

APPLICATION FOR HOUSEHOLDER PLANNING PERMISSION DELEGATED REPORT

APPLICATION REFERENCE:	PL/2026/01853
APPLICATION TYPE:	Householder planning permission
SITE ADDRESS:	Old Chapel Field, Plough Lane, Kington Langley, Chippenham, SN15 5PW
DEVELOPMENT DESCRIPTION:	Detached garage and parking area
RECOMMENDATION:	That Planning Permission be GRANTED

PROPOSAL

Planning permission is sought for the construction of a detached garage and store-room building associated with a domestic dwellinghouse. The existing parking area is shown to be reshaped along with the removal of an existing hedging around part of its perimeter.

The domestic outbuilding is to be finished in timber, with doors and window frames are shown to be painted timber.

SITE DESCRIPTION/CONTEXT

The application site is a residential property. The dwellinghouse to which the new outbuilding relates is a detached dwelling is unlisted, but clear of some age. It is set within a reasonably substantial plot.

The proposal is located in the Kington Langley Conservation Area (KLCA), with no other listed buildings in close proximity.

The application site is not covered by any other relevant policy designations.

PLANNING HISTORY

Proposal / Summary
N/06/02387/TCA - Work to Trees in a Cons Area Decision - Approved Date: 3/11/2006 – Fell One Silver Birch , Tree Surgery To 3 Ash, 2 Beech and 2 Fir
N/03/02052/TCA - Work to Trees in a Cons Area Decision - Approved Date: 19/9/2003 – FELL ONE BEECH TREE
N/03/01300/FUL - Full planning permission Decision - Approve with Conditions Date: 25/7/2003 – DETACHED GARAGE AND STORE
N/03/02960/TCA - Work to Trees in a Cons Area Decision - Approved Date: 13/1/2004 – TREE FELLING AND SURGERY WORK
19/08448/FUL - Full planning permission Decision - Approve with Conditions Date: 5/12/2019 – Detached garage and parking area

14/07854/FUL - Full planning permission Decision - Approve with Conditions Date: 6/10/2014 – Demolition of Existing Garage & Erect Double Garage & Store Area With Turning Facility

N/06/02289/FUL - Full planning permission Decision - Refused Date: 21/11/2006 – Demolish Existing Garage And Erect New Garage, Improve Access And Turning Area
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RELEVANT POLICIES AND GUIDANCE

Wiltshire Core Strategy

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

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

Kington Langley Parish Council: No objection, but makes the following comment and suggests the imposition of conditions:

Kington Langley Parish Council supports this application subject to resolution of the inconsistency between the application form stating that hedges would not be removed whereas the detailed plan does require the removal of existing hedges. A condition should be placed that compensation for the loss of a wildlife habitat is made through the provision of, for example bat boxes or swift bricks. A condition should also be placed that the sizeable building should not be sold off separately from the house, turned into residential or Airbnb.

Wiltshire Council Highways: No objection

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.

Principle of development

In most householder applications, the principle of development is not a matter for detailed assessment, as the residential use of the site is already established and the proposal typically involves minor works within the curtilage of a lawful dwelling.

However, in this instance, it is necessary to consider whether the proposed development is acceptable in principle due to the detached nature of the proposal. The comment regarding the use of the site from the Parish Council is noted.

The application has been submitted on the Householder Application Form, and as such no separate planning unit has been applied for. It is also considered that the ancillary use of the proposal can be further secured by way of an appropriately worded condition along with a restriction against converting to habitable accommodation, given the proximity to the main dwelling and the potential for unacceptable impacts on amenity.

As such, the principle of development is considered acceptable, subject to the detailed assessment of design, amenity, and other material considerations set out below.

Design and appearance

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 scale of the proposal while large is viewed in the context of the wider plot and surrounding area and does not suggest that the host plot or wider area is being overdeveloped.

The proposed design is again a typical form and building palette for a detached outbuilding, and which is reasonably reflective of that of the dwelling to which it will relate. The design and appearance reflect the character of the wider area and is not considered to be detrimental to the character of the wider area.

The enlarged gravelled parking and turning area is also contained within the defined residential curtilage and is not considered to be an inappropriate feature. The loss of the incidental, garden hedging is unfortunate, but is not considered to be unacceptable in the context of a domestic curtilage.

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.

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.

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.

Due to the proposal's location and built form it is considered that the proposal would not result in unacceptable amenity impacts in terms of loss of light, overshadowing or a loss of privacy.

The comment from the Parish Council regarding the use is noted. In this instance the use of the proposed garage can be adequately controlled by way of an appropriately worded condition, tying the proposal to the same planning unit as the main dwelling and in an ancillary capacity.

The proposal therefore accords with Core Policy 57 point vii in respect of safeguarding residential amenity 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 proposed development would not result in any adverse impact on highway safety. Adequate parking and turning provision is provided in accordance with Wiltshire's adopted parking standards, and access arrangements are acceptable. The Council's Highway Engineer raises no objections.

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.

Heritage

From the point of view of the historic environment the main statutory tests are set out within the Planning (Listed Building and Conservation Areas) Act 1990.

Section 66 requires that special regard be given to the desirability of preserving listed buildings, their settings or any features of special architectural or historic interest which they possess.

Section 72(1) of the Act requires the Council to pay special attention to the desirability of preserving or enhancing the character or appearance of designated Conservation Areas.

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 Council's Core Strategy CP 57: Ensuring high quality design requires a high quality of design in all new developments. The policy requires applicants to "demonstrate how the proposal will make a positive contribution to the character of Wiltshire through (amongst other things) responding to the value of the natural and historic environment and being sympathetic to and conserving historic buildings and landscapes. Development is required to respond positively to the existing in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting.

The NPPF outlines government policy for planning. Chapter 16 of the NPPF 'Conserving and enhancing the historic environment' sets out the Government's high-level policies concerning heritage and sustainable development.

It is noted that the proposal is wholly within the KLCA and as such due consideration must be given to the potential impacts upon the character and setting of the heritage asset. The proposal is a single storey structure and in a use which is wholly ancillary to the main dwelling at Old Chapel Field. Due to the residential use and modest built form and design it is considered that the proposal would not result in harm to the significance, character or setting of the heritage asset, in this instance the KLCA.

The proposal, by virtue of its scale, design, and use of materials, is considered to preserve the character and appearance of the conservation area. It would not result in harm to the significance of any heritage assets.

The development is therefore considered to comply with Core Policy 58 of the Wiltshire Core Strategy and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as the relevant provisions of the NPPF.

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 comment from the Parish Council regarding the loss of garden hedging at the site is noted, but it is not protected and could be removed at any time with no need for prior agreement with the Council. Whilst unfortunate, its removal is not regarded as objectionable and in the context of the ability to remove garden planting at any time, neither is it considered reasonable to make use of conditions to require bat boxes or swift bricks. It is further noted that the site is not covered by any statutory ecological designations and in other respects, householder applications are exempt from the requirements of statutory BNG.

The application site is not subject to any statutory or non-statutory ecological designations, and the scale and nature of development is such that significant harm to biodiversity is unlikely. In any event, householder applications being exempt from the requirements of statutory BNG (as required by the Environment Act 2021).

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

Other matters

Kington Langley Parish Council rightly observe that the submitted application form states no hedges will be removed as a result of the development, which contrasts with the accompanying plans which shows the loss of garden hedging around part of the enlarged driveway.

This discrepancy is unfortunate, but the error is minor, with the extent of works being clearly shown on the submitted plan and it is not considered to be an issue which prejudices any interested party. For this reason, there is considered to be no reason to require the application form to be updated prior to the determination of the application.

On a related matter, the change to the extent of driveway is likely to not constitute development requiring express planning permission. The removal of garden planting which is not protected by specific designation does not require prior approval from the Council.

CONCLUSION

Subject to the imposition of conditions, 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 the following 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 Plan

933/CAM/2019/1 Proposals, block plans and location
(Received by LPA 19th March 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 detailed on the approved drawings and application form.

REASON: In the interests of visual amenity and the character and appearance of the area.

4. The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling, known as Old Chapel Field and it shall remain within the same planning unit as the main dwelling.

REASON: The additional accommodation is sited in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit a wholly separate dwelling.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), the garage hereby permitted shall not be converted to habitable accommodation.

REASON: To secure the retention of adequate parking provision, in the interests of highway safety.