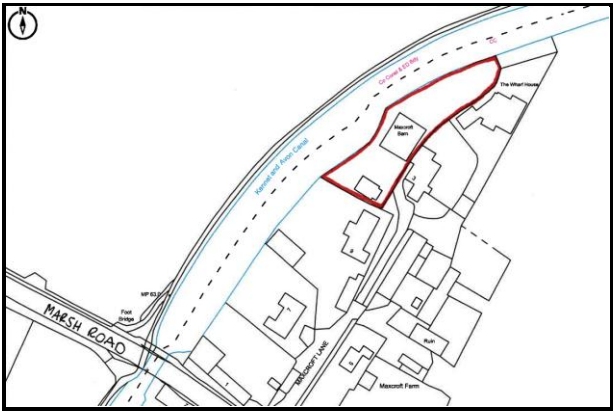


APPLICATION FOR HOUSEHOLDER PLANNING PERMISSION

DELEGATED REPORT

APPLICATION REFERENCE:	PL/2026/00865
APPLICATION TYPE:	Householder Planning Permission
SITE ADDRESS:	Maxcroft Barn, Maxcroft Lane, Hilperton Marsh, Trowbridge, BA14 7PY
DEVELOPMENT DESCRIPTION:	Erection of Oak frame extension to existing garage to provide ancillary accommodation
RECOMMENDATION:	That Planning Permission be GRANTED



PROPOSAL

The proposal seeks permission to extend and convert an existing detached garage building to provide ancillary residential accommodation associated with the host dwelling at Maxcroft Barn. The development includes the formation of ground floor living accommodation designed to meet step-free accessibility needs, together with a first-floor art studio space within the roof. External alterations comprise the removal of existing garage doors and introduction of new glazing, alongside a north-eastern extension constructed in matching timber cladding and materials to ensure a consistent appearance with the existing structure. The development is intended to remain functionally linked to, and occupied in association with the main dwelling, and does not propose the creation of a separate self-contained residential unit.

SITE DESCRIPTION / CONTEXT

The application site comprises a converted barn dwelling with associated residential curtilage and a detached timber-clad garage structure of Dutch barn form, which is the subject of this application. The site lies within the Hilperton settlement boundary and is characterised by its canal-side and edge-of-settlement setting, with the Kennet and Avon Canal forming the north-western boundary and a public right of way running along the opposite bank. Maxcroft House, a Grade II listed building, lies immediately adjacent to the site at a distance of approximately 10 metres, with the only other nearby residential property being a modern bungalow to the south. Built form in the area reflects a mix of natural stone and tiled roofs, with the garage itself timber clad and hipped, set against a backdrop of open countryside to the north-east and west. The site lies within Flood Zone 1 with no significant flood risk identified and is subject to ecological constraints including the GHS 4km Core Roost Buffer and the Trowbridge and Westbury Bat Mitigation Strategy Grey Zone.

PLANNING HISTORY

Reference No.	Proposal / Summary	Decision
W/80/00216/LBC	Re-roofing with asbestos slates	Approved
W/87/00090/FUL	Change of use from residential to old peoples home	Approved
W/89/01161/LBC	Enlargement and modernisation and refitting of bathroom	Approved
W/97/00958/LBC	Installed of oil fired AGA and plastic heating oil tank	Approved
W/99/01017/LBC	Conservatory	Approved
W/04/02067/LBC	Internal and external alterations to separate Maxcroft House into two dwelling units and associated works	Approved
W/06/01244/LBC	Subdivision of existing house to form two dwellings (minor amendments to approved)	Approved
W/06/01255/FUL	Subdivision of existing house to form two dwellings (minor amendments to approved)	Approved
W/07/01058/FUL	Subdivision of existing house to form two dwellings	Approved
W/08/00116/LBC	Subdivision of existing house to form two dwellings (minor amendments to approved)	Approved

RELEVANT LEGISLATION, POLICIES AND GUIDANCE

Wiltshire Core Strategy:

Core Policy 1	Settlement Strategy;
Core Policy 2	Delivery Strategy;
Core Policy 29	Spatial Strategy: Trowbridge Community Area;
Core Policy 50	Biodiversity and Geodiversity;
Core Policy 51	Landscape;
Core Policy 57	Ensuring High-Quality Design and Place Shaping;
Core Policy 58	Ensuring Conservation of the Historic Environment;
Core Policy 60	Sustainable Transport;
Core Policy 61	Transport and Development;
Core Policy 64	Demand Management;
Core Policy 67	Flood Risk;

Hilperton Neighbourhood Development Plan 2017 – 2026 (November 2018)

The National Planning Policy Framework (NPPF) and The Planning Practice Guidance (PPG)

Wiltshire Design Guide - Appendix D – Design Guidance for Householder extensions

The Wiltshire Local Transport Plan 2011 – 2026: Car Parking Strategy (March 2015).

The Wiltshire Local Transport Plan 4 (LTP4) (March 2025)

Emerging Wiltshire Local Plan:

At Full Council on 19 May 2026, the elected members of Wiltshire Council agreed to withdraw the emerging Wiltshire Local Plan. It will now be subject to a legal process to finalise its withdrawal - which is likely to happen in July or August (2026). The said Plan has no material weight for the purposes of this application.

CONSULTATION RESPONSES

Hilperton Parish Council – Commented as follows: *“At the last Parish Council meeting it was resolved to make no comment on this garage extension but would like to add that other comments were made back in March about this application”* pursuant to the following

“...concerns with regard to bats around this application and asked that a bat survey should be considered. The application is also on the edge of the Maxcroft Farm development where we have also raised objections because of bats.

Canal and River Trust – No Objection.

REPRESENTATIONS

No third-party 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.

Householder proposed extensions and works to existing outbuildings are generally acceptable in principle, as they typically fall within the established residential curtilage of a property. In this case, the proposal relates to a property found within the defined limits of development as set out by the Wiltshire Core Strategy.

The proposal would however result in a change from a garage and ancillary storage use to ancillary residential annexe accommodation associated with the host dwelling. Such development is generally acceptable in principle, subject to compliance with other relevant planning policy considerations. However, as use of the building as a separate self-contained dwelling is not being considered as part of this application, it is necessary to impose a condition restricting the accommodation to ancillary use only.

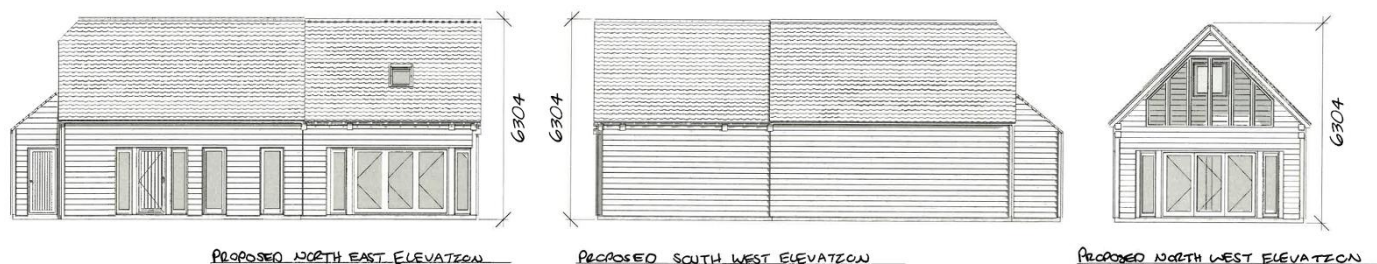
Design and Impact upon the upon the character and context of the area

Core Policy 57 Ensuring High Quality Design and Place Shaping of the Wiltshire Core Strategy requires all new development to achieve a high standard of design that responds positively to its local context. Proposals must reinforce and enhance local character and distinctiveness, relate appropriately to the surrounding landscape, and demonstrate a thoughtful response to existing townscape features. This includes careful consideration of elements such as building height, scale, massing, building line, materials, and overall appearance, ensuring new development integrates harmoniously with its setting.

In design terms, the proposal would retain the overall timber-clad appearance of the existing building, including the proposed north-eastern extension, which would remain visually consistent with the original structure. The removal of the hipped roof to form a gable end would result in a minor erosion of the building's Dutch barn form; however, gable-ended structures are common within the immediate vicinity, and the revised roof form would not appear incongruous in the local context. The replacement of the garage doors with glazing on the north-eastern and north-western elevations is noted, but this would not represent a significant departure from the prevailing character and is comparable to fenestration on nearby dwellings, including those facing the public right of way. While the extension represents a substantial increase in length of approximately two-thirds of the existing building, the extension follows the existing roofline and, due to limited visibility from the south-eastern side and the building's primary views being from the north-western public right of way across the canal, the additional bulk would be largely absorbed within the site and would not result in an unacceptable visual impact.



Site Visit Image



Proposed Elevations

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.

Conservation and Heritage

Core Policy 58 outlines development consideration with regard to the historic environment. The policy states that heritage assets and their settings must be conserved and, where appropriate, enhanced through any proposed development.

In assessing works to a listed building, Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to have *special regard* to the desirability of preserving the building, its setting, and any features of special architectural or historic interest it possesses. Likewise, Section 72 places a statutory duty to give *special attention* to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

From a conservation perspective, the proposal would extend an existing modern outbuilding within the setting of the listed building, rather than introduce a new form of development. The materials and architectural language would remain largely unchanged, with the timber-clad appearance already forming part of the established context, and the replacement of non-historic garage doors with glazing would not result in harm to heritage significance. While the extension would marginally increase the scale of the structure and would briefly interrupt oblique views of the listed building when moving along the public right of way to the north-west, this would be limited in extent and duration and would not materially affect the ability to appreciate the listed building's significance. Overall, the proposal would preserve the setting of the listed building and would result in no harm to its significance in heritage terms.



Moving southwest to northeast along the PROW



Moving southwest to northeast along the PROW

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, stresses that planning decisions should ensure developments provide a high standard of amenity for existing and future users.

No windows are proposed to the south-western elevation, and new ground floor windows replacing the garage doors would face solely into the existing curtilage, resulting in no overlooking or loss of privacy. Whilst the north-western elevation would include more substantial fenestration, this elevation already contains a first-floor window and faces across the canal toward the public right of way rather than any private amenity space. In respect of scale and bulk, the building is located to the north of neighbouring dwellings, and the extension would primarily affect the existing parking courtyard within the applicant's site, without generating

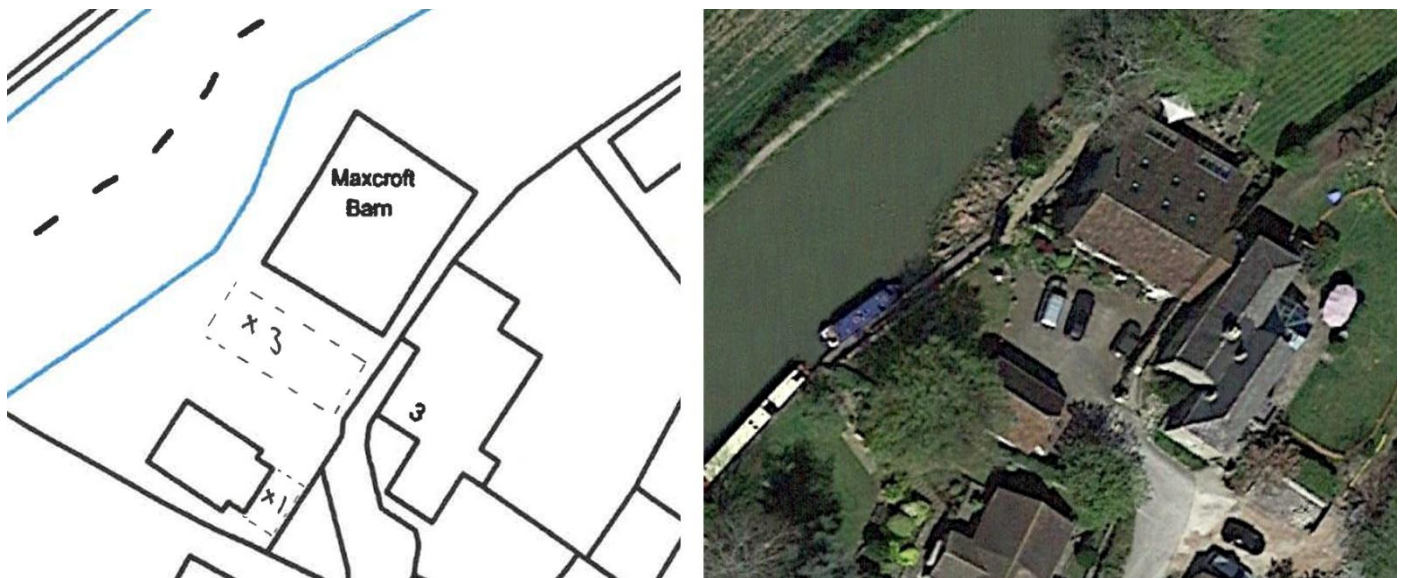
overshadowing or overbearing impacts on neighbouring properties. Although the extension would extend built form along the boundary with the southern neighbour, this reflects the established position of the existing garage and, given the size and layout of the adjoining garden and absence of defined seating areas in this location, would not result in harmful cumulative amenity effects.

The proposal is appropriately sited, designed, and oriented to ensure that it would not result in unacceptable impact upon/to the amenities or living conditions of neighbouring residential occupiers, particularly in terms of outlook, privacy, or access to natural light.

The proposal therefore accords with Core Policy 57 point vii in respect of safeguarding residential amenity and Appendix D of the Wiltshire Design Guide.

Transport and Highways

In highways and parking terms, the proposal would not result in any unacceptable impacts. There are no changes proposed to the existing access and egress arrangements, and movements to and from the site would remain as existing. Whilst the proposal would result in the loss of garage parking spaces, there are no conditions attached to the original subdivision permission which require the garages to be retained for parking purposes, and the application site would continue to provide three external parking spaces, which accords with the parking standards for a four-bedroom dwelling under the Wiltshire Car Parking Strategy. On this basis, the development would remain policy compliant and would not give rise to highway safety concerns or severe residual impacts in accordance with Core Policies 60, 61 and 64 of the Wiltshire Core Strategy and paragraph 116 of the NPPF.



Existing Block Plan (With Parking) and Site Aerial

Ecology

The WCS, through Core Policy 50, states that development proposals are expected to avoid and reduce disturbance of sensitive wildlife species and habitats. Biodiversity Net Gain (BNG) was established as a mandatory aspect of planning evaluation through Schedule 7A of the Town and Country Planning Act 1990 (as amended by the Environment Act 2021 Schedule 14). 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.

Whilst the Parish Council has raised concerns regarding the potential presence of bats, and the site lies within the GHS 4km Core Roost Buffer and the Trowbridge and Westbury Bat Mitigation Strategy Grey Zone, the proposal is a householder development with a limited footprint of approximately 34.3sqm and would not increase the height of the existing structure. The application also relates to a modern timber-clad outbuilding with no identified features typically associated with bat roosting potential. The scale of works is limited and does not involve the loss of established roof voids or features of high ecological value. On this basis, and having regard to the nature of the structure and works proposed, it is considered unlikely that the development would give rise to impacts on protected species. Nevertheless, as the development includes works to the existing roof structure, it is necessary to highlight the applicant's ongoing legal responsibilities under the Wildlife and Countryside Act 1981, and an informative is recommended advising that works must cease and specialist advice sought should any evidence of bats be encountered during construction.

Flooding and Drainage

In respect of flood risk and drainage, Core Policy 67 of the Wiltshire Core Strategy requires development to be designed so as to minimise flood risk and ensure surface water is managed appropriately. The proposal constitutes householder development with an additional footprint of approximately 34.3sqm and, in accordance with paragraph 176 of the NPPF, is exempt from the Sequential and Exception Tests. The site is located within Flood Zone 1, the Council's Strategic Flood Risk Assessment does not identify any significant surface water or groundwater flood risk, and the extension would be sited within an area of existing residential curtilage predominantly comprising grassed garden. Given the limited increase in impermeable area, the development is considered acceptable in drainage and flood risk terms, subject to the inclusion of standard measures to ensure surface water runoff does not exceed pre-development rates.

Other Matters

The Canal & River Trust, as a statutory consultee, has raised concerns regarding the proximity of the development to the Kennet & Avon Canal and the potential impact of excavation and foundation works on the canal's structural integrity. Paragraph 187(e) of the NPPF states that planning decisions should prevent development from contributing to, or being adversely affected by, unacceptable levels of pollution or land instability, and should protect water quality and related infrastructure. Whilst these matters do not affect the principle or design acceptability of the proposal, it is considered reasonable and necessary to impose a pre-commencement condition requiring the submission and approval of excavation and foundation details, together with a risk assessment and method statement, along with an informative advising compliance with the Canal & River Trust's Code of Practice, in order to ensure the adjacent canal is adequately protected during construction.

CONCLUSION

In this case, no harm has been identified in respect of design, heritage, residential amenity, highways, or ecological impacts. The proposal represents a proportionate form of development within an established residential curtilage within the settlement boundary. As such, the development plan is complied with when read as a whole and there are no material considerations that indicate a departure. The proposal is therefore considered to be acceptable and in accordance with the relevant policies and guidance outlined above.

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 and documents:

Proposed Floor Plans 98258/08 (6 May 2026)

Proposed Elevations and 3D Render 98258/07-08 (28 April 2026)

Design, Access and Heritage Statement (9 February 2026)

Location Plan (9 February 2026)

Proposed Block Plan – 98258/03 (9 February 2026)

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

3.The development hereby permitted shall not be used at any time other than for ancillary purposes associated to the residential use of the main dwelling known as Maxcroft Barn, and shall remain within the same planning unit as the main dwelling. The accommodation shall not be used as a separate or self-contained residential unit.

REASON: The development has been applied for and assessed on the basis of ancillary accommodation only. The use of the building as a separate self-contained dwelling has not been considered as part of this application and would require a separate planning assessment, including consideration of relevant planning policies and consultation. The condition is therefore necessary in the interests of proper planning.

4.The materials to be used in the development shall match those of the existing building unless otherwise approved in writing.

REASON: In the interests of visual amenity and to ensure that the development responds appropriately to the character and appearance of the existing building and its surroundings, in accordance with Core Policy 57 of the Wiltshire Core Strategy.

5. Prior to the commencement of development, details of the proposed excavations and foundations, including risk assessments and method statements, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved details.

REASON: To protect the structural integrity of the adjacent Kennet & Avon Canal in accordance with paragraph 187(e) of the National Planning Policy Framework.

INFORMATIVE

The applicant should contact the Canal & River Trusts' Infrastructure Service Team by email to Enquiries.TPWSouth@canalrivertrust.org.uk and comply with the Trust's 'Code of Practice for work affecting the Canal & River Trust', details of which can be found at <https://canalrivertrust.org.uk/business-and-trade/undertaking-works-on-our-property-and-our-code-of-practice>