PLANNING STATEMENT



October 2023

Land at 49A, High Street, Chapmanslade, Westbury BA13 4AL

Erection of 2no 3-bed detached dwellings and 1no 1-bed annex to 49A High Street, Chapmanslade

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1. INTRODUCTION

1.1. Context Planning Ltd has been instructed to prepare an application on behalf of Mr and Mrs Russell for the erection of two detached dwellings and an annexe coach house at land at 49A, High Street, Chapmanslade, Westbury BA13 4AL.

1.2. The site is located within the settlement boundary for Chapmanslade and is not subject to any landscape designations or any site-specific designations in respect of ecology. The site is not located within a Conservation Area, but Barters Farm to the south is a Grade II listed building. The site is in Flood Zone 1 and there are no known drainage issues.

1.3. The site is enveloped by built form on all sides. Planning permission was granted under planning application reference 18/06223/FUL for the erection of 43 dwellings on land at Barters Farm, to the north of the site (known as the Newland Homes development). This permission, which was on an allocated site, has now been built out and has changed the context of the immediate area. This residential development now forms an integral part of the village. There is a current pending application (ref 2023/05349) for a further 9 dwellings in the wider Former Nursery Site to the north.

1.4. Chapmanslade is defined in the adopted Core Strategy's settlement strategy as a 'Large Village' within the Warminster Community Area and is thus recognised as a sustainable location. The village is well served by local facilities and is well connected by public transport. It is located close to Westbury, Warminster and Frome, which have a wider range of services and facilities.

1.5. This Planning Statement assesses the proposed development against the

Development Plan policies of Wiltshire Council, the National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG).

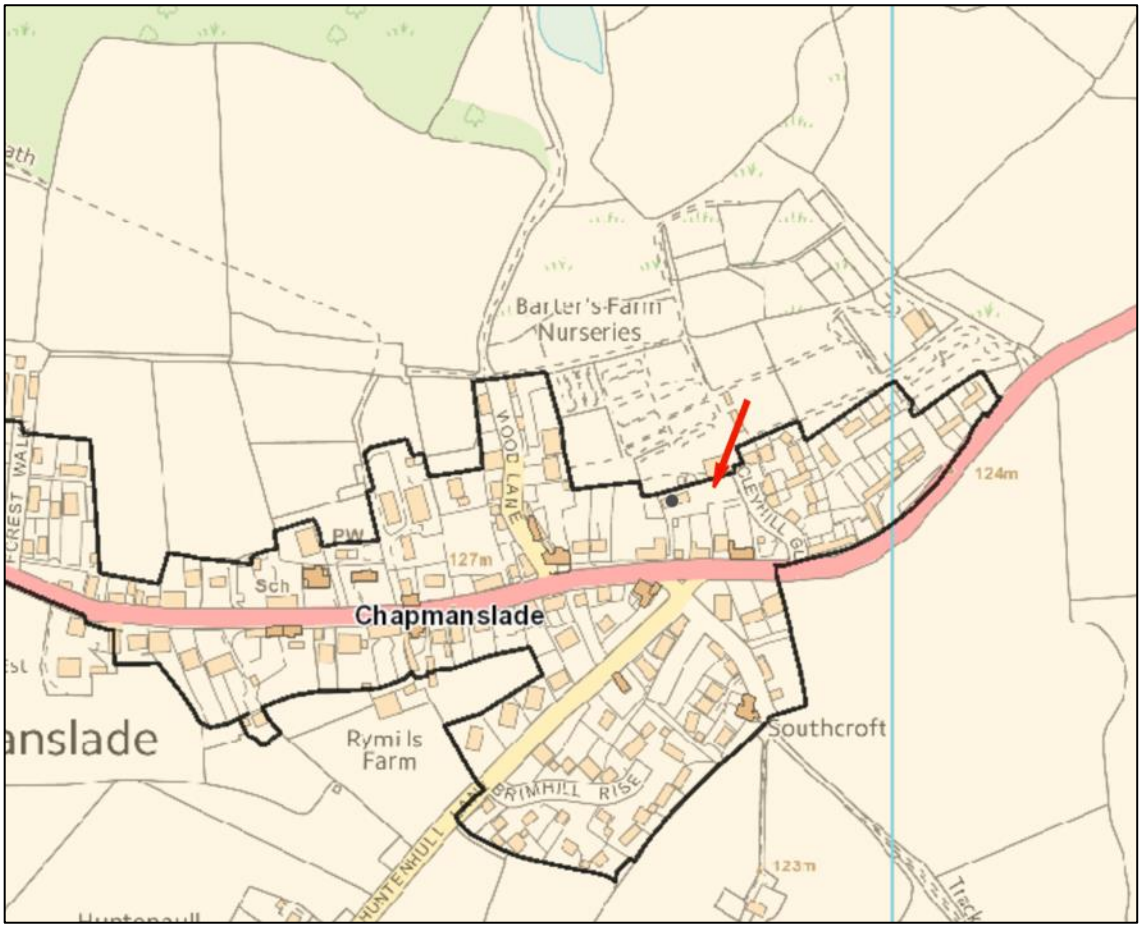

Fig.1 – Location of the application site in relation to Development Boundary (black) and listed buildings (brown)

2. PLANNING HISTORY

2.1. There is no relevant planning history at the application site, but there are nearby permissions which are material to this application:

Application number	Address	Proposal	Decision
18/06223/FUL	Former Commercial Nursery Barters Farm High Street Chapmanslade	Full planning for erection of 43 dwellings (including bungalows and affordable housing) with open space, landscaping, access, parking and associated works.	Permitted
2023/05349	Former Commercial Nursery, Barters Farm, High Street, Chapmanslade	Erection of 9 Dwellings, demolition, and associated works	Pending consideration
2023/02117	113 High Street, Chapmanslade	Proposed 1.5 storey 3/4 bedroom property	Permitted

3. THE PROPOSED DEVELOPMENT

3.1. The development comprises the erection of two detached dwellings and an annexe at land at 49A, High Street, Chapmanslade. The detached dwellings would both be three-bedroom dwellings, and the annexe would be a one-bedroom unit which would function as an ancillary building to 49a High Street.

3.2. The detached dwellings and annexe would be located to the east of 49A High Street in the existing large side garden. The development site lies to the south of the Newland Homes development at Barters Farm, and the scheme would follow the general design approach of this development. The dwellings and annexe would be of a simple, but modern design, using high quality materials. The buildings would be constructed from coursed recon stone block under grey slate tiles. The development would include renewable energy provisions.

3.3. The proposed development site would be accessed via the new estate road to the north which is an adopted highway. The access to 49a would be retained in its existing form which is from the High Steet. Parking would be provided on site for the new dwellings in accordance with the requirements of the Wiltshire Car Parking Strategy.

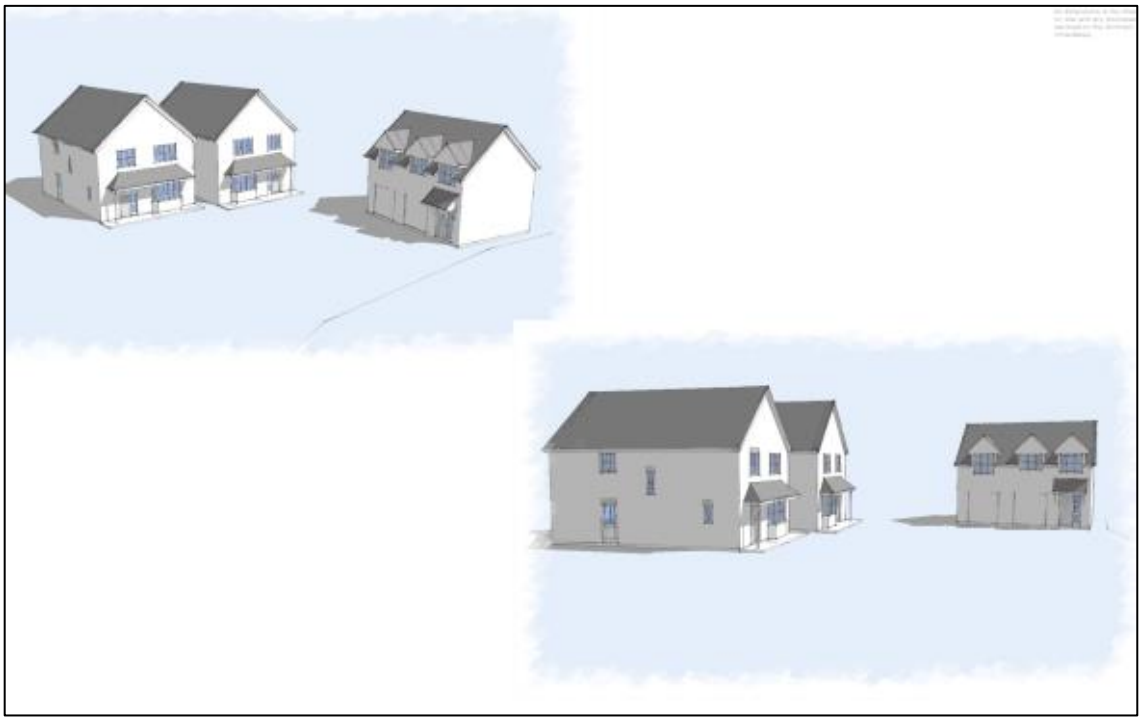

Fig.2 – Visuals of development

4. PLANNING POLICY

4.1. Section 70(2) of the Town and Country Planning Act 1990 provides that, in dealing with proposals for planning permission, regard must be had to the provisions of the development plan, so far as material to the application, and to any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that if regard is to be had to the development plan for any determination then that determination must be made

in accordance with the plan unless material.

4.2. The Statutory Development Plan is comprised primarily of the Wiltshire Core Strategy (adopted in January 2015), and the saved policies of the West Wiltshire District Plan 1st Alteration 2004.

The Wiltshire Core Strategy (2015)

4.3. Core Strategy Core Policy 1 (CP1) sets out the settlement strategy for Wiltshire, identifying four tiers of settlements (Principal Settlements, Market Towns, Local Service Centres and Large and Small Villages). Chapmanslade is defined as 'Large Village' where development can be supported in order to help retain the vitality of these communities. The development of small housing and employment sites is expected within the defined housing boundaries to help meet the housing needs of settlements and to improve employment opportunities, services and facilities.

4.4. Core Strategy Core Policy 2 (CP2) sets out a delivery strategy, which seeks at least 42,000 homes in Wiltshire between 2006 and 2026. Core Policy 2 explains that within the limits of development, there is a presumption in favour of sustainable development at the Principal Settlements, market Towns, Local Service Centres and Large Villages.

4.5. Core Policy 31 outlines the spatial strategy for the Westbury Community Area in which Chapmanslade sits. Over the plan period (2006 to 2026), it expects that approximately 2,060 new homes will be provided.

4.6. Policy CP51 seeks to protect, conserve and enhance Wiltshire's distinctive landscape character. It requires that proposals are sensitive to distinctive landscape setting character of the settlements and their transition between

man-made and natural landscapes.

4.7. CP57 relates to design and advises that new development should enhance local distinctiveness relating positively to its setting. Green infrastructure should be safeguarded and development should make an efficient use of land. Development should have regard to its impact on adjoining uses and buildings ensuring an appropriate level of amenity. Buildings should take account of diversity and adaptability, considering how buildings and space will be used in the immediate and long-term future.

4.8. Core policy CP60 aims to reduce the need to travel particularly by private car by planning development in accessible locations and promoting sustainable alternatives. CP61 requires new developments to be served by safe access to and from the highway.

National Planning Policy Framework (NPPF)

4.9. The NPPF guides at paragraph 38 that 'Local Planning Authorities (LPA) should approach decision-making on proposed development in a positive and creative way…and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision makers at every level should seek to approve applications for sustainable development where possible'.

4.10. Paragraph 10 advises 'so that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development'.

4.11. Paragraph 11 outlines how the presumption in favour of sustainable development, which should be seen as a golden thread running through both

plan making and decision taking is engaged. For decision taking this means 'approving development proposals which accord with an up-to-date Development Plan without delay'.

4.12. Alternatively, if 'the policies which are most important for determining the application are out-of-date, granting permission unless; 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'.

4.13. Paragraph 60 makes clear that 'to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed'.

4.14. Paragraph 68 advises 'planning policies should identify a sufficient supply and mix of sites'. Paragraph 69 emphasises that 'small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built out quickly…Local Planning Authorities should identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirements on sites no larger than one hectare'. They should also 'support the development of windfall sites through their policies and decisions.

4.15. Paragraph 74 states that 'Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years worth of housing against their housing requirement'. In addition, a buffer of 5,10 or 20% should be provided on top depending on the circumstances of the LPA.

4.16. Paragraph 77 advises that "in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments

that reflect local needs."

4.17. Paragraph 79 advises that 'planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby'.

4.18. In respect of transport, paragraph 110 advises that it should be ensured that 'safe and suitable access to the site can be achieved for all users'. Paragraph 111 advises 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'.

4.19. Paragraph 119 advises that 'planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses'. Planning decisions should 'give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs'.

4.20. Paragraph 130 guides that planning decisions should ensure that developments will 'function well and add to the overall quality of the area'; 'are visually attractive as a result of good architecture, layout and appropriate and effective landscaping'.

5. MAIN ISSUES

Principle of Development

5.1. CP1 identifies the settlements where sustainable development will take place.

The site is located within the existing built-up area of the village of Chapmanslade, which is defined as a large village by Core Policy 1 (Settlement Strategy) and Core Policy 31 (Spatial Strategy for the Warminster Community Area). Large Villages are defined as settlements that have the ability to support sustainable patterns of development through their current levels of facilities, services and employment opportunities.

5.2. Core Policy 2 sets out the delivery strategy for growth for the period 2006 to 2026 and aims to distribute development in a sustainable manner. Within the defined limits of development for settlements, there is a presumption in favour of permitting sustainable development. Given the sites location within the development limits of Chapmanslade, the development is compliant with the strategic policies of the Development Plan. There have been a number of recent permissions for new dwellings within the village of Chapmanslade, including the large Newland Development to the north, and a new infill dwelling at 113 High Street.

5.3. Policy CP60 aims to reduce the need to travel particularly by private car by planning development in accessible locations. By virtue of being in the Housing Development Boundary, the site is considered to be in a sustainable location. Chapmanslade is recognised as a large village and has adequate services and facilities to accommodate an additional dwelling, including a primary school, pub, church and village hall.

5.4. The Coach House will function as an annexe to the main dwelling at 49A High Street and will be occupied by family members of the host building. Its design, siting, scale and use, will ensure that it retains a functional and physical link to 49A High Street. This development, within the existing residential curtilage of 49A High Street, is compliant with the policies of the Development Plan.

5.5. Notwithstanding the policy compliant position of the development as outlined above, the Council's housing land supply position is still an important material consideration. The Council's recently published Housing Land Supply Statement dated May 2023 (with a baseline date of April 2022), which covers the housing land supply for the Wiltshire unitary authority area, concludes the Council cannot currently demonstrate a 5-year supply of deliverable housing land, which is calculated at a land supply of 4.6 years.

5.6. With this recognition, the tilted balance flowing from paragraph 11d) ii of the National Planning Policy Framework is engaged. Paragraph 11 of the Framework sets a presumption in favour of housing delivery unless protected areas or assets of particular importance would be demonstrably harmed by the development proposal and would provide a robust and clear reason for refusing the application.

Design

5.7. Wiltshire Core Strategy Core Policy 57 advises that new development should respond positively to the existing townscape features in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting. Core Policy 57 further highlights that applications must demonstrate how applications will make positive contributions to the character of the area through the use of high standards of building materials, finishes and landscaping.

5.8. The existing dwelling at 49a has a generous side garden, which appears large when compared to those in the immediate area. The proposals result in the loss of part of this garden. However, the loss of this garden to facilitate the development does not result in any harm and constitutes the efficient use of

land which is promoted by the National Planning Policy Framework. The side garden is of domestic character and does not form an important feature in the street scene. Views into the site are currently limited due to the existence of a close boarded fence and trees across the extent of the boundary with Cleyhill Gardens.



Fig.3 - View of garden looking east

5.9. The development has been designed with consideration of local context. The character of this part of the village has evolved with the development of the Newland Homes development to the north. The proposed development closely reflects the change in character, with the design of the dwellings taking cues from this new development. This ensures that the development integrates successfully with the surrounding built form.

5.10. Due to the fact that the development site is now surrounded by development on all sides, the site now presents itself as an infill plot. The layout of the dwellings and the annexe, again reflects that of the existing built form. Due to the dwellings

being accessed from the estate road within the new development to the north, and the fact that the dwellings follow a similar design approach, they will read as a natural extension of this recently constructed development. The close relationship between the application site and the Newland Homes can be seen in Figure 4 below.



Fig.4 - View of garden looking north-west towards new development and the proposed vehicular access point

5.11. The front of the dwellings will face the newly extended estate road, whilst the rear of the dwellings will face Cleyhill Gardens. The dwellings in this location have a variety of orientations, with front, side, and rear elevations facing the road. By orientating the dwellings as proposed, allows the frontage to face the access road which in turn ensures that the development appears as a

continuation of the estate to the north. It also allows for the retention of the trees on the eastern boundary of the site. This can be seen in Figure 5 below.



Fig.5 – Proposed site layout

5.12. The density of the development is appropriate for this built-up location within the village and the plot is of a sufficient size to adequately accommodate two dwellings and the Coach House annexe. The proposed dwellings would each benefit from adequate amenity space, commensurate with the size of the units, and similar to the surrounding dwellings, particularly the newly constructed units.

5.13. The scale of the dwellings again reflects that of the surrounding development. The ridge height of the two detached dwellings is similar to that of the Newlands Homes development. The new dwellings can be seen in Figure 6 below. The Coach House annexe building is of a reduced height which reflects its position, sitting more internally within the site and reflects its function as an annexe. The

scale of this building will ensure that it appears subservient to the dwelling at 49A High Street.



Fig.6 – Proposed elevations on Plot 1, 2 and Coach House annex

5.14. The design of the development is simple, but a modern, high-quality development. The elevational treatment is coherent and again reflects the neighbouring development. The materials comprise recon stone under grey slate tiles. The development will incorporate sustainable construction methods and on-site renewable energy provisions.



Fig. 7 – Context of the surrounding development

5.15. The layout of the site allows for room for a landscaping scheme to ensure that the development is softened and integrated into the village setting. However, due to the built-up nature of the site, it is not considered that substantial landscaping is required to make this scheme acceptable. The existing trees at the boundary of the site will be retained.

5.16. Overall, the development responds positively to the requirements of Core Policy

57 (Ensuring high quality design and place shaping).

Heritage

5.17. Core Policy CP58 explains that development should protect, conserve and where possible enhance the historic environment. Designated heritage assets and their settings will be conserved, and where appropriate enhanced in a manner appropriate to their significance.

5.18. The site is not located in a Conservation Area but there are a few listed buildings within the immediate vicinity. Barters Farm (Grade II) is located on the High Street and is the most sensitive to change when considering the current application. The listing description is as follows:

CHAPMANSLADE HIGH STREET ST 8247 (north side) 12/49 Barters Farm GV II Farmhouse, now detached house. Early C18. Rendered, half-hipped Welsh slate roof, brick stacks. Through passage plan. Two-storey, 5-window. English garden wall bond brick gabled porch with bull's- eyes to sides, planked and studded inner door, two 3-light cyma- mullioned casements with hoodmoulds to right and 2-light and 3- light mullioned casements with hoodmoulds to left. First floor has two 2-light and three 3-light cyma-mullioned casements. Right return has 2-light casement to ground floor and 2-light cyma- mullioned casement to first floor. Left return has C20 casements. Rear has 3-light cyma-mullioned casement to left, glazed door and mullioned casement to right within C20 conservatory, first floor has two 2-light single light casements. Lean-to extension to left and single-storey extension to right. Interior said to have two open fireplaces and chamfered beams.

5.19. Other listed buildings include, 65 High Street and 54 High Street. However, these are set a sufficient distance from the site to ensure their significance is

not harmed through the proposed development.

5.20. Barters Farm fronts the High Street and its rear elevation sits approximately 42 metres from the boundary with the application site. Views to the rear of the listed building are already interrupted by mature landscaping and outbuildings. Although a former farmhouse, Barters Farm is set within the built-up area of Chapmanslade. The dwelling does not benefit from a rural setting, and any former rural setting has been diminished due to the siting of the former commercial nursery, and the now Newland Development and Cheyhill Gardens.

5.21. The application site, which is of domestic character, does not contribute to the setting of this listed building. The buildings as proposed are of a simple design, and set a sufficient distance from the listed building to ensure that they do not compete with the listed building, and do not impact its significance through harm to the setting. The proposed development will be seen in the context of the residential development to the north.

5.22. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires 'special regard' to be given to the desirability of preserving a listed building or its setting. For the reasons outlined above, it is considered that the proposal would result in no harm to the significance of the historic buildings. The proposal is therefore considered to comply with CP57 and CP58, the NPPF and the Planning (Listed Buildings and Conservation Areas) Act 1990.

Trees

5.23. The development will not require the removal of any trees within the site. Retained trees will be fully protected during the construction phase. Any operational development will be sited away from the root protection areas and the siting and design of the dwellings considers the health and future

management of the tree line.

5.24. If required, an Arboriculture Method Statement with a Tree Protection Plan can be secured via condition on any planning approval. The development is therefore in full accordance with Core Policy 52.

Highways

5.25. When the Newlands Homes scheme was developed, an access to the rear of 49A High Street was provided. This allows for an access to the proposed development site, through the new estate road to the north of the site. Newland Home development is accessed from Cleyhill Gardens, and the increase in use of this road would not be material.

5.26. The retained access point can be seen in Figure 8 below. This provides a safe vehicular and pedestrian access to the site. The access to the site is current gravel, but this surfacing can be upgraded to ensure that vehicular access is constructed with a bound and compacted surfacing material.



Fig.8 – Proposed access point

5.27. The level of proposed off road parking would meet the provisions of the Wiltshire Car Parking Strategy for both existing and proposed properties. There is ample space within the site to accommodate the necessary cycle storage and electric vehicle charging (EVC) spaces will be provided for each dwelling.

5.28. Overall, therefore, the scheme would not have an adverse impact on highways safety and the development can be served by a safe access and will accommodate the require parking provisions on site.

Drainage

5.29. Core Policy 67 of the Wiltshire Core Strategy states all new development will include measures to reduce the rate of rainwater run-off and improve rainwater infiltration to soil and ground (sustainable urban drainage) unless site or environmental conditions make these measures unsuitable.

5.30. The site is not located within an area of flood risk. Sustainable drainage systems and soakaways are proposed for the new dwellings and a there is no reason to believe a feasible solution cannot be developed. Foul water sewage would be connected to the mains sewer. If necessary, a detailed drainage strategy could be secured via condition with details submitted prior to the construction of the dwelling

Ecology

5.31. Section 15 (Conserving and Enhancing the Natural Environment) Paragraph 174 of the National Planning Policy Framework states that planning decisions should contribute to and enhance the natural and local environment and Paragraph 180 (a) highlights that any impacts on biodiversity resulting from development should be mitigated or as a last resort compensated for by

providing opportunities for biodiversity net gains; and if this is not considered by the application, planning permission can be refused.

5.32. CP50 of the WCS furthermore states that development proposals must demonstrate how they protect features of nature conservation and there is an expectation that such features shall be retained, buffered and managed favourably in order to maintain their ecological value. Due to the fact that the development site is a well-maintained garden, the site is not of high ecological value. The trees within or adjacent to the site have negligible bat roosting potential but the boundary trees will be retained maintaining connectivity within the surrounding landscape. There is the opportunity for biodiversity net gain within the site, and measures such as bat boxes, swallow nest boxes and native planting can be incorporated within to the scheme.

Residential amenity

5.33. CP57 of the adopted WCS requires in part vii for development proposals to have "regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing, vibration, and pollution (e.g. light intrusion, noise, smoke, fumes, effluent, waste or litter)".

5.34. The design of the development has been informed by the siting of the neighbouring properties. Whilst there are windows on the side elevations which face onto neighbouring properties, these will be glazed with obscure glass. The windows will also be non-opening unless the parts of the windows which can be opened are more than 1.7 metres above the floor of the room in which the window/s is installed. This will ensure that the privacy of any neighbouring occupiers is safeguarded.

5.35. Plot 1 of the development would sit alongside Plot 1 of the Newland Development. However, as these sit side by side, any impact upon this dwelling is minimised. Whilst the new dwelling would be set slightly forward from Plot 1 of the Newland development, this would not result in any overshadowing or overbearing impacts to these neighbouring residents.



Fig.9 – View of Plot 1

5.36. Plot 2 would sit alongside the boundary with Barters Farm, but due to the distance between the two properties, the impact upon the occupiers of this property will be limited. Whilst the development will bring built form closer to their garden area, due to the large rear garden, the proposed development will not result in an overbearing impact or dominate the outlook. Further, the visibility of the dwellings is broken up by existing outbuildings and landscaping.

5.37. The annexe will be located close to the boundary with 47 High Street. There will be no windows which face onto this neighbouring property. Due to the appropriate scale, siting, and long rear garden of 47 High Street, the building will not result in an overbearing impact, dominate the outlook or result in an unacceptable level of overshadowing.

5.38. The development has been designed to ensure that the future occupiers of the development have satisfactory living conditions. Both dwellings benefit from generous room sizes and a garden commensurate to the size of the respective dwelling. Plot 1 of the Newland development, which sits adjacent to 49a High Street has obscurely glazed windows which face onto the application site. As such, there will be no overlooking to the proposed garden areas from this dwelling. The annexe will provide suitable living conditions for the occupiers of this unit, and this will be an ancillary use to 49A High Street. This would therefore share the garden area with this dwelling and would have access to outdoor amenity space as required.

5.39. The development will not impact negatively on the existing dwelling at 49A High Street. Whilst the development will reduce its garden area, it will still retain a garden area that will sufficiently serve the needs to the occupiers or future occupiers of the development. A rear garden will be retained as well as amenity space to the front. Whilst front gardens do not always have a high level of privacy, due to the backland nature of this dwelling, the front garden would be able to serve as private amenity space if required.



Figure 10 – Rear garden of 49A

5.40. Overall, the proposal would not impact upon the amenity of existing residential properties in the form of overlooking, overshadowing or overbearing impact. Further, the proposed dwellings and annexe would have satisfactory living conditions. The proposal is considered to comply with the relevant criteria of CP57.

6. CONCLUSION

6.1. Section 70(2) of the Town and Country Planning Act 1990 provides that, in dealing with proposals for planning permission, regard must be had to the provisions of the development plan, so far as material to the application, and to

any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that if regard is to be had to the development plan for any determination then that determination must be made in accordance with the plan unless material considerations indicate otherwise

6.2. This Planning Statement demonstrates that the proposals are fully in accordance with the Development Plan and the National Planning Policy Framework. The development is located within the development limits of Chapmanslade and sustainably located.

6.3. The siting, layout, scale and design has been informed by local context. The development respects the character and appearance of the area, and no harm is caused to nearby designated heritage assets.

6.4. No harm has been identified to neighbouring residential amenity or highway safety, or with regards to any other matter. To the contrary, clear benefits have been identified.

6.5. Paragraph 11 of the Framework explains that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted 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; 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.

6.6. No harm has been identified and it is therefore clear that planning permission should be granted. Even if any harm is identified, this harm can only be limited. In the context of out-of-date Development Plan policies, any perceived harm would not significantly and demonstrably outweigh any benefits.

6.7. Overall, there is nothing to demonstrate that the proposal would amount to unsustainable development and therefore this application should be approved.

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