

Date of Meeting	9 July 2020
Application Number	20/02218/FUL
Site Address	Land opposite Hungerford Road, A338, East Grafton, Marlborough, Wiltshire, SN8 3DF
Proposal	Erection of 15 dwellings with access onto A338, formation of bus stop layby on A338, parking and associated landscaping with change of use of agricultural land to residential garden land
Applicant	Mr David Lemon
Town/Parish Council	GRAFTON
Electoral Division	BURBAGE & THE BEDWYNS (Cllr Stuart Wheeler)
Grid Ref	425932 160568
Type of application	Full Planning
Case Officer	Andrew Guest

Reason for the application being considered by Committee

The Local Division Member has 'called-in' the application for the following reasons:

Scale of development, visual impact upon the surrounding area, relationship to adjoining properties, and design (bulk, height, general appearance).

1. Purpose of Report

The report assesses the merits of the proposal against the policies of the Development Plan and other material considerations leading to a recommendation, which is to refuse planning permission.

2. Report Summary

This is a full planning application to erect an estate of 15 dwellings (including 6 affordable units) with vehicular access from the A338, and associated parking and landscaping. The detailed layout incorporates a bus stop lay-by on the A338 (with crossing points) and pavements alongside most of this frontage. A small land parcel in the south-west corner of the site is proposed to be used as residential garden. The application follows a refusal decision in August 2018 for an identical proposal (ref. 18/11168/FUL).

East Grafton is defined as a 'Small Village' in the Wiltshire Core Strategy. The Small Villages do not have defined settlement boundaries, but in any event the application site lies outside of the confines of the village in open countryside.

The site and all surroundings lie within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). The agricultural land classification hereabouts is 'Grade 1'.

Grafton Parish Council supports the application.

Neighbour and third party consultation has generated representations from 10 parties – 8 objections; 1 support (CPRE); and 1 comments.

3. Site Description

The application site comprises an open parcel of land (c. 0.9 ha) mainly laid to grass, lying in countryside immediately to the south and east of the outer limits of East Grafton village. To all intents and purposes the site 'reads' as a paddock, although is used at least in part for the open storage of farm machinery. The site is generally level, with 'tractor access' from the A338 on its north side.

To the west side of the site is an established contemporary (early 2000's) estate of 9 houses – Granary Close – built on the site of a redundant farmyard; beyond this, and so further to the east, is the older core of East Grafton. To the north of the site (on the opposite side of the A338), is a further, slightly older (c. 1960's) residential development – Hungerford Road. To the east side are two detached bungalows – New Farm Bungalows – with open farmland beyond. To the south is open farmland.

The site and all surrounding land lies within the North Wessex Downs AONB. Likewise, the site and all surrounding land is classified as Grade 1 agricultural land. A relatively small part of the west side of the site lies within the East Grafton Conservation Area (land to the east, including Granary Close, lies within the conservation area). The site lies within the 40% affordable housing zone.



Extract from Wiltshire Core Strategy policy map
(green shading: AONB; brown line: conservation area; brown triangles: Grade 1 agricultural land)

4. Relevant Planning History

18/11168/FUL - Erection of 15 dwellings with access onto A338, formation of bus stop lay-by on A338, parking and associated landscaping with change of use of agricultural land to residential garden land – refused 19/08/2019

The reasons for refusal are as follows –

- 1 *Core Policy 1 of the Wiltshire Core Strategy sets out the 'Settlement Strategy' for the County, and identifies five tiers of settlement - Principal Settlements, Market Towns, Local Service Centres, Large Villages and Small Villages. Within the Settlement Strategy East Grafton is identified as a Small Village. The Principal Settlements, Market Towns, Local Service Centres and Large Villages have defined boundaries, or limits of development. Beyond the limits - and including the Small Villages - is 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, and at Small Villages in the countryside development will be limited to 'infill' within the existing built area (defined 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"); but outside these parameters, 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. The application site is not identified for development in a Development Plan Document or Neighbourhood Plan.

Core Policy 18 of the Wiltshire Core Strategy sets out the 'Spatial Strategy' for the Pewsey Community Area in which East Grafton lies. It confirms that over the plan period approximately 600 new homes will be provided in the Area consisting of a range of sites in accordance with Core Policies 1 and 2. The latest housing figures, published in the Wiltshire Housing Site Allocations Plan Topic Paper 3 Addendum (July 2018) confirms that the indicative requirement for the Wiltshire Core Strategy plan period (2006-2026) in the Pewsey Community Area has been met, i.e. the current residual requirement for the Pewsey Community Area is 0 dwellings due to completions and extant permissions. In identifying its supply of specific deliverable housing sites Wiltshire Council uses suitably defined sub-county areas as referred to in the Wiltshire Strategic Housing Market Assessment and the Wiltshire Core Strategy, titled 'Housing Market Areas'. The Pewsey Community Area lies within the East Wiltshire Housing Market Area. The Topic Paper also shows that there is at least an 8 year housing land supply in the East Wiltshire Housing Market Area at this time.

In terms of paragraphs 11 and 12 of the National Planning Policy Framework, this housing supply position confirms that the Wiltshire Core Strategy is not out-of-date in relation to housing supply in the East Wiltshire Housing Market Area; and in terms of paragraph 59, that the Core Strategy is "boosting significantly the supply of housing" in the Area in any event. It follows that further other, or 'windfall', sites, or sites delivered outside of any housing site allocations DPD or neighbourhood plan, are not required at this time.

The proposal is to erect 15 houses, etc. on land which is in the countryside and which does not comply with defined criteria for 'infill' development in Small Villages. Under Core Policies 1, 2 and 18, this does not accord with the Settlement and Delivery Strategies as a matter of principle. The Strategies are designed to ensure new development satisfies the fundamental principles of sustainability and so it follows that where a proposal such as this does not accord with them then it is unsustainable in this defining and overarching context. The site is not identified for development in a Site Allocations Development Plan Document, nor in a Neighbourhood Plan. Furthermore, there are no material considerations or exceptional

circumstances, including set out in other policies of the Plan (including Core Policy 44), which override the core policy's positions. The proposal is, therefore, contrary to Core Policies 1, 2 and 18 of the Wiltshire Core Strategy and paragraphs 10-12 of the National Planning Policy Framework.

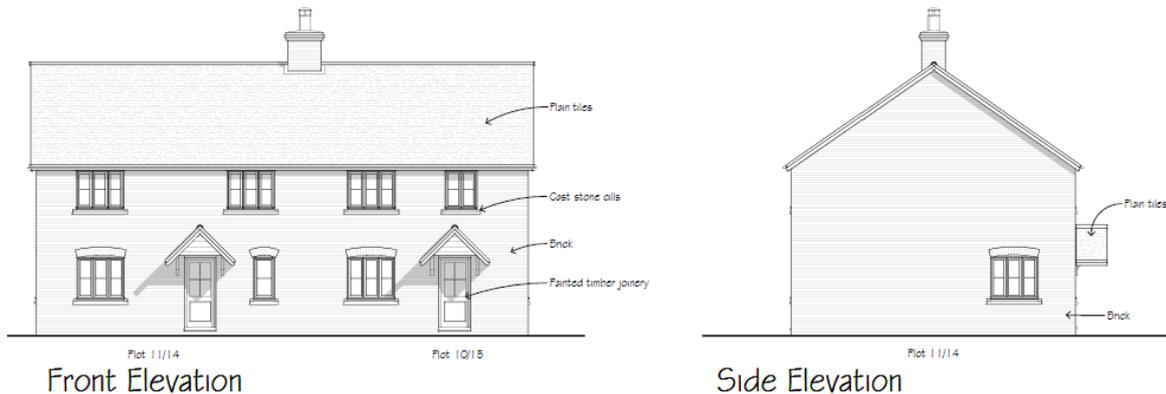
- 2 The application site lies within the North Wessex Downs Area of Outstanding Natural Beauty. In the context of paragraph 172 of the National Planning Policy Framework the proposal - for 15 dwellings on a c.0.9 ha site - comprises 'major' development. As there are no exceptional circumstances, and as the development is not required in the public interest, the presumption that planning permission should be refused for major development, as set out in the NPPF, applies. For reasons set out in reason for refusal no. 1, there is no 'need' for the proposed development; there is scope for residential development to be provided outside the designated area or in some other way; and the proposal would, in any event, have a detrimental effect on the environment and landscape.

Regarding landscape impact, the proposal would be detrimental to the Landscape Character Area (LCA) in which it is located, and would have harmful visual effects, albeit at a local level. In terms of the LCA, it is identified as having an essentially rural, agricultural character within which "small-scale, sensitively-designed development, associated with built form, could be successfully accommodated without adverse impacts". The proposal - being 'major'-scale (in terms of size and quantum of development); and being not sensitively-designed (in terms of form / layout of buildings, and resulting limited opportunities for landscaping/mitigation); and being not associated with existing built form (by encroaching on to open land and coalescing with other scattered development outside of the existing village) - would not be sympathetic to the specific LCA, and more generally would not protect, conserve or enhance the landscape character of the wider area. In terms of the visual effects, the local views towards the site are identified in isolation to be adverse. Again, by reason of the size/quantum of development and the insensitivities of the design (notably, with inadequate opportunities for meaningful mitigation), these impacts are considered to be unacceptable, the development failing to protect, conserve or enhance the visual amenities of the landscape hereabouts. This is contrary to Policies 51 and 57 of the Wiltshire Core Strategy and paragraphs 170 & 172 of the National Planning Policy Framework.

- 3 The application fails to provide any mechanism to ensure that the provision of essential infrastructure, services and amenities made necessary by the development can be delivered. The essential infrastructure, services and amenities include affordable housing, open space/recreation areas, highways infrastructure, and waste/refuse collection facilities (and/or contributions towards such infrastructure, services and amenities). This is contrary to Core Policy 3 ('Infrastructure requirements') and, more specifically, Core Policy 43 ('Providing affordable homes') and Core Policy 52 ('Green Infrastructure') of the Wiltshire Core Strategy and 'saved' Policies HC34 and HC37 of the Kennet Local Plan; and paragraphs 56-57 of the National Planning Policy Framework.

The proposed development, by reason of the number of market houses proposed and the size of the scheme fundamentally undermines the Council's approach to rural exception sites set out in Core Policy 44, and if approved, would set an undesirable precedent that could hinder the delivery of such affordable housing across the county.

- 4 **INFORMATIVE TO APPLICANT:** Notwithstanding reasons for refusal 1, 2 & 4, reason for refusal no. 3 may be overcome in the event of the applicant completing an appropriate planning obligation. The reason for refusal is necessary in the event that there is an appeal and such an obligation is not completed or not satisfactorily completed.



Typical elevations

The application is accompanied by a Planning Statement, Design and Access Statement, Landscape & Visual Impact Assessment, Transport Statement, Arboricultural Impact Assessment, Landscape Strategy, Waste Audit Report, Affordable Housing Report, Extended Phase 1 Ecological Survey Report, Flood Risk Assessment and Statement of Community Involvement.

The proposal is identical to that presented in the 2018 planning application, which was refused. The reason for the repeat application is explained by the application agent in the 'Executive Summary' of the accompanying Planning Statement as follows:

- 1.1 *This Full Planning Application for 15 homes on Land Opposite Hungerford Road, East Grafton has been resubmitted to Wiltshire Council, following the refusal of 18/11168/FUL, because this sustainable development remains needed and supported locally.*
- 1.2 *The LPA have now failed to demonstrate a five-year supply of deliverable housing sites in Wiltshire and this site represents a sustainable location for this development.*
- 1.3 *The scheme was developed in full consultation with the local community. Grafton Parish Council endorsed the original Housing Needs Survey that informed the unit mix. Thereafter, two public consultations were undertaken whereby 91% of respondents supported the principle, location and amount of development. The scheme remains supported by Grafton Parish Council and the majority of representations to 18/11168/FUL confirmed their support.*
- 1.4 *Any continued delay of this scheme will do nothing to support Wiltshire Council in their need for more homes. It will also achieve nothing when there is a need to deliver a suitable mix of open market and affordable homes locally where clear public support exists.*
- 1.5 *In response to reason for refusal 1 of 18/11168/FUL, there remains a unique set of circumstances justifying non-compliance with Core Strategy Policies CP1, CP2 and CP18, including the failure of the LPA to demonstrate a five-year supply of deliverable housing sites.*
- 1.6 *In response to reason for refusal 2 of 18/11168/FUL, there is no reasonable basis to conclude the scheme represents major development in the AONB. The local need and scale of the development is entirely consistent with the Parish of Grafton and*

there are no alternatives. The development is limited development in the AONB and the application is supported by the local community who live in the AONB and also agree the site is the most appropriate location to deliver limited housing growth. The scheme has attracted support from the North Wessex Downs AONB Board. The application remains supported by an expert LVIA that defines any impacts and establishes a wholly appropriate mitigation scheme.

- 1.7 *In response to reason for refusal 3 of 18/11168/FUL, the Applicant agrees to enter into an appropriate legal agreement to provide planning obligations.*
- 1.8 *In response to reason for refusal 4 of 18/11168/FUL, that application was never predicated on the basis of compliance with Policy CP44 and this scheme in no way hinders the delivery of affordable housing as it wholly complies with Policy CP43.*
- 1.9 *There remains a compelling case for Wiltshire Council to approve Full Planning Permission for this sustainable development in accordance with the Framework.*

6. Planning Policy and Guidance

Wiltshire Core Strategy

Core Policy 1 – Settlement Strategy
Core Policy 2 – Delivery Strategy
Core Policy 3 – Infrastructure Requirements
Core Policy 18 – Spatial Strategy for the Pewsey Community Area
Core Policy 43 – Providing Affordable Housing
Core Policy 44 – Rural Exceptions Sites
Core Policy 45 – Meeting Wiltshire’s Housing Needs
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
Core Policy 61 – Transport and Development
Core Policy 67 – Flood Risk

Kennet District Local Plan

Policy HC35 – Recreation provision on small housing sites

Other SPD / guidance

Grafton Village Design Statement 2004
East Grafton Conservation Area Statement 2005
Wiltshire Revised Planning Obligations SPD
Kennet Community Benefits from Planning SPG (relevant saved elements)

National Planning Policy Framework & Planning Practice Guidance

Relevant paragraphs referred to.

Consultations

East Grafton Parish Council: Support subject to conditions

1. *The PC considers Machinery Field to be within the village boundary of East Grafton.*
2. *The PC has purchased and installed a SID (Speed Indicator Device) along the A338 as part of the concerted efforts to manage the speed of vehicles entering and traversing the village. There has also been a traffic calming review undertaken by Highways and subsequent to this further traffic calming measures have been implemented. The PC will continue to monitor the speed of vehicles through the village since this remains a concern.*
3. *When vehicles use the proposed bus layby and people, more especially children, look to cross the road the PC would propose that the development contributes towards the cost of appropriate signage to ensure safe passage for pedestrians crossing the A338.*
4. *The plans need to ensure that surface water drainage from the development is carried away from the A338 and the village to ensure that there is not additional drainage water being pushed onto the road that in turn will flow down to the lowest point in the village.*
5. *Maintenance of the “common land” on the development. There is a concern regarding the management/maintenance of the area within the development which is not owned by residents. The Parish Council is unable to accept responsibility for this space and a robust, enduring legal framework is required to ensure that the land is correctly maintained in perpetuity. Any landscaping and planting will be in keeping with the area and any road frontage trees and or hedges will be maintained to ensure that visibility is not adversely impacted when joining the A338.*

WC Drainage: Holding objection

WC Ecology: No objection, subject to conditions

The site has been assessed for a range of habitat and protected species issues and the report includes a desk study, although no records search with the local biodiversity records centre has been included as would usually be expected, in this instance a satisfactory level of information is provided to allow determination of the report (on the basis of ecology).

The southern site boundary is likely to be an important wildlife corridor including for bats and is recommended for retention as a well established dark vegetation corridor. The proposal to retain and manage this as illustrated on the Landscape Plan is welcomed. The details of management should be provided within a Landscape Ecological Management Plan (LEMP).

The ecology report recommends suitable wildlife protection and enhancement measures through the clearance and construction phases. A lighting strategy to demonstrate dark site boundaries will be required,

These details should be secured through suitably worded condition.

WC Highways: No objection, subject to conditions

WC Housing: Comments on affordable housing requirement

.... The proposed development site falls outside the boundary of East Grafton, which is classified as a small village and applications of this nature would usually only be considered under Core Policy 44 as a Rural Exception Site (which is defined as 100% affordable

housing and up to 10 units only, to meet an identified need). It appears that the proposals would not comply with the rural exception site policy, and the proposal is therefore, contrary to Planning Policy and would not be supported.

In the event that the proposal is considered acceptable in planning policy terms, my comments and observations in respect of the affordable housing requirements are as follows:

Policy Requirements - Core Policy 43 of the Wiltshire Core Strategy, as currently amended by the National Planning Policy Framework, sets out a requirement for 40% on-site affordable housing provision: on all sites of 10 or more dwellings; or on sites of between 5 - 9 dwellings if the development site is 0.5ha or greater, within the 40% Affordable Housing Zone. There is therefore a requirement to provide 6 affordable units within a scheme of 15 dwellings. This would meet the policy requirement and would assist in addressing the need for affordable housing in the Pewsey Community Area where there is a high level of demand for both affordable rented and shared ownership housing.

Tenure Mix - To meet need the affordable housing units should be provided with a tenure mix of 60% of the units (6 units) being for Affordable Rented housing, and 40% of the units (2 units) being provided for shared ownership.

Unit Size Mix - Core Policy 45 of the Wiltshire Core Strategy states that housing size and type will be expected to reflect that of the demonstrable need for the community within which a site is located. There is currently a need for all sizes of affordable accommodation in the Pewsey Community Area. An indicative mix which would reflect current need would be:

Affordable Rented:

2 x 1 bed 3 person flats or bungalows

2 x 2 bed 4 person houses

Shared Ownership:

2 x 2 bed / 4 person houses;

However, I would welcome the opportunity to discuss and review the unit size mix as proposals develop.

Minimum Size and Design Standards - Affordable housing in Wiltshire is expected to meet high standards of design and quality, to be visually indistinguishable from open market housing, and to be evenly dispersed, in small clusters, within mixed tenure developments.

All affordable homes would need to be built to, at least, meet minimum size standards of the Homes & Communities Agency's published guidance relevant to the dwelling type (or any subsequent design guidance which may supersede it), as well as to meet required minimum person eligibility criteria. To ensure that the affordable housing units are eligible for inclusion in Homes England's Affordable Housing programme, we would advise that all affordable homes are built to meet at least 85% of the Nationally Described Space Standard (NDSS) relevant to the dwelling type and minimum person criteria. NDSS and 85% NDSS are shown in the table below:

NDSS and 85% NDSS

Number of bedrooms	Number of bed spaces	NDSS			Minimum 85% NDSS		
		1 storey (sqm)	2 storey (sqm)	3 storey (sqm)	1 storey (sqm)	2 storey (sqm)	3 storey (sqm)
Studio	1p	39 (37)*			34 (32)*		
1b	2p	50	58		43	50	
2b	3p	61	70		52	60	
	4p	70	79		60	68	
3b	4p	74	84	90	63	72	77
	5p	86	93	99	74	80	85
	6p	95	102	108	81	87	92
4b	5p	90	97	103	77	83	88
	6p	99	106	112	85	91	96
	7p	108	115	121	92	98	103
	8p	117	124	130	100	106	111
5b	6p	103	110	116	88	94	99
	7p	112	119	125	96	102	107
	8p	121	128	134	103	109	114
6b	7p	116	123	129	99	105	110
	8p	125	132	138	107	113	118

**Where a one person flat has a shower room rather than a bathroom the floorspace may be reduced from 39 sqm to 37 sqm (NDSS) or from 34 sqm to 32 sqm (85% NDSS).*

Transfer to Registered Provider – The affordable dwellings will be required to be transferred to a Registered Provider, approved by the Council, or to the Council on a nil subsidy basis.

It is strongly recommended that the applicant makes contact with Registered Providers and Wiltshire Council's Residential Development Team as soon as possible in order to discuss the best option for the affordable dwellings, including an indication of transfer prices that can be expected. A list of Registered Providers who work in partnership with Wiltshire Council can be provided on request.

Nominations - The Local Authority would have nomination rights to the affordable dwellings, secured through a S106 Agreement.

WC Public Protection: No objection

WC Trees: No objection, subject to conditions and a TPO

The proposed application is acceptable in principle however, the holding objection could be removed once the relevant information needed has been clarified.

As the proposed site is predominately within a rural setting, it must be essential to maintain the existing native species boundary hedging and to remove the southern hedge to the rear of plots 5-9 OUT of private ownership as this may lead to systematic removal of the hedge to open up views across the fields and to remove shading of the gardens.

The arboricultural impact assessment carried out by SJ Stephens Associates (13/06/18) identifies the following recommendation:

“The mature hedgerow along the southern boundary is comprised of two distinct hedgerows. To the front is a good quality thorn hedge, G19, with a line of goat willow, G18, growing to the rear. The canopies of the goat willow are extending up to 4m into the site. It is recommended that these trees are cut back to allow the thorn hedge to develop”.

A native species hedge should be planted to the east of plots 9-14 and again, removed from private ownership. As a council, we must insist on a biodiversity net gain as much as can reasonably be expected.

The AIA also states the following:

“The oak tree, T15, will be located within one new residential garden. The garden area extends to approximately 445m², with approximately 83m² covered by the tree canopy. The crown of the tree is approximately 2.5m from the corner of the proposed dwelling. The crown of the tree also extends over the neighbouring property to the east. The new development will increase the pressure for future pruning to control crown growth. However as oak trees are relatively tolerant of pruning it is considered that this work would be unlikely to threaten the future viability of the tree. Further the local authority could make the tree subject to a Tree Preservation Order, which would place control on all future tree work”.

It must therefore be considered to protect the Oak tree to the south east of the proposed site by means of a Tree Preservation Order so that the trees current characteristics are maintained. The proposed TPO would not affect the potential sale of the dwelling.

The proposed street tree planting must also be taken into consideration in regards to suitable sized planting pits that provide significant space for future incremental growth of the trees with suitable drainage and watering facilities especially during dry periods. The landscape management plan must include means to undertake regular watering of new trees as well as formative pruning for the duration of the management term.

Thames Water: Partial objection

Waste Comments - The proposed development is located within 15m of a Thames Water Sewage Pumping Station. Given the nature of the function of the pumping station and the close proximity of the proposed development to the pumping station we consider that any occupied premises should be located at least 15m away from the pumping station as highlighted as best practice in Sewers for Adoption (7th edition)'. The amenity of those that will occupy new development must be a consideration to be taken into account in determining the application as set out in the National planning Policy Framework (NPPF) 2019 at paragraphs 170 and 180. Given the close proximity of the proposed development to the pumping station we consider that it is likely that amenity will be impacted and therefore object. Notwithstanding this objection, in the event that the Local Planning Authority resolve to grant planning permission for the development, we would request that the following informative is attached to the planning permission: “The proposed development is located

within 15m of a Thames Water Sewage Pumping Station and this is contrary to best practice set out in Sewers for Adoption (7th edition). Future occupiers of the development should be made aware that they could periodically experience adverse amenity impacts from the pumping station in the form of odour; light; vibration and/or noise.”

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: “A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water’s Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

Surface Water - With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>

Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

Water Comments – Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Supplementary Comments –

If you are planning on using mains water for construction purposes, it’s important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/buildingwater.

North Wessex Downs AONB Unit: Support

The AONB is an expensive place to live with average house prices higher than outside of the AONB. The majority of developments provide 3 or 4 bed dwellings or executive homes which are often out of reach for young local adults wanting to stay in their community and get a foot on the property ladder, therefore they are forced to move to the large conurbations outside the AONB. Affordable housing is limited but highly sought after within the AONB and therefore we welcome this development which has taken on the needs of the community to provide local, affordable/starter homes that can serve East Grafton and some of the neighbouring hamlets. I have met with members of the policy and housing teams and those involved in community land trusts to try and work collaboratively to help find and secure sites for affordable housing and the opportunity that the local plan review can play in this. Affordable housing is an issue in all 3 of the AONBs within Wiltshire and it is something that the council needs to address, currently CP2 can be more of a hinderance than help in meeting the needs of local communities wanting to provide affordable housing, therefore the council should where the benefits outweigh the harm consider these as departure applications. The site if finished would enhance the entrance into the village along the A338.

A settlements character in many cases depends critically on the presence of green land within or adjoining it. Therefore, a site's location within an assumed boundary or within the visual built envelope of a settlement may not always make it suitable for development if it is of landscape, heritage or open space value. In my opinion the site does not fall within this, there is no physical or aesthetic interconnectivity with either the built or natural environment within the village or the wider AONB landscape. This may partly be down to its present use but also the strong reinforcement of the built environment that surrounds the site on 3 sides one of which sits at a slightly elevated position and dominates this end of the village and the open aspect of the site, locally and from long distance views.

The AONB unit agrees with the outcomes of the landscape assessment in that the impact of the development is local, specially from the approach into the village via Hungerford road, although classed as greenfield land the site is currently and has been used for some time as storage for agricultural machinery. The wider harm is negligible and locally minor, the proposed landscaping would enhance the character of the site and provide a natural connectivity to the neighbouring development to the west and the village beyond. The SUDs pond and new hedging if implement and maintained carefully can provide a biodiversity net gain. I do however believe there is some room for improvement in terms of the street layout to provide a larger central green space that would become the spine/trunk of the development.

There is room for improvement in terms of materials/design, a number of houses propose the use of flint, this is not a commonly used material within the village other than boundary walls, therefore I would recommend that this element is removed. Variation can be achieved using brick pattern and different brick colour (devil is in the detail and brick type must be carefully chosen), some of the pitched roof porch canopies could be altered to lean to style and one or two altered to include timber posts to help frame the building. Render/painted brick is a predominant finish within the village and this could be incorporated into the scheme. I would also go as far to request that plots 14/15 which face onto the road should act as a feature building and adopt a thatched roof design of thatch and lowered eaves, this can be achieved without affecting the internal space. Materials will be key making sure this development not only conserves but enhances the natural and scenic beauty of the AONB.

No street lighting is proposed which is welcomed by the AONB unit, dark skies are a special quality of the AONB and East Grafton is characterised by a lack of street lights. The neighbouring development to the west failed to factor this in and introduced street lights which has suburbanised the development. There is an existing street light on a telegraph pole fronting the site, this needs to be upgraded to an enclosed dimmable LED one, this

provides sufficient glow for the access into Hungerford Road and would provide the same for the proposed access into the site.

I believe that the infill definition given in the core strategy is a little restrictive and that the context of the site and the wider settlement should be taken into account. The site isn't merely bordered by a few dwellings but by substantial development, for which the density of the proposed would not appear contrived and would be a common sense approach as a natural extension of the village. The development as per CP2 seeks to meet the housing needs of the settlement and the wider area which;

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

The AONB is a nationally protected landscape where naturally development is more restrictive due to the sensitive nature of the landscape character, therefore development proposed has to be the right development (design/scale etc) in the right location and in the majority of applications this can't be achieved, in this instance we have a development that with some tweaks would fit comfortably within the local and wider landscape without affecting the existing balance of the built and natural environment in accordance with the North Wessex Downs AONB Management Plan (2019-2024) and para 18, 11, 170 and 172 of the NPPF and CP43, 45, 50 and 51 of Wiltshire's Core Strategy.

If you are minded to approve the AONB unit would respectfully request that conditions to attached including;

- no exterior lights without first gaining permission from the LA*
- removal of PD rights for extensions and outbuildings; and*
- no additional hardstanding's, including the use of artificial grass (drainage, character and climate change are all reasons to control this).*

Representations

The application has been publicised by neighbour letters, site notice and newspaper advert. Ten representations have been received – 8 objections; 1 support (CPRE); 1 comments (Salisbury & Wilton Swifts).

The objections are summarised as follows –

- Planning history – recent refusal of planning permission for identical proposal. No fundamental change in circumstances;
- Wiltshire Core Strategy - East Grafton is a 'Small Village' – 15 units too many and too ambitious in context and policy terms. Small villages only supposed to have infill when needed; East Grafton has insufficient amenities/infrastructure to support further major development. Sufficient housing already being delivered in area (six estates in recent years); too many houses now generally. Housing being provided elsewhere in more sustainable locations (Marlborough, Burbage);
- AONB - Major development like this not appropriate in AONB. Harmful to Landscape Local Character Area. Harmful to local public views;
- Highway safety – potentially 32-45 cars adding to existing traffic on roads and bottlenecks in and around East Grafton. Junction should not be staggered, rather directly opposite Hungerford Road;

- Ecology – existing field provides opportunities for wildlife;
- Affordable housing – not an exceptions proposal (CP44). Disproportionate numbers of affordable units;
- Residential amenity – loss of views/outlook from adjoining houses. Disturbance during construction;
- Maintenance - Methods for allowing maintenance of existing hedgerows unclear;
- Infrastructure - No mechanisms to deliver essential infrastructure made necessary by the proposal.

The support from CPRE states the following:

- *CPRE has no objection to the building of 15 dwellings on this plot.*
- *We are, however, concerned that the proposals give no indication of the use of heat pumps or solar panels, and grey water for recycling. In view of the Climate Change Emergency and the Council's commitment to net zero carbon by 2030, it is vital that sustainable measures for heating and for conservation of water resources should be employed in new developments.*

Salisbury and Wilton Swifts request inclusion within the development of nesting facilities for swifts.

Planning Issues

The main issues to be considered in this case are, firstly, the principle of the proposal; and secondly (and notwithstanding the conclusion on the principle), the impact of the specific scheme on detailed matters including landscape/visual amenity, agricultural land 'loss', highway safety, heritage, ecology, residential amenity and infrastructure provision.

9.1 Principle –

9.1.1 WCS Settlement and Delivery Strategies –

The Wiltshire Core Strategy sets out a 'Settlement Strategy' and 'Delivery Strategy' for development across the county. Core Policy 1 refers to 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 East Grafton is indicated to be a Small Village. Small Villages are defined as having a low level of services and facilities, and few employment opportunities. The Principal Settlements, Market Towns, Local Service Centres and Large Villages have defined limits of development. Beyond these limits is countryside. Small Villages do not have limits of development, and so for the purposes of the Core Strategy lie within 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, other in circumstances as permitted by other policies of the Plan (which are not relevant here), 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. The policy further states that at Small Villages development will be limited to infill within the existing built area and that it will be supported where it seeks to meet housing needs of the settlement provided this respects the existing character and form

of the settlement, does not elongate the village or impose development in sensitive landscape areas, and does not consolidate an existing sporadic loose knit area of development related to the settlement. 'Infill' is defined 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".

Proposed development which does not accord with the Settlement and Delivery Strategies will be deemed unsustainable in the overarching context and aims of the Wiltshire Core Strategy.

The proposal is to erect 15 houses on an approx. 0.9 ha site at the edge of, but outside, the existing 'built' area of East Grafton. In terms of Core Policy 2 this is unacceptable as a matter of principle. Notably, and with specific regard to the location (that is, outside of the existing built area and so in open countryside) the proposal would lead to elongation of the settlement (in a sensitive landscape area – more below); and, with specific regard to the size of the site and the quantum of proposed development, it would not be 'infill'. The proposal, therefore, fails to comply with the physical requirements of Core Policy 2 for new development at Small Villages and so under this policy amounts to unsustainable development in the countryside as a matter of principle.

9.1.2 Housing land supply –

In terms of the NPPF, paragraph 11 confirms that development plans should apply a presumption in favour of sustainable development. The paragraph continues by stating that for 'decision-taking' this means:

- (c) *approving development proposals that accord with an up-to-date development plan without delay; or*
- (d) *where there is no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
 - i. The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

Policies will be considered 'out of date' when a local planning authority cannot demonstrate a five-year supply of deliverable housing sites, or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the preceding three years.

The Core Strategy uses three 'Housing Market Areas' (HMAs) for its high-level disaggregation and measurement of the county's housing requirement, to ensure an appropriate distribution of housing across the county; East Grafton lies within the East Wiltshire HMA. The Core Strategy then drills down to defined 'Community Areas' within each of the HMAs, setting out more focused local spatial strategies. For the Pewsey Community Area in which East Grafton lies, the spatial strategy is set out at Core Policy 18. Core Policy 18 confirms that over the Plan period (2006 to 2026) approximately 600 new homes will be provided in the Community Area consisting of a range of sites in accordance with Core Policies 1 and 2. The recently adopted Wiltshire Housing Site Allocation Plan confirms that the overall pattern of growth in the East HMA is in general conformity with the WCS.

The most recently published Housing Land Supply Statement (dated August 2019, with a 'base date' of April 2018) sets out the Council's most recent interpretation of the housing supply position. For the Pewsey Community Area, it reveals 495 completions (2006 to 2018) and 142 developable commitments (to 2026); together these numbers meet the entire delivery target for the Pewsey Community Area (or in other words, the indicative remaining requirement is 0). Across the entire East Wiltshire Housing Market Area, the overall indicative requirement is 5,940 new houses, with already 4,039 completions and 1,996 commitments; again, these completions and commitments exceed the requirement. On the basis of this Housing Land Supply Statement – and notwithstanding its 2018 base date – it follows that there is, on face value, a more than adequate (6.67 years) supply of housing in the East Wiltshire Housing Market Area.

However – and notwithstanding the importance of Core Policies 1, 2 and 18 in the context of a plan-led system – these policies (in particular, CP1 and CP2) have more recently been found to be 'out-of-date' because at this time a deliverable five-year housing land supply cannot, in fact, be demonstrated, this confirmed in a very recent appeal decision¹. This situation has arisen in the context of supply now being measured across the whole of the wider Wiltshire Council area (that is, the area over which supply must be calculated using the 'standard method' now that the Wiltshire Core Strategy is more than five years old and its strategic policies have not been reviewed and found not to require updating²); and in the context of agreement being reached during the recent appeal hearing that not all of the commitments for the county as set out in the latest Housing Land Supply Statement are deliverable at this time³. In a nutshell, the recent appeal decision has confirmed and concluded that housing land supply across the wider Wiltshire area is presently, in fact, in the range of 4.42-4.62 years, which is below the minimum 5 years requirement. There have not been any material changes in the supply position since this new Wiltshire-wide range has been confirmed.

As referred to earlier, under NPPF paragraph 11(d), where the policies which are most important for determining an application are out of date, the presumption is for planning permission to be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the framework taken as a whole. But, even with paragraph 11(d) now triggered, the inspector in the recent appeal case still dismissed the appeal. There was more than one reason for his decision, but fundamentally – and in the context of the housing supply shortfall which he had himself confirmed – he concluded that there remains substantial benefit in maintaining a plan-led system here. The Inspector said –

“20. Even having regard to the above [the 5 yr land supply position], there remains substantial benefit in maintaining a plan-led system. The overall strategy of the CS to direct development to the most sustainable settlements remains desirable and accords with the objectives of the Framework.

¹ Appeal: Land at Purton Road, Swindon, dated 6 April 2020 (17/08188/OUT) – annex 1 to this report.

² NPPF paragraph 73: "... Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. ..." [unless these strategic policies have been reviewed and found not to require updating].

³ NPPF definitions: 'Deliverable' – "To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within 5 years. ...".

21. *Even at the lower end of the range agreed between the parties, there is a relatively modest shortfall in housing land in the Wiltshire Council area. The local housing need derived from the standard method is very similar to the housing requirement contained in the CS for the relevant five-year period and so there is no reason to think that the strategy will not continue to be effective, particularly in light of recent progress in adopting the Housing Site Allocations Plan. For all of these reasons, and notwithstanding that the policies are out-of-date, I attach significant weight to the conflict with policies CP1, CP2 and CP19⁴ of the CS.”*

With this in mind – and with due regard to the development plan as being the starting point for decision making anyway – it is considered that significant weight must continue to be given to the development plan at this time, this in the context of there being only a relatively modest shortfall in housing across the county, and no shortfall in housing in the specific Eastern Housing Market Area and Pewsey Community Area anyway. Accordingly, the normal general presumption against development which does not comply with the WCS Settlement Strategy (Core Policy 1) and Delivery Strategy (Core Policy 2) continues to apply, and the failure of the proposal to comply remains a sound reason for objecting now.

Further weight can be given to this stance having regard to the proposal’s additional, and specific, failure to satisfy the location and scale requirements for development at Small Villages, as set out in the Delivery Strategy. These requirements allow for ‘infill’ sites only, which are defined 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 site does not comprise a ‘small gap’ and is not ‘within’ the village, and the proposal – for 15 dwellings – is not for ‘a few dwellings’. This is covered in greater detail in the following section of this report.

The approach taken by the Purton Road inspector has been re-confirmed in a more recent appeal decision relating to a site at Paddock Wood, Warminster⁵. Here the Inspector set the scene, and reached conclusions on the continuing significance of the Wiltshire Core Strategy, in the following terms –

“11. At the time the Council refused planning permission for this proposal it could demonstrate a 5-year supply of deliverable housing sites, in accordance with the Framework, and the development plan policies therefore had full weight. However, shortly after determining this planning application the Council published an updated Housing Land Supply (HLS) Statement, which reduced its HLS assessment for the North and West Wiltshire Housing Market Area, within which the appeal site lies, to 5.07 years from the previous figure of 6.25 years.

12. Circumstances then changed again in February 2020 when, at an appeal elsewhere in Wiltshire, the Council confirmed that it was unable to demonstrate a 5-year HLS when assessed against the Local Housing Need (LHN) for Wiltshire, which became a requirement after 20 January 2020, when the adopted WCS became 5 years old, and when paragraph 73 of the Framework came into effect. When tested against the LHN the Council accepted that it could only demonstrate a HLS somewhere between 4.42 and 4.62 years.

13. The Framework explains, in paragraph 11(d)(ii) that where the policies which are most important for determining an application are out-of-date (which includes where a Council’s HLS does not accord with the Housing Delivery Test – as here), then planning permission

⁴ CP19 was the relevant Community Area policy for the appeal; CP18 is the equivalent policy relevant to the Pewsey CA.

⁵ APP/Y3940/W/20/324500 – Paddock Wood, Warminster, dated 16 June 2020.

should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

14. *With these points in mind it is not possible to give full weight to the aforementioned Core Policies. But as very little additional information on the current HLS situation has been supplied by either party, it is difficult to assess the implications of the existing shortfall with any certainty. The Council has, however, drawn my attention to comments made by the Inspector in the aforementioned Purton Road appeal, namely that even at the lower end of the agreed HLS range there is a relatively modest shortfall in housing land in the Council's area; that there is no reason to think that the WCS will not continue to be effective, particularly in light of recent progress in adopting the Wiltshire Housing Site Allocations Plan; and that there remains substantial benefit in maintaining a plan-led system.*

15. *No firm evidence has been submitted to cause me to reach a different view to my colleague Inspector on these matters, and I therefore consider it appropriate to still give significant weight to Core Policies 1, 2 and 31. Against this policy Framework it is clear that as the appeal site lies outside the defined settlement boundary for Warminster, the proposal would not represent sustainable development. The site was not considered as part of the Council's Strategic Housing Land Availability Assessment, nor was it brought forward as a possible housing site as part of the recently completed Wiltshire Housing Site Allocations DPD. The submitted evidence also makes it plain that this site was not considered for housing development as part of the process to make the Warminster Neighbourhood Plan 2015-2026.".*

This very recent appeal decision confirms that 'significant weight' should continue to be given to Core Policies 1, 2 and 18 in relation to which the proposal fails to comply.

9.1.3 Wiltshire Housing Site Allocations Plan and 'Neighbourhood Plans' –

As set out above, Core Policy 2 (Delivery Strategy) of the Wiltshire Core Strategy defines the level of growth appropriate within the built-up areas of Small Villages as 'infill'. Infill is defined 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 WCS states that exceptions to this approach will only be considered through the neighbourhood plan process or DPDs.

The proposal – for 15 dwellings on land outside the 'built' area of East Grafton – does not meet the Small Village's definition of infill. Indeed, the proposal does not even meet the definition of acceptable development at the next, higher, tier in the Settlement Strategy – that is 'Large Villages' where 'small housing sites' within settlement boundaries are acceptable, defined as ".... sites involving fewer than 10 dwellings (i.e. not a major application)".

The recently adopted Wiltshire Housing Site Allocations Plan (DPD) revises (where necessary) settlement boundaries and allocates new sites for housing in order to maintain a five-year land supply in each of the county's three Housing Market Areas. It does not provide for any sites at East Grafton, including the application site. Sufficient other sites are proposed to be allocated in the Plan to meet the Eastern Housing Market Area's housing needs.

There is no neighbourhood plan – either made or in preparation – for East Grafton. The Wiltshire Housing Site Allocations Plan states that in locations where there may not yet be an appetite to prepare a neighbourhood plan, the Plan has considered how these neighbourhoods can accommodate additional housing and has allocated sites accordingly. As stated above, this process – based on need within the wider Housing Market Area and

the circumstances of East Grafton – has resulted in there being no allocated sites in East Grafton, including the application site.

9.1.4 Grafton Parish Housing Survey –

The planning application is accompanied by a ‘Parish Housing Survey’, base-dated July 2016, and endorsed by Grafton Parish Council. According to the Planning Statement accompanying the application, the survey’s purpose was to determine whether or not local people have a need for additional housing across a variety of open market and affordable tenures in the Parish.

Notwithstanding the work undertaken by the Parish to complete the survey, in preparing the Wiltshire Core Strategy full regard was given to the housing needs of the county, and how the needs should be dispersed. As already referred to, the WCS contains a ‘Settlement Strategy’ (Core Policy 1); it identifies the different tiers of settlement within the County based on an understanding of the role and function of all settlements and how they interact with their immediate communities and their wider hinterlands. In doing this the Settlement Strategy, coupled with the ‘Delivery Strategy’ (Core Policy 2), defines where, and at what scale, development will be most sustainable, this ‘drilling down’ all the way to the Small Villages, such as East Grafton.

To further explain the strategies, at its highest level the Settlement Strategy has ‘Principal Settlements’ which are defined as strategically important centres, and so the focus for development (e.g. Chippenham, Salisbury and Trowbridge); at the next level, ‘Market Towns’ are recognised to have the potential for significant development that will increase jobs and homes in order to sustain and, where necessary, enhance their services and facilities (e.g. Devizes, Marlborough and Tidworth/Ludgershall); next, ‘Local Service Centres’ (smaller towns and some larger villages, e.g. Pewsey) will provide modest levels of development in order to safeguard their role and to deliver affordable housing; then in the ‘Large Villages’, which have a limited range of employment, services and facilities, development is limited to small housing and employment sites (‘small’ defined as sites involving fewer than 10 dwellings), (e.g. Burbage and Great Bedwyn); finally, the ‘Small Villages’ being within the countryside are limited to very modest development in the form of infilling.

So, although the Core Strategy uses Housing Market Areas for its high level disaggregation and measurement of the county’s housing requirement, to ensure an appropriate distribution its Settlement and Delivery Strategies further define what, in terms of sustainability, is appropriate to meet the more local requirements of the actual settlements – from the largest to the smallest. This prevents settlements from receiving un-balanced levels of growth, and allows each Community Area to accommodate housing having regard to its constraints and opportunities. It also builds-in flexibility – notably, to allow “.... local communities preparing neighbourhood plans, to respond positively to opportunities without being inhibited by an overly prescriptive, rigid approach which might otherwise prevent sustainable development proposals that can contribute to maintaining a deliverable five-year housing land supply and delivering the strategic objectives of the plan”.

So, where there is not a neighbourhood plan the delivery Strategy in any event defines the level of growth appropriate within the built-up areas of Small Villages, and this is ‘infill’. This planned approach is not changed by other factors such as local housing needs surveys. The Core Strategy concludes, “Exceptions to this approach will only be considered through the neighbourhood plan process or DPDs”.

9.1.5 Affordable Housing –

The WCS makes it clear that under Core Policy 44, where the site is outside but adjoining a settlement, (as in this case) a scheme for wholly affordable housing will often be supported, where it has clear support from the local community and the environmental and landscape impacts, amongst others, are acceptable. Normally, such schemes are restricted to up to ten dwellings in size.

This scheme is not for wholly affordable housing – in fact, it is a minority of houses that are proposed to be affordable. No viability argument has been presented to demonstrate the need for even a small proportion of the site to be market housing – in fact, the majority of the site is for market housing. The scheme is also larger than the up to ten dwellings referred to in CP44, and there is not clear support from all of the local community.

The importance of this conflict with policy should not be underestimated. If landowners begin to believe that the Council will grant planning permission for sites adjoining but outside of settlements where the majority of housing will be market housing, then the incentive to release land for Community Land Trusts, etc., for affordable housing in locations adjoining to or well related to existing settlements is fundamentally undermined.

9.2 Landscape impact

The application site lies within open countryside forming part of the North Wessex Downs Area of Outstanding Natural Beauty (AONB).

9.2.1 Policy background –

Core Policy 51 ('Landscape') of the WCS states that new development should protect, conserve and where possible enhance landscape character, with any negative impacts mitigated as far as possible through sensitive design. The policy states that proposals should be informed by and be sympathetic to the distinctive character areas identified in relevant Landscape Character Assessment(s) and any other relevant assessments and studies; and proposals will need to demonstrate that the following matters in particular have been taken into account and landscape conserved and enhanced as appropriate:

- The separate identity of settlements and the transition between man-made and natural landscapes;
- Visually sensitive skylines, soils, geological and topographical features;
- Landscape features of cultural, historic and heritage value;
- Important views and visual amenity;
- Tranquillity and the need to protect against intrusion from light pollution, noise and motion; and
- Landscape functions including places to live, work, relax and recreate.

Core Policy 57 ('Ensuring high quality design and Place Shaping') provides more general development control standards, requiring new development to, in particular, respond positively to existing townscapes and landscape features in terms of building layouts, built form, height, mass, scale, building lines, etc., to effectively integrate development into its setting. It also requires the retention and enhancement of existing important landscaping and natural features, including trees, hedgerows and watercourses.

Paragraph 170 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by, in particular, protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils "... (in a manner

commensurate with their statutory status or identified quality in the development plan)”; and recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – “.... Including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland”.

With particular regard to AONB’s, paragraph 172 of the NPPF states that great weight should be given to conserving and enhancing their landscape and scenic beauty, which have the highest status of protection in relation to these issues (alongside National Parks and the Broads). The paragraph further states that planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of

- a) *The need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
- b) *The cost of, and scope for, development outside of the designated area, or meeting the need for it some other way; and*
- c) *Any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated”.*

For the purposes of this paragraph, the NPPF explains that whether a proposal is ‘major’ AONB development is a matter for the decision maker, taking into account “... its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined”.

In this case, having regard to the scale of the proposal (that is, 15 units) and its setting (that is, in open countryside outside of the East Grafton ‘Small Village’), **and** having regard to the Settlement and Delivery Strategies of the Wiltshire Core Strategy referred to already (which limit development to ‘infill’ only within the Small Villages), the proposal is considered to be ‘major’ AONB development in its context.

9.2.2 Landscape and Visual Impact Assessment –

The application is accompanied by a Landscape and Visual Impact Assessment (LVIA) which assesses the landscape and visual effects of the proposal. It does this by applying established LVIA methodology – to define baseline conditions and then to assess the landscape and visual effects of the proposal; it also considers mitigation as necessary. The Assessment explains:

“The LVIA is a tool used to identify and assess the likely Significance of Effects of change resulting from development, both on the landscape as an environmental resource in its own right and on people’s views and visual amenity. Landscape Effects relate to changes in the landscape character, elements, and features as a result of development. Visual Effects relate to the appearance of development, its effect on specific views and on the general visual amenity experienced by users of the landscape. The Nature of Effect as a result of development can be Positive, Adverse or Neutral”.

9.2.3 Landscape Effects –

Landscape character may be defined as the distinct and recognisable pattern of elements that occur consistently in a particular type of landscape, and how this is perceived by people. It reflects particular combinations of geology, landforms, soils, vegetation, land use and human settlement. It creates the particular sense of place experienced in different areas of the landscape. Landscape impact is determined by combining the sensitivity of the landscape resource with the magnitude of landscape change.

In terms of baseline conditions, the application site is located within the 'Berkshire and Marlborough Downs' National Landscape Character Area. In 1998 Kennet District Council published the Kennet Landscape Character Assessment (East Wiltshire Landscape Character Assessment (EWLCA)). The document's main objective was/is to increase understanding of the landscape resources of East Wiltshire, to assist with policy formulation and development management and to assist with the targeting of resources for enhancement and management of the landscape. The site falls within LCA9: 'Vale of Pewsey', specifically LCT: Open Arable or Mixed Farmland (also referred to as Open Chalk and Greensand Lowland). The EWLCA describes LCA9's character and sensitivities as follows:

"The Vale of Pewsey forms a broad, low-lying landscape unit separating the two main chalk upland blocks of the Marlborough Downs and Salisbury Plain to the north and south. It is dominated by intensive agriculture and characterised by a mixed pattern of farmland, woodland and hedgerows. The Vale has for hundreds of years been the economic heart of the Kennet District [East Wiltshire] area, and encompasses the great majority of the settlements in the District. These have developed in the rich and sheltered agricultural land present.

Landscape and Visual Character:

The flanks of the Vale retain the wide open character found on many of the upland chalk areas, where intensive arable farming dominates. These create long views east and west along the Vale, while views north-south, except from more elevated positions, are interrupted by hedgerow trees and small blocks of woodland. The core areas of the Vale are generally better vegetated with more enclosed fields, although many areas remain with very large fields and a weak or declining hedgerow structure. Landscape quality is enhanced in a number of locations by attractive parkland and areas of estate farmland. Areas of pasture on the Vale floor, particularly those associated with the catchment of the Avon, are very attractive where they pass through enclosed farmland, but become less well defined within open arable areas.

Development Sensitivities:

- *the whole area has an essentially rural, agricultural character within which only small-scale, sensitively-designed development, associated with existing built form, could be successfully accommodated without adverse impacts;*
- *remnant pastures and meadows along the vale floor represent a scarce landscape and ecological resource, making them particularly unsuitable for development;*
- *areas of enclosed farmland with an intact hedgerow structure are more visually contained. These areas are potentially more able to accommodate that essential development which must be located in the countryside, but only where it would not compromise their rural, unspoilt character;*
- *the open arable landscapes along the Vale fringes and which appear as higher ground or ridges within the Vale are particularly visually sensitive and built development would be highly prominent and exposed;*
- *areas of parkland or estate landscape have particularly distinctive and attractive qualities and are sensitive to development;*
- *the Greensand scarps, which are very visually prominent from the clay vale to the west, are also of high landscape quality and sensitive to development;*
- *mosaics of woodland and farmland are more visually contained. In landscape and visual terms they may be able to accommodate change which would not adversely affect their attractive, rural and unspoilt character.*

- *strong landscape 'edges' and structure need to be maintained or established around the fringes of the main settlements to enhance their settings, to minimise impacts on surrounding countryside and to prevent the coalescence of linear settlements, e.g. at the far western end of the Vale*". [emphasis added].

In 2005, the Kennet Landscape Conservation Strategy (KLCS) classified the area in which the site is located as being also within the 'Vale of Pewsey' Landscape Character Area. The KLCS's conclusions on the character and sensitivities of the landscape closely match those of the earlier EWLCA. Its specific objectives for the Vale of Pewsey LCA are as follows:

The Vale of Pewsey has an essentially rural, agricultural character, and this character must be retained. Development possibilities are restricted, with sensitively designed residential development located within and bordering existing settlements. It is essential that, in particular, the spring-line villages do not coalesce and therefore strong landscape buffers, using indigenous woodland species in combination [with] open space and shrub and hedge planting, will be required where development on the periphery of a settlement is deemed acceptable. This will ensure that the integrity of the individual settlements is retained, at the same time as integrating new development into the landscape and softening the hard edges of the built environment.

Using this baseline information the LVIA draws a number of conclusions on landscape effects, set out as follows:

5.2.2 The site itself does not represent a specific feature or element defined as a key characteristic of the study area or the AONB, but it does form part of the broader key characteristics in respect of the typical compact nucleated villages which dominate the built form of the Vale of Pewsey. The nature of the development, being a residential development contained within the existing built form, means that the proposals will be in keeping with the development sensitivities of the Vale of Pewsey as described in the East Wiltshire Landscape Character Assessment LCA 9: Vale of Pewsey, which states: 'the whole area has an essentially rural, agricultural character within which only small-scale, sensitively-designed development, associated with existing built form, could be successfully accommodated without adverse impacts'.

5.2.3 The development proposed will have a high level of containment within the wider landscape. As opposed to the creating [of] an isolated feature within the landscape, it will be located within the established residential context of the village. Furthermore, while there will be an overall increase in built-form, the proposed development is sited in such a way that the residential edge of East Grafton as a whole does not become unduly prominent nor detract from the wider landscape. ...

5.2.6 The development proposals will not conflict with the relevant key issues, strategies, objectives and policies identified across the relevant Character Assessments. Additionally, the proposals are not considered inappropriate in respect of the key issues identified in the North Wessex Downs AONB Management Plan 2014–19. The site is somewhat exceptional within the AONB, but it is considered that in landscape and visual terms it passes the test under the section entitled 'Built environment and New Housing' and The North Wessex Downs AONB Housing Position Statement, which requires strict tests to minimise the impact on the landscape. It states that in principle small-scale housing in larger villages may be supported where landscape and other planning issues have been resolved. It is accepted that East Grafton is not, in planning terms, a larger village, however, the site has attributes which make this site particularly well-contained and suitable for the form and scale of the development proposed.

5.2.7 *At a local and regional level, the Landscape Value of the study area as a whole is High, due to its location within the North Wessex Downs AONB but also taking into account the area's various natural environment and heritage assets and recreational value. The overall Susceptibility to Change is Medium as, while the proposed development will represent the loss of an area of agricultural land, the proposals will be in keeping with the village's established character and will be well contained within the landscape. As such, this study considers the Overall Landscape Sensitivity of the site within the surrounding landscape to be High - Medium.*

5.2.8 *In terms of the Overall Magnitude of Landscape Effect resulting from the proposals, any change has to be considered in terms of the key elements and features that will definitely be affected and those that will potentially be affected, as well as the importance of these elements and features as part of the wider landscape. While the proposals will result in a new area of development, they will not result in the loss or alteration of any key elements, features and characteristics of the baseline condition, furthermore development will not significantly change the pre-development condition of the landscape as a whole. As such, the Overall Magnitude of Landscape Effect is Slight. The development proposals have an Overall Significance of Landscape Effect of Moderate – Moderate/Minor, which is not significant when considered under the LVA methodology used in the appraisal.*

5.2.9 *The proposals will be in keeping with the prevailing character of the eastern part of East Grafton and will not affect important elements and features of the wider landscape of the study area, they will however result in an increase in built-form in the immediate area. As such, while the nature of effect from within the immediate vicinity is considered Adverse due to the loss of the paddock, the Overall Nature of Landscape Effect is Neutral”.*

These conclusions of the LVIA are not entirely accepted. Firstly, it is not agreed that the proposal is for “... a residential development contained within the existing built form ...”. The existing built form of East Grafton effectively ends at Granary Close to the east of the application site and Hungerford Road to the north. The application site, which is essentially a field outside of the built area of the village, is in open countryside.

Secondly, and leading on from the first point, it is not accepted that the proposal is “... in keeping with the development sensitivities of the Vale of Pewsey as described in the East Wiltshire Landscape Character Assessment LCA 9: Vale of Pewsey, which states: ‘the whole area has an essentially rural, agricultural character within which only small-scale, sensitively-designed development, associated with existing built form, could be successfully accommodated without adverse impacts’”. Rather, the proposal is for development of ‘major’-scale (not ‘small-scale’) which by reason of this would cause significant encroachment, so effecting the existing transition between the established village and the countryside; and causing a coalescence of the village with the isolated bungalows (New Farm Bungalows) located further to the east. Accordingly, the proposal actually fails the sensitivity ‘test’ set out in the EWLCA which states that only small-scale and sensitively-designed development associated with existing built form can be accommodated within this landscape character area without adverse effects being caused to its rural and agricultural character.

With particular regard to the ‘major development’ status of the proposal, there are considered to be no exceptional circumstances to override the paragraph 172 presumption against such development in the AONB. Specifically – and with due regard to the current county-wide 5 yr land supply position (as considered and concluded on by the ‘Purton Road’ appeal inspector) and as already discussed – the adequate supply of housing in the applicable housing market area demonstrates no need for the development; and should there be future need then this could be delivered elsewhere or in accordance with housing delivery policies which allow for more sensitively-scaled ‘infill’ development within the Small

Villages anyway. And, notwithstanding the conclusions of the LVIA, the effects of a major-scale development outside of this Small Village are 'adverse' in the context of the Landscape Character Assessments, undermining the essentially rural and agricultural character of the area. All in all, the unacceptability of the proposal in terms of national AONB policy compounds the local landscape impact objection.

9.2.4 Visual Assessment –

The visual effects of proposed development are the changes that arise in the composition of available views as a result of changes to the landscape and the degree to which these changes affect the overall amenity and character of an area.

The LVIA assesses a number of views, and its initial conclusions on sensitivity are agreed. These are as follows:

“5.3.4 The Overall Visual Sensitivity of the study area is considered High/Medium, taking account of the potential for residential views, as well as the well-used PRow network within a sensitive part of the AONB. However, the visual envelope of the site is comparatively limited when taking account of the potential for elevated views from the east and south, with existing dense vegetation being a key mitigating feature, often obscuring views. Additionally, the existing built form of East Grafton precludes any views from the west and north. Furthermore, the development, while visible as a new feature within the local village landscape, will predominantly be seen in the established existing residential context of the eastern part of East Grafton. There is potential for some notable, close distance views, however the effect of these will be extremely localised. As such the Overall Magnitude of Visual Effect, where the site may be visible is considered to be Moderate – Slight, resulting in the Overall Significance of Effect being considered Moderate, which is not significant when considered under the LVIA methodology used in the assessment.

5.3.5 The proposals will see a change to the make-up and balance of the view from several local viewpoints, with the development being noticeably prominent from views directly adjacent to the site and from the residential areas surrounding it. However, the overall visual character of the wider study area will remain unchanged due to the high level of containment of the site. As such, while there will be some local Adverse effects, the Overall Nature of Visual Effect on receptors across the study area is considered to be Neutral”.

It is agreed that more distant views of the application site are screened, or broken-up, by established hedgerows/tree belts, landform or intervening development, including East Grafton village itself. Some views from the east have established development in East Grafton providing a 'built' back-drop.

In some very local views – notably, from the A338 – the impact is recorded as 'adverse'. Notwithstanding the LVIA's conclusion on the overall combined 'neutral' effect in all views, the local adverse impacts are of concern. They are compounded by the scale and form of the proposal, and the resulting limited opportunities (that is, c/o meaningful un-built space) to introduce beneficial mitigation to soften the visual effects of the development and so maintain and/or create an appropriate transition with the countryside, as effectively provided by the existing field. In a sensitive AONB, this is unacceptable, neither conserving, nor achieving enhancement of, the landscape.

Overall the proposal is, therefore, considered to conflict with Core Policies 51 and 57 (and the NPPF) in that it does not protect, conserve or enhance landscape character, and its negative impacts are not adequately mitigated through sensitive design.

9.2.5 Agricultural Land –

As set out above, paragraph 170 of the NPPF states that planning 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 – including the economic and other benefits of the best and most versatile agricultural land”.

In this case the application site supports Grade 1 agricultural land according to Agricultural Land Classification records. Grade 1 is excellent [the highest] quality agricultural land, on which a very wide range of agricultural and horticultural crops can be grown and where yields will be high.

In taking into account this classification of the land it is material that the site is relatively small – c. 0.9 ha – and that the land is not currently being used for the growing of crops (it is used at least in part for the open storage of farm machinery). For these reasons in this particular case the loss of the land from agriculture is not considered to be a sustainable reason for refusing planning permission.

9.3 Highway Safety

In view of the failure of the proposal to comply with the Settlement and Delivery Strategies of the Wiltshire Core Strategy and so comprise unsustainable development, the WC Highways Officer raises objection as a matter of principle. The concern relates to occupiers of the development being reliant on travel by motor-car, which is unsustainable.

In terms of the detailed layout, the WC Highways Officer is satisfied that the proposal is satisfactory in terms of the access, visibility, parking and turning arrangements. There is support for the proposal to provide pavement and crossing improvements and a bus stop lay-by.

9.4 Heritage

A small section of the application site on its west side lies within the East Grafton Conservation Area. Granary Close (to the west) also lies within the Conservation Area. Granary Close is relatively recent development, and it now largely screens the site from the historic core of the village / conservation area further to the west. That part of the conservation area comprising mainly open land to the south–west of the site is also largely screened by hedgerows and trees.

All in all, it is not considered that the conservation area would be affected by the proposals. In terms of the NPPF the impact on East Grafton Conservation Area would be no worse than neutral.

In terms of historic buildings, the core area of the East Grafton Conservation Area supports a cluster of listed buildings and other non-designated heritage assets. However, they are sufficiently separated from the site and/or contained within their own small-scale and domestic settings to ensure no adverse impacts. Again, in terms of the NPPF the impact on historic buildings would be neutral and/or no impact.

9.5 Ecology

The application is accompanied by an Extended Phase 1 Ecological Survey. Although dated March 2019, it is, under the circumstances of the site, considered to be sufficiently recent to be relevant. Its self-explanatory summary states the following:

“The site does not lie within or adjacent to any protected sites and is close mown grassland that is used for agricultural storage.

The mature trees and hawthorn hedge along the southern boundary provide suitable habitat for nesting birds and any works to these should avoid the nesting season, which is between March and August (inclusive).

The grassland is kept mown, making it of limited suitability for common species of reptile and amphibians. This mowing regime should continue until works on site commence, to deter these species from moving in to the working area.

An eDNA survey of the only pond within 250m of the site which holds water was negative for great crested newts. This species is not considered to pose a constraint to the development of this site.

There are no further ecological constraints to the residential development of this site but recommendations for ecological enhancement are made”.

9.6 Residential amenity

Established residential development adjoins the site on its west and east sides. To the west side is Granary Close. The gap between the rear elevation and common boundary of the closest proposed units (nos. 3 and 4) with Granary Close is c. 15m, with an overall ‘back to back’ separation (with no. 3 Granary Close) of c. 30m. A buffer planting strip is proposed to be planted inside the rear boundary of the new units. These measures / separation are sufficient to ensure adequate privacy for the existing and proposed residents. Units 1 and 2 are proposed to be single storey in any event.

To the east are New Farm Bungalows. The gap between the rear elevation of the closest proposed units (no. 10 and 11) and the common rear boundary with New Farm Bungalows is c. 12.5m, with separation of, c. 22.5m (to corner of bungalow). This is an acceptable separation to achieve adequate privacy for the occupiers of New Barn Bungalows.

9.7 Drainage

The site lies within an area classified as Flood Zone 1, the low fluvial flood risk area.

The WC Drainage Engineer has raised a holding objection to the initial submissions in view of insufficient supporting information. Specifically, the Drainage Engineer requires a detailed drainage scheme to be presented with the planning application.

As part of the earlier planning application additional data was provided by the applicant’s drainage consultant, this including infiltration testing to demonstrate that proposed soakaways have a clearance of at least 1m from the groundwater level, allowing for seasonal variations. The application agent also made the following further supporting statement –

“In response to the Drainage Officer consultation , the FRA has been updated to include details of preliminary infiltration testing undertaken mid-February (groundwater peak), revised greenfield runoff rates which reflect [the] recommended 5l/s/ha and confirmation that Thames Water support the development in respect of foul water drainage.

The consultant has added information relating to infiltration drainage following the receipt of infiltration test raw data from the applicant Mr Lemon. Whilst the tests were not

undertaken in strict accordance with the industry standard BRE Digest 365 methodology, these provide sufficient information for the consultant to derive an indicative infiltration coefficient and therefore provide preliminary infiltration storage estimated requirements. The tests indicate that the site is geologically conducive with infiltration drainage, however reservations in relation to the level of groundwater in years wetter than the one which we have just experienced are maintained. The consultant has advised that the detailed design, to be established and details to be submitted pursuant to a pre-commencement planning condition, should include BRE365 compliant infiltration testing and pay further regard to the probable groundwater conditions over the lifetime of the development.

The consultant has also reviewed the greenfield runoff rate estimates in respect of an attenuation lead drainage system and included a revised estimate for less permeable soils (FSR WRAP 4), in addition to that already discussed (FSR WRAP 1). The FRA also provides an additional attenuation storage estimate to reflect the revised limiting discharge rate (1.5l/s).

Lastly, in paragraph 8.5, the FRA has been updated to reference the Thames Water consultation response in which they accept that foul water may discharge to the public sewer network.

In view of this the FRA was/is able to conclude that the likely means of surface water drainage would be open green SuDS such as ponds, basins and swales in the undeveloped areas of the site. The detailed design of this, and further infiltration testing to confirm the capacities, would now reasonably be a matter for conditions in the event of planning permission being given.

9.8 Other infrastructure made necessary by the proposed development

Core Policy 3 of the Wiltshire Core Strategy requires all new development to provide for necessary on-site and, where appropriate, off-site infrastructure requirements arising from it. Where relevant this must be in accordance with other policies of the Strategy – CP43 & CP45 relating to affordable housing, CP62 relating to highways and transportation, CP52 and ‘saved’ HC34 relating to open space, and ‘Waste storage and collection: guidance for developers’ SPD. Saved policy HC37 relating to provision of education is not applicable because the proposed quantum of development is below the threshold.

On affordable housing, the application proposes 6 of the 15 dwellings to be affordable units; this amounts to c. 40%. As noted above, at Small Villages, Core Policy 44 (Rural Exceptions Policy) supports exceptionally a proactive approach to the provision of affordable housing, “solely for affordable housing”; the proposal is not solely for affordable housing, and the quantum / scale of development is too great in any event with environmental / landscape implications already referred to. Core Policy 44 states that the inclusion of open market housing within a rural exceptions proposal will not normally be supported except in exceptional circumstances, including when the majority of the development is for affordable housing and it has been demonstrated through financial appraisal that the scale of the market housing component is essential for the successful delivery of the development. These exceptional circumstances do not apply in this case.

On open space, the scale of the development does not readily lend itself to on-site provision of play space. An off-site contribution is, therefore, required towards an on-going project to improve existing play facilities at the Green. Using current calculators this is £21,440.41.

On refuse collection, the requirement is for a financial contribution towards to cost of refuse collection containers for each dwelling. The total cost is £1,365 (2015 calculator).

On highways, 'S278/38' agreements would be required to deliver the highway works – including pavements, crossing points and the bus lay-by.

Health facilities come under 'essential infrastructure' in Core Policy 3, and Chapter 9 of the Revised Planning Obligations SPD allows for the funding of health facilities through s106 where there is a direct link to development, although this would normally be applied to larger proposals generating a need for new infrastructure. For this reason, a health contribution is not considered reasonable under the CIL tests as the site is too small to require specific infrastructure to be required.

The applicant has agreed the infrastructure requirements. In the event of a resolution to grant planning permission, their delivery would require completion of a S106 agreement prior to the issuing of the permission.

7. Conclusion – the planning balance

By reason of its location in 'countryside' and its scale, the proposal conflicts with the Settlement and Delivery Strategies of the Wiltshire Core Strategy as a matter of principle. Notwithstanding the local needs survey submitted with the application, the housing needs of the housing market area in which the application site is located are being adequately met, including c/o a Core Strategy Delivery Strategy which allows an appropriate spread of new housing across all settlements within the area anyway.

The recent change in the way in which housing delivery is measured (that is, now county-wide), and the acknowledgement c/o recent appeal decisions that the 5 yr land supply requirement is not being met, does not tilt the balance in favour of the proposal. This is confirmed in the appeal decisions wherein the inspectors, in confirming that there is a slight county-wide shortfall in housing delivery, and that the relevant policies in terms of the NPPF are out of date, still concluded that there remains substantial benefit in maintaining a planned system and that the overall strategy of the Wiltshire Core Strategy - to direct development to the most sustainable settlements - remains desirable and accords with the objectives of the National Planning Policy Framework. The shortfall in housing land remains modest, and accordingly there is no reason to conclude that the Core Strategy will not now continue to be effective, particularly in view of the recent adoption of the Housing Site Allocations DPD.

In addition, the scale of the proposed development – 15 dwellings – does not comply with the Delivery Strategy which limits development in East Grafton (a 'Small Village') to 'infill' only. A development of 15 dwellings outside of the village does not comprise infill. Indeed, it even exceeds the appropriate scale permitted by the Delivery Strategy in 'Large Villages'.

Proposals which do not comply with the Settlement and Delivery Strategies of the Wiltshire Core Strategy are unsustainable in the context of the Core Strategy.

In terms of landscape impact, the proposal comprises 'major' development in an Area of Outstanding Natural Beauty. There are no exceptional circumstances, such as need, which outweigh the presumption against major developments in the AONB set out in the NPPF. Notwithstanding the findings of the LVIA which accompanies the planning application, the proposal, by reason of its 'major-scale' (15 units / c. 0.9ha) *and* by reason of its detailed design which is not adequately associated with existing built form, would have a harmful impact on the landscape character area in which the site is situated, this having regard to the identified sensitivities of this LCA. In terms of visual effects, these are really limited to local views only, but would in any event be adverse, and so – again, by reason of the scale of the proposal and the resulting extent of 'encroachment' into open countryside *and* the coalescing effect with existing development *and* the lack of opportunity for meaningful

mitigation offered by the layout – cause harm to the landscape hereabouts, neither conserving nor enhancing its appearance.

The application site presently supports grade 1 agricultural land which would be lost if developed. However, its limited area and present non-productive use means that an objection based on the loss would be difficult to sustain.

Other material considerations – such as the delivery of infrastructure made necessary by the development together with the bus stop and pavement improvements, and other matters such as the economic benefits for local services and construction industry – do not ‘tip the balance’ in the proposal’s favour. These considerations are demonstrably outweighed by the policies of the development plan and NPPF which seek to protect the character and appearance of settlements and the countryside, and so uphold the principles of sustainability.

RECOMMENDATION

To refuse planning permission for the following reasons –

1. Core Policy 1 of the Wiltshire Core Strategy sets out the 'Settlement Strategy' for the County, and identifies five tiers of settlement - Principal Settlements, Market Towns, Local Service Centres, Large Villages and Small Villages. Within the Settlement Strategy East Grafton is identified as a Small Village. The Principal Settlements, Market Towns, Local Service Centres and Large Villages have defined boundaries, or limits of development. Beyond the limits - and including the Small Villages - is 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, and at Small Villages in the countryside development will be limited to 'infill' within the existing built area (defined 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”); but outside these parameters, 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. The application site is not identified for development in a Development Plan Document or Neighbourhood Plan.

Core Policy 18 of the Wiltshire Core Strategy sets out the 'Spatial Strategy' for the Pewsey Community Area in which East Grafton lies. It confirms that over the plan period approximately 600 new homes will be provided in the Area consisting of a range of sites in accordance with Core Policies 1 and 2. The latest housing figures, published in the Wiltshire Housing Site Allocations Plan Topic Paper 3 Addendum (July 2018) confirms that the indicative requirement for the Wiltshire Core Strategy plan period (2006-2026) in the Pewsey Community Area has been met, i.e. the current residual requirement for the Pewsey Community Area is 0 dwellings due to completions and extant permissions. In identifying its supply of specific deliverable housing sites Wiltshire Council uses suitably defined sub-county areas as referred to in the Wiltshire Strategic Housing Market Assessment and the Wiltshire Core Strategy, titled 'Housing Market Areas'. The Pewsey Community Area lies within the East Wiltshire Housing Market Area. The Topic Paper also shows that there is at least an 8 year housing land supply in the East Wiltshire Housing Market Area at this time.

This said – and notwithstanding the above figures – in terms of paragraphs 11 and 12 of the National Planning Policy Framework, a recent appeal decision elsewhere in the wider

Wiltshire Council area has confirmed that there is, in fact, a housing shortfall, this in the context of supply being calculated county-wide now that the Wiltshire Core Strategy is more than 5 years old and in view of some sites not being deemed as imminently deliverable. The confirmed supply is in the range of 4.42 to 4.62 years. But, regardless of this – and as determined by the appeal inspector – there remains substantial benefit in maintaining a plan-led system, and accordingly the overall strategy of the Core Strategy to direct development to the most sustainable settlements remains both desirable and preferable in meeting the objectives of the Framework. The Inspector confirmed, *“Even at the lower end of the range there is a relatively modest shortfall in housing land in the Wiltshire Council area. The local housing need derived from the standard method is very similar to the housing requirement contained in the CS for the relevant five-year period and so there is no reason to think that the strategy will not continue to be effective, particularly in light of recent progress in adopting the Housing Site Allocations Plan”*.

Accordingly, very significant weight is still given to the Wiltshire Core Strategy policies; in terms of paragraph 59, the Core Strategy is still “boosting significantly the supply of housing” in the Area in any event. It follows that further other, or ‘windfall’, sites, or sites delivered outside of any housing site allocations DPD or neighbourhood plan, continue to be not required at this time and will continue to be deemed unsustainable in the context of the Wiltshire Core Strategy.

This proposal itself is to erect 15 houses, etc. on land which is in the countryside and which does not comply with defined criteria for ‘infill’ development in Small Villages. Under Core Policies 1, 2 and 18, this does not accord with the Settlement and Delivery Strategies as a matter of principle. The Strategies are designed to ensure new development satisfies the fundamental principles of sustainability and so it follows that where a proposal such as this does not accord with them then it is unsustainable in this defining and overarching context. The site is not identified for development in a Site Allocations Development Plan Document, nor in a Neighbourhood Plan. Furthermore, there are no material considerations or exceptional circumstances, including set out in other policies of the Plan (including Core Policy 44), which override the core policy’s positions. The proposal is, therefore, contrary to Core Policies 1, 2 and 18 of the Wiltshire Core Strategy and paragraphs 10-12 of the National Planning Policy Framework.

2. The application site lies within the North Wessex Downs Area of Outstanding Natural Beauty. In the context of paragraph 172 of the National Planning Policy Framework the proposal – for 15 dwellings on a c.0.9 ha site – comprises ‘major’ development. As there are no exceptional circumstances, and as the development is not required in the public interest, the presumption that planning permission should be refused for major development, as set out in the NPPF, applies. For reasons set out in reason for refusal no. 1, there is no ‘need’ for the proposed development; there is scope for residential development to be provided outside the designated area or in some other way; and the proposal would, in any event, have a detrimental effect on the environment and landscape.

Regarding landscape impact, the proposal would be detrimental to the Landscape Character Area (LCA) in which it is located, and would have harmful visual effects, albeit at a local level. In terms of the LCA, it is identified as having an essentially rural, agricultural character within which “small-scale, sensitively-designed development, associated with built form, could be successfully accommodated without adverse impacts”. The proposal – being ‘major’-scale (in terms of size and quantum of development); *and* being not sensitively-designed (in terms of form / layout of buildings, and resulting limited opportunities for landscaping/mitigation); *and* being not associated

with existing built form (by encroaching on to open land and coalescing with other scattered development outside of the existing village) – would not be sympathetic to the specific LCA, and more generally would not protect, conserve or enhance the landscape character of the wider area. In terms of the visual effects, the local views towards the site are identified in isolation to be adverse. Again, by reason of the size/quantum of development and the insensitivities of the design (notably, with inadequate opportunities for meaningful mitigation), these impacts are considered to be unacceptable, the development failing to protect, conserve or enhance the visual amenities of the landscape hereabouts. This is contrary to Policies 51 and 57 of the Wiltshire Core Strategy and paragraphs 170 & 172 of the National Planning Policy Framework.

3. The application fails to provide any mechanism to ensure that the provision of essential infrastructure, services and amenities made necessary by the development can be delivered. The essential infrastructure, services and amenities include affordable housing, open space/recreation areas, highways infrastructure, and waste/refuse collection facilities (and/or contributions towards such infrastructure, services and amenities). This is contrary to Core Policy 3 ('Infrastructure requirements') and, more specifically, Core Policy 43 ('Providing affordable homes') and Core Policy 52 ('Green Infrastructure') of the Wiltshire Core Strategy and 'saved' Policies HC34 and HC37 of the Kennet Local Plan; and paragraphs 56-57 of the National Planning Policy Framework.
4. The proposed development, by reason of the number of market houses proposed and the size of the scheme, fundamentally undermines the Council's approach to rural exception sites set out in Core Policy 44, and if approved, would set an undesirable precedent that could hinder the delivery of such affordable housing across the county.
5. **INFORMATIVE TO APPLICANT:** Notwithstanding reasons for refusal 1, 2 and 4, reason for refusal no. 3 may be overcome in the event of the applicant completing an appropriate planning obligation. The reason for refusal is necessary in the event that there is an appeal and such an obligation is not completed or not satisfactorily completed.