

APPLICATION FOR HOUSEHOLDER PLANNING PERMISSION OFFICER DELEGATED REPORT

APPLICATION REFERENCE:	PL/2026/00948
APPLICATION TYPE:	Householder planning permission
SITE ADDRESS:	Wendy Cottage, Back Hill, Malmesbury, SN16 9BT
DESCRIPTION:	Single-storey front and rear extensions, external alterations and alterations to parking area
RECOMMENDATION:	APPROVE WITH CONDITIONS

PROPOSAL

The application seeks planning permission for a front extension, rear extension, external alterations and alterations to the site parking area. The front extension has walls of render with cladding accents, flush casement fenestration, and tiled gabled roof; it measures approx. 5.35m wide, 6.65m deep, 2.95m eaves and 5.45m ridge. The rear extension has a monopitched roof and measures approx. 4.3m wide, 2.25m deep, 2.35m eaves and 3.3m max height. External alterations include replacement fenestration and addition of Juliet balcony and French doors to rear elevation. Alterations to the parking area seek to provide tandem parking for two cars, surfacing with stone setts and gravel and retaining walls in reused local limestone. Alterations are also proposed to the garage.

Following validation a change in description was agreed with the applicant in the interest of conciseness, and additional information and revised plans were submitted on 25 March 2026 and 1 April 2026; all interested parties have had the opportunity to review the particulars. Minor changes to the parking plan were made on 27 April 2026, but did not necessitate renotifying interested parties.

SITE DESCRIPTION

The application site is a two-storey dwellinghouse known as Wendy Cottage,. It has walls of render, a gabled tile roof, uPVC fenestration. It is unusually set back from the road behind a driveway with monopitched single-storey outbuildings to front extension, and to rear it has a garden backing onto the old Town Wall (Grade II listed building). Its setting is characterised by the enclosed townscape of Back Hill and the river valley behind. It is in the settlement boundary of Malmesbury. Relevant designations and constraints include the Malmesbury Conservation Area, several

Grade II listed buildings¹, and Flood Zone 1 and partial areas of risk of flooding from surface water 1 in 100 + Climate Change (40%).

PLANNING HISTORY

No planning history was found at or nearby to the site that was likely to materially affect consideration of the application.

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)
- Core Policy 61: Transport and new development (CP61)
- Core Policy 62: Development Impacts on the Transport Network (CP62)
- Core Policy 64: Demand Management (CP64)

Saved policies of the North Wiltshire Local Plan 2011 (NWLP)

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 2007

Malmesbury Conservation Area Management Plan 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)

¹ Of which, Former Town Wall Extending North West of Silver Street to Rear of 28-34 (Not Included) [NHLE: 1269223] and 16 and 18 Silver Street [1269222] are likely to be sensitive to the development.

CONSULTATION RESPONSES

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

Malmesbury Town Council –

Object, due to the lack of privacy, overdevelopment in close proximity to the ancient Town Walls and its unsuitability for the location (15/04/2026).

Object to amended plans, citing concerns regarding height of proposed extension, the development being unsuitable for the conservation area and Town Wall, that this should preclude zinc cladding, that the mezzanine could be used as an additional bedroom without adequate parking provision, that the local member should request it be called in (20/04/2026).

Wiltshire Council's Highways Team –

No objection, subject to conditions (10/03/2026).

No objection, subject to conditions (16/04/2026).

County Archaeologist –

No comment (11/03/2026).

No comment (08/04/2026).

REPRESENTATIONS

Immediate neighbouring dwellings were notified of the application, and a site notice was displayed on 11 March 2026. The application attracted twenty-four [24] letters of representation from members of the public (21 x Object, 2 x Comment, 1 x Mixed). The comments and concerns raised therein are summarised as follows:

- That the front extension would block natural light (overshadow) to the detriment of the living conditions enjoyed by 16 Silver Street;
- That the front extension would appear overbearing to the detriment of the living conditions of 16 Silver Street due, in part, to its proximity to bedroom window(s);
- That the front extension would cause overlooking to the detriment of the living conditions of 16 Silver Street;
- That the front extension would overlook and block natural light to 3 Back Hill;

- That the extension appears out of proportion with the property to the detriment of its character and appearance;
- That the front extension would appear out of keeping, particularly in size and scope, with its surroundings, including the conservation area in which it is located and the listed buildings whose setting it is within;
- Concerns that the proposals are unclear in so far as they effect the shared boundary (party) wall with 16 Silver Street;
- That the rear extension would block light to the outdoor amenity areas of 28 Backhill;
- That the development would be overdevelopment of the site due, in part, to loss of garden space;
- That the town wall runs to rear of the garden and is Grade II listed, and has been subject to repair schemes in previous years;
- Concerns regarding highway safety impacts due to construction traffic and the narrowness of Back Hill;
- That the description of the extension as 'single-storey' is misleading;
- That the Malmesbury Conservation Area Appraisal identifies the site frontage as suitable for redevelopment rather than the whole site;
- That the supporting statement contains inaccuracies or makes false claims;
- That the materials proposed are not in keeping with the conservation area or design guidance and colour palette set out in the Malmesbury Neighbourhood Plan Volume II;
- That removing two windows from the west elevation of the dwelling would harm the living conditions that it affords to its occupants;
- That the 'mezzanine' may be used as a bedroom;
- That the site cannot deliver additional on-site parking corresponding to the increase bedroom quantum;
- That the revised plans are little different from the initial plans;
- That the application should be called in by the local member;
- That use of the mezzanine as a bedroom would require additional parking;
- That the conservation officer does not appear to have been consulted;
- That the development on the site should require archaeological oversight;
- That the additional height would have an impact on the visible profile in views from No.14 Silver Street; and
- That the plans do not reference a gap between the side wall of the site and gardens of No.14 Silver Street.

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

Concerns are raised that the description of development is misleading in so far as it relates to a *single-storey* front extension. Notwithstanding the inclusion of a mezzanine and void within the loft space, the Local Planning Authority can be satisfied the description is accurate.

Concerns have similarly been raised that the supporting statements contains inaccurate or false claims. The LPA can be satisfied the statements provide reasonable commentary over matters which require an element of subjective judgement and, in any case, the LPA should reach its own conclusions on the merits of the development.

The Town Council's second representation referred to a request for the application to be called-in by the local member. No such request has been made in accordance with the LPAs call-in procedures, and therefore the application is to be determined under delegated powers.

Design and local character and appearance, with particular regard to the conservation area and the setting of the listed buildings

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.

Wendy Cottage (the “site”) is a post-war dwelling of little architectural merit, albeit located within Area 4 (Ingram Street & Silver Street) of the Malmesbury Conservation Area (MCA). In so far as is relevant to this assessment, the character and appearance of MCA can be discerned from its protected buildings and features, archaeology, open space and historic routes, and its significant foliage. It is desirable to preserve or enhance its character or appearance, to which there is a duty to pay special attention under S72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The development is likely to affect the setting of nearby listed buildings, in particular 16-18 Silver Street² and a section of the former Town Wall³. It is desirable to preserve the buildings or their settings or any features of special architectural or historic interest which they possess, and to which it is a duty to have special regard under S66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. While other listed buildings are found within 50m of the site, the nature and scale of development, the distances involved, and the intervening features, are sufficient to ensure their settings would be preserved.

The site creates a break in the street frontage on Back Hill, the house set back deeply in its plot behind a parking area and outbuildings. The published MCA appraisal⁴ (p.32) identifies the site’s garage and frontage as an area where “... *development has the potential to enhance the character of the Conservation Area*”. However, this does not mean that there is a in-principle policy objection to development to the remainder of the site.

The proposed front extension would add considerable mass and bulk to the front elevation compared to the existing front lean-to that it replaces. A gable end addressing the street would also add to its emphasis, and an awkward break in the eaves line would be formed. However, it is set back from the street frontage by some margin and so would not appear unduly dominant in the street scene. Furthermore, a gable end would complement the surrounding roof scape and townscape features, including the gable ends of 16-18 and 24 Silver Street in its immediate context.

The front extension would form part of the setting of No.16-18 Silver Street, a Grade II listed building the significance and special interest of which comprises its architectural and historic interest as a pair of late 18th or early 19th century vernacular houses (now one house). However, the gable end would appear complementary and, it being set back from the road, it would not appear to dominate the listed building. Accordingly, it would not harm its significance and would thereby preserve its setting.

² 16 and 18 Silver Street [NHLE: 1269222].

³ Former Town Wall Extending North West of Silver Street to Rear of 28-34 (Not Included) [NHLE: 1269223]

⁴ Malmesbury Conservation Area Appraisal, April 2007.

The proposed rear extension is of a modest lean-to, replacing some existing small outshuts, and it is designed with forms, materials and details that would integrate well with the main dwellinghouse. It would not appear an overdevelopment of the garden. The rear garden backs onto a section of the Grade II listed former Town Wall, the significance and special interest of which comprises its architectural and historic interest as a 12th century defensive structure with later phases of rebuilding and alteration.

The Town Wall is buffered from the extension by the remaining garden space, so its structure would not be directly impacted by it. The wall creates a dramatic 'scarp' at the end of the garden, however, and the extension would appear in views of the Town Wall from St John's Street/Baskerville. However, the extension is modest, appropriately designed and would not appear incongruous in the context of the wall's existing, varied townscape backdrop. Accordingly, it would have a neutral effect on the ability to experience and appreciate the significance of the Town Wall, preserving its setting.

The materials to be used in the extensions are stated as render, roof tiles to match the existing dwellinghouse, and cladding (zinc) accents to front extension. Volume II of the Malmesbury Neighbourhood Plan (Task 8.16) seeks to ensure complementary materials are used in all developments. The precise finish, colour and texture of the materials, in particular the render and cladding, is not known; however, the presence of render in the existing building and immediate surroundings would indicate its suitability. While cladding would provide an aesthetic contrast, zinc or other metal would not be entirely incongruous as an accenting device where sheet metal is found sparing in the area in dormers, canopies, flashings, while other options could be considered if the detail indicates it would not be suitably complementary. Accordingly, in the interest of the character and appearance of the MCA and the setting of the listed buildings, a condition is recommended to require approval of details of external materials.

The development would also include some alterations to the dwellinghouse, including replacing existing fenestration, removing first-floor fenestration, and addition of Juliet balcony and French doors to rear, among other associated works. Similarly, the garage and parking area are to be altered. Such works are minor and would have an acceptable effect on the street scene. The altered parking area represents a general improvement in visual terms.

Having had regard to features of the historic environment, and the relevant statutory duties, the scale of development and magnitude of impact is such that it is not deemed necessary to draw on the specialist and finite resource of Wiltshire Council's Conservation Officer, who are not a statutory consultee. During the consultation period, considerable concerns were raised in respect of design, visual amenity and heritage, and regard has been had to these in the assessment above.

Having had regard to the relevant matters, for the above reasons, it is concluded that the development would not harm the character or appearance of the dwellinghouse or the MCA in which it is located, or the significance of nearby listed buildings through change within their setting. This is subject to recommended 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 unduly overbearing or unduly obtrusive, and that windows should not directly overlook neighbouring properties.

The closest neighbouring dwellings to the application site are 16-18 Silver Street, 24, 26 and 28 Silver Street and 2 and 3 Back Hill.

The proposed rear extension replaces existing outshuts and is a modest single-storey addition. Due to its modest size, it would not appear unduly overbearing to neighbours through overshadowing, loss of outlook or overlooking. Furthermore, it would not dominate the rear garden, retaining a useable outdoor amenity space for occupants of the dwellinghouse.

Similarly, the external alterations to the rear of the dwellinghouse, and in particular the addition of a Juliet balcony, would not cause neighbours to be harmfully overlooked as views are directed over the river valley. Similarly, the alterations to the front elevation, parking area and garage would not harm the living conditions of neighbours, particularly when compared to the existing situation.

The proposed front extension attracted considerable concerns that it would harm the living conditions enjoyed by 16-18 Silver Street, due primarily to the potential for the roof height to cause overshadowing and appear unduly overbearing. It is understood that the present neighbouring occupant is an artist, for which they are reliant on natural light to their ground floor 'studio'. As no windows would be introduced on the north side elevation/roof slope, the LPA can be satisfied it would not impact the privacy of No.16-18; although, a condition is recommended to ensure openings are not inserted here due to the proximity.

The application is supported by a Daylight Study, which uses the 45-degree and 25-degree tests⁵ to indicate that the proposed front extension's likely effect on light levels, and potential for overshadowing of adjoining No.16-18 is unlikely to be significantly adverse. Furthermore, it shows that the boundary wall on which the existing lean-to is supported would be lowered in height, thereby reducing its present effect, while the greater height of the proposed extension's roof height would be offset by the angle of the roof slope.

The ground floor rooms of No.16-18 were a kitchen (closest to boundary) with the neighbour's 'studio' in the dining area beside it. During the site inspection, while it is conceivable that the visual impact of the proposed extension might be undesirable, it did not appear that it would cause a significant overshadowing to the studio or kitchen over and above that already cause by the existing dwellinghouse (Wendy Cottage) and the boundary wall.

Although the front extension would incorporate rooflights on the south-facing slope of its roof, these would not cause harmful overlooking of neighbours, and in particular outdoor areas of Nos.24 and 26 Silver Street and 28 Back Hill, over and above the existing and not atypical baseline of overlooking in this urban area. Accordingly, there would be no unacceptable harm to their privacy.

Some concerns were raised that the development would appear overbearing or overshadow 3 and 28 Back Hill; however, the location of these dwellings relative to the development, the distances involved, and the intervening features, would ensure no harm to the living conditions enjoyed by their occupants.

Having had regard to the concerns raised, for the above reasons, it is concluded that the development would not harm the living conditions enjoyed by occupants of the site itself or neighbouring land, particularly in terms of privacy, outlook, and overshadowing, and subject to the recommended conditions. Furthermore, it would satisfy the expectations of adopted design guidance and the aims of CP57 (vii) of the Wiltshire Core Strategy.

Highway matters

The development appears to increase the bedroom quantum, however alterations to the site frontage would provide for two vehicle parking spaces in compliance with adopted minimum parking standards. While suggestions are noted that the 'mezzanine' could be used as a bedroom, the LPA must consider the application as

⁵ As described in *Building Research Establishment (BRE) document 'Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice'*, and indirectly referenced in 9.2.1 of the Wiltshire Design Guide.

submitted and on the basis that it does not. In any case, it is unlikely to be desirable as a bed space given the restricted head-height of the room.

The site is accessed directly from Back Hill, a narrow, unclassified highway with double-yellow parking restrictions. It is not a through road, as it terminates in a footpath and steps. During the site inspection, it was observed that delivery vehicles have limited opportunities to turn and must therefore reverse backwards onto Ingram/Silver Street in order to exit Back Hill.

The concerns of members of the public are acknowledged in respect of parking and highway safety, in particular the effect of construction traffic on the narrow lane. The development would alter the site frontage to provide two parking spaces, and the application is supported by a Construction Management Statement (CMS).

Wiltshire Council's Highways Team raise no objections to the application, confirming also that the CMS would ensure impacts are appropriately managed during the construction phase. They also suggest conditions to ensure the development remains safe for all highway users throughout its life.

Firstly, it is recommended that the first 5m of the access, measured from the edge of the carriageway, is consolidated rather than constructed from loose stone. The plans include the provision of a suitable length of consolidated surface (stone setts) to retain gravel within the site. Accordingly, a suitably worded condition to ensure implementation in accordance with the approved plans is recommended.

Secondly, it is recommended that a condition be used to ensure the access remains ungated. While the existing access is gated, the LPA has no reason to disagree with its Highways Team that the development would make a gate access less desirable in highway safety terms due to the potential for increased movements to and from the site. The condition is so recommended.

Thirdly, it is recommended that no part of the development is first brought into use until both parking spaces have been completed in accordance with the submitted details. This condition is recommended as ensuring adequate parking provision both during the implementation and operational stage of the development is in the interest of highway safety.

Subject to the conditions as recommended, the development would not have a severe or unacceptable effects on highway safety. Furthermore, it would not conflict with the aims of CP57 (xiv), CP61, CP62 or CP64 of the Wiltshire Core Strategy.

Archaeology

The town of Malmesbury has high archaeological potential, and this contributes to the character and significance of the MCA. The rear garden of the application site is retained by the former Town Wall, a Grade II listed building, and finds have been recorded in the vicinity on the Swindon and Wilts HER.

Representations have aired concerns that the development should be subject to archaeological oversight, on account of the archaeological interest of the area. Accordingly, the County Archaeologist was notified of the application on two separate occasions but advised they have no comment to make.

The development primarily replaces existing built form and over previously disturbed ground. Accordingly, it would not involve considerable groundworks likely to uncover or destroy previously unrecorded archaeological deposits. It would not, therefore, harm the archaeological potential of the area or the character of the MCA, to which special attention has been paid. There would be no conflict with CP57 or CP58 of the Wiltshire Core Strategy in respect of archaeology and the historic environment.

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.

Other matters

It is understood that the back wall of the existing lean-to provides a shared boundary (party) wall with 16-18 Silver Street. The plans are sufficiently clear and unambiguous as to the proposed works to this wall and, while the neighbour may have misgivings about such works, it would not harm matters of acknowledged importance to the public interest. However, planning permission does not affect private property rights, and so any dispute will remain a matter the civil parties will need to resolve between them. In this regard, the applicant is aware of their obligations under the Party Wall Act 1996.

PLANNING BALANCE AND CONCLUSION

Having had regard to all matters raised by interested parties, it is concluded that the development would have acceptable effects in respect of matters of acknowledged importance to the public interest. 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 been fulfilled and, subject to the recommended conditions, 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:

Location Plan. L01. Received 11 February 2026.

Construction Management Statement. By Richard Barnes Ltd. Received 25 March 2026.

Proposed Floor and Roof Plan. P05 Rev B. Received 1 April 2026.

Proposed Elevations. P06 Rev A. Received 1 April 2026.

Proposed Elevation and Section. P07 Rev B. Received 1 April 2026.

Proposed Block Plan. P08 Rev B. Received 1 April 2026.

Daylight Study. P09 Rev A. Received 1 April 2026.

Proposed Parking Plan and Section. P11 Rev B. Received 27 April 2026.

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

3. Notwithstanding the approved plans, no works for the construction of the external wall surfaces of the extensions and alterations hereby permitted shall commence on site until details of the materials to be used have been submitted to and approved in writing by the Local Planning Authority. The details shall include the material type, texture, and colour. Thereafter, the development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and the preservation of the character and appearance of the conservation area and the setting of the listed buildings.

4. The development hereby permitted shall not be first brought into use until the first 5m of the access, measured from the edge of the carriageway, has been consolidated and surfaced in accordance with the approved plans (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

5. No part of the development hereby permitted shall be first brought into use until the parking spaces [2] have been completed in accordance with the details shown on the approved plans. The areas shall always be maintained for those purposes thereafter and maintained free from the storage of materials.

REASON: In the interests of highway safety.

6. The vehicle access and parking spaces hereby permitted shall remain ungated.

REASON: In the interests of highway safety.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or reenacting or amending that Order with or without modification), no window, dormer window, rooflight, or other form of opening, other than those shown on the approved plans, shall be inserted in the north side elevation or roof slope of the front extension hereby permitted.

REASON: In the interests of residential amenity and privacy.

Informatives to the Applicant:

1. 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.