ALLEN PLANNING Ltd
Town Planning and Development Consultants

Planning, Design & Access Statement

planning permission for:

Variation of condition No of Planning Permission reference **PL/2023/03630** granting permission for Variation of condition 2 of PL/2023/00574 - to allow alterations to the proposed roof level and design of the approved dwelling

Site at

High Banks, Warminster Road,
South Newton, Salisbury
SP2 0QD

October 2023- Updated February 2024

1.0 Introduction

1.1 This Planning Statement has been prepared by Allen Planning Ltd on behalf of the site owner to support a planning application submission for the variation of condition no.2 imposed upon Planning Permission reference PL/2023/03630 granting permission *for the Variation of condition 2 of PL/2023/00574 - to allow alterations to the proposed roof level and design of the approved dwelling*

1.2 Turning to the approved Condition No. 2 this stated:

"*The development hereby permitted shall be carried out in accordance with the following approved plans:*

Block Plan and Location Plan received 25/01/2023
Tree works schedule received 25/01/2023
MCA2023/105/ 103 Rev A approved & proposed ground floor plans received 05/05/2023
MCA2023/105/ 105 Rev A proposed first floor and loft plan received 05/05/2023
MCA2023/105/ 106 Rev B proposed second floor and proposed roof plan received 05/05/2023
MCA2023/105/ 106 Rev C approved & proposed elevations 1 received 13/07/2023
MCA2023/105/ 107 Rev C approved & proposed elevations 2 received 13/07/2023
MCA2023/105/ 100 Rev B proposed site plan (includes proposed roof plan) received 27/06/2023"

1.3 On the basis of the above it is proposed to amend the approved set of drawings in terms of matters of a new wall and gates only with the other plans remaining as approved and thereby the proposed drawings comprise of the following list with those amended in red:

MCA2023/105/100 Rev E - Site plan – wall location
MCA2023/105/201 Rev C - Wall & Gate elevations
11/094/14 Wall details
Block Plan and Location Plan received 25/01/2023
Tree works schedule received 25/01/2023
MCA2023/105/ 103 Rev A approved & proposed ground floor plans received 05/05/2023
MCA2023/105/ 105 Rev A proposed first floor and loft plan received 05/05/2023
MCA2023/105/ 106 Rev B proposed second floor and proposed roof plan received 05/05/2023
MCA2023/105/ 106 Rev C approved & proposed elevations 1 received 13/07/2023
MCA2023/105/ 107 Rev C approved & proposed elevations 2 received 13/07/2023

1.4 This Planning, Design and Access Statement has been prepared by Allen Planning Ltd on behalf of the site owner to support an application for a new boundary wall and gates along the frontage of the site of the consented dwelling adjacent to High Banks.

1.5 The revised proposals amended since the original submission comprise

- The first 3 metres of the wall under the tree canopy from High banks side starting at the tree on the boundary is now close board fencing in lieu of the previously proposed wall in order that any footings do not interfere with the tree roots
- the proposed wall is located a minimum of 3 metres from the highway at the closest point and as a result no section of the proposed wall would infringe in any way upon the approved visibility splay as shown on the plans
- the Engineer has designed footings required as requested by highways which is a fairly normal 600mm x 600mm strip foundation

- Banks to be replanted with low growing and low maintenance planting eg creeping juniper/creeping or similar

1.7 This Statement sets out the design and any implications in terms of approved access adopted for the development in accord with the policies of the Wiltshire Core Strategy and the guidance of the NPPF where relevant.

1.8 The basis of recent case law a section 73 application is only concerned with amending the conditions of a planning permission namely that the purpose of this section of the Act is to give "relief against one or more conditions".

1.9 On that basis the description of development may not be considered as part of that exercise and therefore, the description may not be altered either explicitly or via a condition in a section 73 application.

1.10 It is on this basis this s73 application does not seek in any manner to alter the description of the development as approved by the LPA.

2.0 Site Location (overview)

2.1 The site is a rectangular parcel of land to the north side of the A36 within the village of South Newton.

2.2 The site has its own access to the A36 shared with that for Willow Cottage.

2.3 Either side of the site are existing dwellings known as High Banks and Willow Cottage which are set well back into their respective plots. The site has a number of trees to the front and rear and is effectively an infill plot.

2.4 The general allocation of the site is shown in Figure 1 below



Figure 1 – Site Location

2.5 The site is not listed and is not within a Conservation Area.

3.0 Planning Policy

3.1 The planning policy relevant to the application are the transport and design policies contained in the Wiltshire Core Strategy and the guidance of the revised Framework (2023) in terms of such matters.

3.2 Turning initially to matters of highway safety within the Framework Paragraph 110 advises that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that amongst other matters it should have:

b) safe and suitable access to the site can be achieved for all users;

3.3 In addition Paragraph 112 adds 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.

3.4 In terms of design paragraph 126 advises that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. 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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

3.5 Paragraph 130 adds that planning decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users49; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience

3.6 Paragraph 134 notes that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design,

taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or

b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings

Wiltshire Core Strategy

3.7 In terms of transportation policies in the Core Strategy **Core Policy 61** advises:

"Transport and New Development
New development should be located and designed to reduce the need to travel particularly by private car, and to encourage the use of sustainable transport alternatives.

As part of a required transport assessment, the following must be demonstrated:

i. That consideration has been given to the needs of all transport users (where relevant) according to the following hierarchy.
a. Visually impaired and other disabled people
b. Pedestrians
c. Cyclists.
d. Public transport.
e. Goods vehicles.
f. Powered two-wheelers.
g. Private cars.
ii. That the proposal is capable of being served by safe access to the highway network
iii. That fit for purpose and safe loading/unloading facilities can be provided where these are required as part of the normal functioning of the development.

Where appropriate, contributions will be sought towards sustainable transport improvements and travel plans will be required to encourage the use of sustainable transport alternatives and more sustainable freight movements."

3.8 In addition **Core Policy 62** assessing the development Impacts on the Transport Network adds:

"Developments should provide appropriate mitigating measures to offset any adverse impacts on the transport network at both the construction and operational stages. Proposals for new development should not be accessed directly from the national primary route network outside built-up areas, unless an over-riding need can be demonstrated."

3.9 **Policy CP57** addresses matters of design and states: -

"*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 complimentary to the locality. Applications for new development must be accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire through:*

i. Enhancing local distinctiveness by responding to the value of the natural and historic environment, relating positively to its landscape setting and the exiting pattern of

development and responding to local topography by ensuring that important views into, within and out of the site are to be retained and enhanced

ii. The retention and enhancement of existing important landscaping and natural features, (for example trees, hedges, banks and watercourses), in order to take opportunities to enhance biodiversity, create wildlife and recreational corridors, effectively integrate the development into its setting and to justify and mitigate against any losses that may occur through the development

iii. Responding positively to the existing townscape and landscape 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

iv. Being sympathetic to and conserving historic buildings and historic landscapes

v. The maximisation of opportunities for sustainable construction techniques, use of renewable energy sources and ensuring buildings and spaces are orientated to gain maximum benefit from sunlight and passive solar energy, in accordance with Core Policy 41

vi. Making efficient use of land whilst taking account of the characteristics of the site and the local context to deliver an appropriate development which relates effectively to the immediate setting and to the wider character of the area

vii. Having 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 (such as light intrusion, noise, smoke, fumes, effluent, waste or litter)

viii. Incorporating measures to reduce any actual or perceived opportunities for crime or antisocial behaviour on the site and in the surrounding area through the creation of visually attractive frontages that have windows and doors located to assist in the informal surveillance of public and shared areas by occupants of the site

ix. Ensuring that the public realm, including new roads and other rights of way, are designed to create places of character which are legible, safe and accessible; in accordance with Core Policy 66 – Strategic Transport Network

x. The sensitive design of advertisements and signage, which are appropriate and sympathetic to their local setting by means of scale, design, lighting and materials?

xi. Taking account of the needs of potential occupants, through planning for diversity and adaptability, and considering how buildings and space will be used in the immediate and long-term future

xii. The use of high standards of building materials, finishes and landscaping, including the provision of street furniture and the integration of art and design in the public realm

xiii. In the case of major developments, ensuring they are accompanied by a detailed design statement and master plan, which is based on an analysis of the local context and assessment of constraints and opportunities of the site and is informed by a development concept, including clearly stated design principles, which will underpin the character of the new place.

xiv. Meet the requirements of Core Policy 61 – Transport and New Development."

4.0 Issues

4.1 This variation of condition application effectively seeks the introduction of a new fence and wall with railings atop along the site's road frontage but sited to the rear of the agreed visibility splays.

4.2 On that basis the only issues for consideration in terms of this application relate directly to matters of design and highway safety.

4.3 The approved dwelling on site is nearing completion.

4.4 Turning initially to matters of design the proposed wall would be attractive in terms of its materials utilising a good quality red brick of circa 1.2m tall with black metal railings atop as well as fencing where appropriate.

4.5 In terms of position on site the wall and gates would be sited away from the back edge of the highway, as a result of the necessity to retain appropriate and previously agreed visibility splays.

4.6 In addition the proposed gates would be metal, to match the railings, with brick pillars on either side and set back 5.8m from the carriageway edge.

4.7 The proposed appearance of the site frontage with the addition of the proposed wall, fence and gates in seen in Figure 1 below.



Figure 1 – Proposed front elevation

4.8 In respect of the above it is submitted that the proposed wall with railings, fencing and also the proposed gated access to the site would enhance the overall appearance of the site and indeed the visual amenities of the area more widely. The development would therefore constitute a high standard of individual design in terms of the proposed boundary treatment in compliance with the guidance of the Framework and development plan policy.

4.9 Turning now to matters of highway safety clearly much has been agreed in the past with both the Local Planning Authority and the Highways Agency in terms of visibility and the safety and free flow of traffic along the A36 trunk road.

4.10 On that basis whilst the proposed wall and railings would exceed the 1m height established in terms of visibility they are both proposed to be entirely sited behind the adopted visibility splays of this dwelling and therefore their inclusion would have no impacts whatsoever on the agreed visibility splays from the access point.

4.11 Furthermore, the location of the proposed gates, being set back 5.8 m from the carriageway edge, would allow vehicles to enter/leave the A36 and stand clear of the highway even if the gates were closed and therefore there would be no resulting impact on the free flow and safety of traffic utilising the A36.

4.12 In light of the above it is concluded that these proposals would avoid any adverse impacts in terms of highway safety on the adjacent trunk road either in terms of impacting upon the approved visibility splays or in terms of vehicles having to stand on the highway at any point whilst utilising the site. The scheme is therefore compliant with highway safety guidance within the Framework and Policy 61 of the Core Strategy.

5.0 Conclusion

5.1 It is submitted that the alterations sought through this section 73 application and as listed in detail in Section 1 of this Statement would be acceptable and avoid any adverse impacts upon matters of design or highway safety.

5.2 This application proposes to amend the approved set of drawing as set out in Condition No.2 imposed upon the host planning permission in terms of matters of the boundary wall and gates only to the following list with those amended in red:

MCA2023/105/100 Rev E - Site plan – wall location
MCA2023/105/201 Rev C - Wall & Gate elevations
11/094/14 Wall details
Block Plan and Location Plan received 25/01/2023
Tree works schedule received 25/01/2023
MCA2023/105/ 103 Rev A approved & proposed ground floor plans received 05/05/2023
MCA2023/105/ 105 Rev A proposed first floor and loft plan received 05/05/2023
MCA2023/105/ 106 Rev B proposed second floor and proposed roof plan received 05/05/2023
MCA2023/105/ 106 Rev C approved & proposed elevations 1 received 13/07/2023
MCA2023/105/ 107 Rev C approved & proposed elevations 2 received 13/07/2023

5.3 In light of the above the Local Planning Authority are asked to grant planning permission for the amendments to the approved development proposed in this section 73 application for the variation of condition no 2