

APPLICATION FOR HOUSEHOLDER PLANNING PERMISSION

DELEGATED REPORT

APPLICATION REFERENCE:	PL/2026/03796
APPLICATION TYPE:	Householder planning permission
SITE ADDRESS:	Vernal Orchard, London Road, Box, Corsham, SN13 8NA
DEVELOPMENT DESCRIPTION:	Extension to dwelling by adding one storey; rebuilding conservatory, and associated works
RECOMMENDATION:	That Planning Permission be GRANTED

PROPOSAL

Planning permission is sought for the addition of a first floor above an existing single storey dwellinghouse. The plans also show the rebuilding of an existing conservatory to the rear into a more conventional single storey extension. The footprint of the dwelling remains unchanged.

As a result of the addition, the property is shown on the plans to be rearranged internally, including the provision of a dedicated kitchen, separate small utility/toilet and living room at ground floor, with three bedrooms and bathroom at the new first floor level. The number of bedrooms will increase from two to three.

The first floor addition is to be finished with a double-pitched roof and will result in the existing property increasing from bungalow height to 4.5m and 6.7m in height to eaves and pitch respectively.

Building materials are to match the existing – principally painted smooth render walls with cast Bath-stone quoins under a profiled tiled roof. A cast Bath-stone string course visually separates the new works from the existing.

SITE DESCRIPTION/CONTEXT

Vernal Orchard is a small detached single storey dwelling sited on land at the top of the railway cutting and next to the Listed Brunel bridge.

The existing dwelling has been created via a conversion of a double garage in 2014, with the unlawful elements of the undertaken conversion (and addition of a conservatory) being subsequently regularised by a retrospective planning permission in 2019.

The property backs on to the Lycetts Orchard Caravan park to the rear and the dwelling was originally required to provide residence for a caravan site manager. The 2014 permission to convert the garage to a dwelling was subject to a S106 legal agreement (dated 24th January 2014) which, *inter alia*, restricted its occupancy and future sale or disposal to the adjacent caravan park. A separate application in 2019, made under s106A of The 1990 Act, agreed to modify the requirements of the legal agreement to remove the occupation restriction. The effect of those decisions is that the existing dwelling is an unfettered, market dwelling.

The dwelling is set back approximately 12m from the edge of the public highway (London Road) at a point where the public footpath widens from approximately 3m to 3.6m across the site frontage. The site gently slopes to the rear. The building itself is set some 300mm lower than the public footpath.

The application site is located within the built-up area of Box village, but is washed over by the Bath and West Wiltshire Green Belt and Cotswolds National Landscape designations. The property is also located near to the Grade II listed GWR railway bridge.

Due to its proximity to the railway cutting and Box tunnel, the Bath and Bradford on Avon Bat Special Area of Conservation designation is also relevant.

RELEVANT PLANNING HISTORY

Proposal / Summary
N/13/01217/FUL - Full planning permission Decision - Approve with Conditions Date: 22/1/2014 – Garage Conversion & Extension to Form Two Storey Dwelling (Resubmission of 13/00385/FUL)
19/07448/FUL - Full planning permission Decision - Approve with Conditions Date: 15/10/2019 – Conversion of double garage to residential use, with rear conservatory.
19/03532/106 - Modification of Planning Obligation Decision - Approved Date: 15/10/2019 – Removal of clause 2 in schedule 1 of covenants to council of 106 agreement relating to N/13/01217/FUL to allow the separation of the annex from the caravan park whether to allow other persons to live there or sell annex without selling the caravan park
PL/2026/03796 - Householder planning permission – Extension to dwelling by adding one storey; rebuilding conservatory, and associated works

RELEVANT POLICIES AND GUIDANCE

Wiltshire Core Strategy

- Core Policy 50: Biodiversity and Geodiversity
- Core Policy 51: Landscape
- Core Policy 57: Ensuring High Quality Design and Place Shaping
- Core Policy 58: Listed Buildings

Wiltshire Design Guide

- Appendix D – Design Guidance for Householder extensions

Bat Special Areas of Conservation (SAC)

- Planning Guidance for Wiltshire

The National Planning Policy Framework (NPPF)

The Planning Practice Guidance

CONSULTATION RESPONSES

Box Parish Council: No objection

REPRESENTATIONS

One representation has been received in support of the proposal. It is summarised here, but is available in full on the application's webpage. Whilst recognising previous concerns regarding overdevelopment, now accepts that the current scheme does not enlarge the dwelling and provides a more suitable and energy-efficient replacement for the existing conservatory.

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.

Green Belt

There is no relevant local development plan policy on Green Belt and as such the NPPF, Section 13 is the only policy consideration on this matter. This sets out a negative planning approach and is one of the most restrictive planning policies in England. It sets out that development, except for specific exclusions at paragraphs GB7 of the NPPF, is inappropriate. It explains that development should not harm the defining characteristic of the Green Belt which is its openness.

Policies GB6 and GB7 to the NPPF confirm that development in the Green Belt is inappropriate unless it falls within specifically identified categories. Policy GB6 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved unless in very special circumstances.

Category b to policy GB7.1, *inter alia*, states that any extension or alteration that does not result in a disproportionate increase in size compared to the original building is not inappropriate development.

In compliance with the definition provided in footnote 40, in this case it is accepted that the original building amounts to the footprint of the main part of the property, excluding the changed roof profile and rear extension permitted in 2019.

Since the NPPF provides no specific guidance as to the proportionality assessment required by category b, it is accepted that it should comprise a holistic, overall consideration of any increase in size, rather than a narrow mathematical calculation or percentage increase in floorspace or volume.

In this case, the extensions primarily amount to the adding of a floor above that of the main part of the building, with the roof profile being largely unchanged. The conservatory at the rear is to be replaced with a similarly proportioned single storey extension; although acknowledging that the conservatory was itself a later addition to the original building and therefore is somewhat of a neutral factor in an assessment of proportionality. Whilst the first-floor addition is not insignificant, in this circumstances it is not considered to be disproportionate to that of the original building.

Associated with the above, it is also noted that the application site is wholly within the context of the built-up part of Box village, being surrounded on all sides by significant built form of a variety of scales. This contextualises the proposals and very much confirms that the development would have no impact on the openness of the Green Belt or suggest that the principle aims of the Green Belt could be impacted or reduced.

Accordingly, and in light of the above factors, it is concluded that the proposals do not constitute inappropriate development in the Green Belt and will comply with the requirements of policies GB6 and GB7 to 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.

The National Planning Policy Framework (NPPF), in Paragraph 176, states that "great weight" should be given to conserving and enhancing landscape and scenic beauty in National Landscapes (formerly known as Areas of Outstanding Natural Beauty). Development within or affecting the setting of a National Landscape must demonstrate that it will not result in unacceptable harm to the special qualities of that area.

It is noted that the proposal is for ancillary domestic development and is located within a defined residential cuiltilage and within the built-up part of the Box village (being surrounded by a variety of development of various scales. In such a context, there would be no impact on views in the landscape and would not result in an unacceptable impact or harm upon the special qualities of the Cotswold National Landscape.

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

Scale, design and appearance

Core Policy 57 of the Wiltshire Core Strategy seeks to ensure that all new development is of high design quality, reflecting local context, character, and distinctiveness.

Policies DP3 and DP4 of the National Planning Policy Framework require development to achieve a high standard of design that responds positively to local character and context. In assessing design quality, regard should be had to matters including scale, siting, form, appearance, materials and the relationship of development to its surroundings.

The additions will render an existing bungalow into a two storey dwellinghouse. The increase in height is clearly not insignificant, but the footprint of the property remains unchanged as does its roof profile. The property is surrounded on all sides by existing built form of a variety of scales (including two storey dwellings) and, to that extent, the scale of the development is entirely appropriate.

The design and appearance of the addition is reflective of the existing property, with simple elevational treatments and the use of render/concrete tiles. Again, the design and materials is typical of the wider area and is an acceptable form of development. locality.

Having regard to the above, the proposal complies with the design principles set out in Core Policy 57 of the Wiltshire Core Strategy, Appendix D of the Wiltshire Design Guide and relevant paragraphs to the NPPF.

Amenity

Criterion vii of Core Policy 57 of the Wiltshire Core Strategy seeks to ensure that developments do not adversely affect neighbouring properties.

Policy P3 of the National Planning Policy Framework requires development to be appropriate for its location, taking account of its likely effects on health, living conditions and the environment. In particular, Policy P3(2)(b) requires development to avoid giving rise to unacceptable impacts on the living conditions of neighbouring residents and occupiers. In assessing amenity impacts, regard should be had to matters including daylight and sunlight, outlook, privacy, overbearing impacts and other effects on residential amenity.

In this case, the development is located between the railway cutting and an existing two-storey dwelling known as "Mount Vernal", with a medical centre to the immediate rear. The next nearest properties are located on the opposite side of the public highway and are therefore unaffected.

The proposal will result in an additional storey, and therefore additional built form, being added to the property which will be visible from the immediate Mount Vernal, which is configured with windows which face the application site. However, there is a degree of separation from the

common boundary and because of this distance the additional built form is not considered to result in an unacceptable impact on the amenity or living conditions of the nearest neighbour.

Similarly, no windows are proposed to be inserted into the side elevation of the new first floor facing Mount Vernal. Whilst there are new windows to be inserted into the first floor of the rear elevation, they are at an oblique angle to Mount Vernal which will limit views into the rear amenity space, with no unacceptable loss of amenity or privacy resulting.

The proposal therefore accords with Core Policy 57(vii) to the Wiltshire Core Strategy, along with Appendix D of the Wiltshire Design Guide and the NPPF.

Ecology

The proposed development is located in proximity of the railway cutting and Box tunnel which is intimately linked with the Bath and Bradford on Avon Bat Special Area of Conservation (so designated for known roosts of Bechstein, Greater and Lesser Horseshoe bats).

In this instance, however, the proposal is a well-maintained property and is currently in use and it is not likely to provide a habitat or be used by protected bats. For this reason, the proposed development will not conflict with policy CP50 to the Wiltshire Core Strategy as well as the policies in section 19 to the NPPF. However, it remains an offence to disturb protected bat roosts and in the unlikely event such is found during the construction phase, it is appropriate information to be added to the decision notice reminding the applicants of legislative requirements.

Heritage

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be given to the desirability of preserving listed buildings, their settings and any features of special architectural or historic interest which they possess.

Core Policy 58 of the Wiltshire Core Strategy seeks to conserve and, where appropriate, enhance the significance of designated and non-designated heritage assets and their settings. Core Policy 57 requires development to respond positively to local character and historic context through high quality design.

Policies HE4-HE10 of the National Planning Policy Framework recognise heritage assets as an irreplaceable resource and require proposals affecting heritage assets to be assessed having regard to their significance and the contribution made by their setting.

The application site is in close proximity to the Grade II listed Brunel built bridge over the railway. However, the development will take place within a well-defined residential curtilage and within the context of significant existing development in and around the bridge. For these reasons, there is considered to be no impact on the setting of the bridge and no harm caused to its significance as a heritage asset.

It is also noted that, to the East of the site, the railway cutting also leads to the Grade II* listed West portal of Box Tunnel. However, the portal is some distance from the application site and there is no impact or harm caused.

The development is therefore considered to comply with Core Policy 58 of the Wiltshire Core Strategy and Sections 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as the relevant provisions 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 proposals are not considered to constitute inappropriate development in the Bath and Western Wiltshire Green Belt and does not adversely impact on the special qualities of the Cotswolds National Landscape. Similarly, the scale, design and appearance of the development is such that it is appropriate, and cause no harm to, its environs as well as causing no unacceptable impact on the amenity or living conditions of the nearest residential occupiers. Due to the modernity and occupation of the property, there is considered to be no impact on the ecological value of the locality.

For the above reasons, the proposal will meet with the requirements of policies CP50, CP51, CP57 and CP58 to the Wiltshire Core Strategy as well as relevant policies to the NPPF.

RECOMMENDATION: That Planning Permission be GRANTED subject to the following conditions:

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.

The development hereby permitted shall be carried out in accordance with the following approved plans:

VL.2026.06.01 Site Location Site Layout Plan
VL.2026.06.02 Plans and Elevations as Existing
VL.2026.06.03 Extension Floor Plans as Proposed
VL.2026.06.04 Extension Elevations as Proposed
(Received by LPA 1st June 2026)

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

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.

Informative

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.