# PLANNING STATEMENT



**April 2022**

**Land off Thompsons Hill, Sherston, Malmesbury SN16 0PZ**

**Stage 1 Permission in Principle Application for development of 1no self-build dwelling.**

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# 1. INTRODUCTION

**1.1.** Context Planning Ltd have been instructed to prepare an application for Permission in Principle (PiP) for the development of one dwelling on undeveloped land adjacent to the property known as Marden House.

**1.2.** As illustrated in Figure 1 below, the land in question is adjacent to the southern edge of the housing development boundary of the village of Sherston. It is bordered to the north by the residential curtilage of Marden House and to the south-east it is bounded by Thompsons Hill Road. The residential property known as Hill House Farm and tennis courts are located further to the south-east.




**Figure 1 – Site Location Plan**

**1.3.** The site comprises a small parcel of a larger triangular field that gently slopes from its northern edge towards the south. The field boundaries are characterised by mature and well-maintained hedges along the eastern boundary and northern part of the site, abutting the residential curtilage of Marden House. Access to the site is currently possible via a single field gate to the southern corner of the field.

**1.4.** Sherston itself is located some 5 miles to the west of Malmesbury. This is one of so-called 'Large Villages' within the Malmesbury Community Area. The village is washed over by the Cotswolds Area of Outstanding Natural Beauty (AONB). A Public Right of Way (PROW) footpath runs along the westernmost edge of the field, approx. 100m to the west of the proposed location. The application site falls outside the Sherston Conservation Area, but the older farm buildings of Hill House Farm are noted within Historic Environment Records as one of the partially surviving C19 farmsteads of the village.

## 2. THE PROPOSED DEVELOPMENT

**2.1.** The application seeks Permission in Principle (PiP) for the development of one dwelling. The Housing and Planning Act 2016 introduced Section 58A into the Town and Country Planning Act 1990, which states that '*permission in principle may be granted for housing-led development of land*'. This application seeks to agree the principle of a single dwelling self-build residential development on site.

**2.2.** Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The PiP consent

has two stages: the first ('permission in principle') stage establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals get assessed. This application relates to the first of these stages.

**2.3.** The scope of the consideration for PiP is limited to location, land use and the amount of development permitted. All other matters are to be considered as part of a subsequent Technical Details consent application if permission in principle is granted. There is therefore no requirement for technical reports to accompany this submission.

**2.4.** The proposed development will seek to provide a new access off Thompsons Hill and will provide onsite parking to meet the needs of the future residents. This will be fully demonstrated at technical details stage.

**2.5.** The technical approval stage will also cover the layout and design of the dwelling, but it is clear that the site is of a sufficient size to comfortably accommodate a house and its curtilage whilst continuing the existing grain of development that would not harm the character and appearance of the locality and that of the wider area.

**2.6.** This Planning Statement assesses the proposed development against the development plan policies of Wiltshire including the Core Strategy, any relevant saved Local Plan policies and the Sherston Neighbourhood Plan, the National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG).

# 3. PLANNING POLICY

**3.1.** Section 70(2) of the Town and Country Planning Act 1990 provides that, in dealing with proposals for planning permission, regard must be had to the provisions of the development plan, so far as material to the application, and to any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that, if regard is to be had to the development plan for any determination, then that determination must be made in accordance with the plan unless material considerations indicate otherwise.

**3.2.** The Statutory Development Plan is comprised primarily of the Wiltshire Core Strategy (adopted in January 2015), Saved Policies of North Wiltshire Local Plan 2011 (adopted in June 2006), and the Sherston Neighbourhood Plan 2006 to 2026 (made in May 2019).

**3.3.** In this context, the NPPF (2021) also forms a significant material consideration, particularly in understanding the weight that should be attached to policy and whether policy can be considered up-to-date.

**3.4.** In the determination of a PiP application, policies directly related to technical matters will be considered in full as part of a future Technical Approvals application.

## Development plan

**3.5.** Wiltshire Council formally adopted the Wiltshire Core Strategy Development Plan Document in January 2015. The Core Strategy replaced a number of policies from the North Wiltshire Local Plan. In this case, only policies of the Core Strategy and Neighbourhood Plan are considered to be relevant along with

national planning guidance.

## Wiltshire Core Strategy (January 2015)

**3.6.** Core Strategy Core Policy 1 (CP1) sets out the settlement strategy for Wiltshire, identifying four tiers of settlements (Principal Settlements, Market Towns, Local Service Centres and Large and Small Villages). Sherston is defined as 'Large Village' where development can be supported in order to help retain the vitality of these communities. The development of small housing and employment sites is expected within the defined housing boundaries to help meet the housing needs of settlements and to improve employment opportunities, services and facilities.

**3.7.** Core Strategy Core Policy 2 (CP2) sets out a delivery strategy, which seeks at least 42,000 homes in Wiltshire between 2006 and 2026. Core Policy 2 explains that within the limits of development, there is a presumption in favour of sustainable development at the Principal Settlements, market Towns, Local Service Centres and Large Villages.

**3.8.** Core Policy 13 outlines the spatial strategy for the Malmesbury Community Area in which Sherston sits. Over the plan period (2006 to 2026), it expects that approximately 1,395 new homes will be provided of which about 885 should be built at Malmesbury and approximately 510 homes are to be provided in the rest of the Community Area. Growth in the Malmesbury Community Area over the plan period may consist of a range of sites in accordance with Core Policies 1 and 2.

**3.9.** The accompanying table (Fig.2) establishes the number of dwellings completed and/or permitted out of the 510 required. It indicates that another 151 dwellings remain to be identified.

Table 5.7 Delivery of Housing 2006 to 2026 - Malmesbury Community Area

| | Requirement 2006-26 | Housing already provided for | | Housing to be identified | |
|---|---|---|---|---|---|
| | | Completions 2006-14 | Specific permitted sites | Strategic sites | Remainder to be identified |
| Malmesbury Town | 885 | 483 | 486 | 0 | 0[37] |
| Remainder | 510 | 273 | 86 | 0 | 151 |
| Community Area total | 1,395 | 756 | 572 | 0 | 151 |

**Figure 2 – Delivery of Housing table accompanying CP13**

**3.10.** Policy CP51 seeks to protect, conserve and enhance Wiltshire's distinctive landscape character. It requires that proposals are sensitive to distinctive landscape setting character of the settlements and their transition between man-made and natural landscapes.

**3.11.** CP57 relates to design and advises that new development should enhance local distinctiveness relating positively to its setting. Green infrastructure should be safeguarded and development should make an efficient use of land. Development should have regard to its impact on adjoining uses and buildings ensuring an appropriate level of amenity. Buildings should take account of diversity and adaptability, considering how buildings and space will be used in the immediate and long-term future.

**3.12.** Core policy CP60 aims to reduce the need to travel particularly by private car by planning development in accessible locations and promoting sustainable alternatives. CP61 requires new developments to be served by safe access to and from the highway.

## Sherston Neighbourhood Plan (May 2019)

**3.13.** The Sherston Neighbourhood Plan (SNP) was made in May 2019. It allocates a number of sites for residential development. The settlement boundary of the village has been recently extended (2020) but the HDB did not include the largest 45 dwellings allocation at the north-west edge of the village, which is outlined in Policy 4 '*Land off Sopworth Lane*'.

**3.14.** The Plan recognises that Sherston is one of 5 "Large Villages" identified in the MCA. It states that '*as a base line, therefore, it would not be unreasonable to seek to make provision for a minimum of 20% of any residual requirement (which makes allowance for both completions and outstanding commitments)*'.

**3.15.** It states that the development that has taken place over the past 20 years has without doubt helped to maintain/support a wide range of existing services and facilities in the village (e.g. the school; the surgery; local shops and pubs etc.). It is considered prudent and appropriate to seek to make provision for sufficient development in and around the village to help safeguard these existing services and facilities and future proof the settlement from less appropriate development.

**3.16.** Paragraph 8.4.30 of the SNP New Build Development chapter states that: "*It is anticipated that some windfall development on small sites is likely to continue to take place on land falling inside the defined Village Development Boundary (subject to normal planning policy considerations) during the plan period…. The SNP does not seek to prevent this.*"

## National Planning Policy Framework (NPPF 2021)

**3.17.** Paragraph 38 of the NPPF advises that '*Local Planning Authorities (LPA) should*

*approach decision-making on proposed development in a positive and creative way…and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision makers at every level should seek to approve applications for sustainable development where possible*'.

**3.18.** Paragraph 10 advises '*so that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development*'. Paragraph 11 outlines how the presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking is to be implemented. For decision taking this means '*approving development proposals which accord with an up-to-date Development plan without delay*'.

**3.19.** Alternatively, if '*the policies which are most important for determining the application are out-of-date, granting permission unless; any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole*'.

**3.20.** Paragraph 60 makes clear that '*to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed*'.

**3.21.** Paragraph 62 explains that variety of sizes, types and tenures of housing are needed for different groups in the community. This should be assessed and reflected in planning policies (*including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes*).

**3.22.** Paragraph 68 advises '*planning policies should identify a sufficient supply and mix of sites*'. Paragraph 69 emphasises that '*small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built out quickly…Local Planning Authorities should identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirements on sites no larger than one hectare*'. They should also '*support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes*'.

**3.23.** Paragraph 74 states that '*Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years worth of housing against their housing requirement*'. In addition, a buffer of 5,10 or 20% should be provided on top depending on the circumstances of the LPA.

**3.24.** Paragraph 77 advises that "*in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs.*"

**3.25.** Paragraph 79 advises that '*planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby*'.

**3.26.** In respect of transport, paragraph 110 advises that it should be ensured that '*safe and suitable access to the site can be achieved for all users*'. Paragraph 111 advises that '*development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*'.

**3.27.** Paragraph 119 advises that '*planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses'*. Planning decisions should '*give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs'*.

**3.28.** Paragraph 130 guides that planning decisions should ensure that developments will '*function well and add to the overall quality of the area'*; '*are visually attractive as a result of good architecture, layout and appropriate and effective landscaping*'.

**3.29.** In respect of implementing the NPPF, paragraph 219 advises that '*existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the NPPF. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given*'.

# 4. PLANNING ASSESSMENT

## Principle of Development

**4.1.** Core Strategy Policy CP13 sets out the spatial strategy for Malmesbury Community Area (MCA). It explains that development in the MCA should be in accordance with the Settlement Strategy set out in CP1. Within CP13 Sherston is identified as a Large Village where limited development is supported under the terms of CP1 and CP2 to meet the general needs of the area.

**4.2.** CP1 identifies the settlements where sustainable development will take place.

Development at Large Villages will be limited to that needed to help meet the housing needs of settlements and to improve employment opportunities, services and facilities.

**4.3.** Within the limits of development, as defined on the policies map, there is a presumption in favour of sustainable development at Large Villages such as Sherston. CP2 explains that within the limits of development, there is a presumption in favour of sustainable development

**4.4.** The application site is located adjacent to but just outside of the limits of development at Sherston and therefore is classified as 'open countryside'. Within such locations residential development is strictly controlled in accordance with Core Strategy policies CP2 and CP13. The proposal does not fall into the specified limited exceptions and would therefore be in conflict with these policies.

## Meeting Housing Need

**4.5.** The Wiltshire Core Strategy was adopted on 20 January 2015. As such the plan and its policies became 5 years old on 20 January 2020. The most recent (April 2022) 5 Year Housing Land Supply (5YHLS) position statement published by Wiltshire Council indicates that the Council is currently unable to demonstrate a five year supply (plus buffer) of deliverable housing land supply against its local housing need in accordance with paragraph 74 of the National Planning Policy Framework.

**4.6.** The Council currently argue that they can demonstrate 4.72 years of deliverable supply across Wiltshire. The North and West Wiltshire Housing Market Area indicates the biggest shortfall of 1,189 units against 5-year supply, which equates to 4.16 years.

**4.7.** Paragraph 11 of Framework advises that where a 5YHLS cannot be demonstrated, the development plan policies which are most important for determining an application should be considered as 'out of date', the weight to be afforded to these policies must be reduced.

**4.8.** The tilted balance is engaged and permission should be granted unless, the adverse impacts of approving the development would significantly and demonstrably outweigh the benefits, when assessed against the Framework policies as a whole, unless the application of policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed.

**4.9.** The remainder of the Malmesbury Community Area currently has 110 outstanding units of which 93 are considered developable in the plan period by the Council.

**4.10.** The housing requirement set out in the Core Strategy however is not a ceiling on development. Indeed, the subtext to CP2 (Para 4.29) makes clear that '*in addition sustainable development within the limits of development or at small villages should not be constrained just because requirements have been reached. For these reasons the overall housing requirement is shown as at least, while the area strategy figures are indicative'*.

## Other Material Considerations

**4.11.** By virtue of the site's position outside the HDB, the proposal is in conflict with Policies CP2 and CP13. Nevertheless, the Council's Core Strategy is more than five years old and predates the current NPPF. It is therefore important to consider how much weight should be afforded to the development plan policies having regard to their consistency with the NPPF and any other material

considerations, including the Government's clear objective to significantly boost the supply of housing as set out in the NPPF.

**4.12.** The housing policies of the development plan are limiting the delivery of developable land leading to the inadequate levels of housing land supply to keep up with the objectively assessed need within Wiltshire. Given the strong emphasis within the NPPF to significantly boost housing land supply the housing policies are directly in conflict with a key objective of the NPPF and having regard to paragraph 219 the weight to be attached to these policies must be reduced and is considered to be limited in this instance.

Sustainability of Location

**4.13.** Policy CP60 aims to reduce the need to travel particularly by private car by planning development in accessible locations. Sherston is recognised as a sustainable location and has adequate services and facilities to accommodate an additional dwelling. The village has a number of shops, pubs, community spaces, a post office, a school, a surgery, a church and other facilities and employment opportunities.

**4.14.** The application site is in an accessible location in relation to these facilities. Footpaths, including the PROW, are available into the centre of the village. The nearest bus stop (Tubbs on B4040) is located approx. 0.25 miles to the north-west and accessible via a footpath. The bus stops in the High Street are also accessible via village roads/streets and are approx. 0.5mile from the site.

**4.15.** From the Tubbs bus stop a service between Yate-Chipping Sodbury-Malmesbury (No.41 and C62) runs on a two hourly frequency from 7am -6pm (Monday – Saturday). These services would therefore allow future occupiers of the dwelling to commute along this route during normal working hours without

needing a private car. The X79 service runs between Bath-Hullavington stopping at Tubbs once daily in either direction. It is also important to recognise that in designating Sherston as a 'large village' the spatial strategy identifies it as once of the more sustainable settlements within the county which is capable of accommodating further residential development.

**4.16.** Whilst it is accepted that reliance on private car is, to an extent, unavoidable in a rural location, this is not materially different from the properties included within the adjacent housing development boundary, and the occupiers will naturally seek to use the available local services and facilities.

**4.17.** Thompsons Hill itself is a quiet country road with no pavement, which is characteristic for the majority of the older roads within the village. The road has grassed verges, maximum 30mph speed limit and the centre with its facilities and transport links is less than 10 minutes' walk away. This is an attractive lightly trafficked route which will not discourage walking and cycling. The nature, attractiveness and safety of the route are relevant matters to be taken into account.

**4.18.** It is accepted that each application should be addressed on its own merits, however the Sherston Neighbourhood Plan's major development allocation off Sopworth Lane (Fig.3) has a number of similar characteristics to this application site as in this is a green field outside the HDB, at the edge of the developed part of the village.

**4.19.** The nearest properties on Thompsons Hill have recently been included within the HDB. In this respect, the proposal forms a logical limited and proportionate extension to the established linear development along the road, especially in the context of the neighbouring tennis courts across the road stretching considerably further south.




**Fig.3 – Allocation for 45 dwellings and community facilities outside the housing development boundary of Sherston**

**4.20.** The NPPF explains that rural housing should be located where it will enhance or maintain the vitality of rural communities. Given the close relationship between the Thompsons Hill area which has recently been included within the HDB, it is evident that a new dwelling at the site would play a role in enhancing the vitality of rural facilities. This accords with one of the Core Strategic Objectives for Wiltshire which seeks to support appropriate development in rural areas to help maintain the vitality and viability of small settlements and the countryside.

**4.21.** All the above, enhances the merits of the application, indicating in terms of

sustainability that this would be a suitable site for a modest development such as proposed. Development would not necessarily lead to widespread development beyond the settlement boundary, as such proposals would need to be considered for their own individual impacts and sustainability criteria.

Character and appearance of the area, residential amenity and access

**4.22.** The application site lies within the Cotswolds AONB and is a parcel of land within a large open field delineated by a mature native hedge. The site therefore has higher sensitivity to change than a plot within the village. Paragraph 170 of the Framework recognises that the intrinsic character and beauty of the countryside, but it does not provide a blanket prohibition on development outside the settlements. Policy CP51 seeks to protect, conserve and enhance Wiltshire's distinctive landscape character. It requires that proposals are sensitive to distinctive landscape setting character of the settlements and their transition between man-made and natural landscapes.

**4.23.** The plot is bounded by residential properties to the north and east (Fig. 4). There is a public right of way crossing the wider field from the corner on the southern edge running north along the western boundary up to the PROW along River Avon. This footpath affords open views across the whole of the field and the houses along Thompsons Hill.

**4.24.** The application site is a parcel of land at the eastern edge of the field which adjoins the linear development along Thompsons Hill. Whilst a minor change in landscape is inevitable given the proposed change in use, it would not be detrimental to the enjoyment and appreciation of the wider landscape. The proposal would result in some very localised change as the agricultural character of this small part of the field would change to residential curtilage.




**Fig.4 – Aerial view of the application site in relation to its surroundings**

**4.25.** However, with the benefit of sympathetic design and maturity of existing and additional planting, which could be delivered through an appropriate landscaping scheme, the site forms a logical opportunity for a limited extension to Sherston. The majority of the existing boundary hedgerow would be retained and extended to envelope the site in a manner similar to existing houses along Thompsons Hill.

**4.26.** Marden House to the north east was built within the agricultural field parcel to which this application relates. The properties forming a ribbon of development further to the north were also likewise developed on agricultural land (see Figs 5 & 6). The field within which the application site sits has changed over time and it does not follow any historic field pattern. The development of a further dwelling is a logical and organic extension to the village. A good landscaping scheme offers the opportunity to further screen Marden House in views also.

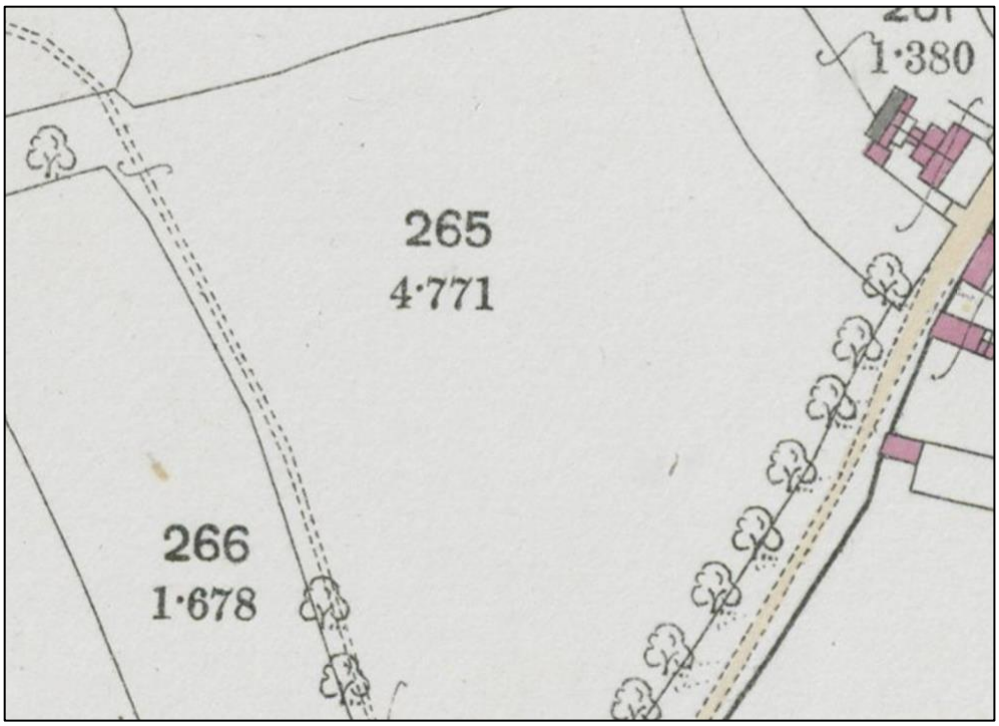


**Fig 5 – The first edition OS map showing the original extent of the field parcel**




**Fig 6 – Current map showing the incursion of Marden House and ribbon development to the north**

**4.27.** Ultimately the development of the site would result in the minor extension of built form from Sherston southwards. As is fairly typical for a village of this size, the ribbon development lines the main roads, which has evolved organically over the years. When approaching the village from the south a new dwelling within the application site will be seen in the context of the existing settlement. There will be no harm to rural character. A new dwelling would not visually conflict with the building line or the established character of the area. With the proximity of built form and the surrounding roads, visually the site will not read as an alien intrusion into the open countryside.

**4.28.** The PiP Stage is limited to the location, land use and amount of development. The technical details will seek to ensure the soft landscaping, design and siting of the dwelling respects its context and complements the design of the nearby properties.

**4.29.** The application site is of a size that can adequately accommodate a house. The proposed dwelling would have amenity space, commensurate for its size. The dwellings will be designed to be compatible in scale to the existing properties in the vicinity with the materials and appearance being informed by the context.

**4.30.** The development would safeguard the amenities of the host property and the neighbouring houses. Marden House would retain its garden, and boundary treatment would be strengthened to ensure privacy for the occupiers of existing and new properties. Adequate separation distances can be achieved between dwellings to ensure no overbearing impact would result. The technical details consent stage will demonstrate fully that the terms of Local Plan policy CP57 and the requirement to safeguard amenity can be achieved.

**4.31.** The site would have a dedicated access off Thompsons Hill in a similar arrangement as the nearby houses and would accommodate parking on site to

serve the occupiers. Full details of these matters will be provided at technical details stage. The existing field hedge boundary is set well back from the edge of the carriageway meaning that other than puncturing a small gap in the hedge there is no need to remove significant lengths of hedgerow to create visibility fields, these are provided by the depth of the verge at the frontage (see Figs 7 & 8). The access itself would therefore be low key and would not change what are dynamic views of the field when entering or exiting the village.




**Fig 7 – Visibility toward the centre of the village**



**Fig 8 – Visibility in a south westerly direction**

Self-build

**4.32.** The proposal seeks to provide a self-build dwelling on site for the owner's elderly parents, who are entered on the current self-built register looking to move out of rented accommodation closer to the village and their family.

**4.33.** As of 1 April 2016, local planning authorities are required through provisions within Section 1 of the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) to keep a register of individuals and associations who are looking for a serviced plot of land in their area for self-build and custom housebuilding.

**4.34.** Local Planning Authorities are also subject to duties to give suitable

development permission to provide enough serviced plots of land to meet the demand for self-build and custom housebuilding in their area (Sections 2 and 2A Housing and Planning Act 2016). This is an important material consideration created by a piece of primary legislation.

**4.35.** The table of self-build statistics (Fig. 9) contained within the Self-Build and Custom Housebuilding Monitoring table on the Council's website is very limited and is not supported by any detailed monitoring information that could be analysed to get a clearer picture of the actual demand and supply correlation within the district. The Council have not introduced a local connection test that adds greater precision in terms of understanding the demands of the market.

**Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016)**

Since the inception of self-build & custom housebuilding Act, there have been 6 complete base periods. The table below shows a breakdown for both applicants added to the register, as well as how many permissions have been granted for each period.

**Wiltshire Council Self & Custom Build Monitoring**

| Base Period | Applicants on the Register | Plots granted permission |
|---|---|---|
| Base 1 (Aug 2015 to 30/10/16) | 32 | 36 |
| Base 2 (31/10/16 to 30/10/17) | 50 | 42 |
| Base 3 (31/10/17 to 30/10/18) | 51 | 39 |
| Base 4 (31/10/18 to 30/10/19) | 90 | 51 |
| Base 5 (31/10/19 to 30/10/20) | 67 | 28 |
| Base 6 (31/10/20 to 30/10/21) | 155 | 13 |

**Fig.9 - Self-Build and Custom Housebuilding Monitoring table (Wiltshire.gov.uk)**

**4.36.** The above figures suggest that the total number of registrations since 2016

equals **445 applicants** matched by **209 plots** granted permissions. This is a confusing way to present the information as it does not, present the number of units on each plot etc.

**4.37.** The below extract (Fig.10) from *Data Release: Self Build and Custom Housebuilding Data* monitoring report by Ministry of Housing, Communities & Local Government[1] provides a slightly different way of looking at how the entries on the register are matched with the planning permissions.

**4.38.** For example, the monitored periods between 31 October 2016 and 30 October 2019 indicate **364 entries** matched by **264 planning permissions**:

| |
|---|
| 1. How many entries on your register in each base period?<br><br>2019 – 2020 - 81 individual and 0 group<br>2018-2019 – 90 and 0<br>2017-2018 - 118 and 1<br>2016 – 2017 – 155 and 0 |
| 2. How many entries on your register in total?<br><br>2019- 2020 - 305 individual and 2 group<br>2018-2019 - 223 and 2<br>2017 - 2018 - 363 and 2<br>2016 – 2017 236 and 1<br>2016 – 81 and 1 |
| 3. How many planning permissions for serviced plots suitable for self and custom build have been granted?<br><br>2019 - 2020 - 35<br>2018- 2019 – 57<br>2017-2018 – 49<br>2016 -2017 - 158 |

**Fig.10 – Extract from Self Build and Custom Housebuilding Data by MHCLG**

**4.39.** It is noted that a number of other planning applications (for example, planning

[1] https://www.gov.uk/government/publications/self-build-and-custom-housebuilding-data-2016-2016-17-2017-18-and-2018-19

applications ref. 19/11921/OUT, 20/06919/OUT and PL/2021/09852) have recently highlighted that the monitoring figures are unreliable and confusing. This was recognised by a Planning inspector in her decision on land at the Clay in Easterton (ref. 19/11921/OUT). Neither application was subject to Policy or Monitoring officers' response in terms of clarifying what is the precise position of the LPA apart from quoting from the above table (Fig. 9).

**4.40.** Questions have been raised in relation to how the register is promoted and reported to the public, whether they reflect the actual number of people interested in self-build and how CIL figures are recorded in relation to genuine CSB (Custom and Self Build) data.

**4.41.** The numbers of people registered in Wiltshire and the neighbouring authorities appear to be significantly skewed. For example, the number of people on the CSB register in South Gloucestershire (population 282,644 in 2018) shows 1,087 registrations whilst in Wiltshire (population 504,070 in 2020[2]) the register contains less than a third of this figure.

**4.42.** It is clear that satisfying the demand for such plots mainly through allocated sites is not enough, especially as there are no 'self-build' policies contained within the Core Strategy (unlike some neighbouring Councils). There are no supplementary planning documents seeking to encourage and support the provision of this specific type of housing. Some CSB would have to be provided in more rural areas, where there is usually more demand in relation to local connections. Single or small sites in such rural locations delivering 100% self and custom build plots on the open market are most likely to be windfall sites,

[2] The population estimates and projections are based on those produced by the Office of National Statistics (ONS) https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates

many of which would fall outside development boundaries of villages like the application site here.

**4.43.** In any case, the LPA has a duty to consider the need and requirements of self-build, this is amplified by the fact that there is a clear shortage of a 5-year housing land supply. The application dwelling would contribute toward meeting the outstanding need in a sustainable location and deliver a self-build unit, and the benefits of such provision should be given substantial weight in the overall planning balance.

# 5. PLANNING BALANCE

**5.1.** It is common ground that the Council is unable to demonstrate a five-year supply of deliverable housing sites. The proposal therefore needs to be considered in the context of the presumption in favour of sustainable development because the most important policies for the supply of housing are not up-to-date and the tilted balance is engaged. It is important to note the Government's clear and repeatedly stated objective to significantly boost the supply of new housing.

**5.2.** The only minor area of conflict with the Development Plan is by virtue of the application site falling just outside of a defined Housing Development Boundary (HDB). The settlement of Sherston is an established and developed settlement, where development is supported in principle under policy CP1 and CP2. The vitality of the rural economy and community is a key objective of the Development Plan and the Framework. The creation of an additional unit will only aid in further meeting these objectives. In practical terms the application site is no less sustainable than a site within the adjacent HDB.

**5.3.** The objective of policy Core Policies 1 and 2 is to focus development within settlement boundaries. These policies inevitably restrict the supply of housing. As such, in accordance with paragraph 11 of the NPPF, they cannot be considered up to date. Consequently, the fact that the proposed development would be situated outside of a Large Village HDB does not by itself make it unacceptable in principle. In the absence of a five-year housing land supply, these policies have significantly reduced weight. These can both allow the village to remain a vibrant mixed community but can also be an enabling factor in the provision of much-needed new and improved community facilities and affordable accommodation.

**5.4.** This is particularly pertinent in light of the persistent 5YHLS shortfall and the statutory duty to provide a sufficient number of deliverable self-build plots within the district to meet the demand for self-build and custom housebuilding in their area.

**5.5.** The application proposals will deliver, simultaneously, economic, social and environmental benefits. The development will aid in supporting the vitality of the rural community, supporting its local services. The additional population generated through this development will result in economic benefits due to the increased custom within Sherston. Whilst limited in duration, the development will generate economic benefits through the construction period. The Council will also receive a New Homes Bonus which represents a further economic benefit. A development of this scale can be delivered much quicker than larger site allocations.

**5.6.** Supporting local facilities helping to sustain them brings significant social benefits for the community. The delivery of windfall sites will be necessary to address the current shortfall in housing sites. The self-build nature of this proposal brings additional social benefits given the deficit in such developments

in the district. It has been demonstrated that the Council currently have issues in the way the CSB delivery is promoted and recorded, and there appears to be a shortfall of such sites across the district.

**5.7.** The proposals would be seen in the context of the houses that already exist. Consequently, it would not harm the intrinsic rural character of the area and would accord with the environmental dimension of sustainable development. An additional dwelling on the site would not harm the rural character of the area. The proposals offer the opportunity for environmental improvements through additional hedge planting, including Biodiversity Net Gain, representing environmental benefits.

# 6. CONCLUSION

**6.1.** Section 70(2) of the Town and Country Planning Act 1990 provides that, in dealing with proposals for planning permission, regard must be had to the provisions of the development plan, so far as material to the application, and to any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that, if regard is to be had to the development plan for any determination, then that determination must be made in accordance with the plan unless material considerations indicate otherwise.

**6.2.** This Planning Statement demonstrates that the development is broadly in accordance with the Development Plan as a whole. It is noted however that there is a minor conflict with regards to policies CP2 and CP13.

**6.3.** The Council cannot currently demonstrate a 5-year housing land supply, and the application site can be developed without harming the character and

appearance of the area. Only limited weight should be attributed to the conflict with the housing policies of the development plan, taking account of the housing shortfall, and if any harm is identified by the technical conflict with the settlement policies this would not significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. The tilted balance clearly therefore indicates that the application should be approved.

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