PLANNING, DESIGN AND ACCESS STATEMENT

APPLICATION FOR ADDITIONAL STOREY INCORPORATING MANSARD ROOF TO COMPRISE 4NO. FLATS AND ASSOCIATED WORKS AT:

1 MARKET PLACE, CHIPPENHAM, WILTSHIRE SN15 3HD



TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING AND COMPULSORY PURCHASE ACT 2004

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1. INTRODUCTION

1.1 RAW Planning Ltd are instructed by Riverstreet Developments (the "Applicant") to prepare a Planning Statement to support a planning application for an additional (second floor) storey to comprise 4no. 1 bedroom flats and incorporating a mansard roof and associated works at 1 Market Place, Chippenham SN15 3HD (the "Application Site").

1.2 The application site is located within Chippenham town centre, with the ground and first floor previously occupied by a retailer. The building is unlisted, and positioned within the Chippenham town centre Conservation Area.

1.3 The unit has been vacant for 18 months. However, the applicant has been approached by a national operator who wishes to lease the ground floor and first floor, retaining the entire ground floor for retail use, and the entire first floor for associated office and storage use.

Planning History

1.4 Planning permission was granted for the change of use of the upper floors from office to residential use on 13th December 2021 under reference: PL/2021/07893. This extant permission has not yet been implemented. The approved plans illustrate the creation of 3no. 1 bedroom flats plus external alterations to include the addition of two high level windows to the south east elevation and a replacement composite door and reinstatement of a window to the south west elevation.

1.5 Class MA consent (PL/2023/02655) was granted for the change of use of the majority of the ground and all of the first floor into residential use comprising 7no. residential units (5no. 1 bedroom flats, 1no. 2 bedroom flat and 1no. studio).

2. APPLICATION SITE

2.1 The application site is situated within Chippenham town centre. The building itself has a dual frontage at the junction of the High Street and River Street.



Image 1: Application site location



Image 2: Main elevation to application building fronting on to Market Place (River Street visible to the side)

2.2 The site is located in close proximity to a number of listed buildings and also within the Chippenham Conservation Area. The site also falls within the Primary Retail Frontage of the town.

2.3 The frontage block consists of a two storey stone façade in an art deco style. The ground floor consists of a modern dual aspect shop front. The rear projection consists of a stone, red brick and part rendered flat roof addition, with vehicular access via a service yard and public car park.

2.4 An external metal staircase is located on the rear elevation to gain separate access to the first floor at the rear. The upper floor of the building has been used as office space and storerooms ancillary to the retail use of the building.

3. PROPOSED DEVELOPMENT

3.1 It is proposed to retain the existing retail use on the ground floor, and office/store on the first floor. Both ground and first floor are to be leased to a national retailer, which would boost the local economy and bring back a rare and much needed empty shop back into economic use.

3.2 In order to make efficient use of the building, and assist in boosting the housing supply, it is proposed to add a mansard roof to facilitate a second floor to the building to accommodate 4no. 1 bedroom residential units. The mansard roof has been designed so that it will be barely visible from Market Place.

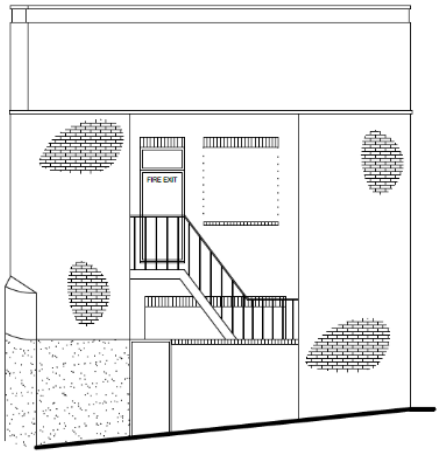


EXISTING NORTH EAST ELEVATION

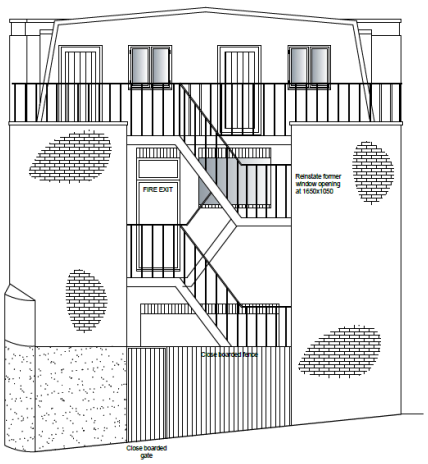


PROPOSED NORTH EAST ELEVATION

3.3 It is proposed to preserve the iconic Burton signage on the north east and north west elevations (Market Place and River Street) with new modern fascias below.



EXISTING SOUTH WEST ELEVATION



PROPOSED SOUTH WEST ELEVATION

3.4 The south west elevation would be improved, with the introduction of a private access leading to a new external staircase, secured behind a newly constructed fence. At the first floor level a blocked window would be reinstated. The new mansard would be set back with access from a shared balcony with two doors and two windows visible in this location. The view of this elevation is from the public car park, against the backdrop of the service arrangements and rear facades of other commercial buildings which front on to Market Place.

3.5 The south east elevation would be enhanced with new detail in the form of six new windows which mirror those fronting onto River Street, and a visible mansard roof structure. Two high level windows were approved via the first application (and with the prior approval). These would allow a flow of natural light into the first floor and the style of the new windows is more in keeping with existing fenestration.

3.6 The mansard would contain four windows on the River Street elevation, and five on the south eastern elevation (plus patio doors to access the roof terrace).

3.7 The proposed 4no. flats would be of a similar size, with 2no flats extending to 37.8sqm; 1no. extending to 37.7sqm and 1no. extending to 37.1sqm. As such, they all exceed the national minimum space standards.

3.8 One of the flats would benefit from a roof terrace, accessed via french doors from the living room. Each flat comprises a bedroom, shower room, and an open plan kitchen-dining-living room. The two rear flats would be accessed via private doors from the newly created external stairwell, with the two front flats accessed via an extension of the existing internal staircase.

4. PLANNING POLICY CONTEXT

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications are determined in accordance with the Development Plan unless material indicate otherwise. The National Planning Policy Framework (NPPF) is considered to be a material consideration that attracts significant weight.

4.2 The statutory requirement set out within the Planning (Listed Buildings and Conservation Areas) Act 1990, at Sections 66(1) and 72(1) confirms that considerable weight should be given to the protection of the character and appearance of a Conservation Area.

4.3 This section refers to relevant national planning policy and guidance as well as Development Plan policies that provide the planning policy framework for this appeal that should be considered. It deals with the following layers of policy and guidance:

- National Planning Policy Framework (NPPF)
- The Development Plan

National Planning Policy Framework (NPPF)

4.4 The NPPF outlines national guidance and the Government's policies on the many different aspects of planning. A third version of the NPPF was published in July 2021.

4.5 Paragraph 2 explains that planning law requires applications for planning permission to be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

4.6 Paragraph 11 sets out a presumption in favour of sustainable development and states that for decision making this means approving development proposals that accord with an up-to-date development plan without delay (sub-section(c)).

Making effective use of land

4.7 Paragraph 119 emphasises that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

4.8 Paragraph 120 states that planning policies and decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes as well as promoting and supporting the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing.

4.9 Paragraph 118 encourages multiple benefits of both urban and rural land, including mixed use schemes and supporting opportunities to use the airspace above commercial premises for new homes.

4.10 Paragraph 120 (d) states that planning policies and decisions should "*promote and support the development of under-utilised land and buildings, especially if it would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively*."

4.11 Paragraph 120 (e) states that planning policies and decisions should "*support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular**, they should allow upward extensions** where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers."* [our emphasis].

4.12 Section 12 is entitled "Achieving well-designed places". Paragraph 126 explains that good design is a key aspect of sustainable development. Paragraph 130 sets out that planning policies and decisions should ensure that developments will add to the overall quality of their area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting.

4.13 Section 16 is entitled "Conserving and enhancing the historic environment". Paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). Paragraph 202 states that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimal viable use. Paragraph 206 states that local planning authorities should look for opportunities for new development within Conservation Areas to enhance and better reveal their significance. Proposals that preserve elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

The Development Plan

4.14 The Statutory Development Plan covering the application site comprises the Wiltshire Core Strategy (2015) and the saved policies of the North Wiltshire Local Plan (2011). The most relevant policies in the consideration of this application are as follows:

4.15 Core Policy 1 (Settlement Strategy) identifies Chippenham as one of four Principal Settlements within Wiltshire, which are the major focus for growth.

4.16 Core Policy 2 (Delivery Strategy) states that there is a presumption in favour of sustainable development within the limits of development of identified settlements.

4.17 Core Policy 9 (Chippenham Area Strategy) sets out the important role that Chippenham plays within the county. The supporting text to Core Policy 9 states:

"As there is currently a shortfall of suitable land for employment growth in the town, a priority for this strategy is to ensure appropriate economic development takes place to prevent existing and prospective employers moving elsewhere. A failure to respond to this issue could lead to a loss of local employment at a time when some job losses are anticipated due to the current economic climate."

4.18 At paragraph 5.46, it goes on to explain that greenfield sites and village locations are being considered for housing because there is limited opportunities for brownfield sites in Chippenham town centre.

4.19 Core Policy 57 Ensuring high quality design and place shaping sets out 14 criteria which all new developments must meet, including alterations to existing buildings. Specifically, criterion (iv) requires development to be sympathetic to, and conserve historic buildings, and criterion (xii) requires the use of high standards of building materials and finishes.

4.20 Core Policy 58 Ensuring the conservation of the historic environment states that development should protect, conserve and enhance the historic environment. Designated heritage assets should be appropriately enhanced in a manner appropriate to their significance.

4.21 Core Policy 61 (Transport and New Development) states that new development should be capable of being served by safe access to the highway network.

4.22 Core Policy 64 (Demand Management) states that the provision of car parking associated with new residential development will be based on minimum parking standards and that reduction to the requirement can be considered where there are significant urban design or heritage issues, where parking demand is likely to be low or where any parking overspill can be controlled.

4.23 North Wiltshire Local Plan 2011 (Saved Policies)

4.24 Saved Policy R7 permits the use of upper floors for residential, community or employment uses subject to such uses not prejudicing the retail use of ground floor.

5. PLANNING ASSESSMENT

5.1 This section provides an analysis of the proposal against the development plan and those matters which are material to the determination of the planning application, at both a national and local level.

The Principle of Residential Use

5.2 The application site is located within the limits of development of Chippenham town centre. As such, the principle of residential development in this location is consistent with the key objectives of Wiltshire Core Policies 1 and 2. The presumption of sustainable development favours the principle of the proposed development.

5.3 Furthermore, the principle of making effective use of space above shops in town centres is particularly supported by the NPPF.

Useful Precedent

5.4 The principle of constructing a second storey with a mansard roof design in Chippenham town centre Conservation Area is at 8 Station Hill (ref: 18/03415/FUL). In the officers report, it confirms that the residential use in this location is acceptable, and in terms of its impact on the visual amenity and the character of the Conservation Area, it states:

"The proposal includes the erection of a second floor to contain the proposed 2 No flats. Sample materials of the proposed zinc and timber cladding have been assessed on site and are considered to compliment the character and appearance of the existing property and surrounding buildings and wider locality. No other alterations to the front elevation are proposed meaning the development will not have any significantly adverse impact on the street scene. The proposal is considered to protect and conserve the historic setting, character and appearance of this part of the Conservation Area due to the high quality design and materials proposed for the second floor. The proposal is therefore in accordance with Core Policies 57 and 58."

5.5 Whilst the proposed development is larger due to the building have a larger floorplate (and space to accommodate four flats rather than two), the principle of this type of development has been established in a similar location.

Heritage

5.6 A Heritage Statement is prepared by HPS (a local, Chippenham based firm), and submitted as part of this application. This considers the design and heritage implications of the proposed mansard roof

extension. It is not proposed to reiterate the content of that report here, but the conclusions are summarised below.

5.7 The Statement sets out the significance of the building within the Conservation Area. It concludes that the significance of the building will be well preserved as it will restore and better reveal neglected areas of the building by removing the overbearing facia, and redesigning the frontage, as well as retaining and restoring the iconic architecture and signage.

5.8 Heritage benefits of the scheme include improved upkeep and care associated with high quality development, and increasing the number of residential units within the town centre with the practical uses at ground and first floor creating a dynamic town centre in Chippenham's historic core.

5.9 Overall, the plans are considered to benefit Chippenham Conservation Area, improve the wider setting of the Market Place listed and non-designated heritage assets and to promote a sustainable future for one of Chippenham's iconic local heritage assets.

Residential Amenity

5.10 Given the town centre location and proximity of a number of commercial properties, a noise assessment is submitted as part of the application. The report was originally prepared to support the Prior Approval application for residential development at the part ground, and first floor within the building. The report concluded that the noise generated from the retail operation would not cause detriment to the amenity of future occupiers. As the proposed residential element is now two floors above the retained retail use, it is submitted that the impact would be lesser than that in the accompanying report.

5.11 The proposal does not incorporate the inclusion of private outdoor amenity space for 3 of the 4 flats. Flat no.1 would benefit from a roof terrace via double doors from the living room. However, this was not a concern for previous applications. It was considered by the officer in the report prepared for the first planning application (ref: PL/2021/07893/FUL):

"Due to the proximity of the proposed flats to the high street, existing public amenity space in the locality and no specific planning policy relating to the provision of gardens/garden size, this is not considered to warrant the refusal of the application…."

5.12 The proposed windows at first floor (south eastern elevation) overlook the car park, and as such would not result in any harm to residential amenity. Equally, the proposed windows on the River Street elevation on the mansard roof overlook a commercial premises and not in to the windows of any residential accommodation.

Highways Impacts

5.13 As in line with previous applications at this site, no allocated car parking provision is provided for in the scheme. There is no change proposed to the service yard or parking arrangements to the rear of the building and there is a public car park within very close proximity. The highways officer commented on previous applications, raising no objection to the lack of car parking provision due to the town centre location of the proposal, in which a number of services and facilities are available as well as the proximity of the site to public car parking facilities.

7. SUMMARY AND CONCLUSIONS

7.1 It is proposed to add a second floor mansard roof to 1 Market Place in Chippenham town centre to comprise 4no. 1 bedroom flats, and associated works. The principle of residential use within the building is well established through the grant of planning permission for the change of use of the first floor, and latterly, prior approval for the change of use of much of the ground floor and all of the first floor to residential use.

7.2 These two permissions are currently unimplemented, but remain extant. The applicant sought for the conversion due to a lack of market interest in the large ground floor retail unit. However, following the recent prior approval, the applicant was approached by a national retailer looking to lease the entire ground floor for retail use, and the first floor for associated office and storage space. This would be a major investment into the town centre, providing jobs, vitality in the town centre and Conservation Area, and a boost to the local economy.

7.3 In order to make effective use of the building, it is proposed to (retain the existing uses at the ground and first floor), and add a mansard roof to accommodate 4no. flats. It has been demonstrated that the principle of residential use in the building, and at the site, is acceptable being supported by both national and local planning policy. The introduction of 4 no. residential units at a town centre brownfield site is a rare opportunity and would enable a contribution to the housing land supply at a time when Wiltshire Council cannot demonstrate a five year housing land supply.

7.4 The building is unlisted and lies within a Conservation Area. A detailed Heritage Statement has been prepared to support this application, which concludes that the proposed development would result in minor positive enhancements to the building by better revealing its significance by removing the overbearing facia, and redesigning the frontage, as well as retaining and restoring the iconic architecture and signage.

7.5 Heritage benefits of the scheme include improved upkeep and care associated with high quality development, and increasing the number of residential units within the town centre with the practical uses at ground and first floor creating a dynamic town centre in Chippenham's historic core.

7.6 Overall, the plans are considered to benefit Chippenham Conservation Area, improve the wider setting of the Market Place listed and non-designated heritage assets and to promote a sustainable future for one of Chippenham's iconic local heritage assets.



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