PLANNING, DESIGN & ACCESS STATEMENT

On behalf of:	Carty Building Contractors Ltd.
Site:	Upavon Forge, Jarvis Street, Upavon, Wiltshire, SN9 6DU
Proposal:	Demolition of existing buildings; erection of 2no. semi-detached and 2no. detached dwellings; associated parking and turning space and landscaping

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Contents

Page

Contents 2

1. Introduction 3

2. Site Description and Context 4

3. Planning History and Current Status 7

4. Proposed Development 8

5. Planning Policy Context 9

6. Planning, Design & Access Statement 12

7. Conclusion 17

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NOTICE

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1. Introduction

1.1 This Planning, Design & Access Statement has been prepared by Fowler Architecture and Planning Ltd. on behalf of Carty Building Contractors Ltd. in support of the submission of a Full Planning Application for: 'Demolition of existing buildings; erection of 2no. semi-detached and 2no. detached dwellings; associated parking and turning space and landscaping' at Upavon Forge. Jarvis Street, Upavon.

1.2 As the application site falls within a designated area and proposes new residential development, this Design & Access Statement forms a formal part of this application submission and sets out an appraisal of the planning and design issues raised in order to demonstrate the acceptability of the application proposal.

1.3 Section 2 of this Statement describes the site and after setting out the planning history (Section 3), Section 4 moves on to explain the proposed development; Section 5 sets out the relevant planning policy and Section 6 then sets out an appraisal of the planning, design and access issues raised by this application proposal.

2. Site Description and Context

The Application Site

2.1 The site is situated to the immediate north of Jarvis Street, a residential street which runs west of High Street towards the northern edge of Upavon. The site thus fronts Jarvis Street to the south; to the north, east and west it is bound by residential development. To the north is no.24 Jarvis Street ('Kenya Cottage') which takes its access from Jarvis Street through the site. Beyond Kenya Cottage to the north is open agricultural land, with a Public Right of Way running along that boundary. To the east is no.4 Jarvis Street ('Burnham House') and to the west no.10 Jarvis Street.

2.2 The site is currently occupied by 6no. storage buildings of various forms, scale and design, plus a small brick building (at the access to Kenya Cottage). All of these are in various states of repair and use – see images below. There is a distinct change in levels on the site, which is set above Jarvis Street, the site generally dropping from north to south, most noticeable at the access point.



Photo1: Access onto Jarvis Street / storage building



Photo2: Storage building to north-east corner





Photos 3 & 4: Access to Kenya Cottage (through east of site) showing the small brick building




Photos 5 & 6: Buildings along western boundary of site (looking north)




Photos 7 & 8: Buildings along western boundary of site (looking south)



Photo9: The rise in levels at the access



Photo10: Rear view of site frontage



Photo11: View east towards High Street



Photo12: View west towards Chapel Lane

Site Context

2.3 As noted above, the site falls within a well-established residential area. Falling within the designated Conservation Area, the immediate area presents a varied and interesting streetscene, with a mix of scales, forms and design of dwelling.

2.4 There is no particular consistency of appearance: with a mix of red-brick, render, thatch and tile roofs, although the general impression is one of relatively tightly-knit detached dwellings set within their own plot, with ridge lines running parallel to the road, with many dwellings immediately fronting the road.

Site Constraints

2.5 The site is situated within the Upavon Conservation Area and also falls with a 'Special Landscape Area' but is not known to be within any other designated area or subject to any other specific constraints. There are no listed buildings within close proximity of the site, the nearest being Gisburn House (no.13) which is on the opposite side of Jarvis Street several doors down to the east.

3. Planning History and Current Status

3.1 A review of the Council's on-line record of planning applications reveals the site has

- **PL/2022/08087:** 10 Ash trees – Removal of identified trees which are suffering Ash Die-Back and/or affecting adjacent buildings
  No objections, 25/11/2022
- **K/78/0793:** Use of buildings as a joinery workshop
  Approved, 19/04/1979
- **13/04934/DDD:** Reduce tree by 30% after the installation of a new utility pole
  [No decision recorded]

3.2 Other than the recent proposed tree works application (which is considered in more detail at Section 6 of this Statement), these are both now historic and not of any direct relevance to this application proposal.

3.3 More recently, a pre-application enquiry was submitted to the Council in August 2021 and considered under ref. no. **ENQ/2022/00657**. The conclusions from that response can be summarised as follows:

- **The principle of development:** there are no issues of principle arising, and the principle would be acceptable.
- **Impact on the character and appearance of Conservation Area:** the landscaped frontage is an important feature, in particular to visually screen the bungalows to north from the approach from the main road.
- **Impact on neighbour amenity:** the dwellings to the front of the site are unlikely to give rise to any amenity impacts; dwellings to the rear need to consider 21m back-to-back distances as well as relationship and any potential issues with exiting dwellings.
- **Highway matters:** Given the existing use of the site there is a valid 'fallback'; certain specified dimensions should be met in terms of the detail of the access.
- **Drainage:** Further information on drainage should be provided with any planning application.
- **Ecology:** The site lies within the River Avon catchment and relevant ecological surveys will be required to support any planning application. In terms of nitrates, as the development is acceptable in principle the proposal would be captured by the MoU between the Council, Natural England, Wessex Water and the Environment Agency – this should be referenced in any application submission.

3.4 The relevant planning history, and response to the pre-application enquiry, is considered further in Section 6 below where relevant and applicable.

4. Proposed Development

4.1 This application seeks permission for the following proposed works:

- the demolition of the existing, largely redundant buildings on the site;
- the erection of 2no. semi-detached and 2no. detached dwellings – key details of these are referenced and set out below;
- laying out of associated parking and turning area;
- associated landscape works.

4.2 The pair of semi-detached dwellings are proposed to front Jarvis Street, with the two detached dwellings set back into the plot. Each dwelling will have its own curtilage and amenity space ad parking provision for each is shown on the submitted Site Plan. Key details and dimensions are set out in the Table below:

	GIA (m2)[1]	Beds	Heights: eaves/ ridge (m)	Parking spaces
Dwelling 1	148	2	5.2 / 8.2	2
Dwelling 2	148	2	5.2 / 8.2	2
Dwelling 3	110	2	2.6 / 6.2	2
Dwelling 4	106	2	2.6 / 6.2	2
Total	512	8	-	8

[1] Main dwelling only

4.3 The proposed GIA totals some 512m2, this compares to GIA of the existing buildings on the on the site of some 803.5m2.

4.4 The current site access is proposed to be retained as existing.

5. Planning Policy & Context

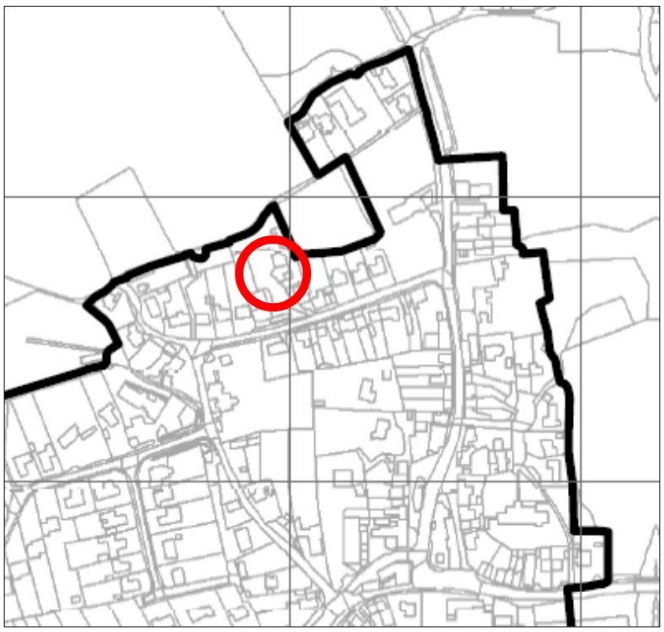
The Development Plan

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that: *"If regard is to be had to the development plan for the purpose 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."*

5.2 For the purposes of this application, the development plan comprises the **Wiltshire Core Strategy** (WCS) adopted January 2015 covering the period 2006 to 2026, the **Wiltshire Housing Site Allocations Plan** (WHSAP) adopted February 2020, and retained saved policies of the **Kennet District Local Plan** (LP) adopted April 2004. The relevant policies are considered to be:

- CP1: Settlement Strategy
- CP2: Delivery Strategy
- CP18: Spatial Strategy for the Pewsey Community Area
- CP35: Existing Employment Sites
- CP43: Affordable Housing
- CP48: Supporting Rural Life
- CP50: Biodiversity & Geodiversity
- CP51: Landscape
- CP57: Ensuring High Quality Design & Place Shaping
- CP58: Ensuring the Conservation of the Historic Environment
- CP60: Sustainable Transport
- CP61: Transport & Development
- CP64: Demand Management

5.3 Within the Core Strategy (Appendix E) Upavon is designated as a 'Large Village' and as such has a defined Settlement Boundary (SB). The SB is defined in the Site Allocations Plan, an extract of which his shown below:



Wiltshire Site Allocations Plan: extract from Upavon map

5.4 The above confirms that the site falls within the SB of Upavon; further consideration of this status is provided in the following Section of this Statement.

5.5 The parish of Upavon has not been designated a Neighbourhood Area for the purposes of Neighbourhood Planning and accordingly is not in the process of preparing a Neighbourhood Plan.

National Planning Policy Framework

5.6 The Government's policies are within the revised **National Planning Policy Framework** ('the Framework') published July 2021 that describes how the planning system should achieve sustainable development and when the presumption in favour of sustainable development is engaged. The **Planning Practice Guidance** (PPG) provides further interpretation of the policies of the Framework.

Material Considerations

5 Year Housing Land Supply

5.7 Notwithstanding the site's conformity with the relevant Development Plan policy as set out above, the Council is currently unable to demonstrate a five years' supply of land to

meet their housing requirement.[1] This has been established through various recent appeal decisions.[2]

5.8 As such, the relevant planning policies are out-of-date and, as set out in Paragraph 11 d) of the Framework, permission should be granted unless the application of policies of the Framework provide a "clear reason" for refusal, or unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits.

Supplementary Planning Documents

5.9 The **Upavon Conservation Area** document (November 2003) is relevant as supplementary planning document.

[1] The Council's latest Housing Land Supply Statement (based date April 2021, published April 2022) confirms a supply of just 4.72 years. The Briefing Note on Housing Land Supply No 20-20, June 2020, and 5 Year Housing Land Supply and Housing Delivery Test Briefing Note No 22-09, 4 April 2022 remain relevant, as recent appeal decisions confirm, e.g. APP/Y3940/W/21/3286853 & APP/Y3940/W/21/3289757, dated 26 September 2022.

[2] For example: Land at Sutton Lane, Sutton Benger (APP/Y3940/W/21/3285458 dated June 2022); Land to the East of Church View Sutton Benger (APP/Y3940/W/22/3292118 dated June 2022); Land to the north of Whychurch Farm and to the south of Filands, Malmesbury (APP/Y3940/W/22/3290305 dated October 2022); Land north of Webbs Court, Lyneham (APP/Y3940/W/22/3299290 dated November 2022).

6. Planning, Design & Access Statements

6.1 This Section considers the following planning issues:

- The principle of the proposed development
- Design Statement: layout, scale and appearance
- Access Statement
- Other Technical Matters
  - Heritage appraisal
  - Neighbour amenity
  - Ecology
  - Trees, hedgerows and landscaping
  - Land contamination
  - Drainage & Nutrient Neutrality

6.2 These are considered in turn below, after which the relevant material considerations are set out.

The principle of the proposed development

6.3 Based on the location of the site within a defined settlement boundary of a designated Large Village, and the confirmation in the pre-application enquiry response that the site is not afforded any protection as an 'employment area,' the overall conclusion in the response to the pre-application enquiry was that: *"Accordingly, there are unlikely to be issues raised regarding the principle of development."*

Design Statement

Layout, scale and appearance

6.4 The semi-detached dwellings fronting the site are of a traditional form of design and materials, being brick elevation under clay tile roof. Their relatively simple design and appearance reflects both the size of these proposed dwellings and also the scale and form of adjacent dwellings, and adds to the mixed character along Jarvis Street more generally.

6.5 The proposed dwellings to the rear are of more barn-like appearance, reflecting their single-storey form. These dwellings are also relatively simple in their design and appearance, although set within the plot they are of a different character to those frontage dwellings.

6.6 The layout of the pair of semi-detached dwellings to the front and detached dwellings to the rear is entirely in keeping with the pattern and grain of development along Jarvis Street.

6.7 Overall, the design of the proposed dwellings is considered to represent an enhancement to the Conservation Area compared to the existing appearance of the site, and the design is considered to be of sufficient quality such that the proposal meets with the requirements of Core Policy 57.

Access Statement

Highways and access

6.8 In response to the pre-application enquiry, the Council's Highway Officer made comments relating to the dimensions and details of the access, gradient and visibility, and that EV charging points should be provided for each unit. The overall conclusion was that: *"In terms of vehicle movements, I am mindful that the site does have a valid fallback use and that the movements associated with a small development of 4 units are unlikely to lead to an unacceptable impact on the adjacent highway and its users."*

6.9 Following consideration of these points and the related points regarding design, scale and layout, the proposal has been amended such that there is no change proposed to the existing access, which is considered to be entirely acceptable based on the nature and scale of its historic and recent use.

6.10 In particular, this application proposal provides an access which: ...

- has an approach which is of a level of no more than 1 in 15m.
- provides a widened access to allow sufficient ingress and egress to the site.
- can provide sufficient visibility splays.
- provides EV charging points for each unit.

6.11 The response also noted that a bin collection point(s) should be at the roadside to avoid bins being left on the carriageway. A bin storage area is shown adjacent to the highway on the submitted Site Plan.

Parking provision

6.12 Each of the proposed 4no. dwellings are 2no. bed dwellings and each of these have an allocated 2no. parking spaces which is in full compliance with the Council's car parking standards.

6.13 Based on the above, the application proposal fully complies with Core Policies 60, 61 and 64 of the Core Strategy.

Other Technical Matters

Heritage impact

6.14 The statutory framework for the management of listed buildings and conservation areas is set out in The Planning (Listed Building and Conservation Areas) Act 1990. The National Planning Policy Framework ('the Framework') sets out the government's policy on designated heritage assets at Section 16: Conserving and enhancing the historic environment – this is referred to below where relevant.

6.15 In responding to the pre-application enquiry submission, the Conservation Officer noted with regard to the overall character of the area, that: *"Jarvis St retains a strong historic character, and although only one of the cottages on the south side is listed, the majority are of historic interest and make a positive contribution to the character of the CA. Newer dwellings on the north side have all been set well back from the road, reducing their impact."*

6.16 The response went on to explain that the character of this site is largely defined by the frontage, which in part helps to screen the 'uncharacteristic bungalows' set back to the west of the site, and that as such, any proposal which would: *"lose this and make for a more continuous run of dwellings behind a widened length of the street would be most unfortunate."*

6.17 The overall conclusion was that: *"If the site could be redeveloped while retaining the roadside bank, or at least the great majority of it, I would foresee fewer issues with regard to the CA."*

6.18 Since that pre-application enquiry response was issued, it has been determined by the Council that the majority of the landscaped frontage could be removed (PL/2022/08087), not least the large ash tree(s) which is suffering from die-back.

6.19 However, in respecting the Conservation Officer's comments, the alignment of the pair of proposed semi-detached dwellings has been set back from the frontage to allow for a significant element of soft landscaping to be re-planted along that frontage. It is considered that this will ensure no harm arises to the Conservation Area by the 'opening up' both of the site itself, and 'through' the site towards the bungalows to the west.

6.20 As such, the application proposal is not considered to give rise to any harm to the Conservation Area, and accordingly, no conflict with Core Policy 58 arises.

Impact on neighbour amenity

6.21 The proposed dwellings at the frontage of the site raise no particular issues regarding amenity. Development in depth is seen along this stretch of Jarvis Street, as is clearly evident from the aerial snapshot below:



Aerial image showing development in depth (source: googlemaps)

6.22 In considering the issue of residential amenity through the proposed development in depth, the key issues in this instance are: (i) the relationship between each of the proposed dwellings; and (ii) the relationship with existing properties, in particular nos. 22 and 24 ('Kenya Cottage') Jarvis Street.

6.23 The separation distance between the proposed dwellings is c.20m. Whilst a standard back-to-back distance of 21m is often used, in fact the relationship is somewhat different here given the 'front-to-back' arrangement. And on the basis that the properties to the rear are single-storey, the separation distance of 20m is considered to be entirely adequate.

6.24 Given the mature landscape boundary to the rear (north) of the site, which is proposed to be retained, and the single-storey design of the proposed dwellings set within the plot, there is not considered to be any amenity issue arising with adjacent nos. 22 and 24 Jarvis Street.

Ecology

6.25 Ecological Surveys have been carried out on the site and these confirmed ...

6.26 As such, appropriate mitigation measures have been proposed, and any approved works will be required to take place under an EPS licence.

Trees, hedgerows and landscaping

6.27 As noted in the 'Heritage impact' section above, since that pre-application enquiry response was issued, it has been determined by the Council that the majority of the landscaped frontage, as well as several trees from within the site can be removed (PL/2022/08087).

6.28 It is accepted that the site will need to be appropriately landscaped, in particular along the frontage to ensure no harm arises to the Conservation Area and any benefits of re-development are maximised. It is considered that these details can be appropriately covered by way of Condition.

6.29 The site does not fall within the designated Area of Outstanding Natural Beauty (AONB) and, coupled with the fact that the site falls within the settlement boundary and forms an 'infill' plot, this application proposal will not give rise to any landscape impact or harm.

Land contamination

6.30 Based on the historic use of the land, there are not considered to be any issues of contamination arising which would compromise the overall principle of the re-development of this site.

6.31 Whilst it may be the case that there is a risk of historic contamination, this risk is considered to be slight and could, accordingly, be covered by way of appropriately worded Condition.

Drainage & Nutrient Neutrality

6.32 The site falls within the catchment of the River Avon Special Area of Conservation and as such nitrate mitigation is a relevant planning consideration. As the site falls within the settlement boundary of a 'Large Village' it would fall within one of the categories of 'planned development.'

6.33 As such, the proposal has access to the strategic mitigation scheme being delivered by the Council and will be achieved through the delivery of an appropriate sustainable urban drainage system (SuDS). These necessary and appropriate on-site avoidance and mitigation measures can be appropriately dealt with by way of Condition.

6.34 The application proposal will be designed at detailed stage to ensure that each dwelling does not exceed 110 litres per person per day water consumption level (including external water usage). It is accepted that in nutrient neutrality areas – such as this application site – again, this shall be conditioned as part of any planning permission for new residential development and a water efficiency report will be submitted for approval by the LPA pursuant to that condition following any planning permission.

7. Conclusions

7.1 This Planning, Design & Access Statement has been prepared by Fowler Architecture and Planning Ltd. on behalf of Carty Building Contractors Ltd. in support of the submission of a Full Planning Application for: 'Demolition of existing buildings; erection of 2no. semi-detached and 2no. detached dwellings; associated parking and turning space and landscaping' at Upavon Forge. Jarvis Street, Upavon.

7.2 This application proposal fully complies with the relevant Development Plan policies. In particular, this Statement demonstrates compliance with the design and heritage Core Policies (nos. 57 and 58 respectively), and all other policies are appropriately complied with.

7.3 All technical matters are considered to have been appropriately addressed; in particular there are not considered to be any issues of residential amenity, biodiversity or highway safety arising, and any other technical issues can be appropriately covered by way of planning condition.

7.4 Furthermore, given the current 5-year housing land supply position, the relevant policies are out-of-date and applications should be considered in light of the presumption in favour of sustainable development as set out in the Framework. There are no impacts arising from the development that would amount to a "clear reason" for refusing an application for planning permission, and as such development should be supported accordingly.