

Our ref.: MW/Slade

31st March 2026

Wiltshire Council
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For the attention of Ms L. Rutter-Dowd,

Dear Madam,

Town & Country Planning Act 1990
Change of use of garage to dwelling, The Well Cottage, Church Road, Ham, SN8 3RB. Application ref. PL/2026/00553

1. Further to my letter of 24th February with reference to the above application, I note that a revised covering letter (dated 3rd March 2026) and revised plans (dated 19th March 2026) have been submitted. We are instructed by Mr & Mrs D. Slade of Doves House, Ham to object to the revised scheme. Where applicable, the comments made in my letter of 24th February still apply.

The existing planning permission for tourist use.

2. Whilst the application asserts that the 2019 permission for the conversion of the garage to a tourist unit has been implemented, there is no evidence to confirm that this is the case. There is no Certificate of Lawfulness. Whilst the operational development may have commenced, it is noted that the application does not assert that the building has been used as tourist accommodation; hence the description is for the change of use from a garage (the lawful use) to a dwelling.

3. The 2019 approval for tourist use was approved on the basis that the development complied with Policy CP39, which supports tourist related development in Small Villages; but no such policy support can be claimed for a dwelling. No weight should therefore be attached to the 2019 planning permission (even if it remains extant) to support an application for residential use. When considering such matters as traffic generation; impact on amenity and the impact on the Conservation Area, the starting point must be the existing garage; the starting point should not be the tourist use.

Nationally Described Space Standards

4. We note that whilst the plans have been changed so that there is one bedroom on the ground floor and the whole of the first floor is labelled as

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storage. However, the application form and covering letter have not been updated and the dwelling is still described as a 2-bedroom dwelling in the covering letter. Whilst this may (superficially) achieve compliance with the NDSS (and comply with the WLTP in terms of parking spaces), what can be done to ensure that the first floor remains only for storage and is not used as a second bedroom or as a habitable room? If the Council were to approve this application, I would suggest that a condition which said that the first floor could only be used for storage and not as a bedroom or other habitable use would be unenforceable and would therefore not accord with Government guidance.

Parking provision.

5. We understand that four parking spaces are proposed to serve both the host dwelling, Well House, and the proposed dwelling. The covering letter dated 3rd March says that the proposed dwelling will have 2 bedrooms and one parking space (page 2). This is obviously wrong. The letter states that the parking complies with the requirements of the Wiltshire Local Transport Plan 2011-2026, presumably on the basis that this is a 1-bedroom dwelling. Table 7.1 of the WLTP states that a 1-bedroom house must have one parking space, but on the basis that the first floor is likely to be used as a bedroom (and the Council has no reasonable way to prevent this), we consider that the proposed dwelling must be considered to be a 2-bedroom dwelling requiring 2 parking spaces.

7. In any event, we do not consider that space 4 will work. It impedes the swing of the gate; it would prevent access to spaces 1-3; also, vehicles using this space would be unable to turn within the site. I am not sure that there is sufficient space to turn any of the vehicles within the site, which is a further issue, given the limited width of Church Road. No provision appears to have been made for EV charging; cycle parking; or for bin storage for either dwelling. At present, the refuse and recycling bins for the host dwelling are located just inside the gate, where parking space 4 is located. Where will these bins – and the additional bins for the proposed dwelling – be located?

8. In addition to the above, the parking for Well Cottage is still situated immediately outside the proposed dwelling. It is clearly unacceptable for the occupiers of the proposed dwelling to be disturbed at any time of day or night by the occupiers of Well House entering, manoeuvring and leaving the site in their vehicles (or filling or moving their bins), immediately outside of the proposed master bedroom. Furthermore, moving or expanding the parking and turning area to accommodate the necessary parking spaces and a suitable turning area and bin storage area into the undeveloped area to the east of the proposed dwelling is also likely to detract from the character and appearance of the Conservation Area.

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Conclusions

11. In conclusion, the lack of a 5-year supply of suitable housing land in Wiltshire does not mean that every residential development must be approved. The Council still has to make a planning judgment as to whether the proposed development is in a sustainable location. In making such a judgment, the 2019 planning permission for tourist use, which has not been brought into use (and is unlikely ever to be brought into use) must not be given any weight. The onus is on the applicant to demonstrate that there is a need for an open-market dwelling in this location.

12. The proposed dwelling must comply with the Nationally Described Space Standards. Whilst the amended drawing shows the first floor being for storage use only, it is unlikely that it will not be used as either a bedroom or further habitable accommodation in the future. A planning condition which required the first floor to only be used as storage is surely unenforceable and unreasonable.

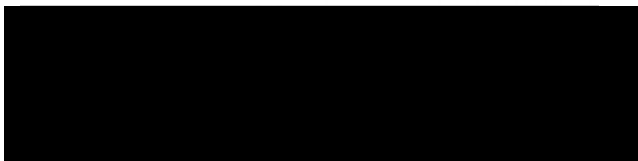
13. The proposed parking arrangements have not been revised and remain wholly unsatisfactory; given that the Council cannot reasonably prevent the first floor of the building being used as a bedroom or as a habitable room, this must be treated as a 2-bedroom dwelling and on that basis five parking spaces must be provided in accordance with the Wiltshire Local Transport Plan.

14. The parking layout is unsatisfactory. The ability to turn all vehicles off the highway so that they might enter and leave the site in forward gear should be demonstrated; the parking for the host dwelling immediately in front of the existing dwelling is wholly unsatisfactory in terms of residential amenity. There is no provision for bin storage, EV charging, or cycle parking for either dwelling.

14. Finally, expanding or moving the parking area into the open land to the east of the garage could be harmful to the character and appearance of the Conservation Area.

15. As outlined above, there are several sound planning policy reasons why this revised planning application should be refused.

Yours faithfully,



Marc D. Willis BTP MRTPI FSAg