**DE Planning Ltd**
**2 Downs Road**
**Westbury on Trym**
**Bristol**
**BS9 3TX**

Wiltshire Council

Monkton Park Offices

Monkton Hill

Chippenham

Wiltshire

SN15 1ER

28 June 2023

Dear Sir / Madam,

**Planning Application PL/2023/04942**

**Permission in Principle application for development of 1 self-build dwelling**

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

I refer to the above, which is a simple repeat application to the application refused on the 27 October 2022 (PL/2022/03345). I have again been asked by the owners of Marden House, the immediately adjoining dwelling, to the north, to **OBJECT** to this application. The site and policy circumstances remain largely the same and this letter is therefore a simple redraft of the previously submitted objection.

The application site is part of an open and prominent field, a "greenfield" site, situated outside the re-defined settlement boundary (Wiltshire Housing Site Allocation Plan 2020) and in the Area of Outstanding Natural Beauty (AoNB).

The made Neighbourhood Plan (2019) includes the key Objectives of safeguarding areas of landscape quality; meeting housing need through selected locations; the redevelopment of brownfield or via replacement dwellings and the encouragement of the greater use of public transport, walking and cycling. In this context the plan allocates a mixed use site with up to 45 dwellings (40%) affordable at Sopworth Lane (Policy 4); a site for 3 dwellings at The Vicarage (Policy 5); a site for 4 dwellings at The Elms (Policy 6) and a care home site at Anthony Close (Policy 7).

The application is still presented as a "self build" unit for the applicants elderly parents but there is no argument that this will be by definition "affordable" housing.

Contrary to the impression given in the Planning Statement resubmitted to support this application, the site is situated on a narrow rural lane with no current vehicle access, existing pavements, and to which the national speed limit applies.

Sherston is a Large Village (Core Policy CP13) that only has a "limited range" of local facilities and is grouped with "Small Villages". In this group of settlements Core Policy CP1 restricts

development to that needed to help meet the housing needs of the settlement. The intention is that such settlements are not anticipated to meet wider general housing needs over and above those sites allocated in the Neighbourhood Plan. These sites are considered to meet the anticipated housing needs of the settlement over the plan period.

The site is situated in a wholly unsustainable location where alternatives to the private car are not realistically available and where walking or cycling to local facilities by any residents on a day to day basis is highly unlikely. There are credible highway safety objections.

Core Policy CP2 prioritises the provision of housing on sustainably located previously developed land and within defined settlements. Specifically, the policy states that other than in respect of certain specific forms of development, none of which apply, "development will not be permitted outside the limits of development".

The applicants rely on a current marginal lack of a 5 year land supply and positive benefits associated with Self Build to justify a departure from the Development Plan.

The Council in the May 2023 Housing Land Supply Statement (base date April 2022) note a 4.6 years supply (a modest shortfall) and recent Officer reports on similar applications have acknowledged that the Council are currently unable to demonstrate a five year supply of housing against its identified requirement, and that the "tilted balance" is engaged accordingly (National Planning Policy Framework (NPPF) Paragraph 11 d) and footnotes 7 and 8). This position is also supported and the "planning balance" rehearsed in recent planning appeal decisions e.g. see APP/Y3940/W/21/3274142 for 8 dwellings at Notton, Lacock (NB: and see the subsequent PiP refused resubmission on the same site for 4No "self build" dwellings PL/2022/09856).

The acknowledged lack of a five year housing land supply means that Development Plan policies are "out of date" and means that the NPPF is engaged and that permission should be granted unless:

*"i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*

*ii. 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".*

While relevant spatial housing policies may be regarded as "out-of-date" this does not render them irrelevant. The Development Plan is still the primary consideration and the starting point but with the NPPF a key material consideration.

The site is situated in the AoNB where Core Policy 51 requires development to protect and conserve landscape character and where the NPPF states that, "Great weight should be given to conserving and enhancing landscape and scenic beauty in….Areas of Outstanding Natural Beauty which have the highest status of protection…." (para 176). These policies are not out of date and, as NPPF footnote 7 states, they still provide a "clear reason" why this speculative development should be refused.

The site is a greenfield site situated in the open countryside distant from the limited range of local services that exist. As such there is a general presumption against development set out a Core Policy 2. On this basis, development at the site is contrary, both directly and spatially, to the strategic aims of the Development Plan as a whole, the settlement strategy in Core Policy 1, 2 and 13 and the policies and objectives of the Neighbourhood Plan. The submitted Planning Statement acknowledges that the proposal conflicts with the Development Plan and

relies on the provision of a potentially CIL exempt “self build” plot as a sole justification for the requested departure.

While the potential benefits of “self build” in helping to meet housing needs are acknowledged, the additional single unit would do little to tackle the current marginal undersupply of housing and it is not presented as “affordable housing”. The application simply proposes an open market single dwelling on a greenfield site situated in a nationally recognised landscape of significant scenic beauty and in an unsustainable location where there are no realistic travel alternatives to the private car.

While the benefits in terms of increasing housing supply might justify a pragmatic approach where there are no adverse landscape impacts and the location is sustainable, this is not the case here. The housing benefits are marginal at best and the location is an area “of particular importance”; the site is visually prominent; is totally unsuitable for speculative residential development and the access is unsafe. It is therefore considered that the harm of permitting this form of development in principle would significantly and demonstrably outweigh the very limited benefits.

Other Matters

In addition to the location, land use and the amount of development and Without Prejudice the development will likely have a significant adverse impact on the residential amenity of Marden House.

On the above basis, this repeat application is clearly unsustainable development contrary to the Core Strategy policies referred to; the thrust of the made Neighbourhood Plan and the policies of the NPPF. There are no material considerations to outweigh the clear and demonstrable conflicts and the application should again be refused.

I would be grateful if you could acknowledge receipt.

Yours sincerely

Dale Evans BA(Hons) Dip DBE MRTPI