

APPLICATION FOR HOUSEHOLDER PLANNING PERMISSION

DELEGATED REPORT

APPLICATION REFERENCE:	PL/2026/02734
APPLICATION TYPE:	Householder planning permission
SITE ADDRESS:	7 Wedmore Avenue, Chippenham, SN15 1QP
DEVELOPMENT DESCRIPTION:	New second dropped kerb access with driveway to the property
RECOMMENDATION:	That Planning Permission be REFUSED

PROPOSAL

The proposal seeks planning permission for the creation of a second dropped kerb access and driveway to the property. Plans show approximately 3.1m of low boundary wall removed and a tarmacked access apron extending to approximately 8.5m. A 1.2m solid timber gate is shown, opening into the site. Plans show the driveway connecting the existing and proposed new access points, a 1.2m high gate is also shown to the existing access.

SITE DESCRIPTION/CONTEXT

The application site comprises a mid-20th century two-storey dwelling externally constructed from reconstituted stone with a concrete tile roof. The principal elevation faces northwest and is characterised by a gable-ended projection to the right of which can be found an entrance vestibule under a catslide 'nose'. Its plan form is approximately L-shaped, but there is a flat-roofed garage adjoining the southwest elevation and a conservatory extending from the southeast (rear) elevation. The site enjoys a wide, open corner plot enclosed by a low reconstituted stone boundary wall with an enclosed private amenity space to the rear.

The site is set on a corner plot by the junction of Wedmore Avenue with East Yewstock Crescent. The area has a suburban residential character. There is a well-defined build line where the dwellings follow the curves of the crescent with little projection forward of one another. In terms of architectural style, there are a mix of building forms within the area but the application site is one of only a few in its style, another example being 37 East Yewstock Crescent. There is some variety in external finishes and materials, but reconstituted stone, pebbledash render predominate and particular within the application site's immediate setting. There are only a few corner plots like the application site, one opposite at 55 East Yewstock Crescent and others on the junction with Hardenhuish Avenue to the south.

Works are currently underway under application PL/2024/00543 for Extensions to side and rear of property, and an attached garage.

The site lies within the defined settlement boundary for Chippenham. The site is not subject to any other sensitive or special land-use designations.

It is noted that neither the existing nor proposed plans show the existing pedestrian access to the north of the site however it is not considered that this impacts on the assessment of this application.

PLANNING HISTORY

PL/2024/00543 - Householder planning permission Decision - Approve with Conditions Date: 27/3/2024 – Extensions to side and rear of property and attached garage
ENQ/2025/01973 - PD Enquiries Decision - PP Required Date: 17/12/2025 – Vehicle Access Consultation LK 16442
PL/2026/02734 - Householder planning permission – New second dropped kerb access with driveway to the property

RELEVANT POLICIES AND GUIDANCE

Wiltshire Core Strategy:

- Core Policy 57: Ensuring High Quality Design and Place Shaping
- Core Policy 61: Transport and New Development
- Core Policy 64: Demand Management

Wiltshire Local Transport Plan 2011-2026 (LTP):

- Car Parking Strategy (CPS) – Policy PS6

Wiltshire Design Guide: Appendix D – Design Guidance for Householder extensions

The National Planning Policy Framework (NPPF)

The Planning Practice Guidance

National Design Guide

Chippenham Neighbourhood Plan

CONSULTATION RESPONSES

Chippenham Town Council: Object

'No justification for the provision of a second vehicular access to serve the property has been provided. The Town Council therefore concurs with the previous recommendation from Wiltshire Council Highways on PL/2024/00543:

'The proposed development would result in a multiplicity of accesses onto the public highway which would be likely to increase the risk of hazards and inconvenience to all users of the road. Reason: Loss of kerbside space for which there is no compelling highway need.

The proposed vehicle access is considered substandard and harmful to highway safety as it would not secure the visibility necessary for the safety and convenience of all users of the public highway. The proposal is therefore contrary to WCS (2015) CP61 and 57 (xiv) and paragraphs 110 and 111 of the NPPF (2021).'

In addition, as per its comments on PL/2024/00543, the Town Council remains of the view that 'The proposed 1.2m high gates would be inappropriate and uncharacteristic of the estate where properties typically do not have gates and have welcoming, open frontages.' It reiterates that the proposed development by virtue of its inappropriate boundary treatment would have a detrimental impact on the character and appearance of the area and the streetscene and would be contrary to CP57 of the Wiltshire Core Strategy, Paragraphs 9.3.3 and 9.3.5 of the Wiltshire Design Guide SPG, the National Design Guide and the NPPF.

It is noted that a set of gates has already been installed on the western front boundary and 1.8m high timber fencing has been installed along part of the northern front boundary. No consent has been granted for this, and the latter particularly detracts from the streetscene. It is therefore requested that enforcement action be pursued for its removal. The current application cannot be determined until this issue has been resolved.'

Highways Officer: Object

27.05.2026 No justification for the provision of a second vehicular access to serve the property has been provided. The Town Council therefore concurs with the previous recommendation from Wiltshire Council Highways on PL/2024/00543:

'The proposed development would result in a multiplicity of accesses onto the public highway which would be likely to increase the risk of hazards and inconvenience to all users of the road. Reason: Loss of kerbside space for which there is no compelling highway need.

The proposed vehicle access is considered substandard and harmful to highway safety as it would not secure the visibility necessary for the safety and convenience of all users of the public highway. The proposal is therefore contrary to WCS (2015) CP61 and 57 (xiv) and paragraphs 110 and 111 of the NPPF (2021).'

18.06.2026 'I note the acknowledgement that there is no overriding highway safety reason for a secondary access. There is no evidence presented that the proposed arrangement would improve the functionality and accessibility of the residential curtilage. There is a standard highway condition to allow inward opening gates that they should be placed a minimum of 4.5m from the carriageway edge. Clearly this cannot be achieved on-site and provides for insufficient space for cars to pull clear of the carriageway prior to operation.

For these reasons and the previous response reproduced here below the LHA recommends refusal.

This application to provide an additional vehicular access will result in a disproportionate loss of kerbside space without an overriding road safety issue relating to the current access to the property. The existing access and parking provides room to turn on site so cars can already enter and exit the highway in forward gear, therefore there is no compelling highway reason for a secondary access.

The addition of a vehicle access crossing a footway which is a busy route to school will result in additional conflict with pedestrian users of the highway contrary to the hierarchy of road users.

The new access and gate will not allow a car to pull clear of the carriageway prior to operation of the gate and thus will cause unnecessary highway safety concerns to the most vulnerable users of the public highway. This is also close to a natural crossing point for pedestrians on the way to school where unnecessary conflict with vulnerable road users will cause a highway safety concern.

Therefore, I recommend a refusal on the following grounds.

The proposed development would result in a multiplicity of accesses onto the public highway which would be likely to increase the risk of hazards and inconvenience to all users of the road.

Reason: Loss of kerbside space for which there is no compelling highway need

The proposed vehicle access is considered substandard and harmful to highway safety as it will cause potential for conflict and compromise the safety and convenience of all users of the public highway. The proposal is therefore contrary to WCS (2015) CP61 and 57 (xiv) and paragraphs 110 and 111 of the NPPF (2021).

REPRESENTATIONS

3 letters from 2 individuals were received with comments summarised below;

- Concur with Chippenham Town Council's, and Highways Officer comments
- Plans do not accurately reflect the approved plans from the 2024 application
- In-out access to property at junction of Hardenhuish Avenue and Yewstock Crescent is not comparable
- Higher on street parking requirements at application site
- Higher volume of traffic at application site

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 adopted Wiltshire Core Strategy (2015) and, where applicable, any made Neighbourhood Plans.

Design and Impact upon the upon the character and context of the area

Core Policy 57 - Ensuring High Quality Design and Place Shaping of the Wiltshire Core Strategy seeks to ensure that all new development is of high design quality, reflecting local context, character, and distinctiveness.

No two sites share the same landscapes, contours, relationship with surrounding buildings, street pattern and features and so the design of new developments must draw on an understanding of the site itself and the local context, seeking to maximise the benefits of those characteristics and enhance the overall character of the locality. New development should integrate into its surroundings, but the proximity of poor quality or indistinct development is not a justification for standard or poor design proposals.

In respect of the new access, the development would see the removal of a section of the original boundary wall approximately 3m wide and a tarmac apron created to a width of approximately 8.5m. This would result in a corresponding section of grass verge being lost. Hardstanding would be laid across the front of the property to link with the existing, effectively creating an in-out driveway.

The low boundary wall and open frontage is a distinctive feature of the wider estate with the vast majority of houses still having this original element. Notwithstanding the above it is noted that the wall is not located within a conservation area and area and is under 1m in height and planning permission would not therefore be required for its removal. The application would see a 3m section of wall removed which taking into account the expanse of remaining wall, is not considered to be deleterious to the character and appearance of the area.

Plans show the insertion of 1.2m high closed board timber gates at the existing and proposed entrances which requires planning permission as they are in excess of 1m in height. In design terms the gates would be approximately twice the height of the existing wall and therefore could appear somewhat incongruous from the street, having regard to their siting on a prominent corner plot.

To the northern side of the site adjacent to the location of the new access, closed board fencing has been erected behind the wall and behind a new hedge. To the existing entrance is low closed board fencing and an access gate set into the site behind the new hedge. As noted by the Town Council planning permission was not sought for these works. The Councils' Enforcement team have investigated and determined that as the fence has been set back slightly into the garden and is situated behind a laurel hedge which acts as an intervening feature between the highway and the fence, therefore the fence is not considered to be adjacent to a highway. A fence of up to two metres in height is allowed to be erected where it is not considered adjacent to a highway.

The fence is therefore considered to be permitted development under Schedule 2, Part 2, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Taking the existing fencing and laurel hedge into account, the visual impact of 1.2m high gates being inserted into the low boundary walls, is not considered to appear wholly out of keeping or harmful to the character and appearance of the area.

Having regard to the above, the proposal complies with the design principles set out in Core Policy 57 of the Wiltshire Core Strategy and Appendix D of the Wiltshire Design Guide.

Amenity

Point vii of Core Policy 57 - Ensuring High Quality Design and Place Shaping of the Wiltshire Core Strategy seeks to ensure that developments do not adversely affect neighbouring properties.

The National Planning Policy Framework (NPPF), particularly Paragraph 135(f), stresses that planning decisions should ensure developments provide a high standard of amenity for existing and future users.

The proposed development has been assessed in terms of its potential impact on the residential amenity of neighbouring properties, with particular regard to loss of light, overshadowing, loss of privacy, and overbearing effects which due to the nature of the proposal, are considered acceptable.

The proposal therefore accords with Core Policy 57 point vii in respect of safeguarding residential amenity and Appendix D of the Wiltshire Design Guide.

Highways Impact

Core Policy 57 (criterion xiv) of the Wiltshire Core Strategy requires development to accord with the principles of Core Policy 61, which seeks to ensure that proposals are supported by safe and suitable access to the highway network for all users. Core Policy 64 further requires development to meet adopted parking standards as set out in the Wiltshire Local Transport Plan.

At the national level, the National Planning Policy Framework (NPPF) makes clear, at paragraphs 115 and 116, that development should only be prevented or refused on highways grounds where there would be an unacceptable impact on highway safety, or where the residual cumulative impacts on the road network would be severe. It also requires that safe and suitable access to a site can be achieved for all users, having regard to the hierarchy of road users.

The Local Highway Authority (LHA) has objected to the proposal, and significant weight is afforded to this technical assessment. The LHA's position is that the proposed introduction of a second vehicular access would result in a disproportionate and unjustified loss of kerbside space, in circumstances where there is no demonstrable highway safety or operational need for such an arrangement. The evidence before the Council indicates that the existing access and on-site parking provision already enable vehicles to enter and leave the site in a forward gear, with adequate turning space within the curtilage. On this basis, it has not been

satisfactorily demonstrated that the additional access would deliver any material improvement to the safe or efficient use of the site.

The LHA further advises that the creation of an additional access across a well-used footway would increase the potential for conflict between vehicular and pedestrian movements. Whilst it is acknowledged that there is no formal pedestrian crossing at this location, the route is clearly used as part of an established desire line, including by pedestrians accessing nearby schools. In this context, the proposal would fail to accord with the overarching requirement of the NPPF and local policy to prioritise pedestrian safety and to reflect the hierarchy of road users.

Particular concern is raised in respect of the relationship between the proposed access and any associated gate. The submitted details indicate that it would not be possible to provide the required setback distance (typically 4.5 metres) to allow vehicles to stand clear of the carriageway whilst gates are opened or closed. This would lead to vehicles waiting within the highway, thereby creating obstruction and introducing additional risk to highway users, particularly those who are more vulnerable. This matter is not a minor technical deficiency but goes to the heart of whether safe and suitable access can be achieved.

The Planning Inspectorate has consistently found that the introduction of additional vehicular accesses, even where vehicular movements are not materially increased, can give rise to unacceptable impacts on highway safety. Inspectors have identified that additional accesses increase the number of pedestrian conflict points, erode the continuity and safety of the footway, and reduce available kerbside capacity without justification (for example APP/W5780/D/25/3362485 and APP/X5990/D/25/3368513). Furthermore, significant weight has been afforded to the need to maintain uninterrupted pedestrian routes, particularly in locations characterised by regular pedestrian activity, and it has been concluded that such harm is not mitigated by the absence of formal crossing points or limited changes in traffic generation.

In the present case, the proposal would likewise introduce an additional access in a location where the footway is well-used, including by more vulnerable users, and would result in an unjustified loss of kerbside space. The identified impacts therefore closely align with those which have previously led Inspectors to dismiss appeals.

The applicant has sought to address the LHA's concerns by indicating that the proposal would not give rise to an intensification in vehicular movements and by suggesting that similar arrangements exist in the surrounding area. However, even if vehicle movements were to remain comparable, this does not overcome the fundamental issue that the introduction of an additional access point, in this specific location and context, would increase the number of potential vehicle-pedestrian conflict points and reduce available kerbside capacity. Each application must be determined on its own merits, and the presence of other accesses in the vicinity does not, in itself, justify further proliferation where harm has been identified.

The applicant has also indicated a willingness to omit the proposed gates. Whilst this is noted, the LHA objection is not limited to the presence of gates but extends to the principle and impacts of the additional access itself. The removal of the gates would not address the identified loss of kerbside space nor the increased potential for conflict arising from an additional point of access.

In addition, the surrounding highway environment is characterised by on-street parking demand, including that associated with visitors to nearby facilities such as John Coles Park, as well as regular pedestrian movements linked to local schools. The proposal would erode on-street parking provision and introduce an additional access in a constrained and active street environment, thereby exacerbating conditions that already require careful management in the interests of highway safety.

Drawing these matters together, it has not been demonstrated that the proposed development would achieve safe and suitable access for all users. Instead, the evidence indicates that it would give rise to an increased risk of conflict between highway users, reduce available kerbside capacity without justification, and introduce substandard access arrangements that fail to meet established highway design requirements.

Accordingly, the proposal conflicts with Core Policies 57 (criterion xiv), 61 and 64 of the Wiltshire Core Strategy, the objectives of the Wiltshire Local Transport Plan, and the provisions of the NPPF. The harm identified is not outweighed by any public or private benefit of sufficient weight, and there are no material considerations which would justify a departure from the development plan. The application is therefore recommended for refusal on highways grounds.

Other issues

It is noted that the applicant is amenable to removing the gates from the scheme to secure a permission. Should this have been the sole reason for refusal then revised plans would have been sought, however given the Highways objection to a new access at this location in addition to the gates additional plans have not been requested.

Biodiversity Net Gain

Householder planning applications are exempt from the requirement to deliver Biodiversity Net Gain under Schedule 7A, Section 4(2)(a) of the Town and Country Planning Act 1990, as inserted by the Environment Act 2021.

CONCLUSION

The proposed development, by reason of the identified harm, is considered to conflict with the aims and objectives of the Wiltshire Core Strategy and the National Planning Policy Framework. The proposal fails to demonstrate compliance with the relevant policies and guidance, and no overriding material considerations have been identified that would justify a departure from the development plan.

Accordingly, the application is recommended for refusal.

RECOMMENDATION: That Planning Permission be REFUSED.

Refusal reasons

The proposed additional vehicular access would result in the unjustified loss of kerbside parking and introduce an additional point of conflict with pedestrians along a well-used footway, to the detriment of highway safety. In the absence of any overriding justification, the proposal would fail to provide safe and suitable access for all users, contrary to Core Policies 57 (criterion xiv), 61 and 64 of the Wiltshire Core Strategy and paragraphs 115 and 116 of the National Planning Policy Framework.