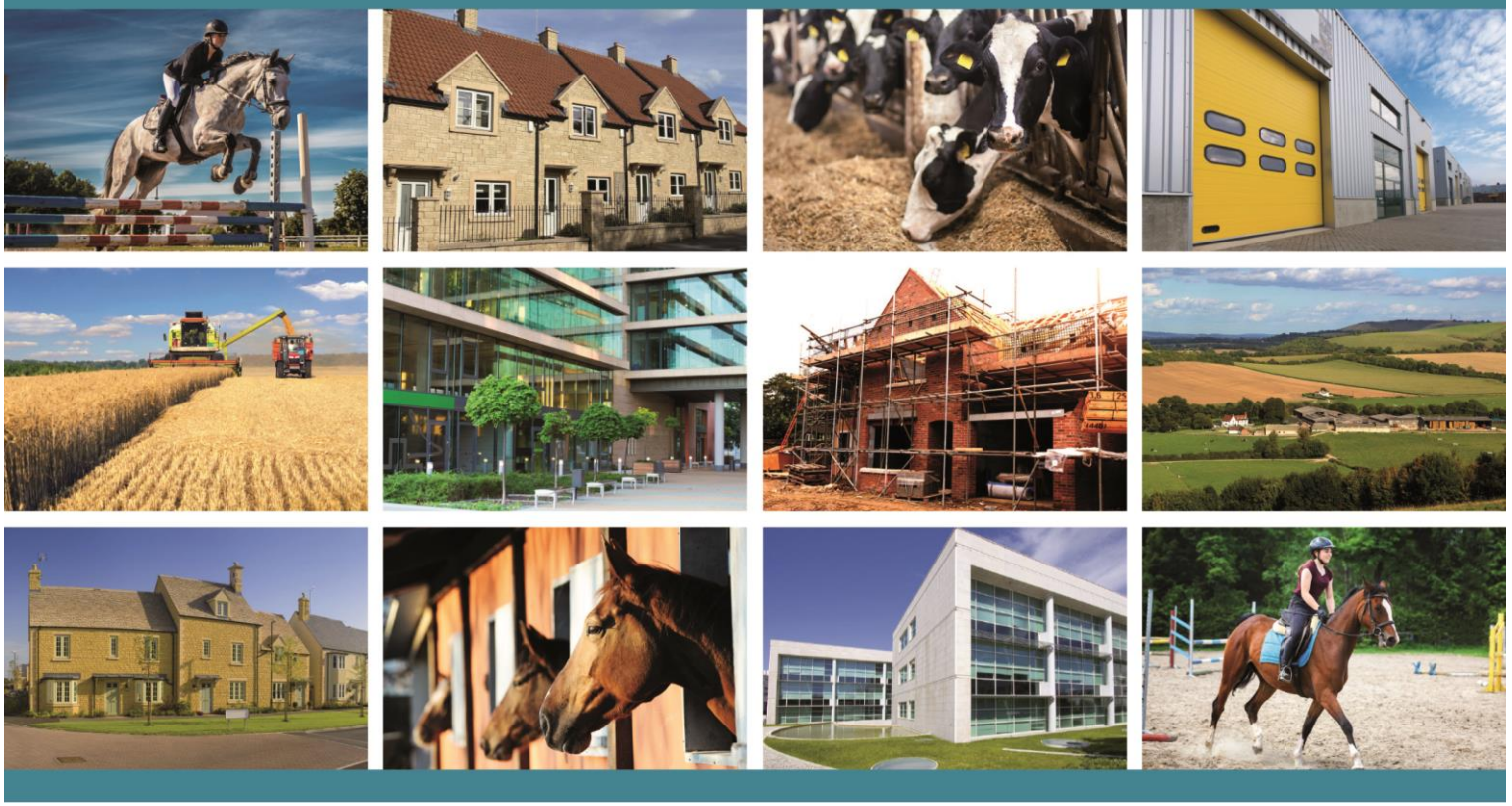
RCC TOWN PLANNING CONSULTANCY



Site: 9 The Hollow, Chirton, Wiltshire, SN10 3QP

Proposal: Erection of detached dwelling

On behalf of: Aster

Date of Issue: August 2023

RCC TOWN PLANNING CONSULTANCY

PLANNING STATEMENT

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1.0 INTRODUCTION

1.1 This statement has been prepared on behalf of the applicant to support their full planning application for the erection of a detached dwelling on land adjoining 9 The Hollow, Chirton.

1.2 As the proposal is not a 'major' development, or development within a designated area and consisting of the provision of one or more dwellinghouses or the provision of a building or buildings where the floorspace created by the development is 100 square metres or more, a Design and Access Statement is not required.

1.3 The statement will examine how the proposed development relates to the site and its context. The statement will also provide an explanation and justification for the scheme having regard to the national and local plan policy context.

2.0 BACKGROUND AND PLANNING HISTORY

2.1 This application relates to the side garden of 9 The Hollow, Chirton, which is owned by Aster. It is an overly large side garden, disproportionate with the scale of the dwelling and the general pattern of development within the built area of the village.

2.2 Aster Group is proposing to make the best use of this under-used site by subdividing the curtilage and erecting a two-storey dwelling. This replicates a very similar development that was approved in 2010 within the garden area of no.10 The Hollow (the attached semi). The profits from the scheme would then be fed back into the company to support the construction and improvement of affordable housing.

2.3 Whilst there is no planning history of direct relevance to the application site, planning permission E/10/0114/FUL approved the detached dwelling within the side garden area of no 10 The Hollow referred to above. Reference to this historic permission is made within the statement.

3.0 CONTEXT

3.1 Chirton is designated as a 'small village' within the core strategy and lies approximately 5 miles south-east of Devizes. It benefits from a primary school, church and a bus service linking the village to Devizes, Pewsey and Market Lavington. It's a compact village, with much of it designated as a conservation area. However, the area known as The Hollow, in which the application site is located, lies at the southern end of the village and outside of the conservation area. The village and surrounding countryside lie within the North Wessex Downs Area of Outstanding Natural Beauty.

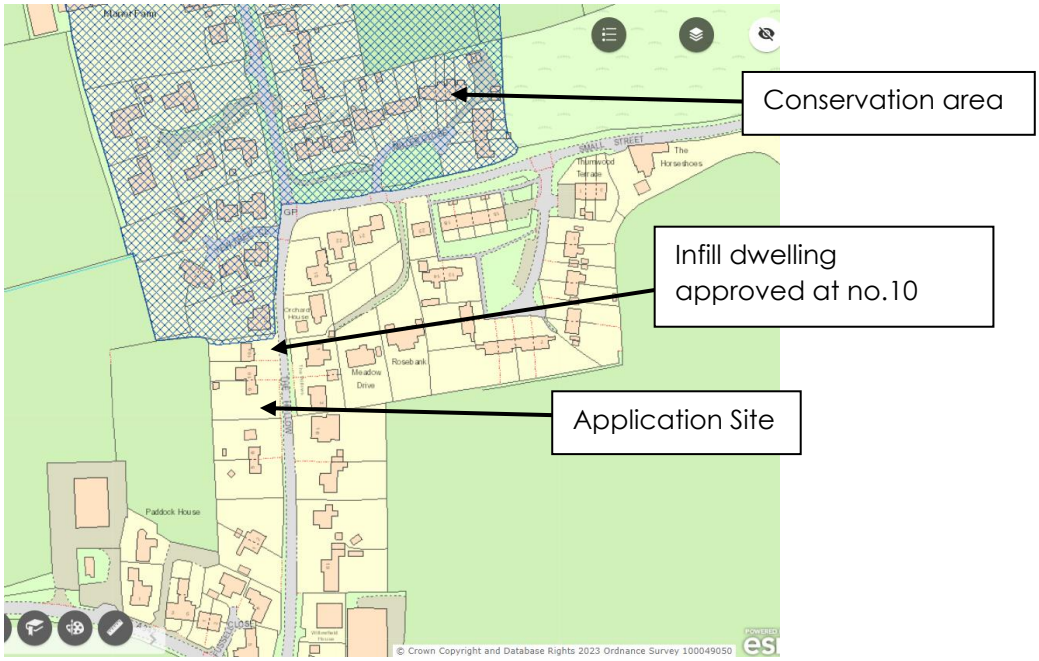


Figure 1: Site location in relation to conservation area (blue hatched polygon) (extract from Wiltshire Council's mapping system)

3.2 The Hollow is characterised by the sunken road lined either side by detached or semi-detached dwellinghouses. The properties are generally set back behind tall grass verges and positioned on the higher ground level above the road. Access drives serving the dwellings are cut into the bank and are also a characteristic feature of the residential streetscene. The western side of the road, where no.9 is located, is particularly characterised by red-brick dwellings with cat-slide roofs set behind their generous, open front gardens.

3.3 The application site is an area of overly large side garden and offers an ideal opportunity for an infill development within the built area of the village. This would essentially replicate the scheme approved and developed at no.10 The Hollow.



Figure 2: Aerial photograph of application site and its immediate context

3.4 The photographs below and overleaf show the site as it sits within the streetscene.



Figure 3: View looking north towards the application site



Figure4: View of the front part of the application site when looking south



Figure 5: View of the front part of the application site from within the conservation area

4.0 PLANNING POLICY

4.1 The development plan comprises the Wiltshire Core Strategy 2015 (WCS) and the Chirton and Conock Neighbourhood Plan (made 2019).

4.2 Material considerations comprise the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG). The Chirton Village Design Statement also holds some weight as a material consideration.

4.3 The tables below list the relevant policies and guidance for decision-making.

WILTSHIRE CORE STRATEGY

Policy	Title
CP1	Settlement Strategy
CP2	Delivery Strategy
CP18	Spatial Strategy for the Pewsey Community Area
CP51	Landscape
CP57	Ensuring high quality design and place
CP60	Sustainable Transport
CP58	Ensuring the conservation of the historic environment
CP61	Transport and Development
CP64	Demand Management

NATIONAL PLANNING POLICY FRAMEWORK

Chapter	Title
5	Delivering a sufficient supply of homes
11	Making Effective Use of Land
12	Achieving well designed places
15	Conserving and enhancing the natural environment
16	Conserving and enhancing the historic environment

CHIRTON AND CONOCK NEIGHBOURHOOD PLAN

Chapter	Title
Policy 1	Housing
Policy 3	Design

5.0 PLANNING ASSESSMENT

5.1 The key planning issues relevant to this proposal are:

- The principle of the development
    - I. Housing Land Supply and paragraph 11d of the NPPF
    - II. Policies of the Core Strategy and Neighbourhood Plan
- Design and impact upon the setting of the conservation area;
- Wider landscape impact;
- Residential amenity;
- Parking and highway safety, and
- Nutrient neutrality.

Principle of Residential Development

I. Housing land supply in Wiltshire and paragraph 11d of the NPPF

5.2 Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. A significant material consideration is the advice and guidance contained within the National Planning Policy Framework (NPPF). The NPPF requires LPAs to identify a five-year supply of specific deliverable sites to meet housing needs, with an appropriate buffer. Where Council's are unable to demonstrate this, planning policies concerning housing delivery (including those within a made neighbourhood plan) are considered out of date and applications for housing development should be considered in line with paragraph 11d of the NPPF.

5.3 The 'Housing Land Supply Update' (May 2023) confirms that Wiltshire Council can only demonstrate 4.6 years of housing land supply (based on April 2022 data). As such, policies CP1, CP2 and CP18 of the WCS are considered out of date and applications for housing development should be considered in line with paragraph 11d of the NPPF. The relevant extract is set out below:

> For **decision-taking** this means:
>
> c) approving development proposals that accord with an up-to-date development plan without delay; or
>
> d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date[8], granting permission unless:
>
> i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed[7]; or
>
> ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

5.4 Whilst it is accepted that the triggering of paragraph 11d) of the NPPF does not mean out-of-date development plan policies should be ignored, the weight afforded to them is weakened and the 'tilted balance' is engaged. The term 'tilted balance' is used to define Paragraph 11 of the NPPF when engaged as the 'planning balance' is tilted from a neutral balancing exercise where if the harms outweigh the benefits planning permission is usually withheld, to a tilted balance where the harms should significantly and demonstrably outweigh the benefits for permission to be withheld.

5.5 Focussing now on the contents of subsection d) paragraph 11 of the NPPF, the application site does lie within the AONB (an area of particular importance) but does not contain any assets of particular importance (as defined by footnote 7). As the statement will now set out, the application of the policies in the NPPF that protect AONBs do not support refusal of the development. Moreover, any adverse impacts of approving the scheme would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF. The proposal will therefore be assessed in terms of its 'benefits' and 'harms', using the planning policies of the local plan as a starting point. Section 5.0 of this statement will conclude with a discussion of the 'planning balance'

II. Development Plan Policies - Wiltshire Core Strategy and Neighbourhood Plan

5.6 Policies CP1, CP2 and CP18 of the WCS, together with the Policy 1 of the Chirton and Conock Neighbourhood Plan, are main policies regarding the sustainable location of residential development within the County and the Pewsey Community Area.

5.7 At the national level, paragraph 60 of the NPPF emphasises one of the Government's key objectives of significantly boosting the supply of homes. Paragraph 69 recognises the important contribution small and medium sized sites, such as that the subject of this application, can make in contributing towards meeting the housing requirement of an area, and acknowledges the benefit that they can make as they are often built-out relatively quickly. To this end, paragraph 69 goes on to state that 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.'

5.8 Furthermore, Section 11 of the NPPF requires planning policies and decisions to promote an effective use of land in meeting the need for homes and other uses. Paragraph 120(d) encourages councils to promote and support the development of under-utilised land.

5.9 The WCS classifies Chirton as a 'small village' within the Pewsey Community Area where CP1 permits modest development to respond to local needs and to contribute to the vitality of rural communities.

5.10 CP2 sets out that development at small villages is limited to infill within the existing built area. Development is supported where they seek to meet housing needs of

settlements or provide employment, services and facilities provided that three criteria are met. Development must:

I. respect the existing character and form of the settlement;
II. not elongate the village or impose development in sensitive landscape areas
III. not consolidate an existing sporadic loose knit areas of development related to the settlement

5.11 In response to CP2 of the WCS and Policy 1 of the NP, we submit that the site in its entirety lies within the built area of the village being surrounded by built form to the north, east and south. The site is certainly not an isolated site nor is it physically or visually detached from the settlement. It is garden serving a dwelling and is part of the established streetscene of the village centre. Indeed, within the former Kennet Local Plan (when Chirton benefited from a settlement boundary) the site fell well within the defined 'Limits of Development' for the village which was drawn to represent the built area of the village.

5.12 It is also evident that the application site is an infill site, being positioned between two existing dwellings and only large enough for a single dwellinghouse. The definition of infill as set out in the supporting text of the WCS reads:

> 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, generally only one dwelling. Exceptions to this approach will only be considered through the neighbourhood plan process or DPDs.

3.5 The site is very similar to the former plot adjacent no.10 The Hollow where the Council permitted an infill dwelling within the large side garden serving the property (planning permission E/10/0114/FUL). Within the relevant delegated report they described how the site fell centrally within the village and followed the pattern of other infill development at The Hollow, as set out within the extract below:

> In terms of the street scene, the site is capable of accommodation the proposed house without appearing cramped or over-crowded. It follows the pattern of other 'infills' in The Hollow, and consequently is considered to be in-keeping. The highways officer raises no objections subject to conditions. The footpath, which apparently runs along the outside edge of the application site, would not be affected.

5.13 The same conclusions can be drawn here within the side garden of the no.9.

5.14 In response to the three criteria of CP2 (as set out at paragraph 5.6 above), we submit the following:

I. The proposed development would respect the existing character and form of the settlement by following the pattern of infill development at The Hollow. The submitted plans show the proposed dwelling positioned on a similar building line to the neighbouring dwellings and being of a scale and

appearance that is in keeping with the surrounding development. The access arrangement is also characteristic of the area, being a shared drive cut into the raised verge. The plot is of sufficient size to accommodate the dwelling without it appearing cramped or overdeveloped.

II. Being well-embedded within the built area of the village, the proposals will not elongate the village or impose development in a sensitive landscape area.

III. Chirton is a compact village with development lining wither side of The Hollow. The proposals will not therefore consolidate an existing sporadic loose knit area of development.

5.15 The scheme is therefore considered, in principle terms, to accord with policies CP1, CP2 and CP12 of the WCS, policy 1 of the neighbourhood plan, as well as the policy guidance of the NPPF.

Design and impact upon the setting of the conservation area and landscape of the AONB.

5.16 The starting point for assessing the design of any scheme is the context in which it will be read. Indeed, policy CP57 states that a high standard of design is required in all new developments, and proposals are expected to create a strong sense of place, drawing on local context and being complimentary to the locality. Core Policy 58 states that development should protect, conserve and where possible enhance the historic environment.

5.17 Paragraph 194 of the NPPF requires developers to describe the significance of any heritage assets affected, including any contribution made by their setting. Importantly, it emphasises that "*the level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance*". The application site lies outside the conservation area but the impact of the proposal upon its setting must be assessed.

5.18 The proposed layout of the application site and the overall scale of the development very much accord with their surroundings at The Hollow. The layout shows the creation of a 4-bedroom dwelling facing the road frontage with three car parking spaces provided to the front and a good-sized private garden area to the rear. The proposed dwelling has been designed so as to be a contemporary reflection of the two-storey, red-brick dwellings that line the western side of The Hollow. It will sit raised above the road level, as does its neighbours and will be served by an access arrangement that cuts into the bank. The fenestration has been kept purposely simple so as to ensure the dwelling readily 'nestles' into the streetscene.

5.19 The plot size itself is sufficient to accommodate a development of this scale without the appearance of an overdeveloped site. The new dwelling would continue the layout of the adjoining properties, with the building line positioned

between those of the closest neighbours to the north and south so as to appear as a natural addition and not disrupt the street rhythm.

5.20 Turning to the relationship with heritage assets, the application site is situated over 30m to the south of the conservation area boundary, with 3 intervening dwellings. One of which is the infill dwelling approved directly adjacent the conservation area (see figures 1 and 2). The Chirton Conservation Area Statement describes Chirton as a medium sized village of linear form and The Hollow as a 20th century addition to the village extending to Andover Road. Infill is a characteristic feature of the village, particularly within the conservation area where most plots have now been exhausted. The development at 9 The Hollow not only reflects this prevailing pattern of development but it also relieves development pressure within the conservation area itself.

5.21 As a result of the distance between the application site and the conservation area, as well as the positioning of the intervening buildings and design/scale of the proposals, there would be no harm to the setting of the conservation area. The proposed dwelling is of the same scale and general appearance as its neighbouring dwellings and will readily assimilate into the streetscene. It will not be unduly prominent nor dominant within the streetscene and will therefore have a very limited visual impact in general terms.

5.22 Turning to the wider visual impact of the scheme and relationship with the AONB, the proposed development will sit within a well-established residential area. From longer-range views, the dwelling will simply appear as part of the streetscene and will not be unduly prominent within this context. With this in mind, the development will not have any wider visual impacts beyond the immediate streetscene. The natural landscape of the AONB will therefore be preserved in accordance with the requirements of CP51.

5.23 It can therefore be concluded from this assessment that the proposed development would fit in with the prevailing character of the area in terms of plot size, building height, mass, scale and elevational treatment. The development of a new dwelling on the application site will also make efficient use of land to deliver an appropriate development that relates effectively to the immediate setting and wider character of the area. The scheme is therefore considered to comply with the relevant design criteria of policy CP51, CP57 and CP58 of the WCS and policies 1 and 3 of the neighbourhood plan.

Residential Amenity Issues

5.24 Policy CP57 (vii) requires development to have regard to the compatibility of adjoining buildings, the impact on amenities of existing occupants and ensuring appropriate levels of amenity are achievable.

5.25 To the south, lies no.6 The Hollow and to the north no.9. The extract below from the submitted plans shows the position of the dwelling within the streetscene and in relation to its closest properties:

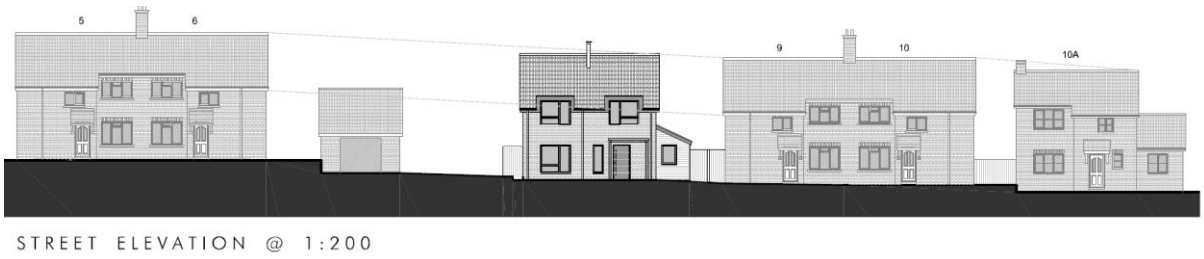


Figure 6: Street elevation – extract from submitted plans

5.26 As identified above, the dwelling is positioned sufficient distance from no. 6, with the two dwellings being separated by the detached garage serving no.6. There are no first-floor side facing windows in the south elevation of the proposed dwelling.

5.27 To the north of the application is 9 The Hollow itself. As mentioned above, the development will be of a similar height and width as its adjoining dwellings and sited so that there are no excessive projections beyond either the front or rear neighbouring elevations. Moreover, the scheme reflects the relationship between no.10 The Hollow and the infill approved to the north of this. In particular, the side gable windows of no.9 look towards the flank gable of the infill dwelling. This was the case at the development to the north where the side gable windows of no.10 look towards the flank gable of 10.a. However, the separation distance has been improved upon with a distance of 4.15m between the proposed dwelling and the side elevation of no,9, compared to a separation distance of only 2.53m between no 10a and the side elevation of no.10.

5.28 The submitted site plan also indicates an appropriately sized private rear garden serving the new dwelling.

5.29 Consequently, we submit that the proposed dwelling will not result in any undue impact in terms of residential amenity. The proposal therefore accords with the relevant criteria of policy CP57 of the Wiltshire Core Strategy and policy 1 of the neighbourhood plan.

Parking and Highway Safety

5.30 Turning to matters of highway safety, policies CP60 and CP64 deal with the traffic impacts of development and parking standards. These policies aim to ensure developments adequately address matters of access arrangements and road safety alongside adequate parking provision.

5.31 Paragraph 111 of the NPPF states that

> "*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*".

5.32 The submitted scheme proposes the creation of an access point similar to that approved at 10 The Hollow and as evident elsewhere in Chirton – including the properties within the immediate vicinity of the site. The submitted drawings show

how three car parking spaces will be created alongside adequate turning space for the property. There will be sufficient visibility for vehicles exiting the driveway, as shown on the submitted plans.

5.33 The layout therefore demonstrates that the development of the site can occur alongside the provision of sufficient car parking spaces and the creation of safe parking and access arrangements.

5.34 The scheme is therefore considered to comply with the requirements of CP60, CP61 and CP64 having regard to highway safety.

Nutrient Neutrality

5.35 The site lies within the 'Hampshire River Avon Catchment' and, in such locations, developments have the potential to contribute to elevated phosphorous through foul water discharges from sewage treatment works and package treatment plants. For planning applications within this catchment area that could adversely affect the SAC (e.g. additional dwellinghouses), appropriate assessments must be carried out by Wiltshire Council in line with the Habitats Regulations.

5.36 Wiltshire Council has a strategic approach in place for 'planned development'. Planned development includes infill development in small villages permitted under CP2 – as is the case here. The proposal can therefore be assessed under the Council's generic appropriate assessment and mitigation strategy. Strategic mitigation for developments is funded through the Community Infrastructure Levy and the proposed development will therefore be made phosphate neutral by Wiltshire Council though this process.

Planning Balance

5.37 As outlined in paragraphs 5.2-5.5 of this statement, as the Council cannot demonstrate a 5-year housing land supply, the relevant local plan policies are out of date and the 'tilted balance' as set out in Paragraph 11(d) is therefore engaged.

5.38 As detailed within this report, the proposed dwelling fully complies with the core policies of the local plan, being an infill development within a designated 'small' village that is well designed and does not result in any adverse impact upon the intrinsic landscape qualities of the AONB. Furthermore, this statement has also demonstrated that the impact of the dwelling upon neighbours is considered acceptable as are its impacts in terms of highway safety and ecology. The dwelling would contribute towards the persistent lack of housing supply within Wiltshire.

5.39 It is accepted that this proposal only relates to the gain of one dwelling, but the cumulative impact of such developments play an important contribution to housing land supply at the County level. This has been the case for other applications across the County where the erection of a single dwelling was considered to make a small but important contribution to the lack of housing land supply. In the examples cited below, the sites all actually fell within the open

countryside outside the limits of development but their contribution to housing provision was an important material consideration.

72 West Winds, Netherstreet, Bromham, SN15 2DP: Outline planning permission was approved under PL/2021/04596 for the demolition of a bungalow and erection of two dwellings. The relevant committee report notes that "*the development would bring a benefit in terms of a net increase of one dwelling in the local housing stock*" (paragraph 9.3). The site was described as being part of a "*small linear enclave*" of Netherstreet and the development was permitted despite the site being c0.5 miles beyond the closest point of the LOD of Bromham.

18 Locks Lane, The Common, Purton, SN5 4HD: Outline planning permission PL/2021/06368 approved alterations and extensions to the existing dwelling, alongside the erection of a detached four-bedroom dwelling (in place of an existing workshop). Here, the site is positioned alongside only one neighbouring dwelling and 0.12 miles from the LOD boundary of Purton. The delegated report considered the scheme in terms of its 'planning balance' and noted the lack of housing land supply and the position of the site in relation to existing built-form. The report also states that "*due to its relationship to the settlement of Purton, it is considered that the proposed dwelling would be located where it would, to a limited degree, maintain the vitality of a rural community*". In conclusion the limited harm arising from the conflict with policy was weighed up against the benefits the scheme, this was despite the fact that the Council openly acknowledged it was "*considered unrealistic to believe that future residents would walk to Purton*" and "*the proposal would likely lead to a reliance on the private car*".

The Brick Store, Dunkirk Hill, Devizes, Wiltshire SN10 2BD: Appeal decision APP/Y3940/C/20/3261363 relates to the occupation of a holiday let as a permanent dwelling (in breach of an occupancy condition). The Inspector acknowledged the site was outside of the LOD for Devizes (some 0.3miles) and that it is "*not one where unrestricted residential development would normally be permitted*". It was also accepted that it would be likely that there would be heavy reliance on travel by car, but this harm would be limited, because of the closeness of the site to Devizes, so that many car journeys would be short. Having regard to the lack of housing land supply and planning balance the Inspector stated:

Housing land supply

15. The Council accepts that it cannot demonstrate a 5 year housing land supply. Whilst the shortfall is not great, it has worsened in the time that the appeals have been under consideration. Although there is no shortfall in this particular part of the county, this does not prevent paragraph 11(d) of the National Planning Policy Framework from being applied here, and the relevant policies most important for determining the appeal are out-of-date. There are no policies applicable here which protect areas or assets of particular importance, and thus the presumption in favour of sustainable development applies.

16. I have identified small harm arising from the need to travel, along with a conflict with the development plan. Although the addition of the dwelling to the housing stock would make the smallest possible increase, in view of the importance which the Government attaches to increasing the supply of housing, I give this benefit modest weight. Weighing these factors, I find the adverse effects of allowing the appeals would not significantly and demonstrably outweigh the benefits.

5.40 In terms of benefits, the proposal would contribute towards the persistent lack of housing land supply within Wiltshire. It is acknowledged this is only an increase in one dwelling, but other decisions (cited above) have given this weight, particularly considering the NPPF's requirement to support the Government's objective of significantly boosting the supply of homes. There would also be economic benefits associated with the proposal both through its construction work to convert the building and the spending associated with the future occupants of the site and the additional Council Tax payments which would be attracted.

5.41 In line with Paragraph 11 of the NPPF, a conclusion needs to be drawn as to whether the identified harms significantly and demonstrably outweigh the identified benefits as listed above. It is clearly evident that in this case there are no harms arising from the proposal and it should therefore be approved.

6.0 CONCLUSION

6.1 This statement has demonstrated how the proposal for a single dwelling on land adjoining 9 The Hollow in Chirton not only conforms to planning policy at all tiers but also makes the best use of land utilising an infill plot within the village of Chirton.

6.2 The dwelling has specifically been designed so as to reflect the character and appearance of the residential area in which it would lie and the setting of the conservation area. It has also been designed and sited so as not to cause demonstrable harm in respect of neighbour amenity or highway safety.

6.3 It is therefore considered that this statement has detailed how the scheme complies with the relevant policies of the Wiltshire Core Strategy.

6.4 The Council is therefore requested to approve this application.