

APPLICATION FOR FULL PLANNING PERMISSION

CASE OFFICER REPORT

APPLICATION REFERENCE:	PL/2026/04342
APPLICATION TYPE:	Full Planning Permission
SITE ADDRESS:	23 - 25 Whitegates, Upper Castle Combe, Chippenham, SN14 7HQ
DEVELOPMENT DESCRIPTION:	Change of use back to 2 separate dwellings (retrospective) together with proposed enclosing of existing porches along with amendments to doors and windows at rear of property at Number 25 Whitegates
RECOMMENDATION:	Planning Permission be GRANTED

PROPOSAL

The application seeks retrospective permission for the subdivision of a single dwelling back to 2no. dwellings. The provided application form indicates that the subdivision began on 22.01.2026.

In addition, the application proposes the enclosing of front porches to both dwellings and alterations to doors and windows at the rear of '25 Whitegates'. It was observed as part of a site visit carried out in September 2026 that works associated with the enclosing of front porches began before any grant of planning permission.

The application form also indicates that walling materials to be used on the external alterations to both properties are proposed to be brickwork in materials to match the existing dwellings; no proposed materials have been specified for the window and door alterations to the rear of number 25, however.

A revised 'existing and proposed site plan' was provided on 23.09.2026 to clearly demonstrate the unit boundary associated with the 2 dwellings.

SITE DESCRIPTION

The application site comprises 23-25 Whitegates, in Upper Castle Combe which were originally constructed as 2 dwellings forming part of a 3-dwelling terrace, were then converted to 1 larger dwelling some time thereafter, and appear likely to have undergone development associated with the de-conversion in early 2026.

Upper Castle Combe is part of the Chippenham community area but, at the time of writing, does not benefit from a made neighbourhood development plan or defined framework boundary. The nearest settlement with a defined framework boundary is 'Yatton Keynell', which is over 2km south-east of the site.



Figure 1: map view of site (red) & unit split (blue) Figure 2: aerial view of site

Figure 3: photo (2026) of front elevation

The site is less than 50m outside of the Castle Combe conservation area but is not within a designated heritage area and the nearest listed building is more than 200m south. The site is, however, within the Cotswolds National Landscape (NL) – previously area of outstanding natural beauty (AONB) – part of the ‘Dip-Slope Lowland’ landscape character area.

The site is in flood zone 1, at the lowest risk of flooding from rivers and seas, and is not at high risk of groundwater or surface water flooding.

RELEVANT PLANNING HISTORY

Relevant to the site:

- PL/2026/02357 request for lawful development certificate relating to the *Proposed enclosing of existing porch along with amendments to doors and windows at rear of property* was withdrawn prior to determination on 16.06.2026

Relevant planning history near the site:

None recent

RELEVANT LEGISLATION, POLICIES AND GUIDANCE

Though considered as a whole, applicable Development Plan policies are listed below along with relevant legislation and guidance.

Wiltshire Core Strategy (WCS)

- CP1: Settlement Strategy
- CP2: Delivery Strategy
- CP10: Spatial Strategy for the Chippenham Community Area
- CP48: Supporting Rural Life
- CP50: Biodiversity and Geodiversity
- CP51: Landscape

- CP57: Ensuring High Quality Design and Place Shaping
- CP60: Sustainable Transport
- CP61: Transport and Development
- CP64: Demand Management
- CP67: Flood Risks

Saved Policies of the North Wiltshire Local Plan (NWLP)

- H4: Residential Development in the Open Countryside
- NE14: Trees, Site Features and the Control of Development

Wiltshire Local Transport Plan 3 (LTP4)

- Parking and Cycle standards (LTP3)

Wiltshire Design Guide (WDG)

Wiltshire Council Level 1 Strategic Flood Risk Assessment (SFRA)

National Planning Policy Framework (NPPF)

- S3: Presumption in favour of sustainable development
- S5: Presumption of development outside settlements
- HO7: Meeting the need for homes
- DP3: Key principles for well-designed places
- N2: Improving the natural environment
- N4: Protected landscapes
- F7: Ensuring development is safe from flooding
- TR3: Locating development in sustainable locations
- DM8: Unauthorised development and enforcement

Planning Policy Guidance (PPG)

Countryside and Rights of Way Act 2000 (CROW)

Cotswold National Landscape Management Plan 2023-2025

- CE1: Landscape
- CE3: Local Distinctiveness
- CE6: Historic Environment and Cultural Heritage

Cotswolds AONB Landscape Strategy and Guidelines

- LCT 11: Dip Slope Lowlands

ISSUES

The main issues in the consideration of this application are:

- Principle / Sustainable Development
- Impact on the Cotswolds National Landscape, Design and Neighbouring Amenity
- Ecology / Biodiversity
- Highways Safety / Access

- Flood Risk / Drainage

CONSULTATION

Castle Combe Parish Council: No Objection

Councillors have No Objection to changing it back to 2 separate houses.

Councils Highways Team: No Comment

REPRESENTATIONS

At the time of writing no public representations have been received.

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 WCS. Consideration has also been given to the policies of the NPPF as a material consideration in the assessment.

Principle / Sustainable development

Context

CP1 and CP2 of the WCS relate to the spatial strategy for Wiltshire, setting the policy foundations for sustainable development within the county. CP10 of the WCS expresses that development in the Chippenham Community Area should be in accordance with the Settlement Strategy set out in CP1. CP2 outlines that, other than in circumstances permitted by other policies within the WCS, development will not be permitted outside the limits of development, as defined on the policies map.

- Supporting text found at 4.25 identifies the exception policies within the WCS as being: CP34, CP37, CP39, CP40, CP44, CP46, CP47 and CP48.
- In addition to those exception policies, saved policy H4 of the NWLP provisions explicit exception criteria for new dwellings in the countryside, outside of framework boundaries.

The site is located outside of any defined settlement limits, in open countryside but not in an isolated location, and proposes the subdivision of a dwelling and, as such, conflicts with the aims

of CP1, CP2 and CP10. Moreover, the proposed subdivision does not explicitly meet the aims of exception policies within the WCS, nor does it meet the requirements of saved policy H4 of the NWLP.

The NPPF directs, under Policy S3 that *development proposals should apply a presumption in favour of sustainable development* and Policy S5 directs that *only certain forms of development should be approved outside settlements*.

S5(1)(j) supports *development which would address an evidenced unmet need where the development would:*

- (i) be physically well-related to an existing settlement [...] and be of a scale which can be accommodated taking into account the existing or proposed infrastructure;*
or
- (ii) Comprise major development for freight and logistics purposes [...]*

S5(2) directs that *in circumstances in which the benefits of approving development proposals are likely to be substantially outweighed by adverse effects include, but are not restricted to, situations where the development proposals would fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances*.

The Councils Housing Land Supply (HLS) Statement (base date: April 2025) covers the HLS for Wiltshire and each Housing Market Area within Wiltshire as set out in the WCS. Briefing Note No. 26-07 (dated 05.06.2026), under section 2.2 indicates that there is a 2.8 years supply.

Policy HO7 expresses how substantial weight should be given to the benefits of providing homes which will contribute towards meeting the evidenced accommodation needs of the community.

Assessment

The scheme seeks retrospective permission for the subdivision of one dwelling back into two self-contained dwellings in a way that reflects the split of the original terrace. The proposal would provide one additional dwelling at a time where the Council is unable to demonstrate a five-year supply of deliverable housing land; substantial weight is afforded to that benefit in accordance with HO7 of the NPPF.

Whilst the site lies outside of any defined settlement boundary, the proposal would not result in the outward expansion of the residential group of dwellings at 'Whitegates', and instead proposes development within that established estate. In this regard, the development would be physically well-related to the existing built form associated with Upper Castle Combe which meets the aims of the first part of S5(j)(i) of the NPPF.

The original 3 units which formed part of the terrace were very similar in size and as such this proposal to re-establish that split reflects the originally permitted character more appropriately than if the site were to be retained as a single unit which is disproportionately larger than its attached neighbour. The scheme is to convert a site back to 2 dwellings and, consequently, the

scale of development is appropriate for the setting and meets the aims of the second part of S5(j)(i) of the NPPF.

As such, whilst the proposal conflicts with the settlement strategy of the WCS, it complies with the criteria of S5(j) of the NPPF and consequently represents development which should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in the NPPF. Subject to consideration of the detailed impacts below, the principle of development is accepted.

Impact on the Cotswolds National Landscape, Design and Neighbouring Amenity

Context

CP57 of the WCS requires development to achieve a high standard of design.

CP51 of the WCS requires development to protect and conserve landscape character.

Section 245 of the Levelling Up and Regeneration Act 2023 introduced a statutory duty on relevant authorities to seek to further the statutory purposes of protected landscapes. With regards to National Landscapes, this requirement has been incorporated into Section 85 of the CROW Act, which now states: *In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty in England, a relevant authority other than a devolved Welsh authority must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.*

Policy N4 of the NPPF reiterates that duty and places substantial weight on the importance of conserving and enhancing the natural beauty of Protected Landscapes, and requires development proposals in these settings to be sensitively located and designed to avoid or minimise adverse impacts. Policy DP3 of the NPPF outlines key principles for well-designed places.

The site is within the Cotswolds NL; Detail within the Cotswolds AONB Landscape Strategy and Guidance identifies the wider character area for this part of the AONB as 'Dip Slope Lowland'

11.1 of the guidance identifies the following summarised potential landscape implications which are relevant to the site and scheme:

- *Degradation of views to, from and across the Dip-slope Lowland*
- *Impact or loss of views of key features [...]*
- *Increased traffic leading to increased damage to road verges and roadside hedges and walls [...]*
- *Loss of archaeological and historic features, field patterns and landscapes*

Section 11.1 also provides strategies to avoid potential landscape implications, of which the following summarised points are relevant to the site and scheme:

- *Avoid development that will intrude negatively into the landscape and cannot be successfully mitigated [...]*

- *Ensure new development is proportionate and does not overwhelm the existing settlement*
- *Avoid development incorporating standardised development layout, suburban style lighting, construction details and materials that cumulatively can lead to the erosion of peaceful landscape character.*
- *Layout of development should respect local built character and avoid cramming up to boundaries resulting in hard suburban style edge to the settlement.*
- *Control the proliferation of suburban building styles and materials.*
- *Propose the use of local stone and buildings styles in the construction of new buildings [...] new buildings should, at least, respect local vernacular style.*
- *Retain existing trees, dry stone walls, hedges etc.*
- *Ensure new development is visually integrated into its surrounding [...] break up harsh edges of new development with appropriate and adequate tree planting [...]*

Assessment

Notwithstanding that the proposal includes the closing up of porches and modest alterations to doors and windows, the scheme does not introduce significant new built form beyond that which is already associated with the established residential estate. As such, the development would not be readable within long-range views of the NL setting, and the enclosed porches would be seen as appropriate additions within short-range views. Given that limited detail on the finish of windows and doors has been provided, in the interest of visual amenity, a condition requiring materials and finishes to match is necessary.

The proposed sizes of the unit would allow for appropriate standards of living, and acceptable levels of private amenity space to serve each dwelling. Whilst the subdivision would increase the intensity of residential occupation to a limited degree, there would not likely be any unacceptable impacts on living conditions of neighbouring occupiers when compared with the existing situation.

Ecology / Biodiversity

Context

Biodiversity net gain (BNG) is a way of creating and improving natural habitats and ensures that development has a measurably positive impact on biodiversity, compared to what was there before development.

Policy CP50 of the WCS outlines that Wiltshire's natural environment is one of its greatest assets and identifies protection measures necessary for consideration when assessing the impact of development on biodiversity and geodiversity.

Policies N2 and DM3 of the NPPF similarly require development proposals to contribute to the conservation and enhancement of biodiversity.

Assessment

Given the nature and scale of the proposal it is not considered likely to result in adverse effects upon biodiversity and the proposal is exempt from BNG as it meets the de minimis threshold.

Highways Safety / Access

Context

Policy CP61 of the WCS requires new development to be served by safe access to the highway network.

Policy CP64 of the WCS relates to demand management measures which includes car parking management and standards.

Policies TR3 and TR4 of the NPPF seek to ensure that development is served by safe and suitable access arrangements, and is located in a manner that promotes sustainable travel choices where possible.

Assessment

The scheme would not result in a change to the vehicular access and would continue to utilise existing parking arrangements which would be sufficient for the two dwellings.

Consultation with the Councils highways team resulted in no objections and there have been no other representations received to indicate that the subdivision has resulted (or would result) in highway safety concerns.

Flood Risk / Drainage

Context

Policy CP67 of the WCS relates to flood risk and provides direction for development proposed in flood zones 2 and 3 and includes the requirement for development to reduce the rate of rainwater run-off and to improve rainwater infiltration to soil and ground, unless site or environmental conditions make these measures unsuitable.

Policies F7 and F8 of the NPPF seek to ensure that development is safe from flooding for its lifetime without increasing the risk of flooding elsewhere.

Assessment

The site is in flood zone 1 and is not at high risk of flooding from surface or groundwater sources. The proposal does not include a significant increase in impermeable areas at the site and does not, otherwise, give rise to concerns regarding surface water drainage.

SUMMARY AND PLANNING BALANCE

The proposal seeks retrospective permission for the subdivision of an existing dwelling back into two self-contained dwellings, together with modest external alterations.

Whilst the site lies outside of a defined settlement boundary and therefore conflicts with the settlement strategy of the development plan, given the Councils current HLS position and that the scheme otherwise meets the broad requirements of NPPF S5(j) substantial weight is afforded to the housing benefit arising from the proposal.

The proposal is modest in scale and would not result in unacceptable or adverse impacts on biodiversity, highway safety, or flood risk.

Overall, the scheme complies with the aims of CP50, CP51, CP57, CP61, CP64, and CP67 of the WCS and relevant policies within the NPPF.

RECOMMENDATIONS:

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:

Location plan, 1001, received 11.08.2026

Existing and proposed site plan, 00107-WG-1002, received 23.09.2026

Proposed site elevation and section, 1016-00107-WG-CC-CH-WS, received 11.08.2026

Proposed sections, 1014-00107-WG-CC-CH-WS, received 11.08.2026

Proposed rear elevation, 1012-00107-WG-CC-CH-WS, received 11.08.2026

Proposed ground floor plan, 1008-00107-WG-CC-CH-WS, received 11.08.2026

Proposed first floor plan, 1009-00107-WG-CC-CH-WS, received 11.08.2026

Proposed front elevation, 1011-00107-WG-CC-CH-WS, received 11.08.2026

Proposed roof plan, 1010-00107-WG-CC-CH-WS, received 11.08.2026

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

3. The materials to be used in the construction of the external surfaces of the development, together with replacement doors and windows, hereby permitted shall match in material, colour and texture those used in the existing building.

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

INFORMATIVES TO APPLICANT:

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have

been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Wiltshire Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. For further information on exempt developments please refer to:

<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements is considered to apply.