

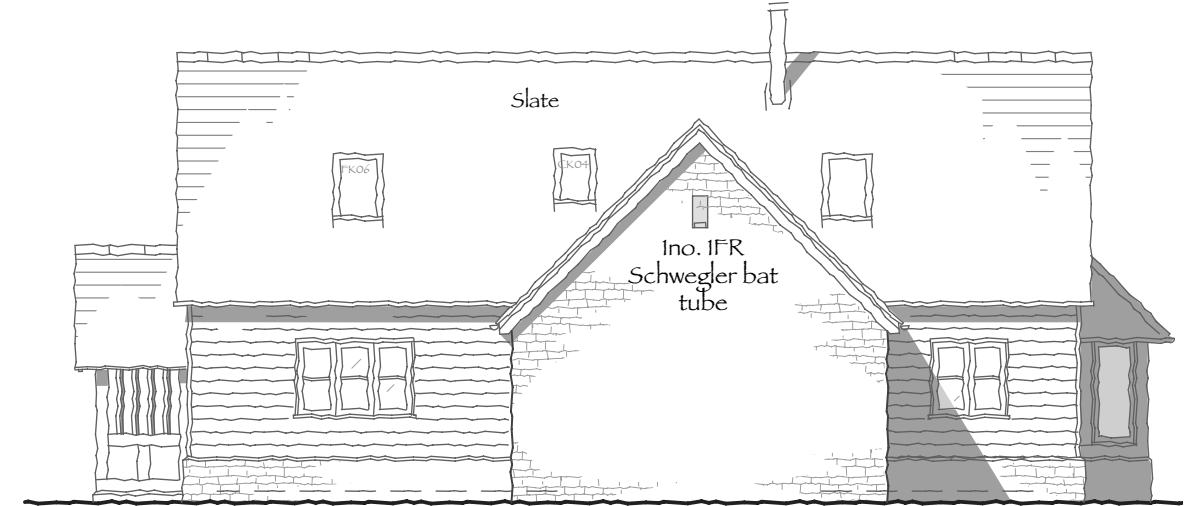
THE RURAL PLANNING PRACTICE



SOUTH



NORTH



EAST

Planning and Heritage Statement

In Support of an Application for the Erection of a Dwellinghouse

ADDRESS

Former Sewage Works Site, Church Fields, Upper South Wraxall, BA15 2SB

ON BEHALF OF

Mrs J. Leggatt

PREPARED BY

The Rural Planning Practice

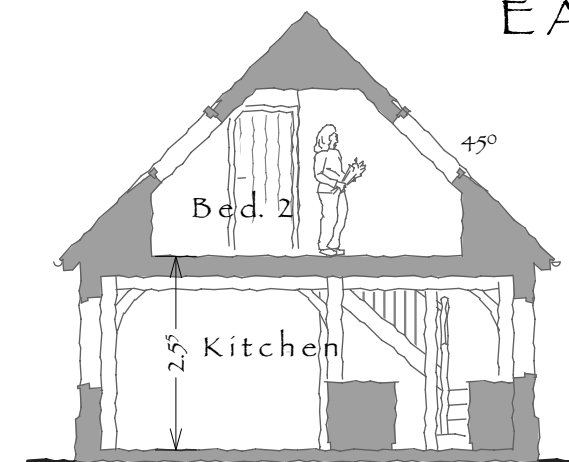
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Figure 1: Google Earth View of Former Sewage Works Site, Church Fields, Upper South
Wraxall, BA15 2SB



Application Site

Edge of Conservation Area

Start of 30mph Zone

PROW SWRA11



1. Introduction

- 1.1. This Planning and Heritage Statement has been prepared on behalf of our client, Mrs J. Leggatt, in support of an application to Wiltshire Council for the erection of a self build dwellinghouse and store on the site of the former sewage works at land east of Church Fields, Upper South Wraxall, Wiltshire, BA15 2SB.
- 1.2. This statement should be read in conjunction with the accompanying drawings and supporting reports:
- Location Plan
 - Existing Site Plan
 - 1931.6c Proposed Site Plan
 - 1931.5c Plans and Elevations
 - 1931.7a Cycle Shed Details
 - Preliminary Ecological Appraisal Oct. 2025 (incl. bat survey results)
 - Phase 1 Contamination Land Assessment
 - LVA May 2025

2. Relevant Planning History

- 2.1. Application PL/2023/01565 Refused on 20 April 2023 for the two following reasons:
- 1. Having regard to all the submissions, relevant policies, including the policies of the National Planning Policy Framework taken as a whole, this application is considered to be an inappropriate, unsustainable form of development which would significantly and demonstrably outweigh the benefit of providing one new additional dwelling in an open countryside location and within Green Belt land. As such the proposal, in the absence of suitable justification, is not considered to represent sustainable development being contrary to Core Policies 1, 2, 7 and 48 of the adopted Wiltshire Core Strategy and the policies of the National Planning Policy Framework, taken as a whole.*
 - 2. The site and proposed development being located within Green Belt land is 'Inappropriate Development' which does not accord with Green Belt policy as contained within the NPPF and more specifically does not accord with the exceptions as detailed within Paragraph 149 of the National Planning Policy Framework. The very special circumstances necessary to justify the proposal do not exist and the development is contrary to the development plan and the Framework in particular paragraphs 147, 148 and 149 of the Framework.*



- 2.2. Following the refusal, the applicant made an Appeal to PINS which was Dismissed on 27th February 2024 (PINS ref 332761). The Inspector found that the proposals constituted inappropriate development in the Green Belt and that the site was not in a suitable location having regard to the settlement strategy and its accessibility by sustainable forms of transport.
- 2.3. Since the Appeal decision was issued, material changes have been made to the NPPF (December 2024) including the introduction of 'Grey Belt'.
- 2.4. In addition, the latest Appeal-derived land supply figures for Wiltshire (October 2025) indicate a supply of 2.24 years.
- 2.5. The local plan update of the November 2025 confirms that the remaining hearing sessions in the draft programme for the examination of the Wiltshire Local Plan have been postponed to allow further work to be completed. (Wiltshire Council Update on Local Plan Examination 20/11/2025).
- 2.6. Paragraph 11(d) of the NPPF is engaged.

3. The Site and Context

- 3.1. The site is located within Upper South Wraxall, a small settlement in North Wiltshire. The site is within a short distance from Bradford-on-Avon and Corsham (approximately 3km and 5km respectively).
- 3.2. The village has a public house (The Long Arms), thriving social club, St James Parish Church and a village hall. A primary school, secondary school and GP surgery are all within 3 miles of the village.
- 3.3. In general, Upper South Wraxall village is comprised of linear residential development arranged along the roads and junction that forms the nucleus of the settlement. Much of the village falls within the South/Lower South Wraxall Conservation Area (CA), and includes a distinct cluster of buildings set away to the north, including Manor House and Manor Farm. The CA also extends to the south to include much of settlement of Lower South Wraxall (Figure 2).
- 3.4. The site itself is located to the east of Church Fields, a small group of mid 20th century housing arranged in a crescent layout on the edge of the village of Upper South Wraxall along an unnamed classified road. To the north and west boundaries of the application site there are open fields and woodlands. To the south, across the lane, is The Old Vicarage, a large residential property set within extensive grounds.
- 3.5. The site is approximately 0.05ha comprising a former sewage works on the northern section of which there are remains of a circular tank and infrastructure. Between this and the road is an area of hardstanding which formerly housed a 3 bay garage block. From here a vehicular access leads to the unnamed classified road.
- 3.6. The Green Belt (GB) designation washes over the village. There are no other environmental or landscape designations covering the site.
- 3.7. According to the Environment Agency flood maps, the site is located in Flood Zone 1 - an area of low probability of flooding.
- 3.8. The site is previously developed land as confirmed at paragraph 23 of the Appeal Decision.

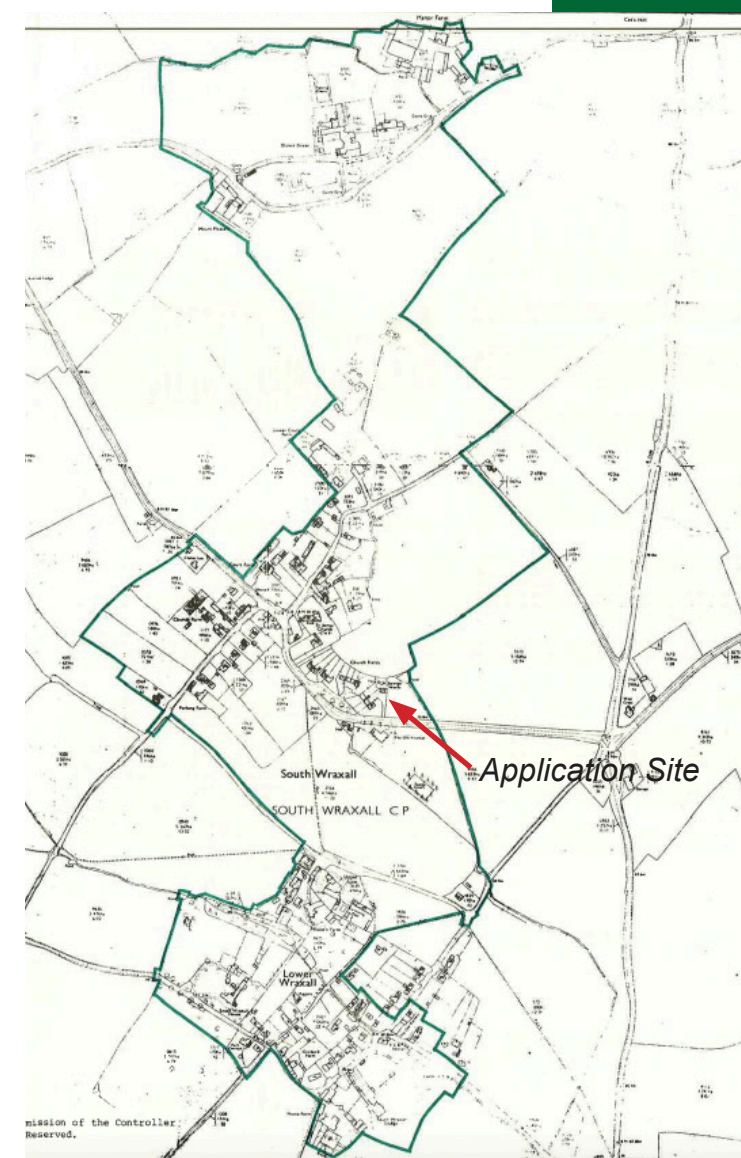


Figure 2: Map from West Wiltshire Conservation Area for South & Lower Wraxall - March 1981.

Photographs 1-9 Showing the existing condition of the site and remains of the sewage works apparatus.





4. Proposed Development

- 4.1. The proposal seeks the development of a single dwellinghouse within the northern section of the site, where the sewage works structures are located. This will be a bespoke one and a half storey property designed with and to be built by Border Oak Design and Construction Ltd, an award winning company who specialise in oak framed buildings.
- 4.2. The dwelling is orientated with the main roof ridge and gable ends running along the north-south axis of the site. It is away from the western boundary to avoid the main sewer running through the site and provide a 3m buffer zone.
- 4.3. The overall length of the dwelling is 11.8m and 6m wide with a projecting wing on the eastern elevation measuring 2.1m by 4.8m.
- 4.4. The materials will consist of a plinth of locally sourced Cotswolds stone with horizontal European natural spruce weatherboarding left to weather naturally to a silver colour to the main walls and gables. Cardinal reproduction Cotswold slates in diminishing courses will be used for the roof. Windows and doors are to be traditional style timber and conservation style rooflight openings within the roof. Guttering and pipework is to be galvanised metal.
- 4.5. The accommodation will comprise an open plan living area, utility and wet room on the ground floor with two bedrooms and a bathroom on the first floor within the loft area.
- 4.6. Also proposed is a small cycle shed measuring 3m by 2.4m and 3.5m to the ridge of the dual pitched roof. It is to be constructed of horizontal timber weatherboarding to match the house with a corrugated metal roof.
- 4.7. A ground source heat pump will provide a sustainable heat source for the property.
- 4.8. Access from the site to the public highway will be unaltered. Three off street parking spaces are to be provided and sufficient space will remain for vehicle manoeuvring.
- 4.9. The surface water drainage proposal for the site utilises SUDS drainage measures including water butt for garden irrigation and permeable material to the drive and turning area. Foul water is to connect to the public sewer which crosses the site.
- 4.10. There is an existing gated access within the boundary of the site and 11 Church Fields' rear garden. It is assumed this was installed when 11 Church Fields had use of the garaging/parking facilities previously on the site. There is no legal right of access 11 Church Fields into or over the application site.
- 4.11. The Decision Notice for PL/2023/01565 states that:

In terms of neutral impacts, officers are satisfied that the proposed development would not harm neighbouring residential properties or the amenities of the occupiers and the visual impacts of the proposed development would not harm landscape character
- 4.12. The Appeal Inspector also confirmed that the design of the proposed dwelling, including the materials used, is appropriate for the location.

5. Heritage Assessment

- 5.1. NPPF Paragraph 207 requires LPAs to require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on their significance. Importantly, the Conservation Officer raised no objection to the 2023 application and the Appeal Inspector found a lack of adverse impacts on the significance of the Conservation Area as a designated heritage asset.
- 5.2. The site is within the Lower and South Wraxall Conservation Area and as such this heritage assessment seeks to identify and assess the historic assets and their setting that may be affected by the proposed development.
- 5.3. To establish the historic value and context of the site research was undertaken using Historic England's and Wiltshire Historic Environmental Record, and West Wiltshire's 'Conservation Area for South & Lower Wraxall - March 1981' document. The full extent of the boundary in relation to the application site is shown in Figure 2.
- 5.4. The Lower and South Wraxall conservation area leaflet states *"the conservation area - although comparatively large - can be identified in 3 main sections – The Manor House and environs, South Wraxall, and Lower Wraxall. The nucleus of the area lies in South Wraxall, which incorporates the 15th century Church of St. James and the public house"*.
- 5.5. It goes on to say that *"the three areas are linked by open areas of land, which give spaciousness to the area, without destroying the links between them"*.
- 5.6. There are a number of listed buildings in the village as shown on Figure 3, the nearest being the Church of St James (Grade II*) and Little Court (Grade II) over 100m away to the north west of the site.



Figure 3: Location of Listed Buildings



Figure 4: County Series of Historic Maps. Left to Right 1886, 1899, 1922 and 1958.



- 5.7. A series of historic maps at Figure 4 show that the site was void of any structures from 1886 to 1953.
- 5.8. The site was first development in 1973 as a sewage works, probably in connection with the construction of the single and two storey houses at 5 to 11 Church Fields. It is not know when the sewage works were decommissioned but there are still remnants of the circular tank and infrastructure to the north of the site.
- 5.9. A block of 3 garages was erected in front of the sewage work at some point between 1973 and 1999, but no record of a planning application or aerial imagery has been found to confirm the exact date. The garage block was demolished in 2021.
- 5.10. With regards to archaeology, it is unlikely that the site would provide any significant evidence about past human activity given the previous development of the site. The proposed dwelling will be situated within an area of the footprint of the former sewage work and garage block, therefore minimising any potential to disturb material of evidential value.
- 5.11. Wiltshire's HER identify two monuments and their location is shown at Figure 5. The one to the north of the application site is described as a rectilinear earthwork feature. No further information is available. The second entry is a generic one for the village identifying it as having medieval origins.
- 5.12. There are no Scheduled Ancient Monuments recorded within the immediate area of the site or its surroundings.
- 5.13. The site itself and the remains of the structures holds no historic value.

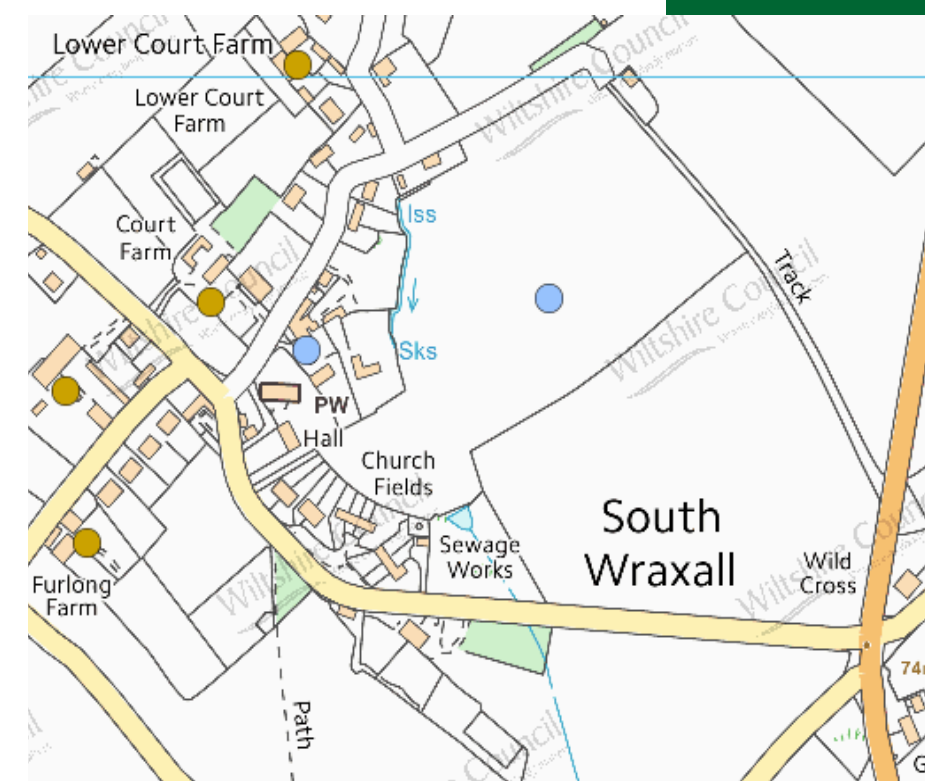


Figure 5: Location of monuments shown by blue dot

6. Ecology

- 6.1. A Preliminary Ecological Appraisal (PEA) dated October 2025 was under taken by Cotswold Environmental and the report is submitted as a separate document.
- 6.2. Bat surveys have also been undertaken the results of which are found in the body of the aforementioned PEA.
- 6.3. The PEA notes the development is small scale and therefore, provided that nearby habitats are not subjected to the inappropriate use of lighting, no impacts beyond the site boundary are anticipated as a result of the development proposals.
- 6.4. Features within the survey boundary offer value to protected species in their current state, most notably to sheltering, foraging and basking reptiles and breeding amphibians.
- 6.5. The site lies within a 4000m greater horseshoe maternity buffer of the Bath and Bradford upon Avon Bat Special Area of Conservation (SAC) therefore, a suite of static monitoring took place to determine activity of local bat populations with the survey boundary. The results show there is no significant proportion of the local foraging/commuting bats using the site and no Annex II bats were recorded.
- 6.6. To determine the presence or absence of Greater Crested Newts (GCN), environmental DNA (eDNA) analysis was undertaken on the water filled pit. Results came back as negative for GCN.
- 6.7. The PEA concludes there is no loss of important habitats or impact for any protected species.



- 6.8. The report suggests a range of biodiversity enhancement measures including hedgehog gaps and that a site specific lighting mitigation scheme be implemented.
- 6.9. The Reasonable Avoidance Measures (RAMs) listed in Section 5 of the PEA will be adhered to during construction of the dwellinghouse.
- 6.10. The proposal is for the erection of a single self build dwelling and as such is exempt from BNG.

7. Contamination

- 7.1. A Phase 1 Contamination Land Assessment has been carried out by GeoSmart and this has found the probability/likelihood of a contaminant hazard at the site to be 'unlikely/low likelihood'. Overall land quality risk posed by the site is classified as 'moderate /low risk'.
- 7.2. It has not been identified that there is a known or likely to be present potentially significant risk of contamination to the proposed use. It is considered that no further site investigation, risk assessment and remediation be carried out.
- 7.3. This information was accepted at the time of the first application. The situation has not changed.

8. Highways

- 8.1. The site is located off an unnamed classified road that connects the village with the B3019 to the east.
- 8.2. There is an existing vehicular access serving the site with good visibility since the road is relatively straight in either direction at this point. The access is within a 30mph zone which starts approximately 77m to the east at the edge of the village.
- 8.3. No changes are proposed to the access so visibility remains the same and crash map data does not record any accidents within this stretch of road in the last 5 years. The nearest recorded incident being a slight collision at the junction of the lane with the B3019 some 0.3km away.
- 8.4. It is anticipated the use of the site for a residential use will not result in an increase in traffic generation to and from the site over and above its previous use as a sewage treatment plant and a row of 3 domestic garages/ parking.
- 8.5. Highways Officers consulted on the previous application had no objection to the proposals and in fact commented on the original application

I do not consider a sustainable transport objection for one dwelling to be appropriate.



9. Landscape and Visual Appraisal

9.1. A Landscape and Visual Appraisal (LVA) has been prepared and submitted in support of this application.

9.2. It was undertaken by Harper Landscape Architecture in May 2025. The report concludes:

The new house is sensitively designed and replaces landscape detracting landscape elements that are remnant of the old sewage works. It is a congruous fit with the adjacent houses at the village settlement edge, it is discreetly located with few public views in and it would cause minimal change to the South/Loewer Wraxhall Conservation Area (a point agreed by the Inspector...)

This LVA judges that there would be Not Significant change for Landscape Character at all scales and for Views (with Visual Benefit offered at the new entrance) and this was agreed in the Officer's Report. The Dismissed Appeal Decision is somewhat compromised in its conclusions at paragraph 8 and 34 and the decision appears harsh in light of the LVA findings and the Officer's Report. The LVA findings show that the proposals are not contrary to landscape planning policy, and there are good grounds in terms of Landscape Character and Views for allowing this development.

10. Planning Policy

10.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.

10.2. The Development Plan which covers this area comprises the following:

- The Wiltshire Core Strategy (CS) 2015
- Saved Policies of the North Wiltshire Local Plan (LP) 2011

10.3. Below are the Development Plan policies relevant to this proposal and the relevant policies the of the National Planning Policy Framework (NPPF) 2024. The proposal's conformity with these policies is examined in Section 9: Planning Considerations of this statement.

There is no Neighbourhood Plan made for South Wraxall Parish area.

10.4. Core Policy 1: Settlement Strategy - This identifies the hierarchy of settlements where sustainable development will take place. Development outside the settlement boundary will be strictly controlled.

10.5. Core Policy 2: Delivery Strategy - states that outside the defined limits of development 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.

10.6. Core Policy 7: Spatial Strategy for the Bradford on Avon Community Area provides more details of the settlement hierarchy in this area and Upper Wraxall is not identifies as a settlement in this policy.

10.7. Core Policy 41: Requires development to follow the principles of sustainable construction and low-carbon energy.



- 10.8. Core Policy 50: Biodiversity and geodiversity - Development proposals must demonstrate how they protect features of nature conservation and geological value as part of the design rationale. All development should seek opportunities to enhance biodiversity.
- 10.9. Core Policy 56: Contaminated Land - Development proposals which are likely to be on or adjacent to land which may have been subject to contamination will need to demonstrate that measures can be taken to effectively mitigate the impacts of land contamination on public health, environmental quality, the built environment and amenity.
- 10.10. Core Policy 57: Ensuring High Quality Design and Place Shaping - sets out the design principles for new development.
- 10.11. Core Policy 58: Ensuring the Conservation of the Historic Environment - Development should protect, conserve and where possible enhance the historic environment.
- 10.12. Core Policies 60 and 61 of the CS underline the spatial strategy by requiring new development to be in accessible locations in order to contribute towards reducing the need to travel, particularly by private car.
- 10.13. West Wiltshire LP Saved Policy GB1: Green Belt carries through the principles of national GB policy.
- 10.14. Wiltshire Local Transport Plan 2011-2026 Car Parking Strategy March 2011 and policy PS6 - Residential Parking Standards sets the requirements depending on the size and location of the development.

The National Planning Policy Framework December 2024

- 10.15. The stated aim of the planning system is to contribute to the achievement of sustainable development and it has three overarching objectives (economic, social and environmental objectives), which are interdependent and need to be pursued in mutually supportive ways (paragraphs 7 and 8).
- 10.16. The NPPF requires LPAs to support the Government's objective of significantly boosting the supply of homes (paragraph 61). To do so, paragraph 69 states that *'strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need can be met over the plan period'*.
- 10.17. Paragraph 73 of the NPPF states 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. To promote the development of a good mix of sites local planning authorities should:
 - 'c) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes.'*
- 10.18. Paragraph 78 specifies that LPAs should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.
- 10.19. The policies within Chapter 12 (Achieving Well-Designed Places) and 16 (Conserving and Enhancing the Historic Environment) of the NPPF seek positive improvement in conservation areas. In particular paragraph 210 requires that LPAs should take into account *'the desirability of new development making a positive contribution to local character and distinctiveness'*.



10.20.Paragraph 124 states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Decisions should also promote and support the development of under-utilised land and buildings.

10.21.Furthermore, at paragraph 125, it states that decisions should, inter alia:

c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;

d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively;

10.22.On the matter of the Green Belt (GB), Paragraph 142 declares the fundamental aim of GB policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of the GB are their openness and permanence.

10.23.There are five purposes that the GB serves and these are listed in paragraph 140 of the NPPF as:

a) To check unrestricted sprawl,

b) Prevent neighbouring towns merging into one another,

c) To assist in safeguarding the countryside from encroachment,

d) To prevent the setting and special character of historic towns and

e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land

10.24.Paragraph 153 advises that inappropriate development within the GB is harmful by definition and further advises that when considering planning applications authorities should ensure substantial weight is given to any harm to the GB.

10.25.Paragraph 155 advises that the development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all the following apply:

a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;

b. There is a demonstrable unmet need for the type of development proposed

c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115

10.26.Paragraph 161 addresses climate change and states that the planning system should help combat this by



encouraging the re-use of existing resources.

10.27.Paragraph 187 states that planning policies and decisions should contribute to and enhance the natural and local environment by (inter alia) remediating and mitigating ...derelict land ... where appropriate.

11. Planning Considerations

Housing Land Supply

- 11.1. The Core Strategy policies are more than 5 years old. There is no Neighbourhood Plan in place.
- 11.2. The Council's Housing Land Supply derived at Appeal in October 2025, stands at 2.24 years.
- 11.3. Therefore, in accordance with the guidance in paragraph 11(d) of the NPPF, the plans are out of date and Footnote 8 is engaged and states that permission should be granted *"unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework when as a whole"*.
- 11.4. The application site is not in an area covered by a Neighbourhood Plan and so paragraph 14 of the NPPF does not apply.
- 11.5. Consequently, there is an identified need to provide deliverable housing sites within this area which this proposal can meet. Significant weight should be given to this.
- 11.6. This proposal meets the provision of 73(b) in that it will provide one small sized dwelling, adding towards the overall supply, where currently there is unmet need and could be built out quickly.
- 11.7. The LPA is failing to support the Government's objective of significantly boosting the supply of homes and the policies of the NPPF give support the development of this site for a dwellinghouse.

Sustainability

- 11.8. On the issue of sustainability the proposal is considered against the economic, social and environmental objectives of paragraph 8 of the NPPF.
- 11.9. Economic objective - the construction of a dwelling will require trades and materials necessary to undertake the building work. The proposed residential use would also provide additional custom and support of the services and facilities within the local area. In addition to this, the proposals would contribute to the council's revenue through the payment of Council Tax. Therefore, the proposal would contribute to this economic objective.
- 11.10. Social objective - the proposed development would deliver a small house on a site within close proximity to a good range of facilities and services in the village and surrounding settlements, with access to public transport links. The proposed development would represent a high quality built environment through good design, and would help meet the housing needs of the present and future generations within the rural community. Therefore, the proposal would contribute to this social objective.



- 11.11. Environmental objective - the proposed development would preserve and enhance the natural environment and will lead to an enhancement in the local biodiversity. The development would be a sustainable use of a brownfield site, tidying up the environment and providing biodiversity net gain. A dwelling would be provided in a sustainable location where future occupiers have access to a range of facilities and services by means other than the private car. Therefore, the proposal would contribute to this environmental objective.
- 11.12. The site, having contained a former sewage works and garage buildings, falls within the definition of Previously Developed Land (PDL) in Annex 2 of the National Planning Policy Framework (NPPF) 2021. The development of the site would be an effective use of a brownfield site in meeting the need for homes, of which there is an identified under-supply with in the area.
- 11.13. The village also has facilities, albeit limited, which includes a village pub, a place of worship and a village hall. There is also a very active social club, The South Wraxall Club. It is a club run by its members for its members and anybody over the age of 18 can be proposed as a member. According to their website they have:
- A busy social calendar including major sporting events on our big screen, fund raising walks, barbeques and wine tastings to name but a few, which are all organised by and supported by our membership.*
- 11.14. Paragraph 83 of the Framework recognises that where there are groups of smaller settlements, development in one village may support services in a village nearby.
- 11.15. Paragraph 73 of the Framework recognises that small and medium sized sites can make an important contribution to meeting the housing requirement of an area.
- 11.16. There is a regular bus service (no. 96) connecting South Wraxall to Bradford-on-Avon, a 10 minute bus ride where there are many shops and services on offer as expected in a large town, including a train station with connections to further afield. There are four buses a day with a stop at The Green, just by the application site.
- 11.17. From Bradford-on-Avon there are frequent trains to Bath and to Bristol Temple Meads that run from 06:10hrs to 23:45hrs.
- 11.18. Consequently, the site and its development for a dwelling is sustainable and in conformity with Government policy and objectives in the NPPF and Local Plan Core Strategy policies 41, 60 and 61.

Green Belt

Revisions to NPPF Green Belt Policy December 2024

11.19. The December 2024 revisions to the NPPF introduced the concept on Grey Belt and the Green Belt PPG was subsequently updated in February 2025.

11.20. The PPG provides clear guidance on making an assessment of whether land is Grey Belt. Figure 1 of the PPG is as below:

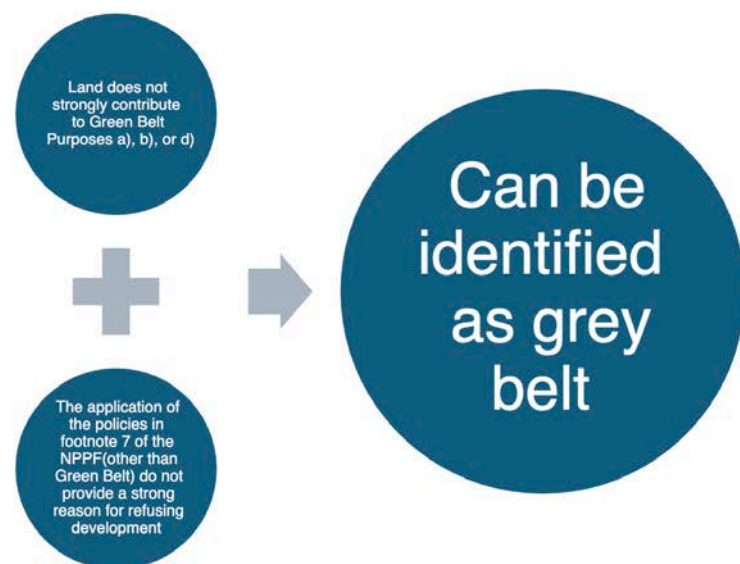


Figure 1. When can land be identified as grey belt

Paragraph: 007 Reference ID: 64-007-20250225

11.21. Therefore to assess whether the site is Grey Belt, we need to decide whether it strongly contributes to Green Belt Purposes a), b) or d). The PPG provides a clear checklist to follow in this regard:

Purpose a) to check the unrestricted sprawl of large built up areas.

The site is not adjacent to or near a large built up area and is on the outskirts of a village. The PPG is clear that villages should not be considered large built up areas. The site's contribution to purpose a) is weak

Purpose b) to prevent neighbouring towns merging into one another.

Again, the PPG is clear that this refers to towns not villages. The site does not contribute strongly to this purpose.

Purpose d) to preserve the setting and special character of historic towns.

The site's contribution to purpose d) is weak. It does not form part of the setting of a historic town and has no visual, physical, or experiential connection to the historic aspects of any nearby towns.



11.22. The PPG then asks whether the application of policies in footnote 7 of the NPPF (other than GB policy) provide a strong reason for refusing development? The only other relevant policy is that protecting designated heritage assets and it has been established that the impact on the Conservation Area is neutral.

11.23. We can therefore conclude the site is Grey Belt Land.

11.24. Paragraph 155 of the NPPF states that the development of homes in the Green Belt is not inappropriate when all of the following apply:

- *The development uses Grey Belt land and does not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan.*
- *There is a demonstrable unmet need for the type of development proposed*
- *The development would be in a sustainable location with particular regard to paragraphs 110 and 115 of the NPPF.*

11.25. Paragraph 110 states that *significant* development should be focused on locations which are or can be made sustainable but crucially doesn't require all development to be in locations which are or can be sustainable.

11.26. Paragraph 110 also states 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.

11.27. Paragraph 115 asks that decision makers should ensure that:

- a) *Sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;*
- b) *Safe and suitable access to the site can be achieved for all users;*
- c) *Parking areas, etc. reflect current national guidance;*
- d) *Any significant impacts from the development on the transport network or on highway safety can be mitigated. There are no such impacts associated with this development.*

11.28. We would remind the LPA that the Highways Officer for the previous application stated that he did not consider a sustainable transport objection for one dwelling to be appropriate.

11.29. This was not disputed by the Appeal Inspector. Although the Appeal Inspector did conclude that the site was not in a sustainable location, being located outside the defined limits of development, in his conclusion he accorded no more than moderate weight to this in a situation where he considered the proposed development would be inappropriate development in the Green Belt (a matter attracting substantial weight at the time) and that at the time of the Appeal the LPA could demonstrate at least 4 years' worth of housing. This is now below 3 years and the development can no longer be considered inappropriate.

11.30. The NPPF at paragraph 153 states that LPAs should, in considering applications, ensure that substantial weight is given to any harm to the Green Belt including harm to its openness. However, footnote 55 clarifies that this is *other* than in the case of development on previously developed land or grey belt land, where development is not inappropriate.

11.31. This matter of openness and when harm to it should be given weight has been clarified by the courts, most recently in Mole Valley DC and SOSHGLG & Meloney [2025] EWHC 2127 (Admin) where Justice Choudhury



confirmed that the Grey Belt exception is designed to permit construction on the Green Belt that was not previously permitted saying

If a decision maker then still had to consider harm and give that some weight even where the development is otherwise not inappropriate, then the likelihood is that some grey belt development (which Government Policy seeks to permit) would nevertheless be restricted I do not think that it could have been intended that a permissive policy change should be potentially hamstrung in this way.

Design and Heritage

- 11.32. To repeat an earlier point, the Conservation Officer raised no objection to the 2023 application and the Appeal Inspector found a lack of adverse impacts on the significance of the Conservation Area as a designated heritage asset. However, for the purposes of thoroughness our original assessment is detailed in the following.
- 11.33. The site is within the Lower and South Wraxall Conservation Area and as such Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the exercise of any functions, with respect to any buildings or other land in a conservation area, special attention should be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 11.34. The House of Lords in the South Lakeland case [1991] JPL 440CO/530/90 decided that the ‘*statutorily desirable object of preserving the character of appearance of an area is achieved either by a positive contribution to preservation or by development which leaves character or appearance unharmed, that is to say preserved.*’
- 11.35. Compliance with both the statutory consideration and the NPPF policies therefore, generally speaking, requires account to be taken of the desirability of taking opportunities to enhance the character and appearance of a conservation area. As such, whilst the South Lakeland case is still relevant to the interpretation of statute, policies in the NPPF encourage enhancement.
- 11.36. As mentioned in Section 4 of this report there are three main areas, with South Wraxall at the centre with open countryside linking the northern and southern elements.
- 11.37. The post war development of 2 storey and single storey properties south of the village hall has resulted in a physical and visual barrier between the historic church, the former vicarage and the open fields beyond. This is the southerly approach to the village and the views of the church are obscured by these properties.
- 11.38. The application site is at the end of this row of post war development and the easterly edge of the conservation area. Although these properties and the application site are included within the conservation area boundary, they do not form part of the historic core of the village or contribute aesthetically to the character of the village.
- 11.39. The nearest Listed Buildings are over 100m away from the application site and are considered too far away for their setting to be adversely affecting by the proposed new property.
- 11.40. Having become neglected in recent years and unsightly, the site and the wider area would benefit from the development of this brownfield site.



- 11.41. The bespoke designed dwelling, using traditional materials, is sympathetic to its context and complements the character of the conservation area, thereby contributing positively to the conservation area.
- 11.42. The scale of the building has been carefully considered to ensure it does not dominate the adjoining single storey dwellings or appear as an incongruous feature at the edge of village location. It seamlessly continue the existing built form.
- 11.43. This statement clearly sets out the significance of the relevant heritage assets and the effect of the proposal upon these assets is shown not to cause any harm.
- 11.44. Chapter 16 of the NPPF seek positive improvement in conservation areas. The design policies in Chapter 12 further support the objective of enhancement of an area's character and local distinctiveness. Paragraph 135 seeks to ensure that developments function well and add to the overall quality of the area, and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping whilst being sympathetic to local character and history, including the surrounding built environments and landscape setting, while not preventing change such as increased densities.
- 11.45. Paragraph 139 states that significant weight should be given to well designed proposals.
- 11.46. As the photographs on page 6 show the development of the brownfield site will most definitely be an enhancement to the conservation area and the local environment.
- 11.47. That the design of the proposed dwelling is in keeping with the traditional designs found elsewhere in the Conservation Area, and that the proposed materials would be appropriate in their context is not disputed (see paragraph 32 of the Appeal Decision).

Biodiversity

- 11.48. The PEA concludes there is no loss of important habitats or impact for any protected species.
- 11.49. A range of biodiversity enhancement measures including a bat tube for access to part the loft area, hedgehog gaps and that a site specific lighting mitigation scheme be implemented. Indigenous, native species will be used in new hedgerow planting to the boundaries of the site.

Residential Amenity

- 11.50. The orientation and the low profile of the proposed dwelling ensures there will be no loss of privacy to the occupiers of the adjoining houses.
- 11.51. The proposed window openings at first floor level within the roof are to be rooflights and these are kept to a minimum on the front elevation.
- 11.52. The location of the proposed store along the south-west boundary will help screen the front of the new dwelling from existing residents to some degree as will the proposed landscaping.
- 11.53. A modest 2 bedroom house will not create a sufficiently high number of vehicle movements or general activities that would cause a nuisance to residents.



11.54. It is not considered that the proposal would result in an adverse impact on the amenities of current or future occupants of the proposed house or the adjoining properties. This was confirmed in the Officer's report on the 2023 application.

12. Planning Balance

- 12.1. That the current housing land supply position of 2.42 years is a significant material consideration and should be afforded significant weight. Paragraph 11d is engaged.
- 12.2. The conclusions of the previous application and subsequent Appeal confirmed that any impact on Heritage Assets is 'neutral'.
- 12.3. The site is brownfield land in the Grey Belt, its development would not in this instance be regarded as inappropriate.
- 12.4. Paragraph 11d)i does not apply.
- 12.5. With regard to paragraph 11d)ii; the Appeal Inspector agreed with the local authority that the proposals were contrary to policies CP1 and CP2 of the Core Strategy which broadly outline the LPA's strategic approach to the location of development and which reflect the approach of the NPPF.
- 12.6. However, 11d)ii is written as follows (with our emphasis) 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, 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.*
- 12.7. Importantly, 11d)ii does not state that the sustainability or otherwise of the location of development trumps all other matters.
- 12.8. Footnote 9 to 11d)ii tells us the exact policies in the Framework referred to. In terms of rural locations, paragraph 84 is listed however, that addresses isolated locations in the countryside. It is an established point that the site is not isolated.
- 12.9. The proposals meet the demands of all other relevant policies listed in Footnote 9, including those related to sustainable transport as the impact of a single dwelling could not, in transport terms, significantly and demonstrably outweigh the benefits of a modest contribution to the housing supply and the enhancement of a previously developed site in the Grey Belt.
- 12.10. The proposal can be constructed quickly whilst making an effective use of land. These are relevant matters.
- 12.11. The application proposal is consistent with the Government's objective of boosting the supply of housing and the guidance in the NPPF, which is a material consideration as confirmed by the Appeal Inspector (paragraph 23)



12.12. A more recent Appeal in Wiltshire (3356285, Beehive Cottage, Old Sarum) confirms our approach to paragraph 11d is correct.

12.13. Therefore, the planning balance is significantly tilted in favour of allowing this application.

13. Conclusion

13.1. In design terms, the scheme proposes a bespoke property using traditional materials and style which complements the existing local vernacular.

13.2. It has been demonstrated that the proposed development will result in no harm to any designated or non-designated heritage assets.

13.3. There are good grounds in terms of Landscape Character and Views for allowing the development.

13.4. The proposed development site is Grey Belt land and therefore does not comprise inappropriate development in the Green Belt.

13.5. The Authority is respectfully asked to approve this application.