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COMMENTS ON CASE (Online Version)

Please note that comments about this case need to be made within the timetable. This can be found in the notification letter sent by the local planning authority or the start date letter. Comments submitted after the deadline may be considered invalid and returned to sender.

Appeal Reference: APP/Y3940/W/23/3326636

DETAILS OF THE CASE

Appeal Reference	APP/Y3940/W/23/3326636
Appeal By	MR J SMITH
Site Address	Land off Thompsons Hill Thompsons Hill Sherston, Malmesbury Wiltshire SN16 0PZ Grid Ref Easting: 385406 Grid Ref Northing: 185441

SENDER DETAILS

Name	MRS JENNIFER GRIFFITHS
Address	New House Thompsons Hill Sherston MALMESBURY SN16 0PZ

ABOUT YOUR COMMENTS

In what capacity do you wish to make representations on this case?

- ☐ Appellant
- ☐ Agent
- ☑ Interested Party / Person
- ☐ Land Owner
- ☐ Rule 6 (6)

What kind of representation are you making?

- ☐ Final Comments
- ☐ Proof of Evidence
- ☐ Statement
- ☐ Statement of Common Ground
- ☑ Interested Party/Person Correspondence

☐ Other

YOUR COMMENTS ON THE CASE

I would like to reiterate my objection to this proposed development.

As there are two steep hills and no footpaths between the proposed dwelling and the village, it seems unlikely that the future residents will go anywhere on foot or by bike. This will therefore increase traffic and subsequently affect highway safety.

It should be noted that, at the time of writing, the mature hedges on the eastern boundary of the site have not yet been cut this year, which is strange, as the hedge 20 meters further up the road has. This might give the impression that the dwelling would be well screened from the roadside, however, these hedges would have to be removed to provide access to the development. Furthermore, regardless of the design of the property, the dwelling would obstruct the wide-open views to the west, the AONB beyond and the view from the public right of way on the other side of the field.

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COMMENTS ON CASE (Online Version)

Please note that comments about this case need to be made within the timetable. This can be found in the notification letter sent by the local planning authority or the start date letter. Comments submitted after the deadline may be considered invalid and returned to sender.

Appeal Reference: APP/Y3940/W/23/3326636

DETAILS OF THE CASE

Appeal Reference	APP/Y3940/W/23/3326636
Appeal By	MR J SMITH
Site Address	Land off Thompsons Hill Thompsons Hill Sherston, Malmesbury Wiltshire SN16 0PZ Grid Ref Easting: 385406 Grid Ref Northing: 185441

SENDER DETAILS

Name	MR MARTIN SMITH
Address	3 Sandpits Lane Sherston MALMESBURY SN16 0NN

ABOUT YOUR COMMENTS

In what capacity do you wish to make representations on this case?

- ☐ Appellant
- ☐ Agent
- ☑ Interested Party / Person
- ☐ Land Owner
- ☐ Rule 6 (6)

What kind of representation are you making?

- ☐ Final Comments
- ☐ Proof of Evidence
- ☐ Statement
- ☐ Statement of Common Ground
- ☑ Interested Party/Person Correspondence

☐ Other

COMMENT DOCUMENTS

The documents listed below were uploaded with this form:

Relates to Section:	REPRESENTATION
Document Description:	Your comments on the appeal.
File name:	Planning Appeal Thompsons Hill MS Statement.docx
File name:	Sherston-NHP-ref-ver-Mar-2019.pdf

PLEASE ENSURE THAT A COPY OF THIS SHEET IS ENCLOSED WHEN POSTING THE ABOVE DOCUMENTS TO US

TOWN AND COUNTRY PLANNING ACT 1990

Appeal by James Smith Esq against the decision of Wiltshire Council to refuse planning permission for a "Stage 1 Permission in Principle Application" for the erection of a self-built dwelling on land off Thompsons Hill, Sherston, Malmesbury, SN16 0PZ.

Application Reference Number: PL/2023/04942

Planning Inspectorate Reference Number: APP/Y3940/W/23/3326636

Statement on behalf of Martin Smith (Wiltshire Councillor for the Sherston Division)

Background:

Sherston Parish Council objected to this application when first submitted on the following grounds:

"An objection is raised to this proposal on the grounds that the proposal site lies outside of the defined settlement limits of Sherston and hence within an area of open countryside for the purposes of development control. It is also within the designated Cotswold Area of Outstanding Natural Beauty. The erection of a new dwelling on this site would unacceptably extend the ribbon form of development that lies along this part of Thompsons Hill and would set an undesirable precedent for further development outside of the presently defined settlement limits. Land is allocated elsewhere in Sherston via the approved Neighbourhood Plan sufficient to accommodate approximately 52 dwellings. This is considered more than sufficient to meet local needs and hence there is no need for further development to be carried out beyond the presently defined settlement limits."

Planning Permission was subsequently refused on 24th July 2023 by Wiltshire Council for the following reasons:

1. *The site is situated outside the defined settlement boundary of Sherston, as such, it is in the open countryside. The proposal would materially conflict with the overarching spatial strategy, in terms of settlement and delivery, of the development plan established at Core Policies 1, 2 and 19 of the Wiltshire Core Strategy (Adopted January 2015) and saved Policy H4 of the North Wiltshire Local Plan 2011, and the provisions, in particular, paragraph 2, 7, 8, 9, 10, 11, 12, 47, 78, 79, 80 of the National Planning Policy Framework July 2021.*

2. *The site is located in the Cotswold Area of Outstanding Natural Beauty (AONB). Paragraph 174 requires planning decisions to contribute to and enhance the nature and local environment, and Paragraph 176 of the Framework requires local planning authorities to give 'great weight' to conserve and enhance landscape and scenic beauty in Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. Section 85 of the Countryside and Rights of Way Act 2000 (CROW) also places a duty on relevant authorities to have regard to the purpose of conserving and enhancing the natural beauty of an AONB. The proposed development, by virtue of its location and the site topography, would detract from the character of the countryside and*

consolidate the otherwise loose scattering of development in the locality, to be detrimental to the rural character, distinctiveness, quality, and amenity of the landscape and to be harmful to the natural beauty of the Cotswolds Area of Outstanding Natural Beauty. National guidance indicates that great weight should be given to the conservation of areas of high landscape value, and the proposed development is therefore contrary to Core Policy 13 (Spatial Strategy: Malmesbury Community Area), Core Policy 51 (Landscape) of the Wiltshire Core Strategy Adopted January 2015. the Made Sherston Neighbourhood Plan (May 2019), Wiltshire Housing Site Allocation Plan (adopted February 2020) - Settlement Boundary Review and Site Allocation, and the provisions, particularly paragraph 174 and 176 of the National Planning Policy Framework July 2021.

3. *Due to the distance to local services, facilities and amenities and the lack of safe and convenient footway along Thomspons Hill connecting the site to the centre part of Sherston village, occupants of a dwelling on the plot are highly likely to be heavily reliant on the use of private motor transport for the majority of day-to-day activities. Therefore the proposal would not provide a suitable location for housing having regard to the accessibility to service and facilities. The proposal is therefore contrary to the principles of sustainable development and the aims of reducing the need to travel, and contrary to Core Policy 60 and 61 of the Wiltshire Core Strategy Adopted January 2015 and the provisions of the National Planning Policy Framework July 2021.*

Comments on the Appellant's Case:

The Appellant's case can in my view best be summarised as follows:

1) The appeal should be determined in accordance with the provisions of the development plan unless material considerations indicate otherwise – and that the relevant development plans are out of date. **This even though a Neighbourhood Plan for Sherston was made as recently as 2019 and the related settlement boundary formally modified and agreed in 2020.**

2) Wiltshire Council is unable to demonstrate a five-year land supply and hence there ought to be a "presumption in favour of sustainable development". **The proposed development is however for the erection of a single dwellinghouse on almost the furthest edge of the village – which will quite frankly have minimal impact on the land supply situation and set an unfortunate precedent for similar forms of development almost anywhere else around the perimeter of the village. This is by no stretch of the imagination a "sustainable" location for development considering the physical characteristics of the site and its distance from the centre of the village and all of the related services and facilities. It is hoped that the Inspector will in due course on his or her site visit take full account of the topography of the village and due note of the steepness of both Thompsons Hill and Tanners Hill which lead towards the village centre.**

3) The objective of Core Policies 1, 2 and 13 is to focus development within settlement boundaries. These policies inevitably restrict the supply of housing. **But surely this is the purpose of a Development Plan? The Sherston Neighbourhood Plan (SNP) was prepared only a few years ago in accordance with both National Planning**

Policy and the local strategic planning policies as set out in the Wiltshire Core Strategy. Sufficient land was identified in the SNP in 2019 to accommodate more than was considered likely to be required at the time (an additional 52 dwellings) to provide both an element of protection against future short/medium term speculative development as well as to secure the provision of a new build GP surgery on land at the northern end of the village. If allowed, this purely "speculative" development is likely to lead to yet further development almost anywhere around the fringes of the village outside of the recently defined settlement boundary. This would potentially undermine both the recently made SNP (and the related Settlement Boundary changes confirmed in the Wiltshire Housing Site Allocations Plan: Adopted February 2020).

4) In accordance with paragraph 11 of the Framework, the tilted balance is engaged and permission should be granted unless, the adverse impacts of approving the development would significantly and demonstrably outweigh the benefits, when assessed against the Framework policies as a whole, unless the application of policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed. Whilst there is a minor conflict with regards to policies CP2 and CP13, this conflict is given limited weight. Limited harm resulting from the development has been identified. Whilst the site is located outside of the Development Boundary, it is difficult to argue that it does not lie within a reasonably sustainable location. The appeal site is on the edge of the Development Boundary of a 'Large Village' and therefore has a strong relationship with an identified sustainable settlement. The scale of the development is limited and will not harm the overall objectives of the spatial strategy. **I do not agree with any of these assertions. I consider that there is serious conflict with the various relevant Development Plans – including the Wiltshire Core Strategy (Policies 1, 2, 13, 19, 51, 60 and 61), the made Sherston Neighbourhood Plan 2019, and the Wiltshire Housing Site Allocations Plan 2020. These conflicts include: development outside of the recently redefined settlement limits; development in the open countryside; development on open land within the designated Cotswold AONB; and being a wholly unsustainable location for development on almost the furthest edge of the village from any services and facilities. It is furthermore not understood how the Appellant can assert that the appeal site lies within a "reasonably" sustainable location. This is in my view simply not the case. Most of the facilities and services within the village are situated adjacent to the High Street and/or Church Lane (or indeed further to the north – see Proposals Map 5A of the SNP) which are at least 700 metres distance from the appeal site and only accessible via the steeply sloping Thompsons Hill and Tanners Hill. This includes access to all the bus stops in the village – the nearest of which is most probably the one outside of The Angel Café in the centre of the village. There are no separate footpaths on any of the roads between the appeal site and the village and so anyone wishing to walk to and from the appeal site would have to share the road with passing vehicles. Whilst there is a public footpath between the appeal site and Brook Hill (Tubbs Elastics) to the northwest – this once again is down a steep hill (towards the River Avon) and then back up the hill towards the village. A pleasant walk no doubt but not something that could reasonably be argued as being an "accessible" alternative option. Indeed, by my reckoning the distance is actually much the same as the route to the High Street (approx. 650 metres).**

5) It has been demonstrated that, subject to a suitable design being presented at the Technical Matters Stage, including the use of local materials, then there will be no harm to the AONB or landscape character. **In the absence of any such details – including size, scale, appearance, precise location, materials , and landscaping it is impossible to assert that this proposal will not harm the AONB or landscape character of the area. When preparing the Sherston Neighbourhood Plan care was taken to avoid the development of any of the land on the south side of the village due to concerns about its potential landscape impact. The erection of even a single additional dwelling on land to the south of the village will in our view have a significant adverse impact on the landscape and create an unacceptable precedent for the future. The appeal site it should be noted is highly visible from Thompsons Hill itself and from Church Road (to the south), the Vineyard road (south west) and the unnamed road to the south-east.**

6) No other adverse impacts would result as consequence of the development. To the contrary, the numerous benefits outlined in section 5 of their Statement would be delivered. **It is not considered that any of the "numerous" benefits mentioned in the Appellant's Statement amount to much. The economic benefits relate to construction work (which is supposed to be self-build?) and CIL payments would be minimal. The benefits to local services and facilities questionable from a single dwelling. The self-build argument not totally provable or enforceable. The environmental benefits are wholly over-stated including the potential for increased biodiversity and a "more efficient use of land within the built-up area of a settlement" (Para 5.6?). This is both nonsensical and factually incorrect.**

7) There is nothing to demonstrate that the proposal would amount to unsustainable development. **This is disputed for all the reasons set out above.**

Conclusion:

I would urge you please to dismiss this appeal for all of the reasons set out above. If allowed it will set an undesirable and potentially seriously damaging precedent for many similar forms of development outside of the presently defined settlement limits around our village.

The Parish Council is for your information due to begin the preparation of an updated Sherston Neighbourhood Plan in the next few months. This will determine if, where and when there should be any further development in and around the village. This would be a far more appropriate way to decide where any new development should take place in and around the village over the next plan period. The Appellants could of course at that stage put forward their land for consideration as part of the next formal plan should they wish to do so. They did not do so last time around.

Please find attached for your information a copy of the made Sherston Neighbourhood Plan which sets out in detail how the community wished to see the village develop in the coming years. As mentioned above it took us a long time to prepare and agree a plan for the Parish. It would be devastating if this plan was ignored and overridden by a speculative proposal of this nature.

https://sherston.org.uk/sherston-neighbourhood-plan/

Sherston Neighbourhood Plan 2006 to 2026

Referendum Version - March 2019





Sherston Neighbourhood Plan 2006 to 2026

Referendum Version - March 2019

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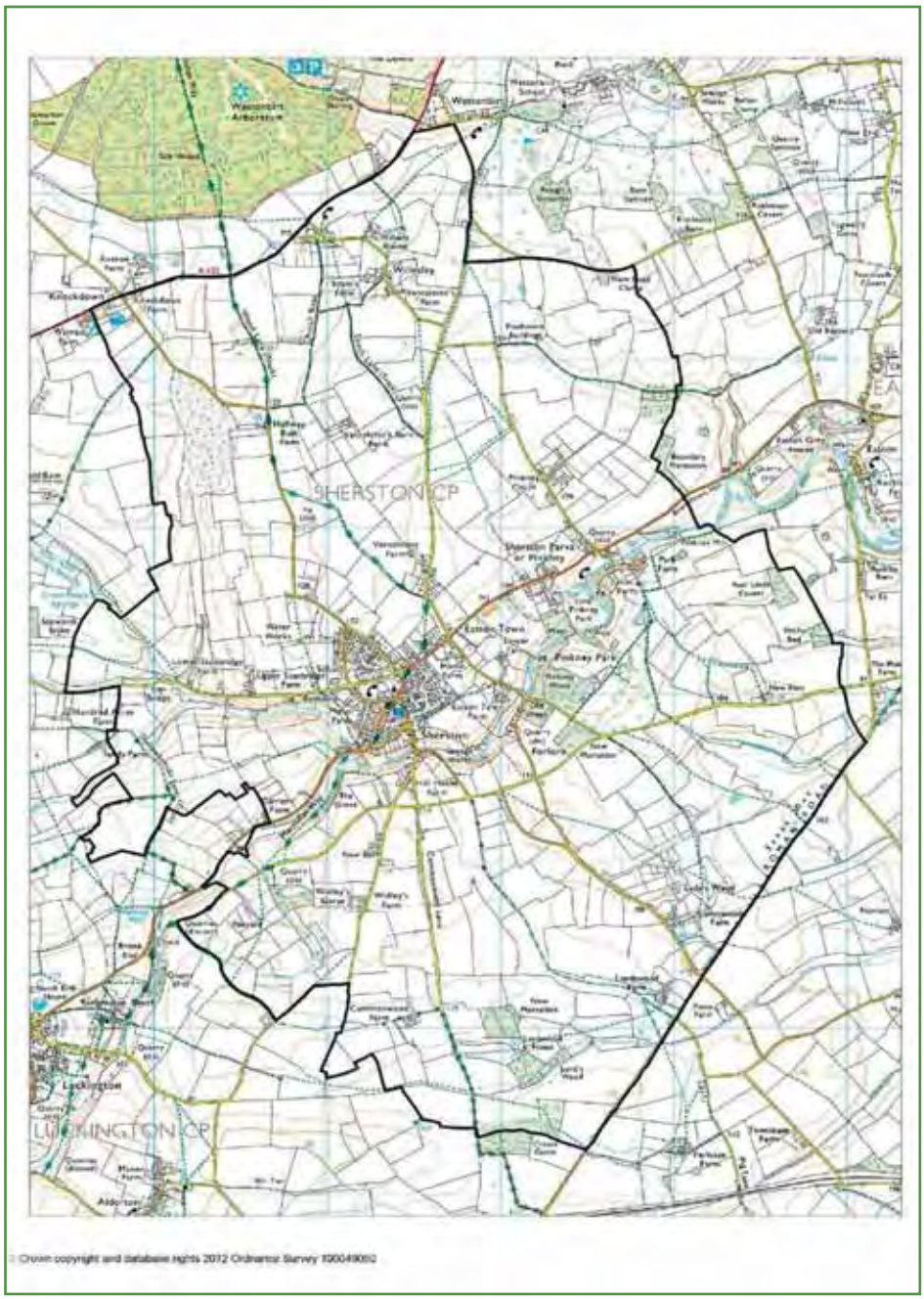
1.0 PURPOSE:

1.1 In April 2012 the Localism Act 2011 amended the Town and Country Planning Act 1990 introducing new rights and powers to allow local communities to shape new development in their community by preparing a Neighbourhood Development Plan which can establish general planning policies for the development and use of land in the defined neighbourhood. This document is a Neighbourhood Development Plan as defined in the Localism Act.

2.0 SUBMITTING BODY:

2.1 This Neighbourhood Development Plan has been submitted by Sherston Parish Council, which is a qualifying body as defined by the Localism Act 2011. It covers the administrative area of the Sherston Parish Council (see Map 1 below).

MAP 1 SHERSTON NEIGHBOURHOOD PLAN AREA



2.2 The Sherston Neighbourhood Plan (SNP) covers the same plan period as the adopted Wiltshire Core Strategy, up to 2026.

2.3 The Parish Council meeting held on 28th June 2011 unanimously agreed to make an application to Wiltshire Council for Sherston to be proposed as a Neighbourhood Planning Front Runner. This proposition was accepted by Wiltshire Council.

2.4 In September 2011 Wiltshire Council advised the Parish Council that it had been successful in its bid for Sherston to be chosen as a Front Runner under the scheme. A Steering Group was set up under the chairmanship of the Parish Council Chairman. The Steering Group comprised a mixture of local councillors, residents and other community stakeholders.

2.5 The Steering Group first met in February 2012 and work progressed on the preparation of the Neighbourhood Plan until its submission for examination in 2018. The plan allocates development sites and seeks to complement the policies of the Wiltshire Core Strategy.

2.6 A Neighbourhood Area Designation Application dated 3rd December 2012 was approved by Wiltshire Council in February 2013 (following the statutory period of consultation), establishing the area of Sherston Parish as the plan area for the SNP (Map 1). A Sustainability Appraisal Scoping Report (incorporating a Strategic Environmental Assessment) for Sherston was published by the Steering Group in February 2013.

3.0 PLANNING POLICY CONTEXT:

3.1 The Wiltshire Core Strategy (WCS) (adopted January 2015), saved policies of the North Wiltshire Local Plan (NWLP) and adopted policies of the Wiltshire and Swindon Minerals and Waste Development Framework (SMWDF) form the current Development Plan for the area covered by the SNP. Care has been taken to ensure that the SNP is in broad conformity with the policies of these plans.

3.2 In terms of the adopted WCS and saved policies of the NWLP, the SNP takes forward their policies, especially the focus on sustainable development - including the recognition that Sherston is defined as a Large Village in the settlement strategy as set out in the WCS (within which only a limited level of development is anticipated sufficient to help retain the vitality of the community).

3.3 Paragraph 216 of The National Planning Policy Framework (NPPF) provides guidance for emerging plans.

3.4 The saved policies from the NWLP remain extant until either deleted or incorporated into the WCS.

3.5 The longstanding policy of Sherston Parish Council has been to support development within and around the village that it considers to be appropriate in scale and location sufficient to meet the continuing and future needs of the community. Wherever possible this has been within the existing NWLP defined Village Development Boundary (VDB) – as shown on Map 2 (see below). It should be noted that in recent times however a number of exceptions have been made to this approach to meet identifiable and accepted exceptional needs (e.g. the construction of a new primary school and some affordable housing). Whilst the Neighbourhood Plan does not seek to change the existing VDB it is noted that Wiltshire Council is progressing a separate Housing Site Allocation Plan. This does not propose housing allocations in Sherston, but does propose changes to the settlement boundary.

MAP 2 EXISTING SHERSTON VILLAGE DEVELOPMENT BOUNDARY



3.6 The identification of Sherston as a Large Village within the WCS means that it is likely to come under more development pressure than the surrounding villages and hamlets. The Steering Group believes a plan is needed specifically to address the issues that are likely to come from this functional role and take forward necessary growth in a manner that is sustainable and acceptable to the community.

4.0 PHYSICAL CONTEXT:

4.1 Sherston is situated in the northwest corner of Wiltshire, about 5 miles to the west of Malmesbury and close to the boundary with Gloucestershire. It is an historic settlement, first mentioned by Ethelred Ealdorman of Mercia in the 9th Century and is considered to be one of the earliest boroughs in the country.

MAP 3 LOCATION PLAN



4.2 The original settlement at Sherston is considered likely to have been defended by earthworks – a section of which still remain north of Manor Farm – which are now a Scheduled Ancient Monument.

4.3 The south-eastern boundary of the SNP area is formed by the Fosse Way (the Roman Road linking Exeter to Lincoln). Whilst some evidence has been found of Roman and Romano-British occupation (in the form of a Roman burial site and a villa) close to the village itself, no evidence has to date been found of any more extensive activity or settlement dating from this period inside the SNP area.

4.4 Sherston was a place of some significance during the Saxon and Norman periods and there is evidence of a battle taking place nearby in 1016 between the Danes (Cnut) and the Saxons (Eadmund Ironside).

4.5 Sherston provides a good example of a small compact purpose-built market town, laid out alongside a smaller settlement to serve local needs.

4.6 The modern layout of the village preserves to a large extent the form of the original borough, centred around the wide High Street which once served as a market place.

4.7 The village has expanded considerably over the last 60 years, with various "modern" phases of development taking place just after the war, in the 1970's and again in the early 2000's (see Map 3 below). Indeed, some 90 new houses have been constructed in the village since the turn of the millennium.

MAP 4 SHERSTON VILLAGE DEVELOPMENT PHASES



4.8 To have a working and sustainable community is vital to residents and whilst many still work in the village there has been a significant reduction in businesses in recent years. This is particularly true of retail outlets which have halved in number to seven since 1980. The largest employer, Stretchline Mill, has reduced its workforce from 100 to 35 within the last five years.

4.9 The village has a small number of shops, including a thriving Post Office/Stores that operate out of premises that have been converted from a former Victorian School. It has three pubs. It has a limited bus service. It has a new and thriving primary school. Nevertheless, shops have closed as until recently commercial premises in the High Street have generally been converted to residential use once they fall out of use - the most recent being the butcher's shop. The main exception to this rule being the decision by the Parish Council in 2011, with the backing of the entire community, to purchase a redundant Victorian School on the High Street and to convert this into a range of business and retail units – all of which are now fully let.

4.10 The Parish of Sherston covers an area of approximately 1712 square kilometres and has a population of about 1420 persons (Office of National Statistics 2011). In addition to the village itself, the Parish contains two smaller hamlets (Willesley and Pinkney) together with a large amount of agricultural land.

5.0 VISION OF THE PLAN:

5.1 To allow the village to continue to thrive as a vibrant community and to evolve whilst retaining its unique and distinctive character.
5.2 To manage development within and around the village in a sustainable manner that is both appropriate in scale and location sufficient to meet the continuing and future needs of the community.
5.3 To provide and maintain an outstanding quality of life for current and future generations by retaining, enhancing and where necessary replacing a wide range of existing services and facilities.

6.0 COMMUNITY ENGAGEMENT:

6.1 A Neighbourhood Plan is a community-driven plan and must derive its objectives, actions and authority from the community.

6.2 The Steering Group formed to prepare the SNP initially comprised representatives from each of the primary interest groups in the village, including:

- Sherston Allotments
- Sherston Busy Hands Pre School
- Sherston Businesses
- Sherston Churches
- Sherston Green Wing
- Green Square Housing Association
- Sherston Primary School
- Sherston Parish Council
- Sherston Old School Community Interest Company
- Sherston Sports
- Tolsey GP Surgery
- Sherston Seniors Club
- Sherston Scouts and Youth
- Sherston Village Hall
- (N.B. Four additional village residents were later seconded onto the Steering Group – having attended several meetings of the SG as interested parties and expressed an interest in influencing the shape of the plan)

6.3 The appointed representatives were tasked with canvassing opinion from their various interest groups and reporting back on the identified needs and aspirations. This was done at a series of (initially) monthly meetings.

6.4 The Steering Group were keen to ensure that local residents should be kept informed and given every opportunity to participate in the process.

6.5 A communication programme was established to:

i. promote a high degree of awareness of the project;
ii. invite residents to join the team advising the Parish Council;
iii. encourage everyone to contribute to the development of the Plan;
iv. promote consultation events;
v. provide regular updates on the status of the Plan and its development.

6.6 Key to this programme was publicity, public events and the use of local print and electronic media to provide regular updates, together with the creation of a Sherston Neighbourhood Planning website (http://www.sherston.org.uk/sherston-neighbourhood-plan.html) to provide easily accessible, extensive information to the whole village and to encourage the village to participate. More recently use has been made of Facebook as a medium for discussing SNP issues.

6.7 The Sherston Cliffhanger is delivered to all homes in the village and read by a large proportion of the population. It is published monthly and since work started on the SNP has incorporated several articles at appropriate stages of the plan making process.

6.8 In addition, village opinion has been sought by:

- surveying every house in the Parish to assess the level of housing need (February 2012) – N.B. Survey undertaken by Wiltshire Council;
- running two workshops in July 2012 and March 2013 (each attracting about 100 people) to solicit views on the purpose, content and proposals in the Plan;
- holding a presentation and subsequent workshop session on the ideas evolving as a result of the work undertaken by the Steering Group and the appointed planning consultants in September 2014;
- holding an exhibition and open forum over the weekend of 20th/21st September 2014 – at which questionnaires were handed out seeking the views of local residents on the emerging ideas;
- holding a public meeting in January 2017 (attended by over 100 people) – to consider and discuss a particular proposal for the development of one of the key sites linked to the issue of a questionnaire seeking feedback on that specific proposal;
- holding a public meeting in May 2017 to consider a number of alternative options for that same key site which had been tabled by members of the Steering Group;
- holding a public meeting in September 2017 at which all of the objectives, policies and proposals that were being considered for inclusion in the draft SNP were set out, debated and subsequently agreed by the Steering Group.
- undertaking a formal consultation on the draft SNP (in accordance with Regulation14 of the Neighbourhood Planning Regulations) between 22nd February and 9th April 2018 after which a number of minor amendments were made to the plan.

6.9 Outcomes:

The main outcomes of this community engagement being:

- The identification of a wide range of initial aspirations;
- The subsequent identification of a set of primary Objectives for the SNP;
- Assistance with the identification of potential development sites in and around the village;
- The consideration and subsequent selection of a number of "preferred sites" for a variety of possible land use options;
- Confirmation of support for a set of policies and proposals that were being considered for inclusion in the SNP; and finally
- Assistance given to the Steering Group when making the final decision on the "objectives" and a set of draft policies and proposals that were to be incorporated in the draft SNP.

7.0 MAIN OBJECTIVES:

The following primary objectives for the Sherston Neighbourhood Plan have been identified by the community:

Objective 1:

The Plan will support the provision of facilities considered important for a vibrant community by:

- Protecting those facilities already in place;
- Supporting the provision of a new enhanced GP surgery;
- Facilitating the provision of additional facilities for the elderly, pre-school, and young people living within the village.

Objective 2:

The Plan will ensure that all future development in the village:

- Conserves or enhances Sherston's significant heritage assets;
- Respects the high quality of the local environment by employing the use of building materials in sympathy with the Cotswold AONB;
- Is of the highest quality of design – utilising wherever possible traditional styles and proportions;
- Safeguarding those parts of the settlement that have been identified as being worthy of protection from development by reason of their landscape quality, ecological importance, historic interest or local significance.

Objective 3:

The Plan will facilitate opportunities for new and existing businesses and social enterprise that benefit the community and support the delivery of advanced fibre connectivity to all parts of the village by:

- Supporting the creation of new business premises in appropriate locations;
- Resisting the change of use of existing business premises to alternative uses (except where there is a clear benefit to the community from allowing such);
- Encouraging the providers of broadband and other media services to deliver a level of service which will support the needs of local businesses and households.

Objective 4:

The Plan will seek to provide for the housing needs of the community. It will do this through:

- Allowing an appropriate amount of development in selected locations – to include houses for sale on the open market, affordable rented and shared equity housing, and sheltered elderly persons accommodation;
- Ensuring that all such development includes a mix of house types capable of meeting the identified local need;
- Considering the redevelopment of existing brown field development opportunities first;
- Supporting the provision of a replacement dwelling for the local vicar in an appropriate location.

Objective 5:

The Plan will seek to provide for the existing and future leisure, recreational, sporting, community and social needs of the village by:

- Ensuring that certain existing important open land and other green spaces within and adjoining the village are retained and/or enhanced – or that suitable replacement facilities are provided as part of any agreed redevelopment proposals;
- Ensuring that sufficient additional areas of open space are created within all new developments;
- Identifying and securing a site for the provision of additional burials within the village;
- Ensuring that existing sports and leisure facilities are retained and wherever possible enhanced.
- Supporting the provision of new build sports, leisure and recreational facilities in and around the village in appropriate locations.

Objective 6:

The Plan will facilitate measures for managing traffic in and around the village by:

- Ensuring that sufficient on-site parking is provided in all new developments sufficient to meet current and likely future car ownership and use.
- Seeking to identify solutions to existing identified access and parking problems (associated with drop off and pick up) at the Sherston Primary School.
- Encouraging measures which lead to a reduction in traffic volumes, movement and speed throughout the village and provide safer journeys for both pedestrians and motorists alike.
- Encouraging greater use of public transport, cycling and walking.

Objective 7:

The Plan will encourage the sympathetic management of the countryside surrounding the village so as to retain and/or enhance it's high quality, improve biodiversity and provide other longer term benefits to the local community by:

- Considering the creation of a community wood and/or orchard;
- Identifying and safeguarding any sites identified in the locality that are considered to be of significant ecological or landscape quality.
- Protecting, maintaining and enhancing the historic environment.

Objective 8:

The Plan will encourage a move towards a low carbon economy which includes local food production and the generation of renewable energy by:

- Considering the need for additional allotments;
- Encouraging the appropriate introduction of alternative energy sources (specifically solar, wood fuel, ground and air source heat systems) for use within existing and all new development within and around the village.

8.0 POLICIES:

8.1 This section of the Plan contains the various policies that, together with the Core Strategy and the NPPF, will help manage development in the area until 2026 and help to achieve most if not all of the above-mentioned objectives. There are policies to cover: the protection of existing services, community facilities and business premises; the protection of those open areas within and around the village that are considered to be worthy of specific protection because of their distinctive character; the allocation of land for a range of additional community and other facilities; the allocation of land for future housing development; the safeguarding of land in current recreational use; and the safeguarding of land to allow for the possible extension of the existing sports field.

8.2 It should be noted that some of the objectives noted above have not been translated into planning policies contained in this plan. It has been accepted by the Steering Group that in several cases there are existing planning policies contained in either the WCS or NWLP which are perfectly capable of managing future development proposals without the need for any additional specific policy in the SNP. There are of course some other objectives identified which cannot naturally be translated into planning policies. The decision has been made to retain these objectives in the SNP for the sake of completeness but to accept that in such cases they simply remain aspirations rather than "policy".

8.3 The policies of the SNP stem directly from the various public consultations that underpinned the identification of the key Objectives and of course an analysis of the relevant background information. They have been drafted so as to carry forward the requirements of the NPPF and the planning policies contained in the adopted Wiltshire Core Strategy.

8.4 The following policies are considered necessary to achieve the various objectives set out above:

1. Protection of community services and facilities and business premises:

- There is a concern that development pressure could lead to the further loss of existing services and facilities in and around the village and damage the character and vitality of the existing community.
- There is a concern that there will be a further loss of commercial premises in and around the village with the resultant loss of vitality and business activity.
- There is a strong feeling that important village assets need safeguarding.
- There is a strong feeling that every effort should be made to retain jobs and services within the village.
- Helps meet Objectives 1 and 3.

8.4.1 It became clear from the outset, both from the feedback received via the individual members of the Steering Group and subsequent dialogue with the wider community (via the various workshops and related feedback opportunities – including the later questionnaire survey undertaken in September 2014) that there was a strong feeling that the village should be doing all that it possibly can to seek to protect as many of its existing remaining services and facilities as possible. This is not entirely surprising given the fact that over an extended period the village has lost many such services and facilities and that the pressures for change have not gone away.

8.4.2 In addition, over the last twenty years the village has lost many of its commercial services and businesses – including pubs, shops, and other employment opportunities. Most of these sites have subsequently been redeveloped for housing. The village considers it desirable to try and slow or stop this decline and possibly to reverse the trend. The decision by the Parish Council to purchase the Old School premises on the High Street and to secure their conversion to a range of business units – to prevent their conversion to housing – being a case in point.

8.4.3 This policy (Policy 1) is designed to try and limit further losses. It is designed to supplement WCS Core Policies 35 and 49 by identifying those specific facilities, services and business premises that have been selected by the local community as being worthy of protection at various community events.

POLICY 1 Protection of community services, facilities and business premises

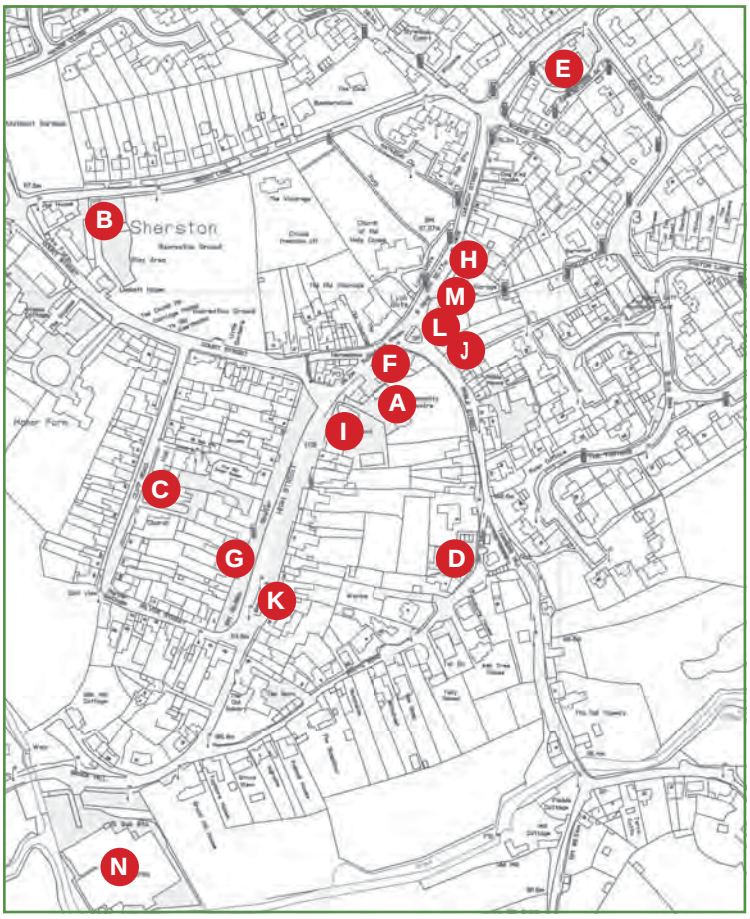
Facilities, services, shops and local businesses recognised as important to the local community are shown on Maps 5A and 5B and listed below. The loss of community facilities or services, or the change of use of businesses to non- business or non-community uses, will be resisted.

Where a change of use that would result in the loss of a community asset or service, or the change of use of a business to a non-business or non-community use is proposed, this should demonstrate why the benefits arising from the proposal outweighs the harm to the community in respect of the loss of a local asset and must be supported by evidence to demonstrate that the existing use of the asset is no longer viable, including at least six months active marketing for an alternative community or business use, taking full account of local market conditions.

Facilities/premises to be protected:

A. Village Hall
B. Scout Hut
C. British School Room
D. The Methodist Chapel
E. Carpenters Arms PH
F. The Rattlebone PH
G. The Angel (hotel and restaurant)
H. Grays Garage
I. The Old School (shops and offices)
J. Tucks
K. The Tolsey Surgery
L. Apples and Pears
M. The Wine Shop
N. Stretchline premises
O. Pinkney Park Business Units
P. B & W Equine Vets at Willesley

MAP 5A



MAP 5B

















2. Protection of open spaces and open areas:

There is a concern that development pressure could lead to a loss of open spaces in and around Sherston and damage the AONB.

- There is a strong feeling that important village assets need safeguarding.
- There is an acknowledged need to protect the landscape of the Cotswold AONB.
- Helps meet Objective 7.

8.4.4 There is a strong feeling that the village should be doing all that it possibly can to safeguard those parts of the settlement that have been identified as being worthy of protection from development by reason of their landscape quality, ecological importance or local significance. These areas, which were initially identified via the work undertaken on the Strategic Environmental Assessment and subsequently confirmed as being strongly supported at various community events, have been identified in Policy 2. This designates three of the areas - the allotments, recreation ground and village hall - as Local Green Spaces as they meet the criteria set out in national policy. In addition the Avon river valleys, Manor Farm and Grove Wood are identified as areas that make a positive contribution to local character.

8.4.5 The following policy (Policy 2) is designed to supplement WCS Core Policy 51.

POLICY 2 Protection of open spaces and open areas

- The Village Hall field, the Recreation Ground and the Allotments, shown on Map 6, are designated as Local Green Space, where new development is ruled out other than in very special circumstances.
- Development must respect the character and appearance of the land identified on Map 7, at Avon river valleys, Manor Farm and Grove Wood.

MAP 6 LOCAL GREEN SPACES



Map 7 ADDITIONAL PROTECTED OPEN AREAS





3. High speed broadband:

- High speed broadband is now available within the village.
- It is considered essential that all new development should make provision for accessing this service for the benefit of future occupiers.
- Helps meet Objective 3.

8.4.6 The provision of good telecommunications is particularly important in rural areas and for the support of rural enterprise and home-working. Currently fibre optic connections are the most robust and future-proof method of delivering high performance connectivity and this should be the aim for new developments.

8.4.7 The proposed new GP surgery on Site 1 (Sopworth Lane) will be heavily reliant on such technology. The inclusion of this policy in the plan it is hoped will ensure that the necessary provision is made for this important local facility from the outset.

8.4.8 Demonstration of compatibility could be through a Connectivity Statement, to include consideration of such matters as: the intended land use and the anticipated connectivity requirements of the development; known nearby data networks and their anticipated speed (fixed copper, 3G, 4G, 5G, fibre, satellite, microwave, etc); realistic assessments of connection potential or contribution to any such networks.

POLICY 3 High Speed Broadband

New development should, where appropriate, demonstrate how it will contribute to and be compatible with high quality communications including local fibre or internet connectivity. Where no internet provider is available, as a minimum and subject to viability, suitable ducting that can accept fibre should be provided either to:

- the public highway; or
- a community led local access network; or
- another location that can be justified through the connectivity statement.

Where possible and desirable, additional ducting should be provided that also contributes to a local access network; or a justified alternative location. The provision of additional ducting that contributes to a local access network for the wider community will be supported.



4. New Build Development:

- A range of new build development requirements have been identified to meet future needs over the remaining plan period.
- A need has been identified to provide a site for the erection of a replacement/enhanced GP surgery.
- A need has been identified to provide a site for the erection of a building for use by the pre-school group.
- A need has been identified to make provision for the possible expansion of the existing Primary School.
- A need has been identified for the construction of additional affordable housing.
- A need has been identified for the erection of some new build housing within and around the village.
- A need has been identified to seek to provide inclusive access between the proposed new GP surgery, the existing Sherston Primary School and a range of facilities in the centre of the village.
- A need has been identified to provide space for future burials.
- A need has been identified to provide a replacement/enhanced vicarage within the village.
- There is a concern to ensure that any new development is consistent with the aims and objectives of the Cotswold AONB and hence to minimise it's impact on the surrounding landscape.
- The upgrading or replacement of the existing Anthony Close development to provide an up to date care or close care facility has been identified as a desirable objective.
- Helps meet Objectives 1, 4, 5 and 6.

8.4.9 The existing GP surgery in the village is no longer considered to be fit for purpose over the long term. There is clear evidence that, without a new purpose-designed building, there is a very real possibility that the existing surgery may be closed within a relatively short timescale. A request was made by the GP practice therefore to try and identify a site for the erection of a new purpose-built facility somewhere in or around the village and to consider possible ways of funding such a proposal. This idea received a significant amount of local support. This matter was therefore given high priority by the Steering Group.

8.4.10 The Steering Group spent almost two years exploring all of the possible ways of achieving this objective. The conclusion eventually reached was that the only viable and deliverable option was to propose the allocation of a site off Sopworth Lane (Site 1) for the erection of a new surgery as part of a broader mixed use development - which would help overcome the anticipated high infrastructure costs of opening up the site. This is in fact the only site that is considered to have potential for the erection of such a building being on land that is effectively under the control of Wiltshire Council. This proposal therefore forms part of a proposed mixed use allocation (Policy 4 below).

8.4.11 The pre-school facility that formerly operated out of the Sherston Village Hall has recently closed. The Village Hall is no longer considered suitable for this use due primarily to competing demands and a lack of flexibility over timing of sessions etc. The Group seeking to resurrect this important local service have concluded that the best option would be to seek to secure funding for the construction of a new facility. A request has therefore been made by the Management Committee of the pre-school group to identify a site for the erection of a new purpose-built facility somewhere in or around the village. This idea has received good support from the village. The only site that is considered suitable and likely to be available for such a use is located adjoining the existing new Primary School. It is proposed therefore to allocate land for such a purpose on Site 1 – as part of a proposed mixed use allocation (Policy 4 below).

8.4.12 The "new" Sherston Primary School was built in 2005 when the school roll was about 140. The school roll has grown continuously since it opened and has now risen to over 180 children (aged 4 to 11). The school governors consider it prudent to make provision for the possible future expansion of the school beyond its present limits over the long term. This idea is supported by the local community. It is proposed therefore to allocate land adjoining the existing primary school (on Site 1) for its possible future expansion – as part of a proposed mixed use allocation (Policy 4 below).

8.4.13 The Housing Needs Survey undertaken in 2012 (by Wiltshire Council) identified the following level of affordable housing need in the village:

Subsidised rented housing:

3 x one bed homes for singles / couples (1x single level accommodation)
8 x two bed homes for families (1x single level accommodation)
3 x three bed homes for families
1 x four bed home for a family

Shared / Low cost home ownership

3 x two bed homes for families (1x single level accommodation)

2 x four bed homes for families

Sheltered housing for older people

1x two bed sheltered shared ownership home for a single / couple

8.4.14 Since 2012 six affordable housing units have been built in the village. Whilst meeting some of the above-mentioned identified need there is clearly still an outstanding requirement.

8.4.15 In accordance with WCS Policy 43 a proportion of any privately constructed new build houses on those sites allocated for future housing development in the SNP will have to be "affordable". The level of provision being set at a target of 40% of any new build housing in this part of the County bearing in mind the fact that WCS Policy 43 also states 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".

8.4.16 The WCS identifies Sherston as a "Large Village" within its settlement strategy. (Large Villages are defined as "settlements with a limited range of employment, services and facilities"). Core Policy 2 of the WCS states that *"Development at Large and Small Villages will be limited to that needed to help meet the housing needs of settlements and to improve employment opportunities, services and facilities."*

8.4.17 Sherston lies within the Malmesbury Community Area (MCA) as defined in the WCS. Core Policy 13 of the WCS states that *"development within the Malmesbury Community Area should be in accordance with the settlement strategy set out in Core Policy 1"* and then goes on to define the level of new build housing development required to be met over the plan period to 2026 within the MCA.

8.4.18 The minimum housing target for Sherston is effectively determined by the Wiltshire Core Strategy. Core Policy 13 of the WCS states that, *"over the plan period (2006 to 2026), approximately 1395 new homes will be provided of which about 885 will occur at Malmesbury. Approximately 510 homes will be provided in the rest of the Community Area".*

8.4.19 The Steering Group initially sought to establish what level of housing should be planned for in the settlement given its status as a Large Village. The advice given by Wiltshire Council being that it was for the community to decide on any precise level of new build housing deemed acceptable or appropriate as per WCS Policy 2. It was suggested however that the starting point for considering what might be appropriate would be to seek to make provision for new housing on an equitable basis across the "rest of the Community Area". Sherston is one of 5 "Large Villages" identified in the MCA. As a base line, therefore, it would not be unreasonable to seek to make provision for a minimum of 20% of any residual requirement (which makes allowance for both completions and outstanding commitments).

8.4.20 When work first started on preparing the SNP the overall residual requirement was quite significant. This has inevitably reduced over the last five years (including some new build housing in Sherston). At the time of drafting the Plan the residual requirement was about 90 dwellings (20% of which would be 16 units). But that is not the end of the story.

8.4.21 A rigorous site selection process was undertaken to identify the most appropriate deliverable, viable and sustainable locations for each of the various different types of development that it was considered would be needed to meet the underlying objectives of the plan. Full details of this process are to be found in the Sustainability Assessment document that accompanies the plan.

8.4.22 As noted above, Site 1 was identified as the preferred location for a number of future "community" facilities (notably a new GP surgery, a new pre-school facility, and the possible future expansion of the existing Primary School). The cost of opening up that site for development is known to be significant. There was a question mark over the viability and deliverability of such a proposition. The Steering Group accordingly, at the suggestion of Wiltshire Council, asked a local firm to undertake a series of Viability Assessments. Their finding was that a mixed use development on the Sopworth Lane site comprising 45 dwellings (of which 40% - some 18 units- would be affordable housing in compliance with WCS 43) should be sufficient to fund the development. Various alternative options that were considered, including schemes incorporating a range of independent living units and a lesser number of houses were not considered viable. The conclusion reached was that in order to be able to open up the Sopworth Lane site for development and to secure the necessary infrastructure so as to enable some or all of these community facilities to be delivered then it would be necessary to allocate the site for a housing development of up to 45 units.

8.4.23 These findings were discussed with the site owners and Wiltshire Council (who have a controlling interest in the site). Both have indicated that they are supportive of the proposition that, in return for the allocation of this site for a mixed use development – including an allowance for the erection of up to 45 dwellings (40% of which should be affordable housing units) and the allocation of an appropriate amount of land for all of the "community" uses noted above – the landowners and Wiltshire Council will secure the delivery of the new surgery. To this end, and for the avoidance of any doubt, Wiltshire Council has now formally resolved at a Cabinet Capital Assets Committee meeting held in November 2016 to support this proposition.

8.4.24 It is considered that there would be some qualitative benefits deriving from the allocation of this site for this number of houses. These benefits include a higher potential return from any CIL payments – to help cover the costs of the desired improvements to the village sports facilities and/or certain identified highway improvements in the village – and the opportunity to Master Plan a high quality mixed use development on the edge of the settlement (incorporating a mix of community uses that the village wishes to see delivered), taking into account the need to minimise the impact on the landscape by incorporating appropriate landscaping and buffer planting.

8.4.25 It should be noted that the amount of development being proposed in the SNP still represents a slowing down of the pace of development in the village over the last 20 years. The development that has taken place over this time period has without doubt helped to maintain/support a wide range of existing services and facilities in the village (e.g. the school; the surgery; local shops and pubs etc.). It is considered prudent and appropriate to seek to make provision for sufficient development in and around the village to help safeguard these existing services and facilities and future proof the settlement from less appropriate development.

8.4.26 It is proposed therefore to allocate Site 1(Sopworth Lane) for a mixed use development comprising up to 45 houses (40%affordable) plus land being set aside to accommodate a new GP surgery, a pre-school facility and for the future expansion of the Sherston Primary School). See Policy 4 below.

8.4.27 In addition to the above it is also proposed to make two further small housing allocations in the SNP. The first of these being a proposal for the redevelopment of the existing Vicarage Site off Green Lane (Site 2 on the Proposals Map). A need has been identified for the replacement of the existing vicarage together with the provision of some additional land for use as burial space. This site immediately adjoins the existing churchyard. The proposal is for this site to be allocated for mixed use – housing and burial space. It has an estimated capacity of 3 dwellings (net 2). See Policy 5 below.

8.4.28 The second small site comprises an existing saved and therefore outstanding housing allocation in the adopted North Wiltshire Local Plan. This is identified as Site 3 (The Elms) on the Proposals Map and has an estimated capacity of 4 units (net 3). See Policy 6 below.

8.4.29 A "Development Brief" and a "Design Brief" are set out below each of the land allocation Policies. These set out key issues that should be taken into account when considering how best to develop each site, along with recommendations in respect of design and layout

8.4.30 It is anticipated that some windfall development on small sites is likely to continue to take place on land falling inside the defined Village Development Boundary (subject to normal planning policy considerations) during the plan period. (N.B. As noted above, the Village Development Boundary is being reviewed separately by Wiltshire Council). The SNP does not seek to prevent this.

8.4.31 The existing elderly persons accommodation at Anthony Close is considered to be of a poor quality design and somewhat out-dated. Ideally, the Steering Group would like to see this site redeveloped for some form of care or close-care facility which it is considered would better serve the long term needs of the community. The site is owned by the Greensquare Group. The existing properties are let out to individuals on the Homes 4 Witshire Register. There is currently no onsite care provided. It is considered that the site owners should be encouraged to consider replacing/redeveloping the existing units with some sort of care or close care facility should the opportunity arise. See Policy 7 below.

MAP 8 SOPWORTH LANE



POLICY 4 Land off Sopworth Lane

- Approximately 3.3 hectares of land situated off Sopworth Lane (Site 1), as identified on Map 8, is allocated for mixed use development to include the following:
- Sufficient land for the erection of a new enhanced GP surgery with associated parking and space for related mobile services.
- Sufficient land to allow for the future expansion of the existing Sherston C of E Primary School and staff parking together with a site suitable for the erection of a new pre-school facility with associated parking.
- Up to 45 dwellings to serve diverse residential needs of which 40% should comprise affordable housing.
- Strategic landscaping and open space to retain and reinforce existing hedgerows, and to establish new areas of substantial planting and landscaping so as to mitigate the impact of the proposed development on both the existing PROW and the wider AONB.
- Development of the site should conserve and/or enhance heritage assets in a manner appropriate to their significance.

Development will be subject to the following requirements:

1. Development must not increase the risk of flooding elsewhere.
2. The provision of footpath and cycle links to both the proposed new surgery site and the western edge of the existing primary school as well as to the existing Parish playing fields to the north.
3. A design and layout that protects and preserves the character of the settlement and conserves the landscape and scenic beauty of the AONB.
4. A detailed Ecological and Mitigation Strategy that ensures that any future development of this site retains existing features and habitats of ecological value, minimises the impact on protected species and maximises the potential of retained habitats to enhance biodiversity.
5. An archaeological assessment.

Development proposals should be supported by a masterplan taking account of the "Development Brief" and the "Design Brief" information set out in the supporting text.

Development Brief – Sopworth Lane

Site Description:

- The site is located on the western edge of the village and would be accessed from Sopworth Lane.
- The site, which is approximately 3.3 hectares in size, comprises an agricultural field currently in arable use. The boundaries of the site are formed by a combination of hedges and fences.
- The site is abutted to the north by existing public sports facilities (tennis courts and a football field), to the east by housing development and the village primary school, to the south by Sopworth Lane and to the west by a single dwelling and its large domestic curtilage and further agricultural land.

Key Issues:

1. Landscape:

- The site comprises an open agricultural field lying within the designated Cotswold AONB. The site has a strong relationship with the existing settlement.
- There is the potential for the north western edge of the site to become visible on the skyline, particularly when viewed from the west (Sopworth direction). Whilst the church tower and water tower are currently visible from this direction, the main body of housing of the village is not visible in these views. As such, in designing any scheme for this site, care will need to be taken over the design of development in the north western quadrant of the site. This may entail heavily landscaping the western edge with additional trees incorporated into the development parcels here to break down massing.
- There is a Public Right of Way (PRoW) crossing the site from a stone stile at the southwest corner, running along the western boundary and exiting at the base of the water tower in the north-west corner. This footpath affords open views across the whole of the site area and over expansive areas of the open countryside to the west and south. Views within the site are dominated by the rear elevations of existing housing and the primary school to the east. The effects on the users of this footpath will need careful consideration in the design of development.

2. Ecology:

- There are no statutory designated sites of ecological importance within 1 kilometre of the site. The hedgerows situated in the southern half of the site are species rich and contain a number of trees. These should where possible be retained. Some minor hedgerow removal will need to occur to facilitate the development. As compensation for the loss of any sections of hedgerow, new hedgerow planting will need to be incorporated into the development scheme.
- Opportunities for biodiversity enhancement may include:
    - Retention of vegetated field margins to hedgerows, facilitating wildlife dispersal across the site and into neighbouring habitats;
    - The planting of new species-rich hedgerows and native trees (e.g. between new property boundaries). Once established, they will provide further nesting and foraging habitat for a range of bird species, as well as commuting and foraging opportunities for bats and other small mammals, creating new connectivity between the site and the surrounding habitats;
    - Creation of a mixture of habitats in areas of open space (e.g. in structure and through management) to provide opportunities for a range of species;
    - Use of native species, or those with a known benefit to wildlife within future landscape proposals. This may include tree planting (specifically fruit trees such as apple, plum, pear etc.) which may provide an important winter food source for birds;
    - Inclusion of scented night-flowering plants which would enhance the post developed site by attracting night-flying insects, providing a food resource for bats;
    - The addition of wildlife boxes (e.g. bird, bat, hedgehog and invertebrate boxes) into the post-developed site.

3. Heritage Matters:

- The primary archaeological resource identified in the area surrounding the Site is characterised largely by the known settlement in Sherston, which was established in the early medieval period and later expanded during the medieval period through to the present day. In addition, a Scheduled earthwork is located a short distance to the south of the Site, which existing interpretations suggest may be remnants of a Norman ringwork/castle, part of the medieval settlement, or an early medieval defensive earthwork associated with the suggested site of a Saxon battle nearby.
- Historic aerial photography showing plough marks within part of the Site, as well as much of the land around the settlement suggests that much of this area was farmland from at least the medieval period onwards. Any remnant agricultural features such as furrows or ditches would not be of more than low heritage significance.
- There is no specific evidence for remains associated with the Scheduled medieval earthwork to the south of the Site to extend to the north into the Site. The southernmost part of the Site has obviously a greater potential for any such possible associated features but nothing has as yet been identified.
- There are no listed buildings in close proximity to the proposal site. The nearest being Manor Farm some distance to the south off Court Street.
- The site is abutted to the south by the northern boundary of the designated Sherston Conservation Area and as such development has the potential to affect the setting of the Conservation Area.

4. Transport Issues:

- The sole means of vehicular access into the site is off Sopworth Lane. Certain offsite improvements are likely to be required to Sopworth Lane (and it's junction with Court Street) to facilitate a safe means of vehicular access.
- Consideration may need to be given to the provision of an emergency access link through to Saxon Close (subject to ownership constraints).
- Consideration should be given to the safeguarding of an area of land immediately adjoining the proposed new GP surgery for the possible introduction of a bus stop for local services at some future date.
- There is an existing public footpath along the western side of the site. This links to the wider footpath network and should be retained.
- Additional footpath links should be provided where possible including links to:
- Butlers Close/Saxon Close;
- The primary school;
- The track to the north of the site;
- The creation of a new footpath along Sopworth Lane.
- The needs of cyclists to be considered as part of any development.
- Parking provision for the proposed development will need to be provided in accordance with Wiltshire Council's Adopted Parking Strategy for new developments. Specific consideration will need to be given to the provision of some additional parking for the existing Primary School (staff and/or visitors).

5. Other matters:

- The site is crossed by an existing high pressure water main. This will either need to be relocated or avoided.
- There is an existing overhead power line crossing part of the site. This will need to be rerouted or undergrounded.
- A SUDS drainage system should if possible be introduced.
- The new GP surgery and other forms of development on site should have access to advanced, high quality and reliable communications infrastructure.

Design Brief:

See the attached Constraints Plan.

The following recommendations are made for the design and layout of any development on this site:

1. In designing any scheme for this site, particular care will need to be taken over the design of development in the north western quadrant of the site and the western edge should be heavily landscaped with additional trees incorporated into the development parcels here to break down massing.

II. Existing mature hedge boundaries and trees should be retained. Overall, site boundaries would benefit from enhancement on nearly all sides – there are species poor hedges to several boundaries and some are completely open. 'Gapping up' and new hedgerow planting should be undertaken;

III. Consideration should be given to the need for the provision of an emergency access link through to Saxon Close (subject to ownership constraints).

IV. Consideration should be given to the possible safeguarding of an area of land immediately adjoining the proposed new GP surgery for the introduction of a bus stop for local services at some future date.

V. Pedestrian and cycle movements should be fully considered not just with respect to the existing PROW, but with access being provided to: the sports facilities to the north; the Primary School and existing residential areas to the east; and via Sopworth Lane to the rest of the village;

VI. The linear form of the PROW should be retained within a robust ribbon of open space along the western boundary of the site, allowing for further mitigation planting to soften the settlement edge here while also allowing the creation of a public space in which people can enjoy the visual connection with the wider countryside;

VII. Built form should be carefully considered on the highest parts of the site and additional tree planting incorporated where possible to break up the mass/form of the development;

VIII. A surface water management scheme that can achieve less than current greenfield runoff rates should be utilised on this site. The lowest part of the site would be best suited to a Suitable Urban Drainage System;

IX. The existing overhead powerline which crosses the site in the north-eastern corner should be re-routed or undergrounded as part of any scheme. (N.B. The removal of this feature from the landscape could be a positive benefit of the scheme);

X. The character and quality of any new built form should be typically Cotswold in fashion - have strong architectural merit, using local materials and building techniques (dry stone walls). This doesn't necessarily mean it should be 'pastiche' – contemporary versions of the vernacular may be possible and desirable but the architectural approach should be strongly informed by a detailed understanding of the village vernacular and high quality local materials should be used wherever possible;

XI. When preparing the site layout full regard will need to be given to the existence of the water main that crosses the site;

XII. Parking provision for the proposed development will need to be provided in accordance with Wiltshire Council's Adopted Parking Strategy for new developments.

XIII A detailed "Ecological Mitigation and Enhancement Strategy" should be prepared for this site. This should consider the opportunities for:

- Retention of vegetated field margins to hedgerows, facilitating wildlife dispersal across the site and into neighbouring habitats;
- New species-rich hedgerow and native tree planting (e.g. between new property boundaries). Once established, they will provide further nesting and foraging habitat for a range of bird species, as well as commuting and foraging opportunities for bats and other small mammals, creating new connectivity between the site and the surrounding habitats;
- Creation of a mixture of habitats in areas of open space (e.g. in structure and through management) to provide opportunities for a range of species;
- Use of native species, or those with a known benefit to wildlife within future landscape proposals. This may include tree planting (specifically fruit trees such as apple, plum, pear etc.) which may provide an important winter food source for birds;
- Inclusion of scented night-flowering plants which would enhance the post developed site by attracting night-flying insects, providing a food resource for bats;
- The addition of wildlife boxes (e.g. bird, bat, hedgehog and invertebrate boxes) into the post-

developed site.

XIV. When considering the heritage issues relating to the future development of this site particular regard should be had to the need to:

- Ensure that the design, materials, layout and massing of any development is sympathetic to the Conservation Area;
- Maintain existing mature hedgerows and trees and encourage new planting where appropriate;
- Retain the existing historic footpath link through the site on its present alignment;
- Limit the density of new build development on the site to help maintain a "quiet residential area".This can be assisted by siting the proposed new community facilities (GP surgery and educational uses) on the southern half of the site.
- Ensure that the stone access point/stile on the southern Site boundary which positively contributes to the Conservation Area is retained.

MAP 9 SOPWORTH LANE CONSTRAINTS MAP



MAP 10 THE VICARAGE SITE



POLICY 5 The Vicarage Site

Land at Site 2 (the Vicarage Site), as identified on Map 10, is allocated for mixed use development, to include:

- Land for use as additional burial space.
- About 3 dwellings (including new vicarage).

Development will be subject to the following requirements:

1. The provision of a footpath link to the existing adjoining churchyard from the proposed new burial area.
2. Development should conserve or enhance heritage assets, including the Sherston Conservation Area and the setting of the Grade I Listed church.
3. Development should conserve the landscape and scenic beauty of the AONB.

Development proposals should be supported by a masterplan taking account of the "Development Brief" and the "Design Brief" information set out in the supporting text.

Development Brief – Vicarage Site

Site Description:

- The site comprises the existing vicarage and its garden. It is a brown field site. It has a site area of approximately 0.35 hectares.
- The existing vicarage was constructed in the late 1960's and later extended. It's design and appearance are not considered to be in character with the surrounding Cotswold AONB, Sherston Conservation Area and nearby listed buildings.
- The site lies inside the existing Sherston Village Development boundary. It is abutted to the north by Green Lane, over which lies "modern" primarily semi-detached housing, to the west by the existing village Recreation Ground, to the south by several existing residential properties (including the former vicarage) and to the east by the burial ground belonging to the Church of the Holy Cross.
- Most of the existing properties fronting onto Green Lane are ex- Council houses (including those comprising Anthony's Close at the eastern end of the lane) whose design, layout and massing is generally considered also to be out of character with much of the rest of the village.

Key Issues:

1. Landscape:

- The entire village lies within the designated Cotswold Area of Outstanding Natural Beauty (AONB).
- The site is visible from the adjoining churchyard to the east but is separated from such by a high rubble stone wall.

II. Ecology:

- The proposal site comprises an existing domestic garden.
- There are no statutory designated sites of ecological importance within 1 kilometre of the site.
- The leylandii tree screen that runs along the entire western site boundary is species poor and places severe limitations on the habitats of various species within close proximity to this boundary.
- There are several existing trees on the site – with native species to the front and mainly fruit trees to the rear. The majority of the rest of the site is mown grass. None of the trees are protected by Tree Preservation Orders.
- The site is considered to be a potentially suitable habitat for birds and small reptiles (such as slow worms) and has potential as a bat foraging area. There is no suitable breeding habitat for great crested newts on the site. It is considered highly unlikely that the site would be suitable for dormice or brown hares.

III. Heritage Matters:

- The site lies within the designated Sherston Conservation Area and immediately abuts the curtilage of the Church of the Holy Cross (a Grade I listed building).
- The burial ground to the rear of the church contains several listed structures (tombs) and the former vicarage to the south is Grade II listed.
- The site itself contains one listed structure – the remains of a medieval village cross (which is Grade II listed). The Sherston Conservation Area Statement (SCAS) suggests that this was placed here at some point during the early 19th Century having previously marked one of the boundaries of the village.
- A heritage appraisal has been undertaken by Border Archaeology and this can be made available by the Parish Council
- The SCAS identifies a number of different "key areas of character" within the village. These include "specific key features" in and around the proposal site such as: the afore-mentioned listed buildings; the wall running down the eastern site boundary of the vicarage; and certain individual trees. It also identifies certain "key areas" deemed worthy of particular consideration such as: the areas fronting the High Street and Court Street. Finally, it identifies a number of "key settings" such as: the Recreation Ground and the existing churchyard.
- The north side of Green Lane lies outside of the defined Conservation Area (CA). This side of the road is characterised by modern (post war) former Council housing – comprised of a row of sixteen semi-detached houses set behind a wide verge that has more recently been used for car parking. All of these properties front onto Green Lane and abut the CA boundary. They predate the creation of the CA. Their design and appearance is considered to be out of character and appearance with the adjoining Conservation Area.
- One new house (Summerstone) has been constructed on Green Lane since the creation of the CA. This is sited a short distance to the east of the proposal site – immediately opposite the cemetery. This large detached house is set back some distance from the road albeit a garage has been erected at right angles to the road close to the site entrance. The design of this property is considered to appear more in keeping with it's setting and location adjoining the CA and within the AONB. This property has a direct line of sight to the listed church.
- The guidance given in the SCAS in relation to this part of the Conservation Area is to "preserve long views of the church and skyline, with "no new development south or west of the church" whilst retaining the "full curtilage of church land". The most notable feature of the church being its spire – which is visible from many distant viewpoints.
- However, no long views of the church are currently achievable when viewed from the west (Recreation Ground or Knockdown Road) and only limited views of the church from the north (Green Lane). The former being precluded by the existing leylandii tree screen and the latter by the positioning of the modern vicarage and tree planting. Indeed, the church itself is only visible from very limited viewpoints along Green Lane – most notably from the viewpoint immediately opposite the new house that was constructed on the north side of Green Lane a few years ago.

IV. Transport Issues:

- Vehicular access to the site would be taken off Green Lane. There is an existing vehicular access situated on the eastern side of the site frontage. This could be used to provide a shared access to any new build on this site.
- The site lies within close proximity to a wide range of existing services and facilities elsewhere in the village. It

is within easy walking/cycling distance of the village centre as well as the proposed new GP surgery and existing Primary School.

- Pedestrian access will need to be provided between the existing cemetery and the proposed new burial space. This will require creating a new pedestrian opening in the wall between the two spaces. This footpath link will also be used by the Vicar when on duty at the nearby church.

Design Brief:

See the attached Constraints Plan.

The following recommendations are made for the design and layout of any development on this site:

I. The development should conserve and where possible, enhance heritage assets. Given this, consideration should be given to the following:
   - Ensure that the design, materials, layout and massing of any development is sympathetic to the Conservation Area and nearby listed buildings. Particular attention will need to be given to the scale, massing and architectural detailing so as to ensure that they respect the setting of the adjoining churchyard and its monuments.
   - Careful consideration will also need to be given to the orientation of any new dwellings on the site to help minimise any potential adverse impact on the adjoining listed buildings.
   - Retain as many of the existing trees on the site as possible (with the exception of the leylandii trees referred to below) and encourage new planting where appropriate;
   - Carry out new tree and hedge planting along the entire eastern boundary of the site adjoining the churchyard;
   - Retain all existing tree and hedge-cover along the site boundary with the Old Vicarage.
   - Open up long views of the nearby Church of the Holy Cross through the removal of most if not all of the existing leylandii tree screen that runs along the western site boundary. This should be replaced by deciduous tree-planting along this boundary to ensure its leafy, secluded character is maintained and also to soften views of any new houses which will then be potentially discernible in views from the adjoining recreation ground and more distantly from Court Street.
   - Retain all of the existing stone walls around the perimeter of the site and if feasible increase the height of the existing stone wall that runs along the western site boundary.
   - Limit the density of new build development on the site to that required to help deliver a new vicarage and to minimise the potential impact of any development on the surrounding Conservation Area and nearby listed buildings. A maximum of three dwellings should be permitted on the site.
   - The proposed new Vicarage should be set back from the churchyard boundary to reduce any potential visual impact.
   - The existing former village cross should be retained "in situ" and protected from development during the construction phase.
   - The southernmost portion of the site which is proposed to be allocated for an extension to the churchyard should be separated from the curtilage of any new housing by a 1.5m high stone boundary wall. Additional tree planting should be carried alongside the proposed new wall. An appropriate display board should be erected describing the history of the listed monument.

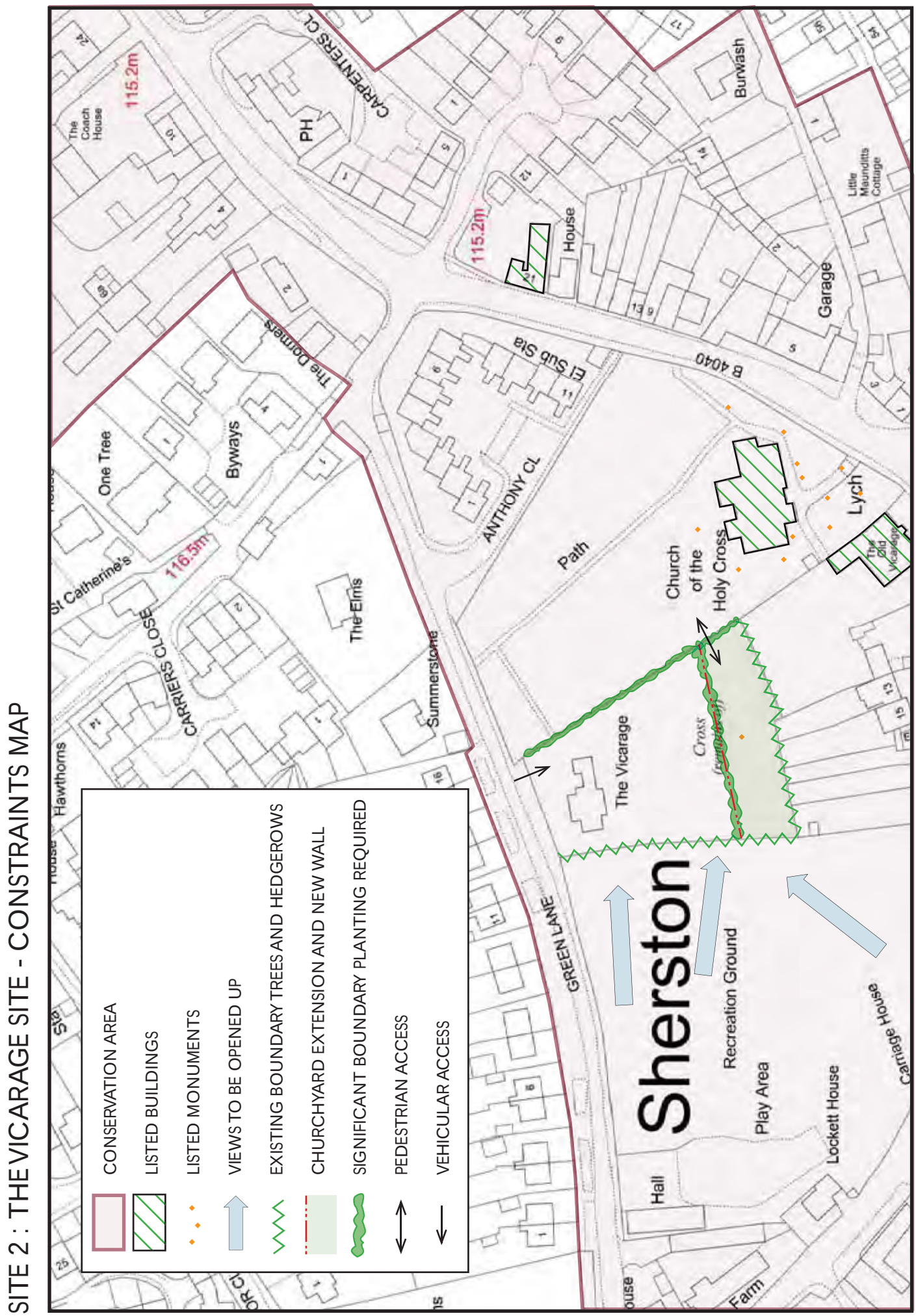
II. Vehicular access should be provided off Green Lane. This should comprise a single shared vehicular access serving all of the properties;

III. A pedestrian access should be provided through the existing stone wall between the existing cemetery and proposed new burial area in a location to be agreed with the Local Planning Authority;

IV. The character and quality of any new built form should be typically Cotswold in fashion - have strong architectural merit, using local materials and building techniques (dry stone walls). This doesn't necessarily mean it should be 'pastiche' – contemporary versions of the vernacular may be possible and desirable but the architectural approach should be strongly informed by a detailed understanding of the village vernacular and high quality local materials should be used wherever possible;

V. Parking provision for the proposed development will need to be provided in accordance with Wiltshire Council's Adopted Parking Strategy for new developments.

MAP 11 THE VICARAGE SITE CONSTRAINTS MAP



MAP 12 THE ELMS



POLICY 6 The Elms

Site 3 (The Elms), as identified on Map 12, is allocated for the development of around 4 dwellings. Development should conserve or enhance any heritage assets affected, including the setting of the Sherston Conservation Area. Development should also conserve the landscape and scenic beauty of the AONB.

Development proposals should be supported by a masterplan taking account of the "Development Brief" and the "Design Brief" information set out in the supporting text.

Development Brief – The Elms

Site Description:

- The site comprises a single dwellinghouse set in a large garden. It has a site area of approximately 0.3 hectares. It is a brown field site.
- This site has been allocated for new housing development for many years. It remains allocated for housing in the adopted North Wiltshire Local Plan. Most of the land adjoining this property, formerly in the same ownership, has already been developed. This includes the land immediately to the north of the property – a former transport yard – which contains 14 houses (Carriers Close). Five other houses have been constructed on other residual land belonging to this property in recent years – four of them to the north of Carriers Close (off Sandpits Lane) and one immediately to the west of The Elms (off Green Lane).
- The Elms is a post war construction with a rendered exterior and clay tiled roof. Whilst not of a typical Cotswold style or design it is nevertheless not considered to be entirely out of keeping with this part of the settlement.
- The site lies inside the existing Sherston Village Development boundary but outside of the existing defined Conservation Area boundary. It is surrounded on all four sides by existing mostly post war housing development including: on the opposite side of Green Lane, by the sheltered housing development known as Anthony's Close; to the west and north by the afore-mentioned recent modern housing developments; and to the east by a single older property.

Key Issues:

1. Landscape:

- The entire village lies within the designated Cotswold Area of Outstanding Natural Beauty (AONB).
- The proposal site is centrally located within the existing settlement and is virtually invisible from any public viewpoints beyond the immediate locality.
- The southern site boundary is formed by a two metre high trimmed privet hedge. All of the other site

boundaries abut existing residential properties – with the exception of a very short section of Sandpits Lane from which vehicular access is taken.

- There are no public viewpoints from the north or east. Available views from the north are therefore from Green Lane itself and from the afore-mentioned site entrance off Sandpits Lane.
- The site is visible from the adjoining churchyard to the south west but is separated from such by a high stone wall.

2. Ecology:

- The proposal site comprises an existing domestic garden.
- There are no statutory designated sites of ecological importance within 1 kilometre of the site.
- The privet hedge that runs along the entire southern site boundary is species poor and places limitations on the habitats of various species within close proximity to this boundary.
- There are several existing trees on the site. The majority of the rest of the site is mown grass. None of the trees are protected by Tree Preservation Orders.
- The site is considered to be a potentially suitable habitat for birds and small reptiles (such as slow worms) and has potential as a bat foraging area. There is no suitable breeding habitat for great crested newts on the site. It is considered highly unlikely that the site would be suitable for dormice or brown hares.

3. Heritage Matters:

- The site lies just outside of the designated Sherston Conservation Area.
- The village cemetery that lies within the curtilage of the Church of the Holy Cross (a Grade I listed building) is situated a short distance to the south west of the site – on the opposite side of Green Lane.
- The church itself is visible from the site in long views across the churchyard. This contains several listed structures (tombs). There is a high stone wall surrounding the churchyard.
- The site lies directly opposite Anthony's Close – a sheltered housing development built in the 1960's. The Sherston Conservation Area Statement (SCAS) describes this as being of "a unified, single storey, concrete block design" which "although partially screened by maturing trees, the flat roofing, cladding and poor window detailing (does) not sit well as neighbours to the church". This development is considered to be totally out of character with the Conservation Area. It is the subject of a separate policy in the Neighbourhood Plan which seeks to secure it's replacement by a well- designed purpose-built care or close-care facility (see Policy 7).
- The SCAS identifies a number of different "key areas of character" within the village on a composite plan which it is considered "contribute the most to its character and which it should be a priority to preserve". These include one "specific key feature" near the proposal site – comprising the existing stone wall surrounding the churchyard. It also identifies certain "key areas" deemed worthy of particular consideration – none of which are close to the proposal site. Finally, it identifies a number of "key settings" including the Recreation Ground and the existing churchyard. None of these are considered likely to be seriously affected by any new build development on the proposal site.
- The north side of Green Lane lies outside of the defined Conservation Area (CA). This side of the road is characterised by modern (post war) former Council housing – comprised of a row of sixteen semi-detached houses set behind a wide verge that has more recently been used for car parking. All of these properties front onto Green Lane and abut the CA boundary. They predate the creation of the CA. Their design and appearance is considered to be out of character and appearance with the adjoining Conservation Area.
- One new house (Summerstone) has been constructed on Green Lane since the creation of the CA. This is sited immediately adjoining the proposal site – and hence immediately opposite the cemetery. This large detached house is set back some distance from the road albeit a garage has been erected at right angles to the road close to the site entrance. The design of this property is more in keeping with it's setting and location adjoining the CA and within the AONB. It has a direct line of sight to the listed church.
- The guidance given in the SCAS in relation to the part of the Conservation Area that abuts the proposal site is to "preserve long views of the church and skyline, with "no new development south or west of the church" whilst retaining the "full curtilage of church land".

4 Transport Issues:

- Vehicular access is currently taken off Sandpits Lane in the far north eastern corner of the site.
- Local residents have expressed concern about the potential adverse impact of additional traffic on Sandpits Lane arising from the development of this site – pointing out that there have been approximately 25 new houses built on that lane since 1985.
- It is not as yet clear whether it would be intended to retain the existing house and seek to construct some additional housing or to redevelop the entire site. Either way it is considered that no more than one dwelling should take access off Sandpits Lane.The remainder should be accessed off Green Lane with possibly a footway being provided along the site frontage so as to improve pedestrian safety.
- The site lies within close proximity to a wide range of existing services and facilities elsewhere in the village. It is within easy walking/cycling distance of the village centre as well as the proposed new GP surgery and existing Primary School.

Design Brief:

See the attached Constraints Plan.

The following recommendations are made for the design and layout of any development on this site:

I. The development should conserve and where possible, enhance heritage assets. Given this, consideration should be given to the following:
   - Ensure that the design, materials, layout and massing of any development is sympathetic to the adjoining Conservation Area;
   - Retain as many of the existing trees on the site as possible and encourage new planting where appropriate.

II. The existing vehicular access off Sandpits Lane to be retained but not used for more than one single dwellinghouse.Vehicular access to any other properties built on the site should be provided off Green Lane. This should in turn comprise a shared vehicular access serving at least two of the properties;

III. Consideration should be given to the provision of a pedestrian footway across the entire Green Lane site frontage;

IV. No more than four dwellings in total should be provided on the site;

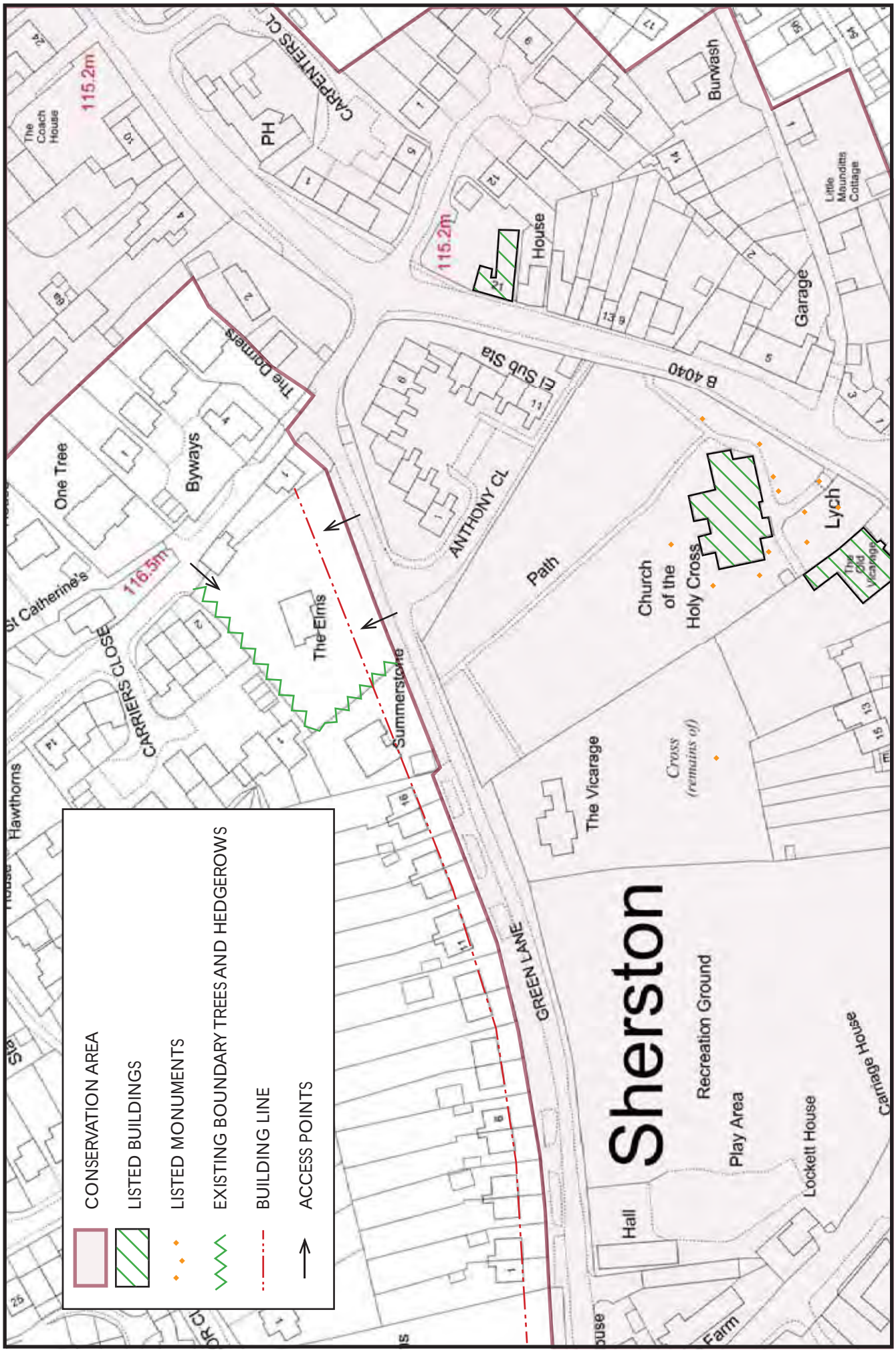
V. All new housing on this site should adhere to a similar building line to the rest of the properties fronting this side of Green Lane;

VI. The character and quality of any new built form should be typically Cotswold in fashion - have strong architectural merit, using local materials and building techniques (dry stone walls). This doesn't necessarily mean it should be 'pastiche' – contemporary versions of the vernacular may be possible and desirable but the architectural approach should be strongly informed by a detailed understanding of the village vernacular and high quality local materials should be used wherever possible;

VII. Parking provision for the proposed development will need to be provided in accordance with Wiltshire Council's Adopted Parking Strategy for new developments.

MAP 13 THE ELMS CONSTRAINTS MAP

SITE 3 : THE ELMS - CONSTRAINTS MAP



MAP 14 ANTHONY CLOSE



POLICY 7 Anthony Close

Proposals to upgrade or replace the existing sheltered accommodation on Anthony Close with a purpose-built care or close care facility will be supported.

5. Highway Issues:

- A need has been identified to seek to provide inclusive access between the proposed new GP surgery, the existing Sherston Primary School and a range of facilities in the centre of the village.

8.4.32 A high level Traffic Impact Assessment (TIA) was prepared by Arup in May 2017, on behalf of a group of local residents, in order to assess the likely impact of a mixed use (housing and community) development on Site 1 (i.e. the land off Sopworth Lane). The main purpose of the TIA being to estimate the number of vehicular trips that would be associated with that development and to assess the ability of the local highway network to absorb those trips. It also considered a range of possible off-site improvements that could be undertaken to improve safety and accessibility between the proposed development site and the rest of the village.

8.4.33 Two different development options were considered. These were:

Option A - utilising the southern half of the site only (based around an 18 bed Independent Living Unit plus additional market and affordable housing, a new GP surgery, a new pre-school facility, and an expanded Primary School).

Option B – utilising the entire site (based on the proposals as set out in Policy 4 above).

8.4.34 Site visits were undertaken to observe the base line traffic conditions in the locality and traffic counts undertaken. The likely trip generation of each option was estimated using data obtained from the TRICS database. These estimated trips were assigned to the local highway network on the basis of the existing known traffic conditions (taken from earlier survey work). It was concluded that in either case it was "unlikely that road users would perceive the increase in traffic and that the local highway network would continue to function adequately in both development scenarios".

8.4.35 Various other matters were dealt with in the report. During the site assessment it was noted that there was an existing problem with the arrangements for picking up and dropping off children at the local Primary School. Whilst this was a known problem to the Steering Group, which had ben identified at the beginning of the NP process, this information confirmed the necessity to seek to ensure that this issue was dealt when the proposals for Site 1 are eventually brought forward. It is understood that this is a matter that the School Governor's and Wiltshire Council are already trying to address.

8.4.36 It was also noted in the report that should a new healthcare facility be built on Site 1 and the existing GP surgery in the centre of the village closed and relocated it would be sensible to consider what improvements could be made to the local highway network for the benefit of pedestrians and cyclists who were likely to be attracted to the site.These were set out in some detail in the report. Inclusive access routes were identified along Court Street and Green Lane.

8.4.37 Discussions were held with Wiltshire Council about which if any of these works could reasonably be required to be provided by the prospective developer(s) of Site 1 – and hence be subject to a legal agreement requiring such works to be undertaken.The Steering Group were advised that only those works directly required as a result of such development would be included within any such agreement and that this was unlikely to include most of the offsite works being suggested on both Court Street and Green Lane.The Steering Group felt nevertheless that it was still appropriate to seek to secure the provision of such improvements via other means. The Parish Council considers this to comprise a local priority infrastructure project for the use of CIL receipts received by the Parish Council.

POLICY 8 Highways Matters

The enhancement of inclusive access and crossings between the proposed new GP surgery on Site 1, the Sherston Primary School and the Post Office/Stores on the high street as well as key residential areas will be supported, so as to encourage all modes of non-vehicular access to these facilities.

6. Sports facilities:

- There is a concern about the amount and quality of the existing sports/recreational facilities in the village.
- There is a concern that development pressures might result in the loss of some or all of those facilities.
- There is a desire to improve and enhance the range of sports facilities available to the local community.
- The existing changing rooms serving the football club are totally inadequate and need to be replaced.

8.4.38 The Parish Council controls two large recreational spaces in the village – comprising the Recreation Ground (which is primarily used for general/informal play by large numbers of children) and the Football Field (which is used by Sherston FC as its base together with the Sherston Tennis Club and a recently constructed skate-boarding area).

8.4.39 The Recreation Ground contains a good range of play facilities for children of all ages – mostly currently in good repair.There is a Scout Hut on the edge of the Recreation Ground.

8.4.40 The Football Field by way of contrast is in a relatively poor state. The football pitch is small by current standards and there is currently little scope to extend the pitch in any direction. The "changing rooms" are in

a poor state and in urgent need of replacement. There is no space available within the current structure for any social facilities. There is nowhere for the football players to train (indoor or outdoor). There has been an identified need to improve/enhance the facilities on the Football Field for some considerable time now – but no finance available to do so.

8.4.41 Sherston Cricket Club has access to land in private ownership (albeit on a long lease) comprising part of Pinkney Park. This is an excellent facility. It is only usable for cricket. There is no urgent need to seek alternative or additional facilities to serve this particular activity.

8.4.42 The Village Hall is utilised for a wide range of recreational, cultural and educational activities. It was converted to its current use from an agricultural barn at some point in the last century. On the sporting side, it is currently utilised for badminton, yoga, Zumba and indoor bowls – but was not designed for any such uses.

8.4.43 There are no indoor facilities currently available in the village for use by children (or adults) for a wide range of sporting activities – e.g. indoor football, cricket or hockey. There is nowhere for children or adults to keep fit – e.g. a gymnasium or any sort of training facility.

8.4.44 There is an identifiable need to improve the range and quality of facilities available on the Football Field – both in terms of the playing pitch itself and the associated changing/social facilities. There is also a longer term desire to provide additional indoor sports/play facilities – purpose built for use by a range of different sports activities (including most of those mentioned above). It is accepted, however, that there is insufficient land available to accommodate such a facility on the existing Football Field and insufficient demand at the moment to justify the identification and/or allocation of additional land for such a purpose. This nevertheless remains a longer term aspiration for the village.

8.4.45 The SNP seeks to support the carrying out of necessary improvements to the Football Field, including the erection of new replacement changing rooms and club facilities (see Policy 11 below).

8.4.46 The following policies are designed: to provide extra protection to those sites that can be specifically identified as providing open air sports facilities (Policy 9); to safeguard land adjoining the existing Football Field to allow for its possible future expansion (Policy 10); and to allow for the construction of replacement changing and other facilities on the Football Field (Policy 11).

POLICY 9 Protection of Sports Facilities

The loss of existing open space, sports and recreational buildings and land, including playing fields, will be resisted unless it can be clearly demonstrated that the open space, buildings or land is surplus to requirements; or the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quality and quantity in a suitable location; or the development is for alternative sports and recreation provision, the need for which clearly outweighs the loss.

MAP 15 POTENTIAL SPORTS FACILITIES SITE



POLICY 10 Land safeguarded for future recreational use

The development of Site 4 adjoining the Football Field, as shown on Map 15, for the expansion of existing sports facilities, will be supported.

POLICY 11 Erection of new or replacement sports facilities

The development of new/replacement changing rooms and club facilities at the Football Field will be supported.

7. Community Infrastructure Levy Payments:

8.4.47 The Community Infrastructure Levy (CIL) is a planning charge introduced by the Planning Act 2008 (and brought into force by the 2010 Community Infrastructure Levy Regulations) as a mechanism for local authorities to provide or improve infrastructure that will support the development of their area.

8.4.48 In England, where there is a neighbourhood development plan in place, the neighbourhood is entitled to 25% of CIL revenues from new development taking place in the plan area (for areas without a neighbourhood plan, the neighbourhood proportion of CIL is a lower figure of 15%). This money is paid directly to parish and town councils.

8.4.49 It is likely that all three of the development sites allocated in the SNP will be liable to make CIL payments. The rates payable are set out in a Charging Schedule published by Wiltshire Council. The amount payable being calculated when planning permission is granted.

8.4.50 The SNP has identified the following items as priorities when determining how any CIL receipts received by the Parish Council should be utilised.

COMMUNITY INFRASTRUCTURE LEVY PAYMENTS - PRIORITIES		
ITEM	DETAIL	COMMENT
Offsite highway works	Policy 8 lends support to the "enhancement of inclusive access and crossings" between the proposed new development on Site 1 and the village centre as well as other key residential areas. It is not known at this stage what works if any will be funded directly from the development of Site 1.	The Parish Council will prioritise such works when determining how to utilise CIL payments received.
Sports facilities	There is an identifiable need to improve the range and quality of facilities on the Parish Council owned "Football Field" situated off Knockdown Road. The SNP safeguards land for the possible future expansion of these playing fields (Policy 10) and supports the erection of new and/or replacement sports facilities on this site (Policy 11).	It is considered that some of the CIL funding likely to be derived from the development of Site 1 (Policy 4) should be used by the Parish Council to fund the cost of improving these facilities.

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From: Tanya Burgess <tanya.burgess@sherston.org.uk>
Sent: 11 December 2023 11:53
To: NEW East 1
Cc: Sherston Parish Council Share
Subject: APP/Y3940/W/23/3326636 - Appeal Comments
Attachments: Planning Appeal Thompsons Hill PC Statement.docx; Sherston-NHP-ref-ver-Mar-2019.pdf

Importance: High

You don't often get email from tanya.burgess@sherston.org.uk. Learn why this is important

Please find below respond to the above appeal on behalf of Sherston Parish Council.

Summary
We would urge you please to dismiss this appeal for all of the reasons set out in the attached comments document (we have also attached a copy of our current Neighbourhood Plan fyi).

If this development is permitted, it will set an undesirable and potentially seriously damaging precedent for many similar forms of development outside of the presently defined settlement limits around our village.

The Parish Council is for your information due to begin the preparation of an updated Sherston Neighbourhood Plan in early in the New Year. This will determine if, where and when there should be any further development in and around the village. This would be a far more appropriate way to decide where any new development should take place in and around the village over the next plan period. The Appellants could of course at that stage put forward their land for consideration as part of the next formal plan should they wish to do so. They did not do so last time around.

Kind regards
Tanya

Tanya Burgess
Chair, Sherston Parish Council

TOWN AND COUNTRY PLANNING ACT 1990

Appeal by James Smith Esq against the decision of Wiltshire Council to refuse planning permission for a "Stage 1 Permission in Principle Application" for the erection of a self-built dwelling on land off Thompsons Hill, Sherston, Malmesbury, SN16 0PZ.

Application Reference Number: PL/2023/04942

Planning Inspectorate Reference Number: APP/Y3940/W/23/3326636

Statement on behalf of Sherston Parish Council

Background:

Sherston Parish Council objected to this application when first submitted on the following grounds:

"An objection is raised to this proposal on the grounds that the proposal site lies outside of the defined settlement limits of Sherston and hence within an area of open countryside for the purposes of development control. It is also within the designated Cotswold Area of Outstanding Natural Beauty. The erection of a new dwelling on this site would unacceptably extend the ribbon form of development that lies along this part of Thompsons Hill and would set an undesirable precedent for further development outside of the presently defined settlement limits. Land is allocated elsewhere in Sherston via the approved Neighbourhood Plan sufficient to accommodate approximately 52 dwellings. This is considered more than sufficient to meet local needs and hence there is no need for further development to be carried out beyond the presently defined settlement limits."

Planning Permission was subsequently refused on 24th July 2023 by Wiltshire Council for the following reasons:

1. *The site is situated outside the defined settlement boundary of Sherston, as such, it is in the open countryside. The proposal would materially conflict with the overarching spatial strategy, in terms of settlement and delivery, of the development plan established at Core Policies 1, 2 and 19 of the Wiltshire Core Strategy (Adopted January 2015) and saved Policy H4 of the North Wiltshire Local Plan 2011, and the provisions, in particular, paragraph 2, 7, 8, 9, 10, 11, 12, 47, 78, 79, 80 of the National Planning Policy Framework July 2021.*

2. *The site is located in the Cotswold Area of Outstanding Natural Beauty (AONB). Paragraph 174 requires planning decisions to contribute to and enhance the nature and local environment, and Paragraph 176 of the Framework requires local planning authorities to give 'great weight' to conserve and enhance landscape and scenic beauty in Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. Section 85 of the Countryside and Rights of Way Act 2000 (CROW) also places a duty on relevant authorities to have regard to the purpose of conserving and enhancing the natural beauty of an AONB. The proposed development, by virtue of its location and the*

site topography, would detract from the character of the countryside and consolidate the otherwise loose scattering of development in the locality, to be detrimental to the rural character, distinctiveness, quality, and amenity of the landscape and to be harmful to the natural beauty of the Cotswolds Area of Outstanding Natural Beauty. National guidance indicates that great weight should be given to the conservation of areas of high landscape value, and the proposed development is therefore contrary to Core Policy 13 (Spatial Strategy: Malmesbury Community Area), Core Policy 51 (Landscape) of the Wiltshire Core Strategy Adopted January 2015. the Made Sherston Neighbourhood Plan (May 2019), Wiltshire Housing Site Allocation Plan (adopted February 2020) - Settlement Boundary Review and Site Allocation, and the provisions, particularly paragraph 174 and 176 of the National Planning Policy Framework July 2021.

3. *Due to the distance to local services, facilities and amenities and the lack of safe and convenient footway along Thomspons Hill connecting the site to the centre part of Sherston village, occupants of a dwelling on the plot are highly likely to be heavily reliant on the use of private motor transport for the majority of day-to-day activities. Therefore the proposal would not provide a suitable location for housing having regard to the accessibility to service and facilities. The proposal is therefore contrary to the principles of sustainable development and the aims of reducing the need to travel, and contrary to Core Policy 60 and 61 of the Wiltshire Core Strategy Adopted January 2015 and the provisions of the National Planning Policy Framework July 2021.*

Comments on the Appellant's Case:

The Appellant's case can in our view best be summarised as follows:

1) The appeal should be determined in accordance with the provisions of the development plan unless material considerations indicate otherwise – and that the relevant development plans are out of date. **This even though a Neighbourhood Plan for Sherston was made as recently as 2019 and the related settlement boundary formally modified and agreed in 2020.**

2) Wiltshire Council is unable to demonstrate a five-year land supply and hence there ought to be a "presumption in favour of sustainable development". **The proposed development is however for the erection of a single dwellinghouse on almost the furthest edge of the village – which will quite frankly have minimal impact on the land supply situation and set an unfortunate precedent for similar forms of development almost anywhere else around the perimeter of the village. This is by no stretch of the imagination a "sustainable" location for development considering the physical characteristics of the site and its distance from the centre of the village and all of the related services and facilities. It is hoped that the Inspector will in due course on his or her site visit take full account of the topography of the village and due note of the steepness of both Thompsons Hill and Tanners Hill which lead towards the village centre.**

3) The objective of Core Policies 1, 2 and 13 is to focus development within settlement boundaries. These policies inevitably restrict the supply of housing. **But surely this is the purpose of a Development Plan? The Sherston Neighbourhood Plan (SNP)**

was prepared only a few years ago in accordance with both National Planning Policy and the local strategic planning policies as set out in the Wiltshire Core Strategy. Sufficient land was identified in the SNP in 2019 to accommodate more than was considered likely to be required at the time (an additional 52 dwellings) to provide both an element of protection against future short/medium term speculative development as well as to secure the provision of a new build GP surgery on land at the northern end of the village. If allowed, this purely "speculative" development is likely to lead to yet further development almost anywhere around the fringes of the village outside of the recently defined settlement boundary. This would potentially undermine both the recently made SNP (and the related Settlement Boundary changes confirmed in the Wiltshire Housing Site Allocations Plan: Adopted February 2020).

4) In accordance with paragraph 11 of the Framework, the tilted balance is engaged and permission should be granted unless, the adverse impacts of approving the development would significantly and demonstrably outweigh the benefits, when assessed against the Framework policies as a whole, unless the application of policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed. Whilst there is a minor conflict with regards to policies CP2 and CP13, this conflict is given limited weight. Limited harm resulting from the development has been identified. Whilst the site is located outside of the Development Boundary, it is difficult to argue that it does not lie within a reasonably sustainable location. The appeal site is on the edge of the Development Boundary of a 'Large Village' and therefore has a strong relationship with an identified sustainable settlement. The scale of the development is limited and will not harm the overall objectives of the spatial strategy. **We do not agree with any of these assertions. We consider that there is serious conflict with the various relevant Development Plans – including the Wiltshire Core Strategy (Policies 1, 2, 13, 19, 51, 60 and 61), the made Sherston Neighbourhood Plan 2019, and the Wiltshire Housing Site Allocations Plan 2020. These conflicts include: development outside of the recently redefined settlement limits; development in the open countryside; development on open land within the designated Cotswold AONB; and being a wholly unsustainable location for development on almost the furthest edge of the village from any services and facilities. It is furthermore not understood how the Appellant can assert that the appeal site lies within a "reasonably" sustainable location. This is in our view simply not the case. Most of the facilities and services within the village are situated adjacent to the High Street and/or Church Lane (or indeed further to the north – see Proposals Map 5A of the SNP) which are at least 700 metres distance from the appeal site and only accessible via the steeply sloping Thompsons Hill and Tanners Hill. This includes access to all the bus stops in the village – the nearest of which is most probably the one outside of The Angel Café in the centre of the village. There are no separate footpaths on any of the roads between the appeal site and the village and so anyone wishing to walk to and from the appeal site would have to share the road with passing vehicles. Whilst there is a public footpath between the appeal site and Brook Hill (Tubbs Elastics) to the northwest – this once again is down a steep hill (towards the River Avon) and then back up the hill towards the village. A pleasant walk no doubt but not something that could reasonably be argued as being an "accessible" alternative option. Indeed, by our reckoning the distance is actually much the same as the route to the High Street (approx. 650 metres).**

5) It has been demonstrated that, subject to a suitable design being presented at the Technical Matters Stage, including the use of local materials, then there will be no harm to the AONB or landscape character. **In the absence of any such details – including size, scale, appearance, precise location, materials , and landscaping it is impossible in our view to assert that this proposal will not harm the AONB or landscape character of the area. When preparing the Sherston Neighbourhood Plan we were careful to avoid the development of any of the land on the south side of the village due to concerns about its potential landscape impact. The erection of even a single additional dwelling on land to the south of the village will in our view have a significant adverse impact on the landscape and create an unacceptable precedent for the future. The appeal site it should be noted is highly visible from Thompsons Hill itself and from Church Road (to the south), the Vineyard road (south west) and the unnamed road to the south-east.**

6) No other adverse impacts would result as consequence of the development. To the contrary, the numerous benefits outlined in section 5 of their Statement would be delivered. **It is not considered that any of the "numerous" benefits mentioned in the Appellant's Statement amount to much. The economic benefits relate to construction work (which is supposed to be self-build?) and CIL payments would be minimal. The benefits to local services and facilities questionable from a single dwelling. The self-build argument not totally provable or enforceable. The environmental benefits are wholly over-stated including the potential for increased biodiversity and a "more efficient use of land within the built-up area of a settlement" (Para 5.6?). This is in our view both nonsensical and factually incorrect.**

7) There is nothing to demonstrate that the proposal would amount to unsustainable development. **This is disputed for all the reasons set out above.**

Conclusion:

We would urge you please to dismiss this appeal for all of the reasons set out above. If allowed it will set an undesirable and potentially seriously damaging precedent for many similar forms of development outside of the presently defined settlement limits around our village.

The Parish Council is for your information due to begin the preparation of an updated Sherston Neighbourhood Plan in the next few months. This will determine if, where and when there should be any further development in and around the village. This would be a far more appropriate way to decide where any new development should take place in and around the village over the next plan period. The Appellants could of course at that stage put forward their land for consideration as part of the next formal plan should they wish to do so. They did not do so last time around.

Please find attached for your information a copy of the made Sherston Neighbourhood Plan which sets out in detail how the community wished to see the village develop in the coming years. As mentioned above it took us a long time to prepare and agree a plan for the Parish. It would be devastating if this plan was ignored and overridden by a speculative proposal of this nature.

https://sherston.org.uk/sherston-neighbourhood-plan/

Sherston Neighbourhood Plan 2006 to 2026

Referendum Version - March 2019





Sherston Neighbourhood Plan 2006 to 2026

Referendum Version - March 2019

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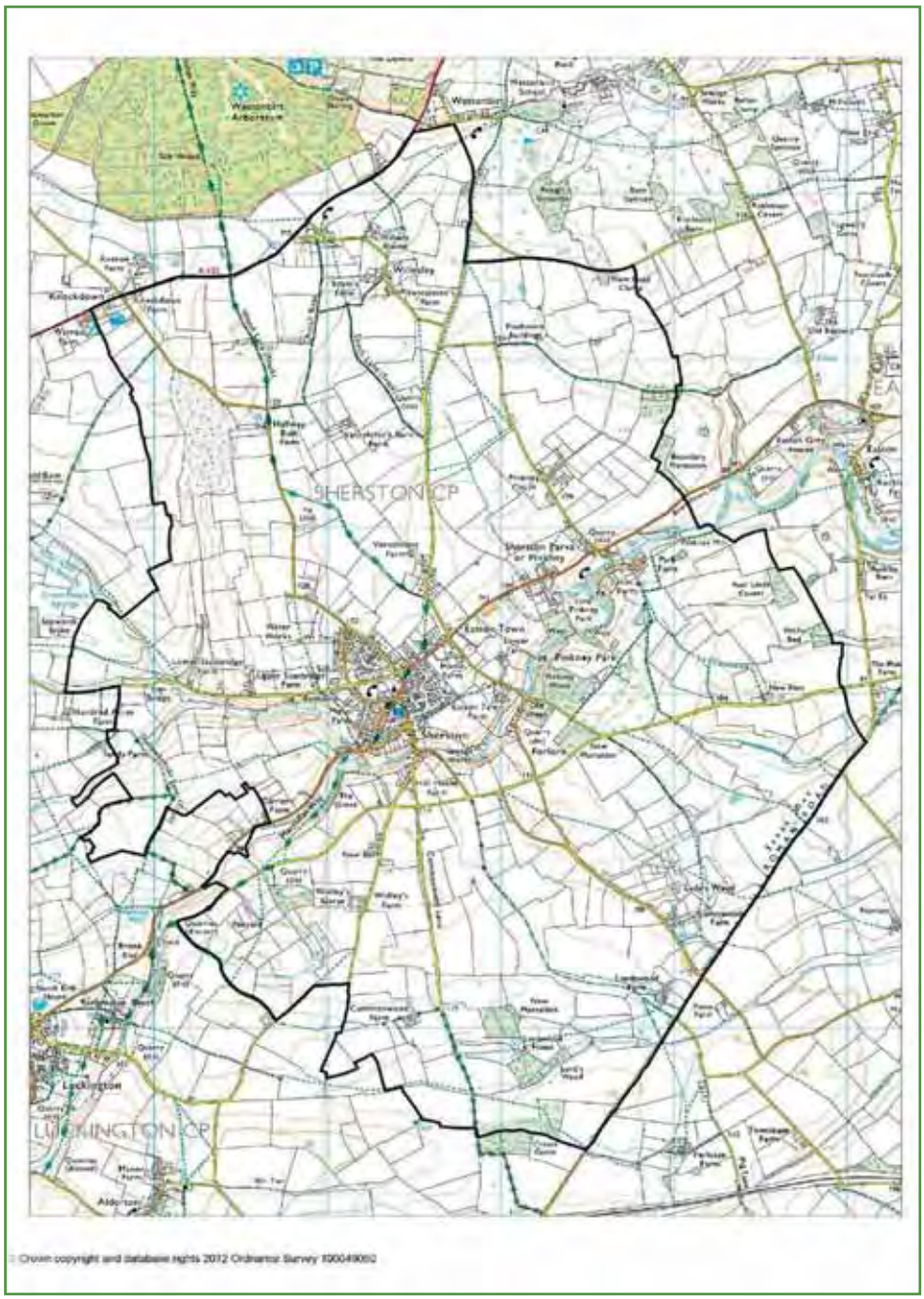
1.0 PURPOSE:

1.1 In April 2012 the Localism Act 2011 amended the Town and Country Planning Act 1990 introducing new rights and powers to allow local communities to shape new development in their community by preparing a Neighbourhood Development Plan which can establish general planning policies for the development and use of land in the defined neighbourhood. This document is a Neighbourhood Development Plan as defined in the Localism Act.

2.0 SUBMITTING BODY:

2.1 This Neighbourhood Development Plan has been submitted by Sherston Parish Council, which is a qualifying body as defined by the Localism Act 2011. It covers the administrative area of the Sherston Parish Council (see Map 1 below).

MAP 1 SHERSTON NEIGHBOURHOOD PLAN AREA



2.2 The Sherston Neighbourhood Plan (SNP) covers the same plan period as the adopted Wiltshire Core Strategy, up to 2026.

2.3 The Parish Council meeting held on 28th June 2011 unanimously agreed to make an application to Wiltshire Council for Sherston to be proposed as a Neighbourhood Planning Front Runner. This proposition was accepted by Wiltshire Council.

2.4 In September 2011 Wiltshire Council advised the Parish Council that it had been successful in its bid for Sherston to be chosen as a Front Runner under the scheme. A Steering Group was set up under the chairmanship of the Parish Council Chairman. The Steering Group comprised a mixture of local councillors, residents and other community stakeholders.

2.5 The Steering Group first met in February 2012 and work progressed on the preparation of the Neighbourhood Plan until its submission for examination in 2018. The plan allocates development sites and seeks to complement the policies of the Wiltshire Core Strategy.

2.6 A Neighbourhood Area Designation Application dated 3rd December 2012 was approved by Wiltshire Council in February 2013 (following the statutory period of consultation), establishing the area of Sherston Parish as the plan area for the SNP (Map 1). A Sustainability Appraisal Scoping Report (incorporating a Strategic Environmental Assessment) for Sherston was published by the Steering Group in February 2013.

3.0 PLANNING POLICY CONTEXT:

3.1 The Wiltshire Core Strategy (WCS) (adopted January 2015), saved policies of the North Wiltshire Local Plan (NWLP) and adopted policies of the Wiltshire and Swindon Minerals and Waste Development Framework (SMWDF) form the current Development Plan for the area covered by the SNP. Care has been taken to ensure that the SNP is in broad conformity with the policies of these plans.

3.2 In terms of the adopted WCS and saved policies of the NWLP, the SNP takes forward their policies, especially the focus on sustainable development - including the recognition that Sherston is defined as a Large Village in the settlement strategy as set out in the WCS (within which only a limited level of development is anticipated sufficient to help retain the vitality of the community).

3.3 Paragraph 216 of The National Planning Policy Framework (NPPF) provides guidance for emerging plans.

3.4 The saved policies from the NWLP remain extant until either deleted or incorporated into the WCS.

3.5 The longstanding policy of Sherston Parish Council has been to support development within and around the village that it considers to be appropriate in scale and location sufficient to meet the continuing and future needs of the community. Wherever possible this has been within the existing NWLP defined Village Development Boundary (VDB) – as shown on Map 2 (see below). It should be noted that in recent times however a number of exceptions have been made to this approach to meet identifiable and accepted exceptional needs (e.g. the construction of a new primary school and some affordable housing). Whilst the Neighbourhood Plan does not seek to change the existing VDB it is noted that Wiltshire Council is progressing a separate Housing Site Allocation Plan. This does not propose housing allocations in Sherston, but does propose changes to the settlement boundary.

MAP 2 EXISTING SHERSTON VILLAGE DEVELOPMENT BOUNDARY



3.6 The identification of Sherston as a Large Village within the WCS means that it is likely to come under more development pressure than the surrounding villages and hamlets. The Steering Group believes a plan is needed specifically to address the issues that are likely to come from this functional role and take forward necessary growth in a manner that is sustainable and acceptable to the community.

4.0 PHYSICAL CONTEXT:

4.1 Sherston is situated in the northwest corner of Wiltshire, about 5 miles to the west of Malmesbury and close to the boundary with Gloucestershire. It is an historic settlement, first mentioned by Ethelred Ealdorman of Mercia in the 9th Century and is considered to be one of the earliest boroughs in the country.

MAP 3 LOCATION PLAN



4.2 The original settlement at Sherston is considered likely to have been defended by earthworks – a section of which still remain north of Manor Farm – which are now a Scheduled Ancient Monument.

4.3 The south-eastern boundary of the SNP area is formed by the Fosse Way (the Roman Road linking Exeter to Lincoln). Whilst some evidence has been found of Roman and Romano-British occupation (in the form of a Roman burial site and a villa) close to the village itself, no evidence has to date been found of any more extensive activity or settlement dating from this period inside the SNP area.

4.4 Sherston was a place of some significance during the Saxon and Norman periods and there is evidence of a battle taking place nearby in 1016 between the Danes (Cnut) and the Saxons (Eadmund Ironside).

4.5 Sherston provides a good example of a small compact purpose-built market town, laid out alongside a smaller settlement to serve local needs.

4.6 The modern layout of the village preserves to a large extent the form of the original borough, centred around the wide High Street which once served as a market place.

4.7 The village has expanded considerably over the last 60 years, with various "modern" phases of development taking place just after the war, in the 1970's and again in the early 2000's (see Map 3 below). Indeed, some 90 new houses have been constructed in the village since the turn of the millennium.

MAP 4 SHERSTON VILLAGE DEVELOPMENT PHASES



4.8 To have a working and sustainable community is vital to residents and whilst many still work in the village there has been a significant reduction in businesses in recent years. This is particularly true of retail outlets which have halved in number to seven since 1980. The largest employer, Stretchline Mill, has reduced its workforce from 100 to 35 within the last five years.

4.9 The village has a small number of shops, including a thriving Post Office/Stores that operate out of premises that have been converted from a former Victorian School. It has three pubs. It has a limited bus service. It has a new and thriving primary school. Nevertheless, shops have closed as until recently commercial premises in the High Street have generally been converted to residential use once they fall out of use - the most recent being the butcher's shop. The main exception to this rule being the decision by the Parish Council in 2011, with the backing of the entire community, to purchase a redundant Victorian School on the High Street and to convert this into a range of business and retail units – all of which are now fully let.

4.10 The Parish of Sherston covers an area of approximately 1712 square kilometres and has a population of about 1420 persons (Office of National Statistics 2011). In addition to the village itself, the Parish contains two smaller hamlets (Willesley and Pinkney) together with a large amount of agricultural land.

5.0 VISION OF THE PLAN:

5.1 To allow the village to continue to thrive as a vibrant community and to evolve whilst retaining its unique and distinctive character.
5.2 To manage development within and around the village in a sustainable manner that is both appropriate in scale and location sufficient to meet the continuing and future needs of the community.
5.3 To provide and maintain an outstanding quality of life for current and future generations by retaining, enhancing and where necessary replacing a wide range of existing services and facilities.

6.0 COMMUNITY ENGAGEMENT:

6.1 A Neighbourhood Plan is a community-driven plan and must derive its objectives, actions and authority from the community.

6.2 The Steering Group formed to prepare the SNP initially comprised representatives from each of the primary interest groups in the village, including:

- Sherston Allotments
- Sherston Busy Hands Pre School
- Sherston Businesses
- Sherston Churches
- Sherston Green Wing
- Green Square Housing Association
- Sherston Primary School
- Sherston Parish Council
- Sherston Old School Community Interest Company
- Sherston Sports
- Tolsey GP Surgery
- Sherston Seniors Club
- Sherston Scouts and Youth
- Sherston Village Hall
- (N.B. Four additional village residents were later seconded onto the Steering Group – having attended several meetings of the SG as interested parties and expressed an interest in influencing the shape of the plan)

6.3 The appointed representatives were tasked with canvassing opinion from their various interest groups and reporting back on the identified needs and aspirations. This was done at a series of (initially) monthly meetings.

6.4 The Steering Group were keen to ensure that local residents should be kept informed and given every opportunity to participate in the process.

6.5 A communication programme was established to:

i. promote a high degree of awareness of the project;
ii. invite residents to join the team advising the Parish Council;
iii. encourage everyone to contribute to the development of the Plan;
iv. promote consultation events;
v. provide regular updates on the status of the Plan and its development.

6.6 Key to this programme was publicity, public events and the use of local print and electronic media to provide regular updates, together with the creation of a Sherston Neighbourhood Planning website (http://www.sherston.org.uk/sherston-neighbourhood-plan.html) to provide easily accessible, extensive information to the whole village and to encourage the village to participate. More recently use has been made of Facebook as a medium for discussing SNP issues.

6.7 The Sherston Cliffhanger is delivered to all homes in the village and read by a large proportion of the population. It is published monthly and since work started on the SNP has incorporated several articles at appropriate stages of the plan making process.

6.8 In addition, village opinion has been sought by:

- surveying every house in the Parish to assess the level of housing need (February 2012) – N.B. Survey undertaken by Wiltshire Council;
- running two workshops in July 2012 and March 2013 (each attracting about 100 people) to solicit views on the purpose, content and proposals in the Plan;
- holding a presentation and subsequent workshop session on the ideas evolving as a result of the work undertaken by the Steering Group and the appointed planning consultants in September 2014;
- holding an exhibition and open forum over the weekend of 20th/21st September 2014 – at which questionnaires were handed out seeking the views of local residents on the emerging ideas;
- holding a public meeting in January 2017 (attended by over 100 people) – to consider and discuss a particular proposal for the development of one of the key sites linked to the issue of a questionnaire seeking feedback on that specific proposal;
- holding a public meeting in May 2017 to consider a number of alternative options for that same key site which had been tabled by members of the Steering Group;
- holding a public meeting in September 2017 at which all of the objectives, policies and proposals that were being considered for inclusion in the draft SNP were set out, debated and subsequently agreed by the Steering Group.
- undertaking a formal consultation on the draft SNP (in accordance with Regulation14 of the Neighbourhood Planning Regulations) between 22nd February and 9th April 2018 after which a number of minor amendments were made to the plan.

6.9 Outcomes:

The main outcomes of this community engagement being:

- The identification of a wide range of initial aspirations;
- The subsequent identification of a set of primary Objectives for the SNP;
- Assistance with the identification of potential development sites in and around the village;
- The consideration and subsequent selection of a number of "preferred sites" for a variety of possible land use options;
- Confirmation of support for a set of policies and proposals that were being considered for inclusion in the SNP; and finally
- Assistance given to the Steering Group when making the final decision on the "objectives" and a set of draft policies and proposals that were to be incorporated in the draft SNP.

7.0 MAIN OBJECTIVES:

The following primary objectives for the Sherston Neighbourhood Plan have been identified by the community:

Objective 1:

The Plan will support the provision of facilities considered important for a vibrant community by:

- Protecting those facilities already in place;
- Supporting the provision of a new enhanced GP surgery;
- Facilitating the provision of additional facilities for the elderly, pre-school, and young people living within the village.

Objective 2:

The Plan will ensure that all future development in the village:

- Conserves or enhances Sherston's significant heritage assets;
- Respects the high quality of the local environment by employing the use of building materials in sympathy with the Cotswold AONB;
- Is of the highest quality of design – utilising wherever possible traditional styles and proportions;
- Safeguarding those parts of the settlement that have been identified as being worthy of protection from development by reason of their landscape quality, ecological importance, historic interest or local significance.

Objective 3:

The Plan will facilitate opportunities for new and existing businesses and social enterprise that benefit the community and support the delivery of advanced fibre connectivity to all parts of the village by:

- Supporting the creation of new business premises in appropriate locations;
- Resisting the change of use of existing business premises to alternative uses (except where there is a clear benefit to the community from allowing such);
- Encouraging the providers of broadband and other media services to deliver a level of service which will support the needs of local businesses and households.

Objective 4:

The Plan will seek to provide for the housing needs of the community. It will do this through:

- Allowing an appropriate amount of development in selected locations – to include houses for sale on the open market, affordable rented and shared equity housing, and sheltered elderly persons accommodation;
- Ensuring that all such development includes a mix of house types capable of meeting the identified local need;
- Considering the redevelopment of existing brown field development opportunities first;
- Supporting the provision of a replacement dwelling for the local vicar in an appropriate location.

Objective 5:

The Plan will seek to provide for the existing and future leisure, recreational, sporting, community and social needs of the village by:

- Ensuring that certain existing important open land and other green spaces within and adjoining the village are retained and/or enhanced – or that suitable replacement facilities are provided as part of any agreed redevelopment proposals;
- Ensuring that sufficient additional areas of open space are created within all new developments;
- Identifying and securing a site for the provision of additional burials within the village;
- Ensuring that existing sports and leisure facilities are retained and wherever possible enhanced.
- Supporting the provision of new build sports, leisure and recreational facilities in and around the village in appropriate locations.

Objective 6:

The Plan will facilitate measures for managing traffic in and around the village by:

- Ensuring that sufficient on-site parking is provided in all new developments sufficient to meet current and likely future car ownership and use.
- Seeking to identify solutions to existing identified access and parking problems (associated with drop off and pick up) at the Sherston Primary School.
- Encouraging measures which lead to a reduction in traffic volumes, movement and speed throughout the village and provide safer journeys for both pedestrians and motorists alike.
- Encouraging greater use of public transport, cycling and walking.

Objective 7:

The Plan will encourage the sympathetic management of the countryside surrounding the village so as to retain and/or enhance it's high quality, improve biodiversity and provide other longer term benefits to the local community by:

- Considering the creation of a community wood and/or orchard;
- Identifying and safeguarding any sites identified in the locality that are considered to be of significant ecological or landscape quality.
- Protecting, maintaining and enhancing the historic environment.

Objective 8:

The Plan will encourage a move towards a low carbon economy which includes local food production and the generation of renewable energy by:

- Considering the need for additional allotments;
- Encouraging the appropriate introduction of alternative energy sources (specifically solar, wood fuel, ground and air source heat systems) for use within existing and all new development within and around the village.

8.0 POLICIES:

8.1 This section of the Plan contains the various policies that, together with the Core Strategy and the NPPF, will help manage development in the area until 2026 and help to achieve most if not all of the above-mentioned objectives. There are policies to cover: the protection of existing services, community facilities and business premises; the protection of those open areas within and around the village that are considered to be worthy of specific protection because of their distinctive character; the allocation of land for a range of additional community and other facilities; the allocation of land for future housing development; the safeguarding of land in current recreational use; and the safeguarding of land to allow for the possible extension of the existing sports field.

8.2 It should be noted that some of the objectives noted above have not been translated into planning policies contained in this plan. It has been accepted by the Steering Group that in several cases there are existing planning policies contained in either the WCS or NWLP which are perfectly capable of managing future development proposals without the need for any additional specific policy in the SNP. There are of course some other objectives identified which cannot naturally be translated into planning policies. The decision has been made to retain these objectives in the SNP for the sake of completeness but to accept that in such cases they simply remain aspirations rather than "policy".

8.3 The policies of the SNP stem directly from the various public consultations that underpinned the identification of the key Objectives and of course an analysis of the relevant background information. They have been drafted so as to carry forward the requirements of the NPPF and the planning policies contained in the adopted Wiltshire Core Strategy.

8.4 The following policies are considered necessary to achieve the various objectives set out above:

1. Protection of community services and facilities and business premises:

- There is a concern that development pressure could lead to the further loss of existing services and facilities in and around the village and damage the character and vitality of the existing community.
- There is a concern that there will be a further loss of commercial premises in and around the village with the resultant loss of vitality and business activity.
- There is a strong feeling that important village assets need safeguarding.
- There is a strong feeling that every effort should be made to retain jobs and services within the village.
- Helps meet Objectives 1 and 3.

8.4.1 It became clear from the outset, both from the feedback received via the individual members of the Steering Group and subsequent dialogue with the wider community (via the various workshops and related feedback opportunities – including the later questionnaire survey undertaken in September 2014) that there was a strong feeling that the village should be doing all that it possibly can to seek to protect as many of its existing remaining services and facilities as possible. This is not entirely surprising given the fact that over an extended period the village has lost many such services and facilities and that the pressures for change have not gone away.

8.4.2 In addition, over the last twenty years the village has lost many of its commercial services and businesses – including pubs, shops, and other employment opportunities. Most of these sites have subsequently been redeveloped for housing. The village considers it desirable to try and slow or stop this decline and possibly to reverse the trend. The decision by the Parish Council to purchase the Old School premises on the High Street and to secure their conversion to a range of business units – to prevent their conversion to housing – being a case in point.

8.4.3 This policy (Policy 1) is designed to try and limit further losses. It is designed to supplement WCS Core Policies 35 and 49 by identifying those specific facilities, services and business premises that have been selected by the local community as being worthy of protection at various community events.

POLICY 1 Protection of community services, facilities and business premises

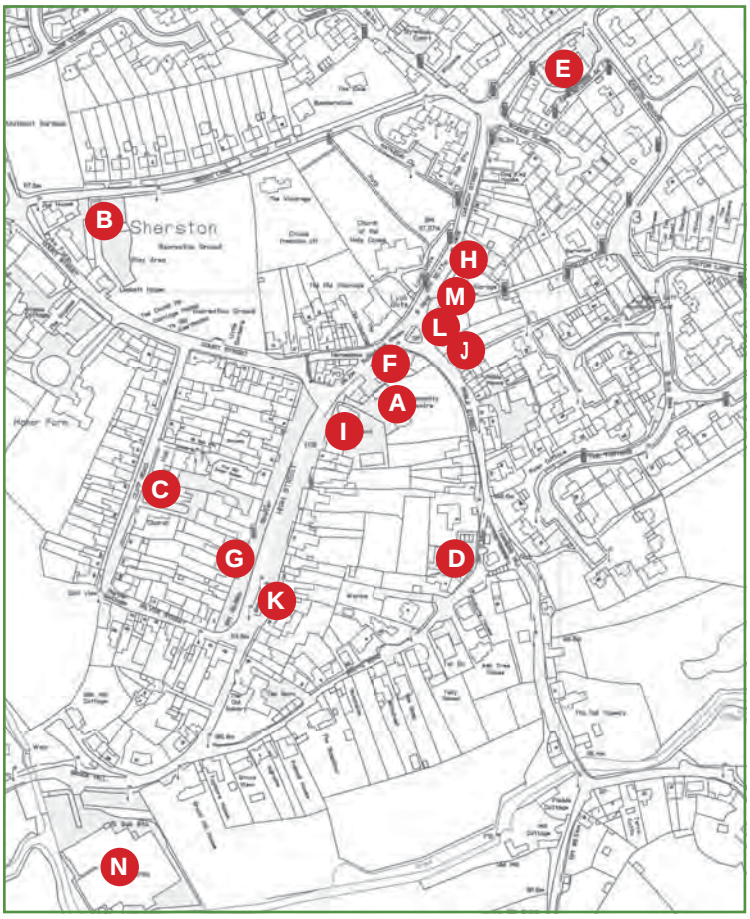
Facilities, services, shops and local businesses recognised as important to the local community are shown on Maps 5A and 5B and listed below. The loss of community facilities or services, or the change of use of businesses to non- business or non-community uses, will be resisted.

Where a change of use that would result in the loss of a community asset or service, or the change of use of a business to a non-business or non-community use is proposed, this should demonstrate why the benefits arising from the proposal outweighs the harm to the community in respect of the loss of a local asset and must be supported by evidence to demonstrate that the existing use of the asset is no longer viable, including at least six months active marketing for an alternative community or business use, taking full account of local market conditions.

Facilities/premises to be protected:

A. Village Hall
B. Scout Hut
C. British School Room
D. The Methodist Chapel
E. Carpenters Arms PH
F. The Rattlebone PH
G. The Angel (hotel and restaurant)
H. Grays Garage
I. The Old School (shops and offices)
J. Tucks
K. The Tolsey Surgery
L. Apples and Pears
M. The Wine Shop
N. Stretchline premises
O. Pinkney Park Business Units
P. B & W Equine Vets at Willesley

MAP 5A



MAP 5B

















2. Protection of open spaces and open areas:

There is a concern that development pressure could lead to a loss of open spaces in and around Sherston and damage the AONB.

- There is a strong feeling that important village assets need safeguarding.
- There is an acknowledged need to protect the landscape of the Cotswold AONB.
- Helps meet Objective 7.

8.4.4 There is a strong feeling that the village should be doing all that it possibly can to safeguard those parts of the settlement that have been identified as being worthy of protection from development by reason of their landscape quality, ecological importance or local significance. These areas, which were initially identified via the work undertaken on the Strategic Environmental Assessment and subsequently confirmed as being strongly supported at various community events, have been identified in Policy 2. This designates three of the areas - the allotments, recreation ground and village hall - as Local Green Spaces as they meet the criteria set out in national policy. In addition the Avon river valleys, Manor Farm and Grove Wood are identified as areas that make a positive contribution to local character.

8.4.5 The following policy (Policy 2) is designed to supplement WCS Core Policy 51.

POLICY 2 Protection of open spaces and open areas

- The Village Hall field, the Recreation Ground and the Allotments, shown on Map 6, are designated as Local Green Space, where new development is ruled out other than in very special circumstances.
- Development must respect the character and appearance of the land identified on Map 7, at Avon river valleys, Manor Farm and Grove Wood.

MAP 6 LOCAL GREEN SPACES



Map 7 ADDITIONAL PROTECTED OPEN AREAS





3. High speed broadband:

- High speed broadband is now available within the village.
- It is considered essential that all new development should make provision for accessing this service for the benefit of future occupiers.
- Helps meet Objective 3.

8.4.6 The provision of good telecommunications is particularly important in rural areas and for the support of rural enterprise and home-working. Currently fibre optic connections are the most robust and future-proof method of delivering high performance connectivity and this should be the aim for new developments.

8.4.7 The proposed new GP surgery on Site 1 (Sopworth Lane) will be heavily reliant on such technology. The inclusion of this policy in the plan it is hoped will ensure that the necessary provision is made for this important local facility from the outset.

8.4.8 Demonstration of compatibility could be through a Connectivity Statement, to include consideration of such matters as: the intended land use and the anticipated connectivity requirements of the development; known nearby data networks and their anticipated speed (fixed copper, 3G, 4G, 5G, fibre, satellite, microwave, etc); realistic assessments of connection potential or contribution to any such networks.

POLICY 3 High Speed Broadband

New development should, where appropriate, demonstrate how it will contribute to and be compatible with high quality communications including local fibre or internet connectivity. Where no internet provider is available, as a minimum and subject to viability, suitable ducting that can accept fibre should be provided either to:

- the public highway; or
- a community led local access network; or
- another location that can be justified through the connectivity statement.

Where possible and desirable, additional ducting should be provided that also contributes to a local access network; or a justified alternative location. The provision of additional ducting that contributes to a local access network for the wider community will be supported.



4. New Build Development:

- A range of new build development requirements have been identified to meet future needs over the remaining plan period.
- A need has been identified to provide a site for the erection of a replacement/enhanced GP surgery.
- A need has been identified to provide a site for the erection of a building for use by the pre-school group.
- A need has been identified to make provision for the possible expansion of the existing Primary School.
- A need has been identified for the construction of additional affordable housing.
- A need has been identified for the erection of some new build housing within and around the village.
- A need has been identified to seek to provide inclusive access between the proposed new GP surgery, the existing Sherston Primary School and a range of facilities in the centre of the village.
- A need has been identified to provide space for future burials.
- A need has been identified to provide a replacement/enhanced vicarage within the village.
- There is a concern to ensure that any new development is consistent with the aims and objectives of the Cotswold AONB and hence to minimise it's impact on the surrounding landscape.
- The upgrading or replacement of the existing Anthony Close development to provide an up to date care or close care facility has been identified as a desirable objective.
- Helps meet Objectives 1, 4, 5 and 6.

8.4.9 The existing GP surgery in the village is no longer considered to be fit for purpose over the long term. There is clear evidence that, without a new purpose-designed building, there is a very real possibility that the existing surgery may be closed within a relatively short timescale. A request was made by the GP practice therefore to try and identify a site for the erection of a new purpose-built facility somewhere in or around the village and to consider possible ways of funding such a proposal. This idea received a significant amount of local support. This matter was therefore given high priority by the Steering Group.

8.4.10 The Steering Group spent almost two years exploring all of the possible ways of achieving this objective. The conclusion eventually reached was that the only viable and deliverable option was to propose the allocation of a site off Sopworth Lane (Site 1) for the erection of a new surgery as part of a broader mixed use development - which would help overcome the anticipated high infrastructure costs of opening up the site. This is in fact the only site that is considered to have potential for the erection of such a building being on land that is effectively under the control of Wiltshire Council. This proposal therefore forms part of a proposed mixed use allocation (Policy 4 below).

8.4.11 The pre-school facility that formerly operated out of the Sherston Village Hall has recently closed. The Village Hall is no longer considered suitable for this use due primarily to competing demands and a lack of flexibility over timing of sessions etc. The Group seeking to resurrect this important local service have concluded that the best option would be to seek to secure funding for the construction of a new facility. A request has therefore been made by the Management Committee of the pre-school group to identify a site for the erection of a new purpose-built facility somewhere in or around the village. This idea has received good support from the village. The only site that is considered suitable and likely to be available for such a use is located adjoining the existing new Primary School. It is proposed therefore to allocate land for such a purpose on Site 1 – as part of a proposed mixed use allocation (Policy 4 below).

8.4.12 The "new" Sherston Primary School was built in 2005 when the school roll was about 140. The school roll has grown continuously since it opened and has now risen to over 180 children (aged 4 to 11). The school governors consider it prudent to make provision for the possible future expansion of the school beyond its present limits over the long term. This idea is supported by the local community. It is proposed therefore to allocate land adjoining the existing primary school (on Site 1) for its possible future expansion – as part of a proposed mixed use allocation (Policy 4 below).

8.4.13 The Housing Needs Survey undertaken in 2012 (by Wiltshire Council) identified the following level of affordable housing need in the village:

Subsidised rented housing:

3 x one bed homes for singles / couples (1x single level accommodation)
8 x two bed homes for families (1x single level accommodation)
3 x three bed homes for families
1 x four bed home for a family

Shared / Low cost home ownership

3 x two bed homes for families (1x single level accommodation)

2 x four bed homes for families

Sheltered housing for older people

1x two bed sheltered shared ownership home for a single / couple

8.4.14 Since 2012 six affordable housing units have been built in the village. Whilst meeting some of the above-mentioned identified need there is clearly still an outstanding requirement.

8.4.15 In accordance with WCS Policy 43 a proportion of any privately constructed new build houses on those sites allocated for future housing development in the SNP will have to be "affordable". The level of provision being set at a target of 40% of any new build housing in this part of the County bearing in mind the fact that WCS Policy 43 also states 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".

8.4.16 The WCS identifies Sherston as a "Large Village" within its settlement strategy. (Large Villages are defined as "settlements with a limited range of employment, services and facilities"). Core Policy 2 of the WCS states that *"Development at Large and Small Villages will be limited to that needed to help meet the housing needs of settlements and to improve employment opportunities, services and facilities."*

8.4.17 Sherston lies within the Malmesbury Community Area (MCA) as defined in the WCS. Core Policy 13 of the WCS states that *"development within the Malmesbury Community Area should be in accordance with the settlement strategy set out in Core Policy 1"* and then goes on to define the level of new build housing development required to be met over the plan period to 2026 within the MCA.

8.4.18 The minimum housing target for Sherston is effectively determined by the Wiltshire Core Strategy. Core Policy 13 of the WCS states that, *"over the plan period (2006 to 2026), approximately 1395 new homes will be provided of which about 885 will occur at Malmesbury. Approximately 510 homes will be provided in the rest of the Community Area".*

8.4.19 The Steering Group initially sought to establish what level of housing should be planned for in the settlement given its status as a Large Village. The advice given by Wiltshire Council being that it was for the community to decide on any precise level of new build housing deemed acceptable or appropriate as per WCS Policy 2. It was suggested however that the starting point for considering what might be appropriate would be to seek to make provision for new housing on an equitable basis across the "rest of the Community Area". Sherston is one of 5 "Large Villages" identified in the MCA. As a base line, therefore, it would not be unreasonable to seek to make provision for a minimum of 20% of any residual requirement (which makes allowance for both completions and outstanding commitments).

8.4.20 When work first started on preparing the SNP the overall residual requirement was quite significant. This has inevitably reduced over the last five years (including some new build housing in Sherston). At the time of drafting the Plan the residual requirement was about 90 dwellings (20% of which would be 16 units). But that is not the end of the story.

8.4.21 A rigorous site selection process was undertaken to identify the most appropriate deliverable, viable and sustainable locations for each of the various different types of development that it was considered would be needed to meet the underlying objectives of the plan. Full details of this process are to be found in the Sustainability Assessment document that accompanies the plan.

8.4.22 As noted above, Site 1 was identified as the preferred location for a number of future "community" facilities (notably a new GP surgery, a new pre-school facility, and the possible future expansion of the existing Primary School). The cost of opening up that site for development is known to be significant. There was a question mark over the viability and deliverability of such a proposition. The Steering Group accordingly, at the suggestion of Wiltshire Council, asked a local firm to undertake a series of Viability Assessments. Their finding was that a mixed use development on the Sopworth Lane site comprising 45 dwellings (of which 40% - some 18 units- would be affordable housing in compliance with WCS 43) should be sufficient to fund the development. Various alternative options that were considered, including schemes incorporating a range of independent living units and a lesser number of houses were not considered viable. The conclusion reached was that in order to be able to open up the Sopworth Lane site for development and to secure the necessary infrastructure so as to enable some or all of these community facilities to be delivered then it would be necessary to allocate the site for a housing development of up to 45 units.

8.4.23 These findings were discussed with the site owners and Wiltshire Council (who have a controlling interest in the site). Both have indicated that they are supportive of the proposition that, in return for the allocation of this site for a mixed use development – including an allowance for the erection of up to 45 dwellings (40% of which should be affordable housing units) and the allocation of an appropriate amount of land for all of the "community" uses noted above – the landowners and Wiltshire Council will secure the delivery of the new surgery. To this end, and for the avoidance of any doubt, Wiltshire Council has now formally resolved at a Cabinet Capital Assets Committee meeting held in November 2016 to support this proposition.

8.4.24 It is considered that there would be some qualitative benefits deriving from the allocation of this site for this number of houses. These benefits include a higher potential return from any CIL payments – to help cover the costs of the desired improvements to the village sports facilities and/or certain identified highway improvements in the village – and the opportunity to Master Plan a high quality mixed use development on the edge of the settlement (incorporating a mix of community uses that the village wishes to see delivered), taking into account the need to minimise the impact on the landscape by incorporating appropriate landscaping and buffer planting.

8.4.25 It should be noted that the amount of development being proposed in the SNP still represents a slowing down of the pace of development in the village over the last 20 years. The development that has taken place over this time period has without doubt helped to maintain/support a wide range of existing services and facilities in the village (e.g. the school; the surgery; local shops and pubs etc.). It is considered prudent and appropriate to seek to make provision for sufficient development in and around the village to help safeguard these existing services and facilities and future proof the settlement from less appropriate development.

8.4.26 It is proposed therefore to allocate Site 1(Sopworth Lane) for a mixed use development comprising up to 45 houses (40%affordable) plus land being set aside to accommodate a new GP surgery, a pre-school facility and for the future expansion of the Sherston Primary School). See Policy 4 below.

8.4.27 In addition to the above it is also proposed to make two further small housing allocations in the SNP. The first of these being a proposal for the redevelopment of the existing Vicarage Site off Green Lane (Site 2 on the Proposals Map). A need has been identified for the replacement of the existing vicarage together with the provision of some additional land for use as burial space. This site immediately adjoins the existing churchyard. The proposal is for this site to be allocated for mixed use – housing and burial space. It has an estimated capacity of 3 dwellings (net 2). See Policy 5 below.

8.4.28 The second small site comprises an existing saved and therefore outstanding housing allocation in the adopted North Wiltshire Local Plan. This is identified as Site 3 (The Elms) on the Proposals Map and has an estimated capacity of 4 units (net 3). See Policy 6 below.

8.4.29 A "Development Brief" and a "Design Brief" are set out below each of the land allocation Policies. These set out key issues that should be taken into account when considering how best to develop each site, along with recommendations in respect of design and layout

8.4.30 It is anticipated that some windfall development on small sites is likely to continue to take place on land falling inside the defined Village Development Boundary (subject to normal planning policy considerations) during the plan period. (N.B. As noted above, the Village Development Boundary is being reviewed separately by Wiltshire Council). The SNP does not seek to prevent this.

8.4.31 The existing elderly persons accommodation at Anthony Close is considered to be of a poor quality design and somewhat out-dated. Ideally, the Steering Group would like to see this site redeveloped for some form of care or close-care facility which it is considered would better serve the long term needs of the community. The site is owned by the Greensquare Group. The existing properties are let out to individuals on the Homes 4 Witshire Register. There is currently no onsite care provided. It is considered that the site owners should be encouraged to consider replacing/redeveloping the existing units with some sort of care or close care facility should the opportunity arise. See Policy 7 below.

MAP 8 SOPWORTH LANE



POLICY 4 Land off Sopworth Lane

- Approximately 3.3 hectares of land situated off Sopworth Lane (Site 1), as identified on Map 8, is allocated for mixed use development to include the following:
- Sufficient land for the erection of a new enhanced GP surgery with associated parking and space for related mobile services.
- Sufficient land to allow for the future expansion of the existing Sherston C of E Primary School and staff parking together with a site suitable for the erection of a new pre-school facility with associated parking.
- Up to 45 dwellings to serve diverse residential needs of which 40% should comprise affordable housing.
- Strategic landscaping and open space to retain and reinforce existing hedgerows, and to establish new areas of substantial planting and landscaping so as to mitigate the impact of the proposed development on both the existing PROW and the wider AONB.
- Development of the site should conserve and/or enhance heritage assets in a manner appropriate to their significance.

Development will be subject to the following requirements:

1. Development must not increase the risk of flooding elsewhere.
2. The provision of footpath and cycle links to both the proposed new surgery site and the western edge of the existing primary school as well as to the existing Parish playing fields to the north.
3. A design and layout that protects and preserves the character of the settlement and conserves the landscape and scenic beauty of the AONB.
4. A detailed Ecological and Mitigation Strategy that ensures that any future development of this site retains existing features and habitats of ecological value, minimises the impact on protected species and maximises the potential of retained habitats to enhance biodiversity.
5. An archaeological assessment.

Development proposals should be supported by a masterplan taking account of the "Development Brief" and the "Design Brief" information set out in the supporting text.

Development Brief – Sopworth Lane

Site Description:

- The site is located on the western edge of the village and would be accessed from Sopworth Lane.
- The site, which is approximately 3.3 hectares in size, comprises an agricultural field currently in arable use. The boundaries of the site are formed by a combination of hedges and fences.
- The site is abutted to the north by existing public sports facilities (tennis courts and a football field), to the east by housing development and the village primary school, to the south by Sopworth Lane and to the west by a single dwelling and its large domestic curtilage and further agricultural land.

Key Issues:

1. Landscape:

- The site comprises an open agricultural field lying within the designated Cotswold AONB. The site has a strong relationship with the existing settlement.
- There is the potential for the north western edge of the site to become visible on the skyline, particularly when viewed from the west (Sopworth direction). Whilst the church tower and water tower are currently visible from this direction, the main body of housing of the village is not visible in these views. As such, in designing any scheme for this site, care will need to be taken over the design of development in the north western quadrant of the site. This may entail heavily landscaping the western edge with additional trees incorporated into the development parcels here to break down massing.
- There is a Public Right of Way (PRoW) crossing the site from a stone stile at the southwest corner, running along the western boundary and exiting at the base of the water tower in the north-west corner. This footpath affords open views across the whole of the site area and over expansive areas of the open countryside to the west and south. Views within the site are dominated by the rear elevations of existing housing and the primary school to the east. The effects on the users of this footpath will need careful consideration in the design of development.

2. Ecology:

- There are no statutory designated sites of ecological importance within 1 kilometre of the site. The hedgerows situated in the southern half of the site are species rich and contain a number of trees. These should where possible be retained. Some minor hedgerow removal will need to occur to facilitate the development. As compensation for the loss of any sections of hedgerow, new hedgerow planting will need to be incorporated into the development scheme.
- Opportunities for biodiversity enhancement may include:
    - Retention of vegetated field margins to hedgerows, facilitating wildlife dispersal across the site and into neighbouring habitats;
    - The planting of new species-rich hedgerows and native trees (e.g. between new property boundaries). Once established, they will provide further nesting and foraging habitat for a range of bird species, as well as commuting and foraging opportunities for bats and other small mammals, creating new connectivity between the site and the surrounding habitats;
    - Creation of a mixture of habitats in areas of open space (e.g. in structure and through management) to provide opportunities for a range of species;
    - Use of native species, or those with a known benefit to wildlife within future landscape proposals. This may include tree planting (specifically fruit trees such as apple, plum, pear etc.) which may provide an important winter food source for birds;
    - Inclusion of scented night-flowering plants which would enhance the post developed site by attracting night-flying insects, providing a food resource for bats;
    - The addition of wildlife boxes (e.g. bird, bat, hedgehog and invertebrate boxes) into the post-developed site.

3. Heritage Matters:

- The primary archaeological resource identified in the area surrounding the Site is characterised largely by the known settlement in Sherston, which was established in the early medieval period and later expanded during the medieval period through to the present day. In addition, a Scheduled earthwork is located a short distance to the south of the Site, which existing interpretations suggest may be remnants of a Norman ringwork/castle, part of the medieval settlement, or an early medieval defensive earthwork associated with the suggested site of a Saxon battle nearby.
- Historic aerial photography showing plough marks within part of the Site, as well as much of the land around the settlement suggests that much of this area was farmland from at least the medieval period onwards. Any remnant agricultural features such as furrows or ditches would not be of more than low heritage significance.
- There is no specific evidence for remains associated with the Scheduled medieval earthwork to the south of the Site to extend to the north into the Site. The southernmost part of the Site has obviously a greater potential for any such possible associated features but nothing has as yet been identified.
- There are no listed buildings in close proximity to the proposal site. The nearest being Manor Farm some distance to the south off Court Street.
- The site is abutted to the south by the northern boundary of the designated Sherston Conservation Area and as such development has the potential to affect the setting of the Conservation Area.

4. Transport Issues:

- The sole means of vehicular access into the site is off Sopworth Lane. Certain offsite improvements are likely to be required to Sopworth Lane (and it's junction with Court Street) to facilitate a safe means of vehicular access.
- Consideration may need to be given to the provision of an emergency access link through to Saxon Close (subject to ownership constraints).
- Consideration should be given to the safeguarding of an area of land immediately adjoining the proposed new GP surgery for the possible introduction of a bus stop for local services at some future date.
- There is an existing public footpath along the western side of the site. This links to the wider footpath network and should be retained.
- Additional footpath links should be provided where possible including links to:
- Butlers Close/Saxon Close;
- The primary school;
- The track to the north of the site;
- The creation of a new footpath along Sopworth Lane.
- The needs of cyclists to be considered as part of any development.
- Parking provision for the proposed development will need to be provided in accordance with Wiltshire Council's Adopted Parking Strategy for new developments. Specific consideration will need to be given to the provision of some additional parking for the existing Primary School (staff and/or visitors).

5. Other matters:

- The site is crossed by an existing high pressure water main. This will either need to be relocated or avoided.
- There is an existing overhead power line crossing part of the site. This will need to be rerouted or undergrounded.
- A SUDS drainage system should if possible be introduced.
- The new GP surgery and other forms of development on site should have access to advanced, high quality and reliable communications infrastructure.

Design Brief:

See the attached Constraints Plan.

The following recommendations are made for the design and layout of any development on this site:

1. In designing any scheme for this site, particular care will need to be taken over the design of development in the north western quadrant of the site and the western edge should be heavily landscaped with additional trees incorporated into the development parcels here to break down massing.

II. Existing mature hedge boundaries and trees should be retained. Overall, site boundaries would benefit from enhancement on nearly all sides – there are species poor hedges to several boundaries and some are completely open. 'Gapping up' and new hedgerow planting should be undertaken;

III. Consideration should be given to the need for the provision of an emergency access link through to Saxon Close (subject to ownership constraints).

IV. Consideration should be given to the possible safeguarding of an area of land immediately adjoining the proposed new GP surgery for the introduction of a bus stop for local services at some future date.

V. Pedestrian and cycle movements should be fully considered not just with respect to the existing PROW, but with access being provided to: the sports facilities to the north; the Primary School and existing residential areas to the east; and via Sopworth Lane to the rest of the village;

VI. The linear form of the PROW should be retained within a robust ribbon of open space along the western boundary of the site, allowing for further mitigation planting to soften the settlement edge here while also allowing the creation of a public space in which people can enjoy the visual connection with the wider countryside;

VII. Built form should be carefully considered on the highest parts of the site and additional tree planting incorporated where possible to break up the mass/form of the development;

VIII. A surface water management scheme that can achieve less than current greenfield runoff rates should be utilised on this site. The lowest part of the site would be best suited to a Suitable Urban Drainage System;

IX. The existing overhead powerline which crosses the site in the north-eastern corner should be re-routed or undergrounded as part of any scheme. (N.B. The removal of this feature from the landscape could be a positive benefit of the scheme);

X. The character and quality of any new built form should be typically Cotswold in fashion - have strong architectural merit, using local materials and building techniques (dry stone walls). This doesn't necessarily mean it should be 'pastiche' – contemporary versions of the vernacular may be possible and desirable but the architectural approach should be strongly informed by a detailed understanding of the village vernacular and high quality local materials should be used wherever possible;

XI. When preparing the site layout full regard will need to be given to the existence of the water main that crosses the site;

XII. Parking provision for the proposed development will need to be provided in accordance with Wiltshire Council's Adopted Parking Strategy for new developments.

XIII A detailed "Ecological Mitigation and Enhancement Strategy" should be prepared for this site. This should consider the opportunities for:

- Retention of vegetated field margins to hedgerows, facilitating wildlife dispersal across the site and into neighbouring habitats;
- New species-rich hedgerow and native tree planting (e.g. between new property boundaries). Once established, they will provide further nesting and foraging habitat for a range of bird species, as well as commuting and foraging opportunities for bats and other small mammals, creating new connectivity between the site and the surrounding habitats;
- Creation of a mixture of habitats in areas of open space (e.g. in structure and through management) to provide opportunities for a range of species;
- Use of native species, or those with a known benefit to wildlife within future landscape proposals. This may include tree planting (specifically fruit trees such as apple, plum, pear etc.) which may provide an important winter food source for birds;
- Inclusion of scented night-flowering plants which would enhance the post developed site by attracting night-flying insects, providing a food resource for bats;
- The addition of wildlife boxes (e.g. bird, bat, hedgehog and invertebrate boxes) into the post-

developed site.

XIV. When considering the heritage issues relating to the future development of this site particular regard should be had to the need to:

- Ensure that the design, materials, layout and massing of any development is sympathetic to the Conservation Area;
- Maintain existing mature hedgerows and trees and encourage new planting where appropriate;
- Retain the existing historic footpath link through the site on its present alignment;
- Limit the density of new build development on the site to help maintain a "quiet residential area".This can be assisted by siting the proposed new community facilities (GP surgery and educational uses) on the southern half of the site.
- Ensure that the stone access point/stile on the southern Site boundary which positively contributes to the Conservation Area is retained.

MAP 9 SOPWORTH LANE CONSTRAINTS MAP



MAP 10 THE VICARAGE SITE



POLICY 5 The Vicarage Site

Land at Site 2 (the Vicarage Site), as identified on Map 10, is allocated for mixed use development, to include:

- Land for use as additional burial space.
- About 3 dwellings (including new vicarage).

Development will be subject to the following requirements:

1. The provision of a footpath link to the existing adjoining churchyard from the proposed new burial area.
2. Development should conserve or enhance heritage assets, including the Sherston Conservation Area and the setting of the Grade I Listed church.
3. Development should conserve the landscape and scenic beauty of the AONB.

Development proposals should be supported by a masterplan taking account of the "Development Brief" and the "Design Brief" information set out in the supporting text.

Development Brief – Vicarage Site

Site Description:

- The site comprises the existing vicarage and its garden. It is a brown field site. It has a site area of approximately 0.35 hectares.
- The existing vicarage was constructed in the late 1960's and later extended. It's design and appearance are not considered to be in character with the surrounding Cotswold AONB, Sherston Conservation Area and nearby listed buildings.
- The site lies inside the existing Sherston Village Development boundary. It is abutted to the north by Green Lane, over which lies "modern" primarily semi-detached housing, to the west by the existing village Recreation Ground, to the south by several existing residential properties (including the former vicarage) and to the east by the burial ground belonging to the Church of the Holy Cross.
- Most of the existing properties fronting onto Green Lane are ex- Council houses (including those comprising Anthony's Close at the eastern end of the lane) whose design, layout and massing is generally considered also to be out of character with much of the rest of the village.

Key Issues:

1. Landscape:

- The entire village lies within the designated Cotswold Area of Outstanding Natural Beauty (AONB).
- The site is visible from the adjoining churchyard to the east but is separated from such by a high rubble stone wall.

II. Ecology:

- The proposal site comprises an existing domestic garden.
- There are no statutory designated sites of ecological importance within 1 kilometre of the site.
- The leylandii tree screen that runs along the entire western site boundary is species poor and places severe limitations on the habitats of various species within close proximity to this boundary.
- There are several existing trees on the site – with native species to the front and mainly fruit trees to the rear. The majority of the rest of the site is mown grass. None of the trees are protected by Tree Preservation Orders.
- The site is considered to be a potentially suitable habitat for birds and small reptiles (such as slow worms) and has potential as a bat foraging area. There is no suitable breeding habitat for great crested newts on the site. It is considered highly unlikely that the site would be suitable for dormice or brown hares.

III. Heritage Matters:

- The site lies within the designated Sherston Conservation Area and immediately abuts the curtilage of the Church of the Holy Cross (a Grade I listed building).
- The burial ground to the rear of the church contains several listed structures (tombs) and the former vicarage to the south is Grade II listed.
- The site itself contains one listed structure – the remains of a medieval village cross (which is Grade II listed). The Sherston Conservation Area Statement (SCAS) suggests that this was placed here at some point during the early 19th Century having previously marked one of the boundaries of the village.
- A heritage appraisal has been undertaken by Border Archaeology and this can be made available by the Parish Council
- The SCAS identifies a number of different "key areas of character" within the village. These include "specific key features" in and around the proposal site such as: the afore-mentioned listed buildings; the wall running down the eastern site boundary of the vicarage; and certain individual trees. It also identifies certain "key areas" deemed worthy of particular consideration such as: the areas fronting the High Street and Court Street. Finally, it identifies a number of "key settings" such as: the Recreation Ground and the existing churchyard.
- The north side of Green Lane lies outside of the defined Conservation Area (CA). This side of the road is characterised by modern (post war) former Council housing – comprised of a row of sixteen semi-detached houses set behind a wide verge that has more recently been used for car parking. All of these properties front onto Green Lane and abut the CA boundary. They predate the creation of the CA. Their design and appearance is considered to be out of character and appearance with the adjoining Conservation Area.
- One new house (Summerstone) has been constructed on Green Lane since the creation of the CA. This is sited a short distance to the east of the proposal site – immediately opposite the cemetery. This large detached house is set back some distance from the road albeit a garage has been erected at right angles to the road close to the site entrance. The design of this property is considered to appear more in keeping with it's setting and location adjoining the CA and within the AONB. This property has a direct line of sight to the listed church.
- The guidance given in the SCAS in relation to this part of the Conservation Area is to "preserve long views of the church and skyline, with "no new development south or west of the church" whilst retaining the "full curtilage of church land". The most notable feature of the church being its spire – which is visible from many distant viewpoints.
- However, no long views of the church are currently achievable when viewed from the west (Recreation Ground or Knockdown Road) and only limited views of the church from the north (Green Lane). The former being precluded by the existing leylandii tree screen and the latter by the positioning of the modern vicarage and tree planting. Indeed, the church itself is only visible from very limited viewpoints along Green Lane – most notably from the viewpoint immediately opposite the new house that was constructed on the north side of Green Lane a few years ago.

IV. Transport Issues:

- Vehicular access to the site would be taken off Green Lane. There is an existing vehicular access situated on the eastern side of the site frontage. This could be used to provide a shared access to any new build on this site.
- The site lies within close proximity to a wide range of existing services and facilities elsewhere in the village. It

is within easy walking/cycling distance of the village centre as well as the proposed new GP surgery and existing Primary School.

- Pedestrian access will need to be provided between the existing cemetery and the proposed new burial space. This will require creating a new pedestrian opening in the wall between the two spaces. This footpath link will also be used by the Vicar when on duty at the nearby church.

Design Brief:

See the attached Constraints Plan.

The following recommendations are made for the design and layout of any development on this site:

I. The development should conserve and where possible, enhance heritage assets. Given this, consideration should be given to the following:
   - Ensure that the design, materials, layout and massing of any development is sympathetic to the Conservation Area and nearby listed buildings. Particular attention will need to be given to the scale, massing and architectural detailing so as to ensure that they respect the setting of the adjoining churchyard and its monuments.
   - Careful consideration will also need to be given to the orientation of any new dwellings on the site to help minimise any potential adverse impact on the adjoining listed buildings.
   - Retain as many of the existing trees on the site as possible (with the exception of the leylandii trees referred to below) and encourage new planting where appropriate;
   - Carry out new tree and hedge planting along the entire eastern boundary of the site adjoining the churchyard;
   - Retain all existing tree and hedge-cover along the site boundary with the Old Vicarage.
   - Open up long views of the nearby Church of the Holy Cross through the removal of most if not all of the existing leylandii tree screen that runs along the western site boundary. This should be replaced by deciduous tree-planting along this boundary to ensure its leafy, secluded character is maintained and also to soften views of any new houses which will then be potentially discernible in views from the adjoining recreation ground and more distantly from Court Street.
   - Retain all of the existing stone walls around the perimeter of the site and if feasible increase the height of the existing stone wall that runs along the western site boundary.
   - Limit the density of new build development on the site to that required to help deliver a new vicarage and to minimise the potential impact of any development on the surrounding Conservation Area and nearby listed buildings. A maximum of three dwellings should be permitted on the site.
   - The proposed new Vicarage should be set back from the churchyard boundary to reduce any potential visual impact.
   - The existing former village cross should be retained "in situ" and protected from development during the construction phase.
   - The southernmost portion of the site which is proposed to be allocated for an extension to the churchyard should be separated from the curtilage of any new housing by a 1.5m high stone boundary wall. Additional tree planting should be carried alongside the proposed new wall. An appropriate display board should be erected describing the history of the listed monument.

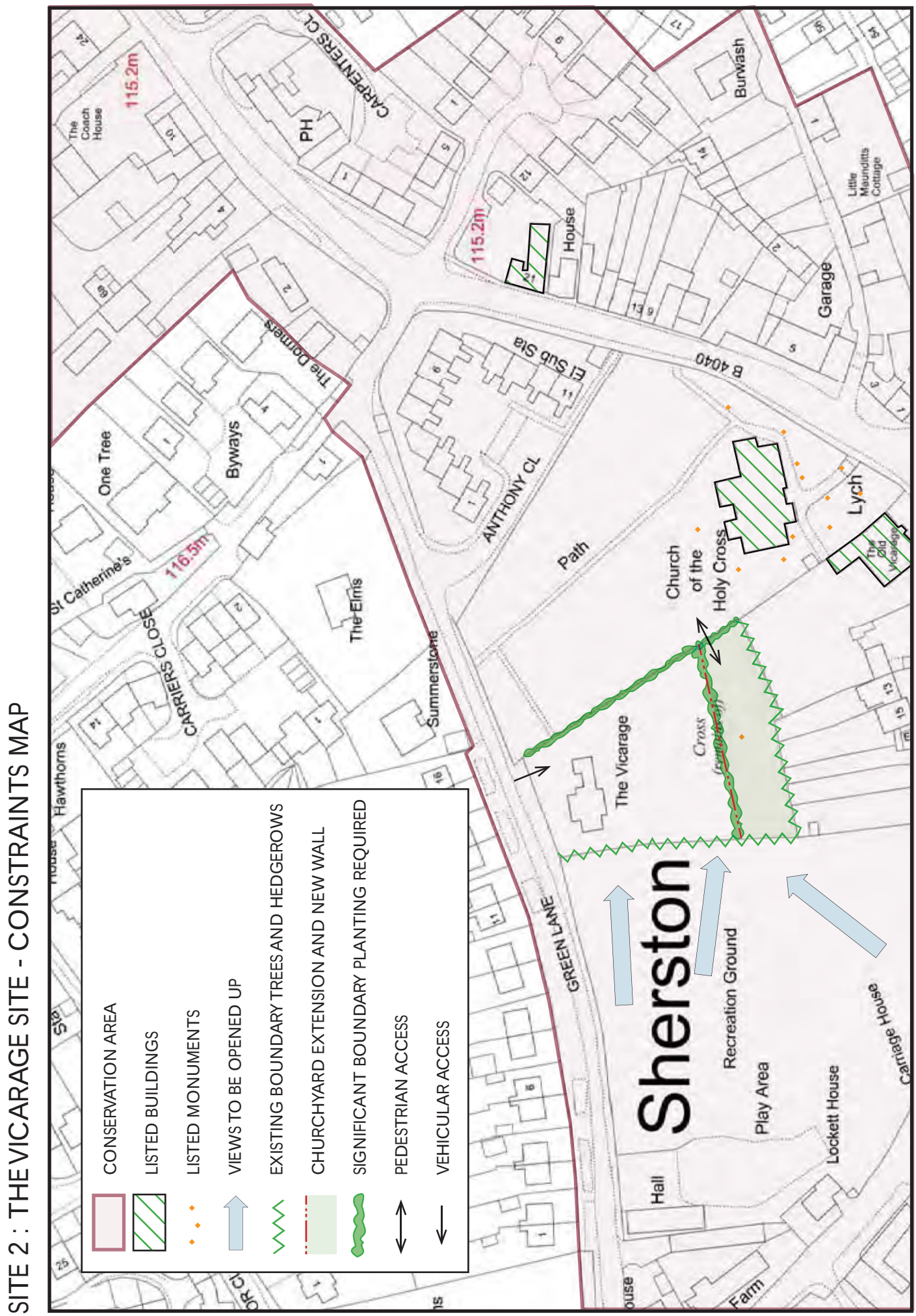
II. Vehicular access should be provided off Green Lane. This should comprise a single shared vehicular access serving all of the properties;

III. A pedestrian access should be provided through the existing stone wall between the existing cemetery and proposed new burial area in a location to be agreed with the Local Planning Authority;

IV. The character and quality of any new built form should be typically Cotswold in fashion - have strong architectural merit, using local materials and building techniques (dry stone walls). This doesn't necessarily mean it should be 'pastiche' – contemporary versions of the vernacular may be possible and desirable but the architectural approach should be strongly informed by a detailed understanding of the village vernacular and high quality local materials should be used wherever possible;

V. Parking provision for the proposed development will need to be provided in accordance with Wiltshire Council's Adopted Parking Strategy for new developments.

MAP 11 THE VICARAGE SITE CONSTRAINTS MAP



MAP 12 THE ELMS



POLICY 6 The Elms

Site 3 (The Elms), as identified on Map 12, is allocated for the development of around 4 dwellings. Development should conserve or enhance any heritage assets affected, including the setting of the Sherston Conservation Area. Development should also conserve the landscape and scenic beauty of the AONB.

Development proposals should be supported by a masterplan taking account of the "Development Brief" and the "Design Brief" information set out in the supporting text.

Development Brief – The Elms

Site Description:

- The site comprises a single dwellinghouse set in a large garden. It has a site area of approximately 0.3 hectares. It is a brown field site.
- This site has been allocated for new housing development for many years. It remains allocated for housing in the adopted North Wiltshire Local Plan. Most of the land adjoining this property, formerly in the same ownership, has already been developed. This includes the land immediately to the north of the property – a former transport yard – which contains 14 houses (Carriers Close). Five other houses have been constructed on other residual land belonging to this property in recent years – four of them to the north of Carriers Close (off Sandpits Lane) and one immediately to the west of The Elms (off Green Lane).
- The Elms is a post war construction with a rendered exterior and clay tiled roof. Whilst not of a typical Cotswold style or design it is nevertheless not considered to be entirely out of keeping with this part of the settlement.
- The site lies inside the existing Sherston Village Development boundary but outside of the existing defined Conservation Area boundary. It is surrounded on all four sides by existing mostly post war housing development including: on the opposite side of Green Lane, by the sheltered housing development known as Anthony's Close; to the west and north by the afore-mentioned recent modern housing developments; and to the east by a single older property.

Key Issues:

1. Landscape:

- The entire village lies within the designated Cotswold Area of Outstanding Natural Beauty (AONB).
- The proposal site is centrally located within the existing settlement and is virtually invisible from any public viewpoints beyond the immediate locality.
- The southern site boundary is formed by a two metre high trimmed privet hedge. All of the other site

boundaries abut existing residential properties – with the exception of a very short section of Sandpits Lane from which vehicular access is taken.

- There are no public viewpoints from the north or east. Available views from the north are therefore from Green Lane itself and from the afore-mentioned site entrance off Sandpits Lane.
- The site is visible from the adjoining churchyard to the south west but is separated from such by a high stone wall.

2. Ecology:

- The proposal site comprises an existing domestic garden.
- There are no statutory designated sites of ecological importance within 1 kilometre of the site.
- The privet hedge that runs along the entire southern site boundary is species poor and places limitations on the habitats of various species within close proximity to this boundary.
- There are several existing trees on the site. The majority of the rest of the site is mown grass. None of the trees are protected by Tree Preservation Orders.
- The site is considered to be a potentially suitable habitat for birds and small reptiles (such as slow worms) and has potential as a bat foraging area. There is no suitable breeding habitat for great crested newts on the site. It is considered highly unlikely that the site would be suitable for dormice or brown hares.

3. Heritage Matters:

- The site lies just outside of the designated Sherston Conservation Area.
- The village cemetery that lies within the curtilage of the Church of the Holy Cross (a Grade I listed building) is situated a short distance to the south west of the site – on the opposite side of Green Lane.
- The church itself is visible from the site in long views across the churchyard. This contains several listed structures (tombs). There is a high stone wall surrounding the churchyard.
- The site lies directly opposite Anthony's Close – a sheltered housing development built in the 1960's. The Sherston Conservation Area Statement (SCAS) describes this as being of "a unified, single storey, concrete block design" which "although partially screened by maturing trees, the flat roofing, cladding and poor window detailing (does) not sit well as neighbours to the church". This development is considered to be totally out of character with the Conservation Area. It is the subject of a separate policy in the Neighbourhood Plan which seeks to secure it's replacement by a well- designed purpose-built care or close-care facility (see Policy 7).
- The SCAS identifies a number of different "key areas of character" within the village on a composite plan which it is considered "contribute the most to its character and which it should be a priority to preserve". These include one "specific key feature" near the proposal site – comprising the existing stone wall surrounding the churchyard. It also identifies certain "key areas" deemed worthy of particular consideration – none of which are close to the proposal site. Finally, it identifies a number of "key settings" including the Recreation Ground and the existing churchyard. None of these are considered likely to be seriously affected by any new build development on the proposal site.
- The north side of Green Lane lies outside of the defined Conservation Area (CA). This side of the road is characterised by modern (post war) former Council housing – comprised of a row of sixteen semi-detached houses set behind a wide verge that has more recently been used for car parking. All of these properties front onto Green Lane and abut the CA boundary. They predate the creation of the CA. Their design and appearance is considered to be out of character and appearance with the adjoining Conservation Area.
- One new house (Summerstone) has been constructed on Green Lane since the creation of the CA. This is sited immediately adjoining the proposal site – and hence immediately opposite the cemetery. This large detached house is set back some distance from the road albeit a garage has been erected at right angles to the road close to the site entrance. The design of this property is more in keeping with it's setting and location adjoining the CA and within the AONB. It has a direct line of sight to the listed church.
- The guidance given in the SCAS in relation to the part of the Conservation Area that abuts the proposal site is to "preserve long views of the church and skyline, with "no new development south or west of the church" whilst retaining the "full curtilage of church land".

4 Transport Issues:

- Vehicular access is currently taken off Sandpits Lane in the far north eastern corner of the site.
- Local residents have expressed concern about the potential adverse impact of additional traffic on Sandpits Lane arising from the development of this site – pointing out that there have been approximately 25 new houses built on that lane since 1985.
- It is not as yet clear whether it would be intended to retain the existing house and seek to construct some additional housing or to redevelop the entire site. Either way it is considered that no more than one dwelling should take access off Sandpits Lane.The remainder should be accessed off Green Lane with possibly a footway being provided along the site frontage so as to improve pedestrian safety.
- The site lies within close proximity to a wide range of existing services and facilities elsewhere in the village. It is within easy walking/cycling distance of the village centre as well as the proposed new GP surgery and existing Primary School.

Design Brief:

See the attached Constraints Plan.

The following recommendations are made for the design and layout of any development on this site:

I. The development should conserve and where possible, enhance heritage assets. Given this, consideration should be given to the following:
   - Ensure that the design, materials, layout and massing of any development is sympathetic to the adjoining Conservation Area;
   - Retain as many of the existing trees on the site as possible and encourage new planting where appropriate.

II. The existing vehicular access off Sandpits Lane to be retained but not used for more than one single dwellinghouse.Vehicular access to any other properties built on the site should be provided off Green Lane. This should in turn comprise a shared vehicular access serving at least two of the properties;

III. Consideration should be given to the provision of a pedestrian footway across the entire Green Lane site frontage;

IV. No more than four dwellings in total should be provided on the site;

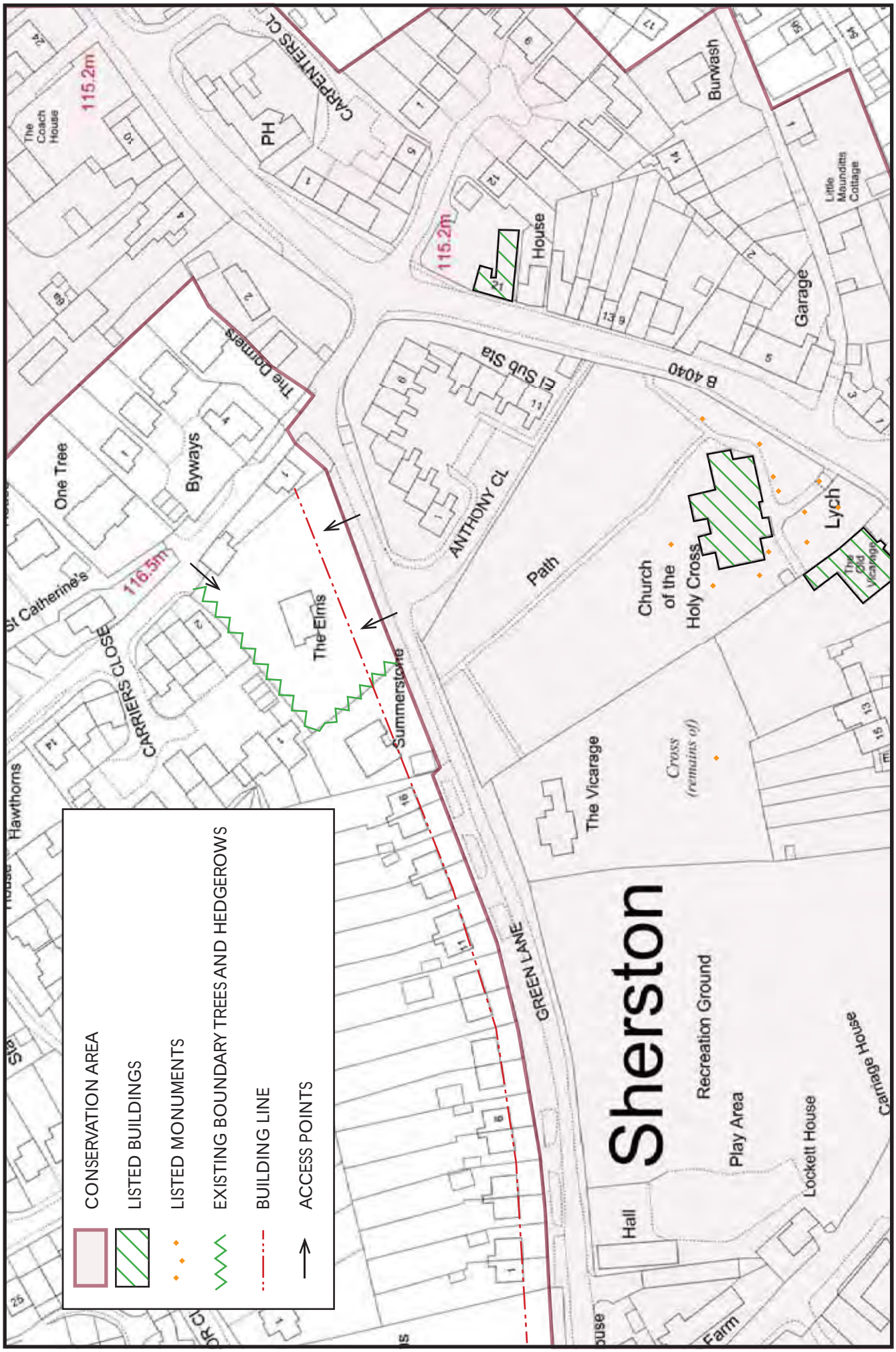
V. All new housing on this site should adhere to a similar building line to the rest of the properties fronting this side of Green Lane;

VI. The character and quality of any new built form should be typically Cotswold in fashion - have strong architectural merit, using local materials and building techniques (dry stone walls). This doesn't necessarily mean it should be 'pastiche' – contemporary versions of the vernacular may be possible and desirable but the architectural approach should be strongly informed by a detailed understanding of the village vernacular and high quality local materials should be used wherever possible;

VII. Parking provision for the proposed development will need to be provided in accordance with Wiltshire Council's Adopted Parking Strategy for new developments.

MAP 13 THE ELMS CONSTRAINTS MAP

SITE 3 : THE ELMS - CONSTRAINTS MAP



MAP 14 ANTHONY CLOSE



POLICY 7 Anthony Close

Proposals to upgrade or replace the existing sheltered accommodation on Anthony Close with a purpose-built care or close care facility will be supported.

5. Highway Issues:

- A need has been identified to seek to provide inclusive access between the proposed new GP surgery, the existing Sherston Primary School and a range of facilities in the centre of the village.

8.4.32 A high level Traffic Impact Assessment (TIA) was prepared by Arup in May 2017, on behalf of a group of local residents, in order to assess the likely impact of a mixed use (housing and community) development on Site 1 (i.e. the land off Sopworth Lane). The main purpose of the TIA being to estimate the number of vehicular trips that would be associated with that development and to assess the ability of the local highway network to absorb those trips. It also considered a range of possible off-site improvements that could be undertaken to improve safety and accessibility between the proposed development site and the rest of the village.

8.4.33 Two different development options were considered. These were:

Option A - utilising the southern half of the site only (based around an 18 bed Independent Living Unit plus additional market and affordable housing, a new GP surgery, a new pre-school facility, and an expanded Primary School).

Option B – utilising the entire site (based on the proposals as set out in Policy 4 above).

8.4.34 Site visits were undertaken to observe the base line traffic conditions in the locality and traffic counts undertaken. The likely trip generation of each option was estimated using data obtained from the TRICS database. These estimated trips were assigned to the local highway network on the basis of the existing known traffic conditions (taken from earlier survey work). It was concluded that in either case it was "unlikely that road users would perceive the increase in traffic and that the local highway network would continue to function adequately in both development scenarios".

8.4.35 Various other matters were dealt with in the report. During the site assessment it was noted that there was an existing problem with the arrangements for picking up and dropping off children at the local Primary School. Whilst this was a known problem to the Steering Group, which had ben identified at the beginning of the NP process, this information confirmed the necessity to seek to ensure that this issue was dealt when the proposals for Site 1 are eventually brought forward. It is understood that this is a matter that the School Governor's and Wiltshire Council are already trying to address.

8.4.36 It was also noted in the report that should a new healthcare facility be built on Site 1 and the existing GP surgery in the centre of the village closed and relocated it would be sensible to consider what improvements could be made to the local highway network for the benefit of pedestrians and cyclists who were likely to be attracted to the site.These were set out in some detail in the report. Inclusive access routes were identified along Court Street and Green Lane.

8.4.37 Discussions were held with Wiltshire Council about which if any of these works could reasonably be required to be provided by the prospective developer(s) of Site 1 – and hence be subject to a legal agreement requiring such works to be undertaken.The Steering Group were advised that only those works directly required as a result of such development would be included within any such agreement and that this was unlikely to include most of the offsite works being suggested on both Court Street and Green Lane.The Steering Group felt nevertheless that it was still appropriate to seek to secure the provision of such improvements via other means. The Parish Council considers this to comprise a local priority infrastructure project for the use of CIL receipts received by the Parish Council.

POLICY 8 Highways Matters

The enhancement of inclusive access and crossings between the proposed new GP surgery on Site 1, the Sherston Primary School and the Post Office/Stores on the high street as well as key residential areas will be supported, so as to encourage all modes of non-vehicular access to these facilities.

6. Sports facilities:

- There is a concern about the amount and quality of the existing sports/recreational facilities in the village.
- There is a concern that development pressures might result in the loss of some or all of those facilities.
- There is a desire to improve and enhance the range of sports facilities available to the local community.
- The existing changing rooms serving the football club are totally inadequate and need to be replaced.

8.4.38 The Parish Council controls two large recreational spaces in the village – comprising the Recreation Ground (which is primarily used for general/informal play by large numbers of children) and the Football Field (which is used by Sherston FC as its base together with the Sherston Tennis Club and a recently constructed skate-boarding area).

8.4.39 The Recreation Ground contains a good range of play facilities for children of all ages – mostly currently in good repair.There is a Scout Hut on the edge of the Recreation Ground.

8.4.40 The Football Field by way of contrast is in a relatively poor state. The football pitch is small by current standards and there is currently little scope to extend the pitch in any direction. The "changing rooms" are in

a poor state and in urgent need of replacement. There is no space available within the current structure for any social facilities. There is nowhere for the football players to train (indoor or outdoor). There has been an identified need to improve/enhance the facilities on the Football Field for some considerable time now – but no finance available to do so.

8.4.41 Sherston Cricket Club has access to land in private ownership (albeit on a long lease) comprising part of Pinkney Park. This is an excellent facility. It is only usable for cricket. There is no urgent need to seek alternative or additional facilities to serve this particular activity.

8.4.42 The Village Hall is utilised for a wide range of recreational, cultural and educational activities. It was converted to its current use from an agricultural barn at some point in the last century. On the sporting side, it is currently utilised for badminton, yoga, Zumba and indoor bowls – but was not designed for any such uses.

8.4.43 There are no indoor facilities currently available in the village for use by children (or adults) for a wide range of sporting activities – e.g. indoor football, cricket or hockey. There is nowhere for children or adults to keep fit – e.g. a gymnasium or any sort of training facility.

8.4.44 There is an identifiable need to improve the range and quality of facilities available on the Football Field – both in terms of the playing pitch itself and the associated changing/social facilities. There is also a longer term desire to provide additional indoor sports/play facilities – purpose built for use by a range of different sports activities (including most of those mentioned above). It is accepted, however, that there is insufficient land available to accommodate such a facility on the existing Football Field and insufficient demand at the moment to justify the identification and/or allocation of additional land for such a purpose. This nevertheless remains a longer term aspiration for the village.

8.4.45 The SNP seeks to support the carrying out of necessary improvements to the Football Field, including the erection of new replacement changing rooms and club facilities (see Policy 11 below).

8.4.46 The following policies are designed: to provide extra protection to those sites that can be specifically identified as providing open air sports facilities (Policy 9); to safeguard land adjoining the existing Football Field to allow for its possible future expansion (Policy 10); and to allow for the construction of replacement changing and other facilities on the Football Field (Policy 11).

POLICY 9 Protection of Sports Facilities

The loss of existing open space, sports and recreational buildings and land, including playing fields, will be resisted unless it can be clearly demonstrated that the open space, buildings or land is surplus to requirements; or the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quality and quantity in a suitable location; or the development is for alternative sports and recreation provision, the need for which clearly outweighs the loss.

MAP 15 POTENTIAL SPORTS FACILITIES SITE



POLICY 10 Land safeguarded for future recreational use

The development of Site 4 adjoining the Football Field, as shown on Map 15, for the expansion of existing sports facilities, will be supported.

POLICY 11 Erection of new or replacement sports facilities

The development of new/replacement changing rooms and club facilities at the Football Field will be supported.

7. Community Infrastructure Levy Payments:

8.4.47 The Community Infrastructure Levy (CIL) is a planning charge introduced by the Planning Act 2008 (and brought into force by the 2010 Community Infrastructure Levy Regulations) as a mechanism for local authorities to provide or improve infrastructure that will support the development of their area.

8.4.48 In England, where there is a neighbourhood development plan in place, the neighbourhood is entitled to 25% of CIL revenues from new development taking place in the plan area (for areas without a neighbourhood plan, the neighbourhood proportion of CIL is a lower figure of 15%). This money is paid directly to parish and town councils.

8.4.49 It is likely that all three of the development sites allocated in the SNP will be liable to make CIL payments. The rates payable are set out in a Charging Schedule published by Wiltshire Council. The amount payable being calculated when planning permission is granted.

8.4.50 The SNP has identified the following items as priorities when determining how any CIL receipts received by the Parish Council should be utilised.

COMMUNITY INFRASTRUCTURE LEVY PAYMENTS - PRIORITIES		
ITEM	DETAIL	COMMENT
Offsite highway works	Policy 8 lends support to the "enhancement of inclusive access and crossings" between the proposed new development on Site 1 and the village centre as well as other key residential areas. It is not known at this stage what works if any will be funded directly from the development of Site 1.	The Parish Council will prioritise such works when determining how to utilise CIL payments received.
Sports facilities	There is an identifiable need to improve the range and quality of facilities on the Parish Council owned "Football Field" situated off Knockdown Road. The SNP safeguards land for the possible future expansion of these playing fields (Policy 10) and supports the erection of new and/or replacement sports facilities on this site (Policy 11).	It is considered that some of the CIL funding likely to be derived from the development of Site 1 (Policy 4) should be used by the Parish Council to fund the cost of improving these facilities.

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The Planning Inspectorate

COMMENTS ON CASE (Online Version)

Please note that comments about this case need to be made within the timetable. This can be found in the notification letter sent by the local planning authority or the start date letter. Comments submitted after the deadline may be considered invalid and returned to sender.

Appeal Reference: APP/Y3940/W/23/3326636

DETAILS OF THE CASE

Appeal Reference	APP/Y3940/W/23/3326636
Appeal By	MR J SMITH
Site Address	Land off Thompsons Hill Thompsons Hill Sherston, Malmesbury Wiltshire SN16 0PZ Grid Ref Easting: 385406 Grid Ref Northing: 185441

SENDER DETAILS

Name	MR JOHN WEEKS
Address	Elm Grove Thompsons Hill Sherston MALMESBURY SN16 0PZ

ABOUT YOUR COMMENTS

In what capacity do you wish to make representations on this case?

- ☐ Appellant
- ☐ Agent
- ☑ Interested Party / Person
- ☐ Land Owner
- ☐ Rule 6 (6)

What kind of representation are you making?

- ☐ Final Comments
- ☐ Proof of Evidence
- ☐ Statement
- ☐ Statement of Common Ground
- ☑ Interested Party/Person Correspondence

☐ Other

YOUR COMMENTS ON THE CASE

Further to my objections to the first and second applications, I continue to maintain that a single dwelling for an elderly couple who already live locally is not going to make the slightest difference to the area's housing supply.

It would negatively impact the Cotswolds AONB, contravene the Sherston Development Plan and inevitably increase traffic.

Consenting to this application could also set a precedent that might allow single dwellings to be built in every field around a village.

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The Planning Inspectorate

COMMENTS ON CASE (Online Version)

Please note that comments about this case need to be made within the timetable. This can be found in the notification letter sent by the local planning authority or the start date letter. Comments submitted after the deadline may be considered invalid and returned to sender.

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Site Address	Land off Thompsons Hill Thompsons Hill Sherston, Malmesbury Wiltshire SN16 0PZ Grid Ref Easting: 385406 Grid Ref Northing: 185441

SENDER DETAILS

Name	MR DAVID PALGRAVE
Address	Thompsons Hill, Sherston Malmesbury Sherston Wiltshire SN16 0PZ

ABOUT YOUR COMMENTS

In what capacity do you wish to make representations on this case?

- ☐ Appellant
- ☐ Agent
- ☑ Interested Party / Person
- ☐ Land Owner
- ☐ Rule 6 (6)

What kind of representation are you making?

- ☐ Final Comments
- ☐ Proof of Evidence
- ☐ Statement
- ☐ Statement of Common Ground

☑ Interested Party/Person Correspondence

☐ Other

YOUR COMMENTS ON THE CASE

My objections to this planning application still stand, as per WC-23-07-272576.

From:	dale@deplanning.co.uk
Sent:	17 November 2023 08:44
To:	NEW East 1
Subject:	APP/Y3940/W/23/3326636 Land off Thompsons Hill, Thompsons Hill, Sherston, Malmesbury, SN16 0PZ
Attachments:	231117 - Appeal Objection Ltr Final.pdf; App 1 - 220905 Objection Ltr Final.pdf; App 2 - Appeal 231023 Milbourne.pdf

I refer to the above appeal and attach a letter of representation (objection) on behalf of my client.

Kind regards

Dale Evans
DE Planning Ltd
dale@deplanning.co.uk
[redacted]

DE Planning Ltd
2 Downs Road
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BS9 3TX

[redacted]
dale@deplanning.co.uk

The Planning Inspectorate
Temple Quay House
2 The Square
Bristol
BS1 6PN

17 November 2023

Dear Sir,

Appeal by Mr J Smith – APP/Y3940/W/23/3326636

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

I refer to the above appeal. You will be sent a copy of my letter of objection dated 28 June 2023, submitted on behalf of my client to the planning application the subject of this appeal, but for completeness I enclose a copy of my letter of objection to the first application dated 5 September 2022, to which my second letter refers.

The brief comments below are in addition to the comments in these two letters.

The Appellants Statement of Case is in parts inaccurate and in parts considered unreasonably exaggerated.

The heading on page 1 refers to the wrong LPA and at paragraph 2.2 the site is inaccurately described and wrongly refers to the site not being within an AoNB, although this is corrected later in their Statement.

At paragraph 3.2 there is no reference to the Wiltshire Housing Site Allocation Plan 2020, which is part of the Development Plan and a material consideration.

In para 3.5 we assume it should read “North” Wiltshire Local Plan. Saved policy H4 from this plan (residential development in the open countryside) is material.

The quote from the NPPF (now 2023) at paragraph 3.20 is incomplete and should, specifically in this case, also include the text at paragraph 11 d) i and footnote 7, which specifically lists AoNBs as an “area of particular importance”.

Paragraph 4.15 is considered a somewhat disingenuous conclusion. While there is no argument, that the Council cannot currently demonstrate a 5 year housing land supply and that a single “self-build” dwelling is a positive material consideration this must be balanced against the clear policy and specific site objections.

The Development Plan (and the NPPF) needs to be read in the round. It is accepted by the appellants, that the appeal site is “greenfield”, open countryside, situated outside a recently redefined settlement boundary and within an AoNB i.e. an area of particular and defined national scenic beauty. On this basis and read in the round as required, the proposal is directly and specifically contrary to the spatial strategy embedded in the Development Plan and the

NPPF. Both provide clear and demonstrable reasons why such unsustainable development should not be allowed.

To support the AoNB objections we simply state that the area is designated because of its recognised “outstanding natural beauty”. Assessing proposals against stated policy and NPPF guidance is not simply about the quality of built form but about the impact development would have on the scenic beauty of the area. The appeal site is a part of a prominently visible open field, which is an important part of the wider beautiful setting to this settlement. This will be clearly adversely impact by any development no matter how good the materials and architecture might subsequently be.

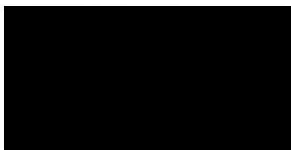
Also, while the appellants seek to argue otherwise, we support the Council in concluding that travel to and from the site by foot or cycle is not practical along unmade footpaths and narrow roads of poor vertical and horizontal alignment with no footways. It is obvious that the day to day journeys of the proposed occupants will predominantly be via the private car and that the location is therefore inherently unsustainable.

Paragraph 5.1 claims environmental benefits but there are none and there are only very small economic and social benefits. Also, our understanding is that the dwelling is proposal for the owner’s elderly parents, who already live locally, and that a “self-build” dwelling would not be liable for CIL (para 5.2).

In conclusion while there are limited benefits associated with the provision of a single “self-build” dwelling these benefits are significantly outweighed by the direct conflict with the spatial strategy of the Development Plan and the thrust of the NPPF when considered in the round. The proposals is detrimental to the recognised scenic beauty of the area and unsustainable development.

On this basis the Council’s decision should be supported and the appeal dismissed.

Yours sincerely



Dale Evans BA(Hons) Dip DBE MRTPI

Enc

1. 20905 Objection Letter
2. Appeal 231023 Milbourne

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Wiltshire Council

Monkton Park Offices

Monkton Hill

Chippenham

Wiltshire

SN15 1ER

05 September 2022

Dear Sir / Madam,

Planning Application PL/2022/03345

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

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

I refer to the above. I have been asked by the owners of Marden House, the immediately adjoining dwelling, to the north, to **OBJECT** to this application.

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

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

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

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

Sherston is a Large Village (Core Policy CP13) that only has a "limited range" of local facilities and is grouped with "Small Villages". In this group of settlements Core Policy CP1 restricts development to that needed to help meet the housing needs of the settlement. It is clear that the intention is that such settlements are not anticipated to meet wider general housing needs

over and above those sites allocated in the Neighbourhood Plan. These sites are considered to meet the anticipated housing needs of the settlement over the plan period.

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

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

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

The Council in recent Officer reports on similar applications have acknowledged that they are currently unable to demonstrate a five year supply of housing against its identified requirement, and that the "tilted balance" is engaged accordingly (NPPF Paragraph 11 d) and footnotes 7 and 8). This means that permission should be granted unless:

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

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

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

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

The site is a greenfield site situated in the open countryside distant from the limited range of local services that exist. As such there is a general presumption against development set out a Core Policy 2. On this basis, development at the site is contrary, both directly and spatially, to the strategic aims of the Development Plan as a whole, and in particular the settlement strategy in Core Policy 1, 2 and 13 and the policies and objectives of the Neighbourhood Plan. The submitted Planning Statement acknowledges that the proposal is in conflict with the Development Plan and relies on the provision of a potentially CIL exempt "self build" plot as a sole justification for the requested departure.

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

While the benefits in terms of increasing housing supply might justify a pragmatic approach where there are no adverse landscape impacts and the location is sustainable, this is not the

case here. The housing benefits are marginal at best and the location is visually prominent and totally unsuitable and with an unsafe access. It is therefore considered that the harm of permitting this form of development in principle would significantly and demonstrably outweigh the very limited benefits.

Other Matters

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

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

I would be grateful if you could acknowledge receipt.

Yours sincerely



Dale Evans BA(Hons) Dip DBE MRTPI

The Planning Inspectorate

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Development Services
Wiltshire Council
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County Hall
Trowbridge
BA14 8JF

Your Ref: PL/2022/08492
Our Ref: APP/Y3940/W/23/3318945

23 October 2023

Dear Sir/Madam,

Town and Country Planning Act 1990
Appeal by Messrs A & T Brown
Site Address: Land adjacent to Rossley House, Milbourne, Malmesbury, Wiltshire, SN16 9JA

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

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

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

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

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

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

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

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

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

Yours sincerely,

Lauren Fongauffier
Lauren Fongauffier

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

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

The Planning Inspectorate

Appeal Decision

Site visit made on 3 October 2023

by C Rose BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd October 2023

Appeal Ref: APP/Y3940/W/23/3318945
Land adjacent to Rossley House, Milbourne, Malmesbury, Wiltshire

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant permission in principle.
- The appeal is made by Messrs Brown against the decision of Wiltshire Council.
- The application Ref PL/2022/08492, dated 2 November 2022, was refused by notice dated 15 February 2023.
- The development proposed is erection of one dwelling.

Decision

1. The appeal is allowed and permission in principle is granted for residential development comprising one dwelling at Land adjacent to Rossley House, Milbourne, Malmesbury, Wiltshire in accordance with the terms of the application, Ref PL/2022/08492, dated 2 November 2022.

Procedural Matters

2. The proposal is for permission in principle. Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. This appeal relates to the first of these 2 stages.

3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted[1]. All other matters are considered as part of a subsequent Technical Details Consent application if permission in principle is granted. I have determined the appeal accordingly.

4. An applicant can apply for permission in principle for a range of dwellings by expressing a minimum and maximum net number of dwellings as part of the application. In this instance, permission in principle has been sought for one dwelling on the appeal site. I have determined the appeal on that basis.

5. A drawing has been submitted showing a possible layout, this is considered as indicative only.

Main Issue

6. The main issue is whether the location, proposed land use and the amount of development is suitable with particular regard to the local housing strategy, the character and appearance of the area, and local and national policy relating to accessibility to services and facilities.

[1] PPG Paragraph: 012 Reference ID : 58-012-20180615

Reasons

7. The appeal site is located in an area of relatively low-density residential development accessed off a road where development generally fronts it, or form part of more separated development set back from the main road. As a result, there are some sporadic groups of buildings set back from the road and which form part of the built form of the area alongside the road frontage development.

8. The appeal site is set back from the main road off a private access serving Rossley House, the Old Farmhouse and their associated buildings. These buildings are also located near the end of the access set back from the road. The site is relatively flat and forms part of a larger agricultural field. The site is not within a designated sensitive landscape area.

9. The spatial strategy for the location of housing in the area is outlined in Core Policies 1, 2 and 13 of the Wiltshire Core Strategy (January 2015) (CS). Core Policy 1 of the CS states that settlements with a low level of services and facilities, and few employment opportunities, are classified as Small Villages. Policy 2 of the CS states that at the Small Villages development will be limited to infill within the existing built area. It goes on to state that proposals for development within Small Villages will be supported where they seek to meet housing needs of settlements. This is subject to the development respecting the existing character and form of the settlement; not elongating the village or imposing development in sensitive landscape areas; and does not consolidate an existing sporadic loose knit areas of development related to the settlement. It is relevant to note that Core Policy 2 of the CS does not define settlement limits or boundaries.

10. Core Policy 13 of the CS identifies Milbourne as a Small Village whilst Policy 3 of the Malmesbury Neighbourhood Plan Volume 1 – Main Body (February 2015) (NP) follows the approach set out in Core Policy 2 of the CS. As the proposal is for a new open market dwelling, it does not benefit from, or seek support under, Policy H4 of the LP.

11. There are a range of services and facilities at Malmesbury and despite the lack of footpaths on the main road through Milbourne connecting to Malmesbury, the site is located close to a bus stop with access available by foot. Grass verges provide refuge from the road that was lightly trafficked at the time of my site visit. There is a regular bus service from the bus stop on Monday to Saturday serving Malmesbury, Chippenham and Wootton Bassett. In light of this, and given support from Core Policy 2 of the CS to development in Small Villages that meet housing needs, and from Paragraph 79 of the National Planning Policy Framework (the Framework) to development in one village supporting services in a village nearby, the site would be in an accessible location. As a result, the proposal would help to reduce the need to travel by private car.

12. With regard to impacts on the ground, the site occupies a gap in the built area between Monks Park estate and Rossley House/The Old Farmhouse. The more modern appearance of the estate and the boundary hedge adjoining the site and associated access form a strong visual termination to the estate. With Rossley House and the Old Farmhouse being more traditional in design set back further from the main road through the village with their own access, they have a very different character to the estate. In light of this, given the position

of Rossley House and The Old Farmhouse on the opposite side of the access lane to the appeal site, and the length of the frontage to the agricultural field to the lane that the site forms part of, the appeal site does not represent in-fill development or the filling of a small gap within the existing built area. However, the site is well screened by existing vegetation along the main road, alongside the access road to the appeal site, and by the development forming Monks Park estate. As a result, only very limited views of the site are visible from the main road.

13. Given that the appeal site is set back from the main access lane through the village and is well screened, the loss of the open nature of the appeal site would not be harmful to the wider rural character of the area. Moreover, the appeal site faces the access lane to Rossley House/The Old Farmhouse and would follow and read as part of the pattern of development off this access appearing distinctly separate from the adjoining estate. For the same reasons, and particularly as the development would read as part of the complex of buildings forming Rossley House and the Old Farmhouse, the proposal would not elongate the village.

14. Given that the appeal site faces the access lane to Rossley House/The Old Farmhouse, it would follow and read as part of the pattern of development off this access appearing distinctly separate from the adjoining estate. Moreover, given that the site is set back from the main access lane through the village and is well screened from this road, the proposal would not elongate the village and the loss of the open nature of the appeal site would not be harmful to the wider rural character of the area.

15. I see no reason to suggest that a suitable design of dwelling respecting the form of the buildings off the access lane could not be secured at the Technical Details Consent stage. Given this, given the screening to the site and nature of the development fronting the access lane similar to Rossley House/The Old Farmhouse forming and reading as part of this complex of buildings, a single dwelling would not noticeably or harmfully combine the looser knit development around Rossley House/The Old Farmhouse into the settlement. Additionally, the amount of development would be compatible with surrounding land uses and densities.

16. The Council acknowledge that they are currently unable to demonstrate a five-year supply of housing land. Therefore, the presumption in favour of sustainable development outlined in Paragraph 11d)ii of the Framework is engaged. I also note that as the Council cannot demonstrate a five-year supply of deliverable housing sites, they have produced a 5 Year Housing Land Supply and Housing Delivery Test Briefing Note No. 22-09 (BN). This states that in order to restore a five-year housing land supply, the Council will 'Positively consider speculative applications where there are no major policy obstacles material to the decision other than a site being outside settlement boundaries or unallocated'.

17. Paragraph 11 of the Framework states that where policies that are most important for determining a proposal are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole or specific policies in the Framework indicate development should be restricted.

18. The proposal would conflict with the housing strategy in the development plan where it limits development within Small Villages to infill within the existing built area. These policies are broadly consistent with the Framework where it states that the planning system should actively manage patterns of growth and seek to protect the character and appearance of areas so still carry a reasonably significant amount of weight.

19. Addressing the adverse impact of the proposed development first, it would be located such that it is not infill within the existing built area. There would be a degree of urbanisation and countryside encroachment through an additional dwelling. However, it would be located such that it would respect the existing character and form of the settlement, would not elongate the village or impose development in sensitive landscape areas, and would not consolidate an existing sporadic loose knit area of development related to the settlement. Thus, the adverse impacts on the character and appearance of the area would be very limited.

20. Turning to the benefits, the proposal would contribute to the supply of housing and add towards addressing the existing shortfall in housing land supply. The site is located such that it would help to reduce the need to travel by car. The proposal would align with the Framework where it seeks to significantly boost the supply of housing and acknowledges that small-scale developments can make an important contribution to meeting the housing requirement and be built out quickly. These benefits are tempered by the scale of the proposal, but nevertheless carry modest weight in favour of the development.

21. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission, and therefore appeals, must be determined in accordance with the development plan, unless material considerations indicate otherwise.

22. The proposal benefits from the presumption of sustainable development as outlined in Paragraph 11d)ii of the Framework. In this instance, the adverse impacts of granting permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

23. In conclusion, whilst not in full accordance with Core Policies 1, 2 and 13 of the CS and Policy 3 of the NP, the proposed development would provide a suitable location for housing. It would accord with Core Policies 51, 60 and 61 of the CS having regard to the character and appearance of the area, and local and national policy relating to accessibility to services and facilities. Therefore, and on the basis of the individual merits of the scheme, the material considerations indicate that planning permission should be granted notwithstanding the conflict with the development plan.

Other Considerations

24. I note the concerns expressed by a local resident regarding the proximity of the proposed dwelling to neighbouring properties. However, the site is large enough to accommodate a detached dwelling with matters relating to any effect on the living conditions of neighbouring properties for consideration under the required subsequent application for technical details consent.

Conditions

25. The PPG indicates that it is not possible to impose conditions as the terms of any permission in principle must only include site location, type of development and amount[2].

Conclusion

26. I conclude that, for the reasons given above, the appeal is allowed.

C Rose

INSPECTOR

[2] Paragraph: 020 Reference ID: 58-020-20180615

5th December 2023

east1@planninginspectorate.gov.uk

To Whom It May Concern
Planning Inspectorate,
Room 3c, Temple Quay House,
2 The Square,
Bristol BS1 6PN

Dear Sir or Madam,

Appeal Reference APP/Y3940/W/23/3326636
Appeal by Mr James Smith
Land off Thompsons Hill, Thompsons Hill, Sherston, Malmesbury, SN16 0PZ

Please find below an objection to this appeal. I am a neighbouring resident to the appeal site which lies opposite my property Hill House, Thompson Hill, Sherston.

Background

This appeal follows a recent application for planning permission in principle (ref PL/2023/04942) for one self-build dwelling which was submitted on 19th June 2023 and refused on 24th July 2023. That application was a resubmission of a previous application for permission in principle for one dwelling (ref PL/2022/03345) which was submitted on 8th August 2022 and refused on the 27th October 2022.

In both cases, the applications have been consistently refused for the same reasons – namely 1) the site's location outside of the settlement boundary of Sherston and in the open countryside contrary to the Development Plan's overarching spatial strategy; 2) the site's location in the Cotswolds Area of Outstanding Natural Beauty and its prominence therein; and 3) the site's distance to local services, facilities and amenities and the lack of safe and convenient footway along Thompsons Hill connecting the site to the centre part of Sherston village,

I have objected to both of these applications, and I note from the Officer's Delegated Report for the most recent application that it attracted objections from Sherston Parish Council, together with 10 letters of opposition from local residents and objections from the Landscape Officer and Highways Officer.

Relevant Planning Policy Context

My understanding is that the relevant policy context for the determination of this appeal comprise the policies within the Wiltshire Development Plan. This comprises the adopted Wiltshire Core Strategy (January 2015) and the Sherston Neighbourhood Plan (Made May 2019). Other relevant policies are contained within the National Planning Policy Framework (NPPF) (2023), which is a material consideration.

Having identified the relevant planning policies, I shall now turn to my reasons for the objection to this appeal, which is set out under the following headings:

Principle of the development

The site lies outside of the settlement boundary of Sherston in the open countryside. The proposal does not comply with any of the exceptions that allow development in the countryside and it is therefore contrary to the Development Plan, which is the primary consideration for the determination of all planning applications in accordance with section 70(2) of the Town and Country Planning Act 1990.

The Wiltshire Core Strategy sets out a 'Settlement Strategy' and 'Delivery Strategy' for development across the county. Core Policy 1 refers to the Settlement Strategy and identifies four tiers of settlement – 'Principal Settlements', 'Market Towns', 'Local Service Centres', and 'Large and Small Villages'. The limits of development of the Principal Settlements, Market Towns, Local Service Centres and Large Villages, are defined by the Core Strategy and retained. These settlement boundaries have been reviewed as part of the Wiltshire Housing Site Allocations Development Plan Document (WHSA DPD) which was adopted on 25 February 2020, and are therefore up to date. This site has not been included within the limits of development in either the review as part of the WHSA or within the development of the neighbourhood plan (2019).

This assessment of principle has been competently and professionally carried out by the Council's Case Officer and on two previous occasions the proposals have been found to be contrary to the Development Plan in this regard and there has been no change in circumstances that would indicate why a different decision should be reached for this appeal. The Appellant's Appeal Statement does not provide any further justification to that provided as part of the two previous applications. Whilst the Appellant refers to two recent appeal decisions, these relate to different settlements in other parts of the County. Whilst these other appeals may also represent locations on the edge of existing villages, they do not set a binding precedent for other appeals and do not indicate that permission should be automatically granted in this instance.

Landscape Impacts

As mentioned within the Council's second reason for refusal, the site lies in the Cotswolds AONB where there is understood to be a statutory duty under Section 85 of the Countryside and Rights of Way Act 2000 (CROW) to place a duty on relevant authorities to have regard to the purpose of conserving and enhancing the natural beauty of an AONB.

As the Case Officer's report has described, the existing site comprises undeveloped agricultural land with hedgerows which are distinct from built up village limits. As the Case Officer has pointed out the southern boundaries of Marden House and Hill House currently form a natural (development) boundary for Sherston. Furthermore, the appeal site contains no natural or physical boundaries itself which would provide a fixed point of reference or physical barrier from the open countryside beyond. The

development would therefore simply encroach into an open agricultural field in a sporadic way.

Whilst I acknowledge that further details would have to be provided at the technical details stage, I do not see how this form of development could come forward and at the same time either conserve or enhance the character and appearance of the AONB. This is a prominent location on the southern approach to the village. It is located on elevated land above the main village further north and can clearly be seen on the way into the village from the south, which is also on higher ground.

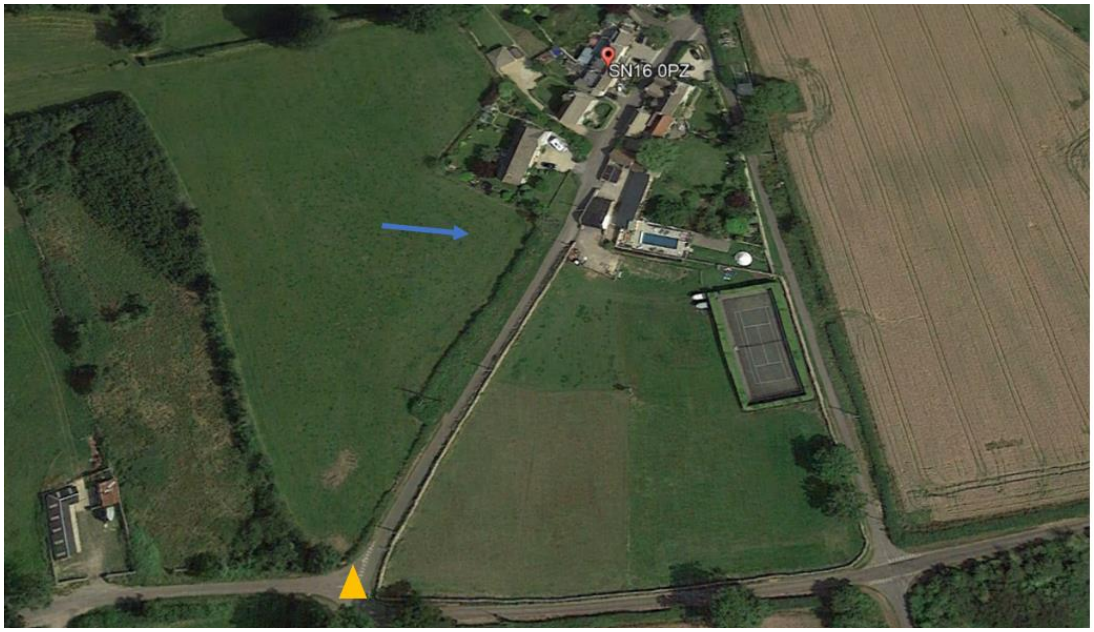

Figure 1: Aerial Photograph The blue arrow shows the site location which forms part of an open agricultural field beyond the village boundary. The yellow triangle indicates the position of the Streetview image at Figure 2.



Figure 2 Streetview Image: View of site from Thompsons Hill facing north. The new dwelling would be prominent on this approach.

Accessibility and highway safety

Whilst the site is adjacent to the far southern extent of the village boundary, this is not a location that is easily accessible to the facilities in the village which are all located further to the north. Furthermore, as the Council's Highway Officer has pointed out, the site is accessed from a narrow road which would be unlit in winter and on a gradient. All of these factors are therefore likely to dissuade residents from walking or cycling resulting in a heavy reliance on the use of the private car for day-to-day activities.

Whilst I understand that travel solutions differ between urban and rural areas, safe and sustainable travel is an important part of Core Policy 60 and is supported by Chapter 8 of the NPPF which advocates the creation of places that promote social interaction and encourage walking and cycling, thereby helping to provide safe and accessible places which support healthy lifestyles. Furthermore, Chapter 9 of the NPPF requires consideration to be given to a development's location as to whether appropriate sustainable transport modes can be taken up and that safe and suitable access to the site can be achieved for all users.

It seems to me that not everyone will own a car and that people should be able to walk to services, such as the elderly. Conversely, immediately on exiting the site the route along Thompsons Hill is narrow with no footways or street lighting and with a slope. This is therefore not a safe or attractive route for pedestrians, cyclists and those other users, including those using electric bikes and this would prejudice safety of all users of this stretch of highway. The proposal would therefore not provide genuine and realistic opportunities to travel by sustainable modes of transport given the risks one would need to take to access those services in Sherston.

Conclusion/Planning Balance

As part of the Appellant's case, reference is made to the Council's housing supply position and that this engages the NPPFs presumption in favour of sustainable development (known as the tilted balance). However, my understanding is that this does not change the statutory status of the development plan as the starting point for decision-making against which this proposal has been twice assessed and refused on both occasions.

Furthermore, it is also understood that the presumption in favour of development is also subject to the application of policies in the NPPF that protect areas or assets of particular importance, and which provide a clear reason for refusing the development proposed. In this case, it has been established that the appeal site lies within the Cotswolds AONB and would have an adverse impact on the character and appearance of its rural surroundings. Therefore, there is no presumption in favour of development despite what the Appellant may claim. Lastly, the Appellant has put forward a number of 'Planning benefits' within their Appeal Statement. However, these have already been put forward as part of the two previous applications and

provide very little, if any, counterweight to the clear conflict with the Development Plan policies and harm to the landscape that has been set out in this objection. For all of these reasons it is maintained that this appeal should be dismissed.

Kind regards,
Alex Ross