

**PLANNING STATEMENT (INCLUDING PLANNING
OBLIGATIONS DRAFT HEADS OF TERMS)**

**PROPOSED RESIDENTIAL DEVELOPMENT AND LAND FOR
CEMETERY AT LAND AT THE FORTY AND CHELWORTH ROAD,
CRICKLADE**

ON BEHALF OF HANNICK HOMES AND DEVELOPMENTS LTD

NOVEMBER 2023



**TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING AND COMPULSORY PURCHASE ACT 2004**

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1. INTRODUCTION

1.1 This Planning Statement has been prepared by RAW Planning Ltd to accompany an outline planning application which is submitted on behalf of Hannick Homes and Developments Ltd (“The Applicant”). The application relates to land south of The Forty and land north of Chelworth Road, Cricklade (“the Application Site”).

1.2 The description of development is as follows:

“Outline planning application (with all matters except access reserved) for up to 49 dwellings and associated works and provision of a cemetery together with access and associated works”.

1.3 Submission of the application follows ongoing discussions with Cricklade Town Council and a community consultation event that was well attended by local residents.

1.4 This Planning Statement is submitted in support of the application and provides a summary overview of the application proposals as well as an assessment of the application proposals against the relevant Planning Policy Framework and any other material planning considerations.

1.5 Section 2 provides a description of the application site and the surrounding area. Section 3 summarises the pre-application advice received and Section 4 sets out the application proposals. Section 5 sets out the Planning Policy Framework that is applicable to the application. Section 6 provides a reasoned justification for the development being proposed and Section 7 sets out a summary and conclusions.

1.6 This Statement should be read in conjunction with the following plans and documents:

Application Plans

Drawing Title	Number
Site Location Plan	40/004
Topographic Survey	
Site Access General Arrangement	R-21-0181-GA-001 Rev B
Cemetery Site Access General Arrangement	R-21-0181-GA-005 Rev A

Illustrative Plans to Support the Application

Drawing Title	Number
Illustrative Site Layout	40/001

Application Documents

- Arboricultural Impact Assessment, prepared by SJ Stephens Associates, dated November 2023
- Design and Access Statement, prepared by RAW Planning Ltd, dated November 2023
- Ecological Assessment, prepared by Ecology Solutions, dated November 2023
- Flood Risk Assessment, prepared by Rappor, dated November 2023
- Historic Environment Desk-Based Assessment, prepared by Landgage Heritage, dated November 2023
- Site Waste Management Plan, dated November 2023
- Statement of Community Involvement, prepared by RAW Planning Ltd, dated November 2023
- Transport Statement, prepared by Evoke Transport, dated November 2023

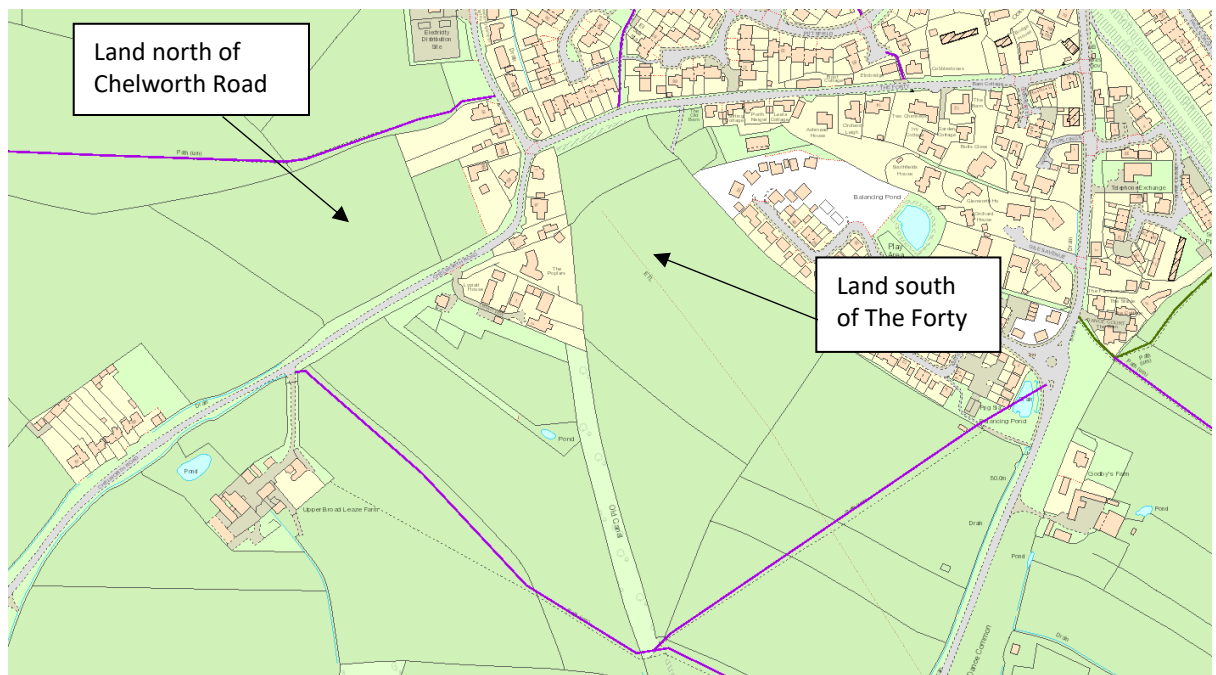
2. THE APPLICATION SITE AND SURROUNDINGS

- 2.1 The application site comprises two parcels of land; Land south of The Forty is proposed for residential development and Land north of Chelworth Road is proposed for the cemetery land. Both sites are located to the south west of the market town of Cricklade as shown on the aerial photo below.



- 2.2 Land to the south of The Forty extends to 3.31 hectares of agricultural land and is broadly rectangular in shape. The site adjoins The Forty to the north. To the north west the site adjoins residential properties that face onto Chelworth Road. The site adjoins residential development to the east with the northern part of the site adjoining development facing onto The Forty and the southern part of the site adjoining a recent residential development along the road known as 'Hitchings'. The site comprises agricultural land with boundary hedgerows. The northern parcel of land is separated from the wider site by a hedgerow that runs in an east – west direction through the site. Above ground electricity cables pass over the south western part of the site.
- 2.3 Land north of Chelworth Road extends to 0.81 hectares of agricultural land and comprises part of a wider field. The sites north and south boundaries are defined by mature hedgerows. To the east the site adjoins a paddock along the southern part of the eastern boundaries and the far ends of the long gardens of 60 and 61 The Fiddle along the north of the eastern boundary. To the west the site adjoins the remainder of the wider field.

- 2.4 The application sites are not subject of any statutory or local landscape, ecological or heritage designations and the sites are located within flood zone 1 which has the lowest probability of flooding. The sites do however lie within the zone of influence around the North Meadow and Clattinger Farm SAC and this is dealt with further in this Statement and the application submission.
- 2.5 There are no public rights of way (PRoW) crossing either of the two parcels of land although there are a number of PRoW within the immediate vicinity as shown on the plan extract taken from Wiltshire Council's website below.



- 2.6 A detailed description and character analysis of the wider area is provided within the accompanying Design and Access Statement.

3. THE APPLICATION PROPOSALS

3.1 An outline planning application is submitted for:

“Outline planning application (with all matters except access reserved) for up to 49 dwellings and associated works and provision of a cemetery together with access and associated works”.

Proposed Residential Development

3.2 An Illustrative Site Layout is submitted in support of the application to illustrate how the proposed residential site could deliver up to 49 dwellings together with access, drainage infrastructure and landscaping. A copy of the Illustrative Site Layout is inserted below:



3.3 The existing front field facing onto The Forty, including its boundary hedgerows (except those required to be removed to facilitate the site access) would be retained and kept free from built form. The exact use of the land would be confirmed at the reserved matters stage although options include a community orchard and / or informal open space.

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- 3.4 The remainder of the site would be developed off of a central vehicular access that provides a central road with a number of shared surface spurs and private drives with frontage development. A mix of dwellings is proposed to help meet local need as identified in the Cricklade Neighbourhood Plan. The final mix of dwellings would be subject to a future reserved matters application however it is envisaged that the mix would include 2, 3, 4 and 5 bedroom houses with opportunities for bungalows.
- 3.5 A Policy compliant level of affordable housing of 40% would be provided which would include First Homes, Shared Ownership and Social Rent. The exact mix of unit types and tenures would be subject to negotiation with the LPA during the course of the application and would be secured through a Section 106 Legal Agreement.
- 3.6 It is envisaged that the majority of dwellings would be two storeys in height with opportunities for bungalows. A variety of house types and building forms would provide scope to vary the height and scale of properties within the broad 2 storey parameter with opportunities for 2.5 storeys at selected locations. Dwellings would be a mix of detached, semi-detached and small terraces.
- 3.7 In terms of materials it is envisaged the dwellings would be constructed using a palette of materials to reflect the surrounding area which could include reconstituted stone and red brick.
- 3.8 Existing periphery hedgerows are proposed to be retained with green buffers created between hedgerows and existing and proposed dwellings. A drainage basin would be provided at the lowest point on the site (i.e. the south east corner) alongside a pump station. The drainage basin would form a landscape feature around which dwellings would be positioned.
- 3.9 Vehicular access would be via The Forty and full details of access are submitted as part of the application. The proposals would also deliver a wide range of transport related improvements which would benefit existing and proposed residents, including:
- A new footway alongside the residential access and a new pedestrian crossing across The Forty which is supported by a flat top hump to prioritise pedestrian movement.
 - A traffic calming scheme at The Forty / The Fiddle junction and its approaches from both directions, involving two further flat top humps to reduce speeds, signage and enforced narrowing of the eastern approach on The Fiddle to improve visibility at the junction.
 - An enhanced footway and visibility at The Forty / Purton Road junction.

Full details regarding the works are provided in the accompanying Transport Statement.

Proposed Cemetery

- 3.10 It is proposed to provide land for a cemetery to the north of Chelworth Road. The cemetery land has the potential to provide space for up to 900 burial plots (subject to confirmation by the Environment Agency) together with the ash internment. A vehicular access would be provided at the south east corner. As set out in relation to the proposed residential development all matters except access are reserved for determination as part of a subsequent reserved matters application(s).
- 3.11 It is envisaged that the cemetery land would be made available to Cricklade Town Council, however this can be subject to discussion with Officers during the determination of the application and secured by way of a Section 106 Planning Obligation.

4. RELEVANT PLANNING POLICIES

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) is considered to be a material consideration which attracts significant weight.

4.2 This section refers to relevant national planning policy and guidance as well as Development Plan policies that provide the planning policy framework for this appeal that should be considered. It deals with the following layers of policy and guidance:

- National Planning Policy Framework (NPPF)
- The Development Plan

National Planning Policy Framework (NPPF)

4.3 The NPPF outlines national guidance and the Government's policies on the many different aspects of planning. The latest version of the NPPF was published in September 2023.

4.4 Paragraph 2 explains that planning law requires applications for planning permission to be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

4.5 Paragraph 10 confirms that at the heart of the Framework is a presumption in favour of sustainable development.

4.6 Paragraph 11 sets out a presumption in favour of sustainable development and states that for decision making this means:

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

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

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

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”

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- 4.7 The term 'out-of-date' is defined at footnote 8 of the NPPF as including situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites with appropriate buffer or where the Housing Delivery Test indicates that the delivery of housing was substantially low (less than 75% of) the housing requirement over the past three years.
- 4.8 The term 'protected areas' is defined as habitat sites and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park or defined as Heritage Coast; irreplaceable habitats; designated heritage assets and areas at risk of flooding or coastal change.
- 4.9 Paragraph 14 advises that the presumption at paragraph 11(d) does not apply where there is an adopted Neighbourhood Plan subject to a number of factors applying, including that (a) the Neighbourhood Plan became part of the development plan two years or less before the date of the decision, (b) that the Neighbourhood Plan contains policies and allocations to meet its identified housing need, (c) that the LPA has at least a three year supply of deliverable housing sites and (d) that the LPA's housing delivery was at least 45% of that required over the previous three years. The Cricklade Neighbourhood Plan does not include any policies or allocations to deliver housing plus it was adopted in 2018, over 5 years ago and as such paragraph 11(d) of the NPPF continues to remain valid.
- 4.10 Section 4 is entitled 'Decision -taking'. Paragraph 38 states that Local planning authorities should approach decisions on proposed development in a positive and creative way. Paragraph 47 states that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Paragraph 48 goes onto state that Local planning authorities may give weight to relevant policies in emerging plans according to:
- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
 - b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
 - c) The degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies of the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 4.11 Paragraph 49 states that arguments that an application is premature are unlikely to justify a refusal of planning permission other than in limited circumstances where both:

a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and

b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

- 4.12 Paragraph 50 confirms that refusal of planning permission on grounds of prematurity will seldom be justified where a draft plan has yet to be submitted for examination; or – in the case of a neighbourhood plan – before the end of the local planning authority publicity period on the draft plan. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how granting permission for the development concerned would prejudice the outcome of the plan-making process.
- 4.13 Section 5 is entitled ‘Delivering a sufficient supply of homes’. Paragraph 60 sets out Central Government’s objective to significantly boost the supply of homes and that it is important that a sufficient amount and variety of land can come forward where it is needed. Paragraph 69 recognises that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly.
- 4.14 Paragraph 74 requires LPAs to annually identify a minimum of five years worth of housing against the housing requirement set out in adopted strategic policies, or against the local housing need where strategic policies are more than five years old. It is widely accepted by Wiltshire Council and Appeal Inspectors that Wiltshire council cannot currently demonstrate a five year housing land supply.
- 4.15 Paragraph 78 deals with rural areas and states that in such areas planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Paragraph 79 continues to state that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.
- 4.16 Section 8 is entitled ‘Promoting healthy and safe communities’ and paragraph 93 states that to provide social facilities and services a community needs, planning policies and decisions should plan positively for the provision and use of community facilities and other local services to enhance the sustainability of communities and residential environments.
- 4.17 Section 9 is entitled “Promoting sustainable transport”. Paragraph 111 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on

highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 110 states that priority should be given to pedestrian and cycle movements.

- 4.18 Section 11 is entitled “Making effective use of land”. Paragraph 119 states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Paragraph 124 requires planning policies and decisions to support development that makes efficient use of land whilst taking into account a number of factors, including the importance of securing well-designed, attractive and healthy spaces (sub-section e).
- 4.19 Section 12 is entitled “Achieving well-designed places”. Paragraph 126 explains that good design is a key aspect of sustainable development. Paragraph 130 sets out that planning policies and decisions should ensure that developments will add to the overall quality of their area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting.
- 4.20 Section 14 is entitled “Meeting the challenge of climate change, flooding and coastal change”. Paragraph 159 seeks to direct new development away from areas at highest risk of flooding. Paragraph 167 states that when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Paragraph 169 states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.

The Development Plan

- 4.21 The Statutory Development Plan covering the application site comprises the:

- Wiltshire Core Strategy (WCS)
- Wiltshire Housing Site Allocation Plan (WHSAP)
- Saved policies in the North Wiltshire Local Plan (NWLP)
- Cricklade Neighbourhood Development Plan (CNDP)

Wiltshire Core Strategy

- 4.22 The WCS was adopted in January 2015. The application sites are identified as lying in the designated countryside (i.e. outside the limits of development) within the Royal Wootton Bassett Community Area. The sites are not identified as being subject to any other designations.

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- 4.23 The most relevant policies in the consideration of this application are as follows:
- 4.24 **Core Policy 1 (Settlement Strategy)** sets out the settlement strategy and identifies the settlements where sustainable development will take place to improve the lives of all those who live and work in Wiltshire. Cricklade is identified as a Local Service Centre. Such Centres are defined as smaller towns and larger villages which serve a surrounding rural hinterland and possess a level of facilities and services that, together with improved local employment, provide the best opportunities outside the Market Towns for greater self containment. Local Service Centres are identified to provide for modest levels of development in order to safeguard their role and to deliver affordable housing.
- 4.25 **Core Policy 2 (Delivery Strategy)** sets out a need to deliver at least 42,000 homes in Wiltshire across the Plan Period with 24,740 directed to the North and West Wiltshire HMA.
- 4.26 **Core Policy 3 (Infrastructure Requirements)** seeks to ensure that new development provides for the necessary on-site and off-site infrastructure required to accommodate the development proposals.
- 4.27 **Core Policy 19 (Spatial Strategy; Royal Wootton Bassett and Cricklade Community Area)** identifies Cricklade as a Local Service Centre and sets out a need to deliver 1,455 new homes within the Community Area over the Plan Period of which 385 should be provided outside Royal Wootton Bassett.
- 4.28 **Core Policy 43 (Providing Affordable Homes)** requires provision to be made for 30% or 40% (depending upon the zone within which the application site is located) affordable housing on sites of five or more dwellings. The application site lies within the 40% zone. The Policy continues to state that the provision of affordable housing may vary on a site-by-site basis taking into account evidence of local need, mix of affordable housing proposed and, where appropriate, the viability of the development. All affordable housing will be subject to an appropriate legal agreement with the Council. Tenure will be negotiated on a site-by-site basis to reflect the nature of the development and local needs as set out in Core Policy 45 (Meeting Wiltshire's housing needs). On site affordable housing will be required to be dispersed throughout a development and built to a high quality, so as to be indistinguishable from other development.
- 4.29 **Core Policy 45 (Meeting Wiltshire's Housing Needs)** requires new housing to be well designed to address local housing need incorporating a range of different types, tenures and sizes of homes to create mixed and balanced communities. The Policy continues to state that housing size and type will be expected to reflect that of the demonstrable need for the community within which a site is located and based on the Wiltshire Strategic Housing Market Assessment.

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- 4.30 **Core Policy 46 (Meeting the needs of Wiltshire’s vulnerable and older people)** requires provision to be made, in suitable locations, for housing to meet the specific needs of vulnerable and older people. Wherever practicable, accommodation should seek to deliver and promote independent living.
- 4.31 **Core Policy 50 (Biodiversity and Geodiversity)** requires development proposals to demonstrate how they protect features of nature conservation and geological value as part of the design rationale. The Policy goes on to state that all development should also seek opportunities to enhance biodiversity and major development in particular must include measures to deliver biodiversity gains through opportunities to restore, enhance and create valuable habitats, ecological networks and ecosystem services.
- 4.32 **Core Policy 51 (Landscape)** requires development to protect, conserve and where possible enhance landscape character and must not have harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures. The Policy goes on to set out aspects of landscape character that should be conserved and where possible enhanced.
- 4.33 **Core Policy 57 (Ensuring High Quality Design and Place Shaping)** requires development to be of a high standard of design and to create a strong sense of place through drawing on the local context and being complementary to the locality. The Policy goes on to list factors that should be taken into account when demonstrating that a proposal makes a positive contribution to the character of Wiltshire.
- 4.34 **Core Policy 58 (Ensuring the Conservation of the Historic Environment)** requires development to protect, conserve and where possible enhance the historic environment.
- 4.35 **Core Policy 60 (Sustainable Transport)** states that the Council will use its planning and transport powers to help reduce the need to travel particularly by private car, and support and encourage the sustainable, safe and efficient movement of people. This will in part be achieved by planning developments in accessible locations.
- 4.36 **Core Policy 61 (Transport and New Development)** requires new development to be located and designed to reduce the need to travel particularly by private car and to encourage the use of sustainable transport alternatives.
- 4.37 **Core Policy 62 (Development Impacts on the Transport Network)** requires developments to provide appropriate mitigating measures to offset any adverse impacts on the transport network at both the construction and operational stages.

- 4.38 **Core Policy 67 (Flood Risk)** requires all new development to include measures to reduce the rate of rainwater run-off and improve rainwater infiltration to soil and ground (sustainable urban drainage) unless site or environmental conditions make these measures unsuitable.

Wiltshire Housing Site Allocation Plan (WHSAP)

- 4.39 The WHSAP was adopted on 4th February 2020. The Plan revised settlement boundaries across Wiltshire, however the settlement boundary for Cricklade was not reviewed given the Cricklade Neighbourhood Development Plan. The application site is not allocated in the WHSAP and is identified as lying outside the settlement boundary for Cricklade.

North Wiltshire Local Plan (Saved Policies)

- 4.40 The saved policies relevant to this application are as follows:
- 4.41 **Policy NE14 (Trees and the Control of Development)** states that permission will not be granted for proposals that would result, or be likely to result, in the loss of trees, hedges, lakes / ponds or other important landscape or ecological features that could be successfully and appropriately incorporated into the design of a development.
- 4.42 **Policy CF3 (Provisions of Open Space)** states that proposals for new housing development will be required to make provision for open space on site, to provide 15 sq. m for Local Parks and 3 sq. m for play areas per person. The Council will accept in appropriate circumstances, financial payments from developers for provision of open space.

Cricklade Neighbourhood Development Plan (CNDP)

- 4.43 The CNDP was made in March 2018. Whilst the CNDP does not allocate any sites for residential development it does include a number of policies that are relevant to the application proposals as follows:
- 4.44 **Policy H1: The Settlement Boundary** states that within the settlement boundary, infill and new development that complies with other policies in the development plan will be supported. The Policy goes on to state that development will not be supported outside the Settlement Boundary unless specifically allowed by policies in the development plan. The application site lies outside the current settlement boundary.
- 4.45 **Policy H2: Visual Separation of Settlements** states that development will not be supported where it would reduce the visual and physical separation between Cricklade and surrounding settlements in

general and between Cricklade and the strategic housing development at Tadpole Farm in Swindon in particular.

- 4.46 **Policy H3: Design of New Housing** states that proposals for new housing development in the Plan area should be designed in a way that integrates them effectively into the existing fabric of the town and its footpath network. The Policy continues to state that development proposals will be supported where they include good quality design that responds to the character of its immediate locality and incorporates measures listed in the Policy.
- 4.47 **Policy H4: Housing Mix on Sites** states that new housing developments should demonstrate the extent to which they address current and future housing needs in the Plan area. New residential developments that meet other policies in this Plan will be supported where they have a concentration on the provision of 1, 2 and 3 bedroom dwellings.
- 4.48 **Policy H5: Affordable Housing** states that proposals for development that result in a net gain of eleven or more dwellings will be expected to provide a minimum of 40% affordable housing on site. The Policy continues to state that proposals for development should consider local housing need and should normally provide a mix of tenure including some affordable homes for intermediate home ownership schemes.
- 4.49 **Policy H6: Housing for the Elderly and Disabled** states that a range of housing options will be supported that promote and maintain housing choice and independence for local older people. Proposals for new residential development should address the local need for housing older and disabled people and the provision of single storey accommodation or other suitable housing types for elderly or disabled persons will be supported.
- 4.50 **Policy H7: Residential Car Parking** states that residential development should meet the Wiltshire Council parking standards and that the design and landscaping of spaces or areas should respect the character of the development and its immediate area and minimise visual intrusion. In particular the Policy seeks to deliver car parking to the front of a dwelling and in the event communal parking areas are provided these should serve a maximum of 6 homes and be integrated with the surrounding development.
- 4.51 **Policy H8: Foul Water Management, Flood Risk and Surface Water Management** states that proposals for new development will be required to demonstrate that they will not increase the risk of flooding or surface water run-off within the site or to any surrounding sites or areas in general. The Policy continues to state that the use of sustainable drainage systems and storm water tanks will be supported on development sites where the technical evidence identifies that the use of such facilities will prevent the potential for flooding or surface water run off within the site or elsewhere in the Plan area.

4.52 **Policy TT2: Off-road routes in Cricklade** states that where appropriate and viable, new residential developments should provide improved pedestrian and cycle routes to the town centre, schools, leisure centre and other facilities and put the emphasis on improving the pedestrian experience.

4.53 **Policy LAF2: Allotments** states that new residential development of 10 dwellings or over should provide land for allotments on the basis of a minimum of 50 sq. m for every 10 dwellings.

Other Material Considerations

Emerging Wiltshire Local Plan Review

4.54 Wiltshire Council are in the process of preparing a Local Plan Review that upon adoption will replace the Wiltshire Core Strategy and the saved policies of the North Wiltshire Local Plan. The Council are currently consulting on their Regulation 19 draft Plan which is the final stage in the Plan preparation before the Plan is submitted to the Planning Inspectorate for Examination. The Local Plan is still subject to its final round of consultation and Independent Examination by a Local Plan Inspector and as such whilst it shows the Council's direction of travel it can still only (at the time of writing) be afforded limited weight in the determination of planning applications. Relevant draft policies and sections of the Plan are set out below.

4.55 **Draft Policy 1: Settlement Strategy** sets out the settlement strategy for Wiltshire identifying Cricklade as a Local Service Centre. Local Service Centres are identified as providing the best opportunities outside the Market Towns for greater self containment.

4.56 **Draft Policy 2: Delivery Strategy** identifies a need for 36,740 new homes in Wiltshire over the forthcoming Plan Period of 2020 to 2038. The Policy goes on to state that development will be supported in Local Service Centres that helps sustain the vitality of these communities where it is consistent with the scale, form and role of the settlement and does not detract from its character or appearance. Neighbourhood Plans will provide a main means to help carry out this role. A scale of housing growth is set for each Local Service Centre within the Area Strategies section of the Plan.

4.57 Cricklade is identified in the Swindon Rural Area. A need for 144 dwellings is identified in Cricklade over the Plan Period with a residual requirement as of 1 April 2022 of 52 dwellings. Paragraphs 4.263 to 4.271 set out the Council's position to development in this area. Paragraph 4.264 states that housing proposals help to support the role rural settlements have as an important part of the Settlement strategy and that housing development focused at Local Service Centres carries with it a wider strategic purpose. Paragraph 4.266 states that neighbourhood planning groups would be expected to look to accommodate new homes to meet housing requirements in full by identifying opportunities in their Plans.

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- 4.58 **Draft Policy 76: Affordable Housing** requires affordable housing provision of at least 40% (net) on sites of ten or more dwellings in areas that are not designated as rural areas. The tenure of such housing will be expected to be 65% affordable rent, 10% shared ownership and 25% first homes.
- 4.59 Other relevant draft policies include Policy 4 (addressing climate change), Policy 5 (securing infrastructure provision from new development), Policy 78 (meeting Wiltshire's housing needs), Policy 84 (public open space and play facilities), Policy 85 (sustainable construction and low energy carbon), Policy 87 (embodied carbon), Policy 88 (Biodiversity and Geodiversity), Policy 89 (biodiversity net gain), Policy 90 (woodland, hedgerows and trees), Policy 91 (conserving and enhancing Wiltshire's landscapes), Policy 95 (flood risk), Policy 98 (ensuring high quality design and place shaping),

Cricklade Infrastructure Plan

- 4.60 The Cricklade Infrastructure Plan was adopted in 2021 and sits alongside the Cricklade Neighbourhood Plan. The Plan seeks to provide guidance to developers about the infrastructure needs within the town to help meet the needs of the community. With relevance to the application proposals the Plan identifies a need for additional cemetery land with the existing cemetery only having sufficient space for the next 10 years. The Plan states that the area needs to be accessible for both pedestrians and vehicles and in a suitable location with adequate drainage and water supply.

5. PLANNING ASSESSMENT

Principle of Development

- 5.1 Cricklade is identified as a Local Service Centre by WCS Policy 1. Local Service Centres are identified by the WCS as small towns or larger villages which serve a surrounding rural hinterland and possess a level of facilities and services, that provide the best opportunities outside the Market Towns for greater self containment. Local Service Centres are identified to provide for modest levels of development in order to safeguard their role and to deliver affordable housing.
- 5.2 Cricklade provides a good range of services for a Local Service Centre, including a Primary School, Pre-School, Leisure Centre, doctors surgery, dental practice, library, Town Halls, church and a well occupied High Street with various pubs, restaurants, takeaways, coffee shops, pharmacy, Tesco Express, butcher, greengrocers and a number of independent retailers. Chelworth Industrial Estate is also only just over 1km to the west of the application site providing a wide range of employment opportunities. Cricklade is also served by regular bus services connecting the town to Swindon, Cirencester and Cheltenham. The town is also served by bespoke services to Braydon Forest Secondary School and Cirencester College. Further information regarding public transport is provided within the accompanying Transport Statement.
- 5.3 The application sites lie outside the limits of development for Cricklade and as such new residential development would be contrary to WCS Policy 2 which provides support for residential development in sustainable locations within the defined limits of development.
- 5.4 Paragraph 74 of the NPPF requires Local Planning Authorities to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing. The Wiltshire Council Housing Land Supply Statement dated May 2023 (with a base date of April 2022) confirms the Council can only provide a 4.60 year housing and supply.
- 5.5 In such circumstances NPPF paragraph 11(d)(ii) is engaged and policies for the supply of housing (including WCS Core Policies 1 and 2), including defined limits for development, should not be considered up-to-date and planning permission should be granted unless (outside protected areas designated in NPPF footnote 7) any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. The application site is not subject to any designations in NPPF footnote 7.
- 5.6 As set out in Section 4 of this Statement, the Cricklade Neighbourhood Plan does not include any policies or allocations to deliver housing and was adopted in excess of 5 years ago and as such the existence of a Neighbourhood Plan does not affect the engagement of NPPF paragraph 11(d)(ii).

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- 5.7 As set out in Section 4 of this Statement Wiltshire Council are in the process of preparing a Local Plan Review that upon adoption will replace the Wiltshire Core Strategy and the saved policies of the North Wiltshire Local Plan. Whilst the Local Plan Review is at an advanced stage it is still subject to a final round of consultation and Independent Examination and as such can only be afforded limited weight, however it does show the Council's direction of travel and is based on an up-to-date evidence base. The draft Local Plan Review identifies a need for 144 dwellings in Cricklade over the Plan period of which there is a residual requirement of 52 dwellings as of 1 April 2022. The application proposes up to 49 dwellings and as such would be of a scale commensurate with the needs of Cricklade and would enable a single comprehensive site within the town to come forward to meet the towns housing needs over the forthcoming Plan Period. The application site would also provide the opportunity to deliver cemetery land to meet an identified need together with a package of transport related improvements that would benefit existing as well as future residents.
- 5.8 The application proposals would therefore comply with the broad spatial strategy for Cricklade in the draft Local Plan Review as well as according with the overall adopted spatial strategy for Wiltshire which includes providing for modest levels of growth at Local Service Centres in order to safeguard their role and deliver affordable housing.
- 5.9 The draft Local Plan Review has recently been the subject of a Regulation 19 consultation and is awaiting submission to the Secretary of State for Examination and no Neighbourhood Plan Review is being undertaken. This application cannot therefore be deemed to be premature (as set out at paragraph 50 of the NPPF) and in any event even if the Local Plan Review is submitted for Examination before the application is determined delivery of a site for up to 49 dwellings adjoining the Cricklade settlement boundary is considered to be in accordance with the broad spatial strategy for Wiltshire making a valuable contribution to the Council's five year housing land supply and would not prejudice the outcome of the wider Local Plan Review (in accordance with NPPF paragraph 50).
- 5.10 There are no adopted Development Plan policies relating to the delivery of cemeteries although the Cricklade Infrastructure Plan does identify a need for additional cemetery land in Cricklade. On the basis that a greenfield will be required it is almost inevitable that such a site will need to be provided outside the existing settlement boundary. In the absence of any directly relevant policies the principle of the cemetery land is considered to be acceptable subject to detailed design matters including access and landscaping as considered below.

Affordable Housing

- 5.11 The application proposals would provide a Policy compliant level of affordable housing in accordance with WCS Policy CP43 which identifies the application site as lying within a 40% affordable housing zone.
- 5.12 The Applicant will enter early discussions with the LPA during the course of the application to agree the breakdown of tenures and delivery mechanism. It is however noted that 25% of the affordable housing units will be required to be delivered as First Homes. The remaining 75% will be subject to discussions with the LPA. When the split has been agreed, this will be secured by way of a Section 106 Planning Obligation.

Character and Appearance of the Area

- 5.13 Wiltshire Core Strategy Policy 57 requires development to be of a high standard of design and to create a strong sense of place drawing on the local context and being complementary to the locality. Neighbourhood Plan Policy H3 also requires new housing development to be designed in a way that integrates it effectively into the existing fabric of the town.
- 5.14 Matters of layout, scale, appearance and landscaping are reserved for determination at the reserved matters stage. The application is however accompanied by a Design and Access Statement that provides a Character Analysis of the town of Cricklade and sets out how the proposals would integrate into and complement the existing town. An Illustrative Site Layout is submitted illustrating how up to 49 dwellings could be delivered on the site.
- 5.15 Whilst the mix of units would be subject to a reserved matters application the Illustrative Site Layout is based on a mix of 2, 3, 4 and 5 bedroom dwellings. There would be opportunities for bungalows in response to feedback received from the Town Council through the ongoing community engagement and in accordance with Neighbourhood Plan Policy H6 which requires new residential development to address the local need for housing for older and disabled people and the provision of single storey accommodation.
- 5.16 Aside from the bungalows it is envisaged that the properties would predominantly be two storeys in height in keeping with the character of the wider surrounding area, including the recent development at Hitchings. Properties would be delivered as a mix of detached, semi-detached and a small number of terraces with either on-plot or frontage car parking to meet Wiltshire Council's standards. It is proposed to serve the dwellings from a single access road with shared access spurs and private drives serving small groups of dwellings.

- 5.17 A key feature of the residential proposals and as shown on the Illustrative Site Layout is the retention of the front field facing onto The Forty. With the exception of the access road that would pass through this parcel of land it would be kept open with trees and hedgerows retained providing a softer development edge. A surface water drainage basin would be proposed at the lowest part of the site (i.e. the south east corner). The drainage basin would largely be dry except in times of heavy rainfall and as such would provide an area of informal open space for residents as well as providing a natural landscape feature which a number of properties are proposed to front onto. Existing boundary hedgerows would largely be retained (except where removal is required to facilitate the access road) and new planting would be provided through the development. Landscaping details would be submitted as part of the reserved matters although the Illustrative Site Layout shows how and where landscaping could be supplemented.
- 5.18 Whilst the application proposals would result in a change to the character of the application site through the introduction of residential development, the field facing The Forty would be retained and the wider site is well contained and screened. The proposals would therefore provide an opportunity to deliver a high quality landscape led development that would only have localised impact on the landscape and townscape of Cricklade.
- 5.19 The cemetery land would be subject to a new vehicular access and opportunities for new landscaping. In due course there would also be the placement of headstones. Whilst the creation of a cemetery would materially alter the character of this part of the application site it would visually be a very low key use that would largely be contained by existing and new planting. The benefits of delivering this community facility are considered to outweigh any limited visual harm.

Residential Amenity

- 5.20 The application site adjoins existing residential development to the east and to the north west. The Illustrative Site Layout shows the northern field adjacent to The Forty retained in its current form, including boundary hedgerows and as such the proposals would not lead to any adverse overlooking of existing properties adjoining properties that face onto The Forty and Chelworth Road.
- 5.21 Residential properties along the Hitchings are located to the east of the application site with properties backing onto the application site and separated from the site by mature hedgerows. The Illustrative Site Layout shows the retention of boundary hedgerows along this boundary and their incorporation into a landscape buffer running along the eastern boundary of the application site with a private driveway beyond and houses fronting onto this private driveway. The distance between first floor windows would therefore significantly exceed the notional 21m back to back distance requirement.

5.22 Internally individual plots would be designed to ensure there is no adverse overlooking between proposed properties and that the 21m back to back distance is achieved.

5.23 There are no residential properties adjacent to the proposed cemetery site with the exception of 60 and 61 The Fiddle that would be separated from the site by their very long back gardens.

Highways and Access

5.24 Full details of the proposed access for both the residential development and cemetery are submitted as part of this application and are included within the Transport Statement that accompanies the application.

5.25 A single access point is proposed to the residential development, centrally located along the site's frontage. This would lead to a primary road through the development which would provide access to shared surfaces and private drives. Similarly, a single access point would be provided into the cemetery land.

5.26 The Transport Statement demonstrates that the required visibility splays can be achieved within land controlled by the Applicant or Highway controlled land for both the access points.

5.27 The Transport Statement confirms that the proposals for 49 dwellings have been assessed to generate 30 two-way vehicle trips in the AM peak hour (08:00 – 09:00) and 32 two way vehicle trips in the PM peak hour (17:00 – 18:00). With regards to the cemetery, trips during the network peak periods are anticipated to be low.

5.28 The development proposals would provide wide ranging transport related improvements which would benefit existing and proposed residents, including:

- A new footway alongside the residential access and a new pedestrian crossing across The Forty which is supported by a flat top hump to prioritise pedestrian movement.
- A traffic calming scheme at The Forty / The Fiddle junction and its approaches from both directions, involving two further flat top humps to reduce speeds, signage and enforced narrowing of the eastern approach on The Fiddle to improve visibility at the junction.
- An enhanced footway and visibility at The Forty / Purton Road junction.
- An internal layout designed to prioritise permeability and safe movement for pedestrians, with links to existing footpaths to the neighbouring Hitchings site and to PROW CIRC29 (past the cemetery site).

- A Travel Plan Statement, which includes the provision of a Travel Information Pack to be distributed to all new residents.

5.29 Car parking for the residential development would be provided in accordance with Wiltshire Council's standards which currently (as set out in the Wiltshire Local Transport Plan 2011-2016) require 2 spaces per 2/3 bedroom dwelling and 3 spaces for 4+ bedroom dwellings. Cycle parking would be provided within the curtilage of each dwelling either by way of an appropriately sized garage or through the provision of a shed in the garden.

Flood Risk and Drainage

- 5.30 A Flood Risk Assessment (FRA) is submitted as part of the application to assess the risk of flooding to the proposed development and where possible provide sufficient mitigation to demonstrate that the future users of the development would remain safe throughout its lifetime, that the development would not increase flood risk on the site and elsewhere and, where practicable, that the development would reduce flood risk overall.
- 5.31 The FRA confirms that the application site is located within flood zone 1 and is therefore at low risk of fluvial flooding. The site is however shown on Wiltshire Council mapping as being at high to low risk of pluvial flooding, this being due to previous ridge and furrow agricultural practices. The FRA confirms that the areas at risk of pluvial flooding are shown to be located within the depressions in the topography associated with this, as well as at the ditches in the north and east of the site. Profiling of ground levels as part of the proposals would remove this risk and direct surface water runoff to the proposed surface water attenuation basin in the southeast of the site.
- 5.32 The preliminary proposed drainage strategy utilises proposed surface water sewers to direct runoff from the proposed development to the attenuation basin and a pump station (to the west of the attenuation basin) would control the flow of discharge to the northern ditch within the site, directed via a proposed storm rising main.
- 5.33 In summary, the proposed development would not be at significant flood risk and the development would not increase flood risk to the wider catchment area as a result of suitable management of surface water runoff discharging from the site.

Biodiversity

- 5.34 A Preliminary Ecological Appraisal has been undertaken along with species specific surveys and the results are presented in the submitted Ecological Assessment.
- 5.35 The Assessment identifies that the application site primarily supports semi-improved grassland fields which are bounded by hedgerows, dense scrub, ruderal vegetation and treelines. Where losses are required, these will be offset through the retention and enhancement of existing habitats, and the provision of new species-rich habitats within areas of open space. The Assessment however concludes that with the adoption of long-term management with a focus on biodiversity, there is an opportunity for the proposals to deliver enhancements compared to the existing situation.
- 5.36 A range of species specific surveys have been undertaken. The Assessment subsequently concluded that there are no buildings or structures present within or immediately adjacent to the application site which provide opportunities for roosting bats, although a small number of trees were assessed as having low bat roosting potential. The majority of trees which have low potential to support roosting bats would be retained and as an enhancement for roosting bats in the area, new bat boxes would be provided on suitably mature retained trees and / or on new dwellings.
- 5.37 No evidence was found of great crested newts within the application site, however given their presence in the surrounding area a precautionary approach would be taken and a non-licensed avoidance methodology would be adopted during site clearance works. Enhancement measures for nesting birds (i.e. bird boxes) and hedgehogs (i.e. hedgehog highways) would be incorporated into the proposals. No evidence was found of badgers.
- 5.38 The application site lies just over 1km from the North Meadow and Clattinger Farm Special Area of Conservation (SAC). The SAC is part of a network of European sites (Habitat sites) that are of great importance for nature conservation and subject to strict legal protection. The North Meadow and Clattinger Farm Special Area of Conservation Interim Mitigation Strategy was subsequently adopted in May 2023 to set out a strategic approach to mitigate recreational impacts associated with new development. The Strategy identifies two different zones for the application of mitigation measures. The application site lies within the Inner Zone. Paragraph 10.11 of the Strategy states that for smaller scale developments (less than 50 units), where it would be difficult for planning applicants to provide their own SANGs an Infrastructure Mitigation Projects system will be set up to combine funds from developments to deliver measures that will encourage new and existing users of the SAC to use alternative sites. It is therefore anticipated that it will be necessary to enter into a Section 106 Legal Agreement to secure the payment of financial contributions towards the Mitigation Projects system.

Trees

- 5.39 Tree Surveys have been undertaken for both parcels of land within the application site and an Arboricultural Impact Assessment is submitted in relation to the residential development land.
- 5.40 The Tree Constraints Plan for the cemetery land confirms that all existing vegetation is located around the periphery of the site and shows the extent of the proposed construction exclusion zone. With the exception of the proposed access there would be no tree or hedgerow loss.
- 5.41 The Arboricultural Impact Assessment (AIA) identifies that one category U tree will need to be felled together with two Category C trees and two section of hedgerow categorised between B and C. The AIA confirms that whilst the removal of trees and hedgerows would result in a loss of landscape greening there is ample space within the development site for new tree planting and the Illustrative Site Layout shows sufficient trees to provide a significant increase in canopy cover which would adequately mitigate for the removals.

Heritage

- 5.42 An Historic Environment Desk-Based Assessment is submitted as part of the application. The Assessment concluded that the potential impacts of the proposed development would result in the localised loss of archaeological remains which may be present within the application site. However, it was also found that the loss of archaeological remains of local significance can be adequately mitigated by a programme of archaeological works which would provide a small public benefit. This benefit is concluded as being sufficient to compensate for the loss of archaeological remains of local interest and would be an appropriate response for the potential archaeological remains which may be present within the application site. Therefore, provided a suitable programme of archaeological works is secured, the loss of the archaeological remains within the application site is concluded as being acceptable.
- 5.43 The assessment also considered the potential effects which could result due to the changes in the setting of heritage assets and found that the application site falls within the wider setting of the Grade I listed Church of St Sampson, and the non-designated Upper Broad Leaze Farmhouse. However, it was found that the proposed development would not affect the appreciation of these buildings, nor affect any other element of the setting which contributes to their significance. The Assessment therefore concludes that the proposed development would result in a negligible effect.

6. PLANNING OBLIGATIONS DRAFT HEADS OF TERMS

Affordable Housing

- 6.1 A Policy compliant level (in accordance with WCS Policy CP43) of affordable housing of 40% would be provided which would include First Homes, Shared Ownership and Social Rent.
- 6.2 The Applicant will enter into early discussions with the LPA during the course of the application to agree the exact mix of unit types and tenures and the delivery mechanism. Once agree, these can be incorporated into a Section 106 Agreement.

Cemetery Land

- 6.3 As set out above, it is envisaged that the cemetery land would be made available to the Town Council. The Applicant will continue discussions with the Town Council during the course of the application to agree the exact delivery mechanism and this can be incorporated into a Section 106 Agreement.

North Meadow and Clattinger Farm Special Area of Conservation

- 6.4 The application site lies just over 1km from the North Meadow and Clattinger Farm Special Area of Conservation (SAC) and within the '1km zone'. The application is therefore required to make a financial contribution towards an Infrastructure Mitigation Projects system. This can be secured through a Section 106 Agreement.

Highway Improvements

- 6.5 The submitted Transport Statement sets out a range of highway improvements that would be delivered as part of the proposals. Subject to agreement with the Local Highway Authority the delivery of these improvement works can be secured through a Section 106 Agreement.

Drainage Basin and Open Space

- 6.6 The proposals would incorporate a drainage basin and areas of landscaping that will require management and maintenance. The delivery mechanism for this (which could include by way of a Private Management Company) can be secured through a Section 106 Agreement.

CIL

- 6.7 Wiltshire Council operates a CIL charging schedule and this will address other areas of infrastructure requirements associated with the proposals.

7. SUMMARY AND CONCLUSION

- 7.1 An outline planning application is submitted in relation to land south of The Forty and land north of Chelworth Road, Cricklade on behalf of Hannick Homes and Developments Ltd with the following description of development:

“Outline planning application (with all matters except access reserved) for up to 49 dwellings and associated works and provision of a cemetery together with access and associated works”.

- 7.2 It is well established that Wiltshire Council cannot demonstrate a 5 year housing land supply and as such NPPF paragraph 11 (d)(ii) is engaged which provides a presumption in favour of sustainable development unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole. The application site subject of the proposed residential development adjoins the settlement boundary of Cricklade which is identified as a Local Service Centre in the Wiltshire Core Strategy. Cricklade provides a good range of facilities for a Local Service Centre and as such is considered to be a sustainable location for modest development as identified in the Core Strategy.
- 7.3 The draft Wiltshire Local Plan Review identifies a need for 52 dwellings in Cricklade over the forthcoming Plan Period and as such the application proposals would be in accordance with the emerging spatial strategy for Wiltshire.
- 7.4 The proposed cemetery land would meet a need identified by Cricklade Town Council and the Cricklade Infrastructure Plan.
- 7.5 It has been demonstrated that the proposed access points to the residential development and cemetery land can achieve the required visibility splay standards and that the proposals would generate a modest level of additional vehicular movements. The proposals would provide a wide range of transport related improvements which would benefit existing and proposed residents, including traffic calming along The Forty, an improved pedestrian crossing point along The Forty and enhanced footway and visibility at The Forty / Purton Road junction.
- 7.6 The application site is located within flood zone 1 and whilst the site is shown on Wiltshire Council mapping as being at high to low risk of pluvial flooding this is due to previous ridge and furrow agricultural practices which would be profiled out as part of the proposals with surface water runoff to go to an attenuation basin. The proposed development would not therefore be at significant flood risk and the development would not increase flood risk to the wider catchment area as a result of suitable management of surface water runoff discharging from the site.

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- 7.7 An Ecological Assessment has concluded that the application site is not suitable for protected species, although development would take a precautionary approach to a number of species and enhancement measures would be incorporated within the proposals.
- 7.8 In summary, the accompanying technical reports have confirmed that the proposals would not result in any adverse impacts that cannot be adequately mitigated. Furthermore, the proposals would deliver a number of benefits that weigh in favour of the granting of planning permission:
- The delivery of up to 49 dwellings at a Local Service Centre with a good range of facilities and services
 - The delivery of up to 49 dwellings which would make a meaningful contribution to the Council's five year housing land supply
 - Economic benefits both at the construction stage through the creation of jobs and through to occupation where new spending by future residents would support existing facilities and services in the area
 - The delivery of land for a cemetery to meet an identified need, with potential to accommodate up to 900 burial plots (subject to confirmation by the Environment Agency) and ash interments
 - The delivery of 40% affordable housing, including First Homes
 - The delivery of bungalows meeting an identified need for single floor accommodation for the elderly and disabled
 - The delivery of a range of transport related improvements for existing and proposed residents
- 7.9 In summary, whilst the application proposals conflict with Core Strategy Policy 2 in terms of the sites location outside the settlement boundary, it is evident that the benefits of the proposals clearly outweigh this conflict. It is therefore concluded that there are no adverse impacts arising from the development that would significantly and demonstrably outweigh the identified benefits and that the proposals represent sustainable development in the context of NPPF paragraph 11(d)(ii).
- 7.10 It is therefore respectfully requested that this outline planning application is approved subject to any conditions that are reasonably necessary and a Section 106 Planning Obligation.

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