

Date of Meeting	25 January 2024
Application Number	PL/2023/07058
Site Address	Land at Clackersbrook Farm, Bromham
Proposal	Erection of single dwelling and associated works to existing access and landscaping.
Applicant	Mr and Mrs Greg Wilkinson
Town/Parish Council	BROMHAM CP
Electoral Division	Cllr Laura Mayes
Grid Ref	395,779 165,275
Type of application	Full Planning
Case Officer	Jonathan James

Reason for the application being considered by Committee

The application has been called-in by Cllr Laura Mayes, in order to discuss the positive contributions that the scheme would have in terms of design, ecological and landscape enhancements with minimal impact on the environment, enhancement of the immediate area and respect for its setting.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be refused.

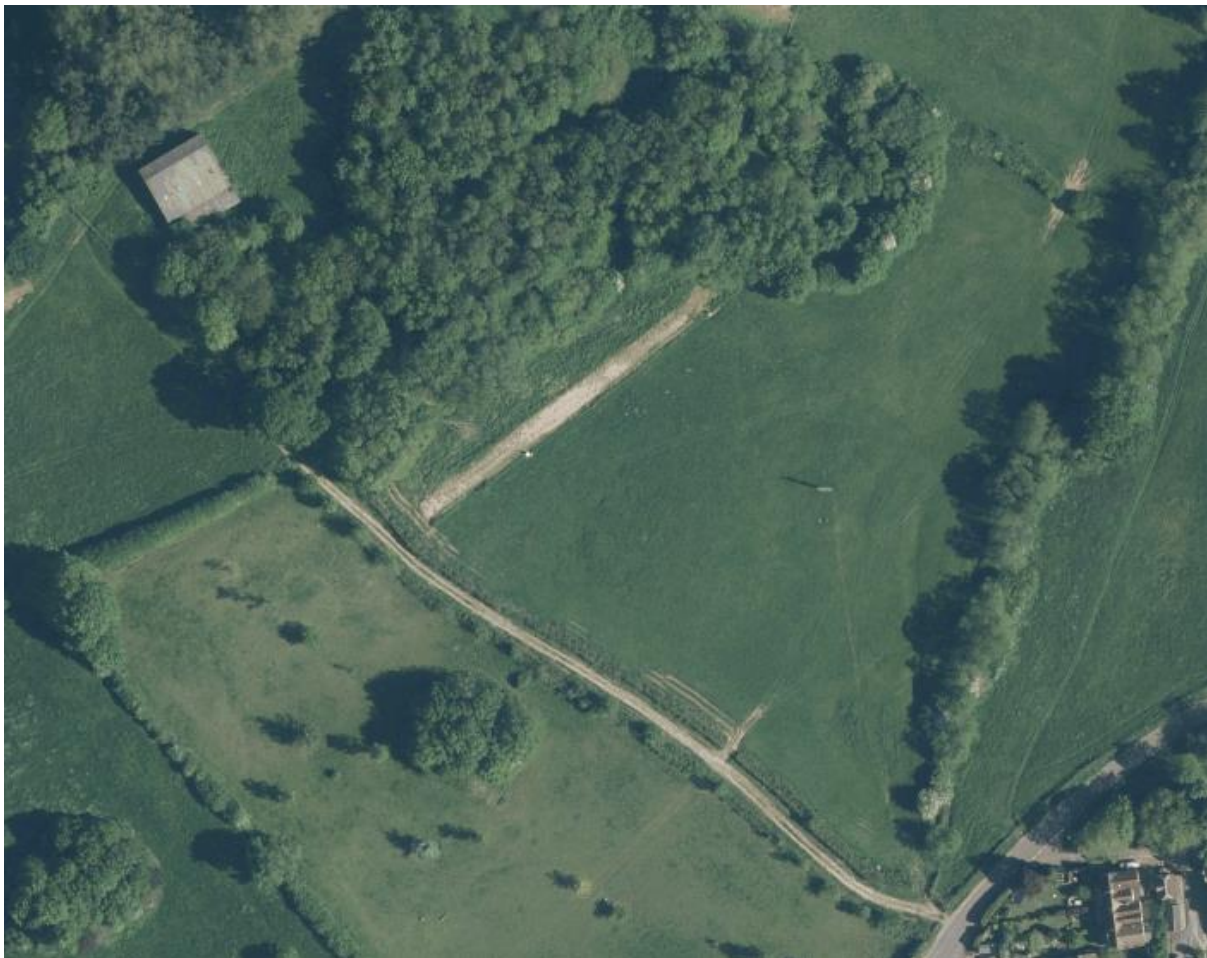
2. Report Summary

Concerns are raised regarding the likely harm to the character of the area and the location of the site, to which occupiers would be wholly reliant on the private motor car for access to every-day facilities, job opportunities and services and would be contrary to the requirements of both local and national policy in directing development to a sustainable location. The development would be contrary to and undermine the requirements of planning policies seeking to direct development within sustainable locations and there are no benefits that would outweigh this harm.

3. Site Description

The site is located within open countryside outside of the village of Bromham at approximately 280m from the village boundary 'limits of development'. The site is bounded on three sides by existing mature woodland (Berry Moor Wood) with open views to the west. Along the site's west boundary is public right of way BROM9 and this joins with PRow BROM10 nearby to the access to the site. There are further footpaths to the southeast (BROM9), east (BROM5) and north (BROM7), however, due to the topography of the land and existing screening, the site is not visible from these public vantage points.

The area has a distinct agricultural/rural quality, with access along the single track that follows the line of right of way BROM9 to the south and connects to the nearby highway of the 'The Common' to 'Church Hill' that enters Bromham. The topography of the land is gently sloping, rising up from Church Hill to the south and continuing to rise to the north beyond. The existing barn on the site is a large asymmetric, dual pitched steel-framed structure with a small lean-to to the southeast elevation. Internally, there are concrete slab floors serving the building on three levels, and an internal blockwork wall which would once have formed the rear of the original dual-pitched building. The external walls are a mixture of corrugated cladding and blockwork, with openings to allow access. The barn sits within a grassed wooded glade, surrounded on three sides by trees. The fourth side faces towards farmland, separated by a post and wire fence.



Aerial photo of site including existing track to the adjacent highway



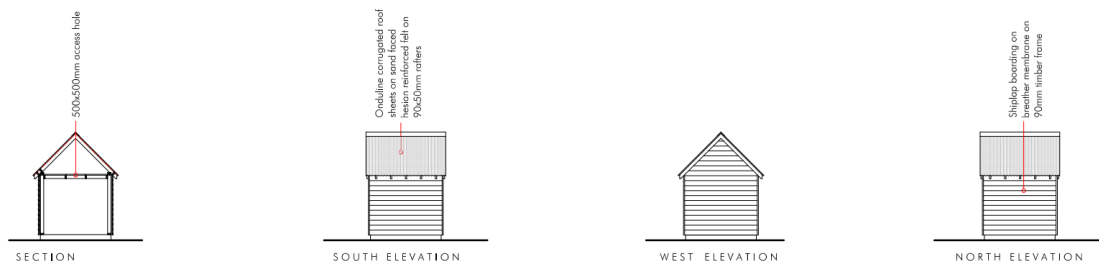
EAST ELEVATION



NORTH ELEVATION

The proposed dwelling has the appearance of two separate structures; a two storey and a chalet style structure connected by a single storey flat roof hall. The structures would be finished in a vertical timber 'Brimstone Ash' cladding, a metal standing seam roof (anthracite in colour), and aluminium clad windows. The single storey link would be finished in an 'anthracite metal standing seam cladding' and timber decking along the south and east elevations.

The proposal incorporates solar PV panels, a veranda with solar shading, habitat bricks and swift boxes integrated into the fabric of the proposed building. Outside of the garden curtilage it is proposed to erect a 'bat shed', finished in timber walls and onduline roof.



BAT SHED ELEVATIONS

6. Local Planning Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate

otherwise. In this case, the development plan comprises the Wiltshire Core Strategy (WCS) (2015) and the saved policies of the Kennet Local Plan (KLP) (2004).

Wiltshire Core Strategy 2015 (WCS):

- Core Policy 1 Settlement Strategy
- Core Policy 2 Delivery Strategy
- Core Policy 12 Spatial Strategy: Devizes Community Area
- Core Policy 41 Sustainable Construction and Low Carbon Energy
- Core Policy 48 Supporting Rural Life
- Core Policy 50 Biodiversity and Geodiversity
- Core Policy 51 Landscape
- Core Policy 52 Green Infrastructure
- Core Policy 56 Contaminated Land
- Core Policy 57 Ensuring High Quality Design and Place Shaping
- Core Policy 58 Ensuring the conservation of the historic environment.
- Core Policy 60 Sustainable transport
- Core Policy 61 Transport and new development
- Core Policy 64 Demand management

Kennet Local Plan (2004) no saved policies relevant to this development

National Planning Policy Framework (NPPF, 2023)

National Design Guide, Planning practice guidance for beautiful, enduring and successful places (NDG) (2019)

Wiltshire Local Transport Plan 2011 – 2026: Car Parking Strategy (2015)

7. Summary of consultation responses

Bromham Parish Council – Support;

WC Landscape – No objection; The site sits in the Spye Parklands landscape character area with the North Wessex Downs escarpment 3.3km to the east with prominent views from Beacon Hill and Olivers Castle Scheduled Ancient Monument and the Grade II listed Spye Park located to the north of the site. The closest PRoW is BROM9 which runs adjacent to the south western boundary of the site. BROM10 meets BROM 9 at the western edge of the site before heading west towards Westbrook Farm across fields.

The site is surrounded by Berrymoor Wood which is an ancient woodland and typical of the wooded landscape character of the Spye Parklands. There is an existing agricultural building on the site which it is proposed to be demolished in order to allow for the development of the new residential building. The proposed built form is approximately 265m outside the settlement boundary of Bromham although it is replacing an agricultural building set at a similar distance.

Having reviewed the LVA and its mitigation strategy, I have no particular concerns regarding the visual impact of the development on the surrounding landscape. Much of the site will be screened off by Berrymoor Wood especially from views out to the east (AONB) and to the North (Spye Park). views to the west and the visual impact on BROM9 PRoW will be limited by the proposed mitigation strategy of hedge and tree planting which could be considered of minor visual benefit to those walking along the local PRoW which currently view a derelict barn.

I have two concerns regarding the proposals, around external lighting and the potential impact on the dark skies and rural tranquillity of the countryside, and the detailing of the proposed entrance gates. The gates need to be of an 'agricultural' aesthetic (metal or timber five bar gate) to match the rural context of the lane and not close boarded timber or other solid screening type detail. Gate posts should be simple timber or metal and not brick or stone piers with minimal discrete lighting again to match the rural aesthetic of the adjacent access track and to avoid its suburbanisation with urbanising elements. This I believe can be dealt with by a pre-commencement condition in terms of light spill drawings and a detail of the front gate.

WC Highways – No objection subject to condition; site is located outside of the limits of development in countryside, an adverse highway recommendation on sustainability grounds is appropriate and the scheme is therefore contrary to Core Policies 60 and 61 which aim to reduce the need to travel particularly by private car and encourage the use of sustainable transport alternatives.

The proposal utilises an existing access track and would involve betterments to visibility splays, surface materials and relocation of the gate allowing a safer refuge for vehicles entering the site. There is sufficient parking and turning space provided for on the site to allow for vehicles to enter and exit in a forward gear.

Other than the sustainability issue highlighted I do not raise an objection to the proposal with regard to highways, subject to the imposition of conditions.

WC Rights of Way - Public footpath BROM9 runs along the existing access track. The footpath should remain open and unobstructed at all times. Any proposed changes to the location of gates across the footpath should be approved by the Countryside Access Officer prior to works being undertaken(rightsofway@wiltshire.gov.uk).

WC Ecology – Comments; no objection subject to conditions. We note the proposals to demolish the existing agricultural building on site as part of the works to erect a new residential dwelling. The Bat Survey Report (May 2023 Malford Environmental Consultancy) submitted in support of the application identified a lesser horseshoe night feeding perch within the central compartment of the existing lean to, evidenced from droppings identified at the site. Bats and their roosts are afforded stringent protection under the Conservation of Habitats and Species Regulations 2019 (as amended) and as such are a material consideration within the planning consultation process. This roost will be lost to the proposals. However, mitigation has been outlined within the ecology report and included on technical drawings to ensure the lesser horseshoe night feeding perch is retained in perpetuity on site and in close proximity to the woodland edge habitat.

A European Protected Species (EPS) bat Mitigation Licence will need to be obtained for the lawful construction of this development.

No evidence of other protected species were identified on site. However, reasonable avoidance measures to ensure impacts upon breeding birds are minimised were included within the ecology appraisal.

BNG - The plot is located in grassland clearing within Bromham Wood, an area of ancient woodland and adjacent to priority woodland to the north. However, the proposals have been designed to ensure no development will occur within 10m of the existing adjacent woodlands. Section 7.7 of the Ecological Appraisal together with the Landscape Implementation and Maintenance Plan outline details of the protection measures and enhancement planting to ensure the woodland habitats adjacent to the proposal are protected during construction and in perpetuity.

Section 7.5 and 7.6 of the Ecological Appraisal detail a number of additional enhancements which include the provision of bird and bat boxes both within the new development and within the wider woodland area.

Lighting - A Lighting Report (Alan Tulla Lighting) was submitted in support of the application and lux plots have been provided.

The habitat within the proposed development site and the surrounding area is suitable for roosting, foraging and commuting bats. An increase in artificial lux levels can deter bats which could result in roost abandonment and/or the severance of key foraging areas. This will likely result in a significant negative impact upon the health of bat populations across the region.

Artificial light at night can have a substantial adverse effect on biodiversity. Any new lighting should be for the purposes for safe access and security and be in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication GN01:2021, 'Guidance for the Reduction of Obtrusive Light' (ILP, 2021), and Guidance note GN08-23 "Bats and artificial lighting at night", issued by the Bat Conservation Trust and Institution of Lighting Professionals.

Although we welcome the Lighting Report provided, to date no detail of the proposed external lighting has been provided. Although useful the lux plots should be overlaid onto the aerial photos so that the extent of light spill onto the woodland edge can be fully determined. Additional information will therefore be required to ensure the woodland edge habitats are retained as dark wildlife corridors, this additional information can be secured through condition.

Dorset and Wiltshire Fire Rescue – Comments; In the event the planning permission is granted for this development, the development would need to be designed and built to meet current Building Regulations requirements. The Authority raises the profile of these future requirements through this early opportunity and requests the comments made under B5 of Approved Document B, The Building Regulations 2010 be made available to the applicant/planning agent as appropriate.

8. Publicity

The site has been advertised by letter to local residents and by site notice; representations have been received; these are summarised as follows:

Third party comments:

Support:

- No visual impact
- Well thought out, exciting proposal
- Sympathetic to surrounding environment
- Minimal aesthetic impact on surrounding area
- Sympathetic with the woodland surroundings
- Removes existing building eyesore
- Removes dilapidated asbestos building
- Sustainable design – PV and rainwater harvesting
- Goes above and beyond current Building Regulations with proposed energy efficiency
- Sympathetically designed ‘passiv’ house
- Sustainable dwelling
- High level of eco credentials
- Sets a standard for future building in the area
- Sympathetic lighting designs
- Supports local family to live close to family and work commitments
- Existing building is of no agricultural benefit
- Retains existing trees
- Does not affect adjoining ancient woodland
- Affordable

Comments:

- Not against the development but concerned may lead to a precedent for further similar development within the countryside
- Likely increase in noise

9. Planning Considerations

9.1 Principle of Development

The site is located within open countryside near to the village of Bromham which is designated as a large village within the Wiltshire Core Strategy (2015) (WCS). The site lies approximately 260/280 metres from the limits of development of Bromham. Fundamentally, the application is for the erection of a new dwelling within open countryside, contrary to the policies of the local development plans direction for delivering sustainable housing.

In the interests of promoting sustainable development and the protection of the countryside the policies of the WCS (2015) seek to restrict all new residential development to locations within the Limits of Development defined for the towns and villages. The WCS includes a settlement strategy, Core Policy 1 'Settlement Strategy' and Core Policy 2 'Delivery Strategy' outline that there is a presumption in favour of sustainable development within the Principal Settlements, Market Towns, Local Service Centres and Large Villages and development should be restricted to within the limits of development other than in exceptional circumstances as set out within the relevant core policies contained within the plan. There are no exceptional circumstances that would suggest a departure from the development plan in this instance.

However, the application submitted argues that the proposal is for a development that accords with the special circumstances identified under paragraph 80(e) (now 84(e)) of the NPPF, that supports isolated homes within open countryside and which are of a design that is of exceptional quality.

Paragraph 84 states that "*Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply.*"

Points a) to d) do not apply to the proposed scheme; and point e) states:

"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** [my emphasis]*
- would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area".*

In applying the requirements of paragraph 84 e) to this scheme, the first test is whether the development is in an isolated location, as if it is not an isolated location then the criteria of this paragraph do not apply. In this instance the site is located at approximately 260 to 280m from the nearest village and is in a location that due to the topography of the land and surrounding woodland has a sense of remoteness and is clearly physically and visually separated from the nearest settlement or any other built form. It is therefore agreed that the site is in an isolated location in this instance and that the proposal should be tested against the exception provided for in point e).

Is the scheme of an 'exceptional quality' that is 'truly outstanding' and reflects the 'highest standards in architecture'? As described within the application's supporting statements, the proposed dwelling is a bespoke design that takes many visual clues from the existing building on site with the form being a modern interpretation of a typical agricultural building. Such designs have been put forward on various sites across Wiltshire and are not atypical in schemes seeking to reflect the rural character of an area in order to ensure that a proposal does not have a detrimental visual impact within a countryside location. Such a typical and unobtrusive design therefore cannot be construed as being of such 'exceptional quality' that is 'truly outstanding' and of the 'highest standards in architecture'.

As part of the applicant's argument that the scheme is an 'outstanding example', it is contended that the proposal would be built out to 'Passivhaus' standards. The submission

claims that *“the proposal is capable of meeting the strict criteria of a passivhaus with a heating load of 10w/m², 0% risk of overheating and risk of excessive humidity and a primary energy requirement of just 45kwh/m² per year. These figures are considerably lower than a similar sized dwelling built to current Building Regulations standards”*. The submission further argues that *“the house has also been designed to optimise energy efficiency through sustainable construction techniques, use of integrated renewable energy technologies, use of sustainable drainage systems and water efficiency measures”*. The energy efficiencies and sustainable design techniques proposed in this scheme are commended; however, these are all standard practices coming forward in designs, including schemes within the limits of development of villages and do not in themselves constitute ‘exceptional quality’ that is ‘truly outstanding’ such as to disregard the policies of the development plan and of the NPPF in directing new development to sustainable locations.

It is acknowledged that the proposal is akin to a typical ‘rural’ building within a countryside location and on this basis, the scheme is considered to fail the first part of sub-paragraph e) in that it is **not** of such an exceptional quality, to be considered truly outstanding and reflective of the highest standards in architecture expected of such schemes.

It is acknowledged that the application seeks to encourage and raise the standards of design more generally in rural areas; however, visually the scheme when viewed from the adjoining public right of way would not have the significant sustainability credentials as is suggested and instead would have the appearance of typical rural building conversion within a countryside location.

It is considered that the proposal would likely enhance the immediate setting through the removal of a dilapidated building and through the enhanced planting suggested within the application. The design and scale of the proposed structure is considered to reflect the scale and simplicity of typical rural structures found within a countryside location. For example, the west elevation facing the public right of way has the appearance of barn like structures, in terms of the materials finishes and simplistic roof form and detailing. On balance, it is considered that the scheme on face value draws on the rural character of the area and is a relatively sensitive design in that aspect.

As such it is the first part of the test at sub-paragraph e) that the scheme is considered to fall short on and the scheme in principle should be rejected as there are no other policies that support this type of development within this location. The is therefore considered to be contrary to the requirements of paragraph 84 e) of the NPPF (2023).

The applicant has been offered the opportunity to present their proposal to a Design Review Panel, a peer group which independently assesses the merits of a scheme against this policy of the NPPF. They have chosen not to follow this path.

The applicant has argued that there is a ‘fallback position’, namely that there is a realistic option to develop the site under Part 3, Class Q of the Town and Country Planning (General Permitted Development) Order 2015 as amended. They argue that permitted development rights exist at the site that would allow for the conversion of the existing agricultural building to a residential use, meaning that a new home can be created from the existing agricultural building. However, it is considered to test this option they would need to submit the correct application and gain consent in order for this to be a realistic fallback option. During the case

officer site visit, it was noted that the barn is in a dilapidated state. The applicant relies on this within their arguments that there would be an enhancement of the site through the removal of this dilapidated building. It was further noted that extensive works beyond that set out within the criteria of Part 3, Class Q would need to be carried out in order to provide a dwelling. As such, it is considered that this is not a realistic 'fallback' position as suggested.

Core Policy 60 Sustainable Transport supports the premise for development within sustainable locations. The policies of the WCS (2015) are consistent with the NPPF (2023) in terms of delivering sustainable development. The WCS defines a "*Sustainable Location*" as a location or site for housing that is close to employment, schools, shops, parks, civic buildings and other services and amenities; is accessible by existing roads and close to existing public transport services; can be linked easily to existing infrastructure for roads, water, waste, and utilities; has low flood risk; and avoids sensitive features of the natural environment.

As identified within the supporting information, this site is in an isolated location with poor connectivity to sustainable forms of transport. Whilst the design of the scheme itself has positive sustainability credentials, the location does not. The creation of a new dwelling where one does not exist at present cannot be considered to be a sustainable form of development.

Policy 60 of the WCS (2015) relates to the need to reduce travel, particularly by the private car and makes clear that development should occupy sustainable locations; this is supported by the requirements of the NPPF (2023). As such the development is considered contrary to Core Policies 1, 2, 12 and 60 of the WCS (2015), and with the principle of sustainable development as defined by the NPPF.

9.2 Visual Impact

The site lies in open countryside outside of the defined limits of development of the village of Bromham. The site sits in the Spye Parklands landscape character area with the North Wessex Downs escarpment 3.3km to the east with prominent views from Beacon Hill and Olivers Castle Scheduled Ancient Monument and the Grade II listed Spye Park located to the north of the site.

The topography of the land is gently sloping, rising up from Church Hill to the south and continuing to rise to the north beyond. The site is bounded on three sides by existing mature woodland (Berry Moor Wood, an ancient woodland) with open views to the west. Along the sites west boundary is a public right of way, BROM9 and this joins with PRoW BROM10 nearby to the access to the site and from which the site would be viewable.

There are further footpaths to the east (BROM5) and north (BROM7), however, due to the topography of the land and existing screening the site is not visible from these public vantage points. With regard to the LVA, it is acknowledged that a mitigation strategy would be necessary to screen the site within this landscape. Whilst much of the site will be screened off by Berry Moor Wood, especially from views out to the east National Landscape (former AONB) and to the north (Spye Park). Views to the west and the visual impact on BROM9 PRoW will occur.

The area has a distinct agricultural/rural quality, with access along the single track that follows the line of right of way BROM9 to the south and connects to the nearby highway onto 'Church Hill'. There is an existing agricultural building on the site, that is considered typical for the rural character of the area and which it is proposed to be demolished to allow for the development of the new residential building and associated works and paraphernalia. The argument has been made that the barn is in a dilapidated state and that its removal would be a betterment. However, the barn has an agricultural appearance that is in keeping with the vernacular of the countryside location and is therefore not comparable to the erection of a new dwelling with associated domestic paraphernalia.

The site is located within a clearing, bounded on three sides by mature woodland, with a strong rural woodland character. From the LVA, it is acknowledged that Berrymoor Wood is located in the Spye Parklands, in an area characterised by an undulating landscape dominated by a woodland and farmland mosaic.

Comments received from the Council's Landscape Officer raise concerns about the proposal relating to external lighting and the potential impact on the dark skies and rural tranquillity of the countryside, along with the detailing of the proposed entrance gates. It is considered that the gates need to be of an 'agricultural' aesthetic (metal or timber five bar gate) to suit the rural situation, which can be reasonably controlled by condition.

Notwithstanding the above, it is considered that the introduction of a new dwelling, with its associated inevitable domestic paraphernalia, and the proposed change in use of the land would have an adverse and detrimental impact through the urbanisation of this overtly rural site. The existing agricultural building is typical of a rural location so the proposed development is considered to result in a detrimental character change to the rural area through the change of use of the land and thereby the urbanising effect of the development on the landscape.

Whilst a condition could be attached to prevent the construction of domestic outbuildings on the land without the granting of planning permission, no condition could prevent the introduction of domestic paraphernalia that would not constitute development under Section 55 of the Town and Country Planning Act 1990. Such paraphernalia would lead to a degradation of the rural nature of the site.

On balance, it is considered that the creation of a new dwelling, with associated domestic curtilage and access would have a detrimental impact on the rural character of the area and would therefore be contrary to Core Policy 51 and Core Policy 57 of the WCS (2015) which collectively seek, in part, to protect, conserve and where possible enhance landscape character, enhance local distinctiveness, and avoid harmful impact upon landscape character. Additionally, there is also conflict with the National Planning Policy Framework (NPPF, 2023), which seeks to protect and enhance our natural environment and recognise the intrinsic character and beauty of the countryside.

9.3 Impact on ecology

The development involves the demolition of an existing building to allow for the erection of the new dwelling. The submitted Bat Survey Report (May 2023 Malford Environmental Consultancy) in support of the application identifies a Lesser Horseshoe night feeding perch

within the central compartment of the existing lean to, evidenced from droppings identified at the site.

Bats and their roosts are afforded stringent protection under the Conservation of Habitats and Species Regulations 2019 (as amended) and as such are a material consideration within the planning consultation process. This roost will be lost as a result of the proposal, however, mitigation has been outlined within the ecology report and included on the submitted technical drawings to ensure that the Lesser Horseshoe night feeding perch is retained in perpetuity on site and in close proximity to the woodland edge habitat. A European Protected Species (EPS) Bat Mitigation Licence will need to be obtained for the lawful construction of this development.

There is no evidence of other protected species on the site, however reasonable measures will be taken to ensure the potential for any impacts is minimised. The scheme will seek to ensure that no development takes place within a 10m buffer of the surrounding woodland and the submitted documents outline protection measures and enhancements to the woodland habitat during the construction phase. It is recognised that external lighting can have a negative impact on species using the area and there is currently insufficient information relating to this specific issue to assess the level of potential impact. However, this can be reasonably controlled through an appropriately worded condition.

On balance, it is considered that the proposed mitigation and enhancements are acceptable and that the scheme is therefore considered to comply with the requirements of core policy 50 of the WCS (2015) and the NPPF (2023).

9.4 Highway Safety Impact / Parking

Core Policy 61 - Transport and New Development - seeks to ensure that new development is capable of being served by safe access to the highway network. Core Policy 64 seeks to ensure that parking standards are met as set out in the Council's adopted standards. The NPPF (2023) states that an application should only be refused on highway grounds if *"there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe"*.

Comments received from the highway officer raise no objections to the proposed scheme on highway safety grounds. It is recognised that the proposal would use an existing track and access point onto the adjoining highway. The proposed development will alter the location of the entrance gates to allow vehicles accessing the proposed dwelling and the surrounding fields a safe area off the highway, which would be an improvement to highway safety. The first 6m back from the edge of the highway would also be finished in a surface material that would alleviate any debris being dragged onto the highway. The submitted plan also demonstrates 62m sight lines in either direction which are a betterment to the visibility splays for this access point. It is considered that there is sufficient parking and turning space provided for on the site to allow for vehicles to enter and exit in a forward gear.

Paragraph 109 of the NPPF clarifies that 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 would be severe.

It is acknowledged that public footpath BROM9 runs along the existing access track. Comments from the PRow officer state that the “footpath should remain open and unobstructed at all times”. As this is the access point for the site and would be required to be available for this purpose, it is considered unlikely that the development would have a detrimental impact on the use of this right of way. The proposed changes to the location of gates across the footpath will need to be carried out in accordance with requirements of the PRow officer. The path should remain available for access at all times.

Based on the highway comments received, it is considered that the proposal will be served by safe access and adequate parking in line with the requirements of the local and national policies. As such, the scheme is considered to meet the relevant criteria of Core Policies 61 and 64 of the WCS (2015) and the WLTP (2011 – 2026) Car Parking Strategy (2015) and with the relevant sections in the NPPF (2023).

9.5 Other matters

Surface water will be dealt with, as identified within the application form, by way of a soakaway and foul sewage through a package treatment plant. The indicative drainage plan identifies where the PTP and soakaways will be located. Other than a 1800l rainwater harvesting tank there is little to no design detail to confirm the sustainability credentials of the drainage system. However, it is considered that drainage issues could be reasonably resolved through the imposition of conditions.

10. Conclusion (The Planning Balance)

There are three aspects of sustainable development - economic, social and environmental - The NPPF identifies that there should be a presumption in favour of such sustainable development. This is seen as a golden thread running through the decision-making process and that local planning authorities should approve development in accordance with the development plan without delay.

There are no nearby properties to the site that could be impacted by the proposed development and sufficient space exists for vehicles to enter and exit the site safely.

It is acknowledged that there is some positive weight to be given to economic benefits through the likely local employment that may be generated by the development for a limited period. There are likely to be some social benefits through the provision of a new dwelling within the local housing market. However, given the likely cost of a unit of this size in an attractive rural location, the social benefits would be restricted to those on a higher income; they would not benefit lower income families and would certainly not add to the affordable housing market within this area.

The scheme is described as a template for more affordable rural housing. However, the scale of the proposed dwelling set within a generous plot of land, could never be described as affordable in the true sense of the word so this point is not concurred with.

It is acknowledged that the scheme would provide ecological enhancements across the site, although some of these enhancements are mitigation for the destruction of a recognised bat roost. Limited weight can be attributed to these enhancements as if the development did not

go ahead with the proposed ecological enhancements the status quo of the site would remain unchanged and any impacts would not occur.

An increase in traffic movements to and from the site could lead to an increase in air pollution, an identified key issue in the WCS.

The creation of a new dwelling, with associated domestic curtilage and access, would have a detrimental impact on the rural character of the area and any such harm is irreversible.

It is considered that the proposal conflicts with the settlement strategy in the WCS which identified where new housing should be located. The site is located in the countryside and in an unsustainable location. There is no reasonable access to local services and facilities and the proposed new dwelling would result in a car dependant development to access most services and facilities due to alternative transportation methods not being attractive enough to encourage non-car use.

In respect of housing supply and delivery, the revised NPPF contains two important amended/new paragraphs that have altered the Councils position in terms of housing land supply. 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. 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 4.6 years. This means that the planning balance is now level rather than 'tilted'. With a level balance, full weight can now be given to the strategic housing delivery policies of the Wiltshire Core Strategy (WCS) – namely Core Policies 1 and 2.

The scheme would be contrary to the Framework's aim to promote sustainable transport. Also, as it would be set away from the nearest services, the house would not be located to maintain or enhance the vitality of rural communities. It is considered that the adverse impacts of the development would significantly and demonstrably outweigh any benefits when considered against the Framework. Consequently, the presumption in favour of sustainable development as set out in paragraph 11 (NPPF) does not apply.

It is considered that any limited public benefit that may occur if this development were approved, would not outweigh the harm that would be caused by allowing such a development in an unsustainable location and on a site that has not been brought forward for development by the local community. Overall, this is not sustainable development. On balance, it is considered that the proposed development would be contrary with the policies of the Wiltshire Core Strategy (2015) and guidance set out in the National Planning Policy Framework (2023).

RECOMMENDATION

Refuse for the following reasons:

1. The proposed development, due to the position of the site within the 'open countryside', would conflict with the settlement strategy of the Wiltshire Core Strategy. The site is

within a location that has limited access to local services and public transport facilities and future occupants would need to travel by car to reach services, facilities and employment opportunities. The proposed development is therefore deemed to be unsustainable and would conflict with the Council's plan-led approach to sustainable development. There are no exceptional circumstances which justify the approval of the proposed development and no objective evidence to demonstrate it would meet an identified housing need of the settlement or meet the criteria identified by Core Policy 2. In light of the above, the proposed development is considered to conflict with Core Policies 1 'Settlement Strategy', 2 'Delivery Strategy', 12 'Spatial Strategy: Devizes Community Area'; 60 'Sustainable Transport' and 61 'Transport and New Development' of the Wiltshire Core Strategy, and with Central Government policy contained within the National Planning Policy Framework; in particular, Chapters 2 'Achieving Sustainable Development', 4 'Decision-making', 5 'Delivering a Sufficient Supply of Homes', and 9 'Promoting Sustainable Transport'.

2. The proposed development of a new dwelling, with associated domestic curtilage and access would have a detrimental impact on the rural character of the area and would therefore be contrary to Core Policy 51 and Core Policy 57 of the WCS (2015) which collectively seek, in part, to protect, conserve and where possible enhance landscape character, enhance local distinctiveness, and avoid harmful impact upon landscape character. Additionally, there is also conflict with the National Planning Policy Framework (NPPF, 2023), which seeks to protect and enhance the natural environment and recognise the intrinsic character and beauty of the countryside.

3. **INFORMATIVE TO APPLICANT:** In accordance with the NPPF (2023) an offer to allow the applicant the opportunity to provide further justification on the schemes exceptional merits to meet with the exceptions policy for isolated dwellings was offered. It was also recommended that the scheme be presented to a Design Review Panel to allow for a peer assessment of the proposal to qualify the assertion that the scheme met the exacting standards considered necessary to be met to qualify as a paragraph 80 (e) dwelling. Neither opportunity was taken to support the proposed development.