PLANNING STATEMENT

Change of use of land for sui generis use for dog walking (Retrospective)

Turnpike Cottage
Chalcot Lane
Chapmanslade
BA13 4AB

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RTPI
mediation of space · making of place

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1. Introduction

1.1 This statement has been produced to support an application for the change of use of land to be used for dog walking. This is a resubmission of the proposal considered under application reference PL/2022/08650.

1.2 The previous application was refused for the following reason:

> The retrospective 2 metre high close boarded fence that has been erected along the main A3098 by reason of its location, height, materials and length results in an alien feature which creates an urbanising and overly domesticated effect on the character of the rural area which is predominantly comprised of hedgerows and natural vegetation. The fence fails to respond positively to its natural environment and its landscape setting, is visually unattractive and fails to add to the overall quality of the area. It is not sympathetic to its environment nor its landscape setting and fails to make a positive contribution to the character of Wiltshire. As such the proposal fails to comply with Core Policy 57 namely parts i, ii, iii, and the NPPF namely paragraph 130.

1.3 This application has been revised such than the erection of the fence along the A3098 is not included. The fence will be the subject of a separate application in due course.

1.4 This statement should be read in conjunction with the following documents:

- Location plan
- Site Plan

2. Site and surroundings

2.1 The site is located on the north side of the A3098 between Frome and Westbury, as shown below, and comprises a small area of woodland.



Source: Magic maps

2.2 There are a number of listed buildings in the area, but none in the vicinity of the site.



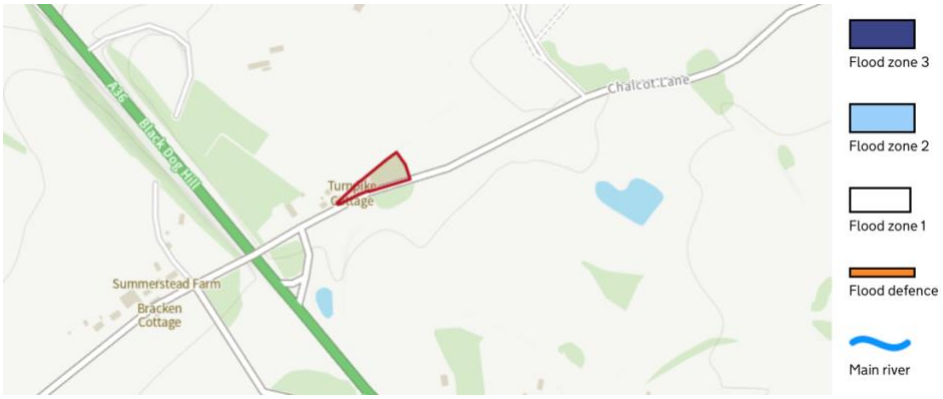
Listed buildings in the area

2.3 There is a network of Public Rights of Way in the area as shown:



Source: Wiltshire Council Rights of Way Explorer

2.4 The site is within Flood Zone 1 where there is a very low probability of flooding and where there is no restriction on development on flooding grounds.



Source: Floodmap for planning

2.5 There are no special designations that apply to the site.

3. Planning history

17/11838/FUL Building of a new oak framed wood shed, chopping area and a wood storage area. Approved with conditions.

PL/2022/08650 Retrospective use of a woodland to be used by dogs and their owners. Refused.

4. Relevant planning policy

National Planning Policy Framework 2023

Chapter 2 Achieving sustainable development

Chapter 6 Building a strong, competitive economy

Chapter 9 Promoting sustainable transport

Chapter 11 Making effective use of land

Wiltshire Core Strategy

CP1 Settlement strategy

CP2 Delivery strategy

CP31 Spatial strategy Warminster Community Area

CP34 Additional employment land

CP48 Supporting rural life

CP50	Biodiversity and geodiversity
CP51	Landscape
CP52	Green infrastructure
CP57	Ensuring high quality design and place shaping
CP60	Sustainable transport
CP61	Transport and new development
CP64	Demand management

Other material considerations

National Planning Practice Guidance

5. Planning considerations

5.1 The starting point in the consideration of this application is the presumption in favour of sustainable development which is at the heart of both the NPPF and the adopted local plan.

5.2 The key issues in this case are:

- Principle
- Amenity
- Access and parking

6. Principle

6.1 The site is located outside of any development limits within open countryside. As such local plan policies CP1 and CP2 apply. These policies direct new development towards established settlements and strictly control new development in the countryside. Local policy does, however, allow for some appropriate development outside settlement boundaries to provide services or employment for local communities.

6.2 Paragraphs 84 and 85 of the NPPF also support suitable rural enterprise. In particular, Paragraph 84 of the NPPF is supportive of a prosperous rural economy, particularly of 'the development and diversification of agricultural and other land-

based rural businesses'. Provided that such development is sensitive to its surroundings and there is not an unacceptable impact on local roads, small scale enterprises such as this should be supported.

6.3 The principle of the use of this land for dog walking is therefore considered to be acceptable in relation to Paragraphs 84 and 85 of the NPPF and Core Policies 1 and 2.

7. Amenity

7.1 The use of the site for dog walking is very small scale and the site is located away from other properties – the nearest (apart from Turnpike Cottage) being approximately 75m away. The proposal only operates during daylight hours and does not have an adverse impact on neighbouring amenity.

7.2 The proposal therefore complies with CP57.

8. Access and parking

8.1 The existing parking area on the southwestern end of the woodland can easily accommodate 2 cars. Cars can enter the site, turn and exit in a forward gear via the existing access.

8.2 Visibility when exiting the site onto the A3098 is in excess of 125m in both directions and we would expect a condition requiring the areas within the splays to be kept clear of obstruction up to a height of 900mm.

8.3 The proposal does not obstruct the PROW in any way.

8.4 As such, the proposal is considered to comply with local planning policies CP60, CP61, CP64 and CP52.

9. Conclusion

9.1 The proposal complies with all relevant national and local planning policies and we therefore respectfully request that permission be granted without delay.

9.2 A separate application will be submitted for the timber fence on the southern boundary in due course.