

APPLICATION FOR HOUSEHOLDER PLANNING PERMISSION DELEGATED REPORT

APPLICATION REFERENCE:	PL/2026/01087
APPLICATION TYPE:	Householder planning permission
SITE ADDRESS:	Kingsmead, Little Challows, Biddestone, Chippenham, SN14 7DU
DEVELOPMENT DESCRIPTION:	Conversion of existing garage to provide new accommodation and link to existing house. Erection of a new free standing garage.
RECOMMENDATION:	That Planning Permission be GRANTED

PROPOSAL

Planning permission is sought for the conversion of a detached domestic garage to provide new ancillary accommodation to the main dwellinghouse. The proposals also include a pitched roof single storey link between the converted garage and the main dwellinghouse, along with the erection of a new domestic garage building on the opposite side of the property, but still within the domestic curtilage.

The linking element between the converted garage and dwellinghouse is to be finished with composite cladded walls and concrete roof tiles. The new garage building is to be finished with timber cladding and a felt roof.

There is no suggestion that the new accommodation would be used for any other purpose than that associated with the use and occupation of Kingsmead as a single dwellinghouse.

APPLICATION SITE

“Kingsmead” is a modern, domestic dwellinghouse, with the building subject to the proposed conversion relating to an ancillary, detached garage building. Both the main dwellinghouse and the garage are single storey and constructed of brick.

The application site is located adjacent to a series of modern dwellings, of a mix of bungalows and two-storey houses. However, the application site is surrounded by a reasonably dense garden hedge and other mature landscaping which shields direct intervisibility between Kingsmead and its immediate surroundings.

The application site is located in the built-up area of Biddestone, which is identified as a small village in the Wiltshire Core Strategy. In other respects, the application site is subject to the following planning policy constraints:

- Cotswold National Landscape
- 2km from a Lesser Horseshoe Core Roost in the SAC
- Situated just outside the Biddestone Conservation Area

- Right of Way to the east of the site (BIDD30)

PLANNING HISTORY

Proposal / Summary
N/97/00403/FUL - Full planning permission Decision - Approve with Conditions Date: 4/4/1997 – EXTENSION AND ALTERATIONS TO DWELLING/ERECTION OF DETACHED GARAGE EXTENSION/ALTERATIONS & GARAGE
N/97/02503/FUL - Full planning permission Decision - Approve with Conditions Date: 15/12/1997 – ERECTION OF DETACHED DOUBLE GARAGE GARAGE
N/98/01946/FUL - Full planning permission Decision - Approve Date: 12/1/1999 – CONSTRUCTION OF VEHICULAR ACCESS VEHICULAR ACCESS
N/80/1314/F - Historic apps 1974 to 1983 Decision - Approve with Conditions Date: 3/11/1980 – Detached domestic garage
N/84/0336/F - Full planning permission Decision - Approve Date: 27/3/1984 – Extension to dwelling

RELEVANT POLICIES AND GUIDANCE

Wiltshire Core Strategy

- Core Policy 57 Ensuring High Quality Design and Place Shaping
- Core Policy 50: Biodiversity and Geodiversity
- Core Policy 58: Ensuring the Conservation of the Historic Environment
- Core Policy 64: Demand Management

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

Biddestone and Slaughterford Parish Council: No objection.

Council Ecologist: No comment 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, appearance and heritage

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.

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 proposal involves the conversion of an existing garage that is located in close proximity to the main dwellinghouse, with the introduction of a single storey pitched roof link extension and a connected roof structure. The roof tiles are proposed to match the existing dwelling, which will assist in ensuring a cohesive appearance. Given the limited scale of the link and its subservient relationship to the existing property, the works would appear as a natural evolution of the dwelling and would not appear incongruous within the plot.

The proposed detached garage is to be sited on an existing driveway accessed from Little Challows. It is a simple design incorporating timber cladding and a felt roof covering. It's domestic scale and the hedgerow delineating the site ensures that it would not appear visually intrusive within the wider streetscene.

The site lies just outside the Biddestone Conservation Area, which is situated to the east. Given the limited scale and containment of the proposals within the existing curtilage, the proposals would not result in harm to the setting of the Conservation Area.

There is a public right of way to the east of the application site. It is not considered there would be any adverse views from this route as a result of the proposals.

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.

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.

The site lies within the Cotswolds National Landscape, where great weight must be given to conserving and enhancing landscape and scenic beauty.

The proposal is of a modest, domestic scale and is contained within the existing residential curtilage. The conversion of the garage, its linking to the house and the new garage would not materially alter the visual character of the site as this is well screened by hedgerow. Furthermore, the dwelling is situated in an established residential area.

As such, the proposal would not harm the special qualities or scenic beauty of the Cotswolds National Landscape. The development therefore complies with Core Policy 51 of the Wiltshire Core Strategy and Paragraph 176 of the NPPF.

Amenity

The proposed conversion and link extension are limited in scale and closely related to the existing built form. Given their siting and relationship with the host dwelling, they would not result in any significant loss of light or overshadowing to neighbouring properties.

In terms of privacy, the proposals do not introduce any new openings that would result in unacceptable overlooking.

The detached garage is modest in size and positioned within an established driveway. It would not result in an overbearing impact on neighbouring occupiers.

Overall, the development would not give rise to any unacceptable impacts in terms of loss of light, privacy, or overbearing effects, and would therefore safeguard the reasonable living conditions of neighbouring occupiers.

The proposal therefore accords with Core Policy 57 point vii of the Wiltshire Core Strategy and Appendix D of the Wiltshire Design Guide.

Highways and parking

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 proposal utilises existing access points from Little Challows and Challows Lane, with no alterations to the established access arrangements. Adequate off-street parking is retained within the site. The proposal would not result in any adverse impact on highway safety or parking provision.

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.

Ecology

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

The National Planning Policy Framework (NPPF), in Paragraphs 193, requires that development minimises impacts on and provides net gains for biodiversity, including ensuring mitigation is secured where harm cannot be avoided.

The site is not located within any statutory or non-statutory designated ecological sites. However, it lies within the 2km consultation zone for Lesser Horseshoe Bats, forming part of the Bath and Bradford on Avon SAC consultation area.

In general terms, development within such zones has the potential to affect bat species through habitat loss, disturbance, noise, and the introduction of artificial lighting. In this instance, however, the proposal is limited in scope and relates to the conversion of an existing structure adjoining the host dwelling, and the erection of a modest outbuilding.

Given these are minor householder proposals, it is not considered that the proposal would be likely to give rise to significant effects on the SAC or its qualifying features, and no objection is raised on ecological grounds. In accordance with the Habitats Regulations, the proposal has been screened for likely significant effects on European sites and, for the reasons set out above, it is concluded that an Appropriate Assessment is not required. No comment from the Council's Ecologist has been received, but there is sufficient information before the Council to make a decision.

As such, the development complies with Core Policy 50 of the Wiltshire Core Strategy and the relevant provisions of the NPPF.

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.

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:

Location and Block Plan P 01 A
Proposed Ground Floor Plan P 05
Proposed Roof Plan P 06
Proposed Elevations P 07

REASON: For the avoidance of doubt and in the interests of proper planning.

INFORMATIVE TO APPLICANT:

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

INFORMATIVE TO APPLICANT:

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.

INFORMATIVE TO APPLICANT:

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.

INFORMATIVE TO APPLICANT:

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.

INFORMATIVE TO APPLICANT:

The site lies within a bat consultation buffer associated with European designated bat sites. Whilst the proposal is not considered likely to result in significant effects on bat features, all bats and their roosts are legally protected. If, at any time during the works, bats or evidence of bats are discovered, all works in the affected area shall cease immediately and advice sought from a suitably qualified ecologist. Works shall not recommence until it has been confirmed that they can proceed lawfully.