

APPLICATION FOR HOUSEHOLDER PLANNING PERMISSION

CASE OFFICER REPORT

APPLICATION REFERENCE:	PL/2026/00773
APPLICATION TYPE:	Householder Planning Permission
SITE ADDRESS:	3 Church Place, Lydiard Millicent, Swindon, SN5 3NE
DEVELOPMENT DESCRIPTION:	1st Floor Rear Extension
RECOMMENDATION:	Consent be GRANTED

PROPOSAL

The application is requesting permission for the erection of first floor extension to the rear (south) elevation, proposed as an extension on top of the existing ground floor extension.

Materials proposed are:

- Walls: Render and timber to match existing
- Roof: Concrete tile to match existing and GRP flat roofing
- Windows: UPVC to match



Figure 1: Existing rear elevation

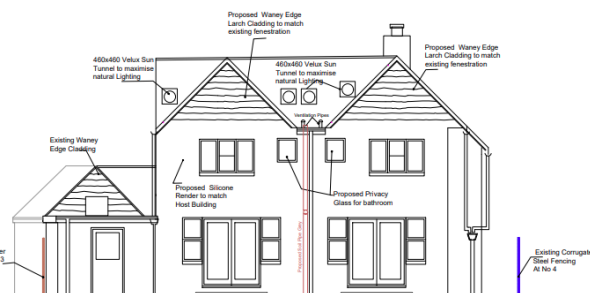


Figure 2: Proposed rear elevation

A request for the application to be determined by committee was made on 02.04.2026 with the following issues indicated as justification:

- Scale of development
- Visual impact upon the surrounding area
- Relationship to adjoining properties
- Environment/highway impact
- Car parking
- Other:
 - o *There are significant concerns that the proposed development represents over-intensification of the site, resulting in a scale and density that is not in keeping with the surrounding area. In particular, the plot appears to have been developed*

beyond a level that can be reasonably accommodated without causing adverse impacts on neighbouring properties and local amenity.

A key issue is the insufficient provisions of on-site parking. Given the scale of occupation associated with the site – both existing and proposed – the lack of adequate parking capacity is likely to lead to overspill parking on nearby roads. This raises concerns about highway safety, congestion and the cumulative impact on the local street scene.

It is also important to note that the existing annex has not been used for its originally intended purpose. Instead of functioning as ancillary accommodation linked to the main dwelling, it has in practice operated as a short-term holiday let, including use as AirBnB-style accommodation. This change of use has already contributed to increased vehicle movement, noise, and general activity levels on the site, further reinforcing concerns about overdevelopment.

The concerns raised in support of the request have been carefully considered; on this occasion, following review carried out as part of an Officer site visit and subsequent discussions with management, it is considered that the planning concerns raised can be appropriately and fully addressed through Officer assessment in the body of this report; therefore, in the interest of timely decision making, having regard to the Scheme of Delegation, it has been agreed that the application will be determined within the statutory timeframe under delegated powers.

SITE DESCRIPTION

The application site comprises an existing two-storey detached dwelling '3 Church Place', in Lydiard Millicent, which benefits from an attached garage, off street parking, and rear amenity area with detached outbuildings.

The site has existing vehicular access from classified C-road 'Church Place', where the front elevation is highly visible from, and the rear elevation can be partially viewed from unclassified private road 'Bury Fields'. Bury Fields also serves part of existing Public Right of Way (PRoW) 'LML77'.



Figure 3: map view of site (red)



Figure 4: aerial view of site

Lydiard Millicent benefits from a made neighbourhood development plan (NDP) covering the period 2018-2036. The site is outside of, but directly adjacent to, the Lydiard Millicent Conservation Area (CA). Grade II* listed 'Church of All Saints' is more than 100m west of the site and there are no other listed buildings in closer proximity.

Notwithstanding that the site is within the recreational buffer for the North Meadow Special Area of Conservation (SAC) and is in close proximity to an existing pond and area with dense tree coverage, there are no current records of protected species at the site and no trees in the rear amenity area.

Furthermore, the site is within flood zone 1, at the lowest risk of flooding from rivers and seas, and is not in an area at high risk of groundwater or surface water flooding; the site is, however, within the source protection zone 2c (outer protection zone).

RELEVANT PLANNING HISTORY

Relevant planning history at the site: (inter alia)

- N/12/03668/FUL granted permission for *side and rear extensions* on 06.02.2013
- 17/04235/FUL granted *Part-retrospective permission [...] for Detached Annex to Rear, Front Porch and Storm Water Harvesting System to Main Property and Erection of Potting/Bike Shed to the Front of the Property* on 10.08.2017

Recent, relevant planning history associated with the wider setting (inter alia)

2 Church Place (directly south-west):

- N/09/00915/FUL granted permission for the *erection of two storey side & rear extensions and single storey rear extension* on 15.07.2009



Figure 5: partial extract of neighbouring extension elevations

Bramble Cottage, 13 Bury Fields (north-east):

- PL/2025/05455 requesting permission for a *proposed new dwelling, parking, and access details* is, at the time of writing, pending determination

RELEVANT LEGISLATION, POLICIES AND GUIDANCE

Though considered as a whole, applicable Development Plan policies are listed below along with relevant legislation and guidance.

Wiltshire Core Strategy (WCS)

- CP41: Sustainable Construction and Low-Carbon Energy
- CP50: Biodiversity and Geodiversity
- CP57: Ensuring High Quality Design and Place Shaping
- CP58: Ensuring the Conservation of the Historic Environment
- CP61: Transport and Development
- CP67: Flood Risks

Lydiard Millicent Neighbourhood Development Plan (NDP)

- LM1: Managing Design in Lydiard Millicent

Wiltshire Local Transport Plan (LTP4)

- Parking standards (LTP3)

Wiltshire Design Guide (WDG)

Wiltshire Council Level 1 Strategic Flood Risk Assessment (SFRA)

National Planning Policy Framework (NPPF)

Planning Policy Guidance (PPG)

Planning (Listed Buildings and Conservation Areas) Act 1990

- Section 72: General Duty as respects conservation areas in exercise of planning functions

Site layout planning for daylight and sunlight: a guide to good practice (BRE, 2022)

ISSUES

The main issues in the consideration of this application are:

- Principle / Sustainable Development
- Design and Impact on the Conservation Area Setting
- Impact on Neighbouring Amenity
- Biodiversity/Geodiversity
- Highway Safety/Access

CONSULTATION AND REPRESENTATIONS

Lydiard Millicent Parish Council: Objection

At the Parish Council meeting held on Thursday 2 April, Members RESOLVED to OBJECT to this application on the following grounds:

- Overdevelopment of the site. The site already has a separate annex, although this is not shown on the plans, along with a side extension. Application reference 14/06102/FUL gives the details.*
- Loss of privacy and amenity for neighbouring properties. The proposed extension will overlook the neighbouring properties gardens and will have an overbearing appearance.*

At the time of writing 4no. public representations of objection have been received, raising the following summarised concerns relating to planning matters:

- Unacceptable loss of privacy by virtue of the first floor extension overlooking neighbouring gardens
- Overbearing impact by virtue of the scale and massing
- Overdevelopment of the site
- Noise impacts by virtue of the intensification of use
- Increased vehicle movements leading to highway safety impacts
- Noise and disturbance during the construction phase

Response to concerns on these relevant planning matters have been carefully considered and will be responded to within the body of this report.

Officer note:

For the avoidance of doubt, the following summarised concerns have also been raised:

- Concerns that previous planning permissions have not been complied with
- Boundary disputes and issues with private access rights
- Concerns regarding the potential motivations of the applicant

Matters relating to any potential lack of compliance with existing permissions fall within the remit of the Council's Planning Enforcement function and would be considered separately from the determination of this application; matters relating to boundary disputes are a civil matter; and concerns regarding the potential motivations of the applicant are speculative.

Given the above, whilst the additional comments are noted, those particular concerns fall outside of the scope of what can be addressed under this application and will not form part of the assessment made in the body of this report; an informative can, however, be included in any permission granted making it clear that any potential change of use etc may require separate planning permission.

ASSESSMENT

Principle / Sustainable development

The development proposed is in connection with the dwelling 3 Church Place, with all works contained within the established residential curtilage. No change of use is proposed and there is no suggestion that the development would be anything other than used and occupied as ancillary domestic accommodation. The principle of ancillary domestic development is established as acceptable. Matters relating to design etc. are, however, addressed below.

Design and Impact on the Conservation Area Setting

Policy CP41 encourages sustainable construction and low carbon energy. Policy CP57 of the WCS requires high quality design and place shaping for all new development with Policy CP58 further requiring development to protect, conserve and (where possible) enhance the historic environment. LM1 of the NDP requires development proposals in Lydiard Millicent to sustain and enhance the distinctiveness of the village and where appropriate the character and appearance of the CA and its setting.

That the scheme does not propose any renewable energy solutions is regrettable; however, given the scale and nature of the application, it would not be reasonable to request alterations to the scheme to meet the aspirations of policy CP41, instead an informative can be included in any permission granted directing the applicant to their permitted development rights, should renewable energy installation be sought in the future for retrofitting.

Notwithstanding the sites close proximity to the CA, the part of the site which is adjacent to the CA is the north-west boundary; given that development proposed under this application is contained to the rear (south) section of the site, the area proposed for development is not in a position which would directly impact (or be viewed from within) the setting of the CA; granting permission for the scheme would, therefore, not harm the CA setting.

The Parish Council raised concerns that the existing annexe at the site is not shown on plan form; whilst it is acknowledged that the 'general arrangement plans' only show part of the application site, the 'location plan' clearly shows the position of the annexe.



Figure 6: location plan

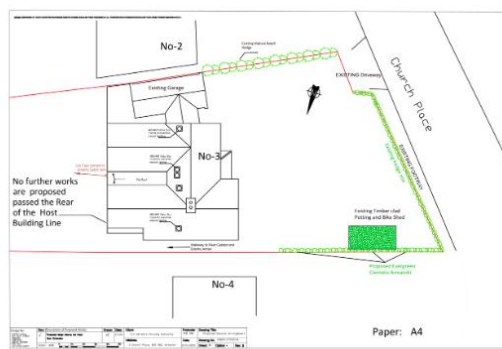


Figure 7: proposed general arrangement plan



Figure 8: Officers site photos of annexe & garden

Separate concerns have been raised, during the consultation period, that the scale and massing is inappropriate for the setting, and that granting planning permission would result in overdevelopment of the site. The site does appear to have seen piecemeal extensions and alterations carried out since the dwelling's original construction; however, the cumulative development, including that which is proposed under this application, is not significantly different to the massing of development which has been carried out at some similarly sized units in proximity.

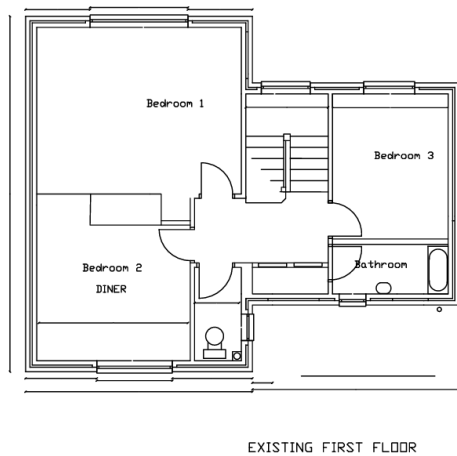


Figure 9: Existing first floor

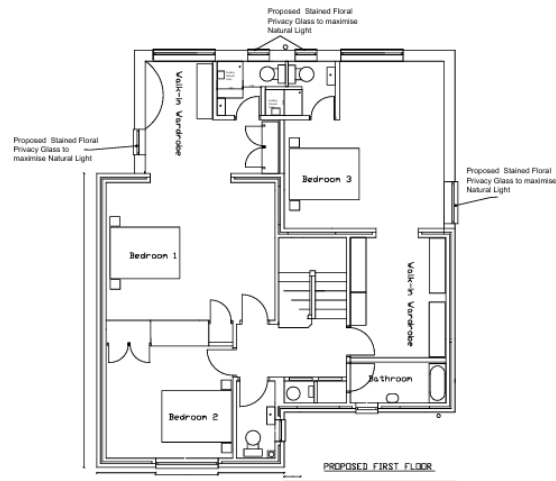


Figure 10: Proposed first floor

The plans provided (e.g. the first-floor plans which are partially extracted as figures 9 and 10 above) indicate that the development is intended to facilitate extension of existing bedrooms to provision wardrobe storage and en suite's rather than any intended increase in the number of bedrooms. The proposal does not indicate any request for alterations to the ground floor of the dwelling, instead the scheme is proposed to work with the existing footprint building a first floor atop of the ground floor extension. As such, the proposed development would not result in a reduction in the level of private amenity area serving the dwelling.

The proposed materials to match the existing dwelling materials is welcomed as being in line with the established character of the site and whilst the number of light tunnels proposed reads as somewhat convoluted, the overall design responds positively to the site and setting. Furthermore, the development proposed suggests a more cohesive overall design to extensions serving the host dwelling than that which can be viewed at the existing site which may offer an overall visual improvement.

Overall, the scale of the proposed post-development dwelling would not be unacceptably out of keeping, is not objectionable on design grounds and does not give rise to concerns that the scheme represents overdevelopment of the site.

Impact on Neighbouring Amenity

CP57 (vii) requires development proposals to have regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants.

Concerns have been raised, during the consultation period, that granting planning permission would result in an unacceptable loss of privacy and overlooking to occupants of neighbouring dwellings; furthermore, concerns have been raised that the development proposed is overbearing.



Figure 11: site photos (top) site & no.4 (bottom) site & no. 2

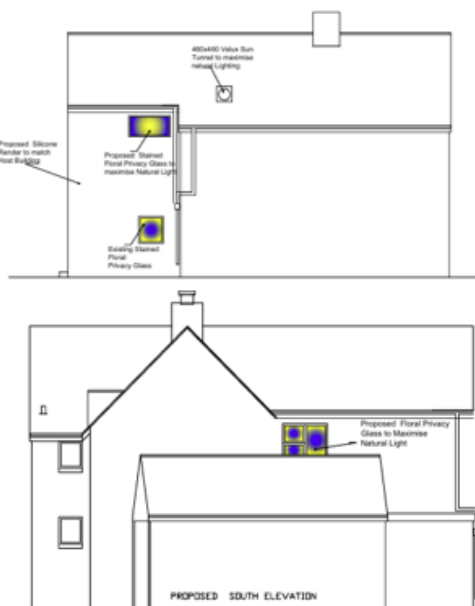


Figure 12: proposed side elevations (top) north & (bottom) south

In assessing the impact on neighbouring amenity, following an unaccompanied site visit carried out in April 2026, careful review of the proposed scale, siting and design of the extension and relationship between surrounding properties has been carried out.

The proposed development would introduce additional first floor accommodation to the rear, directly atop of an existing first floor extension; whilst it is acknowledged that the scheme proposes an increased mass to this south-east elevation, and that above ground-floor development on this elevation has the potential to result in changes to the distribution of sunlight across to neighbouring properties 2 and 4 Church Place, overall, the proposal would not be unacceptably overbearing and would not introduce a level of overshadowing or loss of light which would be unacceptably different from the existing situation by virtue of the position of the extension, the degree of separation to be retained between the two-storey sections of the dwelling and the site boundary, and how there are no existing first floor side windows serving 2 and 4 Church Place that face the application site.

Plans provided indicate that any new first floor side windows would be obscure glazed; should planning permission be granted it would be possible to include a condition which requires the obscure glazed side windows to be installed prior to first use of the extension and retained as such thereafter; a further condition removing permitted development rights for any new window openings to the first floor side elevations is also possible and is considered necessary on this occasion. With the inclusion of those conditions, the proposal would not likely result in any unacceptable overlooking or loss of privacy to the occupants of 2 and 4 Church Place. Furthermore, the degree of separation (more than 30m distance) between the proposed rear wall of the extension and boundaries of dwellings to the east of the site, is sufficiently large so as not

to give rise to concerns that the development would result in an unacceptable change to the level of amenity enjoyed by occupants of any other neighbouring dwellings.

Biodiversity/Geodiversity

As the scheme is for a householder application, it is exempt from the requirements of biodiversity net gain. Furthermore, given the modest scale of the development, that no trees would be removed from the site and that the development will not likely adversely affect European sites or core bat roost, there are no significant concerns on matters relating to the aims of CP50 of the WCS.

Highways Safety / Access

Policy CP61 of the WCS requires new development to be served by safe access to the highway network. Policy CP64 of the WCS relates to demand management measures which includes car parking management and standards.

Public concerns regarding the potential for the proposed development to result in increased vehicle movements have been received and are noted.

The site has an existing, permitted, access which is not being altered as part of the proposal and the proposed development relates solely to operational development which would be contained to the rear of the property and consequently would not encroach on, or alter, the existing off-street parking area serving the dwelling.

On this occasion, whilst the scheme proposes enlarged bedroom sizes, there is no indication on plan form that the development will result in an increased number of bedrooms at the site.

Notwithstanding, for the avoidance of doubt, given that minimum residential parking standards are set at 2 spaces for a 2 to 3 bedroom dwelling, and 3 spaces for a dwelling with 4+ bedrooms, it is clear from review of the site and plans provided (particularly the general arrangement plan, previously extracted as figure 7) that at least 3 parking spaces could comfortably be provisioned at the site. Consequently, the development seeking planning permission does not give rise to concerns regarding highway safety impacts by virtue of a lack of requirement (or request) for increased off-street parking provision, or altered vehicular access point.

CONCLUSION

With the inclusion of necessary planning conditions, the scheme meets the aims of policies contained within the Wiltshire Core Strategy.

RECOMMENDATION:

That planning permission be GRANTED subject to the following conditions:

- 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.

- The development hereby permitted shall be carried out in accordance with the following approved plans and documents received on 04.03.2026

Location Plan, 102024/ITTESS/12 Rev C
 Proposed General Arrangement, 102024/ITTESS/01 Rev D
 South Elevation – Proposed, 102024/ITTESS/03 Rev C
 Rear Elevation – Proposed, 102024/ITTESS/04 Rev D
 North Elevation – Proposed, 102024/ITTESS/05 Rev C

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

- The south and north elevation windows, shown on approved plans 102024/ITTESS/03 and 102024/ITTESS/05, shall be finished with privacy glass and retained as such thereafter.

REASON: In the interest of ensuring acceptable levels of residential amenity and privacy.

- Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order no windows, other than those shown on the approved plans, shall be installed on any elevation of the extension hereby approved.

REASON: In the interests of ensuring acceptable levels of residential amenity and privacy.

INFORMATIVES TO APPLICANT:

- The applicant is advised that the statutory fee exemption specified when making this application is intended for development which is necessary to meet the needs arising from a disability; this would not normally relate to general development which incidentally benefits a disabled occupier. The development has been assessed on its planning merits irrespective of the fee status.
- This permission relates solely to the description of development as shown in the approved plans; any material change in the use of the site or development that differs from that which has been permitted may require separate planning permission.
- The Government has published a Clean Power 2030 Action Plan which includes observations around how 'new standards will be introduced next year which will amend the energy efficiency standards in the Building Regulations in England'. Whilst this scheme does not include renewable energy solutions, there has been no removal of permitted development rights for 'renewable energy' development provisioned under Schedule 2, Part 14 of the GPDO.

Further information on the Action Plan can be found online at:

assets.publishing.service.gov.uk/media/677bc80399c93b7286a396d6/clean-power-2030-action-plan-main-report.pdf and further information on permitted development rights for

renewable energy can be found online at:

<https://www.legislation.gov.uk/ukxi/2015/596/schedule/2/part/14>