

**REPORT FOR WESTERN AREA PLANNING COMMITTEE****Report No.**

<b>Date of Meeting</b>	21.08.2019
<b>Application Number</b>	19/03732/FUL
<b>Site Address</b>	93 Sand Street, Longbridge Deverill Warminster BA12 7DS
<b>Proposal</b>	Demolition of existing outbuilding and erection of single dwelling and detached garage. (Re-submission of refused application 18/10459/FUL)
<b>Applicant</b>	Mr & Mrs Campbell
<b>Town/Parish Council</b>	LONGBRIDGE DEVERILL
<b>Electoral Division</b>	Warminster Without – Councillor Fleur de Rhé-Philippe
<b>Grid Ref</b>	386886 140899
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Steven Sims

**Reason for the application being considered by Committee**

Cllr Fleur de Rhé-Philippe has requested that this application be called-in for the elected members of the western area planning committee to determine should officers be minded to refuse the permission to allow members to fully appraise the following key matters:

- The Scale of Development
- The Visual impact upon the Surrounding Area
- The Relationship to Adjoining Properties

**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 should be refused.

**2. Report Summary**

The main issues discussed in this report are as follows:

- The Principle of Development
- Impact on the Character of the Area/AONB
- Impact on the living conditions of neighbouring residents
- Impact on the character of adjacent listed building
- Parking/highways issues
- Flood risk issues
- Self-build issues

**3. Site Description**

The site forms an area of open land extending to approximately 0.69 ha located to the north of No. 93 Sand Street (which is known as The Old Post Office) and forms part of the property grounds. Access to the site would be off Church Street (A350) to the west. An existing outbuilding used as a tractor shed is located on site which would be demolished as part of the development proposals. The site is bordered by existing mature hedgerows and trees to the north and west. The river Wyle borders the site to the northeast. Residential development fronting Sand Street lies to the south and southwest of the site. To the west of the site and on the opposite side of the road is Old Church Farmhouse, Church Street, a grade II building. The site lies within the Cranborne Chase

& West Wiltshire Area of Outstanding Natural Beauty (AONB). The above site description is illustrated by the following insert.



General Site Parameters and Site Context

#### 4. Planning History

18/10459/FUL – Demolition of existing outbuilding and erection of a single dwelling and detached garage - Refused under delegated powers on 01/02/2019. This refusal is presently subject to an appeal (ref APP/Y3940/W/19/3227029). The Council completed its appeal statement at the beginning of June defending the grounds for refusal and awaits the decision of the planning inspector – which is expected imminently. The application was refused for the following reasons:

1. *Having regard to all the submissions and relevant policies, including the policies of the National Planning Policy Framework taken as a whole, this application is considered to be an inappropriate, unsustainable form of development which would significantly and demonstrably outweigh the benefit of providing one additional dwelling in a countryside location. As such the proposal, in the absence of suitable justification, is not considered to represent sustainable development being contrary to Core Policies 1, 2, 31, 60 and 61*

of the Wiltshire Core Strategy and the policies of the National Planning Policy Framework taken as a whole.

2. The erection of a new dwelling and garage, due to their height, bulk and siting, would result in a development that detracts from the rural character of the area. The development is therefore contrary to Core Policy 51 and Core Policy 57 of the Wiltshire Core Strategy.



The refused application sought detailed planning permission for the erection of a three bedroom property which illustrated by the above site plan. The refused dwelling would measure 7.85 metres in height and approximately 12.4 metres wide at its widest and have a maximum 11.2 metres depth and approx. 210 metres square. The refused detached garage would measure 6 metres in height 9 metres wide and 6 metres deep.



W/02/00139/FUL – Single storey extensions – Approved

W/01/00512/FUL – Extension to form office – Approved

W/98/01697/FUL – Change of use from shop to restaurant – Approved

W/98/00874/FUL - Change of use from A1 retail to sale of motor cycles - Approved

W/96/01256/FUL – Conversion of single storey old post office and stores to two storey residential – Approved

W/94/01327/FUL - Alterations and extension of existing shop and formation of second dwelling. – Refused. The refusal reasons were as follows:

1. *Policy H7 of the West Wiltshire District Plan (Draft Plan for Deposit) defines village policy limits for certain villages – Longbridge Deverill has no defined policy limits. Under the provisions of policy H7, new dwellings in the countryside outside village policy limits defined in Policy H7, including all other remaining rural settlements, will not normally be permitted unless clearly justified in connection with the essential needs of agriculture or forestry. The proposals are contrary to the provisions of Policy H7.*

2. *The site lies within the Cranborne and Chase and West Wiltshire Downs Area of Outstanding Natural Beauty. Under provisions of policy C3B (Western Wiltshire Structure Plan) and Policy C2 (West Wiltshire District Plan – Draft Plan for Deposit) priority will be given to the conservation of the character and scenic quality of the landscape by generally restricting development to that essential to the rural economy or for the enjoyment of its amenities. Other proposals will not normally be permitted unless proven to be in the national interest and incapable of being accommodated outside the AONB. The proposal is contrary to the provisions of policies C3B and C2 respectively.*



## 5. The Proposal

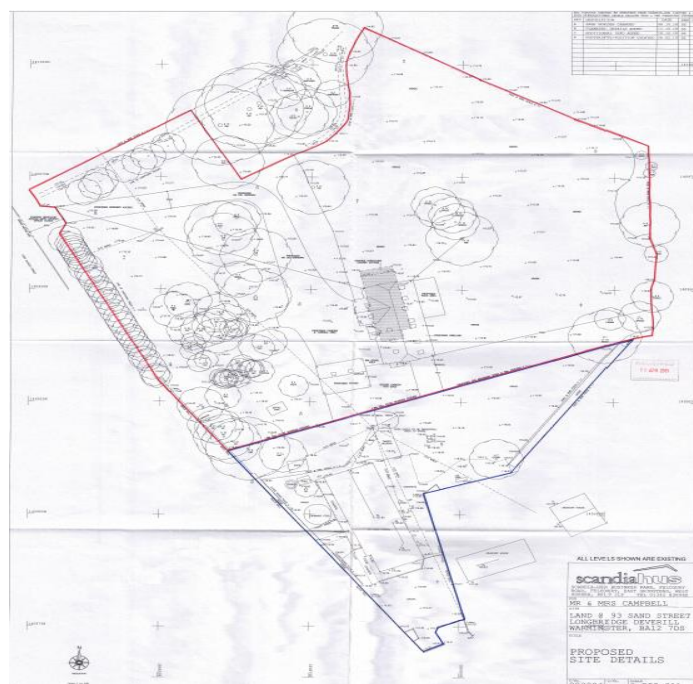
This is a full application seeking permission for the erection of a 4 bedroom 2-storey dwelling (which would be accommodated following the demolition of the existing outbuilding on site). The proposed dwelling would comprise 4 bedrooms, sitting room,

study, dining room/kitchen and utility room. The building would be timber clad with slate effect roof tiles. The proposed scheme also includes the provision of a double garage with a home office on the level which would also be constructed with timber with slate effect tiled roof. Vehicle access would be via Church Street (A350) to the northwest.

The proposed dwelling submitted under this revised application would measure approximately 6.76 metres in height and would be 17 metres long and 8 metres wide and have a floor area of approximately 234 square metres which is illustrated in the insert below.



The proposed detached garage would measure 5.72 metre high, 7.6 metres long and 6 metres wide. The new build development proposal is illustrated on the following site plan.



## **6. Local Planning Policy**

Wiltshire Core Strategy (WCS) - Core Policy 1: Settlement Strategy; Core Policy 2: Delivery Strategy; Core Policy 31: Spatial Strategy: Warminster Community Area; Core Policy 41: Sustainable Construction and Low-Carbon Energy; Core Policy 50: Biodiversity and Geodiversity; Core Policy 51: Landscape; 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; and, Core Policy 61: Transport and Development.

Saved Policies contained within the West Wiltshire District Local Plan (1<sup>st</sup> Alteration) - U1a Foul Water Disposal

The Wiltshire Local Transport Plan 2011-2026

National Planning Policy Framework 2019 (The Framework) – especially section(s):

5. Delivering a sufficient supply of homes; 9. Promoting sustainable transport; 12. Achieving well-designed places; 15. Conserving and enhancing the natural environment; and, 16. Conserving and enhancing the historic environment

Other Relevant Considerations - Planning Practice Guidance (PPG); The AONB Management Plan 2014-19 (sections 'Planning and Transport' and 'Access and Wellbeing) and the Council's Landscape Area Character Assessment – Greensand Terrace.

## **7. Summary of consultation responses**

Longbridge Deverill Parish Council: No comments (no meeting was held)

Highways: No objections: The proposed development would not have a significant impact on highway safety.

Arboricultural Officer: No objections

Cranborne and Chase AONB: The proposed design contradicts the AONB's policies on dark night skies. The AONB therefore object to this application and provide the following comments.

1. The Cranborne Chase and West Wiltshire Downs AONB has been established under the 1949 National Parks and Access to the Countryside Act to conserve and enhance the outstanding natural beauty of this area which straddles three County, one Unitary and five District councils. It is clear from the Act, subsequent government sponsored reports, and the Countryside and Rights of Way Act 2000 that natural beauty includes wildlife, scientific, and cultural heritage.

2. It is also recognised that in relation to their landscape characteristics and quality, National Parks and Areas of Outstanding Natural Beauty are equally important aspects of the nation's heritage assets and environmental capital.

3. This AONB's Management Plan is a statutory document that is approved by the Secretary of State and is adopted by the constituent councils. It sets out the Local Authorities' policies for the management of this nationally important area and the carrying out of their functions in relation to it, as required by section 89 of the CRoW Act. The national Planning Practice Guidance [Natural Environment paragraph 004] confirms that

the AONB and its Management Plan are material considerations in planning. Cranborne Chase Area of Outstanding Natural Beauty 2

4. The National Planning Policy Framework (2018) states (paragraph 170) that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, which include AONBs, commensurate with their statutory status. Furthermore it should be recognised that the 'presumption in favour of sustainable development' does not automatically apply within AONBs, as confirmed by paragraph 11 and footnote 6, due to other policies relating to AONBs elsewhere within the Framework.

5. Paragraph 11 explains that for plan making being in an AONB provides 'a strong reason for restricting the overall scale, type or distribution of development in the plan area'. Furthermore, for decision making the application of NPPF policies that protect an AONB 'provides a clear reason for refusing development proposals'.

6. It also states (paragraph 172) that great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs, which have the highest status of protection in relation to landscape and scenic beauty. The conservation and enhancement of wildlife and cultural heritage are important considerations in these areas. This paragraph is also clear that the scale and extent of development within AONBs and National Parks should be limited.

7. Local government (including planning authorities), Ministers of the Crown, individual councillors, any public body, statutory undertakers and holders of public office also have a statutory duty in section 85 of the CRow Act to have regard to the purposes of AONB designation, namely conserving and enhancing natural beauty, in exercising or performing any functions relating to, or so as to affect, land in an AONB.

8. More detailed information in connection with AONB matters can be found on the AONB web site where there is not only the adopted AONB Management Plan but also Position Statements and Good Practice Notes (Planning Related Publications). In particular when considering construction within the AONB I would draw attention to our Good Practice Note on Colour in the Countryside

9. This AONB is, as I expect you know, in one of the darkest parts of Southern England and hence the visibility of stars and, in particular, the Milky Way, is a key attribute of this AONB. Development that could contribute to light pollution, and hence impact adversely on those dark night skies, has to be modified so that such impacts are eliminated.

10. The AONB is, therefore, concerned about light pollution. Any external lighting should be explicitly approved by the Local Planning Authority and comply with the AONB's Position Statement on Light Pollution and the more recent Good Practice Note on Good External Lighting and Paper by Bob Mizon on Light Fittings.

11. The site is in the Kilmington Greensand Terrace landscape character area of the Greensand Terrace landscape character type of the AONB's landscape character assessment. Greater details of the landscape, buildings and settlement characteristics can be found in the Landscape Character Assessment 2003. That document should be available in your office, and it can be viewed in FULL on our web site.

12. I note that in connection with the submitted Design, Access and Planning Statement the reference to Core Strategy Policy 51 omits the requirement to demonstrate how 3 a proposal complies with the AONB Management Plan. I also note that in connection with NPPF there is no mention whatsoever of the relevant AONB paragraphs and countryside paragraphs 170 to 172. Clearly the Design, Access and Planning Statement omits significant relevant matters.

13. Turning to the design of the proposed building I see that not only are there two sets of floor to ceiling ground floor glazing but also a ground floor to gables extended area of

glazing. Clearly these glazed areas have a significant potential to contribute to light pollution and hence adversely impact on the dark night skies of this AONB. The design exacerbates this light pollution potential by including twelve roof lights in the design. Unlike the earlier design, which included dormer windows rather than roof lights, this design, if approved, could not only adversely impact on the dark night skies of this AONB but also this AONB's relationship with the International Dark-Skies Association.

14. The proposed garage includes an office in the roof space and that also has two roof lights.

15. Whatever the policy situation regarding the proposed development the design clearly contradicts this AONB's policies on dark night skies. This AONB, therefore, objects to the design as submitted.

16. If the committee is minded to approve the proposal despite the conflict with the AONB policies and potential prejudice to the AONB dark night skies, then the AONB strongly recommends that planning conditions are imposed that require the fitting and operation of louvres or blinds to all roof lights to ensure that they are closed at night and do not allow the upwards or sideways emission of light which could cause light pollution.

17. Furthermore there should be a condition on the floor to ceiling glazed areas and the floor to gable glazed areas requiring blinds to be fitted and operated to prevent the sideways and upwards emission of light that could prejudice the dark night skies of this AONB.'

Wessex Water: No objection

Ecology: No comments received.

## **8. Publicity**

The application was publicised by the display of site notices and individually posted notification letters sent to neighbouring/properties within close proximity of the site. As a result of this publicity, **7 letters of support** were received which are summarised as set out below:-

- The proposed house is of good design
- The house is located within a sustainable location
- The house would replace an existing structure
- The house would provide much needed family accommodation
- There would be no adverse impact on neighbours
- The house construction would stimulate the local economy

## **9. Planning Considerations**

### 9.1 The Principle of Development

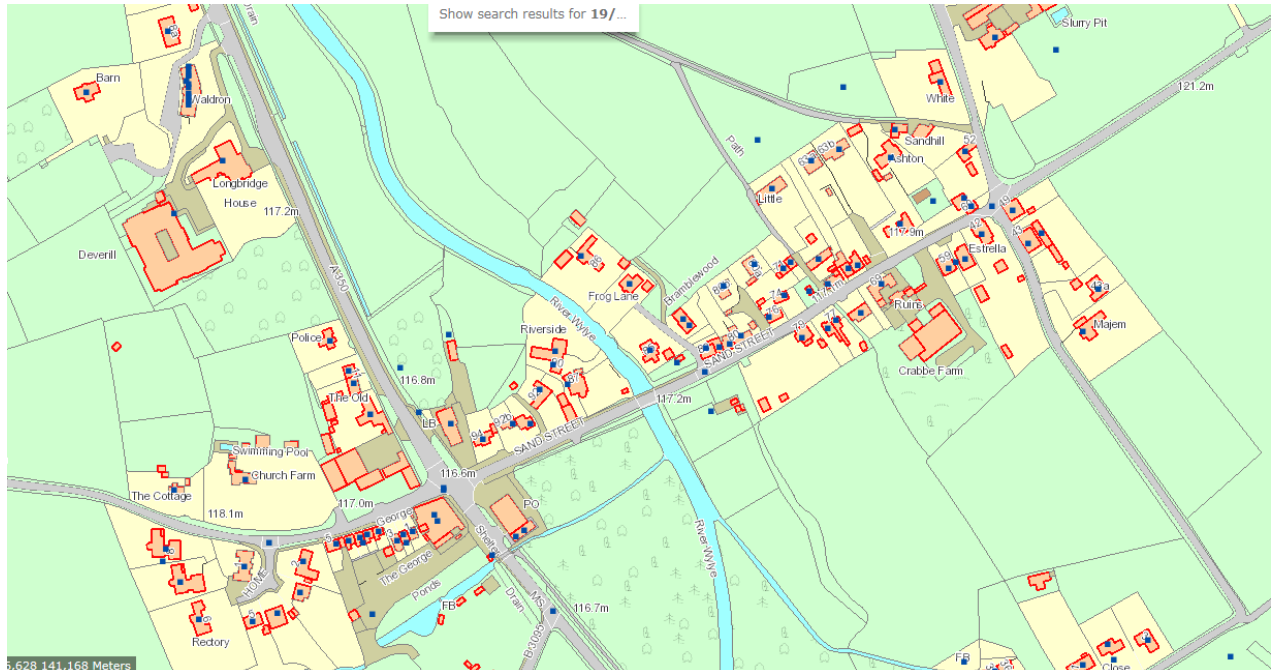
9.1.1 Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

9.1.2 Adopted WCS Core Policy 2 sets out the Council's delivery strategy for new development and advises that within the limits of development, as defined on the policies map, there is a presumption in favour of sustainable development within the Principal Settlements, Market Towns, Local Service Centres and Large Villages. The Policy furthermore sets out that at small villages (like Longbridge Deverill); new residential



development **will be limited to infill within the existing built area**. WCS Paragraph 4.34 of the WCS defines infill as:

‘The filling of a small gap within the village that is only large enough for not more than a few dwellings, generally only one dwelling’.



9.1.3 Appendix F of the WCS establishes that Longbridge Deverill is a Small Village with no settlement boundary. Officers argue that the previous insert helpfully illustrates the dispersed nature of the village; and it is important to appreciate that by not having defined policy limits, it falls to the decision maker to make an informed judgement on whether a residential development can be considered to be an infill development or whether it would constitute as an encroachment into the countryside.

9.1.4 With the aid of the previous insert and the case officer’s site visit inspection, it is argued that Longbridge Deverill is characterised by its dispersed linear form with most properties positioned along Sand Street and Church Street and around their junctions. The application site is located to the east of the A350 and is not considered to be a policy compliant infill plot as it would not satisfy the terms set out by paragraph 4.34 of the adopted Wiltshire Core Strategy. The identified plot of land which is the subject of this application does not have residential development to the north and the plot of land would not ‘infill’ land between existing residential forms of development. It would instead encroach further into the countryside and if the principle for one dwelling is accepted, a precedent could well be set for allowing additional houses extending further northwards into the open countryside. The previous illustrated inserts clearly show that the identified plot of land is capable of accommodating more than one dwelling. It is accepted that it may not be the intention of the present applicant, but should permission be granted under this submission, it may be difficult to subsequently argue against the principle of additional housing within the site parameters.

9.1.5 Within the applicant’s submitted Design and Access Statement it is argued that the existing timber outbuilding located on site forms the boundary of the built up area of the

village. Officers disagree. The single storey timber outbuilding is used as an ancillary garden store and is located approximately 29 metres to the north of the main dwelling. As the site photo below illustrates, the structure and its setting has a rural setting characteristic rather than that of plot surrounded by built forms of development within a settlement. The policy test requires the decision maker (in this case, the elected members of the western area planning committee) to reach a judgement on whether the 0.69 hectares constitutes a small infill gap in the village of Longbridge Deverill. Officers do not.

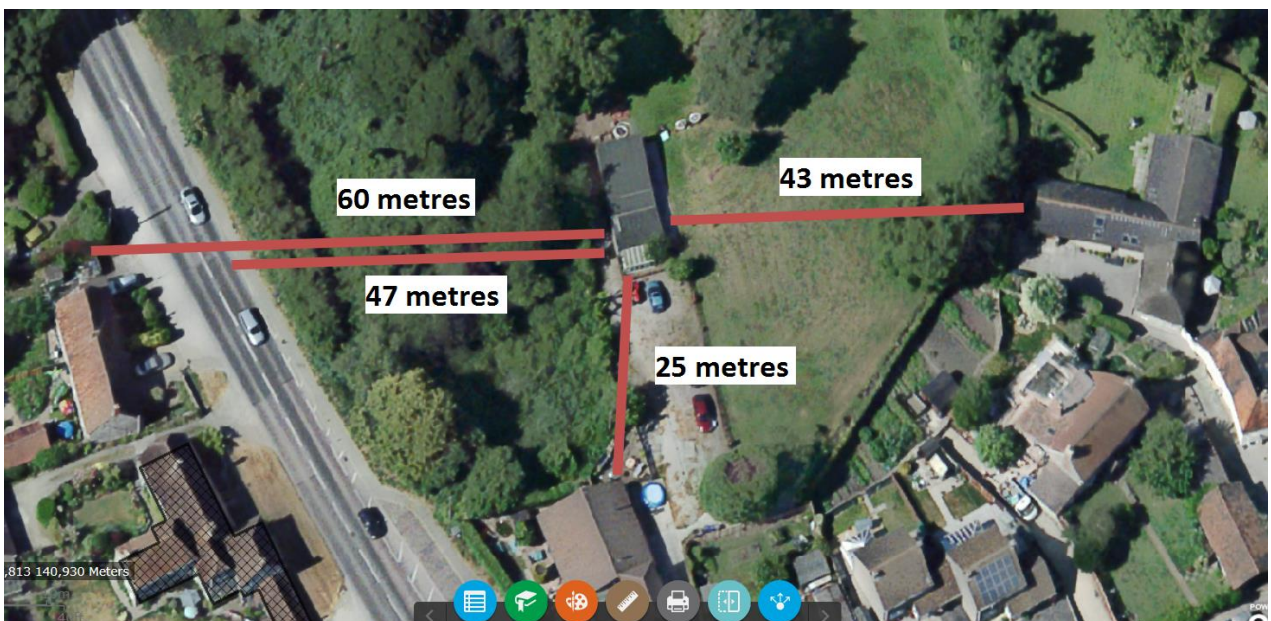
9.1.6 Officers moreover argue that the applicant's residential property and the blue line site parameters (which is illustrated on the site plan submission and is reproduced within section 5 of this report) sets the limits of the village envelope on the eastern side of the A350. The land located to the north of No. 93 comprises a wooded area as well as an area of grassland – used as a garden (see photo below), however it is not considered an appropriate infill plot for residential development.



9.1.7 To assist with the decision making process, the case officer has produced the following insert which reveals what officers would argue to be the rough line of residential property and the interface with the open countryside – and in so doing, officers submit that there are no policy compliant infill opportunities at N0.93 Sand Street or on immediate adjoining land.



9.1.8 Paragraph 4.34 of the WCS defines infill as ‘the filling of a small gap within the village that is only large enough for not more than a few dwellings, generally only one dwelling’. The proposed dwelling would be located on the approximate site of an existing outbuilding and the southern elevation of the dwelling would be located approx. 25 metres to the north of the northern elevation of No. 93 Sand Street. The nearest development to the east (Riverside) would be approximately 43 metres distant. Whilst the development located to the west (at No.11 and 12 Church Street) would be 60 metres distant and on the opposite side of the A350. If the principle of accepted for this application, there would be sufficient residual land to construct additional dwellings to the north and west and possibly even to the south of the proposed dwelling on land between the proposed dwelling, the A350 and agricultural land to the north and on land to the rear garden of Riverside. Officers do not consider this plot to be a policy compliant 'infill' opportunity pursuant to ‘a small gap’ because the gap as illustrated above and below could accommodate several new dwellings (assuming no other constraints); and in the absence of any built form of development to the north of the application site, this development fails the policy test for infilling within small village.



9.1.9 In policy terms the site is considered to be within ‘the open countryside’; and in such locations, new housing development is only supported in principle where it can be demonstrated that it is essential for agricultural or forestry purposes or where supported by special justification or in accordance with the WCS exception policies and paragraph criterion as set out within 4.25. None of these policies are relevant to this application proposed and the site has not been identified for development through either the emerging Wiltshire Housing Sites Allocation Plan or a Neighbourhood Plan. The proposal is therefore in clear conflict with the development plan and is recommended for refusal.

9.1.10 In addition to the above, WCS Core Policy 2 states that:

*‘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.’*

No evidence has been submitted to indicate that the proposed development would satisfy an identified housing need or would result in any material improvement to employment opportunities, services or facilities, and as highlighted within the objection consultation response submitted by the AONB officer (contained within section 7 ‘Summary of consultation responses’ and as further detailed within section 9.2.5 of this report) the proposed development would harm the sensitive landscape area of the AONB – which is a second reason for recommending the application for refusal in accordance with the WCS and NPPF.

9.1.11 It is also necessary to record that WCS Core Policy 60 states that the Council will use its planning and transport powers to help reduce the need to travel particularly by private car and encourage the sustainable, safe and efficient movement of people and this would be achieved by directing and approving new residential development in sustainable, accessible locations that have good sustainable transport alternatives to the use of the private car. Core Policy 61 states that new development should be located and designed to reduce the need to travel particularly by private car, and to encourage the use of sustainable transport alternatives. It is important therefore to avoid unsustainable patterns of development outside the limits of development. It is recognised that the site is located adjacent the A350 and there are some local facilities such as a public house, garage and small shop within the village, and consequently, the future occupiers of the dwelling would not be solely reliant on the private car. However there is a conflict with Core Policy 60 and Core Policy 61, and this conflict weighs against the scheme in the overall planning balance.

## 9.2 Impact on the Character of the Area/AONB

9.2.1 Core Policy 51 of the Wiltshire Core Strategy states development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character. In addition the policy states proposals for development within or affecting the AONBs, must demonstrate that they have taken

account of the objectives, policies and actions set out in the relevant Management Plans for these areas and great weight will be afforded to conserving and enhancing landscapes and scenic beauty. Core Policy 57 requires a high standard of design in all new developments and that development respond positively to the existing townscape and landscape in terms of building layout, built form, height, mass, scale, building line, plot size, design, materials and streetscape. Paragraph 172 of the Framework states that '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 and the scale and extent of development within these designated areas should be limited.

9.2.2 The application site is located within the Greensand Terrace landscape character area of the Cranborne Chase AONB. The landscape character area is characterised by a predominantly agricultural land use, mixed woodland and a sparse settlement of scattered farmsteads and a few villages. Traditional materials used in development include chert, greensand and red brick with clay tiles and thatch characterising the roofs. One of the forces for change listed in the character assessment is described as 'infill and expansion of towns and villages' whilst the overall management strategy seeks to conserve the open agricultural character of the area.

9.2.3 Longridge Deverill is considered a small village with limited infill opportunities. In addition to the in principle objection officers report (as set out above) officers are concerned that the development would not respect the existing character and form of the settlement and would elongate the village and impose a development within a sensitive landscape area that is protected for its national importance. The character of the area is one of a mixed variety of dwellings comprising detached, semi-detached and terraced properties built form a mixed material palette and varying garden/plot sizes. Dwellings are however mainly set along Sand Street and Church Street in a linear form with a large group of dwellings located in the eastern part of the village. The application site is enclosed by well-established group of trees and hedgerows to the west adjacent to the A350 and to a lesser degree to the north where the site borders farmland. Residential development lies to the south and southwest fronting Sand Street. The application site is not enclosed by other built forms of development and is instead bordered by farmland and gardens to the north and east and the A350 to the west. It is not considered an infill plot and the development would result in encroaching into countryside that would harm the landscape character. The erection of a new dwelling and garage, due to its proposed height, bulk and siting, would result in a development that detracts from the rural character of the area which would include harm to the AONB – which is a landscape which is considered 'so precious' that it is protected for the nation. The criteria for designating an AONB include valuable wildlife, habitats, geology and heritage, as well as scenic views. The development is therefore contrary to Core Policy 51 and Core Policy 57 of the Wiltshire Core Strategy and conflict with the NPPF.

9.2.4 The proposed dwelling would be stand at just under 6.8 metres in height and would occupy a larger footprint than the existing outbuilding – which is identified for demolition (which measures 15 metres long, 6 metres wide and single storey in height). The proposed dwelling would also be considerably larger in terms of height and bulk. In addition a double garage is proposed to the southwest of the proposed dwelling which would add to the overall bulk of the development and encroachment into the countryside. The erection of a new two storey dwelling and garage at this location would result in the

significant erosion of the rural character of the area. It would harm the landscape character and the character of the AONB resulting in a development that is contrary to local and government policy.

9.2.5 The AONB liaison officer's concerns are duly noted in terms of appreciating the impacts the proposed development would have on the character and setting of the Cranborne and Chase AONB with added light pollution. The Cranborne and Chase AONB is one of the darkest parts of Southern England and hence the visibility of stars and, in particular, the Milky Way, is a highly prized attribute of this AONB. The proposed development includes two sets of 'floor to ceiling' windows/door opening as well as a 'ground to roof' glazed extended gable feature as well as twelve roof lights. The proposed garage includes an office in the roof space and that also includes two additional roof lights. These glazed areas have significant potential to contribute to light pollution and adversely impact on the dark night skies of the AONB. The proposed development would conflict with the AONB's policies on dark night skies and is considered contrary to Core Policy 51 of the WCS and paragraph 172 of the Framework.

### 9.3 Impact on the living conditions of neighbouring residents

9.3.1 Core Policy 57 of the Wiltshire Core Strategy requires development to have regard to the compatibility of adjoining buildings and uses and the amenities of existing occupants including the consideration of noise and light pollution. Due to the separation distances involved (over 45 metres from the rear of the proposed development to the rear of dwellings fronting Sand Street) it is considered that the proposed development would have no adverse impact on the living conditions of neighbouring residents in terms of overlooking, loss of privacy or overshadowing.

### 9.4 Impact on the character of adjacent listed building

9.4.1 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires 'special regard' to be given to the desirability of preserving a listed building or its setting. Core Policy 58 of the Wiltshire Core Strategy states development should protect, conserve and where possible enhance historic development.

9.4.2 To the west of the site on the opposite side of the road is Old Church Farmhouse, Church Street, a grade II building. Due to the separation distance and screening provision that would be afforded by trees and hedgerows on the western side of the site, the proposed development would have no adverse impact on the setting of the adjacent listed building or harm the heritage asset.

### 9.5 Flood risk issues

9.5.1 The northeast corner of the application site is located within flood zone 2 and 3 however the proposed dwelling, garage and access would all be located within flood zone 1. The development would not therefore be susceptible to flooding and officers report no objection on drainage/flood risk grounds.

## 9.6 Self-Build Issues

9.6.1 In terms of the issue of self-build, the Wiltshire Core Strategy predates the Government's policy on encouraging self-build, which explains why there are no specific policies pertaining self-build. However, a self-build development at this location would not over-ride the in principle objection and concerns and policy conflicts set out above.

9.6.2 Core Policy 1 and 2 enshrined within the WCS sets out the local planning authority's overarching policies with respect to our settlement and delivery strategy. These policies refer to the term 'sustainable development.' The term sustainable development in this policy makes no attempt to differentiate between non self-build or self-build or for that matter, any other form of development. Officers duly argue that self-build development proposals must be tested against the same policies just like volume house builders. Officers also contends that the parameters of these policies are quite clear in terms of enabling a developer to understand where new housing should be directed across Wiltshire – whether it be self-build or otherwise.

## **10. Conclusion (The Planning Balance)**

10.1 The application site is not considered to a policy compliant infill opportunity and would result in residential development encroaching into the open countryside. The proposal would not comply with the development plan policies relating to residential development conflicting with Core Policies 1, 2 and 31 of the WCS. These policies must be afforded full weight. In addition the proposed development would have an adverse impact on the rural landscape and AONB and by virtue of the house and garage design substantive concern is raised about the application contributing to light pollution and adversely impacting the dark night skies status of the AONB. This should be given significant weight as part of the planning judgement and decision making process. The site is located in the countryside where the occupiers of the development would most likely be reliant upon the private car. As such the need to travel would not be minimised and the use of sustainable transport modes not maximised. The proposed development is therefore found to be contrary to Core Policies 60 and 61 of the WCS and this should be given moderate weight in the planning determination. In addition the scheme has not evidenced how the development would deliver net biodiversity gains as required by Core Policy 50 and the NPPF (paragraph 170).

10.2 In terms of neutral impacts, the supporting information demonstrates that the proposed development would be a sufficient distance from neighbouring residential properties without adversely affecting the living conditions and amenities of the occupants. The scheme would also not harm the setting of the adjacent listed building. The scheme would not result in severe cumulative harm to highway safety or result in harm to pedestrian safety. Sufficient parking could also be secured and drainage issues can be adequately dealt with.

10.3 In terms of positive benefits, there would be some short terms economic benefits gained during the construction phase of the development through direct and indirect job creation which can be given some weight as part of the planning balance. The proposal would also contribute 1 dwelling to the supply of housing which can be given limited weight. The applicants also state the proposed development would be a self-build project however this can only be given limited weight as part of the wider planning balance.

10.4 On the basis of the above, officers argue that the benefits of the development would not outweigh the negative aspects and the policy conflicts and as such, the application is recommended for refusal for the following reasons:

**RECOMMENDATION:** REFUSE for the following reasons:

1. Having regard to all the submissions and relevant policies, including the policies of the National Planning Policy Framework taken as a whole, this application is considered to be an inappropriate, unsustainable form of development which would significantly and demonstrably outweigh the benefit of providing one additional dwelling in a countryside location. The proposed development, in the absence of suitable justification, is not considered to represent a sustainable development being contrary to Core Policies 1, 2, 31, 60 and 61 of the Wiltshire Core Strategy and the policies of the National Planning Policy Framework taken as a whole.

2. The new dwelling and garage, due to its design, height, bulk and siting, would result in a development that detracts from the rural character of the area - which is a landscape which is considered 'so precious' that it is protected for the nation; and, that the development would contribute towards light pollution that would adversely impact on the dark night skies status of the AONB – being one of its much valued and key attributes. The development is therefore contrary to Core Policy 51 and Core Policy 57 of the Wiltshire Core Strategy and paragraph 172 of the Framework.

3. The applicant has failed to demonstrate how the development would deliver net gains for biodiversity contrary to paragraph 170 of the Framework and Core Policy 50 of the Wiltshire Core Strategy.