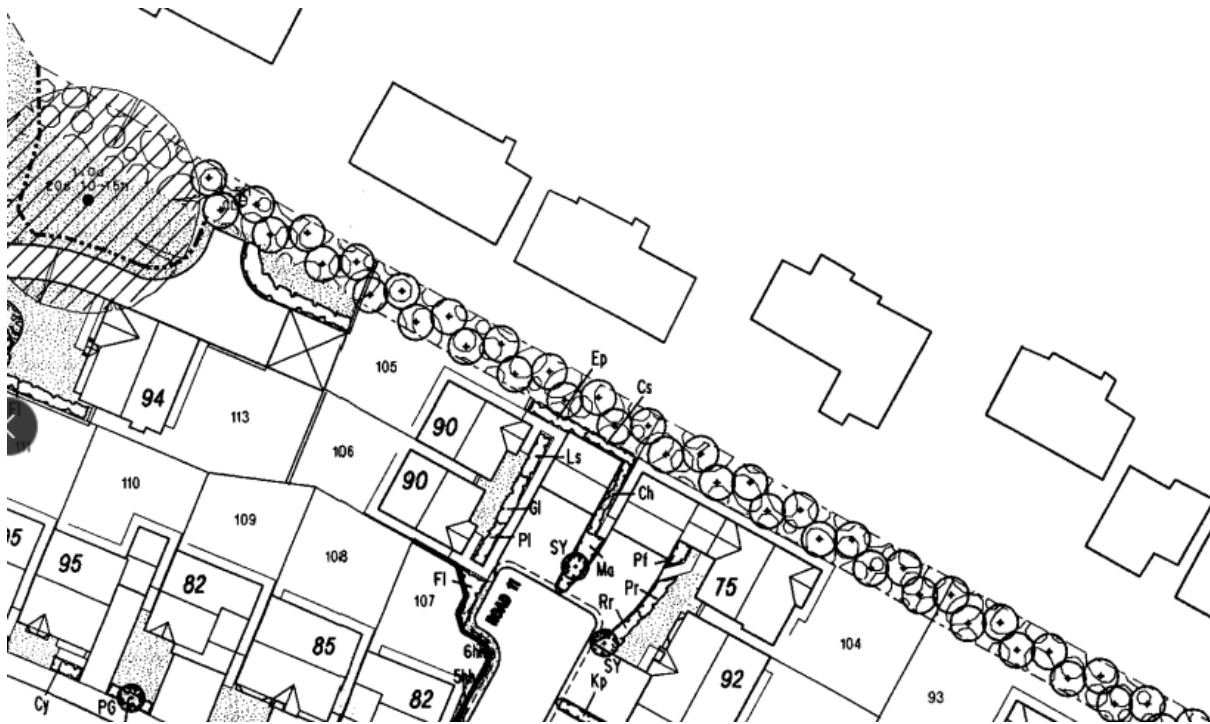
Householder planning applications are exempt from the requirement to deliver Biodiversity Net Gain under Schedule 7A, Section 4(2)(a) of the Town and Country Planning Act 1990, as inserted by the Environment Act 2021.

Other Matters

Objections from the neighbours reference a 12.0m wide landscaped buffer zone between the properties accessed from Oak Road and those fronting Truro Walk.

The original outline permission for the wider residential development (N/94/02192/OUT) included conditions requiring landscaping details to be submitted, and for landscaping to be implemented and maintained for not less than five years. Subsequent details pursuant to these conditions were approved under application N/98/00899/DOC, which included a planting plan illustrating landscaped areas between the new residential development and Truro Walk. An extract of the approved planting plan is shown below.

Extract of planting plan from N/98/00899/DOC:



Notwithstanding the above, the relevant conditions associated with the original permission related to the submission, implementation, and short-term maintenance of landscaping, rather than securing the landscaped buffer in perpetuity or restricting future development within the area through a condition or legal agreement. It is also understood that the landscaping shown on the approved plan was not implemented (at least in this area), and a considerable period of time has elapsed since the grant of the original permission and the discharge of its associated conditions.

Given the significant passage of time and the absence of any extant planning condition or legal obligation requiring the continued retention or implementation of the landscaped buffer, limited weight can be afforded to the historic planting plan in the assessment of the current proposal. From a planning perspective, there are therefore no enforceable restrictions preventing development within this area, and the current application must be assessed on its own merits against the relevant development plan policies.

CONCLUSION

The proposed two-storey side extension would, by virtue of its scale, height and proximity to the boundary, result in an overbearing form of development that would unacceptably impact the outlook and amenity of the neighbouring property 3 Truro Walk. The proposal therefore fails to comply with the relevant policies of the Development Plan, and no material considerations outweigh this conflict. For these reasons, the application is recommended for refusal.

RECOMMENDATION: That Planning Permission be REFUSED for the following reason:

The proposed development, by reason of its scale, height, massing and proximity to the shared boundary with Truro Walk, would result in an unduly dominant and overbearing form of development, resulting in an unacceptable sense of enclosure to the primary private amenity space of 3 Truro Walk. The development therefore fails to safeguard neighbouring residential amenity, contrary to Core Policy 57 (vii) of the Wiltshire Core Strategy (2015) and Appendix D of the Wiltshire Design Guide.