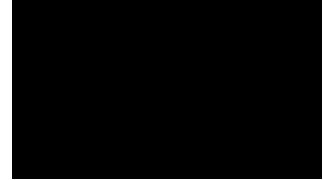


Gemma Ackerman MRTPI



Development management
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Dear Ms Carney

REF: OBJECTION TO PLANNING APPLICATION PL/2026/02443

Land at White Street, West Lavington, Devizes

Erection of 47 dwellings with associated access, internal roads, parking, public open space, landscaping, drainage and associated infrastructure

1. I write to object to the above application. For transparency, I make these comments in my capacity as a Chartered Town Planner (MRTPI) and local resident of Rickbarton.
2. Under Section 38(6) of the Planning and Compulsory Purchase Act 2004, the starting point for decision-making is the adopted Development Plan. Paragraph 12 of the National Planning Policy Framework ("NPPF") confirms that the presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision-making.
3. It is acknowledged that Wiltshire Council is currently unable to demonstrate a five-year housing land supply and that the tilted balance under paragraph 11(d) of the NPPF is therefore engaged. However, paragraph 11 does not create a blanket presumption in favour of granting permission irrespective of harm. The NPPF must be read as a whole. Development must still represent sustainable development when

assessed against the economic, social and environmental objectives of the Framework set out at paragraph 8.

4. The question is therefore not whether the proposal brings housing benefits in the abstract, but whether those benefits outweigh the identified conflict with the adopted Development Plan, including the made West Lavington Neighbourhood Plan, and the site-specific harms arising from the proposal.
5. My objection is not to the principle of delivering new homes either within Wiltshire generally or within West Lavington specifically. Rather, it arises from a professional planning judgement that the particular scale, density and form of development proposed would fail to respond appropriately to the character, settlement pattern and historic rural edge of the village.
6. The central concern is the cumulative urbanising effect arising from the introduction of a disproportionately large 47-dwelling suburban estate onto agricultural land that presently forms part of the rural transition and setting of West Lavington. In my view, the proposal would result in an overly intensive and poorly integrated form of development that would materially alter the character of this part of the village and fail to sufficiently respect its landscape setting, Conservation Area and listed building context, rural lane character and established settlement grain.
7. Whilst housing delivery attracts weight in favour of the proposal, the adverse impacts arising from the scale, density, urbanising form, heritage impacts, landscape effects and unresolved transport concerns are considered to significantly and demonstrably outweigh the benefits of the scheme when assessed against the policies of the Framework taken as a whole.

Principle of Development and Settlement Strategy

8. West Lavington is identified as a Large Village within the Wiltshire Core Strategy. Core Policy 1 supports only limited infill or small-scale development within Large Villages. Similarly, Core Policy 2 establishes a settlement strategy whereby the majority of strategic growth is directed toward Principal Settlements, Market Towns and Local Service Centres.

9. Core Policy 12 confirms that development within the Devizes Community Area should be in accordance with the settlement strategy established through Core Policies 1 and 2. Whilst West Lavington is identified as a Large Village capable of accommodating some growth, the policy framework does not support disproportionately large estate-style expansion that materially alters village form or character.
10. This proposal cannot reasonably be characterised as either “limited infill” or “small-scale development”. The scheme proposes a substantial 47-dwelling estate extending into open agricultural land on the western edge of the settlement. The site is not a natural infill plot, nor does it comprise a modest rounding-off exercise. Rather, it constitutes a significant estate-style expansion beyond the established historic grain of the village.
11. If, as appears to be the case, the application site lies outside the defined settlement boundary, the proposal conflicts with the spatial strategy in Core Policies 1 and 2 and with Policy BE1 of the made West Lavington Neighbourhood Plan.
12. The West Lavington Neighbourhood Plan is a made neighbourhood plan and therefore forms part of the statutory Development Plan. Its policies should be afforded full development plan weight pursuant to Section 38(6). The proposal conflicts with the objectives of the Neighbourhood Plan, including Policy BE1 insofar as the site lies outside the settlement boundary, Policy BE2 in relation to design, local distinctiveness, density, green buffers and lane character, Policy BE3 in relation to highway impact, and Policy BE4 in relation to heritage assets.
13. The relevant Neighbourhood Plan housing strategy is Policy H1, under which the plan’s housing provision is focused on a specific allocation. Other non-allocated sites are only envisaged as small-scale development within the settlement boundary and subject to the plan’s other policies. This proposal is not that kind of development.
14. The Planning Statement places considerable reliance on the site being physically adjacent to existing development and therefore “well-related” to the settlement. However, physical adjacency alone is not determinative of acceptability. The key issue

is whether the scale, form and character of development proposed represents an appropriate response to the settlement edge and surrounding context.

15. In this instance, the proposal would materially alter the presently soft and transitional rural edge through the introduction of a disproportionately large suburban estate form that fails to integrate appropriately with the historic grain and character of West Lavington.
16. The scale of development proposed is particularly important. A scheme of 47 dwellings is not a modest or transitional addition to the settlement, but a substantial urbanising intervention that would permanently alter the character of this historic and rural part of West Lavington. The cumulative effect of estate roads, parking courts, engineered drainage infrastructure, suburban housing parcels and formalised built form would transform what is presently a soft rural edge into a distinctly urban extension of the village.
17. Importantly, the Planning Statement itself confirms that the site was previously considered through the Neighbourhood Plan process as “Site 3 – Behind High Street / Orchard Place / White Street” but was not ultimately allocated within the made Neighbourhood Plan.
18. The application site was not overlooked by the Neighbourhood Plan process. The West Lavington Site Selection Methodology assessed this White Street land as a potential housing site with capacity for around 50 dwellings at approximately 25 dwellings per hectare, yet concluded that it was not recommended for allocation.
19. The reasons given included likely harm to the setting and character of the Conservation Area, the need to widen White Street within the Conservation Area, harm to the setting of West Lavington Manor, limited visibility at the Church Street junction, access constraints, landscape and biodiversity/character concerns and limited public support.
20. The Neighbourhood Plan evidence base expressly concluded that “the factors in favour of development are significantly outweighed by the demonstrable harm that would arise” and accordingly the site was “Not recommended for allocation”.

21. That evidence base is not determinative on its own, but it is a highly material explanation of why this land was excluded from the plan-led growth strategy. Whilst the housing land supply position has changed since the Neighbourhood Plan was prepared, the underlying site-specific concerns identified through that evidence base remain directly relevant to the current application.
22. It is also notable that the Council's own pre-application response concluded that the proposal was contrary to the adopted Development Plan, noting specifically that the site lies outside the defined Limits of Development and that an open market-led proposal for 47 dwellings did not appear to meet any of the exception criteria within the Wiltshire Core Strategy. The officer expressly stated that "the Council is unable to offer support for the proposal" at pre-application stage.
23. Pre-application advice is not binding. However, it is capable of being a material consideration, particularly where it identifies clear concerns relating to principle, design, landscape, heritage, highways, mitigation and information requirements. In this case, the submitted scheme has not overcome the fundamental concerns previously identified.
24. Taken together, the proposal conflicts with the spatial strategy of the Wiltshire Core Strategy, including Core Policies 1, 2 and 12, and also gives rise to conflict with Core Policies 50, 51, 52, 57, 58, 60, 61, 62 and 67. Whilst the tilted balance is engaged, those development plan conflicts remain important and relevant considerations in the determination of the application.

Backland Development and Settlement Pattern

25. The proposal exhibits the characteristics of substantial backland development. The site sits behind existing development along the High Street and White Street and would introduce a dense inward-facing suburban estate accessed from a relatively narrow rural lane. The proposed layout bears little relationship to the historic evolution or organic grain of West Lavington.
26. Rather than reinforcing the established settlement pattern, the development would introduce a highly engineered estate form characterised by internal estate roads,

perimeter blocks, extensive hard surfacing, standardised housing parcels and suburban estate geometry. The resulting form of development appears visually and spatially disconnected from the prevailing historic morphology of the village.

27. Backland development is not automatically unacceptable in policy terms. However, large-scale backland schemes can be harmful where they fail to respect settlement grain, erode spaciousness or create an incongruous urban form at the rural edge of settlements. The proposal would result in precisely that outcome.
28. The proposal would not read as a natural extension of the village, but instead as a self-contained suburban enclave imposed behind the existing historic settlement frontage. Rather than deriving from the established morphology and architectural character of West Lavington, the proposal appears to import a standardised suburban estate typology into the site. As a consequence, the development risks appearing as a separate and internally planned housing enclave rather than a natural continuation of the village.

Overdevelopment, Density and Loss of Green Buffer

29. A central concern with the application is that the scheme represents an overdevelopment of the site. Although the applicant attempts to justify the proposal through references to housing delivery and efficient use of land, the resulting development intensity is materially out of character with the surrounding village context.
30. The proposal would replace open agricultural land and rural edge character with a dense suburban estate comprising 47 dwellings, extensive parking courts, estate roads and engineered infrastructure. The overall form and disposition of development appears driven primarily by maximising unit numbers rather than responding sensitively to the site's context.
31. The density and quantum of development proposed materially exceeds what would ordinarily be perceived as a sympathetic village-edge extension within the context of West Lavington. Rather than appearing as a natural evolution of the settlement, the scheme would read as a consolidated suburban estate imposed onto the rural edge of

the village. The proposal therefore risks the gradual urbanisation of West Lavington in a manner that fails to respect its historic form, spaciousness and relationship with the surrounding countryside.

32. Paragraph 129 of the NPPF supports the efficient use of land; however, it is clear that this must also take account of local character, setting and the desirability of maintaining an area's prevailing character. Efficient use of land does not equate to maximising unit numbers irrespective of context. In this instance, the scheme appears driven primarily by optimisation of housing yield rather than by a landscape-led or contextually responsive design approach.
33. Whilst the application documentation describes the scheme as "landscape-led", the proposed density, extent of built form and suburban estate arrangement suggest that landscape considerations have ultimately become secondary to maximising development yield. The resulting form of development would substantially erode the existing openness and rural transition that presently characterises this edge of the village.
34. The Council's own pre-application response emphasised the importance of avoiding harsh urban edges, minimising suburban design influences and ensuring a natural transition to the surrounding countryside. These concerns directly reflect the central issue arising from the current proposal, namely the cumulative urbanising effect of a dense suburban estate on a presently soft and transitional rural edge.
35. Importantly, the Council's pre-application response indicated that only a "well-designed, low-density and verdant scheme" would be capable of reflecting the character of this part of the village. In my view, the submitted proposal for 47 dwellings fails to achieve that aspiration and instead represents a comparatively dense suburban estate form that would materially urbanise the site and surrounding settlement edge.
36. The site presently performs an important transitional role between the built form of the village and the surrounding countryside. In visual and spatial terms, the open agricultural land acts as part of a soft green buffer to the western edge of West Lavington and contributes positively to the rural setting of both the village and

Conservation Area. The proposed development would substantially erode this transition through the introduction of dense built form, estate roads, engineered infrastructure and suburbanising development parcels.

37. In this regard, the proposal conflicts not only with Core Policy 51 relating to landscape character, but also Core Policy 52 insofar as the existing open land contributes to the wider green infrastructure and rural edge character of the settlement.
38. Paragraph 187 of the NPPF is also directly relevant. It requires planning decisions to contribute to and enhance the natural and local environment, including by recognising the intrinsic character and beauty of the countryside. The proposal would fail to do so, by replacing a soft rural edge and transitional agricultural landscape with a suburban estate form, engineered infrastructure and associated domesticising effects.
39. The transition between the built form of the village and the wider countryside is presently relatively soft and legible. This proposal would instead create a hard urban edge that would appear incongruous when viewed from the surrounding landscape and from within the Conservation Area.
40. The cumulative concern is not any single element in isolation, but the combined effect of estate roads, parking areas, engineered drainage infrastructure, formal open space provision, domestic paraphernalia, lighting, increased traffic movements and dense built form. Collectively, these elements would urbanise what is presently a transitional rural edge and materially alter the prevailing character of this part of West Lavington.
41. The cumulative effects of domestic lighting, parked vehicles, boundary treatments, bin storage, garden domestication and engineered infrastructure would further urbanise the presently rural edge of the settlement, particularly during winter months and hours of darkness.
42. The character of White Street and Rickbarton is not solely a highways matter. The narrow, informal rural lane character forms part of the historic and rural approach to the village and contributes positively to local distinctiveness. Harm to that character is therefore relevant to the assessment of design, heritage setting, landscape character and highway impact.

Design Quality and Failure to Respond to Local Character

43. The submitted scheme demonstrates insufficient regard to local distinctiveness and vernacular character. Paragraphs 131 and 135 of the NPPF confirm that good design is a key aspect of sustainable development. In particular, paragraph 135(c) requires development to be sympathetic to local character and landscape setting, including the surrounding built environment and landscape context, whilst paragraph 135(f) requires development to create places with a high standard of amenity for existing and future users. Paragraph 139 confirms that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.
44. Core Policy 57 requires development to create a strong sense of place through drawing on local context and being complementary to the locality. The proposal should also be assessed against the Wiltshire Design Guide SPD, adopted to elaborate Core Policy 57. The SPD gives local expression to the NPPF's design objectives and strengthens the requirement for development to be locally distinctive, landscape-led and sympathetic to its context.
45. The issue is not simply density in numeric terms; it is whether the scheme produces a place that is locally distinctive, landscape-led, and sympathetic to its edge-of-settlement setting. In my view, it does not.
46. Whilst the Planning Statement and Design and Access Statement seek to describe the scheme as reflecting local character, the Council's own Conservation Officer raises significant concerns regarding the architectural and public realm approach adopted, all of which I accord with.
47. In particular:
 - the scheme is "unduly dominated by brick";
 - the village contains a "far greater mix of materials";
 - cranked building forms are "not considered acceptable";
 - pyramid roof forms are "not typical of the local vernacular";

- no street trees are shown despite NPPF expectations; and
 - Design Review is recommended.
48. These are not minor observations. The proposed development reads as a generic estate layout rather than a genuinely locally derived design response. The dominance of repetitive brick housing, extensive tarmac surfacing and engineered estate geometry creates a suburban character fundamentally at odds with the rural edge setting of West Lavington.
49. The scale and density of the proposal exacerbate these concerns. The issue is not merely architectural detailing, but the cumulative perception of a substantial suburban estate inserted into a sensitive rural-edge location. The proposal lacks the looseness, variation and informality that characterises the existing village and instead introduces an overtly urbanising form of development.
50. The proposal therefore conflicts with Core Policy 57, the Wiltshire Design Guide SPD, paragraphs 131, 135 and 139 of the NPPF and the design aspirations of the West Lavington Neighbourhood Plan, including Policy BE2.

Residential Amenity, Privacy and Living Conditions

51. In addition to the wider concerns regarding settlement character and urbanisation, the proposal also gives rise to concerns relating to residential amenity and the relationship between the proposed development and existing neighbouring properties.
52. Core Policy 57 requires development to achieve appropriate relationships to adjoining buildings and spaces and to protect residential amenity. Similarly, paragraph 135(f) of the NPPF requires development to create places with a high standard of amenity for existing and future users.
53. Given the scale, density and suburban estate form proposed, there is concern that the relationship between proposed dwellings, existing residential boundaries and surrounding properties would appear materially more intensive than the prevailing grain of development within this part of West Lavington.

54. The introduction of two-storey built form, estate roads, parking courts, domestic activity, lighting and intensified movement patterns adjacent to presently open land would materially alter the amenity currently experienced by nearby residents. In particular, the proposal gives rise to concerns regarding overlooking, loss of privacy, increased perception of enclosure, lighting spill and general urbanising activity associated with a development of this scale.
55. Whilst some detailed relationships may theoretically be capable of refinement through amended layouts or boundary treatments, the underlying concern arises from the overall intensity, disposition and suburban form of the development itself. The proposal therefore gives rise to conflict with Core Policy 57, the Wiltshire Design Guide SPD and paragraph 135(f) of the NPPF.

Heritage Impact and Conservation Area Setting

56. Whilst the Council's Conservation Officer does not, unfortunately, raise a formal objection, the consultation response expressly acknowledges that:
 - the site forms part of the setting of the Conservation Area;
 - the site contributes to appreciation of the settlement's rural setting; and
 - this is a "positive aspect" of the Conservation Area's significance.
57. This is an important conclusion. The issue is therefore not just whether the proposal results in total heritage harm, but whether replacing this open rural edge with a substantial suburban housing estate preserves or enhances the character and appearance of the Conservation Area as required by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Core Policy 58 and the NPPF.
58. The Heritage Statement acknowledges that the proposal would introduce substantial built form into what is presently open agricultural land contributing to the rural setting of the Conservation Area and nearby heritage assets. In my view, the conclusion that such change would result in no heritage harm materially understates the cumulative urbanising effect arising from development of this scale and density in this location.

59. The Council's own pre-application landscape and heritage advice repeatedly highlighted the importance of views toward Strawberry Hill, the contribution the site makes to the rural setting of the village and the need to avoid encroachment into the open countryside. The pre-application response also noted that the site may qualify as a "valued landscape" in NPPF terms due to its contribution to local character and community value.
60. The significance of the site's contribution to local character and Conservation Area setting is further reinforced by the West Lavington Neighbourhood Plan Character Appraisal. This identifies Strawberry Hill as a dominant landscape feature and records that the large open arable fields between White Street and Strawberry Hill form an important part of the verdant and rural context to this part of the village. The appraisal further identifies the White Street hedgerow as providing important enclosure to the lane against the open fields beyond and highlights important views toward Strawberry Hill from the public footpath to the rear of the High Street.
61. The Character Appraisal also records that Strawberry Hill was previously identified as a Special Landscape Area in the former Kennet Local Plan and confirms that it remains an important part of the setting of the Parish. In this context, the contribution of the application site to the rural transition, landscape setting and experience of the Conservation Area should not be understated.
62. Whilst the Conservation Officer concludes that the resulting heritage harm may fall below the threshold for formal objection, the degree of physical and perceptual change should not be understated. The introduction of 47 dwellings in this location would materially urbanise the western approach to the village and alter the presently rural setting that contributes positively to the significance and experience of the Conservation Area.
63. The proposal would erode the experience of the village's rural transition and materially alter views identified within the Conservation Area Appraisal, including views from Strawberry Hill.

64. The Conservation Officer's conclusion that harm may fall below the threshold for formal objection does not make the impact neutral. Harm to significance exists on a spectrum. The proposal would result in at least less than substantial harm to the significance of the Conservation Area through erosion of its rural setting, transitional character and important views.
65. Paragraphs 212–216 of the NPPF make clear that great weight should be given to the conservation of heritage assets, even where harm is categorised as less than substantial. That harm must be given considerable importance and weight and weighed against the public benefits of the proposal in accordance with the NPPF.
66. The proposal also fails to adequately respect the setting of West Lavington Manor and associated listed features, whose significance derives in part from their relationship with the surrounding historic village edge and rural context.
67. The proposal therefore conflicts with Core Policy 58, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the heritage objectives of the NPPF and Policy BE4 of the West Lavington Neighbourhood Plan.

Highways, Accessibility and Sustainability Concerns

68. The Transport Assessment presents an overly optimistic assessment of sustainability and accessibility.
69. The Planning Statement appears to equate proximity to facilities with genuine sustainability. However, the practical reality of the site's accessibility is materially constrained by limited public transport frequency, incomplete pedestrian infrastructure and reliance on private car use for many day-to-day journeys. The sustainability benefits of the location are therefore overstated.
70. Although the application relies heavily upon proximity to bus stops and theoretical walkability, the reality is that the site remains heavily car dependent. Bus services are infrequent and limited in practical utility for commuting patterns, education or evening trips.

71. Further concerns arise regarding incomplete pedestrian infrastructure outside of the site, poor accessibility for disabled users, muddy and constrained PROW routes and reliance upon rural walking routes that are unsuitable for many users year-round.
72. Paragraph 115 of the NPPF requires development to ensure safe and suitable access for all users and specifically requires the needs of disabled people and those with reduced mobility to be addressed. The proposal does not convincingly demonstrate compliance with these requirements.
73. The Council's own pre-application response acknowledged a number of deficiencies in the surrounding pedestrian and PROW network, including the need for widened paths, surfacing improvements, diversion of existing routes and concerns regarding enclosed routes potentially discouraging use due to safety and anti-social behaviour concerns. This further undermines the applicant's portrayal of the site as inherently sustainable and well connected.
74. Furthermore, insufficient evidence has been provided to demonstrate that the cumulative impacts on White Street, Rickbarton and the wider constrained rural lane network extending from White Street have been adequately assessed.
75. This is a particularly important concern given the physical characteristics of the surrounding highway network. From the proposed site access toward the A360, along White Street and Rickbarton the highway is characterised by constrained single-track rural lanes with limited opportunities for vehicles to pass safely. These roads were not designed to accommodate the level and intensity of vehicle movements likely to be generated by a 47-dwelling estate.
76. The Transport Assessment does not appear to robustly assess the day-to-day operational realities of traffic movements within these constrained rural lanes. In particular, insufficient consideration has been given to:
 - the ability of two vehicles to safely pass one another along constrained sections of White Street and Rickbarton;

- the cumulative impact of increased traffic movements on the existing informal and rural character of the lanes;
 - vehicle conflict points and waiting behaviour;
 - the implications of larger vehicles, delivery vans, refuse vehicles and service vehicles using the route;
 - pedestrian interaction within constrained sections lacking continuous footways;
 - the capacity and suitability of the bridge at the bottom of Rickbarton to accommodate additional traffic and service vehicles; and
 - the highway safety implications of the blind corner at the top of Rickbarton, particularly given local evidence of previous vehicle/building conflict and damage to the adjacent property.
77. Of particular concern is the constrained nature of the route when turning from the development access toward the A360. It is not evident from the submitted information that the applicant has adequately demonstrated that two vehicles can comfortably and safely pass in this location should opposing vehicles meet along the constrained sections of White Street and Rickbarton. This is especially relevant given the cumulative increase in movements associated with a development of this scale.
78. The bridge at the bottom of Rickbarton and the blind corner at the top of Rickbarton require specific consideration. These are not abstract highway concerns; they are identifiable local pinch points where additional two-way movements, delivery vehicles, refuse vehicles and visitors associated with 47 dwellings could materially worsen existing constraints. The submitted assessment does not appear to demonstrate how these pinch points would safely and practically operate once the development is occupied.
79. Importantly, the Council's own highways pre-application advice stated that any significant increase in traffic movements at the White Street/Church Street junction "may be considered unacceptable and could form a reason for refusal" due to restricted visibility constraints.

80. This is consistent with the earlier Neighbourhood Plan Site Selection Methodology, which also identified that Site 3 did not have readily available adequate access, that widening White Street would harm the rural lane character of the road and the Conservation Area, and that access problems would be compounded by limited visibility at the White Street/Church Street junction.
81. The concern is therefore not solely the technical operation of the site access itself, but the broader cumulative impact of introducing suburban estate traffic levels into a highway environment that presently functions as a relatively low-intensity rural lane network. In this regard, the proposal risks materially altering both the operation and character of these rural routes.
82. In my view, the submitted evidence does not sufficiently demonstrate that the residual cumulative impacts on highway safety, accessibility and the operation of the surrounding rural lane network would be acceptable. When considered cumulatively, there remains a credible concern that the impacts could become severe within the meaning of paragraph 116 of the NPPF, particularly having regard to the constrained nature of White Street, Rickbarton, the bridge, the blind bend and limited opportunities for safe vehicle passing.
83. The proposal therefore conflicts with Core Policies 60, 61 and 62 of the Wiltshire Core Strategy, Policy BE3 of the West Lavington Neighbourhood Plan and paragraphs 115 and 116 of the NPPF.

Biodiversity, Drainage and Adequacy of Information

84. The authority must also be satisfied, on adequate evidence, that biodiversity and drainage requirements are capable of compliance.
85. In relation to biodiversity, Core Policy 50 requires development to protect and enhance biodiversity. The current statutory framework also requires minimum application-stage biodiversity information and a realistic route to discharging the biodiversity gain condition. If the submitted ecology baseline, hedgerow/tree treatment, habitat buffers, mitigation strategy or Biodiversity Net Gain information are incomplete or

insufficiently robust, the Council cannot safely conclude that the proposal complies with Core Policy 50 or the biodiversity objectives of the NPPF.

86. It is also important that ecological matters are fully and robustly resolved at the application stage. Paragraph 11(d) of the NPPF must be read alongside Footnote 7 and the wider environmental objectives of the Framework. Where significant ecological impacts remain uncertain, inadequately assessed or incapable of effective mitigation, substantial weight should not automatically be attributed to the tilted balance.
87. The Council must therefore be satisfied, on the basis of adequate and reliable evidence, that biodiversity impacts, habitat connectivity, protected species considerations, lighting impacts and Biodiversity Net Gain requirements are capable of being appropriately addressed and secured. In the absence of sufficient certainty on those matters, it cannot simply be assumed that the proposal represents sustainable development in NPPF terms.
88. This is particularly important in a site where existing field boundaries, hedgerows, trees, green buffers and rural edge habitats contribute not only to biodiversity value, but also to landscape character, settlement edge transition and visual containment. Biodiversity mitigation should not be treated as an isolated technical matter; it is closely tied to whether the scheme is genuinely landscape-led and capable of being integrated into its rural-edge setting.
89. In relation to drainage, Core Policy 67 requires development to be safe for its lifetime and not increase flood risk elsewhere. The Council must be satisfied that the submitted drainage strategy, surface water calculations, runoff arrangements and long-term maintenance mechanisms are sufficient and deliverable.
90. If material drainage, ecology, tree, swept path, heritage viewpoint, access or landscape information is absent or incomplete, that is not a mere technicality. It goes to whether the authority can rationally conclude that the proposal is policy compliant and whether the identified harms are capable of being mitigated.
91. Some detailed matters such as final external materials, final hard and soft landscaping, lighting, Construction Management Plan, biodiversity gain plan mechanics and certain

drainage details may theoretically be addressed through conditions. However, the fundamental harms in this case arise from the location, scale, access arrangement, density, suburban form and effect on the settlement edge. Those matters cannot be made acceptable simply through post-permission details.

Planning Benefits and Weight

92. The provision of housing and affordable housing is an important material consideration and attracts positive weight. However, neither national nor local policy suggests that the delivery of housing should occur irrespective of context, design quality, heritage impact, highway safety or environmental harm.
93. Poorly integrated or overly intensive development does not become acceptable solely by virtue of affordable housing provision.
94. Whilst the delivery of housing, affordable housing and associated economic benefits attracts weight in favour of the proposal, many of the wider benefits identified within the Planning Statement are relatively generic in nature and would arise from almost any residential development proposal. Such benefits do not automatically outweigh identified harms relating to character, landscape setting, heritage setting, highways constraints and poor contextual design.
95. Any public benefits must be genuinely public benefits and must be weighed against the actual harm arising from the proposal. In this case, the benefits of the scheme do not overcome the site-specific harm to the settlement pattern, rural edge character, Conservation Area setting, listed building context, rural lane character and highway network.

Tilted Balance and Planning Balance

96. It is accepted that the tilted balance under paragraph 11(d) of the NPPF is engaged. However, paragraph 11(d) does not displace the requirement for good design, heritage conservation, sustainable transport or contextually appropriate development. Nor does it render the Development Plan irrelevant.

97. The tilted balance is therefore engaged, but it is not a policy vacuum. The Court of Appeal in *Gladman Developments Ltd v Secretary of State for Housing, Communities and Local Government* [2021] EWCA Civ 104 confirmed that development plan policies remain relevant within the tilted balance exercise and are not simply displaced because paragraph 11(d) is engaged. Similarly, *Peel Investments v Secretary of State* [2020] EWCA Civ 1175 confirms that the question of whether policies are out-of-date remains a matter of planning judgement and does not automatically render all development plan policies devoid of weight.
98. In addition, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas. In this case, the cumulative urbanising effect of a 47-dwelling suburban estate on this presently open rural edge would fail to preserve the existing transitional character that positively contributes to the setting and experience of the Conservation Area.
99. In heritage terms, *Barnwell Manor Wind Energy Ltd v East Northamptonshire District Council* [2014] EWCA Civ 137 confirms that considerable importance and weight must be given to the desirability of preserving the setting of heritage assets. In this case, insufficient weight appears to have been given to the contribution that the site presently makes to the rural setting and transitional character of the Conservation Area and nearby listed buildings.
100. Appeal decisions elsewhere have also demonstrated that the existence of a tilted balance does not automatically justify poorly integrated or over-intensive schemes where harm to character, landscape, heritage setting and highways conditions remains significant. The issue is therefore not whether housing should be delivered in Wiltshire, but whether this particular 47-dwelling suburban estate represents sustainable development in this particular location.
101. It is also notable that the Council's own pre-application response did not support the proposal in principle, expressly concluding that the scheme conflicted with the adopted Development Plan and identifying substantial concerns relating to highways, landscape character, settlement edge transition and design quality. Whilst the

response acknowledged that the housing land supply position may ultimately alter the planning balance, it did not indicate that a 47-dwelling suburban estate in this location would automatically constitute sustainable development.

102. Furthermore, the Neighbourhood Plan evidence base specifically assessed this site and rejected it for allocation. The reasons for that decision remain directly relevant to the current application: heritage setting, rural lane character, visibility constraints, access limitations, landscape impacts, biodiversity/character concerns and limited public support. The fact that the site could theoretically deliver affordable housing was expressly considered, but was found not to outweigh the demonstrable harm that would arise.
103. The key question is therefore whether the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, having particular regard to the Development Plan conflict, the made Neighbourhood Plan, the statutory heritage duty and the site-specific concerns already identified through the pre-application and Neighbourhood Plan evidence base.
104. In this case:
 - the proposal conflicts with the spatial strategy of the Wiltshire Core Strategy;
 - the proposal conflicts with the made West Lavington Neighbourhood Plan;
 - the proposal represents an over-intensive form of development;
 - the scheme would introduce an incongruous suburban estate into a sensitive rural edge location;
 - the proposal fails to adequately respond to local distinctiveness, rural lane character and village grain;
 - the proposal gives rise to residential amenity concerns, including overlooking, loss of privacy and intensified urbanising impacts on neighbouring properties;
 - the development would erode the rural setting of the Conservation Area;

- the proposal would fail to adequately respect the setting of nearby listed buildings, including West Lavington Manor;
- the proposal would erode an important green transitional buffer at the edge of the village;
- unresolved concerns remain regarding cumulative highways impacts and accessibility;
- biodiversity and drainage information must be demonstrably sufficient before compliance can be assumed; and
- the sustainability credentials of the site are overstated.

105. The concern is not simply the principle of housing development, but the cumulative urbanising effect arising from the scale, density and suburban estate character of a 47-dwelling scheme in a sensitive rural-edge location that presently contributes positively to the setting and character of West Lavington.

106. Ultimately, the proposal represents an overly intensive and insufficiently contextual form of development that would urbanise a sensitive rural edge location, erode the character and setting of the Conservation Area, diminish the green transitional buffer at the edge of the village and introduce suburban estate form into a location whose prevailing character is markedly different.

107. The cumulative adverse impacts arising from the proposal significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF taken as a whole.

108. Planning permission should therefore be **refused**.

Yours sincerely

Gemma Ackerman BSc MSc MSc MRTPI