

Town and Country Planning Act 1990

Planning Statement

Address: Hillview Farm Byre, 2c Bradford Road, Winsley BA15
2HL

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Contents

1.0 Introduction 2

2.0 Site Context..... 2

3.0 The Proposal..... 3

4.0 Planning History 3

5.0 Planning Policy Context 4

6.0 Planning Analysis..... 5

7.0 Conclusions..... 14

1.0 INTRODUCTION

- 1.1 This Planning Statement has been prepared by Tadman Planning Consultants Ltd and forms the supporting information for the planning in principle application (PIP) for one dwelling.
- 1.2 The purpose of this statement is to explain the background to the scheme and provide an assessment of the key planning issues set against the context of national and local planning policy and guidance, and any relevant material considerations.
- 1.3 This statement should be read in conjunction with the following supporting information:
 - Application Form, Ownership Certificates, and CIL Form;
 - Site Location Plan;
 - Indicative Proposed Site Plan

2.0 SITE CONTEXT

- 2.1 The application site relates to land at the rear of Hillview Farm Byre, 2c Bradford Road, Winsley that forms part of the existing garden to the Hillview Farm Byre, extending a small amount into the field to the south,
- 2.2 The site is on Bradford Road, near the junction with the B3108 Winsley Road. Hillview Farm Byre is a former cow byre that was converted into a dwelling in the early 1990's and its immediate surroundings comprise a small cluster of residential properties on Bradford Road on the outskirts but closely related to the village of Winsley.
- 2.3 The site has an existing access off Bradford Road, shared by Hillview Farm Byre and Hillview Farm, the neighbouring dwelling. Visibility from the access is good. From the access there is a drive running to the rear of Hillview Farm giving access to the application site as well as the current parking for Hillview Farm Byre.
- 2.4 Hillview Farm Byre includes a large field to the south which has been in equestrian use for over 35 years, historically used for the grazing of horses. Whilst the field is not currently grazed by horses, its lawful planning use remains equestrian.
- 2.5 The application site is located on the northern edge of Winsley, a large village which lies on elevated land above the River Avon valley, with a mix of historic and modern residential development and local facilities along key roads including Bradford Road. The parish includes a mixture of older core settlement areas and later residential estates

dating from the mid-20th century, reflecting the gradual growth of the village over time.

- 2.6 Bradford Road is a local connector route running through Winsley, linking the village to neighbouring communities and serving local residential properties and small clusters of buildings.
- 2.7 Winsley benefits from a range of local amenities and community infrastructure, including a primary school, pre-school, village hall, places of worship, public house, social club, sports and recreation facilities along with regular bus services connecting to Bradford-on-Avon, Bath and surrounding towns.
- 2.8 The site is located outside any identified settlement boundary and is within the Green Belt and the Cotswolds National Landscape.
- 2.9 The site is located within Flood Zone 1.
- 2.10 Hillview Farm Byre is not a listed building and the site is not within a conservation area. There are no other designated heritage assets near the site.

3.0 THE PROPOSAL

- 3.1 The proposed description of development is:

“Permission in Principle for the erection of one self-build dwelling.”

- 3.2 Indicative layout plans have been submitted however they are high level and are submitted only to demonstrate that a dwelling can fit comfortably on the site.

4.0 PLANNING HISTORY

- 4.1 There is no relevant recent planning history on the site itself although planning permission has been recently granted at Hillview Farm for the demolition of an existing outbuilding and the erection of a replacement garage, proposed rear extensions including a porch and balcony – Application Ref: PL/2025/07696.

5.0 PLANNING POLICY CONTEXT

Local Policy

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 places a duty on local planning authorities to determine proposals in accordance with the development plan unless material considerations indicate otherwise.
- 5.2 The Council's Development Plan comprises:
- West Wiltshire District Local Plan (1st Alteration)
 - Wiltshire Core Strategy
- 5.3 Winsley does not have a made Neighbourhood Plan.
- 5.4 The following policies of the Core Strategy are relevant to the determination of this application:
- Core Policy 1: Settlement Strategy
 - Core Policy 2: Delivery Strategy
 - Core Policy 7: Spatial Strategy Bradford on Avon Community Area
 - 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 New Development
- 5.5 The following policy of the West Wiltshire District Local Plan (1st Alteration) is relevant to the determination of this application:
- U1a Foul Water Disposal
- 5.6 Other possible Relevant Considerations (without limitation):
- Wiltshire Local Transport Plan 2011 - 2026
 - Wiltshire Local Transport Plan 2025 - 2038 (endorsed at full council on 11 March 2025)
 - Wiltshire Local Transport Plan 2011 - 2026: Cycling Strategy
 - Wiltshire Design Guide SPD 2024
 - National Planning Policy Framework and Planning Practice Guidance

6.0 PLANNING ANALYSIS

Principle of development

- 6.1 The permission in principle consent route is an alternative way of obtaining planning permission for housing-led development, which separates the consideration of matters of principle for proposed development from the technical detail of development.
- 6.2 The permission in principle consent route therefore has two stages;
- The first stage (permission in principle stage) establishes whether a site is suitable in principle; and
 - The second stage (technical details consent) is when the detailed development proposals are assessed.
- 6.3 If the grant of permission in principle is acceptable, the site must receive a grant of technical details consent before development can proceed. It is the granting of technical details that has the effect of granting planning permission. Other statutory requirements may apply at this stage such as those relating to protected species or listed buildings. An application for technical details must be in accordance with the permission in principle that is specific to the applicant.
- 6.4 In the first instance a decision must be made in accordance with relevant policies in the development plan unless there are material considerations such as those in the NPPF and national guidance which indicate otherwise.
- 6.5 The scope of a Permission in Principle application is limited to:
- Location:
 - Land Use; and
 - Amount of Development
- 6.6 Issues relevant to these “in principle” matters should be considered.

Location

- 6.7 Paragraph 2 of the National Planning Policy Framework in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 states that applications for planning permission should be determined in accordance with the development plans unless material considerations indicate otherwise.
- 6.8 Paragraph 11 of the NPPF however provides and requires a more nuanced approach,

for the determination of applications and requires consideration of the status of the development plan for decision making purposes. It requires consideration of whether the development plan is up to date. Paragraph 11 requires, for the purposes of decision-making:

- 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.*

- 6.9 Core Policies 1 and 2 of the Wiltshire Core Strategy establish a presumption against development outside the defined limits of Principal Settlements, Market Towns, Local Service Centres and Large Villages. While development within settlement boundaries is supported in principle, development outside those limits is only permitted in exceptional circumstances or where sites are allocated through a site allocations document or Neighbourhood Plan.
- 6.10 As the application site lies outside the defined limits of development and has not been allocated through either process, the proposed development of a single dwelling is not supported in policy terms. Furthermore, the Council has previously considered dwellings outside settlements in the context of paragraph 84 of the NPPF, which seeks to avoid the development of isolated homes in the countryside.
- 6.11 The above would indicate that, on the face of it, the development would be unacceptable in principle. However, the site is located amongst a small collection of dwellings closely related to Winsley Village and within close proximity of the built up settlement and settlement boundary.

- 6.12 In Braintree (2018), the Court of Appeal decided that the application of the word isolated within the NPPF (paragraph 55 at the time of the case) should be given its usual plain English meaning i.e. a site for residential development in a rural area should not be considered isolated if there are other houses close by.
- 6.13 Given the sites close relationship to Winsley and its location amongst an established collection of dwellings it is concluded that that this site can also be considered not isolated in terms of the NPPF.
- 6.14 Furthermore, there is a Footnote to Paragraph 11 which sets out criteria on whether a plan may be considered in date and whether an authority is able to demonstrate that it has a five year supply of deliverable housing sites. Paragraph 78 of the NPPF requires authorities to identify and update annually a supply of deliverable sites sufficient to provide five years' worth of housing against their housing requirements.
- 6.15 Unfortunately, the Council is no longer able to demonstrate a five year housing supply and the supply currently comprises 2.42 years. This is a substantial shortfall, a position that is acknowledged by Wiltshire Council.
- 6.16 For the reasons set out above it is therefore concluded that Bath and North East Somerset Development Plan is not wholly up to date. As the site is located within the Green Belt and the Cotswolds National Landscape, which are both a footnote 7 restriction, the principle of development within the Green Belt and National Landscape needs to be discussed.

Impact on the Green Belt

- 6.17 As the site is located within the Green Belt, strict controls exist to guard against inappropriate development, which is harmful by definition. Paragraph 154 of the NPPF sets out the forms of development that are considered not to represent inappropriate development in the Green Belt.
- 6.18 Limb (g) of paragraph 154 allows for the:
- “limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.”*
- 6.19 The site is located at the rear of Hillview Farm and Hillview Farm Byre, on land that has

historically formed part of the garden of Hillview Farm Byre, encroaching by a small amount into the equestrian field to the south. While part of the site is contained within the residential garden of Hillview Farm Byre, it is not within a built-up area.

- 6.20 Therefore, while the proposed development is not considered to be infill, it sits firmly within the NPPF definition of previously developed land.
- 6.21 The site is located to the rear of the dwellings fronting Bradford Road. Existing built form and established hedgerows substantially limit views into and out of the site from the public highway. Views from Cottles Lane to the west are similarly constrained by the prevailing landform and mature, heavily vegetated boundary treatments.
- 6.22 The site's southern boundary falls away markedly towards Turleigh into a lower-lying agricultural field. There are no public rights of way to the south and, due to the topographical drop, the site cannot be viewed from this direction other than by air. Any potential southern views would therefore be limited to distant, private vantage points and are effectively precluded by the landform.
- 6.23 To the east, the site adjoins open agricultural land currently used for grazing, with no public access and no direct intervisibility. To the west, there are three properties along Cottles Lane; however, these dwellings sit at a lower level relative to the application site and are separated by both natural slope and an established vegetated buffer. This buffer comprises dense, organic growth including bramble, blackthorn and elder, forming a robust and biodiverse visual screen. Two of the neighbouring properties are therefore fully screened, and the third is located significantly further west at a lower level across an intervening field.
- 6.24 In combination, the site's containment by surrounding built form, topography, and established vegetation ensures that it is well screened in the wider landscape and not visually prominent from publicly accessible viewpoints. Accordingly, the proposal would not give rise to substantial harm to the openness or visual amenity of the Green Belt.
- 6.25 In light of this the proposed development would not cause the very high bar of substantial harm to the Green Belt as set out in the NPPF. The proposed development would therefore comply with the parameters of Paragraph 154(g).
- 6.26 Notwithstanding this, and if the Council does not agree that the proposed development complies with paragraph 154(g), the development can fall under the definition of Grey Belt. In this regard paragraph 155 sets out further criteria when development is not regarded as inappropriate, provided it meets all of the tests set out. These are:

- 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 of this Framework; and*
- d. *Where applicable the development proposed meets the “golden Rules” requirements set out in paragraphs 156-157.*

6.27 Limb (a) has two parts to consider. Firstly, is the site grey belt land and secondly, if it is, would it fundamentally undermine all the purposes of the remaining Green Belt across the area of the plan. In this context, that would be all of the Green Belt within Bath and North East Somerset.

6.28 The NPPF glossary defines grey belt as land that does not “strongly contribute to any of the purposes (a), (b), or (d) in paragraph 143.” It also excludes land where a strong reason for refusal is identified under footnote 7 and, as the site is also within a National Landscape, this is discussed further later in this statement.

6.29 Paragraph 143 sets out the five purposes of Green Belts. The specific criteria of (a), (b), and (d) are;

- a. *To check the unrestricted sprawl of large built-up areas;*
- b. *To prevent neighbouring towns merging into one another; and*
- d. *To preserve the setting and special character of historic towns.*

6.30 It appears that Wiltshire Council has not published a standalone strategic Green Belt assessment for the Green Belt land within its administrative boundary. However, the application site sits immediately adjacent to the existing built-up edge of the village and is closely related to surrounding residential development. In this context, and considering it is a single dwelling, it does not perform a strong role in checking the unrestricted sprawl of large built-up areas. Winsley is a defined village rather than a large urban area, and development on this contained parcel would not represent outward or ribbon-style sprawl, nor would it materially extend the settlement into the wider countryside.

6.31 The site also makes a limited contribution to preventing the merging of neighbouring towns, as it is not located within a strategic gap between Winsley and any adjacent settlement. Furthermore, the land does not form part of the setting of a historic town;

while Winsley has local historic interest, it is not a historic town whose wider setting is reliant on this parcel of land. As such, the site performs weakly against Green Belt purposes (a), (b) and (d) as set out in paragraph 143 of the NPPF.

- 6.32 The second part of limb (a) requires the assessment of whether the development would **fundamentally** undermine the purposes of Green Belt across the area of the plan (my emphasis).
- 6.33 The site comprises a small, contained parcel of land located immediately adjacent to a collection of dwellings. Closely related to the built-up edge of Winsley. Development of this nature and scale would not alter the overall spatial strategy of the Green Belt, nor would it lead to a pattern of widespread encroachment or incremental erosion that could be said to weaken Green Belt function at a strategic level.
- 6.34 As such, while the development would result in a limited and contained change at a local level, it would not fundamentally undermine the integrity, permanence, or strategic role of the Green Belt within the wider plan context and limb (a) is therefore met.
- 6.35 Turning to limb (b), as set out in paragraph 6.12, the Council cannot currently demonstrate a five year housing land supply and therefore this limb is met.
- 6.36 In respect of limb (c), it is an assessment of the sustainability of the site. Paragraph 115 sets out criteria to assess this and criteria (a), (b) and (d) are the relevant parts of this paragraph.
- 6.37 It is acknowledged that the site is located outside any defined settlement boundary however it is not isolated in terms of location or in terms of its proximity to services. Nevertheless, the NPPF places great importance on the provision of development that encourages the use of sustainable modes of transport.
- 6.38 The site is well served by public transport, with bus stops on Winsley Road, the B3108 A39, which are approx. 4 minutes' walk from the site along an existing pavement. The D1 / D1x bus service, operated by First Bus, runs along the B3108 Winsley Road/Bradford Road corridor through Winsley and which provides regular and direct connections to Bradford-on-Avon, Bath, Trowbridge and Warminster, offering residents access to a wide range of employment, retail, education and service facilities. The availability of the D1/D1x service supports sustainable travel choices and reduces reliance on the private car, in line with national and local transport objectives.
- 2.11 Furthermore, the site is located on the outskirts of Winsley which has existing services and facilities including a primary school, pre-school, village hall, places of worship, public

house, social club along with a variety of sports and recreation facilities, a short walk away.

- 6.39 This therefore demonstrates that there is a reasonable alternative to the private car via sustainable means.
- 6.40 Turning to the proposed access, it would be acceptable in highway safety terms and, having regard to the scale and nature of the development, would not result in any significant adverse impact on the transport network or highway safety. Limb (c) of paragraph 155 is therefore satisfied.
- 6.41 Limb (d) relates to major developments and is not applicable.
- 6.42 The proposed development would therefore comprise Grey Belt and also comply with the parameters of paragraph 155 of the NPPF and would not represent inappropriate development in the Green Belt.

Impact on the Cotswolds National Landscape

- 6.43 Core Policy 51 of the Wiltshire Core Strategy requires development to protect, conserve and, where possible, enhance the character and quality of Wiltshire's landscapes, with particular weight afforded to designated areas such as National Landscapes. Paragraph 189 of the National Planning Policy Framework places great weight on conserving and enhancing landscape and scenic beauty within National Landscapes, and development proposals must demonstrate that they do not give rise to unacceptable harm to the special qualities of such areas. In addition, Section 245 of the Levelling Up and Regeneration Act 2023 introduces a statutory duty on decision-makers to seek to further the statutory purposes of protected landscapes.
- 6.44 The application site lies within the Cotswolds National Landscape, and due regard has therefore been given to the potential effects of the proposed development on landscape character and scenic quality. The proposal is for a single dwelling sited adjacent to existing residential development and contained within an established pattern of built form. It does not introduce sporadic or isolated development into open countryside, nor does it result in encroachment into visually sensitive or undeveloped landscape areas that contribute strongly to the special qualities of the National Landscape.
- 6.45 By virtue of its scale, siting and design, the proposed dwelling would be read as a natural continuation of the edge of the cluster of dwellings and would not give rise to significant visual intrusion or harm to the wider landscape character. The development would be largely contained within the existing garden area of Hillview Farm Byre and its immediate

context, with no material impact on key views, landscape features or the scenic qualities for which the Cotswolds National Landscape is designated. The proposal would therefore conserve the character and appearance of the National Landscape and would not conflict with the objectives of Core Policy 51 or paragraph 189 of the NPPF.

- 6.46 When considered in the context of paragraph 11(d) of the NPPF, it is concluded that the impact of the proposal on the National Landscape does not amount to a strong reason for refusing permission. Any effects would be limited, localised and can be appropriately mitigated through design at technical details stage, such that the development would not undermine the statutory purposes of the National Landscape designation or the wider planning balance.

Location (continued)

- 6.47 As set out above, the proposed development would not represent inappropriate development in the Green Belt or harmful development in the Cotswolds National Landscape and therefore paragraph 11d) i. does not represent a strong reason for refusal. The proposed development must therefore be considered under the tilted balance set out in Paragraph 11(d)(ii). This will be set out in the planning balance below.

Land Use

- 6.48 The site is adjacent to the existing residential development on Bradford Road and closely related to Winsley village. It would not represent an alien form of development in this location and therefore residential use is acceptable.

Amount of Development

- 6.49 The application seeks permission in principle for one self build dwelling and an indicative layout has been provided showing a possible layout that also provides an access drive to the dwelling, shared with Hillview Farm Byre along with parking for the existing dwelling too.
- 6.50 There is no in principle reason why one dwelling cannot be accommodated on the site. Matters in relation to appearance, scale and layout would be considered at TDC stage and therefore the site is capable of accommodating one dwelling.

Other matters

- 6.51 All other matters to be considered will be determined at the TDC stage. This includes the levels of amenity in relation to the proposed and existing dwellings as well as trees, heritage, highways and drainage.

- 6.52 Notwithstanding this, there is no reason why a sensitively designed dwelling with sympathetic sustainable materials can come forward at TDC stage that would respect the sites location within the Green Belt and the Cotswolds National Landscape and comply with the relevant policies in the Wiltshire Core Strategy.
- 6.53 **Planning Balance**
- 6.54 As set out, the Council has a substantial shortfall in terms of its 5 year housing land supply at just 2.43 years. There is no evidence that this position is likely to significantly improve in the short term. In such circumstances, Paragraph 11d and footnote 8 of the NPPF require that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.
- 6.55 The benefits of the proposal include the provision of one self build dwelling toward the Council's housing requirement and would assist in meeting the need for the area and provide support for local facilities. While the development would only provide one dwelling, given the shortfall in the housing land supply, this must still be given significant weight.
- 6.56 Paragraph 6.35 sets out that there is a regular bus service immediately outside the site and there are a wide range of facilities and services within Winsley village which is within walking distance and overall provides an attractive alternative to the private car. The NPPF places great importance on the provision of development that encourages the use of sustainable modes of transport. The sustainability of the location must therefore be given significant weight in the planning balance.
- 6.57 The proposed development does not comply with the locational requirements of Policy DW1. Notwithstanding this, the policy is considered to be out of date in the context of footnote 8 of the NPPF. This weighs against the proposal though this weight is limited.
- 6.58 The proposed development would not represent inappropriate development in the Green Belt. It would also not represent harmful development in the Cotswold National Landscape. Therefore, in line with Paragraph 11(d)(ii), planning permission should be granted unless the adverse impacts **significantly and demonstrably** outweigh the benefits (my emphasis). In weighing the proposal in the planning balance, the harm in terms of its location is limited to none and the benefits arising from the delivery of one dwelling, including a contribution towards meeting local housing need and the efficient use of land, would clearly outweigh that limited harm.

- 6.59 The development would therefore represent sustainable development and is in accordance with the presumption.

7.0 CONCLUSIONS

- 7.1 This Planning Statement demonstrates that the proposed Permission in Principle application for one dwelling at Hillview Farm Byre is acceptable in principle, having regard to national and local planning policy and all other material considerations.
- 7.2 The site is not isolated in planning terms and is located within an established cluster of development. While it lies outside a defined settlement boundary, case law confirms that this factor alone is not determinative where sites are well related to existing development and services.
- 7.3 The site falls within definition of previously developed land and, as it does not have a substantial impact on the openness of the Green Belt, would not represent inappropriate development in the Green Belt, complying with paragraph 154(g) of the NPPF. Furthermore, the site falls within the definition of Grey Belt, meeting all the requirements of paragraph 155. Finally, while the site is within the Cotswolds National Landscape, the proposal is not considered to have a harmful impact and certainly not one that could represent a 'strong' reason for refusal under paragraph 11d) i. of the NPPF.
- 7.4 The site is located in a sustainable location, with bus stops immediately adjacent and a range of day-to-day services in Winsley are accessible on foot via a continuous pavement. The proposed access is acceptable and would not result in any significant adverse impact on highway safety or the transport network.
- 7.5 The Council's substantial shortfall in its five-year housing land supply is a material consideration of significant weight. In this context, the tilted balance in paragraph 11(d)(ii) applies. Any limited harm arising from the site's location is clearly outweighed by the benefits of delivering one dwelling and contributing to housing supply.
- 7.6 All remaining matters can be appropriately addressed at the Technical Details Consent stage. For the reasons set out above, Permission in Principle should therefore be granted.