

APPLICATION FOR PERMISSION IN PRINCIPLE CASE OFFICER REPORT

APPLICATION REFERENCE:	PL/2026/03415
APPLICATION TYPE:	Permission in Principle
SITE ADDRESS:	Land at Sopworth Road, Sherston, Malmesbury
DEVELOPMENT DESCRIPTION:	Permission in Principle for Erection of up to 5No. accessible single storey dwellings (Class C3) and associated works
RECOMMENDATION:	Planning Permission be REFUSED

PROPOSAL AND SITE DESCRIPTION

This application seeks Permission in Principle (PiP) for 5no dwellings. The application site comprises undeveloped agricultural land in Sherston, a large village within the Malmesbury Community Area which benefits from a Neighbourhood Development Plan (NDP) that was made in May 2019. The site is outside (approximately 80m west) of the defined settlement framework boundary for the village and is consequently understood to be in open countryside for planning purposes. The settlement boundary was reviewed as part of the February 2020 Wiltshire Housing Site Allocations Plan.



Figure 1: Officers site photo (2026)

Land north, south, and west are also used for agriculture; directly east is an isolated dwellinghouse 'Hillberry Lodge' and further east is a proposed residential development site, allocated within the NDP for mixed use development under Policy 4 'land off Sopworth Lane'. The site does not benefit from existing vehicular access from classified C-road 'Sopworth Road', instead is bounded by a drystone wall of a type that is characteristic of the rural setting; the low-

level boundary treatments and general open character of the arable land result in the site being highly visible in short range views.

The site is located within the Cotswolds National Landscape (NL), formerly Cotswolds area of outstanding natural beauty (AONB). The landscape character for this part of the NL is 'Dip-Slope Lowlands'. Sherston Conservation Area (CA), which benefits from a made CA statement, is south-east of the site, to the other side of the adjacent highway.



Figure 2: Map view of site (blue), settlement boundary (black) and CA (brown)



Figure 3: Aerial view of site

An existing County Wildlife Site (CWS) 'Manor Farm Meadows' is similarly located south of Sopworth Road, which includes areas of identified priority habitat; the provided ecological survey suggests, however, that the application site is low value for ecology and low overall potential for protected species by virtue of being intensively farmed. The provided land classification report, however, indicates that the agricultural land falls within 3b and should therefore not be understood to be best and most versatile (BMV) agricultural land.

PLANNING HISTORY

Relevant planning history at the site:

- PL/2024/03432 *Change of use from agricultural land to a secure dog walking site, including the erection of secure fencing and hardstanding car parking* was refused on 14.11.2024 for reasons including harm to the NL setting

Recent, relevant planning history near the site (inter alia):

- PL/2024/00865 *Residential development for 45 dwellings, vehicular and pedestrian access including a new footway to Sopworth Lane, associated parking, open space, landscaping, and associated infrastructure* was granted planning permission on 25.06.2026
- PL/2021/10696 *proposed erection of a GP Surgery (Class E(e)), car park and associated works (Outline application relating to access)* was permitted on 03.02.2022 with conditions including both the requirement for works to be commenced within 3 years (or 2 years from

the date of approval of the last of the reserved matters to be approved, whichever is the later) and an application for reserved matters to be made within 3 years of the decision. At the time of writing, no reserved matters application(s) have been made.

RELEVANT LEGISLATION, POLICIES AND GUIDANCE

Though considered as a whole, applicable Development Plan policies are listed below along with relevant legislation and guidance.

Wiltshire Core Strategy (WCS) – Adopted 2015

- CP1: Settlement Strategy
- CP2: Delivery Strategy
- CP13: Spatial Strategy for the Malmesbury Community Area
- CP41: Sustainable Construction and Low Carbon Energy
- CP45: Meeting Wiltshire's Housing Needs
- CP50: Biodiversity and Geodiversity
- CP51: Landscape
- CP52: Green Infrastructure
- CP55: Air Quality
- CP57: Ensuring High Quality Design and Place Shaping
- CP58: Ensuring the Conservation of the Historic Environment
- CP60: Sustainable Transport
- CP61: Transport and Development
- CP62: Development Impacts on the Transport Network
- CP64: Demand Management
- CP67: Flood Risks

Saved Policies of the North Wiltshire Local Plan (NWLP)

- NE14: Trees and the Control of New Development
- NE18: Noise and Pollution

Sherston Neighbourhood Plan 2006-2026 (NDP)

Wiltshire Housing Site Allocations Plan 2020

- Appendix A: North and West HMA Part 1 Amended Settlement Boundaries

Wiltshire Local Transport Plan 4 (LTP4)

Wiltshire Design Guide (WDG)

Revised Wiltshire Planning Obligations SPD

Waste storage and collection: guide for developers SPD

National Planning Policy Framework (NPPF)

Planning Policy Guidance (PPG)

Countryside and Rights of Way Act 2000 (CROW)

[Cotswolds AONB Landscape Strategy and Guidelines](#)

- LCT 11: Dip Slope Lowlands

[Cotswolds National Landscape Management Plan](#) (CNLMP)

[Historic England Guidance and Advice Notes](#)

[Sherston Conservation Area Statement - April 1990](#)

[Town and Country Planning \(Permission in Principle\) Order 2017](#)

[The Conservation of Habitats and Species Regulations 2017](#)

HOUSING LAND SUPPLY

The Councils Housing Land Supply (HLS) Statement (base date: April 2025) covers the HLS for Wiltshire and each Housing Market Area within Wiltshire as set out in the WCS. The HLS position identified in the statement expresses that the current number of years deliverable supply is 2.8 years.

ISSUES

The main issues in the consideration of this application are:

- Whether the development is exempt from permission in principle
- Whether the site location is suitable in principle
- Whether the land use is suitable in principle
- Whether the amount of development is suitable in principle

CONSULTATION

[Sopworth Parish Council: Object](#)

1. The proposed development occupies a prominent position on the horizon, when looking towards Sherston from the west (Sopworth Village). The proposals fail to conserve, enhance or protect the Cotswold National Landscape/ Area of Outstanding Natural Beauty (AONB) and is in conflict with policy 51 of the Wiltshire Core Policy. The proposed site was recently reviewed by a representative of the Cotswold National Landscape (CNL) board as part of a Site Assessment Report (SAR) commissioned for the ongoing Sherston Neighbourhood Plan and his, as yet informal response, was to confirm the view that this site (Site 7 in the SAR) was the one that he considered would have the greatest potential adverse impact on the CNL.

2. The site is outside the settlement boundary of Sherston and is not contained within the adopted neighbourhood plan and has been deselected from consideration in Sherston's latest neighbourhood plan as unsuitable.

3. The site is currently under crop, farmed by R F Moody & Sons and its open nature helps

define the wider agricultural landscape and the character of the settlements of Sherston and Sopworth.

4. Sopworth Lane, where road access to the development is proposed, is a single lane, unclassified road, subject to National Speed Limit (NSL). It is widely used by walkers and cyclists to access footpaths and the quiet lanes of North West Wiltshire. Any additional access before entering Sherston would create a significant traffic hazard.

5. Sopworth residents are probably the largest users of Sopworth Lane and regularly see deer and foxes crossing this field to move around the area while avoiding close proximity to centres of population. The proposed development along the lane to Sopworth would obstruct wildlife movement and hence negatively impact the local ecology in the area.

Sherston Parish Council: Object

The proposal site forms part of a larger field that was put forward by the Applicant as a potential development site following the “call for sites” in 2024 as part of the current Neighbourhood Plan Review process. This was considered by the appointed Planning Consultants (MLP) in their Housing Options Site Assessment Report. Having considered all of the available options, MLP recommended that this site be excluded from further consideration as it was considered to be “currently unsuitable for housing allocation in the Neighbourhood Plan based on significant accessibility/ connectivity issues with the village or hamlets, being contrary to Wiltshire Councils spatial strategy, significant landscape sensitivities and access and connectivity constraints.”

More specifically, the MLP Site Assessment Report (SAR) provided the following detailed commentary on the site:

“This greenfield site is outside of and not connected to the settlement boundary of Sherston. The site abuts a residential plot to the east, and it is recognised that the site is in close proximity to the site allocation in Policy 4 of the made NDP, however no development has commenced at the time of this assessment. The site is in reasonable walking distance to the local centre and public transport options in the Parish, although good walking distance to the school and recreation options. Pedestrian connectivity is however poor as no footway exists on Sopworth Road. The nearest footway is approximately 200m to the east. Access to the site could be achieved from Sopworth Road. The site does not contain ecological designations or priority habitat. The site contains boundary vegetation and hedgerows, albeit limited. The site forms part of the open agricultural landscape to the east of the main settlement which contributes to the rural setting of the village within the Cotswolds NL. The site has a high degree of openness due to the topography which rises towards the north, and low hedgerow at the boundaries. This means the site occupies a prominent position when entering the village from the west along Sopworth road. The site is divorced from the settlement boundary and reads as part of the wider agricultural landscape. The Sherston Conservation Area boundary lies approximately 40m south-east of the site. The development of this site in full is in excess of the indicative residual housing requirement and would be large enough to significantly change the size and character of this area that is disconnected from the existing settlement. The site is currently unsuitable for allocation in the NDP. It is

recognised that the context of the site may change significantly once the allocated site in Policy 4 is developed, including the expansion of the built form of the village, and creation of a new footway. This may allow the site to be re-assessed in the future, and a different conclusion to be found.”

The Applicants are aware of this assessment and indeed at one point challenged some of the conclusions seeking to have their site reconsidered as a potential development site. However, this was not an option that the NP Working Group considered to be worthy of further consideration given the other available and more preferable options.

Since this assessment was carried out you might be interested to know that all of the option sites that were put forward by interested parties in 2024 have recently been viewed by a representative of the Cotswold National Landscape (CNL) board. His as yet informal response was to confirm the view that this site (Site 7 in the SAR) was the one that he considered would have the greatest potential adverse impact on the CNL.

The submitted application is a clear attempt to “beat the system”. They know that their site is unlikely to be allocated for development in the foreseeable future and hence have taken the decision to have a go at obtaining planning consent in advance of both the new Wiltshire Local Plan and the emerging Sherston NP. Unfortunately, given the current parlous state of the housing land supply position in Wiltshire and the delay in progressing both the Wiltshire Local Plan, recently withdrawn following the Inspector's recommendation – which included the need to significantly increase housing numbers, and now the Neighbourhood Plan (whilst awaiting clarification of the housing figure to be included in the plan) there is a potential vulnerability to this type of speculative planning application.

The application site lies well outside of the defined limits of the existing settlement boundary and within an area of open countryside on the western edge of the village. This area of open countryside helps define the character of the settlement. It also lies within the designated Cotswold National Landscape.

Historically, when the land to the east of Hilberry Lodge was allocated for development in the previous Sherston Neighbourhood Plan, great care was taken to ensure that such development would have minimal impact on the open countryside and the CNL – particularly as likely to be seen in views from Sopworth. Policy 4 of the made Sherston NP states that:

POLICY 4 Land off Sopworth Lane

Approximately 3.3 hectares of land situated off Sopworth Lane (Site 1), as identified on Map 8, is allocated for mixed use development to include the following:

- *Sufficient land for the erection of a new enhanced GP surgery with associated parking and space for related mobile services.*

- *Sufficient land to allow for the future expansion of the existing Sherston C of E Primary School and staff parking together with a site suitable for the erection of a new pre-school facility with associated parking.*
- *Up to 45 dwellings to serve diverse residential needs of which 40% should comprise affordable housing.*
- *Strategic landscaping and open space to retain and reinforce existing hedgerows, and to establish new areas of substantial planting and landscaping so as to mitigate the impact of the proposed development on both the existing PROW and the wider AONB.*
- *Development of the site should conserve and/or enhance heritage assets in a manner appropriate to their significance.*

Development will be subject to the following requirements:

- 1. Development must not increase the risk of flooding elsewhere.*
- 2. The provision of footpath and cycle links to both the proposed new surgery site and the western edge of the existing primary school as well as to the existing Parish playing fields to the north.*
- 3. A design and layout that protects and preserves the character of the settlement and conserves the landscape and scenic beauty of the AONB.*
- 4. A detailed Ecological and Mitigation Strategy that ensures that any future development of this site retains existing features and habitats of ecological value, minimises the impact on protected species and maximises the potential of retained habitats to enhance biodiversity.*

5. An archaeological assessment. Development proposals should be supported by a masterplan taking

The Development Brief accompanying the policy noted that: “There is the potential for the north western edge of the site to become visible on the skyline, particularly when viewed from the west (Sopworth direction). Whilst the church tower and water tower are currently visible from this direction, the main body of housing of the village is not visible in these views. As such, in designing any scheme for this site, care will need to be taken over the design of development in the north western quadrant of the site. This may entail heavily landscaping the western edge with additional trees incorporated into the development parcels here to break down massing.”

And:

“In designing any scheme for this site, particular care will need to be taken over the design of development in the north western quadrant of the site and the western edge should be

heavily landscaped with additional trees incorporated into the development parcels here to break down massing.”

The point being that there was a clear acknowledgement at the time that any development on the allocated site should be designed in such a way as to minimise its potential impact on the wider Cotswold National Landscape and that this would be best achieved by limiting the amount of development that would be permitted to be constructed in the north western quadrant of that site and hence visible from the Sopworth area. The submitted scheme, which I understand is about to be approved, achieves that objective.

This application would take development beyond that “edge” and indeed would be the first significant incursion into the area of open countryside lying beyond Hillberry Lodge. The Applicants, by limiting the amount of development to a small number of single-storey “accessible” dwellings and by beefing up the landscaping as shown on the above plan, are in our opinion clearly trying to find a way of breaking through that development boundary. They have recognised that their Achilles heel is the potential significant adverse impact of such a proposal on the CNL – hence the significant amount of work that has been undertaken in trying to deal with the landscape issue.

Given the fact that the Parish Council has made the decision to heavily invest and prepare a revised Neighbourhood Plan and that this has already reached the stage where this site has been discounted as a potential development site for all of the reasons stated above we strongly object to this proposal. The reasons for such include:

The proposed development lies within an area of open countryside situated well outside existing defined settlement limits.

The nature, scale, shape and location of the proposal would represent an incongruous form of development on the edge of the village completely out of character with the existing settlement pattern.

This proposed “accessible” housing would be poorly sited to meet the needs of future residents being some distance from services and facilities in the centre of the village, with no existing footpath links and no bus services nearby.

The likely significant adverse impact of this development on the designated Cotswold National Landscape.

The site has a high degree of openness due to the topography which rises towards the north, and low hedgerow at the boundaries which means the site occupies a prominent position when entering the village from the west along Sopworth Road.

The prematurity of the application in advance of a decision on the emerging Sherston Neighbourhood Plan.

The precedence that this could set should development be permitted on the site – given

the Applicants clearly stated intention to develop the entire field within their ownership.

The availability of a range of more suitable alternative development sites within and around the village as identified in the emerging Sherston Neighbourhood Plan.

Councils Highways Team: Comment

The Permission in Principle application is for the construction of five number dwellings at Sopworth Road to the west of the Sherston which is described as a large village. The site is in the open countryside and remote from the development boundary and therefore would be contrary to local policies and national guidance regarding sustainable development.

The site is in an unsustainable location, without access to public transport services or local amenities, with limited active travel opportunities, and where the only realistic means of transport would be the private car. This is contrary to the aims of National Planning Policy Framework 2024 (NPPF), paragraphs 115 and 117

However, the proposal site for the PiP is adjacent to a development of 45 dwellings and a doctor's surgery the access to which will be approximately 58 metres from the proposed access from the 5 dwellings. While the Parish Council is in support of the larger development which is in the latter stages of negotiating Section 106 planning requirements prior to likely approval, I note it's opposition to this smaller development on the grounds of being in the open countryside.

With the completion of the 45 dwellings development and associated offsite works to provide a footway link and potential lowering of the speed limit, the nature of Sopworth Road will change to that of a residential road rather than country road.

With the proposed improvements to Sopworth Road any proposed site at the location of the proposal site may benefit from non-vehicular access opportunities to Sherston. As the PiP proposal is for accessible housing this may be relevant to future occupiers of the dwellings.

With the nature of the immediate Sopworth Road area being more closely linked to the village centre it would be harder to make a sustainable transport objection due to the location of the site being outside of the development boundary.

For the reasons indicated I would not recommend a refusal reason on Sustainable transport grounds, but I will be guided by planning on the principle.

REPRESENTATIONS

Current Land Occupiers: Object

[...] The land is agriculturally important as it is in close proximity to our substantial farm buildings at Upper Stanbridge Farm, Sherston. This proposal comprises sporadic piece meal development in the corner of a pasture field with no physical western or northern

boundaries which also forms part of the Cotswold National Landscape. Development would damage the countryside with a new road access off a narrow country lane. [...] The village of Sherston has several allocated sites [...] which] more than satisfy the future requirements for new dwellings [...]

Cotswold National Landscape Board: Object

This application seeks Permission in Principle (PiP) for the erection of five dwellings and is the first stage of the PiP process at which consideration is given to matters of principle for the proposed development, these being limited to location, land use and amount of development. Once the principle has been established at the first stage, a second technical details consent (TDC) stage is then used to consider matters other than location, land use and amount of development. [...]

The proposal site forms part of a larger field which is prominent in views when approaching Sherston along Sopworth Road, the site boundary appears arbitrarily drawn and its northern and western boundaries follow no identifiable features on the ground. We agree with the observations of the assessments made for the emerging Sherston Neighbourhood Plan that the site forms part of the open agricultural landscape to the east of the main settlement which contributes to the rural setting of the village within the CNL. The site has a high degree of openness due to the topography which rises towards the north, and low hedgerow at the boundaries. This means the site occupies a prominent position when entering the village from the west along Sopworth Road and the site is divorced from the settlement boundary and reads as part of the wider agricultural landscape. In the Board's view the accompanying LVIA underestimates the impacts of the proposal.

In the Board's view the proposal would not accord with Section 11.1 of the Cotswolds AONB Landscape Strategy & Guidelines referenced above in that it would not: • Avoid development that will intrude negatively into the landscape and cannot be successfully mitigated, for example, extensions to settlements on visible hillsides or areas of open landscape; or • Ensure that new development does not adversely affect settlement character and form; Consequently, the proposal would not accord with Policy CE1 of the CNL Management Plan 2025-2030 and by extension Core Policy 51 of the Wiltshire Core Strategy. [...]

It is acknowledged that lighting would be considered as part of the Technical Details Consent stage but without prejudice, if the local authority is minded to grant planning permission, the Board recommends that street lighting and other external lighting should be kept to a minimum should comply with the requirements of with Guidance Note 01/21 on The Reduction of Obtrusive Light, published by the Institution of Lighting Professionals (ILP) (which forms Appendix 2 of the Board's Position Statement on Dark Skies and Artificial Light, referenced above). [...]

This site is not allocated in any adopted Development Plan document, and the application does not accord with the adopted Development Plan. Whilst we acknowledge the benefits

of the development outlined within the submission, we consider that this assessed harm to the natural beauty of the CNL provides a strong reason for refusal for the purposes of paragraph 11d)i) of the NPPF and as such the 'tilted' balance should not apply. Without prejudice, if the local authority is minded to grant planning permission in principle, we would request that close consideration is given to layout, landscaping and lighting matters at the technical details consent stage.

For avoidance of doubt, we also consider that the proposal would not seek to further the purpose of CNL designation in line in terms of the duty at s.85 CROW Act 2000, referred to above and in Appendix 1. Accordingly, we object to this application.[...]

Without prejudice, if the LPA is minded to permit this application, it should provide proportionate, reasoned, and documented evidence to demonstrate how it sought to further the purpose, not merely through mitigation of harm but by taking all reasonable steps to further the purpose. If it is not practicable or feasible to take measures to further this purpose, the LPA should provide evidence to show why it is not practicable or feasible.

Officer Comment:

The applicant, care of PlanningSphere, provided a response to the Cotswolds National Landscape Board Objection which was added to the case file on 24.06.2026 and has been duly considered.

ASSESSMENT

PiP provides an alternative route for obtaining planning permission for housing-led development. The PiP stage establishes whether a site is suitable in principle (limited to the location, land use and amount of development) and the technical details consent (TDC) stage considers the detailed design, layout, mitigation and all other reserved matters.

Article 5B of the Town and Country Planning (Permission in Principle) Order 2017 prevents the grant of PiP for certain development. Where a proposal is assessed as falling within one of the Article 5B exclusions, the LPA has no power to grant PiP and the application must be refused. The primary assessment to be made at PiP stage is, therefore, whether the proposal is excluded from the PiP regime by Article 5B.

Where the proposal is not excluded by Article 5B, a secondary assessment is undertaken to determine whether the site is suitable in principle regarding the location, proposed land use and amount of development.

As planning conditions cannot be imposed at the PiP stage, mitigation that is required to make a proposal acceptable in principle must be clearly established at the PiP stage. Mitigation that relates to reserved matters may be separately addressed at the TDC stage; however, where

mitigation is necessary to avoid or rule out impacts that would otherwise prevent the grant of PiP, the proposal would fall outside the scope of the PiP regime.

Whether the development is exempt from permission in principle

Article 5B(1) of the 2017 Order directs that an LPA may not grant PiP in relation to development which is:

- Major development
- Habitats development
- Householder development; or
- Schedule 1 development

Article 5B(2) of the 2017 Order further directs circumstances where Schedule 2 development cannot be granted PiP by the LPA.

Taking fully into account the scale, nature and location of the scheme, the application is capable of being determined under the PiP regime.

Whether the Site Location, Land Use and Amount of Development is Suitable in Principle

Development Plan and Guidance Context

Policies CP1 and CP2 of the WCS relate to the spatial strategy for Wiltshire, setting the policy foundations for the promotion of sustainable development within the county. CP13 expresses that development in the Malmesbury Community Area should be in accordance with the Settlement Strategy set out in CP1.

The site is in open countryside and residential development in this location is broadly not supported by CP1, CP2, and CP13; furthermore, the development does not meet the exemption policies (CP34, CP37, CP39, CP40, CP44, CP46, CP47 or CP48) within the WCS or the aims of saved policy H4 of the NWLP.

Policy 4 of the NDP allocates land off Sopworth Lane for mixed-use development, including up to 45 dwellings. This policy reflects a plan-led approach to meeting local housing needs in a manner which safeguards landscape character and settlement form. The application site lies outside of the allocation and does not form part of the planned growth strategy for the village.

The site is also located within the Cotswold NL, where national and local policy affords the highest status of protection to landscape and scenic beauty. CP51 of the WCS and Policy 2 of the NDP sets expectations for development to protect, conserve and where possible enhance landscape character. Assessment of this scheme should have particular regard to the objections of the CNLMP. Policy CE1 of the CNLMP requires development proposals to be compatible with, and seek to further, the conservation and enhancement of landscape character. Policies CE5, CE6, and CE13 of the CNLMP relate to tranquility, dark skies, and a landscape-led approach to development.

CP57 of the WCS requires development to enhance local distinctiveness by responding to the value of the natural and historic environment and CP58 further requires development to protect, conserve and where possible enhance the historic environment. Policy 4 of the NDP mirrors these aims.

CP60 encourages the sustainable, safe and efficient movement of people and goods within and through Wiltshire, CP61 requires new development to be located to reduce the need to travel by private car and CP64 encourages the use of sustainable transport alternatives.

Tilted Balance Context

The Council have accepted that the requisite housing land supply cannot be demonstrated and as such, for applications including housing provision, the policies which are most important for determining the application should be considered out-of-date.

11(d) of the NPPF directs that in these circumstances planning permission should be granted unless one or both of the following apply:

- (i) *the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or*
- (ii) *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.*

Paragraph 14 of the NPPF goes on to further express that:

In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply: (a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and (b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement.

For the avoidance of doubt, the site is in an area which benefits from having a made NDP with allocation policies; however, the NDP was made in 2019 and is therefore more than 5-years old. As such the provisions of paragraph 14(a) of the NPPF do not apply.

Benefits overview

The proposed 5no dwellings would bring about some benefit to the HLS for Wiltshire and there would be some likely short-term economic benefits during the construction phase, and localised economic benefits after occupation by virtue of council tax payments etc.

Paragraph 11d(i) potential harm overview

The site lies within the Cotswolds NL area and is in proximity to the Sherston CA; these are areas and assets of particular importance to which specific policies of the NPPF apply. In particular, Section 15 'Conserving and enhancing the natural environment' and 16 'Conserving and enhancing the historic environment' of the NPPF are relevant considerations for this scheme.

On this occasion, paragraph 11(d)(i) is engaged and application of the policies within those sections may provide a strong reason for refusing the application.

Paragraph 11d(ii) potential harm overview

Whilst permission would not result in the creation of isolated homes, the site is nevertheless in open countryside, in an area which would likely require future occupants to be wholly reliant on the private car to access day-to-day services and facilities.

Having regard to the spatial strategy and transport policies of the development plan, the site does not align with the preferred pattern of sustainable development. In such circumstances, consideration would need to be given to whether the adverse impacts arising from the location of the development would significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole.

Summary and Assessment

The application seeks PiP for the erection of up to 5 dwellings on land outside of the defined settlement boundary, within open countryside for planning purposes.

In terms of heritage harm, on this occasion it is considered that the degree of separation between the site and the CA by virtue of actual and perceived distance and the position of the highway is such that the proposal would not result in harm to the CA setting.

In landscape terms, having particular regard to the sites position within the Cotswolds NL, the proposal would introduce built development into an area currently characterised by openness and rural qualities; the loss of this undeveloped land and its role in reinforcing the settlement edge would result in harm to the character and scenic beauty of the area.

Representation from the Cotswolds NL board raised an objection and provided specialist opinion that the proposal '*would not accord with Section 11.1 of the Cotswolds AONB Landscape Strategy & Guidelines*' and '*consequently, would not accord with Policy CE1 of the CNL Management Plan*' and '*by extension Core Policy 51 of the Wiltshire Core Strategy*'. The applicants response to this objection suggesting that '*The CNLBs current objection should also be considered in the context of its response to planning application PL/2024/00865*' is noted but not accepted by the LPA as a reason to support of this application given the significant differences between the schemes, the difference in application type, and that the NL harm associated with PL/2024/00865 was mitigated

by measures including the provision of land for a GP surgery which represented an exceptional circumstance for approval.

Moreover, the applicants assertion that *'it cannot reasonably be concluded at this stage that a sensitively designed scheme of five single-storey dwellings could not be accommodated without unacceptable effects on landscape character, visual amenity or the special qualities of the NL'* is not accepted as a reason in support of this application, not least because that statement inadvertently addresses how the nature of the PiP scheme doesn't allow for the LPA to reasonably conclude that the development would protect and enhance the NL setting.

National Policy is clear that great weight must be given to the conservation and enhancement of NLs and, notwithstanding the LVIA provided, there is no clear mechanism to demonstrate that development in this location would appropriately conserve or enhance the NL qualities, or that the LPA would meet the statutory duty to seek to further the purpose of the NL designation at PiP stage.

It is acknowledged that land to the east benefits from planning permission for *'residential development for 45 dwellings, vehicular and pedestrian access including a new footway to Sopworth Lane, associated parking, open space, landscaping, and associated infrastructure'*; however, that site has been subject to a comprehensive, plan-led approach to growth through Policy 4 of the NDP and the approval of that scheme established a clearly defined and landscaped western edge to the settlement, incorporating structural planning and open space specifically intended to soften the transition to the surrounding countryside and mitigate landscape impacts.

Against that baseline, the application site occupies land beyond the planned edge and forms part of the wider undeveloped agricultural field which extends into the rural landscape and the site reads clearly as part of the countryside, providing an important role as a transitional buffer between the built environment and agricultural setting. The introduction of any residential development on the site would extend the built form beyond the established and intended settlement edge, eroding this transition function and resulting in harmful encroachment into the countryside setting.

Whilst the proposal is limited in scale, and the applicant asserts that landscape mitigation could be delivered at a later stage, the key question at PiP stage is whether development of the site is appropriate in principle; in this regard, the proposal does not form part of a coordinated or plan-led extension to the village and granting permission for the dwellings would undermine the spatial strategy of the WCS and NDP.

With regard to sustainability, despite the proximity of some services within Sherston, and the applicants reliance on the adjacent committed development, the site remains outside of the settlement boundary and future occupiers would be likely to rely on the private car. The proposal does not represent development that is well-related to the existing built form in a manner that is consistent with policy objectives.

CONCLUSION

The benefits of the provision of 5 dwellings weigh in favour of the proposal; however, the benefits would be modest in scale.

When considered as a whole, the proposal gives rise to fundamental concerns regarding location and principle, including conflict with the development plan spatial strategy, erosion of a planned and landscaped settlement edge, and harm to the character and appearance of the Cotswolds NL. These matters attract significant weight in the planning balance.

Overall, the site is not an appropriate or suitable location for residential development in principle.

RECOMMENDATION:

That planning permission be REFUSED for the following reasons:

1. The proposed residential development, by reason of being outside of the defined settlement boundary, represents unjustified development within open countryside. The proposal conflicts with the spatial strategy set out in Core Policies CP1, CP2, and CP13 of the Wiltshire Core Strategy which seek to direct new housing development to sustainable locations within defined settlement limits unless supported by exception policies, none of which apply in this case. The site is not allocated for development within the Sherston Neighbourhood Development Plan and the proposal would result in unplanned and piecemeal expansion of the settlement, undermining the coordinated approach to settlement growth. Furthermore, future occupiers would be reliant on the private car to access day-to-day services and facilities, in conflict with the aims of Core Policies CP60 and CP61 of the Wiltshire Core Strategy. The principle of residential development in this location is unacceptable and contrary to the development plan taken as a whole and the overarching objectives of the National Planning Policy Framework.
2. The site lies within the Cotswolds National Landscape, where great weight must be given to conserving and enhancing landscape and scenic beauty. The undeveloped and open character of the site contributes to the rural setting of Sherston and forms part of a transitional buffer between the settlement and wider countryside. The proposal would extend built development beyond the planned settlement edge, eroding the transition and encroaching built form into the open countryside which would result in harm to the character and scenic quality of the National Landscape, contrary to Core Policy CP51 of the Wiltshire Core Strategy, the Cotswold National Landscape Management Plan, as well as paragraphs 187 and 189 of the National Planning Policy Framework.

It has not been demonstrated that the development would conserve or enhance, or seek to further, the natural beauty of the National Landscape, as required by Section 85 of the Countryside and Rights of Way Act 2000

INFORMATIVES TO THE APPLICANT:

- For the avoidance of doubt, plans and documents provided by the applicant, which were considered are:
 - Application Form
 - Planning statement
 - Planning statement addendum – response to CNL board objection
 - Location Plan
 - Land Classification Report
 - Ecological Appraisal
 - Landscape Framework Plan
 - Landscape and Visual Impact Assessment
 - LVIA appendix A
 - LVIA appendix B
 - LVIA appendix C
 - LVIA appendix D

- On its website Wiltshire Council has made available statutory policies in the Core Strategy, Supplementary Planning Documents, Planning Briefs and other informal written guidance. The Council also offer a full suite of pre-application advice services which would allow for guidance to include what information would need to be included in an application to take into account the site location and type of development etc; however, on this occasion, the application was unfortunately submitted without any meaningful pre-application discussions.