

# Planning Statement

**Outline planning application for a Residential Development  
and Associated Infrastructure and Landscaping.**

**Land East of Spitfire Road, Calne.**

**On behalf of Robert Hitchins Ltd.**

Date: 1<sup>st</sup> July 2025 | Pegasus Ref: P23 - 2672

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## Document Management.

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# 1. Introduction

- 1.1. This Planning Statement has been prepared by Pegasus Group on behalf of Robert Hitchins Limited in support of proposals for outline planning permission with all matters reserved for a residential development of up to 20 dwellings on land east of Spitfire Road, Calne.
- 1.2. This Planning Statement provides an overview of the decision-making context including the National Planning Policy Framework (December 2024, updated February 2025), the online National Planning Practice Guidance, the adopted Wiltshire Core Strategy (January 2015), the Wiltshire Housing Sites Allocation Plan (2020) and the made Calne Community Neighbourhood Plan 2 (3<sup>rd</sup> March 2025).
- 1.3. The application is for outline planning permission for up to 20 dwellings, associated infrastructure and landscaping with all matters reserved for subsequent approval, and as such the determination is limited to matters of principle.
- 1.4. This Statement takes the following form:
  - Section 2 describes the Application Site and the surrounding area
  - Section 3 provides a summary of the planning history of the site
  - Section 4 sets out the application proposals
  - Section 5 describes the relevant national and local planning policy
  - Section 6 comprises the Affordable Housing Statement
  - Section 7 discusses the planning merits of the proposal
  - Section 8 provides the overall conclusions
- 1.5. The application is accompanied by a number of supporting technical documents such as an Ecological Assessment, Transport Statement, Flood Risk Assessment and Drainage Strategy.
- 1.6. Public consultation took place from 3<sup>rd</sup> February – 24<sup>th</sup> February 2025.

## 2. Application site and Surroundings

- 2.1. The application site is located to the east of Spitfire Road, Calne, immediately adjoining an existing residential area including new residential areas of development currently under construction.
- 2.2. The wider area of the site to the east consists of a mix of open and agricultural fields with well vegetated boundaries, small blocks of woodland, industrial operations (waste processing and quarrying) and a solar farm. The land immediately to the south, west and north comprise of residential dwellings associated with Calne town.
- 2.3. The Site lies to the south of the application PL/2022/07893 on Land off Spitfire Road, Calne, SN11 8TE for 90 dwellings, with an area within that site 'cut out' as an area to comprise a future local neighbourhood centre (PL/2023/10421). Both applications were granted on appeal 17<sup>th</sup> February 2025. Planning Inspectorate Reference Nos.: APP/Y3940/W/24/3351527: Land South of Abberd Lane, and East of Spitfire Road, Calne & APP/Y3940/W/24/3351528: Land off Spitfire Road, Calne.
- 2.4. At the time of the consultation, the application site was wholly within Calne Without Parish, however, in May 2025 the parish boundary was revised, and the site is now within Compton Bassett Parish Council.
- 2.5. The site comprises land used for improved grass pasture in agricultural use. The boundaries of the site comprise native hedgerows and established trees.
- 2.6. The application site is to be accessed from Spitfire Road through land which was recently granted outline planning application (PL/2022/07893) for residential development for up to 90 dwellings.
- 2.7. The application site boundary and context are identified at Appendix 1.

### APPENDIX 1 – SITE LOCATION PLAN

- 2.8. The Environment Agency online mapping 'Flood Map for Planning' (Rivers and Sea) shows the site to be predominantly located within Flood Zone 1, low risk. Having an annual probability of flooding of less than 1:1,000. The National Planning Policy Framework (NPPF), and National Planning Practice Guidance (NPPG) on Flood Risk and Coastal Change confirm that all types of development are appropriate in Flood Zone 1. A small area of the site located to the south

of the site adjacent to Abberd Brook falls within Flood Zone 2/3. This area will not be developed. All habitable built development will be located within Flood Zone 1 in accordance with the NPPF sequential approach.

- 2.9. There are no significant flooding or drainage issues that would prevent the development of the site. Therefore, in terms of flooding and drainage the site is considered to be a sustainable location for development.
- 2.10. There are no statutory or non-statutory sites of nature conservation interest within the site.
- 2.11. The site has a strong visual relationship with new residential development that has been recently developed to the west of Spitfire Road and Sand Pit Road.
- 2.12. There are no designated heritage assets on the site itself. A number of listed buildings are recorded in the wider area, but no demonstrable harm would result to their setting or significance as a result of proposed development.
- 2.13. Development at this location provides the opportunity for travel choices other than the private car with bus services accessible from Calne Town Centre to Swindon, Chippenham, Devizes and Marlborough. The site therefore offers the opportunity to deliver a housing development in a highly sustainable location.
- 2.14. A Transport Statement has been prepared to support the application.
- 2.15. The Utilities Statement submitted with the application provides details on the existing local infrastructure for all standard services including water, gas, electricity, telecommunications and surface and foul water drainage. It is proposed that the new development will be served by existing services subject to any necessary reinforcement identified at the detailed design stage and to the details contained within the site-specific Flood Risk Assessment and Drainage Strategy submitted in support of this application.

### **3. Planning History of the application site**

- 3.1. The site is located to the south of the recently granted permission for 90 dwellings on land off Spitfire Road and to the south of the recently granted new Local Centre comprising a Class E(f) day nursery and Class E(a) convenience store, with associated parking, access and landscaping.

## 4. Application proposals

- 4.1. This application seeks outline planning permission for a development comprising up to 20 dwellings, plus associated infrastructure, ancillary facilities, open space and landscaping. The proposed site access arrangement from Spitfire Road is consistent with that proposed for the adjacent housing which was granted on appeal. Vehicular access is to be taken from the existing access on Spitfire Road which is a simple priority junction.
- 4.2. Whilst the application is submitted in outline will all matters reserved an Illustrative Masterplan is provided to demonstrate how the site could deliver the scale of development proposed. The Illustrative Masterplan shows how the development might be laid out to respond to constraints and opportunities on the site, including those identified in the technical reports submitted as part of the planning application.
- 4.3. The application includes areas of open space that are identified as comprising open space for play as well as areas for potential surface water attenuation.
- 4.4. A policy compliant proportion of the proposed dwellings will be provided as affordable units, with the remaining units provided as open market dwellings. The Affordable Housing Statement is included at Section 6.
- 4.5. The site is able to contribute to the Council's five-year housing land supply (including the provision of affordable housing) in a timely manner, this is a significant material consideration in the determination of this application as set out in greater detail at Section 7.
- 4.6. A more detailed description of development and the justification for the design concept that has been followed is set out in the Design and Access Statement accompanying this application.

### Community consultation

- 4.7. Public consultation took place in February 2025, the comments that were made have all been taken into account in preparing the application.
- 4.8. The comments received provided local knowledge and opinion and where possible these have been taken into consideration in the final form of development proposed in the submitted outline application. Nevertheless, specific assessments, including the Design and



Access Statement and the Transport Statement have addressed the identified issues raised during the consultation.

## 5. Relevant Planning Policy

5.1. This section refers to the relevant national policy and guidance and the Development Plan policies that provide the planning policy framework within which this planning application should be considered.

5.2. Planning law requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) is a material consideration for all planning applications.

### **National Planning Policy Framework**

5.3. The most recent revised National Planning Policy Framework was published and came into immediate effect for the purpose of decision making on 12<sup>th</sup> December 2024, it was updated in February 2025.

5.4. Paragraph 7 explains the purpose of the planning system is:

***“...to contribute to the achievement of sustainable development, which includes the provision of homes and supporting infrastructure...”***

5.5. Paragraph 8 identifies the three dimensions to sustainable development which include economic, social and environmental roles. Paragraph 8 states that these roles are interdependent and need to be pursued in mutually supportive ways. Therefore, to achieve sustainable development, the NPPF recognises that economic, social and environmental gains should be sought jointly and simultaneously through the planning system.

5.6. The NPPF sets out at paragraph 10 that;

***“...at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11)”***

5.7. Paragraph 11 sets out how policy in the NPPF pursues sustainable development through both plan-making and decision taking. Paragraph 11 states that for decision-taking this means;

***“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-date<sup>8</sup> 1, granting permission unless:***

***i. the application of policies in this Framework that protect areas or assets of particular importance<sup>7</sup> 2 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 combination<sup>9</sup> 3.”***

5.8. Paragraph 13 states that:

***“The application of the presumption has implications for the way communities engage in neighbourhood planning. Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.”***

5.9. Paragraph 14 states that:

***“In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply:***

***a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and***

***b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement (see paragraphs 69 –70).”***

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<sup>1</sup> Footnote 8 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 (with the appropriate buffer as set out in paragraph 78); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75%) the housing requirement over the previous three years. See also paragraph 227

<sup>2</sup> Footnote 7 The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 189) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change.

<sup>3</sup> Footnote 9 The policies referred to are those in paragraphs 66 and 84 of chapter 5; 91 of chapter 7; 110 and 115 of chapter 9, 129 of chapter 11; and 135 and 139 of chapter 12

5.10. Section 3 of the NPPF “Plan Making” Paragraph 18 states that;

***“Policies to address non-strategic matters should be included in local plans that contain both strategic and non-strategic policies, and/or in local or neighbourhood plans that contain just non-strategic policies.”***

5.11. Paragraph 19 clarifies that;

***“The development plan for an area comprises the combination of strategic and non-strategic policies which are in force at a particular time.”***

5.12. Paragraph 23 states that:

***“...Strategic policies should provide a clear strategy for bringing sufficient land forward, and at a sufficient rate, to address objectively assessed needs over the plan period, in line with the presumption in favour of sustainable development. This should include planning for and allocating sufficient sites to deliver the strategic priorities of the area (except insofar as these needs can be demonstrated to be met more appropriately through other mechanisms, such as brownfield registers or non-strategic policies).”***

5.13. Paragraph 30 emphasises the role of Neighbourhood Plans;

***“Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan....”***

5.14. Section 4 ‘Decision Making’ states at paragraph 48 that:

***“Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.”***

5.15. Paragraph 49 states:

***“Local planning authorities may give weight to relevant policies in emerging plans according to:***

***a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);***

***b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and***

***c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)”<sup>23</sup>.<sup>4</sup>***

5.16. Paragraph 50 states:

***“However, in the context of the Framework – and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than in the limited circumstances where both:***

***a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and***

***b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.”***

5.17. Section 5 of the NPPF 'Delivering a sufficient supply of homes', sets out the need to significantly boost the supply of housing.

5.18. Paragraph 61 states:

***“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, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet an area’s identified housing need, including with an appropriate mix of housing types for the local community”***

5.19. Paragraph 62 of the NPPF states that in order to determine the minimum number of homes that strategic policies should be:

***“...informed by a local housing needs assessment conducted using the standard method in national planning practice guidance. In addition to the local housing need, any needs that cannot be met within neighbouring areas should also be taken into account...”***

5.20. As an aside, the Government consultation on proposed changes to the NPPF prior to its adoption set out an intention to change the standard method:

***“...by mandating that the standard method is used as the basis for determining local authorities’ housing requirements in all circumstances.”***

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<sup>4</sup> 23 During the transitional period for emerging plans, consistency should be tested against the version of the Framework as applicable, as set out in Annex 1.

5.21. It also set out how a new standard method is proposed, raising the overall level of these targets and meaning there is no need for any artificial caps or uplifts – the previous cap will no longer apply, and the urban uplift will be removed.

5.22. The new methodology on which the Standard Method for housing need is now calculated was published on 12<sup>th</sup> December 2024 alongside the NPPF and it has significant implications for Wiltshire Council.

5.23. Paragraph 63 states that:

***“Within this context of establishing need, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies ...”***

5.24. Paragraph 64 states that:

***“Where a need for affordable housing is identified, planning policies should specify the type of affordable housing required<sup>29 5</sup>, (including the minimum proportion of Social Rent Homes required), and expect it to be met on-site unless:***

***a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and***

***b) the agreed approach contributes to the objective of creating mixed and balanced communities.”***

5.25. In order to achieve the significant boost to housing, paragraph 72 states that Strategic policy-making authorities should have a clear understanding of the land available in their local area. Planning policies should identify a supply of:

***“ a) specific, deliverable sites for five years following the intended date of adoption <sup>34 6</sup>; and***

***b) specific, developable sites or broad locations for growth, for the subsequent years 6-10 and, where possible, for years 11- 15 of the remaining plan period. ”***

5.26. Paragraph 78 states:

***“Strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider***

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<sup>5</sup> Footnote 29. Applying the definition in Annex 2 to this Framework.

<sup>6</sup> Footnote 34 With the appropriate buffer, as set out in paragraph 78a or 78b The additional buffer set out in paragraph 78c does apply for the purposes of plan making.

***whether it is appropriate to set out the anticipated rate of development for specific sites. Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement, as set out in adopted strategic policies<sup>38 7</sup>, or against their housing need where the strategic policies are more than five years old <sup>39.8</sup> The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:***

- a) 5% to ensure choice and competition in the market for land; or***
- b) 20% where there has been significant under delivery<sup>409</sup> of housing for the previous three years, to improve the prospect of achieving the planned supply; or***
- c) From 1 July 2026, for the purposes of decision-making only, 20% where a local planning authority has a housing requirement adopted in the last examined against a previous version of this Framework<sup>410</sup>, and whose annual average housing requirement<sup>42 11</sup> is 80% or less than the most up to date local housing need figure calculated using the standard method set out in national planning practice guidance."***

5.27. Paragraph 79 explains the Housing Delivery Test (HDT):

***"...Where the Housing Delivery Test indicates that delivery has fallen below the local planning authority's housing requirement over the previous three years, the following policy consequences should apply:***

- a) where delivery falls below 95% of the requirement over the previous three years, the authority should prepare an action plan to assess the causes of under-delivery and identify actions to increase delivery in future years;***
- b) where delivery falls below 85% of the requirement over the previous three years, the authority should include a buffer of 20% to their identified supply of specific deliverable sites as set out in paragraph 78 of this framework, in addition to the requirement for an action plan.***

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<sup>7</sup> Footnote 38 The delivery of large scale developments may need to extend beyond an individual plan period, and the associated infrastructure requirements may not be capable of being identified fully at the outset. Anticipated rates of delivery and infrastructure requirements should, therefore, be kept under review and reflected as policies are updated.

<sup>8</sup> Footnote 39 Unless these strategic policies have been reviewed and found not to require updating. Where local housing need is used as the basis for assessing whether a five year supply of specific deliverable sites exists, it should be calculated using the standard method set out in national planning practice guidance

<sup>9</sup> Footnote 40 This will be measured against the Housing Delivery Test, where this indicates that delivery was below 85% of the housing requirement.

<sup>10</sup> Footnote 41 Or the housing requirement is more than five years old and the relevant strategic policies have been reviewed and found not to require updating.

<sup>11</sup> Footnote 42 2 Defined as the total housing requirement, divided by the number of years in the plan period. For joint local plans, the percentage should be applied in aggregate across the joint local plan area.

***c) where delivery falls below 75% of the requirement over the previous three years, the presumption in favour of sustainable development applies, as set out in footnote 8 of this Framework, in addition to the requirements for an action plan and 20% buffer.***

5.28. Section 9 (Promoting Sustainable Transport) recognises that transport policies have an important role to play in facilitating sustainable development. Paragraph 110 states that:

***“...Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.”***

5.29. Paragraph 115 states that it should be ensured that sustainable transport modes are prioritised, and safe and suitable access and improvements to the transport network should be considered where development could generate a significant amount of traffic. Paragraph 116 identifies that development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts of development on the road network, following mitigation, would be “severe” taking into account all reasonable future scenarios.

5.30. The Transport Statement, which accompanies this application explains that the additional demand arising from the proposed development can be safely and satisfactorily accommodated on the local transport network in accordance with paragraph 116 of the NPPF.

5.31. Section 11 “*Making Efficient Use of Land*” states that *planning policies* and decisions should promote the effective use of land in meeting the need for homes and other uses, whilst safeguarding and improving the environment and ensuring safe and healthy living conditions.

5.32. Paragraph 129 states that planning policies should support development that makes efficient use of land taking into account:

***a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;***

***b) local market conditions and viability;***

***c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;***

***d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and***

***e) the importance of securing well-designed and beautiful, attractive and healthy places***

5.33. Section 12 “Achieving Well Designed Places” states that 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. Paragraph 135 states that:

***“Planning policies and decisions should ensure that developments:***

***a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;***

***b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;***

***c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);***

***d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;***

***e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and***

***f) 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<sup>51 12</sup>; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”***

5.34. Full details of the design and design rationale for the proposal are provided in the Design and Access Statement which accompanies this application.

5.35. Section 14, “Meeting the challenge of climate change, flooding and coastal change” outlines at paragraph 170–182 the approach to planning and flood risk.

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<sup>12</sup> Footnote 51 Planning policies for housing should make use of the Government’s optional technical standards for accessible and adaptable housing, where this would address an identified need for such properties. Policies may also make use of the nationally described space standard, where the need for an internal space standard can be justified.

5.36. The site is predominantly located within Flood Zone 1 on land at the lowest risk of flooding. A small area of the site located to the south of the site adjacent to Abberd Brook falls within Flood Zone 2/3. This area will not be developed. All habitable built development will be located within Flood Zone 1 in accordance with the NPPF sequential approach. Further details are provided in the Flood Risk Assessment for the Proposed Development based on the requirements of The Technical Guidance which accompanies the National Planning Policy Framework, which is submitted with the application.

5.37. Section 15 “Conserving and Enhancing the Natural Environment” at paragraph 187 states that planning policies and decisions should contribute to and enhance the natural environment by:

***“a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);***

***b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;***

***c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;***

***d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;***

***e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and***

***f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.”***

5.38. A suite of ecological and protected species surveys has been carried out confirming areas to be protected wherever possible, or mitigation carried out to offset their losses (e.g., new native hedgerow planting). The development proposals offer the opportunity to enhance the biodiversity of the site post development to secure a net gain in biodiversity.

- 5.39. The Site is not within any national or local landscape designation and is not considered to be a valued landscape. The accompanying Landscape and Visual Assessment addresses guidance in the NPPF and the development plan.
- 5.40. Section 16, "Conserving and enhancing the historic environment" requires at paragraph 207 applicants to:
- "... describe the significance of any heritage assets affected, including any contribution made by their setting..... Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation."***
- 5.41. Paragraph 214 states that:
- "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."***
- 5.42. Matters relating to heritage assets and the historic environment are also considered in the assessment that accompanies the planning application.
- 5.43. Annex 1 of the NPPF covers Implementation both for decision making and the purposes of plan making. Paragraph 231 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications from the day of its publication.
- 5.44. Paragraph 232 states that existing policies should not be considered out of date simply because they were adopted or made prior to the publication of the NPPF. Due weight should be given to policies in existing plans according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
- 5.45. However, the Council have accepted that the most important policies of the Development Plan are out of date because there is insufficient housing supply to demonstrate a minimum of 5 years housing land supply in accordance with the findings of the recent s78 appeal decisions at Westbury, Melksham and Purton. This is addressed in more detail in Section 7 of this report.

- 5.46. Overall, the proposed development is consistent with the objectives of the NPPF and constitutes sustainable development, contributing to each of the three objectives of sustainable development and the increase in the supply of housing to Wiltshire.

#### **National Planning Practice Guidance**

- 5.47. The NPPG was launched on the 6th of March 2014 by the Department for Communities and Local Government (DCLG).

- 5.48. The guidance sits alongside the NPPF and was originally produced as part of the reforms to the planning system, by Government, to make it simpler and easier to shape and influence planning and development across the country. The web-based format allows MHLCG to periodically update the Guidance electronically, and for the avoidance of doubt, where this Statement relies upon the advice, reference is drawn to the date the relevant guidance was published.

- 5.49. The most recent published sections of the PPG include:

- Community Infrastructure Levy (26th April 2024),
- Biodiversity Net Gain (1st May 2024)
- Design: Process and Tools (1st October 2019),
- Determining a Planning application (6th December 2023),
- Environmental Impact Assessment (13th May 2020),
- Flood risk and coastal change (25th August 2022)
- Housing and Economic Needs Assessment (24th February 2025),
- Housing and Economic Land Availability Assessment (22nd July 2019),
- Housing Needs of Different Groups (24th May 2021),
- Housing Supply and Delivery (including the Housing Delivery Test) (12th December 2024),
- Plan Making (19th February 2025),
- Planning Obligations (1st September 2019),
- Strategic Environmental Assessment and Sustainability Appraisal (31st December 2020),
- Use of Planning Conditions (23rd July 2019),
- Viability in Plan Making (12th December 2024).

- 5.50. The relevant sections of guidance in the NPPG to the application are set out in turn below.

## Design: process and tools

5.51. Paragraph 001 states that:

*“Well-designed places can be achieved by taking a proactive and collaborative approach at all stages of the planning process, from policy and plan formulation through to the determination of planning applications and the post approval stage. This guidance explains the processes and tools that can be used through the planning system and how to engage local communities effectively.”*

5.52. A National Design Guide has been produced (January 2021) and sets out the characteristics of well-designed places and demonstrates what good design means in practice.

5.53. Good design is set out in the National Design Guide under the following 10 characteristics:

- Context
- identity
- built form
- movement
- nature
- public spaces
- uses
- homes and buildings
- resources
- lifespan

5.54. Design and Access Statements set out the narrative for the approach to design and the rationale for the scheme. They demonstrate how the local character of an area has been considered and how design principles will be applied to achieve high quality design. They set out concisely how the proposal is a suitable response to the site and its setting, taking account of baseline information.

## Planning Obligations

5.55. **Paragraph 002<sup>13</sup>** explains how planning obligations are used to mitigate the impact of unacceptable development to make it acceptable in planning terms. Obligations should meet the tests that they are necessary to make the development acceptable in planning

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<sup>13</sup> Planning Practice Guidance, Paragraph: 002 Reference ID: 23b-002-20190901 Revision Date 01.09.19

terms, directly related to the development, and fairly and reasonably related in scale and kind. These tests are set out as statutory tests in Regulation 122 (as amended by the 2011 and 2019 Regulations) and as policy tests in the National Planning Policy Framework. These tests apply whether or not there is a levy charging schedule for the area.

- 5.56. **Paragraph 004**<sup>14</sup> states that plans should set out policies for the contributions expected from development to enable fair and open testing of the policy at examination. **Paragraph 005** states that plans should be informed by evidence of infrastructure and affordable housing need, and a proportionate assessment of viability that considers all relevant policies, and local and national standards including the cost implications of Community Infrastructure Levy (CIL) and planning obligations. **Paragraph 011** states that where a viability assessment is submitted to accompany a planning application this should be based upon and refer to the viability assessment that informed the plan, and the applicant should provide evidence of what has changed since then.

#### **Viability**

- 5.57. The PPG on Viability was updated on 12<sup>th</sup> December 2024.
- 5.58. **Paragraph 002** states that the role of viability assessment is primarily at the plan making stage.
- 5.59. **Paragraph 006** indicates *"Where up-to-date policies have set out the contributions expected from development, planning applications that fully comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage."*
- 5.60. **Paragraph 008** states that: *"Where a viability assessment is submitted to accompany a planning application this should be based upon and refer back to the viability assessment that informed the plan; and the applicant should provide evidence of what has changed since then."*

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<sup>14</sup> Planning Practice Guidance, Paragraph: 004 Reference ID: ID: 23b-004-20190315

- 5.61. **Paragraph 014** states that: *“Assessment of costs should be based on evidence which is reflective of local market conditions. As far as possible, costs should be identified at the plan making stage. Plan makers should identify where costs are unknown and identify where further viability assessment may support a planning application.*

*Costs include:... the total cost of all relevant policy requirements including contributions towards affordable housing and infrastructure, Community Infrastructure Levy charges, biodiversity net gain (as required by Schedule 7A of the Town and Country Planning Act), and any other relevant policies or standards. These costs should be taken into account when defining benchmark land value.”*

- 5.62. The previous changes on 14<sup>th</sup> February 2024 reflected that mandatory biodiversity net gain is a consideration on viability assessments.

#### **The Development Plan.**

- 5.63. Section 38(6) of the 2004 Planning and Compulsory Purchase Act requires planning applications to be determined in accordance with the relevant policies of the adopted Development Plan unless material considerations indicate otherwise. Paragraph 48 of NPPF requires *“decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period had been agreed by the applicant in writing.”*

- 5.64. The relevant development plan consists of the Wiltshire Core Strategy (adopted January 2015), Wiltshire Site Allocations DPD (adopted February 2020), The Wiltshire and Swindon Waste Core Strategy (adopted July 2009), the Wiltshire and Swindon Minerals Core Strategy (adopted June 2009) and the made Calne Community Neighbourhood Plan 2 (made March 2025).

#### **Local Planning Policy**

##### **Wiltshire Core Strategy (2015)**

- 5.65. The Wiltshire Core Strategy was adopted in January 2015. The adopted Core Strategy states that the Market Town of Calne provides an important centre for the surrounding area.
- 5.66. The close proximity of the area to the M4 has attracted key employers to Calne in the past and it is identified as a strategic employment location in Wiltshire.

- 5.67. The Core Strategy states the spatial strategy for Calne will help to maintain the economic base in the town with mixed growth of employment alongside housing, thus improving the self-containment of the settlement.
- 5.68. Non-strategic growth should be brought forward in accordance with **Core Policy 2** which identifies that between 2006 and 2026 at least 178 ha of employment land and at least 42,000 homes will be distributed across Wiltshire, in response to the full objectively assessed needs of 44,000 homes, as identified by the examining Inspector (in paragraph 78 of his final report). The strategic requirement is disaggregated between the County's three Housing Market Areas (HMAs) with requirements provided for each Principal Settlement, Market Town and by Community Area.
- 5.69. **Core Policy 2** also states a presumption in favour of sustainable development at Market Towns and that outside settlement boundaries the limits of development may only be altered through the identification of sites for development through the Sites Allocation Document and Neighbourhood Plans.
- 5.70. Paragraph 4.20 states that:
- "Wiltshire's proposed strategic housing requirement is set out against defined subcounty areas as identified within the Wiltshire Strategic Housing Market Assessment (SHMA). However, in order to support the most sustainable pattern of growth, in line with the principles defined in Core Policy 1, indicative requirements are provided for each Principal Settlement, Market Town and by Community Area within paragraph 4.26. The indicative figures also allow a flexible approach which will allow the council, including through the preparation of the Site Allocations DPD, and local communities preparing neighbourhood plans, to respond positively to opportunities without being inhibited by an overly prescriptive, rigid approach which might otherwise prevent sustainable development proposals that can contribute to delivering the strategic objectives of the plan."*
- 5.71. Core Policy 2 identifies a minimum housing requirement for the North and West Housing Market Area as 24,740 new dwellings.
- 5.72. Core Policy 2 states that within the defined limits of development, as defined on the policies map, that there is a presumption in favour of development at the Principal Settlements. However, paragraph 11(d) of the NPPF in conjunction with Footnote 7 indicates that Development Plan policies will not be considered up to date if the LPA cannot demonstrate

a five-year supply of deliverable sites. In those circumstances the tilted balance would be engaged. (This is addressed in Section 7).

5.73. **Core Policy 3** Infrastructure Requirements requires all new development to provide necessary on site and, where necessary, off-site infrastructure in a timely manner.

5.74. **Core Policy 43** sets out the Council's approach to the provision of affordable homes through new development.

5.75. **Core Policy 45** sets out the Council's approach to housing mix with regard to the type and size of dwellings to be provided by new development. It states:

***"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."***

5.76. **Core Policy 50** sets out how development proposals must take into consideration matters relating to biodiversity and geodiversity and states that all new development should seek to enhance biodiversity.

5.77. **Core Policy 51** sets out how development proposals should address landscape matters and where relevant be informed by and sympathetic to the distinctive character areas identified in the relevant Landscape Character Assessment(s) and any other relevant assessments and studies.

5.78. **Core Policy 52** requires development to make provision for the retention and enhancement of Wiltshire's green infrastructure network and to ensure that suitable links to the network are provided and maintained. It states that:

***"Proposals for major development should be accompanied by an audit of the existing green infrastructure within and around the site and a statement demonstrating how this will be retained and enhanced through the development process."***

5.79. **Core Policy 57** considers design quality and place shaping and requires a high standard of new design in all new development with a strong sense of place created by drawing on the local context. Major development proposals are required to be accompanied by a detailed design statement and masterplan with clearly stated design principles which underpin the character of the new place.

- 5.80. **Core Policies 60 and 61** seek to reduce the need to travel by private car and support and encourage the sustainable, safe and efficient movement of people and goods. This is sought by ensuring that sustainable development is located in accessible locations and by promoting sustainable transport alternatives to the use of the private car.

**Wiltshire Housing Sites Allocation Plan (Feb 2020)**

- 5.81. The Wiltshire Housing Sites Allocations Plan (WHSAP) was adopted on 25th February 2020, however owing to the existing quantum of growth already occurring at Calne and the allocation in the “made” Neighbourhood Plan, the WHSAP did not make additional residential allocations at the Market Town.
- 5.82. The WHSAP made amendments to the Settlement Boundary of Calne, but did not include the area allocated in the made Neighbourhood Plan within the Settlement Boundary.

**Calne Community Neighbourhood Plan 2, 2023–2038 (Made March 2025)**

- 5.83. The updated Calne Community Neighbourhood Plan 2 document was “Made” in March 2025. The Calne Community Neighbourhood Plan 2 does not address the need for housing allocations and outlines that this will be considered through future reviews of the Neighbourhood Plan.
- 5.84. **Policy H2: Affordable Housing** states that developments that result in 10 or more dwellings, or 0.5 hectares or greater should include affordable housing to address locally specific needs and should be in conformity with Wiltshire Council’s adopted Local Plan policies.
- 5.85. **Policy H3: Housing Mix** requires proposals to include a mix of size of housing to address the current and demonstrable needs of the community.
- 5.86. **Policy C1: High Quality, Sustainable Development in the Calne Community Plan Area** outlines that proposals that represent a high quality and sustainable development and contribute positively to the health and wellbeing of our communities and the environment will be supported.
- 5.87. **Policy C2: Sustainable Construction and Energy** states that all new development proposals should be submitted with a proportionate Sustainable Energy Strategy that sets out a low-carbon approach to the development.

- 5.88. **Policy NE2: Protecting and Enhancing Biodiversity** states that as appropriate to their scale, nature and location, development proposals should protect and where practicable, enhance wildlife habitats and biodiversity.
- 5.89. **Policy NE3: Green and Blue Infrastructure Network** outlines that where appropriate to their scale, nature and location development proposals should demonstrate how the overall Green and Blue Infrastructure Network within Calne is maintained.
- 5.90. **Policy NE5: Setting of Calne and Calne Without** outlines that proposals for new development must respect the rural setting of the Plan Area and where possible should deliver enhancements to the landscape character including well integrated additional planting.
- 5.91. **Policy BE1: Design Principle for Local Distinctiveness** outlines that development that demonstrates good design, conservation, enhancement and extension of positive and distinctive characteristics in the various character areas of the Plan area will be supported.
- 5.92. **Policy GA1: Highways Impact** outlines that proposals that provide access to the local road network in a way that mitigates potential adverse transport impacts will be supported.
- 5.93. **Policy GA2: Public Realm** requires development proposals to demonstrate how opportunities for the use of sustainable modes of transport are maximised by considering the potential for walking and cycling and use of public transport.
- 5.94. **Policy GA3: Sustainable Transport and Inclusive Active Travel** outlines that new development that is designed and located to prioritise walking, then cycling, then public transport, then car clubs, electric vehicles and lastly private fossil-fuelled vehicles, will be supported.

#### **Emerging Local Plan**

- 5.95. The Wiltshire Local Plan is currently under review. A Regulation 18 public consultation was held between January – March 2021 for a plan period of 2016 – 2036. The consultation included documents on spatial strategy, Planning for Calne; a Calne site selection report; addressing climate change and biodiversity and an interim sustainability appraisal.
- 5.96. A Reg 19 consultation took place in September – November 2023 which updated the plan period 2020 – 2038. The plan proposes provision for approximately 36,740 new dwellings.

5.97. The Local Plan was submitted to the Secretary of State for examination on 28<sup>th</sup> November 2024. The submitted plan was accompanied by a Schedule of Proposed Changes (October 2024). The Inspectors have been appointed and initial questions to the Council were published on 7<sup>th</sup> March with the Council's response published on 21<sup>st</sup> March. At the time of writing a Focused Hearing Session considering the Duty to Co-operate is to be held on 24<sup>th</sup> June 2025. There is currently no timetable or MIQs for the remaining hearing sessions.

5.98. **Policy 1 Settlement Strategy** – the policy identifies those settlements where sustainable development will take place. Calne is one of 13 market towns that are recognised to have the ability to support sustainable patterns of living in Wiltshire due to the current level of facilities, services and employment opportunities.

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

5.99. Wiltshire is divided into four separate housing market areas. Area Strategies set the scale of growth at settlements and allocate land for development.

5.100. Paragraph 4.2 of the Reg 19 states:

***The Area Strategies set out community priorities and the outcomes that development can achieve for each Principal Settlement and Market Town supporting their role and function as places, as set out in Policy 1 (Settlement Strategy). The Area Strategies also set scales of growth to be achieved at each settlement over the plan period, in accordance with the Delivery Strategy set out in Policy 2 (Delivery Strategy).***

5.101. Provision focuses on Principal Settlements of which there are three across the authority. The next tier is the market towns.

5.102. **Policy 2 Delivery Strategy** – seeks to deliver development in Wiltshire in the plan period 2020 – 2038 at the most sustainable locations.

***Within settlement boundaries, as identified on the Policies Map, there is a presumption in favour of sustainable development at the Principal Settlements and Market Towns, Local Service Centres and Large Villages. Settlement boundaries will be kept up to date by the local planning authority in accordance with the methodology at Appendix B of the Plan.***

***...Principal Settlements and Market Towns Scales of growth and priorities for the development of Principal Settlements and Market Towns are set out in the Area Strategies for each settlement. Sites are identified within and on the edge of settlement boundaries where development will be supported. Additional housing allocations can be identified through local communities preparing neighbourhood plans and a subsequent site allocation development plan document.***

5.103. The emerging plan also includes a housing trajectory as required by national guidance.

5.104. Calne is a market town located in the Chippenham Area Strategy (HMA). There are five towns within the Chippenham HMA. Calne along with Melksham are the least constrained market towns. Paragraph 4.22 states:

***Calne, similarly, is less constrained and both towns have experienced significant pressure in relation to housing in recent years than planned for, partly due to the slower delivery of housing at Chippenham.***

5.105. The distribution of housing and additional employment provision for the Chippenham Area is set out in Table 4.2

5.106. The Local Plan Review proposes 1,230 dwellings for Calne in the plan period. At paragraph 4.45 the Reg 19 Plan states that:

***Calne is not significantly constrained in environmental terms when compared with some of the other Market Towns in the HMA, and in recent years has seen rates of housing growth higher than those planned for in the development plan. Alongside new homes there has been some recent investment in retail within and out of the town centre. However investment in the town centre has been limited in recent years.***

5.107. Paragraph 4.46 states:

***...A key consideration under-pinning the strategy for the town is more balanced growth between housing and employment, with investment in businesses, services for the local community and a stronger town centre. New employment land is needed to help diversify job opportunities with a move away from a concentration in manufacturing.***

#### **Policy 9 Calne Market Town**

5.108. Policy 9 provides the overall strategy for Calne.

***Development at Calne will:***

- 1. provide a balanced approach to housing growth, that allows the wide-ranging housing needs of Calne to be met whilst conserving the special market town feel, including its heritage and landscape qualities;***
- 2. protect and provide new and existing employment land, ensuring the role and function of Calne is maintained as an important local employment centre;***
- 3. support development that is well connected to Calne town centre by sustainable modes of transport and encourage delivery of infrastructure such as primary schools, open space, allotments, land for cemetery space and health services to support sustainable communities;***
- 4. ensure infrastructure improvements to the local road network where necessary that will aim to reduce traffic congestion and improve air quality in the town centre;***
- 5. minimise the impact of development and associated infrastructure on the environment to help meet the Calne Town Council Climate and Environmental Emergency Pledge;***
- 6. be supported by the implementation of a town centre masterplan to ensure continued investment in the town centre and improve the provision of services, facilities and amenities, particularly the level and quality of retail outlets, hospitality venues and public spaces;***
- 7. provide and promote sustainable transport and active travel, including new and improved bus routes and pedestrian and cycling routes; and***
- 8. deliver funding contributions towards a Calne Transport Strategy***

- 5.109. The site is not a proposed allocation in the submitted Local Plan, although it has been submitted to the Council in response to the Call for sites and as stated in Section 2 the Site lies to the south of the application PL/2022/07893 on Land off Spitfire Road, Calne, SN11 8TE for 90 dwellings, with an area within that site 'cut out' as an area to comprise a future local neighbourhood centre (PL/2023/10421). Both applications were granted on appeal 17<sup>th</sup> February 2025. Planning Inspectorate Reference Nos.: APP/Y3940/W/24/3351527: Land South of Abberd Lane, and East of Spitfire Road, Calne & APP/Y3940/W/24/3351528: Land off Spitfire Road, Calne.
- 5.110. Chapter 5 of the Reg 19 Plan sets out the planning policies, organised into three thematic sections that cover economic, social and environmental considerations. Relevant policies are:

- 5.111. **Policy 70 Sustainable Transport** focuses development growth primarily in the identified Principal Settlements and Market Towns.
- 5.112. **Policy 71 Transport and New Development** – promotes access and choice of sustainable transport modes and opportunities to make improvements. The policy states that development proposals must be capable of being served by suitable and safe access to the highway network and where appropriate, developer contributions will be sought towards sustainable transport improvements. Travel Plans will be required to promote the use of sustainable transport alternatives and more sustainable freight movements. Electric vehicle infrastructure will be required in accordance with national or local standards as relevant.
- 5.113. **Policy 72 Development Impacts on the Primary and Major Road Networks** – Outside of built-up areas, proposals that involve a new direct access onto the national primary route network or major road network will not be permitted in order to assist with traffic flow and reduce risk.
- 5.114. **Policy 73 Transport: Demand Management** – encourages an integrated approach to the use of sustainable modes of travel and help reduce the reliance on vehicles.
- 5.115. **Policy 76 Providing Affordable Homes** – the policy seeks the provision of at least 40% (net) affordable housing on sites of ten or more dwellings or 0.5ha or more in areas that are not designated as rural areas. The provision of affordable housing may vary on a site by site basis taking into account the evidence of local need. The tenure mix is 65% affordable housing for rent, 10% shared ownership and 25% First Homes. Affordable housing is to be distributed across the site.
- 5.116. **Policy 78 Meeting Wiltshire’s housing needs** – the policy provides the basis for considering dwelling type and mix of housing to be built including specialist homes.
- 5.117. **Policy 81 Community Facilities** – this policy addresses both the redevelopment of community facilities and the provision of new community facilities.
- 5.118. **Policy 83 Health and Wellbeing** – the policy states that proposals should demonstrate how the development will contribute positively to health and wellbeing by enabling or promoting healthy lifestyles and minimising any negative health and wellbeing impacts. For significant development (i.e. where the number of homes is over 150 or the site is 5 hectares or more)

the policy requires a Health Impact Assessment to be submitted alongside planning applications.

- 5.119. **Policy 84 Public Open Space and Play Facilities** – all development is to make provision for public open space and where appropriate, play facilities and protect and improve the quantity, quality and accessibility of and to public open space.
- 5.120. **Policy 85 Sustainable Construction and Low Carbon Energy** – the policy states that new build residential development will achieve a zero-carbon in operation standard, by significantly reducing heat and power demand of the building through energy efficient design and/or modern methods of construction. The remaining energy demand should then be supplied through onsite renewables. The policy sets out what proposed new dwellings will demonstrate, subject to economic viability.
- 5.121. **Policy 87 Embodied Carbon** – Proposals for major residential and/or non-residential development will need to be supported by an Embodied Carbon Assessment.
- 5.122. **Policy 88 Biodiversity and Geodiversity** – the policy provides the framework for development proposals to demonstrate how the mitigation strategy has been sequentially applied.
- 5.123. **Policy 89 Biodiversity Net Gain** – the policy as drafted in the Reg 19 Plan goes beyond national guidance by stating that development must achieve a minimum of 20% BNG. This will no doubt be discussed at the examination.
- 5.124. **Policy 90 Woodland, Hedgerows, and Trees** – the policy makes provision for the retention and enhancement of Wiltshire’s woodlands, hedgerows and trees.
- 5.125. **Policy 91 Conserving and Enhancing Wiltshire’s Landscapes** – the policy seeks to conserve and where possible enhance Wiltshire’s landscapes and their distinctive landscape character.
- 5.126. **Policy 93 Green and Blue Infrastructure** – the policy requires developers to contribute to the long-term management of green and blue infrastructure, through either financial contribution, management schemes or management plans.
- 5.127. **Policy 95 Flood Risk** –the policy outlines the Council’s approach to flood risk management and drainage strategies.

- 5.128. **Policy 96 Water Resources** – the policy sets out the Council’s approach to management of water resources.
- 5.129. **Policy 98 Ensuring High Quality Design and Place Shaping** – the policy covers all aspects of design and place shaping that will need to be taken into account when designing schemes.
- 5.130. **Policy 99 Ensuring the Conservation and enhancement of the Historic Environment** – sets out the Council’s approach to conserving and enhancing the historic environment.
- 5.131. **Policy 101 Air Quality** – set out the Council’s Approach to mitigate emission levels etc.
- 5.132. **Appendix 2** of the Reg 19 Plan identifies those policies in the current development plan that it supersedes with another policy and also lists those policies that are deleted and those that have been updated.
- 5.133. More than 8,000 comments were submitted during the consultation on the Reg 19 in autumn 2023. The Council reported the outcome of the consultation to the Cabinet meeting on 8<sup>th</sup> October 2024 and recommended to Full Council on 15<sup>th</sup> October that the Plan be submitted to the Secretary of State for examination. The Plan was submitted to the Secretary of State for examination on 28th November 2024.
- 5.134. It is recognised that the Local Plan Review is at an advanced stage and therefore some weight can be attributed to the Reg 19 Plan and the draft policies contained within it. However, there remain considerable unresolved objections to relevant policies, particularly as they relate to the housing requirement and the housing supply, and therefore in accordance with paragraph 48 of the NPPF it can at present only be given limited weight in the determination of this application.
- 5.135. The issue of the weight to be afforded the emerging Local Plan Review was considered in the very recent appeal at Land Rear of 117 High Street, Dilton Marsh made on 12 March 2025 and thereby post-dates the submission of the Wiltshire Local Plan Review:

***“....Although my attention has been drawn to the Council progressing its new Local Plan, which will inevitably respond positively to these challenges, its present status does not permit me to give any meaningful weight to this emerging plan at this time” (para. 29).***

- 5.136. In terms of existing plans, the NPPF is clear that the weight given to relevant policies in existing plans is according to their consistency with the NPPF and it will be up to the decision maker

to decide the weight to give to policies. The Wiltshire Core Strategy (CS) was adopted in 2015, but it was submitted for examination in July 2012 but based on work undertaken by former districts in 2006 –2008 with initial consultation held in Oct– Dec 2009 prior to the publication of the first NPPF in 2012. The preparation of the CS thus took approximately 9 years. The early review did not happen, the result is that the Council produced a Strategic Plan, in need of an early review with a period too short and a housing requirement that was too low which took 2.5 years from submission to adoption.

## 6. Affordable Housing Policy

- 6.1. Paragraph 63 of the NPPF (December 2024) requires local authorities to plan for the size, type and tenure of housing needed for different groups in the community, including those who require affordable housing, by assessing need as part of plan making and reflecting need in planning policy.
- 6.2. Paragraph 64 states that where a need for affordable housing is identified that planning policy should specify the type of affordable housing required. Such housing is expected to be met on site unless off site contributions can be robustly justified and the agreed approach contributes to the objectives of creating mixed and balanced communities.
- 6.3. Paragraph 66 states that where major development involving the provision of housing is proposed, planning policies and decisions should expect that the mix of affordable housing required meets identified local needs, across Social Rent, other affordable housing for rent and affordable home ownership tenures.
- 6.4. The adopted Wiltshire Core Strategy (2015) Policy 43 'Providing Affordable Homes' states the locally adopted policy for the delivery of affordable housing on development schemes within Wiltshire. On schemes of more than five dwellings the Policy has two zones, a 30% zone and a 40% zone. The level of affordable housing to be provided is subject to viability and tenure mix is to be negotiated on a site-by-site basis to reflect local need.
- 6.5. The application site is situated within the 30% affordable housing zone.
- 6.6. The made Calne Community Neighbourhood Plan 2 provides a further locally distinctive policy to adopted Policy 43 of the Core Strategy with Neighbourhood Plan Policy H2 stating proposals resulting in development of 10 or more dwellings, or 0.5 hectares or greater, will be required to include affordable housing to address locally specific needs. Policy H2 goes onto state that proposals for affordable housing should respond positively to the specific local housing needs identified in the Calne Community Housing Needs Assessment 2022 (AECOM) and provide a mix of affordable housing that is informed by an up-to-date, robust, and local housing needs assessment.
- 6.7. A policy compliant level of affordable housing is proposed in the Draft Heads of Terms submitted with the planning application.

## 7. Planning Assessment of the Development Proposals

- 7.1. This section sets out the main planning considerations for this application. The site is considered appropriate for residential development for the following reasons.
- 7.2. **The Wiltshire Core Strategy (2015) focuses development at sustainable locations including market towns.** Calne is identified as a Market Town in the Core Strategy and therefore is a sustainable location for growth in accordance with the adopted spatial strategy of the development plan.
- 7.3. The need for a range and choice of sites to ensure housing delivery. The spatial strategy for delivering Wiltshire's growth needs relies on the delivery of sites across the authority in each of the three housing market areas. However, some strategic allocated sites have not delivered as anticipated owing to constraints, such as those at Trowbridge and Salisbury. This has resulted in housing delivery not keeping pace with anticipated Core Strategy delivery rates.
- 7.4. In order to ensure delivery remains high across the authority, a range of sites, which benefit from existing utility infrastructure provision, need to come forward.
- 7.5. In accordance with the NPPF it is necessary to deliver a wide choice of high-quality homes. The location of the site is consistent with both the strategy in the adopted strategic development plan, the Wiltshire Core Strategy (2015) and the made Neighbourhood Plan (March 2025).
- 7.6. It is considered that the proposed development will not prejudice the development plan currently being prepared, the Wiltshire Local Plan Review.
- 7.7. The development is proposed as additional housing to meet both market and affordable housing needs.
- 7.8. The application demonstrates that there is sufficient utility, highway and social infrastructure capacity to accommodate the proposed development.
- 7.9. **Five Year Housing Land Supply** – the new NPPF December 2024 has implications for the calculation of the housing land supply in Wiltshire Council, resulting in a substantially lower housing land supply position.

7.10. Paragraph 78 states:

***Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies<sup>38 15</sup>, or against their local housing need where the strategic policies are more than five years old<sup>39 16</sup>. The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:***

***a) 5% to ensure choice and competition in the market for land; or***

***b) 20% where there has been significant under delivery<sup>40 17</sup> of housing over the previous three years, to improve the prospect of achieving the planned supply; or***

***c) From 1 July 2026, for the purposes of decision-making only, 20% where a local planning authority has a housing requirement adopted in the last five years examined against a previous version of this Framework<sup>41 18</sup>, and whose annual average housing requirement<sup>42 19</sup> is 80% or less of the most up to date local housing need figure calculated using the standard method set out in national planning practice guidance.***

7.11. For Wiltshire Council, the application of paragraph 78 and footnote 39 of the NPPF require that the housing land supply position is assessed against the minimum local housing needs where the adopted Local Plan is more than five years old as it is in Wiltshire.

7.12. On 17<sup>th</sup> December 2024 Wiltshire Council published a Briefing Note (No. 24-20) setting out the implications of the December 2024 NPPF and revisions to the Standard Methodology for the housing land supply of the Council. In summary, the Briefing Note acknowledges the

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<sup>15</sup> Footnote 38 The delivery of large scale developments may need to extend beyond an individual plan period, and the associated infrastructure requirements may not be capable of being identified fully at the outset. Anticipated rates of delivery and infrastructure requirements should, therefore, be kept under review and reflected as policies are updated.

<sup>16</sup> Footnote 39 Unless these strategic policies have been reviewed and found not to require updating. Where local housing need is used as the basis for assessing whether a five year supply of specific deliverable sites exists, it should be calculated using the standard method set out in national planning practice guidance.

<sup>17</sup> Footnote 40 This will be measured against the Housing Delivery Test, where this indicates that delivery was below 85% of the housing requirement.

<sup>18</sup> Footnote 41 Or the housing requirement is more than five years old and the relevant strategic policies have been reviewed and found not to require updating.

<sup>19</sup> Footnote 42 Defined as the total housing requirement, divided by the number of years in the plan period. For joint local plans, the percentage should be applied in aggregate across the joint local plan area.

revision 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.

- 7.13. It concluded the Council could not demonstrate the requisite five-year housing land supply for the period 2023–2028, being only able to demonstrate a 2.03 years supply.
- 7.14. The assessment of 5 year land supply shortfall has been confirmed in a number of recently allowed appeals<sup>20</sup>.
- 7.15. In June 2025, the Council completed an update to the housing land supply position (Briefing Note No. 25 – 04) 18<sup>th</sup> June 2025 and published the Housing Land Supply Statement June 2025 (base date: April 2025).
- 7.16. This confirms the Council can only demonstrate a five-year supply of housing of 2.42 years for the period 2024–2029. Although the Council's assessment indicates an improvement of the five-year housing land supply position (the deliverable supply has increased from the previous position in December 2024 due to the increase in the number of planning permissions being granted by the Council and the number of appeals being granted) there remains a significant shortfall of 9,561 homes.
- 7.17. The summary paragraph states that whilst the housing delivery test results from 2023 indicate that the Council has met 135% of its housing target over the last three years, however:

***it is imperative that the housing land supply is continually replenished with new planning permissions and site allocations to ensure that housing requirements in the future can be met. Where there is an insufficient housing land supply to meet housing requirements over the next five years (for example, through allocated sites not being brought forward promptly) the council can be exposed to unplanned, 'speculative' planning applications, to help improve the housing land supply.***

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<sup>20</sup> Land at Glenmore Farm, The Ham/Hawkeridge Road, Westbury (Appeal Ref: APP/Y3940/W/24/3345598), Land at Stones Farm, West Mill Lane, Cricklade (Appeal Ref: APP/Y3940/W/24/3351265), Land off High Street, Sutton Benger, Chippenham (APP/Y3940/W/24/3349828), and Land at Stones Farm, West Mill Lane, Cricklade SN6 6JL (Appeal Ref: APP/Y3940/W/24/3351265)

7.18. Paragraph 11 (d) and footnote 8 of the NPPF state that where a five-year housing land supply cannot be demonstrated, for applications including housing provision, the policies that are most important for determining the application should be considered out-of-date. As a result, the presumption in favour of sustainable development should be applied and permission should be granted unless protection policies set out in footnote 7 of the NPPF apply, or the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits.

7.19. The June 2025 Briefing Note refers to the December 2024 Briefing Note on the implications of not being able to demonstrate a five-year housing land supply. Paragraph 14 of the December 2024 Briefing Note states:

***“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”.***

7.20. Wiltshire Council’s Briefing Note No. 24-18 published in September 2024 acknowledges that in the context of Paragraph 11d the most important policies, including Core Policy 2 of the Wiltshire Core Strategy in relation to settlement boundaries and housing requirements, and the relevant Community Area Strategy Policies (Core Policies 4 – 33), should not have full weight applied to them in the decision-making exercise. The weight to be attributed to such policies is a matter of judgement for the decision maker.

7.21. Recent relevant appeal decisions have concluded:

- Land at Glenmore Farm, The Ham/Hawkeridge Road, Westbury BA13 4HQ – decision date 21 January 2025:

***“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” (para. 41) (emphasis added).***

- Land at South Pavenhill Farm, Pavenhill, Purton, Wiltshire, SN5 4DQ – decision date 6 March 2025.

***I have found conflict with the Council's spatial strategy as set out in the WCS and the PNP, due to the location of the site beyond Purton's defined limits of development. The restrictions on housing development resulting from the Council's relevant housing delivery policies, namely WCS Core Policies 1, 2 and 19 have prejudiced the ability to demonstrate a satisfactory supply of deliverable housing sites. With this in mind, I attach limited weight to the scheme's identifiable conflicts with the Council's spatial strategy and the PNP" (para. 84) (emphasis added).***

- 7.22. Whilst the Inspector at the Land at Stones Farm, West Mill Lane, Cricklade in her decision letter dated 23 January 2025 gave moderate weight to the conflict with the development strategy she went on to state:

***"... Such a level of shortfall would also mean that the provision of up to 140 houses would attract significant weight in the balance, consistent with the Government's aim in paragraph 61 of the Framework of significantly boosting the supply of homes (para. 52).***

- 7.23. Briefing Note No. 24-20 notes that the same implications for determining planning applications continue to apply as outlined in Briefing Note No. 24-18, but with other particular factors to be considered because of changes to the NPPF as set out below:

***"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 to ensure that proposals that can help improve housing land supply are properly and thoroughly assessed against the key policies".***

- 7.24. Paragraph 6 of the Wiltshire Council Briefing Note No. 25-04 published in June 2025 states that to improve the housing supply:

***The council will look to restore a five-year housing land supply through the Local Plan, which should be adopted prior to December 2025. In the interim, where applications are being considered for sites at settlements but outside the defined settlement boundaries there may be the opportunity to improve housing supply by favourably considering housing development proposals. The Wiltshire Local Plan review also looks to allocate additional housing land, some of which can be delivered within five years, and therefore will contribute towards meeting the five-year housing land supply in the future.***

- 7.25. This recognises that if the policies of the Development Plan are applied with full rigour the housing land supply issues will not be addressed, and that as such a conflict with the policies

of the Development Plan in itself would not be sufficient to refuse otherwise sustainable development proposals.

- 7.26. Hence, a site being outside of the settlement boundaries is not a bar to development.
- 7.27. The Briefing Notes are a material consideration giving significant weight to the proposal for reasons set out above.
- 7.28. As set out in paragraphs 51 and 52 of the Court of Appeal Judgment of Hallam Land Management Ltd vs the Secretary of State for Communities and Local Government et al [2017] EWCA 2865 (Admin), the extent of the shortfall relative to need, the length of time this is likely to persist and the actions being taken by the Council to remedy this will all be material to the weight afforded to both the provision of housing and to relevant policies.
- 7.29. Paragraph 62 of the NPPF recognises that the standard method provides only the minimum local housing need. Any shortfall against a minimum is clearly of significance, especially as any shortfall indicates that a proportion of households will be unable to access the housing they need, with associated substantial economic, health, welfare and educational harms to such households.
- 7.30. However, as recognised in the Hallam Land Judgment, a greater shortfall would increase the significance of the need for additional housing and of the insufficiency of relevant policies to meet this need.
- 7.31. As set out in paragraph 47 of the Hallam Land Management Judgment, logically one would expect the weight given to the conflict with relevant policies to be less if the shortfall is large, as it undoubtedly is in Wiltshire. Similarly, where there is such a substantial shortfall there is clearly a pressing need for housing such that it would be expected that the provision of housing would be afforded greater weight.
- 7.32. The Council has been unable to demonstrate a sufficient supply to meet the minimum needs since February 2020 and the Council has previously agreed that a sufficient supply will not be restored whilst the adopted policies remain in place. It would therefore be very difficult to describe the shortfall as being anything other than persistent. The persistence or otherwise of the shortfall had been considered by numerous Inspectors.

- 7.33. The Council are reliant on the progression of the emerging Local Plan Review to rectify the housing supply shortfalls<sup>21</sup>; however, given the progress of the Local Plan since its submission and the number of objections, it is considered that the Plan is at least 12 months from adoption, and likely to be longer if significant additional work and modifications are required to find the Plan sound.
- 7.34. **Wiltshire Local Plan Review.** The consultation on the Reg 19 took place in autumn 2023 and at that time the Council envisaged that the Plan would be submitted in Spring 2024. However, due to the significant number of objections/comments received, the Plan was only agreed by the Council in October 2024 for submission to the Secretary of State for examination. The Plan was submitted on 28<sup>th</sup> November 2024.
- 7.35. Since the consultation on the Reg 19 Local Plan, the LDS was revised (in March 2024 and March 2025) to take into account the delay in the preparation of the Plan and also to respond to the MHCLG request in light of the revised NPPF. The LDS assumes that the Plan will be adopted within 9 months of submission for examination, however based on our experience this is highly optimistic. By way of comparison, the adopted WCS took 2 years and 6 months from submission until adoption
- 7.36. In reality the Council's timetable does not provide for the consultation on any main modifications, or any further work to be undertaken by the Council in response to Inspector's requests or questions after the first round of Hearing Sessions. The Government consultation on reforming LPs states that under the current procedures that on average LPs take 7 yrs to produce a Plan. Indeed, the Wiltshire Local Plan Review has already been in preparation 6 years. Recent research by Savills has also concluded that in 2010, it took on average 1.2 years to advance from a Regulation 19 plan to formal adoption. By 2023, this had risen to 3.9 years. Furthermore, local plan examinations are taking longer rising from 0.6 years in 2010 to 3.3 years in 2023.
- 7.37. Whilst the Minister of State has written to the Planning Inspectorate (31.07.2024) to empower Inspectors to take tough decisions at examination to reduce the time taken at examination," *(Pragmatism should not be used to address fundamental issues with the soundness of a plan,*

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<sup>21</sup> In the Five-year Housing Land Supply position paper published in May 2025 the Council forecast a 7.12 years housing land supply against the emerging Wiltshire Local Plan review housing requirements.

*which would be likely to require pausing or delaying the examination process for more than six months overall)*". There is also the risk that those plans that do not comply with the relevant legislative requirements will not proceed. A deficient plan cannot be rectified through the examination process.

- 7.38. It is likely therefore that adoption of the Local Plan Review for the size of Wiltshire (one of the largest local authorities in England) will take place some considerable time beyond Q.4 2025, based on our experience this is more likely to be mid-2027. Furthermore, given the substantial objections to the emerging Local Plan Review, such that it remains uncertain whether the emerging Local Plan Review will be found sound given the extent of modifications likely to be required, (and given the Minister's letter referred to above) and it is likely that as a result the examination will be protracted. Accordingly, the housing land supply shortfall is likely to persist for at least c.3 years and even then, it depends on whether the Council is able to restore a 5YLS at the point of adoption.
- 7.39. New allocations to meet Calne's housing needs will therefore not be finalised in an adopted Local Plan for at least a further two years from now at the earliest. Moreover, any allocated large sites (500 – 999 plus dwellings) will then take approximately 5 years to deliver their first homes in accordance with the Lichfields 'Start to Finish Review – Third Edition' (March 2024), delivery on sites of between 100 – 499 dwellings take on average 6 years.
- 7.40. Furthermore, as outlined above, even if the emerging Local Plan was capable of being found sound and subsequently adopted this will fall substantially short of meeting the latest minimum standard method, as the submitted Local Plan Review proposes a housing requirement for 2,041dpa when the latest Standard Method identifies that there will be a minimum need for 3,472dpa. In such circumstances, paragraph 236 of the NPPF recognises that if the housing requirement in the plan to be adopted meets less than 80% of the local housing needs and will not therefore provide for sustainable development, the Local Planning Authority is expected to work on a new plan, under the revised plan making system provided for under the LURA 2023 (these regulations are expected to be brought into force later in 2025). Consequently, the submitted plan (assuming it is found sound and adopted) will not even provide a solution to address housing needs once it is adopted. As such, there will remain an overwhelming shortfall of housing which the Plan will not address, and which will need to be addressed through a subsequent Local Plan review in the near future.

- 7.41. Therefore, there is no adopted or emerging plan-led solution to address housing needs until such time as the submitted Local Plan Review is replaced by a Local Plan which meets housing needs in accordance with national policy.
- 7.42. **The adopted housing requirement figure is an “at least” figure**, meaning that the housing delivery figures set for Calne in the Core Strategy (2015) should not be regarded as a “ceiling” or “cap” on development. If development is consistent with the objectives and strategy of the NPPF and the development plan as a whole, then it should be considered favourably.
- 7.43. **Contribution to meeting affordable housing needs**, the site will make a policy compliant contribution (subject to viability) to affordable housing.
- 7.44. **Proximity of the proposed site to existing facilities and services.** The site is in a sustainable location for development. It is located in close proximity to the existing employment area of Stanier Road to the northeast of Calne and 1.2km to the north west of the site, and the services and facilities of Calne Town Centre which are located approximately 1.2km to the west. Educational facilities are provided at Priestly Primary School 700m to the south west of the site.
- 7.45. **The site is available now and housing can be delivered within the plan period.** When the development commences on site it is envisaged that the site will take less than a year to complete.
- 7.46. **The proposed development is consistent with the NPPF taken as a whole contributing to the three dimensions of sustainable development.** The Council accepts that it is unable to demonstrate a minimum of 5 years housing land supply, consequently the most important policies of the Development Plan are out-of-date as set out in footnote 8 and paragraph 11d of the NPPF. Planning permission should be granted unless any adverse impacts significantly and demonstrably outweigh the benefits, or any footnote 7 policies provide a clear reason for refusal.
- 7.47. **As outlined above there is a substantial shortfall in the supply of housing to meet the minimum local housing needs currently** and this is likely to substantially increase as a result of the new NPPF. This has persisted for an extended period of time, there is no emerging plan-led solution to this which can be afforded more than limited weight and the emerging/submitted Local Plan Review will fall substantially short of meeting housing needs

and providing for sustainable development, and in any event this proposed solution requires that the policies of the adopted Development Plan are replaced.

- 7.48. Increasing the supply of housing at a sustainable location and providing a contribution to meeting affordable needs at a level commensurate to that proposed by the development plan is consistent with the NPPF and for the reasons outlined above permission should be granted.

#### **Draft Heads of Terms**

- 7.49. A draft Heads of Terms accompanies this document at Appendix 2 and sets out those areas where the developer is willing to offer S.106 contributions to meet those needs reasonably arising from the development of the site.

### **APPENDIX 2 – DRAFT HEADS OF TERMS**

#### **Technical Documents submitted**

- 7.50. The documents submitted with this outline application, and, in particular, the Design & Access Statement will ensure a commitment to a sustainable development of high-quality design which will be compatible with the existing area.
- 7.51. **Transport** – A Transport Statement (TS) prepared by PFA Consulting forms part of the application submission to support the site and demonstrates the site is well located to local facilities, which, together with connections to existing and proposed transport infrastructure would ensure future residents would have opportunities to travel by sustainable modes.
- 7.52. The application site is to be accessed from Spitfire Road through land which has recently been consented following a planning appeal (PL/2022/07893 / APP-37227) for residential development for up to 90 dwellings. The vehicular access arrangements for both applications are consistent and comprise a simple priority junction on Spitfire Road with suitable visibility.
- 7.53. Although access is a reserved matter, the Transport Statement outlines how the access arrangements to the site can be achieved utilising the existing access from Spitfire Road. An extension of the existing shared footway/cycleway on Spitfire Road is proposed to connect it with the existing footway which runs along the eastern side of Sand Pit Road, with widening of the splitter islands and carriageway on both Abberd Lane and Spitfire Road at the mini-roundabout to provide safe crossings for pedestrians and cyclists, and to accommodate the swept paths of HGVs.

- 7.54. Access by sustainable modes has been prioritised with pedestrian and cyclist links provided adjacent to the existing 3.0m wide shared footway/cycleway which runs along Spitfire Road and would cross the bell mouth of the proposed site access junction; an extension into the site of the shared footway/cycleway is proposed along the northern side of the site access.
- 7.55. There is currently no connection between the footway on the east side of Sand Pit Road to the shared footway/cycleway on the east side of Spitfire Road. It is proposed therefore to extend the 3.0m shared route around the roundabout radius into Abberd Lane enabling pedestrians to cross the splitter island and reach the existing footpath; this would also allow pedestrians and cyclist to transition onto Abberd Lane which is a bridleway. The splitter island is to be widened to provide a central width of 2.5m with dropped kerbs and tactile paving ensuring a safe crossing of Abberd Lane.
- 7.56. The existing splitter island on Spitfire Road south of the roundabout is also to be widened to 3m to better accommodate pedestrians and cyclists crossing Spitfire Road and accessing the shared foot/cycleway on Abberd Lane to the west for trips to/from Calne town centre
- 7.57. The TS concludes that additional traffic from the proposed development amounts to approximately 11 two-way movements in the AM peak hour and 10 two-way movements in the PM peak hour. Therefore, the small level of traffic generated by the proposed development would not have any material impact on the operational safety of the surrounding local highway network.
- 7.58. The TS has addressed the transport impacts of the proposed development. It has demonstrated that opportunities for using sustainable transport modes are available; safe and suitable access can be achieved; and the residual traffic impacts can be accommodated on the surrounding local highway in accordance with the NPPF and Local Planning Policy.
- 7.59. **Landscape** – A Landscape and Visual Impact Assessment has been prepared by MHP Design Ltd. The site is contained by mature native hedgerows and established trees, with a small watercourse (Abberd Brook) to the south of the site. The site has no formal landscape designations and is not considered to be valued landscape.
- 7.60. This assessment concludes that the site has capacity in landscape and visual terms to accommodate the proposed development in accordance with the submitted outline illustrative plans with no predicted significant harm to landscape character or existing views.

Overall, development offers potential for minor beneficial enhancement which will benefit local landscape character and visual amenity through new native planting and enhancement of onsite hedgerows, hedgerow trees and the active management of these new and existing landscape features. In terms of overall landscape pattern, the introduction of new built form to the site is a logical extension to the settlement of Calne, in keeping with the existing settlement scale and character. The proposed development is therefore deemed to be compliant with both local plan and national landscape related policy and guidance.

- 7.61. **Ecology** – An Ecological Assessment has been undertaken by Ecology Solutions. Ecological surveys undertaken in 2024 and 2025 have confirmed the majority of the Application Site to be of low-moderate intrinsic ecological value and, indeed, generally low-moderate functional value to protected and notable species (i.e. Badgers). The Application Site is, however, considered to be of moderate ecological value to bats.
- 7.62. Whilst there will be losses to medium and low distinctiveness habitats within the Application Site, these impacts will not be of wider ecological significance and, through appropriate design, can be more than mitigated for through new higher quality landscaping within the Application Site. Based on surveys and assessments undertaken, the presence and potential presence of protected species has been given due regard, and measures to enhance the Application Site for such species have been put forward
- 7.63. The Ecological Assessment includes recommendations and concludes that subject to these recommendations that it is possible for suitably designed development proposals to secure ecological enhancements realised within the Application Site, not least through realising new opportunities for urban biodiversity, including Priority Species and those undergoing documented population declines. In accordance with the adopted core Strategy and the emerging Local Plan Review, the Assessment states that careful consideration has been given to retaining and enhancing ecological connectivity with and adjacent to the Site. The proposals should seek to retain the majority of the mature trees and woodland within the Application Site.
- 7.64. The Assessment concludes that with the implementation of the safeguards and recommendations in the report, then it is considered that the proposals accord with planning policy with regard to nature conservation.

- 7.65. Biodiversity Net Gain (BNG) – a BNG assessment using the most recent version of the Defra Metric (Statutory Defra Metric) has been undertaken. This assessment was based upon detailed knowledge of the baseline habitats within the site, in addition to identifying the post development habitat measure to be delivered.
- 7.66. While retention and enhancement of the habitats considered to be of greatest value has been sought, the proposed scheme would result in a net gain of 0.88 habitat units, 0.10 hedgerow units and 0.15 watercourse units. This results in gains of 32.64% in habitat units, 10.29% for hedgerow units and 10.19% in watercourse units from pre- to post-development.
- 7.67. Under the current development proposals, it can be seen through the use of the Statutory Biodiversity Metric that a net gain in biodiversity for habitat units, hedgerow units and watercourse units can be achieved on-site. It should also be noted that trading rules are all satisfied. A number of additional enhancements will also be provided as part of the proposed development, that are not accounted for within the net gain calculation. This includes bat and bird boxes, log piles and hedgehog tunnels.
- 7.68. **Noise Assessment** – LF Acoustics Ltd have undertaken an assessment of noise levels within the proposed site. This report presents an assessment of the noise levels within the proposed residential development, based upon a noise monitoring exercise carried out to establish current levels of noise along the site boundaries, and calculations of noise levels attributable to road traffic and the surrounding land uses, based upon the publicly available information which has been submitted to accompany the planning applications for both the Hills MRF and the RF Wood site.
- 7.69. An assessment of the noise levels has been carried out within the proposed development, based upon an indicative layout. The modelling indicated that the noise levels at the proposed dwellings would be low throughout the day and night-time periods. The assessment of internal noise levels within the proposed dwellings indicated an acceptable noise environment, with no specific noise mitigation measures identified.
- 7.70. At the detailed design stage further consideration will be given to noise levels, in relation to the orientation of dwellings and proposed internal layouts, to ensure good acoustic design principles are adopted. In addition, consideration would be given to further mitigation measures within the facades of properties to be constructed along the southern and eastern site boundaries.

- 7.71. With appropriate mitigation measures incorporated into the design of the development, which would be finalised during the detailed design stage, noise levels would be acceptable to ensure that noise from the surrounding land uses did not result in significant adverse impact and thus ensure compliance with the requirements of the NPPF.
- 7.72. **Air Quality Assessment** – An Air Quality Assessment has been prepared by Logika Group which concludes that overall, the operational air quality effects of the proposed development are judged to be ‘not significant’.
- 7.73. **Flood Risk Assessment** – A Flood Risk and Drainage Strategy has been prepared by Phoenix Desing Partnership Ltd. in accordance with the requirements set out in the NPPF, associated planning practice guidance together with Environment Agency FRA Guidance Notes.
- 7.74. The report demonstrates that site is suitable for development without flood risk and without causing an increase in flood risk to others, including allowances for climate change. It also demonstrates how SUDS will be used to manage surface water from the development, and to ensure that water quality is not adversely affected.
- 7.75. The Flood Risk Assessment and Drainage Strategy demonstrates that the proposed development meets with all the national and regional policy requirements, and satisfies all the criteria of the Wiltshire Council, LLFA & Environment Agency.
- 7.76. The Flood Risk Assessment concludes that the site can be safely developed without flood risk and without increasing flood risk elsewhere through the use of an appropriately designed Sustainable Drainage System
- Planning Balance Consideration**
- 7.77. Section 38 (6) of the Planning and Compulsory Purchase Act 2004, requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 7.78. The Wiltshire Core Strategy is now more than five years old, and the Council no longer demonstrate a five-year supply, this situation has significantly worsened since the new NPPF was published in December 2024. The Council acknowledge that they have a five year housing land supply of just 2.42 years supply. In which case this case the ‘tilted balance’ is engaged by virtue of the housing land supply position. Since there is a plan period shortfall

in housing supply it is considered that the policies for determining the application are out of date.

### **The benefits associated with the application proposals**

- 7.79. If the application proposals were to be granted, they would secure important benefits that would respond to all three of the Government's overarching objectives for sustainable development (social, economic and environmental). The benefits of the application proposals are outlined below.

#### **Social benefits**

- 7.80. The Applicant considers that significant weight should be afforded to the provision of open market housing. Appeal inspectors have consistently applied similar weight to this in other appeals, recognising the inadequate levels of house building in recent years, which is affecting the availability and affordability of housing across the country.
- 7.81. The provision of affordable homes should be afforded significant weight.
- 7.82. There are no impediments to its delivery. It is immediately available for development and capable of implementation following the necessary approvals. In other words, it is capable of assisting with the LPA's housing needs and obligations now.

#### **Economic benefits**

- 7.83. The Applicant considers that significant weight should be afforded to expenditure on construction and investment in the area.
- 7.84. The NPPF states that "significant weight" should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development (NPPF para 85). Housing development has a significant role to play in supporting economic growth.
- 7.85. The construction industry is reliant upon a constant stream of new sites to keep people employed and to maintain delivery rates. This indicates that new construction jobs could be created locally unless delivery is frustrated by the planning system. The Applicant would attach moderate weight to the newly created construction jobs.

- 7.86. Moderate weight should be attributed to the provision of homes for economically active people that can support the economic role of Calne.
- 7.87. There would be economic benefits arising from the scheme, initially as part of the construction of the development and subsequently as future residents support the local facilities.

### **APPENDIX 3: ECONOMIC INFOGRAPHIC**

- 7.88. The proposed development will make an important contribution towards the housing supply shortfall and choice, delivering a range of market and affordable housing and is in accordance with paragraph 61 and 78 of the NPPF (December 2024).
- 7.89. The proposal accords with the Council's delivery strategy in the Reg 19 Local Plan and the focus on Calne as a market town (this strategy is a continuation of the strategy of the adopted Wiltshire Core Strategy). The proposal comprises sustainable development in terms of its location at a market town in close proximity to services and facilities and sustainable transport options.
- 7.90. The site is located immediately adjacent to the built form of Calne which is a Market Town in the Core Strategy and is considered to be a sustainable location for growth. The proposal provides for new market and affordable housing adjacent to the market town. The site will provide policy compliant amount of affordable housing.
- 7.91. The site is located in an accessible location within relatively close proximity to a range of services and facilities.
- 7.92. The site can commence delivery within the next five years ensuring a housing land supply at Calne is maintained.

#### **Environmental Benefits**

- 7.93. The Site lies to the south of the application PL/2022/07893 on Land off Spitfire Road, Calne, SN11 8TE for 90 dwellings, with an area within that site 'cut out' as an area to comprise a future local neighbourhood centre (PL/2023/10421). Both applications were granted on appeal 17th February 2025. Planning Inspectorate Reference Nos.: APP/Y3940/W/24/3351527: Land South of Abberd Lane, and East of Spitfire Road, Calne & APP/Y3940/W/24/3351528: Land off

Spitfire Road, Calne and the environmental benefits in terms of landscaping will be complementary to the adjacent sites.

- 7.94. The documents submitted with this application demonstrate how any highways, landscape, noise or ecological mitigation required can be delivered in order to ensure that a scheme fully compliant with the policies of the adopted development plan is delivered at the site.

## 8. Summary And Conclusions

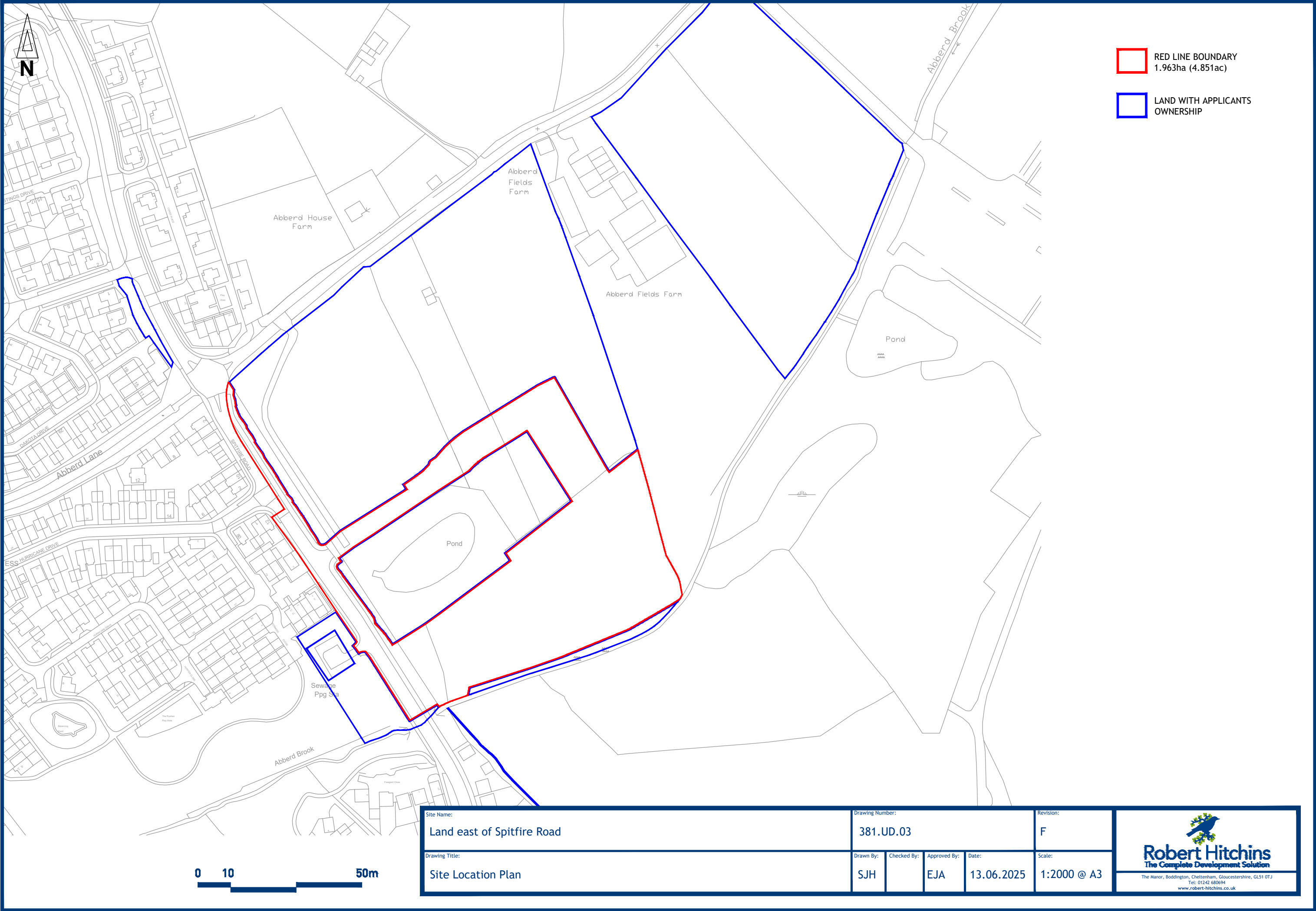
- 8.1. This Planning Statement has been prepared on behalf of Robert Hitchins Ltd in support of an application for outline planning permission for a development comprising up to 20 dwellings, with associated infrastructure, ancillary facilities, open space and landscaping.
- 8.2. The application is submitted with a number of supporting documents as required by the Council's Validation Checklist.
- 8.3. This Planning Statement has set out to explain why the application proposals represent sustainable development and it has demonstrated that there are compelling reasons to justify the granting of planning permission.
- 8.4. The proposed development is consistent with the NPPF contributing to the three dimensions of sustainable development and increases the supply of housing at the Market Town of Calne in accordance with the spatial strategy of the Wiltshire Core Strategy (2015).
- 8.5. The site is located at the principal settlement /market town of Calne, a sustainable location. The site is available now and has the capacity for up to 20 dwellings (including much needed affordable housing) to help support the authority's five-year housing land supply.
- 8.6. The site is situated within close proximity to existing services and facilities including existing employment opportunities located to the north of Calne. Primary educational facilities are located in close proximity to the site and accessible by sustainable modes of transport including walking and cycling.
- 8.7. The Wiltshire Core Strategy is now more than five years old, and the Council cannot demonstrate a five-year supply, the extent of the shortfall has increased as a result of the NPPF December 2024), the Council's published figure is 2.42 years supply.
- 8.8. Consequently, the relevant policies of the Development Plan are out of date and the application must be considered on the basis of the tilted balance, as Paragraph 11 of the NPPF directs. As outlined in Section 7 the Site helps to contribute to an increased supply in housing land (both open market and affordable) in accordance with the spirit of the NPPF and it will bring about a significant number of other benefits including economic growth, creation of jobs and providing new connections including pedestrian access points

- 8.9. The benefits of the development would not significantly and demonstrably be outweighed by any adverse impacts and there are no policies within the NPPF which protect areas or assets of particular importance that provide a clear reason for refusing the development. With regard to the specific policies noted within Footnote 9, the development is consistent with these provisions when read as a whole. The tilted balance therefore lies in favour of the scheme and planning permission should be granted.



## **APPENDIX 1:**

## **LOCATION PLAN**





## **APPENDIX 2:**

## **DRAFT HEADS OF TERMS**



**Land East of Spitfire Road, Calne**

**DRAFT HEADS OF TERMS**

**(June 2025)**

**Proposed Planning Obligation Agreement  
Section 106 Town and Country Planning Act 1990**

## **Introduction**

The following Draft Heads of Terms deal with site specific matters, the remainder being covered by Wiltshire's Community Infrastructure Levy as set out in the Council's Revised Regulation 123 List.

As the planning application is in outline there is no requirement to complete and submit a CIL Planning Application Additional Information Form.

## **Public Open Space/Formal Recreation Provision**

1. At the same time as submitting an application for approval of reserved matters pursuant to the permission, details as to the provision of Public Open Space shall be submitted to the Council. The Developer will lay out the Public Open Space/Recreational Space as approved under the reserved matters application and having received written confirmation from the Council that the Public Open Space/Recreational Space has been laid out to its reasonable satisfaction thereafter to retain maintain and manage the Public Open Space/Recreational Space in accordance with a Landscape Masterplan for a minimum period of 12 months AND to ensure that the Public Open Space is retained as publicly accessible areas.
2. Upon expiry of said 12 months to invite the Council to inspect the Public Open Space/Recreational Space and upon confirmation from the District Council that the Public Open Space/Recreational Space has been properly maintained to its reasonable satisfaction, the Developer may (at its discretion) either

- offer to transfer the Public Open Space/Recreational Space to the Council or such other body nominated by the Council; or;
- transfer the Public Open Space/Recreational Space to a Management Body.

In the event that the Public Open Space/Recreational Space is transferred to the Council, the Developer will pay a commuted sum to the Council for the future maintenance of the Public Open Space/Recreational Space. In the event that the Public Open Space/Recreational Space is transferred to a Management Body it shall be on terms requiring the Public Open Space/Recreational Space to be managed and maintained in accordance with a Landscape Masterplan.

### **Affordable Housing**

3. A policy compliant % of the new dwelling units shall be used exclusively for the purposes of “Affordable Housing” as defined by the National Planning Policy Framework.
4. The Affordable Housing will comprise both rented housing and intermediate tenure housing in proportions to be agreed.
5. The Affordable Units will consist of a range of dwelling types and sizes to be agreed.
6. The Developer shall use all reasonable endeavours to ensure that the Affordable Housing Units shall be constructed contemporaneously with the Market Housing save where non provision of the entirety of the Affordable Housing is not due to the demonstrable fault of the Developer.



7. The Affordable Housing shall be designed and constructed to no less a standard than and be visually indistinguishable from the market housing.

### **Transport/Highways**

8. The developer shall make such contributions as can be lawfully justified having regard to the CIL Regulations towards off site highway improvements, pedestrian cycle facilities and public transport.

### **Education**

9. The developer shall make such contributions as can be lawfully justified having regard to the CIL Regulations towards education facilities.



## **APPENDIX 3:**

## **ECONOMIC INFOGRAPHIC**

# Economic Benefits

Land East of Spitfire Road, Calne  
Construction of up to 20 dwellings

## Construction Benefits

**£4.6million**

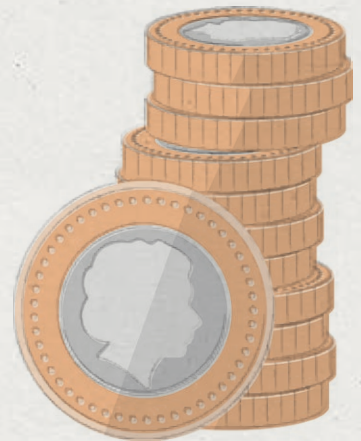
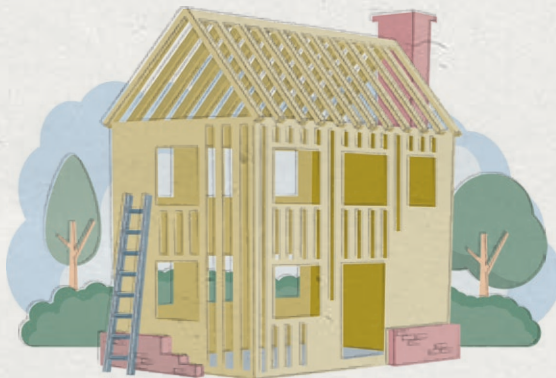
Estimated construction  
investment over  
8-month build programme <sup>①</sup>

**130**

Direct construction roles  
and indirect/induced jobs  
supported during build phase

**£6.1million GVA <sup>②</sup>**

Economic output contribution  
from jobs supported by  
activities at the Site over  
8-month build programme  
(at current prices)



## Operational Benefits



**24**

Economically active and  
employed residents estimated  
to live in the new housing

**£120,000**

Estimated first occupation expenditure.  
(Spending to make a house  
feel like a 'home') <sup>③</sup>

**3,570 <sup>④</sup>**

Businesses in Wiltshire  
from retail and accommodation  
& food services that could  
benefit from the spend



**£570,300**

Total annual  
household expenditure



**£237,600**

Of spend on food & drink,  
leisure, clothes,  
household goods etc

**£48,868**

Estimated annual  
increase in Council Tax  
revenue <sup>⑤</sup>



**£19,585**

Estimated energy cost  
savings per annum from the  
Proposed Development



**56%**

Of employed residents  
estimated to be working in  
higher value/higher income  
occupations

**45.8 tonnes**

Less carbon emitted  
by the dwellings at the  
Proposed Development



<sup>①</sup> The construction cost has been estimated using BCIS Online tool and is exclusive of external works, contingencies, supporting infrastructure fees, VAT, finance charges etc. It is based on the cost of a typical mixed housing scheme in the South West (Accessed: 30/04/2025).

<sup>②</sup> GVA, or gross value added, is the measure of the value of goods and services produced in an area, sector or industry.

<sup>③</sup> Research suggests that the average homeowner spends approximately £5,000 to make their house 'feel like home' within 18-months of moving in (available here: [https://www.hbf.co.uk/documents/7876/The\\_Economic\\_Footprint\\_of\\_UK\\_House\\_Building\\_July\\_2018LR.pdf](https://www.hbf.co.uk/documents/7876/The_Economic_Footprint_of_UK_House_Building_July_2018LR.pdf)). This has been uplifted to £6,000 to account for inflation using the Bank of England Deflator calculator.

<sup>④</sup> Business Count data is sourced from from ONS UK Business Count 2024.

<sup>⑤</sup> Based on Council Tax for a Band D dwelling in Wiltshire of £2,443.40 for 2025/26.

Town & Country Planning Act 1990 (as amended)  
Planning and Compulsory Purchase Act 2004

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