

**APPLICATION FOR FULL-PLANNING PERMISSION
CASE OFFICER REPORT**

APPLICATION REFERENCE:	PL/2025/09712
APPLICATION TYPE:	Full planning permission
SITE ADDRESS:	Land at rear of Kingfisher House, Chippenham, SN15 3EQ
DEVELOPMENT DESCRIPTION:	Erection of 1 residential dwelling (Use Class C3) and associated works
RECOMMENDATION:	Refuse

SITE DESCRIPTION/CONTEXT

The application site comprises an area of outdoor hardstanding located to the rear of Kingfisher House, Industry Park, Pewsham, Chippenham. Although Industry Park is not designated as a Principal Employment Area, the planning history indicates a long-standing association with neighbouring employment premises, as explored further in the Planning History and Lawful Use sections of this report.

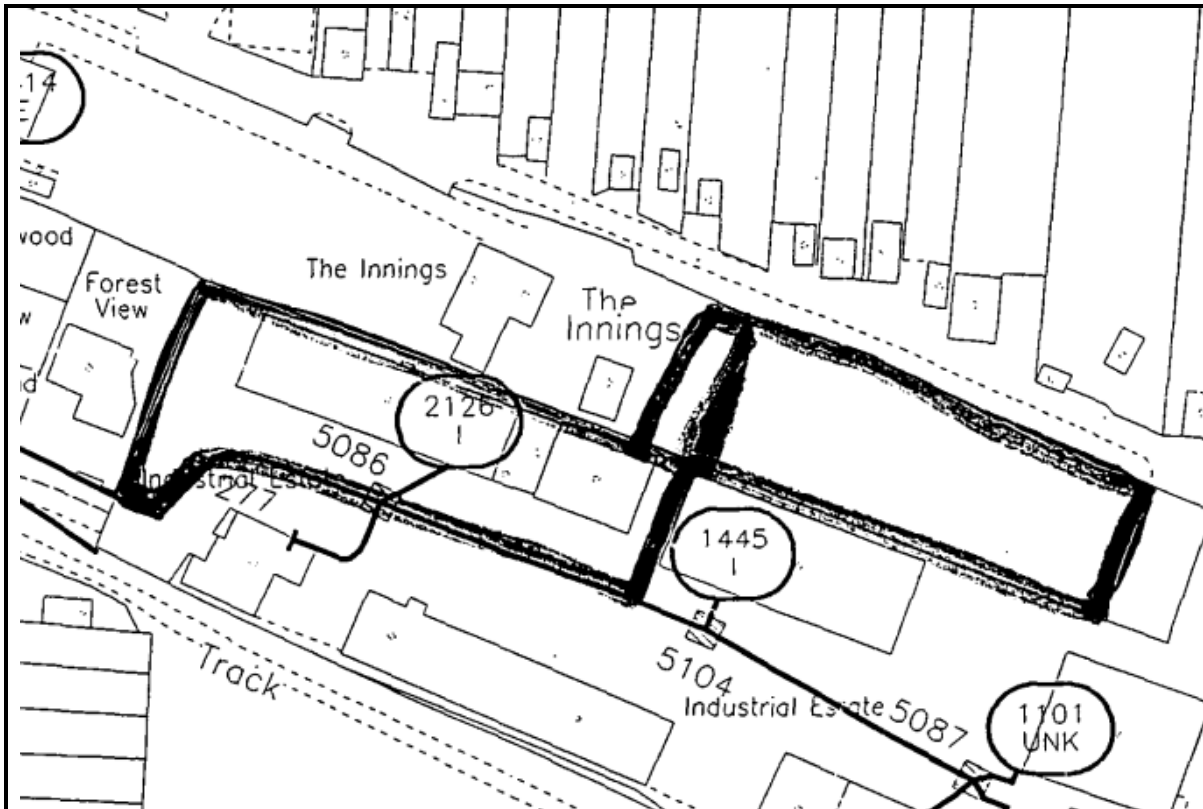
Access to the site is taken through the established industrial park, which accommodates a range of business and employment uses. The surrounding uses located to the east and south are predominantly commercial (albeit there is ancillary residential accommodation above the dance studio to the east). Two detached residential dwellings are situated to the west, and more residential accommodation is located further to the north. The application site lies within the defined settlement boundary of Chippenham. There are no flood risk constraints affecting the land or other designations.

PROPOSAL

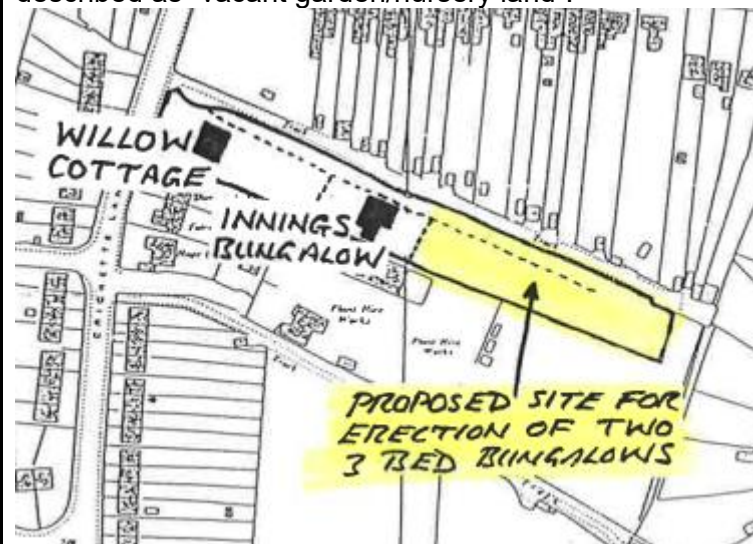
The application seeks full planning permission for the erection of a single detached residential dwelling (a bungalow) with associated works on land to the rear of Kingfisher House. Vehicular access would be provided via the existing industrial park.

PLANNING HISTORY

Proposal / Summary
N/05/01704/S73A - Full planning permission Decision - Approve with Conditions Date: 14/10/2005 – Install Air-Conditioning Unit. Address: Oriel Systems Ltd, Unit 1, Industry Park, Cricketts Lane. This application related to an industrial premises and the site is included within the application site boundary. This application does not relate to Kingfisher House, but to adjoining premises.



N/92/0806/OL – OUTLINE APPLICATION - ERECTION OF 2 NO 3 BEDROOM BUNGALOWS 2 NO BUNGALOWS – Refused. Address: Willow Cottage , 2 Cricketts Lane. The land is referred to in the Officer's Report as former Cricketts Lane nursery and described as "vacant garden/nursery land".



N87/01068/REM - DETAILS OF BUNGALOW AND ALTERATIONS TO ACCESS – Approved. Address: 2 (Windmill Cottage) Cricketts Lane

	
N/86/2555/OL – Outline – Erection of One Dwelling with Garage – Approved. Address: Willow Cottage, 2 Cricketts Lane. Planning permission granted for the nearby dwelling now known as “The Innings”. No Location Plan available so cannot know if the application site was included in the red line.	
N79/1199/OL – Outline – one dwelling. Refused. Address: Land rear of Willow Cottage, Cricketts Lane. No Location Plan available so cannot know if the current application site was included within the red line.	

LAWFUL USE OF THE SITE

Planning history, historic aerial imagery and GIS mapping indicate that the application site has had more than one use over time. In application N/92/0806/OL for two bungalows at Willow Cottage (refused), the Officer’s Report described the wider land as “vacant garden/nursery land”, confirming its historic association with non-employment uses.

However, subsequent planning history demonstrates that the land later became incorporated into the adjoining industrial premises. Planning permission N/05/01704/S73A (approved 14/10/2005) for the installation of air-conditioning units at Oriel Systems Ltd (Unit 1) included the current application site within its red line boundary. This indicates that by 2005 the land had become part of the same ownership as employment buildings. These buildings are separate to Kingfisher House, but on the same industrial park.

Informal correspondence in 2017 and 2018 suggests the land was associated with Kingfisher House. This indicates that at some point between 2005 and 2017, the land came to be within the same ownership as Kingfisher House.

Aerial imagery shows the land as grassed for a number of years, with it transitioning to hardstanding between 2016 and 2019, and images from 2021 and 2023 show the area being used for parking. Given the planning history and apparent association with Kingfisher House, this parking is presumed to be associated with the adjoining commercial units.

Considering all available evidence together, the last recorded planning use of the site (2005) appeared that this was associated with an employment planning unit. There is no evidence of abandonment, nor of any material change of use to a non-employment purpose since that time. Accordingly, given the association with employment units since 2005 and the passage of time, the lawful use appears to be employment use.

RELEVANT LEGISLATION, POLICIES AND GUIDANCE

National Planning Policy:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- National Design Guide

Development Plan:

The development plan for Wiltshire comprises the *Wiltshire Core Strategy (WCS)* (adopted January 2015) and any made neighbourhood plans, which remains the principal statutory planning document guiding development across the county. In line with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise.

Though the development plan is considered as a whole, those parts deemed to be particularly relevant to this application are listed below:

The adopted *Wiltshire Core Strategy (WCS)*, with particular regard to:

- Core Policy 1 Settlement Strategy;
- Core Policy 2 Delivery Strategy;
- Core Policy 10 Chippenham Spatial Strategy
- Core Policy 35 Existing Employment Land
- Core Policy 57 Ensuring High Quality Design and Place Shaping;
- Core Policy 60 Sustainable Transport;
- Core Policy 61 Transport & Development;
- Core Policy 64 Demand Management

Chippenham Neighbourhood Plan:

- Policy H1 – Housing Mix and Types
- Policy H2 – Housing Design
- Policy GI1 – Protecting and Enhancing Biodiversity

Saved North Wiltshire Local Plan 2011

- Policy NE18 – Noise and Pollution

Supplementary Planning Documents and other Guidance:

- Wiltshire Design Guide (adopted April 2024)
- Wiltshire Local Transport Plan 2011-2026, adopted 2015 - including the Car Parking Strategy and Cycling Strategy, adopted 2015

ISSUES

The main issues that need to be addressed in this case include:

- Whether the development is acceptable in principle (CP 1 and 2 and H1)
- Whether the scheme constitutes high quality design (CP 57 and H2)
- Whether the scheme would have an acceptable impact upon the reasonable living conditions of the adjoining occupants (CP 57)
- Noise (NE14)
- Whether the proposal would have a negative effect upon highway safety, including if there is sufficient parking for the proposed development (CP 61 and 64)

CONSULTATION RESPONSES

WC Highways: No objection:

There is an over-provision of parking within the site boundary , which maybe designed for users of the neighbouring Kingfisher House. While not a reason for refusal, this may cause conflict to future occupiers of the dwelling. There is no recommendation for highway objection.

WC Archaeology: No comment

WC Public Protection: Objection:

"We have completed a site visit to the Land at rear of Kingfisher House, Chippenham, SN15 3EQ. We note the following businesses, Prestige bodyworks, C.A.M.S vehicle repair shop, a number of gyms, dance academies and music teaching.

We have significant concerns in respect of the impact of the existing businesses in the area on the amenity of future residents of the proposed property in respect of noise. We would require a noise impact assessment to be submitted before we can make further comment.

We expect to see compliance with the following:

An acoustic design scheme for protecting the proposed dwellings from external industrial noise shall be submitted to and approved in writing by the local planning authority. The scheme shall ensure that, upon completion of the development, the following noise criteria shall be met, with windows open, in accordance with the Professional Practice Guidance: Planning and Noise – New Residential Development (May 2017)

A. bedrooms shall achieve an 8-hour LAeq (23:00 to 07:00) of 30dB(A) and an LMax, F of 45 dB

B. living rooms and dining rooms shall achieve a 16 – hour LAeq (07:00 to 23:00) of 35dB(A)

C. external amenity spaces shall achieve a 16 – hour LAeq (07:00 to 23:00) of 55dB(A)

The details as approved shall be implemented prior to occupation of the development and thereafter be permanently retained.

For the avoidance of doubt, using closed windows to achieve the internal noise level target shall only be considered once all other good acoustic design acoustic mitigation measures have been utilised.

A noise validation report, demonstrating compliance with the noise criteria shall be submitted to and approved by the local planning authority before any of the dwellings are occupied. This assessment shall be conducted in accordance with Professional

Practice Guidance: Planning and Noise – New Residential Development (May 2017) and the approved noise design scheme. Any additional steps required to achieve compliance shall be taken, as necessary.

Reason: Core policy 57, Ensuring high design and place shaping such that appropriate levels of amenity are achievable.”

WC Drainage: Holding objection subject to additional information

“As per SFRA the proposed site is in Flood Zone 1 with low risk of surface water and ground water flooding.

The proposal seeks planning permission for erection of 1 residential dwelling (Use Class C3) and associated works over a parcel of undeveloped hardstanding with no formal use, situated to the rear of Kingfisher House. The dwelling proposed for the site is single storey and comprises 3 bedrooms with a total gross internal area of 86.34sqm. The area of sit including access up to where the site joins the public highway is 1,648sq.m.

No Drainage strategy details are provided along with this application.

At this stage, a full assessment cannot be completed due to insufficient information. The following documents/information are required to enable a proper review of the drainage and flood risk aspects of the proposal:

1. A drainage strategy is required to support this application. The surface water drainage strategy should include/demonstrate the following in accordance with the Wiltshire Council requirements, NPPF, PPG, and National Standards for SuDS.

- Evidence that the surface water disposal hierarchy has been applied.*
- A drainage layout that demonstrates that the strategy mimics the existing drainage characteristics of the site by retaining and utilising any existing drainage features.*
- Pre and post development exceedance routing that demonstrates flood risk is not increased elsewhere.*
- Evidence that the finished floor levels are above the maximum predicted 100- year flood level or if no flooding is predicted, at 150 mm above the SW drainage cover levels.*

Following the removal of the holding objection, the drainage team have the following conditions which need to be addressed by the applicant:

1. No development shall take place until a surface water drainage strategy, complying with Wiltshire Council requirements, NPPF, PPG, Non Statutory Technical Standards for SuDS and the National Standards for SuDS has been submitted to and approved in writing by the Local Planning Authority.

In order to discharge the above drainage condition the following additional information must be provided:

If the applicant intends to discharge surface water via infiltration:

- It is implemented in a manner that does not create an offsite impact.*
- Evidence that soakage tests have been undertaken in accordance with BRE365 to demonstrate that infiltration is feasible by the provision of calculations that demonstrate that the soakaway has been designed for:*
 - o 1 in 100yr + cc flows (for multiple properties)*
 - o 1 in 10yr + cc flows (for individual properties)*
 - o Half drain time <24hrs*
 - o Appropriate factor of safety in line with CIRIA C753 (Table 25.2) guidance has been included.*

o Evidence that the highest groundwater level (taking into account seasonal variations) has been determined and this is at least 1m below the proposed bottom of any soakaway.

AtkinsRéalis - Baseline / Référence

OR

If the applicant intends to discharge surface water to a sewer or watercourse:

- Existing pre and post development runoff rates for the site, in accordance with Wiltshire Council's betterment policy update, which can be found [here](#).*
- Consent for any outfalls from the proposed drainage systems into a public sewer or other drainage system not owned by the applicant.*

2. Details of the implementation, maintenance and management of the sustainable drainage scheme is required to be submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details.

In order to discharge the above drainage condition the following additional information must be provided:

- Details of how the proposed and existing drainage features on the site will be maintained and managed after completion with confirmation from the relevant authority that they will adopt any systems that are being offered for adoption”.*

Chippenham Town Council: Objection

“Whilst acknowledging that the tilted balance is engaged in respect of this residential application, the proposal is for one dwelling only and therefore the weight given to meeting Wiltshire's five year housing land supply should be apportioned accordingly. The proposed development is considered to comply with Chippenham Neighbourhood Plan (CNP) Policies H1 and H2, providing a suitably sized bungalow, with adequate private amenity space, in a sustainable location on previously developed land.

CNP Policy GI1 requires the incorporation of ecological enhancement features into new development and a plan should be submitted showing the incorporation of all or some of the following features: integrated bird and bat boxes, swift bricks and bee bricks, hedgehog holes in fencing, green or brown roof (if appropriate).

CP57(vii) of the Wiltshire Core Strategy requires that regard be had to the compatibility of adjoining buildings and uses and that appropriate levels of amenity are achievable within the development itself including the consideration of, amongst other things, noise. The impact of noise on future occupiers is also referred to in Para. 9.1.3 of the Wiltshire Design Guide. Given the site immediately adjoins an industrial estate, and it is not known what noise sources exist or where these might be located, there is the potential for noise to adversely affect the amenity of future occupiers of the dwelling and a noise survey is therefore requested.

There are concerns that the amenity of future occupiers may be compromised because the only access to the dwelling is via a circuitous route through the industrial estate, an unusual and unattractive scenario. This, together with the fact that four parking spaces in front of the proposed dwelling would be retained for use by industrial occupiers, would make and future occupiers feel as though they were living on an industrial estate, rather than adjoining it.

Planning permission was recently granted under PL/2024/05413 for a new dwelling to be located at the rear of No. 237 London Road, using an existing vehicular access off Cricketts Lane, which also immediately adjoins the site to the north. In determining this application it was concluded by the LPA ‘that the site access is safe and suitable to

accommodate the traffic from the proposed development because no new access is proposed to cause harm to pedestrian safety.' By definition, the access must also be suitable to serve the proposed site and it is requested that this be explored as an alternative means of access to the site. This could allow for the site to be developed for a residential dwelling that was severed from the industrial estate and would provide a greater level of amenity for future occupants.

CP35 of the Wiltshire Core Strategy states that within Principal Settlements proposals for the redevelopment of land or buildings currently or last used for activities falling within use classes B1, B2 and B8 must demonstrate that they meet certain criteria. Given the land is currently used for parking associated with Kingfisher House, it is considered to be employment land. Further information should be submitted to demonstrate that the loss of employment land would meet the relevant criteria listed in CP35. By association, it would be useful to understand whether sufficient car parking would remain to accommodate the existing and future needs of B2, B8 or E class uses at Kingfisher House i.e. would this still comply with Wiltshire parking standards.

Further information is required in order to address concerns in respect of noise and amenity for future occupiers, and loss of employment land. The proposal would therefore currently be contrary to CP57 and CP35 of the Wiltshire Core Strategy, the Wiltshire Design Guide and the NPPF."

REPRESENTATIONS

In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), the application was publicised by way of:

- Neighbour notification letters sent to adjoining and nearby properties;

These methods were used to inform interested parties and provide a period of 21 days for comments to be submitted.

Below is a summary of the two representations received during the consultation period. Only material planning considerations have been taken into account in the assessment of this application. Non-material issues, such as property values or private legal disputes, cannot be considered in the determination process.

- Inappropriate for an industrial estate
- Access to the property restricted due to shared entrance road
- Concern sets precedent for residential properties within industrial sites
- Conflict of interest between residents and industry, ultimately resulting in the demise of an industrial site.
- Owners of FitzGraham Academy of Dance concerned if this becomes a residential premises, that there may be some concerns with regards to the noise of surrounding businesses, including car garages and mechanics. Do not want to see a situation where the new owners are complaining against businesses that have been long established.

- Parking on the industrial park is a serious problem and we have had several instances where the fire brigade have had to come and ask businesses to move their vehicles as access can often be a problem.

ASSESSMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:

"If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise."

In accordance with this statutory requirement, this application has been assessed against the relevant policies of the Development Plan, including the Wiltshire Core Strategy (2015) and, where applicable, any made Neighbourhood Plans. Consideration has also been given to the policies of the National Planning Policy Framework (NPPF) as a material consideration in the assessment.

Principle of Development

Policy Context

Core Policy 1: Settlement Strategy of the WCS establishes a hierarchy of settlements to guide where development should be focused. The policy prioritises growth in:

- Principal Settlements (e.g., Salisbury, Chippenham, Trowbridge) – main focus for strategic growth.

Core Policy 2: Delivery Strategy of the WCS sets out how development will be distributed and delivered across Wiltshire. The policy emphasises:

- Sustainable patterns of growth, reducing the need to travel and supporting local services.
- Development should be plan-led, aligning with the settlement strategy and supported by infrastructure.
- Windfall development (not allocated in plans) must still comply with the principles of sustainable development.
- Development outside settlement boundaries is generally not permitted, unless it meets specific policy exceptions (as set out in paragraph 4.25 of the WCS).

Together, CP1 and CP2 ensure that new development is strategically located, sustainable, and supports the character and function of Wiltshire's communities.

The application site is located within framework boundary of Chippenham, a Principal Settlement and sustainable location where a proposal for new residential development would constitute sustainable development. The proposed development is considered to be acceptable in the principle in accordance with WCS Core Strategy Policies 1, 2 and 10.

5 Year Housing Land Supply

The Wiltshire Housing Land Supply Statement (June 2025) provides the latest position on the Council's ability to demonstrate a five-year supply of deliverable housing land, which is a material consideration in the determination of planning applications.

The National Planning Policy Framework was revised in December 2024. This has reintroduced the requirement to meet five years' worth of deliverable sites and a buffer to be applied to the five-year housing requirement in all circumstances, and has revised the Local Housing Need calculation to establish the five-year housing requirement. These factors have resulted in a substantial increase in the five-year housing requirement to be met from the previous calculation. When this is assessed against the housing land supply which can be delivered within five years, the recalculation shows a significant reduction in the number of years supply. The resulting position shows that the Council can currently demonstrate a 2.42 years housing land supply of housing at a unitary authority level. This is considered to be a substantial shortfall.

The absence of a five-year housing land supply is a material consideration in the determination of this application. In accordance with Paragraphs 78 and 11(d) of the National Planning Policy Framework (NPPF), for applications involving the provision of housing, where there is a shortfall in the supply of deliverable housing sites, the most important policies for determining the application should be considered out of date. The current housing land supply shortfall is a factor that must be considered in the planning balance and in this case, as a five-year housing land supply cannot be demonstrated, the weight that can be applied to the most important policies for determining this application should be assessed and altered in the light of the shortage in housing land supply. The proposal must be assessed against the national policy context of the need to boost housing supply and the benefits of delivering new homes whilst having particular regard to the key policies set out in paragraph 11(d)(ii) and Footnote 9 of the NPPF.

Loss of Employment Land

Policy Context

Core Policy 35 of the WCS states that within Principal Settlements proposals for the redevelopment of land or buildings currently or last used for activities falling within use classes B1, B2 and B8 must demonstrate that they meet, and will be assessed against the following criteria:

- i. The proposed development will generate the same number, or more permanent jobs than could be expected from the existing, or any potential employment use.
- ii. Where the proposal concerns loss of employment land of more than 0.25 ha in the Principal Settlements, Market Towns or Local Service Centres it is replaced with employment land of similar size elsewhere at that settlement.
- iii. It can be shown that the loss of a small proportion of employment floorspace would facilitate the redevelopment and continuation of employment uses on a greater part of the site, providing the same number or more permanent jobs than on the original whole site.
- iv. The site is not appropriate for the continuation of its present or any employment use due to a significant detriment to the environment or amenity of the area.
- v. There is valid evidence that the site has no long term and strategic requirement to remain in employment use; the ability of the site to meet modern business needs must be considered, as well as its strategic value and contribution to the local and wider economy both currently and in the long term. It must be shown that the site is no longer viable for its present or any

other employment use and that, in addition, it has remained unsold or un-let for a substantial period of time (at least 6 months), following genuine and sustained attempts to sell or let it on reasonable terms for employment use, taking into account prevailing market conditions.

vi. The change of use is to facilitate the relocation of an existing business from buildings that are no longer fit for purpose to more suitable premises elsewhere within a reasonable distance to facilitate the retention of employment.

Assessment.

The applicant's supporting statement describes the land as undeveloped with no former use. However, the planning history and GIS mapping evidence indicate that the application site has historically been associated with employment activities and forms part of the wider industrial estate. The submitted application does not provide any justification or evidence to address the criteria set out in Core Policy 35. The applicant is required to demonstrate compliance with the policy, including evidence of viability, marketing, job impact, or environmental / amenity constraints. In the absence of any information addressing these policy requirements, the proposal conflicts with Core Policy 35 of the Wiltshire Core Strategy.

Design, Siting and Impact on the Character and Appearance of the Area

Policy Context

Core Policy 57 of the WCS requires high-quality design that:

- Enhances local character.
- Responds to the natural, historic, and built environment.
- Retains important features (e.g., trees, hedges).
- Supports sustainable construction and compatibility with surrounding uses.
- Creates safe, legible, and accessible spaces.

Section 12 of the NPPF emphasises design that is:

- Visually attractive.
- Functionally effective.
- Contributes to the quality of the built environment.

The Wiltshire Design Guide encourages sensitivity to local character, materials, and architectural styles and supports modern living standards while maintaining aesthetic and functional quality.

Building for a Healthy Life Framework promotes healthy, inclusive, and sustainable places.

The document encourages:

- Walkability.
- Access to green space.
- Active design principles for well-being.

Assessment

The proposal is for a detached three-bedroom bungalow. The building would be finished in brick, set beneath a concrete double-roman tiled roof with PVs, with black plastic rainwater goods and powder-coated aluminium windows and doors. Boundary treatments would consist of a 1.8-metre close-boarded timber fence. The proposed bricks would match those used on the adjoining industrial buildings, ensuring matching materials within the surrounding context.

In terms of built form, the bungalow is single-storey and of modest scale. Owing to its backland position in the rear of the established industrial estate, the building itself would have limited visual presence in the public realm. From a purely visual perspective, the scale, form and materials of the structure are not considered harmful or out of keeping with the enclosed industrial context. Policy H2 of the Chippenham Neighbourhood Plan is complied with.

However, while the design of the building is acceptable in isolation, the siting of a residential dwelling within and accessed solely through an operational industrial estate is inappropriate. The established character of the area is wholly commercial, defined by industrial buildings, with a mix of employment uses and other businesses e.g. a dance studio. There would be associated noise and activity and from a site visit there was a significant number of cars and traffic within the industrial estate. Introducing a sensitive residential use into this setting is fundamentally at odds with the prevailing character and functional role of the industrial park, and represents poor design and placemaking.

It is worth highlighting that the majority of nearby residential uses are served by separate accesses, and are not accessed through an industrial estate. The only exception is an ancillary flat to the dance studio, granted in 2003 under a different policy context.

Conclusion

While the design and appearance of the dwelling itself are acceptable in terms of scale, form and materials, its siting within an industrial estate and reliance on an access route dominated by commercial activity represent poor design and an incompatible relationship with the established character of the area. As such, the proposal fails to secure a high-quality, contextually appropriate form of development.

Amenity

Policy Context

Core Policy 57 (Point vii) of the Wiltshire Core Strategy requires development to respect the amenity of existing occupants and ensure appropriate amenity levels for future residents.

The National Planning Policy Framework (NPPF), particularly Paragraph 135, reinforces the need for development to provide a high standard of amenity for both existing and future users.

These policies guide the assessment of amenity impacts, which will be considered in detail under the below headings.

Overlooking / loss of privacy

Given the single-storey nature of the proposed bungalow, the boundary fencing, and the separation distances to surrounding properties, the development would not give rise to any unacceptable overlooking or loss of privacy for neighbouring occupiers.

Loss of light / overshadowing

The proposal involves a single-storey building. The nearest buildings include a larger commercial structure to the south and residential properties located at a significantly greater distance. Due to the scale of the dwelling and its relationship with surrounding buildings, the development would not result in loss of light or overshadowing to any neighbouring occupiers.

Overbearing Impact / Overall sense of enclosure

For the same reasons, namely the single-storey height of the dwelling, the open relationship to surrounding land, and the distances involved, the proposal would not appear overbearing, nor would it create an unacceptable sense of enclosure for any nearby properties.

Noise

Public Protection raise a formal objection to the proposal. Following a site visit, Public Protection identify multiple existing noise-generating businesses operating in close proximity to the application site, including a vehicle body shop, a vehicle repair workshop, gyms, dance studios and music teaching facilities. These uses generate a range of industrial, mechanical and activity-based noise throughout the day and evening.

Public Protection advise that they have significant concerns regarding the ability to achieve an acceptable residential environment for future occupiers due to the level and nature of existing noise sources within the industrial estate. They conclude that the applicant has not submitted a Noise Impact Assessment, which is required to determine whether acceptable internal and external amenity standards can be achieved. The Town Council share these concerns and have also requested a Noise Assessment.

They expect any scheme to demonstrate compliance with the relevant guidance and thresholds for bedrooms, living areas and external amenity spaces. They also emphasise that reliance on closed windows is only acceptable after all other good acoustic design measures have been exhausted. A noise validation report would also be required prior to occupation. In the absence of this assessment and evidence, Public Protection cannot support the proposal and consider that appropriate levels of amenity cannot be demonstrated, contrary to Core Policy 57 and saved policy NE18 of the North Wiltshire Local Plan.

The applicant has queried the need for a noise assessment and cited the presence of other residential properties in the area – namely a residential flat above the dance school granted in 2003. However, this example carries limited weight. The permission is over 20 years old, granted under a different policy framework, and relates to ancillary accommodation associated with an existing commercial use rather than independent open-market housing. As such, it is not directly comparable to the current proposal and does not set a precedent for introducing new standalone residential development within an operational industrial estate. The Council's Public Protection Officer has made a site visit and considers a noise assessment and further details on this necessary in the interests of amenity.

The neighbouring FitzGraham Academy of Dance has raised concern that introducing a dwelling into the industrial estate may lead to future complaints about noise and disturbance from long-established commercial uses. They are concerned that a new residential use could undermine existing businesses. These concerns align with the Council's assessment of the site's incompatibility with residential occupation.

Where mixed-use environments are proposed, the onus lies with the party introducing a new sensitive use to demonstrate and deliver effective mitigation so that existing lawful commercial operations are not adversely affected. In this case, the applicant has not provided robust

evidence or any mitigation strategy capable of securing acceptable amenity and safeguarding for existing businesses.

As the application fails to demonstrate that appropriate internal and external noise levels can be achieved, and therefore cannot secure an acceptable standard of residential amenity for future occupiers, the proposal is unacceptable. On this basis, the application warrants refusal.

Amenity of Occupiers

In addition to the unresolved concerns relating to noise, the proposal also fails to demonstrate that the introduction of a residential use into this established industrial estate would provide an acceptable standard of living environment for future occupiers. The estate accommodates a range of commercial and industrial operations, with associated vehicle movements, loading and unloading activities, and general comings and goings throughout the working day. The application also includes 4 parking spaces on the application site for the industrial site, which brings associated vehicular activity directly in front of the proposed residential use. These activities give rise to an inherent level of disturbance, including noise, vehicular activity, and general industrial character, which is fundamentally at odds with the expectations of a high-quality residential environment.

The proposed dwelling would be accessed via the internal service roads of the estate, where pedestrian facilities are limited and designed primarily for industrial traffic rather than residential movement. As such, future occupiers would be required to navigate an environment dominated by commercial vehicles, with a lack of footway provision, and poor visual and environmental quality. No evidence has been provided to demonstrate that safe and attractive pedestrian access could be secured. The Town Council have also raised amenity concerns about the proposal.

Overall, the application does not provide confidence that the residential use could satisfactorily coexist with the surrounding commercial operations without exposing future occupiers to undue levels of disturbance and an unacceptably poor quality of residential amenity. The proposal therefore fails to meet the requirements of Core Policy 57 of the Wiltshire Core Strategy (2015).

In their comments the Town Council mention how a separate access to the north of the site may be more appropriate. However, this is not part of the application and cannot be considered under the current application.

Internal and External Space Standards

The proposed bungalow would comply with the nationally prescribed space standards for a 3 bedroom 4 person single storey dwelling, and from the Council's measurements of the plans, falls just short of a 3 bedroom 5 person single storey dwelling, but this is only very marginal and not a cause for concern.

Highways Impacts and Parking

Policy Context

Transport implications are a key factor in assessing planning applications, especially for larger developments. Proposals must demonstrate:

- Safe and suitable access for all users, including pedestrians, cyclists, and those with mobility impairments.
- No severe residual impacts on the surrounding highway network.
- Promotion of sustainable travel, reducing reliance on private vehicles.
- Adequate parking and cycle provision, in line with adopted standards.
- Protection and enhancement of public rights of way and active travel routes.

Relevant policies include Core Policies 60–64 of the Wiltshire Core Strategy, supported by the Wiltshire Local Transport Plan, Car Parking Strategy, and Cycling Strategy. The Local Cycling and Walking Infrastructure Plan (LCWIP) and LTN 1/20 (DfT) provide further design guidance for active travel infrastructure.

Proposals must also ensure safe access for refuse collection vehicles and comply with the Wiltshire Council Waste Storage and Collection SPD (2017).

Assessment

The proposed dwelling would be served by on-site parking provision, which complies parking standards for a three-bedroom dwelling, and an EV charger and cycle parking within the garden. The proposal also includes four parking spaces to be made available for users of the industrial estate. Access would be taken through the existing industrial estate onto the public highway. During the consultation process, the Highway Engineer sought clarification regarding whether any of the parking spaces shown within the site boundary were intended to serve Kingfisher House; the applicant has confirmed that this is not the case, however the proposals do provide the parking area for the industrial estate. While not a reason for refusal, the Highway Engineer considered that this may cause conflict to future occupiers of the dwelling which will be considered in the amenity section of this report. The Council's Highway Engineer raises no objection to the development.

Conclusion

The proposal is considered acceptable in highway and parking terms and is therefore compliant with Core Policies CP60, CP61, and CP64 of the Wiltshire Core Strategy.

Flood Risk and Drainage

Policy Context

Core Policy 67 of the Wiltshire Core Strategy and NPPF paragraphs 170–182 require:

- Avoidance of increased flood risk.
- Use of appropriate mitigation measures.
- Application of the sequential and exception tests for developments in Flood Zones 2 or 3.

Sustainable Drainage Systems (SuDS) are required for all major developments and must:

- Manage runoff near its source.
- Improve water quality.
- Support biodiversity and amenity.
- Be integrated into the site layout and green infrastructure.

Assessment

The site lies within Flood Zone 1 and is identified as being at low risk of both surface water and groundwater flooding. While the Council's Drainage Engineer has issued a holding objection due to the absence of a drainage strategy or supporting SuDS information, it is considered that, given the low-risk context, an appropriate surface water drainage solution for a single dwelling should be achievable. In this case, the outstanding drainage details could reasonably be secured by condition were the application acceptable.

Conclusion

The site is in Flood Zone 1 with low flood-risk constraints, and although no drainage details have been submitted, a suitable surface water drainage solution for a single dwelling is achievable. Outstanding matters could therefore be addressed by condition.

Biodiversity Net Gain

The site currently comprises hardstanding with no meaningful biodiversity value. As such, the proposal is not required to deliver measurable Biodiversity Net Gain. The introduction of some grassed areas and new planting would represent a small ecological improvement.

PLANNING BALANCE AND CONCLUSION

At the heart of the NPPF there is a presumption in favour of sustainable development requiring local planning authorities to approve development proposals that accord with an up-to-date development plan without delay; and 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 (taken from paragraph 11d of the NPPF):

- The application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing development proposed; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole;

Having regard to paragraph 11(d) of the National Planning Policy Framework and the provisions of footnote 7, the Local Planning Authority considers that the presumption in favour of sustainable development ('tilted balance') is engaged. This is because relevant policies of the development plan are considered out-of-date.

In weighing the planning balance, the following factors have been considered:

Benefits of the Proposal

Provision of Market Housing

The delivery of new homes is a significant benefit, particularly in the context of Wiltshire's current housing land supply position. As of the latest Housing Land Supply Statement (June 2025), the Council is unable to demonstrate a five-year supply of deliverable housing land, with a shortfall that is considered substantial.

- Benefit: Provision of one new dwelling
- Weight: Minor weight given only one dwelling

Socio-Economic Benefits

The proposal will generate minor economic benefits during both the construction and operational phases.

- Benefit: Economic uplift through construction jobs and post-occupation local expenditure from one household.
- Weight: Minor weight

Biodiversity Net Gain (BNG)

The proposal comprises a minor increase in biodiversity, which is a benefit in line with the Environment Act 2021 and Core Policy 50 of the Wiltshire Core Strategy.

- Benefit: Some new lawn and trees
- Weight: Minor weight

Previously Developed Land (PDL)

The site may potentially meet the NPPF definition of Previously Developed Land, depending on evidence of historic curtilage use. This has not been mentioned within the application submission. If it was demonstrated this would be of minor weight given the size of the site.

Status: Possible PDL, not evidenced

Weight: Minor weight if evidenced

Identified Harms

Where harms are identified, they must be considered in terms of their nature, extent, and policy conflict, and whether they significantly and demonstrably outweigh the benefits of the development. The following harms have been identified:

Loss of Employment Land

The loss of employment land without providing evidence as set out in CP35 of the Wiltshire Core Strategy is harmful and contrary to this policy.

- Harm: Conflict with CP35
- Weight: Significant weight

Design Quality and Local Character

While the building's scale and materials are acceptable in isolation, introducing a standalone dwelling within and reliant on access through an industrial estate represents poor design and place-making. It creates an incompatible and incoherent relationship with the prevailing industrial character and function of the area.

- Harm: Inappropriate siting
- Weight: Significant weight

Noise

Public Protection has raised a formal objection due to the absence of a Noise Impact Assessment and the proximity to multiple noise-generating uses (vehicle repair/body shop, gyms, dance/music studios). The application fails to demonstrate that acceptable internal/external noise levels can be achieved.

- Harm: Failure to demonstrate acceptable living conditions due to industrial/activity noise

- Weight: Significant weight (unresolved objection, may be able to be overcome with suitable noise impact assessment and mitigation)

Residential Amenity (aside from noise)

The siting of a dwelling within and accessed through an operational industrial estate would expose future occupiers to general disturbance, poor pedestrian access, traffic, evening/weekend commercial activity and a poor-quality residential environment. These impacts raise concerns about the suitability of the location for residential use.

- Harm: Poor residential environment due to industrial activity, poor pedestrian access, disturbance and incompatible land-use relationship
- Weight: Moderate weight

Neutral

Drainage

A holding objection has been received by the Council's Drainage Engineer and request of a Drainage Strategy. However given the proposal is for a single dwelling situated in Flood Zone 1 and with no other flood risk constraints, it is considered the outstanding details could be conditioned.

- Weight: Neutral

The proposal would deliver limited benefits, including the creation of one additional dwelling, minor economic activity and a small increase in soft landscaping, all of which carry only minor weight. If it were to be considered previously developed land, this would also add minor weight.

Considered against this, several harms are identified. The loss of employment land conflicts with Core Policy 35 and carries significant weight. The siting of a standalone dwelling within and accessed through, an operational industrial estate results in poor design and siting. In addition, the applicant has not demonstrated that acceptable living conditions can be achieved, particularly in relation to noise, and Public Protection maintains an unresolved objection. The general industrial environment would also lead to a poor-quality residential setting irrespective of acoustic mitigation.

Flood risk and drainage matters are neutral in the balance, as suitable drainage could be secured by condition were the proposal acceptable.

Accordingly, the adverse impacts - principally the conflict with Core Policy 35 (loss of employment land), the inappropriate siting of a standalone dwelling within and accessed through an operational industrial estate (contrary to Core Policy 57), and the failure to demonstrate acceptable living conditions due to unresolved noise impacts (contrary to Core Policy 57 and saved policy NE18) are considered to outweigh the limited benefits of a single dwelling, and minor socio-economic benefits, biodiversity gains and PDL (if relevant). On this basis, the adverse impacts significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF taken as a whole.

RECOMMENDATION:

That Planning Permission be REFUSED for the following reasons:

1. The proposed development, by reason of its siting within and reliance of access through an operational industrial estate, would introduce a residential use into an area characterised by industrial and commercial activity. The proposal therefore fails to respond positively to the existing pattern of development, built form and land-use context, and represents an inappropriate and poorly integrated form of development that does not relate effectively to the immediate setting or to adjoining buildings and use. As such, the proposal conflicts with Core Policy 57 (iii) and (vi) of the Wiltshire Core Strategy (2015), and it fails to accord with the design principles of Section 12 of the National Planning Policy Framework.
2. Insufficient information has been submitted to demonstrate that acceptable internal or external noise levels can be achieved for future occupiers, given the site's proximity to multiple noise-generating commercial uses. Furthermore, the siting of a dwelling within, and accessed through, an operational industrial estate would expose future residents to general disturbance, traffic and a poor-quality pedestrian and residential environment. The proposal therefore fails to demonstrate that an appropriate standard of residential amenity would be secured, contrary to Core Policy 57 (vii) of the Wiltshire Core Strategy (2015), saved policy NE18 of the North Wiltshire Local Plan 2011, and the National Planning Policy Framework.
3. The proposal would result in the loss of employment land without any evidence to demonstrate compliance with the criteria of Core Policy 35 of the Wiltshire Core Strategy (2015). The development therefore conflicts with Core Policy 35 which seeks to safeguard employment sites.