

DELEGATED REPORT

APPLICATION REFERENCE:	PL/2026/05383
APPLICATION TYPE:	Householder planning permission
SITE ADDRESS:	30 Lynchets Road, Amesbury, Salisbury, SP4 7JA
DEVELOPMENT DESCRIPTION:	Retrospective Detached Garage
RECOMMENDATION:	That Planning Permission be REFUSED

SITE DESCRIPTION/CONTEXT

The application site is a semi-detached, two storey dwellinghouse within a corner plot on Lynchets Road, within the southwest of Amesbury. It lies within the settlement boundary of Amesbury which is defined as a Market Town by Wiltshire Core Strategy (WCS) policies CP1, CP2 and CP4. The application site is adjacent to residential dwellings to the east and west with the highway on the south. To the north of the application site is a private access road which leads to the back gardens and garages of the surrounding dwellings. South of the highway is a parcel of scrub/ woodland which provides some screening from the A345 beyond.

The site is located in Flood Zone 1 and not at risk of groundwater or surface water flooding according to the Strategic Flood Risk Assessment. The application site is situated within the Hampshire River Avon Catchment area, however this has no implication on the nature of this application.

The site has been the subject of planning and enforcement activity, details of which are set out below.

PROPOSAL

The proposal seeks retrospective planning permission for a two-storey detached garage.

PLANNING HISTORY

Proposal / Summary
PL/2024/03758 - 30 Lynchets Road, Amesbury, Salisbury, SP4 7JA - Householder planning permission Decision - Approve with Conditions Date: 11/6/2024 – Two storey rear and single storey side extensions with detached garage
PL/2025/09474 - 30 Lynchets Road, Amesbury, Salisbury , SP4 7JA - Householder planning permission Decision - Refuse Date: 22/1/2026 – Retrospective application for erection of two storey detached garage and games room not in accordance with original application ref. PL/2024/03758
ENF/2025/00615 - Development contrary to plans for PL/2024/03758 - 30 Lynchets Road, Amesbury SP4 7JA – Retrospective Detached Garage

ENFORCEMENT HISTORY

An Enforcement Notice was issued under section 172 of the Town and Country Planning Act 1990 on 24th February 2026.

THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL

Without planning permission, operational development comprising the erection of a building in the approximate location marked blue on the Notice Plan.

REASONS FOR ISSUING THIS NOTICE

a) It appears to the Council that the above breach of planning control has occurred within the last ten years.

b) The development, by reason of its scale, form, siting and design results in a form of development that fails to respond positively to the character, context and distinctiveness of the host dwelling and its setting. The development appears visually incongruous, overly dominant, poorly proportioned and unsympathetic to the character of the area and detracts from the visual amenity of the surrounding area. As such, the development is contrary to Core Policy 57 (i and iii) of the Wiltshire Core Strategy (2015), the design principles set out in Appendix D of the Wiltshire Design Guide SPD, and paragraphs 131 and 135 of the National Planning Policy Framework, which collectively seek to ensure high-quality design that respects local character and integrates appropriately with its surroundings.

c) The development, by reason of its scale, siting, design and features such as windows results in an unacceptable impact on the amenity of adjoining residential occupiers through overlooking, loss of privacy, loss of light and overbearing effect. The development therefore fails to protect the reasonable living conditions of neighbouring properties and is therefore contrary to Core Policy 57 (vii) of the Wiltshire Core Strategy (2015), the guidance contained within Appendix D of the Wiltshire Design Guide SPD, and paragraph 135(f) of the National Planning Policy Framework which requires developments to provide a high standard of amenity for existing and future users.

d) To remedy the breach of planning control.

e) The Council do not consider that planning permission should be given, because planning conditions could not overcome these objections to the development.

The notice took effect on 26th March 2026 and the notice was not appealed.

The notice remains extant with the time for compliance being within 6 months for the date the notice takes effect.

CONSULTATION RESPONSES

Highways: Comment:

I refer to the above retrospective planning application for a detached garage.

The proposed building is accessed off a rear track that is owned by Wiltshire Council and from viewing your site photos it looks as though the building has been built further forward than shown on the submitted drawings and may be encroaching onto Wiltshire Council owned land.

I note the submitted information removing some of the features that have been constructed to make it less dwelling like, however, it could still be easily used as residential with little internal changes.

When the single storey garage was applied for under PL/2024/03758, I was under the impression that it was to be accessed off Lychets Road and not from the rear and therefore assumed the driveway could accommodate the additional parking required to meet Wiltshire's current parking standards. It is now clear that this was not the intention, therefore I require a parking plan showing where the additional 2 parking spaces required for the property are to be located.

I therefore offer a holding objection and request the following:

- *A parking plan for the dwelling*
- *A plan showing the extent of the rear track which is owned by Wiltshire Council and the actual location of the building that has been constructed rather than the plan that has been submitted which is incorrect.*

Amesbury Town Council: None received.

REPRESENTATIONS

During the course of this application, no neighbour comments were received. However, the previous application with reference PL/2025/09474 for the retrospective outbuilding was as follows:

Representations received in relation to the previous retrospective application raised concerns including the two-storey building being out of character with the area, its residential appearance, potential encroachment onto the access road, interference with vehicular access, potential precedent and overshadowing of neighbouring properties. Three letters of objection were received, while the occupier of the adjoining semi-detached dwelling submitted a letter raising no objection.

These previous representations have been considered insofar as the matters raised remain material to the revised proposal.

The removal of the external entrance door, porch, dormer and all first-floor windows would reduce the residential appearance of the building and would address the concern regarding overlooking from first floor windows. The alterations therefore represent an improvement over the previously refused scheme in these respects.

However, the concerns relating to the two-storey scale, visual dominance, overshadowing and overbearing relationship with neighbouring properties remain relevant, as the height, scale, massing, footprint and position of the main building would remain substantially unchanged.

Concerns regarding land ownership and potential encroachment are civil matters rather than matters determinative of the planning merits of the proposal. Nevertheless, the physical relationship of the development with surrounding land and the access track is relevant where it gives rise to material planning consequences. The previous consultation response from the Council's Estates Team indicated that, provided the submitted plans were accurate, the development did not appear to encroach onto Council-owned land.

Concern regarding the establishment of a precedent has also been considered. However, each planning application must be determined on its individual merits having regard to the circumstances of the site and relevant planning policy.

Overall, while the revised scheme responds to some of the previous neighbour concerns, particularly those concerning overlooking and the dwelling-like detailing of the building, it does not overcome the fundamental objections relating to its two-storey scale, height, massing and resultant effects upon local character and neighbouring amenity.

RELEVANT POLICIES AND GUIDANCE

National Planning Policy Framework (NPPF)

Wiltshire Core Strategy (WCS)

Core Policy 1: Settlement Strategy

Core Policy 4: Spatial Strategy for the Amesbury Community Area

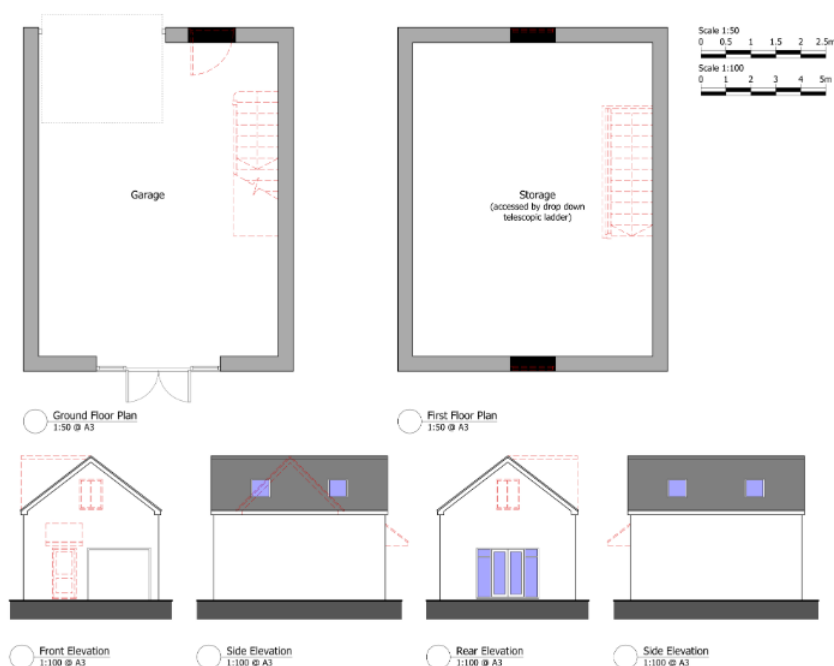
Core Policy 51: Landscape

Core Policy 57: Ensuring High-Quality Design and Place Shaping

Core Policy 69: Protection of the River Avon SAC

Wiltshire Design Guide

Wiltshire Local Transport Plan 2011-2026 - Car Parking Strategy





Enforcement photographs – 22 July 2025



Planning Officer (Site visit for refused householder application PL/2025/09474 photographs – 14 January 2026)

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 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 comprises a semi-detached two-storey dwelling occupying a corner plot on Lynchets Road. To the rear of the site is an access track serving the rear gardens and parking areas of surrounding residential properties. The surrounding area contains a number of outbuildings and garages within rear gardens, which are predominantly modest and single storey in their scale and appearance. Planning permission under reference PL/2024/03758 previously approved a single-storey detached garage at the application site.

However, during construction, after receiving complaints through enforcement, the outbuilding under construction appeared to not be in accordance with the approved plans. The applicant was asked to stop works and submit a planning application for the amended scheme. A planning application with reference PL/2025/09474 was submitted for the two-storey outbuilding. By January 2026, the outbuilding was almost completed. That application was refused on:

The scale, height, and massing of the building are incongruous with the prevailing character of the area, which is characterised by modest, single-storey ancillary structures. The size and two-storey nature of the building represent overdevelopment of the plot, exceeding what could reasonably be considered incidental or ancillary. There are no comparable two-storey outbuildings in the surrounding area, reinforcing the exceptional and unjustified nature of the proposal. It is considered that the proposal fails to respect the established pattern of development, resulting in a visually dominant and intrusive form that detracts from local character. The design, including residential-style doors, fenestration, gives the appearance of a self-contained dwelling, contrary to its description as a garage or games room.

The refusal of application PL/2025/09474 was not appealed.

The current application seeks retrospective permission for the two-storey building to be retained, subject to alterations intended to reduce its residential appearance. These alterations include the removal of the external entrance door and porch, together with the removal of the dormer and all first-floor windows. These amendments are acknowledged and would simplify the appearance of the building and remove a number of features which previously contributed to its residential character.

However, the proposed alterations would not materially alter the overall scale, height, massing or two-storey form of the building. The building would continue to have a substantially greater scale and mass than the single-storey outbuildings and garages that characterise the surrounding rear garden environment. In particular, the bulk and form of the structure would remain largely as constructed.

An Enforcement Notice was issued on 24 February 2026 and took effect on 26 March 2026. The Notice identifies the scale, form, siting and design of the building as resulting in development which fails to respond positively to the character, context and distinctiveness of the host dwelling and its setting, being visually incongruous, overly dominant, poorly proportioned and unsympathetic to the character of the area. The Notice was not appealed.

There is significant overlap between the development subject of the Enforcement Notice and the development now proposed to be retained. Whilst the removal of the porch, external entrance door, dormer and first-floor windows would address some of the detailed design characteristics of the building, these alterations do not address the concern arising from its overall two-storey scale, height, massing and resulting visual prominence within a rear garden setting characterised by single-storey buildings.

Accordingly, the revised proposal would remain visually dominant and out of keeping with the established pattern and character of ancillary development within the locality. The amendments are therefore not considered sufficient to overcome the previously identified harm arising from the scale, form and design of the building.

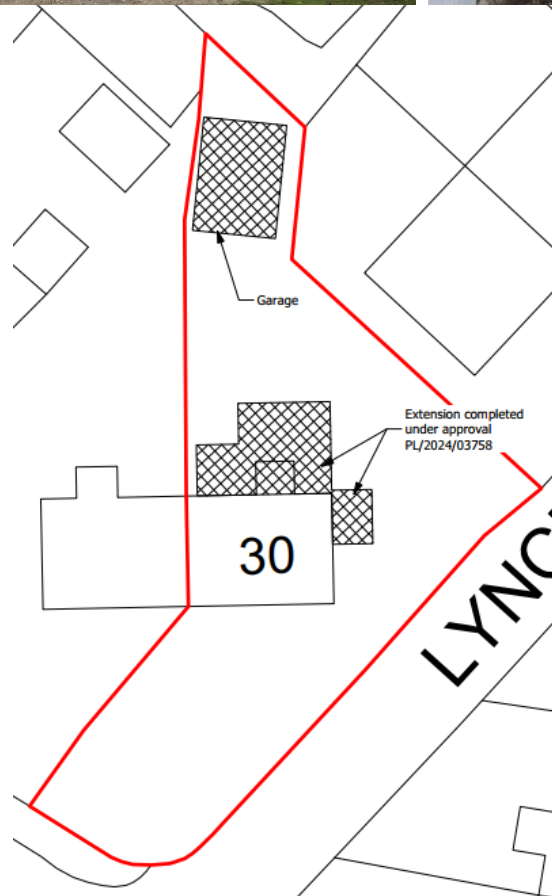
The proposal would consequently fail to respond positively to the character and context of the site and surrounding area and would conflict with Core Policy 57 of the Wiltshire Core Strategy, Appendix D of the Wiltshire Design Guide and the relevant provisions of the National Planning Policy Framework.

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 previous application raised amenity concerns arising from the height, scale and proximity of the two-storey building to surrounding residential properties. Particular concerns related to its relationship with the neighbouring bungalow properties to the east, with the previous assessment identifying the building as approximately 6 metres in height, approximately 5.8 metres from the neighbouring bungalow and less than 2 metres from the boundary. The Enforcement Notice similarly identifies the scale, siting, design and windows of the development as adversely affecting adjoining residential occupiers.

Loss of Privacy

A material difference between the previously refused development and the current proposal is the proposed removal of all first-floor windows and the dormer.

The previous application included first-floor windows which resulted in views towards neighbouring properties and their private amenity areas. In particular, the previous assessment identified additional overlooking from the first-floor rear-facing window towards the garden and rear windows of No. 155.

As all first-floor windows and the dormer would now be removed, there would no longer be opportunities for direct overlooking from first-floor accommodation. Subject to an appropriately worded condition requiring these alterations to be undertaken within a specified period and preventing the subsequent insertion of first-floor windows without express planning permission, the revised development would satisfactorily address the previous concern regarding overlooking and loss of privacy.

Loss of Light / Overshadowing

The amendments would, however, have limited effect upon the physical envelope of the building. With the exception of the removal of the dormer, the two-storey height, scale, massing and siting of the building would remain substantially unchanged.

The previous assessment identified concerns regarding the building's proximity to the neighbouring bungalow properties and its effect upon their relatively modest gardens, including potential overshadowing and loss of light.

Removal of windows, the entrance door and porch would not in itself materially reduce overshadowing generated by the main two-storey structure. Whilst removal of the dormer would provide some reduction in built form, this would not overcome the impact arising from the overall height and massing of the building.

Accordingly, the revisions are not considered sufficient to overcome the previously identified concerns regarding the effect of the scale and massing of the building upon the outlook, daylight and enjoyment of neighbouring residential amenity areas.

Overbearing Impact

The proposed removal of the dormer and other residential features is acknowledged. Nevertheless, the two-storey structure would remain.

The previously identified relationship with the neighbouring bungalow properties would therefore be substantially unchanged. Given the contrast in scale between the approximately 6-metre-high outbuilding and the neighbouring single-storey dwellings, together with its proximity to the shared boundaries and neighbouring amenity areas, the development would continue to have a visually imposing presence from adjoining properties.

Consequently, whilst the revised proposal would satisfactorily address the specific privacy concerns arising from the first-floor windows, it would not overcome the amenity concerns arising from the fundamental scale, height, massing and siting of the two-storey building, including its overbearing effect and impact upon neighbouring outlook and light.

On balance, the revised proposal would therefore continue to conflict with Core Policy 57(vii) of the Wiltshire Core Strategy and Appendix D of the Wiltshire Design Guide in respect of neighbouring residential amenity.





Highways Impact

Core Policies 61 and 64 of the Wiltshire Core Strategy seek to ensure that development can be safely served from the highway network and that appropriate parking provision is provided.

The Highway Authority has raised a holding objection to the application. The Highway Officer notes that the building is accessed from a rear track owned by Wiltshire Council and, having regard to the submitted information and site photographs, considers that the building may have been constructed further forward than indicated on the submitted plans, with potential encroachment onto Council-owned land. The Highway Officer has therefore requested a plan accurately showing the extent of the Council-owned rear track and the actual position of the building as constructed.

The Highway Officer has also raised concerns regarding parking provision for the host dwelling. It is noted that when planning permission was granted for the previously approved single-storey garage under reference PL/2024/03758, it had been understood that access would be obtained from Lynchets Road and that the existing driveway would be capable of accommodating the additional parking required to meet the Council's parking standards. As it is now apparent that access to the constructed building is instead taken from the rear track, the Highway Authority has requested a parking plan demonstrating the provision of the additional two parking spaces required for the host dwelling. However, no condition nor were there any plans which showed parking provision for the application site within the application with reference: PL/2024/03758. Therefore, as this application is only regarding the retention of the retrospective outbuilding, parking provision could not be considered as part of the assessment.

Nonetheless, the current application is considered unacceptable for separate and substantive planning reasons relating to the scale, height, massing and design of the two-storey outbuilding and its resultant impact upon the character and appearance of the area and neighbouring residential amenity. The application is therefore recommended for refusal.

In these circumstances, it is not considered necessary or proportionate to seek further information from the applicant to resolve the Highway Authority's holding objection prior to determination of the application. In particular, whilst there is uncertainty as to whether the submitted site/block plan accurately represents the position of the building relative to the Council-owned rear track, resolving this matter would not overcome the fundamental planning objections to retaining the building in its current form and location.

Similarly, submission of a revised parking plan demonstrating compliance with the Council's parking standards would not address or overcome the identified design and residential amenity harm. Accordingly, the Highway Authority's holding objection remains noted and unresolved, but does not form a separate reason for refusal in this instance.

Should an acceptable alternative development subsequently be pursued, the relationship of any development with the Council-owned rear track and the accuracy of the submitted plans would need to be satisfactorily demonstrated as part of any future planning application.



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 amendments represent an improvement over the previously refused scheme. In particular, removal of the dormer, first-floor windows, external entrance door and porch would simplify the appearance of the building, reduce its residential character and satisfactorily address the specific concern regarding overlooking from first-floor windows.

However, those alterations do not fundamentally change the nature of the development. The building would remain two storeys in height and its principal scale, bulk, massing, siting and relationship with neighbouring properties would remain substantially as constructed.

There is therefore significant overlap between the development now proposed to be retained and the matters identified in the extant Enforcement Notice. The amendments do not overcome the fundamental harm identified in respect of the building's visual dominance and incongruous scale, nor its overbearing relationship and impact upon the outlook and amenity of neighbouring properties.

Accordingly, the revised proposal remains unacceptable in respect of design, character and residential amenity, notwithstanding the improvements resulting from the removal of residential features, and planning permission should be refused.

The proposed development, by reason of the identified harm, is considered to conflict with the aims and objectives of the Wiltshire Core Strategy and the National Planning Policy Framework. The proposal fails to demonstrate compliance with the relevant policies and guidance, and no overriding material considerations have been identified that would justify a departure from the development plan.

Accordingly, the application is recommended for refusal.

RECOMMENDATION: That Planning Permission be REFUSED.

1. The proposed development, by reason of its two-storey scale, height, form, massing and siting, would result in a visually incongruous, overly dominant and poorly proportioned form of ancillary development which fails to respond positively to the character, context and distinctiveness of the host dwelling and surrounding area. Whilst the proposed removal of the dormer, external entrance door, porch and first-floor windows would reduce the residential appearance of the building, these alterations would not overcome the fundamental harm arising from its overall scale, bulk and two-storey form. The proposal would therefore detract from the character and visual amenity of the surrounding area, contrary to Core Policy 57 of the Wiltshire Core Strategy, Appendix D of the Wiltshire Design Guide and the relevant provisions of the National Planning Policy Framework.
2. The proposed development, by reason of its two-storey scale, height, massing, siting and proximity to neighbouring residential properties and their private amenity areas, would result in an unacceptable overbearing impact and adverse effect upon neighbouring outlook and residential amenity. Whilst the removal of all first-floor windows and the dormer would address the previously identified overlooking concerns,

these alterations would not adequately mitigate the effects arising from the overall scale and massing of the building. The proposal would therefore fail to safeguard the reasonable living conditions of neighbouring occupiers, contrary to Core Policy 57(vii) of the Wiltshire Core Strategy, Appendix D of the Wiltshire Design Guide and the relevant provisions of the National Planning Policy Framework.