

PLANNING STATEMENT



**November
2024**

Land at Greenacres, Blounts Court, Potterne, SN10 5QF

An application for full planning permission for a single storey dwelling and associated works.

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1. INTRODUCTION AND PROPOSAL

- 1.1. Context Planning Ltd has been instructed to prepare and submit a Planning Statement on behalf of the applicants, Mr and Mrs Bamber, to support an application for full planning permission for the erection of a single dwelling at land to the rear of Greeacres, Potterne.
- 1.2. The site is located to the rear of Greeacres and comprises its residential garden and associated land to the east. It is well screened from wider views due to established mature landscaping and existing built form. Greenacres is located to the south of residential dwellings at Blounts Court and to the north of the dwelling known as Botany Cottage. The application site is not within a Conservation Area and there are no nearby listed buildings. The site is not within a designated National Landscape or within a Special Landscape Area.
- 1.3. The application site is located to the south of the village of Potterne and is approximately two miles from the town of Devizes which has a plethora of services, facilities and employment opportunities. The village of Potterne itself benefits from a good level of local facilities, including a village hall, public house, youth centre and a shop, which includes the post office.
- 1.4. Planning refence PL/2022/02032 granted permission in principle (PIP) for the erection of a single dwelling to the rear of Greenacres. Rather than submit technical details pursuant to the PIP, a full planning application has been submitted. The primary reason for this is due to the evolved requirement for a larger application site to better meet the needs of the applicant and to allow for a better-quality design and a comprehensive landscape led scheme to be delivered.
- 1.5. The proposed dwelling has been sensitively designed to ensure it assimilates with the local context. It will be single storey and orientated around a central private courtyard. The design incorporates three distinct blocks, each featuring a gabled roof form.

The materials will include natural stone, timber cladding, and a zinc roof. Sustainable construction methods and on site renewable energy sources are key to the design principles of the scheme.



Figure 1 – Site layout plan of proposed dwelling

- 1.6. This Planning Statement assesses the proposed development against the relevant policies of Wiltshire Core Strategy, the National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG).

2. PLANNING POLICY

- 2.1. Section 70(2) of the Town and Country Planning Act 1990 provides that, in dealing with proposals for planning permission, regard must be had to the provisions of the development plan, so far as material to the application, and to any other material considerations.
- 2.2. The Statutory Development Plan is comprised primarily of the Wiltshire Core Strategy (adopted in January 2015) and Saved Policies of West Wiltshire Local (First Alteration), alongside Neighbourhood Plan. Further, there is a 'made' Neighbourhood Plan' for Potterne.
- 2.3. In this context, the NPPF (2023) also forms a significant material consideration, particularly in understanding the weight that should be attached to policy and whether policy can be considered up-to-date.

Wiltshire Core Strategy

- 2.4. Core Strategy Core Policy 1 (CP1) sets out the settlement strategy for Wiltshire, identifying four tiers of settlements (Principal Settlements, Market Towns, Local Service Centres and Large and Small Villages).
- 2.5. Core Strategy Core Policy 2 sets out a delivery strategy, which seeks at least 42,000 homes in Wiltshire between 2006 and 2026. CP2 goes on to explain that outside the defined limits of development, only development falling within the exception policies will be permitted.
- 2.6. CP12 sets out the spatial strategy for the Devizes Community Area. It explains that development in the Devizes Community Area should be in accordance with the Settlement Strategy set out in CP1. Within CP12 Potterne is identified as a Large Village where limited development is supported under the terms of CP1 and CP2 to meet the general needs of the area

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- 2.7. CP51 seeks to protect, conserve and enhance Wiltshire's distinctive landscape character. It requires that proposals are sensitive to distinctive landscape setting character of the settlements and their transition between man-made and natural landscapes.
- 2.8. CP57 relates to design and advises that new development should enhance local distinctiveness relating positively to its setting. Green infrastructure should be safeguarded and development should make an efficient use of land. Development should have regard to its impact on adjoining uses and buildings ensuring an appropriate level of amenity. Buildings should take account of diversity and adaptability, considering how buildings and space will be used in the immediate and long-term future.
- 2.9. Core Policy 58 aims to ensure that Wiltshire's important monuments, sites and landscapes and areas of historic and built heritage significance are protected and enhanced in order that they continue to make an important contribution to Wiltshire's environment and quality of life.
- 2.10. CP61 requires new developments to be served by safe access to and from the highway.
- 2.11. Policy PNP1 of the Potterne Neighbourhood Plan permits new development within the development boundary or on an allocated site.

National Planning Policy Framework (NPPF)

- 2.12. The NPPF guides at paragraph 38 that 'Local Planning Authorities (LPA) should approach decision-making on proposed development in a positive and creative way...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision makers at every level should seek to approve applications for sustainable development where possible'.
- 2.13. Paragraph 10 advises 'so that sustainable development is pursued in a positive way,

at the heart of the Framework is a presumption in favour of sustainable development’.

- 2.14. Paragraph 11 outlines how the presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking is engaged. For decision taking this means ‘approving development proposals which accord with an up-to-date Development Plan without delay’.
- 2.15. Alternatively, if ‘the policies which are most important for determining the application are out-of-date, granting permission unless; any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole’.
- 2.16. Paragraph 60 makes clear that ‘to support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed’.
- 2.17. Paragraph 69 advises ‘planning policies should identify a sufficient supply and mix of sites’. Paragraph 70 emphasises that ‘small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built out quickly...Local Planning Authorities should identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirements on sites no larger than one hectare’. They should also ‘support the development of windfall sites through their policies and decisions.
- 2.18. In respect of transport, paragraph 114 advises that it should be ensured that ‘safe and suitable access to the site can be achieved for all users’. Paragraph 115 advises that ‘development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe’.
- 2.19. Paragraph 123 advises that ‘planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses’. Paragraph 135

guides that planning decisions should ensure that developments will ‘function well and add to the overall quality of the area’; ‘are visually attractive as a result of good architecture, layout and appropriate and effective landscaping’.

3. MAIN PLANNING CONSIDERATIONS

Principle of Development

- 3.1. Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.
- 3.2. The Settlement Strategy outlined in the Core Policy 1 of Wiltshire Core Strategy identifies four tiers of settlements, namely:
 - Principal Settlements
 - Market Towns
 - Local Service Centres
 - Large and Small Villages
- 3.3. Core Policy 2 sets out the delivery strategy and advises that 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. Development outside of the limits of development of existing settlements, will only be permitted in exceptional circumstances, or if the site is identified for development through a site allocation document or a Neighbourhood Plan. The site is not allocated in Potterne Neighbourhood Plan.
- 3.4. CP12 sets out the spatial strategy for the Devizes Community Area. It explains that development in the Devizes Community Area should be in accordance with the Settlement Strategy set out in CP1. Within CP12, Potterne is identified as a Large

Village where limited development is supported under the terms of CP1 and CP2 to meet the general needs of the area.



Figure 2 - Settlement boundary (site indicated by star)

- 3.5. The application site is located just outside of the development boundary for Potterne.

It is therefore accepted that there is a conflict with CP2 and CP12 of the Core Strategy and PNP1 of the Potterne Neighbourhood Plan which directs new dwellings to be located within the settlement boundary. However, there are considered material considerations as to why this application should be approved.

- 3.6. The principle of residential development, outside of the development boundary at Greenacres was accepted by the Council under planning reference PL/2022/02032. This is a material consideration that must be given significant weight in the determination of the current application. Whilst the application site is larger than the PIP scheme, this should not alter the conclusions previously reached in relation to the principle of development of the site.
- 3.7. The principle of consistency in the planning process is vital, and a decision maker must have good reason if deciding to depart from the previous decision, and to give reasons for any such departure. In the Court of Appeal, Mann LJ in *North Wiltshire District Council v Secretary of State for the Environment* (1993) 65 P & CR 137, the judge explained “*One important reason why previous decisions are capable of being material is that like cases should be decided in a like manner so that there is consistency [...]. Consistency is self-evidently important to both developers and development control authorities. But it is also important for the purpose of securing public confidence in the operation of the development control system.*”

Proximity to local service and facilities

- 3.8. Core Policy 61 of the Core Strategy requires new development to be located and designed to reduce the need to travel particularly by private car, and to encourage the use of sustainable transport alternatives
- 3.9. The NPPF does not provide any specific guidance on walking distances, although walking is considered to be an important contributor to sustainability. However, Manual for Streets explains that walkable neighbourhoods are typically characterised by having a range of facilities within 10 minutes (up to about 800m) walking distance of residential

areas which residents may access comfortably on foot.

- 3.10. The site is in safe walking distance to the village centre, local facilities and public transport connections. The site is approximately 430 metres to the nearest bus stop which is an acceptable distance in this village context. The application site is approximately 800 metres to the village convenience store and this would therefore be easily accessible by foot or bicycle by future occupiers of the development.
- 3.11. Not only are the local facilities a short distance from the site, they are also accessed via low speed roads which are safe for pedestrians and cyclists. The route to the bus stop and local facilities is a safe route with lit two metre pavements for the majority of the journey. There is a 30-metre speed limit in Potterne which makes trips to local facilities by bicycle more attractive.
- 3.12. Given the above analysis it must therefore be concluded that the development is situated within a sustainable location. Whilst the development sits just outside the development boundary, the site is no less sustainable than the land within the boundary directly to the north, south and west of the application site. The future occupiers would not be reliant on the private car to meet their day-to-day needs. Despite being located outside of the development boundary, the development therefore broadly aligns with the overall objectives of the Development Plan and the NPPF which seeks to direct development in sustainable locations where there are a range of local services.
- 3.13. The assessment of the Permission in Principle (PL/2022/02032) concluded that the site was sustainably located, and there is no reason to depart from this previous conclusion.

Housing land supply

- 3.14. In accordance with Paragraph 226 of the Framework, Wiltshire Council only needs to demonstrate a four-year supply of housing land because its emerging Local Plan has reached Regulation 19 stage including a policies map and proposed allocations towards meeting housing need. The Standard Method calculated local housing need is 1,952 dwellings per annum, i.e. total dwellings over five years of 9,760.

- 3.15. However, it has been concluded at a recent appeal (ref 3340811 dated 30th August 2024) that the Council can only demonstrate a 3.85-year supply of housing land. None of the provisions of Paragraph 11d(i) apply. Therefore, in accordance with Paragraph 11d (ii) and Footnote 8 of the Framework, the 'tilted balance' is engaged. The impact of this will be dealt with in the concluding section of this report.
- 3.16. This aforementioned appeal also recognised that there is some conflict between the Council's spatial strategy and Paragraph 180 of the Framework, which recognises the intrinsic character and beauty of the countryside but does not set out an in-principle objection to the provision of housing in countryside locations. At this appeal, this reduced the weight that was attached to the conflict with the spatial strategy

Character and appearance

- 3.17. Core Policy 57 requires a high standard of design in all development which is complementary to the locality through drawing on the local context. Proposals are required to demonstrate how they make a positive contribution to the character of the area. OO/A have prepared a Design and Access Statement which explains the design process and resulting scheme design. It explores the context of the site, neighbouring buildings, constraints and opportunities, topographical conditions and then demonstrates a modern attractive scheme that provides a high-quality design in a sustainable setting.
- 3.18. The Council have previously formally concluded through the issuing of PL/2022/02032, that the smaller site was suitable for the erection of a single dwelling within the site and was capable of according with the relevant policies and guidance on design and layout. The Council confirmed that a new dwelling at Greenacres was considered to be capable of being sympathetic to the site and its surroundings, and additionally by virtue of its position bounded on three sides by existing residential properties and by sharing an existing residential access track, the Council considered that a new dwelling would be broadly concordant with the existing pattern of development in this locality and the impact of expanding the built form of the village would be limited

- 3.19. Whilst the application site is larger than that previously proposed under the PIP, this should not alter the conclusions reached above. The site remains to be well screened by mature landscaping and built form, being bound by built form on three sides. Increasing the size of the site will not impact how a new development is perceived from wider views due to the existing screening and the fact it will still be experienced as part of the built-up part of the village.
- 3.20. The larger site allows for a more generous curtilage for the dwelling, and additional landscaping to be included within the curtilage. This will hopefully allay any concerns with regards to the development appearing cramped as the dwelling will be sat in a plot, commensurate for the size of the dwelling, and for this edge of village location.
- 3.21. The development is not considered to result in unacceptable encroachment into the countryside. Whilst the site is outside of the existing formal curtilage for Greenacres, it does not have the character of traditional open countryside. It forms part of an informal garden/orchard area which has always been intrinsically linked and accessed from Greenacres.



Figure 3 – Existing site – character of maintained land and orchard

- 3.22. The wider site contains formal planting and buildings and does not form part of the open countryside. The high degree of enclosure and screening from wider views can be appreciated from the aerial image at Figure 4 and sketch diagram at Figure 5.



Figure 4 – Aerial image of site

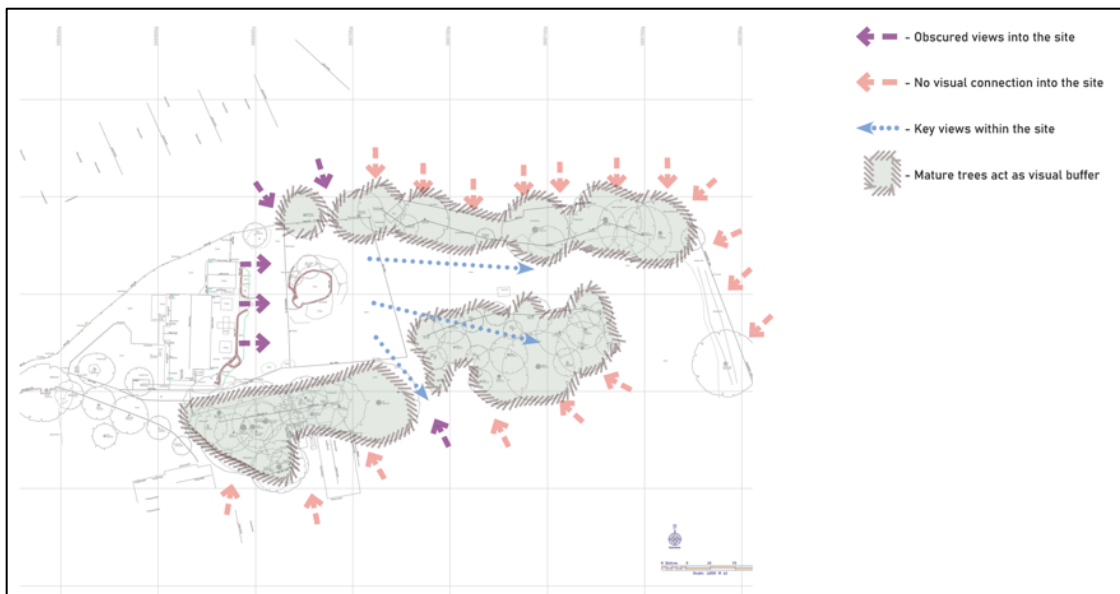


Figure 5 – Existing landscaping screening views into the site

- 3.23. The Council have previously concluded that Blounts Court House, The Bell House and The Old Stables are considered to be non-designated heritage assets. However, they

advised that subject to matters of scale and design etc, the proposal for introducing one dwelling and its curtilage at Greenacres, need not have any material impact on the settings of any heritage asset. Paragraph 209 of the Framework advises that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. As can be seen at Figure 4 the site is separated from these assets by mature landscaping. The site does not form part of the setting to these assets, and the dwelling, due to its appropriate scale will remain subservient to these buildings.

- 3.24. The majority of homes in the surrounding area are single-storey properties. The proposed building is also single storey, and as such respects the character of the area as well as the non-designated heritage assets as described above. The building is well articulated, with breaks in its elevations and variations in ridge heights across the building. This breaks up the visual mass of the building reducing its impact.
- 3.25. The use of simple, gabled roof forms and traditional proportions also reflects that of neighbouring buildings. The dwelling is simple, but high quality which ensures that the development does not dominate or compete with the neighbouring non designated heritage assets. The building will be constructed from natural stone, timber cladding and zinc, which again reflects the context of the site.

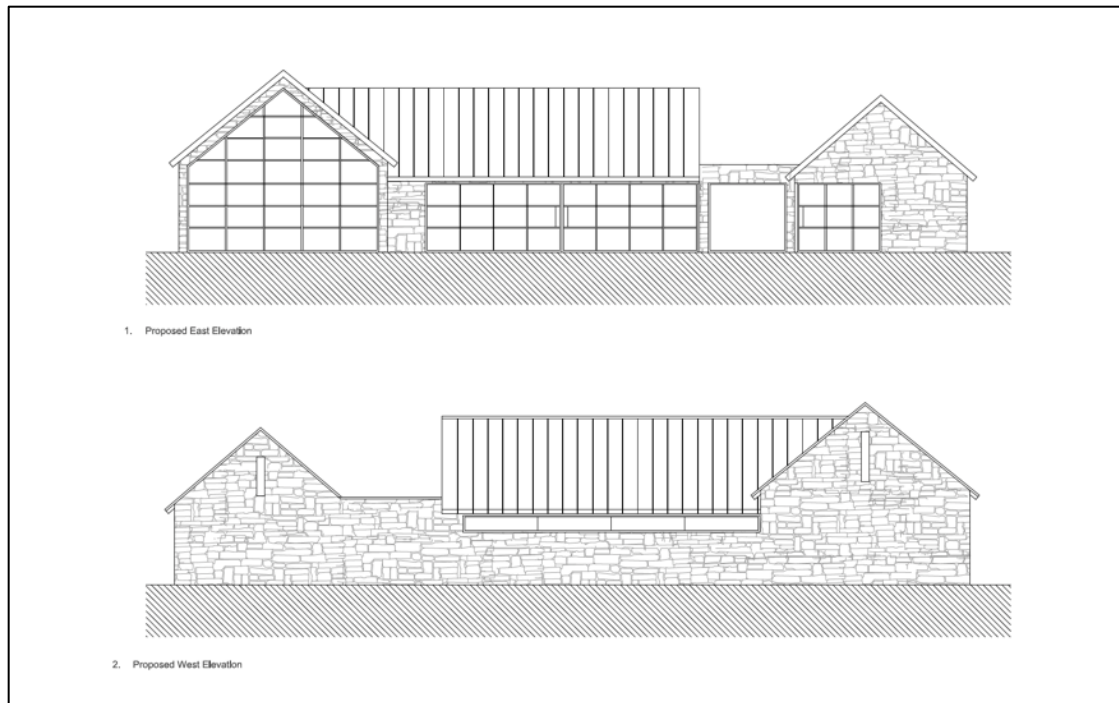


Figure 6 – Elevations of the building showing visual breaks in the building.

Residential amenity

- 3.26. Core Policy 57 of the WCS requires development to 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, including the consideration of privacy and overshadowing.
- 3.27. The placement and orientation of the dwelling has been informed by the constraints of the site which include the position of neighbouring occupiers. It has been designed to minimise any negative impact on neighbouring properties and maintain privacy for both the future occupants and those in the surrounding homes. As the property is single storey, all windows are at ground floor level, and generally look inwards.
- 3.28. Due to the single storey design, breaks in the ridge line, existing screening and distance from the neighbouring buildings, the development will not result in an overbearing impact, harm to outlook or harmful loss of light to the neighbouring occupiers. The development is therefore compliant with policy CP57 of the Core Strategy.



Figure 7 – Existing screening at the boundaries

Ecological Implications

- 3.29. The application is accompanied by a preliminary ecological assessment (PEA) which assesses the ecological value of the site and puts forward a number of recommendations to ensure that there will be no harm to ecology and recommends a number of biodiversity enhancements. Subject to compliance with these recommendations, the development will be ecologically acceptable, complying with both local and national requirements.
- 3.30. The introduction of Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021) now requires development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. However, there are a list of developments that are exempt from this regulation. As a self-build, as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015, the development would fall under the exemptions and as such, is not required to comply with the mandatory 10% BNG. However, ecological enhancements can still be achieved.

Highway safety implications

- 3.31. Core Policy 61 of the Wiltshire Core Strategy requires new development to be served by a safe access to the highway. Paragraph 115 of the NPPF states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 3.32. The extant PIP established the principle of a single dwelling on the site taking access over the private driveway. It was concluded that the adopted highway at Blounts Court is sufficient in geometry, etc to accommodate the movements associated with a single dwelling, and no objections were raised with respect to the impact on the local network. The access point proposed is the same for this application as indicated through the PIP application and the same conclusion should therefore be reached.



Figure 8 – Access point

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- 3.33. The site will accommodate onsite turning to ensure that vehicles can enter and leave the site in forward gear. The requisite onsite parking, electric vehicle charging point, and bicycle storage will also be accommodated on site. The development therefore fully complies with CP61 of the Core Strategy.
- 3.34. It has been demonstrated above that the site is located in a sustainable location, and any increased in vehicular movement on the wider highway network would not be material.

Arboricultural Impacts

- 3.35. There are a number of trees within and at the boundaries of the site. The development, and the siting of the dwelling has been informed by this constraint and their importance in the immediate and wider landscape are recognised. Outside of the site, Tree Preservation Order E/419, protects nearby trees but these will not be impacted upon by the proposal.
- 3.36. The site is accompanied by an Arboricultural Method Statement/ Tree Protection Plan which demonstrate that the trees within and adjacent to the site have been given due consideration, both during construction phase and through the lifetime of the development. A minor level of tree work is proposed to facilitate the development.

4. PLANNING BENEFITS

- 4.1. The application proposals will deliver simultaneously, economic, social and environmental benefits. With regards to economic benefits, the development will aid in supporting local businesses and services. This is in line with the advice of the NPPF which explains that housing should be located where it will enhance or maintain the vitality of rural communities. The development would contribute to this aim.

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- 4.2. Whilst limited in time, the development will generate economic benefits through the construction period. The Council will also receive a New Homes Bonus which represents a further economic benefit.
 - 4.3. Supporting the local facilities so they can continue in the future has significant social benefits for the community. The additional population has the potential to bring new users to the nearby facilities. The development will contribute to the aim of ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations. Given the lack of housing land supply, this should be given significant weight.
 - 4.4. In relation to environmental benefits, the scheme offers opportunity for environmental improvements, including Biodiversity Net Gain. Further, the development makes an efficient use of land. The development would accord with the environmental dimension of sustainable development.

5. PLANNING BALANCE

- 5.1. Section 70(2) of the Town and Country Planning Act 1990 provides that, in dealing with proposals for planning permission, regard must be had to the provisions of the development plan, so far as material to the application, and to any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that if regard is to be had to the development plan for any determination then that determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 5.2. It is recognised that the erection of a dwelling outside of a defined housing boundary does not comply with the overarching settlement hierarchy as set out in the Development Plan. However, as noted above, there are material considerations which

would suggest that a conflict with these policies of the Development Plan is justified. This was accepted through the determination of the PIP application, and this is highly material in this current application.

- 5.3. As highlighted above, the Council cannot demonstrate the required housing land supply. NPPF Paragraph 11d(ii) presumption in favour of sustainable development is engaged in this case. This explains that planning permission should be granted unless, the adverse impacts of approving the development would significantly and demonstrably outweigh the benefits, when assessed against the Framework policies as a whole.
- 5.4. The only planning harm identified is the location of the development outside of the defined housing boundary. However, the development outside of the development boundary was accepted through the PIP. It was concluded that the application site is a sustainable location, and well related to the built up part of the village of Potterne. There is no tangible harm of a new dwelling in this location.
- 5.5. As the application site does not have the character of open countryside, and benefits from regular maintenance, formal planting, and buildings, the site would not result in further encroachment into the countryside. Given the site is sustainably located, close to local services and facilities, and there is no harm to rural character, there are therefore no overall conflicts with the broad objectives of the Development Plan caused by siting a dwelling outside of the adopted development limits.
- 5.6. The proposed development is of a high quality, and a modern interpretation of a traditional design, and would be discreetly located to the rear of Greenacres and well screened from wider views. Due to its single storey design and appropriate siting, it will not harm the residential amenity of the neighbouring occupiers.
- 5.7. The submission includes the necessary information to demonstrate that the site would be ecologically acceptable and has been designed to avoid any harm to on site or off site trees.

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- 5.8. For the above reasons, it is not considered that there is any harm that significantly and demonstrably outweighs the benefits of the proposals as outlined in section 4 of this statement. The development therefore represents sustainable development. The Council is therefore respectfully encouraged to approve this planning application.

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