

APPLICATION FOR HOUSEHOLDER PLANNING PERMISSION DELEGATED REPORT

APPLICATION REFERENCE:	PL/2025/08627
APPLICATION TYPE:	Householder planning permission
SITE ADDRESS:	1 Chain Lane, Warminster, BA12 9LT
DEVELOPMENT DESCRIPTION:	Formation of vehicular access and associated works
RECOMMENDATION:	That Planning Permission be GRANTED

SITE CONTEXT

1 Chain Lane (the 'site') is a residential property on the junction of Chain Lane and Smallbrook Road, two residential streets situated within the southeastern area of Warminster (designated as a Market Town in the adopted Wiltshire Core Strategy).

The site is occupied by a larger detached two-storey house with its integrated garage and associated amenity space. The proposal specifically relates to the creation of an access onto Smallbrook Road, which, adjacent to the site, is a narrow unmarked two-way carriageway circa 3m wide and subject to a 30mph speed limit.

In terms of immediate surroundings, the site adjoins residential development to the north and west, Chain Lane to the east and Smallbrook Road to the south and west, with residential development beyond.

The site is not subject to, nor within notable proximity of any planning policy designations and/or constraints that are pertinent to the consideration of this proposal.

PROPOSAL

The proposal seeks planning permission for a new access onto Smallbrook Road with associated landscaping and boundary treatment works. Revised plans have been submitted which have relocated and widened the access in order to achieve sufficient pedestrian and visibility splays (accommodated within the site). The revised plans also include replacement hedgerow planting within the site. The new drive would be surfaced with tarmac and enclosed with 1.8m high dark stained vertical timber boarding.

PLANNING HISTORY

Relevant Planning Records			
Reference	Description	Decision	Date
W/82/00727/HIS	Garage extension.	Approved	31/08/1982
W/93/00427/FUL	Single storey extensions including conservatory.	Approved	13/05/1993
PL/2021/07972	Erection of single storey ground floor extension, first floor extension above existing ground floor structure, provision of	Approved	16/11/2021

	pitched roof over existing two storey flat roofed wing, reconfiguration of parking area and frontage walling & part north boundary.		
PL/2021/10891	Erection of single storey ground floor extensions to north and south elevations, first floor extension above existing ground floor structure, provision of pitched roof over existing two storey flat roofed wing, reconfiguration of parking area and frontage	Approved	21/12/2021
PL/2023/00326	1) Two storey extension / annexe 2) Erection of a Single Storey outbuilding 3) Works to a boundary wall at Chain Lane (Revision to approved scheme (PL/2021/07972) 4) Associated Works in relation to the above	Withdrawn	16/03/2023
PL/2024/00306	Single Storey Extension; Single Storey Outbuilding; Revisions to Front Wall (as approved PL/2021/10891) and Associated Works.	Approved	05/03/2024

RELEVANT POLICIES AND GUIDANCE

Planning Legislation:

- Town and Country Planning Act 1990
- Planning and Compulsory Purchase Act 2004

Development Plan:

- Wiltshire Core Strategy (adopted January 2015):
 - Core Policy 57: Ensuring high quality design and place shaping
 - Core Policy 61: Transport and development
- West Wiltshire District Plan (adopted June 2004):
 - Saved Policy C40: Tree planting
- Warminster Neighbourhood Plan 2015/2026 (Made November 2016):
 - Policy L1: Design

Material Considerations (Policy):

- National Planning Policy Framework (NPPF) December 2024
 - Section 2. Achieving sustainable development
 - Section 9. Promoting sustainable transport
 - Section 12. Achieving well-designed places
- Wiltshire Local Plan Submission Draft 2020-2038 (Regulation 24):

- Policy 71: Transport and new development
- Policy 98: Ensuring high quality design and place shaping

Material Considerations (Guidance):

- National Planning Practice Guidance
- National Design Guide (January 2021)
- Manual for Streets (2007)
- Design Manual for Roads and Bridges
- Wiltshire Local Transport Plan 2025-2038 (LTP4)
- Wiltshire Design Guide (March 2024)

CONSULTATION RESPONSES

Warminster Town Council: No objection.

Wiltshire Highways Department: Concerns that the original and first set of amended plans did not comply with the standard visibility splay requirements for a 30mph road within an urban environment (typically 2.4m X-distance by 43m Y-distance).

Following a further review and discussions with the agent, it was agreed that, given the narrow width of Smallbrook Road and the significantly lower speeds of vehicle movements, reduced visibility splays of 2m by 25m (measured to the far side of the carriageway) would be acceptable.

Following the receipt of the final set of revised plans, the highway officer advised that “...*subject to the sight lines being provided prior to the commencement of the development, no highway objection is raised*” – this requirement is secured by condition 4, albeit the trigger has been amended to prior to the first use of the development.

REPRESENTATIONS

No comments were received.

ASSESSMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise. In accordance with this requirement, this application has been assessed against the relevant policies of the development plan and the material considerations listed above.

Having regard to the planning context and nature of the proposal, the following key matters are considered pertinent to the assessment of the proposal and are addressed in turn:

- Design
- Neighbouring amenity

- Transport
- Trees

Design

Core Policy 57 of the Wiltshire Core Strategy requires that all development be of high design quality, create a strong sense of place and complement its context, including through enhancing local distinctiveness and responding positively to local characteristics. This requirement is carried forward in draft Policy 98 of the emerging Wiltshire Local Plan.

Policy L1 of the Warminster Neighbourhood Plan encourages the design of development to reflect the principles outlined in Building for Life 12.

The proposed access is wider than those of the adjoining properties. However, this reflects the need for it to comply with modern access standards, whereas the neighbouring accesses pre-date such requirements. Notwithstanding the increased width, the access, including its proposed surfacing, remains broadly in keeping with the prevailing character of the area. The 1.8-metre fencing is likewise appropriate, as similar boundary treatments exist immediately adjacent to the site, with examples of timber fencing and brick walling of a similar height further along the street. The proposal is therefore considered to accord with the design principles set out in Core Policy 57, draft Policy 98, Neighbourhood Plan Policy L1, and the Design Guide.

Neighbouring Amenity

Core Policy 57(vii) requires that development be compatible with the adjoining uses and protect the residential amenity of existing and future users of the site and its surroundings, including in respect of natural lighting, privacy, outlook and pollution sources. This requirement is carried forward in draft Policy 98.

The proposal would not impact the natural lighting, outlook or privacy of any neighbouring property and, as a secondary garden access, it would generate only a minimum level of additional disturbance which would fall within an acceptable threshold. The proposal is therefore considered to achieve an acceptable standard of residential amenity in accordance with Core Policy 57(vii) and the Design Guide.

Transport

Core Policy 61 requires that development proposals promote sustainable modes of transport, provide safe and suitable access and have an acceptable impact on the highway network. This requirement is carried forward in draft Policy 71.

Although Smallbrook Road is a two-way carriageway with a 30mph speed limit, its width reduces to approximately 3 metres in the vicinity of the site where it is also enclosed by tall hedgerows, fences and boundary walls. As a result, only one-way vehicle movement is possible, and vehicle speeds are notably lower than the limit. Having regard to these conditions, officers advised that the access should provide pedestrian visibility splays of 2m by 2m (measured from the edge of the access) and vehicular splays of 2m by 25m (measured from the centre of the access).

The revised plans demonstrate that adequate visibility splays can be achieved. It is therefore considered that the proposal provides a safe and suitable access, subject to a condition requiring the splays to be installed prior to first use. Otherwise, the proposal would have a negligible impact in relation to promoting sustainable modes of transport and the highway network. As such, the proposal is considered to comply with Core Policy 61.

Trees

Saved Policy C40 states that trees of visual amenity value will be retained, particularly within conservation areas. The policy requires the replacement of protected trees with new specimens of an appropriate size and species in the immediate locality.

The application is accompanied by an Arboricultural Survey identifying four trees located near the proposed access. The revised scheme would require the removal of a holly tree (T2) and an apple tree (T3), both classified as Category U (unsuitable for retention), as well as approximately 14 metres of mature laurel hedging. None of these trees or the hedgerow is subject to statutory protection.

Trees T2 and T3 are not considered to have much visual amenity value and, as such, their loss is considered acceptable. The removal of the laurel hedge will have a more noticeable visual impact, as it contributes to the positive green character of the area. However, laurel is a non-native species with relatively low biodiversity value. However, laurel is a non-native species with relatively low biodiversity value. In addition, the revised plans include replacement hedgerow planting alongside the timber fence, which will, over time, help to restore the verdant character of the street scene. On this basis, the loss of the existing hedge is considered acceptable.

Subject to the provision of the replacement, the proposal is considered to comply with Saved Policy C40.

CONCLUSION

The proposed access would provide a safe and suitable means of entry to the rear of the site. Its design is in keeping with the local character and, although it necessitates the removal of two trees and a section of non-native hedgerow, the affected trees are unsuitable for retention and much of the hedge will be replaced through new planting.

The proposal is therefore considered acceptable with respect to design, neighbouring amenity, transport, arboriculture, and all other relevant matters. It thus complies with the aforementioned sections and policies of the Wiltshire Core Strategy, emerging Wiltshire Local Plan, Warminster Neighbourhood Plan, NPPF and the Wiltshire Design Guide. As such, the application is recommended for approval, subject to the conditions set out below.

RECOMMENDATION: That Planning Permission be GRANTED subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

- Site location plan, ref. VL2025 / 10 / 01
- Revised site layout plan, ref. VL2025 / 10 / 05 rev A (dated 12 February 2026)
- Revised access fence & gate details, ref. VL2025 / 10 / 06 rev A (dated 24 February 2026)

REASON: For the avoidance of doubt and in the interests of proper planning.

3. The materials to be used in the construction of the hard landscaping and boundary treatment of the development hereby permitted shall match in material, colour and texture those stated on the approved plans.

REASON: In the interests of visual amenity and the character and appearance of the area.

4. No part of the development shall be first brought into use, until the visibility splays shown on the approved plans have been provided with no obstruction to visibility at or above a height of 0.9m above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.

REASON: In the interests of highway safety.

5. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first use of the development. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.