

APPLICATION FOR PERMISSION IN PRINCIPLE CASE OFFICER REPORT

APPLICATION REFERENCE:	PL/2026/02739
APPLICATION TYPE:	Permission in Principle
SITE ADDRESS:	19 Trenchard Avenue, Calne, SN11 8QY
DEVELOPMENT DESCRIPTION:	Permission in Principle for erection of 1 No. dwelling and associated access works
RECOMMENDATION:	That Permission in Principle should be GRANTED

SITE DESCRIPTION/CONTEXT

The application site is located to the immediate north of 19 Trenchard Avenue. The application site is part of a grouping of dwellings, located some 2.3km to the east of the Market Town of Calne and remote from other settlements known as Compton Bassett and Cherhill. The grouping of dwellings is known locally as Lower Compton. The application site is not covered by any heritage, landscape or ecological designation. It is noted that the North Wessex Downs AONB is located approximately 640m to the east.

The application site is part of the residential curtilage to 19 Trenchard Avenue, located on the corner to Trenchard Avenue and Gloucester Road. The area in this location is characterised by relatively large semi-detached dwellings which are former RAF living quarters, set back from the road.

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 residential development comprising up to 1 dwelling on land adjacent to 19 Trenchard Avenue, Lower Compton.

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
PL/2022/01265 - Permission in Principle Decision - Refuse Date: 18/3/2022 – Construction of new residential dwelling
N/08/01587/FUL - Full planning permission Decision - Approve with Conditions Date: 15/8/2008 – Conservatory
PL/2022/04580 - Outline planning consent - some matters reserved Decision - Approve with Conditions Date: 14/9/2023 – Outline permission with some matters reserved for erection of single self-build dwelling and associated access works. (access only)

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 8 Calne Spatial 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 51 Landscape
- Core Policy 57 Ensuring High Quality Design and Place Shaping;
- Core Policy 60 Sustainable Transport;
- Core Policy 61 Transport & Development;

Draft Wiltshire Local Plan

At Full Council on 19 May, the elected members of Wiltshire Council agreed to withdraw the emerging Wiltshire Local Plan. It will now be subject to a legal process to finalise its withdrawal - which is likely to happen in July or August (2026). The said Plan has no material weight for the purposes of the application.

Neighbourhood Plan:

Calne Community Area Local Plan 2 (March 2025)

- Policy C1 High Quality, Sustainable Development in the Calne Community Plan Area
- Policy C2 Sustainable Construction and Energy

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:

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.

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.

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: No objection.

WC Ecology: No objection.

Cherhill Parish Council: Parish objects for the following reasons:

- Conflict with Calne Community Neighbourhood Plan 2 and unacceptable principle of development
- Loss of openness and harm to character
- Limited weight of fallback permission and changed policy context
- Design and wider planning harm outweigh limited benefits:

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;

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 neighbour commented with the following objection:

- Conflict with CCNP2 character guidance.
- Loss of openness.
- Earlier permissions and historic infill examples pre-date CCNP2 and should carry little weight.
- Self-build justification no longer applies.
- Inaccurate supporting infrastructure information.

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

Settlement Strategy

The application site is located within the built form of a small, established residential cluster at Lower Compton, forming part of the curtilage of No. 19 Trenchard Avenue.

The grouping of properties within which No.19 Trenchard Avenue is situated, is not covered

by any defined settlement boundary identified within the settlement strategy set out in policies CP1 and CP2 to the Wiltshire Core Strategy. The grouping of dwellings is not listed within the settlement hierarchy set out in CP8 and listed in Appendix F to the Strategy. Accordingly, the application site is located in the open countryside for the purposes of applying policies within the adopted development plan and the NPPF

New residential development in the open countryside outside of any defined settlement boundaries is strictly controlled so as to restrict homes being built in unsustainable locations remote from local services, facilities and transport routes. CP1 “Settlement Strategy” of the Wiltshire Core Strategy sets out where sustainable development will take place across the plan period. CP2 “Delivery Strategy” of the Wiltshire Core Strategy states that other than in circumstances permitted by other policies within the plan, development will not be permitted outside the limits of development. No justification has been put forward in support of any of the development plan “exception” policies which relate to proposals such as affordable housing sites and rural workers dwellings.

Saved Policy H4 of the Wiltshire Local Plan 2011 has also been considered which permits new dwellings in the countryside where it would be in connection with the essential needs of agriculture, forestry or other rural based enterprise; or it would be a replacement for an existing dwelling subject to certain criteria. The proposal for one private dwelling and does not accord with this policy.

There is no change to the starting point that this proposal represents residential development which is contrary to the development plan which direct development to sustainable locations within the limits of development as identified within the settlement strategies of the WCS. In this regard the development is in conflict with these policies.

Accessibility

Whilst outside of any defined settlement boundary, the site is not isolated and is surrounded by existing residential development on all sides. The Highway Authority has raised concerns regarding the sustainability of the location and the potential reliance on private vehicles, it has confirmed that safe and suitable access and policy-compliant parking provision can be achieved in principle, and raises no objection on highway safety or capacity grounds.

Lower Compton is connected to nearby Calne (approximately 2.3km to the west) and Cherhill via footway, which provide access to services and facilities and public transport connections to other sites. A regular bus service from Calne to Marlborough stops in Lower Compton (between approx. 7.am to 6pm). The site is therefore considered to be reasonably connected to facilities and services in nearby settlements though it is accepted that some reliance on the private car would remain.

Five Year Housing Land Supply

The Local Planning Authority is currently unable to demonstrate a deliverable five year supply of housing land against its identified housing requirement. The latest number of years supply against Local Housing Need is 2.42 years. The National Planning Policy Framework confirms that where a local planning authority is unable to demonstrate a five-year housing land supply,

the policies most important for determining this application are considered to be out-of-date, and the tilted balance in favour of sustainable development is engaged.

The tilted balance requires that where the policies most important for determining the application are out-of-date, 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 taken as a whole. The proposal must be assessed against the national policy context of the need to boost housing supply and the benefits of delivering new homes whilst having particular regard to the key policies set out in paragraph 11(d)(ii) and Footnote 9 of the NPPF.

Weight of extant permission and self-build justification

Representations have raised concerns regarding the reliance on the extant outline permission and the removal of the self-build element. In this case it is correct that some weight can be afforded to the fallback position, with the site benefiting from an extant outline planning permission for a single dwelling. This establishes that the principle of residential development on the site has previously been accepted albeit this was in light of additional weight afforded to the scheme by reason of it comprising a self-build development. The same benefit is not provided as part of this scheme. In this instance very limited weight is given to the existence of the earlier self build permission as it is effectively a different type of residential development. It is relevant to note that at the time the previous permission was granted the Council's Housing Land Supply figure was at 4.6 years allowing officers to give considerably more weight to the conflict with the settlement strategies of the WCS in the planning balance.

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 type of development proposed is acceptable in principle at this location, not whether the finer details of how it would operate can be resolved.

The proposed land use is considered in the context of the site's location and its relationship to surrounding land uses. In broad terms, the surrounding area comprises predominantly residential development, forming part of a small established cluster of dwellings at Lower Compton.

The proposal seeks residential development, which is consistent with the prevailing character and use of the surrounding area. The introduction of a single dwelling within an existing residential curtilage would not represent an incongruous or incompatible land use in this context.

There is nothing inherent in the proposed land use that would, in principle, conflict with the character or function of the area. Matters such as the scale of development, detailed design, layout, and amenity impacts are not for consideration at this stage and would be assessed as part of a subsequent application for Technical Details Consent, should Permission in Principle be granted.

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 PiP stage, the assessment of the amount of development is necessarily broad brush. The key question is whether the quantum of development proposed is so excessive, or so limited, that it would be inappropriate in principle, having regard to the site's location and the settlement within which it sits.

In this case, the proposed quantum of development would represent a modest level of growth, comprising a single dwelling within an established residential cluster at Lower Compton. In high level terms, the amount proposed is not out of keeping with the scale and character of the existing built-up area.

The proposal relates to the subdivision of a generous residential curtilage and would result in a limited form of infill development. As such, the overall quantum is considered proportionate to the size of the site and the surrounding pattern of development.

No detailed conclusions are drawn at this stage regarding density, layout, or the precise form of development, as these matters fall to be considered through a subsequent Technical Details Consent application. The assessment at this stage is limited to whether the amount of development proposed could reasonably be accommodated in principle on the site.

Having regard to the development plan and relevant national policy, it is considered that the amount of development proposed is acceptable in principle.

The proposed quantum is considered not to be so excessive that it would result in an inherent conflict with the scale or role of the settlement. Subject to detailed matters being satisfactorily addressed at the Technical Details Consent stage, the amount of development proposed could be accommodated in principle on the site.

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
- 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 also benefits from an extant outline planning permission for a single dwelling, which provides further assurance that no fundamental constraints exist which would prevent development from coming forward in principle.

While these matters will require detailed assessment and, where necessary, mitigation, there is no evidence at this stage to demonstrate that they represent an overriding barrier to development in principle.

Having regard to the development plan and relevant national policy, it is considered that there are no overriding constraints affecting the site which would clearly and demonstrably prevent the proposed development from coming forward in principle. The identified constraints are

capable of being addressed through the submission of detailed proposals as part of a subsequent application for Technical Details Consent and do not justify refusal at the Permission in Principle stage.

Other Issues

A number of additional matters have been raised through consultation responses and third-party representations. These have been carefully considered; however, they are not determinative to the assessment of the application at the Permission in Principle stage.

Design, layout and character

Concerns have been raised regarding the design of the proposed dwelling, including its orientation, footprint, and relationship to the surrounding pattern of development. These matters relate to detailed design considerations, which fall outside the scope of a Permission in Principle application and would be assessed at the Technical Details Consent stage.

Impact on openness and character (Neighbourhood Plan guidance)

Representations refer to the importance of maintaining the open and verdant character of Lower Compton as identified within the Neighbourhood Plan Design Guide. While this is noted, the detailed manner in which a dwelling responds to local character, including siting, landscaping, and boundary treatment, is a matter for subsequent consideration at the Technical Details stage.

Housing mix and size of dwelling

Concerns have been raised regarding the size of the proposed dwelling and its alignment with identified local housing needs. The specific size and internal configuration of any dwelling are not fixed at this stage and are not determinative to the principle of development.

Arboricultural considerations

It has been suggested that existing tree information may be out of date and that mature trees may constrain development. Detailed arboricultural assessment, including tree protection and potential impacts, would be required and assessed at the Technical Details Consent stage.

Utilities and infrastructure information

A representation has questioned the accuracy of submitted utility mapping. This is a technical matter that can be verified and addressed through detailed design and consultation with statutory undertakers at the Technical Details stage.

Ecology and biodiversity

The Ecology Officer has advised that further information will be required at the Technical Details stage to demonstrate no net loss of biodiversity and appropriate biodiversity enhancements. These are technical matters that do not preclude development in principle.

Overlapping permissions

It is recognised that, in some instances, mechanisms such as planning obligations may be used to control the implementation of multiple permissions on a site. However, in this case, the two permissions would be mutually inconsistent, and it would be physically impossible to implement both fully and lawfully in a manner that would result in two dwellings being

constructed on the site. As such, there is no realistic prospect of both permissions being implemented concurrently, and no additional mechanism is considered necessary.

PLANNING BALANCE AND CONCLUSION

At the heart of the NPPF there is a presumption in favour of sustainable development requiring local planning authorities to approve development proposals that accord with an up-to-date development plan without delay; and where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless (taken from paragraph 11d of the NPPF):

- The application of policies in the NPPF that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF 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.

In reaching a decision on 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 any overriding constraints exist that would clearly and demonstrably prevent development from coming forward in principle.

Having had regard to the development plan and the National Planning Policy Framework, it is considered that whilst the location is outside of the limits of development identified in the settlement strategies of the Wiltshire Core Strategy, the site is otherwise well related to the established residential area of Lower Compton with some access to public transport. The type of development proposed, and the amount of development sought do not raise any fundamental technical objections that would warrant refusal at this stage (with regard to footnote 9 policies of the NPPF). Beyond the conflict with the settlement strategy policies which is afforded moderate weight in light of the housing land supply deficit, there are no overriding adverse effects that would significantly and demonstrably outweigh the benefits on a new dwelling in this particular case. It is therefore concluded that Permission in Principle should be granted.

RECOMMENDATION:

That Permission in Principle be GRANTED