



PLANNING STATEMENT

On behalf of: Mr. & Mrs. M Lloyd

Site: Land off Aldbourne Road, Baydon, Wiltshire

Proposal: Application for Permission in Principle for residential development of a minimum of 5 no. and a maximum 9 no. dwellings (Use Class C3)

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1. Introduction

- 1.1 This Statement has been prepared by Fowler Architecture & Planning Ltd in support of an application for Permission in Principle (PiP) for the erection of between 5 and 9 no. dwellings on land off Aldbourne Road, Baydon.
- 1.2 The scope of the PiP application is limited to location, land use and amount of development¹. Other matters should be considered at the 'Technical Details' consent stage².
- 1.3 The PiP comprises the following:
- Completed Application Form;
 - Drawing No. 250121-01: Location Plan at 1:1250 (A3);
 - Drawing No. 250121-02: Indicative Site Plan at 1:500 (A3); and,
 - Planning Statement (Fowlers).
- 1.4 The site, surroundings and its context are summarised in Section 2. Section 3 describes the application proposal. Section 4 sets out the relevant planning history, while planning policy and material considerations are reviewed in Section 5. A planning assessment of the proposal is then given in Section 6.

¹ National Planning Practice Guidance Paragraph 012 Reference ID: 58-012-20180615

² National Planning Practice Guidance Paragraph 003 Reference ID: 58-003-20190615

2. Site Description

- 2.1 The Application Site falls within the large village of Baydon, which is positioned some 10.85km to the north west of Hungerford and approximately 14.5km to south east of Swindon.
- 2.2 The site is an irregular shaped plot of land that extends to approximately 0.88 hectares. It forms a parcel of agricultural land to the south, and sits within the built-up area of the village. Beyond the site to the west, are residential properties off Aldbourne Road, whilst to the east are land/buildings associated with Baydon House (Grade II listed).
- 2.3 The site is physically well contained, particularly along the western and southern-most boundaries, which are defined by well-established tree and hedgerow planting. The eastern-most boundary is contained by a post and rail fence, adjacent to which is restricted byway BAYD11, which connects Aldbourne Road in the north to Baydon House Farm in the south.
- 2.4 From a planning point of view, the site sits in 'open countryside', but it is not in an isolated location and stands adjacent to the Limits of Development for Baydon.
- 2.5 The nearest public right of way is the aforementioned restricted byway BAYD11, however there are a number of other PROWs close by.
- 2.6 As with the rest of Baydon, the site is washed over by the North Wessex National Landscape (formerly AONB). The site falls wholly outside the Baydon Conservation Area designation, and it a generous distance away from it.
- 2.7 The nearest listed building is Baydon House (Grade II), which is positioned some 120m to the east of the site.
- 2.8 With regards to topography, the site is relatively flat.
- 2.9 The site is not in an area that is known to be at risk of flooding and is not the subject of any tree preservation orders.
- 2.10 Baydon is a sustainable residential area, and the site is within walking/cycling distance of a number of local services/facilities; including a primary school, church, shop (incl. post office) and a Turkish restaurant. The nearest bus stop is only 255m (approx') away, along Aldbourne Road, which benefits from a footway. This provides a regular service to other more sustainable settlements such as Swindon.

3. Relevant Planning History

- 3.1 The Council's website confirms that there are no previous planning applications on the site, that are of any relevance to the consideration of this application.
- 3.2 That said, it is noteworthy that the Council recently granted outline planning permission for the erection of 9 no. dwellings on land off Russley Green, under Application No. PL/2023/09293.
- 3.3 In spite of the site falling outside the Limited of Development for Baydon, the Council accepted the principle of development due to their significant shortfall in housing land supply.

4. Proposed Development

- 4.1 This application is for Permission in Principle.
- 4.2 The scope of the PiP application is limited to **location, use and the amount of development**. Other matters would need to be considered at the 'Technical Details' consent stage.
- 4.3 The proposal is for the residential development consisting of the land use for between 5 and 9 no. dwellings, on the 0.88Ha site.
- 4.4 The proposal could make a small but worthwhile contribution to the stock of smaller dwellings in this part of the District, at a time when the Council's Spatial Strategy is considered out of date.

5. Planning Policy and other Material Considerations

The Development Plan

- 5.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) states that in dealing with an application for planning permission the LPA shall have regard to the provisions of the development plan, so far as material to the application; any local finance considerations, so far as material to the application; and any other material considerations.
- 5.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 5.3 Planning applications should be determined in accordance with the relevant policies in the Development Plan unless there are material considerations, such as those in the National Planning Policy Framework, that indicate that the plan should not be followed.
- 5.4 The Development Plan for the purposes of considering this application comprises the Wiltshire Core Strategy and the Wiltshire Housing Site Allocations Plan.

Wiltshire Core Strategy

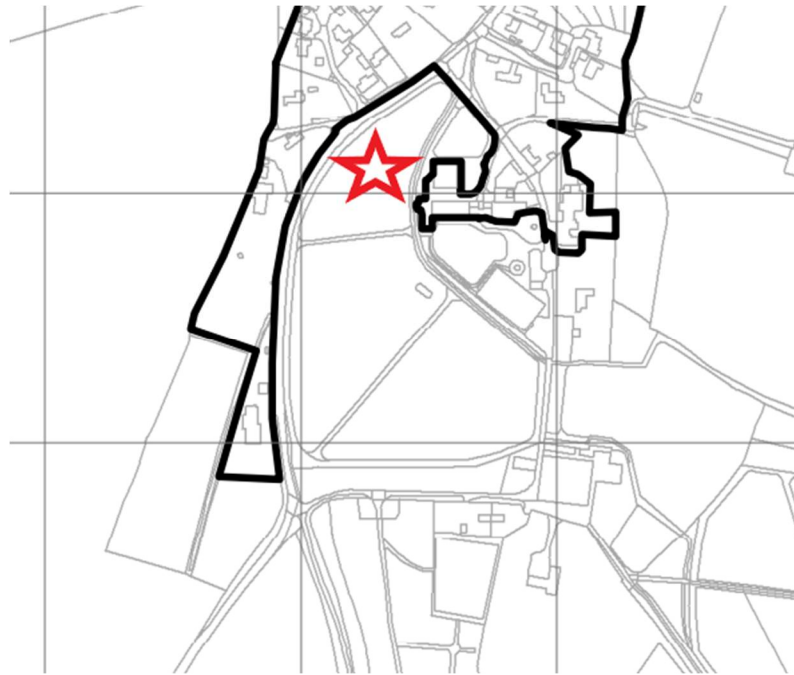
- 5.5 The Wiltshire Core Strategy was adopted in 2015 and forms the overarching planning policy framework for Wiltshire up to 2026.
- 5.6 The policies of most relevance to the consideration of this application as follows:
- Core Policy (CP) 1 – Settlement Strategy;
 - CP2 – Delivery Strategy;
 - CP14 – Marlborough Community Area;
 - CP48 – Supporting Rural Life;
 - CP51 – Landscape;
 - CP57 – Ensuring High Quality Design and Place Shaping; and,
 - CP58 – Ensuring the Conservation of the Historic Environment.
- 5.7 **Policy CP1** identifies the hierarchy of settlements and the level of development expected to take place at the various levels in the Settlement Hierarchy – Principal Settlements, Market Towns, Local Service Centres, Large and Small Villages.
- 5.8 **Policy CP2** sets out the circumstances under which the development envisaged by CP1 will be delivered at each level of the hierarchy. CP2 stipulates that development will not be permitted

outside of the defined limits of development apart from the specified exceptions set out at Paragraph 4.25. The Application Site falls outside (albeit adjacent to) the defined limits of development for Baydon and does not seek a form of development to which one of the exceptions applies, therefore this application conflicts with CP2 in this respect.

- 5.9 **Policy CP14** sets out the strategy for the Marlborough Community Area, and identifies a requirement of 920 additional housing units to be provided over the plan period to 2026.
- 5.10 **Policy CP48** provides an exception to the presumption against development outside the Limits of Development of the higher tier settlements, and outside the existing built areas of Small Villages, where proposals for residential development *“meet the accommodation needs required to enable workers to live at or in the immediate vicinity of their place of work in the interests of agriculture or forestry or other employment essential to the countryside”*. This application does not seek the form of development allowed by this policy.
- 5.11 **Policy CP51** relates to the landscape, and requires that development proposals protect, conserve and where possible enhance landscape character.
- 5.12 **Policy CP57** relates to matters of design, and sets out a range of criteria for achievement of high-quality design to be incorporated, where relevant, into all new developments across Wiltshire.
- 5.13 **Policy CP58** requires development to protect, conserve and where possible enhance the historic environment.

Wiltshire Housing Site Allocations Development Plan Document (HSA DPD)

- 5.14 None of the policies in the HSA DPD are considered relevant to the consideration of this application. The Settlement Policy Boundary plan shows that the site is adjoined on three sides by the Limits of Development for Baydon (see image overleaf).



Wiltshire Housing Site Allocations DPD (Extract (Source: www.wiltshire.gov.uk))
Limits of Development Plan (2020)

Material Considerations

- 5.14 Section 70(2) of the Town and Country Planning Act 1990 requires that the local planning authority should have regard to any material considerations in dealing with an application for planning permission.

National Planning Policy Framework (the Framework) (2024)

- 5.15 The new National Planning Policy Framework (NPPF) was published in December 2024 and this outlines the purpose and role of the planning system in delivering sustainable development which meets three independent roles – economic, social and environmental. The NPPF is a very important material planning consideration and replaces a raft of former Planning Policy Guidance Notes, Planning Policy Statements and other documents into a consolidated national planning policy framework. The ‘National Planning Practice Guidance’ (NPPG) was published in March 2014 and is also a material consideration.
- 5.16 A ‘presumption in favour of sustainable development’ is at the heart of the Framework, to deliver the economic, social and environmental objectives underpinning the document, outlined in paragraph 8. The policies of the NPPF, taken as a whole, constitute the Government’s view of what sustainable development means in practice for the planning system.
- 5.17 Paragraph 11 confirms that planning policies and decisions should achieve sustainable development and should be approved without delay if in accordance with an up-to-date development plan. Where there are no up-to-date plan policies, Paragraph 11 confirms that

permission should be granted unless the policies in the framework provide a strong reason for refusal or the adverse impacts will significantly and demonstrably outweigh the benefits.

- 5.18 Paragraph 39 requires that local planning authorities *“approach decisions... in a positive and creative way”*, and should *“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”*.
- 5.19 Paragraph 48 confirms planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise.
- 5.20 Paragraph 61 confirms the Government’s objective of significantly boosting the supply of homes.
- 5.21 Paragraph 73 confirms small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly.
- 5.22 Paragraphs 78 to 81 confirms the obligations on LPAs to ensure a supply of specific deliverable sites sufficient to provide a minimum of 5 years’ worth of housing, including buffer, against their housing requirement set out in adopted strategic policies. In addition, LPAs should maintain the supply of housing through the Housing Delivery Test. The LPA cannot demonstrate a 5-year supply of deliverable housing land, consequently, the presumption in favour of sustainable development as set out within the paragraph 11 is therefore firmly engaged.
- 5.23 Paragraph 83 of the NPPF states that *“To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services”*.
- 5.24 Paragraph 110 seeks to focus significant development on locations which are or can be made sustainable, however it recognises opportunities to maximise sustainable transport solutions will vary between urban and rural areas.
- 5.25 Paragraph 124 of the Framework notes that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses. The same document goes on to note that planning policies and decisions should encourage multiple benefits from both urban and rural land, through taking opportunities to achieve net environmental gains.
- 5.26 Paragraphs 129 and 130 require the planning system to support development that makes efficient use of land. In particular, it advises that where there is an existing or anticipated

shortage of land for meeting identified housing 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.

- 5.27 Paragraph 131 calls the *“creation of high quality, beautiful and sustainable buildings... fundamental to what the planning and development process should achieve”*.
- 5.28 Paragraph 135 updates national policy guiding principles of design. Decisions should ensure that developments, *inter alia*, *“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”, “are sympathetic to local character and history... while not preventing or discouraging appropriate innovation or change (such as increased densities)”, “optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development...”*, and ensure *“a high standard of amenity for existing and future users”*.
- 5.29 Paragraph 139 of the same document encourages LPAs to give great weight to raising the standard of design generally in an area.
- 5.30 Paragraph 189 is also relevant to the consideration of this application. It states that *“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”*.
- 5.31 Paragraph 193 confirms the four principles to conserve and enhance biodiversity.

Planning Practice Guidance

- 5.32 The Planning Practice Guidance is to be read in conjunction with the policies set out in the Framework, and expands upon the policies set out therein. The Guidance clarifies how national policy is expect to be fulfilled by local planning authorities.

6. Planning Assessment

- 6.1 The proposed development is eligible for consideration for PiP because it is not major development, habitats development, householder development or Environmental Impact Assessment development.
- 6.2 As clarified above, the scope for PiP is limited to location, land use and amount of development. Only issues relevant to these 'in principle' matters should be considered at the PiP stage.
- 6.3 Following the recent changes to the National Planning Policy Framework, the Council are now required to demonstrate a 5 years supply of housing land, plus a 5% buffer.
- 6.4 With this in mind, the Council's latest housing land supply position has been confirmed in numerous committee reports and recent Appeal decisions, as being 2.03 years – so significantly below the 5 year requirement.
- 6.5 In light of this, the Spatial Strategy is not currently delivering the housing requirement that the plan was intended to deliver. As such, the Development Plan policies relating to housing delivery, including Core Policies 1 and 2, are to be considered out of date accordingly.
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- 6.6 Planning applications should therefore be considered in line with paragraph 11 of the NPPF which states that, where relevant policies are considered out of date, permission will be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed, or 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 combination. The only locations where this position would not apply is in locations with recently made Neighbourhood Plans that allocate sites for housing. This is not the case here.
- 6.7 In this instance the site does fall within the North Wessex Downs National Landscape. Paragraph 189 states that great weight should be given to conserving and enhancing these areas and the scale and extent of development within these designated areas should be limited.
- 6.8 The Application Site is not situated in an isolated location, but rather it is read as part of the built-up area of Baydon, surrounded by development to the north, east and west.

- 6.9 The development of up to 9 dwellings on the site would therefore not cause unacceptable harm to the landscape and scenic beauty of the National Landscape, and there are no related policies in the NPPF that provide a strong reason for refusing permission.
- 6.10 Policy CP58 of the Core Strategy requires development to protect, conserve and where possible enhance the historic environment. Paragraph 207 of the Framework confirms Applicants should describe the significance of any heritage assets affected, including any contribution made by their setting.
- 6.11 As highlighted above, the site does not fall within the Conservation Area for Baydon, and it is located a generous distance away from this designation. The nearest listed building is Baydon House, which is Grade II listed. This is positioned over 120m away from the Application Site, with a number of existing buildings and well-established vegetation between the two. As such, the Application Site is not considered to form an important part of the setting of Baydon House, and the proposed development will not compromise any important views towards this heritage asset from Aldbourne Road.
- 6.12 So again, there are no related policies in the NPPF that provide a strong reason for refusing permission on conservation grounds.
- 6.13 Furthermore, the site is not at risk of flooding and is not a habitat site.
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- 6.14 Paragraph 11 of the Framework also states that proposals should only be refused if the adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the 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 combination. Decisions should also apply a presumption in favour of sustainable development, which can be achieved through three dimensions defined in Paragraph 8 as: economic, social and environmental.
- 6.15 The economic role of the NPPF requires proposals to contribute to build a strong, responsive and competitive economy. The proposal would encourage development and associated economic growth with future occupants undoubtedly contributing to the local economy and continued viability of services in the local area and beyond. In addition, the proposed location of the development would contribute towards meeting the housing need in an area where a five-year supply of housing cannot be demonstrated, and as such accords with the Government's objective of significantly boosting the supply of housing.
- 6.16 The social role of the NPPF requires planning to support strong, vibrant and healthy communities and states that it should create a high-quality built environment. The proposal provides an opportunity to deliver a range of 2, 3 and 4 bedroom properties, which would be in accordance with Core Policy 45 which requires a range of house types, tenures and sizes.

- 6.17 In terms of the environmental element, the NPPF requires that the natural, built and historic environment should be protected and enhanced and should mitigate against climate change. The proposal for a residential use on this land within the built-up area of Baydon is considered to be compatible with the character of the surrounding area.
- 6.18 The proposal is therefore not considered to have any adverse effect on the historic environment, natural environment, or built environment. To the contrary, the proposed development will make a positive contribution to the character and appearance of the Conservation Area and the landscape and scenic quality of the National Landscape, as well as providing notable gains in biodiversity.
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- 6.19 To summarise the above, while the site falls outside (albeit adjacent to) the defined limits of development for Baydon, the Council's inability to deliver enough housing over the Plan period, CP2 out-of-date insofar as it restricts the location of new housing. The site is not in an isolated location, is part of the built-up area of Baydon and is well related to existing residential development. It also has good connectivity to a regular bus service and is within walking distance of a number of local services and facilities.
- 6.20 In the planning balance, the public benefits of delivering housing in this context are clear and are not outweighed by the policy conflict. It will make more effective use of land in a sustainable location. The Applicants are committed to securing well-designed houses and providing a range of open market homes that would be suitable for small families, down sizers and people moving up the housing ladder.
- 6.21 To summarise the above, and in terms of the requirements for PiP, the site is suitable for residential development with the erection of up to 9 no. dwellings for the following reasons:

Location:

- Baydon is a sustainable location, and the site is very much read as part of its built-up area. It has a range of services and facilities available there, and the site is also within safe/convenient walking distance of a bus stop that provides a regular service to more sustainable locations further afield;
- The proposed dwellings would therefore not be situated in an isolated or unsustainable location having regard to Paragraph 84 of the NPPF;
- The location of the residential development would be situated wholly within Flood Zone 1 (low probability of flooding); and,
- Development in this location would not result in the loss of existing landscape features, such as mature trees, that are of importance to the character of Baydon.

- 6.22 The development of nine dwellings on the site would therefore not cause unacceptable harm to the landscape and countryside setting of the settlement.

Land Use:

- The residential land use would be compatible with the predominant character and land use of the surroundings, and would make more effective use of the site; and,
- The residential land use is a public benefit and would contribute towards meeting the housing need and accords with the Government's objective of boosting the supply of housing.

Amount of Development:

- Spatially the plot is sufficient in size with enough land to accommodate the erection of up to nine dwellings, in keeping with the character and appearance of the surroundings.
- 6.23 A well-designed proposal at the 'technical details' stage, for this minor development, can be achieved to ensure high quality development that enhances or preserves the landscape and character of Baydon.
- 6.24 While the site falls outside of any defined limits of development, the Council's spatial strategy is out of date, which in turn renders CP2 out-of-date insofar as it restricts the location of new housing. The site is not in an isolated location, is part of the built-up area of Baydon and is well related to existing residential development. It also has good connectivity to a regular bus service.
- 6.25 In the planning balance, the public benefits of delivering housing in this context are clear and are not outweighed by the policy conflict.

7. Conclusion

- 7.1 This proposal is for minor development (between 5 and 9 dwellings) and therefore qualifies for PiP, subject to consideration against the relevant policies of the Development Plan and other material considerations.
- 7.2 In principle, the site represents an opportunity for a sustainable form of residential development, that accords with the Framework as the site is not 'isolated' and instead is part of the built-up area, where residential development could help to maintain the vitality of local services and facilities within the local area.
- 7.3 Given the failure of the Council to demonstrate a 5 years supply of housing land, the presumption in favour of sustainable development is engaged accordingly. The assessment above demonstrates that the application of policies in the Framework do not provide a strong reason for refusing the development, and the adverse impacts would not significantly and demonstrably outweigh the benefits of delivering nine new homes in this location.
- 7.4 The Framework confirms that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching economic, social and environmental objectives, which are interdependent and need to be pursued in mutually supportive ways. The development represents a sustainable form of development and there is accordingly a presumption in favour.
- 7.5 In addition, the proposed development would make a small but worthwhile contribution towards meeting the housing need in Wiltshire, and as such accords with the Government's objective of boosting the supply of housing. As a small site, it is capable of being built-out quickly, and the Applicants are prepared to accept a shortened period for the submission of TDC matters; thus, the proposal is capable of providing a boost to the housing supply in an efficient manner.
- 7.6 The Applicants would therefore welcome the LPA's support for this proposal to establish permission in principle for up to 9 no. dwellings enabling all technical details to be dealt with in due course. Doing so would accord with the objectives of the Framework that seeks to achieve sustainable development and deliver more homes.