

APPLICATION FOR HOUSEHOLDER PLANNING PERMISSION

DELEGATED REPORT

APPLICATION REFERENCE:	PL/2026/02149
APPLICATION TYPE:	Householder planning permission
SITE ADDRESS:	53 St Mary Street, Chippenham, SN15 3JW
DEVELOPMENT DESCRIPTION:	Addition of a heritage grade greenhouse to the garden.
RECOMMENDATION:	That Planning Permission be GRANTED

PROPOSAL & SITE DESCRIPTION

The application seeks planning permission for a greenhouse to the garden of 53 St Mary Street (also known as Zealys House), Chippenham. The property is Grade II* listed. The list entry is as follows:

ST9273SW ST MARY STREET 930-1/10/197 (East side) 25/04/50 No.53 Zealy's House GV II House. Early C18. Flemish-bond red brick, ashlar dressings, hipped stone slate roof with red brick stacks to returns, similar roof to central dormer. Double-depth plan. EXTERIOR: 2 storeys with attic and basement; symmetrical 5-window range. A coved eaves cornice conceals the gutter. 9/6-pane sash windows, some with old glass, have ogee-moulded architraves and bracketed sills, those to the ground floor with cornice, those to the 1st floor dying into the eaves cornice. The 1st floor central window has a moulded archivolt with a mask to the keystone, moulded imposts and radiating glazing bars to top sash. Steps up to the tall pedimented doorcase which has scrolled brackets, a moulded architrave and a 3-pane overlight to a raised-and-fielded 6-panel door. A plaque below the pediment reads "In Zealy surgeon". The ashlar plinth is rough to the lower courses. To rear, land falls away toward the river; symmetrical 5- window range with mezzanine staircase window; 3 and 5-light mullioned windows to basement and ground floor; timber 5-light mullioned dormers. INTERIOR: not inspected but known to include original staircase and some panelled rooms. A fine early C18 town house exhibiting an early use (for this region) of brick.*

As identified within the list entry, 53 St Mary Street is an attractive C18th terraced residential property which is set over multiple storeys and which benefits from amenity area to the rear (east) that backs directly onto the River Avon.

The application site is situated within the Chippenham Conservation Area, and there are a number of buildings within the locality that are listed including:

- Grade II* listed 'The Old Vicarage and Attached Railings' to the north of the site
- Grade II* listed 'The Woodhouse' to the south of the site
- Grade II* listed 'Church of St Andrew' to the west of the site, separated by the unclassified highway 'St Mary Street

Given the proximity to the River Avon, the site likely has some habitat suitability for protected species. In addition, part of the site (including the location of the greenhouse) is identified by

the Environment Agency as being within flood zone 2 and adjacent areas further to the rear of the garden are identified as being flood zone 3.

The site is not subject to other ecological, archaeological or landscape policy designations.

The application was originally accompanied by a listed building consent application, but the Council's Conservation Officer has confirmed that this is not required as the proposal is for a free standing structure. The applicant has since withdrawn the application for listed building consent.

PLANNING HISTORY

Proposal / Summary
PL/2025/05796 - Resubmission of PL/2024/05914 and PL/2024/05717 (alterations to roof and fenestration serving existing garden room and the erection of outbuilding) amending the approved design – Approved
PL/2025/05875 - Resubmission of PL/2024/05914 and PL/2024/05717 (alterations to roof and fenestration serving existing garden room and the erection of outbuilding) amending the approved design – Approved
PL/2024/05717 - Alterations to roof and fenestration serving existing garden room and the erection of outbuilding adjacent. - Approved
PL/2024/05914 - Alterations to roof and fenestration serving existing garden room and the erection of outbuilding adjacent. - Approved
PL/2023/06817 - Internal re-configuration of walls on first floor - Approved

RELEVANT POLICIES AND GUIDANCE

Wiltshire Core Strategy:

- Core Policy 50: Biodiversity and Geodiversity
- Core Policy 57 Ensuring High Quality Design and Place Shaping
- Core Policy 58: Ensuring the Conservation of the Historic Environment
- Core Policy 67: Flood Risk

Chippenham Neighbourhood Plan:

- GI1: Protecting and Enhancing Biodiversity
- TC4: Development within Chippenham Conservation Area

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

Chippenham Town Council: No Objection

The Chippenham Conservation Area Character Appraisal (2024) notes that the townscape in this section of St Mary Street is of exceptional quality (p.155). The proposed development would be of high quality design that preserves the special character of Chippenham Conservation Area in accordance with Policy TC4 of the Chippenham Neighbourhood Plan.

Conservation Officer: The principle of a free-standing greenhouse in this garden context is considered appropriate to the setting and significance of the main building.

I note that the submission is lacking in the detail of the joinery profiles of the new structure further information is required in respect of the joinery profiles of the glazing bars and cappings and door construction. We also need detail of the proposed materials of the masonry plinth to which the timber upper structure would be fixed.

WB10 SAMPLE WALL PANEL FOR APPROVAL

No walls shall be constructed on site, until a sample wall panel, not less than 1 metre square, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

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

WB14 ARCHITECTURAL DETAILS TO BE AGREED

No development shall commence on site until details of all joinery profiles of the windows, doors and glazing bars to the green house have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

Comments on the LBC that was subsequently withdrawn:

Historic England: No advice given – suggested to seek the views of the Council's specialist conservation adviser.

REPRESENTATIONS

The application was publicised by direct neighbour letter and site notice. 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.

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

Core Policies 57 and 58 of the Wiltshire Core Strategy seek to ensure that development achieves a high standard of design whilst conserving the significance of designated heritage assets and their settings. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require special regard to be given to the desirability of preserving listed buildings and their settings, and preserving or enhancing the character and appearance of conservation areas

The proposal comprises the erection of a heritage-style greenhouse within the rear garden of 53 St Marys Street, a substantial Grade II* listed dwelling. The greenhouse would be positioned within an existing flower bed at the interface between the formal garden and lawned area, set away from the dwelling and existing boundaries.

The proposed greenhouse is modest in scale and traditional in appearance, incorporating a lightweight glazed structure and materials typical of historic garden buildings. By reason of its limited footprint, sympathetic design, and siting within the established garden setting, the greenhouse would appear as a subordinate ancillary structure, consistent with the historic use and character of the curtilage of a large Georgian house. It would be sited about 19m from the listed building.

The proposal would be within the context of the extensive private garden and would have limited visibility from the wider conservation area. The proposal is considered to preserve the character and appearance of the Chippenham Conservation Area and the setting of listed buildings.

Chippenham Town Council state that the proposal represents high quality design that preserves the special character of Chippenham Conservation Area in accordance with Policy TC4 of the Chippenham Neighbourhood Plan. Historic England made no comment on the listed building consent application before it was withdrawn.

The Conservation Officer advised that the principle of a freestanding greenhouse within the garden setting of the Grade II* listed house was acceptable. Initial concerns were raised regarding the lack of details relating to the greenhouse construction, glazing bar profiles, door details and the materials and detailing of the masonry plinth.

The original conditions recommended by the Conservation Officer are no longer required with the additional information and adapted condition: The applicant submitted additional technical information including manufacturer details of the proposed greenhouse and drawings showing the glazing bars, frame profiles and door construction. The applicant also confirmed that the masonry plinth and pointing could match the existing stonework and lime pointing of the host property to avoid the need for a sample panel, which is considered acceptable, subject to a condition to secure this.

Having reviewed the additional information, it is considered that sufficient detail has now been provided to demonstrate that the greenhouse would be of an appropriate design and appearance within the curtilage of the Grade II* listed building. Subject to a condition requiring the approved masonry pointing details to be adhered to, the proposal is considered acceptable and would preserve the significance and setting of the heritage asset.

Owing to its modest scale, traditional design, and discreet siting within the curtilage, the greenhouse would preserve the special architectural and historic interest of the application building and would not result in harm to the significance of the listed building, its setting, or nearby heritage assets. The development therefore complies with Core Policies 57 and 58 of the Wiltshire Core Strategy, Policy TC4 of the Chippenham Neighbourhood Plan, Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Chapter 16 of the NPPF.

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 proposal is a modest single storey greenhouse and there would not be any adverse impacts with regards to loss of light, overshadowing, loss of privacy, and overbearing effects. The proposal therefore accords with Core Policy 57 point vii in respect of safeguarding residential amenity and Appendix D of the Wiltshire Design Guide.

Ecology Impact

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 River Avon is situated at the end of the garden, and as a result the site likely has some habitat suitability for protected species. However, given the modest proposal for a greenhouse, the scale and nature of development is such that significant harm to biodiversity is unlikely.

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

Flood Risk

Core Policy 67 of the Wiltshire Core Strategy and Chapter 14 of the National Planning Policy Framework (NPPF) seek to ensure that development is located and designed so as to avoid increasing flood risk on-site or elsewhere.

The proposed greenhouse is located within the rear garden, part of which lies within Flood Zone 2, with land further east towards the River Avon falling within Flood Zone 3. The proposal constitutes householder development and is therefore exempt from the sequential and exception tests in accordance with national planning policy.

The development comprises a small-scale, lightweight greenhouse and does not include any habitable accommodation or other vulnerable uses. Given its limited footprint and domestic ancillary function, the proposal would not increase the risk from flooding and would not materially impede flood flows or reduce flood storage capacity. The greenhouse would be set within an existing garden area and is not expected to give rise to significant additional surface water runoff.

Having regard to the scale and nature of the proposal, a site-specific Flood Risk Assessment is not considered necessary in this instance. It is considered that the development can be accommodated within this location without increasing flood risk on the site or elsewhere. The proposal therefore accords with Core Policy 67 of the Wiltshire Core Strategy and the relevant flood risk policies 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

heritage assets, character of the locality, the amenities of neighbouring occupiers, flood risk 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 Plan, 724-PL2-00, received 31/03/26;
Proposed Elevations, 724-PL2-10, received 31/03/26;
Proposed Site Plan, 724-PL2-05, received 31/03/26;
Proposed Glazing Bar and Door Construction, 724-PL2-18; received 01/05/26; and
Robinsons Aluminium Greenhouses Victorian 'Rushmoor' 8 Dwarf Specification, received 01/05/26.

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

3. The masonry plinth hereby approved shall be constructed to match the existing dwelling in terms of rise, coursing and lime pointing.

REASON: In the interests of preserving the significance of the Grade II* listed building and its setting.

INFORMATIVES 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 regarding the requirements of the Party Wall Act 1996.

- 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.

- The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any [protected species](#), or to damage or disturb their habitat or resting place. Please note

that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced [ecologist](#) and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's [website](#) for further information on protected species.

- 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.