

APPLICATION FOR ANNEXED ACCOMODATION DELEGATED REPORT

APPLICATION REFERENCE:	PL/2026/00659
APPLICATION TYPE:	Householder planning permission
SITE ADDRESS:	Hazel Heath, Garsdon, Malmesbury, SN16 9NW
DEVELOPMENT DESCRIPTION:	Conversion of outbuilding used as home office/workshop/storage to ancillary accommodation
RECOMMENDATION:	That Planning Permission be GRANTED

PROPOSAL

The proposal seeks planning permission for the conversion of an outbuilding to that of ancillary accommodation. The submitted plans show that the existing building would not have any additional fenestration or external alterations.

The accommodation would provide for one bedroom, bathroom and living area with an integral, open plan kitchen.

SITE DESCRIPTION/CONTEXT

This application relates to a residential site in Garsdon; a detached property located in a rural setting and as such there is a significant separation in distance between properties. The front garden in relationship to the principal entrance is relatively spacious and has good tree cover and boundary hedges which partially obscure views in and out of the property.

Set within a rural area, the site lies outside of any settlement boundary and is not subject to any heritage or other landscape constraints.

PLANNING HISTORY

Proposal / Summary
N/07/02182/FUL - Full planning permission Decision - Approve with Conditions Date: 19/10/2007 – Proposed Extension and Garage Block
18/08393/FUL - Full planning permission Decision - Approve with Conditions Date: 5/11/2018 – Proposed single storey extension and allied alterations to previously converted bungalow; including conversion of outbuilding into home office.

RELEVANT POLICIES AND GUIDANCE

Wiltshire Core Strategy:

- Core Policy 1: Settlement Strategy
- Core Policy 2: Delivery Strategy
- Core Policy 50: Biodiversity and Geodiversity
- Core Policy 57: Ensuring High Quality Design and Place Shaping
- Core Policy 61: Transport and New Development

- Core Policy 64: Demand Management

Wiltshire Design Guide

The National Planning Policy Framework (NPPF)

The Planning Practice Guidance

National Design Guide

CONSULTATION RESPONSES

Parish/Town Council: No objection – but requests it stays as one planning unit

WCC Highways: No Objection – subject to annexe accommodation remaining ancillary

REPRESENTATIONS

No comments were received in relation to the proposed development

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

When assessing proposals for annexed accommodation, it is essential to determine whether the development genuinely constitutes an annexe or whether it functions as an independent dwelling. An annexe should have a clear physical and/or functional relationship with the main dwelling. This means it must be subordinate in scale and use, and typically reliant on the main house for access, services, or shared facilities.

This means considering:

- Physical relationship – proximity to the main dwelling, whether it is attached or detached, and how it integrates with the existing residential curtilage.
- Functional relationship – whether the annexe is intended for use by family members, whether it shares access, garden space, or utilities, and whether it is dependent on the main house for day-to-day living such as provision of care.

In assessing whether the accommodation is ancillary, consideration should be given to the presence of self-contained facilities such as a separate kitchen, bathroom, and independent access. These features may indicate a level of autonomy inconsistent with ancillary use and could suggest the accommodation functions as a separate dwelling.

Where the proposed accommodation does not demonstrate a clear physical or functional relationship with the host dwelling, it may constitute a new dwelling and therefore not in accordance with the terms of what has been applied for i.e., ancillary accommodation.

The building to be converted, clearly falls within the curtilage of the property and has been in use for home office and studio space. The building would not be externally altered in any way and the existing fenestration, elevations and roof form would be retained in its original form. In this respect the building would still remain as a subordinate structure in relation to the host dwelling. Whilst there would be no significant degree of dependence upon the host property for day to day functions, it is considered that there is still a degree of dependence on the main property and it is noted that Hazel Grange benefits from only one vehicle and pedestrian access from the adjacent highway.

Taking the above into account, it is considered that the use of the building as ancillary accommodation as described in the submission has a clear functional relationship with the main dwelling.

It is relevant however to note that the development is located in the open countryside for the purposes of the local plan, where residential development is not supported. Therefore a condition requiring the accommodation remain ancillary is considered reasonable, relevant and proportional to the development.

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.

As discussed above, there are not external physical changes proposed to the building. Furthermore, the use as ancillary accommodation is not considered to change with the building being utilized by members of the same household.

The development is therefore considered to accord with the guidance and provision of the Framework, CP57 of the WCS and the adopted Wiltshire Design Guide.

Amenity

Point vii of Core Policy 57 - Ensuring High Quality Design and Place Shaping of the Wiltshire Core Strategy seeks to ensure that developments do not adversely affect neighbouring properties.

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.

In this instance, the existing building would not be altered, is located firmly within the residential curtilage of the host dwelling and has authorised use as a home office.

As such, the proposed use is not considered to result in any significant increase in overlooking, loss of privacy, or increase in noise impact over that which can already be undertaken and its proposed use is not considered to be to the detriment of adjacent neighbouring occupiers.

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.

The Council's Highway Team were consulted as the proposed conversion would result in an increase in the quantum of bedrooms within this residential site. However, there is no objection from that service and there is sufficient on-site parking and turning to meet the adopted standards.

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.

Nevertheless, as required by the regulations, any approval must include an Informative reminding the applicants of the biodiversity net gain requirements.

CONCLUSION

The proposed development is considered to be acceptable in terms of its design, scale, and relationship with the surrounding area. It would not result in any unacceptable harm to the character of the locality, the amenities of neighbouring occupiers, or the interests of highway safety or ecology.

The proposal is therefore considered to comply with the relevant policies of the Wiltshire Core Strategy, the Wiltshire Local Plan, and the National Planning Policy Framework. As such, the application is recommended for approval, subject to the conditions set out below.

RECOMMENDATION: That Planning Permission be GRANTED subject to conditions.

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents all received on 20 January 2026.

Application Form.

Planning Statement

LPC 6276 01 Location Plan

LPC 6276 EX 02 Existing Block Plan

LPC 6276 EX 03 Existing Elevations and Floor Plan

LPC 6276 PR 02 Proposed Block Plan

LPC 6276 PR 03 Proposed Elevations and Floor Plan

3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as stated on the plans hereby approved

REASON: In the interests of visual amenity and the character and appearance of the area.

4. WJ3A – Annexe Accommodation

The accommodation hereby permitted shall not be occupied at any time as an independent residential unit or for purposes other than those which are ancillary or incidental to the residential use and occupation of the main dwelling, known as Hazel Heath, Garsdon, Malmesbury, SN16 9NW. The accommodation shall remain within the same planning unit as the main dwelling as a single dwellinghouse (C3).

REASON: The additional accommodation would be unsuitable for occupation as a wholly separate dwelling having regard to the reasonable standards of residential amenity, parking and access and planning policies pertaining to the location of new residential development.