

HOLME PLANNING

Partnership

Planning Application - Objection

Application Ref: PL/2024/09844

Objection submitted on behalf of local residents

Land adjacent to Telephone Exchange

Middle Stoke

Limpley Stoke

Wiltshire

Erection of a Self-Build Split Level Dwelling with Detached Garage

July 2026

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1.0 Introduction

Background

- 1.1 Holme Planning Partnership Ltd have been instructed by a number of concerned local residents, as detailed at Appendix 1 of this report, to prepare and submit a detailed objection to application reference PL/2024/09844. This objection sets out their concerns with the development overall, as well as specific comments on the recently received amended plans.
- 1.2 The application is noted to relate to the erection of a self-build split level dwelling and detached garage on a site currently covered in vegetation in Middle Stoke. The application is in outline only, with a number of matters reserved, including appearance (despite providing elevations and some details on materials) and landscaping. Our clients have legitimate and specific concerns with the proposals which we have been asked to summarise within this submission. In the view of local residents this is a development which results in inappropriate development, which is of a scale, footprint, mass and bulk which would be of the detriment of the character and visual amenity of the streetscene, and importantly of harm to the character and landscape quality of the Cotswold National Landscape.
- 1.3 The scheme as proposed will also result in detrimental harm to neighbour amenity, harm to highway safety, the quality of the local area, and significant harms to existing ecological networks and the openness of the Green Belt. Residents also consider, that if approved, this scheme would further compound the impact of recent new development on the character of the village, and are therefore kindly requesting that this application be refused outright in order to prevent further cumulative harm on the highway network, character, setting etc.

2.0 Application Site Context

- 2.1 The application site is understood to be approximately 0.2 hectares in area and is located within the small village of Limpley Stoke, within the administrative area of Wiltshire Council. The settlement is located within the designated Green Belt (within the West Wiltshire Local Plan), within a National Landscape, within an Affordable Housing Zone, and on the southern fringes of the Cotswold's Special Landscape Area.
- 2.2 The site is understood to comprise of a part steep banked parcel of land, located between Middle Stoke and the playground on Woods Hill. The site comprises an important and valued area of scrubland, with trees and vegetation which offers a vital greenspace of amenity and ecological value, providing an important visual break, and also offering much valued views across the wider landscape. The site is bounded to the north west by the telephone exchange, by the public playground to the north, residential properties to the south and a laneway, garages and further dwellings to the east.
- 2.3 Whilst there are other residential properties located in proximity of the site, these are all of a consistent character, scale and use of materials, unlike the scheme subject of this application. This proposal represents one very large detached bungalow of significant footprint (which is in reality a two storey dwelling), with large detached garage, and large area of hardstanding.
- 2.4 There are limited services or amenities located within the village, and whilst there are understood to be some bus services, the site is in reality in an unsustainable location, and the village is simply not well placed to support the needs of a further dwelling, especially when factoring in the impact and extent of other recent dwellings approved in recent times.
- 2.5 From a review of the Historic England mapping service, we are not aware of any listed buildings or structures on site, nor is the site understood to be located within a defined Conservation Area. Whilst there are no heritage assets on immediately adjacent land, there are noted to be a number of other listed buildings within the wider local area, comprising of a cluster of buildings located close to the south west of the site, including the Grade II listed Lynton Cottage, 17, 18, 19, 20, 21, 22 and 25 Middle Stoke and the Baptist Chapel. The impact on the setting of these designated heritage assets is in our view material to the determination of this application.
- 2.6 From a review of the Environment Agency Flood Map, it is noted that the application site is not located within an area at risk from flooding. However, there are concerns that the scheme as proposed will lead to some increased localised flooding, particularly to lower ground as a result of the scale of built development and hardstanding to be delivered as part of this proposal.
- 2.7 Residents have also advised that the site contains a stream and a culvert which currently run off to the slopes and parkland below, which are not noted to have been dealt with in the applications submission. Residents are concerned that the flow rates and level of water to now be discharged from the application site as a result of the scale of built development and

hardstanding, even with SuDs, will be significant, and poses an increased risk of localised and surface water flooding which does not appear to have been suitably addressed within this application. Given that we are anticipating wilder, wetter weather during winter periods as a result of climate change, the scheme is deemed to exacerbate the concerns set out above, and not to have provided suitable mitigation to clearly demonstrate no harm, nor has any clarity been provided as to whether there will be a need to divert any of the existing watercourses on site, how that will be achieved and the impact of any such changes on the wider water environment. Due regard should also be paid to the provisions of the Cotswold AONB Landscape Strategy and Guidelines which sets out the need to retain and manage watercourses in their naturalistic form and for which at the moment we have not clarity on, and must therefore assume that these have not been duly considered.

Proposed Development

- 2.8 The development proposed is noted to result in the loss of an existing greenfield land parcel, which is located in a prominent and protected location, and is of significant amenity value to the local community. The scheme as submitted will result in an incongruously large and out of scale development, and is clearly not proposing infill development within an otherwise established and built up frontage. In addition, the loss of existing vegetation will be to the detriment of visual amenity, overlooking, and loss of privacy and amenity to neighbouring residents, harm on the wider environment, biodiversity, ecological networks and transitory connections, and the character and quality of the National Landscape, all of which are clearly material to this application, and support the case in favour of refusal of this application.
- 2.9 The Applicant is proposing to access the new dwelling directly off Middle Stoke which is in effect a narrow single track highway. Concern is therefore raised in relation to the suitability of the highway to service the needs of an additional large scale dwelling, and the potential for conflict with other road users and pedestrians, especially for example during bin collection days, where bins are already sited within the highway causing obstruction. The site topography and the impact the access point may have on visibility is also of concern, as is the significant extent of hardstanding for vehicle parking on site. Whilst it is accepted that there needs to be turning space such that vehicles can enter and leave in a forward gear, the extent of hardstanding currently proposed does appear somewhat excessive, and again raises concerns in relation to impact on visual amenity and surface water run off rates.
- 2.10 Given the scale, form, siting, mass, bulk and design of development, local residents have significant concerns that the scheme will also result in detrimental harm to neighbour amenity including loss of privacy, overlooking, overbearing effects, a feeling of enclosure and impacts from day to day activities including noise and light pollution associated with vehicle movements. Residents simply feel that this is not the right site for this development, and consider that the application should be refused outright, as there are no considerations of sufficient weight as to justify approval of an application which runs wholly contrary to the provisions of the adopted Development Plan.

Application Submission

2.11 Having reviewed the documentation submitted with the application there is in our view a number of plans and reports absent, and which should be provided in advance of determination of this application, or the application should simply be refused on the grounds of insufficient information, including;

- **Landscape Visual Impact Assessment:** Given the scale, mass, footprint and bulk of development, its siting with a prominent and protected location, and the extent of proposed glazing, one would have anticipated the submission of a detailed Landscape Visual Impact assessment. This should include a detailed visual assessment of the impact of the development from a number of vantage points, including the local public footpath network and adjacent playground which will be dominated by the scheme as applied for. The reality is given the steepness of the slope and proposed siting and scale of development, including the extent of the blank facade facing due east, the dwelling will be visually overbearing in the landscape, and will cause harm to visual amenity, local character and neighbour amenity;
- **Ecological Surveys:** The Applicant is noted to have submitted a number of ecological reports including a Static Bat Survey which clearly confirms that the site has significant value for commuting and foraging bats, with the report confirming the need for dark corridors. Given that the static detector was in fact sited close to the footprint of the proposed dwelling, there are genuine concerns that the dark corridor simply cannot be protected by the scheme as applied for and whether in fact the scale of the dark corridor is sufficient. We have had sight of the updated Block Plan which delineates dark spaces and the use of glazing and lighting solutions, however residents remain concerned that the scheme will in reality result in real harm to protected species which has not been suitably mitigated within the recommendations currently proposed. The application form should also be duly updated to more accurately reflect the fact there are protected and priority species both on the site and on adjacent land, as the form currently incorrectly advises otherwise. We would also ask that confirmation be sought that the date of the original Ecological Appraisal, as well as the submitted Tree Survey ensures the findings remain up to date, and in addition do not agree with the Applicant that any additional surveys should be undertaken as part of a compliance with pre-conditions application, given the impact changes on site could have on the principle of the development, siting etc;
- **Biodiversity Net Gain:** The application form indicates that BNG is a requirement for this application, and also confirms that the BNG metric was calculated on the 17th September 2024. However, much as per the ecological surveys, this report is noted to be almost 2 years in age and there is therefore a concern that the BNG metric is no longer fit for purpose and needs to be recalculated to correctly factor in the loss of existing landscape, trees and vegetation on site. Confirmation of whether the scheme proposes on site, off site or statutory credits should also be confirmed in advance of determination for completeness.

- **Heritage Impact Assessment:** Whilst there are no designated and non-designated heritage assets on site, given the scale and visual prominence of the development on the streetscene, as well as the proximity to a cluster of Grade II listed buildings to the east of the application site, the proposal is deemed to be within the setting of a number of designated heritage assets, and a more detailed assessment of the harm resultant from this scheme on the historic environment needs to be undertaken;
- **Boundary Plans:** Given the topography of the application site and the potential varying site levels, as well as the proximity to neighbouring properties and footpaths/highways, a clear plan delineating the location of site boundary treatments is essential. It is accepted that reference is made to 1.8m close boarded timber fencing on plan reference 2194-1-Rev 1, but we have been unable to see clear delineation on that plan of where the fencing will be located. Given the potential for an overbearing feeling from this scheme as a result of site topography, it is imperative that such matters are clearly understood and assessed in advance of determination of the application. The fact that the use of timber fencing will be out of character with the traditional build materials used within the local area, which is predominantly Bath stone walls, low stone walls or free from boundary treatments, is also of concern to local residents given it will introduce a suburban style fence line completely out of character with this location.
- **Access Details:** It is noted that further detail has now been provided on the site access, however clarity remains to be sought that vehicles will be able to pull off the highway and enter the site, in full, in advance of coming up to any entrance gates. Given the need to protect highway safety, this point needs to be confirmed in advance of determination of this application. The application form also states that only 3 parking spaces are proposed, however the extent of hardstanding will clearly accommodate a greater number of vehicles, so confirmation is once again sought that this is an accurate reflection of the development.
- **Structural Report** – As per the comments made earlier within this submission, residents have concerns on the structural integrity of this bank to accommodate the scale of development proposed, and the potential visual harm from the erection of retaining walls or other such elements of development which may be required to deliver this scheme. A suitable report to demonstrate that the site in its current form, and without extensive additional built structures, can safely accommodate the scheme as submitted is therefore required. For the reasons laid out above, any proposals which result in fencing or extensive physical structures to retain the bank side are to be avoided given the significant visual harm such additional built elements have on the street scene, neighbour amenity and wider protected landscape.
- **Street Scene Elevations** – The applicant does not appear to have provided any street scene elevations showing the proposed development in wider context. Such a plan would be essential in allowing the Council and third parties to fully understand the contextual and visual impacts of the scheme on visual amenities and neighbouring amenity, and to make a better and more realistic assessment

as to whether the site can in reality be deemed to represent an infill site, in circumstances where the proposed block plan is potentially somewhat misleading given it does not reflect the variations of land levels and the realistic relationship with adjacent built structures;

- **Energy Statement** – Wiltshire Council acknowledged the climate emergency in February 2019, and we would therefore expect assessments of suitable applications to include an energy assessment to demonstrate the use of renewables within the scheme and general energy efficiencies;
- **Lighting Assessment:** It is noted that as part of the latest tranche of updated reports that a Lighting Assessment has been submitted with the application. There are however legitimate concerns with whether the assessment has considered all issues given that the red line plan included at figure 1 within the report, does not reflect the entirety of the development site, nor does the red line appear to even cover all of the area proposed for new development. The Assessment also does not appear to have made reference to the most up to date national policy. We note that in relation to impact on neighbouring properties etc that reference has been made to receptor points being set at 4m to reflect first floor bedroom window height and 3m for ecological assessments. However, we would ask for clarification as to whether the receptor assessment has taken due regard of the topography of the site and the actual relationship with adjacent buildings and trees, given the significant variation in localised land levels? There are also concerns that the residential unit to the east of the application site has not been duly included within the assessment. In any event the fact remains that the dwelling as proposed is to be retained within the 20m exclusion zone set by the Council to create the dark corridor for bats, and therefore that the impact and encroachment on bats commuting and foraging remains significant, and in our view, to a degree which now justifies refusal of this application;
- **Surface Water Drainage:** Given the extensive removal of existing vegetation from the site, alongside the site geology, topography, the existing on site watercourses, the proposed installation of extensive areas of hardstanding within the development site, residents have particular concerns regarding the risk of surface water flooding resultant from this scheme. Once again, no details on site drainage, including the potential impact on groundwater sources, increased risk of surface water flooding in the local area, and flow rates from the development appear to have been included within this application to overcome these legitimate concerns. Whilst the Applicants in their latest statement consider that drainage should be addressed at reserved matter staged, in our view this needs to be done now given that the layout, scale, areas of hardstanding all appear to have been confirmed, the provision of existing watercourses on site and the fact that the matter does fall to the principle of the development. Clarification on the foul sewerage disposal should also be provided as the form indicates that the scheme will be connected to the mains sewer, but with no clarity on where there is a connection and whether there is capacity in this section of the network to accommodate the scheme as proposed, although reference is made to sewers

running the length of the site in the supporting Planning, Design and Access Statement;

- **Scope of Application:** The application form advises that this is an outline application with appearance and landscaping to be addressed as reserved matters. However, the application is supported by detailed plans and drawings showing the proposed elevations. There is therefore some confusion as to whether those elevations remain 'indicative' as originally indicated, or whether the Applicant is now in fact applying for appearance within this application? It is clearly important that the Council and third parties have absolute clarity on what is being applied for so that suitable assessments can be made. The fact that the scheme is also described as a 2-bedroom bungalow on the application form also appears to not accurately reflect the scope and scale of what is being applied for, and could be seen to be misleading. The confusion is further exacerbated by the fact that when addressing the number of units proposed on site elsewhere on the application form, whilst confirming this will be a market dwelling, the form indicates that the number of bedrooms is in fact 'unknown'. If there is a risk that a greater number of bedrooms are being proposed within this scheme, which is very feasible given the scale and footprint proposed, then the associated impact on parking, traffic movement, disturbance etc needs to be suitably evaluated in advance of determination;
- **Planning Design and Access Statement:** This document makes the case that the scheme represents a small and modest infill development within an existing residential and village cluster. It is however clear from the plans submitted that this is not a modest single dwelling, but is in fact a large scale two storey dwelling located on a site which in our view does not meet the tests for infill given the scale of the site frontage, distance to neighbouring properties, and the impact of highways, footpaths and topography on the appearance of the site. The harm as a result of the scale, mass, bulk, footprint and layout of this development on residential amenity, visual amenity and on the local environment are not outweighed by the point on housing need. When reviewing the proposed footprint of development, the scheme will far and away hugely exceed the floor space expectations set out within the Nationally Described Spacing Standards, and whilst one could argue that this is of benefit to the future occupiers and the quality of their accommodation, one must question why in reality the rooms and the footprint of development needs to be so uplifted in scale;
- **Planning Committee Statement:** This statement seeks to respond to consultee and third party feedback and to address some minor amendments to the development to overcome previous concerns. One point of clarification however is the actual allocation of the site. Within their original statement the Applicant accepted that the site was located within the Green Belt, as also indicated in the Policies Map associated with the West Wiltshire Local Plan, which we believe remains in force. The Applicant advises that the Council have confirmed that the site is not in the Green Belt within this report, and we therefore seek clarification of the same, in circumstances where we do not currently agree with this position and believe that the impact of the scheme on the openness of the Green Belt, as well as the other key allocations associated with the site, remain relevant, and in

reality support the case in favour of refusal of this inappropriate development. The document indicates that the scheme has been revised down to a single storey to reflect neighbour concerns. However, this reduced scale/footprint is unclear from the plans submitted, some of which continue to indicate an in effect two storey very large dwelling of similar form and footprint to the original submission, which will result in visual harm to the site and wider relevant designations, particularly given the prominence of the site in the street scene, which is not visually contained as intimated by the Applicant;

- **Photos:** The revised documentation is noted to include photographs of other recent developments constructed or under construction within the settlement of Limpley Stoke, with a view to supporting the approval of this further proposal. However, in reality these photographs simply support the concerns laid out by the local community that the scheme as submitted will simply compound existing concerns/issues, and will in fact continue to erode the character and visual quality of the site, setting and wider village. The scheme alongside others will cumulatively create a more suburban appearance to this rural setting, and we would remind officers that each case is to be judged on its own merits; and
- **Waste Storage:** The application form indicates that the plans do not include provisions for the storage of bins and recycling on site. The need for secure and suitable bin storage is clear, alongside where bins will be placed for collection, especially given the narrow nature of the existing highway. We would therefore ask that the plans be updated to address these points.

Statutory Development Plan

- 2.12 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that when determining a planning application, local planning authorities must make their determination in accordance with the Development Plan unless material considerations indicate otherwise. The development has been shown throughout this Statement, to fail to meet the tests of the Development Plan when read as a whole. Further, there are no material considerations which outweigh the provisions of the Development Plan, and we therefore kindly urge the Council to seek to refuse this application.

3.0 Planning History

- 3.1 From a review of the Council website and the Applicants submissions, we are aware of one previously refused application on site, namely:

Application Ref: W/96/00016/OUT

Description of Development: New Vehicular Access and Combined Single Storey Domestic Workshop and Stable

Decision: Refused

Date of Decision:

22nd August 1996

- 3.2 Despite a review of the above application online, we have been unable to identify the reasons for refusal of this earlier scheme. It is therefore unclear whether there are any matters which remain pertinent to the assessment of this further proposal. Whilst it is accepted that this previous application was some time ago and was determined under an earlier Development Plan, some key planning principles on safe access, impact on visual amenity etc remain as relevant today as they did in 1996. We would therefore kindly ask that Officers seek to familiarise themselves with at least the reason(s) for the previous refusal to ascertain if there are any matters previously deemed to be unacceptable that remain relevant to this further scheme.

4.0 Relevant Planning Policy and Legislation – National Planning Policy Framework

- 4.1 In the assessment of this planning application due regard needs to be paid to the provisions of the Development Plan, which comprises the Revised National Planning Policy Framework and the Wiltshire Development Plan. This section of the report will focus on the national planning policy position, with adopted local policies addressed at Section 5.

Revised National Planning Policy (NPPF)

- 4.2 The Revised National Planning Policy Framework was last updated in February 2025, and sets out the Government's planning policies for England, and how these are expected to be applied. Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The NPPF is a material consideration in the decision-making process, and a summary of paragraphs considered material to the determination of this application include as follows (please note this is not an exhaustive reference to the relevant provisions of the NPF, but does cover the key pertinent issues):

Section 2 - Achieving Sustainable Development

***"Paragraph 8:** Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):*

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*
- c) an environmental objective—to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy."*

***"Paragraph 10:** So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development."*

***"Paragraph 11:** Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:*

- c) *approving development proposals that accord with an up-to-date development plan without delay; “*

“Paragraph 12: *The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.”*

- 4.3 **Comment:** The application site is clearly in an unsuitable and unsustainable location. The proposals as submitted, represent inappropriate development of the site with a dwelling of gross scale, mass, bulk and footprint, harm to neighbour amenity given the oppressive and overbearing nature of the proposals, significant harm on visual amenity and local landscape character, loss of trees and ecological networks and highway safety concerns. Given that there are no material considerations of sufficient weight to overcome those concerns, the scheme is not therefore deemed to represent a suitable or sustainable development.

Section 4 - Decision Making

“Paragraph 39: *Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.”*

“Paragraph 48: *Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.”*

“Paragraph 50: *However, in the context of the Framework – and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than in the limited circumstances where both:*

- a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and*
- b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.”*

- 4.4 **Comment:** The adopted Development Plan seeks to protect the character of the local area from inappropriate development and to deliver development in suitable and sustainable locations, where they do not result in social or environmental harms. The scheme as submitted will result in harm to the character of the area and visual amenity given the scale, form, siting, mass, bulk and design of development. Whilst described as a bungalow, this is in reality a grossly scaled two storey dwellinghouse which includes large areas of bulky blank facades that will be overbearing and oppressive to neighbouring properties, and harmful to views to and across the site and wider visual amenity of the wider protected landscape. The loss of existing vegetation and further mature trees will also be environmentally and ecologically damaging, and to a degree which has not in our view been suitably mitigated for. The scheme is therefore deemed to be inconsistent and contrary to the provisions of the Development Plan, with no other material considerations outweighing the principle objections.

Section 5 – Delivering a Sufficient Supply of Homes

***“Paragraph 61:** To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet an area’s identified housing need, including with an appropriate mix of housing types for the local community.”*

***“Paragraph 69:** Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period. The requirement may be higher than the identified housing need if, for example, it includes provision for neighbouring areas, or reflects growth ambitions linked to economic development or infrastructure investment. Within this overall requirement, strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations³². Once the strategic policies have been adopted, these figures should not need re-testing at the neighbourhood plan examination, unless there has been a significant change in circumstances that affects the requirement.”*

***“Paragraph 82:** In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs, including proposals for community-led development for housing. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.”*

***“Paragraph 84:** Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:*

- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;*
- b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;*
- c) the development would re-use redundant or disused buildings and enhance its immediate setting;*
- d) the development would involve the subdivision of an existing residential building; or*
- e) the design is of exceptional quality, in that it:*
 - is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and*
 - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area."*

- 4.5 **Comment:** Wiltshire Council are not understood to be able to demonstrate a five year supply of housing land, however they did pass the most recent Housing Delivery Test with 135% of new homes provided over the preceding three year period. There has not therefore been a triggering of the principle of delivering sustainable development, and there is not therefore in our view a pressing need to deliver homes, and specifically not on sites which are simply unsuitable for delivery, especially when factoring in sites not included in the most recent five year land supply calculations (as they were approved after the base date).
- 4.6 The fact that the proposals will have such a de minimus impact on housing delivery indicates that the matter of housing need is not in this instance a material consideration which would carry sufficient weight to justify approval of this application when weighed against the planning balance, and assessment of the concerns laid out by local residents. Furthermore, the village of Limpley Stoke has seen a significant delivery of new homes since adoption of both the Local Plan and the Neighbourhood Plan, far in excess of the level originally deemed necessary within this settlement. There is therefore no requirement for additional homes in this location.

Section 9 - Promoting Sustainable Transport

"Paragraph 115: *In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:*

"Paragraph 116: *Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe taking into account all reasonable future scenarios."*

"Paragraph 117: *Within this context, applications for development should:*

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality*

public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;

b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;

c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;

d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and

e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.”

- 4.7 **Comment:** The proposed site access is to be located off a narrow single lane carriageway, and there are legitimate concerns regarding the impact of this scheme on highway and pedestrian safety, and the potential for in highway conflict. There are concerns that vehicles queuing on the highway to access the new development could cause congestion and create an accident hot spot as vehicles and cyclists travel past the site. Accessing the site for deliveries and emergency vehicles is a further consideration, particularly if vehicles are parked on the other side of the road or the highway is further limited on the days subject of refuse collection, where bins are often left within the highway awaiting collection.
- 4.8 The level of increased traffic resultant from these proposals, the extent of off street parking and the unsustainable nature of the application site are further considerations.
- 4.9 The development will result in an unacceptable impact on the highway network, and there is therefore a justifiable case to refuse this proposal on highway grounds.

Section 11 – Making Effective Use of Land

“Paragraph 124: Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or ‘brownfield’ land.”

“Paragraph 125: Planning policies and decisions should:

- a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;*
- b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;*
- c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;*

d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure); and e) support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions – including mansard roofs – where the development would be consistent with the prevailing form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers. A condition of simultaneous development should not be imposed on an application for multiple upward extensions unless there is an exceptional justification..”

“Paragraph 129: *Planning policies and decisions should support development that makes efficient use of land, taking into account:*

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;*
- b) local market conditions and viability;*
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;*
- d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and*
- e) the importance of securing well-designed, attractive and healthy places.”*

- 4.10 **Comment:** Whilst it is accepted that the Framework does seek to support higher development densities for efficient uses of land, as set out above, national policy also requires development to pay due regard to the desirability of maintaining an area’s prevailing character and setting. This scheme by virtue of its location within a protected landscape, the proposed scale and form of development runs completely contrary to the prevailing character of the local area, and in our view, represents inappropriate development and will simply deliver a single dwelling of gross scale and footprint when assessed against the prevailing character of the wider locality. For the reasons laid out within this report, the development subject of this application simply fails to meet this test.

Section 12- Achieving Well-Designed Places

“Paragraph 131: *The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.”*

“Paragraph 135: *Planning policies and decisions should 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 space) 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 the quality of life or community cohesion and resilience.”

“Paragraph 136: Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined⁵², that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.”

“Paragraph 139: Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

4.11 **Comment:** The application drawings clearly show a scale, form, mass, bulk and design of development wholly out of keeping and out of character with the local area. The proposed dwelling and garage are deemed to be gross in scale, footprint, height and mass, and do not propose a form of development suitable for this location and will dominate the street scene. The scheme as submitted results in visual harm and harm to neighbour amenities and visual amenities of neighbouring land parcels by the very overbearing and over oppressive nature of

the proposed elevations and overall scale of development. In our view, the scheme does not represent good and high quality design, and in reality, is out of keeping with the appearance and the predominant character of the local area. There is therefore justification in refusing this application on the grounds of poor design.

Section 13 – Protecting Green Belt Land

***“Paragraph 142:** The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.”*

***“Paragraph 153:** When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness⁵⁵. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”*

***“Paragraph 154:** Development in the Green Belt is inappropriate unless one of the following exceptions applies:*

- a) buildings for agriculture and forestry;*
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- e) limited infilling in villages;*
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*
- g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.*
- h) Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:*
 - i. mineral extraction;*
 - ii. engineering operations;*
 - iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location;*
 - iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;*

v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
vi. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.”

“Paragraph 155: The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all the following apply:

- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
- b. There is a demonstrable unmet need for the type of development proposed;
- c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and
- d. Where applicable the development proposed meets the ‘Golden Rules’ requirements set out in paragraphs 156-157 below.”

- 4.12 **Comment:** It is understood from the revised documentation that the Council have indicated to the Applicant that the proposal site is not located within the Green Belt. However, we would advise that this does not reflect the details on the West Wiltshire Local Plan Proposals Map which is understood to remain extant in the decision making process (as evidenced by the Applicants original supporting statement). There is therefore an element of confusion in that regard. However, our understanding is that the Local Plan remains in force and the site is therefore located within washed over Green Belt. Furthermore, given the character of the site and its relationship with adjacent built development, highway junctions etc that the site does not meet the tests required to be defined as an infill plot. The scheme as submitted therefore represents inappropriate development within the Green Belt, with no very special circumstances to justify approval of the application.
- 4.13 The scale and layout of development proposed on site will therefore result in detrimental harm to the openness of the Green Belt and should therefore be refused on the grounds of its inappropriateness.
- 4.14 For clarity we can confirm that the site cannot be deemed to represent a grey belt site given its location within the Cotswold National Landscape and the provisions of footnote 7 of the Framework. In addition, the site is not meeting an unmet need for housing development within Limpley Stoke and is also not deemed to represent a sustainable location.

Section 15 – Conserving and Enhancing the Natural Environment

“Paragraph 187: Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and

other benefits of the best and most versatile agricultural land, and of trees and woodland;

c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and

f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.”

“Paragraph 189: *Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.”*

“Paragraph 193: *When determining planning applications, local planning authorities should apply the following principles:*

a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and

d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.”

“Paragraph 196: Planning policies and decisions should ensure that:

- a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);*
- b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.”*

“Paragraph 198: Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

- a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;*
- b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and*
- c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.”*

- 4.15 **Comment:** Given the loss of existing vegetation and mature trees to facilitate this development, there is significant concern in relation to the potential impact on the wider natural environment, surface water run off rates from the site and the structural integrity of the land parcel to accommodate this form and scale of development, and the associated need for retaining walls etc. In addition, there is clear harm to environmental and ecological assets and protected species which have simply not been suitably mitigated for.
- 4.16 The scheme given the scale, siting, form, mass, bulk, footprint and design is also deemed to result in detrimental harm to the local landscape and the character and quality of the wider Cotswold National Landscape, as well as harm to protected and priority species and wider biodiversity objectives. The NPPF confirms that development in these areas should be limited and sensitively located, which is clearly not the case within this proposal, which proposes a large scale, out of proportion dwelling, with large areas of glazing which will be wholly out of character and out of keeping with this protected setting and which has paid not regard to the sensitive nature of the location.

Section 16 – Conserving and Enhancing the Historic Environment

“Paragraph 207: In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’

importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation."

"Paragraph 210: *In determining applications, local planning authorities should take account of:*

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) the desirability of new development making a positive contribution to local character and distinctiveness."*

"Paragraph 212: *When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."*

"Paragraph 215: *Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."*

- 4.17 **Comment:** It is accepted that there are no designated and non-designated heritage assets within the application red line boundary, further that the site is not within a designated Conservation Area. However, as detailed at section 2 of this submission, there are a number of Grade II listed buildings within close proximity of the application site, and from which the application site can be seen. There is therefore a question to be answered, given the scale, form, siting and mass of the development proposed, as to whether the scheme will result in harm to the setting of these assets.

Summary

- 4.18 The development subject of this application has been shown above to fall foul of the tests laid out within the National Planning Policy Framework. The scheme proposes the loss of existing vegetation, harm to ecological networks, and the erection of development of a gross scale, form, height, mass and design which causes detriment to the character, quality and visual amenity of the local area and does not protect or enhance the wider National Landscape. The proposals will harm residential amenity through increased noise, disturbance and activity on site, as well as a loss of privacy and amenity through the creation of oppressive and

overbearing elevations, and there are legitimate concerns in relation to off street car parking and highway safety.

- 4.19 In our view, this scheme is contrary to the provisions of the National Planning Policy Framework.

5.0 Relevant Planning Policy – Wiltshire Development Plan

- 5.1 The application site is located within the authority of Wiltshire Council, and the provisions of the adopted Core Strategy (2015) are understood to be determinative. In addition, due regard should also be paid to the provisions of the saved policies of the West Wiltshire District Plan (2004), and the Freshford and Limpley Stoke Neighbourhood Plan (2014-2039).
- 5.2 The application site is understood from the Proposals Map associated with the adopted plan (extract included below) to be within the Green Belt, within a National Landscape and within a Special Landscape area (as designated in the West Wiltshire Plan as detailed at Figure 1 below). Retention and protection of this site from development encroachment is therefore the starting point.

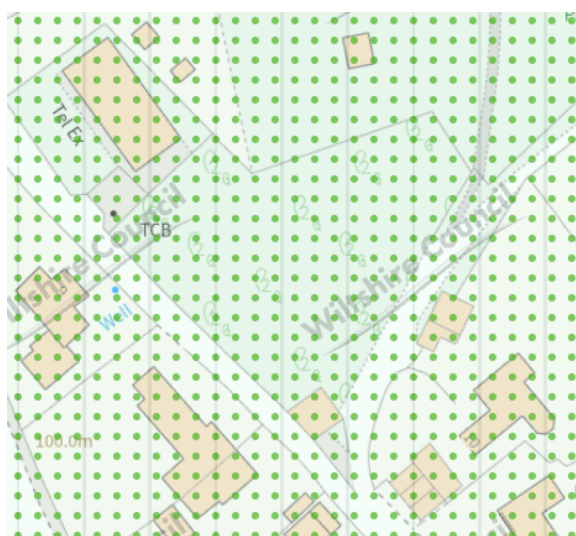


Figure 1: Proposals Map extract from West Wiltshire Local Plan

- 5.3 Given the allocations associated with the application site, and given the form and scale of development currently proposed, attention is drawn to the list below of relevant development plan policies to be considered in advance of determination of this application:

Saved Policies for the West Wiltshire District Local Plan (1st Alteration)

- 5.4 It is noted that a number of policies contained within the West Wiltshire Local Plan have been replaced upon adoption of the Core Strategy. There are however a few policies which have been 'saved'. Of the saved policies, due regard is paid to the following policies deemed to remain relevant to the determination of this application:
- Policy C3 - Special Landscape Area;
 - Policy C39 – Environmental Enhancement; and
 - Policy C40 -Tree Planting
- 5.5 Of those policies detailed above, specific attention is drawn to the provisions of Policy C3, which is noted to read as follows:

“Special Landscape Areas, as defined on the Proposals Maps, are identified as follows:-

- A Salisbury Plain
- B The Corsley Heath to Chapmanslade Greensand Ridge
- C The higher land of the Spye and Bowood Parklands
- D The River Frome Valley at Vaggs Hill
- E The southern fringes of the Cotswolds not covered by Area Of Outstanding Natural Beauty designation

The landscape character of Special Landscape Areas will be conserved and enhanced and development will not be permitted which is considered to be detrimental to the high quality of these landscapes.

Proposals for development essential to the social and economic well-being of the rural community or desirable for the enjoyment of its amenities will be permitted having regard to highways, access, scale, design, materials, location, siting, landscaping and other appropriate environmental considerations.”

- 5.6 **Comment:** Given the clear harm the development subject of this application will have on landscape character, visual amenity, neighbour amenity, the environment and ecological networks and highways, and the harm to the National Landscape, the scheme is deemed to fall foul of the tests laid out within the saved policies when read as a whole.

Wiltshire Core Strategy (adopted 2015)

- Policy CP1 – Settlement Strategy;
- Policy CP2 – Delivery Strategy;
- Policy CP7 – Spatial Strategy Bradford on Avon Community Area;
- Policy CP41 – Sustainable Construction and Low Carbon Energy;
- Policy CP45- Meeting Wiltshire’s Housing Needs;
- Policy CP50 – Biodiversity and Geodiversity;
- Policy CP51 – Landscape;
- Policy CP52 – Green Infrastructure;
- Policy CP57 – Ensuring High Quality Design and Place Shaping;
- Policy CP58 – Ensuring the Conservation of the Historic Environment
- Policy CP60 – Sustainable Transport;
- Policy CP61 – Transport and New Development;
- Policy CP62 – Development Impacts on the Transport Network; and
- Policy CP64 – Demand Management

- 5.7 Of the policies listed above, specific attention is drawn to the provisions of the following, which are deemed most relevant to the assessment of this application:

“Policy CP1:

...Small villages have a low level of services and facilities, and few employment opportunities.

Development at Large and Small villages will be limited to that needed to help meet the housing needs of settlements and to improve employment opportunities, services and facilities.”

- 5.8 **Comment:** Limpley Stoke has been classified as a small village and in reality has very limited services and facilities. The village is not therefore a focus for new development within the adopted Plan, and there is therefore no clear need or justification for the scheme as applied for. The fact that there is no case made to demonstrate that the scheme will be helping to meet specific and identified housing needs, we cannot see how the development can be seen to be compliant with policy CP1.

“Policy CP2:

At the Small Villages development will be limited to infill within the existing built area. Proposals for development at the Small Villages will be supported where they seek to meet housing needs of settlements or provide employment, services and facilities provided that the development:

- i) Respects the existing character and form of the settlement
- ii) Does not elongate the village or impose development in sensitive landscape areas
- iii) Does not consolidate an existing sporadic loose knit areas of development related to the settlement.”

- 5.9 **Comment:** The application site has not been identified for development within the adopted Development Plan. Furthermore, the scheme cannot be seen to be meeting an identified housing need for this settlement, even if one could justify a two bedroom unit or bungalow, the proposed scale and footprint clearly indicate a development of much larger scale. Furthermore, the development once again given its scale, form, mass, footprint and bulk cannot be seen to be respecting the character and form of the settlement, and will in fact impose development in a sensitive landscape area and a visually sensitive location. The scheme also cannot meet the requirements of criteria iii) and the development simply cannot therefore be found to represent infill development, and there is therefore no case to justify approval.

- 5.10 It is noted that in relation to development within the Green Belt (which we understand remains pertinent to the determination of this application), such proposals need to be compliant with national guidance. Given that this has been addressed above at section 4, we do not propose to replicate the issues here, other than to confirm that the scheme does not comply with the provisions on exceptions and should therefore be refused as being inappropriate and resulting in harm to the openness of the Green Belt.

- 5.11 The Development Plan also sets out throughout the need to protect and enhance the defined National Landscape (Cotswold AONB), and to only support development which does not result in harm. This scheme given its scale, footprint, form, design, layout and impact on existing vegetation, ecological networks and impact on views of and through the site, will have significant harm on this nationally recognised designation, and harm to a degree which would justify the case in favour of refusal of this application.

- 5.12 The scheme is therefore clearly inconsistent with the provisions of the Wiltshire Core Strategy as a matter of principle.

Wiltshire Local Plan Review

- 5.13 Wiltshire Council are noted to have previously undertaken a Local Plan Review and completed significant work on a new Local Plan, which had been submitted to the Planning Inspectorate for Examination in November 2024. However, it is understood that in February 2026, the Council received correspondence from the Planning Inspectorate in response to a programme of further works submitted to them in January 2026. It is noted that following a review of the proposed programme, that the Inspectors indicated that that the Council had two options which related to either formal withdrawal of the draft Plan, or ask the Inspectors to issue the formal report which would advise recommendation of non-adoption. On reflection of the Inspectors recommendations, the Council took a report to the Cabinet on 19th May 2026 which resulted in formal withdrawal of the Plan from the Examination process.
- 5.14 Following the withdrawal of the draft Local Plan, work will now commence on a new draft Local Plan. The emerging Plan therefore remains at a very early, if not preliminary stage, and is not therefore in our determinative to the evaluation of this application.

Freshford and Limpley Stoke Neighbourhood Plan

- 5.15 The as Made Freshford and Limpley Stoke Neighbourhood Plan confirms that the document was produced in order to give the local population a greater influence on land use planning. The document rightly confirms that the Localism Act 2011 would allow local residents, through the Neighbourhood Plan, to determine the scale, pace and location of new developments. The Plan is noted to seek to ensure that the villages remain vibrant communities, whilst protecting the unique rural environment which defines the character of the area, with specific reference to protecting greenfields, woodlands, and sites of steep topography.
- 5.16 In relation to the village of Limpley Stoke itself the Plan states:
- “3.0.05 Limpley Stoke is defined as a “small village” in the adopted Wiltshire Core Strategy and is within the Green Belt. As a “small village”, Limpley Stoke does not have a Housing Development Boundary and the whole area is covered by the Green Belt. Development is governed by Wiltshire Core Policy 51 with a particular objective to: “maintain the open character of undeveloped land adjacent to Bath, Trowbridge and Bradford on Avon and prevent the coalescence of Bradford on Avon with Trowbridge or the villages to the east of Bath”. The adopted Wiltshire Core Strategy plans approximately 185 dwellings in the Bradford on Avon Community Area outside of Bradford on Avon town over the period 2006-2026. The Bradford on Avon Community Area includes three “large villages” and four “small villages” (including Limpley Stoke).”
- 5.17 The Plan goes on to confirm that the Neighbourhood Plan’s definition of an infill site is as follows:

“Infill is the filling of a gap normally capable of taking no more than two houses. Infill development must be consistent with the policies set out in the Plan and preserve the openness of the Green Belt.”

- 5.18 It is noted from the plan extract included below, that the application site is located within the ‘northern settlement’ part of the Plan area adjacent to an allocated Local Green Space. The Plan confirms that within the northern settlement, that a limited amount of infill development could be acceptable. The Plan also states that this does not mean the guarantee of planning permission. Any proposed development would also need to comply with planning law, Green Belt, AONB, and where appropriate, Conservation Area restrictions and the tight definition of ‘infill’.

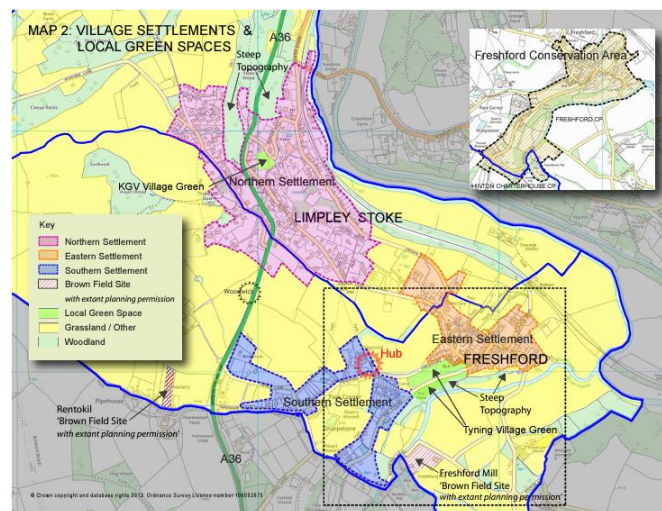


Figure 2: Neighbourhood Plan extract

- 5.19 The Neighbourhood Plan is noted to contain a number of policies including the following:

“Planning and Development Policy

- (a) Any development requiring planning permission within the Neighbourhood Plan area should reflect the Guidance contained in the Villages Design Statement.
- (b) Applicants must demonstrate to the relevant Local Planning Authority how any planning application conforms to that Statement.

(c) Villages Design Statement New developments:

New developments must be mindful of and sensitive to the physical and environmental context of the site and its location. This includes the need for any development to be proportionate both to its site and in relation to its immediate neighbours.

Design: The design, contemporary or traditional, must be a positive addition to the rural environment reflecting the character of its setting and acknowledging the local built heritage. It must sit well in the landscape and not dominate it.

Detailing: The detailing of new development and changes to existing buildings must reflect the quality of craftsmanship and materials both of the area and of the specific location. Where possible, local and durable materials should be used which improve appearance with age. Any exterior lighting must minimise light pollution.

Car Parking: any development, whether for extensions or new housing, must provide

for sufficient off-road car parking to avoid worsening on-road parking and congestion.

Heritage: The historic fabric of buildings should be preserved and repaired wherever possible (where buildings are 'listed' specialist advice should be sought)."

- 5.20 The Plan includes a Map detailing the landscapes and habitats within the Neighbourhood Plan area and provides a detailed list of rare species in the locality that depend upon local habitats. That list is noted to include bats, bees, butterflies, dormouse, great crested newts, reptiles, skylarks, water vole and white crayfish. The site subject of this application is noted from the Applicants own submissions to be of high ecological value, and there are therefore concerns from local residents that the site should be protected from encroachment. The fact that the site is also immediately adjacent and on higher land than the village park is also a factor to be assessed in this application, as the visual harm, overbearing nature and harm on the character and setting of the village asset will be significant.
- 5.21 **Comment:** The Neighbourhood Plan is accepted to make limited provisions for small infill schemes. However, the Plan is quite clear that there are a number of additional policy tests to be addressed in order for such developments to be found acceptable. The Plan does not give carte blanche for new infill homes within the Plan Area, but sets out clear guidelines including stating that such developments are not be located within existing woodlands, nor on sites of steep topography. Such development also cannot result in harm on the openness of the Green Belt, the AONB etc.
- 5.22 It is clear that the application site does not comply with the above provisions. This is a large sloping site with complicated topography. The scheme whilst proposing just one single dwelling, pays no regard to the wider site context, and the site is not in reality bounded on all or two sides by built development on a plot of limited scale. That of itself confirms that the scheme cannot be seen to meet the tests on infill as laid out within the Neighbourhood Plan. Furthermore, given the scale, siting, height, mass, bulk and form of development proposed, alongside the access road, car parking, garden spaces and paraphernalia, will result in detrimental harm to the openness of the Green Belt and the visual amenity, character and quality of the National Landscape.
- 5.23 The Neighbourhood Plan is clear in its focus to allow the village residents of Freshford and Limpley Stoke to determine the scale and forms of development suitable within their settlements. The Plan is also clear in its objective to protect the unique rural environment and character of the area, which is clearly of a tranquil wooded valley with areas of open green spaces. It is clear that the development as proposed runs wholly contrary to this position and will destroy the character and quality of this part of the valley, with resultant detrimental harm on landscape character, visual amenity, and residents' quality of life, which raises significant concerns within the local community.
- 5.24 We therefore ask that the Officers and Members of Wiltshire Council seek to uphold the principles and objectives of the Freshford and Limpley Stoke Neighbourhood Plan, and ensure that these communities can take control over what is an acceptable form and location for new development within their villages. Residents and Limpley Stoke Parish

Council (who were involved in the drafting of the infill policy) consider that this proposal does not meet the definition of infill as laid out within their adopted Plan. Residents therefore ask that this application be refused for the reasons laid out throughout this submission.

Supplementary Planning Documents

- 5.25 In addition to the provisions of the adopted Local Plan, due regard should also be paid to the provisions of the Council's Parking Strategy and the Wiltshire Design Guide (adopted March 2024).
- 5.26 In relation to the parking strategy, given the site's location and the lack of safe on street car parking opportunities, and the associated impact on congestion and highway safety and visibility from the same, it is imperative that the scheme delivers sufficient off street car parking to service to the needs of the development, but not to do so to a scale which results in over provision and the delivery of unnecessarily large areas of hardstanding.
- 5.27 The Wiltshire Design Guide SPD has a focus on three key golden threads of 'health, wellbeing and community, sustainability and climate resilience and the right homes in the right places'. The document also sets out the importance of development responding to context, local character and identity, built form etc. The scheme subject of this application is either silent or relates poorly to these policy expectations, and residents consider therefore that the scheme cannot be seen to represent the right home in the right place.
- 5.28 The SPD also sets out that 'slopes and hills are cherished features of the Wiltshire landscape. They can be seen and appreciated up close and from long distances away. The Council does not encourage new building on slopes and hills where it will become prominent and visible from surrounding areas.' The SPD also goes on to make it clear that topography should not be overly reprofiled unless there is a demonstrable advantage in terms of coherence or function of the new place, and that height difference between plots within a site should be minimised, designing out the need for large retaining structures. We maintain the view therefore that the scheme as applied for falls foul of the tests laid out within the SPD, and at best the application does not provide sufficient information to demonstrate otherwise.

Cotswold National Landscape

- 5.29 The application site is located within the Cotswold National Landscape which is offered a high level of protection at both a local and national level. The Cotswold National Landscape has been duly allocated for its landscape quality characterised by undeveloped steep sloped limestone valley sides, with traditional limestone walls and void of development that visually intrudes onto valley sides, rich in habitat, woodland pasture, parkland, veteran trees, scrub and grassland mosaic. Development which harms or negatively impacts on the National Landscape, its character or quality should be robustly resisted, with development only to be approved where it can be shown to be resulting in wider benefit and enhancement of the National Landscape.
- 5.30 The Cotswold National Landscape is highly sensitive to change given the scale of the topography, steep valleys and hills, with development on such steep slopes to be avoided in order to protect this nationally significant landscape. On that basis, it is our view that the

harm created by the scale, form, footprint, design and mass of the scheme, and the scale of works on site to deliver the development as applied for, is significant in relation to the character, quality and habitat value of this protected site, especially as a result of the loss of existing vegetation and the clear impacts this development will have key ecological networks. The visual prominence and visual dominance of the scheme proposed will also clearly be significant and harmful to a degree which justifies refusal of this application.

- 5.31 Given the lack of need for the scheme as applied for and the clear harm resultant from the development of this land parcel, it is clear that this dwelling is in reality neither compatible with, nor does it positively contribute to the National Landscape.

Summary

- 5.32 Section 70(2) of the Town and Country Planning Act 1990 requires the decision maker 'to have regard to the provisions of the Development Plan, in so far as material to the application, and to any other material considerations'.
- 5.33 Section 38(6) of the Planning and Compulsory Purchase Act 2004 refers to determinations to be made under the Planning Acts as follows:

“If regard is to be had to the Development Plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.”

- 5.34 For the reasons laid out within this submission, the scheme subject of this application falls foul of the provisions of the Development Plan, and there are no material considerations which would outweigh the policy presumption against the scheme. In fact, when one weighs the material considerations including the harm on the character of the local area, impact on visual and neighbour amenity, issues on highway safety, scale, form, mass and harmful design, the NPPF and the resultant harm on social, ecological and environmental considerations, as well as the harm on the openness of the Green Belt and the character of the National Landscape, the material considerations further weigh heavily in favour of refusal.

6.0 Conclusions

- 6.1 It has been demonstrated within this statement that the development subject of this application, fails to accord with the relevant statutory duties and the Development Plan when read as a whole. The proposed development is unacceptable in principle, by virtue of the provisions of the National Planning Policy Framework and the Wiltshire Development Plan. Given the harm resultant from the proposals, especially to the character and quality of the Cotswold National Landscape, there are no material considerations or benefits from the development which outweigh the objection to this application.
- 6.2 Section 70(2) of the Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that where an application accords with the relevant Development Plan and material considerations are in favour, applications should be determined positively. However, in this case, based on the above principles, we would therefore kindly request that the Council seeks to refuse this application for the various reasons laid out above.