CASE OFFICER'S REPORT

Application Reference:	PL/2023/06033
Application Type:	Permission in Principle
Site Inspection:	
Consultation ends:	13 November 2023
Case officer:	Hilary Baldwin

Site Address:	Land at West Street, Great Somerford, Chippenham, SN15 5EH
Proposal:	Permission in principal for development of up to 2 no dwellings
Recommendation:	Refuse

Proposal

The application seeks approval for permission in principle of 2 dwellings on the site.

The submitted details are limited to a site plan indicating that access would be from the adjacent highway to the north with the dwellings located within the site.

Site Description

The site lies on the southern side of West Street, Great Somerford and outside of the settlement boundaries in that location. There are sporadic adjacent properties to the east and west side of the site and opposite on the northern side of the highway.

This large undeveloped site is laid to grass with mature trees within the northern section and an informal hedgerow boundary adjacent to the highway. There is a rough dirt track access within the northeastern corner with a field gate set back from the highway.

The northern section of the site lies within the designated Great Somerford Conservation Area with the closest listed buildings to the north-west of the site known as Manor Farm House. There are further listed buildings within the Conservation Area.

Planning History

There is no relevant history on this undeveloped site.

Policy Considerations

National Planning Policy Framework (NPPF) 2023

Paragraphs 2 to 12 – Presumption in favour of sustainable development
Paragraphs 108, 109, 114 and 116 – Promoting Sustainable Transport
Paragraph 131, 135 - Function and form of development
Paragraph 180 – Conserving and Enhancing the Natural Environment
Paragraph 185 – Habitats and Biodiversity
Para 195 to 196 - Proposals affecting heritage assets
Para 200 to 208 - Considering potential impacts upon heritage assets

There is a duty placed on the Council under Section 66 of the Planning (Listed Buildings and

Conservation Areas) Act 'In considering whether to grant planning permission for development which affects a listed building or its setting' to 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

There is a duty placed on the Council under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act to pay special attention to the preservation or enhancement of the character of the surrounding conservation area.

Wiltshire Core Strategy adopted 2015 (WCS)
Core Policy 1- Settlement Strategy
Core Policy 2- Delivery Strategy
Core Policy 13 - Malmesbury Community Area
Core Policy 50 - Geodiversity and Biodiversity
Core Policy 51 - Landscape
Core Policy 57- Ensuring High Quality Design and Place Shaping
Core Policy 58 - Ensuring the Conservation of the Historic Environment
Core Policy 60 - Sustainable Transport
Core Policy 61 - Transport and Development

Saved policies of the North Wiltshire Local Plan (NWLP) 2011 (adopted June 2006)
H4 - Residential Development in the open countryside

Wiltshire Housing Site Allocation Plan Adopted Feb 2020
Settlement Boundary Review and site allocations

Great Somerford Neighbourhood Plan. Made November 2017
Section 6: Settlement Boundary
Section 7: Proposed New Development
Policy GSNP1
Appendix D2

Wiltshire Local Transport Plan 2011-2026
Car Parking Strategy

Consultations
Great Somerford Parish Council - Objection
Ecology - Comment
Highways - Comment
Conservation - Comment

Letters of Representation
26 Letters of Objection and Comment were received in relation to the development.
Main Reason for Representation
• Detrimental impact on Visual Amenity
• Impact on Character and Appearance of the Conservation Area

• Inappropriate Location
• Highway Safety
• Drainage and flooding
• Erosion of Countryside
• Expansion in the village is taking place in mores sustainable locations

Key Issues
Principle of Development
Compliance with Development Plan Policies in respect of housing in the countryside
Location
Impact upon the Character and Appearance of the Settlement
Other Considerations

Assessment
Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

Principle of Development
The scope of permission in principle is limited to location, land-use and the amount of development. In the event of the approval in principle, other matters such as the design, layout, access and landscaping would fall to be considered at the technical details consent (TDC) stage.

Granting of permission in principle does not guarantee the acceptance of any proposals for 'technical details' or TDC.

Planning conditions cannot be imposed on Permission in Principle, and any permission in principle for residential development must be expressed indicating the minimum and maximum net number of dwellings which are, in principle, permitted.

No detail of the housing is required for such applications and few have been provided. Other than as indicated on the site plan.

Location
The application relates to a parcel of land on the southern side of West Street, Great Somerford which in this location runs east towards the main heart of the village where there are some village services in the form of a public house, post office with shop and further still to the east, a primary school.

Great Somerford does have defined settlement boundaries which encompasses the main core of this designated Large Village but at the fringes, and particularly to the western edge, this boundary is fragmented and irregular and set out to include existing and established built form and residential pockets. The application site lies firmly within a long gap between such defined residential pockets.

In terms of the spatial strategy, the Settlement Strategy and Delivery Strategy for the district set out in Core Policy 1 and Core Policy 2 of the adopted Wiltshire Core Strategy. These policies

direct new residential development to the existing urban areas and defined settlements. In addition, Core Policy 13 of the adopted Core Strategy and the 'Made' Great Somerford Neighbourhood Plan (November 2017) are particularly important and relevant to the determination of this application, as they set out the Spatial Strategy for the Malmesbury Community Area, including this large village.

In the Made Great Somerford Neighbourhood Plan, Section 6 states that the principle of the settlement boundary is that development should take place only within the defined area, although it is noted that there is general provision in the WCS for development to take place outside the boundary in the case of small affordable housing schemes. The NP plan continues at Section 6.2 to state that neighbourhood plans can relax boundaries at villages and that through the Great Somerford plan, the boundary has been reviewed and a map of the boundary included at Appendix D2. Within Section 7 of the NP, it is stated that planning for the future of the village must strike an appropriate balance between meeting clear and demonstrable affordable housing and housing need and the locally specific constraints in terms of the character of the village, its heritage assets and traffic and access issues. As a result, policy GSNP1 of the NP allocates four sites to the east and south of the village and that there will be a presumption in favour of sustainable development on non-allocated sites that fall within the development boundaries, also as shown on the map at Appendix D2, subject to compliance with other relevant policies in the development plan.

Whilst it is noted that there are community facilities and support services within the village, these are located within the centre and approximately 0.35km from the site, with the school further still. There is some distance of a formal footpath and then informal footpath provision from the site but in the main, this would entail occupiers of the property walking along the unlit highway. This is not considered to represent a safe environment for pedestrians, especially the less physically capable, the disabled and people with children.

A limited weekday bus service runs to Chippenham with no evening service, a more limited Saturday service and no service at all on Sundays. This is not considered to represent a convenient alterative to the private car and therefore there are limited sustainable transport solutions applicable to the site.

Consequently, the proposed development would not provide a suitable location for housing, having regard to the development strategy for the area and accessibility to service and facilities. It would be in conflict with Core Policies 1, 2, 60 and 61 of the Core Strategy, and the directions and policies within the Made Great Somerford Neighbourhood plan, which among other things and in combination direct growth and new housing to the most suitable and sustainable locations and resist new homes in the countryside. These adopted policies also encourage planning development in accessible locations in order to reduce the need to travel, particularly by private car and promote sustainable transport alternatives.

Impact on the Character and Appearance of the Area and Setting and Significance of the Heritage Assets.

The site is relatively flat and enclosed with no built form. There is a band of mature trees within the northern half which provide glimpses through to open fields beyond. The site represents an unspoilt and undeveloped visual gap between the pockets of mature dwellings within the development boundaries in this location and it contributes positively to the rural setting of the

village. These characteristics all contribute positively to the established rural landscape character and appearance of the area and the setting of the western end of the village and Conservation Area. The NP at Section 7.2 states that in the village, new development should be welcomed, providing it is built in accordance with the rural and open character of the village and the settings of its heritage assets. Whilst the two proposed properties could be limited in size and scale, and set back within the site beyond the confines of the designated Conservation Area, there would inevitably be pressure to formalize the existing access and driveway into the site and provide the two dwellings, with parking provision and enclosed private amenity spaces. This would inevitably consolidate the built form when viewed from the public realm on West Street.

Whilst the southern end of the site is not located in a specifically designated area, Paragraph 180 of the Framework requires that development must have regard to the intrinsic character and beauty of the countryside. This requirement is reflected in CP51 which states that proposal should protect, conserve and where possible enhance landscape character. It also states that development must not have an unacceptable impact upon landscape character within the immediate setting or over long-distance views.

The site is an attractive green break between the established dwellings on this side of West Street and provides a good degree of separation between those within the settlement boundaries. Two dwelling units in this location, by way of urbanisation with the built form, boundary treatments, parking and associated domestic paraphernalia would result in harm to the open character of the site and settlement. The sporadic nature of the properties at the western end of the village would be consolidated and disruption of the clear distinction between built form and open rural countryside.

As such the proposal would not accord with Core Policy 51 (vi), 57(i) (ii) and (vi), 58 (iv), Section 72 of the Planning (Listed Buildings and Conservation Areas) Act or Paragraph 180 (b) of the Framework.

Other Considerations

Housing Land Supply

In December 2023 the government issued its revised National Planning Policy Framework (NPPF). Relevant to this application, relating to housing supply and delivery, the revised NPPF contains two important amended/new paragraphs, as follows –

76. Local planning authorities are not required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing for decision making purposes if the following criteria are met:

a) their adopted plan is less than five years old; and

b) that adopted plan identified at least a five year supply of specific, deliverable sites at the time that its examination concluded.

77. In all other circumstances, local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide either a minimum of five years' worth of housing, or a minimum of four years' worth of housing if the provisions in paragraph 226 apply. The supply should be demonstrated against either the housing requirement set out in adopted strategic policies, or against the local housing need where the strategic policies are more than five years old. Where there has been significant under delivery of housing over the previous three years, the supply of specific deliverable sites should in addition include a buffer of 20% (moved forward from later in the plan period). National planning guidance provides further

information on calculating the housing land supply, including the circumstances in which past shortfalls or over-supply can be addressed.

Paragraph 226 referred to in paragraph 77 states the following –
226. From the date of publication of this revision of the Framework, for decision-making purposes only, certain local planning authorities will only be required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of four years' worth of housing (with a buffer, if applicable, as set out in paragraph 77) against the housing requirement set out in adopted strategic policies, or against local housing need where the strategic policies are more than five years old, instead of a minimum of five years as set out in paragraph 77 of this Framework. This policy applies to those authorities which have an emerging local plan that has either been submitted for examination or has reached Regulation 18 or Regulation 19 (Town and Country Planning (Local Planning) (England) Regulations 2012) stage, including both a policies map and proposed allocations towards meeting housing need. This provision does not apply to authorities who are not required to demonstrate a housing land supply, as set out in paragraph 76. These arrangements will apply for a period of two years from the publication date of this revision of the Framework.

For the purposes of the revised NPPF Wiltshire Council is a 'paragraph 77 authority'; and, because Wiltshire Council has an emerging local plan that has now passed the Regulation 19 stage of the plan-making process – with both a policies map and proposed allocations towards meeting housing need – it is now only required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of four years' worth of housing.
https://www.wiltshire.gov.uk/article/8048/Regulation-19-consultation-autumn-2023

Current housing land supply position and consequences for the 'planning balance'
In terms of the number of years supply, the Council's most recent Housing Land Supply Statement (published May 2023; base date April 2022) (Appendix A of this Statement) sets out the number of years supply against local housing need as 4.60 years. The circumstances under which a buffer should be applied to the five-year housing requirement has been altered in the revised NPPF. Where the Housing Delivery Test result exceeds 85% Councils are no longer required to add a buffer to their five-year housing requirement. The Council's latest Housing Delivery Test result is 106%, so a buffer is no longer required. Based on this change in the revised NPPF, the HLS arithmetic indicates:
• The five-year housing requirement (10,205 without the buffer - based on Wiltshire's delivery in the latest 2022 Housing Delivery Test results)
• The deliverable supply (9,849).
• This equates to a 4.83 year supply (to the nearest hundredth of a year). This figure exceeds the 4 year threshold now required by Wiltshire.

The Council can demonstrate a more than 4 year supply of housing land supply and is at Regulation 19 stage of its local plan review. The tilted balance set out in paragraph 11(d) of the NPPF is no longer engaged due to the shortage of a sufficient housing land supply.

Planning balance
Two additional dwellings would be of doubtless benefit in the context of the government's objective 'of significantly boosting the supply of homes'. There would also be economic benefits in terms of the development and ongoing occupation of such dwellings, although the timescale for

these benefits is unclear. Against these benefits stands the clear poor locational sustainability of the site and likely high car-reliance of any occupants and their visitors, which weighs significantly against the proposal in the context of the push for sustainable development. The proposal also fails to protect, conserve and where possible enhance landscape character and the character and appearance of the Conservation Area.

Taking the above into account it is concluded that there is nothing in the overall planning balance that would warrant approval contrary to the clear conflicts with the development plan, the Wiltshire Core Strategy.

Conclusion

In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

The recommendation to refuse permission has been taken having regard to the policies and proposals in the policies set out above, and to all the relevant material considerations set out in the report.

Refusal Reason(s): (3)

1 The site is located outside recognised Limits of Development where the development of new housing would be contrary to the Spatial Vision for the sustainable development of Wiltshire as set out in Core Policy 1 and Core Policy 2 of the Wiltshire Core Strategy and the Made Great Somerford Neighbourhood Plan.

2 Development on the site would detract from the rural landscape character of the area, and the setting and appearance of the Conservation Area contrary to Core Policy 51 and Core Policy 57 of the Wiltshire Core Strategy Section 72 of the Planning (Listed Buildings and Conservation Areas) Act and paragraph 180(b) of the NPPF.

3 Due to the distance to local services, facilities and amenities, occupants of a dwelling on the plot would likely be heavily reliant on the use of private motor transport for the majority of day to day activities, contrary to the principles of sustainable development and the aims of reducing the need to travel, contrary to Wiltshire Core Strategy Core Policy 60 and Core Policy 61 and paragraphs 108, 109, 114 and 116 of the NPPF.