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CHARTERED TOWN PLANNERS

# Planning Statement

**Erection of three dwellings, with access, parking, and associated works including landscaping**

**Land east of Chapel Lane, Beanacre, Melksham, SN12 7PZ**

**For: John Lee**

**July 2023**

The John Phillips Planning Consultancy
Bagley Croft, Hinksey Hill, Oxford OX1 5BD
T: 01865 326823 E: planning@jppc.co.uk W: www.jppc.co.uk

## 1.0 INTRODUCTION

1.1 This planning statement has been prepared by John Phillips Planning Consultancy on behalf of John Lee to support an outline planning application for the erection of three dwellings, the creation of vehicular accesses for each dwelling and associated landscaping.

1.2 With reference to the character of the site and surrounding area, an appraisal of the prevailing planning policies and planning history and an assessment of the planning issues raised by the proposal, this statement sets out why the proposed development is considered to be acceptable.

1.3 The submission consists of this statement, the site location plan, an indicative site layout plan, a drainage strategy prepared by Infrastruct, an ecological report prepared by Griffin Ecology and a landscaping plan prepared by Kirsten Bowden.

1.4 This application is submitted following the withdrawal of application PL/2022/06389. This application has addressed the comments from the Council's ecologist and drainage engineer through the submission of additional information.


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## 2.0 SITE AND SURROUNDING AREA

2.1 The site is located in the centre of Beanacre close to its northern edge of, on the east side of Chapel Lane. Chapel Lane accesses onto the A350 to the south, which links Melksham to Chippenham. To the north of the site are agricultural fields, whilst there is residential development to the east, south and west.



*Figure 1 - Aerial photograph showing the location of the site in context*

2.2 The site is not within a conservation area nor an AONB and there are no listed buildings on the site. The site is located within the Melksham Neighbourhood Plan area. The site is located within Flood Zone 1 - the area of lowest flood risk. Public bridleway MELW99 runs along Chapel Lane to the west of the site, which is shown on the map at Figure 2.

2.3 There is a pavement along both sides of the A350 which links Beanacre to Melksham, which is located less than one mile to the south of the site. Junction 17 of the M4 is located 9 miles to the north of the site. The closest primary school to the site is Shaw CE Primary School, which is less than two miles to the west. Beanacre is located on the X34 bus route which links Chippenham to Frome and has frequent services.


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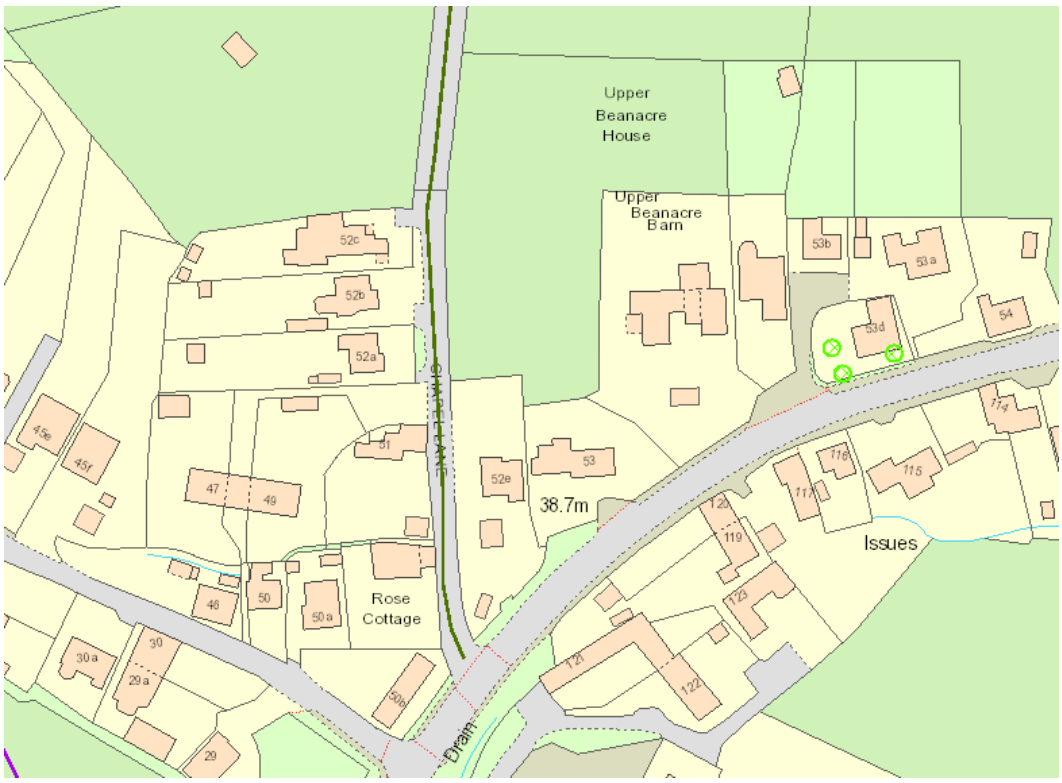


*Figure 2 - Map showing the nearby public right of way*

2.4 The site is not within a conservation area nor an AONB and there are no listed buildings on the site. The site is located within the Melksham Neighbourhood Plan area. The site is located within Flood Zone 1 - the area of lowest flood risk. Public bridleway MELW99 runs along Chapel Lane to the west of the site, which is shown on the map at Figure 2.

## 3.0 RELEVANT PLANNING HISTORY

3.1 In 2022, an outline application for three dwellings was submitted at the site under Council reference PL/2022/06389. This application was withdrawn following comments made by the Council's ecologist and drainage engineer. The case officer stated that the principle of development was acceptable but that further information needed to be submitted to demonstrate that an acceptable drainage solution for the site could be achieved and that the development would not cause harm to protected species. The indicative layout has not been altered in the current application.


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## 4.0 PROPOSED DEVELOPMENT

4.1 This application seeks outline planning permission for three dwellings and associated works. The application is made with all matters reserved for consideration in a later reserved matters application, with the exception of landscaping.

4.2 An indicative site plan (shown below in Figure 3) has been submitted with the application which shows how three dwellings could be achieved on the site. The most appropriate form of development would likely be a linear development on Chapel Lane, which would replicate 52a, 52b and 52c Chapel Lane on the opposite side of the road. The dwellings would infill the existing gap between 52a, 52b and 52c Chapel Lane and Upper Beanacre Farm.

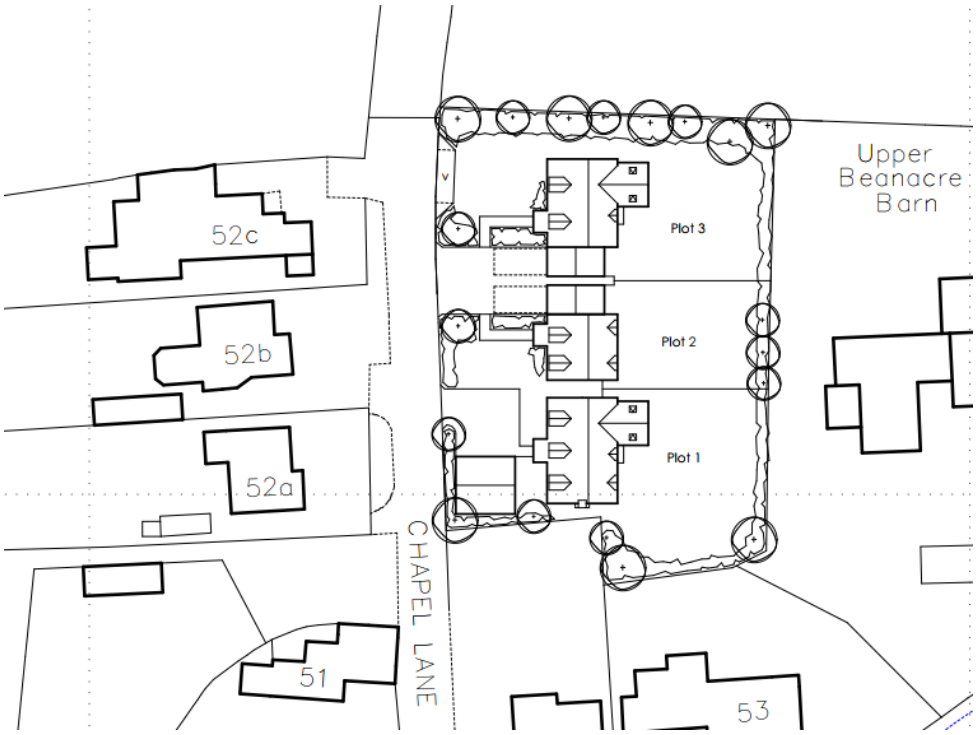


*Figure 3 – indicative layout of development*

4.3 The dwellings would likely be constructed from locally appropriate materials to include stone and brick under clay tile and or slate roofs. A broadly traditional aesthetic is considered to be the most appropriate, however further details of this can be secured at reversed matters stage.


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4.4 A landscaping plan is submitted alongside the application. This has been prepared alongside the ecological appraisal to ensure that there is a net gain of biodiversity on the site.


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## 5.0 PLANNING POLICY AND OTHER MATERIAL CONSIDERATIONS

5.1 Planning law (Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990) requires that applications for planning permission be determined in accordance with the development plan, including any local and neighbourhood plans that have been brought into force and any spatial development strategies produced by combined authorities or elected Mayors, unless there are material considerations that indicate otherwise.

5.2 The National Planning Policy Framework must be taken into account in preparing the development plan and is a material consideration in planning decisions.

5.3 Planning policies and decisions must also reflect relevant international obligations and statutory requirements. Other statements of government policy may be material when preparing plans or deciding applications, such as relevant Written Ministerial Statements and endorsed recommendations of the National Infrastructure Commission.

**National Planning Policy Framework**

5.4 The National Planning Policy Framework ("the NPPF") was revised in July 2021. It has, at its heart, a presumption in favour of sustainable development. Paragraph 11 confirms that for decision-taking this means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole

5.5 Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities (paragraph 126, NPPF). Policies and decisions should ensure that development functions well, adds to the overall quality of the area and establishes a strong sense


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of place. It should also be sympathetic to local character and history, including the surrounding built environment and landscape setting, whilst not preventing or discouraging appropriate innovation or change. Planning decisions should also seek to optimise a sites potential to accommodate development (paragraph 58, NPPF).

5.6 Paragraph 69(c) of the NPPF states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes.

**Local Planning Policy**

5.7 The Local Plan was adopted in January 2015. Applicable policies for this proposal are considered to be:

- Core Policy 1 – Settlement Strategy
- Core Policy 2 – Delivery Strategy
- Core Policy 15 – Melksham Community Area
- Core Policy 45 – Meeting Wiltshire's Housing Needs
- Core Policy 51 - Landscape
- Core Policy 57 – High quality design
- Core Policy 60 – Sustainable transport

5.8 Core Policy 1 identifies the settlements where sustainable development will take place to improve the lives of all those who live and work in Wiltshire. Large Villages are defined as settlements with a limited range of employment, services and facilities. Small Villages have a low level of services and facilities, and few employment opportunities. Development at Large and Small Villages will be limited to that needed to help meet the housing needs of settlements and to improve employment opportunities, services and facilities. Core Policy 15 allocates Beanacre as a Small Village.

5.9 Core Policy 2 sets out the delivery strategy for the Local Plan. At the Small Villages development is limited to infill within the existing built area. Proposals for


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development at the Small Villages will be supported where they seek to meet housing needs of settlements or provide employment, services and facilities provided that the development:

i) Respects the existing character and form of the settlement

ii) Does not elongate the village or impose development in sensitive landscape areas

iii) Does not consolidate an existing sporadic loose knit areas of development related to the settlement.

5.10 Core Policy 45 states that new housing, must be well designed to address local housing need incorporating a range of different types, tenures and sizes of homes to create mixed and balanced communities.

5.11 Core Policy 51 states that development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures.

5.12 Core Policy 57 states that a high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality.

5.13 Core Policy 60 states that the council will use its planning and transport powers to help reduce the need to travel particularly by private car, and support and encourage the sustainable, safe and efficient movement of people and goods within and through Wiltshire.

5.14 The site is located within the Melksham Neighbourhood Plan area. The Neighbourhood Plan was made in July 2021. Policy 1 relates to sustainable design and construction. Policy 6 relates to housing in defined settlements. The policy states that within the Small Villages of Beanacre and Berryfield, development will be limited to infill within the existing built area, or where it is appropriate to provide a rural exception site for affordable housing to meet identified local needs, outside but well connected to the built area.

5.15 Policy 17 relates to landscape character. The policy states that development proposals should demonstrate that the whole scheme, including hard landscape


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and planting proposals, draws on local landscape characteristics and features through reference to relevant existing landscape and historic landscape assessments, supplemented by any additional site-specific assessments, and respond sensitively to the transition between settlement edge and countryside and maintain the separate identity of settlements.

5.16 Policy 18 states that development proposals that contribute positively to the conservation, enhancement and extension of the quality and local distinctiveness of Melksham and Melksham Without (parish) will be supported.


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## 6.0 PLANNING POLICY AND OTHER MATERIAL CONSIDERATIONS

6.1 The main issues for consideration in this case include:

- Principle of development
- Design, impact on the character of the area and heritage assets
- Amenity
- Highway safety
- Ecology and arboriculture

**Principle of development**

6.2 The application seeks outline planning consent with all matters reserved, except for landscaping. The site is located within but on the edge of the village of Beanacre. Beanacre is categorised as a Small Village within the Local Plan. Within Small Villages, development will be limited to infill within the existing built-up area. The Melksham Neighbourhood Plan is consistent with the local plan in this regard. The supporting text of Core Policy 2 states that the delivery strategy defines the level of growth appropriate within the built-up area of small villages as infill. For the purposes of Core Policy 2, infill is defined as the filling of a small gap within the village that is only large enough for not more than a few dwellings.

6.3 This scheme proposes to erect three dwellings in an area of paddock to the rear of 52e and 53 Beanacre, in a space trapped visually by other surrounding homes on Chapel Lane and the main road. The site is surrounded by residential development to the east, south and west. There are no settlement boundaries within the Local Plan or Neighbourhood Plan. The proposed development would infill an existing gap within the built limits of the village and would round off development, without extending beyond the existing curtilages of Upper Beanacre Barn and 52c Beanacre as shown in Figure 4 below. It would thus not extend the village envelope, elongate the settlement or sit in a sensitive area.

6.4 Application PL/2022/06389 was withdrawn after comments from consultees stated that further information was required. In the written correspondence with the case officer, it was expressed that the site was considered to be an appropriate infill site under Core Policy 2.


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*Figure 4 – modern OS mapping*

6.5 In the latter part of the 20th century, the land surrounding the site was developed. 52a, 52b, 52c and 52e were constructed and Upper Beanacre Barn was converted to residential use. The application site is logically the final development site in this part of Beanacre and would relate well to the existing built form, being so well screened from view. The development would comply with the definition of infill within Policy CP2. Older mapping is shown on Figure 5 below:

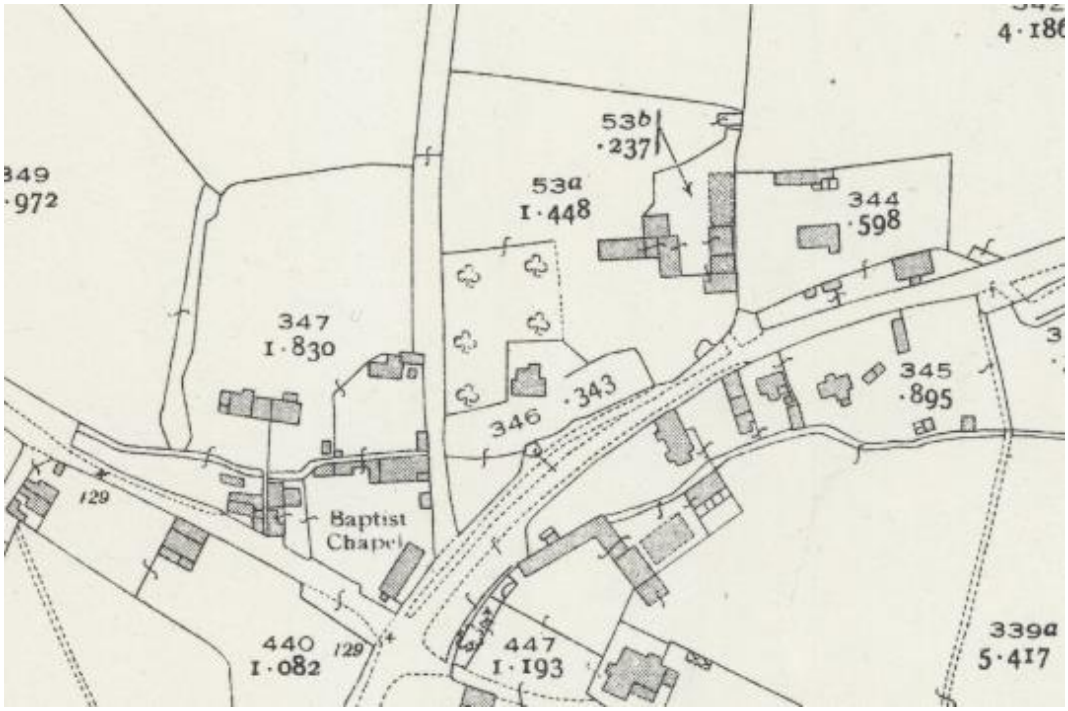


*Figure 5 - 1947 OS map*


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6.6 A similar form of development was permitted in at Upper Beanacre Farmyard in 2021 under 21/01765/FUL, when two bungalows were permitted on the site of a Dutch barn in an agricultural field. This followed a planning application in 2015 (15/00862/FUL) which permitted the replacement of the barn with a single bungalow. The location of the site is shown in Figure 6.

6.7 The officer report for the 2021 application states that the site reads as part of the settlement and not the open countryside. This site has similarities with the application site on Chapel Lane, however it is considered that the application site relates better to the village by virtue of the surrounding pattern of development. The proposed development would infill an existing gap between the development on Chapel Lane and Upper Beanacre Barn and would not result in an intrusion into the open countryside.




*Figure 6 – blue area showing Upper Beanacre Farmyard relative to the site*

6.8 Figure 15 in the Neighbourhood Plan shows the Character Areas of the Plan area, with the yellow-coloured areas relating to the historic core of the village (this map is shown at Figure 7). The application site is clearly included within this yellow area, and this supports the conclusions of the previous paragraphs, given that the neighbouring land has been developed in recent decades and the site would not extend the existing village form.


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6.9 Wiltshire Council's Annual Monitoring Report published in May 2023 sets out that the Council has 4.6 years of deliverable supply. Therefore, the Council cannot demonstrate a five-year housing land supply. In accordance with the NPPF, the Council should be supportive of sustainable development, with the tilted balance being engaged. The site is surrounded by existing residential development on three sides and would provide three well-designed dwellings that are located in an area that is served by a bus route which links Chippenham to Frome.

6.10 Given the sustainable location of the site within the built-limits of the village, that the development would constitute infilling in accordance with the local plan definition and that the Council cannot demonstrate a five-year housing land supply, it is considered that the principle of development is acceptable. There are no NPPF policies indicating that development should not occur here – indeed paragraph 69 of the NPPF explicitly gives great weight to the benefits of using suitable sites within existing settlements for homes. The development would accord with relevant development plan policy and not cause demonstrable harm.

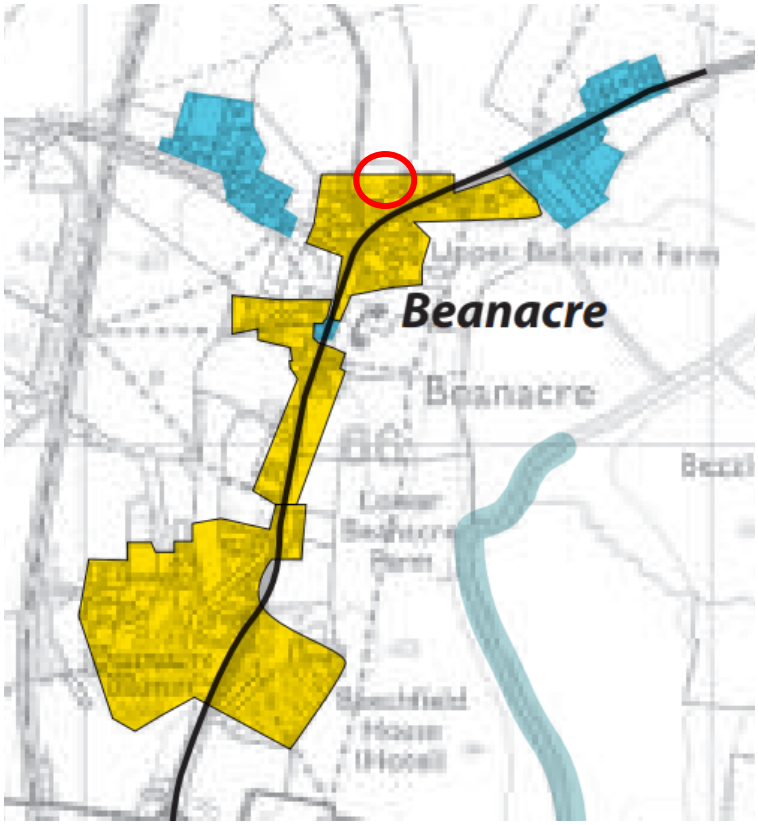


*Figure 7 - character mapping for Beanacre from neighbourhood plan*


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**Design and impact on the character and appearance of the area**

6.11 This application is made with all matters reserved with the exception of landscaping, so appearance, layout and scale are not for detailed consideration under this application. Notwithstanding this, an indicative layout has been submitted with the application in order to demonstrate that three dwellings could be achieved on the site.

6.12 The indicative layout shows three dwellings in a linear arrangement, facing west onto Chapel Lane. This would closely replicate the layout of 52a, 52b and 52c on the opposite side of the road and would therefore relate well to the pattern of development in the area. The development would maintain the spacious and detached nature of the area. The site, although undeveloped at present, sits within the built limits of the village and does not positively contribute to the character of the area. The development of the site would not result in harm to the character and appearance of the area.

6.13 No detailed elevations have been provided with this outline planning application, however it is envisaged that the dwellings would be constructed from locally distinctive materials, with stone walls and slate tile roofs. The scale of buildings would be two-storey and would thus fit in well with the surroundings.

6.14 Landscaping plans have been provided with the application. Replacement hedgerow planting has been provided on the northern elevation, alongside planting within the gardens of the properties themselves and the land to the north which is also within the ownership of our client.

**Amenity**

6.15 The indicative layout demonstrates that each house would have an ample sized garden and be sufficiently separated from other existing houses and each other. Each house would meet the minimum space standards.

**Highway safety**

6.16 The development would take access from Chapel Lane, with each dwelling having a dedicated parking area and turning. This is a longstanding access point onto the main highway and is used by a number of existing dwellings. The development


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would have sufficient visibility onto Chapel Lane and would not cause harm to the safety of the highway network.

**Ecology and trees**

6.17 An initial ecological appraisal was submitted with the withdrawn application and this appraisal concluded that there was some potential for reptiles on site. Reptile surveys have been conducted, which have not found any protected species on the site. The landscaping plans submitted with the application demonstrate that there would be a net gain in biodiversity as a result of the development.

**Drainage**

6.18 A foul and surface water drainage strategy has been prepared and is submitted with the application. There is high groundwater in the area, so soakaways have been found to not be appropriate. The drainage strategy proposes to create shallow SuDs features and discharge the water into the watercourse to the west of the site at a greenfield rate.

## 7.0 CONCLUSIONS

7.1 This statement has examined the planning background of the site, the context of the site and the surrounding area and the relevant national and local planning policy framework in respect of the proposed development at Chapel Lane, Beanacre.

7.2 The outline application seeks outline planning consent, with all matters reserved for future consideration. The proposed development comprises a sustainable form of development, in a sustainable location in accordance with policies in both the NPPF and the Wiltshire Council Development Plan. The previous areas of concern have been addressed through the submission of additional ecological information and a drainage strategy.

7.3 The above confirms that there is no conflict with relevant planning policy and the Council is therefore, respectfully requested to approve the application.


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