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Your ref: PL/2025/05417
Our ref: J0093343

24 July 2025

Dear Mr. Phippen,

LAND OFF ALDBOURNE ROAD, BAYDON, WILTSHIRE PLANNING APPLICATION REFERENCE: PL/2025/05417

Carter Jonas is instructed by Mr. Hugo Mackenzie Smith, to write in response to the statutory consultation in connection with planning application reference PL/2025/05417 ('the Application') which concerns the development of land off Aldbourne Road, Baydon, Wiltshire ('the site').

The planning application seeks permission in principle for a residential development of a minimum of 5 and a maximum of 9 dwellings (Use Class C3). As per Planning Practice Guidance (PPG) permission in principle consent route separates the consideration of matters of principle for proposed development from the technical detail of the development. The scope of permission in principle is limited to location, land use and amount of development. This letter sets out my observations on these matters having regard to the relevant planning policies.

Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan in this case comprises the relevant policies of the Wiltshire Core Strategy (the 'WCS'), adopted in 2015.

The site is located outside the settlement framework boundary of Baydon, which is classified as a 'Large Village' as per Core Policy 14 of the WCS. Thus, the site lies within the open countryside.

Core Policy 1 'Settlement Strategy' sets out the general presumption against development outside the defined limits of the Principal Settlements, Market Towns, Local Service Centres and Large Villages.

Core Policy 2 'Delivery Strategy' clearly sets out that only in certain circumstances would development be permitted in the open countryside (where an exception listed in paragraph 4.25 applies or other such policy exceptions exist), otherwise new housing should not be permitted outside settlement boundaries as a matter of principle. As set out at paragraph 4.25 of the WCS, these exemption policies are:

- Additional employment land (Core Policy 34)
- Military establishments (Core Policy 37)

- Development related to tourism (Core Policies 39 and 40)
- Rural exception sites (Core Policy 44)
- Specialist accommodation provision (Core Policies 46 and 47)
- Supporting rural life (Core Policy 48)

The Application does not demonstrate that it complies with any of the exemption policies listed above. Thus, it is considered that there are no development plan policies that are supportive of the proposed development in principle.

Five year housing land supply and the tilted balance

It is acknowledged that the Wilshire Council is unable to demonstrate a five-year supply of deliverable housing sites and as a result of this housing land supply shortage, Paragraph 11 of the National Planning Policy Framework ('the Framework') is engaged.

The implications of the current housing land supply position, and in particular the weight to be attributed to the development plan policies, must be taken into account when determining applications for new housing. The weight to be attributed to such policies is a matter of judgment for the decision-maker and it is considered that weight should still be afforded to the spatial strategy policies of the development plan.

The titled balance assessment is undertaken at the end of this letter.

Highways

Core Policy 61(ii) of the WCS requires new development to *be "capable of being served by safe access to the highway network"* and within the supporting text for CP61, the Council recognises that it is critically important for good planning and safe highway interests for new development to benefit from a suitable connection to the highway *"that is safe for all road users"*.

The site is situated to the east of Albourne Road, on the edge of Baydon village. The site is not served by pedestrian footpaths to the village and does not provide safe pedestrian access. It is highly likely that any occupiers of the proposed development will be solely reliant on the vehicular transport. Furthermore, in his response to the Application, the Highways Officer raised concerns regarding the proposed access to the site concluding –

"It is therefore considered that the proposed layout on the block plan would not be a safe and convenient access for the development and on access proposals alone the site would be recommended for refusal."

Based on the above, it is concluded that the site is in an unsustainable location for new housing and the proposed development would result in unacceptable impacts to highway safety. Thus, the Application conflicts with Core Policy 60 and 61 of the WCS.

Heritage Impacts

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker, in considering whether to grant planning permission for the development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any feature of special architectural or historic interest.

The National Planning Policy Framework ('the Framework') confirms that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). It makes clear that any harm to a designated heritage asset requires clear and convincing justification. The Framework defines significance as *the "value of a heritage asset to this and future generations because of its heritage*

interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.

Core Policy 58 'Ensuring the conservation of the historic environment' seeks to ensure that *"designated heritage assets and their settings will be conserved, and where appropriate enhanced, in a manner appropriate to their significance."*

There are several listed buildings in close proximity of the site. These include Grade II listed 'Baydon House' (also known as 'Baydon House Farmhouse') located adjacent to the site, Grade II listed 'Gooselands' (located approximately 56m to the west) and Grade II listed 'Pit Cottage' (located approximately 32m to the west).

The addition of dwellings, with a modern design, adjacent to the 'Baydon House', would reduce the listed building's prominence and ability to be viewed within the spacious and undeveloped surrounds. The proposed development would result in harm to the setting and significance of the listed buildings due to substantial amount of built form (size, massing and scale). Thus, it is considered that the proposed development does not meet the requirements of Core Policy 58 and conflicts with Paragraph 212 of the Framework.

Landscape Impacts

Core Policy 51 of the WCS seeks to ensure that development proposals protect, conserve and where possible enhance landscape character. In particular, proposals will need to demonstrate that the following aspects of landscape character have been conserved and where possible enhanced through sensitive design, landscape mitigation and enhancement measures:

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

Furthermore, the Framework recognises that "great weight" be given to AONB (now called 'National Landscape') considerations and recognises it as an area with the highest status of protection.

The site is located in the North Wessex Downs National Landscape and falls within 'Character Area 1A: The Marlborough Downs', as identified in the NWD AONB Integrated Landscape Character Assessment. The key characteristics of this character area are strongly articulated landform dissected by steep scarps, dry valleys plus valleys of the Og and Aldbourne with the land rising to gently rounded summits. The landform creates a very distinct and dramatic skyline; an open expansive landscape dominated by arable farmland and absence of field boundaries allowing expansive views.

The siting, design and scale of the proposed development would overly urbanise the approach to the village, dominating the setting of this part of Baydon to the detriment of the natural beauty of the AONB and its special qualities. Thus, it is considered that the proposal will result in significant harm to the locally distinctive character and would harm the intrinsic character and beauty of the countryside and the immediate locality. The proposal is therefore contrary to Core Policy 51 as well as the relevant parts of the Framework.

Planning Balance

As established above, the Application fails to comply with the strategic policies of the WCS, which restricts new development proposed outside the defined settlement boundaries, in the open countryside. This conflict is considered to carry significant weight. However, this must be weighed against the benefits of allowing the development of 5 to 9 dwellings.

In terms of benefits, the proposed development seeks to introduce up to 9 dwellings and contribute towards addressing the housing land supply shortage. However, the introduction of up to 9 dwellings is a minor

contribution towards this deficit and is considered to be a minor benefit. Furthermore, there would only be a minor economic benefit from the construction of the dwellings and employment through this process, and council tax benefits.

As established above, the site is in a wholly unsustainable location and the harmful impact of the proposed development on highway safety, heritage and landscape, all carry weight as to outweigh any potential benefits of the scheme. It is not considered that the increased housing need provides justification to grant permission for unsustainable development, and especially with the enhanced emphasis the Framework gives to directing development to sustainable locations.

The **Location** of the proposed development is unsuitable given that the accessibility constraints of the application site are significant. The village has limited services and facilities and in the absence of pedestrian footpaths and crossings, the future residents would be almost entirely dependent on the use of private motor vehicles.

The proposed **change of use of the land** from agricultural to residential would unacceptably change its landscape character, resulting in harm to the setting of the listed buildings and the AONB.

The **proposed amount of development** is considered to be unacceptable due to the detrimental impact this would have on the heritage assets and the character of the AONB.

On balance, when all benefits and negatives are considered, and assessed against the policies in the NPPF as a whole, it is considered that the adverse impact of allowing ‘a minimum of 5 and a maximum of 9 dwellings’ in an inaccessible and unsustainable location would significantly and demonstrably outweigh the benefits.

Conclusion

On balance, the proposal does not comply with the development plan policies and when applying the tilted balance, the adverse impact of granting permission for housing in a rural unsustainable location would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole.

Given the above, we would respectfully ask the Council to refuse the application.

Yours sincerely,

Harshita Srivastava
Planner

