

**APPLICATION FOR HOUSEHOLDER PLANNING PERMISSION
OFFICER DELEGATED REPORT**

APPLICATION REFERENCE:	PL/2026/01137
APPLICATION TYPE:	Householder planning permission
SITE ADDRESS:	Rosemead, Culver Gardens, Malmesbury, SN16 9BY
DESCRIPTION:	Erection of single-storey extension to replace existing conservatory, alterations to existing rear dormer, addition of rear dormer, insertion and replacement of fenestration and rooflights
RECOMMENDATION:	APPROVE WITH CONDITIONS

PROPOSAL

The application seeks planning permission for a single-storey extension to replace an existing conservatory, external alterations to an existing dormer on rear elevation, the addition of a dormer to rear elevation, external alterations to insert and replace fenestration and rooflights. The proposed extension features a curved side wall constructed from render and aluminium framed glazed panels with a flat roof; it measures approx. 4.3m wide, 6.8m deep, 3.35m max height. The proposed dormer measures approx. 2.35m wide and 1.45m tall; it serves a stairwell. Fenestration alterations are shown on the submitted plans, and primarily consist of sash windows to match existing or timber joinery doors.

SITE DESCRIPTION

The application site is a three-storey detached house known as Rosemead. It has walls of limestone rubble, a gabled slate roof, and timber sash fenestration. Its principal elevation features a symmetrical design, facing into a deep lawned garden area. Its setting is characterised by the rear elevations, surrounding gardens, outbuildings and roofscape of this backland location. It is in the settlement boundary of Malmesbury. Relevant designations and constraints include the Malmesbury Conservation Area, a high concentration of Grade II listed buildings and a few Grade II* listed buildings within 100m.

PLANNING HISTORY

The site is subject to the Malmesbury Conservation Area Article 4 Direction (dated 28 January 1993), which is understood to restrict permitted development rights in relation to Parts 1, Classes A, C, D and Part 2, Class C referred to in Schedule 2 of the order.

The following planning history is otherwise relevant:

PL/2025/05129 – Erection of single-storey extension to replace existing conservatory, alterations to existing rear dormer, addition of rear dormer, insertion and replacement of fenestration and rooflights (WITHDRAWN 16/09/2025).

RELEVANT POLICIES AND GUIDANCE

Wiltshire Core Strategy (WCS):

- Core Policy 57: Ensuring High Quality Design and Place Shaping (CP57)
- Core Policy 58: Ensuring the Conservation of the Historic Environment (CP58)

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

Malmesbury Conservation Area Appraisal: April 2007

Malmesbury Conservation Area Management Plan: February 2010

Historic England Guidance:

- Managing Significance in Decision-Taking in the Historic Environment. Historic Environment Good Practice Advice in Planning: 2 (GPA2)
- The Setting of Heritage Assets. Historic Environment Good Practice Advice in Planning: 3 (2nd Edition) (GPA3)
- Making Changes to Heritage Assets. Historic England Advice Note 2. (HEAN2)
- Statements of Heritage Significance: Analysing Significance in Heritage Assets Historic England Advice Note 12 (HEAN12)

CONSULTATION RESPONSES

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

Malmesbury Town Council – No objection (02/04/2026).

Wiltshire Council's Arboricultural Officer – No objection (10/03/2026).

Wiltshire Council's Conservation Officer – Comment, advising that the proposed single storey extension appears incongruous with full glazing and flat roof projecting out beyond the principal elevation and that following the same design and materials but set back 100mm plus from the frontage and southwest corner of the property would address their concerns (16/04/2026).

REPRESENTATIONS

Immediate neighbouring dwellings were notified of the application, and a site notice was displayed on 11 March 2026. Two letters of representation were made by members of the public (1 x No objection, subject to condition, 1 x Support). The comments therein are summarised as follows:

- That the proposed dormer would overlook the outdoor courtyard amenity area of 9 Ingram Street, and that obscure glazing could ensure privacy;
- That the proposed rooflight could overlook a bedroom window to rear of 9 Ingram Street, but that obscure glazing could ensure privacy;
- That the internal alterations would improve the functionality of the dwellinghouse;
- That the changes improve the visual presentation of the property without harm to neighbours.

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.

Preliminary matters

The application follows the applicant's decision to withdraw an application under reference PL/2025/05129 for a similar development. Their decision to withdrawn was taken in response to the Local Planning Authority's advice that planning permission would be refused due primarily to the effect of the development's proposed extension and alterations on the legibility of the principal elevation of the dwellinghouse and the harm that would arise to the character and appearance of the dwellinghouse and conservation area. This application has sought to address the concerns through design changes, but it falls that it be considered on its own merits notwithstanding any informal advice that was given.

Design and local character and appearance, with particular regard to nearby heritage assets and the conservation area

CP57 and CP58 together seek to ensure all new development, including extensions and alterations to existing buildings, meet a high standard of design that contributes to the character of Wiltshire by, amongst other things, responding positively to the features of the site itself, its landscape or townscape setting, and the value of the historic environment by being sympathetic to and conserving heritage assets in a manner appropriate to their significance.

Policy 13 of the Malmesbury Neighbourhood Plan advises that the accompanying design guide (Volume II) should be taken into consideration to ensure all new development achieves a high quality of design that complements and enhances the character, form and qualities of the town.

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.

Rosemead dates to around the late 19th or early 20th century¹. It has been altered but retains the locally distinctive appearance of its rusticated coursed limestone walling and polite three-storey symmetrical southern façade facing into its garden.

Despite its backland setting, which limits views of it, its architectural interest makes a significant positive contribution to the character and appearance of the Malmesbury Conservation Area (MCA). This is partly recognised by its inclusion in the Article 4 direction, as stated in the published appraisal (2007).

In so far as is relevant to the development proposal, the character and appearance of the MCA can partly be discerned from its unique location, its historic and protected buildings, its street pattern and open spaces, and its significant foliage. S72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing its character or appearance.

The proposed fenestration alterations and replacements would retain the design of existing sashes or insert complementary joinery. The proposed dormer sits uncomfortably with the expectations of Appendix D of the Wiltshire Design Guide, but it would be read in context of the existing dormer that would be altered in a similar style, using good quality materials and details. Furthermore, a variety of dormers are a general feature of the immediate surrounding roofscape.

The proposed extension would aesthetically contrast with the dwellinghouse in its materials and glazed lightweight appearance. It would replace an existing conservatory, the loss of which would be of no detriment to its architectural interest, but the resulting extension would project forward of the line of the principal elevation.

Wiltshire Council's Conservation Officer (CO) advises the forward projection of the extension would result in an incongruous addition, referring to Historic England's guidance² that *"A new extension should not dominate a historic building ... An extension will usually have less effect on your historic house if it is built onto the back and not seen from the front. This is because the back is usually less important for its architecture than the front ... Permission for an extension that projects to the front is rarely given as this is usually the most important and visible part of the house."*

¹ First appears on 1:2500 OS (Wiltshire VIII.15), published 1900 (<https://maps.nls.uk/view/124880919>).

² 'I Want to Extend My House', published 15 May 2013 (<https://historicengland.org.uk/advice/your-home/improvement/extension/>).

It is understood that an extension projecting beyond the front elevation will rarely be appropriate, particularly where it would encroach upon architectural features or appear unduly dominant. Rosemead is unique in its relationship to its garden, limiting possibilities for reasonable and proportionate enlargements, which necessitates careful attention to the design of any extension.

In this case, the extension has been designed to avoid physical or visual encroachment on the principal elevation by maintaining a small but meaningful set-back. Its single-storey scale is deferential and its lightweight appearance, while contrasting, is delicate and ensures an appropriate connection between internal and external spaces.

The applicant's comments that public views of the site are very limited are noted, but public visibility is not a prerequisite for harm to occur³. Even so, from the main approach to the elevation, the extension would appear recessive against the foliage behind and it would be read as a deferential and contemporary addition due to its scale and because it would not physically encroach upon the front elevation.

There is a high number of listed buildings surrounding the site, most fronting onto High Street, listed at Grade II or II* (two star). However, the distances and intervening features involved, and the nature and scale of the development, would ensure the ability to experience or appreciate the special, or *more than* special, architectural and historic interest of the listed buildings would not be affected. Accordingly, their respective settings would be preserved, to which it is a duty to have special regard under S66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

No objection was raised by the Town Council nor other interested parties on grounds of design, heritage or visual amenity. Furthermore, the development would not cause a loss of significant trees and no objection raised by Wiltshire Council's Arboricultural Officer. An informative note has been recommended in respect of tree roots.

Notwithstanding the CO's comments, for the above reasons, the development would not harm the significance or character or appearance of Rosemead or the MCA in which it is located, nor the significance of nearby listed buildings through change within their setting. This is subject to conditions to control delivery of the design to an acceptable standard. Furthermore, it would satisfy the expectations of adopted design guidance and the requirements of Policy 13 of the Malmesbury Neighbourhood Plan and CP57 and CP58 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

³ GPA3, p.4.

unduly overbearing or unduly obtrusive, and that windows should not directly overlook neighbouring properties.

As a back land dwelling in an urban environment, the site is surrounded by neighbouring dwellinghouses and their outdoor areas. The neighbouring dwellings most likely to be sensitive to the development are 9 and 11 Ingram Street.

Although the proposed extension would be in close proximity of the boundary of the curtilage, it would not appear unduly overbearing nor be of detriment to the living conditions of any neighbour. Many of the fenestration alterations would replace joinery in existing openings, which would not worsen any existing impacts.

From representations received, there are concerns that the proposed rooflights and dormer would adversely affect the amenity provided by an outdoor courtyard area at 9 Ingram Street and the privacy afforded to their first-floor bedroom.

The proposed dormer would, for the most part, be high level over a stairwell, where views out are likely to be transitory, although the LPA would have limited control over the long-term use of the internal space. The existing dormer already sets a baseline level of overlooking, and a mutual level of overlooking would not be unusual in an urban area. On balance, the proposed dormer is not considered to have a detrimental impact on the amenity afforded to the neighbour by their outdoor courtyard.

The proposed rooflights include a larger replacement serving a bathroom, and a new rooflight to serve a dressing room. The latter would be in close proximity of a high-level window to gable end of No.9's rear outbuilding, where this window is understood to serve a bedroom. The plans are not detailed enough to be sure that privacy would not be adversely affect and, therefore, taking a precautionary approach, a condition to require that the rooflights be obscurely glazed and their opening restricted is recommended.

The development would not harm the standard of amenity enjoyed by occupants of the site itself or neighbouring land now or in the foreseeable future, particularly in terms of privacy, outlook, and overshadowing, subject to such necessary conditions as would meet the relevant tests. Furthermore, it would satisfy the expectations of adopted design guidance and the aims of CP57 (vii) of the Wiltshire Core Strategy.

Regard has been had to the concerns raised in the representations received and conditions are recommended accordingly to address residual concerns. For the above reasons, and subject to conditions, the development would not harm the living conditions of neighbours and would improve the functionality of the dwellinghouse itself. Furthermore, it would satisfy the expectations of adopted design guidance and the aims of CP57 (vii) of the Wiltshire Core Strategy.

Biodiversity Net Gain (BNG)

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), and the decision notice shall include the relevant informative note.

PLANNING BALANCE AND CONCLUSION

The development would have acceptable effects in respect of matters of acknowledged importance to the public interest, subject to conditions that meet the tests. Furthermore, it would not conflict with the development plan, and other material considerations do not indicate that a decision should be made other than in accordance with the development plan. The statutory requirements have therefore been fulfilled, and the application should 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:
 - Proposed Site Plan. P 00.0. Received 18 February 2026.
 - Proposed Ground Floor Plan. P 01.0. Received 18 February 2026.
 - Proposed First Floor Plan. P 02.0. Received 18 February 2026.
 - Proposed Second Floor Plan. P 03.0. Received 18 February 2026.
 - Proposed Roof Plan. P 04.0. Received 18 February 2026.
 - Proposed South Elevation. P 05.0. Received 18 February 2026.
 - Proposed North Elevation. P 06.0. Received 18 February 2026.
 - Proposed East Elevation. P 07.0. Received 18 February 2026.
 - Proposed West Elevation. P 08.0. Received 18 February 2026.
 - Proposed Section AA. P 09.0. Received 18 February 2026.
 - Proposed Section BB. P 10.0. Received 18 February 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 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.

4. The rooflights hereby permitted on the north-facing slope of the roof shall be glazed with obscure glass only to an obscurity level of no less than level 3 and 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.

Informatives to Applicant:

1. 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).