

APPLICATION FOR FULL PLANNING PERMISSION CASE OFFICER REPORT

APPLICATION REFERENCE:	PL/2025/08109
APPLICATION TYPE:	Full planning permission
SITE ADDRESS:	8 Long Leaze, Nettleton, Chippenham, SN14 7NR
DEVELOPMENT DESCRIPTION:	Part-retrospective application for construction of garage building and subsequent conversion to annexe to No.8.
RECOMMENDATION:	Refuse

BACKGROUND

Planning application number PL/2022/02008 sought permission to extend No.8 Long Leaze, erect a garage/workshop/office building on land to the south east of that existing dwelling, and to change the use of the land such that it could have residential use. That application was approved in August 2022, with 8no conditions attached which included: -

(6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by any Order revoking or reenacting or amending that Order with or without modification), the garage(s) hereby permitted shall not be converted to habitable accommodation.

REASON: To ensure that adequate provision is maintained for parking in the interests of highway safety and amenity.

(7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.3) (England) Order 2020 (or any Order revoking or re-enacting or amending that Order with or without modification), no garages, sheds, greenhouses and other ancillary domestic outbuildings shall be erected anywhere on the site other than as shown on the approved plans.

REASON: To safeguard the character and appearance of the area

(8) The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling, known as 8 Long Leaze, and it shall remain within the same planning unit as the main dwelling.

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.

Conditions 4 (timber cladding) & 5 (method of stopping up of pedestrian and vehicle access) were discharged under application PL/2023/03175 in May 2023.

Below: Photographs of site and the garage on the site prior to the application PL/2022/02008/



The Council was made aware in 2025 that the building had not been constructed in accordance with the approved plans, specifically that it had been positioned further from the rear boundary than approved, and an application to regularise the situation was invited for consideration by Council Planning Officers. Extracts of the approved and proposed block plans are at Appendix 1, with distances to rear boundary and neighbouring dwelling noted.

PROPOSAL

The application was received in October 2025, with the following description of development within the application form: -

“The proposal involves the conversion of the recently constructed garage at 8 Long Leaze into a self-contained residential unit. This represents a change of use from ancillary domestic outbuilding (Class C3, incidental to the main house) to an independent dwellinghouse (Class C3).

The unit has been designed to meet a specific family need: to provide suitable end-of-life accommodation for a terminally ill relative, with facilities to support 24-hour care. The scheme provides a wheelchair-accessible bedroom with space for medical equipment, an accessible wetroom, kitchen and storage/boot room, together with a loft

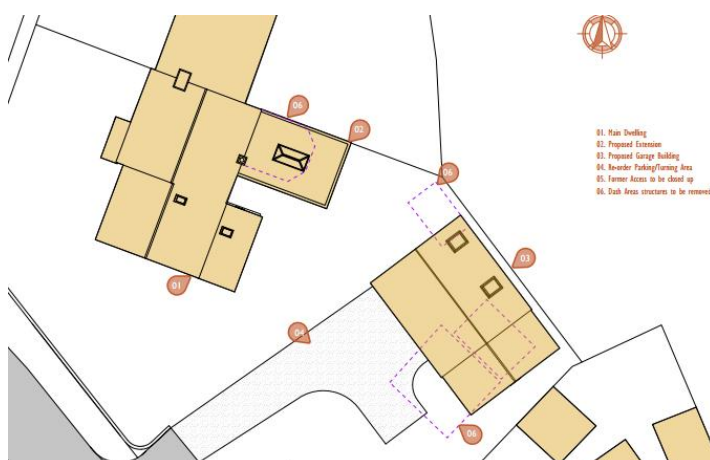
conversion to provide carer accommodation (bedroom and bathroom). Glazing to the rear elevation creates a bright, therapeutic environment, enabling the occupant to connect with nature and benefit from natural light and fresh air.

Although the development introduces a separate unit of accommodation, its purpose is closely tied to the needs of the existing household, ensuring that the family can provide essential medical and emotional support within close proximity.”

The following photograph shows the building on 27 November 2025. Council officers measured the building and confirmed that, while the footprint and height are consistent with the approved plans, the building has not been sited in the approved position.

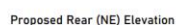
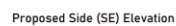


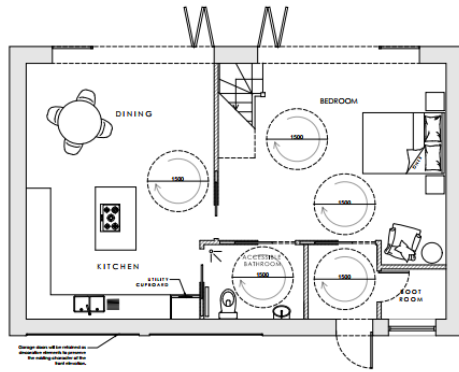
The following is an extract of the approved block plan (PL/2022/02008) – the garage is marked (3):



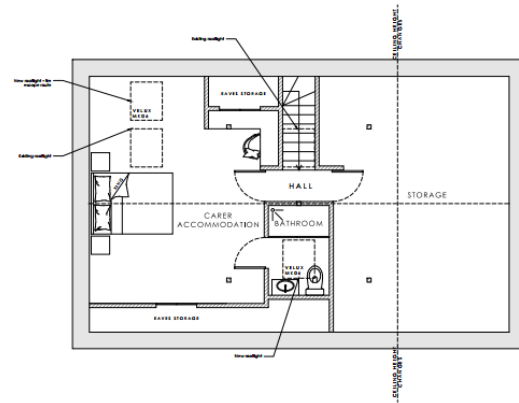
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The image contains two architectural drawings of a house. The left drawing is a front elevation showing a two-car garage, a front door, and a side door. The right drawing is a side elevation showing a gabled roof and a side door. Both drawings include labels for 'New rooflight', 'New roofline', 'New roofline - the eaves ends', and 'New side door'.





Proposed Ground Floor Plan



Proposed Loft Plan

During the course of the application the enforcement officer suggested a revision to the description of development that the application was registered under. Originally it referred to the conversion of the existing garage. However, as the garage had not been constructed in accordance with the approved plans and therefore did not benefit from the planning permission granted under PL/2022/02008, the description was amended to “Part-retrospective application for construction of garage building and subsequent conversion to self-contained residential unit” with the applicant’s permission.

The proposal therefore sought to regularise the siting of the building and to permit its occupation as a self-contained residential unit.

However, concerns were raised about the creation of a separate self contained residential unit here, particularly as conditions attached to the original garage permission sought to prevent this. Consequently, during the course of the application, the applicant confirmed that the accommodation would not be used as an independent dwelling and that the proposal should be treated as an annexe ancillary to the main dwelling at No. 8 Long Lease.

This clarification has been taken into account in the assessment below. However, notwithstanding this change in stated use, the application continues to seek also to regularise the siting of a building constructed other than in accordance with the approved plans.

SITE DESCRIPTION/CONTEXT

The application site is 8 Long Lease, a semi-detached dwelling located within the village of Nettleton. The setting is characterised by its rural surroundings, and the site backs on to open

agricultural land. The property has previously been extended, although still follows the general pattern of development within the surrounding cluster of properties.

Specifically, this application relates to a building which is located directly adjacent to the south-east of the dwelling at 8 Long Leaze. The latest aerial photograph below shows No.8 Long Leaze indicated in red. The previous garage on this site is marked in yellow. The black hatching indicates the adjacent Grade II listed buildings – Park View to the south east, Codrington House (the former Nettleton Arms) to the south and Boxheart Cottage (formerly an outbuilding to the Nettleton Arms) to the southwest.



The application site is not within a Conservation Area but is located within the Cotswolds National Landscape (CNL), specifically within the Dip-Slope Lowland. The Dip-Slope Lowland forms a broad area of gently sloping, undulating lowland with a predominantly south-easterly fall, and provides the final transition between the high Cotswold country and the Thames Valley. Intermittent small villages and isolated farmsteads define the pattern of settlement.

Nettleton is identified as a Small Village within the Chippenham Community Area in the Wiltshire Core Strategy (WCS). Nettleton has no settlement boundary, and as such the application site is in the open countryside for the purposes of planning.

The site is in Flood Zone 1, and there is no particular risk of surface water flooding identified.

PLANNING HISTORY

Proposal / Summary
PL/2022/02008 - Full planning permission Decision - Approve with Conditions Date: 12/8/2022 – Extension to Dwelling, Erection of Garage/Workshop/Office Building and Change of Use of Land
N/12/00519/FUL - Full planning permission Decision - Approve with Conditions Date: 16/4/2012 – Creation of New Access and Parking with Associated Works to Boundary Wall
13/05056/FUL - Full planning permission Decision - Approve with Conditions Date: 9/12/2013 – Erection of Two Storey Side Extension (Resubmission of 13/00528/FUL)
N/13/00528/FUL - Full planning permission Decision - Withdrawn Date: 18/4/2013 – Two Storey Side Extension
PL/2023/03175 - Approval of details reserved by a condition Decision - Approve Date: 23/5/2023 – Discharge of Conditions 4 & 5 of PL/2022/02008
PL/2025/08109 - Full planning permission – Conversion of the recently constructed garage into a self-contained residential unit.

RELEVANT LEGISLATION, POLICIES AND GUIDANCE

National Planning Policy:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- National Design Guide

Development Plan:

The development plan for Wiltshire comprises the *Wiltshire Core Strategy (WCS)* (adopted January 2015) and any made neighbourhood plans, which remains the principal statutory planning document guiding development across the county. In line with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise.

Though the development plan is considered as a whole, those parts deemed to be particularly relevant to this application are listed below:

The adopted *Wiltshire Core Strategy (WCS)*, with particular regard to:

- Core Policy 1 Settlement Strategy
- Core Policy 2 Delivery Strategy
- Core Policy 10 Spatial Strategy Chippenham Community Area
- Core Policy 41 Sustainable Construction and Low-Carbon Energy
- Core Policy 48 Supporting Rural Life
- Core Policy 51 Landscape
- Core Policy 57 Ensuring High Quality Design and Place Shaping
- Core Policy 58 Ensuring the Conservation of the Historic Environment
- Core Policy 61 Transport & Development
- Core Policy 64 Demand Management

The examination of the emerging Wiltshire Local Plan has been paused and the weight to be afforded to any part of the emerging plan can be no more than very limited. A decision on how to proceed will be made by the Council in May 2026.

There is no Nettleton Neighbourhood Plan at this time.

Supplementary Planning Documents and other Guidance:

- Wiltshire Design Guide (adopted April 2024)
- Wiltshire Local Transport Plan 2011-2026, adopted 2015 - including the Car Parking Strategy and Cycling Strategy, adopted 2015

Cotswolds National Landscape Management Plan (CNLMP):

- Policy CE4: Local Distinctiveness
- Policy CE6: Dark Skies

ISSUES

The main issues that need to be addressed in this case include:

- Whether the development is acceptable in principle (CP 1 and 2)
- Whether the scheme constitutes high quality design (CP 57)
- Whether the scheme would have an acceptable impact upon the reasonable living conditions of the adjoining occupants (CP 57)
- Whether the scheme would preserve or enhance the historic environment (CP 58)
- Whether the scheme would have an acceptable landscape impact (CP 51)

- Whether the proposal would have a negative effect upon highway safety, including if there is sufficient parking for the proposed development (CP 61 and 64)
- Are there any other planning issues raised by the development?

CONSULTATION RESPONSES

WC Highways: No objection

"I note that the previous highway officer agreed to have the access stopped up. However, having considered the comments made at the time there is nothing which indicates that this is on safety grounds. As such I have no issue with the access remaining in its current position. There is adequate space on site to provide the required parking. Therefore, subject to the annex being tied to the main residential use I am happy to offer no highway objection."

WC Conservation: No objection

"As there are no further changes to the envelop of the existing structure - consequently no further impacts on the setting of any nearby Heritage Asset."

Nettleton Parish Council: Objection on the following grounds:

"Cllrs discussed the plans and residents' comments. All Cllrs agreed to Object on the basis when the original application, PL/2022/02008 was approved in 2022, condition 6 states it shall not be converted to habitable accommodation. and we object to this application as it goes against condition 6 If approved, we request a condition is attached so it remains ancillary to the main dwelling."

REPRESENTATIONS

In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), the application was publicised by way of neighbour notification letters sent to adjoining and nearby properties to inform interested parties and provide a period of 21 days for comments to be submitted. Note that following the amended description a further consultation exercise was carried out.

Below is a summary of the representations received during the consultation period. Only material planning considerations have been taken into account in the assessment of this

application. Non-material issues, such as property values or private legal disputes, cannot be considered in the determination process.

The occupiers of Codrington View have submitted detailed objections (9 pages) to application PL/2025/08109. Their key points can be summarised as follows:

- **Accuracy of Application:** The building has not been constructed in accordance with the original permission (PL/2022/02008) and is not a garage as previously approved. The current application is therefore misleading, as it is presented as a conversion rather than a continuation of unauthorised works towards a self-contained dwelling.
- **Breach of Conditions:** Conditions attached to the original permission, including restriction to ancillary use and the location/scale of the building, have not been complied with. In particular, the access arrangements and exterior finish are incomplete or altered.
- **Amenity Impacts:** The building's siting, scale, and proposed windows result in overlooking and loss of privacy to Codrington View and Park View. The positioning of the parking and driveway further impacts neighbouring amenity.
- **Heritage and Visual Impact:** The building disrupts the historic setting of three linked Grade II listed buildings (Codrington House, Park View, Boxheart Cottage) and harms the character of the area within the Cotswolds National Landscape. Its scale and design are out of proportion with surrounding dwellings.
- **Foul Drainage and Services:** The application inaccurately states that mains sewerage will be used, whereas the local system is a community treatment plant with limited capacity.
- **Precedent and Purpose:** The objections note that the stated purpose for the building (end-of-life care) does not justify overriding the original conditions and could set an undesirable precedent for future applications. Alternative accommodation within the main dwelling is considered available.
- **Discrepancies in Plans:** Elevation and floor plans submitted with the application do not accurately reflect the current building, particularly the reduction in garage door size and installation of a permanent staircase, indicating that conversion to living accommodation is already underway.

Overall, the residents of Codrington House consider the application to be effectively seeking retrospective approval for a self-contained dwelling in the wrong location, with significant harm to residential amenity, visual appearance, and the setting of listed buildings.

The occupiers of Park View, a Grade II listed building adjacent to the south-east of the application site, have submitted objections to application PL/2025/08109. Their key points are summarised as follows:

- **Accuracy of Application:** The building has not been constructed in accordance with the original permission (PL/2022/02008). It is closer to Park View than approved, the cladding is incomplete, and internal works, including a permanent staircase, indicate that conversion to living accommodation is already underway. The application description as a “garage conversion” is therefore misleading.
- **Breach of Conditions:** The original planning conditions restricting use to ancillary accommodation, stopping up the access, and preventing habitable use remain unmet. Parking and access arrangements also differ from the approved scheme.
- **Amenity Impacts:** The siting and scale of the building, along with proposed bin storage and parking, would result in significant loss of natural light, reduced privacy, and additional pressure on the boundary wall between 8 Long Leaze and Park View, which is of historic significance. The elevated ground level and proximity to rear windows exacerbate these impacts.
- **Heritage and Character:** The building adversely affects the setting of Park View and surrounding heritage assets. Its size and design are more characteristic of a dwelling than a garage, and its location disrupts the historic layout and relationships of the site.
- **Alternative Solutions:** The neighbours note that the applicant could accommodate the stated need for end-of-life care within the existing dwelling, which has been previously extended, without the need for a separate residential unit.
- **Precedent:** Approval could set an undesirable precedent, encouraging other residents to seek similar deviations from planning policy.
- **Drainage and Employment:** Statements regarding mains sewerage and staffing for carers are considered inaccurate or misleading; the site is served by a community treatment plant with limited capacity, and full-time carers may constitute additional employees.

Overall, the neighbours consider the application unnecessary, harmful to amenity, in breach of existing permissions, and contrary to the intentions of the 2022 planning decision. They request refusal and appropriate enforcement action for existing breaches.

The National Annexe Planning Consultancy (NAPC) has submitted support for the application, highlighting that the proposal:

- Adapts an existing outbuilding for use as a granny annexe, making efficient use of the plot.

- Supports multigenerational living and household flexibility without large-scale new development.
- Maintains an ancillary relationship with the main dwelling, with minimal additional land take.

NAPC emphasises that the annexe should remain subordinate to the main residence and that access and integration within the curtilage are important.

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 Wiltshire Core Strategy (2015) and, where applicable, any made Neighbourhood Plans. Consideration has also been given to the policies of the National Planning Policy Framework (NPPF) as a material consideration in the assessment.

Principle of Development

Policy Context

Core Policy 1: Settlement Strategy of the WCS establishes a hierarchy of settlements to guide where development should be focused. The policy prioritises growth in:

- Principal Settlements (e.g., Salisbury, Chippenham, Trowbridge) – main focus for strategic growth.
- Market Towns – support local services and employment; suitable for sustainable development.
- Local Service Centres – smaller towns and villages with a range of services; limited development supported.
- Large and Small Villages – development should be limited and respond to local needs.
- Outside the defined settlements – development is strictly controlled and generally not supported unless exceptional circumstances apply.

Core Policy 2: Delivery Strategy of the WCS sets out how development will be distributed and delivered across Wiltshire. The policy emphasises:

- Sustainable patterns of growth, reducing the need to travel and supporting local services.
- Development should be plan-led, aligning with the settlement strategy and supported by infrastructure.
- Windfall development (not allocated in plans) must still comply with the principles of sustainable development.
- Development outside settlement boundaries is generally not permitted, unless it meets specific policy exceptions (as set out in paragraph 4.25 of the WCS):
 - Additional employment land (Core Policy 34)
 - Military establishments (Core Policy 37)
 - Development related to tourism (Core Policies 39 and 40)
 - Rural exception sites (Core Policy 44)
 - Specialist accommodation provision (Core Policies 46 and 47)
 - Supporting rural life (Core Policy 48)

Together, CP1 and CP2 ensure that new development is strategically located, sustainable, and supports the character and function of Wiltshire's communities.

Assessment

The application site lies outside any defined settlement boundary for Nettleton and is therefore considered to be within the open countryside for planning purposes. Core Policies 1 and 2 of the Wiltshire Core Strategy, together with Core Policy 57, make clear that new dwellings in such locations are only acceptable in very limited circumstances, such as essential rural workers' housing or other exceptional cases set out in paragraph 4.25 of the Core Strategy. The creation of a new independent dwelling on this site would not fall within any of these exceptions.

Furthermore, conditions attached to the previous planning permission for the site explicitly restricted the use of the building to purposes ancillary to the main dwelling at No. 8. Those conditions were imposed in recognition that a wholly separate dwelling in this location would be unacceptable in principle having regard to the settlement strategy and the relationship of the building to neighbouring properties.

During the course of the application, the applicant indicated that the building would not be used as an independent dwelling and would instead function as an annexe ancillary to No. 8. This change in stated intention is noted. However, in planning terms, the acceptability of an

annexe is not determined solely by the description of development or the applicant's stated intent, but by whether the accommodation is genuinely ancillary to the host dwelling and incapable of independent occupation.

This approach is well established in case law, including *Gravesham Borough Council v Secretary of State for the Environment and O'Brien* [1982], which confirms that the defining characteristic of a dwelling is its ability to afford the facilities required for day-to-day domestic existence, and that this is a matter of fact rather than label or intention.

In this case, the building is physically separate from the host dwelling and contains all of the facilities necessary for day-to-day domestic living, including sleeping accommodation, bathroom facilities and a kitchen. As such, the accommodation is capable of functioning as a self-contained planning unit, regardless of whether it is described as an annexe or subject to restrictions on use. On this basis, the proposal cannot be regarded as a genuinely ancillary form of development associated with the main dwelling.

Even if the proposal were to be considered in annexe terms, its scale, form and relationship to neighbouring properties — particularly Park View — mean that it would not function in a benign or clearly subordinate manner. The development therefore goes beyond what would reasonably be regarded as development associated with the use of the main dwelling in this countryside location.

Conclusion

For the reasons set out above, the proposal fails the established planning test for ancillary residential accommodation and must be assessed in principle as a new dwelling in the open countryside. Such development is contrary to the settlement strategy set out in Core Policies 1 and 2 of the Wiltshire Core Strategy and does not fall within any of the limited exceptions where residential development may be permitted outside defined settlement boundaries.

The previous planning permission for the site deliberately restricted the use of the building to ancillary purposes in recognition that a separate dwelling — or development capable of functioning as one — would be unacceptable in this location. The current proposal, even when described as an annexe, does not overcome that fundamental concern. The development is therefore unacceptable in principle.

Amenity

Policy Context

Core Policy 57 (Point vii) of the Wiltshire Core Strategy requires development to respect the amenity of existing occupants and ensure appropriate amenity levels for future residents. The National Planning Policy Framework (NPPF), particularly Paragraph 135, reinforces the need for development to provide a high standard of amenity for both existing and future users.

Assessment

Park View, a neighbouring Grade II listed cottage, lies immediately to the south-east of the application site. The building subject to this application has been constructed forward of its approved position. Whilst this change in siting does not significantly reduce the physical separation between the structures, the repositioning has altered the way the building is experienced from within Park View.

In particular, the garage building is now more readily visible from the ground floor windows on the north-west elevation of Park View. These windows serve principal rooms within the dwelling and are relatively small in scale and limited in number, reflecting the historic character and construction of the cottage. As a result, natural light levels are already limited and outlook is an important aspect of the residential amenity enjoyed by the occupants. The following photograph has been submitted by the occupants of Park View to demonstrate the visual and overbearing impact of the building on their amenity:



Council Officers also visited Park View. This photograph (below) taken at that visit shows the building from the principal living room.



The building now being considered is positioned on land that sits at a higher level than Park View and is separated from the neighbouring property only by a relatively lightweight boundary treatment comprising hedge planting and trellis fencing. In this context, the scale and bulk of the structure are more apparent when viewed from the neighbouring property. The repositioning of the building therefore increases its visual presence and results in a more pronounced sense of enclosure and reduction in outlook from the affected rooms.

While the building itself is similar in scale and form to that previously approved, the change in siting combined with the difference in ground levels results in a materially greater impact on the living conditions of the occupiers of Park View than originally anticipated.

During the course of the application, the applicant submitted diagrams and 3D modelling intended to demonstrate that the garage/annexe would not result in an unacceptable impact on the amenity of Park View. These submissions have been carefully considered. However, while such diagrams may be useful in illustrating relative positions and theoretical sightlines, they do not fully capture the lived experience of the building as perceived from within the neighbouring property.

Below is an extract from one of the plans submitted by the agent which illustrates the relationship between the garage as approved (orange block) and as built (green block). When considered in context, the extract demonstrates the proximity and visual dominance of the

structure when viewed from Park View. (This drawing suggests a discrepancy of c2.1m in the siting of the garage.)



Above: Extract from drawing 310.3.111 Rev A, prepared by Matthew Clay Architect, submitted in support of application PL/2025/08109.

Council officers undertook an internal site visit to Park View, including internal views from the principal ground floor rooms facing the application site. As shown in the photograph above, these rooms are characterised by thick historic walls, small window openings and limited natural light, all of which heighten sensitivity to changes in outlook and enclosure. From within these rooms, the repositioned building is experienced as visually prominent and overbearing, resulting in a tangible reduction in outlook and an increased sense of enclosure that is not adequately conveyed by the submitted modelling.

The applicant also shared amended drawings suggesting a modest alteration to the roof form at the lower end of the building, intended to reduce its perceived impact on Park View. These amendments have been considered. However, the proposed changes would result in only a limited reduction in overall height and would not materially alter the relationship between the building and the neighbouring property when experienced from within Park View. In addition, the introduction of differing roof pitches would appear visually contrived and would detract from the coherent and simple roof form that was previously approved, without delivering a meaningful improvement in residential amenity. Accordingly, the amended roof design would not satisfactorily address the amenity concerns identified.

It is also noted that during the original planning application (PL/2022/02008), concerns were raised by the occupiers of Park View regarding the potential impact of the garage's scale and proximity on their amenity. In response, the siting of the garage was revised from a position parallel to the boundary with Park View to a perpendicular orientation further into the site, increasing separation from the neighbouring ground floor windows. This amendment, which aligned with suggestions made by the neighbouring occupier, was considered acceptable at the time and avoided unacceptable harm to light and outlook. The current siting of the building compromises the improvements secured through that earlier permission, to the detriment of the residential amenity of Park View.

During discussions, the occupier of Park View suggested that relocating the lower element of the building to the end elevation closest to No. 8 Long Leaze would significantly alleviate the amenity impacts experienced from their property. While the applicant has indicated that further reconfiguration or relocation of the building would be prohibitively expensive, cost considerations do not outweigh the requirement for development to achieve an acceptable relationship with neighbouring properties.

During the course of the application, the applicant queried whether the erection of a 2m boundary fence along the shared boundary with Park View could mitigate views of the garage/annex. While a fence of this height under permitted development could potentially reduce visibility, no such fence currently exists. The application must therefore be assessed on the basis of the development as built. Furthermore, it would not be appropriate to rely on a notional future boundary treatment to mitigate impacts, particularly given the proximity of the fence to a Grade II listed building and the absence of any detailed assessment of its effect on amenity or heritage significance.

In addition to the physical presence of the building, consideration must also be given to the implications of its use. A building used as a garage or incidental domestic outbuilding would typically generate limited and intermittent activity. By contrast, occupation as a self-contained or near-self-contained residential unit would introduce a more sustained level of domestic activity, including comings and goings, external activity and associated noise, in close proximity to the neighbouring property. Given the close relationship between the building and Park View, together with the limited boundary treatment and difference in ground levels, such activity would further intensify the impact on the living conditions of the occupiers beyond that which would normally be associated with an incidental outbuilding.

Impacts on Codrington House are limited given the relative siting and separation distance, and no significant loss of light, outlook or privacy is anticipated.

Conclusion

The siting and design of the building, combined with its elevated position and limited boundary screening, significantly increase its visual presence when viewed from the principal rooms of Park View. The small-scale, thick-walled ground floor rooms experience a reduction in outlook and an increased sense of enclosure that materially affects residential amenity. While the applicant's submitted modelling has been considered, it does not outweigh the direct on-site observations of how the development is experienced from within the neighbouring dwelling. On balance, the proposal is considered to result in an unacceptable impact on the residential amenity of the occupiers of Park View, contrary to Core Policy 57 of the Wiltshire Core Strategy.

Moreover, even if further design amendments were capable of reducing the amenity impacts identified, such changes would not overcome the separate and fundamental concern that the accommodation is capable of independent occupation and is therefore unacceptable in principle in this countryside location.

Design and Impact on the Character and Appearance of the Area

Policy Context

Core Policy 57 of the WCS requires high-quality design that:

- Enhances local character.
- Responds to the natural, historic, and built environment.
- Retains important features (e.g., trees, hedges).
- Supports sustainable construction and compatibility with surrounding uses.
- Creates safe, legible, and accessible spaces.

Section 12 of the NPPF emphasises design that is:

- Visually attractive.
- Functionally effective.
- Contributes to the quality of the built environment.

The Wiltshire Design Guide encourages sensitivity to local character, materials, and architectural styles and supports modern living standards while maintaining aesthetic and functional quality.

Building for a Healthy Life Framework promotes healthy, inclusive, and sustainable places.

The document encourages:

- Walkability.
- Access to green space.
- Active design principles for well-being.

Assessment

The garage/outbuilding subject to this application was approved under planning application PL/2022/02008. At that time, the building (approximately 11.0m by 7.0m in plan form, comprised of a traditional pitched roof with maximum height of approximately 6.0m) was considered acceptable in terms of its scale, design, and materials. The approved garage replaced an existing low-quality outbuilding and was largely single-storey, with a first-floor area wholly within the roof space and not suitable for habitable accommodation.

The proposed external materials — timber cladding and clay tiled roof — were considered appropriate within the residential and rural context. The garage was designed to be subservient to the main dwelling, and despite its scale, it was not considered to result in an unacceptable level of harm to the character and appearance of the area.

Approved and proposed block plans (see Appendix 1) suggest that the current building, as constructed, deviates from the approved siting by approximately 2.3 m. This siting variation does not materially alter the overall design, scale, or impact of the building in terms of character and context of the area, and the structure remains largely as assessed under the original application. While the building is visually prominent, with as-yet unweathered timber cladding giving a noticeable orange hue, it occupies the footprint and bulk of the previously approved garage and does not introduce additional mass beyond that already considered acceptable.

Accordingly, while the building's external appearance is striking, the incorrect siting does not change the original officer's assessment that the structure is broadly acceptable in design and character terms.

Conclusion

Overall, the garage building remains consistent in its scale, design and materiality with that previously approved under application PL/2022/02008. While the structure is visually prominent and has been constructed slightly outside its approved position, this siting variation does not materially alter the building's impact on the character or appearance of the area when compared with the original assessment. As such, the development is not considered to result in unacceptable harm in design or visual terms and is broadly consistent with the objectives of Core Policy 57 of the Wiltshire Core Strategy and Section 12 of the National Planning Policy Framework.

Impact on Heritage Assets

Policy Context

From the point of view of the historic environment the main statutory tests are set out within the Planning (Listed Building and Conservation Areas) Act 1990. Special regard must be given to the desirability of preserving listed buildings, their settings or any features of special architectural or historic interest which they possess.

Paragraph 208 requires LPAs should “avoid or minimise any conflict” between the heritage asset's conservation (which includes achieving its optimum viable use) and any aspect of a proposal.

Paragraph 210 requires local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable new uses and of new development making a positive contribution to local character and distinctiveness.

The Planning Practice Guidance provides guidance on interpreting the NPPF.

The Council's Core Strategy Policy CP58 'Ensuring the conservation of the historic environment' requires that designated and non-designated heritage assets and their settings will be conserved, and where appropriate enhanced, in a manner appropriate to their significance and encourages proposals which improve the condition of heritage assets at risk.

The Council's Core Strategy CP 57: Ensuring high quality design requires a high quality of design in all new developments. The policy requires applicants to “demonstrate how the proposal will make a positive contribution to the character of Wiltshire through (amongst other

things) responding to the value of the natural and historic environment and being sympathetic to and conserving historic buildings and landscapes. Development is required to respond positively to the existing in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting.

Assessment

The application site lies adjacent to a number of Grade II listed buildings, including Park View to the south-east, and Codrington House and Boxheart Cottage to the south and south-west respectively. The garage building subject to this application was originally approved under planning permission PL/2022/02008. At that time the scale, design and siting of the structure were assessed in relation to the setting of nearby heritage assets and were not considered to result in unacceptable harm.

The building has been constructed slightly outside its approved position. However, the structure sits broadly at right angles to Park View and the forward shift in siting does not unacceptably alter the relationship between the building and the neighbouring listed properties. The overall envelope, scale, height and form of the building remain consistent with that previously approved.

The Council's Conservation Officer has reviewed the proposal and confirmed that, as there are no changes to the envelope of the existing structure, there would be no additional impact on the setting of nearby heritage assets beyond that already considered acceptable under the earlier permission.

Conclusion

Having regard to the above, the development is not considered to result in additional harm to the significance or setting of nearby listed buildings beyond that previously assessed. The proposal is therefore considered to accord with the duties of the Planning (Listed Buildings and Conservation Areas) Act 1990, the heritage provisions of the NPPF, and Core Policy 58 of the Wiltshire Core Strategy.

Highways Impacts and Parking

Policy Context

Transport implications are a key factor in assessing planning applications, especially for larger developments. Proposals must demonstrate:

- Safe and suitable access for all users, including pedestrians, cyclists, and those with mobility impairments.
- No severe residual impacts on the surrounding highway network.
- Promotion of sustainable travel, reducing reliance on private vehicles.
- Adequate parking and cycle provision, in line with adopted standards.
- Protection and enhancement of public rights of way and active travel routes.

Relevant policies include Core Policies 60–64 of the Wiltshire Core Strategy, supported by the Wiltshire Local Transport Plan, Car Parking Strategy, and Cycling Strategy. The Local Cycling and Walking Infrastructure Plan (LCWIP) and LTN 1/20 (DfT) provide further design guidance for active travel infrastructure.

Assessment

The site benefits from an existing access, and the Highway Authority has raised no objection to the proposal. It is acknowledged that there is sufficient space within the site to accommodate parking associated with the use of the building, and no evidence has been presented to indicate that the development would result in an unacceptable impact on highway safety or the operation of the local highway network.

However, the Highway Authority's position is explicitly predicated on the accommodation remaining ancillary to the main dwelling at No. 8 Long Leaze. As discussed elsewhere in this report, the building is capable of independent occupation and therefore cannot be relied upon to function solely as an incidental or ancillary use.

Conclusion

In purely highways terms, the proposal is not considered to give rise to severe residual impacts that would justify refusal on transport or highway safety grounds. However, this neutral position does not outweigh the fundamental concerns identified elsewhere in this report regarding the principle of development and its impact on residential amenity.

Landscape and Visual Impact

Policy Context

Core Policy 51 of the Wiltshire Core Strategy requires development to:

- Protect, conserve, and enhance landscape character and quality.
- Respect local distinctiveness, key views, and visual receptors.
- Give particular weight to impacts on National Landscapes and locally valued landscapes.

The Wiltshire Design Guide SPD (2024) promotes a context-led approach, encouraging integration with natural features and settlement patterns while avoiding visual intrusion.

The NPPF emphasises the need to protect and enhance valued landscapes, particularly those with scenic, historic, or ecological significance. Planning decisions should:

- Recognise the intrinsic character and beauty of the countryside.
- Safeguard key views, local distinctiveness, and landscape settings.
- Ensure development is well-integrated into its surroundings and avoids visual intrusion, especially in sensitive or designated areas.

Landscape impact must be considered alongside biodiversity, heritage, and green infrastructure objectives, with mitigation measures encouraged where harm cannot be avoided.

Paragraph 189 of the NPPF requires that great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes which have the highest status of protection in relation to these issues.

Under Section 245 of the Levelling-up and Regeneration Act 2023, LPAs and other relevant authorities must now “seek to further” the statutory purposes of National Landscapes (formerly Areas of Outstanding Natural Beauty), replacing the previous duty to merely “have regard to” them.

This is an active duty, requiring authorities to take reasonable and proportionate steps to support the conservation and enhancement of the natural beauty, special qualities, and key characteristics of these designated areas when exercising any function that affects them.

Assessment

The site lies within the Dip-Slope Lowland character area of the Cotswolds National Landscape, a gently undulating landscape characterised by productive mixed farmland, medium to large hedged fields, scattered hedgerow trees and occasional stone walls.

Woodland is limited to small copses, shelterbelts and estate plantations, giving rise to a mix of expansive and more enclosed views. Settlement is typically dispersed, comprising small villages, hamlets and farmsteads set within a predominantly rural landscape.

The Cotswolds National Landscape Management Plan seeks to conserve and enhance the special qualities of the designation, including areas of dark skies, and to oppose isolated residential development and the proliferation of suburban building styles and materials in the countryside. Policy CE6 specifically seeks to avoid and minimise light pollution and to resist development that would incrementally erode the rural character and dark night skies of the National Landscape.

The building subject to this application was originally approved under planning permission PL/2022/02008, and its overall scale, form and use as a garage or incidental outbuilding were considered acceptable within the landscape context at that time. The current application does not propose additional built form beyond that already constructed, and the modest variation in siting does not, in isolation, materially alter the wider landscape character of the area.

However, the proposal includes extensive glazing to the rear elevation of the building, orientated toward open countryside. While no external lighting is explicitly proposed, the introduction of large areas of domestic glazing in this exposed rural location has the potential to result in light spill during hours of darkness, particularly if the building were to be occupied as residential accommodation. In the context of the Cotswolds National Landscape, where development is sparse and ambient light levels are low, such internal light spill would be visually conspicuous and would contribute to the gradual erosion of dark skies and rural character.

While internal lighting is not always capable of being precisely controlled through planning conditions, the extent of glazing proposed forms part of the overall design of the building and must be considered in landscape terms. In this case, the level and arrangement of glazing are not characteristic of traditional rural outbuildings and introduce a more domestic and suburbanising influence that conflicts with the aims of the Cotswolds National Landscape Management Plan and Policy CE6 in particular.

More generally, the Cotswolds National Landscape is sensitive not only to visual change but also to incremental domestic intensification and the erosion of rural character through development that introduces additional residential units or suburbanising features in countryside locations. The use of this building as self-contained or near self-contained accommodation would represent a greater level of domestic activity and permanence than that associated with an incidental outbuilding, contributing to a gradual suburbanising influence that conflicts with the special qualities of the National Landscape.

Conclusion

In summary, while the physical presence of the building is not, in itself, considered to result in significant landscape harm beyond that previously assessed, the proposal introduces elements of domestic character and light spill that are at odds with the rural qualities and dark skies of the Cotswolds National Landscape. The extent of rear elevation glazing, together with the potential for intensified residential use, would contribute to the incremental erosion of the special qualities of the designation. The proposal therefore fails to adequately conserve the landscape character and dark skies of the Cotswolds National Landscape, contrary to Policy CE6 of the Cotswolds National Landscape Management Plan and Core Policy 51 of the Wiltshire Core Strategy.

BNG

Policy Context

Mandatory Biodiversity Net Gain (BNG) was introduced under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by the Environment Act 2021) and applies to most planning permissions granted in England from 12 February 2024, subject to specified exemptions and transitional arrangements.

Assessment

The development subject to this application has already been constructed and the application is retrospective in nature. Planning permissions granted under section 73A of the Town and Country Planning Act 1990 are not currently subject to the mandatory biodiversity net gain requirement, and transitional provisions apply which disapply the statutory biodiversity gain condition in these circumstances. In addition, the proposal relates to built development within the curtilage of an existing dwelling and does not involve the loss of priority habitat. No evidence has been provided to indicate that the development would result in a measurable reduction in on-site biodiversity value beyond that already assessed under the original permission.

Conclusion

Mandatory Biodiversity Net Gain is not applicable to this retrospective application. The proposal therefore raises no objection on biodiversity net gain grounds.

ENGAGEMENT AND CONSIDERATION OF ALTERNATIVES

Throughout the determination of this application, the Local Planning Authority has sought to engage constructively with the applicant and their representatives in order to fully understand the proposal and explore whether the identified concerns could be satisfactorily addressed. Officers, including the case officer and enforcement officer, undertook an initial site visit to measure the building and confirm its siting in relation to the approved plans. A subsequent visit was also carried out to assess the impact of the development from within the neighbouring property at Park View, given the specific concerns raised regarding residential amenity. In addition, the case officer held a detailed telephone discussion directly with the applicants to explain the planning concerns identified and to clarify the distinction between ancillary accommodation and a separate residential unit in planning terms.

During these discussions, potential mitigation measures were explored. This included consideration of a 2-metre boundary fence, which the applicant subsequently confirmed could be erected under permitted development rights, subject to separate assessment. While such a fence may provide a degree of visual screening, officers advised that the application must be assessed on the basis of the development as built and that reliance could not be placed on notional future boundary treatments.

The agent also submitted amended drawings proposing alterations to the roof form at the lower end of the building, intended to reduce its perceived impact on Park View. These amendments were carefully considered; however, it was concluded that the modest changes proposed would not materially improve the relationship with the neighbouring property and would introduce a more contrived roof form that conflicted with the simple and coherent design previously approved.

It is also noted that the occupier of Park View suggested that relocating the lower element of the building to the end elevation closest to No. 8 Long Leaze would significantly alleviate the amenity impacts experienced. While this approach informed the design revisions secured under the original planning permission, the applicant has indicated that further relocation or reconfiguration of the building would be prohibitively expensive. In any event, while such changes may have reduced amenity impacts, they would not address the fundamental concern that the accommodation is capable of independent occupation and is therefore unacceptable in principle in this countryside location.

Following notification of the officer's intention to recommend refusal, the agent requested that further 2D and 3D modelling be considered and sought an additional meeting to review these submissions. While the submitted material has been taken into account, the Local Planning

Authority considers that sufficient information has already been provided to reach a reasoned decision, and that further meetings or modelling would not materially alter the conclusions reached, having regard to the time and resources available and the fundamental policy objections identified.

The Local Planning Authority recognises the personal circumstances that have informed the application and appreciates the uncertainty experienced by the applicants during the process. However, notwithstanding the level of engagement undertaken and the consideration given to potential amendments, it is concluded that the proposal remains unacceptable in principle and in its impact on residential amenity.

PLANNING BALANCE AND CONCLUSION

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework also establishes a presumption in favour of sustainable development, which requires proposals that accord with an up-to-date development plan to be approved without delay, unless adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole.

In this case, the development has been assessed against the relevant policies of the Wiltshire Core Strategy and national planning policy. The proposal fails at a fundamental level in respect of the principle of development. While the applicant has indicated that the building would not be used as an independent dwelling, the accommodation remains physically separate from the host dwelling and contains all facilities necessary for day-to-day domestic living. As such, it is capable of functioning as an independent planning unit and cannot be regarded as genuinely ancillary residential accommodation. The proposal therefore conflicts with the settlement strategy set out in Core Policies 1 and 2 of the Wiltshire Core Strategy, which strictly control residential development in the open countryside.

In addition, the development results in an unacceptable impact on the residential amenity of the occupiers of Park View. The repositioning of the building, combined with its elevated relationship to the neighbouring property, limited boundary treatment and the sensitivity of the historic dwelling, gives rise to a harmful sense of enclosure and loss of outlook when experienced from within the principal rooms of that property. These impacts are contrary to

Core Policy 57 of the Wiltshire Core Strategy and are not satisfactorily mitigated by the amendments or alternative measures considered during the application process.

The proposal would also introduce an element of light spill and domestic character that is at odds with the dark skies and rural qualities of the Cotswolds National Landscape.

The Local Planning Authority has engaged constructively with the applicant and their representatives, carefully considered submitted modelling, amended drawings and potential mitigation measures, and undertaken multiple site visits, including internal views from the neighbouring property. However, notwithstanding this engagement, the identified harms remain and have not been overcome.

The Local Planning Authority has given careful consideration to the personal circumstances set out in the application, namely the stated need to provide accommodation to support end-of-life care for a terminally ill family member and to enable close proximity to the main household. These circumstances are acknowledged as compelling on a human level and are afforded limited material weight in the planning balance. However, personal circumstances are inherently specific to the applicants and are, by their nature, temporary, whereas the development proposed would result in a permanent building in a sensitive countryside location. In this case, the accommodation is capable of independent occupation and has been constructed in a position that gives rise to demonstrable and enduring harm to the residential amenity of neighbouring occupiers, particularly at Park View. When weighed against the permanence of the built form, the unacceptable impact on neighbouring amenity, and the fundamental conflict with the settlement strategy, the stated personal circumstances do not amount to exceptional circumstances sufficient to justify a departure from the development plan.

Accordingly, when assessed against the development plan and material considerations taken as a whole, the adverse impacts of the development significantly and demonstrably outweigh any perceived benefits. Planning permission should therefore be refused.

RECOMMENDATION: That Planning Permission be REFUSED.

1. The proposed development, by reason of its physical form, layout and facilities, constitutes accommodation capable of independent occupation, affording all of the facilities required for day-to-day domestic living. As such, the development is capable of forming a separate

planning unit and cannot be regarded as genuinely ancillary residential accommodation associated with the main dwelling at No. 8 Long Leaze.

The proposal therefore amounts, in planning terms, to the creation of a new dwelling in the open countryside, outside any defined settlement boundary, where residential development is strictly controlled. The development does not fall within any of the limited exceptions set out in paragraph 4.25 of the Wiltshire Core Strategy.

The proposal is therefore contrary to Core Policies 1 and 2 of the Wiltshire Core Strategy and Section 5 of the National Planning Policy Framework, which seek to direct new housing to sustainable locations and strictly control residential development in the countryside.

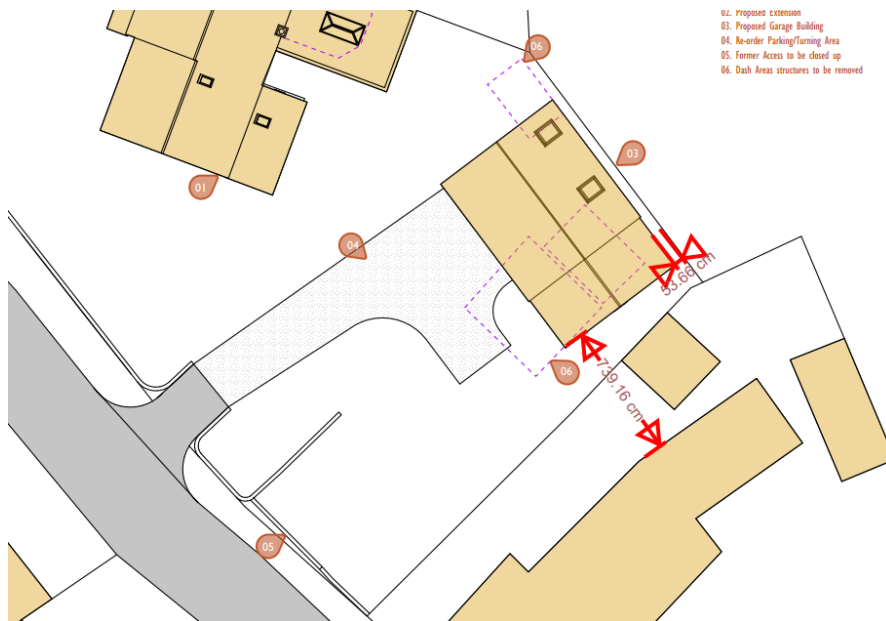
2. The development, by reason of its siting together with the elevated relationship to the neighbouring property and the limited boundary screening, results in an overbearing and visually intrusive form of development when experienced from the principal rooms of the adjacent dwelling, Park View.

The proposal gives rise to a harmful sense of enclosure and an unacceptable reduction in outlook, which materially harms the residential amenity of the occupiers of Park View.

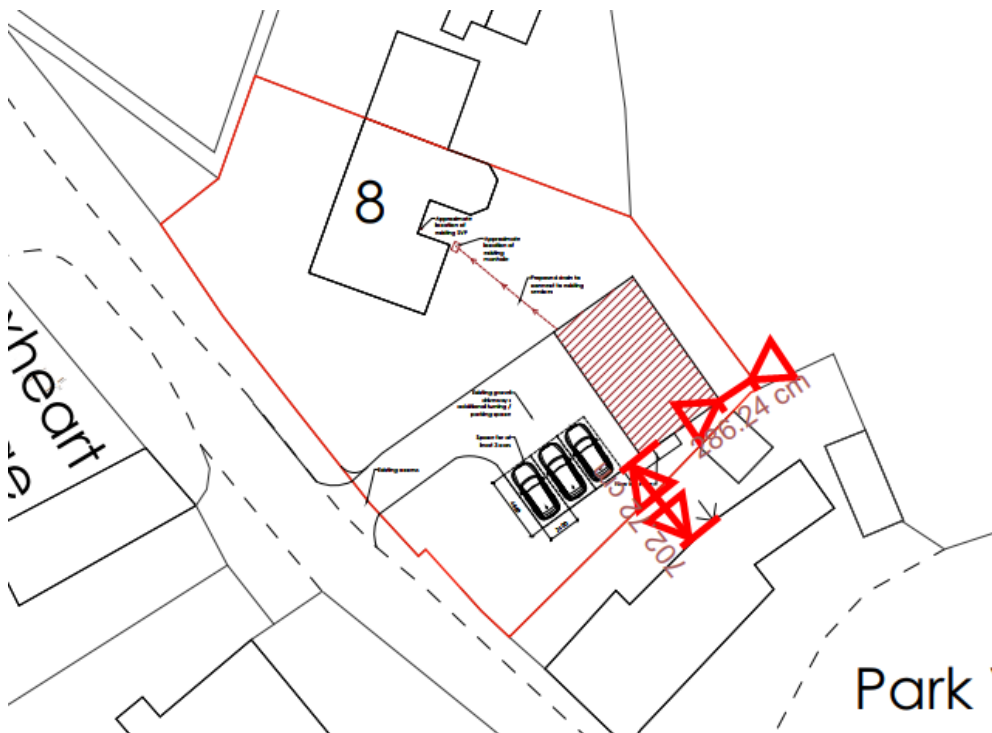
The Local Planning Authority has carefully considered submitted modelling and amended drawings; however, these do not adequately reflect the on-site experience of the development when viewed from within the neighbouring dwelling, nor do they overcome the identified harm. The proposal is therefore contrary to Core Policy 57 of the Wiltshire Core Strategy and paragraph 135 of the National Planning Policy Framework, which require development to protect the amenity of existing occupants.

APPENDIX 1

Comparison between approved and submitted plans, with distances to rear boundary and Park View – as measured on plans.



ABOVE: Approved Block Plan : Distance to NE boundary 0.53m
Distance to Park View 7.39m



ABOVE: Proposed Block Plan: Distance to NE boundary 2.86m
Distance to Park View 7.02m