

**DETAILED PLANNING APPLICATION FOR RESIDENTIAL
DEVELOPMENT TO PROVIDE 55 DWELLINGS, PUBLIC
OPEN SPACE, ACCESS, DRAINAGE, LANDSCAPING,
ASSOCIATED INFRASTRUCTURE AND ANCILLARY
WORKS**

ON BEHALF OF COTSWOLD HOMES LTD

LAND EAST OF BIDDESTONE LANE, YATTON KEYNELL

APRIL 2025

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REPORT CONTROL

Project:	Yatton Keynell
Report Type:	Planning Statement
Client:	Cotswold Homes Ltd
Our Reference:	857/A3/AK
Date:	April 2025
Version:	V1

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1.0 INTRODUCTION

- 1.1 On behalf of our client, Cotswold Homes Ltd (the applicant), Grass Roots Planning has been instructed to prepare and submit a detailed planning application for residential development to provide 55 dwellings, public open space, access, drainage, landscaping, associated infrastructure and ancillary works at Land east of Biddestone Lane, Yatton Keynell (the 'Site').
- 1.2 The site lies to the southwest of Yatton Keynell, a settlement located to the northwest of Wiltshire Council's (WC) administrative area. Other established towns such as Chippenham, Corsham and Castle Combe are located within a short distance of the site.
- 1.3 We have considered the various technical issues associated with the site and proposal, and have addressed these through appropriate technical surveys, assessments and reports. The application, therefore, comprises the following plans and documents, which should be read in conjunction with this Statement:

- Application Forms & Certificates;
- Community Infrastructure Levy Form;
- Design and Access Statement prepared by Trower Davies Architectural Consultants
- Plans prepared by Trower Davies Architectural Consultants:
 - 100 Site Layout
 - 101 Site Layout
 - 102 Site Layout – House Legend
 - 103 Site Layout & Boundary Treatments
 - 104 Site Layout & Wall Materials
 - 105 Site Layout & Roof Materials
 - 106 Site Layout & Tenure
 - 107 Site Layout & Ownership
 - 108 Site Layout - External Services
 - 110 Site Location Plan
 - 010 Type B – Floorplans
 - 011 Type B – Elevations
 - 012 Type D – Floorplans
 - 013 Type D+ - Floorplans
 - 014 Type D – Elevations
 - 015 Type D – Elevations
 - 016 Type D+ – Elevations
 - 017 Type DV1 – Floorplans

- 018 Type DV1+ – Floorplans
- 019 Type DV1 – Elevation
- 020 Type DV1 – Elevation
- 021 Type DV1 – Elevation
- 022 Type DV1+ – Elevation
- 023 Type F – Floorplans
- 024 Type F+ – Floorplans
- 025 Type F – Elevations
- 026 Type F – Elevations
- 027 Type F+ – Elevations
- 028 Type M – Floorplans
- 029 Type M+ – Floorplans
- 030 Type M – Elevations
- 031 Type M+ – Elevations
- 032 House Type P – Floor plans
- 033 House Type P+ – Floor plans
- 034 House Type P – Elevations
- 035 House Type P – Elevations
- 036 House Type P – Elevations
- 037 House Type P+ – Elevations
- 038 W House Type – Floor plan
- 039 House Type W – Elevations
- 040 House Type W – Elevations
- 041 Type K & KV1 – Floorplans
- 042 Type K & KV1 – Elevations
- 060 Type A2 – Floorplans – Semi detached
- 061 Type A2 – Elevations – Semi detached
- 062 Type A2 – Elevations – Semi detached
- 063 Type A2 – Floorplans – Terraced
- 064 Type A2 – Elevations – Terraced
- 065 Type A3 – Floorplans – Semi detached
- 066 Type A3 – Elevations – Semi detached
- 067 Type A3 – Elevations – Semi detached
- 068 Type A3 – Floorplans – Terraced
- 069 Type A3 – Elevations – Terraced
- 070 Type A1M & A2BUNG - Floorplans
- 071 Type A1M & A2BUNG - Elevations
- 080 Single Garage
- 081 Double Garage
- 082 Substation

- Detailed Soft Landscape Proposals (Sheets 1 and 2) prepared by Mood Landscape;
- Statement of Community Involvement prepared by Marengo Communications;
- Flood Risk Assessment and Drainage Strategy prepared by Phoenix Design Partnership Limited;
- Phase 1 Geo-environmental Desk Study prepared by Core Geotechnics Limited;
- Phase 2 Ground Investigation prepared by Core Geotechnics Limited;
- Sustainability and Energy Statement prepared by Building Energy Experts Ltd;
- Desk-Based Archaeology and Built Heritage Assessment prepared by Pegasus Group;
- Landscape and Visual Appraisal prepared by FPCR Environment and Design Ltd;
- Preliminary Ecological Appraisal prepared by All Ecology Ltd;
- Bat Activity Survey prepared by All Ecology Ltd;
- Biodiversity Metric prepared by All Ecology Ltd;
- Breeding Skylark Survey prepared by All Ecology Ltd;
- Biodiversity Net Gain Design Stage Report prepared by All Ecology Ltd;
- Transport Statement prepared by Pegasus Group;
- Travel Plan prepared by Pegasus Group;
- Arboricultural Report prepared by Silverback Arboricultural Consultancy Ltd;
- and
- Site Waste Management Plan prepared by Cotswold Homes Ltd.

1.4 This Planning Statement proceeds as follows:

- Section 2 – Site Description
- Section 3 – Proposed Development
- Section 4 – Planning Status and Site History
- Section 5 – Planning Policy
- Section 6 – Main Issues and other Material Considerations
- Section 7 – Planning Balance and Conclusions

2.0 SITE DESCRIPTION

- 2.1 The site lies to the southwest of Yatton Keynell and comprises an existing agricultural field that is surrounded by trees and hedgerows along with a small portion of the agricultural field to the south. There is a cluster of existing trees in the centre of the site.
- 2.2 The site is situated to the east of Biddestone Lane and positioned adjacent to an existing recreation ground to the northeast of the site. The recreation ground connects the site to the settlement of Yatton Keynell, beyond which is the village hall and residential development. There is a Public Right of Way which runs along the northern boundary of the site and this connects with a further PRow that runs along Biddestone Lane providing a direct pedestrian access to the centre of Yatton Keynell, however currently this forms a grass verge and is unsurfaced.
- 2.3 The site measures approximately 4.28 ha and is currently open agricultural land, with hedges and trees. There is a drainage ditch that runs along the southern boundary, and a vegetated pond towards the centre of the southern portion of the site. An approximate boundary of the site is shown in Figure 1 below.



Figure 1. Site boundary (for exact measured boundaries, refer to the site location plan submitted with this application).

- 2.4 The area to the northeast of the site consists of existing residential development. Architecturally, there is variation in terms of design and many buildings use stone materials. It is generally characterised by a range of dwelling sizes and styles, including detached and

semi-detached properties. Figures 2, 3, and 4 below present examples of different house types and styles in the surrounding area.



Figure 2. Farrells Field, Yatton Keynell housing example.



Figure 3. Biddestone Lane housing example.



Figure 4. Drovers Green housing example.

- 2.5 Yatton Keynell offers a range of everyday services, including a primary school, GP surgery, pub, café and village store. There is also the No. 95 bus service that provides connection to Chippenham, where new residents could access a wider range of services and facilities. For further details on the sustainability credentials of the site and a full list of facilities, please refer to Section 6 below and the Transport Statement submitted with this application.

3.0 PROPOSED DEVELOPMENT

- 3.1 This detailed planning application is for residential development to provide 55 dwellings, public open space, and associated access, drainage and landscaping works.
- 3.2 Figure 5 below is an extract of the site layout, which shows an arrangement for the proposed residential scheme of 55 dwellings. It is also proposed that 40% of the dwellings would be provided as affordable homes, equating to 22 units, with a tenure mix to be agreed with Wiltshire Council's Affordable Housing Team. The dwellings will consist of a mix of 1 – 4-bedroom properties.



Figure 5. Extract of Plan 101 Site Layout, prepared by Trower Davies Architectural Consultants.

- 3.3 Access to the site is proposed to be taken from Biddestone Lane to the north where a central tree-lined spine road meanders through the development branching off into secondary roads and private drives. These together provide access to all of the residential units.
- 3.4 Pedestrian footpaths are proposed along the access routes through the site, and the existing public right of way is maintained and improved to the northeast of the site through an area of public open space.

- 3.5 Public open space is proposed around the periphery of the site. These spaces have been carefully positioned and designed and provide landscaped areas for existing residents and occupants of the proposed development to enjoy.
- 3.6 The existing tree group in the site will be protected and retained. Trees and hedgerows around the site will also be protected and retained, excluding for a small section to allow for the formation of the access.
- 3.7 The proposed development is of a high-quality design, which has been purposely designed to reflect the character of the surrounding area. The housing mix provides for a range of house types, which will suit the local character of the area.
- 3.8 Further details and illustrations of the proposals are provided in the Design and Access Statement that accompanies this application. The statement describes how the plans reflect the constraints and opportunities identified at the start of the project and sets out a vision for the development.

4.0 PLANNING STATUS & SITE HISTORY

Planning Status

- 4.1 The site lies close to the settlement boundary for Yatton Keynell. An extract of Wiltshire's Core Strategy Policies Map is outlined below in Figure 6.

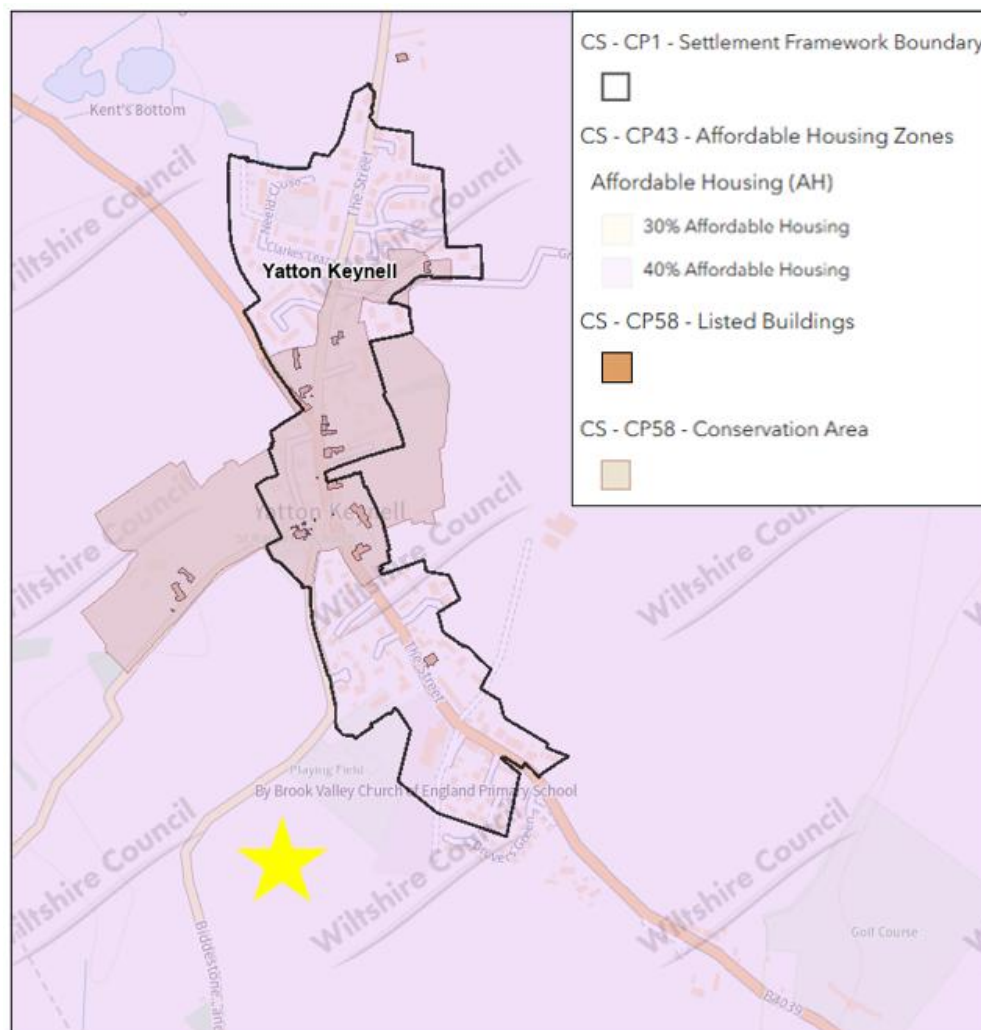


Figure 6. Extract of Wiltshire Council Core Strategy Policies Map (site indicated in yellow).

- 4.2 The site is located within Flood Zone 1, at lowest risk of flooding. The site does not contain any heritage assets, including listed buildings. The site is also not located in a National Landscape, though the boundary of the Cotswolds National Landscape is located to the north and west of the site as shown in Figure 7 below. Furthermore, the site is not located within a Conservation Area or Green Belt, with the Yatton Keynell Conservation Area located approximately 300 m to the north of the site.

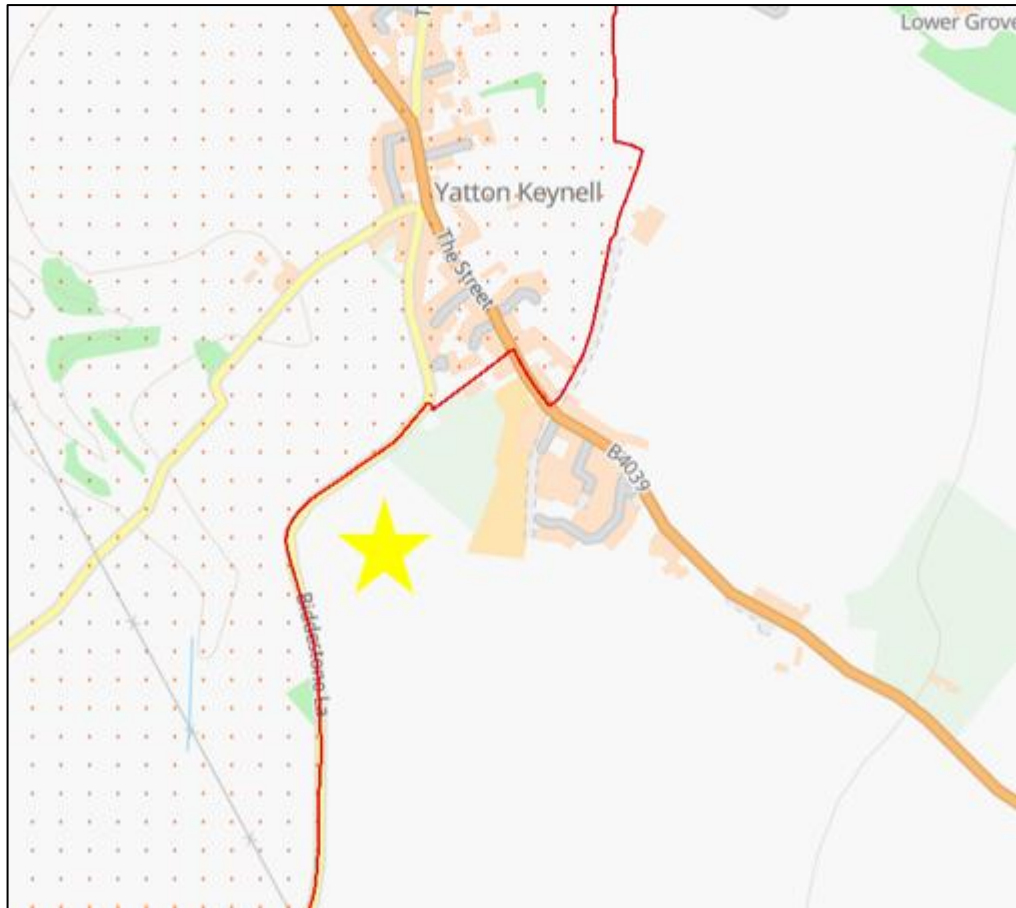


Figure 7. Magic Maps extract showing Cotswolds National Landscape boundary (site indicated in yellow).

- 4.3 Figure 8 below contains an extract of Wiltshire Council's Rights of Way Explorer and identifies the Public Right of Way (PROW) that runs across the northeast of the site (YKEY15). The network of Public Rights of Way in the local area are also shown below. Route YKEY15 connects the site to Route YKEY16 which leads to the B4039 road that runs through the centre of Yatton Keynell.



Figure 8. Extract of Wiltshire Council's Rights of Way Explorer (site indicated in yellow)

Site Planning History

- 4.4 According to Wiltshire Council's Planning Explorer there have been no relevant planning applications at the site.

Community Engagement

- 4.5 Public consultation for the proposed scheme took place between October and December 2024. This included emailing ward councillors and the parish council, sending 338 letters to local residents inviting them to attend a public consultation, and launching a public consultation website.
- 4.6 A stakeholder meeting and public consultation was held on the 28th October 2024 and the 25th November 2024, respectively. Members of the public provided comments on, inter alia, traffic and road safety, flooding and drainage, impacts on infrastructure and affordable housing.

- 4.7 Changes were made to the proposals as a result of public feedback which included increasing the number of two bedroom homes, including a bungalow and flats in the proposed housing types, and the use of predominantly natural stone walls for dwellings and stone detailing.
- 4.8 Further details of the public consultation undertaken and the feedback received are available in the Statement of Community Involvement (SCI) prepared by Marengo Communications that accompanies this planning application.

5.0 PLANNING POLICY

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan unless, material considerations indicate otherwise.
- 5.2 In this case, the relevant parts of the Development Plan include the Wiltshire Core Strategy and the Wiltshire Housing Site Allocations Plan, and the saved policies of the North Wiltshire Local Plan.
- 5.3 The ‘other material considerations’ referred to in Section 38(6) of the Act would include the National Planning Policy Framework (NPPF), Planning Practice Guidance (PPG), Planning Policy Statements (PPS), Planning Circulars, Policy Advisory Notes (PAN), relevant Supplementary Planning Guidance (SPG) or Supplementary Planning Documents (SPD) (emerging and adopted).

Development Plan

Wiltshire Core Strategy

- 5.4 The Wiltshire Core Strategy was adopted in January 2015 and covers the period up to 2026. It was developed with the communities of Wiltshire, local and national business, and interest groups. It also emphasises that the biggest task of the Core Strategy is delivering new jobs and homes, whilst providing for high quality design, infrastructure, environmental and community benefits.
- 5.5 The relevant policies from the Core Strategy include the following:
- **CP1: Settlement Strategy** – 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.
 - **CP41: Sustainable Construction and Low-Carbon Energy** – New development, building conversions, refurbishments and extensions are encouraged to incorporate design measures to reduce energy demand.
 - **CP43: Providing Affordable Homes** – On sites of a certain size a minimum of either 30% or 40% affordable housing provision will be required, depending on which zone the site falls within. Yatton Keynell falls within a 40% affordable housing zone.
 - **CP45: Meeting Wiltshire’s Housing Needs** – New housing, both market and affordable, must be well designed to address local housing need, incorporating a

range of different types, tenures and sizes of homes to create mixed and balanced communities.

- **CP48 Supporting Rural Life** – Development outside of settlement boundaries can be supported where it meets a housing need, delivers infrastructure improvements or supports existing facilities.
- **CP50: Biodiversity and Geodiversity** – Proposals should demonstrate how they protect biodiversity and geodiversity value in their design rationale.
- **CP51: Landscape** – Development must protect, conserve and wherever possible enhance the landscape character of an area. Any negative impacts should be mitigated through sensitive design, whilst being informed by and sympathetic to distinctive character.
- **CP52: Green Infrastructure** – Development should make provision for the retention and enhancement of the existing green infrastructure network, ensuring suitable links are provided and maintained.
- **CP57 Ensuring High Quality Design and Place Shaping** – A high standard of design is required in all new developments, creating a strong sense of place by taking reference from the local context.
- **CP58 Ensuring the Conservation of the Historic Environment** – Development should protect, conserve and enhance the historic environment.
- **CP60 Sustainable Transport** – Sustainable, safe and efficient movement will be encouraged and supported by the Council.
- **CP61 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.
- **CP62 Developments Impact on the Transport Network** – Developments should provide the appropriate mitigating measures to offset any adverse impacts on the transport network.
- **CP67 Flood Risk** – All new development will include measures to reduce the rate of rainwater run-off and include sustainable urban drainage features wherever possible.

Wiltshire Housing Sites Allocation Plan

- 5.6 The Housing Site Allocations Plan was adopted in February 2020 and covers the period until 2026. The policies within this plan are strategic in nature, revise settlement boundaries in relation to the Principal Settlements of Salisbury and Trowbridge, Market Towns, Local Service Centres and Large Villages wherever necessary, as well as allocate new sites for housing to deliver sufficient homes across the plan period, and ensure the Council have a 5-year housing land supply.

- 5.7 Paragraph 2.8 states that *“Except small villages, each category of settlement has a “settlement boundary”. In simple terms, they are the dividing line, or boundary between areas of built/urban development (the settlement) and non-urban or rural development - the countryside.”*
- 5.8 Yatton Keynell falls within the North and West Wiltshire Housing Market Area (HMA). Table 2.1 (Housing Market Area – Minimum requirements) shows that there is a minimum housing requirement of 24,740 dwellings for the North and West Wiltshire HMA over the planned period.
- 5.9 Within Table 2.2 (Settlement Hierarchy – Levels of development), it is stated that in large villages *“Development limited to that needed to help meet the housing needs of settlements and improve housing opportunities, services and facilities.”*

Emerging Local Plan

- 5.10 The Wiltshire Core Strategy was adopted in 2015 and was only intended to deal with the growth requirements of Wiltshire up until 2026, which is less than one year away. Wiltshire Council has progressed a new Local Plan which was submitted to the Secretary of State for Housing Communities and Local Government for Independent Examination in November 2024.
- 5.11 The Inspectors examining the Plan have raised concerns within their initial letter to the Council dated 27th February 2025. These issues include that the Council hasn’t considered an appropriate timeframe for the Local Plan, which requires 15 years from post-adoption. Wiltshire Council responded to the Inspectors’ Initial questions in their letter dated 20th March 2025. At this time therefore, the emerging Plan can only be given limited weight.

National Planning Policy Framework, December 2024

- 5.12 The National Planning Policy Framework (NPPF) was updated in 2024 and sets out the Government’s planning policies for England. Central to this guidance is the clear direction that there should be a presumption in favour of sustainable development, and the need to substantially increase housing growth and boost the delivery of housing.
- 5.13 Of particular regard is Paragraph 11 of the NPPF that states, for decision taking, Local Planning Authorities should apply the presumption in favour of sustainable development by:

“... c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁸, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance⁷ provides a strong reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination⁹.”*

- 5.14 Footnote 8 states, inter alia, *“This includes, for applications involving the provision of housing, situations where: the local planning authority cannot demonstrate a five year supply of deliverable housing sites...”*
- 5.15 Paragraph 61 notes 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.
- 5.16 Paragraph 83 notes that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.
- 5.17 Paragraph 96 sets out that planning policies and decisions should aim to achieve healthy, inclusive and safe places.
- 5.18 Paragraph 103 sets out that access to a network of high-quality open spaces and opportunities for sport and physical activity, is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change.
- 5.19 Paragraph 124 requires planning policies and decisions to promote an effective use of land in meeting the need for homes and other uses.
- 5.20 Paragraph 130 states that where there is an existing, or anticipated, shortage of land for meeting identified needs, *“...it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site”*.

- 5.21 Paragraph 131 notes that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work, and helps make development acceptable to communities.
- 5.22 Paragraph 135 of the NPPF requires that decisions should ensure developments:
- *Function well;*
 - *Add to the overall quality of the area for the lifetime of that development;*
 - *Are visually attractive in terms of:*
 - *Layout*
 - *Architecture*
 - *Landscaping*
 - *Are sympathetic to local character/history whilst not preventing change or innovation;*
 - *Maintain a strong sense of place having regard to:*
 - *Building types*
 - *Materials*
 - *Arrangement of streets in order to create an attractive, welcoming and distinctive places to live, work and visit.*
 - *Optimise the potential of the site to accommodate an appropriate number and mix of development;*
 - *create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*
- 5.23 Paragraph 139 of the NPPF states that development that is not well designed should be refused, but that significant weight should be given to development that reflects local design policies and government guidance on design, and development of outstanding or innovative design, which promotes high levels of sustainability and raises the standard of design in the area, provided they fit with the overall form and layout of their surroundings.
- 5.24 Paragraph 164 of the NPPF states that new developments should reduce greenhouse gas emissions, for example through location and design.
- 5.25 Paragraph 181 states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.

5.26 Paragraph 182 states that applications which could affect drainage on or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, and which are proportionate to the nature and scale of the proposal. These should provide multifunctional benefits wherever possible, through facilitating improvements in water quality and biodiversity, as well as benefits for amenity.

5.27 Paragraph 187 asks decisions to recognise the intrinsic character and beauty of the countryside and provide net gains for biodiversity.

5.28 Paragraph 189 of the NPPF states:

“Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads⁶⁶. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.”

5.29 Paragraph 193 of the NPPF states that developments should:

- Be supported where the primary objective is to conserve or enhance biodiversity; and
- Incorporate opportunities to improve biodiversity as part of their design.

6.0 MAIN ISSUES AND OTHER MATERIAL CONSIDERATIONS

6.1 The main issues which apply to the site are as follows:

1. Whether the principle of development is acceptable in this location in regard to;
 - a. The Spatial Strategy and Accessibility of the Site
 - b. Housing Need; and
 - c. Policy Compliance.
2. Whether there would be any landscape impacts;
3. Whether the design of the proposed development is appropriate to its context;
4. Whether drainage matters have been successfully addressed;
5. Whether there are any highways impacts;
6. What are the ecological impacts and has the requirement to create 10% BNG been met;
and
7. Whether there are any other material considerations that apply to the development.

6.2 We will now go on to analyse these issues, set out the benefits, and consider any other matters associated with the scheme.

Issue 1: The Principle of Development

6.3 Wiltshire Council's approach to the distribution of development to meet this need is set out in adopted Policy CP1. This identifies four tiers of settlements as follows:

- i. Principal Settlements
- ii. Market Towns
- iii. Local Service Centres
- iv. Large and Small Villages

6.4 Core Policy 10 defines Yatton Keynell as a large village with Core Policy 1 defining that in these locations:

“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.”

6.5 It is acknowledged that the application site is located outside of the defined development limits for Yatton Keynell and therefore falls within the countryside. The proposals therefore

present a technical conflict with policy CP1 and saved Policy H4 - Residential Development in the Open Countryside, saved from the North Wiltshire Local Plan.

- 6.6 Less weight should, however, be given to policies in the Local Plan that restrict housing delivery since the tilted balance and presumption in favour of sustainable development applies to these proposals – as we will go on to set out the detailed reasoning for this within later sections of this report.
- 6.7 To determine whether the principle of development at the site is acceptable, we must first establish if the location is sustainable and capable of supporting a new residential community.

Sustainable Development

- 6.8 The location of the site is considered highly sustainable due to the proximity and short distance to local services situated in Yatton Keynell. The site is located less than 1 km from a good range of local services, that are accessible without a car, as shown in Table 1 below.
- 6.9 It is estimated that the time taken to walk to the services, which are under 1 km from the site, including a bus stop would be less than 15 minutes. The local services are also accessible through cycling or via public transport.

Table 1. Facilities Accessible Without the Private Car

Local Facility/Service	Approximate Walking Distance to Site (Km)	Approximate Walking Time (mins (assuming 5km/h))
Village Hall	0.30	3.6
Pre-school	0.30	3.6
Primary School	0.40	4.8
GP Surgery	0.45	5.4
Bus stop	0.55	6.6
Pub	0.70	8.4
Cafe	0.75	9
Village Store	0.80	9.6

- 6.10 In addition to services that can be accessed locally in Yatton Keynell, there are additional services that can be accessed using public transport in Chippenham. There are multiple bus stops in Yatton Keynell with the Bell Inn bus stop located approximately 0.5 km from the site and the Farrells Field bus stop located less than approximately 0.5 km to the north east of the site. These bus stops are serviced by the 95 bus route that provides services to Chippenham in approximately 20 minutes.
- 6.11 The route of the bus service 95 is outlined in Figure 9 below. This shows that the 95 bus is a straightforward and sustainable way for new residents to access additional services not only in Chippenham, but also in smaller settlements such as Castle Combe and Burton. Chippenham offers additional services such as a pharmacies, Chippenham Community Hospital, dentists, eateries, schools, and Chippenham train station which provides services to London.

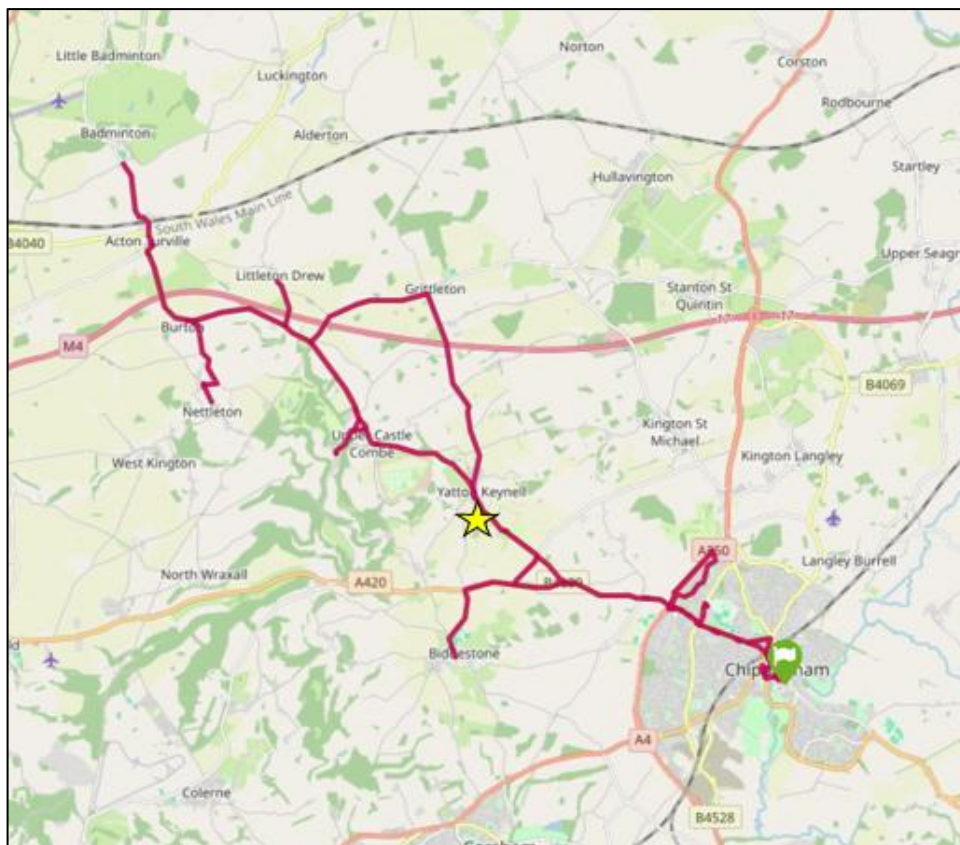


Figure 9. No. 95 bus route, site indicated in yellow (source: traveline southwest)

- 6.12 In summary, the site is in the ideal position to access an array of services in Yatton Keynell in close proximity to the site, and in Chippenham using sustainable modes of transport if additional services are required. The development will not place an overburden on existing infrastructure.

Housing Need and Land Supply

Market Housing

- 6.13 The Wiltshire Core Strategy, in Policy CP2, identifies that at least 42,000 homes will be delivered in the county over the 2006-2026 period.
- 6.14 CP2 also defines three different Housing Market Areas (HMAs) in Wiltshire, with Yatton Keynell falling within the North and West Wiltshire HMA. The overall housing target for the North and West Wiltshire HMA is identified as being a minimum of 24,740 homes. The proposals would meet positively in this regard given the policies seek to deliver a minimum number of dwellings.
- 6.15 However, the Framework and Standard Method (SM) for assessing Local Housing Need (LHN) was updated significantly in December 2024. The updated guidance has reemphasised that there should be an increase in housing delivery and has put in measures to boost the supply of housing, including the removal of four-year housing land supply test. Wiltshire Council are therefore required to demonstrate they have a sufficient supply of housing for the next five years, with the addition of a 5% buffer, as required under Paragraph 78 of the NPPF. Where an authority cannot demonstrate this, policies relating to housing supply cannot be considered “up-to-date” in the context of Paragraph 11.
- 6.16 At the heart of the Framework is the presumption in favour of sustainable development and for decision-taking, this means approving development that accords with the Development Plan without delay. Paragraph 11 of the Framework sets out that where there are no relevant Development Plan policies, or the policies which are most important are out-of-date, planning permission should be granted unless *“the application of policies in the Framework that protect areas or assets of particular importance provide a strong reason for refusal” or “...any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.”*
- 6.17 On the 17th December 2024, Wiltshire Council published a Briefing Note (No. 24-20) titled ‘Implications of December 2024 National Planning Policy Framework and Revisions to the Standard Methodology on the Housing Land Supply’ (Appendix A). This demonstrates that the LHN for Wiltshire has increased from 1,917 dwellings per annum to 3,525 dwellings under the new SM. The 3,525 figure is, therefore, the new minimum annual housing requirement for the Wiltshire area.

- 6.18 When applying the increased LHN over 5 years and adding the 5% buffer as required by Paragraph 78 of the NPPF, this results in an annual housing requirement of 3,701 dwellings. Comparing this against the deliverable supply of 7,529 homes calculated by the Inspector of the Storridge Road, Westbury appeal (ref: APP/Y3940/W/24/3340811) in August 2024, results in a significantly decreased 5-year housing land supply position for Wiltshire of **2.03 years**. This calculation is outlined in Table 2 below.

Table 2. Wiltshire Council Housing Land Supply Position

A	Standard Method	3,525 dwellings
B	Over 5 years (A*5)	17,625 dwellings
C	+5% Buffer (B*1.05)	18,506 dwellings
D	Annual Requirement (C/5)	3,701 dwellings
E	Deliverable Supply	7,529 dwellings
F	5YHLS Position (E/D)	2.03 years

- 6.19 This housing land supply position is confirmed by the Council in their 17th December 2024 Briefing Note (No.24-20) and in the decision by the Inspector of the Glenmore Farm, The Ham/Hawkeridge Road, Westbury appeal (ref: APP/Y3940/W/24/3345598) on the 21st January 2025.
- 6.20 It is, therefore, abundantly clear that Wiltshire Council do not have a five-year housing land supply. The amount of housing that Wiltshire Council has provided for is now less than half of the requirement under national policy. This is clearly a substantial deficit. For these reasons, the policies within the Local Plan specifically relating to housing and housing delivery (such as CP1 Settlement Strategy and saved policy H4) must be considered out-of-date and be given less weight within decision-taking. The Council, therefore, cannot refuse applications simply because they fall outside of the settlement boundary.

Affordable Housing Need

- 6.21 Core Policy 43 Providing Affordable Homes highlights that on sites of a certain size a minimum of either 30% or 40% affordable housing provision will be required, depending on which zone the site falls within. Yatton Keynell falls within a 40% affordable housing zone. The proposals

include 22 affordable units, with a tenure mix to be agreed with Wiltshire Council's Affordable Housing Team and therefore meet favourably with this policy.

- 6.22 There is a recognised housing crisis in respect of affordability. The Council confirmed in April 2024 that the scale of the need for affordable housing in Wiltshire as a whole is considerable – totalling 3,905 households (taken from the Council's Housing Register dates 31.1.24).
- 6.23 The Housing Federation's report "People in Housing Need" (September 2020) identifies that, while local housing registers serve an important administrative function, they do not give a full picture of how many people are in need of a home. This is due to various factors suppressing the numbers on formal registers, including matters such as barriers to entry relating to people's ability and knowledge to register their need formally with a Council, and feelings related to the hopelessness of being able to secure a home in an area where little development that delivers affordable housing is occurring.
- 6.24 Housing need is also dynamic, and increases over time as people fall into housing need due to various factors including children growing into adulthood, couples separating, economic circumstances etc. The housing register figures should, therefore, be viewed as very much the minimum indication of need in the area.
- 6.25 This identified need is also for rented affordable products only, there will be additional demand for other forms of affordable housing that a development would deliver such as shared ownership products. Determining the level of need for these products is notoriously hard as Council's rarely hold data for this, given applicants register with individual housebuilders/providers. It is, however, a reasonable assumption that a significant number of first-time buyers and others would be eligible for such products in the area and would greatly benefit from being offered homeownership via one of these products.
- 6.26 Further evidence in relation to the scale of affordable housing need and the pressing nature of the need to deliver more of this can be found in the Council's own evidence base – namely the 'Wiltshire Local Housing Needs Assessment Update Volume Two – February 2023' (HNAU).
- 6.27 In respect of affordable home ownership, the HNA calculates the need for this type of affordable housing and concludes at Paragraph 4.47:

"Overall, there are likely to be 22,948 households who aspire to homeownership but who cannot afford to buy their own home over the period 2020-38, a net annual need of 1,275 per year."

- 6.28 As we have outlined previously, the Council's waiting list does not provide a measure of need for affordable home ownership, so this is the only available data on the subject. It clearly establishes the acute need for this type of affordable product in addition to subsidised rented products, with the 1,275 per annum need representing 61% of the total annual housing requirement that adopted Policy CP2 establishes (2,100 pa) for Wiltshire. While this nominal need is unlikely to be addressed in full, it does highlight the scale of the problem and the significant weight that should be associated with the benefit of delivering affordable homes for ownership on the application site.
- 6.29 There is clearly a strong demand for affordable housing in the local area and there is a significant under supply. The addition of the affordable housing units at the application site will, therefore, very much assist in meeting the local housing need.
- 6.30 The significant contribution of policy compliant affordable housing amounting to 22 units in this location is, therefore, considered to be a considerable benefit of the proposals and should be given very substantial weight in decision-taking.

Conclusion on the Principle of Development

- 6.31 Given the Council do not have a 5YHLS, in line with Paragraph 11 of the NPPF, the 'tilted balance' and the presumption in favour of sustainable development applies, and the proposal should only be refused if the adverse impacts of the development significantly and demonstrably outweigh the benefits. It also follows that the policies most important for determining the application are out of date and reduced weight should be given to these, including policies restricting housing supply. This is supported by the Inspector of the Glenmore Farm, The Ham/Hawkeridge Road, Westbury appeal (ref: APP/Y3940/W/24/3345598) on the 21st January 2025. Paragraph 41 of the decision states:

"Aside from the emerging Local Plan, which has only just been submitted for Examination, there is no other obvious remedy to the shortfall in the short or medium term. This overall position indicates that the development plan is failing to meet its strategic challenges. Thus, its settlement strategy and limits of development are not working effectively. These policies are therefore of limited weight, as is the conflict with them."

- 6.32 Furthermore, there is a clear and stark lack of affordable housing in Wiltshire. As well as assisting in delivering market housing, boosting the supply in the area, this proposal in this location will provide an invaluable contribution to affordable housing for the area, which is a very substantial benefit of the development.

- 6.33 Therefore, whilst there is some conflict with the development plan given the site lies outside of the defined settlement limits of Yatton Keynell, the policies that restrict development are considered to be out of date and should be given reduced weight due to the Council not maintaining a 5 year housing land supply.
- 6.34 Overall, taking into account the evidence relating to sustainability and accessibility set out in paragraphs 6.8 - 6.12 above, which demonstrates that everyday services can be accessed by sustainable modes of transport such as walking, cycling or public transport, it is clear that the location of the site is in an ideal position to contribute to the much-needed housing in the area and address the Council's significant deficit in housing supply.
- 6.35 The principle of development at the application site should, therefore, be considered acceptable.

Issue 2: Landscape Impacts

- 6.36 As highlighted in Section 4 of this report, the boundary of the Cotswolds National landscape lies to the north and west of the site. The site does not fall within the boundary of this National Landscape itself, however it can be considered to contribute to its setting. National Landscapes are protected by the Countryside and Rights of Way Act 2000. Any development at the site should therefore conserve and enhance the setting of this nationally protected landscape, in line with Paragraph 189 of the NPPF which states:

"...The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas."

- 6.37 Policy CP51 of the Wiltshire Core Strategy states that proposals should look to protect, conserve and, where possible, enhance landscape character, with any negative impacts mitigated as far as possible through sensitive design and landscape measures. In addition, CP51 also states that:

"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."

- 6.38 A Landscape and Visual Appraisal (LVA), prepared by FPCR Environment and Design Ltd and in accordance with best practice, accompanies this application. The LVA assesses the site from 12 different viewpoints and investigates the existing landscape and visual environment

in the area, whilst identifying any landscape impacts that might arise from the proposed development. The LVA explores the likely visual effects from a range of key viewpoints.

- 6.39 The LVA outlines that the site is located within NCA 107 'Cotswolds' and within the Malmesbury-Corsham Limestone Lowlands LCA of the Wiltshire Landscape Character Assessment, and that the Cornbrash Pastoral Lowlands of the Cotswolds NL extend to the west.
- 6.40 The visual baseline analysis of the site concluded that, inter alia, boundary vegetation limits views from within the site. Although some longer views are possible through gaps in the southern boundary hedgerow, the locally flat landform and overlapping mature vegetation limits views from the surrounding landscape. Some views from within the Cotswolds National Landscape are possible, however these are restricted to few locations close to the site with views of the site again limited by the landform and vegetation. The site and immediate context were considered to be of a Medium landscape value.
- 6.41 The majority of trees and hedgerows at the site will be protected to maintain the contained nature of the site, and only short sections of boundary hedgerows will be removed to accommodate the access road to the site. The LVA highlights a number of landscape enhancements that are being proposed which include the following:
- Boundary hedgerows will be infill planted with an appropriate native mix with additional perimeter tree planting to strengthen the landscape structure and help to provide containment;
 - Habitat will be created associated with the swale and attenuation basin in the form of marginal vegetation; and
 - Internally frontage planting including trees, shrubs and hedges will help to soften views of the houses.
- 6.42 The LVA concludes that long term landscape effects as a result of the proposed development will be negligible and minor adverse on the wider scale LCA's, including the NCA 107 Cotswolds and LCA 16A Malmesbury-Corsham Limestone Lowlands, and the site and immediate context, respectively. Sensitive visual receptors are limited to users of the Public Right of Way through the site and residents who are set at a distance to the site to the north. Long term visual effects for more sensitive and lower sensitive receptors were assessed as Moderate/Minor Adverse and Minor Adverse/Negligible, respectively. Views from the Cotswolds National Landscape were limited and were not considered to exceed Minor Adverse/Negligible.

- 6.43 Overall, the LVA considers that there would not be unacceptable harm to local landscape and visual receptors. The proposal is, therefore, not considered to adversely affect the Cotswolds National Landscape or its setting, and is considered to be acceptable in terms of landscape and visual impact. The development mitigates as far as possible the identified impacts through sensitive design and landscape measures and, as such, is considered in accordance with Policy CP51 of the Wiltshire Core Strategy, and Paragraph 189 of the NPPF.

Issue 3: Design

- 6.44 The Wiltshire Core Strategy contains design related policies, which include CP57 (Ensuring High Quality Design and Place Shaping). These policies, inter alia, set out that new developments should be of high quality and use appropriate materials, enhance the sense of place, use sustainable design principles such as maximising energy efficiency and be respectful of the surrounding area.
- 6.45 The proposal is of a high-quality design, which reflects the character of the surrounding area. The proposals have sought to both positively and sympathetically consider the value of the local environment in formulating the design approach with a particular emphasis on reducing any perceived harm through responding to local topography and the existing pattern of development.
- 6.46 The dwellings will consist of a mix of 1 to 4-bedroom properties, which will include detached, semi-detached and terraced properties. Proposed materials include natural stone walling and ivory through-coloured render. The render properties will feature dark grey artificial roofing slate. Two types of red tiles are proposed on the other dwellings. Brick garages, cream windows and doors, and brick plinths at the properties base are also being proposed.
- 6.47 The layout of the proposals creates an accessible and well-defined place. There is a primary access road that runs through the site from the proposed vehicular access off Biddestone Lane. The primary road leads to further internal access roads. Dwellings are appropriately set back from the primary access road, which provides front garden space and soft landscaping options.
- 6.48 A traditional design utilising local materials is proposed. Key elevations will feature stone and render with brick chimneys and DPC. Figure 10 below shows an extract of illustrated drawings from the Design and Access Statement prepared by Trower Davies Architectural Consultants that accompanies the planning application and shows the proposed materials along with how these are reflected in the design.



Figure 10. Illustration of the proposed development with proposed materials.

- 6.49 The dwellings have been positioned to ensure neighbouring buildings have privacy, whilst maintaining overlooking on public roads and public open space. This will create a safe and secure environment with good levels of security.
- 6.50 Areas of public open space are proposed to the northeast and southwest of the site. The area of informal open space to the west of the site includes an attenuation basin, which will create new habitats to support wildlife and help to provide a sustainable drainage solution. These spaces have been carefully positioned and designed to help retain the site's character, maximise biodiversity, and provide landscaped areas for existing residents and occupants of the proposed development to enjoy.
- 6.51 Please refer to the Design and Access Statement and submitted plans that accompany this application for further details and visualisations of the proposals.
- 6.52 Overall, the proposals are considered to be acceptable in terms of layout and design. The design seeks to create a high quality, well-designed place that is mixed, safe and accessible with a character that reflects the surrounding built form, whilst also establishing its own distinct identity that can enhance the attractiveness and sense of place of the surrounding area.
- 6.53 The proposal is, therefore, considered to be in accordance with Policy CP57 (Ensuring High Quality Design and Place Shaping) of the Wiltshire Core Strategy.

Issue 4: Flood Risk and Drainage

- 6.54 Core Policy 67 states that all new development will include measures to reduce the rate of rainwater run-off and include sustainable urban drainage features wherever possible.
- 6.55 A Flood Risk Assessment and Drainage Strategy prepared by Phoenix Design Partnership Limited accompanies this application. The report demonstrates how the proposals will be safe from flood risk and will not adversely affect flood risk for existing properties – including an allowance for climate change. The site is located within Flood Zone 1, at lowest risk of flooding.
- 6.56 Core Geotechnics Limited carried out a ground investigation in November 2024 and concluded that the site would not be suited to infiltration. Thus, it is proposed that surface water from the development will discharge into the existing drainage network. A swale directs surface water to an attenuation basin to the southwest of the site which discharges into the existing ditch at an improved rate when compared to the greenfield runoff rate. This attenuation basin will result in the reduction of flood storage and as such a flood compensation area is proposed to the south of the site. This caters for an additional allowance to further reduce the chance of surface water encroaching on Biddestone Lane.
- 6.57 The report highlights that a pre-development enquiry was submitted to Wessex Water. There is an existing sewer approximately 250 m north of the site, and foul flows are anticipated to drain by gravity to a pumping station then connect to the existing network.
- 6.58 The proposals will not increase flood risk for the proposed and existing properties and a drainage strategy has been prepared to utilise a sustainable drainage system. The proposals are therefore considered to accord with Policy CP67 of the Wiltshire Core Strategy.

Issue 5: Highways

- 6.59 Policy CP60 Sustainable Transport of the Wiltshire Core Strategy highlights that sustainable, safe and efficient movement will be encouraged and supported by the Council. Policy CP61 Transport and New Development emphasises that 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. Policy CP62 Developments Impact on the Transport Network outlines that developments should provide the appropriate mitigating measures to offset any adverse impacts on the transport network.

- 6.60 A Transport Statement and Travel Plan prepared by Pegasus Group accompanies this application. The Transport Statement outlines that informal discussions have taken place with highway officers at Wiltshire Council (WC).
- 6.61 The proposals include upgrading the Public Right of Way along Biddestone Lane to provide a surfaced footway to improve pedestrian access to the site. This public right of way is currently overgrown with grass and is shown in Figure 11 below.



Figure 11. Google Street View extract of the existing public right of way leading to the site.

- 6.62 A new priority junction is being proposed for the primary vehicle access to the site from Biddestone Lane. The speed limit is proposed to be reduced to 40 mph approximately 300 metres further southwest on Biddestone Lane via a Traffic Regulation Order (TRO). On the northern side of the access, a 2 metres wide footway is being proposed connecting to the access of the Village Hall junction where dropped kerbs and tactile paving are proposed to be provided. The existing public right of way at the site will be retained and a new surfaced footpath will be provided alongside the PROW.
- 6.63 The proposal includes adequate space for parking which consists of 102 parking spaces, 22 single garages and 11 double garages, as well as 9 unallocated visitor parking spaces. Around 148 covered cycle parking spaces and around 9 visitor cycle parking spaces are being proposed.
- 6.64 The development is predicted to generate around 30 two-way vehicular movements in the AM peak and around 26 two-way movements in the PM peak hour, resulting in around one

additional vehicular trip every two minutes. This does not represent a significant impact on the local highway network.

- 6.65 The Travel Plan prepared by Pegasus Group contains details of the proposed approach to encourage sustainable modes of travel to and from the site and minimise use of the private car. The aim is to achieve more sustainable travel by encouraging walking, cycling, use of public transport, and car sharing. A Travel Plan coordinator will be appointed, who will be instructed a minimum of three months before the first occupation at the site. Travel information packs will be provided for new residents to access information about local travel links, walking and cycling maps, and weblinks to the connecting Wiltshire car share. National and local travel awareness events will be promoted. A network of walking and cycling routes in the site will be provided. The Travel Plan that accompanies this application contains more details of the measures and initiatives which are expected to reduce traffic, improve air quality, potentially reduce costs and improve health for residents.
- 6.66 No significant traffic impact will arise as a result of the development and the low level of additional demand will be accompanied adequately within the existing highway network. The transport statement concludes that there are no valid highway or transportation reasons which would prevent the proposed development. The proposals will create a community that has access to modes of transport other than the private car and are in accordance with Policies CP60, CP61 and CP62 of the Wiltshire Core Strategy.

Issue 6: Ecology and Biodiversity Net Gain

- 6.67 Policy CP50 – Biodiversity and Geodiversity of the Core Strategy highlights that proposals should demonstrate how they protect features of nature conservation and geodiversity value in their design rationale. All development should also seek opportunities to enhance biodiversity, and major development in particular, should include measures to deliver biodiversity gains through opportunities to restore, enhance and create valuable habitats, ecological networks and ecosystem services.
- 6.68 A Preliminary Ecological Appraisal, Bat Activity Survey and Breeding Skylark Survey prepared by All Ecology Ltd accompanies this application. The Preliminary Ecological Appraisal report sets out the findings of habitat and fauna surveys and considers the potential for ecological impacts to occur along with outlining opportunities for avoidance, mitigation and enhancement measures.
- 6.69 The site was assessed for its potential to contain protected or notable species included bats, birds, badgers, otters and water voles, other mammals, reptiles, amphibians and invertebrates, which resulted in additional supporting surveys being carried out.

- 6.70 The Bat Activity Survey states that no further surveys are required at this time. It is concluded that it is not expected that the ability of bats to forage will be compromised, and the provision of a number of new roosting features would be regarded as a significant enhancement.
- 6.71 The Breeding Skylark Survey states that at least two displaying males were present to the east of the site at the time of the surveys, but no activity was recorded over the site itself. No specific mitigation in terms of habitat creation/improvements are required since breeding Skylarks are currently absent from the site, however the report sets out recommended mitigation for timing of works.
- 6.72 Proposed mitigation and enhancement measures for protected and notable species include the following:
- **Bats** – the retained boundary vegetation, trees and pond must not be subject to direct lighting and subject to no more than 0.2 lux of light spill, Integrated bat tubes, such as the Vivara Pro Build-in WoodStone Bat Tube, can be integrated into the gable ends of the garages and houses. Alternatively, external bat boxes can be installed after building works are complete.
 - **Badgers and other mammals** – during the construction phase of the project any trenches and other excavations should be back-filled before nightfall, or a ramp left to allow animals to easily exit, and any open pipes larger than 150 mm should be capped off overnight.
 - **Birds** – nest boxes for swifts could be incorporated into the eaves, House Martin nests could be provided under the eaves or on the north to east sides of the building, Individual boxes could also be installed at a height of at least 2 m, groups of multiple small bird boxes could also be installed at a height of at least 2 m.
 - **Reptiles** – clearance of vegetation on site and subsequent works should be in accordance with the precautionary method of working for reptiles that is set out in the report.
 - **Amphibians** – further surveys or a district licence will be required for Great Crested Newts and it has been decided that an application to use the district licence will be made.
- 6.73 A Biodiversity Net Gain Design Stage Report alongside a completed Statutory Biodiversity Metric Calculation Tool prepared by All Ecology Ltd also accompanies this application. These demonstrate that the development will exceed the required 10% Biodiversity Net Gain (BNG). The proposed development and landscape will result in a habitat and hedgerow net percentage change of + 28.56% and + 12.20%, respectively. The proposal will, therefore, deliver BNG in line with legal requirements.

- 6.74 Overall, the proposals will promote wildlife rich habitats at the site and in the local area, and result in a net gain in biodiversity. The proposals are, therefore, considered to accord with Policy CP50 of the Wiltshire Core Strategy.

Issue 7: Whether There are any Other Material Considerations that Apply to the Development

Energy and Sustainability

- 6.75 Policy CP41 Sustainable Construction and Low-Carbon Energy sets out that new development, building conversions, refurbishments and extensions are encouraged to incorporate design measures to reduce energy demand.
- 6.76 A Sustainability and Energy Statement prepared by Building Energy Experts Ltd accompanies this application. The report includes results of SAP calculations. The energy strategy has been formulated in accordance with the energy hierarchy.
- 6.77 Section 4 of the Sustainability and Energy statement sets out the wide range of sustainable design and construction features that are being proposed, including:
- High performance insulation materials;
 - An electric air source heat pump for heating and water heating for each dwelling;
 - Solar PV on each dwelling to provide onsite renewable generation;
 - The design of dwellings to allow for cross ventilation where possible;
 - Sizing and positioning windows to allow for good internal natural light and solar gains during winter months;
 - Electric charging points for all plots;
 - The most local suppliers of materials will be selected where feasible;
 - Materials will be purchased from sustainable sources that minimise carbon emissions; and
 - Dwellings will achieve a water use target of less than 125 liters per day and per person.
- 6.78 The total reduction in carbon emissions from the proposed development was calculated and is shown in the extract below (Figure 12). The Residual Building Emission Rate is calculated as 87,593.74 before renewables and as 18,873.23 after renewables. The total CO₂ saving on residual energy is 1.74% before renewables and 78.45% after renewables.

Summary of total reduction in carbon emissions		
	Before Renewables	After Renewables (PV)
Baseline Target Emission Rate (TER)	89,148.83	
Residual Building Emission Rate (DER)	87,593.74	18,873.23
Total CO ₂ Saving on residual energy	1.74%	78.45%

Figure 12. Summary of total reduction in carbon emissions (produced by Building Energy Experts Ltd)

- 6.79 The proposals are therefore considered to comply with sustainability and climate change requirements and meet high standards for sustainable construction and design, and be in accordance with Policy CP41 of the Wiltshire Core Strategy and represent a moderate benefit to the proposals.

Agricultural Land

- 6.80 It is understood that the site is classed as Grade 3 Agricultural Land, according to the Magic Map layer titled 'Agricultural Land Classification – Provisional (England)'. It is however unclear whether the site falls under Grade 3A or 3B Agricultural Land. An Agricultural Land Quality survey is therefore being undertaken to confirm the specific grade, and the findings of this survey will be provided in due course.

Trees

- 6.81 Policy CP52 – Green Infrastructure of the Core Strategy requires proposals to, inter alia, make provision for the retention and enhancement of the existing green infrastructure network, ensuring suitable links are provided and maintained.
- 6.82 An Arboricultural Impact Assessment prepared by Silverback Arboricultural Consultancy Ltd accompanies this application. This contains the results of an arboricultural survey and tree constraints plan that shows the root protection areas for individual trees. Existing trees have been assessed for their arboricultural merit.
- 6.83 The majority of trees are mature Ash trees growing out of hedgerows. All surveyed Ash trees were found to be infected with Ash dieback disease. The report sets out that the Ash trees therefore have a very short life expectancy and should not be considered as a constraint to development.
- 6.84 One tree and one group of trees was categorised as category A trees, meaning that they are of high quality. Five trees and two groups of trees qualified as category B trees, which are of

moderate quality. Nine trees fell into Category U, which can't realistically be retained as living trees in the context of the current land use for longer than 10 years and which are provided with no root protection area. The remaining trees, groups and hedgerows were categorised as category C trees which are of low quality.

- 6.85 The root protection areas of trees will be avoided to prevent disturbance to the trees. A tree protection plan can be secured by a pre-commencement condition and provided before works begin.
- 6.86 Suitable measures will be taken to compensate for the removal of arboricultural features, prevent disturbance to root protection areas of retained trees, and enhance the arboricultural value of the site. The proposal is, therefore, considered to accord Policy CP52 of the Wiltshire Core Strategy.

Heritage

- 6.87 Policy CP58 - Ensuring the Conservation of the Historic Environment requires development to protect, conserve and enhance the historic environment.
- 6.88 A Desk-Based Archaeology and Built Heritage Assessment has been prepared by Pegasus Group and accompanies this application. The report considers that the potential for medieval or earlier remains is low. The potential for significant post-medieval and modern period archaeological remains to be present within the site is also considered to be low. Two historical assets are identified for further assessment – Grade II* The Manor House, and the Yatton Keynell Conservation Area.
- 6.89 The site is considered to make a minor contribution to the heritage significance of the Grade II* The Manor House through its setting and the proposed development is anticipated to result in less than substantial harm at the lower end of the spectrum to its significance.
- 6.90 Additionally, the site lies 300 m south of the historic core of the Yatton Keynell Conservation Area and the site is considered to make a very minor contribution to its heritage significance as a whole through its setting. The report states that the impact to the Conservation Area as a result of the proposed development is anticipated to be less than substantial and very low on that spectrum of harm.
- 6.91 Accordingly, paragraph 215 of the NPPF needs to be considered, which requires the 'less than substantial harm' identified to be weighed against the public benefits of the scheme. In our view, the public benefits of the scheme are significant – most notably, the provision of

market and affordable housing, and the provision of public open space and Biodiversity Net Gain in excess of the Government's 10% target.

- 6.92 As such, in light of the above, we consider that the proposal accords with Policy CP58 of the Wiltshire Core Strategy, as well as relevant paragraphs within the NPPF.

Ground Conditions

- 6.93 A Phase 1 Geo-environmental Desk Study prepared by Core Geotechnics Limited accompanies this application. The report discusses, inter alia, the potential for contaminated land or ground instability at the site.
- 6.94 The Phase 1 study states that the site is considered to have a negligible to low risk of potential contaminants from past and current land use and the risk of ground gas migration from landfill sites is considered as negligible. The potential for contamination from historic activities is considered to represent a negligible to low risk. The potential for off-site contamination to migrate onto the site is also considered negligible to low, and there is negligible risk associated with ground gas migration.
- 6.95 A Phase 2 Ground Investigation was carried out by Core Geotechnics Limited which included nine machine excavated trial pits, five full scale soakaway tests, and geotechnical and contamination laboratory testing. In areas of proposed dwelling units, no exceedances of contaminants were recorded in the soils that were encountered.
- 6.96 Please refer to the full reports, which accompany this application, for specific details of the findings of the assessments and recommendations.

7.0 PLANNING BALANCE AND CONCLUSIONS

- 7.1 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 planning applications must be determined in accordance with the Development Plan, unless other material considerations indicate otherwise.
- 7.2 Given that Paragraph 11 of the NPPF and the ‘tilted balance’ applies in this case, as demonstrated above, it is necessary to consider whether any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
- 7.3 This ‘tilted balance’ in favour of granting permission may be ‘disengaged’ where specific policies in the Framework that protect areas or assets of particular importance provide a strong reason for refusing the development (Paragraph 11(d)(i) of the NPPF and Footnote 7).
- 7.4 Turning then to the first strand of paragraph 11(d), the site does not fall within any areas listed within Footnote 7, such as SSSIs, Green Belt, Local Green Space, National Landscapes, National Park, Heritage Coast, irreplaceable habitats, designated heritage assets and areas at risk of flooding or coastal change.
- 7.5 It is also considered that the proposals meet favourably with the NPPF in regard to these particular constraints and policies, and do not result in a strong reason for refusal. Therefore we consider part (d)(i) to be passed.
- 7.6 As such, we then turn to the second part of paragraph 11(d), which requires us to assess whether the ‘*significant and demonstrable*’ adverse effects of the development would outweigh the benefits of the scheme.
- 7.7 The social benefits of the scheme are many and wide ranging, including the creation of a high-quality development designed to promote healthy lifestyles and create an active and vibrant addition to Yatton Keynell. The proposals include a mix of house sizes, types and tenures, which ensures the creation of a mixed and balanced community, whilst delivering much needed homes that will help Wiltshire Council address its five-year housing land supply deficit, meet its overall housing requirement and provide 22 affordable homes towards requirements that are not being met in full.
- 7.8 The development will create high-quality public spaces, active travel opportunities, and a high-quality public realm contributing to play facilities within the village. Many of these will be

used by not just new residents of the development, but also existing residents of Yatton Keynell.

- 7.9 In terms of sustainability of the location of development, the site is in a highly accessible location, with good access to employment, shops and facilities in the wider area. It also offers residents the ability to use public transport, both by bus and further by rail, allowing residents to choose sustainable transport options over the private car.
- 7.10 Other socio-economic benefits are also evidenced - the creation of jobs and associated supply chain expenditure (materials, deliveries, in local cafes/pubs etc.) both in construction and operation in the long term; expenditure by new local residents within the local economy, and Council Tax and Business Rates payable to Wiltshire Council.
- 7.11 We have, however, acknowledged that whilst we have developed a design that will be sensitive and in-keeping with the surrounding landscape, and protects views to and from the local area, there would be a minor impact on the landscape and heritage assets.
- 7.12 To assist in the assessment of the planning balance, in clear terms, we have taken the analogy of a pair of weighting scales, with the benefits identified on one side and potential adverse impacts on the other side, as demonstrated in Table 3 below.

Table 3. The Planning Balance

Benefit	Weight	Tipping Point	Weight	Adverse Effect
Provision of affordable housing	Very Substantial		Minor	Limited landscape impact
Provision of market housing	Substantial			
Provision of open space accessible to the wider community	Moderate		Minor	Less than substantial heritage impacts
Additional houses to support local services and facilities, including public transport provision	Moderate		Minor	Loss of Agricultural land (assuming at this stage the land is Grade 3a as opposed to Grade 3b)
Provision of BNG in excess of the Government's 10% requirement	Moderate			
Jobs during construction	Moderate			
Sustainable Construction and Energy Efficiency Measures Beyond Policy Requirements	Moderate			
Development in a highly sustainable location	Moderate			

- 7.13 From the table above, the benefits of the proposed development are extensive and wide ranging, set against the adverse effects identified, which are far more limited, it is almost inconceivable that a conclusion could be reached that suggests these significantly and demonstrably outweigh the benefits of the scheme. In fact, it would be hard to see the benefits being outweighed if a 'flat balance' were to be undertaken.
- 7.14 This is a clear case where the benefits of the proposal far exceed the minor adverse impacts identified, and it would be inconceivable that the minor impacts could significantly and demonstrably outweigh them – in that context the NPPF directs that permission should be granted.

Conclusion

- 7.15 While there are benefits to delivering housing at a sustainable location in Yatton Keynell, there is conflict with existing policies that define settlement boundaries, albeit these are out of date and are not delivering sufficient open market and affordable housing in the district. There are also some adverse impacts identified to landscape and heritage, however these are only minor.
- 7.16 We have outlined that any technical breach of the Development Plan is clearly outweighed by the sustainability credentials of the proposals and other material considerations. When applying the planning balance in accordance with Paragraph 11 of the Framework, therefore, planning permission should be granted as the adverse impacts of doing so would not significantly and demonstrably outweigh the numerous and wide-ranging benefits when the proposed development is assessed against the policies in the Framework, when taken as a whole.
- 7.17 We have set out that the benefits of the scheme are substantial and wide ranging; while some small adverse effects on the landscape and heritage assets have been identified, these landscape impacts would generally result in respect to any development of greenfield land, and the heritage harm is at the lowest end of the spectrum of 'Less than Substantial' with the public benefits of the scheme clearly outweighing this impact. The consideration of any impacts in this respect must be taken in the context that the development of such land is unavoidable if Wiltshire's housing requirements are to be met, and significant affordable housing needs addressed.
- 7.18 We conclude, therefore, that the planning balance assessment clearly indicates that planning permission should be granted and we commend the application to the council for approval.

Appendix A

Wiltshire Council Briefing Note No. 24-20

Briefing Note

No. 24-20

Service: Planning
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Date Prepared: 17 December 2024

IMPLICATIONS OF DECEMBER 2024 NATIONAL PLANNING POLICY FRAMEWORK AND REVISIONS TO THE STANDARD METHODOLOGY ON THE HOUSING LAND SUPPLY

Overview

1. On 12 December 2024 the Government issued an update to the [National Planning Policy Framework](#) (NPPF). This followed a consultation into the proposed changes in summer 2024. The changes to the NPPF included amendments to the deliverable housing land supply policies, the terms under which a buffer should be added to the housing requirement to be used in the housing land supply calculation, and the implications of not being able to meet a sufficient deliverable housing land supply.
2. On the same date the Government also issued revisions to the Planning Practice Guidance (PPG) including the standard methodology for assessing and setting Local Housing Need, and published the [2023 Housing Delivery Test results](#).
3. The revisions that are pertinent to the housing land supply calculation and its implications are summarised as follows:
 - a) Local Planning Authorities are now required to demonstrate a deliverable supply of housing sufficient to meet **five** years against their housing requirement set out in adopted strategic policies (or against their Local Housing Need where the strategic policies are more than five years old) in all circumstances. Under the previous NPPF, Wiltshire was only required to demonstrate a **four-year** housing land supply because its draft Local Plan had reached an advanced stage.

- b) Local Planning Authorities are now required to add a buffer to the housing requirement in the **five-year** housing land supply calculation in all circumstances. The buffer to apply is driven by the council's latest Housing Delivery Test results, which for Wiltshire indicates a 5% buffer to be added¹. Under the previous NPPF a buffer was only required if the council's Housing Delivery Test results indicate under-delivery of 85% or lower against the housing requirement, which was not the case for Wiltshire.
- c) The revisions to the PPG have set out a revised standard methodology for the Local Housing Need – this is the calculation that establishes the housing figure to be used in the housing land supply calculation. The revision has changed the method from being based on future household projections, to being based on the amount of existing housing stock in the local authority area. The revision has also changed the adjustment factor which is based on the affordability of housing in the local planning authority. The figure for Wiltshire has changed as follows:

Number of homes per annum under previous Local Housing Need calculation ² .	Number of homes per annum under revised Local Housing Need calculation.	Percentage change
1,917	3,525	+84%

The implications of the revised Local Housing Need calculation are set out in paragraphs 5-7 for determining planning applications and appeals, and in paragraphs 8-11 for the implications on the emerging Local Plan.

- d) The consequences of not being able to demonstrate a five-year housing land supply are that the presumption in favour of sustainable development (often referred to as the 'tilted balance') applies. This is set out in paragraph 11d of the NPPF. This paragraph has also been amended in two ways. Firstly, where there are exception policies³ that prevent the 'tilted balance' applying that these provide a 'strong' reason for refusal, rather than a 'clear' reason for refusal. Secondly, to ensure that when the planning balance is being

¹ The 2023 Housing Delivery Test results were published on 12 December 2024. These indicate that Wiltshire had delivered 135% against its housing requirement in the last three years which is the period over which housing delivery is assessed in the test. This results in a 5% buffer to be applied on the five-year requirement in the housing land supply calculation.

² Under a 2024-base dated assessment

³ Footnote 7 of the NPPF sets these out.

carried out, that particular regard is had to certain key policies in the Framework⁴ related to directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

4. In summary, the changes to the NPPF now require Wiltshire to demonstrate a five-year housing land supply, including a 5% buffer, and must apply the revised Local Housing Need for decision-taking immediately. As the table in paragraph 3.c above shows, this results in a significant increase in the five-year housing requirement to be met from the previous calculation. When this is assessed against the housing land supply which can be delivered within five years, the recalculation shows a significant reduction in the number of years supply. The council cannot demonstrate the requisite five-year housing land supply and can demonstrate a **2.03 years supply**.

Implications for decision-taking

5. Annex 1 of the revised NPPF indicate that new provisions apply immediately for determining planning applications and appeals.
6. Prior to the publication of the revised NPPF the council was already in a position where it was unable to demonstrate the requisite housing land supply (see member Briefing note [24-18](#)) and the 'tilted balance' was applied. The same implications for determining planning applications therefore continue to apply, however with other particular factors to consider because of changes to the NPPF. Firstly, the magnitude of the shortfall in supply is now substantial and the weight to be given to improving housing supply greater compared to when the council had a more marginal supply. However, and following on from this, the presumption in favour of sustainable development now requires decision-takers to have particular regard to key policies as set out in footnote 9 of the NPPF (highlighted in paragraph 3.d above) to ensure that proposals that can help improve housing land supply are properly and thoroughly assessed against the key policies.
7. The Government's response to the NPPF consultation growth agenda reiterates its Plan for Change. This sets out a commitment to rebuilding Britain, delivering 1.5m new homes along with the critical infrastructure that underpins economic growth. It further sets out that this will

⁴ Specifically policies related to affordable housing, isolated dwellings in the countryside, town centre uses, locations which are sustainable in terms of transport, efficient use of land and density, and design. See footnote 9 of the NPPF.

be achieved in part by reforming the planning system, and radically boosting the supply of housing, while delivering homes and places that are high-quality and genuinely affordable. The approach to applying the presumption in favour of sustainable development should be seen with this national objective in mind.

Implications for the Local Plan

8. Annex 1 of the revised NPPF provides transitional arrangements for plan-making which dictate how emerging plans will be treated in regard to the revised NPPF.
9. The council submitted the Local Plan for independent examination on 28 November 2024. Under the NPPF's transitional arrangements, the Plan (and the housing requirement) will continue to be assessed under the relevant previous version of the NPPF, which in this case will be the September 2023 NPPF. The Examining Inspector will need to be satisfied that the council can demonstrate a five-year housing land supply at the point of adoption. This will be assessed against the housing requirement in the emerging Local Plan which is lower than the revised Local Housing Need.
10. However, as the housing requirement in the emerging Local Plan will meet less than 80% of the revised Local Housing Need, the council will be expected to begin work on a new Local Plan promptly, under the revised plan-making system provided for under the Levelling Up and Regeneration Act 2023 (when the relevant provisions are brought into force in 2025), in order to address the shortfall in housing need.
11. Upon adoption of the Local Plan, the five-year housing land supply will be assessed against the housing requirement in the plan (which is based on the previous Local Housing Need calculation) for a period of up to five years from adoption. However, the revised NPPF includes a clause that for authorities whose adopted housing requirement is substantially less than the revised Local Housing Need figure (which is the case for Wiltshire), they will be required to add a **20% buffer** to their five-year housing requirement from **1 July 2026** (the equivalent of a six-year housing land supply). To meet this increased buffer, the council will need to continue to approve planning applications to ensure a sufficient housing land supply can continue to be met at, and beyond, this date.

Implications for new Neighbourhood Plans

12. Where the presumption in favour of sustainable development (NPPF paragraph 11d) applies, NPPF paragraph 14 includes provisions as to how this affects Neighbourhood Plans that meet criteria related to their age and how the Neighbourhood Plan meets its identified housing requirement. These provisions in paragraph 14 are unchanged in the revised NPPF.

Summary

13. The revisions to the Local Housing Need and housing land supply aspects of the planning system are significant changes. They provide for a substantial uplift (84% plus 5% buffer) in the levels of housing that the council will need to plan for. This forms part of the Government's economic growth agenda.
14. The changes introduced on 12 December 2024 mean that the council now has a substantial shortfall in its housing land supply position (2.03 years). This alters the weight to give to housing supply when giving consideration to planning applications for residential development. This means balancing the strengthened need to boost housing supply against any adverse impacts of the proposal, considered against the development plan as whole, and any material considerations on a case-by-case basis. This will need to include consideration of what weight to assign to the most important policies.
15. The changes to the NPPF are wider than those set out above. They can be viewed via the following link, which show a comparison with the December 2023 version:
[NPPF December 2023.pdf → NPPF-December-2024.pdf - Draftable](#); which indicates moved, replaced and inserted text.



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