

Re: Objection to Application PL/2026/03055 — Land along Potters Hill, Crockerton, Warminster, BA12 8AB — Permission in Principle for the erection of one single storey dwelling

I am writing to object to the above application. I should say at the outset that I am not a planning professional, so I have set my concerns out below as questions and points I would be grateful if the Council could look into and clarify, rather than as firm assertions of fact or law. I live nearby, but I am not raising this objection on grounds of personal or residential amenity, which would in any case be minor; my concerns are about the wider public interest in this landscape and some things in the application itself that I don't fully understand or that seem, to me at least, to not quite add up.

Since preparing this document, I have also had a chance to read the Delegated Office Report for case PL/2025/09180 (Land at Southfields, Parsons Lane, Crockerton) that was recently rejected and there is a high degree of overlap in the cases that is reflected in my comments.

In particular, the comments that were made in relation to the site lying within the Cranborne Chase National Landscape and within the Hampshire River Avon Catchment area. As was stated for this previous case, the site also lies within the area covered by the Cranborne Chase International Dark Skies Reserve, where the maintained absence of artificial lighting is a key landscape attribute.

The Officer's report noted that *"Core Policy 57i. requires applications to demonstrate how they will make a positive contribution to the character of Wiltshire through enhancing local distinctiveness by responding to the value of the natural and historic environment, relating positively to its landscape setting and the existing pattern of development and responding to local topography by ensuring that important views into, within and out of the site are to be retained and enhanced."*

It goes on to say that *"The proposed land use would introduce residential development into an area characterised by open countryside, resulting in a fundamental incompatibility that goes beyond detailed design or mitigation."*

I appreciate that every planning application needs to be assessed on its own merits but it is hard not to recognise the similarities between the two proposals.

Specific to application PL/2026/03055, these are the points that I would like to raise:

1. I'm not sure this application is capable of being decided through the Permission in Principle route

As I understand it, the Permission in Principle (PiP) application form itself says that permission in principle can only be granted for minor housing-led development, and that Article 5B of the Town and Country Planning (Permission in Principle) (Amendment) Order 2017 specifically excludes "habitats" development from PiP altogether. The applicant's own Nutrient Statement seems to confirm that the site is in the catchment of the River Avon Special Area of Conservation (SAC), and that a Habitats Regulations Regulation 63 appropriate assessment is needed because the development can't currently be shown to be nutrient neutral. If that reading is right, I would be grateful if the Council could confirm, as a preliminary point, whether this application is actually capable of being determined via the PiP route at all, or whether it ought instead to require a full application with an accompanying appropriate assessment.

2. I don't think nutrient neutrality has been secured, though I'd welcome the Council's view

The applicant's Nutrient Statement (Holbury Consultancy Service, 9 April 2026) calculates a net phosphorus loading of 0.66kg TP/year and says mitigation is needed. From reading it, it looks to me as though:

- the scheme doesn't currently meet the definition of "planned development" needed to access the Council's own phosphorus credit scheme;
- the applicant is instead relying on a future Nature Restoration Fund / Environmental Delivery Plan under the Planning & Infrastructure Act 2025, which had not been delivered at the date of the statement; and
- as a fallback, an unnamed third-party commercial credit provider "may come forward."

None of these look to me like secured, certain mitigation, though I would welcome the Council's confirmation either way. My understanding is that under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, the Council can only grant consent where it can be certain, beyond reasonable scientific doubt, that the development won't adversely affect the integrity of the River Avon SAC. If that's right, I would question whether a statement of future intent to pay into a scheme that doesn't yet exist meets that standard, and I would ask the Council to consider carefully whether a positive appropriate assessment can properly be reached on the evidence currently submitted.

As reference, I understand that the courts have recently had cause to look at this area again. In *CG Fry & Son Ltd v Secretary of State for Housing, Communities and Local Government* [2025] UKSC 35, the Supreme Court held that the Habitats Regulations must be read broadly and purposively, so as to require "no reasonable scientific doubt" that a project will not harm a protected site before any consent is granted. As I understand it, this was said in the context of a Ramsar site, which only benefits from Habitats Regulations-equivalent protection via NPPF policy — whereas the River Avon SAC affecting this site is directly protected under the Habitats Regulations themselves. If that's right, it would suggest the precautionary standard applies here with, if anything, even less room for doubt, and I would welcome the Council's confirmation that this has been properly addressed given that mitigation for this application does not yet appear to be secured.

3. The application seems to me to be inconsistent about the site's settlement status — could the Council please clarify?

I noticed that the Design and Access Statement says at paragraph 12.1 that the former village policy limit (settlement boundary) for Crockerton was removed, under Appendix F of the Wiltshire Core Strategy, but then says at paragraph 12.5 that "the site lies within the settlement boundary of Crockerton." I think this matters because it would affect whether the proposal should be assessed against Core Policy 1 (modest development in small villages) or against the more restrictive policies that apply to development in open countryside. My understanding is that point 12.1 is correct and that the village settlement boundary has been removed.

4. I am concerned the proposal would cause landscape harm within a nationally protected landscape

The site is open, sloped pastureland within the Cranborne Chase and West Wiltshire Downs National Landscape (AONB). As I understand paragraph 182 of the National Planning Policy Framework (December 2024), great weight has to be given to conserving and enhancing landscape and scenic beauty in National Landscapes, which I believe have the highest level of protection given to any landscape designation. I also understand this is reinforced by Wiltshire Core Strategy Policy CP51 (Landscape), which requires proposals to protect and, where possible, enhance valued landscape character.

I would also note, if I have understood it correctly, that footnote 9 to the NPPF identifies National Landscape policy as one of the protections that isn't displaced by the presumption in favour of sustainable development, even where a Council can't demonstrate a five-year housing land supply. If that's right, then introducing a new dwelling onto currently open, undeveloped pastureland in a prominent location would represent a clear change to the character of this part of the National Landscape, and I would ask that this be weighed accordingly, regardless of the housing supply arguments put forward in the Design and Access Statement.

5. I am not sure the planning precedents cited on Potters Hill are directly comparable

The Design and Access Statement relies quite heavily on a list of recent approvals in the vicinity (The Brac, Strathmore, Highfield, Briar Patch) to suggest that this proposal simply continues an established pattern of development. As far as I can tell from looking at these, the great majority are replacement dwellings, extensions or works carried out within existing residential curtilages. This application looks different to me: it proposes a wholly new dwelling on a parcel of open agricultural land with no existing residential use or curtilage. I understand each application is meant to be assessed on its own merits and site-specific circumstances, so I would question whether these precedents really support the principle of new residential development on this particular parcel.



7. I would ask that the submitted design details are not given weight at this stage

The Design and Access Statement spends a good deal of time on materials, aesthetics and the proposed "black barn" appearance of the dwelling. However, as noted in the Delegated Officer Report for PL2025/09180, PiP excludes 'Detailed design and appearance'.

8. Ecological survey and Biodiversity Net Gain appear to have been deferred on what looks like a speculative basis

No ecological survey accompanies this application. I understand PiP applications aren't required to be accompanied by technical reports, but the statement also seems to pre-emptively assume that a new 0.2ha area-based exemption from Biodiversity Net Gain requirements "is expected" to be introduced by the end of July 2026. As far as I'm aware this isn't yet in force, so I would question whether it can be relied upon or assumed by the Council at this stage. I believe the site includes mature hedgerows and trees that may amount to protected habitat, and I would ask that this isn't overlooked simply because BNG assessment has been deferred on the basis of a policy change that hasn't happened yet.

9. I don't think the historic 1840s mapping referenced in the application should carry much weight, though I'd welcome the Council's view

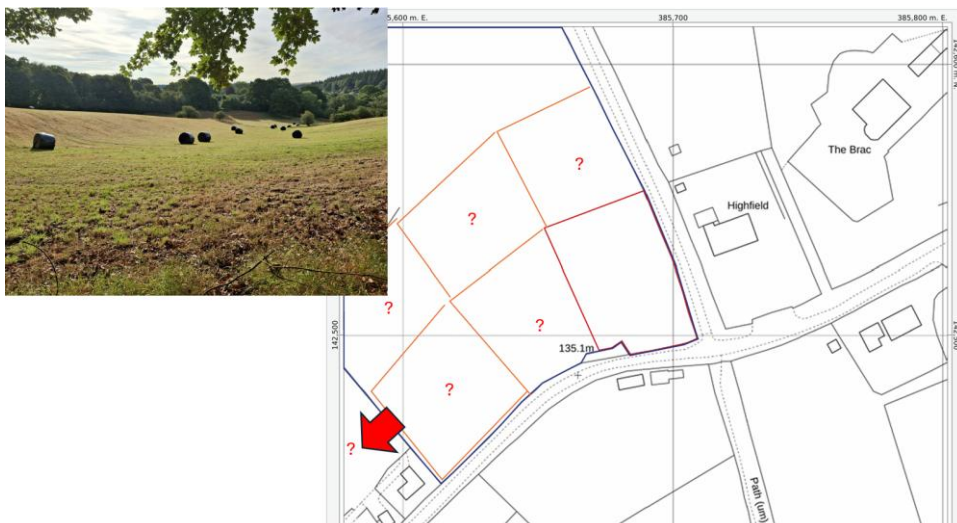
The Design and Access Statement refers to 1800s tithe maps said to show buildings in the vicinity of the site, and uses this to suggest the proposal simply reinstates a historic pattern of development. I would question whether this should be given much weight, for a few reasons, though I'd welcome correction if I've got any of this wrong:

- The application's own evidence describes the site's current and long-standing use as agricultural pasture. My understanding of the NPPF's Annex 2 definition of previously developed land is that it expressly excludes land last occupied by agricultural or forestry buildings, and land where the remains of any structure have blended into the landscape over time — both of which seem to apply here. On that basis, I don't think the site benefits from any form of "brownfield" or previously-developed status.
- Any building shown on 1840s mapping would pre-date the modern planning system by more than a century (I believe the requirement for planning permission was introduced by the Town and Country Planning Act 1947). I would assume no permission, certificate of lawful use, or fallback development right survives from that period, and that any such use was abandoned long ago when the land reverted to pasture — but I'd welcome the Council's confirmation.
- It seems to me that the relevant test under both national and local landscape policy is the effect of the proposed development on the site's current character and appearance — open, undeveloped farmland within a National Landscape — rather than a speculative reconstruction of a mid-19th century built form.

For these reasons, I would ask the Council to consider carefully whether the historic mapping evidence really justifies the principle of new development on this site.

Conclusion

For the reasons set out above and many of the point raised in the rejection of PL2025/09180, I would like to object to this application. In summary: I am unsure whether the application is suitable for determination via the PiP route given the apparent engagement of the Habitats Regulations; nutrient neutrality mitigation does not appear to have been secured; the application seems to me to be internally inconsistent about the site's settlement status; the proposal would, as far as I can tell, introduce built development onto open farmland within a nationally protected landscape and the cited precedents do not look directly comparable – using the logic that this is just extending a line of development, where would it stop?



I would also urge a Council representative to visit the site. This is not a corner of land surrounded by other developments, it is a beautiful open space surrounded by the Longleat Forest. As lovely a location it might be for a house, it would seriously impact the natural landscape.

