

PL/2026/02739 – 19 Trenchard Avenue, Calne SN11 8QY

Cherhill Parish Council objects to this planning application for the reasons given below.

Situation.

This proposed development sits within the Calne Community Neighbourhood Plan 2 (CCNP2) area (made March 2025), Lower Compton Character Area. Parts A and B (Design Guidelines and Codes) form the most recent parts of the Development Plan for this area.

Recent planning history.

Current extant permissions – PL/2022/0458 – Outline permission decision date 14th September 2023. PL/2025/05094 – Reserved matters application decision date 30th July 2025.

Comments.

The Development Plan for the area was significantly altered by the CCNP2 (parts A and B) being “made” in March 2025. The current permissions were based on the old Development Plan. In accordance with section 38(6) of the Planning and Compulsory Purchase Act 2004, this application must be determined on its own merits in accordance with the current Development Plan. The earlier permission is relevant only as planning history and, if still implementable, as a possible fallback material consideration. The made Neighbourhood Plan, CCNP2, policies take precedence over any conflicting non-strategic policies in older documents (NPPF Para 31).

The CCNP2 Design Guide (Section 2.4.0.10, page 69) explicitly identifies the 'feel of openness' created by grass areas as a defining characteristic of the Lower Compton area. It specifically mandates: 'The open nature of the western part of the estate should be protected'. Whilst there is an existing wooden fence around the site, the proposal would develop an area that contributes to that open frontage, including open sky, resulting in a permanent loss of openness and an erosion of the character identified in the Design Guide. This is contrary to CCNP2's policy BE1 and H1c's requirement to respond positively to the character of the area and to apply the adopted design guidance.

Whilst the applicant cites the current approval, PL/2022/0458, as a precedent, that application was decided prior to the adoption of CCNP2. The subsequent adoption of the CCNP2 Design Guide in 2025 represents a significant material change in the planning weight afforded to these green areas. The community and the Planning Inspector, by approving CCNP2, have explicitly sought to prevent further erosion of this character - a direct response to the 'poor design' issues caused by previous construction on open green spaces in the area.

The Planning Statement, in section 4, incorrectly suggests that the absence of a five-year housing land supply creates an incontestable presumption in favour of this development. While the 'tilted balance' under NPPF Paragraph 11(d) may be engaged, national policy is clear that this does not mandate the approval of poorly designed schemes that conflict with the Statutory Development Plan. NPPF Paragraph 11(d)(ii) explicitly requires that 'particular regard' be given to policies for 'securing well-designed places' when weighing the balance. Additionally, NPPF Paragraph 139 provides an unambiguous instruction: 'Development that is not well designed should be refused, especially where it fails to reflect local design policies'. As the proposal fails the mandatory requirements of CCNP2 Policy BE1 and the specific Lower Compton Design Codes (Sections 2.4.0.10), the harm to the locally identified character and openness constitutes a clear 'adverse impact' that outweighs the limited contribution of a single dwelling to the housing supply. The statutory status of the made Neighbourhood Plan as the starting point for decision-making (Section 38(6)) remains intact.

The earlier applications on which this one is based put significant weight on the site being "self-build". Now this component has been removed, this significantly weakens the arguments in favour of development.

Procedurally Permission in Principle (PiP) applications are only applicable in certain circumstances. As PiP is concerned with location, land use and amount of development, the conflict with the Neighbourhood Plan goes directly to the matters to be determined at the PiP stage as development on sites such as that proposed by this application conflict with CCNP2 and should not be accepted in principle.

The Arboricultural Report submitted with the application is dated May 2022 - a full six years ago. The trees have grown significantly since then. The tree canopies are much larger and cover much of the development plot, presumably the root structure has also expanded. To maintain the character of the west side of Lower Compton, as defined in CCNP2 part b (Design Guide "DG") "Lower Compton Character Area" the "countryside feel" of the area must be maintained, which includes retaining the trees. DG DC.02 "Access and movement" specifies that "new development should aim to preserve existing mature trees and hedges by incorporating them into the new landscape design." – this may be impossible due to tree growth in the six years since the arboricultural report was prepared.

The orientation of the proposed house is at right angles to the other properties in Trenchard Avenue, making it non-compliant with DG DC.04 4e 'Infill development.' The different orientation would conflict with and detract from the area's character.

While the DG supports small infill developments, it stipulates that they should not "cover large parts of the available land to allow for well-sized front and back gardens. The appropriate dimensions are subject to the surrounding context and existing patterns of growth." The footprint of the proposed four-bedroom house does not leave sufficient space for a well-sized garden.

CCNP2 Policy H3-2-a Housing Mix states that there is a local need for 1,2,3 bedroom homes. If the planning officer is minded to grant permission for development on this site, a property with a smaller footprint which meets this local need would be preferable.

In conclusion, as the CCNP2 parts A and B (Design Guidelines and Codes) are the latest additions to the statutory development plan, they carry the most weight when considering local design issues. CCNP2 was “made” after the outline planning permission was granted. CCNP2 policy BE1 says that development proposals **MUST** be informed by the Design Guide, which in turn says that 'the open nature of the western part of the estate should be protected'. As the planning application seeks to significantly reduce the open nature of this part of Lower Compton, it must be rejected.