

APPLICATION FOR FULL PLANNING PERMISSION

DELEGATED REPORT

APPLICATION REFERENCE:	PL/2026/00326
APPLICATION TYPE:	Full planning permission
SITE ADDRESS:	7 Moot Gardens, Downton, Salisbury, SP5 3LG
DEVELOPMENT DESCRIPTION:	Erection of a purpose-built dog grooming pod in the rear garden of a residential dwelling for the use as a dog grooming business.
RECOMMENDATION:	That Planning Permission be GRANTED

PROPOSAL

This application seeks the change of use and erection of a proposed purpose-built grooming pod approximately 9 sqm to be used as a dog grooming salon. Appeal decisions have established that dog salons typically constitute either a Class E (commercial, business and service) use or, due to their more unique noise and other impacts, a sui generis use. Further detail on the nature of the proposed use is set out in the submitted application form and operational statement and is summarised below:

- Operating hours: 09:00-15:00 Monday to Friday.
- Operating hours: 09:00-17:00 every other Saturday.
- One-to-one grooming only with potential for 2 dogs of same client.
- Customer access via existing gated side entrance.
- Two on-site parking spaces allocated to the salon use.
- All business waste will be removed by the applicant.
- No external advertisements proposed.

SITE DESCRIPTION/CONTEXT

The application site is a residential dwelling located in a modern suburban cul-de-sac situated towards the southern area of Downton, a Local Service Centre defined by Wiltshire Core Strategy (WCS) policies CP1, CP2 and CP23. Downton is located within a Special Landscape Area according to C6 of the saved Salisbury district local plan. In terms of immediate surroundings, the site is bordered by the highway to the north and is surrounded by residential dwellings on the south, east and west.

The River Avon is located approximately 110 metres west of the application site, however, the site lies in Flood Zone 1 and is not at risk of groundwater or surface water flooding. While it is situated within the Hampshire River Avon Catchment and is within the 13.8-kilometre recreational buffer of the New Forest Special Protection Area (SPA), these designations do not have a bearing on this planning application as the application does not propose additional overnight accommodation.

The application site is occupied by a single storey bungalow with a front driveway and a rear garden. The property features direct access to the garden from a side gate accessed off the front driveway.



PLANNING HISTORY

The application site has not had any previous planning applications. In 2018, the eastern hip roof was converted to a gable to allow for a loft/rear dormer. At the time, this was confirmed to be permitted development.

RELEVANT POLICIES AND GUIDANCE

Wiltshire Core Strategy (WCS)

Core Policy 1: Settlement Strategy

Core Policy 2: Delivery Strategy

Core Policy 23: Spatial Strategy: Southern Wiltshire Community Area

Core Policy 34: Additional employment land

Core Policy 57: Ensuring High Quality Design and Place Shaping

Core Policy 69: Protection of the River Avon SAC

Saved Salisbury District Local Plan Policies

Saved Policy C6: Special Landscape Area (SLA)

Downton Parish Neighbourhood Plan 2016 to 2026 (Made)

Wiltshire Local Transport Plan 2011-2026 - Car Parking Strategy Council

National Design Guide

CONSULTATION RESPONSES

Downton Parish Council: Support.

Downton Parish Council unanimously agreed SUPPORT subject to

1) Operating in compliance with noise limits to ensure no adverse impact on neighbouring Amenity

2) Not operating outside of business hours to safeguard the amenities of neighbouring residents

3) Implementing a parking and vehicle management/booking system

Highways: No Objection. (Details of the consultation response will be discussed in the relevant section below)

Public Protection: Comment:

Noise: The photo of the proposed pod shows an air conditioning unit mounted to the side of the pod. I object to an air conditioning unit for this application as this is likely to create a noise disturbance to neighbours. I would reconsider this point if a noise assessment conforming to BS4142 is provided.

In addition, there are no specific details of the acoustic properties of the unit. I would therefore attach the following condition to any permissions granted. (These have been included in the recommendation).

Contaminated Land: No comments

Air Quality: No comments

Odour: No comments

Light: No comments

REPRESENTATIONS

One comment was received from the neighbouring dwelling. It is as follows:

Our only concern is that of noise. The back gardens are all residential and in a very quiet area. The pod shows a large air conditioning unit attached, which along with any machinery noise leakage from the pod when in use, could impact on our enjoyment of our back garden. Particularly on the alternate Saturdays, when we would be most likely affected and the business hours are also longer. Could noise levels be set by the planning committee to ensure we can still enjoy our garden without the background noise of air conditioning units and other potential noise leakage from the pod when in use?

We have no issues with the pod structure or the business, but we do have concerns about the noise levels and these have not been addressed in the application. This leaves us with no idea of the amount of noise disturbance we may have when wanting enjoy our peaceful back garden.

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

Core Policy 1 establishes the settlement hierarchy for Wiltshire and the scale of development appropriate for each settlement category.

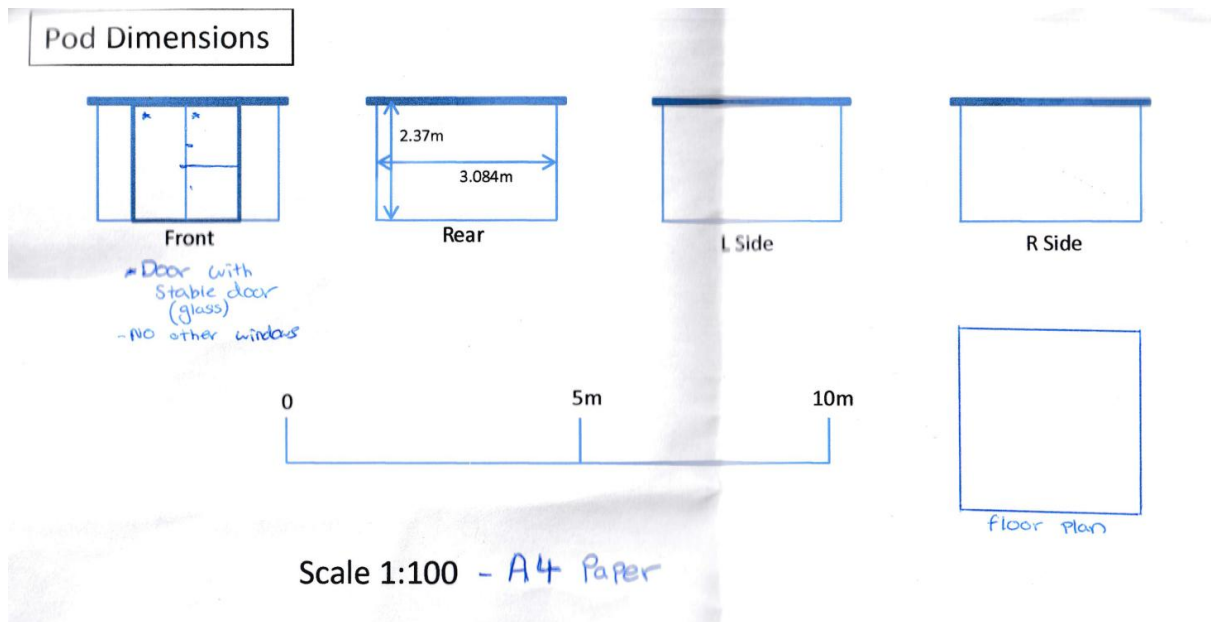
Core Policy 2 makes provision for 178ha of employment land to be delivered over the plan period which comprises the various allocations set out in the community area policies. It also states that there is a presumption in favour of sustainable development within the limits of Local Service Centres.

Core Policy 23 establishes the spatial strategy for the Southern Wiltshire Community Area. It identifies that Downton is a Local Service Centre and the focus for development in the area.

Core Policy 34 states that proposals for employment development (use classes B1 [now E(g)], B2 and B8) are supported within Local Service Centres. The policy continues that such development must be in the right location and support the strategy, role and function of the settlement to which they relate.

The proposal is for a class E/sui generis use and is located within the built-up area of a Local Service Centre where there is a presumption in favour of such development, though as mentioned, it must be in the right location. Due to the sometimes more disruptive nature of dog-focused commercial, business and service operations, they are less suited to quiet suburban areas. However, in this case, the proposed use is constrained by the small size of the dog grooming pod being approximately 9 square metres.

Accordingly, it is considered that the principle of development is acceptable in this location, subject to appropriate and reasonable control measures necessary to ensure the use is compatible with its residential context (addressed below).



Design and Impact upon the character and context of the area

Core Policy 57 - Ensuring High Quality Design and Place Shaping of the Wiltshire Core Strategy seeks to ensure that all new development is of high design quality, reflecting local context, character, and distinctiveness.

The application site consists of a semi-detached residential dwelling with an existing front driveway and a rear garden in an established residential area. The site has an existing garden shed located on the southeastern corner of the application site. This application proposes to demolish this existing shed and erect a single storey outbuilding in a similar location. Adjacent to the existing shed is an existing block and brick outbuilding owned by No.5.

The proposed outbuilding measures approximately 3 metres in width and length and 2.3 metres in height. The application proposes a class E/sui generis use for this purpose built dog grooming pod with a footprint of approximately 9 square metres. On the front elevation of the pod, a glass 'stable style' door is proposed, there are no other proposed fenestrations on any other elevation. The applicant has indicated that the pod is proposed to be used as a small-scale dog grooming business catering to one client at a time with the maximum dogs on site being two dogs for the same client. The dog grooming business is for pre-booked appointments only; no walk-in customers are allowed.

The proposed pod is located at the rear garden of the existing residential dwelling; this is not visible from the street scene and the wider residential area. This application does not propose any external advertisement of the business. The size of the business will be restricted by the small size of the dog grooming pod being 9 square metres. This allows the business to be constrained and thereby restricting the size of the business and number of clients in this residential context. Access to the proposed location of the grooming pod is through existing side gates access from the front driveway of the dwelling, there are no proposed external changes visible from the street scene for access. Having regard to the above, the proposal complies with the design principles set out in Core Policy 57 of the Wiltshire Core Strategy and Appendix D of the 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.

As noted above, dog-related businesses can generate noise and activity that may adversely affect the amenity of a quiet suburban location such as this. The neighbouring dwelling highlighted their concern regarding air conditioning units; a sample photograph of another dog grooming pod was submitted as part of this application which has an air conditioning unit attached to it, however, no units have been proposed as part of this application. The LPA's public protection has also objected to any air conditioning units as part of this application as

this is likely to create a noise disturbance to the neighbours. If an air conditioning unit is proposed, a noise assessment conforming to BS4142 should be provided and an appropriate application submitted.

The application had originally suggested opening hours to be from 9am -3pm, Monday to Friday with every other Saturday from 9am -5pm. However, the LPA's Public Protection officer has commented that Saturday working is not permitted unless a noise assessment can be provided to ensure that the amenity of the neighbouring dwellings is protected during Saturdays.

The applicant has agreed for the business to operate between Monday 9am to 3pm and no working on Saturdays, Sundays, and Public and bank holidays. This has been included in the recommendation.

Following an assessment of this proposal, given the very small scale of the proposed operation and the mitigation measures outlined in the applicant's Operational Statement, the proposal is considered acceptable within its residential setting, subject to conditions controlling the use, the opening hours, the number of dogs on site at any one time, and noise protection measures.

Any future noise complaint(s) be brought to the attention of the Council's Public Protection Team by way of this development proposal and it deemed expedient to pursue any matter, formal action can be taken under Environmental Health legislation by way of serving an abatement notice under section 80 of the Environmental Protection Act 1990 on the owner/occupier of the land requiring that person to abate the nuisance. The applicant has a defence in law under (section 80(7) of the above Act if they are able to demonstrate "*that the best practicable means were used to prevent, or to counteract the effects of, the nuisance*". Evidence that appropriate sound insulation has been installed, along with effective noise management are some of the factors a court will consider in determining whether best practicable means have been used. As such, the applicant is advised that it may be in their interests to demonstrate that appropriate noise management arrangements have been made to control dog barking and an appropriate sound insulation scheme has been employed to minimise noise outbreak from dog barking inside the dog grooming business.

An Informative will be added regarding the powers of the Local Authority under section 80 of the Environmental Protection Act 1990 to serve abatement notices should any noise become a nuisance. However, noise matters of this nature can be dealt with by the Council's Public Protection Team under their statutory powers if deemed expedient to do so.

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 application site has an existing surfaced driveway which could accommodate parking for up to three cars. There are no restrictions for parking on the adjoining highway. The LPA's highways officer responded to the consultation of this application and noted that an operational statement is required to ensure that the number of clients parking and visiting the property is controlled. The submitted occupational statement has been assessed by the LPA's highways officer, they are satisfied that the submitted Operational Statement provides sufficient detail of the means of booking and the number of dogs on the premises to confirm that there would be no overlap of customer arrivals and departures, and no issues related to appropriate parking provision.

The highways officer therefore raised no objections and they consider that the provision for parking within the site is considered acceptable to accommodate the parking needs associated with the proposed use. The operational statement has been conditioned as part of this application to ensure that the management of appointments remain as such for the lifetime of the development. The proposal is therefore considered to comply with Core Policies 57 (xiv), 61 and 64 of the Wiltshire Core Strategy, the NPPF, and the Wiltshire Local Transport Plan.



Biodiversity Net Gain

Householder planning applications are exempt from the requirement to deliver Biodiversity Net Gain under Schedule 7A, Section 4(2)(a) of the Town and Country Planning Act 1990, as inserted by the Environment Act 2021.

CONCLUSION

Having regard to the sustainable location, very small scale and the appropriate operational control measures of the proposed dog grooming salon, in addition to the acceptable parking provision, the proposal is considered to be acceptable in respect of principle, neighbouring amenity, transport and all other matters. It therefore complies with the aforementioned sections and policies of the Wiltshire Core Strategy, Downton Neighbourhood Plan, NPPF and the Wiltshire Design Guide. 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:

Block Plan Received: 26 Jan 2026

Elevations and Floor Plan of Pod Received: 26 Jan 2026

Location Plan Received: 23 Jan 2026

REASON: For the avoidance of doubt and in the interests of proper planning.

3.Materials to be used in the construction of the works hereby permitted shall be as stated on the application form and in the submitted documents.

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

4. The development shall be operated wholly in accordance with the approved Operational Statement Received 23 Feb 2026 which states:

- There will only be one client at a time with the maximum number being two dogs under the same client to be groomed at a time.
- No walk ins allowed, the development will operate on a prebooked appointment system only with the customer arriving at a timed schedule with no overlapping of customers.

Reason: In the interests of highway safety and to limit the intensity of the use and associated vehicle movements and parking demand in the locality.

5. The operational use of the grooming studio shall be restricted to the following times for dog grooming activities only:

- Monday - Fridays: 09:00 to 15:00 hours.

- No Working on Saturdays, Sundays, Bank and Public Holidays

REASON: To maintain appropriate levels of amenity in accordance with Core Policy 57.

6. The development hereby approved shall not be used for overnight kennelling.

REASON: To maintain appropriate levels of amenity in accordance with Core Policy 57.

7. Doors and windows of the building shall be kept closed when any mechanical equipment is used in relation to dog grooming activities.

Reason: Core policy 57, Ensuring high design and place shaping such that appropriate levels of amenity are achievable.

INFORMATIVE:

Should any future noise complaint(s) be brought to the attention of the Council's Public Protection Team by way of this development proposal and it deemed expedient to pursue any matter, formal action can be taken under Environmental Health legislation by way of serving an abatement notice under section 80 of the Environmental Protection Act 1990 on the owner/occupier of the land requiring that person to abate the nuisance. The applicant has a defence in law under (section 80(7) of the above Act if they are able to demonstrate "*that the best practicable means were used to prevent, or to counteract the effects of, the nuisance*". Evidence that appropriate sound insulation has been installed, along with effective noise management are some of the factors a court will consider in determining whether best practicable means have been used. As such, the applicant is advised that it may be in their interests to demonstrate that appropriate noise management arrangements have been made to control dog barking and an appropriate sound insulation scheme has been employed to minimise noise outbreak from dog barking inside the dog grooming business.

This application has not included permission for any air conditioning units. The LPA's Public Protection has indicated an air conditioning unit in this location is likely to create a noise disturbance to neighbours. An application containing a noise assessment conforming to BS4142 should be provided for any proposed air conditioning unit for this development.