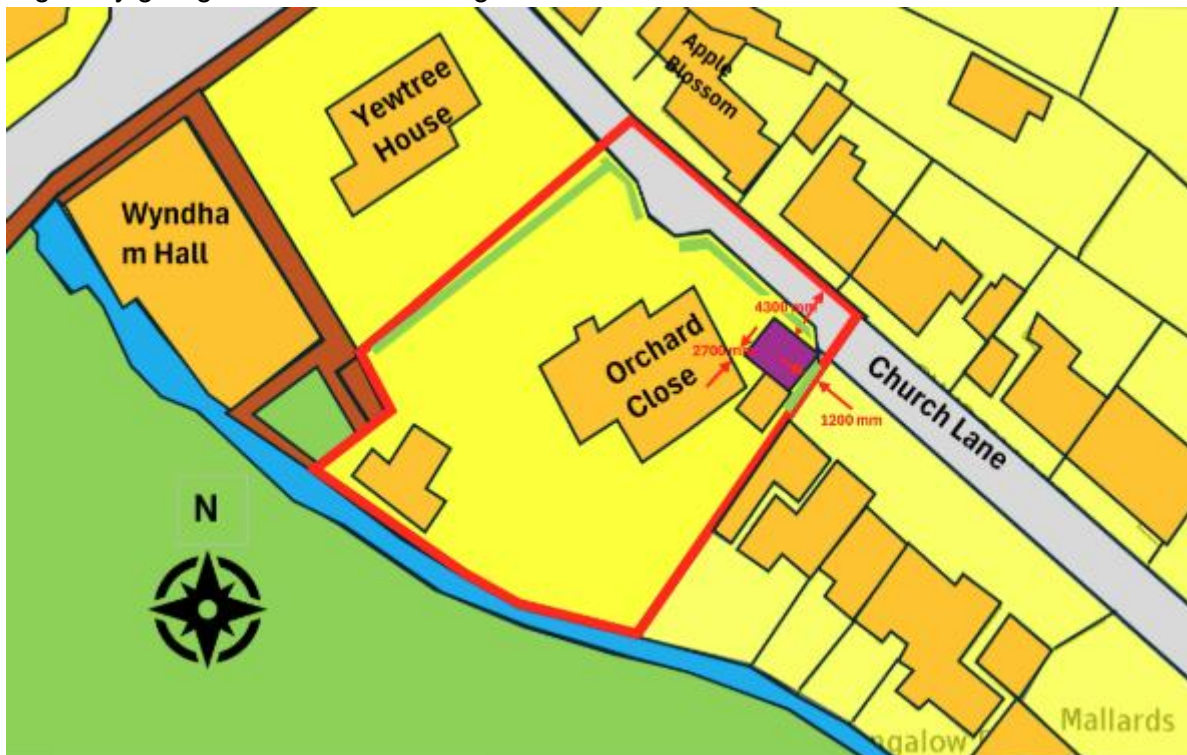


APPLICATION FOR HOUSEHOLDER PLANNING PERMISSION DELEGATED REPORT

APPLICATION REFERENCE:	PL/2026/01371
APPLICATION TYPE:	Householder planning permission
SITE ADDRESS:	Orchard Close, Church Lane, Amesbury, Salisbury, SP4 7HA
DEVELOPMENT DESCRIPTION:	Part retrospective works for the construction of a single bay garage attached to existing shed.
RECOMMENDATION:	That Planning Permission be GRANTED

PROPOSAL

The proposal seeks planning permission for part retrospective works for the construction of a single bay garage attached to existing shed.



SITE DESCRIPTION/CONTEXT

The site comprises of a single storey detached dwelling located within the settlement boundary of Amesbury which is defined as a Market Town by Wiltshire Core Strategy (WCS) policies CP1, CP2 and CP4.

The River Avon is located on the southern boundary of the application site. The Strategic Flood Risk Assessment has indicated that Flood Zone 2 and 3 begins just outside the red line boundary of the application site with the proposed development associated with this application outside of areas with high risk of flood. While the application site is situated within the Hampshire River Avon Catchment area this has no impact on the assessment of the nature of the proposed development as it is a householder application.

The application site is accessed off by Church Lane which is accessed from High Street. Church Lane is a right of way footpath with reference: AMES19. It is not a classified or unclassified road.

The site is located adjacent to the access on the north and is bordered by residential dwellings on the east and west with the River Avon on the south.

PLANNING HISTORY

Proposal / Summary
13/01357/FUL - Full planning permission Decision - Approve with Conditions Date: 16/8/2013 – Retrospective application for the change of use and extension of garage to create geranny annex, ancillary to main dwelling
S/81/0706 - Historic apps 1974 to 1983 Decision - Approve Date: 3/7/1981 – Extension to bathroom

RELEVANT POLICIES AND GUIDANCE

Wiltshire Core Strategy:

- Core Policy 1: Settlement Strategy
- Core Policy 2: Delivery Strategy
- Core Policy 4: Spatial Strategy: Amesbury Community Area
- Core Policy 50: Biodiversity and Geodiversity
- Core Policy 57: Ensuring High Quality Design and Place Shaping
- Core Policy 69: Protection of the River Avon SAC

Wiltshire Design Guide: Appendix D – Design Guidance for Householder extensions

The National Planning Policy Framework (NPPF)

The Planning Practice Guidance

National Design Guide

Wiltshire Local Transport Plan 2011-2026 - Car Parking Strategy

CONSULTATION RESPONSES

Amesbury Town Council: Support.

Rights of Way: None received.

Highways: No Objection.

REPRESENTATIONS

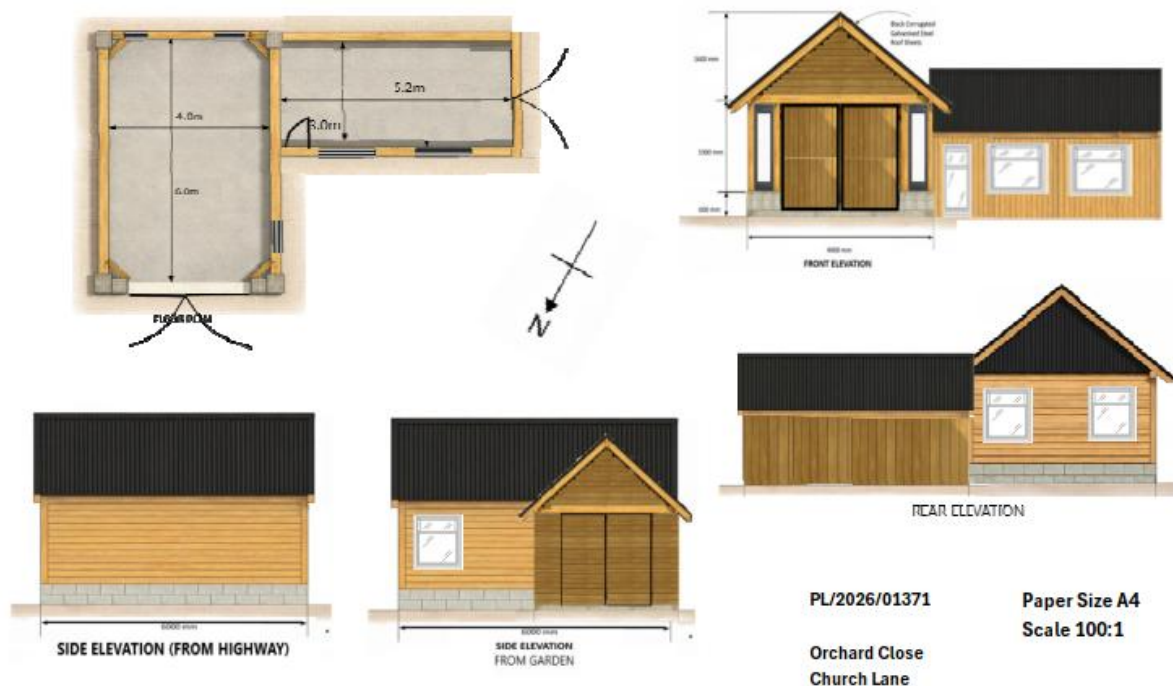
One comment of objection was received from the neighbouring dwelling. They are concerned about a carport having a high-pitched roof and proposed that a flat roof would suffice. They have also noted that the windows at the end elevation evade their privacy.

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.



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.

This application is a part retrospective application for the construction of a single storey garage building attached to an existing single storey store. The existing store and the partially erected garage associated with this application form an L shaped massing located to the front of the associated host dwelling. While not completed, the garage has already been erected on site. The garage measures approximately 4 metres in width and 6 metres in length. The garage has a block plinth with horizontal timbers over this. The massing is a pitched roof with metal

cladding. The garage has windows on the side elevation (south) which faces the residential garden. There are no windows facing the highway (north). On the west elevation are double doors and two side windows on either side of these doors. On the east elevation are two windows which faces the neighbouring dwelling.

Church Lane is characterised by single storey bungalows with two storey dwellings located on the entrance and western side of Church Lane. Looking down Church Lane from the west, the garage is hidden behind existing mature hedges. Looking down Church Lane from the east, the garage is located adjacent to the hedge, boundary wall and rights of way access road and is in a prominent location. The neighbouring dwelling, no. 1, has an existing double detached garage with horizontal timber cladding. However, the garage associated with this application site however is more prominent and taller than the neighbour's garage. From the east perspective, the garage appears to not be subservient to the host dwelling. However, from the west perspective, the garage is hidden behind the hedges and lies set back from the associated host dwelling. However, while the garage has a prominent position from the eastern view, this is not enough to warrant a refusal on these grounds as the eastern view is from within the access track.

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.

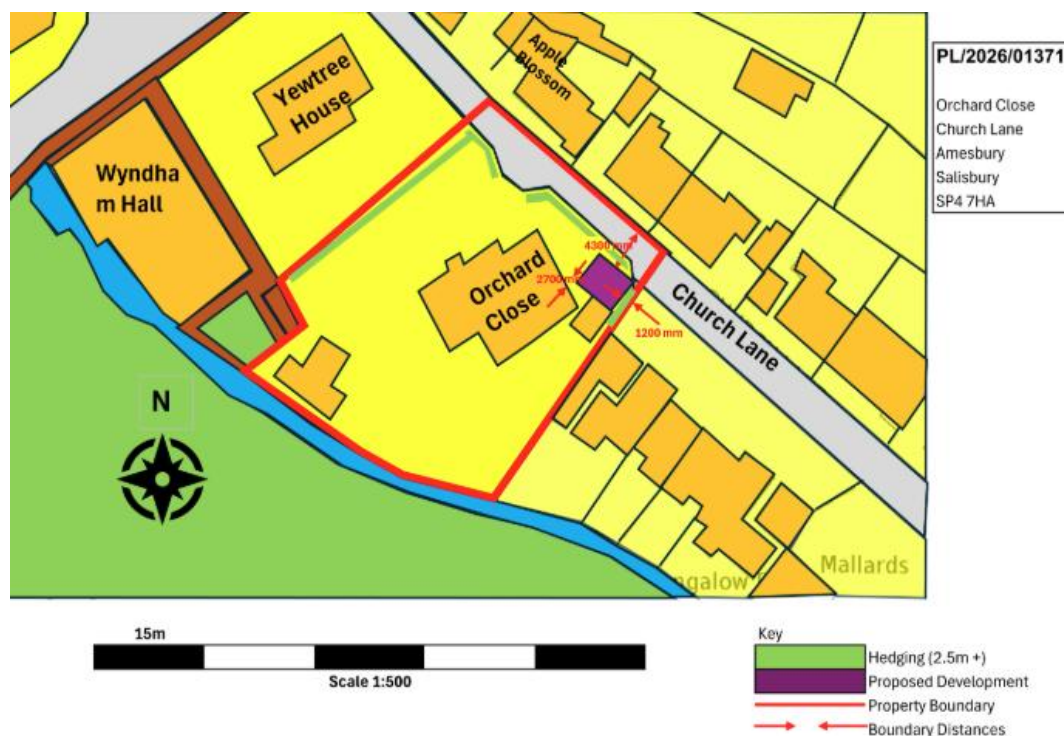
The National Planning Policy Framework (NPPF), particularly Paragraph 135(f), stresses that planning decisions should ensure developments provide a high standard of amenity for existing and future users.

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.

The application site is bordered by residential dwellings on the north and south with residential dwellings across the access road on the east. In terms of overshadowing, the location of the garage being on the southeast corner of the application site lies adjacent to the neighbouring residential dwelling no.1. With the sun path going from east to west, it is not considered that the garage will overshadow the neighbouring dwellings substantially enough.

With regards to overbearing impacts, the garage has been constructed adjacent to the edge of the boundary of the application site, this is therefore a prominent location. The eaves height of the garage is higher than the eaves of the neighbouring bungalows which in turn creates a higher level of height and overbearing to the dwellings. However, in this instance, this is not considered to warrant a refusal on the grounds of overbearing as the garage is not directly adjacent to habitable areas of the neighbouring dwellings being that the closest neighbouring dwelling on the north is across the access track and the closest neighbouring dwelling on the south has a double garage and driveway directly adjacent to the garage.

In terms of the privacy impact of the garage, the main concern are the two windows on the east elevation which faces the driveway of the neighbouring dwelling. The neighbouring dwelling has objected to the application on the grounds of potential overlooking from these windows as it is located adjacent to the neighbouring dwelling. There is an existing hedge along the northeastern (which faces the access road) and southeastern boundary which faces the neighbouring dwelling's driveway. At the time of site visit, the hedge along the northeastern boundary was a mature hedge, whereas part of the southeastern boundary has gaps. The applicant is proposing to plant a hedge along this boundary to create a level of screening between the application site and neighbouring dwelling. The windows on this elevation faces the driveway and double garage of the neighbouring dwelling. The windows obliquely face the driveway, double garage and the windows on the front elevation. The overlooked area is not enclosed or private, this area is visible from the access track. As such, it is considered that this is not enough to warrant a refusal on these grounds. However as these windows are close proximity to the boundary, a condition to obscure glaze these windows within 3 months of receiving planning permission has been included in the recommendation.



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.



This application does not propose any changes to the existing access to the site from the highway, Church Street, nor the existing access through the rights of way footpath, Church Lane. The highways officer had initial concerns regarding this application as the plans and elevations did not reflect what was already partially completed on site. There was also concern regarding a hedge adjacent to the neighbouring drive which may impede on the neighbour's visibility (no.1).

The applicant submitted revised plans and elevations reflecting the partially completed garage. The case officer also attended site to verify that the plans would match what was constructed. With regards to visibility, the application site has an existing hedge in this location and has had a hedge in this location for a number of years. The highways officer has no objections to the application on highways grounds provided that the garage is for the use as a garage. A condition to this extent has been included in the recommendation.

As such, the development complies with Core Policy 50 of the Wiltshire Core Strategy and the relevant provisions of the NPPF.

Rights of Way

The application site is accessed of a rights of way footpath with reference AMES19. However, while this road is described as a rights of way footpath, there are approximately 15 dwellings along Church Lane which use this as their vehicular access. This application does not propose to impede on the use and access of this rights of way footpath, the garage is located behind an existing boundary wall which allows for continued vehicular access along Church Lane. The application does not propose to introduce access to the rights of way footpath as vehicular access along this footpath appears to be well established. The rights of way officer was consulted on this application however no consultation response has been received.

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

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, heritage, 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:

Location Plan Received: 14 May 2026

Proposed Block Plan Received: 14 May 2026

Proposed Plans and Elevations Received: 30 June 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 garage hereby permitted should only be used for purposes incidental to the residential use of the main dwelling, known as Orchard Close, Church Lane, Amesbury, Salisbury, SP4 7HA and it shall remain within the same planning unit as the main dwelling.

REASON: The garage 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 unit or habitable accommodation. The use of the building for incidental use to the main dwelling complies with the NPPF and Wiltshire Core Strategy and ensures the development is nutrient neutral.

5. Within 3 months of the date of this permission, the existing clear glazed windows on the southeastern side elevation shall be obscure glazed only [to an obscurity level of no less than level 5] and the windows shall be maintained with obscure glazing for the lifetime of the development.

REASON: In the interests of residential amenity and privacy.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re- enacting or amending that Order with or without modification), no windows, doors or other form of openings other than those shown on the approved plans ref: Proposed Plans and Elevations Received: 30 June 2026 shall be inserted in the southeastern and northeastern boundary of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.