Applications for Redevelopment of Former Farmyard and the Erection of 3 Detached Homes (Application A) and Erection of an Industrial Class B2 Use Building, Access Road, Public Footpath Link (Application B) and Associated Works at Woolley Green Farm, Woolley Green, Nr Bradford-on-Avon, Wiltshire, BA15 1TY

Planning Statement on Behalf of the Applicants:

Mr & Mrs Ovens

5th October 2023

Our Ref: LOS/003/RG-(PS)
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Ref: Relocation of Industrial Use Unit and Redevelopment of Woolley Green Farm to Deliver 3 Homes, at Woolley Green, Nr Bradford-on-Avon, Wiltshire, BA15 1TY

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D. Approval Notice ref: 2022/09541 for Cattle Shed
E. Prior Approval Notice ref: 2022/04728 for Agricultural Store
F. Wiltshire Council Residential Parking Standards (2011) Extract
G. Appeal Decision Ref: APP/Y3940/W/22/3309354 at Brynards Hill, Royal Wootton Bassett dated 4th May 2023

1.0 Introduction

1.1 This Statement is produced by Impact Planning Services Ltd (IPS), on behalf of the Applicants; Mr and Mrs Ovens in support of two full planning applications at the Woolley Green Farm site, Woolley Green, near Bradford-on-Avon, Wiltshire, BA15 1TY. The proposals are for the comprehensive redevelopment of the former farm complex including the removal of existing converted former farm buildings currently being used as a steel fabrication workshop and spray shop, and the erection of three, two storey detached dwellings (Application A).

1.2 The second application proposes a new Class B2 (General Industrial) building intended to accommodate the manufacturing processes currently taking place within the above two former farm buildings (Application B). The location of the proposed industrial building currently has the benefit of planning permission and Prior Approval for two agricultural buildings. The intention is to substitute the single new industrial building for the two buildings already approved.

1.3 The proposals first comprise the residential redevelopment of the former farmyard site. Second, the manufacturing activity is then proposed to be relocated to the west of the site, utilising the combined footprint and volume of two agricultural buildings that have been the subject of approvals, but which have not been constructed. The proposed Class B2 building will comprise some 510 square metres footprint which is less than the combined floor area of the approved agricultural buildings[1].

1.4 Three, two storey detached dwellings are proposed in the place of the two workshop buildings proposed for demolition at the east of the site. One property will include five bedrooms and remaining two properties will comprise four bedrooms. The dwellings are proposed to be served from the existing access[2] to the former farmyard site and enclosed with a gate, to provide a physical separation from the wider site access and employment use approximately 95 metres to the west.

1.5 The proposals lie within the Green Belt on the western edge of Woolley Green, a small

[1] Equating to 613 square metres, as have been approved under the Prior Notification and full planning application procedure.
[2] The current access road will be reconfigured however to form a private road serving both the proposed industrial building and residential redevelopment of the former farmyard.

village. The applications include the comprehensive redevelopment of the former farm complex (A), including the reuse of existing permitted building footprints and a sensitively designed landscaping scheme which utilises the existing topography of the site, informed by a Landscape and Visual Impact Assessment (LVIA). The residential redevelopment proposals are considered to represent an *exception* under the auspices of relevant Green Belt policies[3] in the case of the application A and *very special circumstances* in respect of B. Green Belt policy accordingly enables the redevelopment of the site, including the relocation of an existing and successful business, whilst preserving and enhancing the openness of the Green Belt.

1.6 The structure of this Statement comprises:

- Section 2 described the site and its surroundings as well as relevant planning history for the site;
- Section 3 of this Statement describes the proposals at the site;
- Section 4 sets out the relevant development plan policies, relevant national planning policy and other materials considerations;
- Section 5 of this Statement considers the proposals in the context of these policy and guidance considerations;
- Section 6 forms the planning balance and conclusions to the statement.

[3] Under the terms of paragraph 149 g) of the National Planning Policy Framework (NPPF).

2.0 Site Description and Surroundings

Sites Description

2.1 Woolley Green Farm is located to the north west of the small village of Woolley Green, approximately 1.2km north east of the centre of Bradford-on-Avon. Woolley Green Farm lies to the north west of the built framework of the village, with residential properties to the immediate east and south, the latter being Grade II Listed.

2.2 North from the site, the site is bounded by open agricultural land controlled by the Applicant. The site is bounded to the south by the B3105, this provides a route eastwards towards Trowbridge and westwards towards the north of Bradford on Avon.

Application Site A

2.3 The site is a former farmyard[4] comprising converted agricultural buildings and an area of hardstanding, abutted by agricultural land to the north and west with some established vegetation near to the existing pond immediately to the north west. Approximately 15 metres south of the site, a Grade II Listed property is sited adjacent to the B3015. To the east of the site there are 3 residential properties that lie adjacent to the eastern site boundary. The extent of curtilage depth and separation has been taken into account in the consideration of the scheme and the intended use.

2.4 The site comprises 0.42 hectares (1.038 acres) in total, including the access point to the west, that has been constructed following the approval of application ref: PL/2021/08204 (see detail below). This approval required the reduced height of the wall adjoining the highway in order to secure appropriate visibility splays.

2.5 The existing buildings on site comprise three former barns in two blocks of built form, comprising a single barn adjacent to the southern boundary, plus adjacent lean-to barn as well as larger building to the north of the hardstanding apron. These buildings are in use for steel fabrication and paint workshop, as previously been approved under the terms of Class R of the General Permitted Development Order 2015 (as amended) (GPDO).

[4] For the purposes of Green Belt policy as expressed at NPPF paragraph 149 g), the employment uses established at the site supersede the former farmyard use and accordingly the site as regarded as previously developed land (PDL) or a “brownfield site”.

2.6 This eastern element of the former farmyard site is considered previously developed as a result of the subsequent Class B2 employment use. Redevelopment of this former farmyard is also considered to comprise an appropriate 'rounding off' site within the existing built framework of the village.

2.7 Owing to the proximity of manufacturing within the converted buildings to residential properties, and following negotiation with officers of Wiltshire Council, it has been agreed that the uses be relocated to the west of this farm holding and the former farm buildings then vacated and demolished in advance of any residential redevelopment. These proposals follow on from those negotiations.

Application Site B

2.8 Application Site B lies immediately adjacent to the west of site A and comprises 0.54 hectares (1.33 acres) in extent. The site shares the access point to the B3105 with the immediately adjacent site A.

2.9 This site comprises pastural land with rough scrub and poor-quality vegetation and is bounded to the west and north by hedgerows. An access point to the wider agricultural land holding of the Applicants is situated to the north east of this site area, accessed by a currently unmade access north from the main site entrance point.

2.10 A planning permission and prior approval exist within this site area for the erection of a cattle shed and hay barn (ref: PL/2022/09541 & PL/2022/04728 respectively). Combined, these buildings proposed a combined a footprint of 613 square metres. The cattle barn proposed 390 square metres of internal floor area (32m X 12.2m) with 15-degree roof pitch and 6.5 metre ridge. The haybarn and machinery store proposed a 5.5 metre ridge and 18.3 metres by 12.2 metres internal floor area. These approved buildings however have not been constructed.

2.11 The submitted LVIA found (at pages 15 and 16) that the site is generally well screened from land to the west due to the interaction of boundary hedgerow, adjacent orchard planting, field boundary hedgerows and a rising, gently rolling landform which effectively blocks longer distance views. Views beyond the immediate visual envelope are blocked through a combination of rolling landform, field boundary vegetation and, to a lesser degree, built form. There may be some occasional views towards the application site from higher ground to the west and south, however these will be at

distance and the application site will form a small and indistinct element in the much wider landscape.

Planning History

2.12 The site has been the subject of a number of planning applications since 1995, as evidenced from the Wiltshire Council planning application portal.

2.13 In 1995, application ref: **W/95/09030/AGD** achieved an approval for the erection of a hay barn and lean-to. These comprise the 'Barn B[5]' that lies to the south of the main farmyard at the east of the site area.

2.14 Application ref: **S/97/09011/AGD** for the erection of a grain store at the east of the site was approved on 28th May 1997.

2.15 On 8th November 2005, application ref: **W/05/02533/AGD** was approved for the erection of a grain store. This building comprises 'Barn A[6]' that is currently used as part of the steel fabrication works and proposed for removal and relocation at the east of the site.

2.16 Application ref: **PL/2021/08204** for the formation of a new farm access and closure of two existing site access points was approved with conditions on 24th November 2021. This application repositioned the access point, altered the wall to improve visibility splays and to ensure larger vehicles can access the site. The decision notice is attached to this Statement at **Appendix A**.

2.17 The Prior Approval application ref: **PL/2021/11393** was validated on 3rd December 2021 and proposed the change of use of two agricultural buildings to flexible commercial use (under Part R of the GPDO). This was approved 3rd February 2022. The decision notice is attached to this Statement at **Appendix B** and site plan attached at **Appendix C**.

2.18 Condition 3 from this approval stated that hours of operation must be restricted to

[5] See site plan associated with previous Class R Approval ref: **PL/2021/11393** attached at **Appendix C**

[6] See site plan associated with previous Class R Approval ref: **PL/2021/11393** attached at **Appendix C**

between 0700hrs and 1800hrs during weekdays and 0900hrs and 1200hrs on Saturdays. No working is permitted on Sundays and Bank Holidays.

2.19 Condition 4 continues to state that the use may not be occupied for another employment use (including Class E of the General Permitted Development Order), as a means to consider and review the potential impacts upon the amenity of adjacent uses.

2.20 More recently, to the west of the main built area of the site, planning permission and prior approval for a cattle shed (ref: **2022/09541**) and haybarn (ref: **2022/04728**) were granted on 15th February 2023 and 19th July 2022 respectively. These approved buildings have not been constructed These buildings are the subject of application B and the proposed relocation of the existing workshop use. The approval notices are attached to this Statement at **Appendix D** and **E** respectively.

3.0 Proposed Development

Application A

3.1 The current proposals comprise the demolition and removal of the existing converted farm buildings at the east of the site, current used for steel fabrication and as a paint spray workshop. These uses will be relocated to the west of the site if planning permission is granted for application B. If not, they will still require vacation within a prescribed period with the current buildings demolished prior to the residential redevelopment of the site commencing.

3.2 It is proposed to redevelop the site with three detached dwellings, car barns, and associated works to provide access, parking, landscaping and footpath link east from the site and to adjoin the existing PROW: BRAD11.

3.3 The three detached dwellings are proposed to comprise 2 storeys, as per the prevailing character and appearance of the surrounding residential properties. One dwelling is proposed to comprise five bedrooms and the remainder will comprise four bedrooms. The properties ridge heights will vary from 7.5 to 6.6 metres and volumes of the dwellings range from 554 cubic metres to 675 cubic metres. As depicted on site

plan ref: 2783-15 F and site sections, the finished ridge heights of the proposed buildings will be directly comparable to adjacent properties at 76.5 AOD (House 1) and 75.8 AOD (Houses 2 and 3), also considering the north to south downward slope in the site.

3.4 The external elevations of the northernmost dwelling will comprise a typical Cotswold stone, rubble limestone, dressed stone quoined walls, grey aluminium detailing, reduced eaves, dormer windows and simulated stone tile roof.

3.5 The two slightly smaller detached houses are proposed to appear as a familiar feature of the rural character of the area being similar to agricultural and workers' dwellings, with natural stone rubble stone, dressed stone quoins and larch boarding. Roof materials are proposed to comprise profile steel sheet roof (dwelling 2) and clay tile roof. The larger dwelling is intended to appear as a rural building conversion.

3.6 Parking will be provided for the dwellings within car barns, that will provide sufficient space for bin storage, cycle storage and three vehicle parking bays for the larger dwelling, plus two spaces for dwellings 2 and 3.

3.7 The three dwellings are to be served by the existing access point from the B3105 initially shared with the access road intended to also serve the new Class B2 building and then from of a private driveway and gated access point. This allows for a separation of traffic movements to be achieved between the proposed employment building to the west and the three dwellings.

<u>Application B</u>

3.8 The Steel fabrication and Paint Spray Workshop are proposed to be relocated to the western part of the Woolley Green Farm site within a consolidated 'L-shaped' building. The building will comprise 511.5 square metres in extent, which is 101.5 square metres less than the combined footprint of the two agricultural buildings (613 square metres), approved through the prior approval process.

3.9 The Class B2 building is proposed to comprise olive green profile steel elevations, with roller shutter openings and to the west and skylights. It is intended that this building appear from the wider area to continue the rural agricultural character of buildings on this site, whilst being complemented by the comprehensive landscaping scheme around this building.

3.10 It is proposed to site this building greater than 80 metres from the nearest residential dwelling (as considering the proposed siting of dwellings as part of Application A) and orientate the building's principal access so as to restrict any roller shutter or window openings from the north eastern and south western elevations. This is intended to further reduce the level of noise from activities within and around the Class B2 building to any adjacent uses. The nearest property to the west of the site lies approximately 400 metres away.

3.11 Attached to the above, the submitted Noise Impact Assessment sets out the extent of mitigation measures proposed to limit noise emissions from the steel fabrication processes. The measures include internal insulation to the walls and roof of the workshop, double glazed windows and fixed shut rooflights. A 3.0 metre acoustic barrier is also recommended as an appropriate mitigation measure immediately adjacent to the parking area to prevent noise impacts upon the wider area.

3.12 This building will be served from the same access with the B3105, plus creation of an independent access route round to the north of the building. The route into the building will travel to the north of the L-Shaped barn and the apron provided for manoeuvring restricted to the west, internally to the 'L-Shaped' building, limiting the visual prominence and better acoustic mitigation from residential properties to the east.

3.13 The building is proposed as single storey, with small office mezzanine at the eastern extremity of the building. The ridge height of this building has been designed to be directly comparable to the approved agricultural buildings at 6.5 metres. The internal floor layout comprises a large open workshop area, paint spray shop projecting from the north of the 'L-shaped' building, reception area, staff room, storeroom, office space and washroom.

3.14 Details of the ventilation, air conditioning and any other machinery or equipment required as part of the steel fabrication and painting operations can be provided in accordance with a planning condition attached to any grant of planning permission.

3.15 As part of the proposals a comprehensive landscaping scheme is proposed to strengthen existing boundary vegetation and supplement the site boundaries with native species. The proposed steel security fencing which encloses the service yard and parking areas is proposed to be visually acceptable in appearance through being finished in dark green coating and further softened in appearance with hedgerow and tree planting. The submitted LVIA has assessed the extent of visual impact upon the

Green Belt and informed the proposals to the point it is concluded the design and proposed landscaping results in securing the development discretely within the landscape.

Site Wide Landscaping and Infrastructure Works

3.16 A new footpath link is proposed at the eastern extremity of the residential element of the development and around to the north of the existing properties at the west of the site and adjoin an existing footpath that crosses north west to Bradford Leigh and the B3105 to the south east.

3.17 Parking will be provided in accordance with the current residential parking standards for Wiltshire[7]. Some 10 parking spaces are proposed to the immediate north of the 'L-shaped' B2 use building (including one disabled parking bay), plus cycle storage space for 4 cycles. The proposals will include the continuation of some larger HGV traffic visiting the site, for which the proposed B2 use building can accommodate three larger vehicles, plus sufficient turning space to allow emergence from the site in forward gear.

3.18 One electric vehicle charging point per dwelling will be provided within car ports. The five bedroomed property will be provided with three parking spaces. The two four bedroomed dwellings will be provided with car parking barns for two vehicles each.

3.19 The dwellings will be provided with a waste refuse collection point to the western end of the access drive. This is depicted on the site layout plan ref: 2783-15 F.

3.20 The new Class B2 building will include a layby near the entrance gates to allow for unlocking and locking of the gate without obstructing access to the immediately adjacent agricultural land access point, in the unlikely event both access points will be being utilised at the same time.

3.21 A foul water treatment plant is proposed to serve the dwellings and steel fabrication workshop. This will be located centrally between the two elements of the proposal and adjacent to the east of the main site entrance point, as depicted on site plan ref: 2783-

[7] See extract of Parking Standards including Appendix C at **Appendix F** of this Statement.

15 F.

The relationship between the two applications (A) and (B)

3.22 In order to facilitate the relocation of the employment uses from the two converted farm buildings, a condition is sought to be attached to any grant of permission in respect of application A. The condition would require the cessation of use and vacation of the two converted buildings once the alternative accommodation becomes operationally available.

"*Unless otherwise agreed in writing with the local planning authority, a cessation of any use of the existing workshop and spray shop buildings will occur upon completion of the Class B2 building the subject of planning permission ref: XYXY once available for operation or in any event, within a period six months of the date of this permission.. The two workshop buildings shall remain unoccupied and vacant pending demolition.*"

3.23 If regarded as necessary by Wiltshire Council (and in accordance with Regulation 122 (2) of the Community Infrastructure Levy Regulations 1990), a s.106 agreement (1990 Act) could similarly facilitate the cessation of the use and vacation of the two existing buildings within the prescribed time limit.

3.24 It will be necessary to ensure that once the Class B2 building is completed and ready for occupation, the current occupiers of the two existing converted buildings have the ability to relocate and continue operating. Although capable of control through condition, the Authority as above, may require a s.106 mechanism which similarly enables the cessation of the use of the existing buildings for Class B2 use, at the point the newly proposed building may be fully occupied and operational within a long-stop period of six months[8] from the date of permission.

3.25 The proposals are cumulatively considered to comprise a reduction in the scale and prominence of built form within the Green Belt[9]. The proposed dwellings at the east of the site (Application A) are considered to comprise an *exception* to Green Belt Policy[10]

[8] This is considered necessary as a consequence of likely construction time needed to deliver a Class B2 building.
[9] When considered in the context of the approved agricultural barns and the consolidation of the footprint, scale and location of these to form the new Class B2 building.
[10] Under the auspices of national policy as expressed at paragraph 149 g) of the NPPF.

through comprising the redevelopment of previously developed land. The new buildings have been designed to complement the appearance of surrounding buildings and as a result, are considered to enhance the setting of nearby Listed Buildings. Furthermore, public benefits will also be delivered through the relocation of the existing steel fabrication and spray paint shop and the proximity of these operations to residential properties currently in addition to a modest contribution to residential land supply.

3.26 Application B has been designed to facilitate an appropriate siting for the steel fabrication and paint spray workshop to be relocated, in a similar location to the two approved, but unconstructed agricultural buildings. The proposed building will comprise 503 square metres of floor area, some 110 square metres less than the combined agricultural buildings. The profile of the roof is proposed to reflect the approved agricultural buildings and the eaves height and ridge height will also be directly comparable to the approved agricultural buildings at 4.9 metres and 6.5 metres respectively (finished floor level = 71.15 AOD).

3.27 The building will provide the capacity for the enhancement to the efficiency of operations, providing sufficient area for some future proofing to this successful business. The proposal is also considered to consolidate *loose knit* forms of development at this site (two approved agricultural buildings), whilst limiting the overall scale and footprint of built form within the Green Belt.

3.28 Accompanied with the comprehensive landscaping scheme, the proposals would be visually contained from wider vantage points within the Green Belt, enhancing the sense of openness once the planting matures to screen the buildings. However, when considered in the context of volumes and scale of buildings as existing and approved, the two development proposals (applications A and B) will comprise a reduction in prominence of built form within the Green Belt[11].

3.29 The submitted LVIA finds at paragraph 13.4, that the proposals would have no adverse effect on the openness of the Green Belt. The proposals are considered to comprise a *moderate beneficial visual impact* upon the surrounding area, when considering the baseline conditions at the site and approved agricultural buildings (as set out within

[11] As fully set out within the submitted Design and Access Statement.

Section 6 of the LVIA).

Relevant Application Documents

3.30 The application for the redevelopment of the eastern part of the site are supported by the following information:

Application A: Erection of Three Dwellings.		
Document	Reference	Produced By
Application Form		Ashley Design Associates
Planning Statement	LOS/003/RG-(PS)	Impact Planning Services
Site Location Plan	2783-03 A	Ashley Design Associates
Proposed Site Layout	2783-15 F	Ashley Design Associates
House 1 and Car Barn	2783-11	Ashley Design Associates
House 2 and Car Barn	2783-12	Ashley Design Associates
House 3	2783-13	Ashley Design Associates
Site Sections	2783-17	Ashley Design Associates
Landscape Assessment	1128/Doc1/Issue 2	LanDesign Associates
Illustrative Landscape Material	1128/Doc2/Issue 2	LanDesign Associates
Landscape Photo Viewpoints	1128/Doc3/Issue 2	LanDesign Associates
Arboricultural Report	May 2023	Certhia Consulting Ltd
Topographical Survey	WoolleyGreen_Farmyard _Topo_002.dwg	Ashley Design Associates
Ecological Report – To follow		CTM Wildlife
Heritage Report	MH3909	Michael Heaton Heritage Consultants

Contamination Report	2305018.001.01	TEC
Transport Statement	23038 Issue 2	Miles White Transport

3.31 The application for the relocation of the B2 steel fabrication and paint workshop building, plus associated landscaping, parking and infrastructure are supported by the following documentation:

Application B: Relocation of the Existing Steel Fabrication Business to the West of the Site		
Document	**Reference**	**Produced By**
Application Form		Ashley Design Associates
Planning Statement	LOS/003/RG-(PS)	Impact Planning Services
Site Location Plan	2783-03 B	Ashley Design Associates
Proposed Site Layout	2783-15 F	Ashley Design Associates
Proposed Floor Plans	2783-14 B	Ashley Design Associates
Proposed Elevations	2783-16 A	Ashley Design Associates
Site Sections	2783-17	Ashley Design Associates
Woolley Green Farm Topographical Survey	Woolley Green_Farmyard_ _Topo_002.dwg	Ashley Design Associates
Landscape Assessment	1128/Doc1/Issue 2	LanDesign Associates
Illustrative Landscape Material	1128/Doc2/Issue 2	LanDesign Associates
Landscape Photo Viewpoints	1128/Doc3/Issue 2	LanDesign Associates
Noise Impact Assessment	10271/SL	Acoustic Consultants
Transport Statement	23038 Issue 2	Miles White Transport
Ecological Report – To follow		CTM Wildlife

4.0 Development Plan and Other Material Considerations

Development Plan

4.1 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004 (The Act) and Section 70(2) of the Town and Country Planning Act 1990 the adopted development plan comprises the Wiltshire Core Strategy and Bradford-on-Avon Neighbourhood Plan. The Act requires that applications be determined in accordance with the statutory development plan unless other material considerations indicate otherwise. The Wiltshire Core Strategy document became *made* in 2015 and Bradford-on-Avon Neighbourhood Plan in October 2017. The relevant policies of both plans are currently regarded as out-of-date as a consequence of Wiltshire Council's inability to demonstrate a minimum of 5 years' residential land supply to accord with national policy.

4.2 The Core Strategy is long overdue review and the most recent Full Council Committee meeting indicated the initial draft of the new Regulation 19 Local Plan will be available for public consultation from 17th September to November 22nd 2023. Whilst little material weight can be afforded to this emerging Plan, the relevant policies and information are set out within the Other Material Considerations section below.

4.3 **Core Policy 1: Settlement Strategy** states that within large and smaller villages, development will be limited to that needed to support meeting the needs of the rural settlements and improve employment opportunities.

4.4 **Core Policy 2: Delivery Strategy** in terms of housing policy, requires the delivery of at least 42,000 new homes within the Plan Period. It states that beyond the defined limits of development, any proposed development will be limited to infilling within the existing built framework. Any proposals are expected to meet the housing or employment needs of a settlement provided that they respect the existing character and form of the settlement (criterion i), do not impose on sensitive landscape area (criterion ii) or do not consolidate loose knit areas of development (criterion iii). As a consequence of the current housing land supply shortfall this policy is rendered out-of-date as per national policy as expressed within the NPPF at paragraph 11 d) ii. This has a significant bearing on the consideration of the residential application (A).

4.5 **Core Policy 7: Spatial Strategy: Bradford on Avon Community Area** does not

define Woolley Green as a noted village[12]. Development within this area is expected to contribute towards meeting the specific issues as listed at paragraph 5.35 of the Core Strategy. Of relevance to the Woolley Green site, the development may deliver economic growth through retention of employment sites, as the loss of employment sites will not be supported. Any proposals for new employment opportunities are to be supported in principle. Furthermore, proposals are expected to comprise high quality buildings that have regard for constraints such as Green Belt and the historic environment, protecting and enhancing these designations and assets where practically possible through development proposals.

4.6 **Core Policy 34: Additional Employment Land** states that development beyond defined settlements will be supported when they are adjacent to settlements and seek to retain or expand existing businesses (criterion i) and are considered essential to the wider interest of the economic development of Wiltshire (criterion iii). Further to this, the proposals that must also meet sustainable development objectives (criterion a), are consistent in scale and location to their surroundings (criterion b), are supported by evidence that they are required to benefit the local economy and social needs (criterion c), do not undermine strategic employment sites (criterion d) and are supported by adequate infrastructure (criterion e).

4.7 **Core Policy 35: Existing Employment Sites** considers employment sites within key district centres and settlements and does not feature criteria specific with small villages and settlements without defined boundaries.

4.8 **Core Policy 45: Meeting Wiltshire's Housing Needs** requires that development proposals secure a mix of types and scale of homes, to create balanced and mixed communities.

4.9 **Core Policy 50: Biodiversity and Geodiversity** requires proposals to seek opportunities to enhance the biodiversity value of a site.

4.10 **Core Policy 51: Landscape** requires that development proposals, protect, conserve and where possible, enhance landscape character. Within this landscape character

[12] Although it should be noted that paragraph 4.29 of the Core Strategy explains that growth is also enabled where appropriate within the built-up areas of small villages and Core Policy 2 introduces the principle of allowing infilling within villages capable of accommodating no more than a few dwellings.

must have been considered within the context of the development proposal and include appropriate protection, mitigation and enhancements to the landscape character of an area.

4.11 **Core Policy 57: Ensuring High Quality Design and Place Shaping** states that proposals should be expected to deliver a high standard of design, through meeting the requirements of some 14 criteria. Of relevance to the site, criterion 'i' seeks to secure development that enhances local distinctiveness such as landscape setting, through responding to local topography, maintaining and enhancing views towards and from the site. Criterion 'ii' seeks for proposals to maintain and enhance important natural landscape features, to take opportunities to then secure a net gain in the biodiversity value of the site. Proposals are also expected to respond positively to the existing surrounding development, including orientation, height, scale, massing, materials, design and roofscape to meet the aims of criterion 'iii'. Proposals are also expected to be sympathetic to the historic environment (criterion iv), maximise opportunities for sustainable construction techniques (criterion v), make efficient use of land (criterion vi), have regard to the compatibility with adjacent land uses and the impact of development upon the residential amenity of adjacent properties (criterion vii) and use high standards of building materials, finishes and landscaping (criterion xii).

4.12 **Core Policy 58: Ensuring the Conservation of the Historic Environment** requires proposals that affect heritage assets and their settings to be conserved and enhanced in a manner appropriate to the level of their significance.

4.13 **Core Policy 61: Transport and New Development** states that proposals should be designed to reduce the need to travel by private vehicle, also securing a safe and an appropriate access to the public highway.

4.14 **Core Policy 62: Development Impacts on the Transport Network** requires proposals to mitigate any adverse impacts on the road network, including construction stages.

4.15 **Core Policy 67: Flood Risk** requires proposals within a Flood Zone 2 or 3 to be supported by a site-specific flood risk assessment.

Bradford-on-Avon Neighbourhood Plan 2013-2026

4.16 The Bradford-on-Avon Neighbourhood Pan (BANP) became formally made in October 2017 and Woolley Green lies near to the north eastern extremity of the plan area. As a consequence of national policy in respect of maintaining housing land supply, the relevant policies of the BANP are also regarded as out-of-date.

4.17 **Policy DP1: Regeneration and Infill Development** states that the reuse or redevelopment of previously developed site and the development of infill sites will be supported. Map 2 beneath this Policy depicts the Bradford settlement boundary. None of the surrounding villages and hamlets have been provided with a defined settlement boundary within this Plan.

4.18 **Policy BE1** states that development proposals ought to reinforce local distinctiveness and create a sense of place, through relating to the wider site and adjacent uses. Further to this, materials are expected to relate to the existing built form and surroundings.

4.19 **Policy BE2** requires development proposals to make an efficient use of land and integrate with surroundings and the overall character of the area. Development is also expected to conserve and enhance the setting of Heritage Assets. Bin storage areas are expected to be screened from view when possible.

4.20 **Policy H1** states that proposals for infill development will be supported when contributing positively to their surroundings.

4.21 **Policy E1** is of key importance to the proposals at Woolley Green Farm, that supports proposals for sustainable employment opportunity development.

4.22 **Policy GS1** expresses support for development proposals that enhance biodiversity values of sites and proposals are expected to provide an enhancement when possible.

4.23 **Policy GS4** states that proposals for the creation of new rights of way and permissive routes connecting to existing footpaths will be supported.

4.24 **Policy T1** states that proposals for the enhancement and extension of public rights of way will be supported.

4.25 Appendix 2 of the BANP sets out key statistics for the population of Bradford-on-Avon. Some 77% of respondents considered that the existing housing stock is inadequate

and only 16% of responses to the questionnaire supporting the formation of the Plan stated all housing proposals would be opposed.

4.26 The future demand for homes was also considered, with 158 of the 285 total persons stating that they had a need for new home sought to be located within Bradford. QA further 90 persons stated that they had connections with persons within Bradford that sought to move to the area. It should be born in mind that 23% of the population responded to the survey, and with a similar proportion of responses scaled up to the entirety of the population, approximately four times greater need could be required within Bradford.

4.27 Appendix 3 of the Plan continues to set out the business needs assessment. This survey gained 170 responses, including some 23 responses that expected to start a new business enterprise. Some 49% of the responses received were home based enterprises and interestingly.

4.28 Some 12% of businesses were recorded as requiring new premises to facilitate expansion of operations, as is the case within the current proposal for relocation and modest expansion of operating space for the steel fabrication works. This equates to 57 enterprises requiring business premises within the Bradford-on-Avon area.

Other Material Considerations

National Planning Policy Framework

4.29 The National Planning Policy Framework (NPPF) was most recently revised in September 2023 and forms the Government's overarching policy objectives for development.

4.30 **Paragraph 11** states that planning decisions should apply a presumption in favour of sustainable development. For decision takers, this means:

"…*c) approving development proposals that accord with an up-to-date development plan without delay; or*

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date8, granting permission 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."

4.31 Wiltshire Council is currently unable to demonstrate a minimum of 5 years' supply of deliverable housing land, thus criterion 'd)' and the presumption in favour of sustainable development or the "*tilted balance*" would ordinarily be engaged. Footnote 7, attached to criterion 'd) i.' of this policy however states that the relevant requirements of development plan and national policy must be satisfied in order for the presumption to apply within protected landscape settings including the within Green Belt and where there are implications for heritage assets.

4.32 **Paragraph 38** relates to decision-making. The national policy expects that local planning authorities should approach decisions on proposed development: *"…in a positive and creative way. They should use the full range of planning tools available…and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decisions-makers at every level should seek to approve applications for sustainable development where possible.*" [IPS emphasis]

4.33 **Paragraph 60** requires development to secure a sufficient amount and variety of land to provide housing to significantly boost the supply available.

4.34 **Paragraph 69** continues to state the value attributed to small and medium sites that can make an important contribution to meeting the housing requirement of an area and are often delivered relatively quickly.

4.35 **Paragraph 74** requires local planning authorities to provide and then maintain a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies.

4.36 **Paragraph 85** states that:

"*Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its*

surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable…"

4.37 **Paragraph 92** requires proposals to deliver healthy, inclusive and safe places that promote social interaction through connected sites and easy pedestrian access (criterion a), are safe and accessible (criterion b) and promote healthy lifestyles through walking links and access to green infrastructure, leisure facilities and local shops (criterion c).

4.38 **Paragraph 111** requires any development proposal to be refused on highways grounds only in the event the residual cumulative impacts on the road network be severe or result in an unacceptable impact on highway safety.

4.39 **Paragraph 119** requires planning decisions to promote an effective use of land to meet the need for homes, whilst safeguarding and improving the environment. The former farmyard site, as a consequence of its current employment use, is regarded as PDL.

4.40 **Paragraph 120** requires proposals to encourage multiple uses benefits from urban and rural land, through mixed schemes that take opportunities to also secure biodiversity net gains (criterion a), give substantial weight to proposals utilising brownfield land (criterion c) and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (criterion d).

4.41 **Paragraph 123** requires local authorities to take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs.

4.42 **Paragraph 130** of the framework seeks to ensure that developments secure high quality design, through adding to the quality of the area and functioning well over the lifetime of the development (criterion a), are visually attractive as a result of good architecture, landscaping and appropriate densities (criterion b), are sympathetic to surrounding development (criterion c), establish a strong sense of place (criterion d), optimise the potential of a site (criterion e), and deliver safe, inclusive and accessible places (criterion f).

4.43 **Paragraph 148** states:

"*When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations*."

4.44 **Paragraph 149** states that the construction of new buildings in the Green Belt should be regarded as inappropriate development however instances where new buildings may be considered an exception are set out including the limited infilling within villages (criterion e), or complete redevelopment of previously developed land, whether redundant or in continuing use which would not have a greater impact on the openness of the Green Belt than the existing development (criterion g). In this case it is considered that application A falls to be considered in this context i.e., as an exception, as it represents redevelopment of previously developed land[13] within the Green Belt.

4.45 Importantly, so as to accord with this exemption, the redevelopment must comply with the policy criteria, in not having a greater impact on the openness of the Green Belt than the existing development or not cause substantial harm to the openness where utilising previously developed land in meeting an identified local need for affordable housing.

4.46 **Paragraph 174** states that planning decisions should contribute to and enhance the natural and local environment, protecting and enhancing natural landscapes (criterion a), responding to the intrinsic beauty of the countryside (criterion b) and providing net gains for biodiversity (criterion d).

4.47 **Paragraph 194** requires that applications assess and describe the significance of any assets which may be affected by development, including their setting. The detail required should be proportional to the asset's significance.

4.48 **Paragraph 199** requires great weight be given to the conservation of heritage assets, with greater weight accorded to more important assets. This is irrespective of whether any potential harm amounts to substantial harm or less than substantial harm.

[13] The site the subject of application A is regarded as previously developed land as a result of the employment uses of the converted buildings which have replaced the original use as a farmyard.

4.49 **Paragraph 202** states:

"*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use*."

4.50 **Paragraph 203** states that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Draft Wiltshire Council Local Plan 2023

4.51 The Pre-Submission Draft Wiltshire Local Plan has, has been published for section 19 consultation in August 2023. The consultation is scheduled from 27th September to 22nd November. After this time the plan will be submitted to the Planning Inspectorate for examination. While limited weight can be presently accorded the emerging Local Plan, nevertheless the document does give an indication as to the "*direction of travel*".

4.52 **Policy 1: Settlement Strategy** identifies the settlements where sustainable development can occur, to meet the housing and employment needs of Wiltshire. Bradford-on-Avon is identified as a market town. These settlements are considered appropriate to support sustainable patterns of growth. Woolley Green is not identified within the key settlements.

4.53 **Policy 2: Delivery Strategy** sets out the targets for employment and residential development across the plan period. Some 160 hectares of employment land and '*approximately*' 36,740 new homes are to be delivered in a sustainable manner across the authority area. The draft plan (envisaged to become adopted in 2024) states that approximately 36,740 homes are intended for delivery across the plan period, including 8,080 prior to the plan adoption in 2024. Development at small villages[14] are expected to comprise infill development that respects the existing character and form of development, without consolidating loose knit areas of development.

4.54 **Policy 4: Addressing Climate Change** requires proposals to minimise carbon

[14] For which Woolley Green is not identified as a small village within Core Policy 7: Bradford on Avon Community Area within the Wiltshire Core Strategy.

emissions and progress towards carbon neutrality.

4.55 **Policy 57: Bradford on Avon Market Town** includes seven criteria to inform development proposals within this settlement. Criterion 1 seeks to deliver employment growth and the retention of existing sites, criterion 6 seeks to achieve high quality design in new buildings that responds to its context and criterion 7 seeks to address climate change and enhance biodiversity. Across the plan period, some 140 dwellings are sought to be delivered within this settlement and 80 within sites smaller than 10 units.

4.56 Figure 4.40 beneath this policy depicts Woolley Green to the north of Bradford on Avon lying within the Green Belt.

4.57 **Policy 64: Additional Employment Land** states:

"*Proposals for employment development (within use classes B2, B8 or E(g)(i-iii)) will be supported on unallocated sites within or adjacent to Principal Settlements, Market Towns, Local Service Centres and Large and Small Villages where they are appropriate to the role and function of the settlement*…"

4.58 The Policy continues to state that proposals will be supported when they are appropriate in scale and location and do not adversely impact upon adjacent uses and residential amenity (criterion a), do not lead to unacceptable impacts on the historic environment (criterion b), do not represent unacceptable harm to landscape character or visual intrusion (criterion c), would not adversely impact on strategic employment sites (criterion d), would not lead to adverse highways and impacts (criterion e) and can be supported by adequate infrastructure (criterion f).

4.59 **Policy 65: Existing Employment Land** confirms that proposals for the renewal and intensification of employment land will be supported. All employment sites are intended on being retained for employment purposes to safeguard their contribution to the Wiltshire economy.

4.60 **Policy 70: Sustainable Transport** states that development that supports sustainable travel will be supported, including promoting walking and cycling.

4.61 **Policy 71: Transport and New Development** seeks to ensure that development proposals take opportunities to provide a choice of sustainable transport modes, as well as secure an appropriate access to the existing highway network. As appropriate,

proposals are also required to deliver safe loading facilities and space to manoeuvre large delivery, service and emergency vehicles.

4.62 **Policy 77: Rural Exception Sites** states that at small villages, including those not identified through the settlement strategy may deliver some market housing to enable development, providing that information regarding the viability of the development be provided.

4.63 **Policy 78: Meeting Wiltshire's Housing Needs** states that both market and affordable homes should be well designed to address local housing needs, incorporating a range of different types and tenures, delivering homes that accord with the Nationally Described Space Standards (NDSS) as well as be built to accord with M4(2) Building regulations standards.

4.64 **Policy 82: Housing in the Countryside** states that proposals for housing beyond defined development limits will not be supported unless meeting a specific need, including reusing disused buildings, providing accommodation for employees of rural businesses, and reusing heritage assets.

4.65 **Policy 88: Biodiversity and Geodiversity** seeks to ensure that valued habitats are protected, conserved and enhanced. Within this, biodiversity net gain through development proposals is expected to be delivered through, incorporating swift bricks (criterion 1), integrated bat boxes (criterion 2), include overhanging eaves with nest cups for birds (criterion 3), deliver hedgehog highways (criterion 4). Further features that should be included in development proposals comprise wildflower verges, nature friendly planting, sensitive lighting design, maximising the potential of sustainable drainage systems and facilitate access to the natural environment for the public.

4.66 **Policy 89: Biodiversity Net Gain** seeks to secure a minimum of 20% gain in the biodiversity value of sites through proposals. Development proposals must seek to secure gains on site before considering off site provision and contributions to meeting this requirement.

4.67 **Policy 90: Woodlands, Hedgerows and Trees** seeks to retain and enhance the natural environment through supplementary planting of native species that increase tree cover in urban areas.

4.68 Proposed **Policy 91: Conserving and Enhancing Wiltshire's Landscapes** states that development proposals are expected to conserve and enhance Wiltshire's

landscapes by maintaining an area's distinctive sense of place (criterion 1), enhancing the characteristics and views of landscapes (criterion 2), conserving and enhancing locally distinctive landscape settings (criterion 3), deliver high quality design appropriate to the surrounding context (criterion 5) and as necessary, be supported by a Landscape and Visual Impact Assessment (criterion 7).

4.69 **Core Policy 98: Ensuring High Quality Design and Place Shaping** seeks to secure a high quality of design in all new development, as expressed through the requirements of thirteen criteria. Of relevance to the Woolley Green site, criterion 'i.' seeks to ensure proposals enhance local distinctiveness, reacting positively to landscape setting and existing patterns of development, whilst also retaining and enhancing important local views. Criterion 'ii.' requires proposals to retain and enhance important natural features, criterion 'iii.' requires that the scale, massing and appearance of the local context and criterion 'iv.' expects proposals to be sympathetic to conserving historic landscapes.

4.70 This policy continues to state that development proposals are expected to incorporate sustainable building design (criterion 'v.'), make efficient use of land (criterion 'vi.') and consider the compatibility of adjacent land uses, ensuring that appropriate impacts of development upon the amenity of adjacent residents can be secured. Finally, criterion 'xiii.' seeks to ensure that developments have high standards of materials and finishes, external landscaped areas and have regard to local design guidance requirements.

4.71 **Policy 99: Ensuring the Conservation and Enhancement of the Historic Environment** requires proposals to consider the impact upon heritage assets as well as their respective settings.

5.0 Planning Considerations

Application A: The Principle of Development

5.1 Wiltshire Council cannot currently demonstrate a deliverable minimum supply of housing land, thus in accordance with NPPF Paragraph 11, the presumption in favour of development applies to proposals that will boost the supply of housing within the authority area[15]. However, owing to the site lying within the Green Belt together with the wider proximity to a number of Listed buildings of (and implications of Footnote 7 to this paragraph), the tilted balance in favour of development may only become engaged when demonstrating compliance with relevant Green Belt policy and the limited extent of impact on the significance of heritage assets.

5.2 The proposals are considered to represent an exception and accord with national policy as expressed at NPPF Paragraph 149, criterion g) as the residential; proposals will redevelop previously developed land and rounding off the existing built framework of the village (being adjacent to residential sites to the east, south and approved agricultural buildings to the west). Further to this point, the proposals are considered to meet the requirements of this criterion through reducing the visual prominence of built form within the local environment and no greater impact upon the openness of the Green Belt than the existing site (as also concluded within the submitted LVIA).

5.3 Whilst only comprising three detached family homes, a modest but nevertheless important contribution will be made towards meeting the shortfall of housing land supply within the Authority at the east of the site (Application A). These family homes are proposed to be sited immediately adjacent to existing residential sites and will be comparable in scale, density, orientation and appearance to these adjacent properties. They would represent a "*rounding off*" of this part of the current framework of Woolley Green.

5.4 The policy mechanism for restoration of the tilted balance in the case of Green Belt in this case, is, as a result of compliance with paragraph 149 g) of the NPPF. The material benefits arising from the proposals (including those related to nearby heritage

[15] As recently uncovered within Appeal Decision Ref: APP/Y3940/W/22/3309354 at Brynards Hill, Royal Wootton Bassett dated 4th May 2023 (See **Appendix G**)

assets), and compliance with policy restore the presumption in favour of sustainable development.

Design of the Dwellings

5.5 The three proposed dwellings at the eastern main farmyard area will comprise one 5 bedroomed and two 4-bedroomed properties, each with living, kitchen and dining space. Two of the properties will provide office and study room. These forms of internal space are considered increasingly important as home working has become more commonplace since the global COVID 19 pandemic.

5.6 The external elevations of the dwellings are proposed to comprise natural stone, dressed quoins, timber cladding and slate tile roofs. Dwelling two will comprise an olive-green steel profile roof. Proposed detailing also comprises dark aluminium window and door openings, plus oak doors. These form a continuation of the semi-rural, agricultural character of the existing buildings at the site, whilst also being formed to respond to the character and appearance of the adjacent residential properties.

5.7 Curtilage areas for the properties will be defined through hedgerows and close board timber panel fencing. Existing poor quality and dead elm trees to the north of the proposed dwellings will be removed and replaced by newly planted vegetation.

5.8 The proposed dwellings will benefit from car barns parking around a central courtyard. The number of spaces per dwelling accord with the Wiltshire Council Minimum Parking Standards.

5.9 The dwellings have been designed sensitively to complement the existing, scale, form and appearance of adjacent properties, whilst continuing the character and appearance of the rural setting. These proposals have also been assessed as beneficial to the setting of nearby Listed Buildings and as a result are considered to meet the aims of development plan policies 57, 58, BANP Policy BE1 and NPPF paragraphs 130 and section 16 which applies to the consideration of potential impacts upon heritage assets.

Heritage

5.10 A Heritage Statement accompanies the application for the redevelopment of the

eastern element of the site for residential uses, considering the implications of the development on the nearby Grade II Listed property and its setting.

5.11 The Report found that the site has only limited potential to contain archaeological remains. The proposals were assessed in the context of the proximity to and settings of nearby Listed Buildings. It concluded that when considered in the context of the existing buildings at the east of the site, the dwellings would present an enhancement of the settings of these assets due to the existing poor visual impact and quality of their built form in the eastern part of the site.

5.12 The conclusions of this report found that the assessment of the significance of assets and the limited extent of any harm arising from the development upon the setting of heritage assets, and the potential for enhancement to the setting as contrasted with the current situation, would accord with the requirements of Core Policy 58 and Section 16 of the NPPF.

5.13 It is suggested that a condition (see paragraph 3.22 above), be applied to any grant of planning permission for the redevelopment to ensure that the current employment use of the two former farm buildings ceases within a prescribed period and that the buildings then remain vacant pending demolition in advance of the implementation of the residential development.

5.14 This ought to be put in place in concert with a s.106 agreement which would comprise the following:

- The granting of the two planning permissions (A&B), on completion of the s.106 agreement.
- The serving of notices on the tenants of the two former farm buildings.
- The letting of the construction contract for the new Class B2 building.
- The period taken to construct and make ready the new Class B2 building.
- The existing tenants of the two former farm buildings are to be offered first refusal of tenancy of the new Class B2 building. The building shall be made available to the existing tenants on commercially appropriate terms.
- The vacation of the existing buildings and cessation of use i.e., left vacant unless otherwise agreed.
- The demolition of the existing buildings on commencement of any residential redevelopment of the former farmyard site.

Principle of Development (Application B)

5.15 The proposals for the erection of a new Class B2 employment use building west from the former farmyard is considered to support the retention of an existing, successful rural business, within which some additional capacity (approximately 85 square metres) is available to expand their operations whilst delivering a higher quality, more efficient working environment.

5.16 The proposals comprise the delivery of a purpose-built Class B2 building of a comparable scale but within a reduced footprint than the consolidated, approved agricultural buildings would have yielded. As a result of the proposals, the existing use for the steel fabrication and spray paint processes at the former farmyard may be relocated, which will improve the relationship with the nearby residential properties, significantly reducing the potential for amenity impacts.

5.17 The proposals are considered to have been sensitively designed to maintain the rural agricultural character of the site. Through consolidation of the two approved agricultural buildings, the newly proposed Class B2 use building (comprising 503 square metres) will allow for an 85 square metre extension from the existing (being 418 square metres), but some 110 square metres less than the approved agricultural buildings (comprising a 613 square metres) would have yielded. Combined with an extensive landscaping scheme, the proposal presents a less visually extensive spread of built form and massing in the Green Belt.

5.18 The Applicants are able to offer this comprehensive solution following review of the farm business in response to these and other market conditions, which has established that there is no longer a need for the two approved new farm buildings as originally envisaged in this location.

5.19 In order to facilitate the relocation of the employment use from the former farmyard to the western part of the site, a condition is requested to be imposed upon any grant of permission so as to enable the cessation of the steel fabrication and spray shops activities (Class B2 Use), at the point which the alternative accommodation becomes operationally available. The proposed condition wording might state:

- "*The building hereby approved shall be made available for first occupancy once the employment uses of the buildings depicted upon drawing no.2783-03A (the subject of planning permission ref: PL/2021/11393), cease, and commencement of their*

vacation, to the satisfaction of the local planning authority.

5.20 Further to this point, the completion of a S106 agreement would facilitate the legal obligations for the cessation of the use of the existing buildings for the steel fabrication and paint spray shop activity, as well as the scheme of demolition and site clearance. The Class B2 use building will be offered to the tenants of the existing employment use buildings at a commercially appropriate rate. It seems likely that this requirement will need to be accommodated within the s.106 agreement.

5.21 A landscape-based approach has been undertaken to minimise the impacts of the proposals upon the wider Green Belt. Considering the existing landscape setting, the proposals have been formulated to consolidate and contain the built form at the site to locations similar to the approved agricultural buildings. The LVIA accompanying the submitted material demonstrates how the proposals, alongside a comprehensive planting scheme may be considered to accumulatively preserve and enhance the openness of the Green Belt, and are proposed at a scale compatible with adjacent uses.

5.22 Further to this, benefits will also result from the proposed scale, layout and orientation of the 'L-shaped' building, through limiting the ability for the proposals to result in adverse impacts to adjacent land uses by means of noise or dust disturbance. As fully set out below, the proposals restrict all openings to facing the open countryside and any external activity and parking areas internally to the 'L-shaped' building, preventing any wider effects of urbanising the site within the Green Belt. Further details of design and specific conclusions from the LVIA assessment are set out below.

5.23 When also considered in the context of nearby heritage assets the removal of the existing steel fabrication (Class B2) use buildings are found within the Heritage Assessment to enhance the setting of nearby listed buildings. It is considered, along with the extensive landscaping scheme containing the site from the wider Green Belt eastwards, that the site forms an appropriate location for three dwellings which in turn, would reduce the prominence of the site arising from the scale of the existing converted buildings (Page 23 LVIA).

5.24 As a result of the landscape enhancements and economic support offered through the current application, the proposals are considered to limit any potential for detrimental impacts upon adjacent uses and the wider Green Belt visually. Owing to the significant works proposed as part of the siting, orientation, scale, plus landscaping scheme, the

proposals are considered to enhance the openness of the Green Belt when considered in the context of the alternative approved agricultural buildings.

Relocation of Manufacturing and Design of the Class B2 Industrial Use Building

5.25 As part of the proposals, the relocation of the existing steel fabrication and spray paint workshop (Class B2) to the west of the site is proposed. This is intended to accommodate this company and provide sufficient capacity to allow further reasonable expansion of this successful business. The current premises do not comprise the most efficient relationship between the fabrication operation and spray paint workshop. Concerns have also been raised for the noise impact upon adjacent residential sites by local residents and Wiltshire Council[16].

5.26 The proposals form an appropriate solution to managing these issues and in accordance with development plan policies CP34, CP35, BANP Policy E1 and the aims of NPPF paragraph 85. Through this application proposal the retention of the employment use, and opportunities to expand operations sustainably can be delivered.

5.27 Despite a modest increase in the footprint of the employment use at the site, this will allow for sufficient area to improve the operation of the business and provide sufficient capacity for some minor enhancement of the capacity of the operations. The proposed buildings will have a footprint some 85 square metres greater than existing, however some 110 square metres less than the two approved, but undeveloped agricultural buildings at this part of the site. The proposals therefore, hold the ability to retain, and enhance the capacity of a successful rural business, as well as reduce the visual and physical prominence of the site, considered in the context of previous approvals.

5.28 Further to the benefits of supporting rural businesses, the proposals when considered in the context of adjacent uses, approved buildings and the siting and landscaping proposes, the two applications present an optimal use of the site area. As a result, the proposals are considered to maximise the potential of the site and meet the aims and objectives of BANP Policy BE2 and the policies of the NPPF as expressed at

[16] Despite this having been delivered in complete accordance with the Class R Prior Approval procedure and including appropriate mitigation measures as set out within the submitted Acoustic Assessment.

paragraphs 92, 119, and 123.

5.29 The scale of the proposed building has been limited to the equivalent as the approved agricultural buildings at this western part of the site. Through the consolidation of two buildings and the delivery of the single 'L-shaped' building, the proposals are considered to have negligible visual impacts upon the wider Green Belt. What must be considered within this, is that the extensive landscaping scheme proposed will limit the visual prominence of this building within the landscape, particularly once the proposed planting matures.

5.30 To assist with this, the proposed building comprises olive green steel profile elevations and roller shutter openings to the west and north of the building. Security fencing is proposed to be delivered within the surrounding hedgerows and planting in dark green steel.

5.31 The building proposes to be delivered in an 'L-shape', comprising the main footprint of the building to operate for steel fabrication, with the paint workshop and dispatch area projecting to the north. At the eastern extremity of the building, a storage room, staff room, reception, washroom and upper floor office space will be provided. This modest upper floor space will lie within the central ridge of the roof and voids lie to either side of this.

5.32 The relocation of this building will include the orientation of openings to the west of the site, to reduce the potential for noise impacts upon adjacent sites. The proposals are accompanied by a Noise Impact Assessment (see below). These address concerns noted from the existing impact upon the amenity of adjacent residential sites east from the current location of this use, despite this having being implemented in accordance with the approved details and mitigation measures set out within the Noise Impact Assessment and GPDO Part R approval (under reference PL/2021/11393).

Noise Assessment and Residential Amenity

5.33 As part of relocating the steel fabrication works and paint workshop west from the farmyard element of the land holding, a Noise Assessment has been completed to determine the impact of the employment use on the background and ambient noise. This allows for an assessment of the proposals impact upon adjacent existing uses and residential sites to the east.

5.34 The design of the steel fabrication unit includes openings that face westwards from the site. Therefore, the potential for noise impacts to adjacent sites is extremely limited when considered in the context of the existing employment use buildings to the east of the site in the former farmyard.

5.35 The findings of the submitted Acoustic Assessment includes mitigation measures that will be secured upon delivery of the proposals. These comprise particular construction detail for the structure of the building, fixing of rooflight windows shut and other measures that would prevent noise escaping from the building that could lead to noise impacts upon dwellings some 400 metres from this use.

5.36 Sound modelling assessment concluded that the British Standard 4142:2014 may be accorded with and noise impacts upon residential uses would result in effects considerably below the Lowest Observed Adverse Effect Level, even a worst-case scenario.

5.37 The proposals when considered in the context of the existing use of the site for steel fabrication adjacent to the eastern boundary are found to improve local environmental conditions and mitigate the potential for noise impacts owing to the orientation, siting and design of the building.

Site Wide Proposals (Applications A and B)

Landscape and Visual Impact Assessment

5.38 The application is supported by a Landscape and Visual Impact Assessment (LVIA), that has been completed in accordance with the relevant adopted industry guidance: Guidelines for Landscape and Visual Assessment (Third Edition). The development proposals have been informed by the existing context assessment.

5.39 This report considered the existing landscape setting of the site and over washing Green Belt, alongside the proposals and the impact upon the character, appearance and openness of the site.

5.40 A visual appraisal of the site was undertaken, considering two main site areas (A & B comprising of the main farmyard area and western undeveloped element of the farmyard area respectively). Area A experiences some close and mid-range views from PROWs, towards filtered views of the rooflines of the existing steel fabrication

buildings.

5.41 The site is generally screened from land to the west due to the interaction of boundary hedgerow, adjacent orchard planting, field boundary hedgerows and a rising, gently rolling landform which effectively blocks longer distance views.

5.42 The site is not generally visible from the east, however, there are close range views from a small number of residential properties at Woolley Green immediately adjacent to the site.

5.43 The existing roughly formed mound limit views across Area B and there are only limited views into Area A from the north and west due to the filtering effects of vegetation surrounding the existing pond.

5.44 In the context of the proposals at the site, the LVIA concludes that the redevelopment of the eastern element of the farmyard site would facilitate an increase in the sense of openness from the existing industrial use buildings. Further to this, the proposals would not result in the loss of any significant vegetation or trees and the reinforcement of boundaries would allow for an enhanced landscape setting in this eastern area, which would further contain the site visually as landscaping matured.

5.45 Beyond this, the western, undeveloped element of the site is assessed as holding some value to the openness of the Green Belt, however this is only as a result of having not delivered the two agricultural buildings approved in accordance with the prior approval procedure.

5.46 Supplementing the existing boundary hedgerows and trees will limit the visual prominence of the proposed building. The proposals are considered to comprise a limited extension of the built framework, though this correlates with the siting of the approved agricultural buildings.

5.47 Pages 22 and 23 of the LVIA assess the proposals in comparison to the two permitted agricultural barns at the west of the development site. This assessment concludes that the proposal for the consolidated single building, utilising a similar form and position as the agricultural buildings, will allow for a more contained form of development. Visual containment can also be assisted by the levels of planting proposed adjacent to the B3105, as well as northern and western site boundaries. The submitted information depicts how the landscaping will limit the prominence of the development within the Green Belt.

5.48 Section 5.06 of the LVIA considers each element of the development site and the assessed impact upon the landscape character of the area. For the delivery of three dwellings, in replacement of the industrial units at the east of the site, the proposals are assessed as likely to result in a moderate beneficial impact. This will be achieved through enhancing the appearance of the site when considered in the context of adjacent properties, combined with sensitive landscaping scheme would result in enhancing the openness of the Green Belt.

5.49 The western element of the proposals is considered to comprise a minor adverse impact on landscape character, with the substantial boundary planting significantly enhancing the character of the landscape and mitigate against any loss of openness. When assessing the impact of these proposals in the context of the approved agricultural barns, a neutral/minor adverse impact would result from the development.

5.50 Finally, the cumulative landscape impact of the proposals across the whole site is concluded to result in a minor beneficial impact, or slight benefit to the landscape setting and the openness of the Green Belt. When considering the approved agricultural buildings at the site, the proposals would actually give rise to a greater benefit on landscape setting (amounting to moderate beneficial), due to more sensitive arrangement, form and supplementary landscaping.

5.51 In considering the existing access point to the B3105, the LVIA finds that a moderate beneficial landscape impact will result from the softening of this, through boundary planting.

5.52 The illustrative sections included within the submission package clearly depicts that the proposals, following the delivery or landscaping will have some filtered views to the proposed steel fabrication building. Once the planting becomes established, the proposals are expected to be sufficiently screened to have improved the roadside corridor in this area (from the existing situation), as well as visually contain the site from the wider Green Belt.

5.53 As a result of the above findings, it is considered that the proposals would accord with the requirements of the Guidelines for Landscape Assessments (Third Edition), as well as adopted policies 51 and 57 and NPPF paragraph 149. In accordance with NPPF Paragraph 149, the development is considered to comprise the limited infilling and redevelopment of previously developed land, which would not have a greater impact on the openness of the Green Belt.

Landscaping and Ecology

5.54 The proposals include a comprehensive landscaping scheme, comprising of native species hedgerow and tree planting to supplement the existing, retained vegetation.

5.55 The submitted Arboricultural Report found that the development proposals at the site do not comprise the retention of trees that present a material constraint to the construction of buildings. The sole trees proposed to be removed comprise of already dead elm trees to the north of the existing buildings at the east of the farmyard. All trees will be protected as per the details of the Method Statement, including root protection areas and canopy spreads.

5.56 The proposals include the clearance of vegetation from the boundary wall and restoration through coping stones. Works to the roadside boundary of the site will not prevent the delivery of appropriate visibility splays for emerging vehicles.

5.57 To visually contain the proposed employment use building from the wider Green Belt landscape, a native species hedgerow and tree lines are proposed to the north and south, as well as strengthening the existing vegetation to the west. These proposals will lie beyond a security fence, which will be gated at the site entrance at the north of the building.

5.58 The proposals include a comprehensive planting scheme both to the south east of the employment use building, but also centrally to the site, adjacent to the pond, limiting the interconnectivity between the residential properties and employment use within the site. It is intended that the landscaping proposals will limit the prominence of any buildings in the wider landscape, utilising the existing sloping topography of the wider area.

5.59 The proposals include curtilage areas that will be defined through a mix of boundary treatments through the retention and supplementing of hedgerows, rabbit fencing to larger areas and individual guards to protect hedgerows and trees. Proposed tree planting will comprise oak, hornbeam and lime, as well as smaller trees including maple, birch and cherry. The submitted proposed site layout and illustrative material depicts the envisages canopy spread of trees and the visual containment offered as the landscaped areas mature.

5.60 Buildings were assessed for the suitability for roosting bats and a negligible likelihood for the proposals and particularly, the removal of the eastern buildings would not

impact upon roosting bat populations.

5.61 The pond that lies centrally to the site has been tested with respect to any signs of presence of Great Crested Newts (GCNs). The eDNA assessment of this concluded GCNs are absent from this basin and no further mitigation is required through the development.

Access and Highways

5.62 The proposals will utilise the existing access point to the B3105. This access has been widened in accordance with the approved application ref: PL/2021/08204. Visibility splays accord with relevant standards and are depicted on the site layout plan ref: 1128.02 B and former plan (ref: 2783-02 D) associated with the above approval (as can be found within Appendix A of the submitted Transport Statement.

5.63 The completed Transport Statement found that the proposals, at worst case scenario and at the peak morning hour, 8 two-way vehicles movements may be expected from the B2 steel fabrication element of the site (some 48 across a 12-hour day). The number of vehicle movements calculated to result from the three properties equates to 16 two-way movements across a 12-hour day (3 two-way vehicle movements during the peak morning hour). These movements are calculated to contribute to just a 1.5% increase at the B3105.

5.64 The report concludes at paragraph 6.5, that the: *"…proposed development will not have an unacceptable impact on highway safety and will not have a 'severe' residual cumulative impact on the road network. As such, there are no highway reasons that would warrant withholding planning permission for the proposed development…"*

5.65 Within the site, two separate accesses will be delivered, east to the redeveloped farmyard area, comprising a gravel surface, with gated access as well as a hardstanding link to the north and west of the proposed industrial unit.

5.66 Parking for the industrial use building will comprise 10 spaces (including 1 disabled space), as well as sufficient turning area and loading area for two HGVs. Cycle storage is also proposed internally to the security fence for 4 bicycles. A single layby parking space is proposed adjacent to the gated access point for the use of site managers and to prevent an obstruction to the retained farmland access north from this point on the access road.

5.67 Parking for the residential units will comprise car ports and be delivered to meet the minimum standards for dimensions and quantity as set out within the Wiltshire Council Parking Standards.

5.68 A newly proposed footpath link from the dwellings at the east of the site will pass adjacent residential sites to the north and adjoin the existing footpath BRAD11. The nearest bus stop is estimated to comprise an approximate 13.75-minute walk and railway station approximately 25-minute walk from the site.

Waste

5.69 The proposals include space for the storage of waste refuse containers and collection point for the properties near to the gated access point on the access route.

5.70 Bin storage areas will be provided adjacent to each individual dwelling, and a collection point proposed at the end of the access road, near to the B3105, allowing for collection vehicles to enter the site, manoeuvre safely and emerge in forward gear.

5.71 For more substantial waste collection associated with the B2 use building, a private waste refuse collection company will access and remove this.

Drainage

5.72 As part of the proposals, a treatment plant will be delivered near to the site entrance that will serve both the steel fabrication and paint shop workshop as well as the three dwellings at the east of the site.

5.73 The surface water management at the site will retain the existing arrangements for the east of the farm site (Application A), utilising the existing watercourse to manage and discharge at a sustainable rate. Watercourses will be maintained throughout the lifetime of the development to ensure these continue to operate effectively. To dispose of surface water for the proposals for the B2 employment use building (Application B), the proposals comprise the utilisation of existing watercourse to manage surface water runoff, as depicted within drawing ref: 2783-15F.

5.74 The proposals will prevent the risk of flooding from increasing within or adjacent to the site and therefore, meet the aims of WCS Core Policy 67.

Land Contamination

5.75 As part of the investigatory work supporting the production of the development proposals, a Land Contamination assessment has been completed (ref: 2305018.001.01). This surveys the site for any signs of contaminants affecting ground conditions in light of the agricultural practices taking place and the site, as well as the more recent steel fabrication works.

5.76 The report concluded that no remedial measures would be required, but monitoring during the demolition and construction phase be recommended to mitigate any potential risks.

6.0 Planning Balance and Conclusions

6.1 In accordance with the requirements of national policy as expressed at Paragraph 11 of the NPPF, the tilted balance in favour of development is engaged as a result of Wiltshire Council's inability to demonstrate a 5-year supply of deliverable housing land. Whilst this presumption does not automatically apply to proposals within the Green Belt and where there are implications for impacts upon heritage assets (as stipulated at footnote 7), the proposals are considered to meet the requirements of Green Belt policy as expressed at paragraphs 148, 149 g) and 202 of the and set out fully above. In order to refuse planning permission, the impacts of the proposals must significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole.

Application A

6.2 The proposal for the redevelopment of the existing farmyard for residential uses benefits from the tilted balance in favour of sustainable development, in light of the absence of 5 years' worth of deliverable housing land within Wiltshire. As set out within paragraph 11 of the NPPF, permission should be approved unless the impacts of doing so would significantly and demonstrably outweigh the benefits of the proposals. In the Green Belt however, this presumption is only applied if the policy tests are satisfied.

6.3 In this instance, it is considered that the proposals meet the aims of NPPF paragraph 148, criterion 'g)' by comprising the complete redevelopment of previously developed land. In meeting this policy test, the proposals are also considered to reduce the prominence of the buildings within this part of the site as appreciated from the wider Green Belt. Further to this, the design of the properties is sympathetic to the surrounding residential properties and in particular, concluded[17] to enhance the setting of the immediately adjacent and other Grade II Listed properties.

6.4 As revealed within the Heritage Statement and LVIA accompanying the application(s), the redevelopment proposal will result in benefits to the setting of Heritage Assets and enhance the openness of the Green Belt. Significant weight is accorded these benefits.

6.5 Further benefits resulting from the proposals will comprise the removal of the existing Class B2 steel fabrication use, that lies in close proximity to adjacent residential properties. The proposals, alongside the adjacent proposals would support the retention of the existing successful business, maximising the potential of the site, make a modest but nonetheless worthwhile contribution to land supply and more enable a cohesively and sensitively interaction with adjacent residential land uses, as has been informed by a Noise Impact Assessment. Substantial weight is accorded these benefits.

6.6 In light of this, the proposals comprise compliance with the requirements of NPPF policy and secure the engagement of the *tilted balance* under the terms of paragraph 11 of the Framework and enable the site to contribute three dwellings towards the shortfall of housing land within the authority area. Though a modest contribution to supply, nevertheless significant weight ought to be accorded to this benefit.

6.7 Some material weight should also be accorded to the improvements the site can provide to pedestrian accessibility to the site, with the delivery of a new footpath at the north east to adjoin an existing PROW east from the site. The delivery of a new footpath link is considered to accord with the aims of BANP Policy GS4 and T1.

6.8 Combined with the extensive landscaping scheme, retaining existing vegetation and

[17] As stated within the Heritage Statement

trees, being sited sensitively within the sloping landscape, together with the substantial planting of native species, the properties will be less prominent within the Green Belt and enhance the setting of Heritage Assets. This also warrants due weight as a material benefit.

6.9 As a result of the benefits set out above, the proposals are considered to accord with the aims of Green Belt Policy as expressed at paragraph 149, criterion 'g)' and as there are no adverse impacts that significantly or demonstrably outweigh the benefits of the proposals as considered in the context of the NPPF read as a whole.

Application B

6.10 In accordance with the requirements of national policy as expressed at paragraph 147, inappropriate development is by definition harmful to the Green Belt and under the terms of paragraph 148, substantial weight should be accorded to any harm to the Green Belt. In order to demonstrate '*very special circumstances'* for developing within the Green Belt, harm of the development proposals upon the Green Belt must be clearly outweighed by other considerations.

6.11 The proposals are considered to support the retention and relocation of an existing, successful business to a more sensitive location within the site when considered in the context of adjacent uses and the potential for noise impacts. Furthermore, when considered in the context of the approved agricultural buildings, the proposal for the steel fabrication building will consolidate these loose forms of development and also reduce the proposed footprint of development in this part of the site.

6.12 The building is considered to have been designed to reflect the rural character and appearance of the area, including materials consistent with approved agricultural buildings and appear consistent with the Green Belt landscape. These include olive green profile steel elevations, pitched corrugated roof material and roller shutter openings. As a result, the proposals are considered to meet the aims of WCS Core Policy 57: Ensuring high quality design.

6.13 Combined with the extensive landscaping scheme around the building, the proposals are considered to present a reduction in the footprint and volume of built form within the Green Belt. This includes a reduction in the visual prominence of the site within the wider Green Belt, as a result of the sensitive siting, orientation and landscaping proposals. The LVIA concluded that in the context of the approved agricultural

buildings, the proposals represent a moderate beneficial landscape impact. The proposals as a result are considered to accord with the aims of WCS Core Policy 51.

6.14 Significant weight should be accorded to the ability to retain and enhance rural employment opportunities such as the steel fabrication business. A sensitive location within the same site is proposed, limiting the potential for any impacts upon the amenity of adjacent residential properties through separation distance from properties, appropriate mitigation measures, as informed by a Noise Impact Assessment, together with restricting openings in the proposed building to the west and north, away from adjacent residential uses.

6.15 The ability to retain and improve rural businesses in the rural area are considered to meet the requirements of development plan policies 35, 45, BANP Policy E1 and NPPF paragraph 85.

6.16 The high-quality design, orientation and consideration of limiting impacts upon adjacent uses is also considered to meet the aims of WCS Core Policy 34 (criterion b) and Core Policy 57 (criterion vii). These are regarded as materially significant benefits warranting significant weight.

6.17 The proposals also include an enhanced site layout to maximise the efficiency of operations in the business, preventing the existing need for external travel between the fabrication process to paint workshop, better parking provision, separated access from residential properties and appropriate orientation of openings away from properties to enhance amenity from the existing conditions at the east of the site. The optimum reuse of the site area and efficient use of the site should also be considered to meet the aims of WCS Policy CP2, BANP Policies DP1, H1, E1 and B2. These are benefits which warrant material weight.

6.18 Significant weight must also be accorded to the benefits the proposals will accrue in respect of enhancing the environment in the vicinity of a listed building, as found by the submitted Heritage Statement, according with the aims of Section 16 within the NPPF that aim to preserve and enhance assets, including their setting.

6.19 Material weight should also be accorded to the environmental enhancement the proposals may deliver, in respect of enhancing the biodiversity value of the site, through boundary vegetation retention and significant supplementary planting. Further detail will be made available relating to the Biodiversity Net Gain at the site and

mitigation measures proposed to maintain existing habitats, whilst creating new spaces for which protected species can benefit.

6.20 As a result of the above, it is considered that the proposed Class B2 building will present significant material benefits that outweigh the modest harm of developing within the Green Belt. As a result, the proposals are considered to amount to cumulative benefits which outweigh the substantial weight afforded to any harm resulting from inappropriate development within the Green Belt. As a result, in accordance with the aims of NPPF paragraphs 147 and 148, *very special circumstances* for developing the Class B2 building within the Green Belt are demonstrated.

Summary

6.21 The redevelopment of the existing farmyard for residential dwellings would by definition, comprise inappropriate development under the terms of the adopted development plan. However, as a result of the housing land supply shortfall within Wiltshire, under the terms of NPPF Paragraph 11, the tilted balance is engaged in favour of sustainable development.

6.22 The redevelopment of the former farmyard site now in employment use within the Green Belt is normally regarded as inappropriate development within the Green Belt. However, as a result of the significant benefits, plus modest and sufficiently mitigated harm upon the Green Belt resulting from the proposals, the development proposal may be regarded as an exception under the auspices of national policy to inappropriate development within the Green Belt.

6.23 As well as the site wide landscaping benefits, plus enhancement to the amenity value of adjacent properties, utilisation of footprints and volumes that are within existing approvals for agricultural buildings, plus the policy support for the retention of rural businesses, the complete redevelopment of the former farmyard is not considered to increase the prominence of the site within the Green Belt and therefore comply with the aims of NPPF paragraph 149, criterion ‘g)’. Very special circumstances exist for the approval of ‘Application B’.

6.24 These landscaping proposals will contribute to improving the habitat value of the site and particularly; the pond area, as well as visually contain the development from public vantage points. The proposed landscaping also comprises planting to the north of the

proposed industrial unit, to prevent any visual intrusion to the wider landscape and Green Belt. The landscape-based approach and proposed landscaping, that can secure an uplift in the biodiversity value of the site is considered to meet the aims of Development Plan Policy 51, 50, and BANP Policy GS1, as well as draft Wiltshire Local Plan Policies 91, 88 and 90.

6.25 In the consideration of both applications, these are both reliant upon each other to enable the relocation of the existing business, whilst delivering a redevelopment that can be sensitive to the setting of heritage assets, the semi-rural context, openness of the Green Belt and to meet Wiltshire Council's established under supply of deliverable housing land.

6.26 It is considered that these proposals meet policies relevant to conserving and enhancing the setting of heritage assets (set out within WCS Policy 58 and section 16 of the NPPF), as well as the policy requirement necessary of *demonstrating special circumstances* and as an *exception* for developing the Class B2 building and residential redevelopment within the Green Belt, through enhancing the openness of the area (as expressed at NPPF paragraphs 148 and 149), and supporting rural businesses.

6.27 The proposals are interdependent as the Application A proposals comprise an enabling development to support the relocation of the B2 employment use building (Application B). A separate legal agreement will accompany the applications that will support the cessation of the current manufacturing uses at the west of the site upon completion of the new Class B2 employment use building.

6.28 As a result of the compliance with Green Belt Policy expressed through the NPPF, the proposals are therefore considered to meet the requirements of the policy requirements association with the presumption of sustainable development being engaged[18]. Whilst a modest contribution, the three dwellings proposed as part of the redeveloped farmyard site present a still, valuable contribution towards addressing the under-supply of homes within the Authority area.

6.29 As a result of the above, it is considered that the proposals would result in modest

[18] As set out within paragraph 11 of the NPPF.

impacts that would not significantly or demonstrably outweigh the many benefits of the proposals, thus planning permission ought to be granted to both applications.

Ref: Relocation of Industrial Use Unit and Redevelopment of Woolley Green Farm to Deliver 3 Homes, at Woolley Green, Nr Bradford-on-Avon, Wiltshire, BA15 1TY

A. Decision Notice ref: PL/2021/08204

Wiltshire Council

The Town and Country Planning Act 1990

Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2021/08204

Decision Date: 24 November 2021

Applicant:	Mr Laurence Ovens Willow Cottage, Leigh Road, Bradford On Avon, BA15 2RG
Particulars of Development:	Formation of new farm access and closure of two existing accesses
At:	Woolley Green Farm, Woolley Green, Bradford On Avon, BA15 1TY

In pursuance of its powers under the above Act, the Council hereby **GRANT PLANNING PERMISSION** for the above development to be carried out in accordance with the application and plans submitted (listed below).

In accordance with paragraph 38 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

Subject to the following conditions:

Conditions: (2)

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 2783-03
Existing Road Survey 2783-01
Both received 20.08.21

Revised Proposed Access Plan 2783-02 rev D received 22.11.21

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

Informatives: (2)

3 The applicant is reminded of the necessity to contact the Land Drainage Team and obtain Land Drainage Consent for the proposed works prior to starting works hereby approved.

4 The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license may be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

Sam Fox - **Corporate Director, Place**

NOTES

1 **Other Necessary Consents.** This document only conveys permission for the proposed development under Part III of the Town and Country Planning Act 1990 and the applicant must also comply with all the byelaws, regulations and statutory provisions in force in the area and secure such other approvals and permissions as may be necessary under other parts of the Town and Country Planning Act 1990 or other legislation.

1.1 the need in appropriate cases to obtain approval under Building Regulations. **(The Building Regulations may be applicable to this proposal. Please contact the Council's Building Control team before considering work on site);**

1.2 the need to obtain an appropriate order if the proposal involves the stopping up or diversion of a public right of way or other highway (including highway verge);

1.3 the need to obtain a separate "Listed Building Consent" to the demolition, alteration or extension of any listed building of architectural or historic interest;

1.4 the need to make any appropriate arrangements under the Highways Act 1980, in respect of any works within the limits of a highway. The address of the Highway Authority is County Hall, Trowbridge, BA14 8JD (It is the responsibility of the applicant to ascertain whether the proposed development affects any listed building or public right of way / other highway, including highway verge).

2 **Appeals.** If the applicant is aggrieved by the decision of the local planning authority to grant permission subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of this decision. (Information and forms relating to the appeals process can be found at the Planning Portal - http://www.planningportal.gov.uk/planning/appeals).

Ref: Relocation of Industrial Use Unit and Redevelopment of Woolley Green Farm to Deliver 3 Homes, at Woolley Green, Nr Bradford-on-Avon, Wiltshire, BA15 1TY

B. General Permitted Development Order Class R Approval Notice ref: PL/2021/11393

Wiltshire Council

Prior approval Part 3 Class R: Agricultural buildings to a flexible commercial use - Prior Approval Granted

Application Reference Number: PL/2021/11393

Decision Date: 03 February 2022

Applicant:	Mr Laurence Ovens Willow Cottage, Leigh Road, Bradford on Avon, Wiltshire, BA15 2RQ
Particulars of Development:	Application for Prior Approval under Class R for the Change of Use of Two Agricultural Buildings to a Flexible Commercial Use (Steel Fabrication Workshop and Painting Area)
At:	WOOLLEY GREEN FARM, WOOLLEY GREEN, BRADFORD ON AVON, BA15 1TY

The local planning authority has determined in this case that its prior approval will be required and that this prior approval is **GRANTED** subject to the following condition(s):

Conditions: (4)

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:

Noise Report, Site Location Plan 2783-03, Barn A elevation and floor plans 2783-04, Barn B elevation and floor plan 2783-05 and proposed site plan 2783-06 - all recevied 2 December 2021; and supporting statement received 15 January 2022.

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

3 The use hereby permitted shall only take place between the hours of 0700 and 1800 hours Mondays to Fridays and between 0900 and 1200 on Saturdays. The use shall not take place at any time on Sundays and Bank or Public Holidays.

REASON: To ensure the creation/retention of an environment free from intrusive levels of

noise and activity in the interests of the amenity of the area.

4 The site shall be used for a steel fabrication workshop and painting area only and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

REASON: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use having regard to the circumstances of the case.

NOTE: The Council only has noise details relating to the recorded noise of the existing business. and how the existing buildings would contain/mitigate that noise. Other uses within Class E could have different levels of noise to which the Council then has no relevant information.

Parvis Khansari - **Corporate Director, Place**

C. Site Plan from Approved Application ref: PL/2021/11393



NOTES

$FILES$
$PENTBLS$
$DATES$

REVISIONS

rev	date	

CLIENT

Laurence Ovens

PROJECT

Woolley Green Farm
Woolley Green
Bradford on Avon
BA15 1TY

DRAWING

Proposed Site Layout

The Old Ride
Bath Road
Bradford on Avon
Wiltshire
Tel 01225 865220
Fax 01225 866086

ASHLEY DESIGN

SCALE 1:200@A2
DATE July 2021
DRAWN RMS
CHECKED

DRAWING NUMBER

2783-06

REVISIONS

All rights described in Chapter IV of the Copyright,Designs and Patents Act 1988 has been generally asserted, © 2011 Ashley Design Associates.Contractors must check all dimensions on site.Only figured dimensions are to be worked from Discrepancies are to be reported immediately before proceeding

D. Approval Notice ref: 2022/09541 for Cattle Shed

Wiltshire Council

The Town and Country Planning Act 1990

Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2022/09541

Decision Date: 22 February 2023

Applicant:	Mr Laurence Ovens Willow Cottage, Leigh Road, Bradford-on-Avon, Wiltshire, BA15 2RQ
Particulars of Development:	The erection of a steel portal framed general purpose agricultural building.
At:	Land at Woolley Green Farm, Woolley Green Farm, Woolley Green, Bradford-on-Avon, BA15 1TY

In pursuance of its powers under the above Act, the Council hereby **GRANT PLANNING PERMISSION** for the above development to be carried out in accordance with the application and plans submitted (listed below).

In accordance with paragraph 38 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

Subject to the following conditions:

Conditions: (4)

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:

Design and Access Statement, Site Location Plan, Proposed South, East and West Elevations, Proposed North Elevation Plan and Proposed Floor Plan - all received 12 December 2022

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

3 No development above slab level shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include :-

• a detailed planting specification showing all plant species, supply and planting sizes and planting densities along the southern boundary with the B3105;
• hardstanding layouts;
• other vehicle and pedestrian access and circulation areas;
• all hard and soft surfacing materials;

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features and to ensure no net loss of bio-diversity on the site

4 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

Parvis Khansari **- Corporate Director, Place**

NOTES

1 **Other Necessary Consents.** This document only conveys permission for the proposed development under Part III of the Town and Country Planning Act 1990 and the applicant must also comply with all the byelaws, regulations and statutory provisions in force in the area and secure such other approvals and permissions as may be necessary under other parts of the Town and Country Planning Act 1990 or other legislation.

1.1 the need in appropriate cases to obtain approval under Building Regulations. **(The Building Regulations may be applicable to this proposal. Please contact the Council's Building Control team before considering work on site);**

1.2 the need to obtain an appropriate order if the proposal involves the stopping up or diversion of a public right of way or other highway (including highway verge);

1.3 the need to obtain a separate "Listed Building Consent" to the demolition, alteration or extension of any listed building of architectural or historic interest;

1.4 the need to make any appropriate arrangements under the Highways Act 1980, in respect of any works within the limits of a highway. The address of the Highway Authority is County Hall, Trowbridge, BA14 8JD (It is the responsibility of the applicant to ascertain whether the proposed development affects any listed building or public right of way / other highway, including highway verge).

2 **Appeals.** If the applicant is aggrieved by the decision of the local planning authority to grant permission subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of this decision. (Information and forms relating to the appeals process can be found at the Planning Portal - http://www.planningportal.gov.uk/planning/appeals).

3 **Climate Change.** Wiltshire Council acknowledges the climate emergency and is seeking to make the county carbon neutral. You are encouraged to include energy efficiency that exceeds building regulations and to meet residual energy demand through renewable energy and low-carbon technologies, including high levels of electric vehicle charging points. The developer is encouraged to contact the climate team to discuss this further. climate@wiltshire.gov.uk

Ref: Relocation of Industrial Use Unit and Redevelopment of Woolley Green Farm to Deliver 3 Homes, at Woolley Green, Nr Bradford-on-Avon, Wiltshire, BA15 1TY

E. Prior Approval Notice ref: 2022/04728

Wiltshire Council

The Town and Country Planning (General Permitted Development) Order 2015 (as amended)

Prior notification: Building - Prior Approval not Required

Application Reference Number: PL/2022/04728

Decision Date: 11 July 2022

Applicant:	Mr Laurence Ovens Willow Cottage, Leigh Road, Bradford-on-Avon, Wiltshire, BA15 2RQ
Particulars of Development:	Proposal steel portal framed building for the storage of hay, straw, fodder and machinery.
At:	Woolly Green Farm, Woolly Green, Bradford-on-Avon, BA15 1TY

I refer to your application for a determination as to whether the prior approval of the local planning authority will be required for this development.
The local planning authority has determined in this case that its prior approval **will not be required**.
This is subject to the development being carried out strictly in accordance with the details set out in the application particulars and any standard conditions in the Order.
The development may also require a Building Regulations application. The Building Regulations process is to ensure new development is safe, well built and energy efficient. The local planning authority can provide this service to you and so invites you to access the forms and other information online at www.wiltshire.gov.uk/buildingcontrol.

Parvis Khansari - **Corporate Director, Place**

F. Wiltshire Council Residential Parking Standards Extract

Wiltshire Local Transport Plan 2011- 2026

Car Parking Strategy



Wiltshire Council
Where everybody matters

Wiltshire Local Transport Plan 2011-2026

Car Parking Strategy

March 2011

Sustainable Transport Group
Department of Neighbourhood and Planning
Wiltshire Council
Bythesea Road
Trowbridge
Wiltshire
BS14 8JN

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ISBN:

Appendix C Maximum parking standards

Maximum parking standards

Use class	Land use	Standard
A1: Retail	Food Retail	1 per 14m^2 (>1000m^2), 1 per 35 m^2 (<1000m^2)
	Non-Food Retail	1 per 20m^2 (>1000m^2), 1 per 35 m^2 (<1000m^2)
A2: Financial and Professional Services		1 per 30m^2
A3: Food and Drink	Restaurant	1 per 25m^2
	Fast Food and Drive Through	1 per 25m^2
B1: Business	Stand Alone Offices	1 per 30m^2
	Business Parks	1 per 35m^2 (above 2500m^2)
B2: General Industry	General Industry	1 per 30m^2 (less than 235m^2), 1 per 50m^2 (min. 8 above 235m^2)
B8: Storage and Distribution	Storage and Distribution	1 per 30m^2 (less than 235m^2), 1 per 200m^2 (min. 8 above 235m^2)
C1: Hotels and Hostels	Hotels and Hostels	1 per bedroom (plus requirement for public facilities)
C2: Residential Institutions	Hospitals	1 per 4 members of staff + 1 per 3 visitors
	Nursing Homes	1 per 4 beds + 1 per 2 members of staff
	Residential Schools and Colleges	1 per bed (including staff bed spaces) + 1 per 2 non-residential and ancillary staff
C3: Dwelling Houses	Sheltered Accommodation	1 per 2 units + 1 space per 5 units
	Other 'Retirement' Homes	1 per unit + 1 space per 5 units
D1 Non Residential Institutions	Places of Worship, Church Halls, Public Halls	1 per 5m^2
	Clinics, Health Centres, Surgeries	5 per consulting room
	Libraries	1 per 50m^2
	Art Galleries and Museums	1 per 40m^2
Education Centres	Staff	2 per 3 staff
	Visitors	1 per 7 staff
	Pupils	1 per 10 2nd yr 6th formers
	College Students	1 per 4 students

Use class	Land use	Standard
	Parent – Infants	1 per 12 pupils
	Parents – Primary	1 per 20 pupils
	Parents Secondary	1 per 30 pupils.
	Higher and Further Education	Staff: 1 per 2 staff + 1 per 15 students[1]
D2 Assembly and Leisure	Cinemas, Music, Concert Halls and conference facilities	1 per 5 seats
	Dance Halls, Bingo Halls, Casinos	1 per 5 seats (<1000m^2) 1 space per 22m^2 (>1000m^2)
	Music and Entertainment	1 space per 5 seats (<1000m^2) 1 space per 22 m^2 (>1000m^2)
	Sports Facilities	1 space per 22m^2 (>1000m^2) 1 per 2 players + 1 per 5m^2 (<1000m^2)
	Field Sports	Max. no. participants
	Stadia (over 1,500 seats)	1 per 15 seats
Other land uses	Vehicle Service Stations	1 per 1.5 employees
	Tyre and Exhaust Centres	1 per 1.5 employees
	Petrol Filling Stations	1 per 2 employees
1. Relates to total number of students attending an educational establishment rather than the full-time equivalent.		

G. Appeal Decision Ref: APP/Y3940/W/22/3309354 at Brynards Hill, Royal Wootton Bassett dated 4th May 2023

The Planning Inspectorate

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Wiltshire Council
Planning Appeals
County Hall
Bythesea Road
Trowbridge
Wiltshire
BA14 8JN

Your Ref:
Our Ref: APP/Y3940/W/22/3309354

04 May 2023

Dear Sir/Madam,

Town and Country Planning Act 1990
Appeal by Wainhomes Severn Valley Ltd
Site Address: Land at Brynards Hill, Wootton Bassett, SN4 8FT

I enclose a copy of our Inspector's decision on the above appeal(s).

If you have queries or feedback about the decision or the way we handled the appeal(s), you should submit them using our "Feedback" webpage at https://www.gov.uk/government/organisations/planning-inspectorate/about/complaints-procedure.

If you do not have internet access please write to the Customer Quality Unit at the address above.

If you would prefer hard copies of our information on the right to challenge and our feedback procedure, please contact our Customer Service Team on 0303 444 5000.

Please note the Planning Inspectorate is not the administering body for High Court challenges. If you would like more information on the strictly enforced deadlines for challenging, or a copy of the forms for lodging a challenge, please contact the Administrative Court on 020 7947 6655.

The Planning Inspectorate cannot change or revoke the outcome in the attached decision. If you want to alter the outcome you should consider obtaining legal advice as only the High Court can quash this decision.

We are continually seeking ways to improve the quality of service we provide to our customers. As part of this commitment we are seeking feedback from those who use our service. It would be appreciated if you could take some time to complete this short survey, which should take no more than a few minutes complete:

https://www.surveymonkey.co.uk/r/Planning_inspectorate_customer_survey

Thank you in advance for taking the time to provide us with valuable feedback.

Yours faithfully,

Holly Dutton
Holly Dutton

https://www.gov.uk/government/publications/planning-inspectorate-privacy-notices

Where applicable, you can use the internet to submit documents, to see information and to check the progress of cases through GOV.UK. The address of the search page is - https://www.gov.uk/appeal-planning-inspectorate

The Planning Inspectorate

Appeal Decision

Inquiry held on 28-30 March 2023 and 3 April 2023

Site visit made on 27 and 30 March 2023

by Rachael Pipkin BA (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th May 2023

Appeal Ref: APP/Y3940/W/22/3309354
Land at Brynards Hill, Royal Wootton Bassett

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Wainhomes Severn Valley Ltd against the decision of Wiltshire Council.
- The application Ref 20/11655/FUL, dated 24 December 2020, was refused by notice dated 29 June 2022.
- The development proposed is erection of 61 dwellings, access and open space.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Planning Statement of Common Ground[1] (SoCG) sets out that highway matters which formed the basis of reason for refusal 3 are no longer contested by the Council.

3. Reason for refusal 4 required the provision of affordable housing, contributions towards infrastructure and securing surface water drainage management and maintenance. The Planning SoCG confirms that this reason for refusal would be addressed through the completion of a section 106 agreement (s106 agreement).

4. In support of the appeal, the appellant has submitted a unilateral undertaking (UU) under section 106 of the Town and Country Planning Act 1990 (as amended). This is signed and dated 12 April 2023. The UU makes provision for affordable housing, surface water drainage management and maintenance as well as financial contributions to infrastructure, including waste and recycling, early years and secondary education, off-site leisure and off-site highway works. It would also secure green travel vouchers. In addition, it provides a sum of money for country park enhancements and a commuted sum to be paid on the transfer of the country park to the Town Council.

5. The submitted UU deals with the matters in respect of reason for refusal 4. The Council confirmed it would not be defending this reason for refusal and no evidence was submitted to the Inquiry. I have therefore proceeded to deal with the appeal on the basis that reasons for refusal 3 and 4 are no longer contested.

[1] CD4.03, para. 5.9

Main Issues

6. The main issues are:

- the effect of the proposed development on the character and appearance of the area;
- whether the site is a suitable location for the proposed development, having regard to the spatial strategy;
- the effect of the proposed development on green infrastructure with particular regard to recreational provision at Brynards Hill Country Park; and
- whether there are any other material considerations, including the housing land supply situation and benefits of the proposal, which would indicate that the proposal should be determined otherwise than in accordance with the terms of the development plan.

Reasons

Character and appearance

7. Brynards Hill Country Park is a large area of open parkland, enclosed by development on its western, northern and eastern boundaries and a mainline railway line on its southern boundary. The land slopes steeply from north to south, becoming less steep on its southern slopes. The Wilts and Berks Canal and canal path run parallel to railway to the south, with open and rural countryside beyond. The country park is open and largely undeveloped apart from a series of footpaths which traverse parts of its upper and western slopes, some formal with gravel surfacing and others just mown pathways. The absence of large amounts of formal landscaping, development and its openness, contribute to the rural character of the country park.

8. The appeal site is positioned within the south-eastern corner of the country park where it adjoins a recent housing development, Woodshaw Meadows, to its east and the railway line to the south. It currently comprises a large area of open and sloping land, partially enclosed by trees and hedgerows. It therefore has the appearance of an agricultural field. The absence of any boundary planting between the Woodshaw Meadows development and the country park results in a stark and well-defined edge to the settlement. The appeal site clearly lies outside the built up area and therefore does not form part of the urban fringe.

9. Neither the appeal site nor the wider country park fall within any designated landscape area and would not be a valued landscape in terms of paragraph 174 of the National Planning Policy Framework (the Framework). This area of parkland nevertheless provides an attractive, soft and verdant edge to the settlement as it transitions into the rural landscape beyond the railway line. Its sloping character gives the site prominence locally. As such, I take the same view as Mr Radmall, the Council's landscape witness, that the country park is a locally valued landscape asset.

10. The appellant submitted that the low level of public participation at the Inquiry runs counter to that view. However, there were some 552 objections to the scheme, and whilst I accept that not all of these relate to the loss of the

country park or ham to its character, a substantial level of objection to this is identifiable. I therefore place limited weight on the appellant's submission and it does not alter my view that the country park should be considered a locally valued landscape asset.

11. A Landscape and Visual Impact Assessment (LVIA)[2] of the proposal was undertaken by Mr Friend but as evidence to the Inquiry rather than to inform the application[3]. The LVIA identified that the landscape sensitivity of both the site and its context was medium. Whilst Mr Radmall broadly agreed with this assessment, he considered the sensitivity to be higher for the country park. This does suggest that the site itself has a lower sensitivity than the rest of the country park. I concur with that position because the appeal site, is on the lower slopes and to a degree, enclosed by vegetation. Nevertheless, it remains visible and if developed, whilst it could no longer form part of the country park, it would be prominent and a detractor within its rural setting.

12. The respective landscape witnesses disagreed as to the extent of harm that would arise and this is largely based on professional judgment. However, a more fundamental difference arose in respect of whether or not the country park had been assessed as a landscape receptor which the Council's landscape witness advocated should have been done. I concur with the Council in this regard. Whilst it has been put to me that Mr Friend did consider this and the difference of opinion arises from terminology, the evidence on cross-examination was not clear that he had drawn a clear distinction between the country park and any other type of park, including those that may be found within an urban area. I consider these to be fundamentally different in character and therefore requiring a different response in landscape terms.

13. To my mind, a country park, differs from other types of parks in respect of how it looks and feels to be within it. Notably, its character is less formal than that of a more urban park. I note that Natural England in its guidance[4] on obtaining accreditation describes a country park as an area for people to visit and enjoy recreation in a countryside environment. The proposal would diminish the countryside character of the country park.

14. I was guided to a number of different viewpoints[5] from which to consider the effect of the proposed development. It was agreed that views of the proposed development would be relatively localised, limited to views from within the country park and from surrounding residential areas. The railway line and significant intervening vegetation would largely screen it from the canal path to the south. Nevertheless, as part of my site inspection, I observed that currently views from the upper slopes of Brynards Hill looking south are largely uninterrupted views of open land, fields and trees. Development to the east, notably Woodshaw Meadows, and west, sit on the periphery of that view.

15. The proposed development would be set in from the boundaries of the appeal site where they adjoin the country park. It would be largely enclosed by existing vegetation and would therefore be partially screened from view. As suburban development the appeal scheme would not be uncharacteristic of Woodshaw Meadows which it would adjoin. It would also have a similar

[2] CD4.14B
[3] CD4.10 para 1.6
[4] CD8.3
[5] CD8.08

relationship to the surrounding open land that Woodshaw Meadows has with the appeal site.

16. However, the proposed development would extend considerably into the open area. It would diminish the sense of an extensive area of open land both physically through a reduction in size but also visually in terms of seeing the park as extending towards the rural landscape beyond. It would be far more visually intrusive and significantly more urbanising than the railway infrastructure that is currently visible but viewed in the context of significant vegetation. It would significantly intrude into the country park, extending across a large section of the lower slopes, enclosing it considerably and more prominently along its southern edge, with a consequent erosion of its rural character. Therefore, it would fundamentally change the views from the upper slopes of Brynards Hill.

17. Specific viewpoints within the country park were highlighted to me, however, visitors to the country park are not static. They would therefore experience the sense of enclosure and urbanisation of the area from both the defined paths and also when roaming off path around the park. The adverse and urbanising effects of the proposal, whilst largely limited to views from within or just outside the country park, would therefore be widely experienced by a multitude of users.

18. Landscape mitigation is proposed to build upon existing planting to reduce the effects. The existing trees and hedgerows surrounding the site would be retained apart from an 11m section which would be removed to accommodate a relocated car park for the country park[6]. The existing field boundaries would therefore be largely retained with the development contained within it. The proposed trees and planting to augment the field boundaries which would be provided in mitigation would not be uncharacteristic.

19. As part of the mitigation, it is proposed to form a better transition between the built form and the country park by providing a more permeable green edge than currently exists to the east. The scheme would provide a much greater depth of planting between the proposed dwellings and the country park. There would certainly be a benefit in the provision of a more gentle transition between the edge of built development and the open land of the country park. However, this would not entirely screen the development. Moreover, any benefit derived from this would be significantly outweighed by the extent of built and urbanising development proposed to extend into a substantial area of the country park.

20. Despite the assertion that the proposal would not interfere with the footpaths to the north or the integrity of the country park, the scheme proposes the formation of a new footpath / cycleway through the country park to be provided as a 3m wide route, hard surfaced and lighted. The proposed route would zig zag up the steeper slope section of the slope and then extend across the upper slopes towards the north-west corner of the country park. This would be substantially wider than the existing paths through the country park and with the addition of lighting would have an urbanising effect that would be visually intrusive. This would also significantly detract from the rural character and would adversely impact the integrity of the country park.

[6] CD4.03, para 5.8, CD1.01.12

21. My attention has been drawn to appeal decisions[7] in respect of development to the north of the appeal site and upon the higher parts of Brynards Hill which was found to be acceptable in landscape terms. However, that housing was set upon the plateau at the top of Brynards Hill and not within the line of views southwards towards the rural landscape beyond the settlement. Of particular note, the Inspector found there would be no harmful disruption to any important views from Brynards Hill. Given my conclusions above, that is clearly not the case here.

22. Overall, whilst it has been stated that the proposal has been landscape-led, the production of an LVIA at the appeal stage indicates that landscape matters had not been fully considered at the application stage. As I have set out above, the scheme gives rise to adverse effects to the country park, its appearance and its open and rural character. The proposed landscape mitigation would not overcome these effects.

23. In conclusion, I find that the proposed development would result in significant harm to the character and appearance of the area. It would therefore conflict with Core Policies 51 and 57 of the Wiltshire Core Strategy 2018 (the WCS) which together require development to protect, conserve and where possible enhance landscape character. This includes enhancing the transition between man-made and natural landscapes at the urban fringe and important views, enhancing local distinctiveness, responding to local topography through the retention and enhancement of views into and within the site and the delivery of appropriate development which relates to its immediate setting and the wider character of the area. It would also conflict with the objectives of the Framework in respect of achieving well-designed places that are sympathetic to local character and recognise the intrinsic character and beauty of the countryside.

Suitable location

24. The Council's spatial strategy for the delivery of growth is to guide development to the larger settlements in accordance with a settlement hierarchy, restricting development outside defined development limits. This is set out in Core Policies 1 and 2 of the WCS.

25. The appeal site lies outside the defined settlement boundary of Royal Wootton Bassett. It therefore lies in the open countryside for planning purposes. As such, the proposed development for housing on an unallocated site beyond the settlement boundary conflicts with the spatial strategy. This is accepted by the appellant. However, it is the appellant's view that the conflict with the development plan should be reduced as the most relevant policies are out of date. The development plan is failing to meet housing need and has not worked as intended. I return to this in my planning balance below.

26. Royal Wootton Bassett is a Market Town and a second tier settlement in the settlement hierarchy set out within the spatial strategy. Market Towns are defined as settlements that have the ability to support sustainable patterns of living in Wiltshire through their current levels of facilities, services and employment opportunities. They are also identified as having the potential for significant development that will increase jobs and homes in each town in order

[7] CD5.01a – APP/Y3940/A/09/2115332, CD5.02a – APP/Y3940/A/10/2141906

to help sustain and where necessary enhance their services and facilities and promote better levels of self containment and viable sustainable communities.

27. As a site adjacent to a Market Town, I do not dispute that the appeal site is in a sustainable location when considered in the context of the predominantly character of the County. However, the sustainability of a location is influenced by various factors including its accessibility to services and facilities by means other than the private car. The Highways SoCG Addendum Information[8] sets out that the appeal site is in an accessible location in respect of walking and cycling distances from services and facilities within the town. I also recognise that the accessibility of the site in itself no longer forms a reason for refusal. Notwithstanding this, the suitability of the proposed pedestrian / cycling route between the appeal site and the town was disputed by the Council during the Inquiry.

28. I concur that the distance of the appeal site itself would not be a barrier to accessing services and facilities by means other than the private car. However, due to the topography of Brynards Hill, the steepness of that walking / cycling route would make this a less viable option for some future occupants, particularly those with young children, the elderly or less mobile. In order to address this barrier to accessibility, significant interventions are required to make the route less steep through the formation of a zig-zag path at gradients agreed by the highways authority. The path would nevertheless still slope and would be a lengthy and convoluted route, and it would be unlikely to appeal to those with limited mobility. Furthermore, these interventions, which would include lighting to make the route safe, would be harmful to character and appearance in themselves.

29. For this reason, whilst I accept that some people may walk or cycle to services, even with significant intervention which gives rise to other harms, I do not consider that the route would be suitable for the majority. Therefore, based on the evidence I cannot conclude in favour of the proposal as being in a sustainable location in respect of its accessibility despite its proximity to the services and facilities available within the town. I recognise that it is closer to the town centre than the Woodshaw Meadows development to the east. However, this does not alter my conclusions in respect of the suitability of the location for the proposed development.

30. In conclusion on this second main issue, the appeal site is not a suitable location for the proposed development having regard to the spatial strategy. It therefore conflicts with Core Policies 1, 2 and 19 of the WCS and Saved Policy H4 of the North Wiltshire Local Plan 2006 which together identify the spatial strategy, the distribution and delivery of housing development within the County and restrict development within the countryside. The Royal Wootton Bassett Neighbourhood Plan 2018 (the RWBNP) is cited in the decision notice but no specific policy referenced.

Green infrastructure

31. The country park is an area of local green infrastructure intended to serve both the local population as well as visitors to the area. It gained consent on appeal[9] in 2010 for a change of use from agriculture to a country park of approximately

[8] CD4.07
[9] CD5.01a – APP/Y3940/A/09/2115331

22 hectares of land. In the intervening period between now and that original consent, there have been subsequent applications for residential development which have reduced its size over time, with Woodshaw Meadows being the most recent. Currently, it is agreed by the parties that the country park is formed of around 17.8ha.

32. The country park is not formally designated within the local plan and is only recognised in the RWBNP rather than designated as a Local Green Space in the manner set out under paragraph 101 of the Framework. However, green infrastructure is a broad term used to characterise a range of different spaces and features. From my site visits, I observed that the country park provides an area of open land, accessible to the public for informal recreational purposes. It is an area of land, identified for use as a country park with some sign boards identifying it as such and footpaths. Therefore, I find the country park is green infrastructure irrespective of whether it has been formally designated as such.

33. Core Policy 52 of the WCS deals with green infrastructure. It sets out that where development is permitted developers will be required, amongst other things, to retain and enhance existing on site green infrastructure. It also states that if damage or loss of existing green infrastructure is unavoidable, the creation of new or replacement green infrastructure equal to or above its current value and quality, that maintains the integrity of the green infrastructure network will be required.

34. The proposal would reduce the area of country park by 3.1 hectares. This would be a loss of green infrastructure. It was argued that the loss of green infrastructure would be unavoidable because there is an immediate housing need. It is acknowledged that there is a shortfall in housing supply and this is discussed later on in my decision. However, whilst this point was made in the appellant's opening submission, there was no evidence that this had formed the basis upon which the application for development of this area of green infrastructure land had originally been made or justified.

35. Even if I were to agree that such a shortfall in housing supply were to lead to unavoidable loss of green infrastructure, the requirement of the policy in terms of new or replacement green infrastructure would still need to be satisfied.

36. The application and interpretation of Core Policy 52 in respect of this part of the policy was a matter of some dispute between the parties. Whilst the correct interpretation of policy is certainly a matter for the law, the Council took the view that the policy requires a quantity of green infrastructure to be provided, the appellant argued that qualitative improvements must form part of that assessment.

37. There is no proposal to replace the amount of green infrastructure that would be lost, therefore if the policy were to be applied on quantitative grounds, then the proposal would be in direct conflict. However, I find this part of the policy to be somewhat ambiguous. To my mind, the policy must consider more than just the quantum of land otherwise there would be no differentiation between what is required in terms of 'new' and 'replacement' green infrastructure. Thus, there is some merit in the appellant's argument that making qualitative improvements to that part of the country park which would remain could provide the required compensation for any quantitative loss, provided it maintains the integrity and functionality of the green infrastructure.

38. I turn now to whether the proposed enhancements would improve the quality and value of the green infrastructure. In particular, whether it would enhance the recreational role of the country park. The country park currently provides a small car park, a couple of information boards, which I note are not accurate, a number of footpaths and some planting. It was confirmed that, with the exception of sowing wildflower seeds that would be completed in the next planting season, there are no outstanding facilities or features that are required to be provided in association with any of the earlier consents relating to the country park.

39. Core Policy 52 additionally sets out that proposals for major development should be accompanied by an audit of the existing green infrastructure within and around the site and a statement demonstrating how this will be retained and enhanced through the development process. This did not form part of the Council's reason for refusal although it was referred to in its evidence to the Inquiry. The Council also did not request this audit as part of the application process.

40. It is not entirely clear why audit information in accordance with Core Policy 52 was neither requested nor provided to inform the application. However, this does not to my mind, negate the value of undertaking such an exercise in order to determine what improvements would be required and would be appropriate.

41. The appellant has identified various qualitative improvements to the paths as well as provision of signage, seating, bins, additional planting to benefit biodiversity, equipped play areas and public art. There is evidence from third parties, both orally and within written submissions, that they have concerns about the existing pathways through the country park, particularly in terms of their accessibility for people with mobility impairments. I also recognise that the park can become very wet and muddy during wet weather as I experienced on my site visit. I agree that it would benefit from some of the proposed improvements put forward by the appellant.

42. It was apparent through cross-examination of Mr Friend that the proposed improvements have not been informed by any specific assessment of the park, rather they are general features which would provide generic improvements. Moreover, from what I heard, it was evident that Mr Friend had only visited the country park during winter months and during weekdays, when it would not be expected to be busy.

43. In the absence of any such assessment, and on the basis of Mr Friend's evidence, I cannot find that the proposed improvements are soundly based taking into account the specific circumstances of the country park and how it is used. In this context, whilst I therefore agree there would likely be benefits from some of the proposed improvements, other improvements would be less suitable. I therefore attribute low weight to this.

44. Both parties have sought to rely on Natural England's accreditation guidance[10] which sets out a range of essential and desirable criteria as to how to get accredited status for a country park. The country park, in its current state, meets some but not all of the essential criteria. Should the appeal be allowed and the site developed, the overall size of the country park would remain above the 10 hectare minimum advised in the guidance. Through this the

[10] CD8.3

appellant asserts that the country park would become more inclusive and accessible, therefore meeting equality and disability needs; would be signposted and easier to navigate; as well as visibly staffed, for example through litter collection and maintenance.

45. There would be some improvements to accessibility through the proposed improvements to the footpaths. However, a substantial part of the less steeply sloping part of the country park, would be lost to development which would potentially exclude some users who are unable to access the steeper slopes despite measures to reduce the gradient of the footpath, from accessing the park.

46. Even if the proposals did bring about some improvements to the country park, such that it would meet more of the essential and desirable criteria as set out in the accreditation guidance, there would nevertheless be a substantial loss of the park area which would not be outweighed by the proposed enhancements. Furthermore, I have concerns about the urbanising effects of some of these improvements. Therefore, overall, I do not find this would equate to an increase in the value or quality of the green infrastructure.

47. Public access over the whole of the country park area was identified as a significant benefit of the scheme when granted permission on appeal in 2010. The proposal would decrease the benefit of this, not only in terms of reducing the physical space available to do this, but also the visual experience of doing so. This weighs against the loss of the country park.

48. The provision of the country park was tied to the 2016 planning approval[11] for the Woodshaw Meadows development through a section 106 agreement[12]. This effectively caused all previous planning permissions and obligations relating to the provision of the country park to cease to have effect. This benefit to the community met the CIL tests and was necessary to make the development acceptable. Therefore, to now reduce the quantity of country park, raises some question in my mind as to whether or not the obligation associated with that earlier development would continue to have effect in terms of making that earlier development acceptable.

49. In this regard, I note that an Inspector in dismissing an appeal[13] at Land to the west Drynham Lane and east of Eagle Park in Trowbridge considered a similar scenario in respect of Biss Meadows Country Park where a country park extension (CPE) had been secured through a section 106 agreement. The Inspector recognised that the requirement for the CPE at the time it was secured must have been deemed to be necessary to render the application acceptable in planning terms. He therefore was concerned that any variation to that agreement reducing the area of land within the CPE would undermine that.

50. The appellant in its Planning Statement[14] sought to justify the scheme on the basis that a precedent was set since the loss of part of the committed country park had been accepted by an Inspector on appeal[15] who concluded that the overall integrity of the country park would remain despite some loss. The appellant has argued that the same conclusions should be reached in relation

[11] CD5.05A Council Ref: N/15/10486/FUL
[12] CD05.05B Section 106
[13] CD6.02 – APP/Y3940/W/22/3295577
[14] CD1.01.01.44
[15] CD5.02A – APP/Y3940/A/10/2141906

to this scheme. However, this neither sets a precedent nor provides the justification for a further reduction in the country park. Notwithstanding that commentary within the Planning Statement, in closing it was made clear that the appellant recognised that the appeal scheme should be determined on its own individual merits irrespective of past consents. I therefore give those decisions little weight in terms of justification for the scheme before me.

51. For the same reasons, whilst I recognise the concerns of the local community that the country park has been promised to them but has been eroded over time through incremental development, I must judge this appeal on its own merits irrespective of who the appellant is. The previous loss of the part of the country park does not therefore alter my findings in respect of this appeal.

52. The scheme was not objected to by the Council's public open space, urban design or public rights of way officers. No evidence has been presented to suggest that there is a deficit of open space. At the same time, I have no substantive evidence to suggest that the country park is not well used.

53. The submitted UU would secure the retention of the country park including through the transfer of the park to the Town Council with a financial contribution to secure its future maintenance. This would be a significant benefit of the scheme, however, it would not outweigh the significant harm that would arise from the loss of the country park.

54. In conclusion on this main issue, I find the loss of the green infrastructure and recreation provision has not been justified and would be harmful. This would conflict with Core Policy 52 as referred to above as well as Core Policy 51 which requires development to demonstrate that landscape functions including places to relax and recreate are either conserved, enhanced or mitigated against if lost. It would also conflict with the Framework which seeks to achieve healthy and inclusive places, including accessible green infrastructure and to guard against the loss of recreational facilities and for any loss of recreational land to be replaced by equivalent or better provision in terms of quantity and quality.

Other material considerations

55. The parties agree that the Council does not have a five year supply of deliverable housing sites as required by the Framework and have agreed that it falls within the range of 4.44 to 4.7 years. As such, where a five year housing land supply cannot be demonstrated, in accordance with paragraph 11 d) and footnote 8 of the Framework, the most important policies for determining the application are deemed to be out-of-date. My decision should therefore apply a presumption in favour of sustainable development. I return to this in my planning balance below.

56. The Council has acknowledged that it needs to address housing supply and has issued delivery briefing notes[16] setting out its approach to dealing with this. These advise that the Council should positively consider speculative applications where there are no major policy obstacles material to the decision other than a site being outside settlement boundaries or unallocated. Thus a breach of the settlement boundary alone does not preclude development. I address this in my planning balance.

[16] CD3.6 – Briefing Note on Housing Land Supply No.20-20 June 2020 and CD3.07 – 5 Year Housing Land Supply and Housing Delivery Test Briefing Note No.22-09 April 2022

57. The Government is seeking to significantly boost the supply of housing. The scheme in providing 61 dwellings would make an important contribution to that as well as helping to address the Council's shortfall in housing land supply, both general and affordable within the County and within the North and West Housing Market Area. The houses would be delivered by a developer with a local track record for delivery. This attracts high weight.

58. The submitted UU would secure affordable housing contributions in accordance with policy and the aims of the Framework. It is agreed that there is an unmet need for affordable housing and therefore high weight should be attributed to this.

59. The scheme would deliver a number of economic benefits both during construction in relation to job creation and supply chain, but also through the occupation of the homes once completed, with economically active people and household spending within the local area. The parties agree these should carry medium weight.

60. The provision of 10% biodiversity net gain is a benefit of the scheme that the parties agree would attract low weight.

61. The appellant has attributed medium weight to the provision of open space. However, as this is required to meet the needs of the proposed development, it is not a wider benefit of the scheme and it is a neutral factor in the balance.

62. The Council considers accessibility is not a matter to which materially separate weight should be applied. However, I consider that the accessibility of housing, thereby reducing the need to use private vehicles for accessing everyday needs, is a factor that can attract weight in its own right. In this case, whilst the distance between services and facilities and the proposed development are not significant, the route itself is unlikely to significantly reduce car use due to its steepness and convoluted nature. Thus, I attribute low weight to the accessibility of the site.

63. In terms of the country park itself, there would be a reduction in size overall. Whilst I agree some of the improvements and the transfer of the country park to the Town Council would be beneficial, I find some of these improvements would be detrimental to the character of the country park. Taking all these factors into account, I find that the loss of green infrastructure and recreational provision within the country park weighs against the proposed development. I attribute high weight to that loss.

Planning Balance

64. The proposal would give rise to significant harm to the character and appearance of the area and significant adverse effects from the loss of green infrastructure. I find the conflict with the development plan policies in respect of these two matters would represent major policy obstacles to the proposed development. As such, there is no justification for the proposed development outside the settlement boundary when taking into account the Council's approach to addressing the shortfall in housing land supply as set out in its delivery briefing notes. Thus the proposal conflicts with the spatial strategy in terms of the site's location outside the settlement boundary and in the open countryside. The proposal would therefore conflict with the development plan as a whole.

65. Paragraph 11 d) of the Framework sets out that for decision taking where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless: i. the application of policies in the 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 the Framework taken as a whole.

66. The proposal would deliver housing, both market and affordable, factors which carry high weight. It would deliver a range of economic, social and environmental benefits which together I attribute medium weight.

67. However, as I have identified above, the proposal would give rise to significant harm in respect of the character and appearance of the area and loss of green infrastructure, to which I attribute high weight. The harmful impact is a matter of very substantial weight and importance in the planning balance.

68. In my view, the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole. Therefore, the proposal would not constitute sustainable development with regard to paragraph 11 d ii) of the Framework.

Conclusion

69. The proposed development would be contrary to the development plan and there are no material considerations that outweigh this conflict. Consequently, with reference to Section 38(6) of the Planning and Compulsory Purchase Act 2004, the appeal should be dismissed.

Rachael Pipkin

INSPECTOR

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Gary A Grant	Counsel for the Local Planning Authority, Instructed by Alwyn Thomas, Solicitor to Wiltshire Council
He called	
Peter Radmall MA (Oxon), BPhil (Newcastle)	Chartered Landscape Architect
Lachlan Robertson MA Dip (UD) BSc (Hons) MRTPI	

FOR THE APPELLANT:

Paul G Tucker KC Shemuel Sheikh	Counsel for the Appellant, Instructed by Stephen Harris of Emery Planning Partnership
They called	
John-Paul Friend HND (LGD) BA (Hons) Dip LA CMLI	Director, LVIA Ltd
Stephen Harris BSc (Hons) MRTPI	Managing Director, Emery Planning Partnership
Andrew Thomas	Solicitor for the Appellant

INTERESTED PARTIES:

Mr Richard Storey	Local resident
Ms Jemma Oakes	Local resident
Cllr Steve Walls	Chair Planning Committee, Royal Wootton Bassett Town Council

DOCUMENTS SUBMITTED AT THE INQUIRY

ID1	SoCG on Housing Need and Supply – Appeal at Land off the B4069, Chippenham
ID2	Opening statement on behalf of the appellant
ID3	Opening statement on behalf of the Council
ID4	Draft Unilateral Undertaking
ID5	Photograph of gap in hedge on SW boundary of the appeal site
ID6	Draft conditions in relation to new LEAP condition and amendment to existing condition 12
ID7	Amended draft list of conditions
ID8	Councillor Wall's statement
ID9	Closing statement on behalf of the Council
ID10	Closing statement on behalf of the appellant

DOCUMENTS SUBMITTED AFTER THE CLOSE OF THE INQUIRY

ID11	Signed and dated unilateral undertaking
ID12	Written agreement of the appellant to pre-commencement conditions

END