27th October 2023

Mr Peter Crozier
Monkton Park Offices,
Monkton Hill,
Chippenham,
Wiltshire SP1 3UZ.

Dear Mr Crozier

I am writing to register my objections in relation to the following planning application.

PL/2023/08833 Permission in principle for erection of 9 houses.

Land off Stanton lane, Kington St Michael, Chippenham, Wiltshire.

The Localism Act 2011 focusses on the principle that decision making be passed to a more local level, from national or local government to local communities. Parish councils are mandated to produce, through a plan led process neighbourhood plans and development plans for their communities. Wiltshire Core Strategy and the Wiltshire Council Local Plan pre-submission draft 202-2038 supports this plan led process and provides clear strategic guidelines reinforced through the National Planning Policy Framework September 2023.

The parish council have had in place the neighbourhood plan steering committee who have, through considerable consultation and communication with its community are approaching schedule 15 and onto 16 in early 2024.

The planning application PL/2023/08833 by reason of its location outside of the defined settlement boundary and within open countryside would be contrary to the settlement, delivery and community area plans of the Wiltshire Core Strategy Core policies 1, 2 and 10 respectively.

The proposed application conflicts directly with Wiltshire Councils plan led approach to sustainable development.

When weighed against the National Policy Planning Framework the adverse impacts to the open countryside are permanent, character changing and non-compliant, and should be rejected.

Speculative developers and land owners who have no interest in meeting the needs of the community with no social housing, no affordable housing, poor design location which is primarily based on profit only and not the housing needs of the local communities.

The land in question is in open countryside and outside of the village defined settlement boundary and is on a slope of 1 in 3. Significant high voltage power distribution cables cross the area. Stanton Lane, through the government flood risk assessment mechanism, is classified as flood risk 2. Hence this proposal fails to meet National Planning Policy Framework 2023 section 2 Achieving sustainable development, section 9 Achieving sustainable transport, section 12 Achieving well designed places and section 15 Conserving and enhancing the natural environment.

The developer has totally preempted the Wiltshire Core Strategy relating to Core Policies 1 ,2 and 10 relating to settlement strategy, delivery strategy and the spatial strategy for the Chippenham community area.

The development contravenes the Human Rights Act Protocol 1 Article 1 – this article specifically looks to protect your right to enjoy your property peacefully. In the case of the residents of Stanton Lane, Kington Cottage, The Orchard and Kyneton Way whose family homes will be exposed to permanent negative landscape alterations and construction work. This clearly is an infringement of their human rights under protocol 1 article 1.

Seven planning applications precedents have been highlighted clearly stating in all cases that outline planning applications for dwellings outside of the settlement boundary and open countryside have been rejected.

In particular I ask you to reference PL/2023/04815 dated 21st September – Land at Kington Lane, Stanton St Quintin, Chippenham which was rejected on the same basis.

Planning application PL/2023/08833 makes no reference to noise assessment, ecological mitigation, dwelling design, refuse collection, transport issues, flooding risk, community consultation, social housings needs analysis, SHELAA assessment, meeting the needs of the community and hence should be rejected according to National Planning Policy Framework section 12 paragraph 126, 132 and 129.

I respectfully ask that receipt of my objections report is acknowledged and I ask for your support in rejecting this planning application.

Your Sincerely

[redacted]

27th October 23

S. Woodhead.

Report: Land off Stanton Lane.
Permission in principle for the erection of 9 houses.
Planning Application PL/2023/08833.

Objections to the above planning application – Permission in Principle.

Date: 26th October 2023

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[redacted]

S. Woodhead
27th October 23

# Land off Stanton Lane – Permission in principle for the erection of 9 houses

## 1. Executive Summary

This report details the implications, risks and effects of the planning application – permission in principle for the erection of 9 houses on the conservation village of Kington St Michael. The information gathered in this report has been used in conjunction with all relevant and historical planning applications and highlights significant and conclusive contraventions of Local Government, Parish Council and National Planning regulations/guidelines in addition to a direct contravention relating to the Neighbourhood Plan Draft Schedule 14 /15 and as a consequence the Wiltshire Core Policy and Wiltshire Council Local Plan Pre-submission 2020-2038. I respectfully request that the Wiltshire Council Planning Authority reject this application for permission in principle.

The issue of sustainable housing and the needs of our local community are a serious issue for everyone and local residents in particular however this application totally disregards the Kington St Michael neighbourhood plan process and steering groups significant progress to date, has failed to even consult in a meaningful manner with those residents that will be severely affected by the proposal and disingenuously focusses on bypassing established processes that have been generated from the Localism Act 2011.

## 2. Background

The proposal is for the erection of 9 houses in an open area of countryside that is also outside of the settlement boundary of the conservation village of Kington St Michael.

The submission is a permission in principle and focusses on the requirement of the Kington St Michael parish to deliver the housing requirements of the Wiltshire Council Local Plan pre-submission draft 2020-2038. The village of Kington St Michael, identified as a large village has been identified to accept 34 houses for the needs of our community (not the needs of the developer or land owner). The process is being **plan lead** by the Kington St Michael Neighbourhood Plan steering group who have diligently worked to a schedule 14 position and entering into 15 and 16 with a planned submission to Wiltshire Council in early 2024 with a village plan for sustainable housing.
This is a speculative and pre-emptive application trying to bypass the Kington St Michael Neighbourhood plan and hence the Localism Act 2011 for our village.

## 3. Kington St Michael Conservation Village

- History

The village of Kington St Michael was originally called Kington and was first recorded in a Saxon document in 934 AD. The street village pattern dates back to the 12th century with many of the houses (in particular 77, 78, 75 Kington St Michael) having key historical locations. The Manor House was built in 1860 along with the school and schoolhouse and is one of the very few in the country to be retained once they ceased to be used for educational purposes.

- Listed Buildings and Almshouses
  The village and its 45 listed buildings **both within and outside the conservation area** are mentioned in the Doomsday book as being worth 30 shillings containing a mill held by the Church at Glastonbury. The Parish finally become known as Kington St Michael in 1280. Many of the village cottages were used as public houses, blacksmiths and breweries with the Almshouses being held for sheep markets.
  Whilst a number of buildings do not meet the 'special' benchmark for grade I and II listing, their heritage value has the potential to place them in the category of *'Buildings of Local Interest – non-designated heritage assets.*

- Kington St Michael is situated approx. 3 miles to the north west of Chippenham and is a small, friendly and thriving village with in excess of 700 inhabitants.

- The Kington St Michael Neighborhood Plan Regulation 14 Consultation Draft describes a vision for the village over the next 25 years as one where 'our natural environment and beautiful countryside will continue to be one of our most prized assets'.

- Location Heritage

  The village of Kington St Michael has a rich heritage which contributes to its distinctive character and the quality of resident's everyday life. The protection of our local heritage assets is a priority for local people. The conservation area is, in law an area of special architectural and historic interest. *Planning authorities are legally required to pay special attention to conserving and enhancing the character of conservation areas. Any proposed development which conflicts with this objective should usually expect to be refused*. The Red Barn solar farm proposal will be shown in the forthcoming information to directly and uncontrivable diminish the character, heritage and beauty of our landscape and village.

  The Historic Environment Record (HER) for Kington St Michael provides a wealth of information on the Parish's historic environment, and should be referred to where proposals have the potential to effect heritage assets.

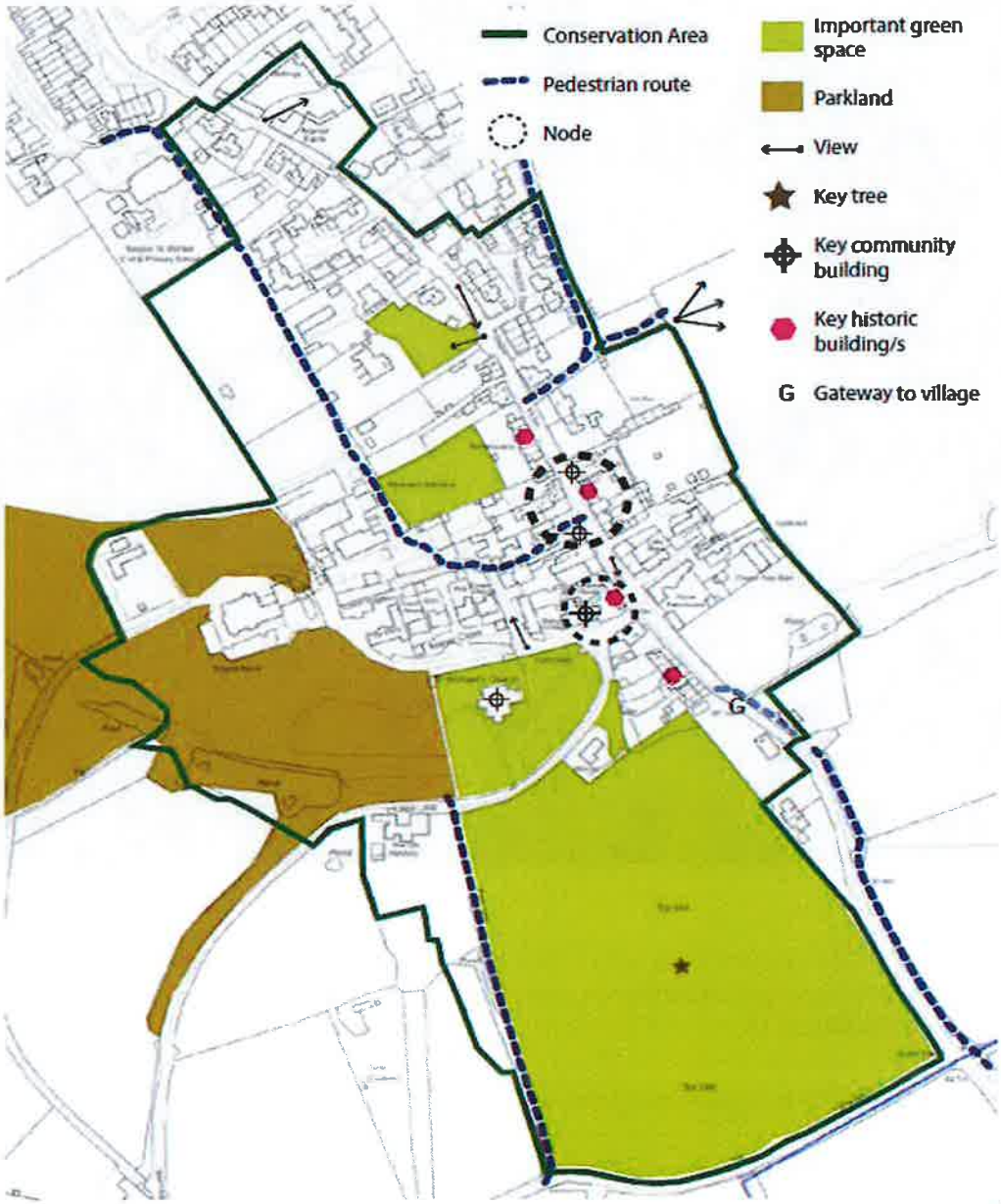



Figure 9: Kington St Michael Conservation Area: Key Features

## Details of the land off Stanton Lane




1. The proposed field has an area of approx. 4,576 m2 and is classified by the developer as open countryside and is outside the Kington St Michael parish settlement area as defined in the Kington St Michael Neighborhood plan draft schedule 14 leading to 15.

2. The proposed field area for the proposed development is approx. 1.7 acres.

3. The proposed field area occupies approx. 36% of the open countryside (of the total field in question).

4. The initial slope of the field is 1.2 but then extends to **1.3** for the remainder proposed area.

5. The area at the end of the field (steepest slope) nearest the stream, floods due to the run off from the field.

6. Stanton Lane access road floods and is classified as Flood risk 2 (refer to flood section).

## Physical, Ecological and Environmental details of the Land off Stanton Lane

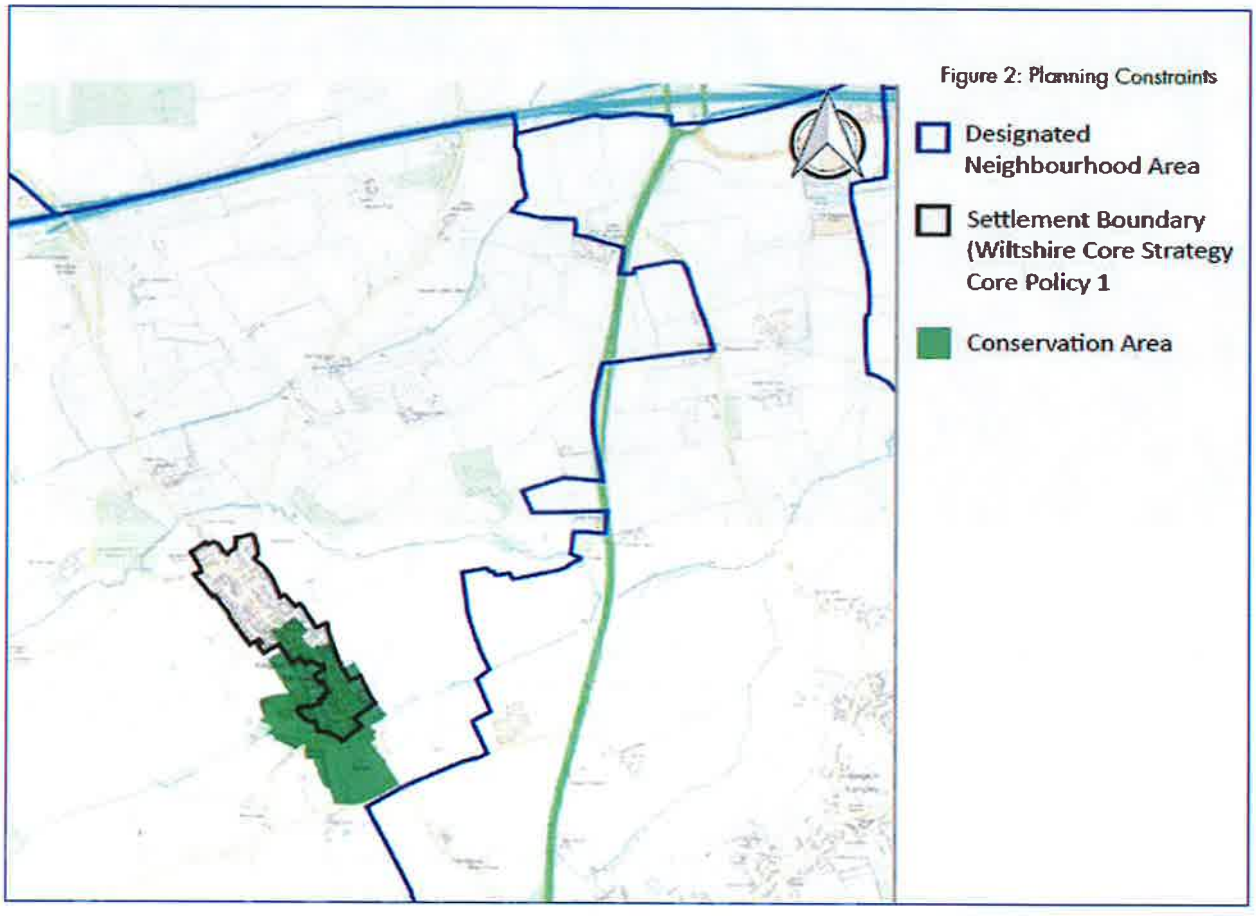


## 4. Objections

### 1. Kington St Michael Neighborhood Plan Regulation 14 Consultation Draft dated October 2023

The Kington St Michael Neighbourhood Plan Regulation 14 Consultation Draft is in the final stages of Parish Council approval and was designated by Wiltshire Council as part of the Localism Act 2011 to allow local communities to shape new development and promote better land use in their communities by preparing a neighbourhood plan, effectively empowering our communities.
The Kington St Michael Neighbourhood Plan was developed with appropriate regard to NPPF (National Planning Framework) 2021 revised sept 2023, Wiltshire Local Plan (Core Strategy) and compatible with the Human Rights Act.

Whilst the Plan has not been formally approved there has been substantive village consultation over a number of years.
Process plan to date:
2019 – Prevision survey by residents
2019 - Neighbourhood plan open day
2020 – Consultation on village assets
2021 - Neighbourhood plan stall at fun day
2022 - Evidence gathering and input to village website and newsletter
2023 - Formal regulation 14 consultation draft – approved by KSM village council
2023 - Nov Formal regulation 14 – Conclusion of evidence-based assessment
2023 – Dec Formal regulation 15
2024 – Jan Formal regulation 16




Planning application PL/2023/08833 is outside of the Kington St Michael settlement boundary.

## Key Aims from the Kington St Michael Neighbourhood Plan Regulation 14 Consultation Draft -Oct 2023

### AIM 2 - TO PROTECT AND STRENGTHEN OUR VALUED COMMUNITY FACILTIES AND COMMUNITY LIFE

*'The beautiful rural surroundings of the village should be protected and enhanced'* – ***not met by the PL/2023/0883 since the development is in open countryside and outside the defined settlement boundary.***



### AIM 3 – OUR DISTINCTIVE VILLAGE

*'The historic core, locally valued heritage and distinctive character of the village should be protected, and any new development should respect our valued assets.'-* ***not met by the PL/2023/0883 since the development is in open countryside and outside the defined settlement boundary.***



### AIM 3 – OUR GREEN ENVIROMENT

*'KSM5 – The rural landscape setting of Kington St Michael will be protected. Any proposal for development which, by reason of their scale, siting and design, would affect the landscape setting as described in Wiltshire Landscape Character Assessment and Kington St Michael Community Design Statement, musty demonstrate how the landscape setting will be protected and enhanced'* - ***not met by the PL/2023/0883 since the development is in open countryside and outside the defined settlement boundary***



## AIM 4 – PROTECTING THE OPEN COUNTRYSIDE

*'Any development in the Neighbourhood area should ensure the rural landscape character of the village, immediately surrounded by long standing farmland, is respected and enhanced'*
*- – **not met by the PL/2023/0883 since the development is in open countryside and outside the defined settlement boundary.***



## AIM 5 – TO ENSURE THAT ANY NEW HOUSING DEVELOPMENT WITHIN THE PARISH HELPS TO MEET THE EVIDENCED LOCAL HOUSING NEED

The Localism Act 2011 focusses on the principle that decision making be passed to a more local level, from national or local government to local communities. Parish councils are mandated to produce, through a plan lead process neighbourhood plans and development plans for their communities. Wiltshire Core Strategy and the Wiltshire Council Local Plan pre-submission draft 202-2038 supports this plan led process and provides clear strategic guidelines reinforced through the National Policy Framework September 2023.
The parish council have had in place the neighbourhood plan steering committee who have, through considerable consultation and communication with its community are approaching schedule 15 and 16.
The planning application PL/2023/08833 by reason of its location outside of the defined settlement boundary and within open countryside would be contrary to the settlement, delivery and community area plans of the Wiltshire Core Strategy.
The proposed application conflicts directly with the councils plan led approach to sustainable development.
When weighed against the National Policy Planning Framework the adverse impacts to the open countryside are permanent, character changing and non-compliant, and should be rejected.

## AIM 6 – GETTING AROUND, ACTIVE TRAVEL AND PUBLIC TRASPORT

*Access from Stanton lane is clearly unsafe with a non DMRB access point, no public footpath, the road has a stream running down the 1 in 3 slope and the bottom of Stanton lane being flood risk 2 - **not met by PL/2023/0883***



*Series of blind bends on single track lane.*



*Passing point on Stanton Lane that floods with exposed drainage.*



*Stanton Lane condition with flood erosion on the rhs and flood risk 2 from the stream.*

## 2. Contravenes Wiltshire Core Policy 50 - Biodiversity and Geodiversity

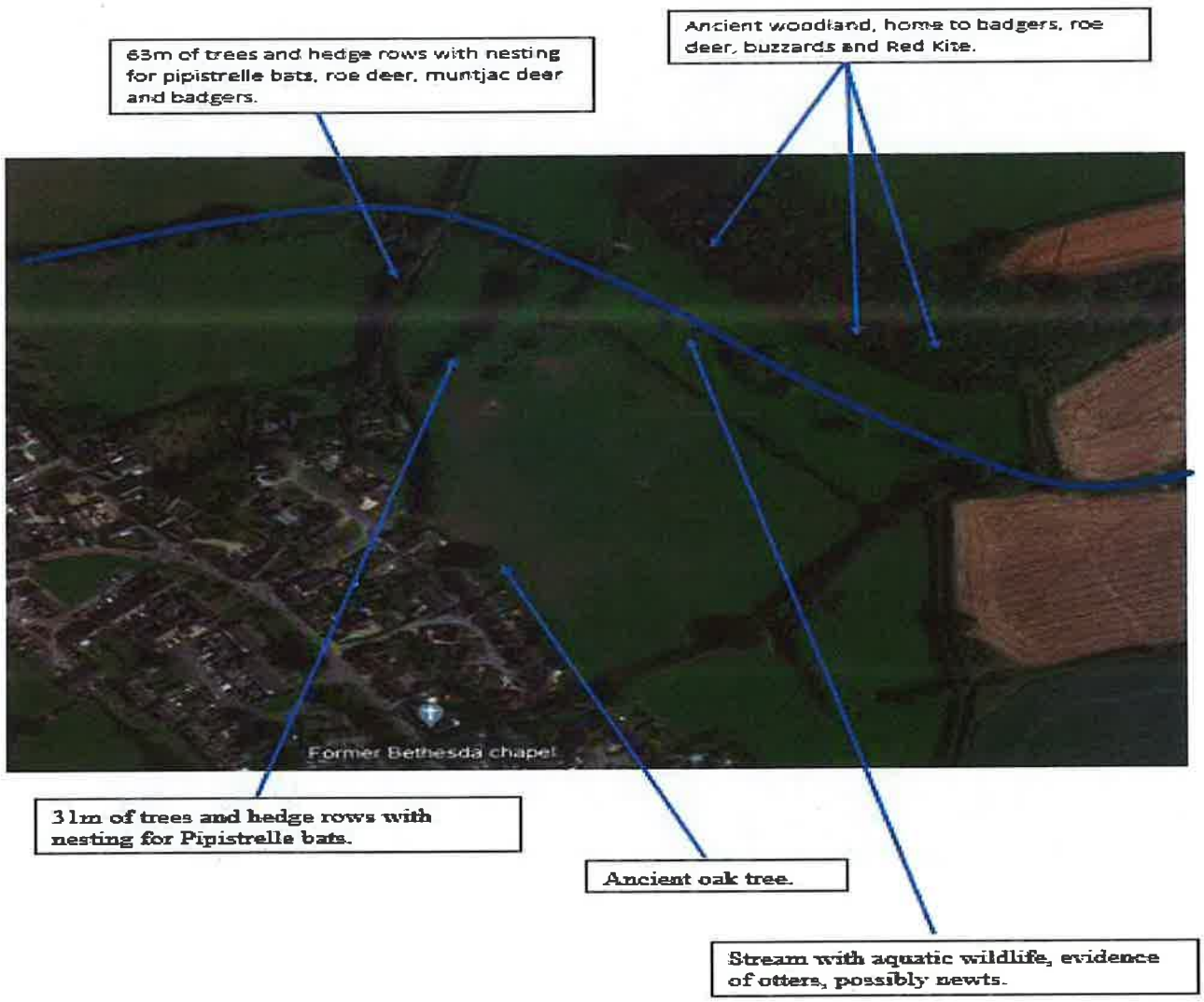
*Development proposals must demonstrate how they protect features of nature conservation and geological value as part of the design rationale. There is an expectation that such features shall be retained, buffered and managed favourable.*

Planning application PL/2023/08833 does not state any biodiversity and ecological enhancement net gain in its submission for the erection of 9 houses outside of the village settlement boundary.

Whilst mitigation could be applied the planning application has made no effort to describe how the open countryside will be protected and how biodiversity and geodiversity can be enhanced.

It is anticipated that significant disruption will be incurred within the ecological environment due to civil engineering construction, drainage issues, flooding mitigation, hedge and tree habitat removal.

- Vehicle ingress into the proposed site from Stanton Lane and the impact on the watercourses from construction 'run off' will seriously disrupt habitat and nesting area.
- The stream at the northern edge of the proposed area may contain Great Crested Newts – no 200m buffer has proposed. In addition, the 440volt high voltage power cable will be required to be moved or modified by the DNA.
- Sky larks have been seen to inhabit the fields, hedges and woodland adjacent to the proposed housing development.
- Various species of bats inhabit the woodland, hedges and tree line adjacent to the proposed housing.
- Deer roam freely within the landscape and open countryside.
- Badgers sets have been previously disturbed and their habitat in the wooded area and hedgerow will be further disrupted.



## 2. Contravenes Wiltshire Core Policy 51 – Landscape

Sections 6.79 and 6.8 are extremely clear on seeking to protect, conserve and enhance Wiltshire's distinctive landscape character.
Our village Neighbourhood Plan Regulation 14 Consultation Draft, which is fundamentally aligned to the Wiltshire Core Strategy and Wiltshire Council Local Plan pre-submission 202-2038 clearly states that '*The rural landscape setting of Kington St Michael will be protected. Any proposal for development which, by reason of their scale, siting and design, would affect the landscape setting as described in Wiltshire Landscape Character Assessment and Kington St Michael Community Design Statement, musty demonstrate how the landscape setting will be protected and enhanced'.*

The core policy makes clear reference to *The European Landscape Convention which promotes landscape protection, management and planning, and applies to all landscapes, towns and villages, as well as open countryside.*
However, the principle pressure on the landscape arising from the proposed development is a clear erosion of our villages separate identity, character and views of the open countryside by the nature of planning application PL2023/08833.



Nodal view from the resident of No2 Stanton Lane



Nodal view from the resident of Kyneton Cottage

## 2. Contravenes Wiltshire Core Policy 62 – Development impacts on the transport network.

*This policy states that all new developments are required to assess the transport issues related to that development. Where a development will have significant transport implications, the council will require a transport assessment to be prepared and submitted alongside a planning in accordance with national guidelines.*

The proposed access into the development can be from two independent locations



The picture above illustrates the access into the proposed housing development situated within open countryside outside of the parish defined settlement boundary. The access is a farm gate at a width of 2.4m width. The trees on both sides of the access would have to be removed and hence effecting the ecological environment. A significant soil slope provides access to the field. Stranton Lane already provides access to Stanton St Quintin and the M4 via junction 17.



The adjacent picture illustrates the second potential access and exit from the proposed housing development. Stanton Lane has in recent years become a common thoroughfare for traffic coming from and into Stanton St Quinton.

Since this provides quick access to the M4 and Cirencester via the A350.

The lane adjacent is severely narrow, consists of three blind bends with a portion of the lane that floods and is classified through the government website as flood risk.

Raised drainage pipes are located hazardously in the only passing area in the lane.

No footpaths are situated in this lane and hence an increase in vehicle traffic would be expected.

## 3. Contravenes Wiltshire Council Local Plan Pre submission draft - Policy 82 Housing in the Countryside.

### Policy 82

### Housing in the Countryside

Proposals for housing development outside of the defined settlement boundaries and outside of the built areas of Small Villages, on land that is not allocated in the development plan or subject to an exceptions policy will not be supported, unless it meets one of the following criteria:

i. The proposal would deliver onsite housing to accommodate employees that are essential for the viable operation of a rural business[16]. In such circumstances, applicants will be expected to submit clear evidence to show:
   - the functional need for permanent onsite accommodation, including an assessment of alternative options at nearby settlements and/or as part of existing onsite accommodation;
   - that the enterprise will remain financially viable for the foreseeable future, to justify the development of permanent accommodation.

ii. The proposal would enable a viable and sensitive alternative use of a heritage asset in a manner which secures its protection and longevity, and retains the characteristics for which it is valued as a heritage asset.

iii. The proposal is for the conversion or re-use of a disused building in the countryside. In such circumstances, evidence will be required to show that the building is structurally sound and capable of conversion without major rebuilding, and that the development would enhance the character of the original building. [17] and its setting.

iv. When the development would entail the replacement or subdivision of an existing residential dwelling, provided that the scale and design of the development is appropriate, having regard to the local landscape and design context.

In all cases, it must be demonstrated that safe and suitable access to the site is achievable for all users; that appropriate opportunities to promote sustainable transport modes have been considered; and that any adverse impacts on the transport network can be acceptably mitigated.

Planning application PL/2023/08833 directly contravenes this clear draft policy for the following quantifiable reasons:

- The permission in principle planning application has bypassed the Kington St Michael Neighbourhood plan process and the work done by the steering committee in progressing the plan to schedule 14/15/16.
  In effect also bypassing the Localism Act 2011 and putting forward a speculative development that in no way considers the needs of the community.

- Does not deliver on site housing to accommodate employees with no evidenced based submission.

- Does not enable a viable and sensitive alternative for the use of a heritage asset which secures its protection since the development is within the open countryside.

- Does not involve the conversion or re-use of disused buildings in the countryside.

- Does not entail the replacement or subdivision of an existing residential dwellings

- The field in question is outside of the defined Neighborhood Plan settlement boundary with access that is not suitable due to flooding risk, road condition and excess traffic on Stanton Lane where planning application PL/2023/04815 was rejected for these reasons in September 2023.

## 3. Contravenes Wiltshire Core Policies 1, 2 and 10.

Core Policy 1 Settlement Strategy

*Development outside the settlement boundary will be strictly controlled. Relaxation of the boundaries will only be supported where it has been formally reviewed through a subsequent DPD or a community-led neighbourhood plan, which includes a review of the settlement boundary to identify new developable land to help meet the housing and employment needs of that community*

Planning application is in direct conflict with core policy 1. The application has been made without any reference, consultation, communication with either the Parish Council, Parish council neighbourhood plan steering committee or residents of the village. This application looks to bypass the plan led strategy of Wiltshire council core strategy.

Core Strategy 2 Delivery Strategy

*At Large Villages settlement boundaries are retained and development will predominantly take the form of small housing and employment sites within the settlement boundaries, sites for development in line with the area strategies will be identified through subsequent site allocations and by local communities to identify sites through lead neighbourhood planning.*

Planning application is in direct conflict with core policy 2. The application is outside of the settlement boundary of the village as acknowledged in the letter from LPC planning consultants. Furthermore, the proposal is in open countryside and directly against the neighbourhood plan draft schedule 15 /16.

Core Strategy 10 Spatial Strategy for the Chippenham Area

***The Spatial Strategy: Chippenham Community Area***

***Development in the Chippenham Community Area should be in accordance with the Settlement Strategy set out in Core Policy 1.***

| | |
|---|---|
| ***Principle Settlements:*** | ***Chippenham*** |
| ***Large Villages:*** | ***Christian Malford, Hullavington, Kington St Michael, Sutton Benger and Yatton Keynell*** |
| ***Small Villages:*** | ***Biddestone, Burton, Grittleton, Kington Langley, Langley Burrell, Lower Stanton St Quintin, Nettleton, Stanton St Quintin and Upper Seagry*** |

*2. The capacity to provide a mix of house types, for both market and affordable housing alongside the timely delivery of the facilities and infrastructure necessary to serve them;*
*3. Offers wider transport benefits for the existing community has safe and convenient access to the local and primary road network and is capable of redressing transport impacts, including impacts affecting the attractiveness of the town centre*
*4. Improves accessibility by alternatives to the private car to the town centre, railway station, schools and colleges and employment*
*5. Has an acceptable landscape impact upon the countryside and the settings to Chippenham and surrounding settlements, improves biodiversity and access and enjoyment to the countryside*
*6. Avoids all areas of flood risk (therefore within zone 1) and surface water management reduces the risk of flooding elsewhere*

Planning application Pl/2023/08833 contravenes core policy 10 since the area in question has a significant impact upon the countryside, does not improve biodiversity and has unsafe access in an already high volume high street.

## 4. Contravenes National Planning Policy Framework Section 80

80. Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;

b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;

c) the development would re-use redundant or disused buildings and enhance its immediate setting;

d) the development would involve the subdivision of an existing residential building; or

e) the design is of exceptional quality, in that it:

- is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
- would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

1. The planning application contravenes National Planning Policy Framework section 80 since the location of the 9 houses is in the open countryside and outside of the village settlement boundary.

2. The erection of 9 houses will not be for the use of rural workers

3. The erection of 9 houses has no correlation to any heritage asset or part of any development to secure the future of heritage assets.

4. The field in question has no redundant or disused buildings as part of the housing proposal.

5. The field in question has no residential properties on the land and hence no subdivision is applicable

6. Whilst no design parameters or specifications have been submitted as part of this planning application. It would be reasonable to determine that the housing would not be classified as outstanding, raise standards of design or be sensitive to the defining characteristics of the village.

The application fails to meet the criteria for section 80 of the National Planning Policy Framework and should be rejected.

## 4. Contravenes National Planning Policy Framework Section 12 – Achieving Well-designed Places

- Section 126 states that

*The creation of high quality, beautiful and sustainable places is fundamental to what the planning and development process should achieve.*
*Neighbourhood planning groups can play an important part in identifying the special qualities of each area and explaining how this should be reflected in the development.*

- Section 130 states that

a) *Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.*
b) *Visually attractive as a result of good layout and appropriate and effective landscaping.*
f) *create places that are safe, inclusive and accessible and which promote health and wellbeing.*

- Section 132 states that

*Applications that can demonstrate early, proactive and effective engagement with the community should be looked at favourably. This has not been done at either community, Parish Council or Neighbourhood Steering Group level.*

- Section 134 states that

*The Development that is not well designed should be refused.*

The planning application PL2023/08833 is not well designed but expedient to bypass the plan led process for sustainable development in the village of Kington St Michael and directly contravenes the National Planning Policy Framework section 12 subsections 126, 130, 132, 134 on the following criteria points.

1. The Kington St Michael neighbourhood plan steering group are responsible for delivering the neighbourhood plan for the village and have been significant progress with the current submission at schedule 14. The Steering group have commissioned Place Studios to help with moving the plan led process to schedule 16 in early 2023.
   This process is fully in line with the Wilshire Core Strategy, Wiltshire Council Local Plan presubmission draft 2020-2038 and National Planning Policy Framework 2023.

2. The planning application is within open countryside and outside of the village settlement boundary and would be classified as permanent with no demonstrable visual attractiveness, effective landscaping and due to the issue with Stanton Lane potentially unsafe for access.

3. The planning application has been made with absolutely no interaction with the Parish Council, Parish Council Neighbourhood plan steering committee or residents affected by the housing development.

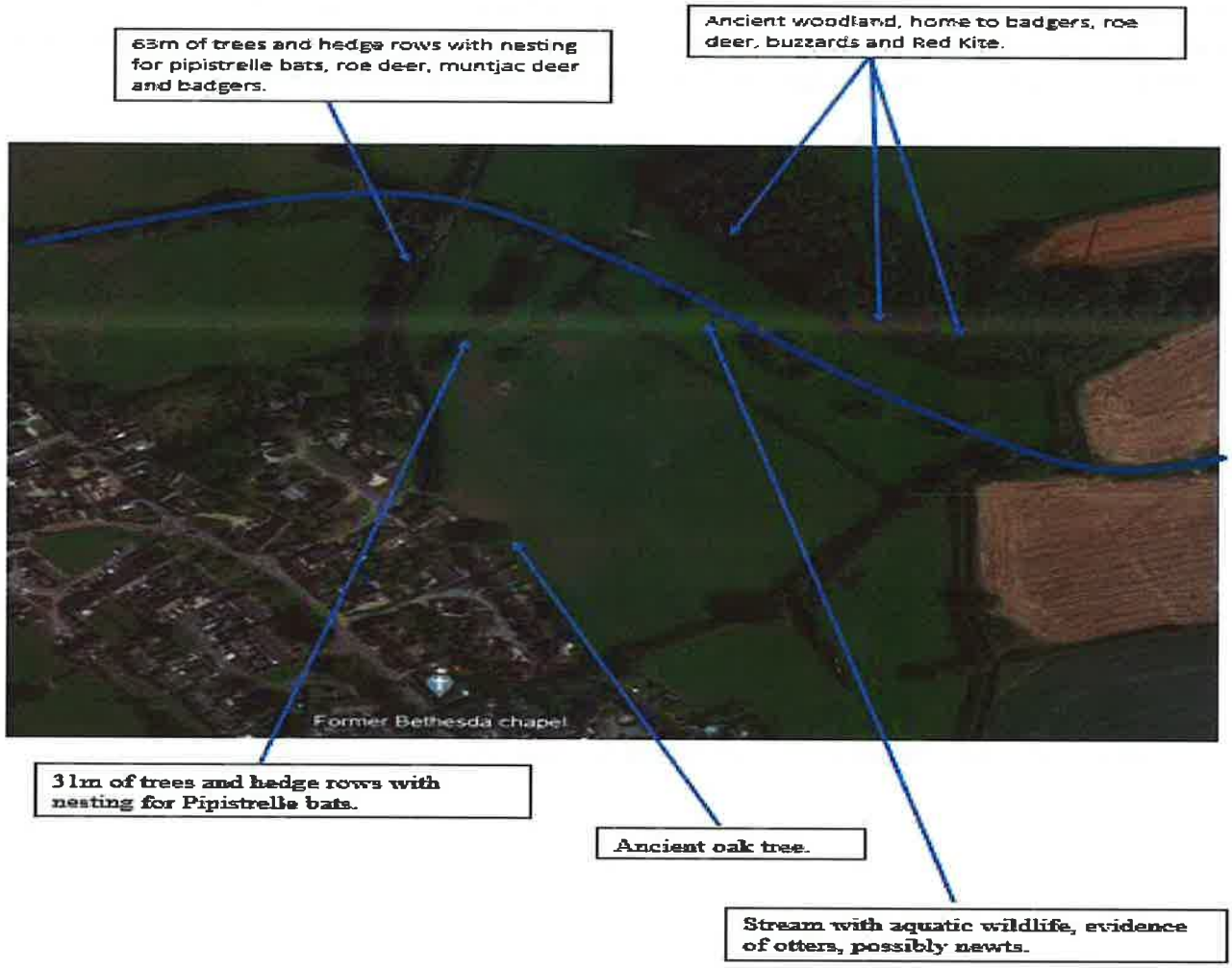
4. No detail has been submitted with regard to ecological or geo diversity net gain, noise assessment, flood risk management due to the bottom of Stanton Lane being classified as flood risk 2.

## 4. Contravenes National Planning Policy Framework Section 15 - Conserving and Enhancing the natural environment

- *Section 174 states that planning policies should contribute to and enhance the natural and local environment.*
  a) *Protecting and enhancing values landscape, sites of biodiversity or geological value.*
  b) *Recognizing the intrinsic character and beauty of the countryside.*
  c) *Preventing new and existing developments from contributing to, being put at unacceptable risk or adversely affected by unacceptable levels of noise pollution.*

- *Section 185 states that planning policies and decisions should also ensure that the new development is APPROPRIATE for its location considering the likely effects (including cumulative effects) of noise pollution* (this can also be light, dust and factors that affect mental health) *on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.*

  *In doing this planning policies should:*
  a) *Mitigate and reduce to a minimum potential adverse impact resulting from noise from the new development – and avoid noise giving rise to significant adverse impacts on health and quality of life.*
  b) *Identify and protect tranquil areas which have remained relatively undisturbed by noise and prized for their recreational value.*
  c) *Limit the effect of light pollution from artificial light.*



1. Planning application PL/2023/08833 - permission in principle provides absolutely no information, research or risk based assessment on the ecological and biodiversity effects within the open countryside through the erection of 9 houses in the field.

2. The construction of the 9 houses on open countryside will have an inevitable effect on the habitat and nesting of birds and mammals that occupy the hedgerows, trees, streams and woodland within the area.

3. No Ecological Assessment or supporting documentation has been prepared in the permission in principle planning application PL/2023/08833 in relation to the inevitable disturbance of noise, light and dust during construction.

4. No specific noise assessment has been made in relation to the permission in principle application. Considering the locality to residents in Stanton Lane, The Orchard and Kyneton way this is both negligent and disturbing, with a total lack of regard to National Planning Policy Framework guidelines.

- The high voltage 440volt 3 phase overhead power cables and pylons will have to relocated. No assessment has been forthcoming on the impact of this relocation on the environment.

- The impact on 63m of hedgerow due to the proximity of the 9 houses has not be considered or mentioned in the application. The hedgerow is a local habitat for Muntjac and Roe deer, badgers and a multitude of birds.

- The field has a slope of 1 in 3. Consequently, the civil engineering requirements to provide level construction will be considerable. No assessment or mention has been made in the planning application on how the stream will not be contaminated with construction material.

- Planning application PL/2023/08833 has made no reference to any biodiversity net gain.



The picture above is of the landscape that the proposed application wishes to erect 9 houses within. This directly contravenes section 15 of the National Planning Policy Framework paragraph 174 relating to recognising the intrinsic character and beauty of the countryside.

5. Planning Application PL/2023/04815
   Land at Kington Lane, Stanton St Quintin, Chippenham
   The construction of 12 dwellings, including 5 affordable housing units and associated infrastructure.

Refused 21th September 2023

**Wiltshire Council**

**The Town and Country Planning Act 1990**

**Refusal of Outline Planning Permission (Some Matters Reserved)**

**Application Reference Number: PL/2023/04815**

**Decision Date: 21 September 2023**

| | |
|---|---|
| **Applicant:** | Mr and Mrs Bailey<br>c/o agent, SN7 7PN |
| **Particulars of Development:** | The construction of 12 dwellings, including 5 affordable housing units, and associated infrastructure. |
| **At:** | Land at Kington Lane, Stanton St Quintin, Chippenham, Wiltshire, SN14 6DF |

**In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), this planning application has been processed in a proactive way. However, due to technical objections or the proposal's failure to comply with the development plan and/or the NPPF as a matter of principle, the local planning authority has had no alternative other than to refuse planning permission.**

**In pursuance of their powers under the above Act, the Council hereby REFUSE TO GRANT PERMISSION for the development referred to in the above application and plans submitted by you, for the following reason(s):**

**Refusal Reason(s): (4)**

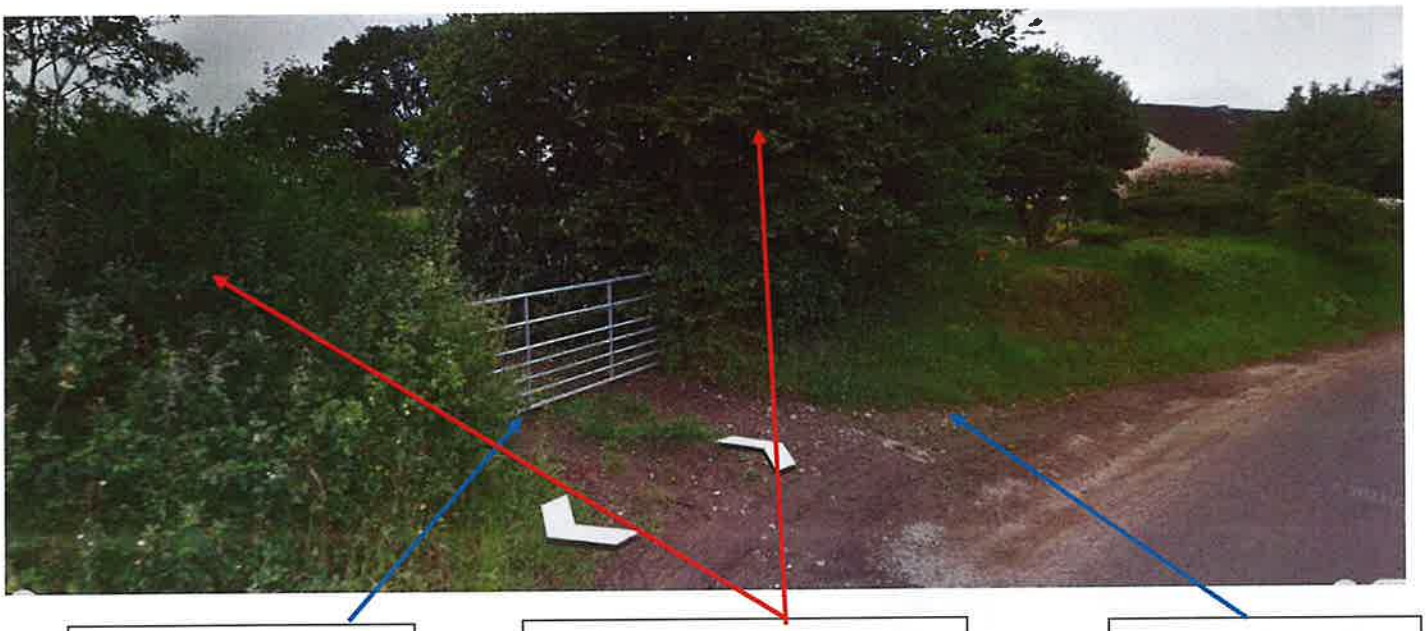
1 The proposed development, by reason of its location outside of any defined settlement boundary within the open countryside, would be contrary to the settlement, delivery and community area strategies of the Wiltshire Core Strategy. The proposed development is deemed to be unsustainable as it would conflict with the Council's plan-led approach to sustainable development and is unacceptable in principle.

The presumption in favour of sustainable development has been applied to the assessment of the proposal; however, it is considered that the adverse impacts of granting outline planning permission would significantly and demonstrably outweigh the benefits, when assessed against the National Planning Policy Framework and policies in the local development plan as a whole. Therefore, the proposal would not constitute sustainable development and would conflict with the principle aim of the National Planning Policy Framework which is to be genuinely plan-led.

2 **The proposed development, by reason of its location in the open countryside, will result in a permanent change in the character and use of the site and immediate area that fails to integrate effectively into its surroundings. The development would harm the visual appearance and prevailing rural character in this edge of settlement context. It is not considered that the massing of the proposal would integrate effectively into the immediate setting and would have a harmful impact upon local landscape character. The proposal fails to comply with Core Policies 51 (ii and iii) and 57 (i, ii, iii & vi) of the Wiltshire Core Strategy (Jan 2015) and paragraph 130 of the National Planning Policy Framework (Sept 2023).**

Extracts from the planning application pl/2023/04815 at Kington Lane and the key rational for rejection relating to outside of the village settlement boundary and in open countryside bypassing the Wiltshire council core strategy relating to plan led development.

## 6. Site Access



Farm gate into open countryside, 2.4m wide.

Mature oak tree, elm and beech providing habitat for pipistrelle bats and birds.

No DMRB designed access with no public pavement. Slope from the lane into the field. Surface being agricultural soil.

- Planning application PL/2023/08833 which relates to the permission in principle to erect 9 houses in open countryside will look to gain access via a farm gate shown above. Furthermore, this access has been described as in fill development. The development can be clearly seen from the above picture as an incursion into open countryside utilising farm ingress, spurred off a soil track, off a small village lane that is an off shoot of the high street.
- It is completely disingenuous to describe this as in fill development.

- Stanton Lane has in recent years become a common thoroughfare for traffic entering from and into Stanton St Quintin. Since this provides quick access to the M4 and Cirencester via the A350. The lane adjacent to the proposed erection of 9 houses is severely narrow, consists of three blind bends with a portion of the lane that floods.

- The significant stream at the bottom of the lane regularly floods and creates further safety hazards for vehicles.







## Condition of Stanton Lane



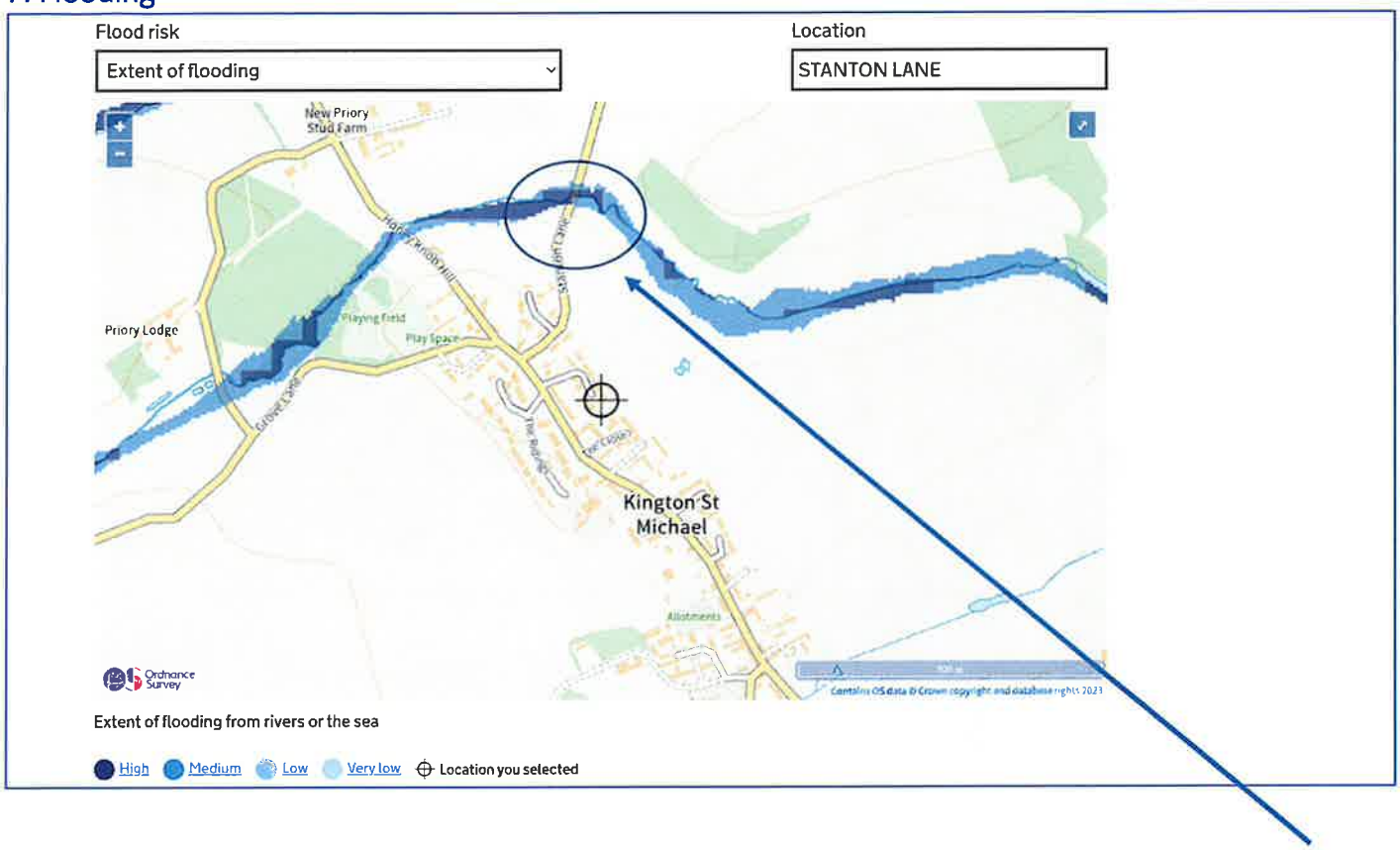
Access to the proposed 9 house development will be along Stanton Lane.
Stanton Lane is approx. 2.6m at its widest point and consists of three blind corners with substantive over hanging trees and foliage that inhibits visibility and is especially hazardous in the evening.
Since the lane is only wide enough for one vehicle significant erosion on the side of the lane is evident.
No footpath or public right of way is in place and all access must be through road transport.
The lane is used as a significant cut through for traffic accessing Stanton St Quinton and junction 17 on the M4.
Consequently, it is in poor repair.





There are only two rural passing points on this section of Stanton Lane. The passing point at the top of the lane is where the housing development is being proposed.
The picture on the left hand illustrates the condition of the passing point with exposed open drainage, erosion of the road and bank due to flood water flowing down the slope into the stream at the bottom of Stanton Lane.
This also illustrates the effect of 'run off' from the field being proposed for the 9 houses.
The slope of 1 in 3 is significant and during wet weather just as Stanton Lane floods and transfers rainwater to the stream, the field does the same hence the stream floods.
Stanton lane is totally unsuitable for any further vehicle traffic. It is used as a cut through to Stanton St Quintin and the M4 and will become more hazardous as more vehicles use the lane.

## 7. Flooding




- Planning application PL/2023/08833 which consists of 9 residential dwellings is within a field outside of the settlement boundary and in open countryside. The field has a slope of 1 in 3 that drains into a significant stream as shown above. The flooding is further exacerbated by the run off rainwater from the field.

- The stream which crosses Stanton Lane regularly floods and is classified as flood risk 2 using the UK Government flood classification website.

- No public footpaths are in the area and hence access back to the village must be back up Stanton Lane. During wet weather either side of the lane floods making access to the village by car only.

  The picture below was taken on 23rd October and illustrates the condition of the land that is being proposed for 9 houses.



View from the rear garden of No2



Commencement of Stanton Lane flooding. The road surface, being a country lane, has significant erosion. The rough passing point is being filled with flood water that cascades down the lane during wet weather.



The exit from Stanton Lane has started to flooding from the significant stream at bottom of Stanton Lane.

## 8. Electrical Power Distribution



Electrical power distribution pylons and high voltage 440v 3 phase power cables intersect the proposed field where the 9 houses have been proposed. The picture above illustrates the height of the pylon and the 440v three phase high voltage power cables intersecting the field.



The adjacent diagram illustrates the path of the high voltage three phase 440-volt power distribution cables. The three cables commence at the southern portion of the field and then via five pylons exits the field at the point where the planning application is proposing entry into the housing development.

## 9. Human Rights Act

The Human Rights Act 1998 sets out the fundamental rights and freedoms that everyone in the UK is entitled to. It incorporates the rights set out in the European Convention on Human Rights (ECHR) into domestic British law. The Human Rights Act came into force in the UK in October 2000.

Within the Human Rights Act Protocol 1 Article 1 specifically looks to protect your right to enjoy your property peacefully.

The view below illustrates the area in white where the planning application PL2023/08833 will be situated in relation to the residents of The Orchard, Stanton Lane and Kyneton Way including Kington Cottage.
The poor design layout effectively dominates their family environment on two sides. Whilst trees are present in summer, during winter at a time of most isolation the housing development will dominate their property.

Key Facts that contravene Protocol 1 Article 1.

- No buffer zone has been proposed or will be adequate to shield the residents of Kington St Michael from both the construction and the installation of 9 houses and hence the application is poor in design.
- The residents of The Orchard, Stanton Lane, Kyneton Lane and The Close will be exposed to civil engineering and construction works.
- The residents of Stanton Lane and The Orchard will be exposed to more urban traffic, delivery vehicles and people using this lane as a cut through to the M4 or Cirencester via the A350.
- Relocation of high voltage 440v 3 phase power cables will be required.
- Lights from the 9 house dwellings can be seen by the residents of The Orchard, Stanton Lane, Kyneton Way including Kington Cottage.



## Legal Precedents

Planning application PL22/03064/OUT 6TH October 2023
Outline planning application for two dwellings and associated dwellings
Land opposite Hanwell Green within open countryside
Rejected

Planning Application PL22/22/03064/OUT 28th September 2022
Outline planning permission for two dwellings in farmland from converted dwellings in open countryside
Rejected

Planning Application PL/2023/04815 21st September 2023
Construction of 12 dwellings in open countryside
Stanton St Quintin
Rejected

Planning Application 21/02132/61002 21st December 2021
Outline planning permission for 2 dwellings at the Old Coach House Tosside, in open countryside
Craven District Local Plan
Rejected

Planning Application 19/01378/OUT 4th September 2020
Outline planning permission for 19 dwellings in open countryside
Milton Keynes Council
Land east of Olney Road, Laverton
Rejected

Planning Application 21/00069/OUT 21st May 2021
Outline planning permission for the erection of new dwellings outside of the settlement boundary
Land at Eastham, South Worcestershire
Rejected

Planning Application 23/00321/OUT 23st March 2023
Outline planning permission for the erection of 45 new dwellings outside of the settlement boundary
Land West of Maypole Road, Heybridge, Essex
Rejected

## Conclusions

- The Localism Act 2011 focusses on the principle that decision making be passed to a more local level, from national or local government to local communities. Parish councils are mandated to produce, through a plan led process neighbourhood plans and development plans for their communities. Wiltshire Core Strategy and the Wiltshire Council Local Plan pre-submission draft 202-2038 supports this plan led process and provides clear strategic guidelines reinforced through the National Policy Framework September 2023.
  The parish council have had in place the neighbourhood plan steering committee who have, through considerable consultation and communication with its community are approaching schedule 15 and onto 16.

- The planning application PL/2023/08833 by reason of its location outside of the defined settlement boundary and within open countryside would be contrary to the settlement, delivery and community area plans of the Wiltshire Core Strategy.

- The proposed application conflicts directly with the councils plan lead approach to sustainable development. When weighed against the National Policy Planning Framework the adverse impacts to the open countryside are permanent, character changing and non-compliant, and should be rejected.

- Speculative developers and land owners who have no interest in meeting the needs of the community with no social housing, no affordable housing, poor design location which is primarily based on profit only and not the housing needs of the local communities.

- The land in question is in open countryside and outside of the village defined settlement boundary and is on a slope of 1 in 3. Significant high voltage power distribution cables cross the area. Stanton Lane through the government flood risk assessment mechanism is classified as flood risk 2. Hence this proposal fails to meet National Planning Policy Framework 2023 section 2 Achieving sustainable development, section 9 Achieving sustainable transport, section 12 Achieving well designed places and section 15 Conserving and enhancing the natural environment.

- The developer has totally preempted the Wiltshire Core Strategy relating to Core Policies 1 ,2 and 10 relating to settlement strategy, delivery strategy and the spatial strategy for the Chippenham community area.

- The development contravenes the Human Rights Act Protocol 1 Article 1 – this article specifically looks to protect your right to enjoy your property peacefully. In the case of the residents of Stanton Lane, Kington Cottage, The Orchard and Kyneton Way whose family homes will be exposed to permanent negative landscape alterations and construction work. This clearly is an infringement of their human rights under protocol 1 article 1.

- Seven planning applications precedents have been highlighted clearly stating in all cases that outline planning applications for dwellings outside of the settlement boundary and open countryside have been rejected.

- Planning application PL/2023/08833 makes no reference to noise assessment, ecological mitigation, dwelling design, refuse collection, transport issues, flooding risk, community consultation, social housings needs analysis, SHELAA assessment, meeting the needs of the community and hence should be rejected according to National Planning Policy Framework section 12 paragraph 126, 132 and 129

## References


1. Health and Safety at Work Act 1974.
2. Wiltshire Council Plan Pre submission draft 2020-2038
3 Wiltshire Council Core Strategy adopted January 2015
4. Planning Application PL/2023/04815
5 Kington St Micahel Neighbourhood Plan Regulation 14 Consultation Draft October 2023
6. DMRB - Design and Management Roads and Bridges
7. National Planning Policy Framework revised Sept 2023

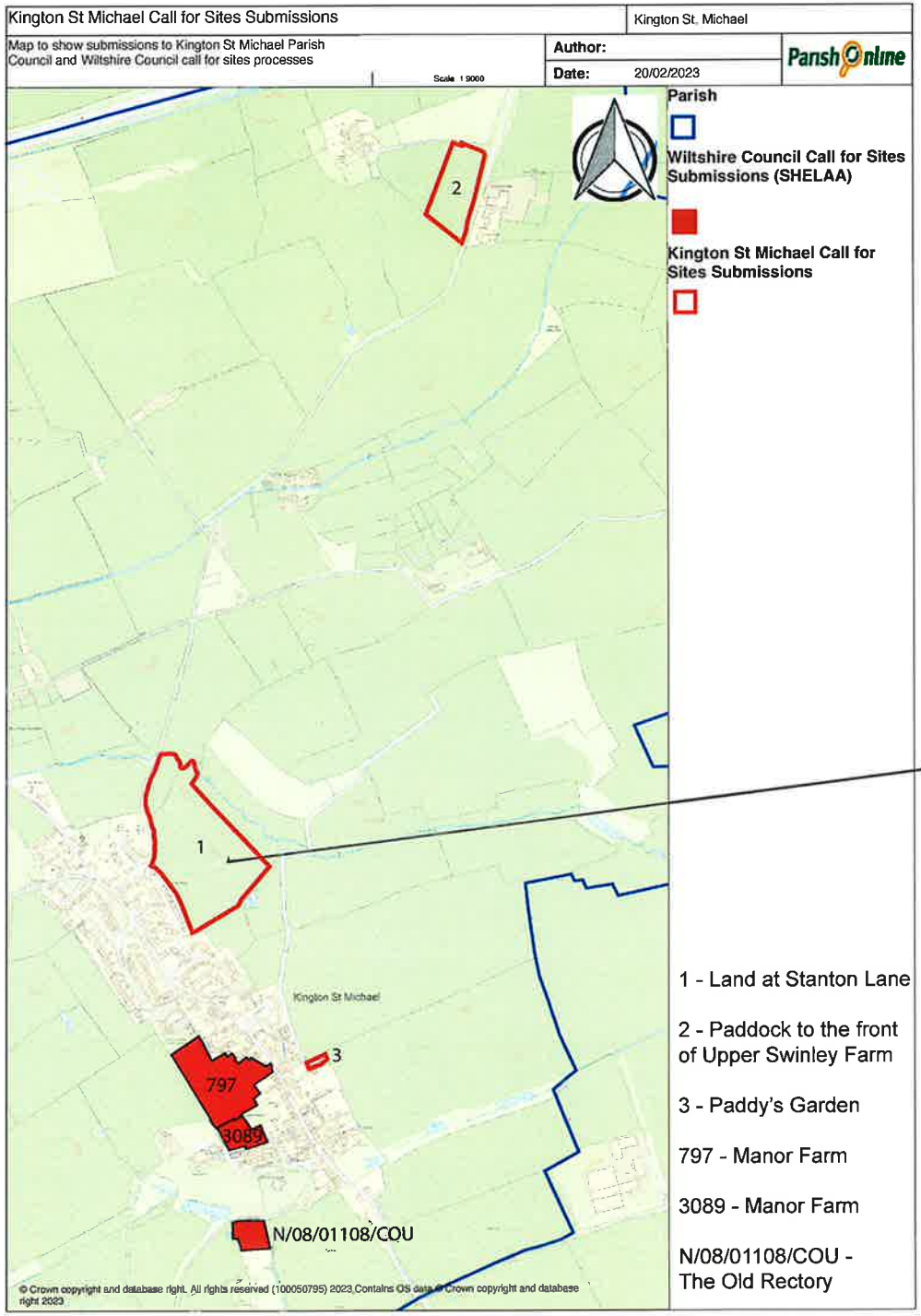
# *THE KSM SITUATION - 21st October 2023*

***FIGURES:***

- **Latest target (Local Plan, signed off for consultation in July) for KSM is 34 houses**
- **Any such number very poorly justified**
- **Not all authorities set parish targets**
- **And targets currently not in favour with government**
- **But you cannot totally ignore the figure – hence the Report**
- **Housing Needs Study suggests need for 3 two-bed homes, 3 one-bed homes**

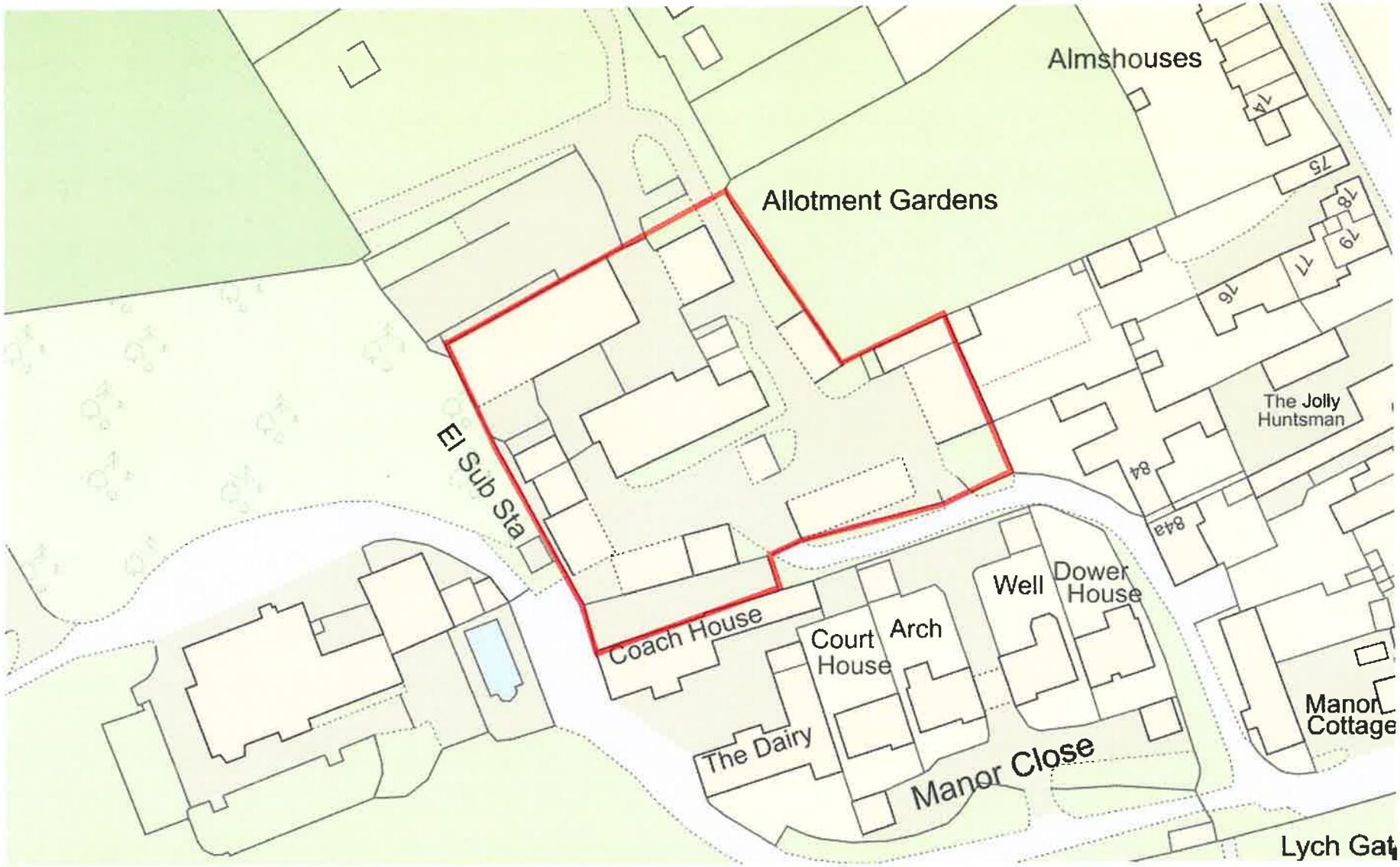
***SITES:***

- **Full assessments will be needed for each of the sites**
- **Drawing from several visits by Jeff, an informal judgement is that ….**
- ***Sites 1, 2 and N/08/01108/COU not at all suitable*** ← PL/2023/08833 Site 1
- **Site 3 marginal**
- **Site 797 difficult:**
  - **Uncertainty about recent changes to no.63 and wish to develop**
  - **Area to east is in Conservation Area and mostly proposed LGS**
  - **But field to west might be considered appropriate**
  - **Vehicle access either difficult or impossible**
- **Site 3089 needs serious consideration**




Designated unsuitable using SHELAA assesment and to be included as such in the Nov KSM regulation 14 NHP for consultation.

# SITE 3089: MANOR FARM SOUTH

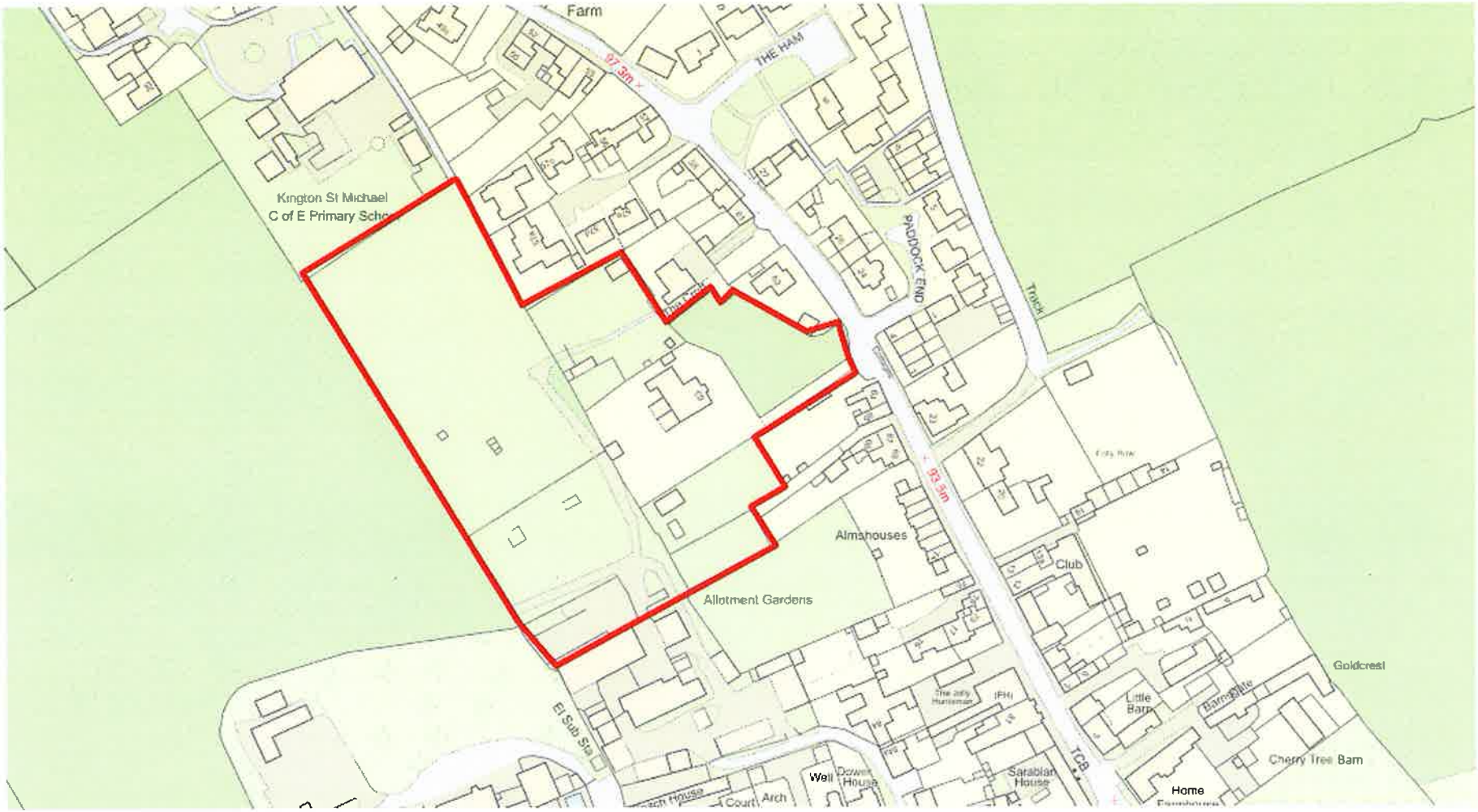











Farm
THE HAM
97.3m
Kington St Michael
C of E Primary Scho
PADDOCK END
Track
93.5m
Almshouses
Club
Allotment Gardens
Goldcrest
Little Barn
Barn Gate
Cherry Tree Barn
El Sub Sta
Well
Dower House
Sarabian House
TCB
Home
Court
Arch

# SITE 797





# KINGTON ST. MICHAEL NEIGHBOURHOD PLAN

***2023-2038***

**REG 14 DRAFT OCTOBER 2023**

This document has been prepared by the Kington St Michael Parish Neighbourhood Plan Steering Group on behalf of the community of Kington St Michael Parish and the Parish Council.

This is a working draft version of the Neighbourhood Plan and together with its associated documentation is to be used for its intended purpose only.

This document is Part 1 of the Kington St Michael Parish Neighbourhood Plan.
Part 2 is the Kington St Michael Parish Community Design Statement

Base map credit (where not stated otherwise): © Crown copyright and database right. All rights reserved (0100053259) 2021, Contains OS data © Crown copyright and database right 2021

This document was produced by the XXXX Neighbourhood Plan Steering Group with assistance from consultants Place Studio

place

www.placestudio.com

Place Studio is a community planning and design consultancy which seeks to enable local communities to harness their local knowledge and objectives to produce sound and robust planning and design documents.

Thank you to...

# FOREWORD

Kington St Michael is a warm and welcoming community in a beautiful setting which benefits from – a popular school, a recreation ground, a lovely church, a village hall, a great village pub, a community shop and a cafe. We have much to be proud of and we should aim to protect these elements of our natural and built environment which provide Kington St Michael with its distinctive character. However we also need to harness the potential of our community's setting and amenities so that it continues to thrive. Striking the balance between these two objectives is at the heart of the Neighbourhood Plan.

The Neighbourhood Plan has been developed by the people of Kington St Michael for the people of Kington St Michael. The process of developing the Plan has been invaluable in establishing an understanding of what we as a community want and need, particularly in respect of future development. Just as importantly the Neighbourhood Plan has legal standing which provides us with greater control over any future development in Kington St Michael. The plan is therefore both the blueprint for the future of our Parish and the means of ensuring that the blueprint is respected.

Developing a Neighbourhood Plan is a complex and intensive process. It demands the reconciliation of the views and needs of the community with both the requirements of national planning policy and regulations as well as Wiltshire Council's evolving strategy. This document is therefore the culmination of a huge amount of work and dedication and thanks are due to all those involved.

1. The Neighbourhood Plan Steering Group. John Hall, John Newton, Gay Sealy, Emily Hocking, Rick Squires, Will Roe and past members, Claire Marlow, Chris Thrift and Matthew Morris.
2. County Councillor Howard Greenman who initially recommended that a Neighbourhood Plan be developed and who has been encouraging and supportive throughout the process.
3. Sophie Davies and her colleagues at Wiltshire Council for providing guidance and on developing the plan and navigating through the process.
4. Place Studio, whose input has been invaluable.

Gerry Gamble
Chairman Kington, St Michael Parish Council

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Kington St Michael Parish – Key Features, Issues and Opportunities
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Planning Policies
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5C Our Distinctive Village
Using and Reviewing the Neighbourhood Plan

Appendix 1 Evidence Base List
Appendix 2 Kington St Michael Pre-application Engagement Protocol


## POLICY LIST


**Draft Policy KSM1:** Protecting Kington St Michael's Community Facilities
**Draft Policy KSM2:** Protecting Local Employment
**Draft Policy KSM3:** Supporting Working from Home
**Draft Policy KSM4:** Getting Around and Active Travel
**Draft Policy KSM5:** Rural Landscape Setting and Locally Valued Views
**Draft Policy KSM6:** Green Spaces in Kington St Michael
**Draft Policy KSM7:** Green and Blue Infrastructure, Natural Environment and Resources
**Draft Policy KSM8:** Biodiversity
**Draft Policy KSM9:** Natural Flood Management
**Draft Policy KSM10:** Local Renewable and Low Carbon Energy Generation
**Draft Policy KSM11:** Locally Distinctive, High Quality Design
**Draft Policy KSM12:** Sustainable Design, Construction and Retrofitting
**Draft Policy KSM13:** Local Heritage
**Draft Policy KSM14:** Protecting the Open Countryside


## LIST OF MAPS AND FIGURES


Figure 1: Kington St Michael Parish Designated Neighbourhood Area
Figure 2: Planning Constraints
Figure 3: Community Facilities in Kington St Michael
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# 1. INTRODUCTION

**1.1** How can the community of Kington St Michael have a say in the future development of our Parish? Those that live or work here in Kington St Michael value its community spirit, great facilities, rural character and natural environment. As we look ahead to the future, we need to take a proactive approach to protecting our valued assets whilst addressing the challenges of climate change and the need for homes and jobs in our village.

**1.2** This document is the Regulation 14 consultation draft version of the Kington St Michael Neighbourhood Plan (also referred to as 'the Plan') and it is one of the tools we have to shape the future of our Parish. It builds on the views of the community and on research undertaken by local representatives, and presents a vision for our area looking ahead to 2038.

**1.3** The Neighbourhood Plan is being produced by a group of local representatives from the local community, on behalf of the Parish Council, with support from our appointed Planning Consultants Place Studio and officers in Wiltshire Council.

## WHAT IS A NEIGHBOURHOOD PLAN?

**1.4** The Localism Act 2011[1] introduced new rights and powers to allow local communities to shape new development and promote better land use in their community by preparing Neighbourhood Plans. The aim of the legislation is to empower local communities to use the planning system to promote appropriate and sustainable development in their area.

**1.5** Neighbourhood plans must meet some legal requirements as specified by law: they must have appropriate regard to national policy in the form of the National Planning Policy Framework 2021[2] (NPPF); must contribute to the achievement of sustainable development; must be in general conformity with the strategic policies in the Wiltshire Local Plan; must be compatible with human rights requirements, and must be compatible with EU obligations (the latter remain in place for the time being).

**1.6** The Neighbourhood Planning Regulations set out a number of formal steps that must be taken in preparing this Neighbourhood Plan, including formal consultation (this draft document is one of the required formal stages), examination and a parish referendum to approve it. Once adopted – the formal term is 'made' - the Neighbourhood Plan becomes part of the Wiltshire Development Plan and forms the basis for determining planning applications in Kington St Michael Parish.

**1.7** The Neighbourhood Plan provides a significant opportunity for local people to influence planning decisions, as planning applications are determined 'in accordance with the Development Plan unless material considerations indicate otherwise'[3].

[1]https://assets.publishing.service.gov.uk/government/uploads/system/.../1896534.pdf
[2]https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf
[3]Compulsory Purchase Act 2004 Section 38 (6).

## WHERE ARE WE IN THE PROCESS?

- Defining the Neighbourhood Plan Area
- Preparing the Plan
- **Formal 6 week consultation (Regulation 14) (WE ARE HERE)**
- Make changes and revisions in response to the consultation
- Submit to Wiltshire Council
- Formal 6 week consultation (Regulation 16)
- Examination
- Referendum
- Legal Force

## WHY PRODUCE A NEIGHBOURHOOD PLAN FOR KINGTON ST MICHAEL PARISH?

**1.8** A Neighbourhood Plan for Kington St Michael Parish will give those who live and work here a positive and proactive format to influence planning and development decisions.

**1.9** Neighbourhood planning gives communities direct power to develop a shared vision for their area. Therefore, each stage of the Kington St Michael Parish Neighbourhood Plan process to date has aimed to build a clear understanding of local community views together with locally produced evidence all set within the context of national and Wiltshire Council planning policy. The Plan is an opportunity to add truly local detail to the planning policy context. The Neighbourhood Plan brings together these elements to inform a local approach to development over the coming years.

## NEIGHBOURHOOD PLAN AREA

**1.10** Kington St Michael Parish was designated by Wiltshire Council as a Neighbourhood Area for the purposes of creating a Neighbourhood Plan on 2nd September 2015 under the Localism Act 2011. The Neighbourhood Plan area follows the Parish Council boundary as shown on Figure 1.

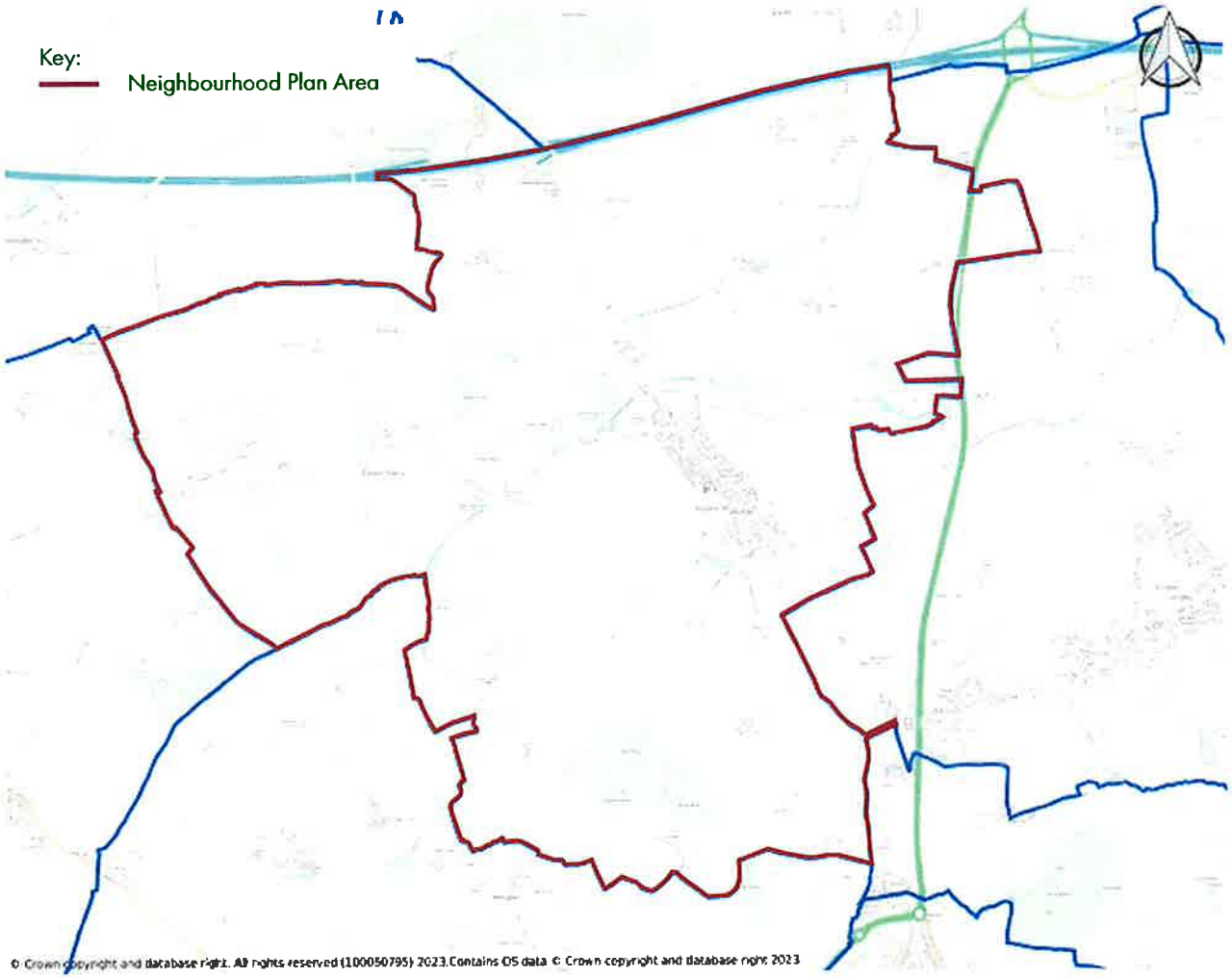



Figure 1: Kington St Michael Parish Designated Neighbourhood Area

## HOW WILL THIS PLAN REFLECT THE VIEWS OF OUR COMMUNITY?

**1.11** The Neighbourhood Plan is being prepared by local volunteers supported by the Parish Council and specialist consultants. Care has been taken to build up a clear picture and evidence base of local issues and ambitions, issues and opportunities.

**1.12** The evidence is made up of two elements:

- The views of local communities
- Local fact-finding and research evidence

**1.13** In order to ensure that this Plan is a 'shared vision' amongst the community, a range of community engagement activities are being undertaken over the period of time that we're producing the Neighbourhood Plan. To date, this has included:

- A 'Pre-Vision' survey on likes, dislikes and priorities for residents (2019)
- Neighbourhood Plan Open Day at the Kington Club (2019)
- 'Placecheck' online consultation to identify assets in the village (2020)
- Neighbourhood Plan Stall at Kington St Michael Summer Fair (2021)
- Regular updates on Neighbourhood Plan evidence gathering and progress on the Kington St Michael Parish Council website and in the local newsletter (2020-22)
- Formal Regulation 14 consultation (2022) – this is the Regulation 14 version of the Neighbourhood Plan!

**1.14** A full account of the informal consultation undertaken in developing the draft Plan will be recorded in the Consultation Statement, the draft of which will be available on the Parish Council website (www.kingtonstmichael.com).

**1.15** The vision, aims and policies that are set out in this Plan come directly from the views and opinions gathered through consultation and through work to generate local evidence.

## THIS IS A DRAFT DOCUMENT AND WE NEED YOUR COMMENTS!

Building on all the work that has been done to date, this draft Plan is now at a stage where people who live and work in Kington St Michael Parish, as well as those who play a role in the future of the parish, can give us feedback and input.

We need to hear what you think is good about the Neighbourhood Plan, what you think needs more work and if you think anything is missing. All comments will be reviewed and this draft will be appropriately updated to ensure it reflects the views of the community and takes proper account of key issues.

The consultation on this draft Neighbourhood Plan will run for 6 weeks between XXX insert dates when known

We will be making sure that people who live, work or carry out business in the area, are aware of the consultation through the following ways:

- Online: the draft Plan, evidence base reports and comments forms will be available to download from the dedicated webpage in the Parish Council website: https://www.kingtonstmichael.com/kingtonstmichael/neighbourhood_plan-6208.aspx
- Email: We will be emailing the Statutory Bodies that we must consult, including Wiltshire Council
- Hard Copies: You can view paper copies at the following locations: The Village Shop, The Jolly Huntsman pub, Kington St Michael Club and the Kington Cafe.

We will also be publicising the consultation via social media, posters and the local newsletter, and there will also be face to face events where possible – please check the website and local press for details.

Please submit your views to us via our online questionnaire, which you will find on our website. Visit our webpage: https://www.kingtonstmichael.com/kingtonstmichael/neighbourhood_plan-6208.aspx

If you know someone who does not have access to the internet but who would like to comment, you may be able to help them complete an online questionnaire, or they can request a paper copy of the questionnaire from the Parish Council.

Any questions you can John Hall, Tel No. 01249 750555 or Email john@catprintdesigns.com

## 2. PLANNING CONTEXT

**2.1** As a planning document, this Neighbourhood Plan is required to operate within the context set out by the National Planning Policy Framework (2021, NPPF)[4] and the latest national Planning Practice Guidance[5].

**2.2** National planning policy addresses a wide range of issues that are relevant to this Neighbourhood Plan. The most significant are the overall requirement to deliver **sustainable development**, and the requirement to be in 'general conformity' with local level strategic policy – in our case this is the Wiltshire Council Local Plan.

### WHAT IS SUSTAINABLE DEVELOPMENT?

Sustainable development is commonly defined as meeting the needs of the present without compromising the ability of future generations to meet their own needs. This covers development in three main areas; social, economic and environmental issues.

### WILTSHIRE COUNCIL LOCAL PLAN

**2.3** The Neighbourhood Plan must also be in 'general conformity' with the strategic planning policies of Wiltshire Council. This means that our Plan should align with the general principles of Wiltshire Council's policies and provide a level of detail to enable locally responsive development to take place.

**2.4** Wiltshire Council is currently reviewing the Wiltshire Core Strategy[6], which will be renamed the Wiltshire Local Plan. A review is necessary because the Government requires local planning authorities to revisit their Local Plans every five years and review as necessary. The Local Plan will set out an overall strategy for Wiltshire to meet housing, employment, leisure and other needs up to 2038, along with the infrastructure for transport, community facilities, as well as conservation and enhancement priorities for the built and natural environment.

**2.5** Our Neighbourhood Plan is being developed in parallel with the emerging Wiltshire Local Plan. Our Neighbourhood Plan will run concurrently with the Wiltshire Local Plan time frame; covering the period until 2038.

**2.6** The Wiltshire Core Strategy identifies Kington St Michael village as a 'Large Village', meaning it has a 'limited range of employment, services and facilities'. The village has a defined settlement boundary, within which proposals for sustainable development are supported in principle (see Figure 2). The Core Strategy states that proposals for new development outside of the settlement boundary will not be supported unless included in a community-led planning document, such as a Neighbourhood Plan.

**2.7** The southern part of the village and the fields adjacent, including Tor Hill, are within the Kington St Michael Conservation Area (see Figure 2). Conservation Area status does not preclude development, but any development that comes forward within the Conservation Area must protect, conserve and where possible enhance the historic environment here.

[4]https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf
[5]https://www.gov.uk/government/collections/planning-practice-guidance
[6]https://www.wiltshire.gov.uk/media/372/Wiltshire-Core-Strategy-adopted-2015/pdf/Wcs.pdf?m=637099399373530000

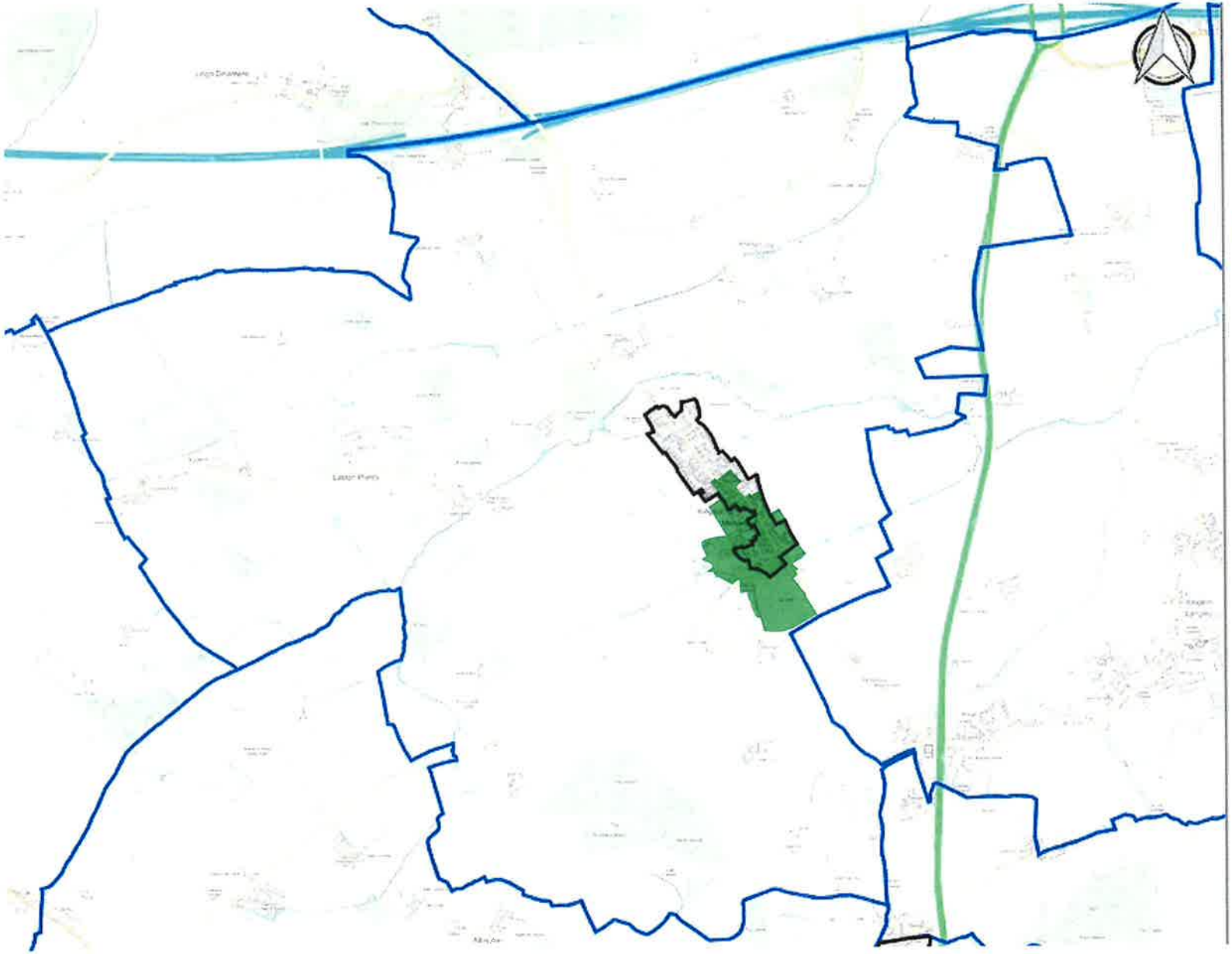


Figure 2: Planning Constraints

Designated Neighbourhood Area

Settlement Boundary (Wiltshire Core Strategy Core Policy 1

Conservation Area

**2.8** In order to support the government's objective of significantly boosting the supply of homes across the country, the NPPF requires that Local Planning Authorities establish a local housing need figure.

**2.9** Wiltshire Council's most recent document relating to local housing need in Kington St Michael[7] Parish identifies an indicative draft housing requirement of 40 homes to be delivered between 2016 -2036. In March 2021, 9 of these had either been built out or already had planning permission. That leaves a remaining draft figure of 31 new homes needed within the Parish until 2036. It is anticipated that an updated housing requirement for Kington St Michael Parish may be available in Q3 2023; to identify the housing requirement for the period up to 2038.

**2.10** The Kington St Michael Neighbourhood Plan does not allocate specific sites for development. However, it seeks to influence any development that comes forward during the Plan period so that it meets the aspirations of the local community. The Neighbourhood Plan policy framework includes a series of criteria-led policies and identifies specific locally important assets for protection and enhancement through development. A key aim of these planning policies is to protect the valued open space between Kington St Michael village and Chippenham, and ensure that the two remain distinct and separate from each other.

## KINGTON ST MICHAEL PARISH NEIGHBOURHOOD PLAN

**2.11** Kington St Michael Parish Council, as the Neighbourhood Plan authority, will be responsible for maintaining and periodically revisiting the Plan to ensure its relevance and to monitor its delivery.

**2.12** The Kington St Michael Neighbourhood Plan adds local detail to supplement national and local planning policies and ensures a locally responsive and positive community input into the planning system.

**2.13** Once agreed at a referendum and officially 'made' (brought into legal force by the local planning authority), a neighbourhood plan attains the same legal status as the strategic (Wiltshire) Local Plan, and becomes part of the statutory development plan.

**2.14** The Neighbourhood Plan is based on robust information and analysis of the local area; the 'Evidence Base' will be available in full on the Parish Council website (https://www.kingtonstmichael.com/kingtonstmichael/neighbourhood_plan-6208.aspx_). The evidence base was prepared by members of the community and the Steering Group together with Plan consultants, Place Studio. A full list of the evidence can be found in Appendix 1.

[7]https://www.wiltshire.gov.uk/media/5624/Empowering-Rural-Communities/pdf/WLP_Empowering_Rural_Communities_FINAL__28-01-2021_.pdf?m=637474434248530000

# 3. KINGTON ST MICHAEL PARISH – KEY FEATURES, ISSUES AND OPPORTUNITIES

## ABOUT KINGTON ST MICHAEL PARISH

**3.1** Kington St Michael Parish is in north Wiltshire, situated to the north west of Chippenham. It is bounded by the M4 to the north, the A350 to the east and Yatton Keynell Parish to the west. To the south of the Parish lies Chippenham Without Parish.

**3.2** The Neighbourhood Area comprises the village of Kington St Michael, the hamlet of Easton Piercy, and the rural open countryside that surrounds the two main areas of development.

**3.3** Kington St Michael village is situated approximately 3 miles to the north west of Chippenham, and is a small, friendly and thriving village with approximately 700 inhabitants. The village has a community run shop, a primary school, "The Jolly Huntsman" pub, a village hall, a social club, St Michael & All Angels parish church, Kington Café, and a recreation field (QE2 Field) overlooking the Nymph Hay Wood.

**3.4** There are plenty of clubs and activities held in the village hall including preschool, pilates and WI.

**3.5** The main road through our village is the C154. The Parish is linked to Malmesbury and Chippenham via the A350. Access to the M4 motorway (J17) is just over 2 miles north of the village, going west to Bath, Bristol & Cardiff and east to Swindon, Reading & London. Access to the M4 is also available via Leigh Delamere Services (just over a mile). The C154 is used by residents of villages to the north of Kington St Michael to access the A350, and generally as a cut through to the M4. The nearest railway station is in Chippenham, giving mainline access west to Bristol and east to London Paddington. There are also frequent bus coach services from Chippenham to London and Bath / Bristol.

## A BRIEF HISTORY OF KINGTON MICHAEL

**3.6** Documented history of the Parish dates back to 934. It is mentioned in the Doomsday Book as being worth 30 shillings containing a mill, held by Alwine for the Church at Glastonbury. After a number of name changes, the parish finally became known as Kington St Michael in about 1280, when the church was dedicated to St Michael and All Angels.

**3.7** To date, Kington St Michael's more notable residents have been John Aubrey, born 1626 at Easton Piercy and John Britten born 1771 in the village. Isaac Lyte, possibly related to John Aubrey, and an Alderman of London, left £600 in his will for the construction of the Almshouses and allotments, which were founded in 1675 and are still in use to this day.

**3.8** Many of the village cottages have had chequered careers including uses as public houses, breweries and blacksmiths. Throughout history, markets were held regularly in the village, having been granted a Royal Charter in 1266 to hold one every Tuesday, with an Annual Fair on 'the eve, the day, and the morrow of St Michael'. Sheep markets were held by the Almshouses where the road widens, and others in some of the smaller yards off the main street.

**3.9** Kington St Michael is mentioned in Kilvert's Diaries in the nineteenth century. The Manor House had been home to a number of families over the years, was rebuilt about 1864 and finally became the home of the Prodgers family. Squire Prodgers was renowned for his size and

spirit. He established the Old Village School for the benefit of the village, designed by the architect Oswald Brakespeare in 1903. This building with adjoining school house is now the Village Hall and community owned and operated shop.

## KEY ISSUES AND OPPORTUNITIES

**3.1** Drawing on all of the community input and research to date, the following have emerged as key issues and opportunities for our Neighbourhood Area:

- The village of Kington St Michael is, and should remain, separate to and distinct from Chippenham town.
- The climate emergency needs to be addressed at the Parish level – local resilience is important in the face of this global issue.
- The friendly and thriving community can only be maintained if a range of people – and particularly younger people - can afford to live in the village for the long term.
- The beautiful rural surroundings of the village should be protected and enhanced.
- Traffic issues in the village need to be addressed; particularly parking and accessibility problems and the speed and frequency of traffic (owing particularly to the proximity to the M4 and Leigh Delamere Service Station).
- The COVID-19 pandemic has shifted local working patterns; more people are working at home and spending more time in the village. There is opportunity to harness this to further support local facilities and enable people to spend more time and money within Kington St Michael.
- The historic core, locally valued heritage and distinctive character of the village should be protected, and any new development should respect our valued assets.

# 4. VISION AND AIMS

## VISION

Looking ahead over the next 25 years, Kington St Michael will remain a friendly, caring and community-minded rural Parish supported by great facilities. Our natural environment and beautiful countryside will continue to be one of our most valued assets; it will be easily accessible from the Village whilst being protected and enhanced to support wildlife and biodiversity.

Kington St Michael Parish will remain distinct from Chippenham and other nearby settlements. The distinctive character of our Village's built environment and our locally valued heritage will continue to make a positive contribution to everyday life in the Parish.

Any future development will be sustainable, meet local needs, and support local younger people to live in the Parish. New homes will be within and integrated with the Village, and close to the facilities that are so important to the people that live here.

Our local economy will remain strong and diverse, and will have adapted to enable more local people to work flexibly and from home in the parish.

The Village will have a more pedestrian friendly environment, with reduced volume and speed of traffic. Kington St Michael Parish will have taken a variety of steps to locally address the climate crisis, including more home working, promoting increased opportunities for walking and cycling around the Parish.

## AIMS

**AIM 1.** To protect and strengthen our valued community facilities and community life.

**AIM 2.** To protect and enhance our natural environment and biodiversity, whilst improving accessibility from the village into the surrounding countryside.

**AIM 3.** To ensure that any new development in the parish is inkeeping with the distinctive character of Kington St Michael and protects and enhances our local heritage assets.

**AIM 4.** To protect the valued open space between Kington St Michael village and Chippenham Town and ensure that the two remain distinct and separate from each other.

**AIM 5.** To ensure that any new housing development within the Parish helps to meet the evidenced local housing need.

**AIM 6.** To protect and improve the sustainable transport network in Kington St Michael, encouraging more people to travel by walking, cycling and other sustainable means.

**AIM 7.** To protect, strengthen and diversify our local economy.

**AIM 8.** To promote high quality sustainable design in all development within the Parish, and ensure that this contributes towards addressing the climate crisis locally.

## 5. PLANNING POLICIES

**5.1** The planning policies included in the Plan will be used to help determine planning applications within Kington St Michael Parish (our Neighbourhood Plan Area). Government guidance sets out that a policy in a Neighbourhood Plan should be: "clear and unambiguous... It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared" (Neighbourhood Planning Guidance Note 2014).

**5.2** The following policies relate to the development and use of land in the designated Kington St Michael Parish Neighbourhood Area. They focus on specific planning matters that are of greatest interest to the local community.

**5.3** There are many other policy matters that have been left to the adopted (and emerging) Wiltshire Local Plan to cover. This has avoided unnecessary repetition of policies between the two plans, though they have a mutual, helpful interdependence.

**5.4** Planning policies are shown within a box in bold text, to clearly distinguish them, as below:

**POLICY NUMBER AND TITLE**

Below the policy number and title is the policy text.

Before each policy is some supporting text that explains the purpose of the policy, how it will be applied and, where helpful / relevant, what evidence it draws upon and how the policy relates to other development plan policies.

**5.5** The polices (as well as related practical projects) are presented in 3 sections:

- Our Community Life
- Our Green Environment
- Our Distinctive Village

**Our Planning Policies and the Climate Emergency**

Our planning policies are drafted to support the delivery of sustainable development in Kington St Michael. It is only through truly sustainable development that the planning system can make a positive contribution towards addressing the global climate emergency. Our planning policies each therefore contribute positively towards addressing the climate emergency locally in Kington St Michael. Where relevant, throughout the Plan, we have included a short summary of how the policy does this – identified in a green box like this one.

# 5A. OUR COMMUNITY LIFE

## PROTECTING OUR COMMUNITY FACILITIES

## CONTEXT

**5A.1** The sense of community in Kington St Michael Parish is highly valued by local residents and businesses. The thriving community is supported by a good range of facilities within the parish. The village has a community owned and operated shop, a primary school, "The Jolly Huntsman" pub, a village hall, a social club, St Michael & All Angels parish church, the QE2 Field, historic allotments and a cafe. There are plenty of clubs and activities held in the village hall including preschool and WI.

**5A.2** The NPPF defines community facilities as facilities such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship. Policies should plan positively for the provision of these services, to help promote healthy and safe communities, and guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.

**5A.3** Wiltshire Council defines rural facilities and services as 'those that benefit the local community such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship' (Wiltshire Core Strategy, paragraph 6.71). There is a need to protect and encourage the development of rural services and facilities in Kington St Michael to ensure that the parish can continue to meet a number of the day to day needs of the community. Draft Policy KSM1 seeks to do this, by identifying what those rural services and facilities are in our Parish. Detail on Community Facilities in the Parish is included in the Kington St Michael Community Facilities Report.

### DRAFT POLICY KSM1: PROTECTING KINGTON ST MICHAEL'S COMMUNITY FACILITIES

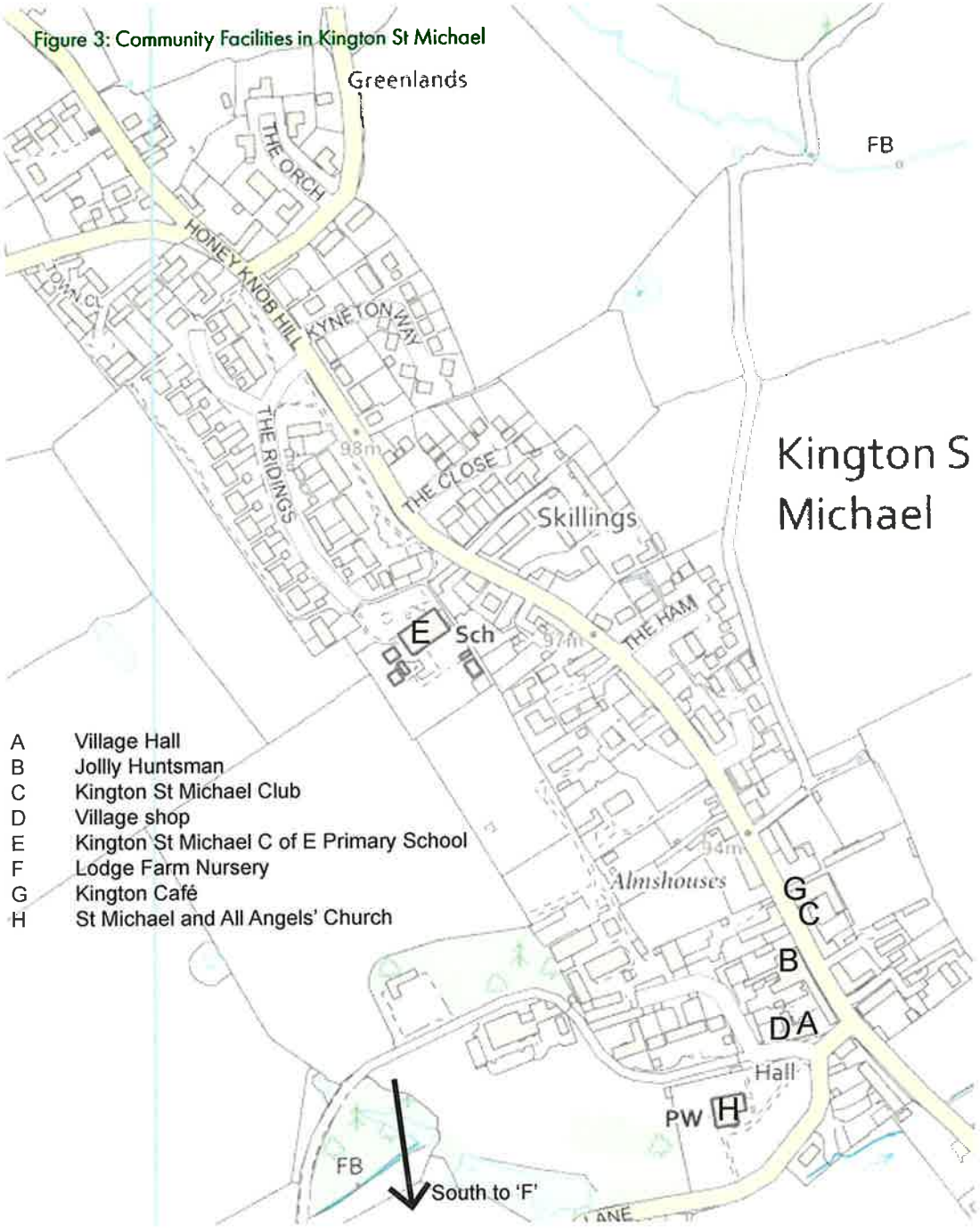
There will be a presumption in favour of safeguarding existing community facilities, as shown on Figure 3 and detailed in the Kington St Michael Community Facilities Report, against any proposals that would result in their loss. Proposals that could result in loss of any facility will only be supported where:

- it can be demonstrated that it would not be economically viable, feasible or practicable to retain the building or site for use as a community facility, or
- adequate alternative provision exists within walking distance, or will be provided in an equally accessible location including by walking and cycling, within the catchment area of the facility.

## How does Draft Policy KSM1 contribute towards addressing the climate emergency in our Parish?

Supporting our local community facilities reduces the need for local people to travel further afield for day-to-day activities like shopping and socialising. Cars are one of the biggest sources of carbon emissions. By protecting and encouraging use of our valued local amenities such as the Village Shop and cafe, we reduce the need for people to get in their cars to carry out their daily business, and promote the idea of a '20 minute neighbourhood', where most people's daily needs can be met within a short walk or cycle.

Figure 3: Community Facilities in Kington St Michael




A Village Hall
B Jollly Huntsman
C Kington St Michael Club
D Village shop
E Kington St Michael C of E Primary School
F Lodge Farm Nursery
G Kington Café
H St Michael and All Angels' Church

## PROTECTING LOCAL EMPLOYMENT

### CONTEXT

**5A.4** During the second half of the last century, Kington St Michael was very much focused on an agricultural economy. Today however the situation is much more diverse. As demonstrated in the Kington St Michael Economy and Enterprise Report, Kington St Michael has a good number of local employment sites, operating largely across the agricultural, IT-related, hospitality and education sectors.

**5A.5** Other than the Motorway Services area, which attracts employees from a wide area, there is no dominant employer in the parish. The next largest employer is the village primary school, and the two nursery schools in the parish. There is also a community owned and principally volunteer run village shop which provides valuable top-up goods, supplementing supplies from local supermarkets and home delivery services.

**5A.6** There has been a consolidation of farms, with owners located within and outside of the parish owning one, or in many cases, more tracts of land within the Parish and elsewhere, providing economies of scale. Two farms now focus on livery services and there are also a limited number of small holdings.

**5A.7** For its size, the village is well served with hospitality facilities. Available accommodation ranges from a large one-star hotel located in the Leigh Delamere Westbound Services on the M4 at the north end of the parish, the village pub, several holiday rental cottages, and Bed & Breakfast accommodation. As well as the large selection of food outlets at the Motorway Services area, food and drink is also available at the centrally located cluster of the village pub, the café, and members club.

**5A.8** Draft Policy KSM2 seeks to retain existing employment uses within the parish, recognising their contribution towards quality of life for local people and the local economy.

**DRAFT POLICY KSM2: PROTECTING LOCAL EMPLOYMENT**

Existing business uses will be protected. Changes of use of existing business premises away from employment activity will only be supported where evidence can be produced to demonstrate that the existing use is no longer economically viable; i.e. that the site has been appropriately marketed at a reasonable price for at least one year for that or any other suitable employment or service trade use.

## SUPPORTING WORKING FROM HOME

### CONTEXT

**5A.9** During the last twenty years the number of home-based enterprises in the parish has increased significantly, driven in part by the availability of broadband and mobile phone infrastructure. As well as the expected building and other general services; several entrepreneurs have established their own businesses offering IT services and e-commerce opportunities. These range from full to part time employment. These services are wide ranging, and include software development, consultancy, entertainment, and media. A number of these businesses have been established as limited companies, and others as sole traders. The employees per organisation within this sector tend to be usually one or two people. The increase in people working from home means that there is an increased need for 'commercial' space at home, such as space for a home office or garden office.

**5A.10** Whilst a majority of working residents commute out of the village, during the COVID-19 pandemic, the number of people working from home on a full-time basis increased significantly. This has been facilitated by the availability of high-speed broadband networks within the village, which local businesses value highly. Home working is anticipated to continue to be popular for many in the post pandemic environment. Whilst fibre-to-the-house broadband is now available to much of the village; the mobile phone network coverage is insufficient and needs strengthening, as several networks do not provide adequate coverage in many locations within the parish. This was identified as having a significant negative impact on local businesses in the Local Business Survey (see Economy and Enterprise Evidence Base Report). Draft policy KSM3 supports in principle development to improve communication networks within the parish, for example development by utilities companies.

**5A.11** Wiltshire Core Strategy Core Policy 1 identifies Kington St Michael as a large village within which development will be limited to improve employment opportunities. Draft Policy KSM3 seeks to support local economic activity in the parish by encouraging home working, with a view to further diversifying local employment opportunities.

## DRAFT POLICY KSM3: SUPPORTING WORKING FROM HOME

Insofar as planning permission is required, proposals that increase opportunities for residents to work from home (such as a home office for remote working) and/or to work from within the parish will be supported.

Where commercial space at residential properties is required, support will be given to proposals for small scale, proportionate residential extensions or modest conversions of existing buildings in the gardens of residential properties. Proposals should clearly demonstrate that the work area for its occupants:

a. is ancillary to the primary residential use
b. does not have an unacceptable impact on the amenities of residential properties in the immediate locality
c. incorporates measures to mitigate the impact of traffic generation (particularly along the main road), noise, light and odours.

Insofar as planning permission is required, measures which would improve internet efficiency and mobile phone connectivity will be supported.

## How do Draft Policies KSM2 and KSM3 contribute towards addressing the climate emergency in our Parish?

Supporting local economic activity and employment opportunities in Kington St Michael reduces the need for local people to commute long distances for work. By protecting and diversifying local employment opportunities, we can encourage people to work within Kington St Michael, reducing car journeys and time spent on the road.

The increased number of people working from within the Parish will continue to support our local facilities and businesses, strengthening our local network and opportunities for people to carry out more of their day-to-day activities within Kington St Michael.

## GETTING AROUND, ACTIVE TRAVEL AND PUBLIC TRANSPORT

### CONTEXT

**5A.12** There are a great number of Public Rights of Way (PROW) within Kington St Michael Parish, all shown on Figure 4 overleaf. The PROW network in Kington St Michael is a key asset, providing recreation opportunities, linking key facilities within the village, as well as linking the village to the surrounding countryside and valued local landscape features such as Tor Hill. These links between the village and its rural surrounds are particularly highly valued by the local community.

**5A.13** Active travel - the term used for making journeys by being physically active, such as by walking and cycling - has many benefits. Whilst increased physical activity is good for our local community's health and wellbeing, the reduction in car journeys that comes with it contributes positively towards village safety and reducing our carbon footprint.

**5A.14** The Public Rights of Way network in Kington St Michael is intrinsically linked to our community's wellbeing and sense of place. Local group Women Out Walking regularly meet to walk the Parish's right of way network 'for the common purpose of a chat and a breath of fresh air'. Some historic routes within the Parish have names related to their historic use, such as 'the coffin path', which links Tor Hill to Kington Langley. During preparation of the Neighbourhood Plan, the community highlighted poor maintenance of some footpaths as a barrier to using them, as well as an opportunity to improve wayfinding signage to encourage people to walk more.

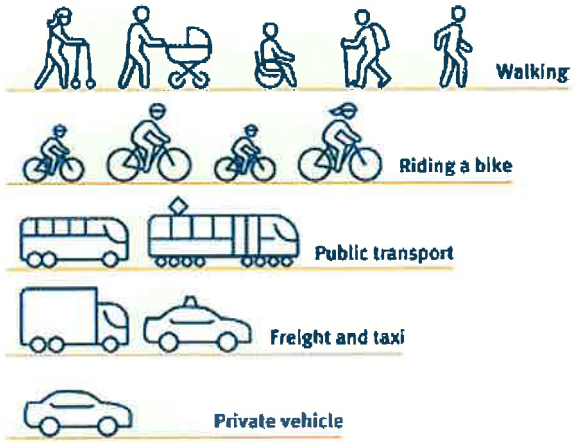
**5A.15** Whilst it is acknowledged that car travel will continue to be an important way in which people get about, particularly for journeys outside of the parish, there is a clear need to use more sustainable transport options. Within the village itself, parking and traffic volume and speed issues (particularly on the main road) have been highlighted as key local concerns which create conditions that are unfriendly to pedestrians and cyclists.

**5A.16** There is an aspiration not just to retain all local paths but to add to the network where appropriate, especially to link sections together. Any future development in Kington St Michael could relate directly or indirectly to these paths or add to or link them together.

**5A.17** Public transport connections with nearby settlements, especially between Kington St Michael and Chippenham and Malmsbury are very important to local residents. Bus service number 92 connects the village with the two towns, and currently runs hourly during the day time.

**5A.18** Wiltshire Core Strategy Core Policy 60 (Sustainable Transport) supports development in accessible locations that promotes sustainable transport alternatives to the use of the private car. Core Policy 60 uses the Sustainable Transport Hierarchy as a key indicator of sustainable transport options. Draft Policy KSM4 reflects this strategic aim and adds local detail.

## Sustainable transport hierarchy



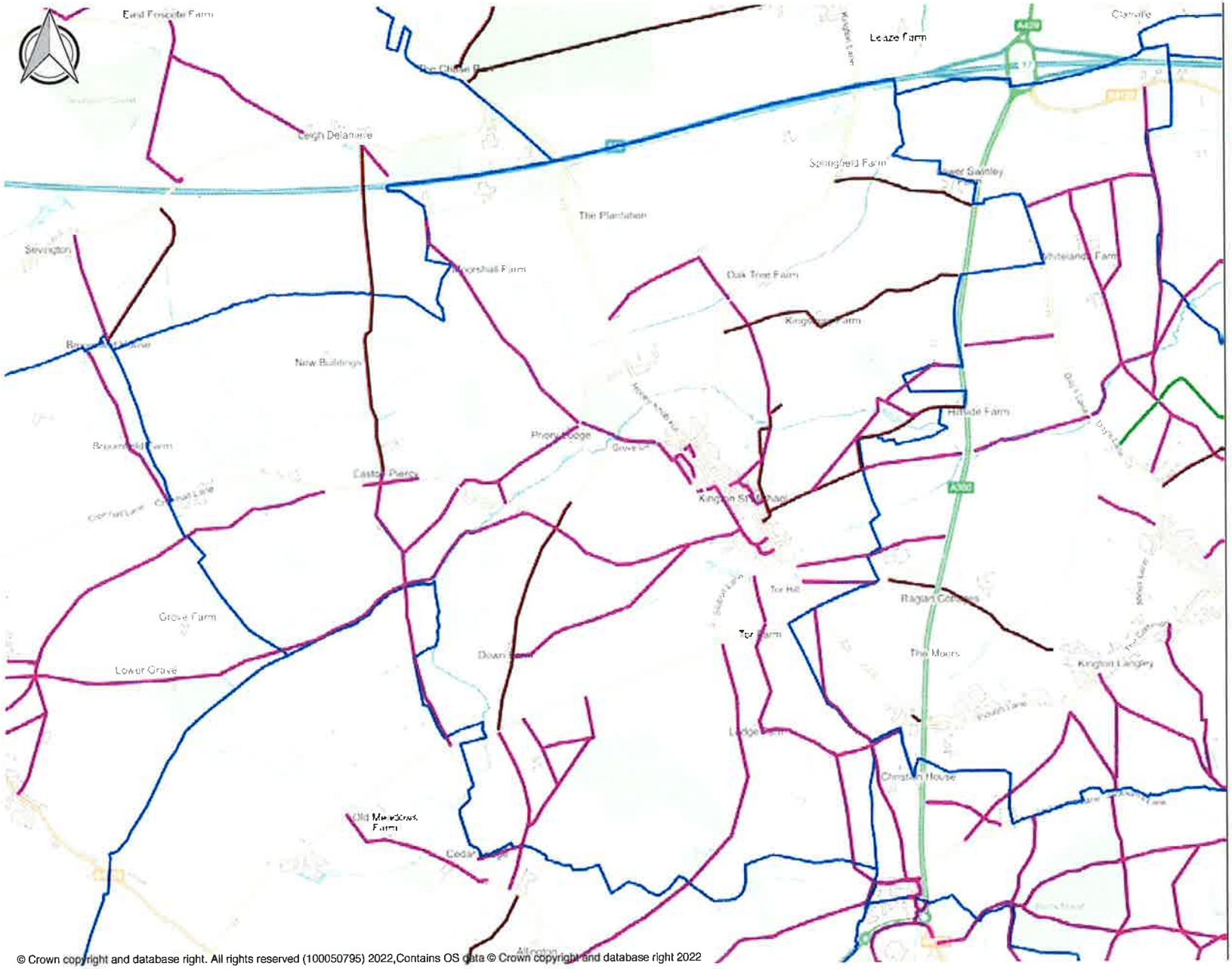

## DRAFT POLICY KSM4: GETTING AROUND AND ACTIVE TRAVEL

All developments must be planned in line with the Sustainable Transport Hierarchy.

Applications for developments that are adjacent to Public Rights of Way as shown on Figure 4, should, where it is appropriate, ensure links to those routes are provided.

Development proposals or projects along the main road in Kington St Michael Village will only be supported if they contribute positively to the implementation of an improved environment for pedestrians and cyclists along the main road.

Any applications for major development must demonstrate through an effective Travel Plan how sustainable transport modes are maximised, both within the parish and to key destinations in the wider area, delivering safe and suitable options for all people.

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**How does Draft Policy KSM4 contribute towards addressing the climate emergency in our Parish?**

Transport is now the biggest carbon emitting sector in the UK[8]. By protecting and improving our active travel network, we can encourage more local people to walk and cycle where possible, cutting our carbon emissions and improving the health and wellbeing of our community.

## PRACTICAL PROJECTS

Parking
- Consider options for acquiring land for public car park provision
- Support the provision of electric vehicle charging infrastructure in public places, for example in the Village Hall car park and new parking area in Stubbs Lane.

Traffic speed management
- Explore the potential for 20mph speed limit within the village

Local Footpath maintenance and improvement
- Particular area of focus is the Tor Hill footpath and road crossing

Support for improvements to local facilities and services
- Provision of more local opportunities for sports
- Provision of better mobile phone reception
- Potential need for more allotments within the Village.

[8]https://www.gov.uk/government/statistics/transport-and-environment-statistics-autumn-2021/transport-and-environment-statistics-autumn-2021#greenhouse-gases-journey-emission-comparisons

## 5B. OUR GREEN ENVIRONMENT

### RURAL LANDSCAPE SETTING AND LOCALLY VALUED VIEWS

**5B.1** Although the Parish is not covered by any landscape designations (such as Area of Outstanding Natural Beauty), its rural landscape setting is highly valued by the local community, and there is concern that any new development should ensure that the rural character of the village, which is immediately surrounded by long-established farmland, is protected.

**5B.2** The setting of Kington St Michael village within the surrounding landscape and open countryside is a key factor in shaping the distinctiveness of the Parish as a whole. The village has an interesting relationship with its landscape setting because, despite the generally flat nature of the area around the village, it is barely seen when approaching along any of the roads coming in. The landscape around the village is effectively flat, with slight dips to the north and south of the village. These dips act as important signifiers of the north and south entrance points to the village.

**5B.3** Tor Hill is a valued local landmark; views to and from this locally important landscape feature are particularly cherished by the local community. As well as views in and out of the village, views along the historic main road are vital to the character of the village. The Neighbourhood Plan Steering Group has prepared the Locally Valued Views Report, which identifies a number of specific views from within the Parish which are important to the local community.

**5B.4** Wiltshire Landscape Character Assessment (2005) identifies all of the Parish of Kington St. Michael as within the area of Landscape Character 'Type 16: Limestone Lowland'. Section 3 of the Kington St Michael Community Design Statement describes more about the landscape setting of the Village and Parish as a whole, and its particular key features.

**DRAFT POLICY KSM5: RURAL LANDSCAPE SETTING AND LOCALLY VALUED VIEWS**

The rural landscape setting of Kington St Michael will be protected. Any proposals for development which, by reason of their scale, siting or design, would affect the landscape setting as described in Wiltshire Landscape Character Assessment and Kington St Michael Community Design Statement, must demonstrate how the landscape setting will
be protected and where relevant, enhanced.

Any development proposals that are likely to affect any of the views listed below, shown on Figure 5 and described in the Kington St Michael Locally Valued Views Report should assess the effect of the proposals on the view(s) and demonstrate how any adverse effects have been addressed.

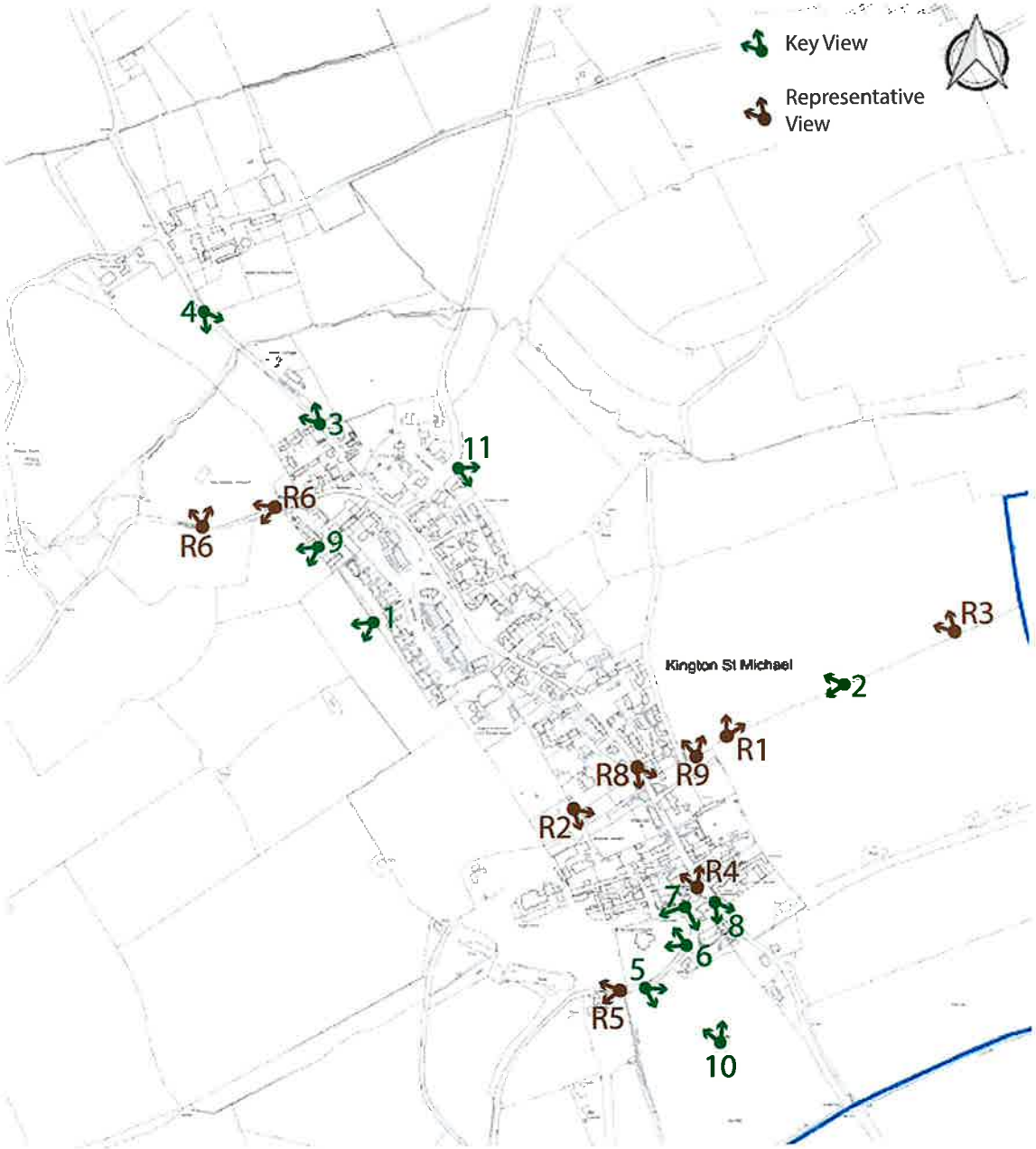



Figure 5: Locally Valued Views

## VALUED OPEN SPACES AND LOCAL GREEN SPACE DESIGNATIONS

**5B.5** The Neighbourhood Plan proposes the designation of Local Green Spaces. The designation, introduced by the NPPF, provides special protection against development for green areas of importance to communities. The designation can be used:

- where the green space is in reasonably proximity to the community it serves
- where the green area is demonstrably special to a local community and holds a local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife.
- where the green area is local in character and is not an extensive tract of land.

Local Green Spaces do not have to be publicly accessible, and do not need to be in public ownership.

**5B.6** A number of the proposed Local Green Spaces in draft Policy KSM6, for example the recreation field and the allotments, hold a particular recreational community value due to how they are used. These green spaces are where limited development is supported, so long as it is in keeping with the existing use and community value of the space. For example, where planning permission is required, development to improve allotment facilities would be supported.

**5B.7** The Local Green Spaces identified in KSM6 are demonstrably special to the community for a variety of reasons. A full explanation of the methodology, evidence and justification to support the designation of the draft proposed Local Green Spaces is included in the Kington St Michael Local Green Spaces Report.

**5B.8** Only those spaces which meet the Local Green Space criteria above are proposed to be designated as such in KSM6. The Neighbourhood Plan Steering Group has also identified a wider network of undesignated green features and spaces which encompasses the spaces which do not fit the Local Green Space criteria and so cannot be included as Local Green Space. Policy KSM7 includes more information on this network of spaces.

**5B.9** Of particular note are the Recreation Field and the Pond Area, both shown as 'Valued Public Open Spaces' on Figure 6 below. These spaces have been assessed to potentially meet the Local Green Space criteria outlined above. However, they are considered to be adequately protected from inappropriate development by way of their existing status:

- The Recreation Field is a QEII Field in Trust. In 2011 the Parish Council approved a Deed of Dedication for the field to become a QE2 Field in Trust, meaning that it will be protected as a public recreation facility in perpetuity.
- The Pond Area is a registered Village Green[10]. This means legislation protects it from being built upon

[10] https://www.gov.uk/guidance/town-and-village-greens-how-to-register

(other than for the purpose of better enjoyment of the green) or from being made private, so that it remains a space open to everyone.

**5B.10** Policy KSM6 does not apply to the Valued Public Open spaces identified on Figure 6. These spaces are noted as part of the valued wider green and blue infrastructure network in Policy KSM7 below.

**How does Draft Policy KSM6 contribute towards addressing the climate emergency in our Parish?**

Green spaces in our Parish are of paramount importance and they perform a range of functions in tackling the local impacts of climate change. One green space can have multiple positive functions, for example flood management, supporting biodiversity, space for trees to provide shade and cooling, and local food production. Protecting locally valued green spaces from development protects and maintains these valued functions.

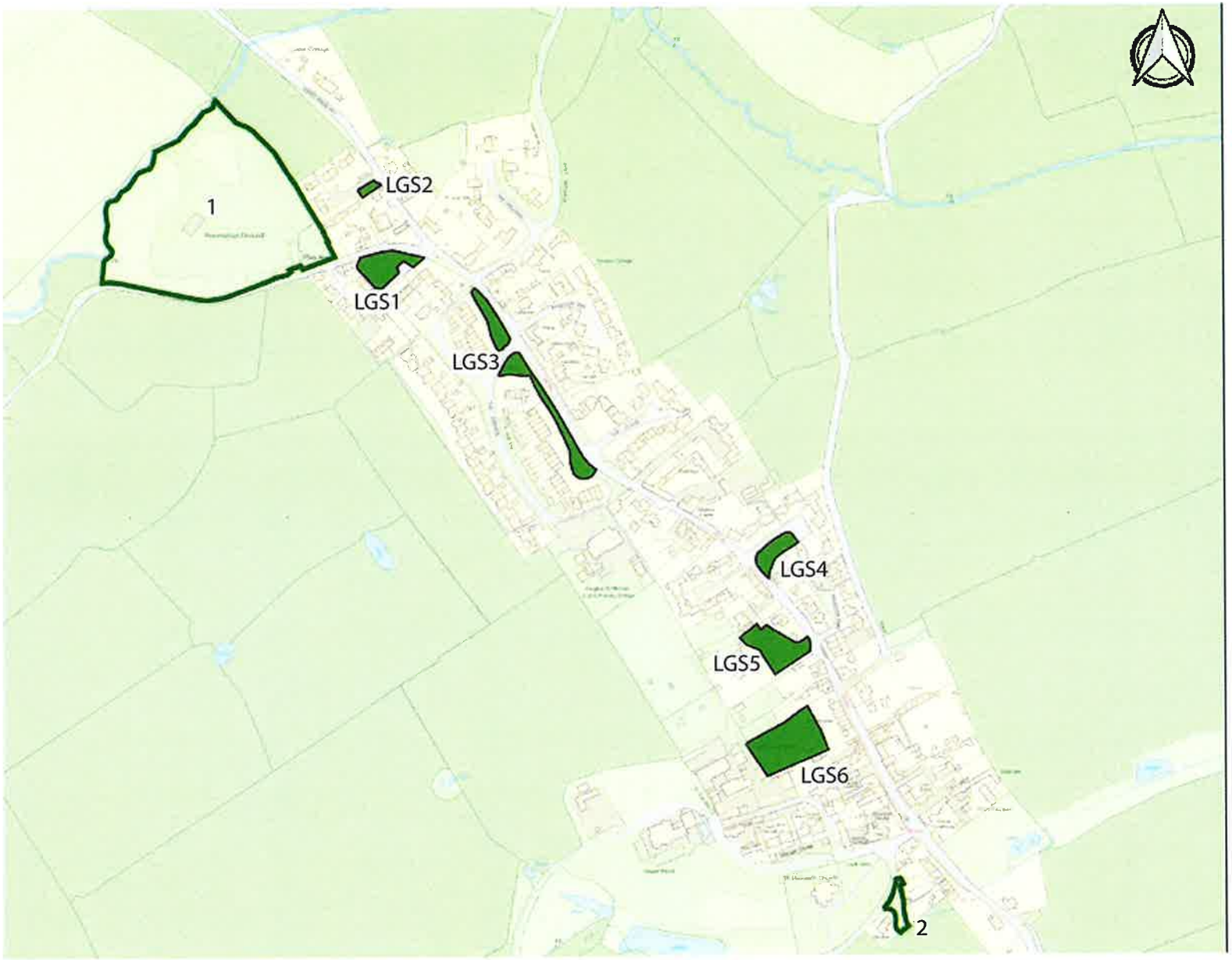
**DRAFT POLICY KSM5: RURAL LANDSCAPE SETTING AND LOCALLY VALUED VIEWS**

**Local Green Space Designations**
The green spaces shown on Figure 6, and detailed in the Local Green Space Evidence Base Report, are designated as Local Green Spaces, in accordance with National Planning Policy Framework paragraphs 101-103.

These spaces will be protected from built development except for in exceptional circumstances and where the proposals enhance the existing use of the space, particularly regarding the characteristics that underpin designation.

Proposed Local Green Space designations:

1. Honey Knob Hill
2. Town Close Green
3. Entrance to the Ridings
4. The Ham
5. Field opposite Rose Cottages
6. Allotments




Valued Public Open Space

1 Recreation Field
2 The Pond Area

Draft Proposed Local Green Space Designations

LGS1 Honey Knob Hill
LGS2 Town Close Green
LGS3 Entrance to The Ridings
LGS4 The Ham
LGS5 Field Opposite Rose Cottages
LGS6 Allotments

Figure 6: Valued Green Spaces

## GREEN AND BLUE INFRASTRUCTURE

**5B.11** Green infrastructure encompasses the network of multifunctional green areas and other natural features such as trees and verges, whilst blue infrastructure includes streams, rivers and storm water provision. The green and blue infrastructure network in Kington St Michael provides us with a wide range of benefits for nature, climate and community wellbeing.

**5B.12** Kington St Michael's local GBI network is made up of spaces and connections that provide multifunctional benefits for both the natural environment and for people. These benefits are also known as 'ecosystem services'. In Kington St Michael, our GBI and some of the ecosystem services that it provides includes:

- Intact ancient hedgerows that line the routes into the village from the north and the south, providing biodiversity value and a sense of place for those arriving at the village;
- Three areas of Ancient Woodland to the east of the village. Ancient Woodland is our richest land-based habitat for wildlife, and plays a key role in carbon storage. Fifty percent of the carbon in woods is stored in the soil and leaf litter. In ancient woodland this represents a huge carbon store that has been locked up for some time, making their preservation even more important.
- Nymph Hay Woodland, an important local woodland area used regularly by the community for recreation including walking and picnics. Valuable for the local community's mental and physical wellbeing.
- Important local trees, some of which are listed on the Ancient Tree Inventory, others which have been planted / sponsored by the Parish Council and local people to commemorate local people or events. These trees provide a number of ecosystem services including:
    - Improving local air quality; trees cut the level of airborne particulates and absorb nitrogen dioxide, sulphur dioxide and ozone
    - Contributing to our local sense of place and heritage
    - Providing links for pockets of wildlife and supporting biodiversity.

**5B.13** Kington St Michael's green and blue assets are part of a network of green and blue infrastructure that is important both locally and regionally. Figures 7a and 7b illustrate diagrammatically the key green and blue infrastructure in Kington St Michael to be protected and enhanced. More detail on the Parish's GBI can be found in the Kington St Michael Green and Blue Infrastructure Report.

**5B.14** By identifying Kington St Michael's Green and Blue Infrastructure network, the Neighbourhood Plan identifies the assets to protect, enhance and strengthen the links between.

**5B.15** This work can be supported through the Wiltshire Community Environment Toolkit (October 2021)[11]. The Wiltshire Community Environmental Toolkit has been developed in partnership with Natural England to allow communities to take the lead in defining and restoring biodiversity

[11] https://www.wiltshire.gov.uk/media/6584/Community-Environmental-Toolkit-March-2021/pdf/26_MARCH_Toolkit_WebMR.pdf?m=637576410403830000

in their community. Designed for use by community groups, local landowners, Parish and Town Councils, schools and youth groups it provides a structure for how local communities can better understand what they already have in terms of biodiverse habitats as well as how to plan for developing greater biodiversity and nature based carbon sequestration in the future. The Toolkit forms part of a suite of documents that Wiltshire Council is producing as part of the Green and Blue Infrastructure Strategy[12] – adopted in February 2022.

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**5B.16** Building with Nature is a new framework of standards for delivering GBI. It is divided into three core themes: wellbeing, water and wildlife. The aim is to enable the delivery of high quality green infrastructure at each stage of the development process, from planning and design, through to long-term management and maintenance.

**5B.17** The NPPF states that all new developments require tree lined streets and the provision of trees or community orchards in public spaces (paragraph 131). It will be important to ensure enough room is provided for the establishment of trees in consultation with highways officers and tree officers, therefore application of the policy will require appropriate discussion and agreement with relevant officers in Wiltshire Council.

**What are Ecosystem Services?**

Ecosystem services are the multiple benefits that the natural environment provides. Ecosystem services make human life possible and include - to name just a few - the production of food and water, flood regulation, space for recreation, air quality regulation and maintenance of biodiversity.

[12] https://www.wiltshire.gov.uk/planning-bio-green-blue-infrastructure

## DRAFT POLICY KSM7: GREEN AND BLUE INFRASTRUCTURE, NATURAL ENVIRONMENT AND RESOURCES

Development proposals must have an overall positive impact on the Parish's existing Green and Blue Infrastructure network, its natural environment and resources.

This will be achieved through high quality design. Development proposals must provide for the protection, enhancement and maintenance of the natural environment by:

- Contributing towards the protection, management, enhancement and connectivity of Kington St Michael's existing Green and Blue Infrastructure network, as illustrated diagrammatically on Figures 7a and 7b, and detailed in the Kington St Michael Green and Blue Infrastructure Report.
- Identifying the existing GBI within and around the site, and demonstrating how GBI has been incorporated into the proposal, with particular reference to the detail and objectives in the Kington St Michael GBI Report;
- Protecting existing trees, woodland and hedgerows, including those shown on Figures 7a and 7b, and avoiding removal wherever possible. New tree planting, with the aim of increasing overall Tree Canopy coverage in Kington St Michael, and in line with paragraph 131 of the National Planning Policy Framework (NPPF 2021) will be supported.

Development proposals that are accredited as meeting Building with Nature standards will be supported.

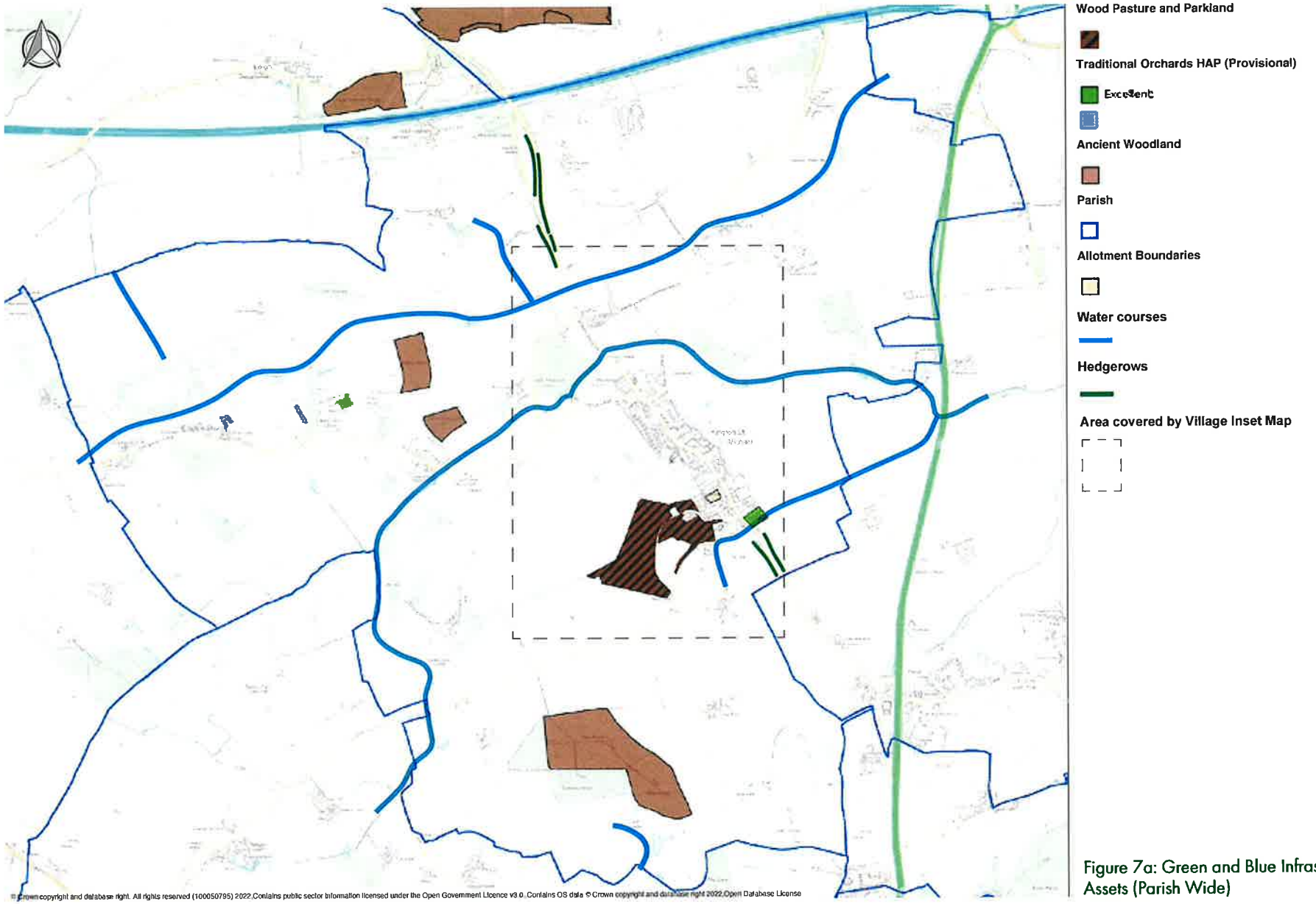



Figure 7a: Green and Blue Infrastructure Assets (Parish Wide)

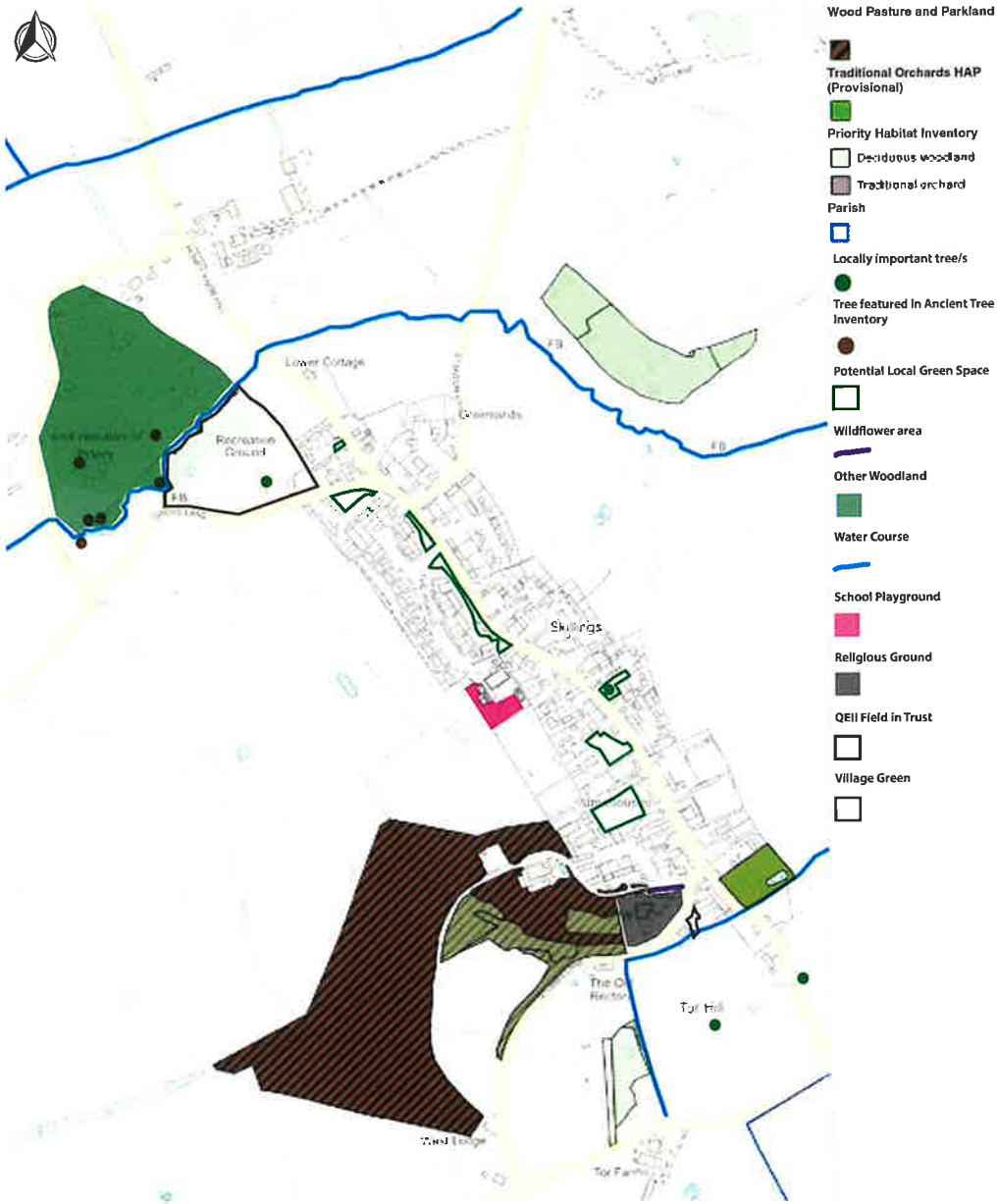



Figure 7b: Green and Blue Infrastructure Assets (Village Inset)

## BIODIVERSITY

**5B.18** Kington St Michael is host to a range of wildlife sites and features, a number of which are shown on Figures 7a and 7b. This includes areas of Ancient Woodland, open green spaces, gardens and wildflower areas, some of which are detailed in paragraph 5B.9 and the Kington St Michael Green and Blue Infrastructure Report.

**5B.19** Draft Policy KSM8 seeks to reflect at the local level legislation in the Environment Act (November 2021) which sets out a duty for developers to include a minimum 10% net biodiversity net gain in new schemes. This figure of 10% and any future amendments made at either a national or Wiltshire level should be regarded as a minimum. The biodiversity net gain approach follows on from the Government's aim to 'leave the environment in a better state than we found it' in its 25 Year Environment Plan.

### DRAFT POLICY KSM8: BIODIVERSITY

Development proposals should not result in a net loss of biodiversity and are expected to deliver a net gain in biodiversity of at least 10% through enhancement and creation of ecological networks by:

- retaining features of biodiversity value, including but not limited to those shown on Figure 7, including mature trees, species rich hedgerows, ponds, streams and existing areas of woodland.
- providing new tree planting, wildlife friendly landscaping and ecological enhancements (such as wildlife ponds, bird and bat boxes) wherever practicable.
- creating new biodiversity features both within the landscape and within the building design (such as green roofs, bat and swift bricks); and
- maximising opportunities to enhance and create links between ecological networks and habitat areas. Links should be created both on-site and, where possible, with nearby features.

In exceptional circumstances where the need for development clearly outweighs the need to protect the value of the site, and it is demonstrated that the impacts cannot be: 1) avoided; 2) mitigated or; 3) compensated for on-site; then new development will provide off-site compensation to ensure that there is "no net loss" of biodiversity.

Provision of off-site compensation shall be calculated in accordance with nationally or locally recognised guidance and metrics. It should not replace existing alternative habitats, and should be provided prior to development.

AIM 2
AIM 8

**How do Draft Policies KSM7 and KSM8 contribute towards addressing the climate emergency in our Parish?**

Protecting and enhancing our green and blue infrastructure and biodiversity networks is key to addressing the climate emergency and supporting our Parish to be more resilient to the effects of climate change. Looking after and strengthening our green and blue spaces has many benefits, for example:

- Carbon capture
- Air quality improvement
- Flood risk management
- Opportunities for local food production
- Provision of shade and temperature regulation
- Supporting local wildlife and biodiversity.

## NATURAL FLOOD MANAGEMENT

**5B.20** There are two main streams that cross the Village east-west; one to the north that flows under Honey Knob Hill and borders the Recreation Field, and the second to the south running parallel with Stubbs Lane. The majority of areas of flood risk within the village are associated with the land near to these waterways, but there are also some areas at risk of flooding from surface water, particularly to the south of the village around Sevastopol Terrace. Fowlswick Lane can be subject to flooding from the adjacent fields, and there have been instances of flooding on Stanton Lane, associated with run-off from nearby agricultural activities. Official Environment Agency data on flood risk is shown on Figure 8.

**5B.21** The National Planning Policy Framework and Planning Practice Guidance, together with the Wiltshire Core Strategy (Core Policy 67), highlight the importance of development taking place in areas at least risk of flooding where possible, as well as the need to manage the flow of surface rainwater.

**5B.22** Any new development has the potential to increase surface water flood risk. The National Planning Policy Framework sets out that new development should make use of opportunities to reduce the causes and effects of flooding, where appropriate through the use of natural flood management techniques.

**5B.23** The use of sustainable urban drainage systems (SUDS) is integral to any new development, alleviating flood risk through environmental solutions such as permeable paving, green roofs, retention ponds or green spaces.

**5B.24** When managing rainfall, the SUDS network should be designed to match natural drainage routes, infiltration rates and discharge rates as far as possible. Therefore the aim must be for water to be discharged as high up the drainage hierarchy[13] as possible:
into the ground (infiltration);

1. to a surface water body;
2. to a surface water sewer, highway drain, or another drainage system;
3. to a combined sewer.

[13]https://www.gov.uk/guidance/flood-risk-and-coastal-change

## DRAFT POLICY KSM9: NATURAL FLOOD MANAGEMENT

Natural flood management works to conserve and enhance the ecological flood storage value of the water environment, including watercourse corridors and catchments, are supported.

Where development proposals are in areas with known surface water flooding issues, they should include appropriate mitigation and construction methods, including where appropriate, contributions towards wider catchment projects.

Where appropriate to the scale of development, proposals should include provision of Sustainable Drainage Systems as part of the Natural Flood Management approach and wider Green Infrastructure networking.

### How does Draft Policy KSM9 contribute towards addressing the climate emergency in our Parish?

Change in rainfall levels is a significant impact of climate change in the UK. The UK Met Office predicts that in a business-as-usual scenario, Britain could experience a decrease in summer rainfall by up to 47%, and up to 35% more rain in winter by 2070. This means that we need to manage rainfall more effectively to ensure that flood risk is minimised in the winter whilst water can be conserved and used efficiently during the summer months. This policy encourages the use of natural flood management approaches to manage

## PRACTICAL PROJECTS

- Provision and upkeep of benches in key areas and on key routes
- Supporting tree planting across the Parish
    - Particular area of focus for this is the QEII Field

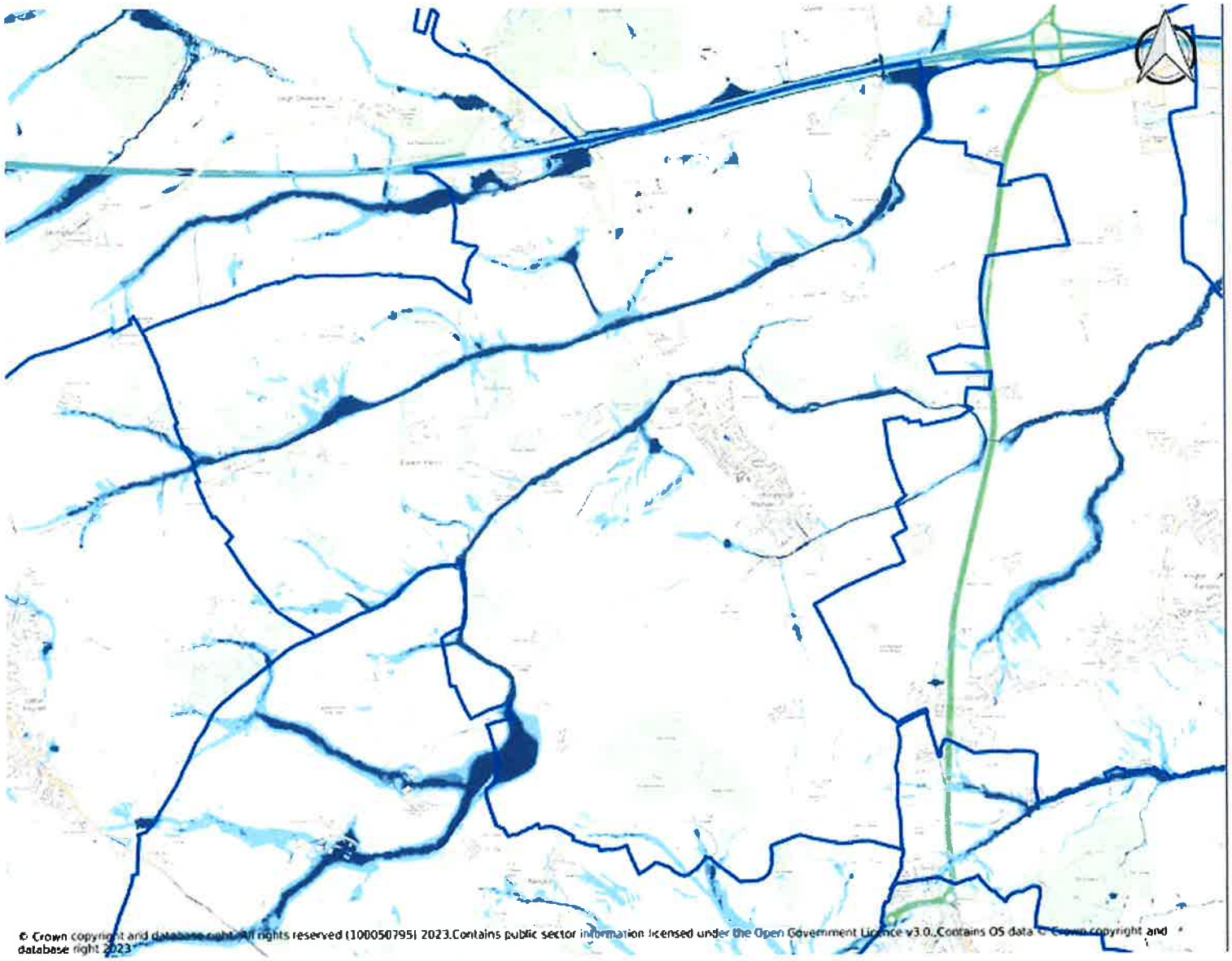



Figure 8: Risk of Surface Water Flooding

## LOCAL RENEWABLE AND LOW CARBON ENERGY GENERATION

**5B.25** As part of moving towards a low carbon future, Kington St Michael Neighbourhood Plan supports generation of zero or low carbon energy at the local level from sources such as geothermal or solar energy.

**5B.26** Government advice requires that 'the planning system should support the transition to a low carbon future in a changing climate. It should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions... including (supporting) ...renewable and low carbon energy and associated infrastructure' (NPPF paragraph 152).

**5B.27** Although there currently no solar farms within the Parish, there is one close by in Chippenham Without. In 2022, planning permission was granted for a solar farm at Morshall Farm / Bromfield Lodge, and the south eastern part of this site falls within Kington St Michael Parish. During the preparation of the Neighbourhood Plan, local people expressed concern that if there was any further solar farm development within the Parish in the future, it would be appropriately managed so as to avoid any potential negative impacts such as construction traffic and effect on the rural landscape.

**5B.28** The Planning Practice guidance for Renewable and Low Carbon Energy[14] sets out information on how to assess and mitigate the visual impact as well as the glare and glint from solar panels on residents and other receptors. The key receptors with respect to glint and glare are residents in surrounding dwellings, road users, and aviation infrastructure.

[14] https://www.gov.uk/guidance/renewable-and-low-carbon-energy

## DRAFT POLICY KSM10: LOCAL RENEWABLE AND LOW CARBON ENERGY GENERATION

Decentralised renewable and low carbon energy schemes will be supported and encouraged, and will be approved where their impact is, or can be made, acceptable.

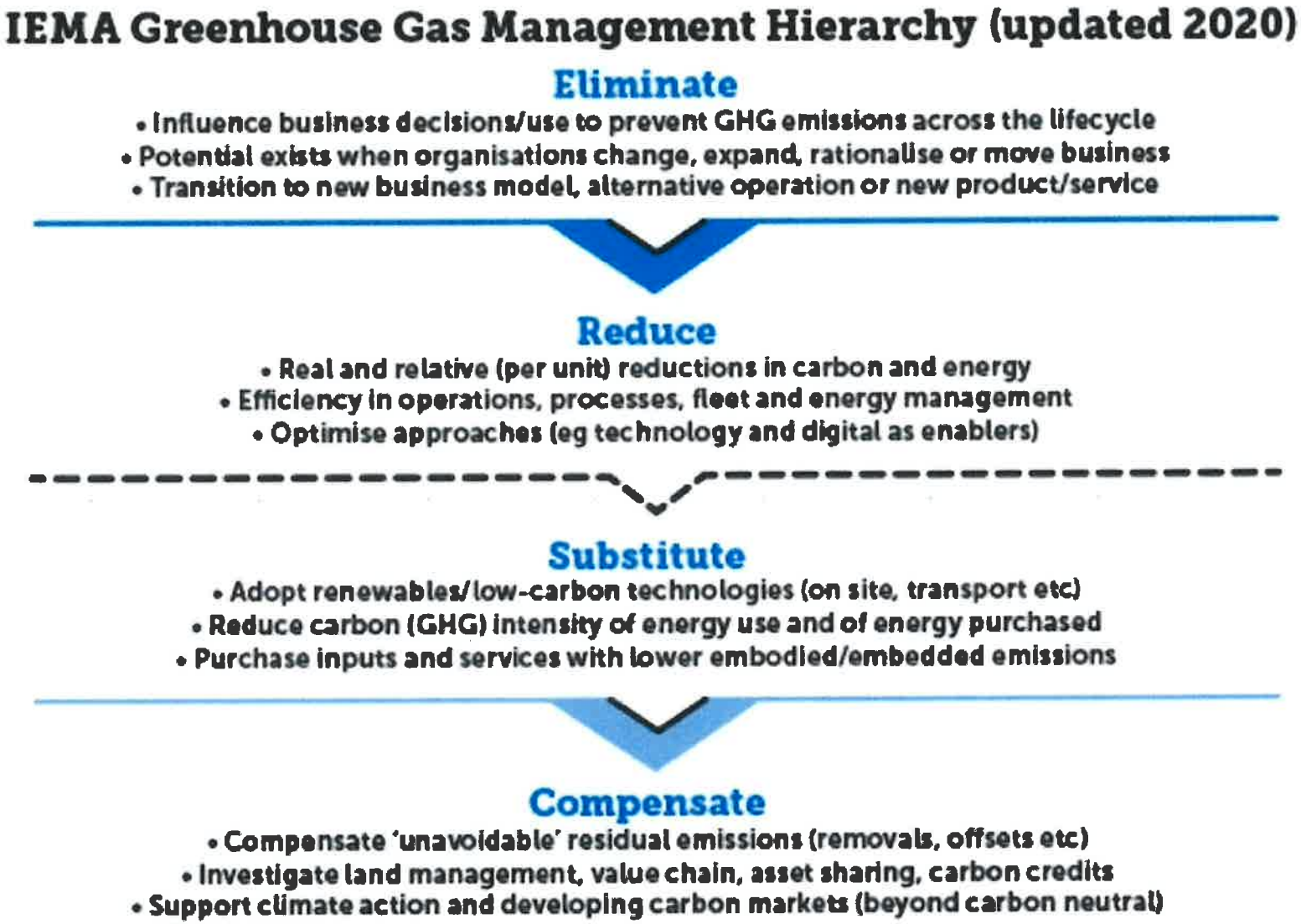
In determining applications for local renewable and low carbon energy generation developments, the following issues will be considered:

- the contribution of the proposals, in light of Wiltshire Council's resolution to seek to make the county carbon neutral by 2030, to cutting greenhouse gas emissions and decarbonising our energy system; and
- the impact of the scheme, together with any cumulative issues, on landscape character, visual amenity, water quality and flood risk, heritage significance, local character and distinctiveness (as identified in the Kington St Michael Community Design Statement), recreation, biodiversity and, where appropriate, agricultural land use, aviation and telecommunications; and
- the impact on users and residents of the local area, including where relevant, shadow flicker, glint and glare, air quality, vibration and noise, including during the construction period.

### How does Draft Policy KSM10 contribute towards addressing the climate emergency in our Parish?

Encouraging development to enable increased renewable or low carbon energy generation in Kington St Michael is key to reducing our fossil fuel and greenhouse gas emissions. The Greenhouse Gas Hierarchy is a key principle in Wiltshire Council's Climate Strategy, and sets out the approach to reducing greenhouse gases in the county (see Image 1). Draft Policy KSM10 relates to the 'Substitute' stage which refers to replacing energy sources that create greenhouse gas emissions with renewable energy sources, such as those encouraged in the policy.

Image 1 - Greenhouse Gas Hierarchy




https://www.iema.net/articles/ghg-management-hierarchy-updated-for-net-zero

# 5C. OUR DISTICTIVE VILLAGE

## LOCAL CHARACTER AND DISTINCTIVENESS

**5C.1** In 2019 the Government published a 'National Design Guide'[16] which highlights the importance of understanding and responding to local character. In early 2021 a National Model Design Code[17] was introduced as part of the government's planning practice guidance. It expands the National Design Guide and reflects the government's priorities and provides a common overarching framework for design.

**5C.2** The 2021 update of the NPPF also underscores the importance of high quality design: "the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve."[18]

**5C.3** The NPPF sets out that "Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development".[19]

**5C.4** An in-depth survey and analysis of the locally distinctive character and design of the built and natural environment is summarised in the Kington St Michael Community Design Statement, which forms a key part of the evidence base for our Neighbourhood Plan.

**5C.5** The Community Design Statement draws on the work in the Kington St Michael Parish Plan (2007), which included the starting point for a Village Design Statement. As part of work on the Neighbourhood Plan, this has been updated and refreshed to be in line with the recent changes to government guidance on design that are outlined above.

**5C.6** The Kington St Michael Community Design Statement complements and informs our Neighbourhood Plan. The core of the document is a description and analysis of important and locally distinctive features of the village. It reflects local aspirations and sets out how the identified special qualities and locally distinctive characteristics should be reflected in any development proposals.

**5C.7** Kington St Michael has a rich and distinctive character. The village has an unusual settlement pattern in that it still reflects its origins as an agricultural community and linear settlement either side of the old road from Chippenham to Malmesbury. The 'historic core' of the village, which is predominantly within the Conservation Area, includes a wealth of buildings walled with the local version of Cotswold Stone traditionally used here (Oolitic Limestone).

**5C.8** The Community Design Statement should be used at the earliest possible stages of design and as part of early pre-application community engagement. The Parish Council has adopted the Kington St Michael Pre-Application Community Engagement Protocol, which is included in Appendix 2 and is intended to facilitate a structured approach to enable effective, positive and early involvement of the local community in outline and full planning applications addressing all aspects of a proposal.

[16] https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/962113/National_design_guide.pdf
[17] https://www.gov.uk/government/publications/national-model-design-code
[18] NPPF Paragraph 126
[19] NPPF Paragraph 127

## DRAFT POLICY KSM11: LOCALLY DISTINCTIVE, HIGH QUALITY DESIGN

In order to create high quality buildings and places, development proposals should respond positively and distinctively to the National Model Design Code and the Kington St Michael Community Design Statement as appropriate to their scale, nature and location. In particular, development proposals should demonstrate how they have responded positively to the design guidance in the Kington St Michael Community Design Statement.

## How does Draft Policy KSM11 contribute towards addressing the climate emergency in our Parish?

The policy refers to the Kington St Michael Community Design Statement and the National Model Design Code as key guidance documents. Both of these documents include detailed guidance on many aspects of sustainable design, for example incorporating biodiversity, sustainable drainage, trees, electric vehicle charging facilities and cycle parking into development.

## SUSTAINABLE DESIGN, CONSTRUCTION AND RETROFITTING

**5C.9** The Climate Change Act 2008 (2050 Target Amendment) Order 2019 commits the UK to a carbon emission reduction target of 100% by 2050 compared with a 1990 baseline. Recent reports illustrate how urgent it is that action is taken. Land use planning, and the Kington St Michael Neighbourhood Plan, has the potential to make a valuable contribution towards addressing climate change locally.

**5C.10** In July 2019, Wiltshire Council made a resolution to seek to make the county carbon neutral by 2030. A Global Warming and Climate Emergency Task Group was set up to gather evidence and come up with recommendations on achieving this. In 2022, Wiltshire Council adopted the Wiltshire Climate Strategy, which sets a framework for reducing emissions and becoming more resilient to the impacts of climate change over the next five years.

**5C.11** Whilst all of the aims and policies in the Neighbourhood Plan contribute towards addressing the climate emergency in Kington St Michael, draft policy KSM12 looks specifically at sustainable design, construction and retrofitting of our existing buildings to become more energy efficient.

**5C.12** Energy use in homes accounts for about 14% of UK greenhouse gas emissions. In Kington St Michael, carbon emissions from the use of energy in our homes accounts for 23% of our overall carbon emissions. In their 2019 report, 'UK Housing: Fit for the Future?' the Committee for Climate Change warns: 'we will not meet our targets for emissions reduction without near complete decarbonisation of the housing stock.'

**5C.13** There are many historic buildings in Kington St Michael, many of which are listed buildings, and the sensitive retrofitting of these historic buildings is supported. Improving the energy efficiency of existing homes in the parish will contributing to tackling the climate crisis as well as keeping down energy bills in people's homes.

**5C.14** The Nongasmap website and local insight suggest quite a high proportion of properties in Kington St Michael Parish are off the gas network and reliant on oil. Whilst the majority of properties within the village are connected to the gas network, most properties within the hamlets are not. Not only is oil a fossil fuel, but also one of the most expensive options available.

**5C.15** The LETI Climate Emergency Retrofit Guide provides some key guidance on how we can retrofit our homes to make them fit for the future and support Wiltshire Council's Net Zero targets.

**5C.16** A second key reference for this policy is therefore the Net Zero Carbon Framework (2021) which has been created to make Net Zero carbon new build and retrofit more accessible. It has been created for building professionals (developers, contractors, architects and engineers) and is also relevant to self -builders, planning officers and other housing professionals. The UK Green Building Council also provides a framework definition to help guide the implementation of net zero building.

[20]https://www.legislation.gov.uk/ukdsi/2019/9780111187654
[21]https://www.ipcc.ch/
[22]https://www.wiltshire.gov.uk/media/8671/Wiltshire-Council-Climate-Strategy/pdf/Wiltshire_Council_Climate_Strategy_2022.pdf?m=637807788064400000
[23] https://www.theccc.org.uk/publication/uk-housing-fit-for-the-future/
[24]https://impact-tool.org.uk/footprint/footprint?regionId=E04011746&geography=parish&footprintType=consumption&scale=per-household
[25]https://www.nongasmap.org.uk/
[26] https://www.leti.london/_files/ugd/252d09_c71428bafc3d42fbac34f9ad0cd6262b.pdf
[27] https://www.westoxon.gov.uk/media/2ddb125k/net-zero-carbon-toolkit.pdf

## DRAFT POLICY KSM12: SUSTAINABLE DESIGN, CONSTRUCTION AND RETROFITTING

Development should be designed to reduce carbon emissions and energy demand in response to the climate emergency. High standards of sustainable design and construction will be supported in principle. Both new build and refurbishment of existing homes should seek to meet energy use targets as set out in the Net Zero Carbon Toolkit (2021) where viable.

Innovative approaches to the construction of low carbon homes which demonstrate sustainable use of resources and high energy efficiency levels, such as Passivhaus, are encouraged.

Every new home with one or more dedicated parking space or garage must provide access to electric vehicle charging infrastructure. Where off street parking is not provided and parking is provided on streets within the proposed development, the design and layout of the proposed development should incorporate infrastructure to enable the charging of electric vehicles on street within the proposed development which does not compromise the public realm or the mobility of other users, and which has regard to the Design Guidance within Kington St Michael Community Design Statement.

The sensitive retrofitting of energy efficiency measures and the appropriate use of micro-renewables in existing buildings will be supported. This includes the retrofitting of historic and listed buildings and buildings of solid wall or traditional construction, whilst safeguarding the special characteristics of the individual heritage assets, and the wider area for the future.

The retrofitting of existing buildings should seek to incorporate methods and reach targets as set out in the LETI Climate Emergency Retrofit Guide, where viable.

### How does Draft Policy KSM12 contribute towards addressing the climate emergency in our Parish?

We know that housing in Kington St Michael contributes towards more than 20% of carbon emissions in the parish - it is a key area that we can look to being more environmentally friendly within. This policy encourages sensitive retrofitting of our existing housing stock, as well as the implementation of the most energy efficient design and construction methods, to reduce energy usage and emissions.

## AIM 3

## LOCAL HERITAGE

**5C.17** Kington St Michael has a rich heritage which contributes towards its distinctive character and the quality of residents' everyday life. The protection of our local heritage assets is a priority for local people.

**5C.18** Kington St Michael Conservation Area was designated as such in 1984. A Conservation Area is, in law, an area of special architectural and historic interest. Planning authorities are legally required to pay special attention to conserving or enhancing the character of Conservation Areas. Any proposed development which conflicts with this objective should usually expect to be refused.

**5C.19** In 2005, Wiltshire Council produced a brief 'Conservation Area Description' document. As part of the preparation of the Kington St Michael Neighbourhood Plan, the Neighbourhood Plan Steering Group (with assistance from consultants Place Studio) has undertaken a rapid assessment of the Conservation Area; identifying key locally valued features and qualities of the Conservation Area, and adding updates and local detail to the existing Description note. This detail is summarised the Kington St Michael Community Design Statement and in Figure 9 below.

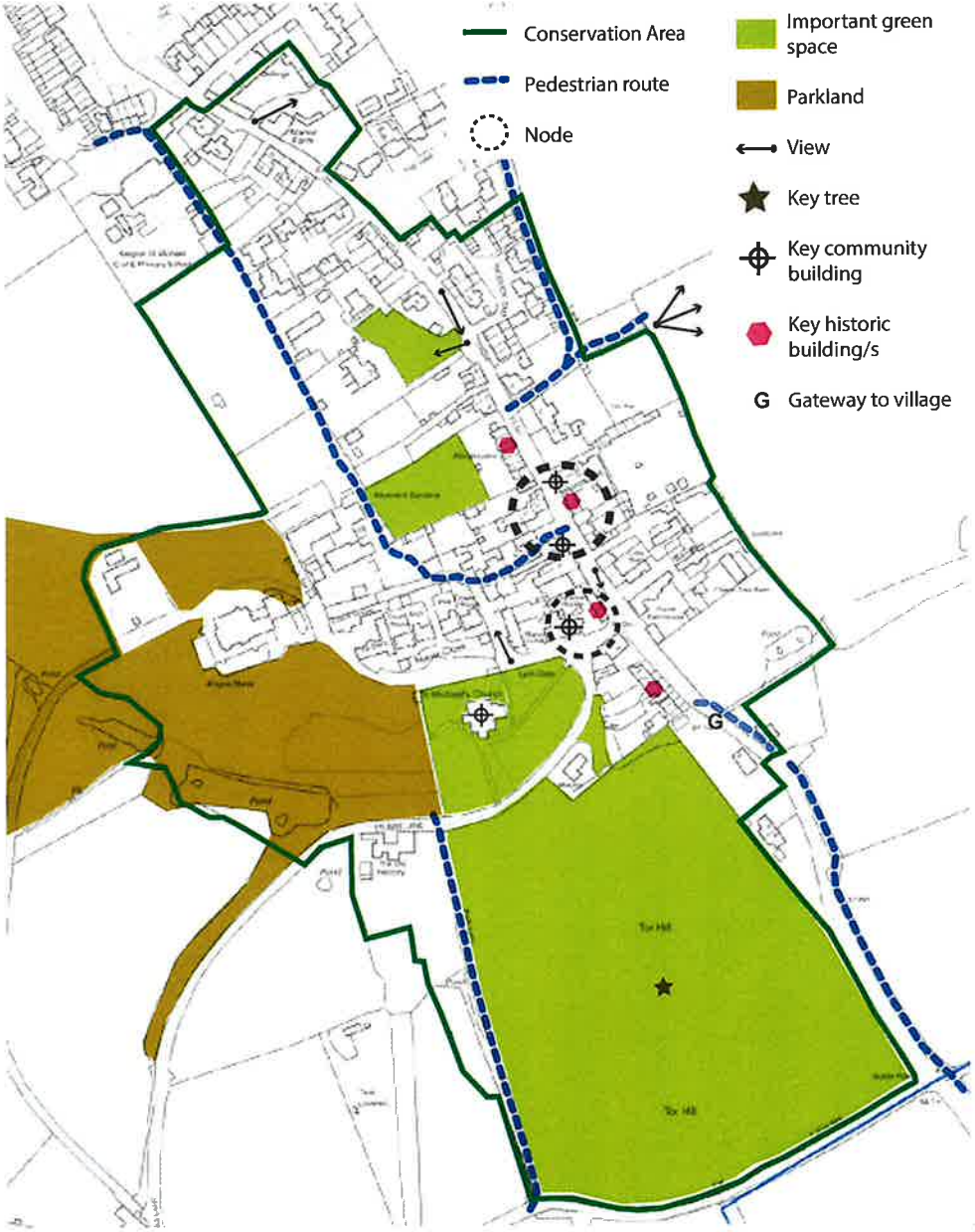



Figure 9: Kington St Michael Conservation Area: Key Features

**5C.20** Kington St Michael also has 45 Listed Buildings, both within and outside of the Conservation Area. The Historic Environment Record (HER) for Kington St Michael provides a wealth of information on the Parish's historic environment, and should be referred to by applicants where proposals have potential to impact on heritage assets or their setting. Much of the HER is available to view on the Know Your Place Wiltshire website.[28]

**5C.21** There are also a number of buildings and features within the parish that play a role in the collective heritage and identity of our community which even though they do not meet the 'special' benchmark for Grade I or II listing, are valued as part of our local heritage. Their heritage value has the potential to place them in the category of 'buildings of local interest', otherwise called 'non-designated heritage assets'.

**5C.22** In order to designate 'non-designated heritage assets', robust evidence must be collected, including consideration of the heritage value of the asset against criteria set out by Historic England, and consultation with landowners. Through consultation with the local community, the Steering Group has identified potential non-designated heritage assets that could be designated in the future, these include:

- Carved stone decoration on the side of Woodbine Villa
- 'Notice' sign on the side of barn
- Inset stone commemorating John Britton
- Edward VII Post Box
- The Village Hall

**5C.23** Draft Policy KSM13 adds local detail to Wiltshire Council Core Policy 58 (Ensuring the Conservation of the Historic Environment).

**DRAFT POLICY KSM13: LOCAL HERITAGE**

Kington St Michael Conservation Area

Proposals for development within or within the setting of Kington St Michael Conservation Area must show how they preserve or enhance the characteristics and special qualities that make up the architectural and historic character, as identified on Figure 9, the Kington St Michael Community Design Statement, and the Kington St Michael Conservation Area Description (2005).

Locally Valued Non-designated Heritage Assets

Development proposals that affect Locally Valued Non-designated Heritage Assets will be required to take into account the character, context and setting of the Locally Valued Non-designated Heritage Assets, including important views towards and from the assets. Development proposals must demonstrate that appropriate consideration has been given to:

1. the significance of the heritage asset;
2. its most distinctive and important features;
3. the elements of its setting and immediate surrounds that contribute to its significance; and,
4. the contribution the asset and its setting makes to the character of the localarea (whether in the Conservation Area or not).

[28] https://maps.bristol.gov.uk/kyp/?edition=wilts

## PROTECTING THE OPEN COUNTRYSIDE

**5C.24** Ensuring that the village of Kington St Michael remains separate to, and distinct from, Chippenham town is a key priority for the community of Kington St Michael. Local residents value the beautiful rural surroundings of the village which should be protected. Any development in the Neighbourhood Area should ensure that the rural landscape character of the village, immediately surrounded by long-established farmland, is respected and enhanced.

**5C.25** The edge of Chippenham town lies approximately 1.5km south of Kington St Michael's settlement edge. Chippenham has grown significantly in recent decades, encroaching into its surrounding countryside. Whilst the emerging Local Plan identifies further significant development in the countryside to the east of Chippenham town (and so not directly between Kington St Michael and Chippenham), it is important that the rural and open countryside between Kington St Michael and Chippenham is maintained, ensuring the separation between the two.

**5C.26** The Wiltshire Core Strategy, emerging Local Plan, Langley Burrell Neighbourhood Plan, Bremhill Neighbourhood Plan, Calne Community Neighbourhood Plan and the Chippenham Neighbourhood Plan all acknowledge the importance of retaining separate identities for the rural settlements and landscape surrounding Chippenham. Policy KSM14 reinforces this for Kington St Michael.

**5C.27** Kington St Michael is classified as a 'large village' in the Wiltshire Core Strategy, acknowledging its role as a local service centre with key facilities. As a 'large village', Kington St Michael has a settlement boundary, which is drawn tightly around the existing built settlement – see Figure 10.

**5C.38** Wiltshire Core Strategy Core Policies 1 and 2 support in principle proposals for sustainable development within existing settlement boundaries. Draft Policy KSM14 seeks to support appropriate development within the settlement boundary and protect the open countryside, including and particularly that which plays a key role in the separation of Kington St Michael and Chippenham.

**5C.39** Wiltshire Core Strategy defines infill development as the filling of a small gap within the village that is only large enough for not more than a few dwellings, generally only one dwelling (paragraph 4.34 of the Wiltshire Core Strategy, 2015[29]).

**5C.40** Brownfield land is defined by the NPPF as land that has been 'previously developed'; this definition excludes agricultural or forestry buildings and gardens. Local planning authorities, including Wiltshire Council, are required to publish a brownfield land register for their area which sets out previously developed land that a local planning authority considers suitable for residential development. The most recent available Brownfield Land Register is from 2019, and is available on the Wiltshire Council website.

**5C.41** Whether a brownfield is considered 'suitable' will be decided by Wiltshire Planning officers, taking into account considerations such as biodiversity, highways and identified local needs.

**5C.42** The Kington St Michael Local Housing Needs Survey was produced in 2019, and provides information about the local affordable housing need within the Parish.

[28]https://www.wiltshire.gov.uk/media/372/Wiltshire-Core-Strategy-adopted-2015/pdf/Wcs.pdf?m=637099399373530000

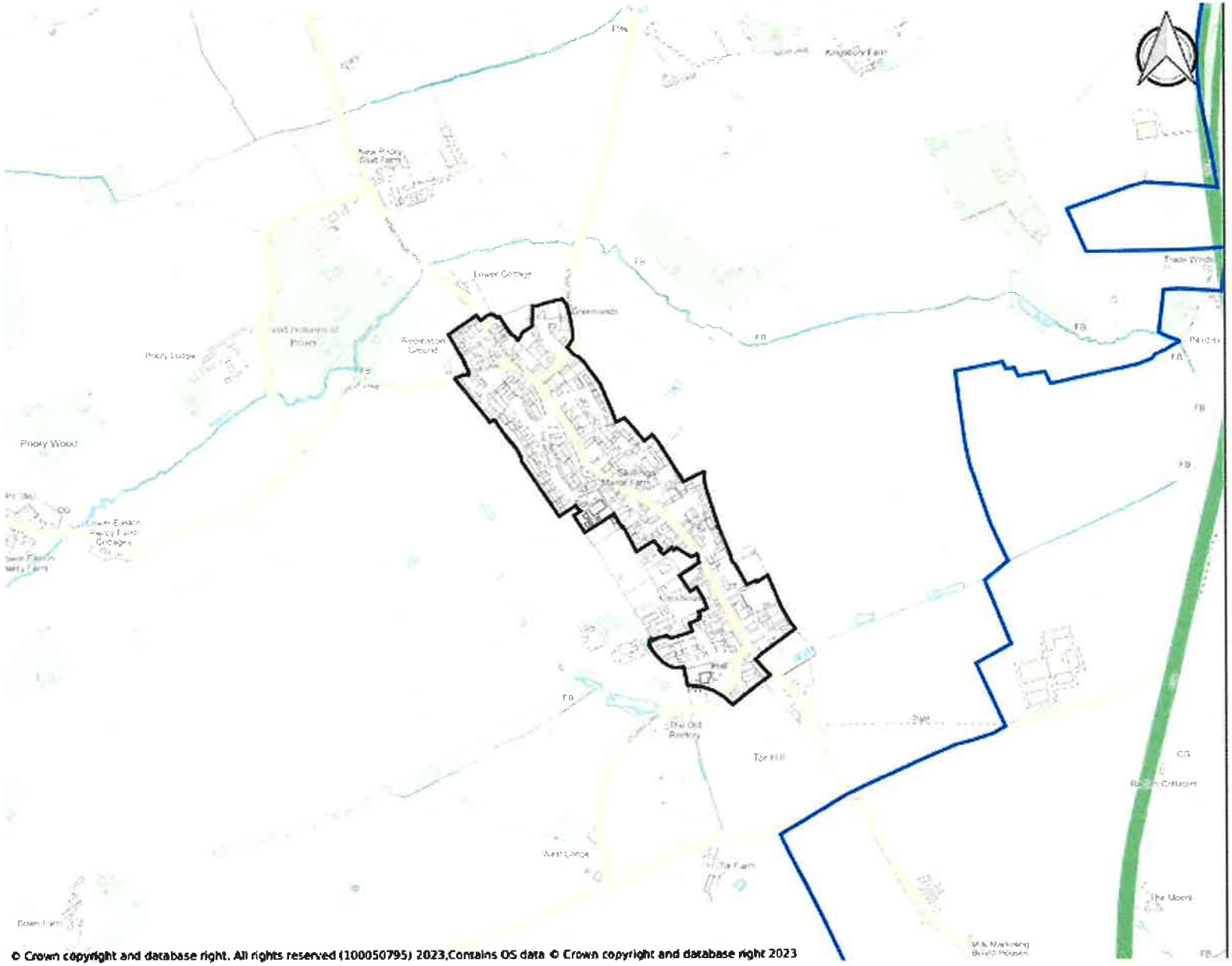



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Figure 10: Kington St Michael Settlement Boundary

## DRAFT POLICY KSM14: PROTECTING THE OPEN COUNTRYSIDE

Within the defined settlement boundary, proposals for residential development to meet evidenced local housing need, and/or for new services and facilities, and/or for improved local employment opportunities that contribute towards the continued and sustainable growth of the village will be supported provided that development:

- Accords with the provisions of Wiltshire Core Strategy Core Policy 2; or
- Is a re-use of brownfield land; and
- Has regard to the distinctive character of the village, with reference to the Kington St Michael Community Design Statement, and
- Utilises high quality sustainable design and construction techniques, with particular reference to detail set out in Draft Policy KSM12, and
- Conserves or enhances the Conservation Area, with reference to the Kington St Michael Community Design Statement and the Kington St Michael Conservation Area Description (2005).

Development in the open countryside will only be supported where it is:

- To be delivered as a rural exception site in line with Wiltshire Core Policy 44; or,
- A re-use of brownfield land.

Any development outside of the settlement boundary must maintain the visual separation between Kington St Michael and Chippenham and ensure that the landscape character of the area is protected or enhanced.

### How does Draft Policy KSM14 contribute towards addressing the climate emergency in our Parish?

By supporting sustainable development within the settlement boundary, the policy contributes towards creating a '20 minute neighbourhood' in Kington St Michael, where most people's daily needs can be met within a short walk or cycle and the need to drive is reduced. This reduces carbon emissions from private vehicles.

# 6. USING AND REVIEWING THE NEIGHBOURHOOD PLAN

**6.1** Once made, the Neighbourhood Plan becomes part of the statutory development plan, meaning that it will be used in the determination of planning applications within Kington St Michael Parish. The Parish Council will consider the content of the Neighbourhood Plan and refer to relevant parts when commenting on planning applications in the area.

**6.2** Any new development will be monitored closely through the planning process to ensure that policies are adhered to. After the Plan is made, each Annual Parish Council Meeting will include an update to monitor the use of the Plan in the previous year by both the Parish Council and Wiltshire Council in terms of planning applications and environmental projects, together with the likely implementation and impact of the Plan for the forthcoming year. The Parish Council website will carry the annual reports on the Plan's use during its lifetime.

**6.3** Responsibility for providing the leadership in the future for the Kington St Michael Parish Neighbourhood Plan will rest with Kington St Michael Parish Council.

**6.4** There is no requirement to review or update a Neighbourhood Plan. However, policies in a Neighbourhood Plan may become out of date, for example if they conflict with policies in a local plan covering the neighbourhood area that is adopted after the making of the Neighbourhood Plan, or because of changed local circumstances or priorities. A Neighbourhood Plan can be updated in whole or in part.

## APPENDIX 1 - EVIDENCE BASE LIST

**Community Design Statement (Part 2 of the Neighbourhood Plan, 2022, (separate document))**
**Community Facilities Report (2022)**
**Economy and Enterprise Report (2022)**
**Green and Blue Infrastructure Report (2023)**
**Local Green Spaces Report (2023)**
**Locally Valued Views Report (2023)**
**Parish Housing Needs Survey (2019)**

# APPENDIX 2 - KINGTON ST MICHAEL PRE-APPLICATION COMMUNITY ENGAGEMENT PROTOCOL (DRAFT - TO BE ADOPTED BY PARISH COUNCIL)

The aim of the Protocol is to do all possible so that new development in Kington St Michael helps to shape good quality places to live and work and as a means of working towards improved outcomes for the current and future communities. One particularly effective way of achieving this is through early, planned engagement with the community via the Parish Council.

Use of this Protocol is without prejudice to the eventual judgement of Kington St Michael Parish Council on the merits of any final application, even if a good engagement process has been agreed and followed.

***Context***

National Planning Policy and Guidance: The National Planning Policy Framework (2021) makes several mentions of the considerable value of pre-application involvement, for example in paragraph 39:

"Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community."

The Planning Practice Guidance Note Design: process and tools (2019) also highlights the importance and benefits of early engagement:

"Communities can effectively shape both design policies and development through a collaborative process of meaningful participation. Early engagement and linking engagement activities to key stages of design decision-making and plan-making can empower people to inform the vision, design policies and the design of schemes."

"It is important that local planning authorities or applicants demonstrate how all views are listened to and considered."

The 10 Commitments for Effective Pre-application Engagement[30] published by a group representing planning, industry and community groups states that:

"Early, collaborative discussions between developers, public sector agencies and the communities affected by a new development can help to shape better quality, more accepted schemes and ensure improved outcomes for the community. These discussions also avoid wasted effort and costs."

Whilst there is an emphasis on early and positive pre-application engagement in 'major development' proposals, it is the view of Kington St Michael Parish Council that, for their community, the above should also apply to smaller developments in the Parish because these can have at least as much impact as larger ones. Kington St Michael Parish Council fully support and endorse all of the above and will play their appropriate role in delivering high quality pre-application engagement with themselves and the wider Kington St Michael Parish community as proposals come forward.



[30] https://www.wiltshire.gov.uk/media/372/Wiltshire-Core-Strategy-adopted-2015/pdf/Wcs.pdf?m=637099399373530000

***Process***

Drawing from the 10 Commitments and other guidance on best practice, potential applicants should work with Kington St Michael Parish Council to fulfil the following principles:

- 'Day One' contact: By far the best results for all emerge when contact is made with our Parish Council, and through us with our local community, at the very start of any process; consulting people late with already prepared schemes is not productive.
- Agreed Process: A key aim of this early contact is to discuss and agree the nature, scope, timetable, information and so forth of the engagement – i.e. the process to be followed.
- Applicant Leadership but Shared Responsibility: Although it is the applicant's role to lead and fund engagement, the Parish Council will offer as much support as possible to any agreed process; for example by providing local information, contact details for local groups, advice on meeting places, access to newsletters and so forth.
- Openness and Transparency: Building trust between all and ensuring an agreed outcome depend heavily on having a process that is as open as possible on all sides, though the Parish Council will respect any issues of clear commercial confidentiality.
- Agreed Community: A project may have an impact on a limited number of people or on all of the parish. The details of those to be involved will need to be discussed and agreed for any project, as will the potential ways to contact and engage them.
- Agreed Scope: There will also need to be agreement about the scope of the engagement, i.e. what is and is not open to change (e.g. layout, quantum of development, design etc.).
- Proportionality: The nature and scale of engagement will be balanced in appropriate proportion to the scale and likely impact of any proposals.
- Final Reporting: The applicant should submit, with any final application, a thorough report – a full report - describing and summarising the outcomes of the engagement, demonstrating how the proposals have (or have not) responded to results. If they have not, a short note should be included to explain this. If the process has been followed fully, Kington St Michael Parish Council will endorse this report; if not they may submit their own evaluation of it.

Initial contact should be made at the very outset with the Parish Council via the Clerk:

ksmparishclerk@gmail.com

The Parish Council commits to doing all possible to arrange an initial meeting as soon as possible following this contact.

There is considerable benefit for applicants in also sharing any process with Wiltshire Council, as planning authority, and securing their agreement to it. As per the opening proviso, endorsement of an engagement process and results does not necessarily mean support for the resulting proposals.