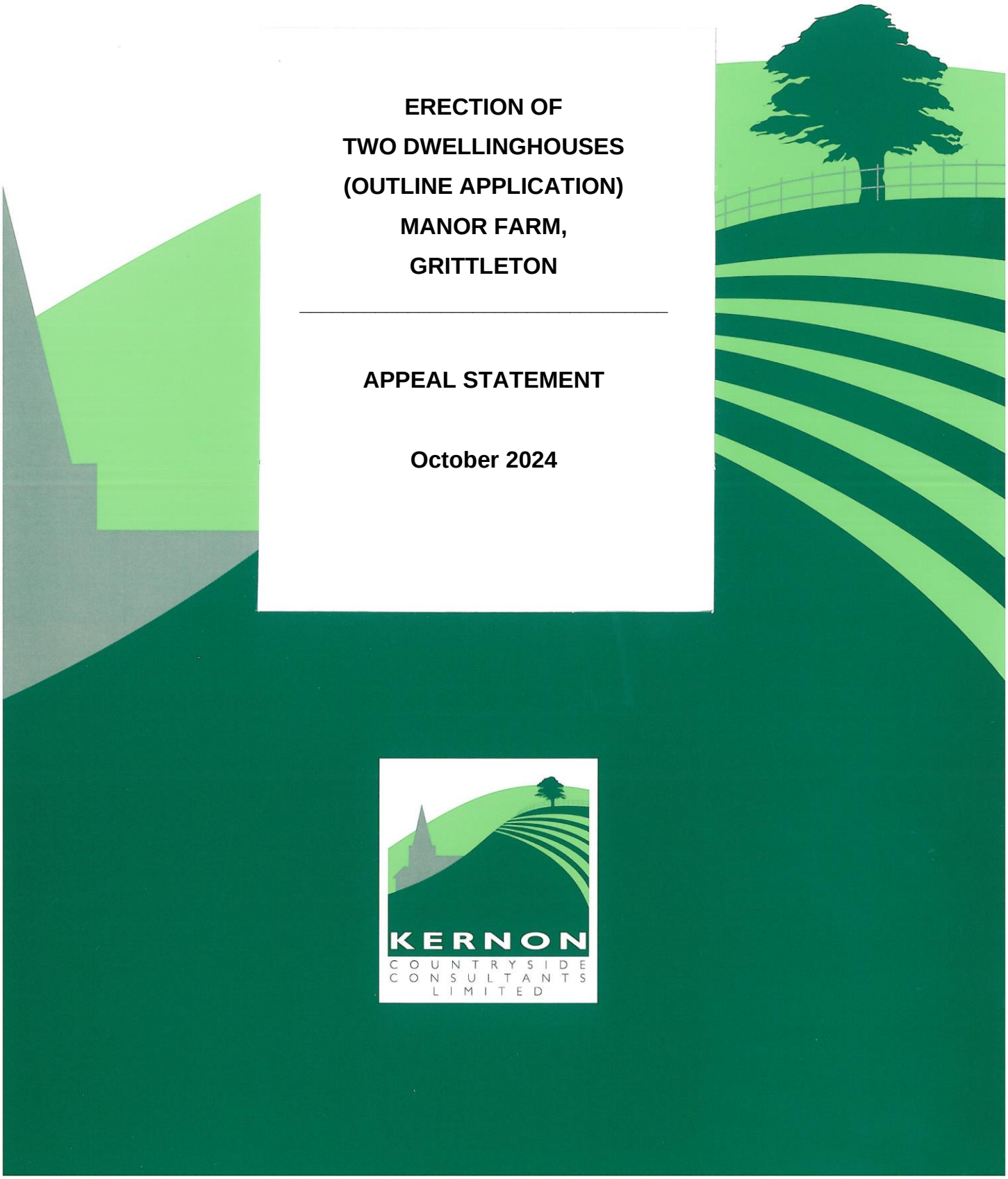
ERECTION OF TWO DWELLINGHOUSES (OUTLINE APPLICATION) MANOR FARM, GRITTLETON

APPEAL STATEMENT

October 2024



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1 INTRODUCTION

1.1 Application PL/2023/10502 was for “erection of two dwellinghouses”.

1.2 The application was refused on 18th April 2024. The reasons for refusal are as follows.

Insert 1: Reasons for Refusal

1 The proposed development, due to the position of the site within the 'open countryside', would conflict with the settlement strategy of the Wiltshire Core Strategy. The development of the proposed site would elongate the built form along Alderton Road into the countryside, would consolidate development to the west of Alderton Road and impose development in a sensitive landscape area (National Landscape) contrary to the requirements of Core Policy 2 (i) & (ii). The proposal would not represent 'infill' within the existing built area of the village as defined by the Wiltshire Core Strategy. Furthermore, the site is within a location that has limited access to local services and public transport facilities and future occupants would need to travel by car to reach services, facilities and employment opportunities. There are no material circumstances which justify the approval of the proposed development and no objective evidence to demonstrate it would meet an identified housing need of the settlement or meet the criteria identified by Core Policy 2. The proposed development is considered to conflict with Core Policies 1, 2, 10, 60, 61 of the Wiltshire Core Strategy, Saved Policy H4 of the North Wiltshire Local Plan and Chapters 2, 4, 5 & 9 of the National Planning Policy Framework.

2 The application fails to demonstrate how the proposed development will integrate effectively into its surroundings, to conserve and/or enhance landscape character, relate positively to its landscape setting and protect the landscape character and visual amenity. Introducing two new dwellings to this site would erode the rural character, appearance and distinctiveness of the location within the National Landscape. The development therefore fails to accord with CP51 (ii), (iii), (ix) & 57 (i), (iii), (vi) of the Wiltshire Core Strategy, CE1 & CE3 of the Cotswold National Landscape Management Plan as well as Chapter 15 of the National Planning Policy Framework.

1.3 The officer’s report, as analysed in this document, raises concerns regarding the National Landscape (formerly AONB). Other site-specific matters such as highways, amenity, biodiversity, flooding etc are not matters of concern subject to conditions.

1.4 The key issues which arise from the Council’s decision are considered to be:

- whether this is infill development in accordance with the development plan. The reason for refusal describes that the proposed development would “**consolidate development**” on the west side of Alderton Road, and at the same time it would “**elongate the built form along Alderton Road**”. The development cannot do both at the same time;

- irrespective of whether this is consolidation or elongation, whether the proposed development would impose development in a sensitive landscape area to the extent that it is contrary to policy;
- whether the development is otherwise sustainable development.

1.5 This Appeal Statement:

(i) describes the proposals in section 2;

(ii) sets out the relevant planning policy in section 3;

(iii) sets out the Council's analysis and decision in section 4;

(iv) provides an assessment in section 5;

(v) and ends with conclusions in section 6.

2 THE PROPOSALS

2.1 The Appeal proposals are considered to be infill development. The proposed development is for two dwellings on the west side of Alderton Road, adjoining a row of housing with housing opposite.

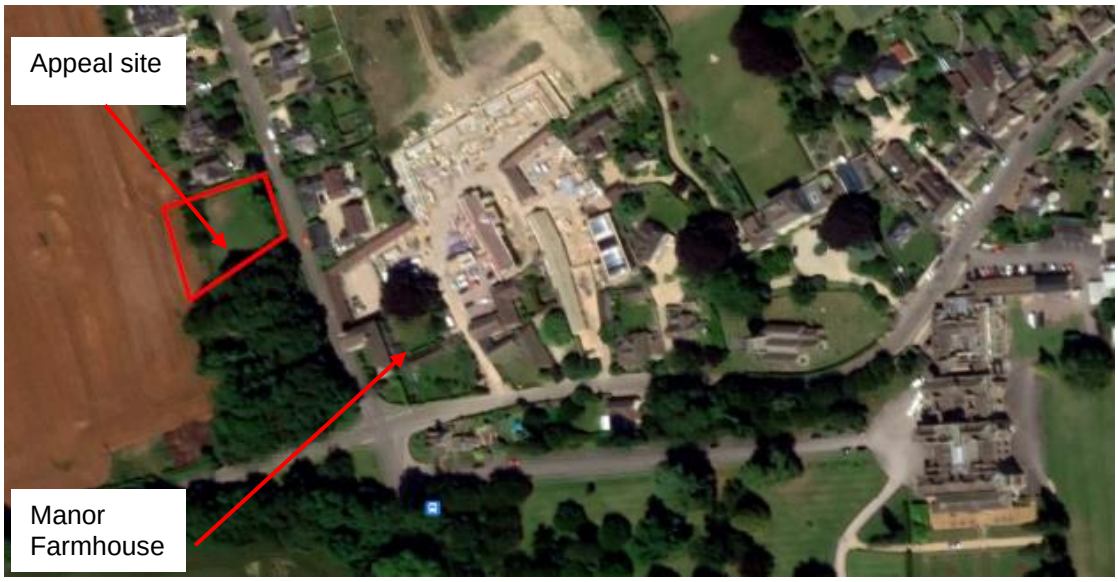
2.2 The Appeal Site is shown below. The centre of the village, as delineated by the pub and church, is also shown. For residents living north of the Appeal Site along Alderton Road, to get to the pub or church, or any of the other facilities in the village, you would have to walk past the Appeal Site.

Insert 2: The Appeal Site in Context



2.3 A closer image of the Appeal Site is shown below. The area under construction to the east is residential development permitted recently in a former farmyard.

Insert 3: The Proposed Site



2.4 Dwellings to the north have extended their gardens to the west under planning reference N/11/02686/FUL (change of use of agricultural land to gardens, land to rear of 9 -13 Alderton Road). This is shown below, being an extract from the Council's application register. The western boundary of the Appeal Site aligns with the garden extensions.

Insert 4: Plotting Sheet, Planning Application, Wiltshire Council (Appeal site shown in red)



2.5 The extension to the west of the rear gardens of 9-13 Alderton Road was permitted by the Council, together with the demolition and re-siting of the dry-stone wall to form the new boundary of the gardens, under N/11/02686/FUL and N/11/02687/CAC. The Appeal proposal would also reposition the dry-stone wall and will result in a straight field boundary, as the adjacent dwelling to the north (The Old Exchange) has now purchased that parcel in order to extend the garden as permitted.

2.6 The western boundary is marked on the following photograph (3 people mark the boundary). As can be seen this is a small area of land west of the existing wall, and aligns with the permitted western boundary of the adjacent dwellings.

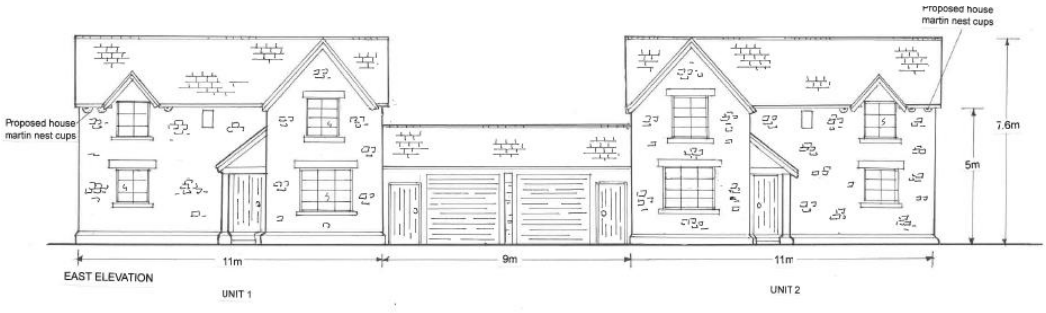
Photo 1: Marked out Boundary



2.7 The application was made in outline to construct two dwellings on the plot. The Council requested elevation and floor plans due to the site being in the Conservation Area.

2.8 The elevations from the east, as will be seen from the road, are shown below.

Insert 5: Proposed East Elevations



2.9 The design is intended to be very much in keeping with the street scene and is largely based on the dwelings to the north along the road, shown below.

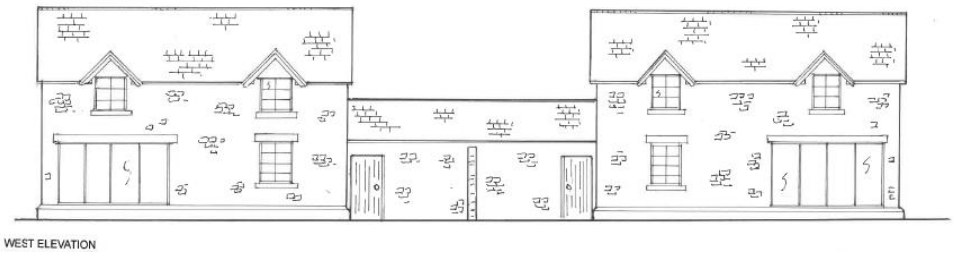
Photos 2 and 3: Neighbouring Dwelling Houses (taken December 2022)





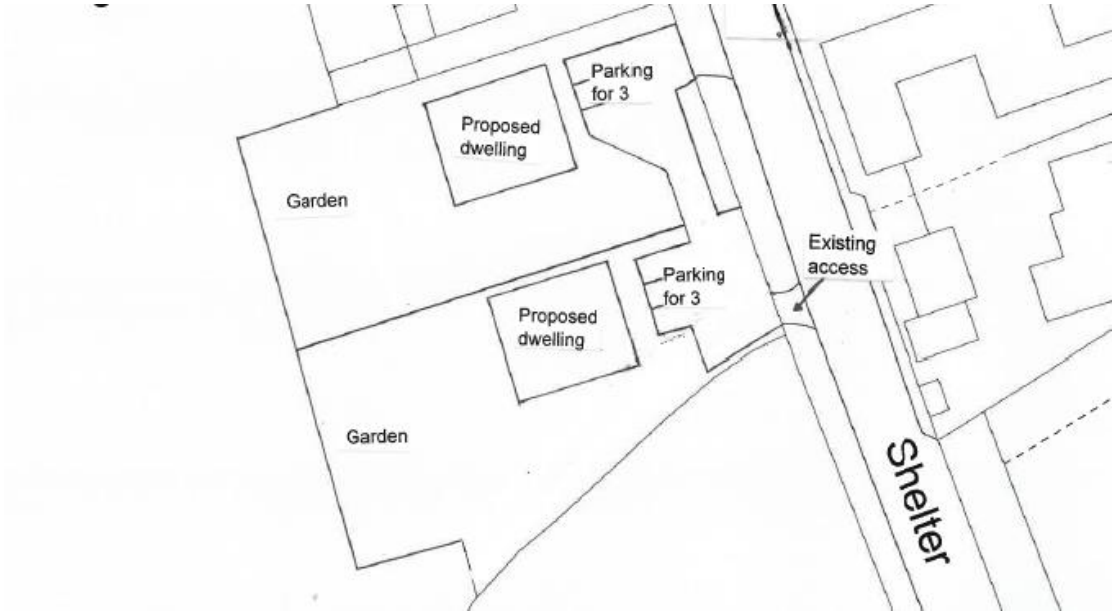
2.10 The dwelllings will be seen from the street, as discussed in this evidence. The Council alleges that they will also be visible from longer-distance from the west, and therefore the western elevations may be relevant. They are shown below.

Insert 6: The Western Elevation



2.11 As shown on the extract below from the Block Plan (KCC3392/02) the existing gateway will be used.

Insert 7: Extract from the Block Plan



2.12 This gateway is shown below.

Photo 4: The Site and Gateway (September 2024)



2.13 Views north and south towards the proposed dwellings are shown below.

Photos 5 and 6: Views Looking South and North





2.14 No pavement is proposed outside the dwellings. It is intended that the residents walk into the village using the pavement on the east side of Alderton Road, in common with all the residents of Alderton Road.

3 PLANNING POLICY OF RELEVANCE

3.1 The reason for refusal references several policies in relation to open countryside and landscape setting and character.

NPPF

3.2 The National Planning Policy Framework (2023) identifies in paragraph 80 that planning policies and decisions should avoid the development of isolated homes in the countryside unless one of the listed circumstances applies.

3.3 The Courts have considered what "isolated" is in the context of this policy. In the judgement at Braintree DC v SSCLG [2018] EWCA Civ 610 it was held that "isolated" must be considered in its normal meaning, being whether or not there is other development nearby.

3.4 Paragraph 135 (part C) states that planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

Core Strategy

3.5 The reasons for refusal states that the development fails to accord with Core Policies, 1, 2, 10, 51, 57, 60 and 61.

3.6 CP1 and CP2 relates to Settlement and Delivery Strategy. CP1 identifies the settlements where sustainable development will take place to improve the lives of all those who live and work in Wiltshire. Development in small villages will be limited to that needed to help the housing needs of settlements. CP2 is in line with CP1 and seeks to deliver development in Wiltshire between 2006 and 2026 in the most suitable way.

3.7 Policy CP2 supports the development the subject of the appeal, however (subject to site-specific matters, as identified). The policy states:

"**At the Small Villages development will be limited to infill within the existing built area. Proposals for development at the Small Villages will be supported where they seek to meet housing needs of settlements or provide employment, services and facilities provided that the development:**

(i) respects the existing character and form of the settlement;

(ii) does not elongate the village or impose development in sensitive landscape areas;

(iii) does not consolidate any existing sporadic loose knit areas of development related to the settlement".

3.8 CP10 relates to Spatial Strategy for the Chippenham Community Area. This policy states that development in the Chippenham Community Area should be in accordance with the Settlement Strategy set out in CP1.

3.9 CP51 relates to Landscape and CP57 relates to Ensuring High Quality Design and Place Shaping. CP51 states that development should protect, conserve and where possible enhance landscape character. CP57 states that a high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings.

3.10 CP60 and CP61 relates to Sustainable Transport and Transport and Development. CP60 states that the council will use its planning and transport powers to help reduce the need to travel particularly by private car, and support and encourage the sustainable, safe and efficient movement of people and goods within and through Wiltshire. CP61 states that development should be located and designed to reduce the need to travel particularly by private car, and to encourage the use of sustainable transport alternatives.

3.11 The policy and supporting text for all policies is set out in **Appendix KCC1**.

4 COUNCIL'S ANALYSIS AND DECISION

4.1 The officer report is reproduced in **Appendix KCC2**.

4.2 Reason for Refusal No 1 is based around an assessment that the proposal is not infill, conflicting with all parts of CP2, and so is not acceptable in principle. Reason for Refusal No 2 is about landscape harm, alleging that the development would erode rural character.

Principle of Development

4.3 The paragraph in relation to the principle of development states the main issue is as follows;

"**Due to the position of the site within the 'open countryside', would conflict with the settlement strategy of the Wiltshire Core Strategy. The development of the proposed site would elongate the built form along Alderton Road into the countryside, would consolidate development to the west of Alderton Road and impose development in a sensitive landscape area.**

The proposal would not represent 'infill' within the existing built area of the village. Furthermore, the site is within a location that has limited access to local services and public transport facilities".

Character and Appearance – Including Landscape

4.4 The paragraph in relation to this concern states that the application fails to demonstrate how the development would enhance landscape character and/or effectively integrate into its surroundings.

4.5 The paragraph concludes by saying that **"introducing two new dwellings to this site would erode the rural character, appearance and distinctiveness of the location within the National Landscape"**.

4.6 No concerns were raised with regards to heritage impacts, residential amenity, highway safety, accessibility and parking, drainage and flood risk and ecology.

5 ASSESSMENT

Issues to be Addressed

5.1 Core Policy 2 permits development in the Small Villages. Grittleton is a Small Village (policy CP10 refers). Policy CP2 permits development "**infill within the existing built area**". Development that accords with that part of the policy does not then have to be assessed for whether the location is sustainable or well-served by public transport. That is implicit in the CP2 policy. Therefore it is necessary to consider:

(i) whether this is infill in the context of CP2;

(ii) if it is not then whether, given the Council's housing position, it is otherwise sustainable development.

5.2 In respect of site-specifics, it must be considered whether or not the development will result in any harm that would result in the proposal being unacceptable. The harm the Council identifies is landscape character.

Policy in CP2

5.3 As set out in 3.7 policy CP2 supports development at the small villages provided that the development:

- respects the existing character;
- does not elongate the village;
- does not impose development in sensitive landscape areas;
- does not consolidate an existing sporadic loose-knit area of development.

Reason for Refusal

5.4 Reason for Refusal 1 and 2 manage to find harm to all four of these:

- RR2 alleges erosion of rural character, character and appearance;
- RR1 alleges that the development would elongate development along Alderton Road;
- RR1 also alleges that the development would consolidate development to the west of Alderton Road;
- RR1 also alleges that the proposed would impose in a sensitive landscape area.

Analysis

5.5 I analyse the reason for refusal against the Core Policy 2 criteria in the following order:

(i) is this "**elongation of the village**" or "**consolidation of an existing sporadic loose knit area of development**";

(ii) if not, is it "**imposing development in sensitive landscape areas**";

(iii) and if not does it "**respect the existing character and form of the settlement**"?

Infill or Consolidation

5.6 Core Policy 2 does not have a definition, but it provides a clear steer. It supports "**infill within the existing built area**". It gives three requirements:

- development should respect the existing character and form of the settlement;
- it should not elongate the village or impose development into sensitive landscape areas;
- it should not consolidate an existing sporadic loose-knit area of development related to the settlement.

5.7 The Council is not alleging that the style and form of the development does not respect the character and form of the settlement. The Council has assessed the heritage impacts and concluded that "**it is considered that the harm could be further minimised through securing a high quality, traditional design and material finish along with an appropriate landscaping scheme to aid the development to integrate into its surroundings. On that basis, it is considered that the level of harm could be minimised and broadly justified so as not to warrant refusal of the outline permission on this basis alone**".

5.8 The Council has raised an issue of landscape impact, but has not alleged that the development would not respect the character and form of the settlement.

5.9 The Council is alleging that development is consolidating an existing sporadic loose-knit area (bullet 3).

5.10 The Council's is also alleging, as set out in the reason for refusal, that the development would "elongate" the village.

5.11 In the same sentence the reason for refusal states that the development would "**consolidate development to the west of Alderton Road**" but would also "**elongate the built form along Alderton Road and impose development into the countryside**".

5.12 "Consolidate" and "elongate" are basically opposites. Consolidate means draw together, elongate means extend. The Council's reason for refusal does seem to have thrown everything at the decision notice. Both cannot be true simultaneously.

5.13 I address "elongate" first. "Elongate" means "**to make or become longer; stretch**" (The Collins England Dictionary). Therefore I review whether the plot makes the settlement longer.

5.14 Core Policy 2 permits development provided that "**the development…ii) does not elongate the village….**". The fact that a plot is next to another dwelling is not elongation in the context of the policy. The policy is about elongating the village.

5.15 If the Appeal Site would form the last houses going out of the village, or the first houses a person would pass on the way into a village, that would be an elongation. But that is not what is proposed in this case.

5.16 In the context of the facilities and layout of the settlement, the dwellings are closer to the centre of the village than all the houses along Alderton Road, as shown below. You have passed 14 dwellings east and west of Alderton Road if entering from the north. Therefore you would pass 14 dwellings east and west of Alderton Road after you pass the Appeal Site if leaving the village. The Appeal site, in that context, cannot be elongating the village.

Insert 8: Location Relative to Village



5.17 Taken in the context of the Conservation Area, the plot is well related to the settlement, and cannot reasonably be described as making the village longer or stretching the development.

Insert 9: Plot Relative to Conservation Area



5.18 If you entered the edge of the village along Alderton Road, passing the houses and the Appeal Site, you could not exit the village without passing further housing. There are two houses opposite the Appeal Site, then you would (travelling south) past Manor Farm, reach the crossroads, where you would still see village dwellings. The village has not been elongated.

Photos 7 and 8: Going South Along Alderton Road





5.19 As you walk south along Alderton Road towards the plot you will not get the sense that the village has been elongated. You will be walking towards the crossroads, with development on your right and left. The plot will not "stretch" the village.

Photo 9: Looking South Along Alderton Road



5.20 Walking north along Alderton Road the plot will be on your left. Two houses here will be seen in the context of houses on the left and right stretching ahead of you along the road. The plot will not elongate or stretch the village.

Photo 10: Looking North along Alderton Road



5.21 The plot does not from any direction "**elongate the village**".

5.22 Therefore I consider whether the proposal will "**consolidate an existing sporadic loose-knit area of development related to the settlement**", as per Core Policy 2, which the Council alleges as well.

5.23 The Collins English Dictionary defines "consolidate as "**to form or cause to form into a solid mass or whole; unite or be united**".

5.24 This test is only part of the policy. The "consolidate" part of the policy only applies to "**an existing sporadic loose-knit area of development**". It applies to intermittent housing development areas. In my opinion the proposed location cannot reasonably be described as a "sporadic loose-knit area of development".

Insert 10: The Appeal Site



Source: Wiltshire Council Planning Website

5.25 Therefore this is not development that will consolidate an existing sporadic loose-knit area of development related to the settlement.

5.26 In terms of what is an infill, this plot is an obvious infill.

5.27 Two examples where the Council has considered development to be infill, not elongate, in similar locations are shown below.

- **PL/2022/09068 –** Erection of two dwellings. The decision notice does not mention that the development will "**elongate**" the village. The site can be seen below from Google Earth.

- *Insert 11: The Site*



- **PL/2021/03253** – Erection of two detached dwellings. The officer's report is not public on the Council's website, however it was approved with conditions. The site can be seen below from Google Earth.

  Insert 12: The Site



Imposing Development: Sensitive Area?

5.28 The Council' decision is that the development would result in unacceptable landscape harm. In particular the reason for refusal states that the proposals will "**impose development in a sensitive landscape area (National Landscape)**".

5.29 It is not clear from the officer report whether the officer made her own landscape assessment, as reference is made to the Applicant's photos 10 and 14 allegedly showing the site backing onto open countryside with open landscape views beyond. We will assume a site visit was carried out. The views of concern identified in the officer's report will therefore be assumed to be the only views that the Council will rely upon on appeal.

5.30 The two views, therefore, are:

(i) views from Alderton Road looking west over the application site, as shown in Photos 10 and 14 of the application report (I reproduce these below);

(ii) views when approaching the village from the west.

5.31 Views directly over the site from Alderton Road when you stand looking west over the site, will be altered. That of itself is not a landscape harm.

5.32 The officer's report references photos 10 and 14 from the application report, so I reproduce those below.

Photos 11 and 12: Photos 10 and 14 from the Supporting Statement





5.33 These are of couse winter views, with bare vegetation.

5.34 These are also views over a small paddock from the street, for a short distance between woodland and the houses of Alderton Road. There is no suggestion, and no basis for suggesting, that this is a particularly important landscape view, or a particularly sensitive landscape area. It is not a "**sensitive landscape area**" in CP2 terms.

5.35 Looking towards the site from a short distance to the south, the landscape will not be altered, as shown below.

Photo 13: From the South



5.36 From the north, the same is true.

Photo 14: From the North



5.37 Therefore as seen from Alderton Road there is no harm to a sensitive landscape area.

5.38 Views from the road approaching from the west are very limited.

5.39 As can be seen below, the lane has a strong hedge bordering it on its north side, so this limits views. There are only two gateways to the north of this road where glimpsed views are possible if you stop and look over the gates.

Insert 13: The Lane to the West



5.40 Views from the western gateway are shown below. You have to lean over the gateway to see the plot.

Photos 15 and 16: Views from Gaps to the West





5.41 Would two houses in this view impact on a sensitive landscape area? They would not. In summer, as shown on a zoom image below, you can see houses to the left and right of the plot, but not behind. And only if you lean over the gate.

Photo 17: Zoomed-in Image



5.42 As noted earlier, the gardens to the existing row of hourses have been extended to the west, and the wall repositioned, with planning consent. The Appeal proposal's western boundary will line up with those extended gardens.

5.43 In winter, when the leaves are fallen, the houses behind (ie to the east) of the plot will also be visible, again if you lean over the gate to look.

5.44 It cannot be seriously argued that a glimpsed view from one gateway is enough to define the site as a “sensitive landscape area”.

5.45 Houses in this location will have no significant alteration to the landscape character, appearance and distinctiveness of the loction within the National Landscape. In places the houses will be visible, but in the context of other houses. That, however, is far short of causing unacceptable harm to landscape character.

5.46 The gateway nearest to the village is shown below.

Photo 18: The Eastern Gateway



5.47 If you lean over the gateway you can see the site, identifiable by the electicity pole. You can also see houses beyond up Alderton Road, and to the east on the other side of Alderton Road.

Photo 19: Leaning Over the Gateway



5.48 The Appeal Site is not highly visible, and glimpsed views are towards the village with development to the side and in the background. The appeal proposals will not "**impose development in sensitive landscape areas**".

5.49 The officer's report and Reason for Refusal suggest that this is "**a sensitive landscape**" because it is in the National Landscape (AONB). The whole village, and large parts of Wiltshire, are in the National Landscape. Inclusion in that designated landscape cannot be enough on its own to make this a "**sensitive landscape**" in CP2 terms, because the policy would then not be workable for any small village in a designated landscape.

5.50 CPS requires a site-specific analysis of harm. There is no harm. Therefore no part of Core Policy 2 criterion ii) is harmed.

Character and Form of the Settlement

5.51 Reason for Refusal 1 sets out that the development would elongate, consolidate and harm a sensitive landscape area "**contrary to the requirements of Core Policy 2 (i) and (ii)**". CP2 (i) is about respecting existing character and form of the settlement. CP2 (ii) is about elongation. CP2 (iii) is about consolidation. The Council's words and policy references do not tally.

5.52 CP2 (i) is that development should respect "**the existing character and form of the settlement**". This is not a landscape poicy requirement.

5.53 The officer's report, in the heritage impacts section, considers the character and form of the settlement as follows:

> "**It is considered that an appropriate high quality external material finish could be secured by condition and whilst matters relating landscaping of the site are a reserved matter, there remains a concern that the development of two dwellings on the site, regardless of the final landscaping layout, would erode the rural character of the settlement edge which contributes positively to the appearance of the conservation area in this location. For this reason, the proposal would fail to conserve or enhance the special character and appearance of the conservation area resulting in conflict with Core Policy 58 (iv).**
>
> **The proposal will result in harm as identified above which is considered to be at the lower end of 'less than substantial harm' under the terms of the NPPF. In accordance with paragraph 208 of the NPPF any harm that has been identified should be weighed against any public benefits.**

In this case the proposal would deliver public benefits in the form of two dwellings along with economic benefits during construction and future occupation. It is considered that the harm could be further minimised through securing a high quality, traditional design and material finish along with an appropriate landscaping scheme to aid the development to integrate into its surroundings. On that basis, it is considered that the level of harm could be minimised and broadly justified so as not to warrant refusal of the outline permission on this basis alone".

5.54 Whilst the officer raises landscape harm, if two houses can be designed acceptabley within the Conservation Area it is not credible to argue that there will be harm to the "**existing character and form of the settlement**", which is the Core Policy 2 (i) test.

5.55 The Appellant's have recently converted buidlings and built new dwellings. A photograph of some of these show how dwellings can be built that enhance the existing character of the Conservation Area.

Photo 20: Buildings to the North of Manor Farm



5.56 Reason for Refusal 2 is not sustainable.

Housing Land Supply

5.57 The Council does not have a 5 year housing land supply.

5.58 Under the December 2023 amendments to the NPPF, the Council concluded that it only had to show 4 years, as explained in their email of 4th April 2024, reproduced in **Appendix KCC3**.

5.59 The current consultation on alterations to the NPPF is to reverse the December 2023 alteration. Councils would return to needing to show 5 years plus a buffer. If

implemented, the Council will not have a housing land supply and, irrespective of any of the above considerations, sustainable development will be permitted.

5.60 Grittleton has services, as described in the application report, paragraphs 4.7 to 4.9, repeated as follows:

"4.7 The Glossary of the Core Strategy defines a "**sustainable location**" as follows:

"**location or site for housing that is close to employment, schools, shops, parks, civic buildings and other services and amenities; is accessible by existing roads and close to existing public transport services; can be linked easily to existing infrastructure for roads, water, waste, and utilities; has low flood risk; and avoids sensitive features of the natural environment**".

4.8 **Proximity to surrounding services**. The site is within walking or cycling distance of a number of facilities, as set out in the table below.

Table 1: Distance to Local Facilities

Facility	**Distance**	**Route**
Pub	390m	Pavement
Church	260m	Pavement
Village Hall	675m	Pavement
Tennis courts	675m	Pavement
Cricket pitch	675m	Pavement
Wedding and events venue	130m	Pavement

4.9 Therefore within half a mile can be found a number of facilities. Grittleton is a small village, and these are the only services available."

5.61 The officer's report sets out how this is not sustainably located, yet Core Policy 2 allows for infill. If an infill development in a Small Village is sustainable development (which it must be, under CP2), then there is no logical basis for concluding that a plot adjoining houses in the village, even if not technically "infill", is somehow not sustainably located.

5.62 This is sustainable development and, in the event that the policy is that a 5 year + housing land supply is again required, the appeal should be allowed. The Council does not have a 5 year housing supply. See **Appendix KCC4**.

6 CONCLUSIONS

6.1 The Council's first reason for refusal concludes that the development fails to comply with Core Policy 2 (i) and (ii) and is unsustainably located. The reason states that the development will elongate the village, consolidate development to the west of Alderton Road and impose development in a sensitive landscape area (National Landscape). The words therefore describe conflict with CP2 parts (ii) and (iii) but not part (i) as listed in the decision.

6.2 CP2 (i) is not harmed. The proposed development respects the character and form of the settlement, with the proposal being for two houses similar to the other houses along Alderton Road, of a style in keeping, set back a similar distance, and of similar materials. The Council is happy that development will not unacceptably harm the Conservation Area. That same development must, therefore, respect the existing character and form of the settlement.

6.3 CP2 (ii) requires that the development does not elongate the village or impose development in a sensitive landscape area. Elongate means to make longer or stretch. If the plot was at the other end of Alderton Road, and hence the dwellings would become the new and extended edge of the village, such an accusation could be made. But the dwellings are closer to the centre of the village than the 16 or so houses along Alderton Road. You pass the site on the way into the village but once you are already within the village. This is not elongation.

6.4 Nor is it imposing development into a sensitive landscape area. The fact that the village, and the appeal site, are within the National Landscape (which RR1 references in the context of sensitive landscape area) is not enough to prevent development. If that was enough, CP2 would not apply to any settlement in the National Landscape. CP2 applies to Grittleton, which falls in the National Landscape.

6.5 Therefore the "**sensitive landscape area**" criterion needs a site-specific analysis. This is not a particularly sensitive area. If you stand on Alderton Road looking west over the appeal site the landscape will change, but nobody has suggested that is a particularly important or sensitive view. The proposed dwellings will be in character with the village. The development will not impose into a sensitive landscape area. Criterion CP2 (ii) is not harmed.

6.6 Whilst not listing CP2 (iii) in the decision letter, the reason for refusal alleges that the development will harm policy CP2 by causing consolidation of development on the west side of Alderton Road. The impression is that the Council have attempted to throw everything at the decision. "Consolidate" is basically the opposite of "elongate". The development cannot do both simultaneously. But even if it did consolidate, CP2 (iii) applies only to areas of loose-knit development, which this area is not. CP2 (iii) is not harmed.

6.7 Consequently this fits within the definition of infill in CP2.

6.8 There is no need to then consider access to services. In drafting CP2 the Council has identified infill as sustainable development.

6.9 Reason for Refusal 2 alleges that the development will erode the rural character, appearance and distinctiveness of the location within the National Landscape. The officer's report refers to views on approach to the village from the road to the west. As no other viewpoints are identified we trust this is the only direction of concern.

6.10 On approach from the west the houses along Alderton Road cannot generally be seen because of hedges. There are two gateways affording views to the rear of houses on Alderton Road. If you lean over the gates you will glimpse the appeal site, in a view that has existing houses to the left and behind the appeal site. The landscape will not be harmed by the two proposed dwellings, which will be seen in the context of the existing village. The landscape and rural character harm alleged of RR2 is not substantiated.

6.11 Finally the Council cannot show a 5 year housing land supply. The Council has argued that under the December 2023 amendments to the NPPF it does not need to. If those December 2023 amendments are reversed, as is currently the consultation proposal, then the Council's housing land supply will be short.

6.12 This is a sustainably located site, in a settlement with sufficient services to support infill development. There are no site-specific reasons to resist the development, which accords with the development plan.

APPENDIX KCC1

Local Plan Extracts

Core Policy 1

Settlement Strategy

The Settlement Strategy identifies the settlements where sustainable development will take place to improve the lives of all those who live and work in Wiltshire.

The area strategies in Chapter 5 list the specific settlements which fall within each category.

Principal Settlements

Wiltshire's Principal Settlements are strategically important centres and the primary focus for development. This will safeguard and enhance their strategic roles as employment and service centres.

They will provide significant levels of jobs and homes, together with supporting community facilities and infrastructure, meeting their economic potential in the most sustainable way to support better self containment.

The Principal Settlements are: Chippenham, Trowbridge and Salisbury.

Market Towns

Outside the Principal Settlements, Market Towns are defined as settlements that have the ability to support sustainable patterns of living in Wiltshire through their current levels of facilities, services and employment opportunities.

Market Towns have the potential for significant development that will increase the jobs and homes in each town in order to help sustain and where necessary enhance their services and facilities and promote better levels of self containment and viable sustainable communities.

The Market Towns are: Amesbury, Bradford on Avon, Calne, Corsham, Devizes, Malmesbury, Marlborough, Melksham, Tidworth and Ludgershall, Warminster, Westbury, and Royal Wootton Bassett.

Local Service Centres

Local Service Centres are defined as smaller towns and larger villages which serve a surrounding rural hinterland and possess a level of facilities and services that, together with improved local employment, provide the best opportunities outside the Market Towns for greater self containment.

Local Service Centres will provide for modest levels of development in order to safeguard their role and to deliver affordable housing.

The Local Service Centres are: Pewsey, Market Lavington, Cricklade, Tisbury, Mere, Downton and Wilton.

Large and Small Villages

Large Villages are defined as settlements with a limited range of employment, services and facilities. Small Villages have a low level of services and facilities, and few employment opportunities.

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.

The Large and Small Villages are: see area strategies, Chapter 5.

Core Policy 2

Delivery Strategy

In line with Core Policy 1, the delivery strategy seeks to deliver development in Wiltshire between 2006 and 2026 in the most sustainable manner by making provision for at least 178ha of new employment land and at least 42,000 homes distributed as follows:

	Minimum housing requirement (dwellings)
East Wiltshire HMA	5,940
North and West Wiltshire HMA	24,740
South Wiltshire HMA	10,420
West of Swindon[26]	900
Wiltshire	42,000

This will be delivered in a sustainable pattern in a way that prioritises the release of employment land and the re-use of previously developed land to deliver regeneration opportunities, and to limit the need for development on Greenfield sites, with approximately 35% of development taking place on previously developed land.

The 42,000 homes will be developed in sustainable locations in conformity with the distribution set out above, against which the land supply situation will be assessed. A more detailed distribution is set out in the Community Area Strategies. Development proposals should also be in general conformity with these.

Sites for development in line with the Area Strategies will be identified through subsequent Site Allocations DPDs and by supporting communities to identify sites through neighbourhood planning.

Within the defined limits of development

Within the limits of development, as defined on the policies map, there is a presumption in favour of sustainable development at the Principal Settlements, Market Towns, Local Service Centres and Large Villages.

Outside the defined limits of development

Other than in circumstances as permitted by other policies within this plan, identified in paragraph 4.25, development will not be permitted outside the limits of development, as defined on the policies map. The limits of development may only be altered through the identification of sites for development through subsequent Site Allocations Development Plan Documents and neighbourhood plans.

At the Small Villages development will be limited to infill within the existing built area. Proposals for development at the Small Villages will be supported where they seek to meet housing needs of settlements or provide employment, services and facilities provided that the development:

i) Respects the existing character and form of the settlement

ii) Does not elongate the village or impose development in sensitive landscape areas

iii) Does not consolidate an existing sporadic loose knit areas of development related to the settlement.

Strategically important sites

Development will be supported at the following sites in accordance with the Area Strategies and requirements in the development templates at Appendix A.

Central Car Park, Salisbury
Up to 40,000 sqm retail and leisure floor space and 200 dwellings

Churchfields & Engine Sheds, Salisbury
5 ha of retained employment land and 1,100 dwellings

Drummond Park, Ludgershall
475 dwellings

Former Imerys Quarry, Salisbury
4 ha of employment land

Fugglestone Red, Salisbury
8 ha of employment land and 1,250 dwellings

Hampton Park, Salisbury

500 dwellings

Horton Road, Devizes

8.4 ha of employment land

Kings Gate, Amesbury

1,300 dwellings

Kingston Farm and Moulton Estate, Bradford on Avon

2-3 ha of employment land and 150 dwellings

Longhedge (Old Sarum), Salisbury

8 ha of employment land and 450 dwellings

Mill Lane, Hawkeridge, Westbury

14.7 ha of employment land

Salisbury Road, Marlborough

220 dwellings

Ashton Park, South East Trowbridge

15 ha of employment land and 2,600 dwellings

Station Road, Westbury

250 dwellings

UKLF, Wilton

3 ha of employment land and 450 dwellings

West of Warminster

6 ha of employment land and 900 dwellings

Masterplans will be developed for each strategically important site in partnership between the local community, local planning authority and the developer, to be approved by the council as part of the planning application process. At mixed use sites development will be phased to ensure employment land, and its appropriate infrastructure, is brought forward during the early stages of development.

Core Policy 10

Spatial Strategy: Chippenham Community Area

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

Principal Settlements: Chippenham

Large Villages: Christian Malford, Hullavington, Kington St Michael, Sutton Benger and Yatton Keynell

Small Villages: Biddestone, Burton, Grittleton, Kington Langley, Langley Burrell, Lower Stanton St Quintin, Nettleton, Stanton St Quintin and Upper Seagry

The following Principal Employment Areas will be supported in accordance with Core Policy 35: Bumpers Farm Industrial Estate, Methuen Park and Parsonage Way Industrial estate.

Over the plan period (2006 to 2026), 26.5 ha of new employment land (in addition to that already provided or committed at April 2011)[12] and approximately 5,090 new homes will be provided. At least 4,510 should occur at Chippenham.

Allocations at Chippenham will be identified in the Chippenham Site Allocations Development Plan Document (DPD) and will accommodate approximately 26.5 ha of land for employment and at least 2,625 new homes. The DPD will set out a range of facilities and infrastructure necessary to support growth. Areas for growth and site allocations within the DPD will be guided by the following criteria:

1. The scope for the area to ensure the delivery of premises and/or land for employment development, reflecting the priority to support local economic growth and settlement resilience.

2. The capacity to provide a mix of house types for both market and affordable housing, alongside the timely delivery of the facilities and infrastructure necessary to serve them.

3. Offers wider transport benefits for the existing community, has safe and convenient access to the local and primary road network and is capable of

redressing transport impacts, including impacts affecting the attractiveness of the town centre.

4. Improves accessibility by alternatives to the private car to the town centre, railway station, schools and colleges and employment.

5. Has an acceptable landscape impact upon the countryside and the settings to Chippenham and surrounding settlements, improves biodiversity and access and enjoyment to the countryside.

6. Avoids all areas of flood risk (therefore within zone 1) and surface water management reduces the risk of flooding elsewhere.

Sites that do come forward should be the subject of a partnership between the private and public sectors based on frontloading with a masterplan to be approved by the local planning authority as part of the planning application process. This masterplan will guide the private sector led delivery of the site.

Approximately 580 homes will be provided in the rest of the Community Area over the plan period.

Development proposals in the Chippenham Community Area will need to demonstrate how the relevant issues and considerations listed in paragraphs 5.48 and 5.54 will be addressed.

Core Policy 51

Landscape

Development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures. Proposals should be informed by and sympathetic to the distinctive character areas identified in the relevant Landscape Character Assessment(s) and any other relevant assessments and studies. In particular, proposals will need to demonstrate that the following aspects of landscape character have been conserved and where possible enhanced through sensitive design, landscape mitigation and enhancement measures:

i. The locally distinctive pattern and species composition of natural features such as trees, hedgerows, woodland, field boundaries, watercourses and waterbodies.

ii. The locally distinctive character of settlements and their landscape settings.

iii. The separate identity of settlements and the transition between man-made and natural landscapes at the urban fringe.

iv. Visually sensitive skylines, soils, geological and topographical features.

v. Landscape features of cultural, historic and heritage value.

vi. Important views and visual amenity.

vii. Tranquillity and the need to protect against intrusion from light pollution, noise, and motion.

viii. Landscape functions including places to live, work, relax and recreate.

ix. Special qualities of Areas of Outstanding Natural Beauty (AONBs) and the New Forest National Park, where great weight will be afforded to conserving and enhancing landscapes and scenic beauty.

Proposals for development within or affecting the Areas of Outstanding Natural Beauty (AONBs), New Forest National Park (NFNP) or Stonehenge and Avebury World Heritage Site (WHS) shall demonstrate that they have taken account of the

objectives, policies and actions set out in the relevant Management Plans for these areas. Proposals for development outside of an AONB that is sufficiently prominent (in terms of its siting or scale) to have an impact on the area's special qualities (as set out in the relevant management plan), must also demonstrate that it would not adversely affect its setting.

Core Policy 57

Ensuring high quality design and place shaping

A high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality. Applications for new development must be accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire through:

i. enhancing local distinctiveness by responding to the value of the natural and historic environment, relating positively to its landscape setting and the existing pattern of development and responding to local topography by ensuring that important views into, within and out of the site are to be retained and enhanced

ii. the retention and enhancement of existing important landscaping and natural features, (e.g. trees, hedges, banks and watercourses), in order to take opportunities to enhance biodiversity, create wildlife and recreational corridors, effectively integrate the development into its setting and to justify and mitigate against any losses that may occur through the development

iii. responding positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting

iv. being sympathetic to and conserving historic buildings and historic landscapes

v. the maximisation of opportunities for sustainable construction techniques, use of renewable energy sources and ensuring buildings and spaces are orientated to gain maximum benefit from sunlight and passive solar energy, in accordance with Core Policy 41 (Sustainable Construction and Low Carbon Energy)

vi. making efficient use of land whilst taking account of the characteristics of the site and the local context to deliver an appropriate development which relates effectively to the immediate setting and to the wider character of the area

vii. having regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing, vibration, and pollution (e.g. light intrusion, noise, smoke, fumes, effluent, waste or litter)

viii. incorporating measures to reduce any actual or perceived opportunities for crime or antisocial behaviour on the site and in the surrounding area through the creation of visually attractive frontages that have windows and doors located to assist in the informal surveillance of public and shared areas by occupants of the site

ix. ensuring that the public realm, including new roads and other rights of way, are designed to create places of character which are legible, safe and accessible in accordance with Core Policy 66 (Strategic Transport Network)

x. the sensitive design of advertisements and signage, which are appropriate and sympathetic to their local setting by means of scale, design, lighting and materials

xi. taking account of the needs of potential occupants, through planning for diversity and adaptability, and considering how buildings and space will be used in the immediate and long term future

xii. the use of high standards of building materials, finishes and landscaping, including the provision of street furniture and the integration of art and design in the public realm

xiii. the case of major developments, ensuring they are accompanied by a detailed design statement and masterplan, which is based on an analysis of the local context and assessment of constraints and opportunities of the site and is informed by a development concept, including clearly stated design principles, which will underpin the character of the new place

xiv. meeting the requirements of Core Policy 61 (Transport and New Development).

Core Policy 60

Sustainable transport

The council will use its planning and transport powers to help reduce the need to travel particularly by private car, and support and encourage the sustainable, safe and efficient movement of people and goods within and through Wiltshire.

This will be achieved by:

i. planning developments in accessible locations

ii. promoting sustainable transport alternatives to the use of the private car

iii. maintaining and selectively improving the local transport network in accordance with its functional importance and in partnership with other transport planning bodies, service providers and the business community

iv. promoting appropriate demand management measures

v. influencing the routing of freight within and through the county

vi. assessing and, where necessary, mitigating the impact of developments on transport users, local communities and the environment.

Core Policy 61

Transport and new development

New development should be located and designed to reduce the need to travel particularly by private car, and to encourage the use of sustainable transport alternatives.

As part of a required transport assessment, the following must be demonstrated:

i. That consideration has been given to the needs of all transport users, where relevant, according to the following hierarchy:

   a. Visually impaired and other disabled people

   b. Pedestrians

   c. Cyclists

   d. Public transport

   e. Goods vehicles

   f. Powered two-wheelers

   g. Private cars.

ii. That the proposal is capable of being served by safe access to the highway network.

iii. That fit for purpose and safe loading/unloading facilities can be provided where these are required as part of the normal functioning of the development.

Where appropriate, contributions will be sought towards sustainable transport improvements, and travel plans will be required to encourage the use of sustainable transport alternatives and more sustainable freight movements.

APPENDIX KCC2

Officer's Report

DELEGATED REPORT

Application Reference:	PL/2023/10502
Application Type:	Outline planning permission – some matters reserved
Site Address:	Land West of Stonewold House, Alderton Lane, Grittleton, Wiltshire, SN14 6AN
Proposal:	Erection of two dwellinghouses.
Recommendation:	Planning Permission be REFUSED

SITE AND PROPOSAL

The application site is located at the western side of Alderton Road, to the edge of the Small Village of Grittleton. The site comprises undeveloped agricultural land covering an area of approximately 0.16ha within the open countryside. The site is outside the limits of development of any settlement and unallocated for any form of development in an adopted development plan. The applicant describes that the land is not currently used except for a short section of farm track from the gated access onto Alderton Road. It is stated that the land has been used as a domestic vegetable garden though there is no planning history relating any such use. The site falls within the village Conservation Area and the closest listed buildings are Manor Farmhouse and Masons to the opposite side of the road, approximately 75m away for the site. The site also falls within the Cotswold National Landscape (formerly AONB). There are no significant ecological designations affecting the site. The closest Public Right of Way (GRIT8) extends away form the site to the north west at a distance of approximately 140m. The site falls wholly within Flood Zone 1 and the site is not identified as being at risk of surface or ground water flooding.

The application seeks permission for the erection of two 4 bedroom dwellings. The application seeks outline planning permission with some matters reserved, the only matter being 'Landscaping'.

PLANNING HISTORY

None relevant to the application site

POLICIES & GUIDANCE

Wiltshire Core Strategy 2015 (WCS):
CP 1 Settlement Strategy
CP 2 Delivery Strategy
CP10 The Spatial Strategy: Chippenham Community Area
CP44 Rural Exception Sites
CP48 Supporting Rural Life
CP50 Biodiversity and Geodiversity
CP51 Landscape
CP57 Ensuring High Quality Design and Place Shaping
CP60 Sustainable Transport

CP61 Transport and New Development
CP64 Demand Management
CP67 Flood Risk

North Wiltshire Local Plan 2011 (NWLP)
H4 Residential Development in the Open Countryside
NE14 Trees and the control of new development
NE18 Noise and Pollution

Wiltshire Local Transport Plan (3) Car Parking Strategy

Cotswold National Landscape Management Plan 2023-2025

National Planning Policy Framework 2023 (NPPF):
Chapter 2 Achieving sustainable development
Chapter 5 Delivering a sufficient supply of homes
Chapter 8 Promoting healthy and safe communities
Chapter 9 Promoting sustainable transport
Chapter 12 Achieving well-designed and beautiful places
Chapter 14 Meeting the challenge of climate change, flooding and coastal change
Chapter 15 Conserving and enhancing the natural environment
Chapter 16 Conserving and enhancing the historic environment

ISSUES

- Principle of Development
- Scale, Design & Visual Impact including upon Cotswold National Landscape
- Heritage Impacts
- Highway Safety & Accessibility
- Residential Amenity
- Drainage & Flood Risk
- Ecology

CONSULTATION

Grittleton Parish Council: Comment as follows -

Councillors did not know whether the site fell within the built area/build line of Grittleton and asked U Cllr Nick Botterill to get a determination from the Planners as to whether this was the case and if so should this application be counted as infill or not.

Councillors noted that there was some support for the proposal from neighbouring residents but concerns too around precedent setting for future development, whether there was housing need, access to the highway, disruption and on street parking during the construction stage, visual impact on the village as also reflected in the comments posted on the planning portal (19 March 2024). Though this is an application for

outline planning permission, Councillors wish to see more detailed plans before coming to a definitive decision and particularly as the proposed site is within the Conservation Area where the materials used for walls, roof, windows, doors etc., must be of a suitable conservation grade.

Wiltshire Council Highways: Objection on sustainable transport grounds. No objection in relation to highways safety or capacity in principle and subject to conditions (relating to parking, turning, visibility, consolidated surface) which would apply to the RM approval.

Wiltshire Council Conservation: No comments received

Wiltshire Council Ecologist: No comments received

Wiltshire Council Arboricultural Officer: No comments received

REPRESENTATIONS

The application was advertised by site notice and direct neighbour letter.

Two responses have been received expressing concerns which are summarised below -

- Traffic impacts during construction as a result of contractor vehicles parked on Alterton Road
- Additional cars associated with dwellings may create parking and safety issue along the stretch of road. Suggest signs and speed bumps to slow traffic
- Countryside views will be lost form properties opposite. 1A Alderton road will feel hemmed in.
- There is a question of whether there is a need to f more properties in the village following a lot of development of The Farmyard recently
- Concern that the access details are unknown
- Access to existing driveways are already tight and there are blind spots along the road
- The proposed development hem property opposite in further, and residents will have to endure the inconvenience of noise, dust, pollution, litter, blocked drains, extra traffic etc etc, that regrettably comes with a building site.
- Living standards have been affected by ongoing construction work taking place at The Farmyard development
- Allowing more access along the Alderton Road and specifically opposite our property will only add more obstruction and danger to all road users.

ASSESSMENT

Under the provisions of section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004, and the provisions of the NPPF i.e. para 2, applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. At the current time the statutory development plan in respect of this application consists of the Wiltshire Core Strategy (WCS) (Adopted January 2015); the 'saved' policies of the North Wiltshire Local Plan (NWLP) 2011 (adopted June 2006), and the Policies of the Christian Malford Neighbourhood Plan (Made 2018)

Principle of Development

In the interests of promoting sustainable development and the protection of the countryside the policies of the plan seek to restrict development to locations within the Limits of Development defined for towns and villages. The WCS includes a settlement strategy, Core Policy 1 'Settlement Strategy' and Core Policy 2 'Delivery Strategy' outline that there is a presumption in favour of sustainable development within the Principal Settlements, Market Towns, Local Service Centres and Large Villages and development should be restricted to within the limits of development other than in exceptional circumstances as set out within the relevant core policies contained within the plan (outlined within paragraph 4.25 of the WCS i.e. rural exception sites and specialist accommodation).

Grittleton is a small village with no settlement boundary. Core Policy 2 states that at Small Villages, development will be limited to infill within the existing built area. Proposals for development at the Small Villages will be supported where they seek to meet housing needs of settlements or provide employment, services and facilities provided that the development:

- Respects the existing character and form of the settlement
- Does not elongate the village or impose development in sensitive landscape area
- Does not consolidate an existing sporadic loose knit areas of development related to the settlement.

For Small Villages "*some very modest development may be appropriate…to respond to local needs and to contribute to the vitality of rural communities*." As such, Small Villages do not have defined settlement boundaries, allowing development to be carefully managed at these locations.

The application site lies adjacent to a row of six dwellings along the western side of Alderton Road (outlined in red below). These are the only properties on the western side of Alderton Road. The core of Grittleton village extends eastward along The Street. The two new dwellings would be erected on land at the end of a row of houses with woodland immediately to the south and a field immediately to the west.



The application site is considered to be separate to the built up area of the village and is open to the countryside on two sides. For these reasons, the proposal could not reasonably be described as infill development within a built up area, even when taking into account that there are properties to the opposite side of the road. The development would be viewed as an extension of the line of houses into the countryside. Albeit at the end of the row, following the pattern of development, the result of increasing the amount of development to this side of the road is to consolidate development at the settlement edge and within an exposed position within the National Landscape. The proposal does not comply with the criteria of CP2 relating to development at small villages.

The applicant has made comparison to the redevelopment of Manor Farm opposite where permission was granted for the conversion of existing buildings to form 8 dwellings, and the erection of 6 new build dwellings in 2019 under 18/07128/FUL (later varied by 21/01331/VAR). It Is suggested that the proposal is consistent with the approval for new build dwellings as part of that scheme.

Whilst it is correct that the Manor Farm redevelopment did include an element of new build, on review of the circumstances relevant to the application, it is clear that the comparison does not support the applicant's view that this as infill site. There are distinct, in principle, differences between the two proposals and in the Manor Farm case, the case officer was of the view that the new build elements of the proposed development at Manor Farm also did not meet the criteria for infill development within small villages and was therefore contrary to CP2. Following the case officer recommendation to the planning committee at the time, the application was approved after the committee considered that greater weight should be afforded to the applicant's proposition that the proposal was related to the essential needs of agriculture. In particular, that the proposal would generate sufficient value to enable development of a new farmstead as approved under separate application 16/10204/FUL in May 2018.

It is acknowledged as the applicant suggests, that the new dwellings would not be physically isolated from all other properties. The village itself, however, has very few facilities that could meet the day-to-day requirements of occupants of the development. The Planning Statement notes that the village has a pub, church, village hall, tennis courts, cricket pitch, and a wedding and events venue. It is clear that residents will need to travel to a broader range of facilities at larger settlements all of which are considered to be beyond a reasonable walking and cycling distance. The Planning Statement highlights that there is a bus stop within 150m of the site however the available timetables indicate that bus services are unlikely to provide a realistic alternative to use of the private car. Therefore, is likely that the occupiers of the house would be unduly reliant upon car travel to access facilities meaning the proposal would not result in a sustainable pattern of development, having regard to its accessibility to facilities and services.

The development would be in a rural location outside any recognised development limits, and not constituting an infill proposal, resulting in the formation of new dwellings in the countryside which consolidate development at the rural edge of the settlement. Furthermore, the proposal, located remote from services, employment opportunities and not well served by public transport, is contrary to the key aims of the National Planning Policy Framework which seeks to promote sustainable development and reduce growth in the length and number of motorised journeys. The proposal is contrary to the National Planning Policy Framework, Policies CP1 and CP2 of the Wiltshire Core Strategy and Saved Policy H4 of the North Wiltshire Local Plan. The proposal also is contrary to the principles of sustainable development set out in policies CP1, CP2, CP60 and CP61 of the Wiltshire Core Strategy.

The proposal for two new dwellings in this location would not comply with the settlement strategies of the development plan, the WCS & NWLP. Development should be refused if it does not comply with the development plan unless there are material considerations or circumstances that would indicate otherwise. In this case, circumstances would include current national policy within the NPPF which is supportive of significantly boosting new housing supply (Section 5).

Housing Land Supply and the status of the Development Plan

On 20 December 2023 the government issued its revised National Planning Policy Framework (NPPF). For housing supply and delivery, the revised NPPF contains two amended paragraphs 76 & 77. Paragraph 76 relates to local authorities who have an adopted plan which is less than 5 years old and which identifies at least five years supply of deliverable sites. Paragraph 77 relates to all other circumstances and makes provision for a four year requirement where authorities 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.

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. This situation will remain for a period of two years from the publication date of the revised NPPF.

The Council's latest position on five year land supply is confirmed through a Housing Land Supply Statement (base date 2022), published May 2023, which recognises 4.60 years supply. This figure exceeds the 4 year threshold now relevant to Wiltshire, and this means that the planning balance is 'level' rather than 'tilted'. With a level balance full weight must be given to the strategic housing delivery policies of the Wiltshire Core Strategy (WCS) – namely Core Policies 1 (Settlement Strategy) and 2 (Delivery Strategy).

Briefing Note No. 22-091 prepared by the Council in respect of 5YLS is now not considered to be of relevance, since the Council can demonstrate an NPPF compliant housing land supply.

<u>Scale, Design and Visual Impact including upon Cotswold National Landscape</u>

Core Policy 57 of the WCS seeks to support small infill type developments which respect the character and appearance of the surroundings. The site is located within the Cotswold National Landscape – CNL (formerly AONB) where Core Policy 51 is relevant as it aims to protect the beauty and tranquillity of the landscape. Section 15 of the NPPF explains that decisions should ensure development protects and enhances valued landscapes and that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty now 'National Landscapes'.

Policies CE1 & CE3 of the Cotswold National Landscape Management Plan require that proposals that are likely to impact on, or create change in, the landscape of the Cotswolds National Landscape have regard to, be compatible with, and reinforce the landscape character and local distinctiveness of the location. Proposals that are likely to impact on, or create change in, the landscape of the Cotswolds National Landscape, should have regard to the scenic quality of the location and its setting and ensure that views – including those into

and out of the National landscape – and visual amenity are conserved and enhanced. The Cotswold National Landscape has a variety of special qualities which contribute to its significance. These include settlements developed in a Cotswold vernacular, distinctive dry stone walls dark skies and tranquil and accessible landscape.

This planning application is submitted in outline, with matters relating to 'Landscaping' being reserved for later consideration. The application includes a Block Plan and Proposed Elevations. The Planning Statement suggests that the existing stone wall to the front of the site along with some trees will be retained with some trees to the western edge of the site being removed. Elevation drawings indicate traditional gabled roof forms with the use of stone. The Planning Statement suggests that reference is taken from the surrounding style of dwelling. The Block Plan indicates that the layout follows in line with the existing properties to the west of Alderton Road.

Whilst the proposal does broadly align with the nearest row of houses in terms of layout, scale and design, it would still introduce a residential use and built form to an area currently free of development and which would noticeably erode the rural nature of the locality. New and existing trees and hedges could screen the proposed dwellings to some extent however this would not totally obscure the dwellings, particularly when approaching the village along the road from the west. As a result, the development is considered to lead to a loss of visual openness and encroachment into the countryside in a sensitive and prominent location at the edge of the settlement.

The applicant argues that the site is not highly visible, noting that it is only visible from the road directly outside of the site. The LPA disagrees with this point and maintain that the site is highly visible in wider landscape views towards the site on approach to the village from the west (road C72 to The Street). Within the Planning Statement, Photos 10 & 14 clearly show the site backing onto to open countryside with open landscape views beyond.

The proposal would consolidate development to the west of Alderton Road and impose development in a sensitive landscape area (National Landscape) contrary to the requirements of CP2 (i) & (ii). Furthermore, introducing two new dwellings to this site would erode the rural character and appearance and distinctiveness of the location within the CNL. The development therefore fails to accord with CP51 (ii), (iii), (ix) & 57 (i), (iii), (vi) of the Wiltshire Core Strategy, CE1 & CE3 of the Cotswold National Landscape Management Plan as well as Chapter 15 of the National Planning Policy Framework.

Heritage Impacts

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a statutory duty on decision makers in considering whether to grant consent for works that affect 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.

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for works which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall 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

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Core Policy 58 states that development should protect, conserve and where possible enhance the historic environment. Designated heritage assets and their settings will be conserved and where appropriate enhanced in a manner appropriate to their significance including buildings and structures of special architectural or historic interest. The NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

The proposal site is within the Conservation Area. The closest listed buildings are Grade II listed Manor Farmhouse, the curtilage listed stone farm buildings and the property known as Masons and Weighbridge all to the opposite side of Alderton Road. In accordance with the NPPF, when considering the impact of proposed development on the significance of a designated heritage assets, great weight should be given to the asset's conservation.

The site is located to the opposite side of the road to the Manor Farm complex and would create two new dwellings at the end of a row of existing properties. The existing historic significance of the curtilage listed farm buildings and Farm House arise mostly from their layout and grouping within the historic farm yard setting. Within this context, subject to an appropriate high quality design and material finish being secured by condition, and appropriate landscaping considered under subsequent reserved matters proposal, it is unlikely that the development to the opposite side of the road would unacceptably detract from or intrude into significant views of the listed buildings contained within the farmyard complex. The intervening distance and other buildings between Masons and the development site mean that the proposals are also unlikely to affect the setting of this listed building.

In terms of the Conservation Area character, despite the influence of the existing buildings, the area has a notably rural feel characterised by the open fields, woodland and stone walls. The front boundary wall is a prominent and attractive feature within the Conservation Area. The site has a largely open appearance with trees and hedges marking boundaries. It is more enclosed in comparison to the open fields beyond however the site's undeveloped state it seen to make a positive contribution to the rural character of the of the area.

It is noted that a stone wall bordering the site to the rear appears to be removed and replaced with a native hedge. The LPA is unlikely to be supportive of the loss of this wall and would instead seek to secure retention or re-siting of the wall in a subsequent reserved matters application relating to landscaping.

The Planning Statement suggests that the boundary wall and trees to the front of the site will be mostly retained. It is stated that some trees to the western boundary will be removed though it is not clear which trees might be within the conservation area. Given that the trees in this area offer amenity value contributing to the character of this part of the conservation area, a condition would be required submission of an Arboricultural Method Statement to include a survey of all existing trees and details of methods of protection for those to be removed and detailed specification for replacement trees to compensate for those intended for removal. Retention of stone walls is welcomed and would be encouraged through a subsequent reserved matters approval.

It is considered that an appropriate high quality external material finish could be secured by condition and whilst matters relating landscaping of the site are a reserved matter, there remains a concern that the development of two dwellings on the site, regardless of the final landscaping layout, would erode the rural character of the settlement edge which contributes positively to the appearance of the conservation area in this location. For this reason, the proposal would fail to conserve or enhance the special character and appearance of the conservation area resulting in conflict with Core Policy 58 (iv).

The proposal will result in harm as identified above which is considered to be at the lower end of 'less than substantial harm' under the terms of the NPPF. In accordance with paragraph 208 of the NPPF any harm that has been identified should be weighed against any public benefits.

In this case the proposal would deliver public benefits in the form of two dwellings along with economic benefits during construction and future occupation. It is considered that the harm could be further minimised through securing a high quality, traditional design and material finish along with an appropriate landscaping scheme to aid the development to integrate into its surroundings. On that basis, it is considered that the level of harm could be minimised and broadly justified so as not to warrant refusal of the outline permission on this basis alone.

Residential Amenity

Core Policy 57 also states that development should have regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants and ensuring that appropriate levels of amenity are achievable within the development itself. Section 12 of the NPPF also states that planning decisions should create places with a high standard of amenity for existing and future users.

The proposed Block Plan and Elevations demonstrate an adequate level of internal accommodation and outdoor amenity space for the proposed dwellings. The siting, layout and spacing between the existing properties and the proposed dwellings appears sufficient to prevent any overbearing impact and to achieve an acceptable level of privacy for existing neighbouring residents and those within the development.

There does appear to be a utilities pole and stay that would sit within the garden area for one of the properties. It is not clear whether this is to be re-sited though it also appears that existing overhead lines may need to be rerouted to accommodate construction of the dwellings. An informative could be included to explain that re-siting of any utilities including the pole and stay would be subject to permission being obtained from the relevant agencies/owner and that any expense is covered by the applicant.

Neighbouring residents have raised concerns in respect of potential disturbance during construction, speaking of their experience through the duration of The Farmyard development nearby. It is agreed that construction work in close proximity to existing properties can cause disturbance to local residents. In this case, given the proximity of existing properties, it would be considered appropriate for a permission to be subject to a condition securing a Construction Management Plan which can provide details for site arrangements such as for construction traffic, hours of construction and the control of waste, dust and noise.

Highway Safety, Accessibility and Parking

Core Policy 61 Transport and New Development, inter alia, aims to ensure that the proposal is capable of being served by safe access to the highway network. Core Policy 64 Demand Management, inter alia, aims to ensure that adequate parking is provided.

The application seeks outline approval with on matters relating to Landscaping being reserved. The means of access is included in this application. The block plan shows access in the same location as the existing field access, albeit widened, along with a shared parking turning area to the front of the properties.

Wiltshire Council Highways have reviewed the proposal and note that being outside the limited of development, the proposal for two number new build dwellings raises a highway objection on sustainable transport grounds. The Engineer further explains that if viewed as policy compliant a number of conditions would be necessary to ensure appropriate access, parking and turning is provided for each dwelling.

Notwithstanding that there is a fundamental objection on sustainability grounds as discussed in detail under the 'Principle of Development' section of the report above, Wiltshire Council Highways do not raise an objection in relation to a requirement for the dwellings to be accessed off Alderton Road in terms of safety or network capacity. Subject to conditions being imposed in relation to parking, turning and visibility it is considered that the application site can be served by safe access to the highway.

Drainage & Flood Risk

In accordance with Core Policy 67 in relation to Flood Risk, all new development will include measures to reduce the rate of rainwater run-off and improve rainwater infiltration to soil and ground (sustainable urban drainage) unless site or environmental conditions make these measures unsuitable. Section 14 of the NPPF expects that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.

The site is within Flood Zone 1 and according to Council records is at low risk of groundwater and surface water flooding. The application relates to the erection of two new dwellings and associated landscaping. The application form does not specify the means of surface or foul water drainage.

For a development of this nature and scale it is appropriate for the foul water drainage arrangements to be dealt with via the building regulations and/or environmental permitting regime. The applicant should note that installation of septic tank or Sewage Treatment Plan and drainage fields/soakaways may require separate planning permission. Informatives could be included to this effect.

It is considered necessary to secure details of the proposed surface water drainage arrangements, particularly for any new hard-standing areas which may not be covered by the building regulations process. A condition could be included to this effect.

Subject to the imposition of conditions to secure design and implementation of a appropriate surface water drainage scheme along with the applicant obtaining the necessary permissions and consents in relation to watercourses and/or sewer connections, the LPA is satisfied that the development can be served by appropriate means of foul and surface water drainage, and that flood risk will not be increased on or off site in accordance with WCS Policy 67 and Section 14 of the NPPF.

Ecology

Core Policy 50 of the WCS Development proposals must demonstrate how they protect features of nature conservation and geological value as part of the design rationale. Section 15 of the NPPF requires that the planning authority ensures protection of important habitats and species in relation to development and seeks enhancement for the benefit of biodiversity through the planning system.

Biodiversity Net Gain (BNG) is an approach to development seeking to ensure that habitats for wildlife are left in a measurably better state than they were before the development. As of 12 February 2024 (2 April 2024 for smaller sites) BNG is mandatory in England under the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). This means developers must deliver a BNG of 10% to ensure development will result in more or better quality natural habitat than there was before development.

This application was received on 4 December 2023 prior to requisite dates introducing the mandatory requirement to demonstrate BNG. Therefore, this proposal is not required to demonstrate 10% BNG.

The application is supported by an Ecology Report. No detailed survey work has been undertaken however, the report concludes that there is no suitable habitat to support protected species within the site and therefore no detailed survey is required. In particular it is highlighted that there are no ponds, rubble piles or older trees which may support bat roosts. It is also suggested that the land has been recently cultivated though it does not appear in a cultivated state currently. The Planning Statement suggests that a row of 'young trees' will be removed from the western boundary it also appears that an existing dry stone wall is to be removed from the rear boundary of the site. Immediately south of the application site is a woodland which is likely to provide habitat for a range of wildlife. It is proposed that the roadside wall will be retained.

The submitted report sets out a number of precautionary working methods and ecological enhancements that would be included within the detailed scheme. These include bat lofts, nesting features for house martins and a new western boundary of native multi-species hedgerow.

In this case, the proposal does not involve the removal of any woodland or works to any historic or agricultural buildings. The site does not fall within a SAC consultation zone and is not within or adjacent to a SSSI or priority habitat site (the closest being 'decidious woodland' priority habitat located approximately 120m south of the site near the entrance to Grittleton House). There is no evidence that protected species are present or that there is any irreplaceable habitat on the site. Due to the nature and scale of the development, the proposal does not automatically trigger the Council's current requirement for ecological survey information. In this case the LPA considers that the use of conditions could ensure that the loss of vegetation and habitat can be mitigated and, where appropriate, compensated for. Pre-commencement conditions requiring submission and approval of an Arboricultural Method Statement in relation to on and offsite trees (particularly the adjacent woodland), and a Construction and Ecological Management Plan would be required. In addition, a further condition would require that the detailed landscaping scheme (subject of a later RM approval) is submitted with an appropriate Landscape and Ecological Management Plan, to demonstrate that existing habitat and ecological features (including the existing drystone walls) are integrated into the development where possible and that appropriate ongoing management and monitoring provision is included.

In addition to the provisions necessary to be secured by condition, the LPA is satisfied that the Wildlife and Countryside Act provides the regime for protection of habitats and protected species for modest sites, particularly during site clearance, the grant of planning permission does not override the legal requirements of this Act.

On consideration of the above, it is concluded that the site could be developed to provide two dwellings without involving the loss of significant or irreplaceable habitat. The use of appropriately worded conditions can ensure that the development minimises impacts on existing biodiversity and provides benefits in the form of new permanent nesting and roosting opportunities. Subject to the imposition of conditions to secure submission and approval of an AMS, LEMP, CEMP and a wildlife sensitive lighting scheme to minimise the impact on potentially sensitive habitat bordering the site, the proposal could achieve long-term habitat features and protection of protected species in accordance with the aims of Core Policy 50 and Section 15 of the NPPF.

CONCLUSION

On consideration of the above it is found that the development is unacceptable in principle and would have an unacceptable impact on the character and appearance of the area at the rural edge of this settlement. Whilst some impacts in respect of heritage, ecology and highways safety may be addressed through a suitably designed scheme secured by conditions and a later reserved matters approval, it is not considered that the use of conditions could make the proposal acceptable in principle or in terms of visual character and landscape impacts.

The proposed development, due to the position of the site within the 'open countryside', would conflict with the settlement strategy of the Wiltshire Core Strategy. The development of the proposed site would elongate the built form along Alderton Road into the countryside, would consolidate development to the west of Alderton Road and impose development in a sensitive landscape area (National Landscape) contrary to the requirements of Core Policy 2 (i) & (ii). The proposal would not represent 'infill' within the existing built area of the village as defined by the Wiltshire Core Strategy. Furthermore, the site is within a location that has limited access to local services and public transport facilities and future occupants would need to travel by car to reach services, facilities and employment opportunities. There are no material circumstances which justify the approval of the proposed development and no objective evidence to demonstrate it would meet an identified housing need of the settlement or meet the criteria identified by Core Policy 2. The proposed development is considered to conflict with Core Policies 1, 2, 10, 60, 61 of the Wiltshire Core Strategy, Saved Policy H4 of the North Wiltshire Local Plan and Chapters 2, 4, 5 & 9 of the National Planning Policy Framework.

The application also fails to demonstrate how the proposed development will integrate effectively into its surroundings, to conserve and/or enhance landscape character, relate positively to its landscape setting and protect the landscape character and visual amenity. Introducing two new dwellings to this site would erode the rural character and appearance and distinctiveness of the location within the National Landscape. The development therefore fails to accord with CP51 (ii), (iii), (ix) & 57 (i), (iii), (vi) of the Wiltshire Core Strategy, CE1 & CE3 of the Cotswold National Landscape Management Plan as well as Chapter 15 of the National Planning Policy Framework.

RECOMMENDATION: That Planning Permission be REFUSED for the following reasons:

PRINCIPLE OF DEVELOPMENT

The proposed development, due to the position of the site within the 'open countryside', would conflict with the settlement strategy of the Wiltshire Core Strategy. The development of the proposed site would elongate the built form along Alderton Road into the countryside, would consolidate development to the west of Alderton Road and impose development in a sensitive landscape area (National Landscape) contrary to the requirements of Core Policy 2 (i) & (ii). The proposal would not represent 'infill' within the existing built area of the village as defined by the Wiltshire Core Strategy. Furthermore, the site is within a location that has limited access to local services and public transport facilities and future occupants would need to travel by car to reach services, facilities and employment opportunities. There are no material circumstances which justify the approval of the proposed development and no objective evidence to demonstrate it would meet an identified housing need of the settlement or meet the criteria identified by Core Policy 2. The proposed development is considered to conflict with Core Policies 1, 2, 10, 60, 61 of the Wiltshire Core Strategy, Saved Policy H4 of the North Wiltshire Local Plan and Chapters 2, 4, 5 & 9 of the National Planning Policy Framework.

CHARACTER AND APPEARANCE - INCLUDING LANDSCAPE

The application fails to demonstrate how the proposed development will integrate effectively into its surroundings, to conserve and/or enhance landscape character, relate positively to its landscape setting and protect the landscape character and visual amenity. Introducing two new dwellings to this site would erode the rural character, appearance and distinctiveness of the location within the National Landscape. The development therefore fails to accord with CP51 (ii), (iii), (ix) & 57 (i), (iii), (vi) of the Wiltshire Core Strategy, CE1 & CE3 of the Cotswold National Landscape Management Plan as well as Chapter 15 of the National Planning Policy Framework.

APPENDIX KCC3

Council's Email of 4th April 2024

From: Davis, Victoria <Victoria.Davis@wiltshire.gov.uk>
Sent: 04 April 2024 15:50
To: Amy Curtis <Amy@kernon.co.uk>
Subject: RE: PL/2023/10502 - Land West of Stonewold House, Alderton Lane, Grittleton, Wiltshire, SN14 6AN

Dear Amy

Thank you for your email.

Having now reviewed the proposal in detail I must inform you that this is not a proposal we will be able to support.

Grittleton is a small village with no settlement boundary. Core Policy 2 states that at Small Villages, development will be limited to infill within the existing built area. Proposals for development at the Small Villages will be supported where they seek to meet housing needs of settlements or provide employment, services and facilities provided that the development:

- Respects the existing character and form of the settlement
- Does not elongate the village or impose development in sensitive landscape area
- Does not consolidate an existing sporadic loose knit areas of development related to the settlement.

For Small Villages "*some very modest development may be appropriate…to respond to local needs and to contribute to the vitality of rural communities*." As such, Small Villages do not have defined settlement boundaries, allowing development to be carefully managed at these locations.

The application site lies adjacent to a small cluster of dwellings to the opposite side of Alderton Road – separated from the core of the village. Open countryside extends to the south and west of the site meaning that the proposal would introduce development in a highly visibly location, wholly within the Cotswold National Landscape. We do not consider that this site meets the criteria above falling to be considered as an infill plot. Furthermore, the proposal does not align with any of the exception polices within the WCS at para 4.25. There are no material circumstances that would outweigh the harm caused through the conflict with the Settlement Strategy of the development plan.

As you will be aware, on 20 December 2023 the government issued its revised National Planning Policy Framework (NPPF). For housing supply and delivery, the revised NPPF contains two amended paragraphs 76 & 77. Paragraph 76 relates to local authorities who have an adopted plan which is less than 5 years old and which identifies at least five years supply of deliverable sites. 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. This situation will remain for a period of two years from the publication date of the revised NPPF. In light of the above, with the WCS policies in relation to housing carrying full weight the proposal cannot be supported by officers.

We do not have comments from the Ecology or Conservation team though they are unlikely to be determinative in this case.

I am sorry we cannot be more supportive on this occasion however I hope that the above position is clear.

Unless withdrawn, the application will be refused shortly.

Kind regards

Victoria Davis
Senior Planning Officer
Development Management (North)

Wiltshire Council

Email: victoria.davis@wiltshire.gov.uk
Web: www.wiltshire.gov.uk

APPENDIX KCC4

Council's Housing Supply Briefing Note

Wiltshire Council

Housing Land Supply and Housing Delivery Test Briefing Note No. 24-13

Service: Planning

Further Enquiries to: Nic Thomas, Director - Planning

Email: nic.thomas@wiltshire.gov.uk

Date Prepared: 12 June 2024

BRIEFING NOTE ON HOUSING LAND SUPPLY AND HOUSING DELIVERY TEST

Summary

We have now completed the update to Wiltshire's housing land supply position. The current position is a **4.2 years** supply using a base date of 1 April 2023. This will be used to inform decision-making of planning applications and appeals.

This is the first Housing Land Supply Statement to be published since the update to the National Planning Policy Framework (NPPF) was issued on 19 December 2023. This made changes to how housing land supply should be assessed for councils that have made sufficient progress in developing their Local Plan. An update on how the revised NPPF impacts on the council's planning function is provided in Briefing Note 24-01.

These changes mean that for a period of two years from the date that the NPPF was updated, local planning authorities such as Wiltshire that have an emerging local plan that has reached Regulation 19 stage, will only be required to demonstrate a four-year requirement, rather than a five-year requirement.

In addition, recent housing delivery in Wiltshire remains strong, with the latest Housing Delivery Test results (from 2022) indicating the council has met **106%** of its housing targets over the past three years.

This briefing note provides information on both these Government measures and what the implications are for decision making.

1. Introduction

1.1 Government policy as set out in the National Planning Policy Framework (NPPF) includes two measures that are designed to drive the delivery of housing:

(i) Five-year / four-year housing land supply (see below)

(ii) Housing Delivery Test

1.2 The main difference between the two is that:

- the five-year / four-year housing land supply measures the level of 'supply' that can be expected to come forward over a five-year period of time i.e. the number of homes that it is anticipated **will be** built; whereas
- the Housing Delivery Test measures the number of homes that **have been** built over a set period.

1.3 Both measures have established methodologies and assess the expected delivery of homes, and homes that have been delivered respectively, against the housing requirement for a local authority area. There is no latitude as to how the methods are applied.

2. What is the housing land supply requirement ?

2.1 The latest NPPF (December 2023) states that:

Paragraph 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."

Paragraph 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***[1] *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 (unless they have been reviewed and do not require updating).*

Where there has been significant under delivery of housing over the previous three years[2]*, the supply of specific deliverable sites should in addition include a buffer of 20% (moved forward from later in the plan period)."*

2.2 As the Wiltshire Core Strategy (adopted January 2015) is more than five years old, the provisions in 'Paragraph 76' do not apply in Wiltshire, the council is a 'Paragraph 77'

[1] Where the council has 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 concession applies until December 2025.
[2] Where the Housing Delivery Test results indicate delivery below 85%.

authority. The council carried out a Regulation 19 consultation on its Local Plan during autumn 2023. This included a policies map and proposed allocations to meet the housing need identified in the Local Plan. As such, the council is only required to meet a four-year housing land supply against the five-year requirement. The requirement to meet a four-year housing land supply only runs for two years until 18 December 2025, at which time the requirement will revert back to the council needing to demonstrate a five-year housing land supply.

2.3 As the Wiltshire Core Strategy (adopted January 2015) is more than five years old, the housing requirement to be used in the five-year housing land supply calculation is Wiltshire's local housing need based on the Government's standard method[3]. The local housing need is based on future household growth and an adjustment to take account of housing affordability in the local authority. It is recalculated every year based on the latest data, which is applicable at the base date. The standard methodology operates on a local authority basis and does not disperse the local housing need figure to a smaller geographic level.

2.4 The annual update for Wiltshire has now been completed and the results of the assessment, using a base date of 1 April 2023, are set out in the 2023 Housing Land Supply Statement (HLSS). This is available on our website via this link. Key points:

- The council can demonstrate a four-year housing land supply. The current position indicates there is a **4.2 years** supply.
- The deliverable supply has decreased since the previous version due to a number of factors, including a significantly higher number of completions than in previous years, and the effect of the changes to nutrient neutrality by statutory bodies and approach adopted in response by the council.

3. How is the housing land supply calculated?

3.1 Housing land supply is calculated using a base date from which calculations are made to avoid double counting.

3.2 We have now updated the housing land supply calculation using a base date of 1 April 2023. Using this base date, an explanation is provided below:

Starting point for calculation at base date of 1 April 2023:

Local housing need (1 April 2023) = **1,952** homes per annum

No buffer needs to be applied to the housing requirement as the council has passed the latest Housing Delivery Test (see section 5 below)

4-year requirement = **7,808 homes**

5-year requirement = **9,760 homes**

[3] Planning Practice Guidance (DLUHC, July 2019) - https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments

What can be included in supply?

(i) Number of homes on small sites (less than 10 homes) with planning permission or resolution to grant at 1 April 2023 = **1,371 homes** outstanding of which **1,160 homes** were considered to be deliverable within five years (the reduced number takes into account a delivery rate that is based on historic data on non-implementation and delivery timescales).

(ii) Number of homes on large sites (10 or more homes) with full planning permission at 1 April 2023 = **4,444 homes** outstanding of which **3,741 homes** were considered deliverable within five years (the reduced number reflects delivery timescales).

(iii) For other large sites with either outline planning permission; resolution to grant planning permission; or allocated[4] at 1 April 2023: the number of homes where there is clear evidence of delivery over a five year period from 1 April 2023 to 31 March 2028 = **10,399** homes outstanding, of which **1,920 homes** were considered deliverable within five years.

(iv) Windfall allowance: number of homes expected to be completed on new 'windfall' sites (which do not have planning permission as at 1 April 2023) over a five-year period from 1 April 2023 to 31 March 2028 = **1,372 homes**

Therefore, in total **8,193 homes** can be included in the deliverable supply.

3.3 (i) and (ii) are relatively straightforward statistical exercises, which involve an understanding of delivery timescales for individual sites.

3.4 (iv) is also a statistical exercise that requires understanding of past delivery trends and the potential for development opportunities to come forward in the future. As these are matters which vary year-on-year, the allowance is reviewed and refreshed as part of each annual update. The position includes an allowance for delivery on brownfield sites and small greenfield sites.

3.5 (iii) is more complex, and clear evidence must be provided for each site to meet the requirements of paragraph 77 of the NPPF, which requires that sites are deliverable over the five-year period being assessed. This means that for large sites, which take time to deliver, we may only be able to include the first few phases of development in the five-year land supply.

3.5 So, while on the face of it there is a substantial pool of large sites, for **17,586 homes** in total, and a higher level of supply could be expected, the timescales within which these can be delivered is key. An assessment of the deliverability of these sites has indicated that only **47 %** of these are capable of delivery during the five-year period 1 April 2023 to 31 March 2028. Factors determining housing delivery are often outside our control, as the

[4] Wiltshire Core Strategy, Chippenham Site Allocations Plan, Wiltshire Housing Site Allocations Plan, and allocations in Neighbourhood Plans which do not yet have planning permission.

development industry ultimately determines how and when sites come forward, despite planning permissions being granted and sites allocated within the development plan.

3.6 It is important for credible judgements to be made in undertaking these assessments because they are subject to scrutiny at appeal by appellants, third parties and the appointed Planning Inspector.

4. What are the implications of having a four-year housing land supply?

4.1 The implications for not having a five-year housing land supply and decision making were set out in previous briefing notes, specifically Briefing Notes No. 20-20 (June 2020), No. 20-37 (December 2020), No. 22-09 (April 2022), and No. 23-15 (May 2023). These indicated that the presumption in favour of sustainable development applied when determining planning applications.

4.2 Following the December 2023 changes to the NPPF, the council is now only required to provide a four-year housing land supply to prevent the presumption in favour of sustainable development applying when determining planning applications. This was set out in Briefing Note 24-01 (January 2024) which superseded the council's approach set out in the earlier Briefing Notes specified in paragraph 4.1.

4.3 As these figures exceed the four-year requirement, the planning balance is now 'level'. This indicates that there is now a lower threshold in place for being able to justify the refusal of planning applications. Pragmatically, this means that fewer 'speculative' residential planning applications are likely to be granted.

5. What is the Housing Delivery Test and consequences?

5.1 It measures net homes delivery (i.e. net homes built) in a local authority area, such as Wiltshire, against the homes required using local authority completions statistics and planning data.

5.2 The results are published for each local authority area by the Secretary of State annually, see Housing Delivery Test (www.gov.uk)

5.3 As set out in the NPPF the Housing Delivery Test will apply the day following publication of the results, at which point they supersede previously published results. The most up to date result, at the time of writing, is for 2022.

5.4 Since the inception of the Housing Delivery Test the published results for Wiltshire are:

2018	139% (years measured 2015/16 - 2017/18)
2019	149% (years measured 2016/17 - 2018/19)
2020	140% (years measured 2017/18 - 2019/20)
2021	141% (years measured 2018/19 - 2020/21)
2022	106% (years measured 2019/20 - 2021/22)

5.5 The three consequences of failing the Housing Delivery Test (HDT) are set out in paragraph 79 of the NPPF, as follows:

1. Triggering the presumption in favour of sustainable development (HDT below 75%)

   The presumption in favour of sustainable development (paragraph 11d, NPPF), as explained above, should be applied to decisions where the HDT indicates delivery has fallen below 75% of the housing requirement.

2. 20% buffer (HDT below 85%)

   The five-year land supply must include an additional buffer of 20% where the HDT indicates that delivery was below 85% of the housing requirement.

3. Requirement to prepare an action plan (HDT below 95%):

   The authority should prepare an action plan in line with national planning guidance, to assess the causes of under-delivery and identify actions to increase delivery in future years.

5.6 Wiltshire has consistently performed well against the HDT and has passed the test in the latest results. As a result, none of the consequences set out above apply in Wiltshire.

6. What can we do to maintain housing land supply?

6.1 The changes to the NPPF relating to the four-year housing land supply are time-limited - the concession under paragraph 226 only lasts until December 2025. It is therefore very important that the council gains the support of local communities to secure the adoption of its emerging Local Plan as soon as possible as this will provide a much longer period of 'protection'.

6.2 The council will look to restore a five-year housing land supply through the Local Plan, which should be in place prior to December 2025, and permitting appropriate housing developments in the meantime. The Plan looks to allocate additional housing land, some of which can be delivered within five years, and therefore contribute towards meeting a five-year housing land supply.

6.3 The council's housing land supply figure can only be retained during the concessionary period if suitable planning applications for housing development continue to be granted. If the council refuses too many planning applications, housing supply will fall below four years and the 'tilted' balance in favour of approval will once again apply.

6.4 Since the base date of 1 April 2023, consents have continued to be granted permission on suitable sites. While these do not currently contribute to the housing land supply because they were permitted after the base date of 1 April 2023, they will help to increase the housing land supply in the future. New permissions help replenish the housing land supply as it is reduced due to housing completions, planning permissions lapsing, and delays in delivery on key sites. Table 4 of the HLSS contains a list of large new sites (10 or more dwellings) that have been permitted since the base date up to the date of publication.

6.5 Work can now commence on the preparation of the next HLSS using a base date of 1 April 2024. These statements take time to prepare, particularly for authorities the size of Wiltshire, and typically take around 9-12 months from the base date to publication.



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