

APPLICATION FOR HOUSEHOLDER PLANNING PERMISSION DELEGATED REPORT

APPLICATION REFERENCE:	PL/2025/09474
APPLICATION TYPE:	Householder planning permission
SITE ADDRESS:	30 Lynchets Road, Amesbury, Salisbury, SP4 7JA
DEVELOPMENT DESCRIPTION:	Retrospective application for erection of two storey detached garage and games room not in accordance with original application ref. PL/2024/03758
RECOMMENDATION:	That Planning Permission be REFUSED

PROPOSAL

The proposal seeks retrospective planning permission for the erection of a two-storey detached garage and games room not in accordance with original application ref. PL/2024/03758.

SITE DESCRIPTION/CONTEXT

The application site is a semi-detached, two storey dwellinghouse within a corner plot on Lynchets Road, within the southwest of Amesbury. It lies within the settlement boundary of Amesbury which is defined as a Market Town by Wiltshire Core Strategy (WCS) policies CP1, CP2 and CP4. The application site is adjacent to residential dwellings to the east and west with the highway on the south. To the north of the application site is a private access road which leads to the back gardens and garages of the surrounding dwellings. South of the highway is a parcel of scrub/ woodland which provides some screening from the A345 beyond.

The site is located in Flood Zone 1 and not at risk of groundwater or surface water flooding according to the Strategic Flood Risk Assessment. The application site is situated within the Hampshire River Avon Catchment area, however as a householder planning application for a games room with ancillary use to the host dwelling the proposed works will only be assessed as such.

PLANNING HISTORY

Reference	Proposal / Summary	Decision
PL/2024/03758	Two storey rear and single storey side extensions with detached garage	Approve with Conditions

RELEVANT POLICIES AND GUIDANCE

National Planning Policy Framework (NPPF)

- 2. Achieving sustainable development
- 4. Decision-making
- 12. Achieving Well-designed places

Wiltshire Core Strategy (WCS)

Core Policy 1: Settlement Strategy

Core Policy 4: Spatial Strategy for the Amesbury Community Area

Core Policy 51: Landscape

Core Policy 57: Ensuring High Quality Design and Place Shaping

Core Policy 69: Protection of the River Avon SAC

Wiltshire Design Guide

Wiltshire Local Transport Plan 2011-2026 - Car Parking Strategy

CONSULTATION RESPONSES

Wiltshire Estates: Comment: *Providing that the plans submitted by the applicant are accurate, I confirm that it does not appear to encroach on the Council's land ownership.*

Amesbury Town Council: No comment.

Wiltshire Council Highways Officer: Comment. This will be discussed in the relevant section below. The full consultation receive is as follows:

I refer to the above planning application for retrospective permission for the erection of a two storey detached garage and games room not in accordance with original application ref. PL/2024/03758.

The proposed building is accessed off a rear track that is owned by Wiltshire Council and from viewing your site photos it looks as though the building has been built further forward than shown on the submitted drawings and may be encroaching onto Wiltshire Council owned land.

The building seems to have been constructed so it can easily be converted into a separate dwelling. If this is the intended end use, then a detailed parking plan will be required to demonstrate how parking will be provided for the original house and the newly constructed building to meet Wiltshire's current parking standards.

If the building is to be used as proposed, I will require a plan demonstrating where two additional parking spaces will be provided to meet Wiltshire's current parking standards for a 4 bed dwelling.

REPRESENTATIONS

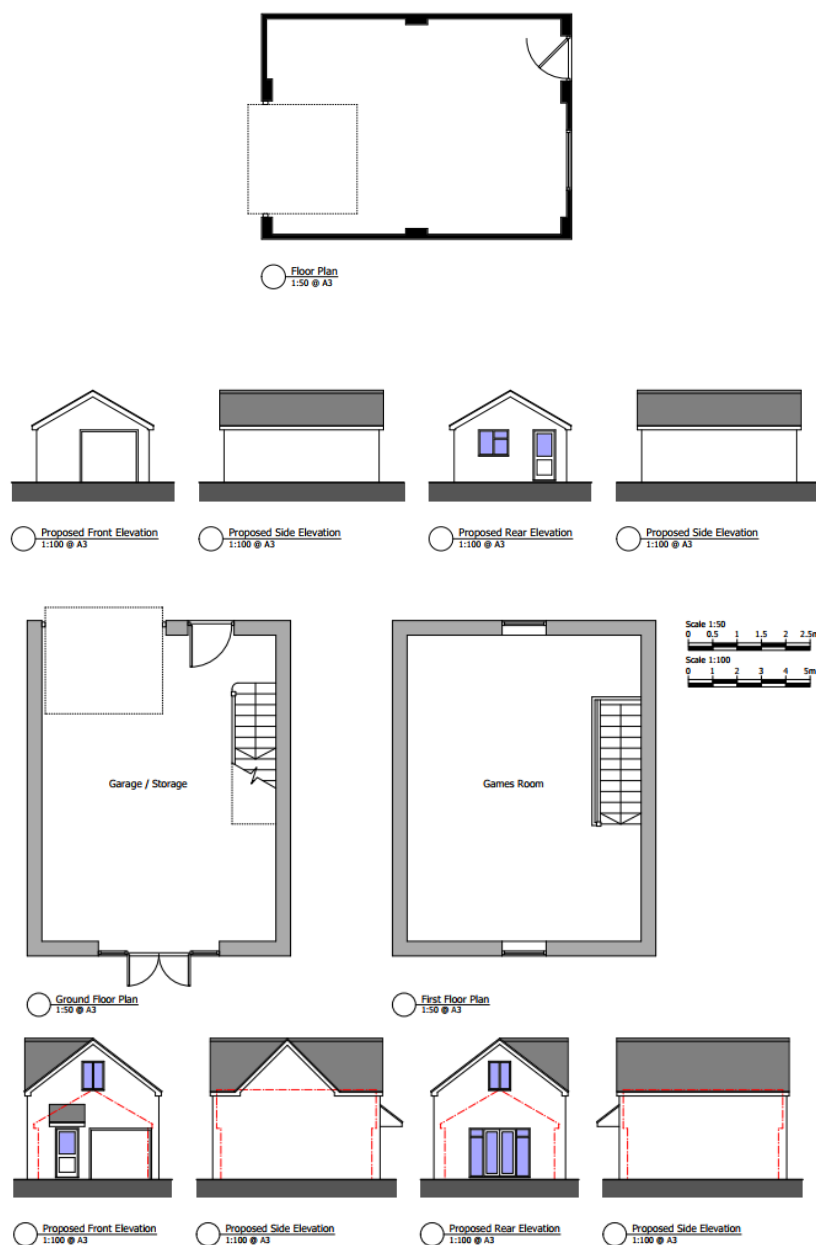
1 letter of no objection from the semi-detached neighbouring dwelling was received.

3 letters of objections were received. They objections can be summarised as follows: (The full wording of the objections can be found on the planning portal)

- Two storey outbuilding is out of character for the local area
- Appears as a residential dwelling

- The position of the building encroaches on the access road and appears to intrude past the building line and property boundary.
- Access to the vehicle entrance of the building and or parking would when in use limit the road width and consequently impact the access of other residents.
- Setting precedent to other properties.
- Overshadowing to neighbouring dwellings.

One of the objections was made by Wiltshire Council's Neighbourhood officer who manages properties around the application site. While it is noted that some of the properties in the surrounding area are owned by Wiltshire Council, this application will assess the impact on the amenity of occupants of the neighbouring properties regardless of ownership. Wiltshire Council estates team has confirmed that they do not consider any of the erected garage outbuilding to encroach onto their land.



The previously approved householder planning application with reference: PL/2024/03758 - *Two storey rear and single storey side extensions with detached garage* was approved. No objections and comments were received from the consultees from the previous permission. The LPA's highways officer suggested some conditions; however, the planning officer did not include these in the recommendation. Construction work began to the existing host dwelling and on the proposed garage. Neighbouring dwellings raised concerns regarding the garage once construction went underway as it appeared to be contrary to the approved garage. An enforcement case was opened with the case officer conducting a site visit and informing the owner to cease work to the unauthorised development. The site visit was conducted on 22nd July 2025 with the enforcement letter submitted on 27th August. By 18th September, the case officer was informed that works were still on going, the owner responded to say that works were ceased, and a planning permission application will be submitted. The current case officer for this householder planning application conducted a site visit 14th January. At this point, the garage would appear almost completed. Externally, some landscaping works and downpipes would appear to still need to be installed.



Enforcement photographs – 22 July 2025



Planning Officer (Site visit for this householder application photographs – 14 January 2026)

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 application site is characterised by two storey and single storey semi-detached dwellings with front gardens and rear gardens. To the rear is an existing access track under the ownership of Wiltshire Council leading to rear gardens and parking areas of the surrounding dwellings. The surrounding dwellings and the application site have various outbuildings and single storey garages located within their garden areas. The extant permission with reference: PL/2024/03758 permitted a single storey garage. No objections and comments were received from the neighbours when they were consulted on the single storey garage. The case officer considered the single storey garage to be subservient to the host dwelling and in keeping with the other garages in the nearby vicinity. However, this retrospective application for a two storey garage is not in accordance with the permitted garage.

The scale, height, and massing of the building are incongruous with the prevailing character of the area, which is characterised by modest, single-storey ancillary structures. The size and two-storey nature of the building represent overdevelopment of the plot, exceeding what could reasonably be considered incidental or ancillary. There are no comparable two-storey outbuildings in the surrounding area, reinforcing the exceptional and unjustified nature of the proposal. It is considered that the proposal fails to respect the established pattern of development, resulting in a visually dominant and intrusive form that detracts from local character. The design, including residential-style doors, fenestration, gives the appearance of a self-contained dwelling, contrary to its description as a garage or games room.

The proposal does not represent high-quality design resulting in harm to the character and appearance of the locality. Therefore, it is contrary to Core Policy 57 of the Wiltshire Core Strategy, Appendix D of the Wiltshire Design Guide, and the relevant provisions of the National Planning Policy Framework. The application must therefore be refused on design grounds.

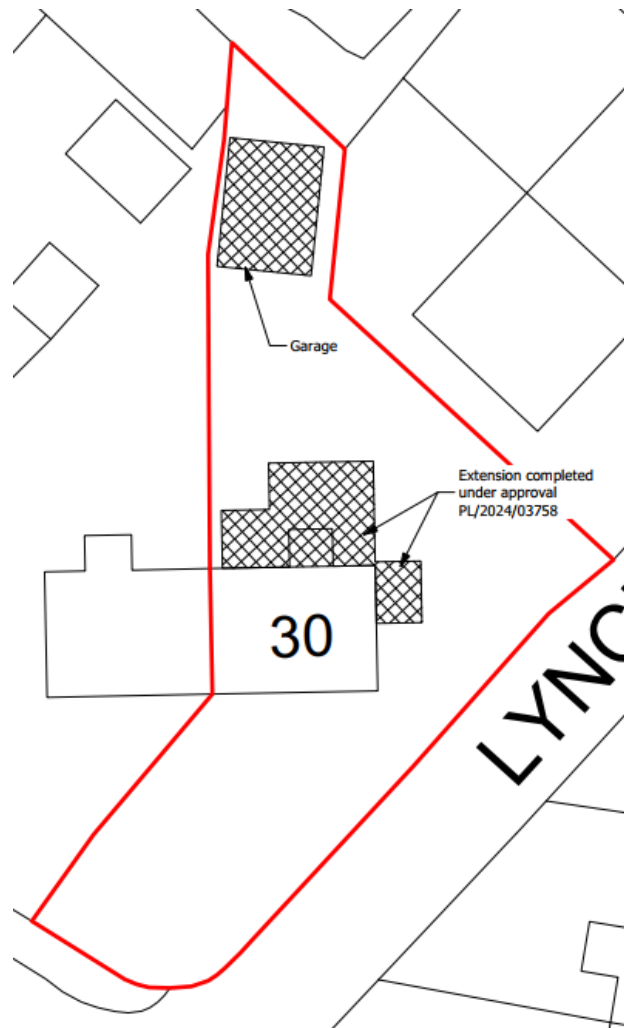
Amenity

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.





Overbearing Impact

The two-storey nature of the garage outbuilding creates an overbearing impact on the neighbouring bungalow dwellings on the east. The bungalow dwellings are approximately 5 metres in height, while the garage outbuilding is approximately 6 metres in height. The distance between the bungalow and the two-storey garage building is approximately 5.8 metres. The garage outbuilding has been constructed approximately less than 2 metres from the boundary of the bungalows. The residential garden of the bungalows is modest in size measuring approximately 8 metres wide at the widest point and approximately 4 metres at the narrowest point with a depth of approximately 8 metres. On the western side, the garage outbuilding has been built almost up against the boundary line. The western side is adjacent to no. 155 and where the garden tapers off lies no. 153. The approximate dimensions demonstrate the close proximity of the garage outbuilding to the neighbouring dwellings and amenity areas.

Concerns regarding land ownership, enclosure, and the inappropriate forward projection beyond the established building line were raised as part of this application. The application site itself is complex due to the different angles of the fences and boundaries of the surrounding dwellings. The owner of the surrounding dwellings and track, Wiltshire Council, was given the proposed block plan and images of the as built garage. They raised no concerns regarding encroachment onto Wiltshire Council land.



Loss of Light / Overshadowing

In addition to the overbearing nature of the as built two storey garage, the height, scale and location of the garage has resulted in significant overshadowing of the adjacent property leading to an unacceptable loss of light and outlook. There is particular concern regarding the loss of light to the adjacent rear garden of No. 28. From the plan it can be seen that the orientation of the neighbouring dwelling being located on the east side of the two storey garage, it is considered that there is a loss of light and overshadowing generated by the as built garage to the modest garden of the neighbouring dwelling. Wiltshire Council's Neighbourhood officer who manages properties around the application site raised concerns regarding the impact of the two-storey nature of the garage to the surrounding dwellings.

Loss of Privacy

The two-storey garage proposes two first floor windows. One on the front elevation (north) and one on the rear elevation (south). The north facing first floor window faces the rear elevation of the dwellings across the access track. In a built up tight knit location such as this, existing overlooking between the neighbouring dwellings are existing. The impact of a single first floor window is not significantly different from the existing overlooking between the dwellings.

The first-floor rear (south) facing window faces the internal garden of the application site and the rear garden of the neighbouring attached dwelling and lies approximately 14 metres from the rear elevation windows of, No.155. The first-floor window creates additional undue overlooking to the garden and rear windows of the neighbouring dwelling, No.155. However, it should be noted that the occupant of the neighbouring dwelling wrote a letter of support for this application.

The proposal therefore fails to comply with Core Policy 57 (vii) and Appendix D of the Wiltshire Design Guide and is unacceptable in terms of residential amenity.



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.

Wiltshire Council's highways officer has noted that taking the current application as a householder planning permission with the use of the games room as ancillary use to the host dwelling, in accordance with Wiltshire Local Transport Plan 2011-2026 Car Parking Strategy, for a 4-bedroom dwelling, three spaces are required. While the application does not include a block plan to indicate parking spaces, from the site visit and looking at the block plan there is scope for two car parking spaces to the front of the application site and in front of the host dwelling. This would be in line with the consultation comment received from the LPA's highways officer.

However, part of the highways officer's consultation gave consideration to if the proposed garage building were to be used as a separate dwelling ample parking space should be allocated for the host dwelling being 3 parking spaces, and for the separate dwelling to the rear.

While this application has considered the outbuilding/garage building to be of a scale that could be considered a separate dwelling, as the application is for a householder application it would be considered as such in the parking assessment.

Consideration regarding site ownership and potential encroachment onto the access track has been discussed above.



Hampshire River Avon

There is potential for the large two storey garage building to be used for additional overnight accommodation.

Nutrient neutrality involves the calculation of a nutrient burden from a development. If there is an increase, mitigation through land use change or wetlands is needed to remove nutrients and counterbalance the output from development. Mitigation can be delivered by the developer or through strategic mitigation schemes. For Wiltshire, nutrient neutrality is needed in four catchment areas - the Hampshire Avon, River Test and the River Lambourn and the Somerset Levels and Moors. Any proposal for a net addition of overnight accommodation is affected. This includes housing, retirement homes, care home, overnight tourism (B&B, hotel, camping, glamping).

Following a Cabinet: 6 February 2024 Revised Nutrient Neutrality Strategy the Council has revised its approach for developments requiring nutrient credits in the Hampshire Avon. A Council-led scheme of phosphorus credits will be available for planned development at a fix cost per kilogram of phosphorus, provided supply of mitigation is available. All other development will be expected to make its own arrangements.

The Council-led scheme is one option that development can potentially use to achieve phosphorus neutrality. It will form part of the solution to achieving phosphorus neutral development in the catchment. Other options such as securing mitigation through private providers, as well as delivery of bespoke solutions on-site, where possible, can also be progressed by developers.

Summary of steps to take if your development lies in the Hampshire Avon For plan-led development:

- use nutrient neutrality calculator to calculate net effect of development for phosphorus discharge
- deliver as much offsetting as possible within the development site boundary
- option to use the Council-led scheme for any residual phosphorus mitigation required
- submit nutrient calculation as unlocked Excel file with planning application
- once calculation is approved by Council ecologist, upload the approval certificate onto Development Applications in the Hampshire Avon Catchment. This is the formal application to the Council's mitigation scheme
- await confirmation that credits are available
- enter into legal agreement(s) to pay £42,500 per 1 kg of total phosphorus when development commences and an additional 5% administration charge prior to planning permission being issued
- planning permission issued with a condition to commence development within 12 months if development meets planning requirements

No nutrient budget was submitted as part of this application and therefore no mitigation was secured. This is because the application was submitted as a householder planning application for ancillary use, no additional overnight accommodation is proposed according to the submitted documents.

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, by reason of the identified harm, is considered to conflict with the aims and objectives of the Wiltshire Core Strategy and the National Planning Policy Framework. The proposal fails to demonstrate compliance with the relevant policies and guidance, and no overriding material considerations have been identified that would justify a departure from the development plan.

Accordingly, the application is recommended for refusal.

RECOMMENDATION: That Planning Permission be REFUSED.

1. The proposed development, by reason of its scale, form, siting, design would result in a form of development that fails to respond positively to the character, context and distinctiveness of the host dwelling and its setting. The proposal would appear visually incongruous, overly dominant, poorly proportioned and unsympathetic to the character of the area and would detract from the visual amenity of the surrounding area.

As such, the proposal is contrary to Core Policy 57 (i and iii) of the Wiltshire Core Strategy (2015), the design principles set out in Appendix D of the Wiltshire Design Guide SPD, and paragraphs 131 and 135 of the National Planning Policy Framework, which collectively seek to ensure high-quality design that respects local character and integrates appropriately with its surroundings.

2. The proposed development, by reason of its scale, siting, design, features such as windows would result in an unacceptable impact on the amenity of adjoining residential occupiers through overlooking, loss of privacy, loss of light, overbearing effect.

The development would fail to protect the reasonable living conditions of neighbouring properties and is therefore contrary to Core Policy 57 (vii) of the Wiltshire Core Strategy (2015), the guidance contained within Appendix D of the Wiltshire Design Guide SPD, and paragraph 135(f) of the National Planning Policy Framework which requires developments to provide a high standard of amenity for existing and future users.