

31 October 2025

Our Ref: LPC.5719

Development Services
Wiltshire Council
County Hall
Bythesea Road
Trowbridge
Wiltshire
BA14 0RD

Dear Sir / Madam,

Town and Country Planning Act 1990
Proposed Erection of Two Detached Dwellings and Associated Works
(Amendment to Planning Permission PL/2024/09508)
Land to the east/adjacent to 279 Quemerford, Calne, Wiltshire, SN11 8LA

I am instructed by Mr Paul Mayo & Mr Julian Miller to submit an application seeking planning permission for the erection of two detached dwellings on land to the east of No.279 Quemerford, Calne, Wiltshire, SN11 8LA.

The planning application seeks full planning permission but is in essence an amendment to the scheme permitted under Planning Permission PL/2024/09508 by introducing side and rear additions to the approved dwellings.

The Existing Planning Permission & Proposed Development

Planning Permission PL/2024/09508 was granted on the 20th February 2025 and is subject to 10 conditions. A couple of Discharge of Condition applications have been submitted to satisfy the pre-commencement conditions, and one for the Biodiversity Gain Plan requirement, which are as follows:

- PL/2025/04107 - Discharge of conditions 7 (Archaeological Investigation) and 10 (LEMP) – Approved 18 June 2025
- PL/2025/04563 - Discharge of conditions 4 (cycle parking), 8 (surface water) and 9 (cycle parking) – Decision Pending
- PL/2025/05259 - Discharge of Biodiversity Net Gain – Decision Pending

Once the final pre-commencement conditions have been formally discharged the planning permission will be implemented. This current application does not seek to alter the approved development, the dwellings will be constructed as approved, however an additional side and rear 'extensions' are proposed on each dwelling. This application seeks consent for these additions rather than erecting them at a later date under the relevant 'permitted development rights' or future consents once the dwellings are built (as approved).

The design of the approved dwellings is shown below alongside the design of the dwellings currently proposed:-



Plot 1

Approved Drawing no.2338.03.06 Rev.C. Title. Proposed Plot 1 Elevations &

Proposed Drawing no.2338.03.06 Rev.F. Title. Proposed Plot 1 Elevations



Plot 2

Approved Drawing no.2338.03.11 Rev.C. Title. Proposed Plot 2 Elevations &

Proposed Drawing no.2338.03.11 Rev.F. Title. Proposed Plot 2 Elevations

The Development Plan

The National Planning Policy Framework (NPPF) highlights that planning law (section 70 [2] of the Town and Country Planning Act 1990 and section 38 [6] of the Planning and Compulsory Purchase Act 2004) requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan relevant to this application include the Wiltshire Core Strategy (WCS) (adopted January 2015) (which includes saved policies from the former North Wiltshire Local Plan) and The Calne Community Neighbourhood Plan 2 (CCNP) 2023 – 2038 (made March 2025). The development plan must be read as a whole but the following policies are of particular relevance to the proposed development:-

- **WCS** Core Policy 1: Settlement Strategy
- **WCS** Core Policy 2: Delivery Strategy
- **WCS** Core Policy 8: Spatial Strategy: Calne Community Area
- **WCS** Core Policy 44: Meeting Wiltshire's Housing Needs
- **WCS** Core Policy 50: Biodiversity and Geodiversity
- **WCS** Core Policy 51: Landscape
- **WCS Core Policy 57: Ensuring High Quality Design**
- **WCS** Core Policy 58: Conservation of the Historic Environment
- **WCS** Core Policy 60: Sustainable Transport
- **WCS** Core Policy 61: Transport and Development

- **CCNP** Policy H1: Housing Within Settlement Boundaries
- **CCNP** Policy GA1: Highway Impact
- **CCNP** Policy GA5: Parking Provision
- **CCNP Policy BE1: Design Principles for Local Distinctiveness**
- **CCNP** Policy NE2: Protecting and Enhancing Biodiversity
- **CCNP** Policy NE5: Setting of Calne Without
- **CCNP** Policy C2: Sustainable Construction and Energy

Whilst the current planning application seeks full planning permission the principle of development remains acceptable and in line with extant Planning Permission PL/2024/09508, therefore the key material planning consideration is considered to be design. The key design policies from the Local Plan are therefore highlighted above.

Assessment

Principle of Development

There have been no material changes to planning policy since Planning Permission PL/2024/09508 was granted on the 20th February 2025 that would impact the principle of development. It is recognised that the CCNP has been updated and the Council's Housing Land Supply position has changed from 2.03 (as confirmed within the Northern Area Planning Committee report) to 2.42 years (as detailed within the Wiltshire Housing Land Supply Statement [base date April 2024 / published June 2025]), however they do not alter the 'presumption in favour of sustainable development' and the overall assessment of the proposed development and acceptability of the proposal, as confirmed within the Northern Area Planning Committee Report:

"On balance it is, therefore, considered that whilst the site is outside of any settlement boundary all other material considerations are not considered to cause harm with some offering clear benefits. The only major policy obstacle, therefore, would be the site being outside the settlement boundary and not being an allocated site. Due to the tilted balance engaged by paragraph 11d of the NPPF, it is concluded that the application would make a contribution to the considerable housing shortfall without causing significant material harm to

other policies within the local plan. It is, therefore, recommended that planning permission be approved subject to conditions”

In addition to the above, the existing fall-back position is a key material planning consideration which must be considered when assessing the proposed development. A fall-back position for the purpose of assessing planning applications is a use or development that is likely to occur if planning permission is refused, this could either be a development which is already permitted or could be built under ‘permitted development rights’. In this case, both of these scenarios apply, because the dwellings can, and will, be built under extant planning permission PL/2024/09508, and similar extensions can, and would be built, under the relevant permitted development rights once the dwellings are substantially completed. The original planning permission does not remove any permitted development rights.

Schedule 2, Part 1 of The Town and Country Planning (General Permitted Development) Order 2015 (as amended) is dedicated to ‘Development within the curtilage of a dwellinghouse’. Class A relates to the enlargement, improvement or other alteration of a dwellinghouse and permit both rear and side extensions. The rear extensions comply with the relevant limitations and conditions and would be permitted development along with side extensions if reduced to a single storey.

The above demonstrates there is a strong fallback position but in any case the principle of the development is not considered contentious and remains acceptable in line with the assessments carried out for the original application, as outlined within the original Planning Statement and Committee Report which are appended to this statement.

Design

The NPPF states that good design is a key aspect of sustainable development and policies and decisions should contribute to and enhance the natural and local environment. These objectives are reflected within Core Policies 51 and 57 of the WCS which seek to secure high quality design in all development and ensure there is no harm to landscape character. They are also reflected within policies BE1 and NE5 of the CCNP2 which require new development to reinforce local distinctiveness and respect the pastoral setting of the settlement.

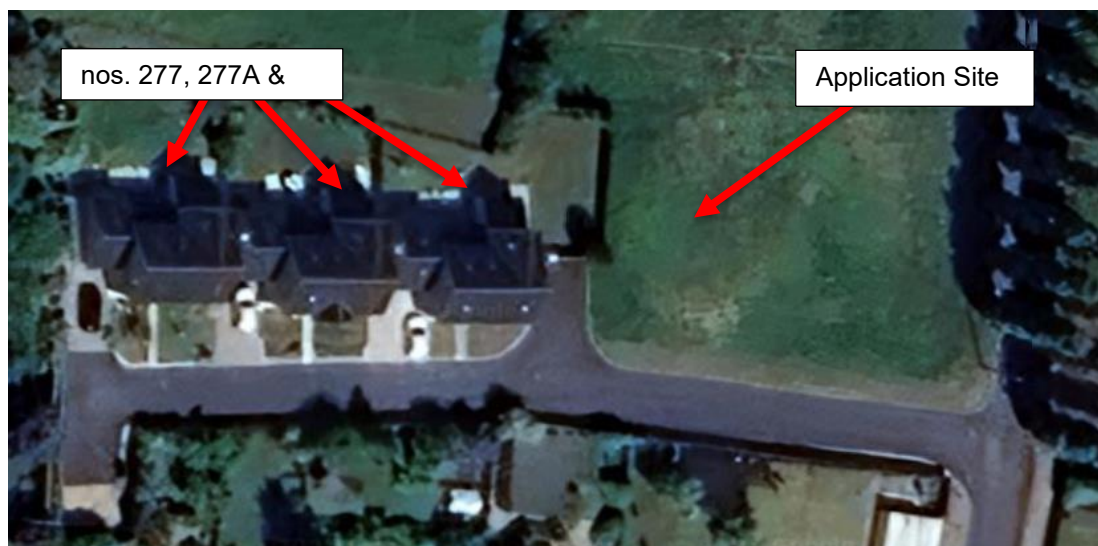
The design of the dwellings approved under planning permission PL/2024/09508 were considered to be acceptable and in line with the objectives and requirements of the aforementioned planning policies as confirmed within the Northern Area Planning Committee report:-

*“In this instance, it is considered that the proposed detached houses are of a similar design to those of 277, 277a and 279, to which they will be adjacent. The materials detailed for the construction are also noted to match those of the neighbouring dwellings using tumble country stone walls with quoins and slate roofs. The proposed dwellings also include solar panels and ecological enhancement features such as integrated bat boxes. **The character is, therefore, considered to strongly match those of the neighbouring***

dwellings and will connect to the existing infrastructure. ... The character and design of the proposed dwellings are considered to be in keeping with the immediate surroundings and would not cause harm to the street scene".
(emphasis added)

The development currently proposed does not seeks to amend the approved design but simply add rear and side extensions to both dwellings. The proposed extensions are of a scale, design and appearance that are in-keeping with the approved dwellings and appear subordinate. The dwellings will continue to be in-keeping with the design and scale of the neighbouring dwellings at Nos.277, 277a and 279 and will be no larger. The proposed development will be in-keeping with the plot density and pattern of development established by the neighbouring dwellings in terms of their proximity to one another and the clear building line.

In line with the conclusions previously reach, the development currently proposed continues to 'strongly match those of the neighbouring dwellings' and will 'not cause harm to the street scene'.



Aerial Photograph of Site & Neighbouring Dwellings

Other Material Planning Considerations:-

The application is supported by the technical reports and assessments submitted in support of the original application because the current updated proposal does not impact on their overall conclusions. The amended proposal will continue to be served by a suitable access and parking spaces, will not have an unacceptable impact on the amenities of the residents of neighbouring properties, will be served by an appropriate drainage scheme, and will deliver the required 10% Biodiversity net Gain.

The following documents and drawings are submitted in support of the application:

- Document. Planning Application Form

- Document. Community Infrastructure Levy form
- Document. Landscape and Visual Appraisal (December 2023) by WHLandscape
- Document. Ecological Appraisal (September 2024) by Malford Environmental Consulting
- Document. Biodiversity Metric (September 2024) by Malford Environmental Consulting)
- Document. Biodiversity Gain Plan by Malford Environmental Consulting)
- Document. Technical Note – 8434/01 Highways Statement (July 2022) by Cole Easdon
- Document. Landscape and Ecological Management Plan (April 2025) by WHLandscape
- Document. Drainage Report by Condon Drew Associates
- Document. Written Scheme of Investigation Archaeological Evaluation by Groundworks Archaeology
- Document. Archaeological Evaluation Report (July 2025) by Groundworks Archaeology

- Drawing no.2338.03.01 Rev.E. Title. Location and Site Plan
- Drawing no.2338.03.02 Rev.E. Title. Site Layout
- Drawing no.2338.03.03 Rev.D. Title. Proposed Plot 1 Ground Floor Plan
- Drawing no.2338.03.04 Rev.D. Title. Proposed Plot 1 First Floor Plan
- Drawing no.2338.03.05 Rev.E. Title. Proposed Plot 1 and 2 Sections
- Drawing no.2338.03.06 Rev.F. Title. Proposed Plot 1 Elevations
- Drawing no.2338.03.07 Rev.F. Title. Proposed Plot 1 Elevations
- Drawing no.2338.03.08 Rev.D. Title. Proposed Plot 2 Ground Floor Plan
- Drawing no.2338.03.09 Rev.D. Title. Proposed Plot 2 First Floor Plan
- Drawing no.2338.03.10 Rev.E. Title. Proposed Plot 2 Sections
- Drawing no.2338.03.11 Rev.F. Title. Proposed Plot 2 Elevations
- Drawing no.2338.03.12 Rev.F. Title. Proposed Plot 2 Elevations
- Drawing no.2338.03.13 Rev.E. Title. Proposed 3d Images

Conclusion

The application seeks full planning permission for the construction of two detached dwellings and associated works on land adjacent to 279 Quemerford, Calne, Wiltshire, SN11 8LA.

The principle of the proposed development has been established by Planning Permission reference PL/2024/09508, granted on the 20th February 2025, which remains extant. The current proposal does not seek to alter the layout or details of the approved scheme but simply add rear and side extensions to the approved dwellings. The extensions are of an appropriate scale, design and appearance to the approved dwellings and will have no adverse impacts on the amenities of the residents of neighbouring properties or the surrounding environment.

The development will remain policy compliant and therefore it is respectfully requested that planning permission be granted.

Yours faithfully,



Morgan Joens
Associate Director

Cc: Mr Julian Miller
Mr Paul Mayo

Enc: Planning Statement (October 2024) by LPC (Trull) Ltd
Northern Area Planning Committee Report (February 2025)

TOWN & COUNTRY PLANNING ACT 1990

PLANNING STATEMENT

**PROPOSED ERECTION OF TWO DETACHED
DWELLINGS**

**LAND EAST OF NO.279 QUEMERFORD,
CALNE, WILTSHIRE, SN11 8LA**

Prepared by

**Morgan Jones BSc (Hons), MA, MRTPI
Associate
LPC (Trull) Ltd**

Our Reference: LPC.5719

October 2024

CONTENTS

ITEM	TITLE	PAGE
1.0	Introduction	3
2.0	Site Description & Planning History	4
3.0	Proposed Development	8
4.0	Planning Policy Context	9
5.0	Planning Assessment	13
6.0	Conclusions	40

Appendices

Appendix A: Appeal APP/Y3940/W/21/3275477: Land to the south of
Chilvester Hill, Calne, Wiltshire

Appendix B: Planning Application PL/2021/03235 & Appeal
APP/Y3940/W/22/3299162: Land at Rosehill Close,
Bradenstoke, Wiltshire

Appendix C: Appeal APP/Y3940/W/24/3340811: Land off Storridge Road,
Westbury, Wiltshire

Appendix D: Wiltshire Council Briefing Notes on 5 Year Housing Land
Supply and Housing Delivery Test

Appendix E: Permission in Principle Application PL/2022/02032:
Greenacres, Blounts Court, Potterne, Devizes, Wiltshire

Appendix F: Appeal APP/Y3940/W/21/3266427: Foxhill House, Clench
Common, Marlborough, Wiltshire

Appendix G: Appeal APP/Y3940/W/23/3315399: Overview of Process

1.0 INTRODUCTION

- 1.1 This Planning Statement has been prepared to support the submission of a planning application seeking full planning permission for the erection of two detached dwellings on land adjacent to 279 Quemerford, Calne, Wiltshire, SN11 8LA.
- 1.2 This statement will describe the location of the site and will set out what is proposed by the planning application. The statement will then provide an overview of the planning policy context and an assessment of the key material planning considerations, demonstrating the proposal's acceptability.
- 1.3 The planning application is supported by the following documents and existing and proposed plans:-
- Document. Planning Application Form
 - Document. Landscape and Visual Appraisal (December 2023) by WHLandscape.
 - Document. Ecological Appraisal (September 2024) by Malford Environmental Consulting
 - Document. Biodiversity Metric (September 2024) by Malford Environmental Consulting)
 - Document. Technical Note – 8434/01 Highways Statement (July 2022) by Cole Easdon
 - Drawing. Location Plan
 - Drawing no.2338.03.01 Rev.D. Title. Location and Site Plan (development area)
 - Drawing no.2338.03.02 Rev.B. Title. Site Layout
 - Drawing no.2338.03.03 Rev.B. Title. Proposed Plot 1 Ground Floor Plan
 - Drawing no.2338.03.04 Rev.B. Title. Proposed Plot 1 First Floor Plan
 - Drawing no.2338.03.06 Rev.C. Title. Proposed Plot 1 Elevations
 - Drawing no.2338.03.07 Rev.C. Title. Proposed Plot 1 Elevations
 - Drawing no.2338.03.08 Rev.B. Title. Proposed Plot 2 Ground Floor Plan
 - Drawing no.2338.03.09 Rev.B. Title. Proposed Plot 2 First Floor Plan
 - Drawing no.2338.03.11 Rev.C. Title. Proposed Plot 2 Elevations
 - Drawing no.2338.03.12 Rev.C. Title. Proposed Plot 2 Elevations
 - Drawing no.2338.03.13 Rev.C. Title. Proposed 3d Images

2.0 SITE DESCRIPTION & PLANNING HISTORY

- 2.1 The application comprises an area of land to the east of no.279 and to the north of nos.273 and 275 Quemerford, Calne, Wiltshire, SN11 8LA. The site is accessed via an existing hard surfaced road, constructed to adoptable Highway Standards, which leads from the A4 Quemerford Road. It serves nos. 277, 277A and 279 adjacent to the site, and Common Farmhouse, Riversbrook Barn, The Old Dairy, The Old Barn, The Old Stables and Swallowbrook Barn further north.



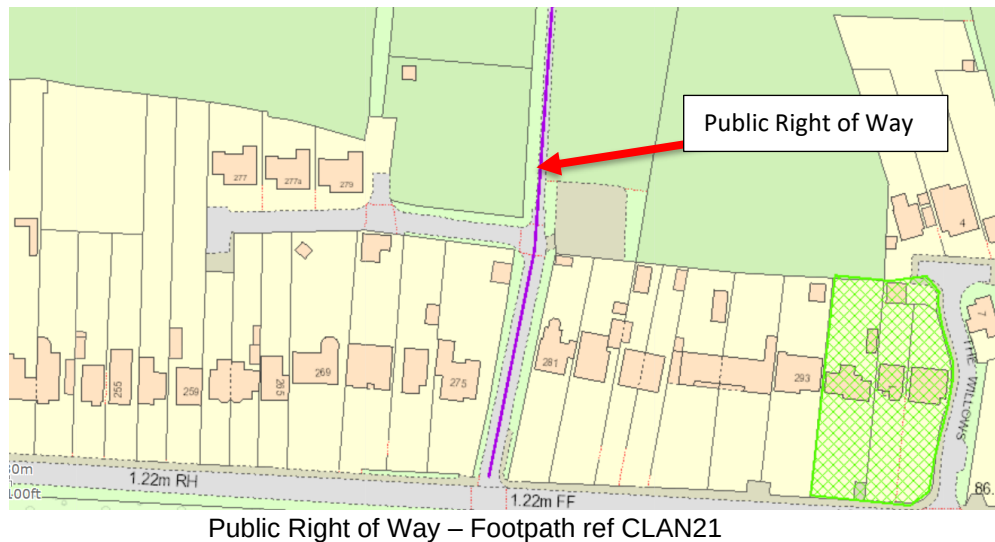
Aerial Photograph (Source: Google Earth 2023)

- 2.2 The site covers an area of circa. 0.1ha of land which is proposed to be developed, along with a further 0.07ha of land to be designated for ecological enhancements.



Location Plan

- 2.3 The application site does not lie within any designated areas and falls within flood zone 1. The existing access route from the A4 is lined with mature trees which are adjacent to the east boundary of the site. Public Rights of Way ref CLAN21 follows the line of the access lane as shown on the map below.



- 2.4 In terms of the planning history of the site, the access road was installed as part of the residential development to the west of the site (nos. 277 – 279) which was permitted under the following applications:-

- **Planning Application 13/04855/OUT:** Outline Application for Residential Development - Land to the rear of 249-269 Quemerford, Calne, Wiltshire, SN11 8LA – Approved with Conditions 02 March 2015
- **Planning Application 15/09469/REM:** Reserved Matters Approval for (a) The Scale of the Development; (b) The Layout of the Development; (c) The External Appearance of the Development; (d) The Landscaping of the Site; (e) The Means of Access to the Site - Approved with Conditions 16 November 2015
- **Planning Application 17/03589/FUL:** Amendment to reserved matters application 15/09469/REM to allow addition of garage to plot 1, insertion of side window and relocation of turning head – Approved with Conditions 15 June 2017

- 2.5 The main body of the current site formed part of a larger area of land which was recently proposed for development under the following application:

- **Planning Application PL/2022/05274:** Outline application with some matters reserved for the erection of 4 dwellings and associated works (access only) – Land to the east of 279 Quemerford, Calne, Wiltshire, SN11 8LA – Refused 01 December 2022



- 2.6 The Local Planning Authority (LPA) refused outline planning permission due to 1. the conflict with the sustainable development strategy of the Local Plan, 2. impact on landscape and townscape character, and 3. impact on neighbour amenity.
- 2.7 The Planning Inspectorate (PINS) dismissed an appeal (ref APP/Y3940/W/23/3315399) against the decision of the LPA to refuse outline planning permission for application PL/2022/05274 on the 02 August 2023. The appeal decision narrows the focus of the key material planning considerations because the Inspector found no potential for unacceptable harm to the living conditions of both existing and future occupants. The Inspector identified harm to the character and appearance of the area based on the information available as part of the outline planning application and conflict with the settlement strategy of the Local Plan.
- 2.8 However, notwithstanding the conclusion of the Inspector noted above, it does appear that the appeal submission and key material planning considerations were not fully taken into account as explained within the email from the applicant which can be seen in Appendix G.

2.9 A full planning application was subsequently submitted seeking planning permission for only two dwellings on a reduced site area under the following application:

- **Planning Application PL/2023/11190:** Proposed erection of two detached dwellings and associated works – Land to the East/Adjacent to 279 Quemerford, Calne, Wiltshire, SN11 8LA – Refused 24 April 2024



Proposed Site Plan – Planning Application PL/2023/11190

2.10 The purpose of the application was to address the aforementioned concerns of the LPA and PINS, however planning permission was refused on the following grounds; 1. conflict with the sustainable development strategy of the Local Plan; and 2. impact on landscape and townscape character.

2.11 This current application is the re-submission of planning application PL/2023/11190, however this statement addresses the areas of concerns and explains why the proposed development will contribute towards the objectives of sustainable development and should therefore be granted planning permission, in particular in light of the recent material change in planning policy as detailed below.

3.0 PROPOSED DEVELOPMENT

- 3.1 The application seeks full planning permission for the erection of two detached dwellings and associated works. The dwellings would be sited to respect the scale, appearance and the established building line set by nos.277 – 279 Quemerford and would be served by private parking spaces to the front of the dwelling and private amenity space to the rear, as shown on the proposed site plan below.



Proposed Site Plan

- 3.2 The properties would be accessed via the existing private, unnamed access road that runs from the A4 road along a north to south alignment, which serves Common Farmhouse, Riversbrook Barn, The Old Dairy, The Old Barn, The Old Stables and Swallowbrook Barn further north, but turns to the west to serve nos.277 – 279 Quemerford. No works are proposed to the existing access which is constructed to adoptable Highway Standards.
- 3.3 The proposal involves a detailed landscape design scheme and an ecology enhancement scheme as outlined in further detail below.

4.0 PLANNING POLICY CONTEXT

National Planning Policy

4.1 The National Planning Policy Framework (NPPF), and associated Planning Practice Guidance, sets out the Government's planning policies for England and how these are expected to be applied. The NPPF is a material consideration in planning decisions. The policies within the following chapters of the NPPF are relevant to the assessment of the proposed development:-

- Chapter 2 – Achieving Sustainable Development
- Chapter 4 – Decision-making
- Chapter 5 – Delivering a Sufficient Supply of Homes
- Chapter 9 – Promoting Sustainable Transport
- Chapter 11 – Making Effective Use of Land
- Chapter 12 – Achieving Well-designed Places
- Chapter 15 – Conserving and Enhancing the Natural Environment
- Chapter 16 – Conserving and Enhancing the Historic Environment

The Local Development Plan

4.2 The NPPF highlights that planning law (section 70 [2] of the Town and Country Planning Act 1990 and section 38 [6] of the Planning and Compulsory Purchase Act 2004) requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise.

4.3 The development plan relevant to the application include the Wiltshire Core Strategy (WCS) (adopted January 2015) (which includes saved policies from the former North Wiltshire Local Plan) and The Calne Community Neighbourhood Plan (CCNP) 2016 – 2026 (made February 2018). The key policies relevant to the assessment of the proposed development are considered to be:-

- **WCS** Core Policy 1: Settlement Strategy

- **WCS** Core Policy 2: Delivery Strategy
- **WCS** Core Policy 8: Spatial Strategy: Calne Community Area
- **WCS** Core Policy 44: Meeting Wiltshire's Housing Needs
- **WCS** Core Policy 50: Biodiversity and Geodiversity
- **WCS** Core Policy 51: Landscape
- **WCS** Core Policy 57: Ensuring High Quality Design
- **WCS** Core Policy 58: Conservation of the Historic Environment
- **WCS** Core Policy 60: Sustainable Transport
- **WCS** Core Policy 61: Transport and Development

- **NWLP** Policy NE14: Trees & The Control Of New Development
- **NWLP** Policy NE18: Noise and Pollution
- **NWLP** Policy H4: Residential Development in the Countryside

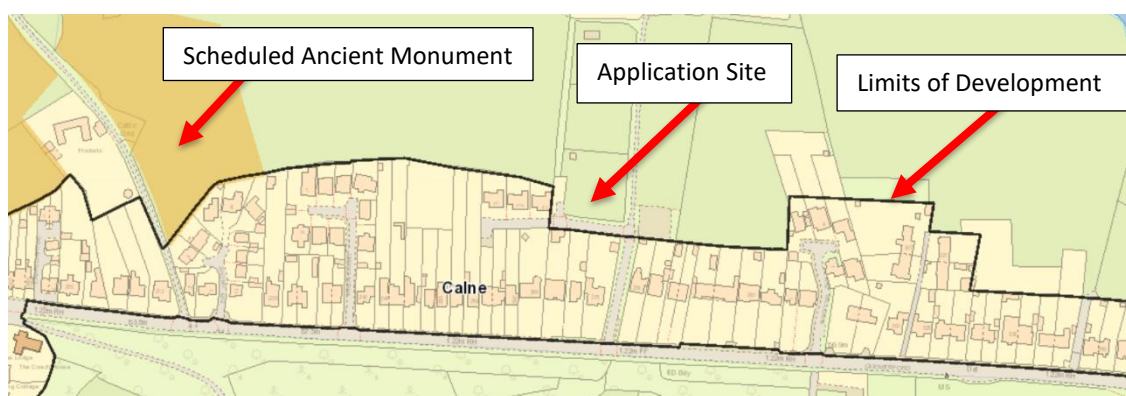
- **CCNP** Policy H3: Housing Mix
- **CCNP** Policy H4: Settlement Boundaries and Housing Sites
- **CCNP** Policy GA1: Sustainable Transport
- **CCNP** Policy GA2: Highway Impact
- **CCNP** Policy BE1: Integration and Landscaping
- **CCNP** Policy BE2: Design Principles for Local Distinctiveness
- **CCNP** Policy BE3: Parking Provision
- **CCNP** Policy BE4: Heritage Assets
- **CCNP** Policy NE3: Biodiversity
- **CCNP** Policy NE4: Energy Conservation

4.4 The following Supplementary Planning Documents and Briefing Notes are also relevant in the determination of this application:

- Wiltshire Local Transport Plan 2011 – 2026: Car Park Strategy
- Wiltshire Council Briefing Note: Housing Land Supply No.24-18 (September 2024); and
- Wiltshire Council Briefing Note: 5 Year Housing Land Supply and Housing Delivery Test No.23-15 (May 2023) and 24-13 (June 2024)

- Wiltshire Council Design Guide

4.5 The adopted Local Plan is accompanied by the Policies Maps, which provides a spatial representation of the Local Plan policies. The site is not subject to any national or local landscape designations. The Scheduled Ancient Monument (SAM) of the 'Medieval rural settlement at Quemerford' lies to the west of the site. The site is not subject to any constraints and adjoins the defined Limits of Development for Calne as shown on the map below.



Local Plan Policies Map

Emerging Planning Policy

- 4.6 The WCS was adopted in 2015 and is therefore being reviewed. The review is termed the 'Local Plan Review'. The Local Development Scheme anticipates that the new Wiltshire Local Plan will be submitted to the Secretary of State for examination later this year. There are no fundamental changes proposed to the Spatial Strategy of the Local Plan, however regard has been had to the new and updated draft policies as presented within Pre-Submission Draft (2020 – 2038) (Regulation 19) Wiltshire Local Plan (September 2023).
- 4.7 The CCNP is also under review and has recently gone through the Regulation 16 Consultation stage. The Draft Calne Community Neighbourhood Plan 2 (CCNP2) (First Review 2023 – 2038) (Submission Plan May 2024). The proposed draft new and updated policies have been taken into account whilst developing the proposed scheme, the key policies are considered to be:-

- **CCNP2** Policy BE1: Design Principles for Local Distinctiveness
 - *Informed by Calne Design Guidelines and Code (2003)*
- **CCNP2** Policy H1: Housing Within Settlement Boundaries
- **CCNP2** Policy H3: Housing Mix
- **CCNP2** Policy H5: Adaptable and Accessible Housing

5.0 KEY ISSUES AND PLANNING ASSESSMENT

5.1 In light of the context of the site and relevant national and local planning policies the key material planning considerations are considered to be:-

- i) Principle of Development
- ii) Impact on Local Landscape Character
- iii) Impact and Residential Amenity
- iv) Impact on Highway & Pedestrian Safety
- v) Impact on Ecology

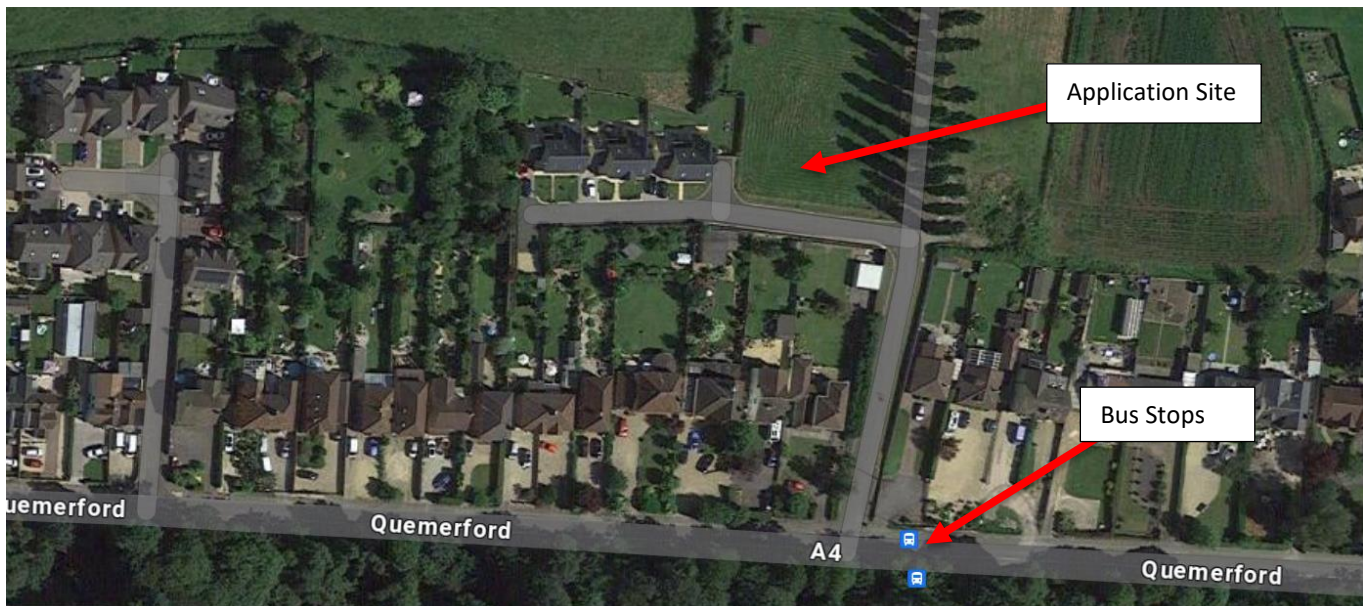
Principle of Development

Site Sustainability

5.2 The WCS includes a Spatial Strategy which sets the foundations for how 'sustainable development' is defined and applied within Wiltshire. It has three key elements; a Settlement Strategy, Delivery Strategy and Infrastructure Requirements. The settlement and delivery strategies define where development will be the most sustainable across Wiltshire's settlements. The WCS states that "If a development proposal does not accord with the Core Strategy it is deemed unsustainable and will not be supported" (WCS, paragraph 47).

5.3 Core Policy 1 'Settlement Strategy' and Core Policy 2 'Delivery Strategy' of the WCS outline that there is a presumption in favour of sustainable development within the Principal Settlements, Market Towns, Local Service Centres and Large Villages and development should be restricted to within the Limits of Development other than in exceptional circumstances as set out within the relevant core policies contained within the plan, i.e. the 'exception policies'. Policy H4 'Settlement Boundaries and Housing Sites' of the CCNP provides support for small windfall housing proposals provided they accord Core Policy 2 of the WCS.

- 5.4 The application site lies within the suburb of the town on Calne known as Quemerford. The town is classified as a 'Market Town' by the WCS which specifies that 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.
- 5.5 The site falls outside the Limits of Development for Calne, as shown on the map above, however it adjoins the built up area and the Limits of Development. The site is not remote or isolated and is already served by a safe and suitable access road that serves the existing properties to the west of the site. The site is also accessible on foot and via public transport. The map below identifies the position of the bus stops immediately next to the side entrance onto the A4 road. Furthermore, future occupiers of the site will benefit from the same services and facilities available to existing properties within the settlement.



Aerial Photograph (Source: Google Earth 2023)

- 5.6 The appeal decision (ref APP/Y3940/W/23/3315399) associated with the former application on the site acknowledged the sustainable credentials of the site. The Inspector stated the following –

“I note the services that are available in Quemerford, including a primary school of Holy Trinity, a public house, local shop and post office, play area, church and a number of local businesses and employment opportunities. I also acknowledge the proximity of Calne, and the bus stops situated nearby, which offers services to the surrounding towns. However, despite the sustainability credentials of the site, it remains classed as open countryside and in conflict with the adopted development strategy” (par 8).

- 5.7 The Council also acknowledged within its Delegated Report for application PL/2023/11190 that the site is not considered to be isolated or unsustainable from a locational point of view.
- 5.8 The site is considered to be a sustainable location for future growth due to its location and the services available to future occupiers of the site. Its position outside the defined Limits of Development is acknowledged, however it is considered that there is no other harm associated with the revised proposal, as outlined within the following sections, and the weight to be given to the conflict with the Spatial Strategy of the Local Plan should be significantly reduced because the ‘tilted balance’ is now engaged as explained below.
- 5.9 The NPPF seeks to ensure that “The planning system should be genuinely plan-led” (paragraph 15) and the desire of the Council not to deviate from its Settlement Strategy is recognised. However, due to the sustainable location of the site and lack of site specific harms, and within the context of the presumption in favour of sustainable development, it is considered that planning permission should be granted when considering the overall planning and tilted balance.

Impact on Local Landscape Character

- 5.10 The NPPF states that good design is a key aspect of sustainable development and policies and decisions should contribute to and enhance the natural and local environment. These objectives are reflected within Core Policies 51 and 57 of the WCS which seek to secure high quality design in all development and ensure there is no harm to landscape character. They are also reflected within policies

BE2 and NE2 of the CCNP which require new development to reinforce local distinctiveness and respect the pastoral setting of the settlement.

- 5.11 The previous application (reference PL/2022/05274) for 4 dwellings sought outline planning permission only with both the Council and PINS commenting that further details of siting, design and appearance would enable a full assessment to be made and the perceived harmful impacts to neighbour amenity or the local environment to be alleviated. The Council did however acknowledge within its Delegated Report that “there is no suggestion that a suitable external appearance, landscaping, layout and scale of the dwellings could not be arrived at within a future reserved matters application”.
- 5.12 The proposed development the subject of this application, and the former application (reference PL/2023/11190) has been designed to ensure the dwellings respect the established built environment, and in particular draw on the layout, plot ratio, scale, design and appearance of the dwellings at nos.277 – 279. The site is located to the rear of the properties that front onto the A4 Quemerford Road, however the development would respect the established pattern of development and would appear as a natural extension to the existing row of detached properties without encroaching further north into the countryside.
- 5.13 The Inspector, who considered the appeal against the Council’s refusal of outline planning permission for 4 dwellings, found that the appeal site is a sensitive edge of settlement parcel of land which positively influences the pastoral setting of Calne. The proposal would cause harm to the character and appearance of the area, permanently eroding the positive contribution the appeal site makes to the pastoral setting. The Inspector noted that the current parcel of land is more hidden from views from the A4, as opposed to the views of the parcel of land to the east of the access lane to Quemerford Common Farm, however the lack of visibility from a particular public view was not considered to outweigh the harm identified. It was concluded that the development would

appear incongruous within its rural landscape and would contrast with the more established grain and character of the local area.

5.14 The current application presents a revised scheme which takes on board the comments of the Inspector and provides full details of the proposed development to demonstrate the limited impact it would have on established townscape and landscape character. The aerial photograph included below shows the established pattern of development. While it is recognised that Qumereford is of a linear built form along the A4 road, there is significant backland developments and cul-de-sacs behind the linear ribbon development along the northern side of the A4. The provision of two dwellings respect this established character and will not encroach further north into the open countryside.

5.15 The marked up aerial photograph below identifies the position of the site and it can be seen that backland development is a key characteristic of the local built environment within the immediate context of the site. An analysis of the build environment reveals that within the immediate area of the application site (200m each way of the site), there are 31 houses built behind 38 houses.

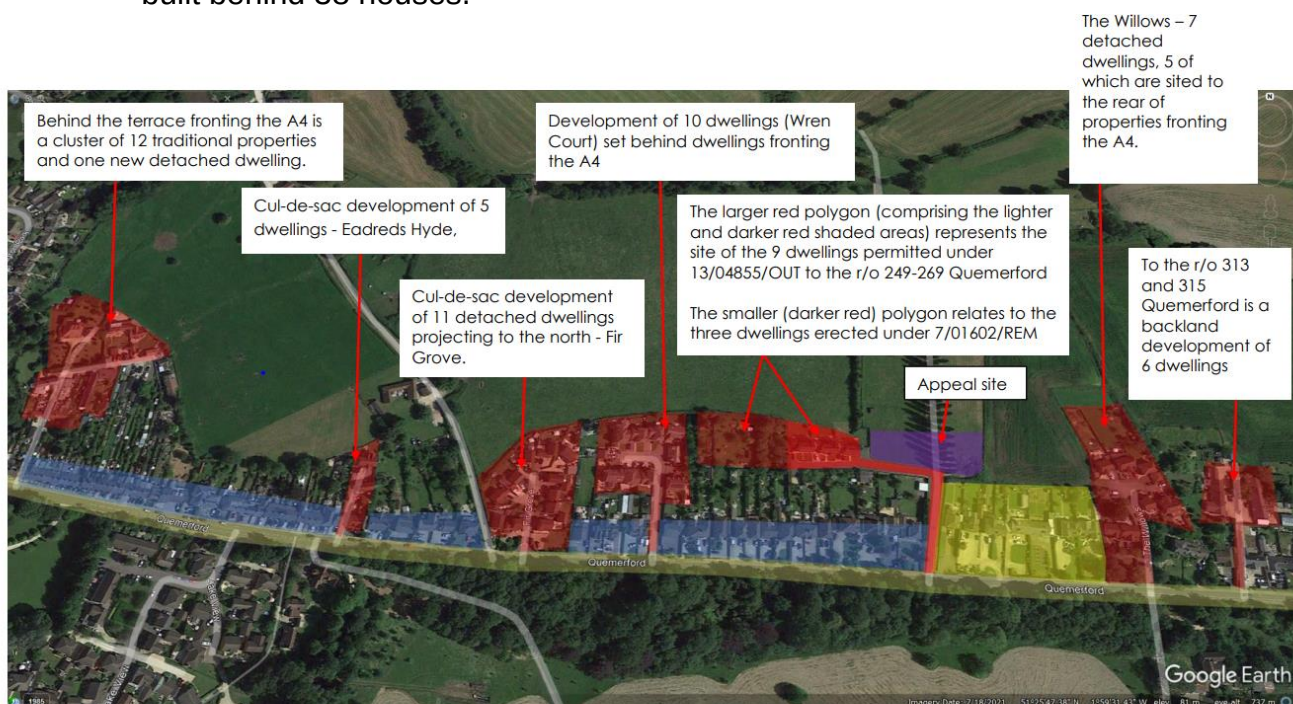


Figure 8: Aerial photograph showing position of appeal site in relation to surrounding development types

Map: Identifying Layout and Character of the Built Environment (source: Appeal Statement for appeal ref 3315399)

- 5.16 The proposed development would permanently change the character and appearance of the site from its current undeveloped condition to that of residential development, however the site is a small part of the larger field which will not be developed. The proposal represents a small and well contained development that will not encroach further north into the countryside than existing development. The development includes a detailed planting scheme that will clearly defined the northern boundary of the site and tie in with natural landscape boundary of other existing properties. It will also include an ecology buffer zone that will improve the transition between the built environment and open countryside.
- 5.17 The impact on landscape character and visual amenity is explored in detail within the supporting Landscape and Visual Appraisal (December 2023) by WHLandscape.
- 5.18 In terms of the impact on landscape character, the report specifies “The development will see the loss of a small area of grazing pasture, however this loss can be overcome by the planting of native hedging on the northern and eastern site boundaries and with the addition of native tree planting, particularly along the northern boundary and into the adjacent field. This will mitigate any adverse effects of the development proposals but will help to soften the wider impact of the existing urban form along a section of the A4, ultimately creating an enhancement to the transitional landscape” (par 5.1.5)
- 5.19 In terms of the impact on visual amenity, the report specifies that “Overall, while the proposed development will see a visible change within the local landscape, the effect on the visual amenity and visual character of the study area will be limited, with the receiving landscape being one where backland residential built form is already a visual component of the edge of Quemerford. Furthermore, where visible, the development can be appropriately mitigated without using visually uncharacteristic planting” (par 5.2.7).

- 5.20 The full detailed mitigation strategy, which will be implemented in full, is shown on drawing ref.WHL-1747-05 / Landscape Mitigation Strategy. An extract from the drawing is shown below:-



Drawing: Proposed Landscape Mitigation Strategy

- 5.21 The Landscape and Visual Appraisal comes to the following conclusion which demonstrates the acceptability of the proposal from a landscape and visual perspective:-

“As a result of the appraisal of landscape and visual effects, it has been determined that proposed development would not have a significant adverse effect on the landscape resource or on views and visual amenity. Taking account of the proposed landscape mitigation and enhancement recommendations, the development can be undertaken so that the proposed residential development will integrate into the receiving landscape, maintaining the established character of Quemerford urban/rural interface without being visually intrusive, or having detrimental impact on the appearance or the landscape character of the area within which it is located” (6.5.1).

- 5.22 Notwithstanding the above observations which were presented as part of the former application (reference PL/2023/11190) for the same development, one of the reasons for refusal was as follows:-

“The proposal represents the introduction of new residential development projecting out into the open countryside and with no reference to the prevailing pattern and character of existing development which fronts the A4 road. It cannot be regarded as being high quality development as is required by section 12 to the NPPF and

the proposal would not respond positively to the existing townscape and landscape in terms of building line and streetscape and it would fail to effectively integrate into its setting, as is required by policy CP57 to the Wiltshire Core Strategy. Similarly, neither does the proposal reinforce local distinctiveness or respond positively to the existing townscape and its relationship with its countryside hinterland or respect the pastoral setting of Calne or address the sensitive rural edge of the town, its tranquillity and the need to protect against intrusion from light pollution, noise, and motion, as is required policies BE2 and NE2 to the Calne Community Neighbourhood Plan”.

5.23 The reasons for refusal can be broken down into two key areas which are as follows

- i. **Urban Design:** the Council considers the development would not respect the character of the existing build environment. It considers that the development makes *“no reference to the prevailing pattern and character of existing development which fronts the A4 road”*, and would *“not respond positively to the existing townscape and landscape in terms of building line and streetscape”*, or *“reinforce local distinctiveness or respond positively to the existing townscape”*.
- ii. **Landscape Impact:** the Council considers the development would have a harmful impact on the natural landscape. It considers that the development would project *“out into the open countryside”* and would *“not respond positively to the relationship with its countryside hinterland or respect the pastoral setting of Calne or address the sensitive rural edge of the town”*.

5.24 The Delegated Report for the application (reference PL/2023/11190) first describes the character of the built environment before providing an analysis of the proposed development. It provides the following description of the built environment:-

“The dwellings along this section of the main road form part of a strong, linear row of residential properties which front the road, arranged such that there is a single property frontage with a single driveway serving that property. There is a wide variety of scale and character along this northern side of the road: some single-storey / some two-storey dwellings, some detached / some semi-detached, all with a wide materials palette; to the south is open countryside. **The general layout is of linear form following the road, although there are pockets of development in depth which are predominantly accessed off short residential streets in a cul-de-sac arrangement**” (emphasis added).

- 5.25 The Delegated Report also notes that nos.277 – 279 are classified as ‘backland’ development. However, despite first recognising the pockets of development in depth and backland development, the analysis of the impact of the proposed development on the character and appearance of the area reaches the following conclusion:

“To conclude, having regard to the character of the locality within which the application site contextualised, the proposed development cannot be regarded as being of a high quality or well designed as is required by section 12 to the NPPF. In particular, the proposal would not respond positively to the existing townscape and landscape in terms of building line and streetscape and fails to effectively integrate into its setting, as is required by Core Policy 57. Similarly, neither does the proposal reinforce local distinctiveness or respond positively to the existing townscape and its relationship with its countryside hinterland or respect the pastoral setting of Calne or address the sensitive rural edge of the town, its tranquillity and the need to protect against intrusion from light pollution, noise, and motion, as is required policies BE2 and NE2 respectively, to the Calne Community Neighbourhood Plan”. (emphasis added identifying the two key points)

- 5.26 The Council recognises that there are ‘pockets of development in depth’ and backland development but then concludes that the proposed development would constitute an “alien pattern of development” and run “against the grain in an aggressive manner”. The following map identifies the extent of the built up area and it cannot be understood how the proposal to erect two dwellings that align with the building line, and have a similar plot ratio, scale and design, to neighbouring dwellings, can be considered to be out of keeping with the character and appearance of the established built environment.



View of Fir Grove from the A4 Road



View of Wren Court from the A4 Road



View of The Willows from the A4 Road

- 5.27 The aerial photograph and streetview photos included above seek to further highlight that the established pattern of the built environment is that of linear development along the A4 road but with significant tandem and backland development. In line with Core Policy 57 of the WCS, the proposed development is considered to responding positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the buildings into their setting.
- 5.28 The permanent change to the character and appearance of the land from agriculture or residential is recognised, but it is considered that land can be development without unacceptable urban design or landscape character impacts. The Landscape and Visual Appraisal, which follows a robust methodology and process, confirms that the development can be undertaken so that the proposed residential development will integrate into the receiving landscape, maintaining the established character of Quemerford urban/rural interface without being visually intrusive, or having detrimental impact on the appearance or the landscape character of the area within which it is located.
- 5.29 It is considered useful, in particular when considering the tilted balance, as outlined below, to put the extent of the perceived harm previously identified by the Council into perspective. The proposal is a minor development with a very localised impact. An example of a larger residential scheme at Calne was the subject of the following application:
- **Planning Application 20/06684/OUT** - Land to the South of Chilvester Hill, Calne, Wiltshire - Outline application (all matters reserved except for main vehicular access from Chilvester Hill only) for up to 32 dwellings and associated infrastructure, landscape and biodiversity enhancements
- 5.30 The application was refused by the LPA for four reasons, one of those on the grounds that it was “not considered that the proposal would

integrate effectively into the immediate setting and would have a harmful impact upon local landscape character”. However, the Inspector who allowed the appeal against the decision of the LPA to refuse planning permission came to the following conclusion on the issue:

“66. The transformation of an open field a housing estate would be irreversible and permanent. It would be an unavoidable and adverse consequence of any housing development on a green field site. However, in this instance, development of the site for housing would not be incongruous nor fail to integrate into the immediate setting given the location of the site in relation to other development in Calne. With a high quality layout and landscaping, the proposal could create a positive feature on the entrance into Calne forming a roadside frontage of high quality homes and an improved settlement edge, seen as continuous to existing residential land use in Calne.

...

68. Consequently, the proposal would have an acceptable effect on the character and appearance of the area, compliant with CS Core Policies 51 and 57, NP Policy BE1. These seek to ensure development protects, conserves and where possible enhances landscape character providing high quality development. There would also be no conflict with the Framework, which seeks to recognise the intrinsic character and beauty of the countryside.”

- 5.31 The appeal decision, which can be seen in Appendix A along with the location plan, demonstrates that new residential development on open undeveloped land would not conflict with Core Policies 51 and 57 of the WCS if the development integrates well with the character and appearance of the established built environment.
- 5.32 A second example, which has greater similarities with the current proposal, was the subject of the following application (which can be seen in full at Appendix B):
- **Planning application PL/2021/03235** - Construction of four dwellings and associated works - Land at Rosehill Close, Bradenstoke, SN15 4LB



Proposed Site Plan (application PL/2021/03235)

5.33 The application was recommended for approval by Officers but was refused by the Planning Committee. The Officer's Committee Report considered the design of the proposal and its effect on the character and appearance of the locality and reached the following conclusion:

"The proposed dwellings would be situated outside of the existing built area of the village, and they would reduce the gap between Bradenstoke and Lyneham by developing a currently open site. However, the proposed dwellings would not project further east towards Lyneham than the existing dwellings at Rosehill Close and they would be well related to the existing built form in this location. When viewed from the adjacent public right of way, the proposed dwellings would be read as an extension to the existing development at Rosehill Close and against the backdrop of the dwellings at Boundary Close. As such, when viewed from public vantage points, the proposed dwellings would not appear as wholly alien or incongruous features and they would not therefore cause harm to the wider landscape or the character and appearance of the area".

5.34 It is considered that the same conclusion should be reached for the development the subject of this current application. The proposed dwellings would not encroach further north into the open countryside than existing dwellings and they would be well related to the existing built form. The proposed dwellings would be seen against the backdrop

of existing dwellings when viewed from the public right of way (ref CLAN21) to the north of the site, and views from the A4 would be in-keeping with the established built environment as demonstrated above.

- 5.35 The current proposal is considered to be of a high quality design that would have an acceptable effect on the character and appearance of the area. However, should the LPA maintain its view that the development would represent poor design and have an unacceptable impact on the landscape the level of harm would need to be quantified and considered within the overall planning and tilted balance.

Impact and Residential Amenity

- 5.36 A key aspect of good sustainable design is to ensure that new developments result in 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 (NPPF, par 135). This objective is reflected within Core Policy 57 of the WCS which seeks to ensure that new developments have regard to the compatibility of adjoining buildings and uses, and consider the impact on the amenities of existing occupants, and ensure that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing, vibration, and pollution (e.g. light intrusion, noise, smoke, fumes, effluent, waste or litter).
- 5.37 The proposed dwellings would be site close to the east side of no.279 and to the rear of nos.273 & 275, however due to siting, design and orientation of the proposed dwellings there will be no unacceptable impacts on the amenities of the residents of existing properties as a result of overlooking or overshadowing etc. There will be over 40m between the proposed dwellings and the existing dwellings at nos. 273 & 275 which a sufficient distance (much greater than the minimum industry standard) to ensure that both the privacy and outlook of the existing occupants would be preserved and the future occupants of the proposal would also have an acceptable level of privacy and outlook.

- 5.38 It is also considered that the use of the existing access track would not lead to an unacceptable level of noise or disturbance to the occupiers of existing dwellings. The Inspector considering the previous appeal concluded that “it is not considered that the increased number of movements along the access would be materially harmful to the existing living conditions of Nos 275 and 281”.
- 5.39 The Inspector reached this overall conclusions – “This leads me to conclude that the proposed development would not harm the living conditions of either the future occupants of the proposal or the living conditions of the existing occupants at Nos 273-285”. The Council’s Delegated Report for the previous application (reference PL/2023/11190) also confirmed the development currently proposed will not have an unacceptable impact on neighbour amenity.

Impact on Highway & Pedestrian Safety

- 5.40 Core Policy 60 ‘Sustainable Transport and Core Policy 61 ‘Transport and New Development’ seek to ensure that new development is as sustainable as possible in terms of its location and design and is capable of being served by safe access to the highway network. The proposed development would utilise the existing access route which serves the site which provide safe access to the A4 road. There would be no requirement to provide new or improved highway infrastructure and sufficient parking spaces, to comply with the Council’s Parking Standards, would be provided within the site to serve each property.
- 5.41 The previous application (ref PL/2022/05274), which was for four dwellings, was supported by a Highway Statement Technical Note by Cole Easdon which concluded that “there will be no severe residual cumulative impacts resulting from the proposed development nor an unacceptable impact on highway safety and that, accordingly, this application should not be prevented or refused on highways grounds. The Technical Note has been resubmitted as a background document in support of this current application.

- 5.42 The observations of the Highways Authority to the previous application is also material to the assessment of this current application. The following formal consultation response was provided:-

'The proposals seek to utilise the existing private access for the erection of 2 dwellings on land to the east of 279 Quemerford. The site is located to the rear of a number of properties and accessed via a private driveway to Common Farm and three previously permitted dwellings. The access links to the A4 a main distributor and classified section of public highway, subject to a speed limit of 40mph.

The location of the site is such that there is already an approved shared access, as mentioned previously, which is accepted as a shared private access to the existing three dwellings. The initial 20m of the access road is maintained at a width of 5m to allow vehicles to pass or wait clear of the public highway with a footway provision leading to a shared surface. This access would be deemed acceptable for use for a further 2 dwellings.

The proposal for 2 dwellings in this location would be acceptable in terms of traffic generation, there would be a requirement to provide vehicle parking in accordance with the Minimum Residential Vehicle Parking Standards which has been indicated as surface parking on the site plans. The plans do not indicate locations for cycle parking which is mentioned within the highways statement attached to the application which was previously submitted for a similar application on the site for 4 dwellings. Cycle parking can be dealt with through a condition in this instance.

... With regard to PROW, Footpath CLAN21 runs north-south along the initial section of the access track. The Countryside Access Team have commented previously that the footpath must be catered for within the design otherwise we would have to object to the planning application. I would advise the applicant to contact the PROW team in order to discuss further and ascertain access rights.

I would therefore not wish to raise an objection to the use of the access for the proposal with regard to highways, subject to the acceptable treatment of the PROW and would offer the following conditions and informatives"

- 5.43 In light of the above, the proposed development is considered to fully comply with Core Policies 60 and 61 of the WCS.

Impact on Ecology

- 5.44 The NPPF advises that new developments should protect and enhance biodiversity and geodiversity (paragraph 185) and Core 50 'Biodiversity

and Geodiversity of the Local Plan outlines that development proposals must demonstrate how they protect features of nature conservation and geological value as part of the design rationale. There is an expectation that such features shall be retained, buffered, and managed favourably in order to maintain their ecological value, connectivity and functionality in the long-term. Where it has been demonstrated that such features cannot be retained, removal or damage shall only be acceptable in circumstances where the anticipated ecological impacts have been mitigated as far as possible and appropriate compensatory measures can be secured to ensure no net loss of the local biodiversity resource.

- 5.45 The application site consists of a small area of agricultural land which is not covered by any local, national or European nature conservation designation. The site has limited ecological value, however the application is supported by an Ecological Appraisal (December 2023) by Malford Environmental Consulting. The report confirms that the site encompasses grazed improved grassland, which supports a very restricted range of common plants. This habitat is not scarce or sensitive. All existing boundary vegetation will be retained and protected. The proposed development will not have an adverse impact on protected species albeit ecological enhancement measures are recommended within the report which can be secured via a condition of any planning permission that may be granted.
- 5.46 In terms of the requirement to secure Biodiversity Net Gain (BNG), it has become mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). The requirement is to deliver 10% BNG. Core Policy 50 'Biodiversity' of the WCS outlines that new development should seek opportunities to enhance biodiversity.
- 5.47 The Ecological Appraisal includes a BNG analysis via the Defra Small Sites Metric. The report confirms that the proposed development provides a significant biodiversity gain in terms of creation of semi-natural habitats (greater than 10%). The development will include 42m

of new mixed native hedge with trees along the northern garden boundary, and 30.6m of mixed native hedge along the eastern boundary. The new development will also include 4 native trees within the front gardens. An area, 18m deep by 40m wide (720m²), located to the immediate north of the dwellings will be enhanced botanically to achieve a grassland sward with increased wildflower diversity. This area will also be further enhanced by planting trees as shown in the Landscape Mitigation Strategy.

- 5.48 The Ecological Assessment concludes by stating that “Given the absence of a significant residual impact associated with the proposed scheme combined with appropriate habitat creation/enhancement that enhances the study area for a range of wildlife, the residual ecological effect of the proposed development is considered to be positive in a Local (Site) context”. The development will therefore fully comply with Core Policy 50 of the WCS.

Housing Need and Planning Balance

- 5.49 The NPPF states it is important that a sufficient amount and variety of land can come forward where it is needed to support the Government’s objective of **significantly boosting the supply of homes**” (emphasis added) (paragraph 60). While it is recognised that the CCNP allocates land to help meet local housing need and address local pressure for further housing, it is not considered that the level of need identified within the development plan should be seen as an upper limit, and new development that is otherwise sustainable should not automatically be refused, in particular in the context of the Council’s housing land supply position.
- 5.50 The Council’s most up to date Housing Land Supply Statement (HLSS) (Base date: April 2023 / Published June 2024) details that it has 4.2 years of deliverable housing land supply. The Wiltshire Local Plan will identify future levels of need for new homes and employment land over the period 2020-2038, and it has reached the Regulation 19 stage. The

NPPF (at paragraph 77) therefore advises that the Council is only required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of four years' worth of housing.

- 5.51 However, a recent appeal decision (ref APP/Y3940/W/24/3340811), which was for residential development scheme on Land off Storridge Road, Westbury, BA13 4HJ (as seen in Appendix C), was critical of the Council's methodology for establishing the contribution from small windfall sites and the deliverability of certain supply sites included within the HLSS. It was concluded that the Council can only demonstrate a 3.85 years of deliverable housing land supply. This figure is below the 4 year supply figure the Council needs to meet. Furthermore, it should also be noted that new Labour Government have made it clear that they intend to reinstate the requirement to demonstrate a five year housing land supply in all cases, which is expected before the end of the year.
- 5.52 In these circumstances, NPPF paragraph 11d advises that policies which are most important for determining the application (which in this case would include Core Policies 1, 2 and 8 in relation to limits of development) should not be considered up to date. As a result, the presumption in favour of sustainable development as set out at Paragraph 11d of the Framework is engaged, unless exempt due to the provisions outlined within paragraphs 76 and 226 of the NPPF (as confirmed by footnote 8), so permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 5.53 Paragraph 14 of the NPPF advises that in situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impacts of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided a set criteria is met, which includes the date the plan was made. The CCNP was made over 5

years ago and therefore paragraph 14 is not engaged for this current application.

- 5.54 It is recognised that the tilted balance was applied to the assessment of the previous planning application (ref PL/2022/05274) for 4 dwellings where PINS found that the adverse impacts of the proposed development would significantly and demonstrably outweigh the benefits. The conclusion was heavily influenced by the landscape impact of the proposal. The Inspector noted that the proposal would be “contrary to the aims of the Framework in regard to achieving sustainable development, most notably to protect and enhance our natural environment, and ensuring development would be sympathetic to local character, including the surrounding built environment and landscape setting” (par 28).
- 5.55 This application has sought to address the areas of concern through the submission of a revised application on a smaller site with full design and landscape details. The application demonstrates through a detailed Landscape and Visual Appraisal that “the development can be undertaken so that the proposed residential development will integrate into the receiving landscape, maintaining the established character of Quemerford urban/rural interface without being visually intrusive, or having detrimental impact on the appearance or the landscape character of the area within which it is located”. This conclusion is critical when considering the overall tilted balance.
- 5.56 The application proposal would result in the provision of two new dwellings that would contribute towards the deficit in the Council’s four year housing land supply. It would be a social benefit “which would be a significant benefit and would go towards helping address the Council’s housing shortfall” as previously confirmed by PINS in the previous appeal decision (par 29).
- 5.57 The NPPF recognises that “Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly” (paragraph 69). The proposal is

deliverable within a short timeframe which will ensure it contributes to the shortfall in the Council's housing land supply.

- 5.58 The development would also produce short term benefits to the construction industry and the development would also generate ongoing revenue for the Council from Council Tax etc.. There was also be further modest benefits that would result from the additional support to the vitality of the local community from the future occupiers of the development. The development would also deliver ecological benefits associated with the proposed wildflower meadow and planting along the site boundaries.
- 5.59 In terms of the harms, the conflict with the plan led approach because the site is not allocated within the Local Plan and outside the Limits of Development is recognised. However, as noted above, limited weight should be attributed to this factor within the overall planning balance because Core Policies 1,2 and 8 are now out of date. It is also important to recognise that the site is within a sustainable location and the development would not result in any site specific harms or to the wider environment that cannot be adequately mitigated. The sustainable location of the site was recognised by PINS in the previous appeal decision, the Inspector noted “There would be some sustainability credentials associated with the proposal regarding its location, and the proximity to the PROW would offer some accessibility to leisure opportunities for future occupants” (par 29).
- 5.60 The Council has previously acknowledged that it needs to address housing supply and has issued delivery briefing notes setting out its approach to dealing with the issue, namely-
- Wiltshire Council Briefing Note: Housing Land Supply No.24-18 (September 2024); and
 - Wiltshire Council Briefing Note: 5 Year Housing Land Supply and Housing Delivery Test No.23-15 (May 2023) and 24-13 (June 2024)

- 5.61 These documents advise that the Council should positively consider speculative applications where there are no major policy obstacles material to the decision other than a site being outside settlement boundaries or unallocated. Thus, a breach of the settlement boundary alone does not preclude development. While the proposed dwellings would conflict with the WCS settlement strategy due to the location of the site outside the Limits of Development, there are no other policy obstacles or any unacceptable harm identified. It is therefore considered the Council's own strategy to address its housing land supply shortfall provides support for the proposed development.
- 5.62 The contribution made by the approval of minor developments and single dwellings throughout the Wiltshire Council area towards addressing housing need should not be underestimated and now has greater importance considering the Government's proposed changes to the NPPF. An updated NPPF is anticipated later this year which based on the draft consultation version would require Wiltshire Council to increase its delivery of housing from 1,917 per annum to 3,476 per annum (an 81% increase).
- 5.63 The WCS is currently being reviewed as part of the Wiltshire Local Plan Review. The purpose of the review of the adopted Local Plan will be to assess the future levels of need for new homes and employment land over the period 2020-2038. The baseline indicative housing requirement for the Calne from 2016 – 2036 identified within draft Policy 9 Calne Market Town of the Pre-Submission Draft 2020 – 2038 (Regulation 19 (September 2023) Wiltshire Local Plan is 1230 including strategic site allocations. The neighbourhood area designation requirement is 130 dwellings. It is therefore clear that the provision of two dwellings on the application site will not conflict, but contribute towards, the Council's longer term growth plan for the settlement.
- 5.64 The proposed development would contribute towards the Government's aim of significantly boosting the supply of homes in a sustainable location and it is considered that when considering the overall titled balance, there

would be no adverse impacts that stem from the development that would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Wiltshire Council Examples

- 5.65 The Council has recently granted permission for a number of dwellings outside but adjoining the Limits of Development of settlements identified for growth when considering the overall tilted balance. One example is an application for permission in principle, reference PL/2022/02032, on the 19th May 2022 for the erection of one dwelling on land at Greenacres, Blounts Court, Potterne, Devizes, SN10 5QF. The site is outside but adjacent to the Limits of Development drawn for the Large Village of Potterne. The Council identified conflict with the development plan due to the position of the site outside the Limits of Development, however when applying the tilted balance, it was concluded that there would be no adverse impacts of approving the development that would significantly and demonstrably outweigh the benefits. The key application documents can be seen in Appendix E.
- 5.66 This case is considered to be material to the assessment of the current application because the harm identified was the change to landscape character and the conflict with the Spatial Strategy of the Local Plan although these harms did not significantly and demonstrably outweigh the benefits. The Case Officer provided the following appraisal:-

Adverse impacts

10.4. Development Limits are established in order to prevent uncontrolled and unplanned expansion of settlements into the open countryside. There would be an adverse impact arising from then incremental growth of the village into the countryside. The site is not within a protected landscape and would not be prominent in long views. As noted above the development would relate relatively well to the existing built form of the village and nearby dwellings, and the adverse impact in this respect would be very limited. Considering the matters of location, land use and the amount of development, there are no other inevitable significant adverse impacts identified that would arise at technical details stage.

Benefits

10.5. The provision of an additional dwelling would be of limited, but nonetheless significant benefit in the light of the government's objective of significantly boosting the supply of homes.

10.6. There would also be a small economic benefit arising from construction of a dwelling and its ongoing occupation and maintenance.

10.7. Weighing the above, it is concluded that there are no adverse impacts of approving the development that would significantly and demonstrably outweigh the benefits.

11. Conclusion and recommendation

11.1. The development would be contrary to the development plan. Material circumstances as set out above are sufficient to warrant approval of the application.

- 5.67 An appeal against the decision of the Council to refuse permission in principle (application reference 20/04651/PIP) for the erection of one dwelling on previously developed land at Foxhill House, Clench Common, Marlborough, Wiltshire, SN8 4DR was allowed on the 21st May 2021. The site is described as being part of a small cluster of properties with development beyond being more sporadic and loose knit. The site does however fall within the countryside and within the North Wessex Downs Area of Outstanding Natural Beauty. The key appeal documents can be seen in Appendix F.
- 5.68 The Inspector concluded that the proposed development would result in residential development outside of any settlement defined and “would not be in a suitable location for housing with regard to local housing strategy and accessibility to services and facilities” (paragraph 16). However, only moderate weight was given to the conflict and it was recognised that “The proposal would align with the Framework where it seeks to significantly boost the supply of housing and acknowledges that small-scale developments can make an important contribution to meeting the housing requirement and be built out quickly” (paragraph 32).
- 5.69 The Inspector went on to consider the tilted balance and concluded that the adverse impacts of granting permission in principle would not significantly and demonstrably outweigh the benefits:-

32. The proposal would align with the Framework where it seeks to significantly boost the supply of housing and acknowledges that small-scale developments can make an important contribution to meeting the housing requirement and be built out quickly. The Framework also seeks to make use of previously developed land. Even with the shortfall identified, given the scale of the proposal this attracts limited weight.

33. The economic and social benefits from the build and occupation of the dwelling as well as support for local services, facilities and the community, including those in other villages would be minimal given the size of the development, and their weight in favour of the scheme is small.

34. The proposal would conflict with the Framework where it seeks to promote sustainable transport, actively managed patterns of growth and that appropriate opportunities to promote sustainable transport modes can be taken up. Given the scale of the scheme and associated movements, I give this moderate weight.

35. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission, and therefore appeals, must be determined in accordance with the development plan, unless material considerations indicate otherwise.

36. The proposal benefits from the presumption of sustainable development as outlined in Paragraph 11d)ii of the Framework. In this instance, the adverse impacts of granting permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

37. On the basis of the individual merits of the scheme, the material considerations indicate that planning permission should be granted notwithstanding the conflict with the development plan.

- 5.70 The application mentioned above for dwellings and associated works on land at Rosehill Close, Bradenstoke, SN15 4LB (ref PL/2021/03235) was allowed at appeal where the impact on landscape character was considered within the overall tilted balance. The Inspector found that the proposal would be well integrated and would align well with the existing settlement pattern, but nevertheless it would be beyond the village edge and would encroach onto an area of open countryside. The following conclusion was however reached when the tilted balance was applied:

31. *The four dwellings proposed would be a small but important contribution to the existing housing shortfall. ...*

32. *The Council and interested parties do not consider that the shortfall in housing supply is significant and the proposal's modest number would be limited in contribution. However, the starting point of the Framework's presumption is that permission should be granted and the Government's objective is to significantly boost the supply of homes.*

33. *The additional homes would to a small extent help the vitality of the village and support the small number of local services. The scheme may also benefit the facilities in the nearby village of Lyneham through increased spending by future occupiers. These factors would align favourably with Paragraph 79 of the Framework. ...*

35. *The adverse impacts associated with this proposal would not be great. They therefore do not significantly and demonstrably outweigh the benefits of four additional homes when assessed against the policies in the Framework taken as a whole. As a result, the presumption in favour of sustainable development should be applied.*

...

44. *The proposed development would be contrary to the development plan but material considerations, especially the presumption in the Framework, outweigh this conflict. Therefore, for the reasons given, the appeal should be allowed subject to the conditions in the attached schedule.*

- 5.71 A photograph of the Bradenstoke development is included below to draw attention to the relationship the development has with the established pattern of the built environment, which the Inspector concluded integrates well with the parts of the village it adjoins, and transition from the built environment to the open landscape.



5.72 The Council acknowledged within its Delegated Report for application PL/2023/11190 that “it is beholding for Local Planning Authorities to be consistent in their decision making”. The Planning Inspectorate’s decision for the development at Rosehill Close, Bradenstoke as outlined above is however a key material planning consideration and it is considered that the analysis of landscape impacts and the weight to be given to the benefits verses the harms of the scheme within the overall tilted balance should be the same for the current proposal, and in turn planning permission should be granted under the presumption in favour of sustainable development.

6.0 CONCLUSION

- 6.1 The application seeks full planning permission for the construction of two detached dwellings and associated works on land adjacent to 279 Quemerford, Calne, Wiltshire, SN11 8LA.
- 6.2 The current proposal for two dwellings follows a previous application on the site which was part of a larger scheme which also included other land to the east of this current site. This revised application presents a scheme that has been designed to address the previous concerns of the LPA and PINS. Furthermore, there has recently been a material change in planning policy due to the Council's current 3.85 years housing land supply position, which alters the final planning balance assessment for this current application.
- 6.3 The proposal would result in the provision of two new dwellings on a site that is well related to the built-up area of Quemerford. The proposal would contribute towards the Government's objective of significantly boosting the supply of homes and would contribute towards the Council's own strategy to address its housing land supply shortfall
- 6.4 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The proposal benefits from the presumption of sustainable development (Paragraph 11.d.ii of the NPPF) which advises that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 6.5 The proposed development would deliver both social and economic benefits and there would be no unacceptable harm following mitigation, other than conflict with the Spatial Strategy of the Local Plan and limited impact to landscape character, that would result from the development. The adverse impacts of granting permission would not significantly and demonstrably outweigh the benefits.

- 6.6 In light of the above, having considered the individual planning merits of the proposal, it is considered that the material considerations indicate that planning permission should be granted. It is therefore respectfully requested that full planning permission be granted.

**REPORT OUTLINE FOR AREA PLANNING
COMMITTEES**

Report No.

Date of Meeting	19th February 2025
Application Number	PL/2024/09508
Site Address	Land to the east/adjacent to 279 Quemerford, Calne, Wiltshire, SN11 8LA
Proposal	Proposed erection of two detached dwellings and associated works
Applicant	Mr Paul Mayo & Mr Julian Miller
Town/Parish Council	Calne
Ward	Calne South
Lat/Long	51.42689, -1.983282
Type of application	Full Planning Permission
Case Officer	James Repper

Reason for the application being considered by Committee

Councillor Pearce-Kearney has called the application to committee for the following reasons:

- Relationship to adjoining properties
- Level of public comment
- Deviation from the Local Plan

1. Recommendation: For the reasons set out within this report, officers recommend that the committee endorse the officer recommendation to approve the application subject to conditions

2. Purpose of Report

To consider the above application and its compliance with both local and national planning policies.

3. Report Summary

The main issues which are considered to be material in the determination of this application are listed below:

- Principle of development
- Scale, design, impact on the character and appearance of the area
- Residential amenity/living conditions

The revised application has generated no objection from Calne Town Council and 13 letters of representation.

4. Site Description

The application site is located in Quemerford, which is situated at the eastern edge of Calne along the A4 as that road runs east out of Calne towards Beckhampton. Along the northern side of the A4 in this locality is residential development and to the south is countryside; the application site is situated on the northern side, set back from the road behind existing residential development which fronts the road.

The proposed access to the site is shown as using the existing access which serves Quemerford Common Farm, which is also a designated Public Right of Way (CLAN21). Before reaching the buildings associated with Quemerford Common Farm, a spur to the west from that access serves three detached dwellings built to the rear of nos.261 – 269 Quemerford, numbered as 277, 277a and 279.

The site is described as being 'to the east/adjacent to' no.279 Quemerford; it is also located to the rear of nos.271 – 275 Quemerford. Beyond the access drive to Quemerford Common Farm is open countryside, that character wraps around the entire eastern and northern boundaries of the site; to the south is the access drive serving nos.277 – 279 Quemerford, the other side of which are the rear gardens of nos.271 – 275 which front the A4, and to the west is a short access spur, beyond which is no.279 Quemerford itself.

The dwellings along this section of the main road form part of a strong, linear row of residential properties which front the road, arranged such that there is a single property frontage with a single driveway serving that property. There is a wide variety of scale and character along this northern side of the road: some single-storey / some two-storey dwellings, some detached, some semidetached, all with a wide materials palette; to the south is open countryside. The general layout is of linear form following the road, although there are pockets of development in depth which are predominantly accessed off short residential streets in a cul-de-sac arrangement.

Whilst Quemerford Common Farm is visible from the road, that dwelling is set within a wider countryside setting and, whilst constituting what could be considered as 'backland' development, only a glimpsed view of nos.277 – 279 is visible from a short passing section of the streetscene.

The application site is located outside of the settlement boundary to Calne, as identified within the Wiltshire Core Strategy and the Wiltshire Housing Site Allocations Plan (2020) and is, therefore, located in land designated as open countryside. The site appears to have been deliberately excluded from the settlement boundary, since the dog leg of the boundary is drawn tight to the gardens of existing properties, and in particular, does not extend eastwards beyond the building line of no.279 (the site of which having always been inside of the settlement boundary to Calne). As such, the application site does not abut the settlement boundary, as there is a strip of land which includes a turning head and field boundary falling between the application site and the defined settlement boundary in this location.

The site does not fall within any landscape or conservation designated areas. There are no designated heritage assets within close proximity of the site: approximately 200m to the west of the site lies a designated scheduled monument and a number of listed buildings in the wider locality. The site falls within flood zone1 and does not show as being at risk of groundwater flooding.



Figure 2 Site viewed from the Southeast towards 279 Quemerford

5. Planning History

Application Ref	Proposal	Decision
PL/2022/05274	Outline application with some matters reserved for the erection of 4 dwellings and associated works	Refused December 2022
PL/2023/11190	Proposed erection of two detached dwellings and associated works	Refused April 2023

6. The Proposal

This is a full planning application proposing the construction of two detached residential dwellings, associated parking and amenity provisions and 720m² of grassland enhancement for biodiversity net gain and all associated works.

7. Planning Policy

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

National Design Guidance (Planning practice guidance for beautiful, enduring and successful places) 2021

Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021)

North Wiltshire Local Plan 2011 policies (Saved by Wiltshire Core Strategy):

Policy H4: Residential Development in the Open Countryside

Policy NE14: Trees, Site Features and the Control of New Development

Wiltshire Core Strategy:

Core Policy 1: Settlement Strategy

Core Policy 2: Delivery Strategy

Core Policy 3: Infrastructure Requirements

Core Policy 8: Spatial Strategy for the Calne Community Area

Core Policy 45: Meeting Wiltshire's Housing Needs

Core Policy 41: Sustainable Construction and Low Carbon Energy

Core Policy 50: Biodiversity and Geodiversity

Core Policy 51: Landscape

Core Policy 57: Ensuring High Quality Design and Place Shaping

Core Policy 60: Sustainable Transport

Core Policy 61: Transport and Development

Core Policy 62: Development Impacts on the Transport Network

Core Policy 67: Flood Risk

Supplementary Planning Guidance:

Calne Community Neighbourhood Plan 2016-2026 (Made February, 2018)

Draft Calne Community Neighbourhood Plan 2 (2023-2038) – Referendum 27th February 2025

Wiltshire Design Guide (Shaping the Future – My Place, Your Place, Our Place) 2024

Wiltshire Local Transport Plan 2011-2026: Strategy (March 2011) / Car Parking Strategy (March 2015)

8. Summary of Consultation Responses

Calne Town Council: No Objection

- Members raised no objections to the proposal* Please consider the Town Council's planning sustainability statement in making a decision.

Highways: No Objection

- There are no proposed alterations to the existing access with the A4 Quemerford, a classified section of Public Highway subject to a speed limit of 40mph. The access is a private road with a PROW footpath CLAN21 along the length. The proposals would result in a minor increased use of the access and I would not consider that the proposals would represent any significant or severe impact on the public highway.

The existing access is a private road with shared vehicular access to three dwellings, this access is suitable for the increase in vehicular movements associated with the proposals.

Vehicle parking provision is in accordance with the Minimum Residential Vehicle Parking Standards and has been indicated as surface parking on the site plans. The plans do not indicate locations for cycle parking which is mentioned within the highways statement attached to the application which was previously submitted for a similar application on the site for 4 dwellings. Cycle parking can be dealt with through a condition in this instance.

In regard to vehicle parking no indication of Electric Vehicle charging has been given, this would be required in line with standards of 1 EV charging bay for allocated parking. I would expect to see at least 2 EV charging points within the development proposals in line with Building Regulations Document S and the NPPF.

The PROW, Footpath CLAN21 runs north-south along the initial section of the access track.

The Countryside Access Team have provided comments in this regard.

I would therefore not wish to raise an objection to the use of the access for the proposal with regard to highways, and would offer the following condition:

- **CYCLE PARKING**

No development shall commence on site until details of secure covered cycle parking have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall accord with dimensions, access, location, design and security principles laid out in Appendix 4 of Wiltshire's LTP3 Cycling Strategy. These facilities shall thereafter be provided in accordance with the approved details and made available for use prior to the first occupation of the development hereby permitted and shall always be retained for use thereafter.

REASON: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car.

Ecology: No Objection Subject to Conditions

- We welcome the survey reports provided in support of the application and note that no evidence of protected species or habitats were identified during the site visit. We note the proposals outlined within the ecology report to include the installation of bat and bird boxes on the new buildings, a sensitive lighting scheme and precautionary working methods to support biodiversity.
These features can be secured via condition.

BNG

- We welcome the submission of the small sites metric completed by the ecologist which demonstrates that the delivery of a 10% net gain via an on-site scheme is deliverable. The proposed onsite gains will be provided within the red line boundary. Adherence to this scheme must be secured.

Conditions:

1. The development will be carried out in strict accordance with the following documents:
 - Ecological Appraisal. September 2024. Malford Environmental Consulting;
 - Location and Site Plan 2338.03.01 Rev D. January 2023. Concept Drawing and Design Services;
 - Small Sites Metric. September 2024. Completed by Ecologist Dr Stephen Dangerfield.

REASON: For the avoidance of doubt and for the protection, mitigation and enhancement of biodiversity.

2. No new external artificial lighting shall be installed at the site unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of conserving biodiversity.

INFORMATIVES:

Breeding Birds

The adults, young, eggs and nests of all species of birds are protected by the Wildlife and Countryside Act 1981 (as amended) while they are breeding. Please be advised that works should not take place that will harm nesting birds from March to August inclusive. All British birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 while birds are nesting, building nests and sitting on eggs. The applicant is advised to check any structure or vegetation capable of supporting breeding birds and delay removing or altering such features until after young birds have fledged. Damage to extensive areas that could contain nests/breeding birds should be undertaken outside the breeding season. This season is usually taken

to be the period between 1st March and 31st August but some species are known to breed outside these limits.

Rights of Way: Comment

- The site is accessed from the road via a section of public footpath Calne 21. This section of the path is wide, surfaced and is currently used to access a number of properties. The applicant will need to ensure they have a private vehicular right of access over the public footpath. I have no objection subject to the following informatives:

The applicant should note that in order to access the site with a mechanically propelled vehicle (MPV), they will require a private right of vehicular access. Without this private right they would be committing an offence under Section 34 of the Road Traffic Act 1988. The granting of planning permission does not give the applicant or householder a vehicular right of access over the footpath. The applicant is advised to take legal advice to ensure they have a right of access.

The applicant should note that it is a criminal offence to obstruct a public right of way under section 137 of the Highways Act 1980 and therefore no materials, plant, temporary structures or excavations of any kind should be deposited/undertaken which obstruct or adversely affect the public right of way Calne 21 whilst development takes place, without prior consultation with, and the further permission of, the highways authority at Wiltshire council.

Archaeology: No Objection Subject to Conditions

- The application area is located in an area of high archaeological potential lying immediately to the south of earthwork remains indicative of medieval settlement; some of these features lying 200m to the west of the application area are designated as a scheduled monument.

I would therefore advise that an archaeological trial trench evaluation be undertaken on the application area; the total length of trenching should be equal to 4% of the application area with a 1% contingency for further trenching should this be required. This trial trenching to be secured via a condition to be attached to any planning permission that may be issued. Such a condition is to be worded thus:

- 'No development shall commence within the area indicated by application PL/2024/09508 until:
 - a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and
 - b) The approved programme of archaeological work has been carried out in accordance with the approved details.

REASON: To enable the recording of any matters of archaeological interest.'

The work is to be carried out following the Standard and the Universal Guidance for archaeological field evaluation as set out by the Chartered Institute for Archaeologists (CIfA). The costs of the work are to be borne by the applicant.

It should be made clear that, in this case, the archaeological field evaluation forms the first stage of possible further archaeological mitigation. Further archaeological investigation may be required either prior to or during construction or both. This will be dependent on the results of the archaeological evaluation undertaken prior to construction. Analysis and reporting commensurate with the significance of the archaeological results of further mitigation may also be required.

Drainage: No Objection Subject to Conditions

- In February 2024, on the previous planning submission the LLFA requested:

The developer is to provide a drainage strategy that will demonstrate there is no increase in runoff from the proposed site and how runoff and associated water quality will be appropriately managed. The strategy should also include a drainage plan showing overland flood exceedance routes and FFLs.

Our position on the current application is unchanged and therefore with respect to the surface water drainage, the LLFA still requires a drainage strategy to be submitted and approved prior to commencement of construction.

- Informatives

Any proposals should be designed in accordance with the Non-statutory Technical Standards for Sustainable Drainage Systems and the latest SuDS Manual (C753).

All new drainage will need to comply with Building Regulations Part H.

The applicant is required to demonstrate that soakaways (if proposed) have been sited the appropriate distance from any building, road or structure foundations in line with CIRIA C574 and Wiltshire Guidance.

Wessex Water DC: No Objection

- Wessex Water has no objections to this application and can advise the following:

Surface water drainage

Surface water must be disposed of via the SuDS Hierarchy which is subject to Building Regulations.

No surface water runoff, land drainage or ground water will be accepted into a public sewer that carries sewerage, either directly or indirectly. The use of soakaways are subject to building control approval.

Foul drainage

Subject to application we can accept the foul only flows/domestic type foul flows into the 150mm public foul sewer. Guidance and application can be found on our website.

Water supply

Subject to application we can provide domestic water supplies from the 9" public water main. Guidance and application can be found on our website.

Existing assets

According to our records there are no recorded public sewers or water mains within the immediate proximity of the development site. Information on this plan is provided for identification purposes only and no warranty as to its accuracy or completeness is given or implied. Please review the disclaimer on the plan for additional information.

Landscape: No Objection Subject to Conditions

- The site sits in the Calne Rolling Clay Lowlands (11A) whose condition is 'good', strength of character 'moderate', with a strategy to 'conserve and strengthen.' The North Wessex Downs National Landscape sits approximately 930m to the east of the site. several PRoW run close to the site of which 2 (CLAN21 / 22) are likely to be most impacted.

The site was subject to a previous planning application (PL/2023/11190) that refused a similar application for two houses. The decision notice stated:

'The proposal represents the introduction of new residential development projecting out into the open countryside and with no reference to the prevailing pattern and character of existing development which fronts the A4 road. It cannot be regarded as being high quality development as is required by section 12 to the NPPF and the proposal would not respond positively to the existing townscape and landscape in terms of building line and streetscape and it would fail to effectively integrate into its setting, as is required by policy CP57 to the Wiltshire Core Strategy. Similarly, neither does the proposal reinforce local distinctiveness or respond positively to the existing townscape and its relationship with its countryside hinterland or respect the pastoral setting of Calne or address the sensitive rural edge of the town, its tranquillity and the need to protect against intrusion from light pollution, noise, and motion, as is required policies BE2 and NE2 to the Calne Community Neighbourhood Plan.'

Despite the decision notice relying heavily on landscape and design considerations in its decision to refuse the previous proposals I would note that neither an internal landscape or urban design officer were consulted

on this original application and of the internal consultants who were consulted none objected.

Having now taken time to review the scheme from a landscape perspective and having reviewed the previous applications decision notice I would note the following.

Whilst development on a greenfield site outside the settlement boundary can be considered harmful to the countryside and Core Policy 51 requires development to prove that it can 'conserve and enhance' landscape character Core Policy 51 cannot be considered a 'nil detriment' policy whereby it can be used to prevent any form of development in a green field site if that development is in keeping with the character of the local area, as it clearly states that any negative impacts caused by development '...must be mitigated as far as possible through sensitive design and landscape measures...'

This then requires a review of the landscape character of the site and the potential visual impacts of any development and how they can be mitigated. The site sits adjacent to the edge of the Calne Settlement Boundary with views from adjacent PRow characterised by the backs of houses that face onto the A4 or the three new properties that have been subsequently built to the rear of the original linear development along the London to Bristol Road. These views are broken up to some extent by intervening hedgerows and trees, the more so as you move further away from the settlement boundary. This character can be clearly denoted by the characteristic viewpoints as assessed in the submitted Landscape Visual Appraisal accompanying the application. The balance to be struck in determining whether a landscape objection should be raised to the application is whether the proposed development including its landscape mitigation measures would prove substantially harmful to the overall character of the landscape and the setting of any important designated features in the vicinity.

Whilst the National Landscape is less than 1000m to the east of the proposed development it does not sit within the 500m that is usually considered the setting for a designated landscape and its location, nestled adjacent to existing development would not, in my opinion, cause harm to the designated landscape, so NPPF (2023) para 203, Levelling up and Regeneration Act (2023) para 245, Core Policy 51 (designated landscapes), and the North Wessex Downs Management Plan do not apply in this instance.

The proposed housing is of a type and scale that is similar to the adjacent new build properties and the properties that sit along the A4 and therefore I cannot see that if this development went ahead that it would have a particularly detrimental impact on the local townscape as there is no adjacent conservation area or listed structure nearby.

Whilst both Core Policy 51 and Calne Neighbourhood Plan Policy NE2 state that the protection of tranquillity is an important landscape consideration, due to the extant nature of the three new-build properties already using the vehicle access route proposed for these two additional houses I do not feel that a strong enough case can be made that the existing levels of tranquillity would be so further undermined by this development as to warrant an objection in this regard.

The mitigation strategy of a mixed native hedge planting supported with a copse of standard trees to the north of the site will help to soften both this development and to a lesser extent the neighbouring newer properties into the surrounding landscape. My only concern is that the copse tree planting is shown outside the red line boundary, and a would need assurance that the land proposed for this planting is within the control of the applicant and that the planting of trees here can be secured. Some note to describe how this infrastructure planting will be maintained over the long term also needs to be included.

In conclusion

I have no objection to the scheme in landscape terms provided the following details can be clarified:

- The deliverability and long-term sustainability of the wooded copse to the North of the red line boundary
- a landscape management plan is provided to ensure the landscape mitigation successfully establishes.

Neighbouring Division Member: Cllr Ian Thorn - Support

- I am happy with the application. I would like it called in if officers decide to refuse.

9. Publicity

This application was advertised through the use of the weekly list, the Wiltshire planning website and letters of consultation.

13 letters of representation were received from the residents of the local area, 10 in objection and 3 in support. The full comments can be viewed via the Wiltshire Council Planning website, a summary of the points raised follows:

Objections

- Previously refused
- No public benefits
- Outside of the settlement boundary
- Lack of facilities
- The access is dangerous
- Ecological harm
- Contrary to ribbon settlement
- No local need for housing

- Loss of privacy
- Flooding

Support

- Housing shortage
- Quality design
- Biodiversity enhancements
- Close to town's facilities
- No wider impacts

10. Planning Considerations

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan unless material considerations indicate otherwise.

10.1 Principle:

The WCS sets out Settlement and Delivery Strategies for the sustainable delivery of new development within the County contained within Core Policy 1 (Settlement Strategy), 2 (Delivery Strategy) and 8 (Spatial Strategy for the Calne Community Area). Applying the normal principle that applications for planning permission should be determined in accordance with the Development Plan unless material considerations indicate otherwise; proposed new development which does not comply with the Settlement and Delivery Strategies will be unsustainable, and so unacceptable as a matter of principle in this overarching context. The WCS for the area was adopted by Wiltshire Council in January 2015.

The application site is located outside of, but adjacent on two sides, the settlement boundary of Calne and is considered to conflict and, therefore, be contrary to the settlement strategy contained within the Wiltshire Core Strategy in principle terms, when considered directly against the WCS. Therefore, the starting point for this application is that the site is located in the countryside outside of the settlement boundaries and contrary to the local plan.

Saved Policy H4 of the North Wiltshire Local Plan 2011 relates to new dwellings outside of settlement boundaries and states;

New Dwellings in the Countryside outside the Framework Boundaries, as defined on the proposals map, will be permitted provided that:

- i) It is in connection with the essential needs of agriculture or forestry or other rural based enterprise;*
- ii) It is a replacement for an existing dwelling where:*
 - a. The residential use has not been abandoned; and*
 - b. the existing dwelling is incapable of retention in its current state, is unsightly or is out of character with its surroundings and*
 - c. the replacement dwelling is of a similar size and scale to the existing dwelling within the same curtilage.*

Again, it is considered that the application is contrary to this policy as the proposals do not meet any of the above-listed criteria.

On 12 December 2024 the Government issued an update to the National Planning Policy Framework (NPPF). On the same date the Government also issued revisions to the Planning Practice Guidance (PPG) including the standard methodology for assessing and setting Local Housing Need and published the 2023 Housing Delivery Test results.

The revisions that are pertinent to the housing land supply calculation and its implications are summarised as follows:

- a) Local Planning Authorities are now required to demonstrate a deliverable supply of housing sufficient to meet five years against their housing requirement set out in adopted strategic policies (or against their Local Housing Need where the strategic policies are more than five years old) in all circumstances. Under the previous NPPF, Wiltshire was only required to demonstrate a four-year housing land supply because its draft Local Plan had reached an advanced stage.
- b) Local Planning Authorities are now required to add a buffer to the housing requirement in the five-year housing land supply calculation in all circumstances (paragraph 78 of the NPPF). The buffer to apply is driven by the council's latest Housing Delivery Test results, which for Wiltshire indicates a 5% buffer to be added¹. Under the previous NPPF a buffer was only required if the council's Housing Delivery Test results indicate under-delivery of 85% or lower against the housing requirement, which was not the case for Wiltshire.
- c) The revisions to the PPG have set out a revised standard methodology for the Local Housing Need – this is the calculation that establishes the housing figure to be used in the housing land supply calculation. The revision has changed the method from being based on future household projections, to being based on the amount of existing housing stock in the local authority area. The revision has also changed the adjustment factor which is based on the affordability of housing in the local planning authority.
- d) The consequences of not being able to demonstrate a five-year housing land supply are that the presumption in favour of sustainable development (often referred to as the 'tilted balance') applies. This is set out in paragraph 11d of the NPPF. This paragraph has also been amended in two ways. Firstly, where there are exception policies that prevent the 'tilted balance' applying that these provide a 'strong' reason for refusal, rather than a 'clear' reason for refusal. Secondly, to ensure that when the planning balance is being carried out, that particular regard is had to certain key policies in the Framework related to directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

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

Prior to the publication of the revised NPPF, the Council was already in a position where it was unable to demonstrate the requisite housing land supply, and the 'tilted balance' was for many applications, engaged. The same implications for determining this application, therefore, continue to apply.

However, the changes introduced within the revised NPPF (December 2024) mean that the Council now has a substantial shortfall in its housing land supply position (being 2.03 years when tested against the 5-year requirement), and it is necessary to alter and elevate the weight to be given to housing supply as part of assessing applications for residential development.

This means balancing the strengthened need to boost housing supply against any adverse impacts of the proposal, when considered against the adopted development plan and NPPF as a whole, and any material considerations on a case-by-case basis.

When Wiltshire Council was last in deficit in the summer of 2023, a briefing note/action plan was produced (No. 22-09) which outlined how the Council would work towards restoring its 5-year housing land supply requirement (which applied at the time) in the face of the acknowledged shortfall.

There has not yet been an updated action plan and as such, officers maintain that the 2023 version should be given significant material weight in terms of setting out the Council's commitment to addressing the housing supply shortfall until such time that either an updated housing land statement concludes the Council can demonstrate an NPPF compliant HLS or, the relevant policies in the emerging WLP can be afforded significant weight and its site allocations (in addition to pre-existing commitments and windfall calculations) can fulfil the housing supply requirements for the County (which would firstly require a planning inspector to find it sound as part of the examination process).

We have not reached that stage and as such, officers will look to support new housing development on unallocated sites when justified and in accordance with NPPF paragraph 11.

The third bullet point set out within paragraph 6.1 of the 2023 published action plan set out very clearly that:

“The Council will positively consider speculative applications where there are no major policy obstacles material to the decision other than the site being outside the settlement boundaries or unallocated”.

It is, therefore, required to give limited weight to the settlement boundary within the planning balance. The remainder of this report will then assess the other material planning considerations to assess the application's compliance.

Calne is well advanced in its creation of a new neighbourhood plan, which has been examined by an inspector. The plan will go to a public referendum on the 27th of February 2025. This does give the plan a level of weight even though it is not yet made, however, the plan does not include new site allocations and does not trigger paragraph 14 of the NPPF. As such it is considered that the status of the emerging neighbourhood plan does not alter the recommendations of this report.

10.2 Character & Design:

Core Policy 57 states that new development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality. The Wiltshire Design Guide and the Design Guideline and Codes within Draft Calne Community Neighbourhood Plan seek to promote a high standard of design within new development which respects local character.

Good design helps to provide a sense of place, creates or reinforces local distinctiveness, and promotes community cohesiveness and social wellbeing; The layout and design of new developments must also be based on a thorough understanding of the site itself and its wider context, and seek to maximise the benefits of the site's characteristics. This will require careful consideration of the site layout. No two sites share the same landscapes, contours, relationship with surrounding buildings, street patterns and features. The proximity of poor quality or indistinct development is not a justification for standard or poor design solutions. New development should integrate into its surroundings whilst seeking to enhance the overall character of the locality; A high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings.

In this instance, it is considered that the proposed detached houses are of a similar design to those of 277, 277a and 279, to which they will be adjacent. The materials detailed for the construction are also noted to match those of the neighbouring dwellings using tumble country stone walls with quoins and slate roofs. The proposed dwellings also include solar panels and ecological enhancement features such as integrated bat boxes. The character is, therefore, considered to strongly match those of the neighbouring dwellings and will connect to the existing infrastructure. The properties are concealed from the main road by being behind numbers 271-275. It is considered that the proposals will have a very limited impact on the street scene. The public right of way, CLAN21, will pass immediately to the east of the site along the access road leading to these properties and then on past towards Common Farmhouse. This driveway is tree-lined, however, views are free and clear between the trees. The proposed dwellings will be in full view from this public footpath, however, it is

considered than given the existence numbers 277, 277a and 279 the addition of two dwellings of similar style within the obvious gap along the formed road would not appear incongruous or out of context.

The character and design of the proposed dwellings are considered to be in keeping with the immediate surroundings and would not cause harm to the street scene.

10.3 Landscape:

The previous application was largely refused due to its impact on the landscape where significant harm was considered by the planning inspector at the time. Wiltshire's Landscape officers were not consulted on the previous application. The Landscape officer has made significant comments on this application which have been included in this report verbatim.

It is considered that the application site is located directly behind and next to existing properties with tarmac roads immediately to the south and separated by the tree line to the east. In itself, the site is bracketed by development and whilst the farmhouse is some distance to the rear, it is clearly visible when standing to the front of the site. The trees lining the driveway/public footpath further enclose the site and remove it from the wider landscape limiting the impacts of this development from harming the wider landscape.

As commented upon by the Landscape Officer, mitigation measures are proposed within the application and can be conditioned as part of any approval decision. The proposals also include biodiversity net gains, in line with government legislation which will further enhance the area to the rear of the dwellings enhancing the buffer between the built form and the public footpath that runs to the north of the site near Common Farmhouse.

Overall, as per the detailed comments of the Landscape Officer, it is considered that the proposals do not cause significant harm to the landscape and would not have any tangible effect on the designated National Landscape over 1000m away, double the distance of the buffer surrounding the National Landscape.

10.4 Neighbouring Amenities:

WCS policy CP57 (Ensuring High Quality Design & Space Shaping) requires that development should ensure the impact on the amenities of existing occupants/neighbours is acceptable and ensuring that appropriate levels of amenity are achievable within the development itself. The NPPF includes that planning should "always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings". Residential amenity is affected by significant changes to the environment including privacy, outlook, daylight and sunlight, and living areas within private gardens and this, therefore, needs to be carefully considered accordingly.

In this instance, comments have been raised by some commentators that the proposed buildings will have a detrimental effect on privacy and the enjoyment of designated amenity spaces. It is noted that the closest point of the built form of these dwellings includes the living rooms on the ground floor and the third

bedrooms at the first-floor level. This forward protrusion is measured to be circa 15m from the rearmost boundaries of numbers 271,273 and 277. The closest built form appears to be number 277 and that measures circa 45m away. The properties lining the A4 are part of linear form housing which has always been subject to a level of interrelationship with views possible from neighbouring houses over each other. This level of overlooking is considered to be acceptable and is from a much closer vantage than that of the proposed dwellings, it is also considered that people rarely linger at bedroom windows and as such any additional overlooking from these windows is considered to cause no further harm than already exists within these amenity spaces and as such would not warrant a refusal of planning permission.

10.5 Ecology & Biodiversity:

Biodiversity net gain is a mandatory requirement under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to a pre-commencement condition that the development delivers at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the on site habitat.

Core policy 50 of the WCS, which has to an extent been superseded by bng, states Development proposals must demonstrate how they protect features of nature conservation and geological value as part of the design rationale. There is an expectation that such features shall be retained, buffered, and managed favourably in order to maintain their ecological value, connectivity and functionality in the long-term. Where it has been demonstrated that such features cannot be retained, removal or damage shall only be acceptable in circumstances where the anticipated ecological impacts have been mitigated as far as possible and appropriate compensatory measures can be secured to ensure no net loss of the local biodiversity resource, and secure the integrity of local ecological networks and provision of ecosystem services.

All development proposals shall incorporate appropriate measures to avoid and reduce disturbance of sensitive wildlife species and habitats throughout the lifetime of the development.

The proposal clearly exceeds the requirements of CP50 including significant enhancements which have satisfied the ecology officer who offers no objection subject to conditions.

10.6 Highways:

Concerns have been raised by some respondents in relation to the access being dangerous, however, the access has been assessed by the highways team and found to be acceptable and the comments appear to reference dangerous use rather than a failing with the access. Such issues are covered by alternative legislation and are therefore not relevant to the planning application. Flooding has also been mentioned by parties as a concern. The site is in flood zone one so needs no flood risk assessment and the drainage team has requested

conditions which will fully assess and control any potential issues that could arise from the proposals.

Many comments have cited the previous refusals on the site and stated this application should have been dismissed out of hand. Whilst there are options within the planning process which allow such actions the applications must be the same and this application is not identical to the previous. The planning landscape has also changed, when the previous application was considered, Wiltshire Council was capable of presenting an acceptable housing land supply, this is no longer the case and the shortfall is considerable.

10.7 Public Benefit:

Whilst the proposal is only for two dwellings there are still considered some levels of public benefit associated. Should the application be approved, two dwellings would, however slightly, go towards the deemed shortfall of housing within Wiltshire. There are employment and economic benefits linked to the proposal as people will be employed to build the houses, those employees will then have monies to spend within the economy both local and national and once completed, the future residents will make use of the facilities and businesses contained within the local area. The proposal will be subject to the community infrastructure levy which will lead to more monies available for services within the local area as well as ongoing council tax payments which further improve/fund local facilities. As stated whilst these benefits will undoubtedly be minor, they will be benefits nonetheless and must be added to the planning balance in favour of the application.

11. Planning Balance and Conclusion:

It has been determined that the development would conflict with the development plan in principle. Notwithstanding this conflict, the planning policies governing the supply of housing are to be considered out of date. Development, according to Paragraph 11d) of the NPPF, should therefore be approved unless:

- “i. the application of policies in [the] Framework that protect areas or assets of particular importance provides a clear 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.”

Whilst previous applications have been refused both when in a tilted balance situation and when not, material considerations in those cases were found and those applications were subsequently refused.

Considering the development against Paragraph 11d) ii., it is necessary to carry out a balancing exercise to determine whether the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits.

In this case, significant weight must be given to the benefits of adding to the housing supply. Significant weight should also be given to the fact that it is a small site which could be delivered relatively rapidly, and small sites are essential

for small to medium enterprise builders in accordance with paragraph 73 of the NPPF.

Positive weight must also be given to the benefits of vitality and supporting local services both during and post-development in accordance with paragraph 83 of the NPPF.

Positive to significant weight should be given to the Ecological and biodiversity improvements included within the application which would be secured via conditions on any permission.

Significant weight should still be given to the deviation from the policies of the Wiltshire Core Strategy, however, the application site is adjacent to the settlement and is, therefore, considered not to be an egregious breach of policy.

The application site is considered to conform with Core Policies 41, 45, 50, 51, 57, 61 and 62. The application also conforms with the Wiltshire Design Guide and the National Design Guide and the Wiltshire Local Transport Plan. Complying with these policies and policy documents should all be given significant weight.

The proposals, technically, do not conform with core policy 60 (Sustainable Transport) as the site is outside the settlement boundary. Similarly, to Core Policy 1, 2 and 8 this breach is considered to be non-egregious as the site is adjacent to the settlement boundary.

As stated earlier in this report, "The Council will positively consider speculative applications where there are no major policy obstacles material to the decision other than the site being outside the settlement boundaries or unallocated"

On balance it is, therefore, considered that whilst the site is outside of any settlement boundary all other material considerations are not considered to cause harm with some offering clear benefits. The only major policy obstacle, therefore, would be the site being outside the settlement boundary and not being an allocated site. Due to the tilted balance engaged by paragraph 11d of the NPPF, it is concluded that the application would make a contribution to the considerable housing shortfall without causing significant material harm to other policies within the local plan. It is, therefore, recommended that planning permission be approved subject to conditions

RECOMMENDATION:

Approve subject to the following conditions.

Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Application Form & Certificate Received 21st October 2024

Plans Ref:

Location & Site Plan DWG: 2338.03.01 Rev D Received 21st October 2024

Proposed Site Plan DWG: 2338.03.02. Rev B Received 21st October 2024

Plot 1 - Proposed North & East elevations DWG: 2338.03.07 Rev C Received 21st October 2024

Plot 1 - Proposed South & West elevations DWG: 2338.03.06 Rev C Received 21st October 2024

Plot 1 Ground Floor Plan DWG: 2338.03.03 Rev B Received 21st October 2024

Plot 1 First Floor Plan DWG: 2338.03.04 Rev B Received 21st October 2024

Plot 2 - Proposed North & East elevations DWG: 2338.03.12 Rev C Received 21st October 2024

Plot 2 - Proposed South & West elevations DWG: 2338.03.11 Rev C Received 21st October 2024

Plot 2 Ground Floor Plan DWG: 2338.03.08 Rev B Received 21st October 2024

Plot 2 First Floor Plan DWG: 2338.03.09 Rev B Received 21st October 2024

Landscape & Visual Appraisal Received 21st October 2024

Highways statement - TN - Issue 2 with Enclosures Received 21st October 2024

REASON: For the avoidance of doubt and in the interests of proper planning.

3. The development will be carried out in strict accordance with the following documents:
 - Ecological Appraisal. September 2024. Malford Environmental Consulting;
 - Location and Site Plan 2338.03.01 Rev D. January 2023. Concept Drawing and Design Services;
 - Small Sites Metric. September 2024. Completed by Ecologist Dr Stephen Dangerfield.

REASON: For the avoidance of doubt and for the protection, mitigation and enhancement of biodiversity.

4. No development shall commence on site until details of secure covered cycle parking have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall accord with dimensions, access, location, design and security principles laid out in Appendix 4 of Wiltshire's LTP3 Cycling Strategy. These facilities shall thereafter be provided in accordance with the

approved details and made available for use prior to the first occupation of the development hereby permitted and shall always be retained for use thereafter.

REASON: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car.

5. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as stated on the approved plans.

REASON: In the interests of visual amenity and the character and appearance of the area.

6. No new external artificial lighting shall be installed at the site unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of conserving biodiversity.

7. No development shall commence within the area indicated by application PL/2024/09508 until:

a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and

b) The approved programme of archaeological work has been carried out in accordance with the approved details.

REASON: To enable the recording of any matters of archaeological interest.

8. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use/first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

9. No development shall commence on site until details of secure covered cycle parking have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall accord with dimensions, access, location, design and security principles laid out in Appendix 4 of Wiltshire's LTP3 Cycling Strategy. These facilities shall thereafter be provided in accordance with the approved details and made available for use prior to the first occupation of the development hereby permitted and shall always be retained for use thereafter.

REASON: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car.

10. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority before the commencement of the development. The content of the LEMP shall include, but not necessarily be limited to, the following information:
 - a) Description and evaluation of features to be managed;
 - b) Landscape and ecological trends and constraints on site that might influence management;
 - c) Aims and objectives of management;
 - d) Appropriate management options for achieving aims and objectives;
 - e) Prescriptions for management actions;
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over an (X) year period;
 - g) Details of the body or organisation responsible for implementation of the plan;
 - h) Ongoing monitoring and remedial measures;
 - i) Details of how the aims and objectives of the LEMP will be communicated to future occupiers of the development.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body/ies responsible for its delivery.

The plan shall also set out (where the results from monitoring show that the conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented.

The LEMP shall be implemented in full in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure adequate protection, mitigation and compensation for the enhancement of biodiversity.

Informatives:

1. Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.
2. The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the

size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

3. The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

4. The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website <https://www.wiltshire.gov.uk/dmcommunityinfrastructurelevy>.
5. Any proposals should be designed in accordance with the Non-statutory Technical Standards for Sustainable Drainage Systems and the latest SuDS Manual (C753).

All new drainage will need to comply with Building Regulations Part H.

The applicant is required to demonstrate that soakaways (if proposed) have been sited the appropriate distance from any building, road or structure foundations in line with CIRIA C574 and Wiltshire Guidance.

6. The adults, young, eggs and nests of all species of birds are protected by the Wildlife and Countryside Act 1981 (as amended) while they are breeding. Please be advised that works should not take place that will harm nesting birds from March to August inclusive. All British birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 while birds are nesting, building nests and sitting on eggs. The applicant is advised to check any structure or vegetation capable of supporting breeding birds and delay removing or altering such features until after young birds have fledged. Damage to extensive areas that could contain nests/breeding birds should be undertaken outside the breeding season. This season is usually taken to be the period between 1st March and 31st August but some species are known to breed outside these limits.

7. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition”) that development may not begin unless:
 - (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
 - (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Wiltshire Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. For further information on exempt developments please refer to:

<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.