

APPLICATION FOR HOUSEHOLDER PLANNING PERMISSION DELEGATED REPORT

APPLICATION REFERENCE:	PL/2026/03589
APPLICATION TYPE:	Householder planning permission
SITE ADDRESS:	Fosbury Cottage, Lockeridge, Marlborough, SN8 4EG
DEVELOPMENT DESCRIPTION:	Single storey side extension
RECOMMENDATION:	That Planning Permission be GRANTED

PROPOSAL

The proposal seeks planning permission for the erection of a single storey linear pitched roof extension approximately 7.4m wide by 4m deep. The extension is shown coming off of an existing single storey addition and will provide an open plan kitchen / family room. Chosen materials include timber framing, clad in larch with a clay tile roof. Windows are to be wooden casement and doors coated aluminium bifold

SITE DESCRIPTION/CONTEXT

Located outside of the settlement of Lockeridge, Fosbury Cottage is understood to be a former estate workers cottage accessed from Bridleway KENV22 which currently provides vehicular access to properties including Forest Lodge to the south and Spye Park Cottage, Marlborough Farm, Breach House and Westwoods to the north. The wider countryside is covered in a network of rights of way across the ancient woodland of West Woods. The site is washed over by the North Wessex Downs National Landscape.

The property is located on a plot of circa 0.6 acres and consists of a renovated 2 bedroom Victorian estate cottage with a double garage and off-road parking for 2No vehicles.

PLANNING HISTORY

n/a

RELEVANT POLICIES AND GUIDANCE

Wiltshire Core Strategy:

- Core Policy 57 Ensuring High Quality Design and Place Shaping
- Core Policy 50: Biodiversity and Geodiversity
- Core Policy 51: Landscape
- Core Policy 61: Transport and New Development
- Core Policy 64: Demand Management

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

The National Planning Policy Framework (NPPF)

The Planning Practice Guidance

National Design Guide

North Wessex Downs National Landscape Management Plan 2025-2030

CONSULTATION RESPONSES

The application was advertised by the Councils adopted practices, with neighbour letters sent to any adjoining residential property, a site notice posted and notification sent to the Parish Council.

Kennet Valley Parish Council: No objection however request that consideration is given to comments regarding the route of construction traffic and the requirement for an emergency right of way.

Rights of Way Officer

30.07.26 – Holding Objection requesting details of development through construction phase
19.08.26 – Withdrawal of objection subject to informatives

REPRESENTATIONS

Two letters were received from interested parties and concerns raised are summarised and set out below;

- Large addition in an AONB
- Impact on character of existing cottage
- Potential for further extension
- Lack of neighbour notification
- Impact on bridleway during construction period
- Damage to properties
- Blocked emergency access from the main avenue should be reopened at Forest Lodge and should be considered as a construction route to the site
- Users of bridleway should adhere to the speed limit

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 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 proposed extension has a projection of approximately 7.4m by 4m and is clad in larch with a clay tile roof. Positioned to the rear of the property behind the existing addition and with a lower ridge height, the proposal is considered to be of acceptable materials, being of a low-key appearance, reflecting the nearby outbuildings.

As noted above the site is accessed by a bridleway and there is a network of surrounding Rights of Way however the extension is positioned discretely and sets well within the existing plot.

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.

Policy P3 of the NPPF requires development to contribute positively to the creation of healthy, safe and inclusive places. In particular, Policy P3(b) seeks to ensure that development provides a high standard of amenity for existing and future users and safeguards the reasonable living conditions of neighbouring occupiers. In assessing amenity impacts, regard should be had to matters including privacy, outlook, daylight and sunlight, overbearing impacts, noise and disturbance, and the overall quality of the living environment created by the development.

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.

The proposed extension is single storey and positioned to the rear of the property when approached from the PRow. The closest properties to the north and south are in excess of 100m away.

It is therefore not considered that the proposed addition would impact on the privacy or amenities or local residents through overlooking or overshadowing, nor would the development have an overbearing impact.

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 transport policies of the NPPF seek to ensure that development provides safe and suitable access for all users and that any impacts on highway safety are appropriately considered.

In this instance the proposal is for additional living space and it is not considered that this will increase pressure on the surrounding network, the parking provision remains the same and will not be impacted on by the development.

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 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.

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.

Policy N2 of the NPPF seeks to conserve and enhance biodiversity and support nature recovery. Development proposals should minimise impacts on habitats and species and, where relevant, demonstrate that appropriate mitigation measures are secured where harm cannot be avoided.

The site lies within an area of ancient woodland however the application site is an established residential property and its surrounding gardens. The proposed addition will not impact on the surrounding woodland.

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. No objections have been raised by the Council's Ecologist.

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

National Landscape

Core Policy 51 of the Wiltshire Core Strategy requires all development to protect, conserve, and where possible enhance the character and quality of Wiltshire's landscapes, giving particular weight to designated areas such as National Landscapes.

Policy N4 of the NPPF affords significant protection to Protected Landscapes, including National Landscapes. Development proposals within or affecting a National Landscape should conserve and enhance natural beauty and the special qualities of the designated area and avoid unacceptable harm to its landscape character and scenic quality.

The proposed extension sits comfortably within the boundaries of the well established residential site and whilst long range views may be possible, in the context of the existing built form and the nature of the site the proposal is considered acceptable in landscape terms.

The proposal, by virtue of its scale, siting, and design, would not harm the special qualities or scenic character of the North Wessex Downs National Landscape.

The development therefore complies with Core Policy 51 of the Wiltshire Core Strategy and Policy N4 of the NPPF in conserving and enhancing the National Landscape.

Rights of Way

Fosbury Cottage is accessed of Bridleway KENV22 which, as discussed above, is part of a wider network of public rights of way. Concerns have been raised from 2 parties and the Parish Council relating to the impact of the development on the public right of way.

The proposed extension to the property is for a timber framed, larch clad extension relatively modest in nature. Initial concerns were raised from the Rights of Way Officer who commented;

'I would like to raise a holding objection to this application pending the submission of further details regarding construction access arrangements.

It appears that construction access may be required via the public bridleway (KENV22) to the north of the site. No information has been provided to demonstrate how the bridleway will remain open, safe and unobstructed for public use throughout the construction phase, or how any damage arising from construction traffic will be mitigated and repaired.

The applicant should provide a Construction Management Plan detailing:

Construction vehicle access routes and movements;

Measures to safeguard pedestrians, cyclists and equestrians using the bridleway;

Arrangements to ensure the bridleway remains open and unobstructed at all times;

Procedures for the inspection and reinstatement of any damage to the surface or associated infrastructure of the bridleway attributable to the development.

Until this information has been submitted and assessed, I am unable to conclude that the development will not adversely affect the safe and convenient use of the public bridleway and therefore object to the proposal.'

The applicant has clarified that they have a legally granted access to their property by way of the bridleway, with or without vehicles. There are no planning restrictions on commercial vehicles accessing the site outside of the planning process for example property maintenance, grounds maintenance or any other delivery.

It is further understood that refuse vehicles use the bridleway for access and that other utility company vehicles utilise the bridleway.

Taking the above into account the Rights of Way Officer has withdrawn their holding objection into the proposal and offered the following comments;

'..... the information from the applicant is enough for me to withdraw my objection. I will not request a CMP subject to the following informatives:

The applicant is advised that any damage caused to public right of way KENV22 as a result of construction or demolition activities must be fully repaired by the applicant and reinstated to the satisfaction of the Highway Authority.

Under section 131A of the Highways Act 1980 it is an offence to disturb the surface of a public right of way without lawful authority. The Highway Authority may take enforcement action where necessary.

The applicant should note that it is a criminal offence to obstruct a public right of way under section 137 of the Highways Act 1980 and therefore no materials, plant, temporary structures or excavations of any kind should be deposited / undertaken which obstruct or adversely affect the public right of way KENV22 whilst development takes place, without prior consultation with, and the further permission of, the highways authority at Wiltshire council.

Other matters

It has been suggested that the site could be accessed from the south where there is an existing blocked bridleway that links to the wider network, elevating the pressure on the northern section of Bridleway KENV22.

As noted above there is no objection from the Rights of Way team for the proposed existing access during the construction period. The application is for householder development and it is not considered that any impact on the condition of the bridleway would be significant to resist development on this basis. The ongoing condition of the bridleway and any potential damage would need to be repaired as per the informative above.

Concern has also been raised regarding the potential for damage to other properties caused by vibration from sustained construction traffic and the risk of devaluing the property. In this

case it is not envisaged that the level of construction traffic for the scale of development would be significant. In any event the application is concerned with whether the proposal is an acceptable use of the land and impacts arising from the development itself. Property values are not a material planning consideration and there is no restriction on commercial vehicles utilising the bridleway for development or activities that do not require a planning application. The size of the bridleway means there is a natural restriction in vehicle size that can be accommodated.

Comments requesting that the speed limit are adhered to are noted however it is not the position or responsibility of the LPA to enforce speed restrictions.

It is noted that there is a desire to have the bridleway, currently blocked for vehicular access, to be reopened for emergency access. This is a matter outside of the remit of this planning application and for the concerned party to discuss with the Rights of Way Team.

Concerns have been raised to the potential that the proposal could lead to additional extensions to the property. Every application is assessed on its own merits at point of submission and as such the potential for future development is not a material planning consideration.

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.

Public Sector Equality Duty (PSED)

In reaching this decision, due regard has been had to the Public Sector Equality Duty under Section 149 of the Equality Act 2010. This requires the Local Planning Authority to have regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between persons who share a protected characteristic and those who do not.

The Local Planning Authority is satisfied that the proposal would not result in any unlawful discrimination and that any impacts on protected groups have been appropriately considered as part of this assessment.

CONCLUSION

The proposed development is considered to be acceptable in terms of its design, character and appearance, and would not result in any unacceptable harm to the amenities of neighbouring occupiers.

Furthermore, the proposal would not result in any unacceptable impacts in respect of highway safety, ecology, National Landscape or Rights of Way.

The proposal is therefore considered to comply with the relevant policies of the Wiltshire Core Strategy, the National Planning Policy Framework and all other relevant material considerations. As such, the application is recommended for approval, subject to conditions.

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:

1598-01

1598-02-H

Received 08.06.26

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

Informatives

The applicant is advised that any damage caused to public right of way KENV22 as a result of construction or demolition activities must be fully repaired by the applicant and reinstated to the satisfaction of the Highway Authority.

Under section 131A of the Highways Act 1980 it is an offence to disturb the surface of a public right of way without lawful authority. The Highway Authority may take enforcement action where necessary.

The applicant should note that it is a criminal offence to obstruct a public right of way under section 137 of the Highways Act 1980 and therefore no materials, plant, temporary structures or excavations of any kind should be deposited / undertaken which obstruct or adversely affect the public right of way KENV22 whilst development takes place, without prior consultation with, and the further permission of, the highways authority at Wiltshire council.