

APPLICATION FOR HOUSEHOLDER PLANNING PERMISSION DELEGATED REPORT

APPLICATION REFERENCE:	PL/2026/02523
APPLICATION TYPE:	Householder planning permission
SITE ADDRESS:	Holmleigh, Middle Lane, Cherhill, Calne, SN11 8XX
DEVELOPMENT DESCRIPTION:	Application for new free standing timber cabin/annexe and retrospective addition of French doors
RECOMMENDATION:	That Planning Permission be GRANTED

PROPOSAL

The proposal seeks retrospective planning permission for the removal of chimney breast and stack, removal of some internal walls, replacement of old double glazing windows and the addition of French doors All of this work has been completed.

Permission is also sought for a free standing timber cabin/ granny annexe (including a loo) in the garden. Service pipes have been trenched but not connected. The proposal is submitted as a caravan, a document has been submitted which confirms that the proposed building satisfies the requirements of the Caravan Act 1968.

It is noted that a pre-application advice request was submitted ahead of this application which was broadly positive.

SITE DESCRIPTION/CONTEXT

The site is a three bedroomed detached bungalow located in the village of Cherhill. It has cream rendered walls under a concrete tile roof and white upvc windows. It is unusually sited in that it has roads to three sides – Middle Lane to the south, The Street to the north, and a short road running between the two, which is the length of Holmleigh's garden. The plot measures approximately 16m across by 38m long.

Vehicular access is off Middle Lane. Boundaries to the three road sides consist of mature evergreen hedge. The dwelling sits a little higher than the highways around it, but the hedge still provides good levels of screening and privacy.

The application site is subject to the following planning policy constraints:

- Cherhill Conservation Area
- Cotswold National Landscape

PLANNING HISTORY

None relevant to this application

RELEVANT POLICIES AND GUIDANCE

Wiltshire Core Strategy:

- Core Policy 57 Ensuring High Quality Design and Place Shaping
- Core Policy 51: Landscape
- Core Policy 58: Ensuring the Conservation of the Historic Environment

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

The National Planning Policy Framework (NPPF)

The Planning Practice Guidance

CONSULTATION RESPONSES

Cherhill Parish Council: Objects

“Cherhill Parish Council does not object to the retrospective parts of the application, which relate to alterations already carried out to the existing bungalow. Its objection is limited to the proposed free-standing cabin/granny annexe and associated works.

The proposal is located in Area 1, The Street, of the Cherhill Conservation Area. The Cherhill Conservation Area Statement describes the area as having a mix of older properties and later infill, historically characterised by low-density development and large plots. It specifically records that private gardens and publicly visible large plots make an important contribution to the sense of space and townscape character of the Conservation Area.

In the Parish Council's view, the proposed 8m x 5.4m x approximately 3m structure would materially increase the built density of the plot and diminish the spacious garden setting that contributes to the character of this part of the Conservation Area. This is because of its substantial footprint, scale and siting within the garden, together with the elevated and publicly visible nature of the site. The Conservation Area Statement (pages 28 and 29) itself identifies the harmful effect of conspicuous development on elevated sites within The Street, and emphasises the importance of appropriate siting, screening, plot relationships and design that responds to traditional village character.

The Parish Council therefore considers that the proposal would fail to preserve the character and appearance of the Cherhill Conservation Area and would conflict with the statutory duty under section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, with policies DP3, HE4, HE5, HE6 and HE9 of the National Planning Policy Framework.”

REPRESENTATIONS

No representations have been

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

The principle of providing, extending and altering facilities associated with existing residential accommodation is considered acceptable and in accordance with policy CP1 of the adopted Wiltshire Core Strategy, subject to assessment of site-specific impacts, related policy considerations and compliance with the other policies contained within the development plan and the guidance and provisions as contained within the National Planning Policy Framework.

Principle of an annexe

There are often concerns surrounding applications for annexes, that they might be used as separate units of accommodation. The planning inspectorate suggests the following questions are helpful when determining applications for annexes, and should you choose to submit a planning application for an annexe it would be assessed as follows:

- Would occupants live as part of the household in the main house? (in which case the use would be ancillary)
- Would the annex share any facilities with the main house (eg access for drivers and pedestrians, parking, garden, services/utilities)
- How would it compare in size to the main house (smaller or not)?
- What facilities would it contain (e.g. kitchen, bathroom, living space, bedrooms)?
- How close would it be to the main house (near or far)?

From the information provided it would appear that it would be used by the applicant's parents. Access/parking and the garden would be shared with Holmleigh. It would be sited close to the host dwelling and would be smaller in size. On this basis the principle of the annexe would be acceptable.

Any successful application would be subject to conditions, ensuring the annexe does not become a separate planning unit in the future.

As such the principle is acceptable.

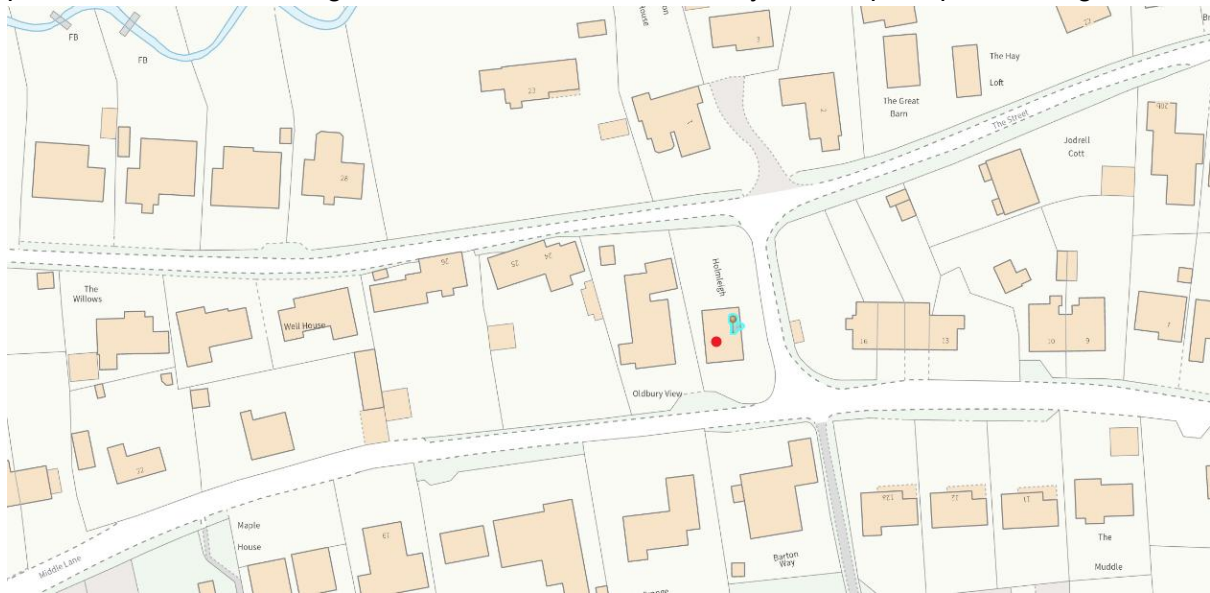
Heritage Impact

Section 72(1) of the same Act requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

Core Policy 58 of the Wiltshire Core Strategy seeks to conserve and, where appropriate, enhance the significance of designated and non-designated heritage assets and their settings. Core Policy 57 requires development to respond positively to local character and historic context through high quality design.

Policies HE4-HE10 of the National Planning Policy Framework recognise heritage assets as an irreplaceable resource and require proposals affecting heritage assets to be assessed having regard to their significance and the contribution made by their setting.

The concerns raised by Cherhill Parish Council regarding the potential impact of the proposed annexe on the character and appearance of the Cherhill Conservation Area are noted. The Council acknowledges that the Conservation Area Statement identifies the contribution that generous plots and areas of openness make to the character of this part of the village. However, the immediate locality is not characterised by undeveloped garden land alone. As illustrated by the surrounding pattern of development (see plan below, site indicated with red dot), a number of neighbouring properties contain detached garages, outbuildings and ancillary structures within their curtilages, reflecting an established pattern whereby residential plots accommodate a degree of subordinate built form beyond the principal dwelling.



The application site itself comprises a substantial residential plot and the proposed annexe would be located to the north of the existing bungalow, remaining visually and functionally associated with the host dwelling. Whilst the proposal would introduce additional built form within the garden, it would not result in the subdivision of the plot, the creation of a separate planning unit, or the loss of the spacious character that is evident within the surrounding area. Significant areas of open garden would remain and the proposal would continue to be read as a domestic ancillary structure within an established residential curtilage.

Furthermore, the proposed annexe has been demonstrated to meet the definition of a caravan under the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968. As such, a similar structure could potentially be stationed within the curtilage without requiring express planning permission. Whilst this fallback position does not remove the requirement to assess the proposal on its planning merits, it is a material consideration that attracts significant weight.

Having regard to the scale, siting and appearance of the proposal, together with the established pattern of development within the locality, it is not considered that the development would result in harm to the character or appearance of the Cherhill Conservation Area. The

proposal is therefore considered to preserve the significance of the designated heritage asset and accords with the relevant heritage policies of the Development Plan and the NPPF.

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.

Policies DP3 and DP4 of the National Planning Policy Framework require development to achieve a high standard of design that responds positively to local character and context. In assessing design quality, regard should be had to matters including scale, siting, form, appearance, materials and the relationship of development to its surroundings.

The alterations to the main dwelling in this instance are typical of residential properties and the resulting scale and design does not suggest that the main dwelling or wider plot is being overdevelopment. In terms of design the appearance is considered to be an acceptable addition.

The proposed annexe is a noticeable addition, however, in this instance it is located on a large plot and its close relationship with the main dwelling does not suggest that the wider plot is being overdeveloped. The design and construction of the annexe is again typical of an ancillary structure and is an appropriate form and design.

Whilst the site is elevated above road level the mature hedging to most of the boundary of the dwelling ensures the annexe would not be prominently visible from outside of the site as shown by the photos below:





Whilst it is accepted that the hedges could be removed, it is also likely that the applicant would wish to maintain a degree of privacy.

Having regard to the above, the proposal complies with the design principles set out in Core Policy 57 of the Wiltshire Core Strategy, Appendix D of the Wiltshire Design Guide and the NPPF.

Amenity

Core Policy 57 (Point vii) of the Wiltshire Core Strategy requires development to respect the amenity of existing occupants and ensure appropriate amenity levels for future residents.

Policies DP3-DP4 of the NPPF seek to secure high quality places that promote health, wellbeing and inclusive communities.

Policy L2d(ii) of the NPPF requires development to maintain safe access and egress for occupiers and users, and acceptable living standards for residents and neighbours in terms of access to daylight, sunlight, privacy and external amenity space

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.

Due to the limited nature of the alterations to the drive way and main dwelling within the plot, it is not considered that the alterations/additions would result in an unacceptable level of overlooking, lack of privacy or overbearing impacts.

The proposed annexe in this instance is clearly related to the main dwelling, due to the location and form of the proposed annexe it is considered that the proposal would not result in an unacceptable amenity impact in terms of overlooking, loss of privacy, light or overbearing impact.

A condition will be attached to any subsequent application tying the use of the annexe to the main dwelling and to be in the same planning unit.

The proposal therefore accords with Core Policy 57 point vii in respect of safeguarding residential amenity, Appendix D of the Wiltshire Design Guide and the NPPF.

National Landscape

Core Policy 51 of the Wiltshire Core Strategy requires all development to protect, conserve, and where possible enhance the character and quality of Wiltshire's landscapes, giving particular weight to designated areas such as National Landscapes.

Policy N4 of the NPPF affords significant protection to Protected Landscapes, including National Landscapes. Development proposals within or affecting a National Landscape should conserve and enhance natural beauty and the special qualities of the designated area and avoid unacceptable harm to its landscape character and scenic quality.

Due to the location of the proposal within the built area of Cherhill and the modest nature of the totality of the proposal, it is considered that the proposal would be viewed as part of a built up context and would not result in a detrimental impact upon the character or special qualities of the North Wessex National Landscape.

The proposal, by virtue of its scale, siting, and design, would not harm the special qualities or scenic character of the North Wessex National Landscape. Appropriate mitigation (if required) ensures that any localised impacts are minimised.

The development therefore complies with Core Policy 51 of the Wiltshire Core Strategy and Policy N4 of the NPPF in conserving and enhancing the National Landscape.

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.

Highways

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 transport policies of the NPPF seek to ensure that development provides safe and suitable access for all users and that any impacts on highway safety are appropriately considered.

As identified within the pre-app response, three parking spaces have been identified within the curtilage of the site, in submitted additional information which satisfies the requirements of the Wiltshire Parking Strategy. Additional photographs have been submitted which shows the parking arrangement which is considered to be acceptable.

It is noted that a small boundary wall has been removed and the parking area has been gravelled. Whilst the removal of the boundary wall has resulted in the access being wider than it was previously, the removal of the low wall does not require planning permission. It is also noted that the road is a narrow 20mph road, which will have a correspondingly lower speed of travel. As such the access remains acceptable.

The proposed development would not result in any adverse impact on highway safety and 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.

Public Sector Equality Duty (PSED)

In reaching this decision, due regard has been had to the Public Sector Equality Duty under Section 149 of the Equality Act 2010. This requires the Local Planning Authority to have regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between persons who share a protected characteristic and those who do not.

The Local Planning Authority is satisfied that the proposal would not result in any unlawful discrimination and that any impacts on protected groups have been appropriately considered as part of this assessment.

CONCLUSION

The proposed development is considered to be acceptable in terms of its design, character and appearance, and would not result in any unacceptable harm to the amenities of neighbouring occupiers.

Furthermore, the proposal would not result in any unacceptable impacts in respect of any other material planning considerations.

The proposal is therefore considered to comply with the relevant policies of the Wiltshire Core Strategy, the National Planning Policy Framework and all other relevant material considerations. As such, the application is recommended for approval, subject to conditions.

RECOMMENDATION: That Planning Permission be GRANTED subject to conditions.

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.

The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Plan (4 Aug 2026)

Location Plan (21 Jul 2026)

Pre-Existing House Floor Plan (30 Jun 2026)

Proposed House Floor Plan (12 Jun 2026)

Proposed Cabin Floor Plan (13 May 2026)
Proposed Cabin Front Elevation (13 May 2026)
Proposed Cabin Rear Elevation (13 May 2026)
Proposed Cabin Side Elevation (13 May 2026)
Proposed Cabin Side Elevation 2 (13 May 2026)
Certificate of Legal Conformity (13 May 2026)

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

The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those detailed on the approved drawings and application form.

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

The annexe hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling, known as Holmleigh and it shall remain within the same planning unit as the main dwelling.

REASON: The additional accommodation 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 dwelling.