

APPLICATION FOR HOUSEHOLDER PLANNING PERMISSION

DELEGATED REPORT

APPLICATION REFERENCE:	PL/2025/09353
APPLICATION TYPE:	Householder planning permission
SITE ADDRESS:	Vimy Ridge, London Road, Firsdown, Salisbury, SP4 6DU
DEVELOPMENT DESCRIPTION:	Detached double garage and ancillary accommodation for dependant persons
RECOMMENDATION:	That Planning Permission be REFUSED

PROPOSAL

The proposal seeks planning permission for the erection of a single storey detached building to provide ancillary accommodation associated with the existing dwelling to the south known as Vimy Ridge. The submitted floor plans show that the building will contain one bedroom, a reception room, a kitchen and a bathroom. A double garage is also incorporated into the building, positioned to face east.

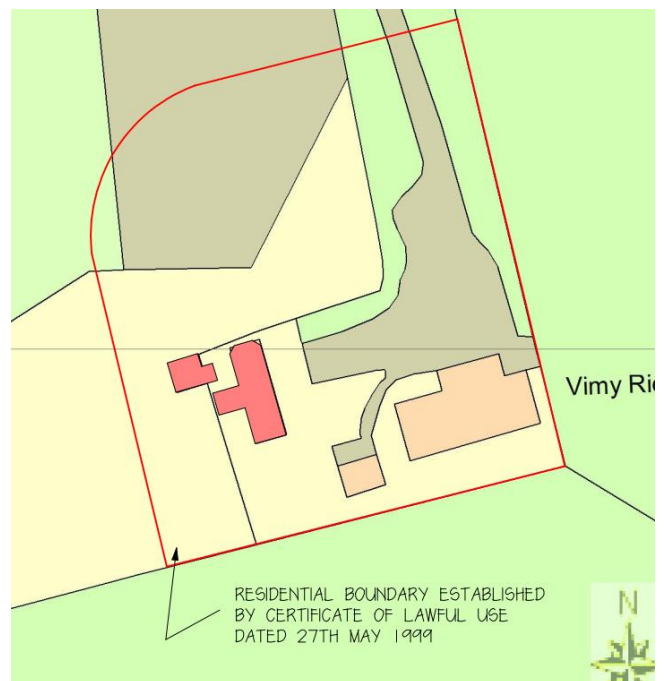
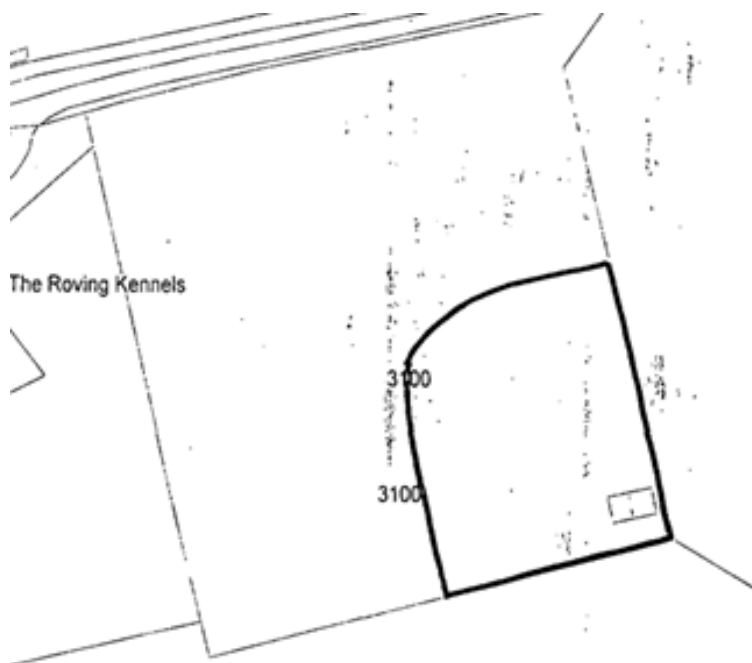
SITE DESCRIPTION/CONTEXT

Vimy Ridge, also referred to as Vimey Ridge or Viny Ridge, is an established residential property with an associated residential curtilage, as confirmed by a certificate of lawfulness issued in 1999 under planning application S/1997/1710 on 27/05/1999.

Lawful development certificate PL/2024/01507, approved and issued on 24/04/2024, confirmed that the mobile home and laundry block situated to the west of Vimy Ridge constitute an independent residential unit (Use Class C3) with associated amenity space. This created a new and separate planning unit alongside the existing red-line boundary of Vimy Ridge established in 1999.

On 24/07/2024 full planning permission was granted under PL/2024/04861 for the demolition of the existing mobile home and the construction of a two-bed single-storey dwelling within the boundary established by the lawful development certificate issued earlier the same year.

The application site is located to the south of the A30 London Road, to the south-west of the junction of Malthouse Lane and the A30 London Road, and is accessed via an existing track from the A30. The site adjoins a residential property known as Foxbury House to the west, with agricultural land surrounding it to the south and east. The site lies outside any defined settlement boundary as set out in Core Policies 1, 2 and 23 of the Wiltshire Core Strategy and for the purposes of the local plan, is within the open countryside. The site also falls within the River Avon Special Area of Conservation (SAC), the Special Landscape Area identified by saved Policy C6, and the 13.8 km Recreation Zone of Influence for New Forest protected sites.



On the left is the location plan from the lawful development certificate ref: S/1997/1710 issued on 27/05/1999. This plan was microfiched in black and white.

Shown on the right the applicant reproduced this plan for the purposes of the lawful development certificate ref: PL/2024/01507. This has been included in this report to provide clarity on the defined curtilage in conjunction with the plan below to show how this has been altered by subsequent applications.



To the left is the proposed site/location plan provided with this application - PL/2025/09353.

This shows the two separate planning units – indicated by blue and red lines.

The location of the proposed building, sought in this application, is shown by the pink/red rectangle.

PLANNING HISTORY

Proposal / Summary
S/1985/0220 - Full planning permission Decision - Approved Date: 8/5/1985 – O/L APPLICATION - SITING OF CARAVAN IN CONNECTION WITH AGRICULTURAL HOLDING
S/1992/1796 - Lawful development: Existing use Decision - Refused Date: 29/9/1997 – APPLICATION FOR A CERTIFICATE OF LAWFULNESS FOR AN EXISTING USE AS A DWELLING HOUSE
S/1997/1710 - Lawful development: Existing use Decision - Approved Date: 27/5/1999 – APPLICATION FOR A CERTIFICATE OF LAWFULNESS FOR AN EXISTING USE AS A DWELLING HOUSE
PL/2024/01507 - Lawful development: Existing use Decision - Approve Date: 24/4/2024 – Use of a mobile home and laundry block as an independent residential unit (use class C3) with associated amenity space.
PL/2024/04861 - Full planning permission Decision - Approve with Conditions Date: 24/7/2024 – Demolish existing mobile home and erect two bed single storey dwelling
S/81/0680 - Historic apps 1974 to 1983 Decision - Approve Date: 3/7/1981 – Widen to allow easier access, to include laying hardcore and gravel where necessary.
S/82/1119 - Historic apps 1974 to 1983 Decision - Refuse Date: 9/3/1983 – Siting of caravan in connection with horticultural holding

RELEVANT POLICIES AND GUIDANCE

Wiltshire Core Strategy:

- Core Policy 1: Settlement Strategy
- Core Policy 2: Delivery Strategy
- Core Policy 23: Southern Wiltshire Community Area
- Core Policy 24: New Forest National Park
- Core Policy 50: Biodiversity and Geodiversity
- Core Policy 51: Landscape
- Core Policy 57: Ensuring High Quality Design and Place Shaping
- Core Policy 60: Sustainable Transport
- Core Policy 61: Transport and New Development
- Core Policy 64: Demand Management
- Core Policy 69: Protection of the River Avon SAC

Salisbury District Local Plan policies (Saved by Wiltshire Core Strategy) (SDLP):

- C6: Special Landscape Area
- H33: Ancillary accommodation

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

Pitton and Farley Parish Council – object – with the following text received:

'P&F PC are aware of current Highways improvements at the junction of London Road (A30) and Old Malthouse Lane due to recent motor traffic incidents and feel that any additional vehicular activity within this area, including the access at Vimy Ridge, would be detrimental. The council would also like to request the addition of a condition that the new building be included as part of the existing household i.e. not a separate development for possible resale.'

WC Highways – comment

In their comment WC Highways made clear their position on whether to support or object to the proposal is dependant on the case officer's assessment as to whether the proposed building constitutes ancillary accommodation. A summary of their response highlighting these two options is copied below.

Approval option

'No supporting statement accompanies the application to clarify how parking is intended to operate between Vimy Ridge and the proposed ancillary accommodation. In addition, the arrangement and degree of separation mean the building could be perceived as a self contained residential unit. An independent dwelling in this location would not be supported on transport sustainability grounds.

Ancillary accommodation, however, can be acceptable where it remains functionally linked to, and occupied as part of, the main household. To ensure this, any approval would need to be subject to a condition preventing independent occupation.

The shared private drive benefits from a wide access onto the A30, allowing vehicles to pass safely. The proposed arrangement is suitable for serving the ancillary accommodation. There is adequate space in front of the garage to allow vehicles to manoeuvre and sufficient on-site space for parking and turning

From a highways perspective, the proposed access, parking and turning arrangement are acceptable. If the Planning Case Officer is satisfied that the development constitutes ancillary accommodation to Vimy Ridge, I raise no highway objection, subject to the following condition

Condition:

The ancillary building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Vimy Ridge.

Reason:

The additional accommodation is sited in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit a wholly separate dwelling.'

Refusal option

'If, however, the Planning Case Officer considers that the proposal amounts to the creation of a separate planning unit, the following reason for refusal is recommended:

The site is located outside of the settlement policy boundary, raising concerns with regards to the sustainability of the site for residential development due to the likely reliance upon the private car for any occupants and their visitors, the lack of pedestrian facilities/safe cycling provision. The proposal is therefore contrary to Core Policies 60 and 61 of the Wiltshire Core Strategy and Section 9, paras 109, 110, 115 & 117 of the National Planning Policy Framework (December 2024), which aim to reduce the need to travel particularly by private car and encourage the use of sustainable transport alternative in order to promote a sustainable pattern of development.'

REPRESENTATIONS

No comments were received.

ISSUES

- Principle of development
- Design, scale and siting
- Amenity
- Highways impact
- Impact on the River Avon SAC and New Forest SPA

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.

Principle of development

At the heart of the NPPF is a presumption in favour of sustainable development and the Adopted Wiltshire Core Strategy seeks to build resilient communities and support rural

communities but this must not be at the expense of sustainable development principles. The Settlement and Delivery Strategies of the Core Strategy are designed to ensure new development fulfils the fundamental principles of sustainability.

This means focusing growth around settlements with a range of facilities, where local housing, service and employment needs can be met in a sustainable manner. A hierarchy has been identified based on the size and function of settlements, which is the basis for setting out how the Spatial Strategy will deliver the levels of growth.

Core Policy 23 confirms that development in the South Wiltshire Community Area be in accordance with the Settlement Strategy set out in Core Policy 1 and growth in the South Wiltshire Community Area over the plan period may consist of a range of sites in accordance with Core Policies 1 and 2.

Core Policy 1 of the Wiltshire Core Strategy sets out the 'Settlement Strategy' for the county, and identifies four tiers of settlement - Principal Settlements, Market Towns, Local Service Centres, and Large and Small Villages. Only the Principal Settlements, Market Towns, Local Service Centres and Large Villages have defined limits of development/settlement boundaries within which residential development will be accepted.

Core Policy 2 of the Wiltshire Core Strategy sets out the 'Delivery Strategy' identifies the scale of growth appropriate within each settlement tier, stating that within the limits of development, as defined on the policies map, there is a presumption in favour of sustainable development at the Principal Settlements, Market Towns, Local Service Centres and Large Villages.

Vimy Ridge lies outside any defined settlement boundary, with the nearest settlement being the Small Village of Firsdown to the east approximately 2.2 km away, although Firsdown does not have a defined settlement boundary. The site is therefore classed as being situated in the open countryside and as such is in an unsustainable location where there is a general presumption against new development, particularly of a residential nature.

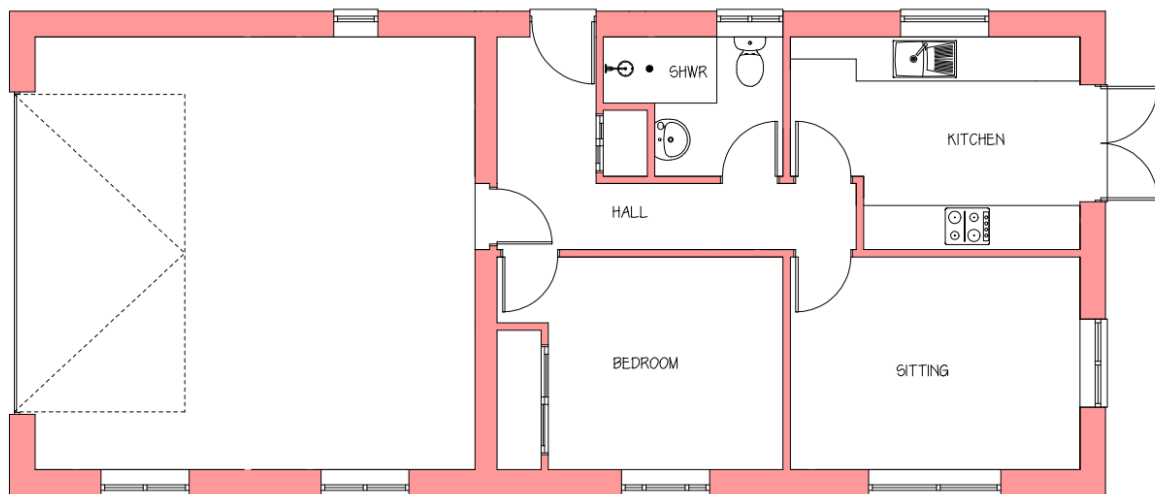
The application is proposing a new residential annex, to be used ancillary to the main house known as Vimy Ridge. Saved SDLP policy H33 is therefore relevant. This policy acknowledges that in '...some instances a separate unit of accommodation may be required for a dependent person'. The policy therefore confirms that: 'Proposals to create separate units of accommodation for dependent persons will be permitted provided that either:'

- (i) the accommodation is created wholly or partly within the existing dwelling or takes the form of an extension to that dwelling;
- (ii) the design and internal arrangement of the proposed unit of accommodation would allow it to be re-absorbed into the main dwelling when it is no longer required to house a dependent person; and
- (iii) where an extension is proposed, its siting and design is acceptable and the remaining external space around the building is adequate or,
- (iv) the accommodation is created as a result of a conversion of an existing building within the curtilage of the main dwelling; and
- (v) is subject to a restrictive occupancy condition or, if outside a Housing Policy Boundary, Housing Restraint Area, Special Restraint Area or New Forest Housing

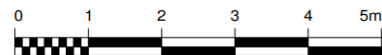
Policy Area, is subject to the applicant entering into a legal agreement with the Local Planning Authority that the ancillary accommodation will not be let or sold separately from the main dwelling.

Given the design, scale and siting of the development as proposed, it is considered that this fails points i, ii, iii and iv of H33 as it is a new detached building which is not created wholly or partly within the existing dwelling and is not an extension to the dwelling and therefore cannot be reabsorbed into the existing dwelling when no longer required. The proposal also does not relate to or involve the conversion of an existing building.

The floor plans submitted with this application show that the building is to contain one bedroom, a reception room, bathroom, kitchen and double garage large enough to facilitate ample parking for a one-bedroom dwelling. This provides the occupier with all the facilities and amenities required for independent living within a self-contained unit.



PLAN AT GROUND FLOOR LEVEL



Whilst the proposed site shares an access with the existing dwelling Vimy Ridge the proposed building is approximately 32 metres from the main dwelling separated by the parking area and turning circle for the existing bungalow. The proposed accessed is also shared by the separate planning unit and new dwelling currently under construction as per the 2024 lawful development certificate and full planning permission respectively. As such this shared access cannot be argued to constitute a meaningful connection or shared amenity between the proposed building and the dwelling Vimy Ridge.

The proposed building is capable of being a wholly separate dwelling with its own parking, no shared amenity or facilities and the separation distance means there would be no functional relationship between the existing dwelling, Vimy Ridge and proposed building. Therefore, the principle of an annexe/ancillary accommodation as proposed is unacceptable and contrary to saved policy H33.

Whilst a legal agreement or condition could be imposed on the proposed building to be ancillary to the main dwelling the Council believes that this type of restriction may be difficult to enforce in practice given the proposed building has all the features of a self-contained new dwelling.

The case officer's assessment is therefore that from the plans submitted with this application the proposals do not meet the criteria for ancillary accommodation and is tantamount to the creation of a new dwelling in the open countryside for which there is no justification.

Design, scale and siting

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.

In terms of scale, while the proposed building has a smaller footprint than the existing bungalow, it remains broadly comparable in overall size and, with both structures being single storey, it would not read as visually subservient to the main dwelling. Its proposed siting approximately 32 metres from the existing house further reinforces a sense of separation rather than association, and does not lend itself to appearing clearly related or ancillary to the main dwelling. Although the siting and scale do not, in themselves, amount to a standalone reason for refusal, they contribute significantly to the overall impression of a building that does not function or appear as genuinely ancillary accommodation.

The application provides only limited information regarding the proposed external materials, with no specifications shown on the submitted plans and only a general reference to 'brick, tile and uPVC windows and doors' on the application form. Consequently, it is not possible for the case officer to undertake a full and detailed assessment of the design. Although the materials listed are typical for a habitable building, further detail would have been prudent and is typically expected for a proposal of this nature.

It is also relevant that the proposed building would not be readily visible from the public realm, unlike other buildings on the site, owing to its distance from the public highway and the presence of boundary treatments. The structure may, however, be partially visible from land within the ownership of the neighbouring property to the west.

Ultimately, given the limited visibility of the development and the generally typical nature of the proposed materials, no reason for refusal arises on design or materials 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.

No amenity concerns arise given the separation distance between the proposed building and the main dwelling, Vimy Ridge, the bungalow currently under construction, and the neighbouring property, Foxbury House to the west. Accordingly, no reason for refusal arises on amenity grounds.

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.

As outlined in their consultation response, WC Highways indicated that a reason for refusal would arise should the case officer determine that the proposal does not constitute ancillary accommodation and instead amounts to the creation of a new dwelling outside a defined settlement boundary. As the case officer considers the development to form a new and separate dwelling, an additional reason for refusal is justified on the grounds that the site represents an unsustainable location for residential use, given the likely reliance on the private car.

The proposal is therefore contrary to Core Policies 60 and 61 of the Wiltshire Core Strategy, as well as Section 9 (paragraphs 109, 110, 115 and 117) of the National Planning Policy Framework (December 2024), which collectively seek to minimise the need to travel, particularly by private car, and to promote sustainable transport alternatives in support of a sustainable pattern of development.

This additional reason for refusal has accordingly been included within this decision.

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.

Whilst this householder application seeks planning permission for ancillary accommodation, for the reasons set out above the Council does not consider the proposal to constitute ancillary accommodation and instead regards it as a new dwelling. As the site lies within both the River Avon SAC catchment and the New Forest SPA 13.8km zone, the case officer considers it necessary to outline the relevant ecological implications associated with the erection of a new dwelling, which are set out below.

River Avon SAC

This development falls within the catchment of the River Avon SAC and has potential to cause adverse effects alone or in combination with other developments through discharge of phosphorus in wastewater. A test of likely significance has been carried out by the relevant Competent Authority (Wiltshire Council) as required by Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

Residential Annexes are usually exempt from this assessment because by their very nature they are provided in association with the main house and used by a dependent member of the same household. However as it has not been demonstrated who this proposed annex is for or the level of dependence it is likely to have on the main house; and given the entirely self contained nature of the proposal, it is considered that this application has potential to involve additional households in this River Avon Catchment Area and thus a potential increase in phosphate loading into the River Avon SAC. The development must therefore be appraised in line with the Habitat Regulations by an Appropriate Assessment (AA).

The Council, as the competent authority needs to have certainty that the development proposal will not have an adverse effect on the integrity of the European site. Currently the application does not include detailed proposals to mitigate the impacts of these increases in phosphorus and consequently, without such detailed proposals, the Council as a competent authority cannot conclude that there would be no adverse effect on the integrity of this European site as a result of the development. An additional reason for refusal will be added to the decision accordingly.

New Forest SPA

New Forest SPA, New Forest SAC and New Forest Ramsar site -The site is located within the 13.8km zone of influence for the New Forest internationally protected sites, which comprises the New Forest SPA, New Forest SAC and New Forest Ramsar site. Any applications within this area are screened into appropriate assessment under the Conservation of Habitats and Species Regulations 2017 (as amended) on account of its potential to cause adverse effects on the New Forest protected sites through increased recreational pressure which may occur alone and in-combination with other plans and projects. Many of the special features of the New Forest protected sites afforded protection are vulnerable to adverse effects associated with an increase in recreation as demonstrated in Natural England's supplementary advice issued for the SPA on 19 March 2019 and for the SAC on 18 March 2019. Following a Cabinet decision on 7 May 2024, Wiltshire Council's "Interim recreation mitigation strategy for the New Forest internationally protected sites" (Version 1.1, 21 March 2023) is being revised.

The application does not include proposals to mitigate the impact of the additional recreational pressure on these protected sites and without such mitigation, the Council as a competent authority cannot conclude that the development will not lead to significant adverse effects on the New Forest protected sites alone or in-combination with other plans and projects. An additional reason for refusal will be added to the decision accordingly.

CONCLUSION

Officers note that this scheme has sought planning permission for the erection of a new annexe building with double garage in relation to the 'host' dwellinghouse known as Vimy Ridge. However, officers consider the proposed development fails to demonstrate an essential need for ancillary accommodation and instead amounts to the creation of a new, independent dwelling outside any defined settlement boundary such, the development conflicts with Core Policies 1 and 2 of the Wiltshire Core Strategy, which direct new residential development to sustainable locations within established settlement boundaries. The proposal also fails to satisfy the requirements of saved Policy H33, as no justification has been provided to support dependent-person accommodation. Consequently, given the design, layout and level of facilities of the development proposal, this proposal would enable independent occupation of the building where no functional relationship to the host dwelling, Vimy Ridge has been demonstrated. As such, the development proposal is tantamount to the creation of a new dwellinghouse in the open countryside for which there is no justification.

Also, given the site's unsustainable location within the open countryside outside of any defined settlement boundary, this would result in a high dependence on any occupiers of the building using a private car, contrary to the overarching sustainability aims of the National Planning Policy Framework.

Finally due to the self-contained nature of the development proposal and lack of any demonstrated dependence on the main house, it is considered likely that the proposal will result in additional phosphate loading in the River Avon SAC contrary to the habitats regulations and WCS policy CP69 (Protection of the River Avon SAC) and additional recreational pressures to the New Forest Protected Sites that include the New Forest SPA, New Forest SAC and New Forest Ramsar Sites. For these reasons, the proposal is considered unacceptable and cannot be supported and thus, the application is recommended for refusal.

RECOMMENDATION: That Planning Permission be REFUSED.

1. The application site is located outside of the settlement boundary within the open countryside where residential accommodation is strictly controlled. Whilst in principle, saved policy H33 of the Wiltshire Core Strategy permits ancillary accommodation for dependant persons in such areas, the current proposal contains no such justification, and the proposed internal accommodation, external appearance, and its position on the site relative to the existing dwellings would appear to create a building tantamount to a new separate dwelling unit. Given the location, the proposal therefore also raises concerns regards to the sustainability of the site for residential development due to the likely reliance upon the private car for any occupants and their visitors, the lack of pedestrian facilities/safe cycling provision.

In the absence of any justification, and on the basis of the information submitted with the application, the proposed development is considered to be contrary to Core Policies 1 and 2, the criterion requirements of saved Policy H33 of the saved Salisbury District Local Plan, and the aims of the NPPF to control housing development in unsustainable locations. The proposal is therefore contrary to Core Policies 60 and 61 of the Wiltshire Core Strategy and Section 9, paras 109, 110, 115 & 117 of the National Planning Policy Framework (December 2024), which

aim to reduce the need to travel particularly by private car and encourage the use of sustainable transport alternative in order to promote a sustainable pattern of development.

2. Whilst this householder application seeks planning permission for ancillary accommodation, for the reasons set out above the Council does not consider the proposal to constitute ancillary accommodation and instead regards it as a new dwelling. As a result, the site is situated within the River Avon (Hampshire) catchment area that is a European site. Advice from Natural England indicates that every permission that results in a net increase in foul water entering the catchment could result in increased nutrients entering this European site causing further deterioration to it. The proposed development is unplanned development and is therefore unable to benefit from the Council's credits for phosphorus mitigation. The application will therefore be required to provide bespoke mitigation to mitigate the impact of these increased nutrients, no such details have been provided with the application submission. The proposal would therefore conflict with Wiltshire Core Strategy policies Core Policy 50 (Biodiversity and Geodiversity) and Core Policy 69 (Protection of the River Avon SAC); and paragraphs 11d(i), 193-195 of the National Planning Policy Framework 2024.
3. Whilst this householder application seeks planning permission for ancillary accommodation, for the reasons set out above the Council does not consider the proposal to constitute ancillary accommodation and instead regards it as a new dwelling. As a result, the proposed development site lies within the 13.8km zone of influence for the New Forest protected sites, which comprises the New Forest SPA, New Forest SAC and New Forest Ramsar site. Therefore, the application is screened into appropriate assessment under the Habitats Regulations 2017 (as amended) on account of its potential to cause adverse effects on the New Forest protected sites through increased recreational pressure which may occur alone and in combination with other plans and projects. The application does not include proposals to mitigate the impact of the additional recreational pressure and without such mitigation, the Council as a competent authority cannot conclude that the development will not lead to significant adverse effects on the New Forest protected sites alone or in-combination with other plans and projects. The proposal would therefore conflict with Wiltshire Core Strategy Core Policies 50 (Biodiversity and Geodiversity) and 24 (New Forest) and paragraphs 11d(i), 193-195 of the National Planning Policy Framework 2024.