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Planning Department
Wiltshire Council
Bythesea Road
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Wiltshire
BA14 8JN

Our Ref: RAMS/003/RG
Your Ref: PL/2023/10028

5th January 2024

FAO Mr Jonathan James

Dear Sir/Madam,

Re: Town and Country Planning Act 1990: Planning and Compulsory Purchase Act 2004: Permission in Principle for the erection of a minimum of 7 dwellings and a maximum of 9 dwellings - Land to the north of Newtown Road, Ramsbury, Wiltshire, SN8 2PP.

I refer to the above application under consideration by your Authority and advise that this Practice is instructed by a number of local residents to consider the submitted application and if considered necessary, to submit representations to your Authority. The application has been considered in the context of the adopted development plan, National Planning Policy Framework (NPPF) and other relevant material considerations. In light of this review, this letter is submitted as a formal objection to the application.

The site, Land to the north of Newtown Road, Ramsbury, Wiltshire, forms part of a larger site that was previously associated with an outline application for a residential development of 25 dwellings[1]. This proposal was refused and then dismissed at appeal[2]. The Inspector dismissed the appeal due to the harm upon the North Wessex Downs Area of Natural Outstanding Beauty (AoNB) and the inappropriate location beyond the settlement boundary. In relation to previous attempt to develop the site, the following matters constitute an objection made in line with National Planning Policy Guidance for PiP applications, with regard to the appropriate concerns i.e. the location, the land use and the amount of development.

[1] Previous Application 2015, 15/07232/OUT
[2] Appeal 2017, APP/Y3940/W/16/3156940

The Location

The application site forms part of a larger site previously associated with a residential proposal which was dismissed on appeal. The Inspector dismissed the appeal being contrary to the Wiltshire Core Strategy (2015) where development beyond the settlement boundary is inappropriate (Core Policy 1[3]), unless it is an exception site or the form of development has been acknowledged as acceptable within the Plan. The proposed residential development was found to cause harm to the landscape character and quality of the North Wessex Downs Area of Natural Outstanding Beauty (AoNB). National policy provides protection for the character and quality of AoNBs, as set out in paragraph 182 of the NPPF:

> *"182. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas."*

Therefore, great weight is accorded the protection and conservation of the North Wessex Downs AoNB in order to conserve natural beauty and to minimise any detrimental landscape impact. Any material benefits which may arise from the proposed development of the site must be assessed in the light of the great weight accorded to landscape character protection. The development would also be contrary to Core Policy 51, which similarly aims to protect and enhance the County's highly valued landscapes.

The Land Use

The proposed residential development of the current application site and adjacent land was found unacceptable at appeal. The reduced site area to the previously rejected proposed in the form of the current application represents an attempt to circumvent the potential cumulative impact of development as a consequence of there being a severance from the larger parcel which renders the balance landlocked. The adjoining land is under the same ownership, which renders this proposal a form of incremental development, which would be inappropriate within an AoNB and beyond the settlement boundary.

Nonetheless, and as above, if permitted this application would consequently landlock the remaining agricultural land. As there is seemingly no alternative means of access to that land, it would become redundant due to a loss of access for maintenance, leaving the land to rewild or become unattractive. This is clearly not the intention. The current application ought to be regarded as a deliberate subdivision of a larger site in order to establish a form of development which would ultimately result in pressure to release the balance through further applications. Consideration therefore needs to be

[3] Paragraph 4.15 of the Wiltshire Core Strategy 2015

given to the consequences of permitting development in such an incremental way particularly as the site forms part of a larger land holding considered unacceptable for residential development at appeal.

While any further applications to develop the balance would need to be considered on their merits, nevertheless the release of the subject site incrementally, would potentially undermine the Authority's ability to accord proper protection to the landscape character and quality of the AoNB once permission in principle has been granted to the frontage site.

The Amount of Development

It is important to acknowledge the extent of the benefit delivered through the provision of a minimum of 7 and maximum of 9 family dwellings as a contribution to the current housing land supply circumstances in Wiltshire. This matter has been the subject of a recent appeal[4] decision and the currently agreed land supply range, as set out in the updated Statement of Common Ground – Housing Need and Supply referenced in an Appeal from November 2023, indicated that the Authority can only demonstrate between 4.22- and 4.58-years' land supply. When considering the extent of benefit arising out of this PiP application, the previously rejected residential proposal for some 25 dwellings included a contribution of 40% affordable housing. That proposal therefore included a greater extent of benefit to both housing land supply and importantly affordable homes. That proposal, despite these benefits, was dismissed at appeal. By contrast, the current proposal would contribute no more than 9 homes with no affordable housing provision and accordingly while a modest contribution would not outweigh the great weight that is placed on the protection accorded the AoNB in the NPPF paragraph 182.

Presumption in Favour

The Planning Statement that accompanies the PiP, at paragraphs 7.6 and 7.7 asserts that there will be limited impact on the landscape character and quality of the AoNB and hence the presumption in favour at paragraph 11 d)ii of the NPPF is engaged. However, given the nature of the PiP applications i.e. that they are submitted in two stages – the Permission in Principle and the Technical Details Consent means that in order to establish the principle the location has to be regarded as acceptable or appropriate. This matter is addressed above however in the context of the AoNB it is considered necessary to support such development proposals with substantive evidence demonstrating that the location, if developed, would not give rise to any detrimental visual impacts. At the first stage, without technical detailing (e.g. architectural design, external materials, layout and landscaping) and a Landscape and Visual Impact Assessment, it is not possible to determine the extent of visual impact which the development would have upon the character and quality of the AoNB. Therefore, those development plan and national policies which represent restrictions to development cannot be satisfied and accordingly the presumption in favour cannot be engaged. It is therefore not possible to apply the presumption in favour as there is insufficient evidence demonstrating any extent of visual impact which may arise, and consequently renders the site an appropriate location.

[4] Paragraph 22 of Appeal, APP/Y3940/W/21/3275053

Development Plan – Wiltshire Core Strategy 2015 and Emerging Wiltshire Local Plan

In support of the above arguments, the application is contrary to the following development plan and conflict upon the following policies.

Adopted Wiltshire Core Strategy (2015)
Core Policy 1: Settlement Strategy
Core Policy 2: Delivery Strategy
Core Policy 14: Spatial Strategy for the Marlborough Area
Core Policy 51: Landscape
Core Policy 57: Ensuring High Quality Design and Place Shaping

Emerging Wiltshire Local Plan
Policy 1: Settlement Strategy
Policy 2: Development Strategy
Policy 76: Providing Affordable Homes
Policy 77: Rural Exception Sites
Policy 89: Biodiversity Net Gain
Policy 91: Conserving and Enhancing Wiltshire's Landscape
Policy 98: Ensuring High Quality Design and Place Shaping

For the reasons set out above, it is considered that the PiP application fails to accord to National Planning Policy and is contrary to the adopted Wiltshire Core Strategy (2015). The location is within an AoNB and formed part of a previously rejected residential development proposal. For reasons of location and harm to the landscape character and quality of the AoNB an appeal Inspector dismissed the subsequent appeal. As a matter of principle therefore the application site forms part of a location regarded as inappropriate for residential development.

The same considerations apply in respect of proposed land use and terms of the amount of development, the benefits arising out of some 9 dwellings and in the absence of any contribution to affordable (albeit not a policy requirement) are not regarded as outweighing the great weight that is accorded the protection of the landscape character of the AoNB.

It is respectfully requested that the permission in principle application is refused.

Yours faithfully,

Robert Gillespie BA(Hons) MRTPI
Managing Director