

Planning, Design and Access Statement (Incorporating Heritage, Highways)

for

A New Home

on

Land at Birdbush Park, Birdbush, Wiltshire

"Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, are essential for and Medium Enterprise housebuilders to deliver new homes, and are often built-out relatively quickly"

(NPPF ¶73)

In rural areas, planning [...] decisions should be responsive to local circumstances

(NPPF ¶82)

To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.

(NPPF ¶83)



Lone Wolf Planning Ltd.

Company No. 15897389. Registered office: Leanne House, 6 Avon Close, Weymouth, Dorset, England, DT4 9UX

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1. Introduction

- 1.1 Lone Wolf Planning Ltd. is pleased to submit this planning application for the erection of a new home in Birdbush, Wiltshire. The proposal is one of infill within the existing built area.
- 1.2 Birdbush is a hamlet in the Tisbury Area of Wiltshire, surrounded by a range of Large and Small Villages. The NPPF is clear that *"to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby"*.
- 1.3 The Core Strategy takes a restrictive approach to housing in the countryside outside of settlement boundaries except in identified Small Villages where small amounts of infill within the existing built area is considered acceptable in principle. This policy approach has persisted since at least 1991.
- 1.4 Evidently, the plan-led approach in Wiltshire has failed to keep pace with housing need and demand and, in part, as a result of the policies of the local plans, the Council has very recently acknowledged¹ that it *"cannot demonstrate the requisite five-year housing land supply and can demonstrate a 2.03 years supply"*. It has subsequently claimed a 2.42 years supply, the veracity of which may not have been properly tested yet².
- 1.5 Therefore, the presumption in favour of sustainable development is engaged, the policies of the local plans that would have resisted development in this location are of significantly lessened weight and the benefits of contributing towards current housing supply deficiency and/or future housing land supply, on a site that the NPPF recognises³ is likely to be developed out quickly, should be given significant weight in favour.
- 1.6 The NPPF is also clear that *"significant weight should be given to development which reflects local design policies and government guidance on design"*⁴ which this proposal does.
- 1.7 Some 3.8km west of Birdbush is Shaftesbury. Whilst Shaftesbury is in North Dorset (and not Wiltshire) in that local plan area it is categorised as a Market Town. It would be irrational to 'disqualify' the site's relationship to Shaftesbury simply because it falls into a neighbouring local plan area.
- 1.8 The NPPF is clear that *"opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making"*⁵. Maximising opportunities in urban areas is a very different exercise and level of expectation to maximising opportunities in rural areas, and the two should be approached proportionately and differently.
- 1.9 The NPPF is also clear that sustainable transport modes include *"Any efficient, safe and accessible means of transport with overall low impact on the environment, including walking and cycling, ultra low and zero emission vehicles, car sharing and public transport"*. Therefore, in a context-appropriate manner, sustainable transport opportunities can be maximised in

¹ Wiltshire Council Briefing Note 24-20 dated 17th December 2024

² [Housing Land Supply Statement \(published June 2025\)](#)

³ NPPF paragraph 73

⁴ NPPF paragraph 139

⁵ NPPF paragraph 110



rural areas by conditioning the provision of domestic electric vehicle charging infrastructure.

- 1.10 This recognises that in rural areas the majority of travel will be done by the private car for many years yet to come, but that also by 2030 new sales of fossil fuels car will have been banned, and EV car ownership will be well on the way to the Governments transport decarbonisation goal of transitioning the bulk of the private transport 'fleet' to electric vehicles.
- 1.11 The Main Issues in this case will be:
- ✎ Status and effect of the development plan
 - ✎ Development plan compliance
 - ✎ Material considerations
 - ✎ Planning balance of harms and benefits whether flat or tilted

2. Description of the Proposal

- 2.1 This planning application is submitted in full; the applicant being conscious of the context and that the local community will be keen to understand the detail of the proposed dwelling.
- 2.2 The proposal is for one new dwelling of a vernacular and material palette that is complementary to the overriding character of development in eye-shot of the site:
- ✎ Stone or brick
 - ✎ Slate or plain tile
 - ✎ Few dormers



- 2.3 The proposed dwelling has been located at the rear of the plot.



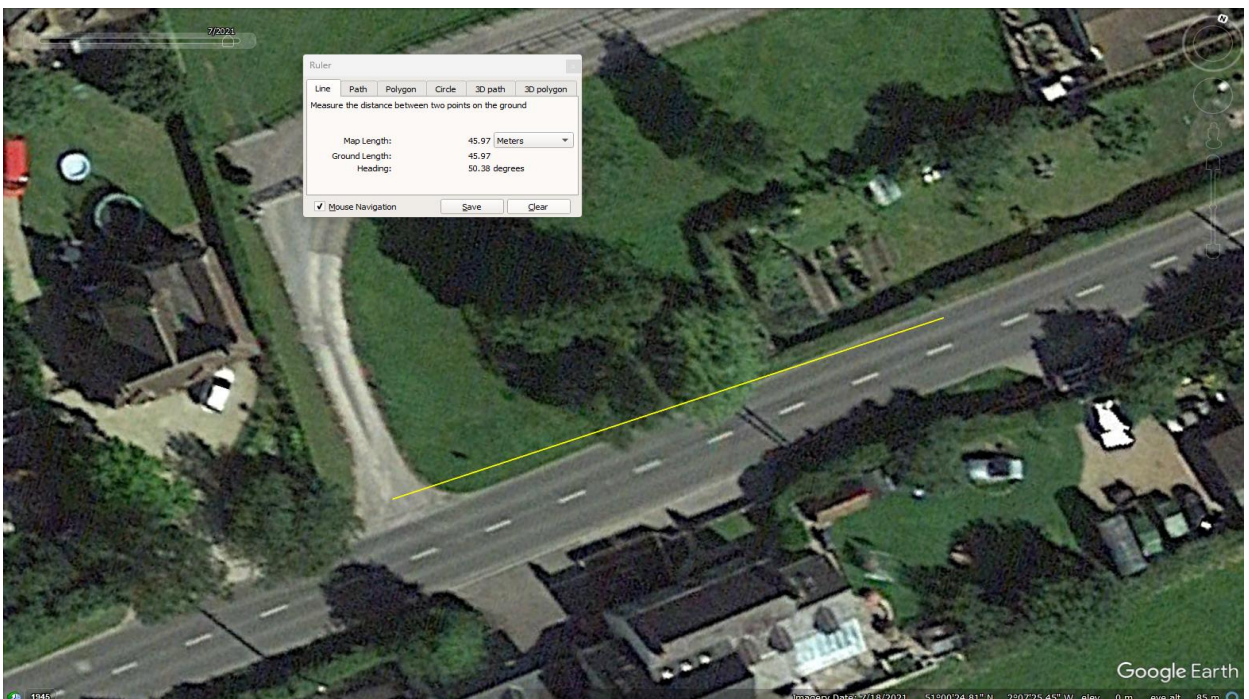
- 2.4 The design and materials take their cues from the nearby local vernacular, with the following local examples:



- 2.5 Access to the site is via the existing access to Birdbush Park. The photographs below show the visibility in both directions from a position 2.4m back from the highway edge:



- 2.6 The speed limit is 30mph. From the hard highway edge the visibility to the northeast (left) on exit is some 34m to the nearside edge, and 46m to the running carriageway:



- 2.7 From the running carriageway the visibility to the northeast (left) on exit is some 45m to the nearside edge, and 65m to the running carriageway.
- 2.8 The visibility to the southwest (right) on exit is some 34m to the nearside edge, and 50m to the running carriageway:



- 2.9 From the running carriageway the visibility to the northeast (left) on exit is some 45m to the nearside edge, and 72m to the running carriageway.

	To left nearside	To left running carriageway	To right nearside	To right running carriageway
From 2.4m back from carriageway edge	34	46	45	65
From 2.4m back from running carriageway	34	50	45	72

- 2.10 The Government's Crasmap website records a zero-accident history for the last 25 years worth of available records at the location of the site access:

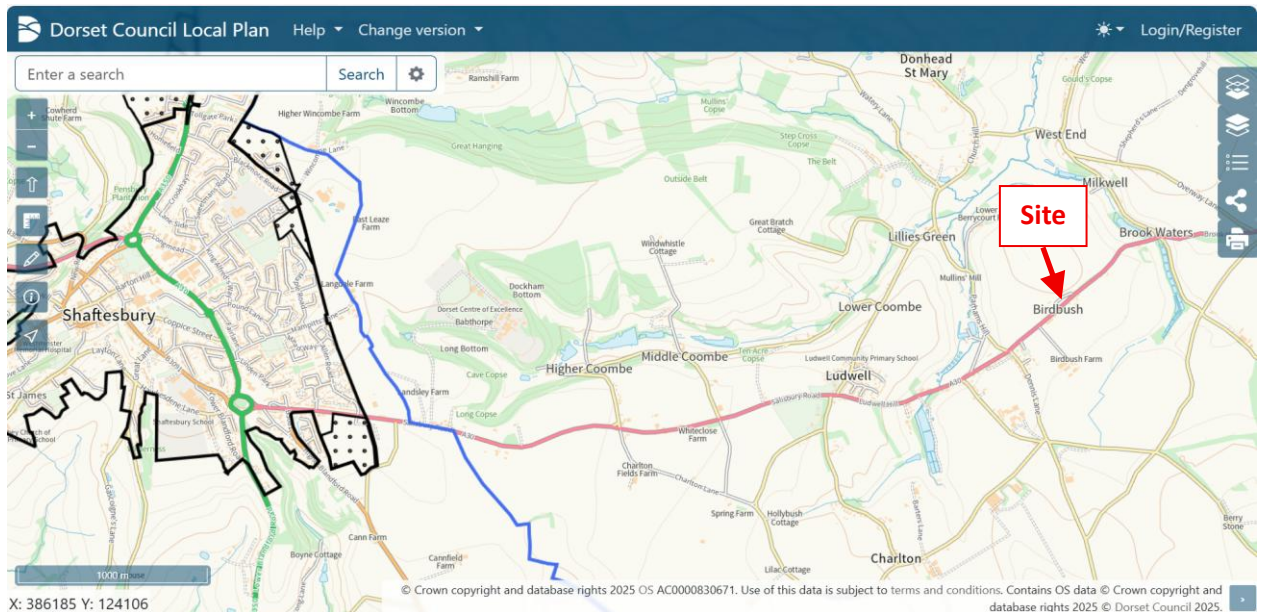


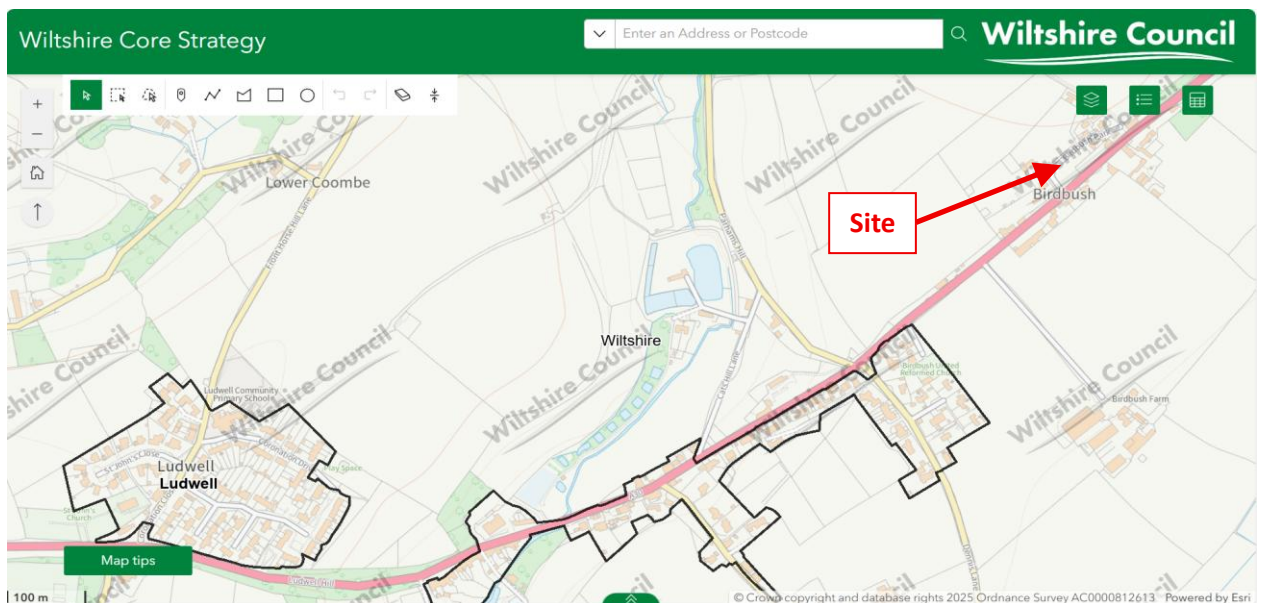
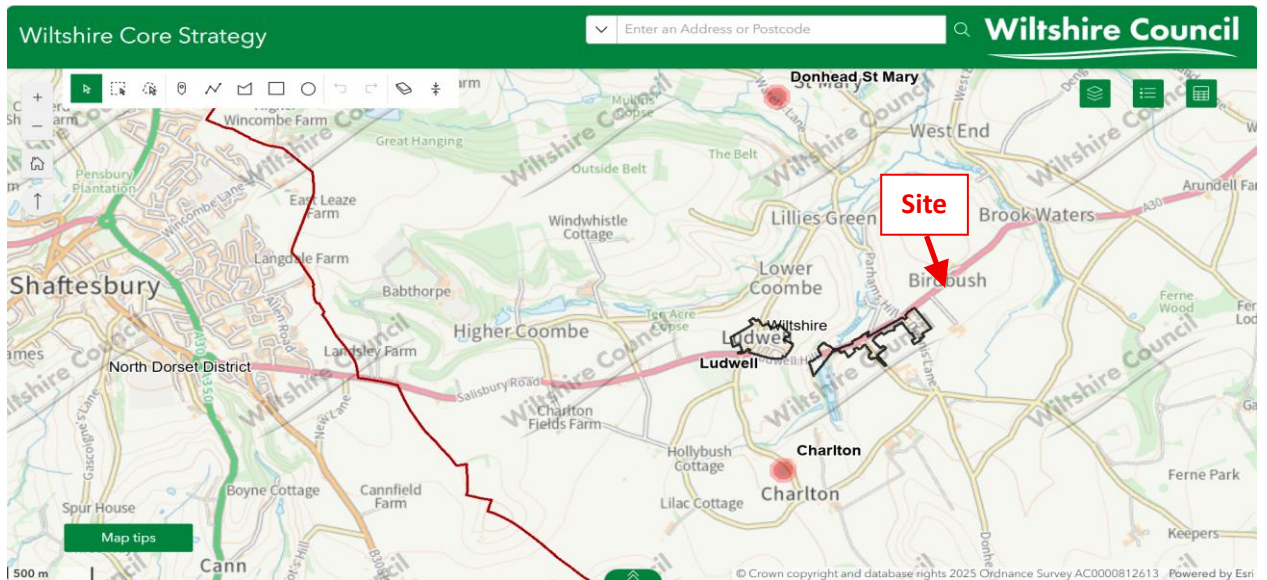


2.11 The site access is therefore considered both safe and suitable in relation to NPPF policy.

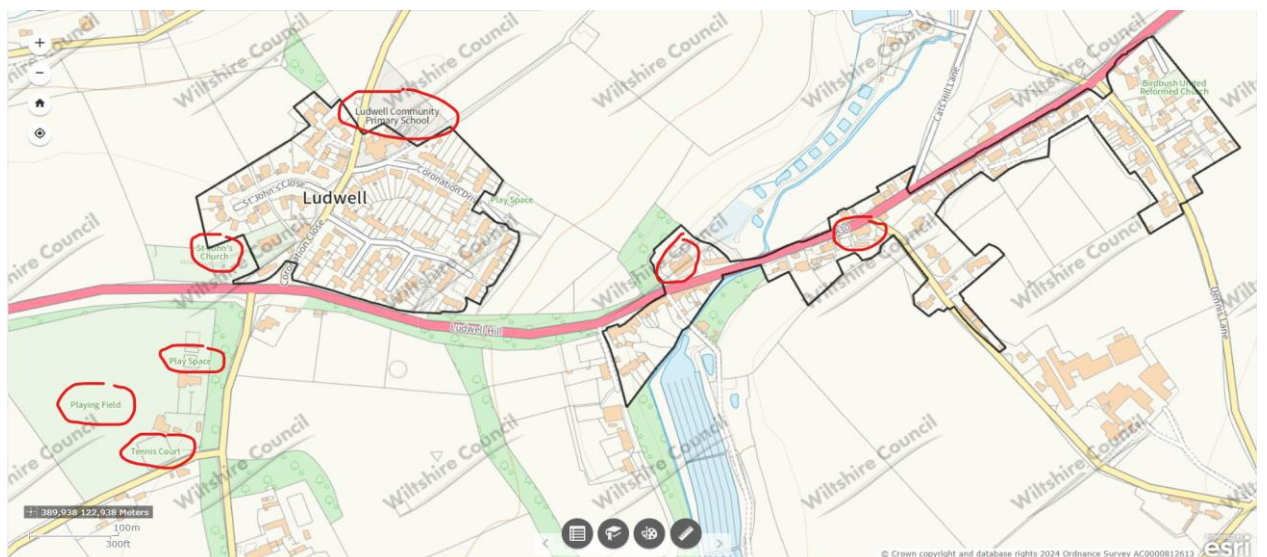
3. Description of the Site and Location

- 3.1 Birdbush is located some 4km east of Shaftesbury, and some 600m from the village of Ludwell. Shaftesbury is categorised as a 'town' in the North Dorset local plan area).
- 3.2 Residents of Birdbush look to Ludwell for its local services and facilities, and Shaftesbury beyond for its greater offering.





3.3 Ludwell is a village on the A30 Salisbury to Shaftesbury Road, and is inside the Cranborne Chase AONB/NL. The site is located east of the settlement boundaries of Ludwell.



3.4 Some 640m to the west of the site is the Post Office Stores, Post Box and Village Noticeboard:



3.5 The village butchers shop is some 680m to the west of the site:



3.6 Some 960m to the west is the village farm shop:



3.7 Some 840m west of the site is the village public house:



3.8 Adjacent to the village pub is the bus stop offering services to Shaftesbury and Salisbury Monday to Saturday:



3.9 There is a nearer bus stop, in the eastward direction, some 280m west of the site:



3.10 There is a nearer bus stop, in the westward (Shaftesbury) direction, some 250m west of the



site:



3.11 These local bus stops are not linked to nearby homes by pavements, users of the bus stops walk in the road, and this is safe because this part of the Shaftesbury Road is 30mph.

3.12 In Ludwell there is St John's Church and the primary school:



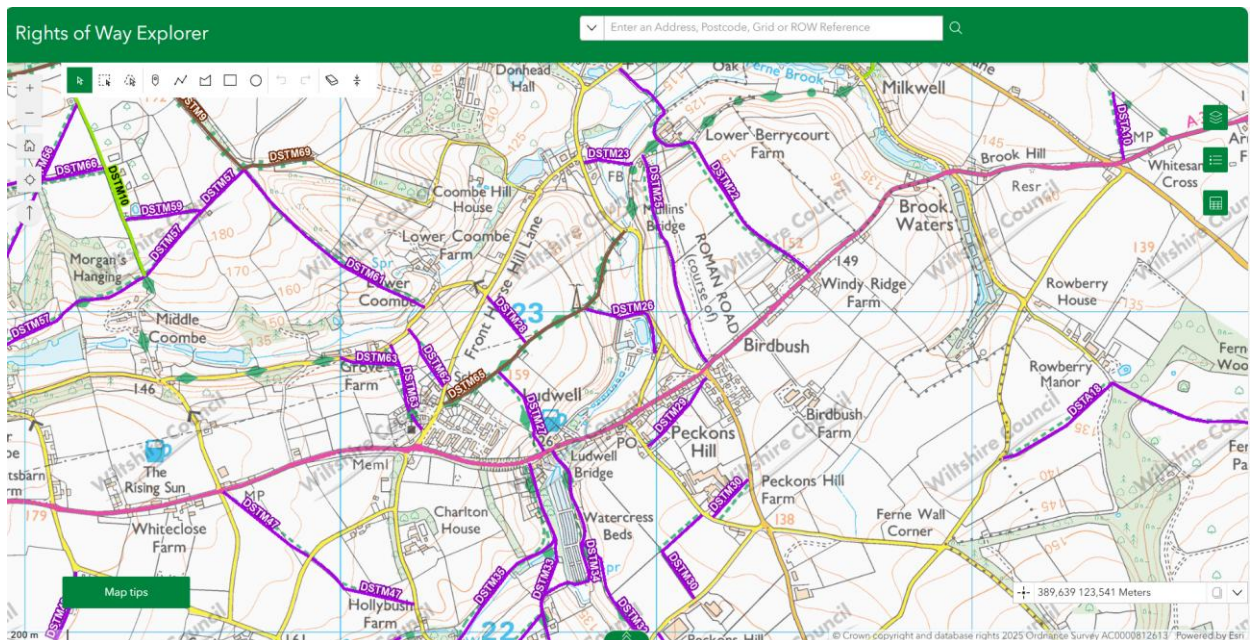


3.13 Also in the village is the Donhead Sports Club and Village Hall:





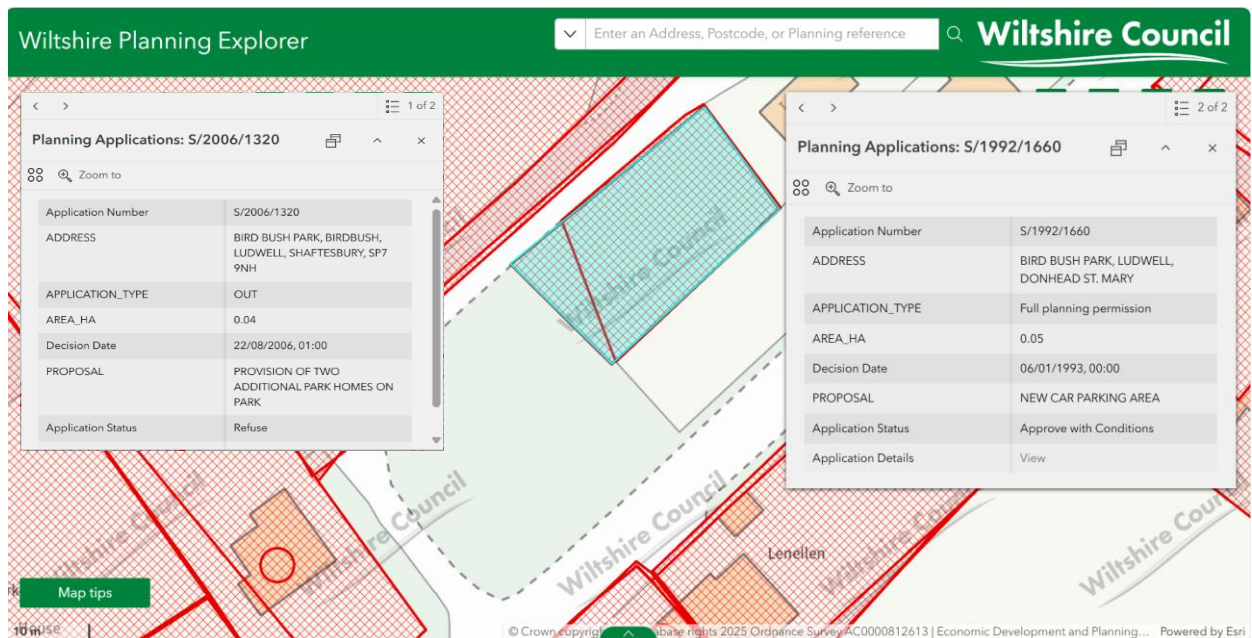
- 3.14 To the west of the site is the public footpath network providing leisure opportunities onto the Wessex Ridgeway and the Hardy Way north and south; both promoted long distance walking routes:



4. Planning History

- 4.1 The site-specific planning history includes the following records:





5. Development Plan Policy Context

- 5.1 Planning law is clear that decisions on planning applications should be made in the context of the development plan, unless material considerations indicate otherwise.
- 5.2 It is 2025, and in this case the development plan consists of:
 - 🦊 Saved Policies of the 2011 Salisbury District Local Plan
 - 🦊 Wiltshire Core Strategy 2015
- 5.3 The Council's 17th December 2024 briefing note states:

"The changes introduced on 12 December 2024 mean that the council now has a substantial shortfall in its housing land supply position (2.03 years). This alters the weight to give to housing supply when giving consideration to planning applications for residential development. This means balancing the strengthened need to boost housing supply against any adverse impacts of the proposal, considered against the development plan as whole, and any material considerations on a case-by-case basis. This will need to include consideration of what weight to assign to the most important policies."

- 5.4 Regarding the weight to be given to the most important policies, a recent report to planning committee⁶ stated:

⁶ Planning committee report to Western Area Planning Committee dated 5th February 2025 [\[Public Pack\]Agenda Document for Western Area Planning Committee, 05/02/2025 15:00](#)



"In accordance with the NPPF December 2024, a 5-year supply of housing land is required to be demonstrated by LPAs. At the present time, the Council has a 2.03 year supply. This represents a significant shortfall and as such the relevant housing delivery policies of the Core Strategy must be considered out-of-date and attract very limited weight."

And

"Significant weight is attributed to the delivery of market housing given the shortfall"

5.5 The fact the Council more recently claims a 2.42 year supply does not change the diminished weight to be given to the development plan.

5.6 In addition to the considerations about status and weight above, the policies of the Core Strategy are, by their nature, strategic.

5.7 The NPPF is very clear on the approach taken to decision making with strategic policies, in comparison to development management or neighbourhood plan policies:

"20. Strategic policies should set out an overall strategy for the pattern, scale and design quality of places [...]"

*21. Plans should make explicit which policies are strategic policies¹³. These should be **limited to those necessary to address the strategic priorities of the area** (and any relevant cross-boundary issues), to provide a clear starting point for any non-strategic policies that are needed. **Strategic policies should not extend to detailed matters that are more appropriately dealt with through neighbourhood plans or other non-strategic policies.** [...]"*

*29. **Non-strategic policies should be used by local planning authorities and communities to set out more detailed policies for specific areas, neighbourhoods or types of development. This can include allocating sites, the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment and setting out other development management policies.**"*

5.8 The following strategic development plan policies are considered potentially relevant to decision making, but the weight to be given to them must be held in the context of the significant lack of a 5 year housing land supply and the tilted balance:

- 🐾 Core Policy 1 Settlement Strategy
- 🐾 Core Policy 2 Delivery Strategy
- 🐾 Core Policy 27 Spatial Strategy for the Tisbury Community Area
- 🐾 Core Policy 45 Meeting Wiltshire's Housing Needs
- 🐾 Core Policy 48 Supporting Rural Life
- 🐾 Core Policy 50 Biodiversity
- 🐾 Core Policy 51 Landscape
- 🐾 Core Policy 56 Contaminated Land
- 🐾 Core Policy 57 Ensuring High Quality Design and Place Shaping
- 🐾 Core Policy 58 Ensuring the Conservation of the Historic Environment



- 🐾 Core Policy 60 Sustainable Transport
- 🐾 Core Policy 61 Transport and Development
- 🐾 Core Policy 67 Flood Risk

5.9 **Core Policy 1** concerns the local planning authority's settlement strategy. The weight to be given to the policy is "very limited". Indeed, it is arguable to say that the Council's settlement strategy has not prevented the housing supply shortfall from occurring.

5.10 Ludwell is to 'go to' for the residents of Birdbush for its local services and facilities. Ludwell is a Large Village in the Core Strategy. The Policy states:

*"Large Villages are defined as settlements with a limited range of employment, services and facilities. Small Villages have a low level of services and facilities, and few employment opportunities. Development at Large and Small Villages will be limited to that needed **to help meet the housing needs of settlements** and to improve employment opportunities, services and facilities."*

5.11 **Core Policy 2** concerns the Delivery Strategy. The policy states:

"Other than in circumstances as permitted by other policies within this plan, identified in paragraph 4.25, development will not be permitted outside the limits of development, as defined on the policies map."

5.12 Paragraph 4.25 includes Core Policy CP48 Supporting Rural Life. This planning application will help meet the rural housing needs of the Tisbury Community Area. The NPPF is clear on the approach to rural housing:

"82. In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs"

"83. To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities [...] Where there are groups of smaller settlements, development in one village may support services in a village nearby"

5.13 The restrictive elements of Core Policy 2 are of "very limited" weight.

5.14 **Core Policy 27** sets the spatial strategy for the Tisbury Area. It confirms that nearby Ludwell is a Large Village.

5.15 The policy sets housing requirement figures for the period 2006 to 2026, but those figures need to be held in the context of the housing supply shortfall. The policy goes on to say that *"Development proposals in the Tisbury Community Area will need to demonstrate how the relevant issues and considerations listed in paragraph 5.146 will be addressed"*.

5.16 Not all the matters set out in local plan paragraph 5.146 are relevant. Those that are include:

"all development within the Community Area will need to conserve the designated landscape of Cranborne Chase and West Wiltshire Downs AONB and its setting, and where possible enhance its locally distinctive characteristics. All development will be required to maintain the integrity of the Chilmark Quarries Special Area of Conservation, having particular regard to the Wiltshire Bats SAC guidance"

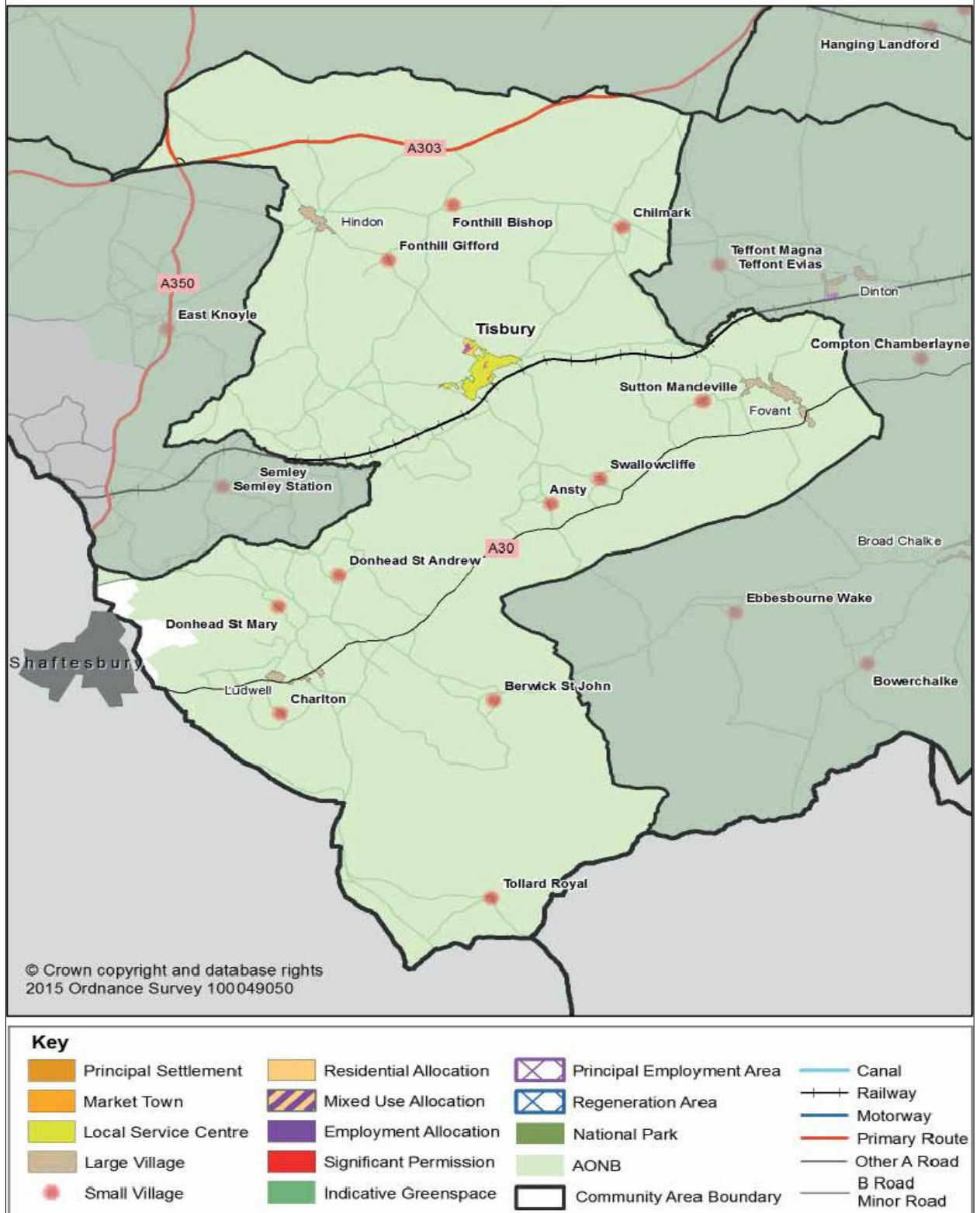
"the Tisbury Parish Plan (page 6) identifies that there is a major concern about insufficient parking being available in the area of the station as the number of rail users from outlying



areas continues to increase. The scope and need for further station parking, particularly on the Station Works site and fields adjacent to the South Western Hotel, should be examined to address this."

- 5.17 A development of one new dwelling, within the fold of the hamlet, is highly unlikely to prejudice the AONB. The development includes parking.

Figure 5.18 Tisbury Community Area



- 5.18 **Core Policy 45** addresses meeting Wiltshire's Housing Needs. The policy is of very limited weight. This scheme will contribute to Wiltshire's "*substantial shortfall in its housing land supply*" in a location which can easily be assessed as sustainable in the rural sense.
- 5.19 **Core Policy 48** concerns Supporting Rural Life and provides a range of circumstances for when rural housing is acceptable. The restrictive elements of the policy are of very limited weight bearing in mind the "*substantial*" housing supply shortfall.
- 5.20 **Core Policy 50** concerns biodiversity. The following ecological reports and surveys have been acquired:
- 🐾 Preliminary ecological survey and report
 - 🐾 Biodiversity net gain assessment
- 5.21 The PEA concludes that:
- "No further surveys are deemed necessary to inform the proposed planning application."
- 5.22 The biodiversity net gain assessment has concluded that the BNG exceeds the 10% statutory requirement.
- 5.23 It is proposed to purchase the requisite units from Envirobank's Wiltshire Habitat Bank and this requirement should be conditioned.
- 5.24 The policy requires all development proposals to incorporate mitigation measures and the PEA provides advice on enhancement measures which should be secured by planning condition. Biodiversity enhancements are possible onsite. BNG credits are required to meet that requirement.
- 5.25 **Core Policy 51** concerns landscape. It requires development to protect and conserve landscape. This scheme will not adversely affect the landscape. This scheme cannot reasonably be categorised as 'major development' in the AONB/NL.
- 5.26 The scheme occupies a site that is well related to neighbouring development, and it is not an important gap in the street scene. We find no conflict with this policy because matters concerned with development in the countryside are contained within policies on settlement strategy where a harms and benefits balance is necessary.
- 5.27 **Core Policy 56** concerns contaminated land. There is no recent planning history that indicates that the land is at risk of being contaminated. This matter can be conditioned.
- 5.28 **Core Policy 57** sets the strategic design criteria for development across the plan area. It requires development to be of a high standard, and to create a strong sense of place through drawing on the local context. This scheme takes its design-lead from the local vernacular, with all design elements and materials coming from local buildings in eye-shot of the site.
- 5.29 We respond as follows to the policy criteria:
- i. The scheme responds to the existing pattern of development where some properties front the road, and some are set back.
 - ii. The site hosts a few trees but does very little for biodiversity. Ecological mitigation and enhancement measures are proposed, and offsite BNG credits will be purchased that will allow for a more meaningful BNG outcome from this small site than onsite BNG would.



- iii. The local pattern of development is for homes fronting the street, sitting side on, or being set back. The proposed dwelling fits comfortably within the range of plot sizes, building heights, masses, scales etc. in Birdbush. The proposed materials take their cues directly from neighbouring development.
- iv. There are no historic buildings or landscapes that require conserving in this case.
- v. The new dwelling will be built to modern building standards and will conform to the requirements for sustainable construction.
- vi. The proposal makes efficient use of the land and takes account of the local vernacular without compromising on either. The scheme will relate to positively to its neighbours.
- vii. The new development will not introduce any new neighbouring use which doesn't already exist. The pub is used to having residential neighbours. This scheme will not be an agent for change, and will not exert any undue influence on the operation of the pub that does not already exist locally.
- viii. The scheme will increase and improve natural surveillance of the area, but be defensible of its own boundaries without causing visual harm to the street scene.
- ix. This criterion is not relevant, there are no public realm spaces within the development.
- x. This criterion is not relevant, there is no advertisement or signage relevant to the development.
- xi. The scheme has been laid out, comparably with neighbouring dwellings, to provide amenity space and access to parking.
- xii. The scheme proposes high quality building materials to complement the local vernacular.
- xiii. This criterion is not relevant, this is not a major development.
- xiv. The scheme is within a short walk of local bus stops within a 30mph area and other local facilities and services in nearby Ludwell, and short drive time to Shaftesbury or Salisbury when needed.

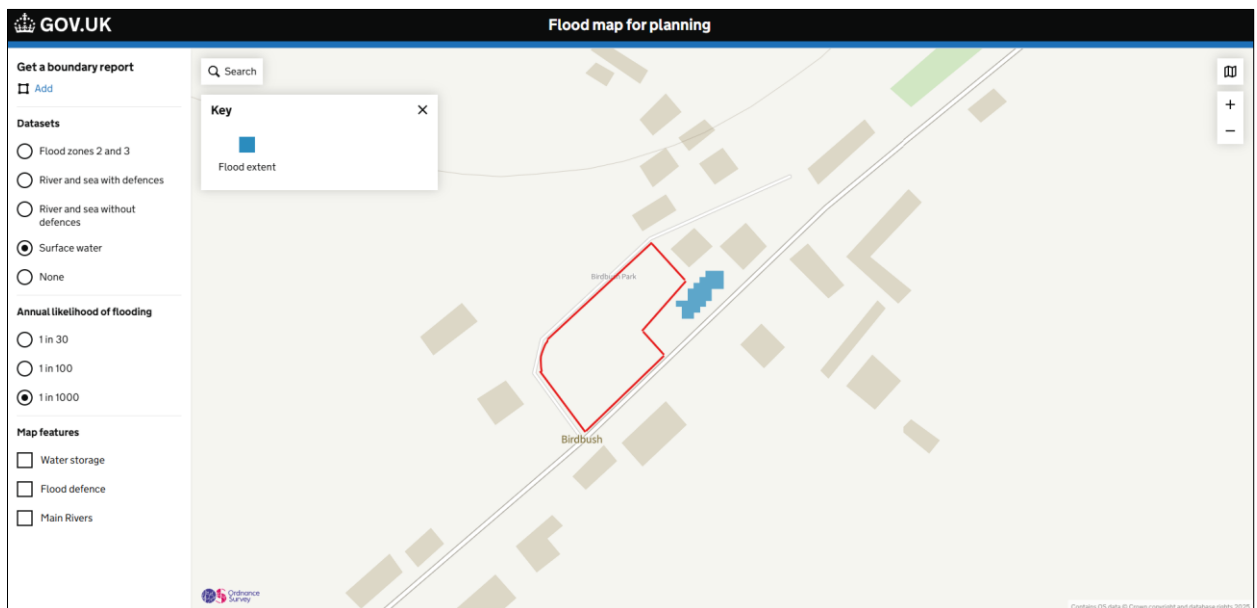
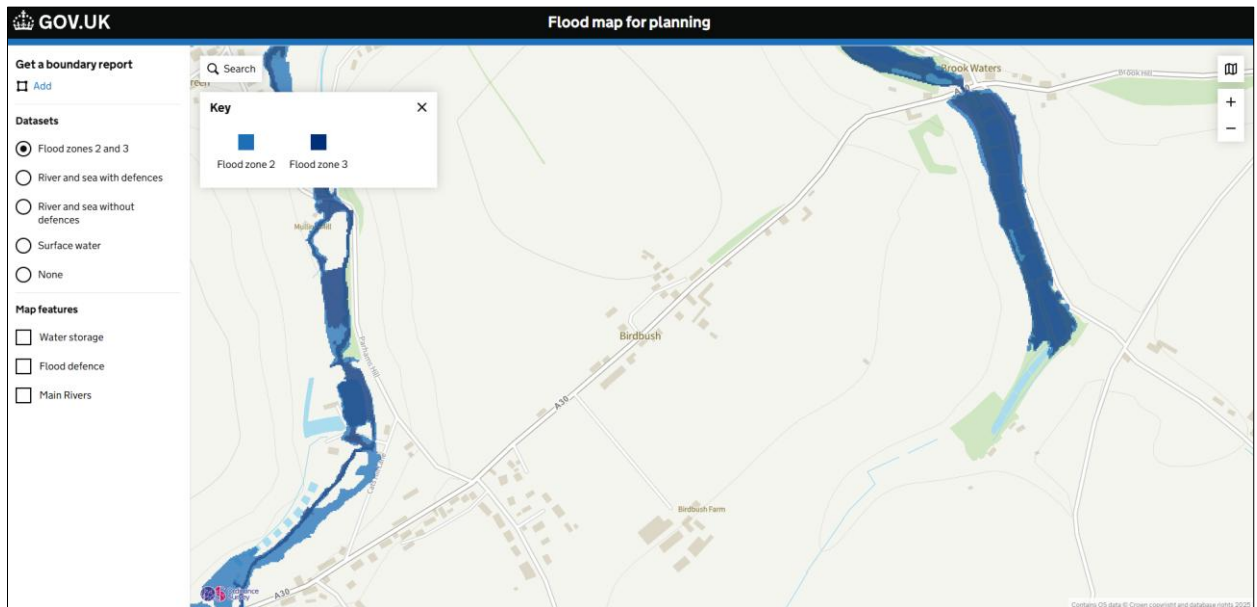
5.30 **Core Policy 58** covers ensuring the conservation of the historic environment. Change in the historic environment is not necessarily detrimental provided it is carried out sensitively. There are no listed buildings and no conservation area in Birdbush. This scheme protects and conserves the setting and character of this part of Birdbush. The site does not occupy an important space or vista. The sense of local character and identity will not be prejudiced, ensuring that the policy is complied with.

5.31 **Core Policy 60** relates to sustainable transport. **Core Policy 61** relates to transport and new development. The site is located in a short walk of a bus stop with services to Shaftesbury and Salisbury. The scheme can be made more sustainable in planning terms by conditioning the provision of domestic EV charging equipment, emulating and complementing building regulations. Granting planning permission in this case will support local services and facilities without fundamentally undermining the vision-led approach to sustainable transport in the Core Strategy.

5.32 **Core Policy 67** relates to flood risk. The site is below 1ha in size and is not located in an area subject to flood risks. The site can be satisfactorily drained with soakaways, subject to detailed



design by condition if need be.



- 5.33 Whilst the Core Strategy policies are strategic, and as the NPPF makes clear, difficult to draw down to development management assessments on small sites, we have found no especially compelling policy conflicts which would militate against the grant of planning permission for this small but valuable contribution to rural housing supply where “development in one village (Birdbush) may support services in a village (Ludwell) nearby”.
- 5.34 For the avoidance of doubt, the local planning authority has no data on groundwater flood risk. It may have data on emergence, and extrapolates risk from it, but that is not flood risk. There certainly is insufficient data or evidence to support refusal of planning permission on groundwater concerns.
- 5.35 The SFRA is perfectly clear on the matter:

“It should be noted that the map is suitable for general broad-scale assessment of the groundwater emergence in an area but is not explicitly designed for assessment at the scale



*of a single property. The dataset also shows the risk of emergence of groundwater **rather than the actual flood risk from groundwater flooding**. As a result, in high-risk areas **a site-specific FRA for groundwater flooding is recommended to fully inform the likelihood of flooding.**"⁷*

- 5.36 If the LPA is in anyway considering going down the route of refusal based on groundwater issues, it should consult the LLFA, who have responded thus on a different site in Wiltshire:

RECOMMENDATION

No objection subject to the following conditions

1. No development shall take place until a surface water drainage strategy, complying with Wiltshire Council requirements, NPPF, PPG, Non Statutory Technical Standards for SuDS and the National Standards for SuDS has been submitted to and approved in writing by the Local Planning Authority.

In order to discharge the above drainage condition the following additional information must be provided:

- The site is located in an area susceptible to groundwater flooding. Therefore, in line with [Wiltshire Council's Groundwater Management Strategy](#), the applicant is required to carry out a site-specific groundwater flood risk assessment.

- 5.37 The SFRA is perfectly clear on the matter:

*"It must be noted that due to the lack of groundwater flooding data there are limitations to the use of this information particularly given the national scale of the groundwater emergence mapping. The EA and Wiltshire Council as the LLFA **should be contacted to provide additional understanding of local groundwater risk and mapping within the SFRA**"⁸*

- 5.38 Planning decisions should be based on evidence. Planning decisions based on the Council's very limited groundwater data will be vulnerable to costs at appeal stage.

6. Policy Conflicts and Planning Controls

- 6.1 The NPPF is clear that:

"Planning conditions and obligations

56. Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

57. Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Agreeing conditions early is beneficial to all parties involved in the process and can speed up decision-making. Conditions that are required to be discharged before development commences

⁷ Wiltshire Council Level 1 Strategic Flood Risk Assessment 2024

⁸ Wiltshire Council Level 1 Strategic Flood Risk Assessment 2024



should be avoided, unless there is a clear justification.

58. Planning obligations must only be sought where they meet all of the following tests:

(a) necessary to make the development acceptable in planning terms;

(b) directly related to the development; and

(c) fairly and reasonably related in scale and kind to the development".

6.2 The ecology report makes recommendations for ecological mitigation and enhancement that, without them, a policy conflict would ensure. The ecology measures should be the subject of a planning condition.

6.3 Offsite BNG payments are required, this too can be conditioned.

6.4 To control design and materials, appropriate conditions can be applied requiring submission of further details, materials and samples.

6.5 A planning condition requiring the submission of details for domestic EV charging can be applied to increase the sustainably transport element of the scheme. We would suggest the following wording for such a condition:

"Prior to the first occupation of the dwelling hereby approved, details of the electric vehicle charging point(s) to be installed shall be submitted to and approved in writing by the Local Planning Authority. The approved charging point(s) shall be installed prior to occupation and thereafter retained for the lifetime of the development."

7. Material Considerations

7.1 The NPPF supports the development of small rural housing sites:

"73. Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, are essential for and Medium Enterprise housebuilders to deliver new homes, and are often built-out relatively quickly."

"83. To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby."

7.2 The NPPF supports positive decision making, not least in the circumstances of a substantial shortfall in housing land supply:

"11. Plans and decisions should apply a presumption in favour of sustainable development."

For decision-taking this means:

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

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



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

"39. Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible."

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

- 7.3 The NPPF promotes a proportionate approach to the protection and enhancement of the countryside:

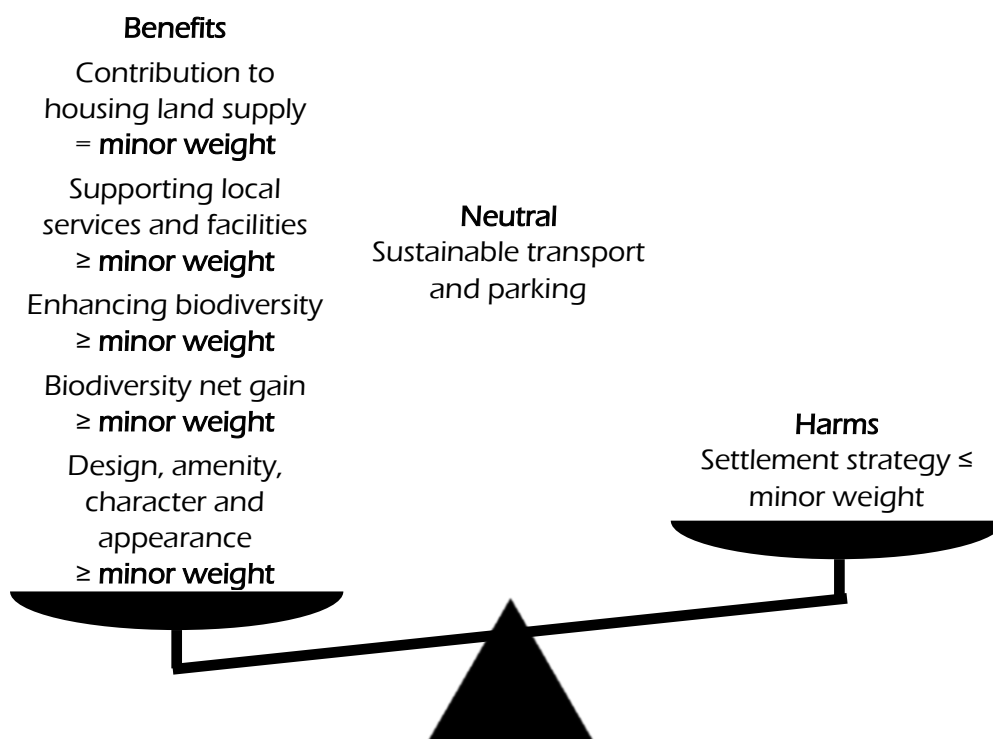
"Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;*
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;*
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;*
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and*
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate".*

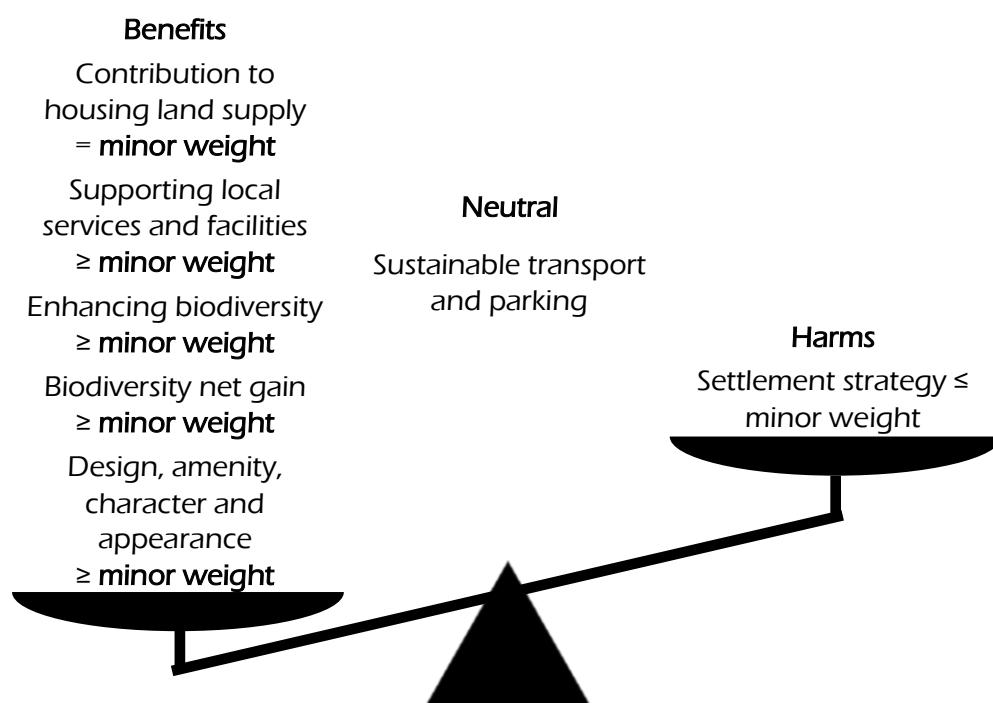


8. The Flat and Tilted Planning Balance

- 8.1 The local planning authority are clear that the tilted balance is engaged. It is not considered that any 'Footnote 7' policies change that circumstance. Development of this site for two dwellings is not considered to provide a "strong reason for refusal" under NPPF paragraph 215, which itself requires a nuanced balancing exercise, compared to paragraph 214 which (whilst not relevant here) is an example of a "strong reason".
- 8.2 The flat balance of harm, benefits and neutral matters is set out graphically below:



- 8.3 The tilted balance of harm, benefits and neutral matters is set out graphically below:



- 8.4 We are content that under either the flat or tilted balances, the balance of benefits versus harms weighs in favour of the grant of planning permission.

9. Conclusion

- 9.1 This planning application, for one dwellings in Birdbush, Ludwell, had been conceived of before the Council found themselves in a substantial housing supply deficit.
- 9.2 The scheme is sensitively designed and laid out and supports the vitality of the nearby village of Ludwell.
- 9.3 Planning policy is clear that
- “where policies which are most important for determining the application are out-of-dates, granting permission unless:*
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination”*
- 9.4 It is not considered that Footnote 7 policies present any strong reasons for refusal.
- 9.5 No adverse impacts have been found that could conceivably outweigh the benefits on both the flat and tilted balances.
- 9.6 We commend this small but valuable contribution to rural housing supply to the local planning authority for conditional approval.

