

APPLICATION FOR HOUSEHOLDER PLANNING PERMISSION

DELEGATED REPORT

APPLICATION REFERENCE:	PL/2026/02861
APPLICATION TYPE:	Householder planning permission
SITE ADDRESS:	47 Avenue De Gien, Malmesbury, SN16 9GX
DEVELOPMENT DESCRIPTION:	Extend garage to meet house and create workshop
RECOMMENDATION:	That Planning Permission be GRANTED

PROPOSAL

The proposal seeks planning permission for the extension of the existing detached garage to connect with the dwelling and provide a personal workshop. The infill extension is angled to fill the gap between the house and garage, measuring approximately 1.1m in width at the front and 2.3m in width at the rear, with a ridge height of 4.4m and eaves height of 2.3m. The existing garage would be retained and continue to function as a garage, with the new accommodation providing workshop space ancillary to the host dwelling.

The development includes the installation of a new door and rooflight on the front elevation, a new door, small window and rooflight on the rear elevation of the extension, and a new door within the existing rear elevation of the garage. External materials would comprise reconstituted stone walls, concrete roof tiles, composite doors and white uPVC windows, all to match the existing dwelling.

SITE DESCRIPTION/CONTEXT

The application site comprises a three-storey end of terrace property which is located within an estate north of Tetbury Hill and bounded by the B4014. Avenue de Gien forms the main route around the development. Most properties have garage parking and No 47 has a detached garage set to the side elevation and which adjoins the garage of the adjacent property.

Most properties have modest open frontages with their main entrance set close to the pedestrian walkway and attached garages. To the rear of the property there is a private garden area bounded by 1.8m fencing. The garden extends behind the detached garage but is truncated by the boundary of the garden of a dwelling to the rear in Loiret Crescent.

All properties on this small development are built of the same reconstituted buff stone brickwork and concrete roof tiles.

The application site is subject to the following planning policy constraints:

- none

PLANNING HISTORY

Proposal / Summary
19/10588/FUL - Full planning permission Decision - Approved Date: 7/1/2020 – Single storey rear extension

RELEVANT POLICIES AND GUIDANCE

Wiltshire Core Strategy:

- Core Policy 13: Spatial Strategy for the Malmesbury Community Area
- Core Policy 57: Ensuring High Quality Design and Place Shaping
- Core Policy 61: Transport and New Development
- Core Policy 64: Demand Management

Malmesbury Neighbourhood Plan- February 2015

- 8.1 Design Quality

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

Malmesbury Town Council: Object – Town Council believe the proposal could be used as living accommodation in the future and the loss of parking would create additional on street parking.

REPRESENTATIONS

No neighbouring comments received. However, a comment was received by the applicants planning agent to respond to Town councils objection. They state that the applicant has no intention of using the garage as living accommodation. The garage is however used for storage.

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.

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 seeks to ensure that all new development is of high design quality, reflecting local context, character, and distinctiveness.

The extension would be subservient to the host dwelling, measuring approximately 2.3m to the eaves and 4.4m to the ridge, and would occupy an existing gap of between 1.1m and 2.3m in width. As such, the development would appear as a proportionate addition to the property.

In design terms, the extension would be sympathetic to the appearance of the existing dwelling and garage. The proposed use of reconstituted stone, concrete roof tiles, composite doors and white uPVC windows to match the existing property would ensure a cohesive appearance and would integrate with the existing built form. The proposed rooflights, doors and small window are modest in scale and would not appear visually intrusive within the street scene.

The pattern of development within Avenue De Gien is characterised by dwellings with attached garages. It is noted that the majority of garages within the immediate surrounding area are attached to their respective dwellings. In this context, the proposal to link the existing garage to the dwelling through a small infill extension would not appear out of character or incongruous. The proposal would reflect an established form of development within the locality.

The scale, design and materials of the proposal are considered appropriate to the host property and would preserve the character and appearance of both the dwelling and the wider area. The development would not result in any harmful visual impact when viewed from the public realm and would respect the established character of the surrounding residential area.

Having regard to the above, the proposal complies with the design principles set out in Core Policy 57 of the Wiltshire Core Strategy, Section 8.1 of the Malmesbury Neighbourhood Plan 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.

Loss of Light / Overshadowing

The proposed extension would be modest in scale, occupying the existing gap between the dwelling and the garage and would remain single storey. Given its limited footprint and scale, the proposal would not result in any significant loss of light or unacceptable overshadowing to neighbouring residential properties.

Furthermore, the extension would be positioned within the established built form of the site and would not project beyond the existing dwelling or garage. As such, any impact on daylight or sunlight available to neighbouring occupiers would be negligible.

Loss of Privacy

The proposed extension would include a door and rooflight on the front elevation and a door, small window and rooflight on the rear elevation. The rooflights would not facilitate overlooking of neighbouring properties, and the proposed small rear window would primarily serve the workshop space. Given the location, scale and nature of the proposed openings, the development would not result in any material increase in overlooking or loss of privacy to adjoining occupiers.

The proposal does not introduce any first-floor accommodation, raised platforms or external amenity areas that could give rise to privacy concerns.

Overbearing Impact

The proposed development is modest in scale and would be visually contained between the existing dwelling and garage. The extension would not introduce a dominant or imposing form of development when viewed from neighbouring properties and would appear as a subordinate addition to the existing built form.

Given its limited dimensions and relationship with surrounding properties, the proposal would not result in an unacceptable sense of enclosure or overbearing impact on neighbouring occupiers. The extension would integrate comfortably within the plot without causing harm to the reasonable living conditions of adjacent residents.

Overall, the proposal is considered to have an acceptable impact on neighbouring residential amenity and would not result in unacceptable harm through loss of light, overshadowing, loss of privacy or 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.

Highways Impact

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.

Concerns have been raised by Malmesbury Town Council regarding the potential loss of parking provision associated with the garage. The proposal does not involve the conversion of the existing garage to habitable accommodation, and the submitted plans clearly indicate that the existing garage would be retained for garage and ancillary storage purposes, with continued vehicular access from the existing driveway. The development site is located in a residential area on a quiet side road only serving the residential estate. With a reasonable level of off-street parking used by neighbouring dwellings.

Given the small scale and ancillary nature of the development, together with the retention of the existing garage and off-street parking provision, the proposal would not have a detrimental impact on highway safety, parking availability, or the operation of the local highway network.

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.

Other issues

The proposed workshop is intended for purposes incidental to the enjoyment of the dwellinghouse and would remain ancillary to the primary residential use of the site. An objection has been raised regarding the potential future use of the building as habitable accommodation. However, the submitted plans do not indicate the provision of facilities typically associated with independent living, such as a kitchen, bathroom, or other self-contained residential amenities. In addition, the proposal includes only an extremely modest link extension between the dwelling and the workshop, which further supports its ancillary relationship with the host dwelling. The submitted plans also demonstrate that the existing garage would be retained as a garage, with no alterations proposed that would facilitate its use as independent residential accommodation.

The Local Planning Authority is required to determine the application on the basis of the development as submitted, rather than on the basis of speculative future uses. Having regard to the plans and supporting information provided, it is considered that the proposed workshop would remain ancillary to the host dwelling, whilst the retained garage would continue to serve its intended ancillary parking and storage function. The Local Planning Authority is required to determine the application on the basis of the development as submitted, rather than on the basis of speculative future uses. Having regard to the plans and supporting information provided, it is considered that the proposed workshop would remain ancillary to the host dwelling, whilst the retained garage would continue to serve its intended ancillary parking and storage function. The proposed changes to the rear of the garage, as shown on the submitted plans, would not result in the creation of a separate residential unit and would not provide the facilities necessary to support independent occupation.

Furthermore, no objection has been raised by Wiltshire Highways, and the proposed development is not considered to result in any adverse impact on access arrangements, the operation of the highway network, or highway safety. As such, the proposal is considered acceptable in this regard.. Furthermore, no objection has been raised by Wiltshire Highways, and the proposed development is not considered to result in any adverse impact on access arrangements, the operation of the highway network, or highway safety. As such, the proposal is considered acceptable in this regard.

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 character of the locality, the amenities of neighbouring occupiers, or the interests of highway safety.

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 and documents:

Location Plan; Received 5 May 2026

Existing Block Plan, Elevations and Floor Plan; DWG No. 001; Received 5 May 2026

Proposed Block Plan, Elevations and Floor Plan; DWG No. 002; Received 5 May 2026

Application Form; Received 5 May 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 used in the existing building unless otherwise stated on the approved plans.

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