

APPLICATION FOR PERMISSION IN PRINCIPLE CASE OFFICER REPORT

APPLICATION REFERENCE:	PL/2026/01902
APPLICATION TYPE:	Permission in Principle
SITE ADDRESS:	Land Adjoining No.13 Fairview, Bushton, Swindon, SN4 7PX
DEVELOPMENT DESCRIPTION:	Permission in principle for new self-build single dwelling
RECOMMENDATION:	That Permission in Principle be REFUSED

SITE DESCRIPTION/CONTEXT

The application site comprises a parcel of land located on the southern edge of Bushton, a rural village situated within open countryside. The nearest designated small village is Broad Town, approximately 2.6km to the east, while the nearest larger village is Lyneham, approximately 3.6km to the west (distances measured 'as the crow flies'). As such, the site lies outside any defined settlement boundary.

The land itself consists of enclosed grazing pasture bound with established hedging. Access to the site is taken from Greenway Road, which functions as the main through route running north-south through Bushton. The site is situated on the eastern side of Greenway Road, a narrow classified C road with a 60mph approach into the Village dropping to a 40 mph as you near the site.

The surrounding area is characterised by Agricultural Holdings and a mix of residential properties surrounded by agricultural and grazing land. The site is bounded by agricultural fields to the north and east, the dwelling known as Fairview to the west, and Merrythatch a Grade II Listed Building to the south. Development along this stretch of Greenway Road is relatively sporadic, comprising a number of dwellings and farmsteads set within generous plots. The community centre lies 150m north of the site.

PROPOSAL

The application seeks Permission in Principle under the provisions of the Town and Country Planning Act 1990 (as amended).

The development proposed is for a self-build comprising up to one single dwelling.

No detailed matters of layout, scale, appearance, access, landscaping or drainage are submitted at this stage, as these are not required as part of a Permission in Principle application.

PLANNING HISTORY

Proposal / Summary
No planning history related to this parcel of land.

RELEVANT LEGISLATION, POLICIES AND GUIDANCE

Statutory Legislation:

National Planning Policy:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

Development Plan:

The development plan for Wiltshire comprises the *Wiltshire Core Strategy (WCS) (adopted January 2015)* and any made neighbourhood plans, which remains the principal statutory planning document guiding development across the county. In line with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise.

Though the development plan is considered as a whole, those parts deemed to be particularly relevant to this application are listed below:

The adopted *Wiltshire Core Strategy (WCS)*, with particular regard to:

- Core Policy 1 Settlement Strategy;
- Core Policy 2 Delivery Strategy;
- Core Policy 41 Sustainable Construction and Low Carbon Energy;
- Core Policy 45 Meeting Wiltshire's Housing Needs;
- Core Policy 50 Biodiversity and Geodiversity;
- Core Policy 57 Ensuring High Quality Design and Place Shaping;
- Core Policy 60 Sustainable Transport;
- Core Policy 61 Transport & Development;

Draft Wiltshire Local Plan

The examination of the emerging Wiltshire Local Plan has been paused and the weight to be afforded to any part of the emerging plan can be no more than very limited.

Supplementary Planning Documents and other Guidance:

- Wiltshire Local Transport Plan 2011 – 2026 : Car Parking Strategy (March 2011)
- Wiltshire Design Guide

PERMISSION IN PRINCIPLE – PURPOSE AND SCOPE OF ASSESSMENT

Permission in Principle (PiP) is an alternative route to obtaining planning permission, introduced by the Housing and Planning Act 2016. It is intended to provide an early and proportionate decision on whether a site is suitable for development, before detailed design work is undertaken.

The PiP process operates as a two-stage planning permission route for housing-led development:

- *Stage 1 – Permission in Principle:*
Establishes whether the principle of development on a site is acceptable.
- *Stage 2 – Technical Details Consent:*
If PiP is granted, a subsequent application is required to consider the detailed proposals, including layout, scale, appearance, access, landscaping, drainage and infrastructure.

At the Permission in Principle stage, the assessment is deliberately high-level and limited in scope. The purpose of a PiP is not to approve detailed plans, but to provide certainty at an early stage about whether development of a particular type is acceptable in principle at a given location. This approach is intended to help streamline the planning process by allowing developers and communities to understand development potential before significant time and expense is committed to detailed designs.

Importantly, the grant of Permission in Principle does not authorise development to commence. Development can only proceed once Technical Details Consent has been granted.

Planning conditions cannot be imposed on the grant of PiP however conditions can be applied in the usual way at the technical details consent stage. Any PiP approved for residential development must be expressed indicating the minimum and maximum net number of dwellings which are, in principle, permitted. For a valid PiP application only a plan to identify the land to which the application relates is required.

Matters that Can Be Considered at the PiP Stage

Legislation restricts the assessment of a PiP application to the following matters only:

- The location of the development
- The proposed land use(s)
- The amount of development proposed

These are the only issues that can lawfully be taken into account when determining whether Permission in Principle should be granted or refused.

Matters Excluded from Consideration at the PiP Stage

Detailed matters, including (but not limited to) the following, are not considered as part of a PiP application:

- Detailed design and appearance
- Site layout and internal arrangements
- Access arrangements and parking
- Landscaping and boundary treatments
- Drainage and flood mitigation measures
- Utilities and other technical infrastructure

Such matters are reserved entirely for consideration at the Technical Details Consent stage, should Permission in Principle be granted.

KEY ISSUES FOR ASSESSMENT

In determining this application for Permission in Principle, the Local Planning Authority must consider the following key issues:

1. **Whether the location of the site is suitable** for the proposed form of development, having regard to the spatial strategy set out in the development plan and relevant national policy.
2. **Whether the proposed land use is acceptable in principle** at this location, taking into account the character and role of the settlement and surrounding area.
3. **Whether the amount of development proposed is appropriate**, assessed at a high-level and in broad terms only.
4. **Whether there are any overriding constraints** which would clearly and demonstrably prevent the site from being developed in principle, even allowing for detailed matters to be addressed at the Technical Details Consent stage.

A Permission in Principle application should therefore only be refused where it is clearly demonstrated that the principle of the proposed development is unacceptable, and that such concerns could not reasonably be addressed through a subsequent Technical Details Consent application.

CONSULTATION RESPONSES

WC Highways: The location is highly reliant on private car travel due to limited sustainable transport options, which is typical of a rural setting and contrary to the aims of Core Policies 60 and 61. However, the existing access is acceptable in principle, appropriate visibility can be achieved, and the development of a single dwelling would not result in a material impact on the safety or operation of the surrounding highway network.

WC Ecology: No objection

Parish/Town Council: No comments received.

REPRESENTATIONS

In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), the application was publicised by way of:

- A site notice displayed near the site;

These methods were used to inform interested parties and provide a period of 21 days for comments to be submitted.

Below is a summary of the representations received during the consultation period. Only material planning considerations have been taken into account in the assessment of this application. Non-material issues, such as property values or private legal disputes, cannot be considered in the determination process.

One member of the public raised concerns regarding the following:

- Concern raised regarding neighbour notification, with the representation stating that Merrythatch did not receive a consultation letter.
- Allegations of factual inaccuracies within the submitted Planning Statement, including references to the settlement layout and surrounding area.
- Emphasis on the presence and proximity of Grade II listed buildings, including Merrythatch and other listed farmhouses within the vicinity of the site.

ASSESSMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:

"If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise."

In accordance with this statutory requirement, this application has been assessed against the relevant policies of the Development Plan, including the Wiltshire Core Strategy (2015) and, where applicable, any made Neighbourhood Plans. Consideration has also been given to the policies of the National Planning Policy Framework (NPPF) as a material consideration in the assessment.

Principle of Development – Location

Policy Context

The development plan establishes a spatial strategy which seeks to direct new development towards defined settlements where residents have reasonable access to services, facilities and sustainable transport options. Development beyond these locations is generally more restricted in order to protect the countryside and promote sustainable patterns of growth.

The National Planning Policy Framework supports the delivery of new homes in appropriate locations, whilst seeking to ensure development is well related to existing settlements and does not result in unsustainable patterns of development.

Assessment

The application site is located on the southern edge of Bushton, an undefined rural settlement with no designated settlement boundary and which is therefore treated as open countryside in policy terms. The site comprises a grazing field situated to the side of an existing dwelling, at the edge of a loose and sporadic pattern of development characterised by individual properties and agricultural holdings along Greenway Road. Whilst there is limited built form in the vicinity, this does not constitute a cohesive built-up area, and the site does not read as part of the village. Instead, it occupies a transitional but distinctly rural position that is functionally and visually aligned with the surrounding agricultural landscape, such that its development would represent an encroachment into the countryside

The site is poorly located in relation to services, facilities and employment opportunities, with no realistic or safe opportunities for access by walking, cycling or public transport. As confirmed by the Local Highway Authority, future occupiers would be heavily reliant on the

private motor vehicle for all day-to-day journeys. This level of reliance is inherent to the site's location and cannot be mitigated through design or subsequent detail. As such, the proposal would give rise to an unsustainable pattern of development, contrary to the objectives of the development plan, which seeks to direct new housing to locations that are accessible and capable of supporting sustainable modes of travel.

At the Permission in Principle stage, the assessment is necessarily high-level; however, the site's location in relation to the settlement and services is a fundamental consideration. The identified sustainability concerns arise directly from the site's location and cannot be addressed or mitigated through a subsequent Technical Details Consent application.

Conclusion

Having regard to the spatial strategy set out in the adopted development plan and relevant national policy, it is considered that the location of the site is unacceptable in principle for the proposed residential development.

The site is insufficiently related to Bushton and its services, occupying a detached, peripheral position where future occupiers would be wholly reliant on the private car. This results in an inherently unsustainable form of development, and as this harm arises from the site's location, it cannot be addressed through Technical Details Consent. Accordingly, the principle of development is not supported.

Principle of Development – Land Use

Policy Context

The development plan supports the provision of appropriate land uses in locations identified as suitable by the spatial strategy. In particular, policies seek to ensure that proposed uses are compatible with their surroundings and contribute positively to the function and character of settlements.

The National Planning Policy Framework promotes sustainable development and supports the delivery of housing in principle, subject to it being located in suitable areas and not giving rise to conflicts that would fundamentally undermine the objectives of the development plan.

Assessment

At the Permission in Principle stage, the key test is whether the proposed land use is acceptable in principle at this location, having regard to the spatial strategy and the role of the site in its wider context.

The proposal seeks Permission in Principle for the erection of a single self-build dwelling on land located outside any defined settlement boundary and therefore within the open countryside. Whilst there are individual dwellings in the vicinity, these are sporadic in nature and do not form a cohesive built-up area. The site itself comprises a grazing field that is functionally and visually part of the surrounding rural landscape, and its development would represent an encroachment into the countryside.

Residential use in isolation is not considered to give rise to a direct land use conflict with neighbouring uses. However, this does not override the fundamental policy objection to new

housing in unsustainable countryside locations. (...sustainblty location) The acceptability of land use must be considered in the context of location, and in this instance the site is not one where residential development is supported in principle.

Importantly, the identified harm arises from the site's location and the resulting conflict with the spatial strategy, rather than from detailed matters such as design, layout or access. As such, these concerns could not be addressed or mitigated through the submission of a subsequent Technical Details Consent application.

Matters relating to the detailed siting of the dwelling, scale, design, access arrangements, residential amenity, and potential effects on nearby heritage assets are not for consideration at this stage and would be subject to full assessment at the Technical Details Consent stage, should Permission in Principle be granted.

Conclusion

For these reasons, the proposed residential use is not acceptable in principle at this location. The proposal represents unjustified development in the open countryside, contrary to the spatial strategy of the development plan, in particular Core Policies 1 (Settlement Strategy) and 2 (Delivery Strategy) of the Wiltshire Core Strategy, which seek to direct new housing to defined settlements with appropriate access to services and facilities. This approach is consistent with the objectives of the National Planning Policy Framework, which seeks to promote sustainable patterns of growth and direct development to suitable and accessible locations. The harm identified is fundamental, arising from the site's location, and cannot be resolved through the submission of Technical Details Consent. Accordingly, Permission in Principle should be refused.

Amount of Development

Policy Context

The development plan seeks to ensure that the scale of new development is appropriate to its location, having regard to the size, role and character of the settlement, and the capacity of the area to accommodate change in principle.

The National Planning Policy Framework supports a proportionate approach to the assessment of scale at an early stage in the planning process, recognising that detailed matters of layout, design and appearance are to be addressed through subsequent stages of decision-making where appropriate.

Assessment

At the Permission in Principle stage, the assessment of the amount of development is necessarily high-level and focused on whether the proposed quantum is appropriate in principle, having regard to the site's location and context.

Whilst the delivery of a single dwelling would represent a limited quantum of development, this does not render it acceptable in principle. Even a single dwelling in this location would extend built development beyond its existing loose extent, resulting in an elongation of the settlement pattern and erosion of its rural character.

Furthermore, due to the site's open nature and visibility from the surrounding road network, the introduction of built form would materially alter the character and appearance of the countryside in this location, diminishing the sense of openness and reinforcing incremental encroachment. In this regard, the proposal conflicts with the design objectives of the National Planning Policy Framework, in particular paragraph 135(f), which requires development to respond to local character and the surrounding landscape setting.

Although detailed matters such as layout, scale and design are reserved for consideration at the Technical Details Consent stage, the harm identified arises from the principle of introducing residential development on this site, rather than from the specifics of how it might be designed. The concerns raised, including those relating to character, settlement pattern and visual impact, are therefore not capable of being overcome through subsequent detail.

Conclusion

The proposed development, albeit limited to a single dwelling, would nevertheless result in a harmful extension of built form into the countryside, eroding the established settlement pattern and adversely affecting the area's character and appearance. This harm is intrinsic to the site's location and cannot be mitigated through design. Accordingly, the proposal is contrary to Core Policies 1 and 2 of the Wiltshire Core Strategy and paragraph 135(f) of the NPPF, and is not acceptable in principle.

Constraints and Infrastructure Considerations (PiP Context)

Policy Context

The development plan and national planning policy recognise that sites may be subject to environmental, physical or policy constraints. At the Permission in Principle stage, the key consideration is whether any such constraints are of a nature or severity that they would clearly and demonstrably prevent development from coming forward in principle, even allowing for detailed matters to be addressed at the Technical Details Consent stage.

The National Planning Policy Framework confirms that planning decisions should be proportionate, and that early-stage permissions should not seek to resolve detailed technical matters prematurely.

Assessment

Consideration has been given to the presence of any known constraints affecting the application site that are capable of undermining the principle of development.

These include:

- Flood risk designations
- Heritage assets or their settings
- Landscape or environmental designations
- Ecological designations
- High-level transport or access limitations
- Other site-specific constraints apparent at this stage

The existence of a constraint does not, in itself, justify refusal of a Permission in Principle application. The crucial question is whether the constraint is so severe that it could not reasonably be overcome or mitigated, even in principle, through the consideration of detailed proposals at the Technical Details Consent stage.

The site is not subject to any statutory landscape, ecological, or environmental designations. While nearby listed buildings are present within the vicinity, including Merrythatch opposite the site, the application site itself does not contain a designated heritage asset. Any assessment of potential effects on the setting of nearby heritage assets would require a detailed appraisal and would fall to be considered at the Technical Details Consent stage.

The site is accessed from an existing highway, and the Local Highway Authority has confirmed that the development of a single dwelling would not give rise to a material impact on highway safety or network operation in principle. It's indicated that the site is in Flood Zone 1, with evidence has provided to indicate flooding or surface water drainage across the site; however, these would be dealt with at TDS.

While these matters will require further detailed assessment and, where appropriate, mitigation, there is no evidence to demonstrate that any identified constraint represents an overriding or fatal barrier to development in principle.

Conclusion

Whilst no overriding technical constraints have been identified, this does not justify development in principle. The proposal remains fundamentally unacceptable due to its location in the open countryside, where it conflicts with the spatial strategy set out in **Core Policies 1 and 2 of the Wiltshire Core Strategy**, and the sustainability objectives of the **NPPF**. These are in-principle matters that cannot be resolved through Technical Details Consent. Accordingly, Permission in Principle should be refused.

Other Issues

Issues were raised by a third-party regarding neighbour notification and the accuracy of statements within the submitted Planning Statement.

The Local Planning Authority is satisfied that the application was publicised in accordance with statutory requirements. A site notice was displayed and a full 21-day consultation period was allowed for public comment. There is no regulatory requirement to notify specific neighbouring properties by letter, and the method of publicity undertaken accords with legislative requirements.

Concerns regarding factual inaccuracies within the submitted Planning Statement, including references to the local road network and the presence of nearby listed buildings, are noted. However, the Planning Statement is not determinative, and the application has been assessed on the basis of the Local Planning Authority's own appraisal of the site and its surroundings. These matters do not raise any issues that would alter the assessment of the application within the limited scope of a Permission in Principle determination.

No additional material planning considerations have been identified that would warrant further assessment at this stage.

PLANNING BALANCE AND CONCLUSION

The application seeks Permission in Principle for erection of a single self-build dwelling on land adjoining No.13 Fairview, Bushton.

In determining a Permission in Principle application, the Local Planning Authority is required to assess only the location of the development, the proposed land use, the amount of development, and whether there are any overriding constraints which would clearly and demonstrably prevent development from coming forward in principle.

Having considered the application against the development plan and the National Planning Policy Framework, it is concluded that the proposed development is not acceptable in principle. The concerns identified go to the fundamental suitability of the site for development, rather than to matters that could reasonably be resolved through the submission of detailed proposals at a later stage.

Five-Year Housing Land Supply

The Council is currently unable to demonstrate a five-year supply of deliverable housing land, with only 2.42 years identified, and as such the presumption in favour of sustainable development set out in paragraph 11(d) of the NPPF is engaged. This attracts weight in favour of the proposal.

However, the application must still be assessed against whether the development represents sustainable development in the round. In this case, the delivery of a single dwelling would make only a very limited contribution towards addressing the housing shortfall and therefore carries limited weight.

Against this, the proposal would result in clear and identifiable harm. The site lies within the open countryside and is insufficiently related to any designated settlement, such that development would extend built form further into a rural location, and introduce an unsustainable form of development reliant on the private car into the countryside. This conflict with the spatial strategy is fundamental and carries significant weight.

Furthermore, the proposal would result in harm to the character and appearance of the area, including the erosion of the rural setting and incremental encroachment into the countryside. This runs contrary to the objectives of the NPPF, including paragraph 135(f), which seeks to ensure development responds appropriately to local character and landscape setting.

These harms arise from the principle and location of development, and are not matters capable of being mitigated or overcome through the submission of Technical Details Consent.

Conclusion

In applying the tilted balance, it is considered that the adverse impacts of the proposal significantly and demonstrably outweigh the benefits, when assessed against the NPPF as a whole. The proposal conflicts with the spatial strategy of the development plan, in particular Core Policies 1, 2, 60 and 61, and fails to represent sustainable development.

Accordingly, the presumption in favour of sustainable development does not justify granting Permission in Principle in this case, and the proposal should be refused.

RECOMMENDATION:

That Permission in Principle be REFUSED for the following reasons:

The application site lies within the open countryside, in an unsustainable location that is poorly related to services, facilities and sustainable transport options, resulting in heavy reliance on private vehicle use and an unsustainable pattern of development. The proposal would extend built form into the countryside, eroding the openness of the existing rural setting.

As such, it conflicts with the spatial strategy of the Wiltshire Core Strategy, in particular Core Policies 1 and 2, and 60 and 61, as well as the sustainability objectives of the National Planning Policy Framework. The harm identified arises from the principle and location of the development and cannot be addressed through Technical Details Consent. Permission in Principle is therefore refused.