



**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING AND COMPULSORY PURCHASE
ACT 2004**

PLANNING STATEMENT

**RE: CONVERSION AND ALTERATION OF EXISTING DWELLING
TO ANCILLARY ACCOMMODATION AND ERECTION OF
REPLACEMENT/SELF-BUILD DWELLING TOGETHER WITH
ASSOCIATED ANCILLARY DEVELOPMENT**

KNOCKDOWN FARM, KNOCKDOWN, TETBURY, GL8 8QY

**On behalf of:
Mr & Mrs Shelton**

Date: June 2026
Ref: AP/P/S-070A

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Appendix 1 – Report for Northern Area Planning Committee – PL/2024/11637

1. INTRODUCTION

1.1. This statement has been prepared by **Plan-A Planning and Development Ltd** in support of a full planning application for the conversion and alteration of an existing dwelling to ancillary accommodation and erection of a replacement/self-build dwelling together with associated ancillary development at Knockdown Farm, Knockdown, Tetbury. Taking account of the pre-application advice provided by the Council in February 2025 (ENQ/2024/01738 refers), the following sections assess and evaluate the context and character of the site and surrounding area before considering the development proposals against the local and national policy framework, referring as appropriate to the following drawings and documents:-

- Design and Access Statement (Rixon Architects)
- Heritage Statement (NCF Heritage)
- Landscape and Visual Appraisal (ACLA)
- Preliminary Ecological Appraisal (Cotswold Environmental)
- Infiltration Test Report (Esco Trading Ltd)
- Drawing No. 00 – Location Plan
- Drawing No. 10 Rev A – Existing Site Plan
- Drawing No. 11 Rev A – Existing Plan - Farmhouse
- Drawing No. 12 Rev A – Existing Elevations - Farmhouse
- Drawing No. 13 Rev A – Existing Plan - Stables
- Drawing No. 12 Rev A – Existing Elevations – Stables
- Drawing No. 15 Rev A – Existing Plan and Elevations - Outbuilding
- Drawing No. 16 Rev A – Existing Ground Floor Plan - Barn
- Drawing No. 17 Rev A – Existing First Floor Plan – Barn
- Drawing No. 18 Rev A – Existing Elevations - Barn
- Drawing No. 19 Rev A – Existing Elevations – Barn
- Drawing No. PP 09 Rev B – Proposed Site Plan
- Drawing No. PP 10 Rev B – Proposed Floor Plans – New House
- Drawing No. PP 12 Rev C – Proposed Elevations 1/2 - New House
- Drawing No. PP 13 Rev C – Proposed Elevations 2/2 - New House
- Drawing No. PP 14 – Proposed Street Sections
- Drawing No. PP 15 Rev B – Proposed Floor Plans – Annex and Store
- Drawing No. 24 Rev A – Proposed Elevations – Annex and Store

- 1.2. Based on our assessment and having taken all relevant material planning considerations into account, the statement concludes our case that the application proposals will cause no material harm to interests of acknowledged importance and that outline planning permission should therefore be granted.

2. SITE LOCATION AND DESCRIPTION

- 2.1 Knockdown Farm lies to the south of the A433 at the eastern fringes of Knockdown, which is a small rural hamlet located approximately 5 miles to the south-west of Tetbury. The property falls within the Cotswolds National Landscape and incorporates an amalgam of equestrian, residential and agricultural uses, with existing built development including a large floodlit manege/arena stretching back into the site from the main road frontage.



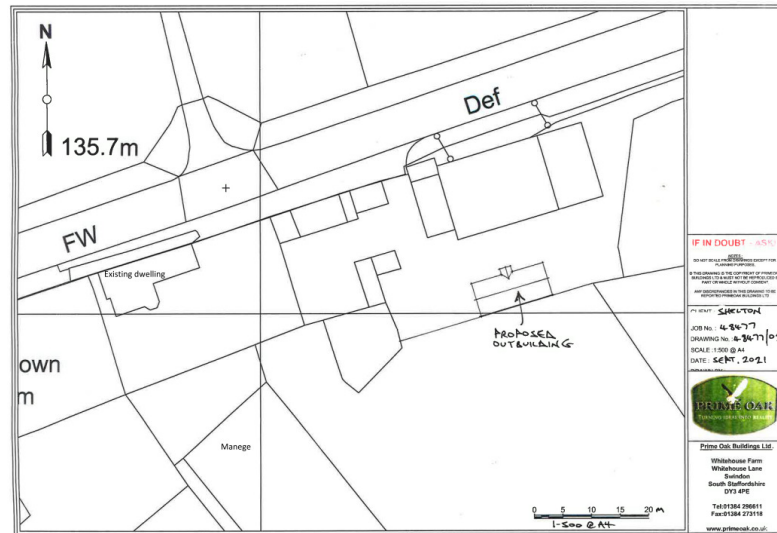
Google Earth extract of approximate site location (accessed May 2026)

- 2.2 As for the extent of the application site itself, this matches that of a previously approved householder development for a detached incidental outbuilding located at the south-eastern edge of the domestic curtilage, used as a games room, entertainment space and home office (see paras 3.1–3.4 below). A number of other buildings also lie within the domestic curtilage. These include the existing dwelling, a stable block and a large barn, each of which are located in a linear arrangement along the site's frontage with the A433. High walls punctuated by two solid gated entrances fill the gaps between these buildings, restricting publicly accessible views into the site from the main road. However, the post and rail fencing which bounds the site to the south enables views across the adjoining equestrian paddocks, thereby ensuring that the applicant can effectively monitor the health, welfare, safety and security of their horses. The site is relatively flat and lies within Flood Zone 1 (the lowest level of risk), and there are no public rights of way within the immediate vicinity.
- 2.3 For a more detailed site description, please refer to both the Landscape and Visual Appraisal and Heritage Statement submitted in support of the application.

3. PLANNING HISTORY AND PRE-APPLICATION ADVICE

PL/2021/08692

- 3.1 This householder application relates to proposals for a *'Detached incidental outbuilding to be used as games room/entertainment space and home office'* located to the south of the large barn at the eastern end of the site (see plan extract below).



- 3.2 As confirmed within their delegated report relating to the application proposals, the planning case officer confirmed that "...ancillary development and alteration to existing properties within established residential curtilages are acceptable in principle". Therefore, the proposals were determined on the basis of certain site-specific impact considerations.
- 3.3 In combination with the high-quality design, its siting within the context of existing built form at the site contributed to the officer's conclusion that it would not result in significant harm to the character, appearance and visual amenity of the area. Furthermore, the substantive degree of separation from neighbouring properties was sufficient to ensure that there would be no significant harm to residential amenity, whilst there would also be no significant impact on local highway conditions. As for associated drainage requirements, the Council's drainage engineers confirmed that these could and would be addressed through the building regulations regime.
- 3.4 Accordingly, the case officer recommended approval and planning permission was granted on 22nd March 2022.

ENQ/2024/01738

- 3.5 A number of issues were raised in respect of the sketch scheme submitted at the pre-app stage, which proposed a new replacement dwelling in conjunction with retention and conversion of the existing dwelling to provide ancillary accommodation.
- 3.6 In terms of the principle of development, concerns were raised by the extent to which the proposed dwelling fell outside of the residential curtilage defined by the red lined site boundary associated with the previous householder application (as referred to above). Whilst the previous case officer's assessment clearly identified this boundary as encapsulating the existing 'residential curtilage', the pre-app advice noted the merging of agricultural, equestrian and residential uses within the site that has evolved over time, and the absence of any physical separation between these individual elements.
- 3.7 The advice note also raised concerns with regard to compliance with saved policy H4 of the North Wiltshire Local Plan (2011), which stipulates that the existing dwellings to be replaced should be incapable of retention in their current state, be unsightly or out of character, and that the proposed replacement should be of similar size and scale. Whilst the expectation is that existing dwellings would also be demolished as part of the overall proposals, officers did acknowledge that this requirement could potentially be overcome by a legal agreement preventing independent occupation of the original house. It was also acknowledged that any remaining policy conflicts might possibly be outweighed by other material planning considerations and, in this respect, it was noted that measures to address the overarching sustainability principles of the NPPF (including innovative, low-carbon designs with improved design quality and energy performance together with use of reclaimed materials and enhanced biodiversity) should all weigh in favour of the proposals.
- 3.8 In summary, pre-app advice was that the proposed dwelling should be more closely associated with the curtilage to the existing dwelling, whilst the scale and design should have regard to the local landscape, historic and design context. The advice note went on to confirm that:-

"There appears to be some scope to reconfigure the site (garden, yard, arena) to provide a new dwelling and improved formal garden area whilst avoiding unnecessary protrusion into the countryside as far as possible... any decision would also need to take into account the effect of the development on the NDHA

and so you are advised to investigate... and describe the significance of the building and impacts to it in a proportionate manner”.

- 3.9 As to the scale, design and visual impact of the proposed replacement dwelling, the pre-app advice note confirmed that the proposed design approach appears to be of high quality. However, further consideration was advised with regard to ensuring that the proposed dwelling does not appear overly dominant or otherwise fail to integrate effectively with its surroundings, carefully avoiding any notable incursion into the adjoining countryside. Accordingly, it was advised that any application should be supported by a proportionate Landscape and Visual Appraisal (LVA) taking into account views from public vantage points including the lane to the west and PRoW SHER29. It was also advised that any application should also be accompanied by relevant ecology, biodiversity and drainage information.

4. THE PROPOSED DEVELOPMENT

- 4.1 The application proposals relate to the conversion and alteration of an existing dwelling at Knockdown Farm to provide ancillary accommodation, the erection of a replacement/self-build dwelling for occupation by the applicant and their family, together with associated ancillary development. Whilst the proposals adopt the same development principles as those submitted at the pre-application stage, a number of revisions have been made to address the issues raised and associated guidance provided by officers as part of their pre-app advice.
- 4.2 The proposed new dwelling has been repositioned within the site and now lies fully within the red line boundary associated with the householder application for the ancillary building which lies towards the eastern end of the site (LPA Ref. PL/2021/08692 refers). Careful consideration has been given to its precise location and orientation so as to ensure a clearer and more legible functional arrangement of the buildings across the site, which also reflects their existing linear arrangement. It successfully bridges the gap between the existing house and ancillary domestic games room/office, whilst improving the surveillance and security of the stables, as well as the essential animal welfare needs of the horses themselves. Whilst it has also been reduced in scale, it is designed to become the principal building within the holding, re-establishing the logical hierarchy that was lost when the original farmhouse was severed from the site. It also remains a high-quality vernacular design which utilises a palette of appropriate materials.
- 4.3 The Heritage Statement submitted in support of the application confirms the existing cottage's significance as a Non-Designated Heritage Asset (NDHA). It is therefore proposed to be retained and restored to reflect its historical function as a subordinate ancillary element, which is proposed to be secured by means of an appropriately worded condition or legal agreement. Following removal of the existing conservatory, the building will now be repurposed to provide storage, home office and domestic ancillary uses and guest accommodation.
- 4.4 Full details of the proposals, their design development and accompanying sustainable design strategy are set out within the accompanying Design and Access Statement.

5. PLANNING POLICY FRAMEWORK

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 confirms that where a determination is to be made under the Planning Acts, the determination must be made in accordance with the Development Plan unless material considerations indicate otherwise. In this case the Development Plan comprises the Wiltshire Core Strategy 2015 (WCS) although the NPPF also represents a material consideration in its own right.

Wiltshire Core Strategy (2015)

Core Policy 1 – Settlement Strategy

- 5.2 The Council's Settlement Strategy seeks to define where development will be the most sustainable and will help to deliver a stronger economy. The settlement hierarchy identifies four tiers of settlement, defined according to their role and function and how they interact with their wider hinterland. However, the strategy does allow for carefully managed development outside of settlement boundaries in specific cases.

Core Policy 2 – Delivery Strategy

- 5.3 Policy CP2 sets out a Delivery Strategy to support CP1, including indicative housing figures for each Housing Market Area and confirms that, other than in circumstances permitted by other policies within the Wiltshire Core Strategy (referred to as 'exceptions policies' listed in paragraph 4.25 of the Strategy), new residential development will not be permitted outside the limits of development.

Core Policy 13 – Spatial Strategy: Malmesbury Community Area

- 5.4 This policy sets out the settlement strategy and hierarchy for the Malmesbury Community Area together with the breakdown of the overall quantum of housing and employment development.

Core Policy 45 – Meeting Wiltshire's Housing Needs

- 5.5 This policy stipulates that new housing must be well designed to address local housing need, and incorporate a range of different types, tenures and sizes of homes. In particular, housing size and type will be expected to reflect that of the demonstrable need for the community within which it is sited.

Core Policy 50 – Biodiversity and Geodiversity

- 5.6 CP50 requires development proposals to demonstrate how they protect features of nature conservation and geological value as part of the design rationale, with the expectation that such features be retained, buffered and managed favourably to maintain their ecological value, connectivity and functionality in the long-term. Where retention is not feasible, removal or damage will only be acceptable where the anticipated ecological impacts have been mitigated and appropriate compensatory measures secured to ensure no net loss of the local biodiversity resource.
- 5.7 The policy also confirms that all development should seek opportunities to enhance biodiversity.

Core Policy 51 – Landscape

- 5.8 This policy highlights that developments should protect, conserve and where possible enhance landscape character. Proposals are expected to demonstrate that landscape character will be conserved and where possible, enhanced through sensitive design, landscape mitigation and enhancement measures, including:
- Locally distinctive pattern and composition of natural features;
 - Locally distinctive character of settlements and their landscape settings;
 - Maintaining separate identity of settlements and the transition between man-made and natural landscapes at the urban fringe;
 - Visually sensitive skylines;
 - Important views and visual amenity
 - The need to protect against intrusion from light pollution;
 - Protecting the special qualities of AONBs.

Core Policy 57 – Ensuring High Quality Design and Place Shaping

- 5.9 This policy confirms that a high standard of design is required in all new development which draws on local context in order to maintain or create a strong sense of place. Proposals are expected to enhance local distinctiveness, retain existing landscape/natural features and be sympathetic to their surroundings, whilst making efficient use of land. The needs of future occupants should be taken into account through making use of high standards of building materials and maximising opportunities for sustainable construction techniques.

Core Policy 58 - Ensuring the Conservation of the Historic Environment

- 5.10 CP56 aims to ensure that Wiltshire's important monuments, sites, landscapes and areas of historic and built heritage (including Listed Buildings and Conservation Areas and their settings) are protected, conserved and, where possible, enhanced.

Core Policy 60 – Sustainable Transport

- 5.11 This policy sets out those measures to be used by the Council in reducing the need to travel such as by promoting sustainable transport alternatives to use of the private car and planning developments in accessible locations.

Core Policy 61 – Transport and New Development

- 5.12 This policy confirms that new development should be located and designed to reduce the need to travel, particularly by private car, and to encourage the use of sustainable transport alternatives.

North Wiltshire Local Plan (2011)

Saved Policy H4 – Residential Development in the Open Countryside

- 5.13 This allows for the replacement of an existing dwelling subject to meeting the associated policy criteria. Specifically, the existing residential use should not have been abandoned; the existing dwelling must be incapable of retention in its current state, unsightly or out of character with its surroundings; and the replacement should also be of a similar size and scale to the existing dwelling and fall within the same curtilage.

Other Material Policy Considerations

National Planning Policy Framework (NPPF)

- 5.14 The NPPF sets out the Government's planning policies for England, together with guidance on how they are expected to be applied. It is a material consideration in its own right in the determination of planning applications (para 2 refers).
- 5.15 The NPPF reconfirms that the purpose of the planning system is to contribute to the achievement of sustainable development, which encompasses the three overarching and interdependent economic, social and environmental objectives. It confirms that planning policies and decisions should play an active role in guiding development towards sustainable

solutions. In doing so, Local Planning Authorities are instructed to take local circumstances into account to reflect the character, needs and opportunities of each area (para 9 refers).

- 5.16 At the heart of the NPPF is a clear presumption in favour of sustainable development (see paras 10 and 11). For decision-making, this means approving development proposals that accord with an up-to-date development plan without delay, or where there are no relevant development plan policies or the policies which are most important for determining the application are out of date (such as is in cases where there is no five year housing land supply), granting permission unless; policies in the Framework provide a strong reason for refusing the proposals; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework as a whole (NPPF para. 11 refers).
- 5.17 The Framework instructs LPAs to approach decision-making in a positive and creative way, and to “work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area”. The Framework stipulates that decision makers at every level should “seek to approve applications for sustainable development where possible” (para 39 refers).
- 5.18 Para 61 emphasises the Government’s objective of *“significantly boosting the supply of homes”* whilst para 61 confirms that the housing needs of different groups in the community should be reflected in planning policies, cross-referring to the duty on local planning authorities under the Self Build and Custom Housebuilding Act 2015 to give enough suitable development permissions to meet the identified demand for those wishing to commission or build their own homes. Para 73 also advises that small and medium sized sites can make an important contribution to meeting the housing requirement of an area.
- 5.19 Paragraph 115 outlines that planning decisions should take account of whether safe and suitable access to the site can be achieved for all users. However, paragraph 116 goes on to confirm that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or where the residual cumulative impacts on the road network would be severe.
- 5.20 Para 125 states that planning policies and decisions should promote and support the development of under-utilised land and buildings, whilst para 127 encourages planning policies and decisions to reflect changes in the demand for land and that applications for

alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area. LPAs are also encouraged to take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs (para 128 refers).

5.21 Para 131 highlights that good design is a key aspect of sustainable development and helps create better places to live and work. Accordingly, para 135 confirms that planning decisions should aim to ensure that developments:-

- a) *“will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public spaces) and support local facilities and transport networks; and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion and resilience.”

5.22 Para 187 of the NPPF stipulates that planning policies and decisions should contribute to and enhance the natural and local environment by ‘protecting and enhancing valued landscapes’, and ‘recognising the intrinsic character and beauty of the countryside’. Para 189 goes on to state that great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes.

5.23 The NPPF confirms that heritage assets are an irreplaceable resource that should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations (para 202 refers).

5.24 With regard to proposals affecting heritage assets, applicants are expected to describe the significance of any heritage asset affected, including any contribution made by their setting.

The level of detail expected of applicants should be proportionate to the asset's importance, and no more than is sufficient to be able to understand the potential impact of the proposal on their significance (para 207 of the Framework refers). It is for LPAs to identify and assess the particular significance of any heritage asset that may be affected by a proposal and take this into account when considering the impact of a proposal on a heritage asset in order to avoid or minimise any conflict between the proposal and the asset's conservation (para 208 of the Framework refers).

- 5.25 Para 216 stipulates that the effect of a development proposal on the significance of a non-designated heritage asset should be taken into account when determining the application. In weighing applications which have a direct or indirect affect, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the asset.

National Design Guide

- 5.26 The *National Design Guide* addresses the question of how we recognize well-designed places by outlining and illustrating priorities for well-designed places in the form of ten characteristics: context, identity, built form, movement, nature, public spaces, uses, homes and buildings, resources and lifespan. The NDG provides a structure that can be used for the preparation of local design policies, guides and codes.

6. PLANNING ASSESSMENT

6.1 Taking into account the content of all preceding sections, the planning considerations of most relevance to the assessment of this application are:-

- Principle of Development;
- Contribution to Self-Build Supply
- Landscape, Character and Layout
- Heritage Impact
- Residential Amenity
- Ecology and Biodiversity;
- Drainage and Flood Risk; and
- Access and Highway Safety.

Principle of Development

6.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 dictates that the Development Plan must be taken as the starting point in considering all development proposals. Furthermore, development proposals must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

6.3 In this case, saved Policy H4 of the North Wiltshire Local Plan 2011 is relevant, as it allows for replacement dwellings within the open countryside. As to other Development Plan policies concerning the principle of development, whilst Core Policy 45 requires new housing to address local housing needs, the Wiltshire Core Strategy does not incorporate any policies relating specifically to self-build or custom-build housing developments.

6.4 As to other material considerations relevant to consideration of the proposals, that which is most relevant to the principle of development is the fact that the Council have a severe shortfall in their housing land supply, as this stands at just 2.42 years. Whilst in such instances, NPPF paragraph 11(d) and the so called 'tilted balance' is engaged, the absence of any Development Plan policies relating to self-build and custom-built homes also has the same consequences.

6.5 Therefore, as far as the application proposals are concerned, those Development Plan policies which are most important for determining the application are deemed out-of-date, and permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF policies taken as

a whole. Accordingly, each of the following considerations will need to be taken into account as part of the overall planning balance (Section 7 below).

Contribution to Self-Build Supply

- 6.6 It is a matter of fact that the Council are failing in their duty under the Self-Build and Custom Housebuilding Act 2015 to provide an adequate supply of self-build units sufficient to meet demand and, although the applicants are not on the Council's self-build housing register, their proposed replacement/self-build dwelling would qualify as part of the overall contribution to self-build supply. They have had a primary input into the design and layout of the scheme proposals and are willing to enter into a Unilateral Undertaking (legal agreement) confirming that the proposals will be built out and occupied as a self-build unit.
- 6.7 Core Policy 45 confirms that new housing should address local housing need, incorporating a range of different types, tenures and sizes, and goes on to advise that the housing needs of Wiltshire are identified within the Strategic Housing Market Assessment (SHMA). The latest available assessment is the joint Swindon and Wiltshire SHMA published in March 2017, and this identifies that although limited in number, those wishing to build their own home are actively supported in doing so by both Government policy and other associated measures. Furthermore, the Council's template Unilateral Undertaking for self-build proposals recognises self-build as *"contributing towards a national objective of providing diversification in the housing market and as such these proposals are afforded favourable weight in planning decisions"* [my emphasis].
- 6.8 Core Policy 45 is therefore clearly relevant to consideration of the application proposals, which concern a small but important component of Wiltshire's overall housing needs and, in view of the significant shortfall in meeting self-build targets, one that the Council is failing to satisfactorily address.

Landscape Character and Layout

- 6.9 As referred to in Section 5 above, Core Policy 51 highlights that developments should protect, conserve and where possible enhance landscape character, whilst Core Policy 57 states that a high standard of design is required in all new development, drawing on local context in order to maintain or create a strong sense of place. As evidenced by the details set out within both the Design and Access Statement (DAS) and Landscape and Visual Appraisal (LVA), the proposed dwelling is of a high-quality vernacular design set within the

context of the existing buildings on the site. No more than fleeting partial views will be possible from the site's frontage onto the A433, whilst more distant open views from the PRoW to south-east/east will all be perceived in the context of other existing development and set against a backdrop of trees, maintaining the impression of a traditional farmstead with adjoining barns and smaller ancillary buildings. Furthermore, with the additional landscape mitigation proposed, the LVA concludes that *'the proposals can successfully be incorporated within their surroundings without causing significant harm to the character of this part of the Cotswolds National Landscape or the rural landscape surrounding Knockdown'*.

Heritage Impact

- 6.10 The Heritage Statement submitted in support of the application proposals sets out a detailed description of the site and all heritage assets that lie within the vicinity of it. It then goes on to identify the significance of each asset and whether existing development associated with the application site makes any meaningful contribution to that significance. From this baseline assessment, the report concludes with an assessment of impact the proposed development will have on the significance of each heritage assets. In terms of the proposed alterations to the existing house/former cottages, the HIA confirms that these will have a clear positive impact in that they will serve to reinstate its simple vernacular appearance and original linear form, whilst development of the new, traditionally detailed farmhouse, will also result in a modest benefit by returning the former cottages to their original ancillary use as part of the overall farmstead grouping. Furthermore, the HIA concludes that the application proposals will have no more than a neutral impact on all other designated and non-designated heritage assets.

- 6.11 Based on the findings set out within the Heritage Statement, the application proposals are in full accordance with the requirements of Core Policy 58 and guidance set out within Section 16 of the NPPF.

Residential Amenity

- 6.12 Core Policy 57 also requires that new development has regard to its compatibility with adjoining buildings and uses, as well as the amenity of existing occupiers. As indicated within the pre-app advice received, the siting of the proposed replacement dwelling and careful

positioning of upper floor windows will ensure there will be no material impact on the privacy and amenity of adjoining occupiers.

Ecology and Biodiversity

- 6.13 A Preliminary Ecological Appraisal (PEA) has been undertaken in support of the application proposals, and the associated report is submitted in support of the application. No ecological constraints have been identified that would serve to prejudice the proposed development.
- 6.14 Whilst, as a self-build proposal with a site area of less than 0.5ha, the development is exempt from the mandatory Biodiversity Net Gain requirements, various ecological enhancements will be incorporated as part of the proposed development that will ensure a meaningful biodiversity net gain is still achieved.

Drainage and Flood Risk

- 6.15 Since the pre-app advice note identified that groundwater levels may lie close to the ground surface, the applicant commissioned an infiltration test report based on a 2 metre deep trial pit excavated in October 2025. No groundwater was encountered during the initial excavation whilst the water level fell steadily during the course of the three soakage tests undertaken.
- 6.16 In view of the above, the report concludes that groundwater does not lie close to the surface of the application site and that the site is sufficiently permeable enough to allow for the use of soakaways as part of the detailed drainage design which can therefore be secured by means of a suitably worded planning condition.

Access and Highway Safety

- 6.17 The proposed self-build dwelling is to be accessed via the existing driveway entrances associated with the site. This has the capacity to accommodate all associated vehicle movements and vehicles can enter and leave the site in forward gear, the proposals will have no adverse impact upon highway safety. Furthermore, as it concerns the replacement of the existing dwelling, there will be no material increase in the number of vehicle movements associated with the site. Therefore, whilst key services and facilities do not lie within walking distance of the application site, the proposals have no material adverse

impact on overall sustainability and are in accordance with the requirements of both Core Policies 60 and 61.

7. CONCLUSION/OVERALL PLANNING BALANCE

- 7.1 It is an accepted fact that Wiltshire Council are unable to demonstrate a five-year housing land supply. Accordingly, under the terms of Paragraph 11(d) of the National Planning Policy Framework, the policies which are most important for determining the application should be considered out-of-date and, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, planning permission should be granted. Furthermore, in view of the severity of the shortfall (based on an identified supply of just 2.42 years), other relevant appeal decisions confirm that any refusal would need to be justified on the basis of a strong reason for refusal, and not simply due to a conflict with Development Plan policies per se.
- 7.2 There is also a well-established requirement for consistency in decision making by local planning authorities and the weighting applied in respect of a previous application (LPA ref. PL/2024/11637 refers) is therefore of material relevance in the determination of this current application, since it also relates to the development of a single self-build dwelling located beyond an existing settlement framework. This principle of consistency has also been backed up in the Courts. For example, in *Baroness Cumberlege v Secretary of State for Communities & Local Government [2017] EWHC 2057* a decision made by a local planning authority was quashed because it was inconsistent with one made by the same department a short time previously.
- 7.3 In view of the above, the corresponding 'planning balance' set out in Section 10 of the officer's report to the Northern Area Planning Committee relating to the above application (**Appendix 1**) should be referred to accordingly, although is as summarised below:-
- Due to the scale of the Council's housing land supply shortfall, the conflict with the strategic, housing delivery and rural exception Development Plan policies was given only **limited weight**. Furthermore, due to the limited scale of the proposals (ie. a single dwelling), the harm associated with site's out-of-settlement location was also only given **limited weight**. Whilst in the case of this current application the conflict is with saved Policy H4 of the North Wiltshire Local Plan 2011, the same weighting is still applicable.
 - In the absence of any details to demonstrate that the proposed dwelling would cause unacceptable harm to the character and appearance of the area, and since a safe access could be provided, **neutral weight** was given to matters relating to visual impacts and other associated technical matters. This same weighting can legitimately be applied to this current application as, although it involves additional built form, the Landscape and Visual Appraisal confirms that the proposed replacement/self-build dwelling will cause no significant material harm.

- In addition to the contribution towards the severe shortfall in housing land supply, the contribution made towards the Council's significant shortfall in the supply of self-build dwellings was also given **moderate positive weight**.
- **Moderate positive weight** was also given to the short-term economic benefits associated with the construction phase and to the provision of biodiversity enhancements despite the proposal's exemption from mandatory BNG requirements. Various biodiversity enhancements will be delivered as outlined within the Preliminary Ecological Appraisal in support of this new self-build proposal, and these can therefore also be afforded **moderate positive weight**.

7.4 Based upon the above assessment, the planning balance clearly weighs in favour of the application proposals and it is clear that there are no unacceptable harms that would significantly and demonstrably outweigh the benefits. Therefore, in accordance with the provisions of s38(6) of the Act, outline planning permission can safely be granted for the proposed self-build dwelling.