

REPORT FOR STRATEGIC PLANNING COMMITTEE

Date of Meeting	6 March 2024
Application Number	PL/2022/09532
Site Address	Land at Romsey Road, Whiteparish, Salisbury, Wilts
Proposal	Outline application (all matters reserved except external access) for residential development of up to 25 dwellings with access to Romsey Road, parking, opens space, landscaping and drainage
Applicant	Macra Ltd.
Town/Parish Council	Whiteparish Parish Council
Electoral Division	Alderbury and Whiteparish – Cllr Richard Britton
Type of application	Outline
Case Officer	Lynda King

1. Purpose of Report

The purpose of the report is to update the committee on changes that have occurred following publication of the revised NPPF in December 2023 (and related revised Planning Practice Guidance published in February 2024) that have a material impact on this planning application, and to consider the recommendation that the application now be refused planning permission.

2. Background

On 16 August 2023 the Strategic Planning Committee resolved to grant planning permission for this application subject to the applicant first entering into a S106 legal agreement (committee report attached as annex 1). Work commenced on the legal agreement, although it has not been completed and so the planning permission has not been given. In making its decision to approve subject to the legal agreement the Committee took account of all matters relevant at the time. These included the development plan policies and national legislation/guidance.

In the broadest terms, planning law requires the local planning authority in dealing with a planning application to have regard to the development plan and all material considerations. Where the issuing of a decision is delayed between the point in time at which the authority resolves to make the decision and when the decision notice is actually issued, and if during this 'gap' the authority becomes aware of new, or changed, material considerations, then the relevant law requires the authority to have regard to these considerations before finally determining the application.

In December 2023 the government issued its revised National Planning Policy Framework (NPPF). This is a changed material consideration that must now be taken into account. The effects of the changes in relation to this planning application are set out below.

- The principle of development (namely conflict with Core Policies 1 and 2 of the Wiltshire Core Strategy and the weighting to be given to these policies);
- Related to the above, does the revised NPPF change the planning balance?
- Are there now any restrictive Wiltshire Core Strategy policies that have become more relevant on the balance?

3. Housing supply and delivery

The December 2023 NPPF contains two important amended/new paragraphs concerning housing supply and delivery, as follows –

76. *Local planning authorities are not required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing for decision making purposes if the following criteria are met:*
- a) their adopted plan is less than five years old; and*
 - b) that adopted plan identified at least a five year supply of specific, deliverable sites at the time that its examination concluded.*
77. *In all other circumstances, local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide either a minimum of five years' worth of housing, or a minimum of four years' worth of housing if the provisions in paragraph 226 apply. The supply should be demonstrated against either the housing requirement set out in adopted strategic policies, or against the local housing need where the strategic policies are more than five years old. Where there has been significant under delivery of housing over the previous three years, the supply of specific deliverable sites should in addition include a buffer of 20% (moved forward from later in the plan period). National planning guidance provides further information on calculating the housing land supply, including the circumstances in which past shortfalls or over-supply can be addressed.*

Paragraph 226 referred to in paragraph 77 states the following –

226. *From the date of publication of this revision of the Framework, for decision-making purposes only, certain local planning authorities will only be required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of four years' worth of housing (with a buffer, if applicable, as set out in paragraph 77) against the housing requirement set out in adopted strategic policies, or against local housing need where the strategic policies are more than five years old, instead of a minimum of five years as set out in paragraph 77 of this Framework. This policy applies to those authorities which have an emerging local plan that has either been submitted for examination or has reached Regulation 18 or Regulation 19 (Town and Country Planning (Local Planning) (England) Regulations 2012) stage, including both a policies map and proposed allocations towards meeting housing need. This provision does not apply to authorities who are not required to demonstrate a housing land supply, as set out in paragraph 76. These arrangements will apply for a period of two years from the publication date of this revision of the Framework.*

For the purposes of the revised NPPF Wiltshire Council is a 'paragraph 77 authority'; and, because Wiltshire Council has an emerging local plan that has now passed the Regulation 19 stage of the plan-making process – with both a policies map and proposed allocations towards meeting housing need – it is now only required to identify and update annually a

supply of specific deliverable sites sufficient to provide a minimum of four years' worth of housing.

4. Current housing land supply position and consequences for the 'planning balance'

The Council's most recent Housing Land Supply Statement (published May 2023; base date April 2022) sets out the number of years supply against local housing need as 4.60 years. In subsequent appeals this figure has been reassessed to be 4.59 years. These figures exceed the 4-year threshold now relevant to Wiltshire, and for the planning balance this means that it is now starting from a 'level' position rather than 'tilted'. In terms of paragraph 11 of the NPPF, for decision making part 11(c) is now relevant.

With a level balance, and with full/substantial weight now being given to the strategic housing delivery policies of the Wiltshire Core Strategy (WCS) (particularly Core Policies 1 and 2), it follows that planning applications which conflict with the policies should not normally be granted – that is, unless other policies or material considerations indicate that the housing delivery policies should not be followed – and other restrictive policies may have increased relevance. The weight to now be given to the policies and to the other material considerations is addressed below.

5. Response from applicant

The agent acting on behalf of the applicant has submitted a detailed rebuttal to the weight to be applied to the changes to the NPPF in respect of this application, which is set out in full at Annex 2 to this report.

The agent does not disagree that for the purposes of this application, the site lies outside of the settlement boundary of Whiteparish and is therefore contrary to the settlement strategy set out in the Core Strategy. However, the agent argues that there are other material considerations that are powerful enough, in this case, to justify a decision that is not in accordance with the development plan. The agent sets out the legislative framework within which the planning system works to remind Members that they should determine planning applications in accordance with the development plan unless material considerations indicate otherwise.

The material considerations the agent considers appropriate to consider in this instance are briefly set out below:-

- The revised NPPF sets out how the planning system should achieve sustainable development and when the presumption in favour of sustainable development is engaged.
- Until the Council publishes a revised Housing Land Supply Statement there is no guarantee that the authority will meet the requirement to demonstrate a minimum of 4 year's worth of deliverable housing sites against a 4 year target, not 5 years, if para 226 of the NPPF is triggered.
- Paras 60 and 77 of the NPPF still require LPAs to 'significantly boost the supply of homes'.
- WC produced a Briefing Note in respect of the revised NPPF on 16 January and it is pointed out that within the text the LPA states the following – "pragmatically, this means that fewer speculative residential planning applications are likely to be granted, until such time as the Council's housing land supply dips below 4 years." Therefore, the Council accepts that some speculative development will be approved.

- The applicant contends that the policies most important for determining the application are out of date as the Council has failed to deliver a sufficient supply of land to provide for the housing needs of the County, especially for affordable housing.
- When the site was considered by the Strategic Planning Committee in August 2023 the Officer Report (see annex 1 to this report) stated that there were no policy objections in respect of Policies CP60 and CP61 in relation to the sustainability of the site in relation to transport and accessibility objectives. Nor were there any site specific access objections (Policy CP62).
- The location is not at risk of flooding, and accords with Policy CP67.
- The proposed layout accords with Policy CP57.
- The site would not have an adverse impact on the landscape setting of the village, and would accord with Policy CP51..
- The provision of 40% affordable dwellings on the site accords with Policy CP43. There is an acknowledged shortfall of affordable housing in the village and none has been provided since 2008. There are no sites within the village where the quantum of affordable housing required could be provided.
- The mix of houses proposed accords with Policy CP45.
- The Council's Ecologists have confirmed that the proposal complies with the requirements of CP50, subject to an agreed mitigation strategy to be secured through a legal agreement.
- Other necessary infrastructure, required to comply with Policy CP3, can be secured through a legal agreement, the Heads of Terms of which were set out in the Officer Report.
- Strong support for the scheme was put forward by the Headmaster of the village school as there is a current shortfall in pupil numbers. A calculation based on the Council's own figures would see this development resulting in enough pupils to sustain the school in the future.
- Para 83 of the NPPF sets out that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Para 99 recognises the importance of a sufficient choice of school places is available, and para 97 comments that the planning system must guard against the unnecessary loss of valued facilities and services.
- The site provided more Open Space than is actually required for a scheme of this size.
- The site will provide biodiversity net gain on the site, with 10.09% habitat gain and 175.64% hedgerow gain.
- The applicant originally offered a condition to ensure that the development would come forward at a pace in advance of that normally required by commencement conditions . That offer is again made, with a reduced time limit for the approval of reserved matters from 3 years to 2, and the commencement of development within 1 year from the approval of the final reserved matter. This indicates that the site is deliverable within a relatively short period of time.
- The emerging Wiltshire Local Plan identifies the need for an additional 42 dwellings within the parish, but does not propose to amend the settlement boundary or allocate a site for this development. The application site for 25 dwellings on the edge of the village would assist in meeting this recognised need.
- The scheme would provide economic benefits to the area through the generation of jobs during the construction phase, and the increase in household spend in the area from the new households.

6. Officer Response to the Applicant's Comments

The Committee will need to consider the degree of weight to be given to the above arguments when considering this application, but this in the context of the Spatial Settlement Strategy of the Core Strategy which seeks (with limited exceptions) to concentrate

development within the defined settlements of the County, and this carries significant weight against allowing development in what is effectively open countryside for the purposes of planning.

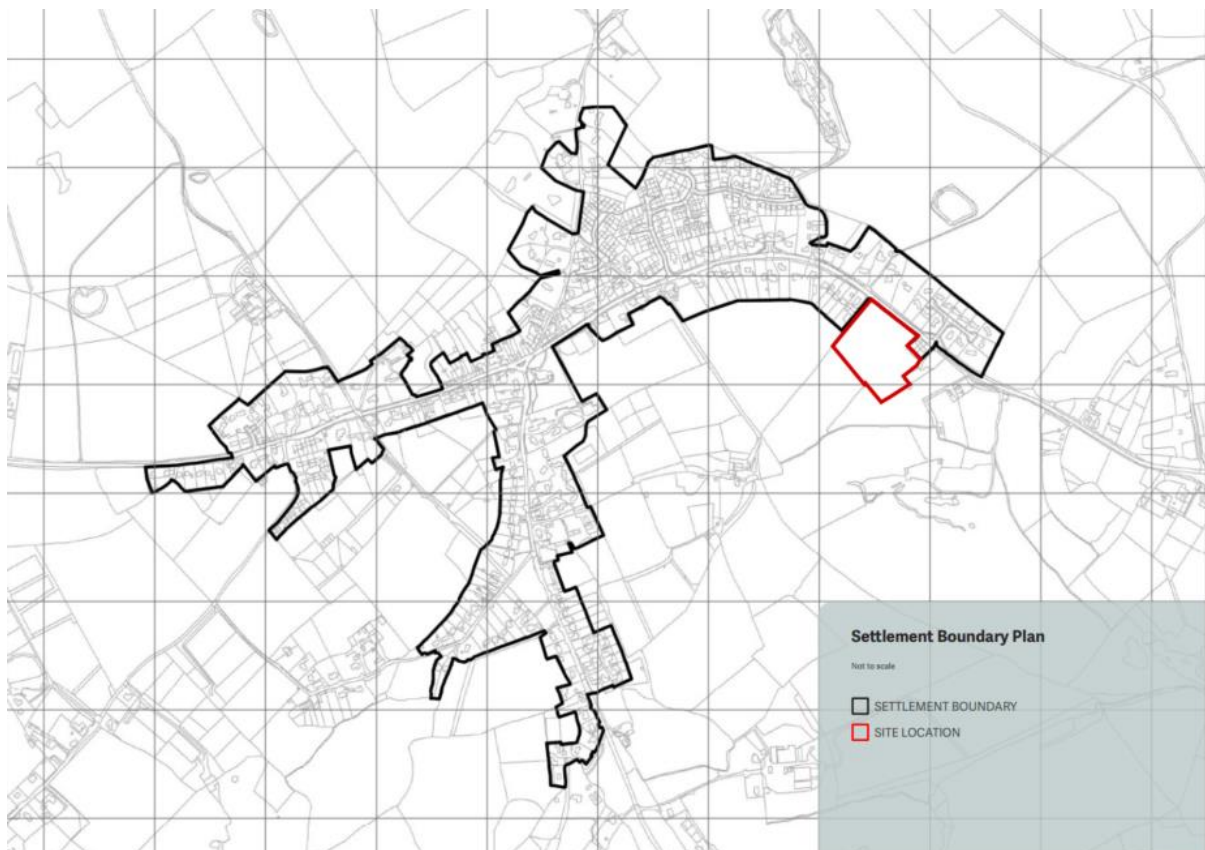
The Local Planning Authority's opinion is that it has interpreted paragraph 226 correctly and, therefore, does benefit from only having to demonstrate a 4-year housing land supply (HLS) over a 5-year period, which it can. This applies to the determination of this application and to any application that is in the same position.

Regarding the status of the planning balance, The Wiltshire Housing Site Allocations Plan (WHSAP) was adopted February 2020. The purpose of the WHSAP is/was to revise, where necessary, the WCS settlement boundaries and allocate new sites for housing across the plan period in order to demonstrate the rolling supply. The WHSAP is not out of date, and so NPPF paragraph 11(c) is relevant for the purposes of decision-taking (not paragraph 11(d)).

The Committee is advised to consider the application based on the legal advice the Local Planning Authority has received, but with due regard to the applicant's position – this in view of there being no qualifying statements, guidance or case law relating to the updated NPPF at this time. It is in view of this situation that it is perhaps not surprising to find the LPA's opinion differing to that of the applicant.

7. Applying the planning balance to this case

The site lies outside of, but immediately adjacent to, the settlement boundary of Whiteparish as defined in the Development Plan as can be seen on the plan below:-



The 'harms' –

Principle –

Housing delivery policies –

WCS Core Policy 1 addresses the Settlement Strategy and identifies four tiers of settlement – 'Principal Settlements', 'Market Towns', 'Local Service Centres', and 'Large and Small Villages'. Within the Settlement Strategy, Whiteparish is defined as a Large Village. Principal Settlements, Market Towns, Local Service Centres and Large Villages have defined limits of development. Beyond these limits is countryside. Because the application site lies beyond the limits of development, it is within the countryside. Paragraph 180 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by “.... *recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services*”.

WCS Core Policy 2 addresses the Delivery Strategy. It sets out a presumption in favour of new residential development within the Limits of Development of the settlements – including Whiteparish – and further states that housing should not be permitted outside the limits except in the few circumstances explained in the policy, none of which apply in this case. Core Policy 2 continues that the limits of development may only be altered through the identification of sites through a site allocations DPD or a neighbourhood development plan. This application site is not allocated in either the Wiltshire Core Strategy or any site allocations DPD or Neighbourhood Plan. Therefore, as the site lies outside of the limits of development (and so is in the countryside), and as none of the exception policies apply, the proposal does not accord with Core Policies 1 and 2.

The supporting text to Policy CP1 states that:- *At Large Villages settlement boundaries are retained and development will predominantly take the form of small housing and employment sites within the settlement boundaries. These settlement boundaries will also be reviewed as part of the Housing Sites Allocations DPD as set out in the council's Local Development Scheme, in order to ensure that they remain up to date and properly reflect building that has happened since they were first established. Small housing sites are defined as sites involving fewer than 10 dwellings.* The settlement boundary of Whiteparish was revisited as part of the considerations of the Wiltshire Housing Site Allocations Plan (2020) and the application site was not included within that revised settlement boundary. The scheme is for 25 dwellings and therefore exceeds the 10 dwellings limit set out above.

WCS Core Policy 23 sets out a Spatial Strategy for the Southern Wiltshire Community Area. The policy states that development in the Community Area should be in accordance with Core Policy 1.

Therefore, as the site lies outside of the limits of development (and so is in the countryside), and as none of the exception policies apply, the proposal does not accord with WCS Core Policies 1, 2 and 23. Proposed development which does not accord with Core Policies 1, 2 and 23 is considered to be unsustainable in the overarching context of the Wiltshire Core Strategy and the NPPF. In view of the revised NPPF, substantial weight must now be given to this 'in principle' conflict with the housing delivery policies and, by association, that part of paragraph 180 of the NPPF which requires regard to be given to the intrinsic character of the countryside.

Landscape Impact –

Core Policy 51 ('Landscape') is a restrictive policy rather than a housing delivery policy. It is a policy which is intended to restrict development that would not protect, conserve and

where possible enhance landscape character, or that could not be mitigated as far as possible through sensitive design and landscape measures. Core Policy 57 ('Ensuring high quality design and place shaping') has related criteria.

Under the circumstances of the 'tilted' planning balance (and in general), the weight to be given to landscape effects was in most cases outweighed by the significant weight required to be given to the housing land supply shortfall. This application is evidence of this – when considered by the Strategic Planning Committee in August 2023 the effects of the planned development on landscape were not considered to be sufficiently significant to tip the tilted balance and so amount to a landscape reason for refusal (or, in terms of paragraph 11(d) of the NPPF, any adverse effects did not "significantly and demonstrably" outweigh the benefits of granting planning permission for housing). In reaching this conclusion the Committee had regard to the housing land supply shortfall and the specific circumstances of the proposal (in terms of its detailed design and layout and its proposed measures to mitigate its effects on the landscape) and related other material considerations.

However, now that there is a level planning balance, restrictive planning policies – notably here, CP51 (and the related parts of CP57) – are now more relevant because significant weight is no longer to be given to the housing land supply shortfall. This increased relevance does not mean that the restrictive policies can, or should, be given more weight – the weight they can, or should, be given is the same as before (because the landscape effects of the proposed development have not changed); rather it is the effect of this same weight and its consequences for the planning balance that are material.

For this application, and as a starting point, the landscape effects of developing this open field in 'countryside' to accommodate housing that is now not required to address a housing land supply shortfall is considered to be deserving of modest weight. This is when taking account of the baseline assessment of the field – which is essentially, and in isolation, an open field in the countryside which would be 'lost' to the development. But then factoring in the wider circumstances of the field and the characteristics of the locality, and the actual proposal – that is, the site's relationship with established and approved developments, the nature of existing established landscaping, and the landscape mitigation measures presented in the proposal, these effects and the modest weight to be attributed to them are not considered to amount to a sustainable reason for refusing planning permission in any event. In accordance with CP51, and as demonstrated in the planning application, the modest 'negative impacts' can be mitigated through sensitive design and landscape mitigation appropriate for the locality.

In this respect, the conclusions of the Landscape and Visual Impact Assessment which accompanies the planning application are agreed – notably the following:

While an established component of the landscape of the local area will be lost, the overall character of the study area will not be significantly changed, such that the post-development condition of the landscape as a whole will only be marginally altered from the pre-development circumstance. As such, the Overall Magnitude of Landscape Effect is Moderate and thus the proposals will have an Overall Level of Landscape Effect of Moderate.

And:

While the development will see a notable change in the land use character of the site, the overall effect on the visual amenity of the wider study area will be limited by intervening woodland, hedges and landform restricting views. While from some locations development will be noticeably distinct, it would be unlikely to affect the established visual character as a

whole. As such the Overall Magnitude of Visual Change is Moderate, resulting in the Overall Level of Visual Effect being Moderate.

Loss of Agricultural Land –

The site is an arable field designated as Grade 3 agricultural land, and is, therefore, not 'best and most versatile'. The overall area of land affected by the proposal – c. 1.7ha – has not changed and so continues to be relatively modest. Natural England is generally concerned where areas of best and most versatile agricultural land greater than 20ha are being lost. This said, the loss of any agricultural land is a factor to be considered on the planning balance, and with the change to the housing land supply position, this is a material consideration now of increased relevance. In the light of the grade of the agricultural land and the limited size of the field that would be lost, it is considered that limited weight should be attributed to this point.

The benefits –

Location of Development –

The original committee report refers to the site as being a reasonably accessible location in the context of Whiteparish, albeit that it is in the countryside. The site lies on the edge of the village, a little distant from the facilities within the settlement, although the footpath network in the vicinity of the site does allow for access to the village school, for example, without having to use village roads.

Provision of affordable housing –

Given the shortage of affordable housing both locally and nationally this is a matter which must be given significant weight. The development would result in 40% of the units, 10 in total, being provided as affordable housing, in accordance with the requirements of Policy CP43. No affordable housing has been delivered in the village for a number of years. The housing mix proposed, with about 60% of the total dwellings being 2 or 3 bedroom, with 80% of the affordable houses being either 2 or 3 bedrooms, is compliant with the Housing Mix required by Policy CP45.

Supporting local education provision –

Strong support for the scheme has been put forward by the Headmaster of the Village school as there is a current shortfall in pupil numbers locally, and this situation has been substantiated by the Education Authority's information on low pupil numbers. This is a material consideration to be given significant weight.

Expenditure on construction and investment in the area / creation of construction jobs –

Paragraph 81 of the NPPF states that:

“Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.”

In the light of this – and bearing in mind the size of the scheme (53 units is not a large site) – moderate weight should be attributed to this benefit. The development would provide a boost to the economy through the provision of construction jobs associated with a housing development. It is of note that the construction industry has been highlighted by the

government as one of the key areas for growth post pandemic and more generally. The same weighting can be attributed to the expenditure from future occupants of the development within the local economy.

Lack of any other technical objections –

As noted previously, the scheme has not been the subject of any technical objections from consultees. Only limited weight can be afforded to this point.

8. Conclusion

Applying the ‘planning balance’, it is considered that the conflict with the spatial strategy with regard to the location of the proposed development does demonstrably and significantly outweigh the benefits – including delivery of up to 25 dwellings, 40% of which would be affordable, and sustaining the local school – on this site due to the fact that one of the major considerations when considering the application at the Strategic Planning Committee meeting in August 2023 was the Council’s lack of a 5 year Housing Land Supply and the need to apply the ‘tilted balance’ to the consideration of the weight to be given to the out of date policies of the Core Strategy.

The above situation has now changed with the amendments to the NPPF in December 2023, and the strategic policies that set the settlement strategy for the Core Strategy have regained their primacy. The delivery of this site is no longer required to aid the delivery of the Council’s Housing Land Supply and the benefits of the scheme do not outweigh the requirement that development is in accordance with the policies of the Development Plan. As the permission has not been issued following the resolution to grant from the Committee in August 2023, due to the S106 not yet being completed, the application falls to be re-considered in light of the material change in circumstances that has occurred between the first recommendation to Members and the current situation. The application is therefore recommended for refusal.

Recent appeal decision –

On 9 February 2024 an appeal relating to a proposal for up to 30 dwellings on a windfall (unallocated) site at Land south of Pound Lane, Semington was dismissed (ref. PL/2022/09397). In dismissing the appeal the Inspector noted the following –

6. *As confirmed through its Statement of Case, the Council initially reviewed its position at appeal stage and decided, following legal advice and subsequent internal discussions, not to defend any of its three reasons for refusing planning permission. However, following the publication of the revised Framework, which has implications for identifying and updating a supply of deliverable housing sites and the engagement of the presumption in favour of sustainable development, it has resurrected its opposition to the scheme in view of identifiable conflict with its strategic housing delivery policies. I shall formulate the appeal’s main issue on this basis*

Planning Balance

15. *It is the appellant’s view that the presumption in favour of sustainable development, as set out at paragraph 11 of the Framework, is engaged on the basis that the policies most important for determining the proposal are out-of-date. The most important policies are, as agreed by the main parties, Policies CP1, CP2, CP3 and CP15 of the CS, which set out settlement and delivery strategies (including specifically for the Melksham Community Area) as well as adopted infrastructure requirements.*

16. *The appellant has accepted that the Council is able to demonstrate more than a four-year supply of deliverable housing sites, which, for a period of two years from the revised Framework's publication, is the relevant requirement in view of the LPR having reached Regulation 19 stage and being inclusive of a policies map and proposed allocations towards meeting housing need. However, it has been asserted that development plan policies that restrict housing development should be considered out-of-date in any event. This position is based on the level of housing supply achieved across the plan period when assessed against the minimum housing requirement of the CS.*
17. *The plan period of the CS is 2006 to 2026, and the delivery strategy presented at Policy CP2 sets out that at least 42,000 homes shall be developed in sustainable locations in conformity with a distribution that indicates a minimum housing requirement of 24,740 dwellings across the relevant North and West Wiltshire Housing Market Area (the HMA).*
18. *My attention has been drawn to the overall housing requirement being 2,000 homes less than the objectively assessed need identified by the CS's examining Inspector. However, notwithstanding the absence of an early review, the CS was found sound based on a 42,000 minimum figure across the plan period, and this remains the adopted housing requirement.*
19. *The main parties anticipate that at the end of the plan period a shortfall of between 199 and 590 homes measured against the minimum 42,000 requirement shall be evident, and that a shortfall of between 318 and 560 homes shall avail across the HMA. Indeed, the Council has acknowledged that by the end of the plan period the existing development plan shall not have met its overall housing requirement, nor the housing requirement of the HMA.*
20. *However, the situation just described does not automatically render the most important policies for deciding this case out-of-date. Instead, this is a matter of planning judgement to be informed by the specific circumstances to hand. It is pertinent that, taken in the context of the overall number of houses required and the length of the plan period (which has yet to expire), the anticipated shortfalls are relatively minor.*
21. *Furthermore, of key relevance is the Council's current Framework-compliant housing supply position (applicable to the HMA in isolation, and in overall terms), which has been assessed against local housing need using the standard method, as well as its recent housing delivery record. These measurements, notwithstanding any historic shortfalls, offer clear current indications that the Council's strategic housing policies are not placing undue constraints on housing development.*
22. *Moreover, the restrictions placed on housing development by the Council's settlement and delivery strategies have not prejudiced the present demonstration of the required housing land supply as dictated by national policy, and the spatial strategy is in accordance with the Framework. Thus, in my view, the basket of most important policies for determining the proposal cannot be fairly considered out-of-date for the purposes of applying paragraph 11 of the Framework. Thus, in view of identified conflict with the development plan, the presumption in favour of sustainable development is not engaged. As such, a straight planning balance of scheme benefits against identified adverse impacts is necessitated.*
28. *The proposal would conflict with the Council's spatial strategy and therefore the development plan when read as a whole. In cumulative terms, the scheme would*

deliver significant benefits. However, in my judgement, these material considerations would be insufficient to outweigh the conflict I have identified.

This very recent appeal decision – relating to a site elsewhere in Wiltshire – aligns with the Local Planning Authority’s interpretation of the updated NPPF and how it should now be applied in cases such as this. As in the appeal case, the proposal conflicts with the Council’s Spatial Strategy and development plan as a whole; this conflict – and the fact that the planning balance is now level – is not outweighed by any other material considerations.

RECOMMENDATION

That planning permission be refused for the following reasons:

1. Principle of Development

Core Policy 1 of the Wiltshire Core Strategy sets out the 'Settlement Strategy' for the County, and in doing so identifies four tiers of settlement - Principal Settlement, Market Town, Local Service Centre, and Large and Small Village. Within the Settlement Strategy Whiteparish is defined as a Large Village. The Principal Settlements, Market Towns, Local Service Centres and Large Villages have defined boundaries, or 'limits of development'. Beyond the limits of development is countryside. The application site lies beyond / outside the limits of development of Whiteparish, and so is in the countryside.

Core Policy 2 of the Wiltshire Core Strategy sets out the 'Delivery Strategy'. It identifies the scale of growth appropriate within each settlement tier. The policy states that within the limits of development of those settlements with defined limits there is a presumption in favour of sustainable development; but outside the defined limits – that is, in the countryside – other in circumstances as permitted by other policies of the Plan, development will not be permitted, and that the limits of development may only be altered through identification of sites for development through subsequent Site Allocations Development Plan Documents and Neighbourhood Plans.

Core Policy 23 of the Wiltshire Core Strategy sets out the 'Spatial Strategy' for the Southern Wiltshire Community Area in which the site lies. It states that development in the Southern Wiltshire Community Area should be in accordance with the Settlement Strategy set out in Core Policy 1.

The proposal is for outline planning permission to erect up to 25 dwellings, etc. on the application site, which is in the countryside. Under Core Policies 1, 2 and 23, this does not comply with the Settlement and Delivery Strategies as a matter of principle. The Strategies are designed to ensure new developments satisfy the fundamental principles of sustainability, and so it follows that where a proposal such as this fails to comply with them then it will be unsustainable in this overarching context. The application site is not identified for development in a Site Allocations Development Plan Document, and it is not allocated in a Neighbourhood Plan document. Furthermore, there are no material considerations or exceptional circumstances, including set out in other policies of the Plan, which override the core policy's position. The proposal is, therefore, contrary to Core Policies 1, 2 and 23 of the Wiltshire Core Strategy and paragraphs 2, 7-15, 47 and 180(b) of the National Planning Policy Framework (NPPF), comprising unsustainable development.

2. Lack of a signed Legal Agreement

The proposed development fails to provide and/or secure adequate provision for necessary on-site and, where appropriate, off-site infrastructure to make the application proposal acceptable in planning terms. The application is therefore contrary to policy CP3 of the

adopted Wiltshire Core Strategy, and the National Planning Policy Framework, specifically the central social and environment sustainable development objectives enshrined within paragraph 8.

INFORMATIVE TO APPLICANT:

Reason for refusal 2 relates to the failure of the applicant to secure affordable housing and other financial contributions for the site. In the event of an appeal it may be possible to address this through a suitably worded Planning Obligation.

ANNEX 1: 1 November 2023 Committee Report

ANNEX 2: Applicant response to revised NPPF