

## Report for the Strategic Planning Committee

<b>Date of Meeting</b>	15 April 2025
<b>Application Number</b>	PL/2024/05435
<b>Site Address</b>	Land north of Melksham Road, Holt
<b>Proposal</b>	Outline planning permission to provide up to 55No.residential (Use Class C3) units with all matters reserved except for access
<b>Applicant</b>	David Hagan
<b>Town/Parish Council</b>	Holt CP
<b>Electoral Division</b>	Holt ED – Cllr Trevor Carbin
<b>Type of application</b>	OUTLINE WITH ALL MATTERS RESERVED EXCEPT ACCESS
<b>Case Officer</b>	Jemma Foster

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

In accordance with the Council's Scheme of Delegation, this application constitutes a development plan departure comprising a housing development on unallocated land outside the established settlement limits of Westbury, and in recognition of the Council's current demonstrable housing land supply position, the application merits being reported to the Strategic Planning Committee rather than the relevant area planning committee, since there are strategic planning matters requiring member determination.

The local ward member Cllr Trevor Carbin requested that the application be reported to committee should officers be minded to support the proposal, to allow the elected members to consider the following matters:

- Scale of development
- Visual impact upon the surrounding area
- Relationship to adjoining properties
- Environmental/highway impact

### **1. Recommendation:**

For the reasons set out within this report, officers recommend that the committee endorse the officer recommendation to approve the above-mentioned application, subject to a s106 legal agreement and planning conditions (as set out at the end of this report).

### **2. Purpose of Report**

The purpose of this report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application should be approved subject to conditions and requiring the applicant to enter into a s106 legal agreement.

### 3. Report Summary

This report appraises the following

- Principle of development
- Impact on the character of the area
- Ecology
- Impact on the significance of heritage assets
- Archaeology
- Impact on neighbour amenity
- Highway matters
- Public Rights of Way
- Drainage
- Section 106 Legal Agreement Developer Obligations
- Planning Balance and Conclusion

### 4. Site Description

The site is located to the east of Holt and beyond the settlement limits and encompasses an existing agricultural field which is roughly rectangular in shape.

The site extends to just over 3 hectares and has mature hedgerow and tree boundaries. The land is accessed via an existing field gate from the B3107 Melksham Road.

The site abuts existing residential properties to the west. To the east is an existing water pumping station operated by Wessex Water.

The site sits on a slope with the northern end being the highest. The southern part of the site borders the B34107 Melksham Road which links the large village of Holt with the town of Melksham.



The land opposite to the south benefits from outline planning permission for 90 dwellings which was allowed on appeal (under PL/2022/03315) to which the following approved site parameters relate:



There are several underground sewer pipes affecting this current application linking to the pumping station to the east which are predominantly located along the eastern boundary although there is one that cuts through the site from east to west as shown in the below constraints plan:



There are no heritage assets directly affected by this proposal. The Holt Conservation Area is located approximately 450 metres to the southwest of the site at its closest point which has a Grade II\* listed Church and several Grade II listed buildings within it. The Broughton Gifford Conservation Area lies approximately 775 metres to the northeast of the site. The grade II Registered Park and Garden, Great Chalfield Manor is even more distant at approximately 850 metres to the northwest of the site.

## 5. Planning History

There is no on-site planning history pertaining to the application site that is the subject of this committee report, however the land opposite (to the south) gained outline planning permission on appeal dated 21 July 2023 for the following application to which **APP/Y3940/W/23/3315432** refers:

PL/2022/03315 – Outline planning application for the erection of up to 90 dwellings including 40% affordable housing with public open space, structural planting and landscaping and sustainable drainage system (SuDs) with vehicular access point. All matters reserved except for access.

The following planning inspector's comments are considered appropriate when assessing this current application:

### Principle

The Inspector deemed the appeal site contrary to Core Policy 1, Core Policy 2 of the WCS as well as the neighbourhood plan objective 3 and Policy H.3.1. [officer note: This would equally apply to the case being reported to the committee for application PL/2024/05435]

### Impact on character and appearance of the area

The Inspector concluded that the 90-house scheme would result in harm to the intrinsic character and beauty of the countryside, however, the appellants proposed landscaping scheme was considered insufficient to mitigate the level of harm. In the wider landscape the Inspector found the site to be concealed as a result of the south facing slope of the ridge and as such deemed that the scheme would not have a significant harmful impact to the character and appearance of the countryside.

When discussing the harm to the village, the Inspector considered the village to have a linear character but was not a ribbon development as it contained a certain depth of housing to the south of the road. The appealed development was considered not to be an undue elongation of Holt and would not be a form of development that would be at odds with the adjacent housing areas.

### Highway Matters

The appeal Inspector considered Holt to have some facilities although noted there is no health provision, no secondary or tertiary education, and that there are limited employment opportunities, and many residents have to travel further afield for most daily needs including shopping.

However, in terms of the village sustainability, the Inspector concluded that the bus service is relatively good and whilst there are limitations it did not render the appeal site as unsustainable. The Inspector also considered that the cumulative impact of the appeal proposal on the highway network and concluded there would be no policy conflict.

### Conclusion

At the time of the appeal Wiltshire Council had a 4.59 housing land supply (when tested against the 5-year test that applied at the time) which the Inspector considered to be a significant shortfall. [Officer note: the present housing land supply shortfall is even more significant at only just over 2 years].

In conclusion, although the Inspector found harm to the character and appearance of the area, this harm was primarily due to the effects of developing a greenfield site for housing, but crucially, there was no significant landscape harm identified.

The Inspector also recognised that there were limited opportunities within the Bradford on Avon Community Area given the green belt designation and the spatial hierarchy and congratulated Holt on their housing delivery but as the housing policies were deemed out of date, the benefits of the appeal proposal substantively outweighed any identifiable harm the 90-house development would cause.

A recent reserved matters application (PL//2024/04625) for the 90-house scheme was refused at the western area planning committee pursuant to appearance, landscape, layout and scale for the following reason(s):

***The proposal does not achieve high quality design and place-making and fails to meet the objectives of Core Policy 57 of the WCS, the National Planning Policy Framework Section 12, with particular reference to paragraph 131, the Wiltshire Design Guide, and the Holt NP 2016-2026.***

That decision to refuse the REM is presently subject to an appeal, although officers are aware the applicant for this development are considering approaching both the parish council and planning officers with an alternative proposal.

**The foregoing allowed outline application for 90 houses on land to the south of Melksham Road, is considered very material to the consideration of the 55-house development in terms of understanding the weighting the planning inspectorate has applied to our adopted (but out of date) Core Strategy policies and the made Holt Neighbouring Plan. The inspector acknowledged the recent housing delivery that has been approved by the Council, but with there being no technical planning reasons to dismiss the appeal, the significant housing land supply shortfall) led to the appeal being allowed to deliver housing on the eastern side of Holt.**

### **6. The Proposal**

This application seeks outline planning permission for up to 55 dwellings with all matters reserved for subsequent approval except for access.

The site measures approximately 3 hectares and would have an average density of 18 dwellings per hectare. The submitted planning statement submits that the future reserved matters application would bring forward dwellings of a traditional form and all the units would be no greater than 2 storeys.

The detailed matters relating to appearance, landscaping, the layout and scale of the proposed development are however reserved for a later reserved matters application. Notwithstanding the above, to assist the Council with its assessment of this outline application, the applicant has submitted an Illustrative Masterplan which is shown below:



## 7. Planning Policy

### National Context:

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide (2021)

Planning (Listed Buildings and Conservation Areas) Act 1990

Circular 06/2005 – Biodiversity and Geological Conservation

Habitat Regulations

The Environment Act 2021  
Building for a Healthy Life  
Manual for Streets

Local Context:

Wiltshire Core Strategy (WCS) adopted 2015:

CP1 – Settlement Strategy, CP2 – Delivery Strategy, CP3 – Infrastructure Requirements, CP7 – Spatial Strategy Bradford on Avon Community Area, CP41 – Sustainable Construction, CP43- Providing Affordable Homes, CP45 – Meeting Wiltshire’s Housing Needs, CP50 - Biodiversity and Geodiversity, CP51 – Landscape, CP52 – Green Infrastructure, CP56 – Contaminated Land, CP57 – Ensuring High Quality Design and Place Shaping, CP58 – Ensuring the Conservation of the Historic Environment, CP60 – Sustainable Transport, CP61 – Transport and New Development, CP64 – Demand Management, CP67 - Flood Risk

Saved Policies from the West Wiltshire District Local Plan (1<sup>st</sup> Alteration):

U1a - Foul Water Disposal, U2 - Surface Water Disposal, I1 – Implementation

Holt Neighbourhood Plan (Holt NP) – made in 2017

Other Considerations

Local Plan Review – currently at Regulation 19 stage (and with no plan examination having taken place and no matters, issues or questions being subject to a public hearing, no material weight can be given to the emerging Local Plan)

Wiltshire Leisure Services Strategy – Indoor Facilities Action Plan 2011 – 2025 adopted April 2012

Open Space provision in New Housing Developments – A Guide (Supplementary Planning Guidance)

Affordable Housing Supplementary Planning Guidance adopted August 2004

Art and Design in the Public Realm in Wiltshire (May 2024)

Leisure and Recreation Development Plan Document

Wiltshire Car Parking Strategy

Wiltshire Design Guide

Wiltshire Council Waste Collection Guidance for New Development

LTN1/20 – Cycle Infrastructure Design

Wiltshire Active Travel Standards and Travel Parking Standards

Wiltshire Landscape Character Assessment

Wiltshire Climate Strategy – Adopted February 2022

Wiltshire Council's Waste Storage and Collection: Guidance for Developers Supplementary Planning Document,

Wiltshire's Community Infrastructure Levy – Planning Obligations Supplementary Planning Document

Wiltshire's Community Infrastructure Levy - Charging Schedule (Charging Schedule)

Wiltshire's Community Infrastructure Levy – Funding list

Housing Land Supply Statement June 2024 (with baseline date of April 2023) – However it is important to note that the June 2024 HLS has been superseded by fresh calculations made following release of the revised NPPF in December 2024 and members should refer to the following:

Wiltshire Council Briefing Note No.24-20 (17 December 2024) which confirms that the Wiltshire HLS is 2.03 years supply (when tested against the required 5 years supply)

## **8. Summary of Consultation Responses**

Holt Parish Council – Objects due to the conflict with the NPPF, Wiltshire Core Strategy and emerging local plan and the made Holt Neighbourhood Plan. Holt has met its share of new housing until 2038:

NPPF at para 15 stresses the importance of respecting local plans and community visions – the proposal disregards Holts NP. Paragraph 174 requires protection of valued landscapes – the proposal would cause material harm to the Broughton Gifford Limestone Lowland (A3) which is recognised for its open rural landscape and historic hedgerow field patterns and extensive views visible from PROW including Holt FP2 which runs between The Courts in Holt and Great Chalfield Manor which is a popular route advertised by the National Trust. NPPF paragraphs 161/163-166 highlights climate resilience which the application fails to meet.

WCS – CP1 and CP2 - the site lies outside the limits of development and the proposal exceeds Holt's housing needs

Nolt NP – H3.1(b) explicitly prohibits outward expansion beyond the village boundary

The emerging Local Plan reinforces Holts zero housing allocation until 2038.

Inadequate pedestrian safety measures as the development site sits on the opposite side of the road to the primary school and secondary school bus pick up points. Children would need to cross the busy B3107.

The removal of a toucan crossing would endanger residents and those residents from the development allowed on appeal under PL/2022/03315 in terms of going to the eastbound bus stop.

Residents would have to walk along the narrow, rutted, obstructed, and pitted footway experienced by existing residents.



The relocation of the 30mph speed limit further east is welcomed but no mention is made of the existing village gateway.

There are a lack of GP surgeries and secondary school space, and contributions should be sought for these, if the application is to be allowed.

The proposed additional bus stop lacks merit without an increase in service frequency.

A contribution towards local infrastructure and robust traffic calming measures must be requested as the adjacent site had a contribution of £100,000 towards safe cycling routes between Melksham and Bradford on Avon.

We agree with the Climate Change officer's holding objection.

Broughton Gifford Parish Council - The Council expressed concerns about access and traffic on an already busy road; these are of particular importance given the recent approval for an additional development on the other side of the road. Additionally, we would like to register concerns about the impact on infrastructure (school/healthcare services) in an already overstretched local area. General concerns are also held about green space and the boundary between Broughton Gifford and Holt villages. The two villages are moving into closer proximity if this development is approved and this effects the character of the villages.

Wiltshire Council Arboricultural Officer – No objection

Wiltshire Council Archaeologist – No objection

Wiltshire Council Climate Change Officer – Object due to lack of detailed information but conditions and informatives could be added so that information can be submitted with the reserved matters application.

Wiltshire Council Drainage Officer – Approve subject to conditions

Wiltshire Council Ecology Officer – Approve subject to conditions

Wiltshire Council Education Officer – A S106 Legal Agreement would be required to secure developer contributions

Wiltshire Council Housing Team - A S106 Legal Agreement would be required to secure developer affordable housing obligations

Wiltshire Council Landscape Officer – No objection

Wiltshire Council Public Open Space Officer – A S106 Legal Agreement would be required to secure developer contributions

Wiltshire Council Highways Officer - No objection

Wiltshire Council Urban Design Officer – Comment

Wiltshire Council Waste Officer – No objection subject to a S106 Legal Agreement

Wiltshire Council Public Rights of Way Officer – No objection subject to a PROW contribution to be secured by a S106

Wiltshire Council Public Protection Officer: No objection subject to conditions

Dorset and Wiltshire Fire and Rescue Service – Applications should comply with Building Regulations

Salisbury and Wilton Swifts – 55 integrated swift/universal bricks are required by this development and should be conditioned.

Wessex Water – No objection

## **9. Publicity**

68 letters of objection have been received from the general public over the period of two public consultation periods which had a consultation expiry date of 20 January 2025. The comments received have been summarised as follows:

### Principle

Outside the limits of development and in the open countryside

Outside the limits as defined in the Holt Neighbourhood Plan

Uses green belt land

Wiltshire Local Plan shows zero housing for Holt

Inappropriate location in a small village the size of Holt

There is no need – recent housing need survey showed limited housing requirement

Dwellings are very dense which is out of character

Use the brownfield sites in Trowbridge near the Train Station before using our nice green fields

We would become part of Melksham

Holt is a small village – not a market town

Neighbourhood plan is stated as being out of date, but the fundamentals of this document have not aged

We have had our fair share of housing already

### Impact on Area

Suburbanisation of the village by a large number of unattractive buildings that are not in keeping with local character

Loss of a greenfield – build on the new grey belt instead

Inappropriate visual impact at the entrance of the village

Detrimental impact on wildlife

Red brick and grey roofs are not appropriate to the area

More street lighting will impact nocturnal creatures

Site is already waterlogged and there is not sufficient drainage

The attenuation pond will just be full all the time and cause flooding to nearby land

The ground is saturated clay which will not hold any more water

Biodiversity will be dramatically affected – a hedgerow has been recently removed at the boundary of the site.

The bat corridors need to be restored in accordance with the Parameters plan

No meaningful proposal to plant sufficient trees

Loss of habitat for local wildlife especially protected species

Three storey buildings are not characteristic of the area

The design of the dwellings should be in keeping with those built in Star Ground – nobody objected to them, and they are eco friendly

Baseline for the BNG is questionable and claimed gain is unrealistic and unachievable

The development will detract from the scenic quality and landscape character of Holt  
Contrary to rural character of small irregular fields enclosed by hedgerows and mature trees

The Flood Risk Assessment appears inadequate to manage surface water

It will result in urbanisation of this rural edge

### Amenity

No bungalows proposed

Increase in noise from additional people, additional cars, additional bin collectors and delivery vans

All houses should have gardens

Where will we go for fresh air and to escape the noise, pace and destruction

We currently look out on to fields – now it will be houses

Increase in noise – it will be impossible for me to carry out my job with the noise of construction going on in the background – it will risk my livelihood

Overlooking from new dwellings

Why are you approving houses that can't open their windows at nighttime because the noise levels are too high

### Highways

No safe pedestrian or cycle access

Most amenities in the village are at the other end – at least a good 10-15 min

Existing pavements are poor and frequently obstructed by cars and vans and includes the pavement to the primary school

Limited transport – useless for commuting

Welcome the new bus stop but this doesn't help the limited public transport

Two large developments either side of a busy road used by HGV's

Increase in vehicles, traffic and congestion and pollution

The proposal would result in a severe unacceptable impact on the highway

The access is on an extremely fast bit of the road

All houses need at least two parking spaces

A roundabout would be a great option to slow traffic down

The transport plan states 17 vehicles leaving and peak time and arriving back at peak time is far too low surely

More traffic calming measures are required if this development is to go ahead

Why can't the developer pay to improve the B3107 with parking refuges on the Common, The Street and multiple zebra crossings as stated in the NP

The existing pavements are not suitable for walking along or with scooters/bikes/pushchairs

Bus stop will cause more congestion coming into the village  
Construction traffic must not come through the village

### Other

Insufficient facilities in the village

Village school and pre-school are already at capacity

The brewery, gift shop, exercise studio, tea rooms at the Court no longer exist. The shop does not have vegetable and a gift shop. There are no sing and sign classes

More burden on the dentist and doctors

No positive benefit to the village

Application lacks mechanisms to secure affordable housing, recreation, education facilities, refuse collection and sustainable transport improvements

Application fails to secure the relevant infrastructure – affordable housing, recreation/open space, education, refuse and sustainable transport improvements

Inadequate public consultation

## **10. Planning Considerations**

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise. In this case, the Wiltshire Core Strategy, including the relevant policies from the West Wiltshire District Plan that continue to be saved in the WCS, form the relevant development plan for the area along with the made Holt Neighbourhood Plan.

### **10.1 Principle of development**

#### Wiltshire Core Strategy (WCS)

In the WCS, Core Policy 1 identifies the settlements where sustainable development can take place, and this is within a hierarchy of Principal Settlements, Market Towns, Local Service Centres, and Large and Small Villages. It adds that Large Villages are those with a limited range of employment, services and facilities, and development within them will be restricted to that needed to meet housing needs and improve employment, services and facilities. In paragraph 4.15 of the supporting text to this policy it says in Large Villages such development will 'predominantly' take the form of small housing and employment sites.

Core Policy 2 then provides a requirement of 42,000 houses to be delivered across the County over the lifetime of the plan. It outlines how this will be provided within the settlement hierarchy, allocating over half of the houses to the North and West Wiltshire Housing Market Area (HMA), one of the 3 HMAs in the County. It adds that there is a presumption in favour of sustainable development within the limits of development while, outside those limits, development will not be permitted other than in the circumstances identified in paragraph 4.25 of the supporting text. In relation to Holt, this position is reaffirmed by the Holt Neighbourhood Plan (NP), whereby Objective 3 seeks to protect the settlement boundary and Policy H3.1 states it will not support development that involves the outward extension of the settlement boundary.

Core Policy 7 in the WCS, which gives the spatial strategy for the Bradford on Avon Community Area (which, in turn is in the North and West Wiltshire HMA), identifies Holt as a Large Village.

Beginning with the development plan (the WCS), the site is adjacent to but outside the limits of development of Holt. As the site is located outside of the defined settlement, it is in 'open countryside' where under WCS Core Policies 1 and 2 new housing development is not normally permitted unless one of the following applies:

- the site is to be considered under one of the council's exceptions policies listed at paragraph 4.25 of the WCS.
- the site is being brought forward through a neighbourhood plan; or,
- the site is being brought forward through a site allocation development plan document.

The application proposal does not accord with the aforesaid exception policies and as such, it does not comply with the requirements of Core Policies 1, 2 and 7 of the WCS and conflicts with Neighbourhood Plan Objective 3 and Policy H3.1.

However, ...

#### Housing Supply and Delivery

On 12 December 2024 the Government issued an update to the National Planning Policy Framework (NPPF). On the same date the Government also issued revisions to the Planning Practice Guidance (PPG) including the standard methodology for assessing and setting Local Housing Need and the 2023 Housing Delivery Test results were also published on 12 December 2024.

These indicate that Wiltshire has delivered 135% against its housing requirement in the last three years which is the period over which housing delivery is assessed in the test. This results in a 5% buffer being applied to the five-year requirement for Wiltshire's housing land supply calculation.

The revisions that are pertinent to the housing land supply calculation and its implications are summarised as follows:

a) Local Planning Authorities are now required to demonstrate a deliverable supply of housing sufficient to meet five years 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) in all circumstances. Under the previous NPPF, Wiltshire was only required to demonstrate a four-year housing land supply because its draft Local Plan had reached an advanced stage.

b) Local Planning Authorities are now required to add a buffer to the housing requirement in the five-year housing land supply calculation in all circumstances. The buffer to apply is driven by the council's latest Housing Delivery Test results, which for Wiltshire indicates a 5% buffer to be added. Under the previous NPPF a buffer was only required if the Council's Housing Delivery Test results indicate under-delivery of 85% or lower against the housing requirement, which was not the case for Wiltshire.

c) The revisions to the PPG have set out a revised standard methodology for the Local Housing Need – this is the calculation that establishes the housing figure to be used in the housing land supply calculation. The revision has changed the method from being based on future household projections, to being based on the amount of existing housing stock in the local authority area. The revision has also changed the adjustment factor which is based on the affordability of housing in the local planning authority. The annualised housing supply requirement for Wiltshire has now changed and is set out below:

Number of homes per annum under previous Local Housing Need calculation <sup>2</sup> .	Number of homes per annum under revised Local Housing Need calculation.	Percentage change
1,917	3,525	+84%

d) As a result of recent changes to the way housing need is calculated, introduced by government, the Council is unable to demonstrate a five-year supply of deliverable housing sites and as a consequence, there is a presumption in favour of sustainable development (often referred to as the ‘tilted balance’) applies. This is set out in paragraph 11d of the NPPF. In December 2024, the Government revised this NPPF paragraph has also been amended in two ways. Firstly, where there are exception policies that prevent the ‘tilted balance’ applying, these must be evidenced as being ‘strong’ reasons to base any refusal for housing, rather than a ‘clear’ reason for refusal, which was previously the case. Secondly, to ensure that when the planning balance is being carried out, regard must be given to certain key policies set out within the Framework related to directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

In summary, the changes to the NPPF now require Wiltshire to demonstrate a five-year housing land supply, plus a 5% buffer, and must apply the revised Local Housing Need for decision-taking immediately. As the table in paragraph 3.c above shows, this results in a significant increase in the five-year housing requirement to be met from the previous calculation. When this is assessed against the housing land supply which can be delivered within five years, the recalculation shows a significant reduction in the number of years supply and currently equates to 2.03 years supply for Wiltshire, which is regarded as a very substantial shortfall.

As such the tilted balance in paragraph 11(d) of the NPPF is engaged for the assessment of this application.

In a recent appeal at Calne (PL/2023/10421 – on land South of Abberd Lane and East of Spitfire Road, Calne – dated 17<sup>th</sup> February 2025) the Inspector stated at paragraph 31 the following:

***“The Local Planning Authority cannot currently demonstrate a five-year supply of deliverable housing sites (2.03 years); there have been chronic problems with housing delivery at the first-tier settlements; and the Council has been unsuccessful in resisting a number of recent appeals at lower tier settlements***

***including Large and Small Villages. The inevitable conclusion is that, although some representations claim that development is not necessary, new house building will be required on unallocated sites. Priority should be given to the more sustainable locations”***

#### Delivery Test Briefing Note No 22-09

The Council previously published a “5 Year Housing Land Supply and Housing Delivery Test Briefing Note No 22-09” (known as “the Briefing Note”), which sought to outline how the Council would work to restore its 5-year Housing Land Supply in the face of an acknowledged shortfall. In this regard, a 3-pronged strategy was outlined in paragraph 6.1 which included a commitment that the Council would:-

***Positively consider speculative applications where there are no major policy obstacles material to the decision other than a site being outside settlement boundaries or unallocated.***

Inspectors have given significant weight to this Briefing Note in several recent appeals, including the appeal site to the south of Melksham Road, when the Council could demonstrate a 4.59 year’s supply. The briefing note still has material weight and even greater weight should be afforded to supporting new housing outside of settlements on unallocated sites, as part of the NPPF para 11d weighting assessment.

The Council has processed many applications through the years whereby the ‘tilted balance’ has been engaged, and due regard must be given to the titled balance in the determination of this outline application.

However, the changes introduced within the revised NPPF (December 2024) mean that the Council now has a very significant housing supply shortfall (being 2.03 years when tested against the 5-year requirement), and it is necessary to alter and elevate the weight to be given to housing supply as part of assessing applications for residential development.

This means balancing the strengthened need to boost housing supply against any adverse impacts of the proposal when considered against the adopted development plan and NPPF as a whole, and any material considerations on a case-by-case basis.

**Officers recognise that this application proposal is contrary to the strategic policies of the Wiltshire Core Strategy and the made Holt Neighbourhood Plan, however the proposal has the potential to provide a meaningful contribution towards the Council’s housing land supply, at a time when the Council has a significant undersupply (created by a slowdown in developers not advancing schemes as quickly as first projected as well as taking into account recent the latest NPPF / Government planning regime changes).**

#### Neighbourhood Plan

Regarding the relevance of the Holt NP, paragraph 14 of the NPPF states that in situations where the presumption (at paragraph 11d of the NPPF) applies to applications involving the provision of housing, the adverse impact of allowing

development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided all of the following apply:

- a) The neighbourhood plan became part of the development plan five years or less before the date on which the decision is made...
- b) The neighbourhood plan contains policies and allocations to meet its identified housing requirement (see paragraphs 69-70)

**The Holt NP was made in January 2017 meaning that it became part of the development plan more than five years ago. The made Holt NP (under Policy H3.1b) does not support the 'outward expansion of the settlement boundary.' However, it follows that in accordance with paragraph 14, the Holt NP cannot be given full weight and given the significant housing supply shortfall, officers have concluded that the Neighbourhood Plan objectives and restrictions does not significantly and demonstrably outweigh the benefits of this housing proposal.**

#### The Emerging Wiltshire Local Plan

Under the emerging Local Plan, Holt would remain as a Large Village but would be within the Trowbridge rural area and would have a residual housing requirement of zero (when tested against the Plan's September 2023 housing delivery needs, which for the present time remains extant for the purposes of the emerging Plan being examined). That will be subject to a rigorous examination by the appointed Local plan examining Inspectors and the Council continue to proactively engage with the inspectors ahead of the public examinations that will be programmed for later this year.

It is acknowledged that at the time of writing this report, the emerging new local plan has extremely limited weight. Furthermore, the zero residual needs figure can only be relied upon if an up-to-date housing land supply can be demonstrated. This is because the application must be assessed against paragraphs 78 and 232 of the NPPF in recognition that the WCS is more than 10 years old and whereby the local housing needs are not calculated at a village or community area scale but is for the whole of the County.

#### Principle Conclusion

The application is contrary to Core Policy 1, Core Policy 2 and Core Policy 7 of the WCS. However, full weight cannot be afforded to these policies by virtue of what the Government has dictated to all LPAs in England as referenced within the NPPF whereby a 5-year housing land supply cannot be demonstrated when assessed against the tests and rules set by Government. The Made Holt NP is more than 5 years old, and the protections afforded by NPPF para 14 do not apply.

In conclusion, when making a recommendation on this application paragraph 11(d) of the NPPF comes into play which states:

***For decision taking this means:***



***d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date<sup>8</sup>, granting permission unless:***

***i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination***

Officers consider that supporting this application would deliver additional housing that would contribute towards addressing the current housing land supply deficit while providing some additional affordable housing, and this must be weighed in the planning balance.

The Delivery Test Briefing Note No 22-09 must also be taken into consideration when determining this application which is duly referenced later in this report.

## **10.2 Impact on the character of the area**

Core Policy 45 of the WCS requires *'new housing, both market and affordable, must be well designed to address local housing need incorporating a range of different types, tenures and sizes of homes to create mixed and balanced communities'*

Core Policy 51 ('Landscape') of the WCS states that *new development should protect, conserve and where possible enhance landscape character, and should not have a harmful impact on landscape character'*. The policy requires applications to demonstrate how development proposals conserve and where possible enhance landscape character through sensitive design, landscape mitigation and enhancement measures.

Core Policy 57 of the WCS requires a *"high standard of design"* for all new developments. This policy requires developments to *"create a strong sense of place through drawing on the local context and being complementary to the locality"* with applications being accompanied by appropriate information to demonstrate how the proposal would *"make a positive contribution to the character of Wiltshire"* and sets out a list of criteria that proposals for new development must comply with.

This application is seeking outline planning permission, with all matters reserved except for access, for the future development of up to 55 dwellings with an access from the B3107. It should be noted that appearance, landscaping, layout and the scale of the development are matters reserved for a decision at a later date (called the reserved matters application), and therefore the submitted details with this outline submission are indicative only.

The site sits in the Malmesbury-Corsham Limestone Lowland (16A) of the Wiltshire Landscape Character assessment and the Broughton Gifford Limestone Lowland (A3) of the West Wilts Landscape Character Area. The Wiltshire Landscape Character Area

(LCA) (1:50,000) notes the area as being of good condition, moderate strength of character, with a strategy to conserve and strengthen. The more detailed West Wilts LCA (1:25,000) notes inherent landscape sensitivities as:

- Peaceful, rural nature of the area.
- The extensive views.
- Landscape setting, vernacular character and small scale of the villages.
- Areas of ecological value including ancient woodland copses.
- The remaining traditional field pattern

The site sits outside the settlement boundary of Holt and does not sit within any designated landscape such as Special Landscape Area, National Landscape and is outside of the nearby Bristol and Bath Greenbelt.

There are no Public Right of Way (PROW) crossing the site with the nearest PRow being HOLT56 approximately 150m to the south, ATWO3 500m to the North, and ATWO1 / HOLT2 690m to the West.

With regard to the above, it is material to note that the appointed planning inspector for the adjacent site (PL/2022/03315) concluded the following pursuant to the 90-house outline scheme in terms of impacts of the proposed development on local landscape character:

*'...the scheme would harm the intrinsic character and beauty of the countryside. Whilst the retention and bolstering of boundary hedging and the provision of landscaping along its north, east, and south boundaries would soften this impact, to my mind this would not be sufficient to allay its harm.'*

The inspector concluded that the proposed development would be read in conjunction with the wider settlement boundary of Holt and that the effective extension of the settlement boundary by the development *'...would not be a form of development that was at odds with the adjacent housing areas...'*

However, as set out in the appeal decision (para 21) the inspector also confirmed the following:

*'... by extending the built-up area of Holt onto a field that currently makes a positive contribution to the rural nature of the surroundings, I conclude that the development would fail to respect the intrinsic character and beauty of the countryside. It would therefore conflict with Core Policy 51 in the Core Strategy, which seeks to protect, conserve and where possible enhance landscape character, and also with the Framework.'*

This would equally be the case for this application site before the committee.

For the allowed appeal development to the south, the inspector placed weight on the fact that the existing Great Parks development was considered currently highly visible and *'...ended abruptly...'* and that the appeal site would *'soften'* the settlement edge. Despite this, the conclusions set out within para 21 are clear.

Turning to the site subject of this current application, the Councils landscape officer initially objected to the proposal which led to the applicant submitting an amended landscape and visual impact assessment with revised information.

Initially, the primary concern from the Councils Landscape Officer was around the proposed impact on views from PRow to the north of the site and in particular PRow Holt 2/6 which links the settlement of Holt with Chalfield Manor and the wider countryside. From officer site visits it was observed that these PRow are popular route with walkers with many signs of foot traffic along the path, even crossing a poorly drained and very muddy stream crossing. The Councils Landscape Officer viewed the site from the PRow at several locations recording 8 viewpoints along the path. Of the 8 viewpoints, the site was only visible from 3.

When reviewing the potential impact of a development on sensitive views, consideration needs to be given to the landscape context of the site. It has been accepted by the Councils Landscape Officer that the landscape in which the settlement of Holt sits on is not characterised with dense vegetation when viewed from the north. Existing housing can be seen from the PRow as well as the more recent development at the Glove Factory site and the northern boundary of the Spa and Nibbs Terrace which were clear to the eye along with other built forms along the village's northern boundary.

The Council's landscape officer agrees with the submitted LVIA that the northern settlement edge of Holt consists of a mixture of urban forms interspersed with banks of existing trees and hedgerows.

Whilst the proposed development would extend the village eastwards by approximately 215m out into the countryside, the proposed modest density and new housing mass would be well integrated with substantial existing and proposed landscape planting.

The roof line of the consented development would still likely crest the skyline and be visible from stretches of HOLT 2/6, and the proposed development would add to the urban expansion of Holt which would cause harm. However, the Councils Landscape Officer is of the opinion that when walking the PRow highlighted both in the LVIA and in the Town Councils representation as most impacted by the development, the visual harm would not be sufficient to warrant a refusal reason.

Core Policy 51 is not a 'Nil Detriment Policy' and provided that landscape mitigation is available and suitable, the harm to a landscape, without special designations, can be justified at a time when the Council cannot demonstrate a housing land supply for all the reasons explained earlier within this report.

For this particular case, the applicants have sought to reduce and mitigate the impact of the development on the wider landscape by the following means:

- Enhanced landscaping mitigation along Melksham Road
- The development line for housing was moved further away from Melksham Road and down the hill slope

- Committing to substantial tree planting between plots to break up rooflines down the site when viewed from the north.
- Enhancing the landscape planting along the northern boundary of the site.

With regard to the amended plans, the additional landscape mitigation along Melksham Road along with moving the building line further down the slope are considered to be significant improvements that are welcomed by the Council's Landscape Officer. Furthermore, providing trees throughout the development to break up the rooflines of buildings would also bring about mitigation benefits so long as the mitigation planting is located in public areas/along public streets rather than in future residential gardens to maximise their longevity and maintenance as well as safeguarding space within the scheme to allow the new trees to grow to a size to be able to break up the roof lines of the proposed buildings. Trees in residential gardens of course have some merit, but they cannot be relied upon to provide the landscape mitigation for the scheme on their own.

The Council's Landscape Officer is of the opinion that the development, whilst recognising there would be harm to landscape character through the loss of open fields, the site is neither unduly prominent nor sensitive and the mitigation proposed would offset the identified harm and therefore, the application proposal has the support of the Council's Landscape Officer. On the original plans a small "village green" was proposed which has been removed from the revised plans. Should outline permission be granted by committee or on appeal, the follow-up future reserved matters application shall include a community space with benches to be incorporated into the scheme. A planning condition can be attached to any approval of this outline application to ensure that the appropriate landscape mitigation measures and community space are secured.

The Council's urban designer concentrated on the future layout of the development and sought to avoid short cul-de-sacs, an overreliance upon private drives, disconnected streets, poor connection with pedestrian and cycle footpaths within the site, corner dwellings with blank elevations or only having obscure glazed windows. The layout and design are not a matter for the Council's consideration at this outline stage and would be for any reserved matters application to address. However, it is considered prudent to cover the above within a planning informative to ensure any future REM is properly informed.

The proposal is considered to comply with the relevant criteria of Core Policy 57 and the NPPF.

It is noted that third party representations have referenced concern about the indicative scheme being very dense and having no bungalows and that the illustrative buildings are considered unattractive and would be out of character with the area. Other concerns relating to the use of materials including red brick and grey roofs were also identified as being a concern. In response to the above, officers do not agree that the quantum of housing would be inappropriate, and all the details as mentioned would be relevant for a follow-up REM application. A planning condition is recommended to ensure that the housing proposed is in accordance with local housing needs and provides a balanced mix of dwellings.

## Trees

The application has been submitted with an Arboricultural Impact Assessment prepared by Assured Trees dated January 2024 which provides sufficient information to demonstrate that the existing trees on site to be retained have been considered and would be protected with appropriate tree fencing for the duration of the construction phase(s).

The Council's Arboriculturalist has confirmed that subject to a planning condition securing more information regarding the root protection area (RPA) of Tree 32 alongside the method of installation of the footpath within the RPA of retained trees and an arboricultural method statement, this application is supported.

## Agricultural Land Classification

Paragraph 187 of the NPPF requires planning decisions '*to contribute to and enhance the natural and local environment*'. Footnote 65 of the NPPF confirms where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. The Agricultural Land Classification for the site in question is grade 3b which does not constitute as the best and most versatile agricultural land. Consequently, there is no objection to the loss of this agricultural land, and the proposal would comply with the requirements of the NPPF.

## Land Contamination

Although the site is a greenfield, it is considered prudent to safeguard any future residential development by obligating the applicant to complete a land contamination site survey through a planning condition which is supported by the Council's Public Protection team.

## Climate Change

Paragraph 164 of the NPPF states that: "*New development should be planned for in ways that:*

- a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and*
- b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards."*

Paragraph 166 goes on to stress that: "*In determining planning applications, local planning authorities should expect new development to...take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption*".

Core Policy 41 of the WCS seeks to help to reduce Wiltshire's contribution to climate change through improved design and construction methods. The policy states that: *"New development, building conversions, refurbishments and extensions will be encouraged to incorporate design measures to reduce energy demand. Development will be well insulated and designed to take advantage of natural light and heat from the sun and use natural air movement for ventilation, whilst maximising cooling in the summer."*

Policy H2.1 of the Holt NP seeks sustainable housing that incorporates appropriate green technologies.

The application has been submitted with a Sustainable Energy Strategy that demonstrates sustainability features that seek to reduce carbon emissions would be used on site and could include air source heat pumps to all the properties, as well as advocating timber framed houses with triple glazed timber frames construction, electric vehicle charging points for all properties.

The Council's Climate Change Officer has confirmed that, whilst the statement covers the required areas, any future reserved matters application should be supported with updated sustainable energy strategies to detail exactly what measures are being proposed once the detailed information has been developed.

### **10.3 Ecology**

Core Policy 50 of the WCS requires all development proposals to *"incorporate appropriate measures to avoid and reduce disturbance of sensitive wildlife species and habitats throughout the lifetime of the development" ...[and] all development should seek opportunities to enhance biodiversity. Major development in particular must include measures to deliver biodiversity gains through opportunities to restore, enhance and create valuable habitats, ecological networks and ecosystem services"*.

*"Sustainable development will avoid direct and indirect impacts upon local sites through sensitive site location and layout, and by maintaining sufficient buffers and ecological connectivity with the wider environment. Damage or disturbance to local sites will generally be unacceptable, other than in exceptional circumstances where it has been demonstrated that such impacts:*

- i) Cannot reasonably be avoided*
- ii) Are reduced as far as possible*
- iii) Are outweighed by other planning considerations in the public interest*
- iv) Where appropriate compensation measures can be secured through planning obligations or agreements"*

The NPPF encourages applications to deliver measurable net gains (as set out within NPPF para 186 d).

Policy E.1 of Nolt NP states that proposals will be supported provided they *"preserve and/or replace existing trees and hedges as far as possible"* and *"plant new trees on green spaces and play areas, where appropriate"*.

The proposals have been designed to ensure the majority of trees and hedgerows on-site are retained and buffered. Two dead trees are proposed for removal on safety grounds and the Council's ecologist has suggested that the applicant considers how these can be re-used on site to create features for biodiversity. New tree, hedgerow and wildflower planting is proposed which is welcomed and would be subject to the REM follow-up application.

Up to date bat surveys have been submitted which indicate that at least nine species of bat are using the application site including lesser and greater horseshoe and barbastelle bats. Bats were recorded along all the site boundaries, including Melksham Road which is unlit apart from one light column at the site's edge. Any additional lighting along the road would need to be carefully considered and adhere to the Guidance Note: GN08-23 "Bats and Artificial Lighting at Night" (BCT & ILP 2023) when designing a final layout at REM stage.

Whilst an Ecological Parameters Plan has not been submitted, the Illustrative Masterplan does provide an indicative layout. This includes landscape buffers (with the requisite widths to be fully detailed at REM stage) along all the boundaries, including a large buffer on the northern, eastern and western site edge incorporating new planting and a SuDS feature.

The distance from bat habitat (i.e., boundary hedgerows and trees with bat roost potential) to areas within the future scheme to be subject to artificial lighting would also need to be carefully designed and assessed at REM application / DOC stage to ensure a 10m (minimum) dark corridor along important habitat features. The SuDS feature would also need to be designed to provide a benefit for biodiversity.

The submitted ecology surveys have also confirmed the presence of a small population of slow worm on the site, as well as identifying suitable habitat for nesting birds, hazel dormouse and terrestrial invertebrates. Precautionary working measures to protect sensitive ecological features shall be secured through a Construction Environment Management Plan which can be secured via a planning condition.

The Salisbury and Wilton Swifts body have requested 55 integrated swift/universal bricks to be provided within this development which can be sought via a planning condition to ensure that they are designed into the development.

Under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) this application is required to deliver 10% Biodiversity Net Gain (BNG). A BNG planning condition would automatically apply if approval is endorsed at committee or on appeal.

The applicant has commissioned a statutory metric calculation confirming the pre- and predicted post- intervention biodiversity value for the site (including the condition assessment sheets and maps). The baseline habitat has been accepted by the Council's ecologist.

The submitted information demonstrates that the development would not result in a net loss of local biodiversity resource, and gains are likely from proposed habitat creation/enhancement measures. The Ecological Impact Assessment notes that

*“additional features for wildlife such as swift boxes and nest boxes for other birds, bat roosting boxes and log piles for slow worms can be incorporated in the development”*. A planning condition has been recommended by the Councils ecologist to secure the incorporation of these features into the final design.

A Biodiversity Gain Plan planning condition would require the submission of a Biodiversity Gain Plan to demonstrate how the biodiversity objective (10% biodiversity net gain) would be met, and following any future REM approval, the development could only legally commence once the Biodiversity Gain Plan condition has been discharged.

In order for the Council to fulfil its BNG monitoring responsibilities, a BNG monitoring contribution is required to be secured via a s106.

The Councils ecologist is supportive of the application subject to the planning condition obligations noted above and as such the proposal is considered to comply with Core Policy 50.

#### **10.4 Impact on the significance of heritage assets**

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires *‘special regard’* to be given to the desirability of preserving a listed building or its setting.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the *‘exercise of any functions, with respect to any buildings or other land in a conservation area, under or by virtue of any of the provisions mentioned in this Section, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area’*.

Paragraph 212 of the NPPF states that *“when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. ..This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”*.

Paragraph 213 of the NPPF states that *“Any harm to, or loss of, the significance of a designated heritage asset (from alteration or destruction, or from development within its setting), should require clear and convincing justification.”*

Paragraph 214 of the NPPF states that *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal...”*

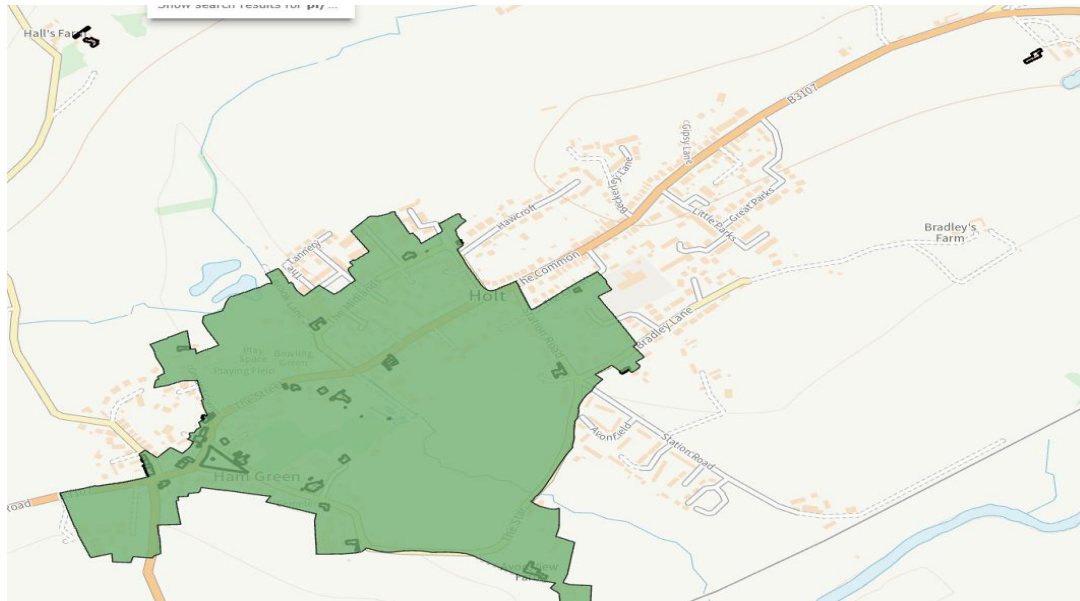
Core Policy 57 of the WCS states: *“A high standard of design is required in all new developments, including extensions...Development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality. Applications for new development must be accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the*



*character of Wiltshire through...being sympathetic to and conserving historic buildings”.*

Core Policy 58 of the WCS echoes the above national policy in seeking the protection, conservation and, where possible, enhancement of heritage assets.

The proposed development lies approximately 630 metres west of Holt Conservation Area. Within this Conservation Area there are also a number of Grade II, Grade II\* Listed Buildings. Ozen Leaze Farmhouse which is Grade II Listed lies to the southeast approximately 310 metres away.



Given the distances between the site and the heritage assets, officers are satisfied that the proposal would have a neutral impact and would not harm the associated heritage asset settings and as such would comply with the relevant policies noted above.

### **10.5 Archaeology**

Core Policy 58 of the WCS requires development to *‘protect, conserve and where possible enhance the historic environment’*. The applicant has submitted a geophysical survey with the application which revealed no archaeological interest which was ratified by the Council’s archaeologist. The proposal is therefore considered to comply with the requirements of Core Policy 58 of the WCS and the NPPF.

### **10.6 Impact upon neighbouring amenity**

Core Policy 57 of the WCS requires proposals to *‘have regard to the compatibility of adjoining buildings and uses, as well as the impact on the amenities of existing occupants, and ensuring appropriate levels of amenity are achievable within the development itself, including the consideration of privacy and overshadowing’*.

To protect the amenity of future occupiers, the reserved matters application would be required to demonstrate that the proposed dwellings would meet the minimum sizing requirements noted in the Governments Technical Housing Standards and their

associated gardens should be at least the same size as the ground floor of the dwelling they serve to accord with the Councils Design Guide.

Each new dwelling in Wiltshire currently has access to 1 x 180 litre household waste bin, up to 2 x 240 litre wheeled bins, up to 2 x 55 litre black recycling box and the option of 1 x 180 litre chargeable garden waste bin and as such sufficient space should be provided for each dwelling for the storage of these waste bins/boxes alongside appropriate cycle storage without impacting upon the useable garden areas. The submitted indicative scheme appears to show that it is capable of delivering these requirements, and officers are confident any follow-up REM should not result in substantive overlooking or overshadowing.

With regard to the impact on existing residential amenity, 2 existing two-storey dwellings (at 227 Melksham Road with 216b behind) are located to the southwest (north of the B3107) which would be the closest dwellings to the site. There are windows and a dormer window on the side elevation of No.227 Melksham Road facing the site in question and the reserved matters application would have to ensure that the amenity of the occupiers of this dwelling are not adversely affected.

Third party concerns that have been raised regarding overlooking which would be assessed at the subsequent reserved matters application once a finalised detailed layout has been submitted to the Council to determine.

An increase in noise has also been raised as a concern. It is noted that there would be some noise from construction, but this would apply only for a short period of time and given the overriding need to build houses, and the recognition that housebuilding does involve noisy operations, subject to adhering to a Construction Management Plan planning condition, this concern would not be defensible grounds to refuse the application. It is also accepted that once built out, existing neighbours would experience more noise than what currently exists due to the existing use of the land being agricultural, however, and noise associated with domestic properties would be a matter for the Councils Public Protection team, to investigate should there ever be a statutory noise nuisance.

The Councils Public Protection Team were consulted on the application and reported no objections subject to a planning condition requiring a Construction Management Plan (CMP) to be submitted to control dust management and to mitigate as much as possible noise arising from the construction, as well as confirming the construction and site operation hours to protect the amenity of existing residents. They also requested a noise impact assessment to be submitted detailing air source heat pumps and mechanical ventilation to ensure appropriate amenity levels for existing and future residents which are considered to be appropriate.

Wessex Water have confirmed that noise from the existing pumping station could impact the amenity of future occupiers and therefore any proposed dwellings should be located a minimum of 15 metres from the pumping station. The indicative layout does provide for this level of separation but would be reassessed at the reserved matters stage once a finalised layout has been provided.

The proposal in outline form is considered acceptable in terms of neighbouring amenity issues and would comply with the relevant criteria of Core Policy 57 and the NPPF.

Concerns have been raised through the public consultation regarding the loss of a view. However, this is not a material planning consideration.

### **10.7 Highway Matters**

The objectives of WCS Core policies 60 and 61 seek to reduce the need to travel particularly by private motor vehicle, and to support and encourage the sustainable, safe and efficient movement of people and goods within and through Wiltshire and identify that new development should be located and designed to reduce the need to travel particularly by private car, and to encourage the use of sustainable transport alternatives.

Whilst it is fully acknowledged that the site lies outside of the settlement limits of Holt, as the planning inspector for appealed application PL/2022/03315 concluded, Holt does have some facilities although there is no health provision, no secondary or tertiary education provision, and there is limited employment opportunities and residents need to travel further afield for greater shopping needs. However, the Inspector concluded that the bus service is relatively good for a rural area and whilst there are limitations, the site on the eastern periphery of Holt was not considered to be unsustainable. The same conclusion has been reached by planning officers for the application proposal on the north side of Melksham Road – which would be directly opposite the aforementioned appeal site.

For the stated appeal, the planning inspector considered the cumulative impacts of the 90-house scheme proposal on the highway network and concluded it would not be severe and would be NPPF compliant. The same is said for the site subject of this application which is immediately opposite the appeal site.

The site is currently accessed via a field gate off Melksham Road (B3107), and a new priority-controlled T junction is proposed at the same location. A new enhanced gateway feature is proposed to be relocated further east to assist with slowing vehicles down. It is noted that the Parish Council would like the existing village gateway sign to be relocated should this development be supported and this is included as a recommended planning informative.

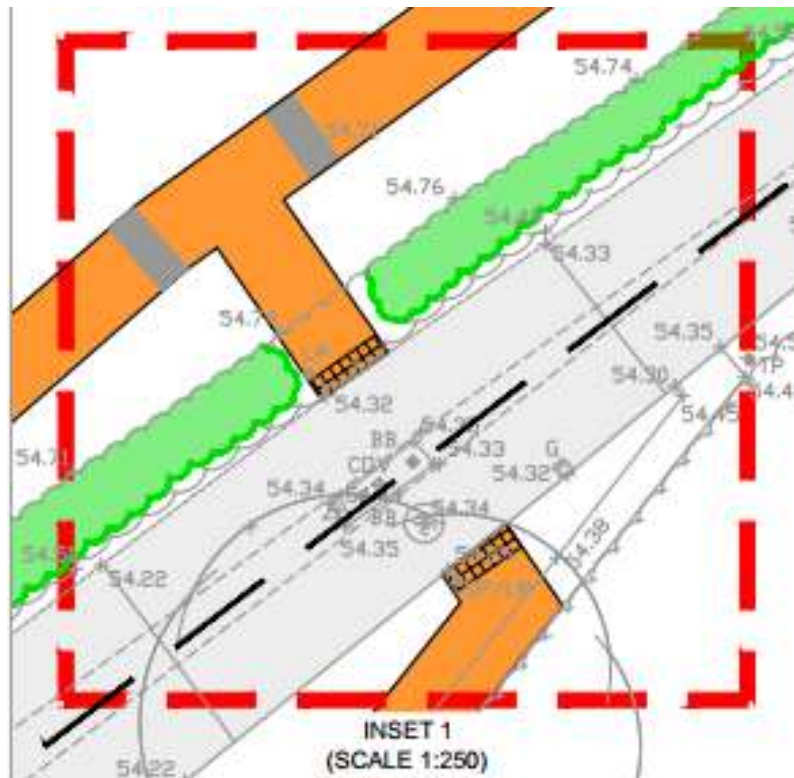
A separate pedestrian access along the internal southern boundary of the site is proposed to link the site up with the existing footpath behind a translocated hedge with a link to the proposed bus stop on the eastern bound carriageway as shown below.



Car parking as indicatively shown on the plans would appear to accord with the Council policies (for 1 space per 1 bedroom unit, 2 spaces per 2–3-bedroom unit and 3 spaces per 4-bedroom unit and visitor parking at a ratio of 0.2 spaces per dwelling).

Cycle storage would be provided within garages, sheds or storage facilities of which detailed design would come forward in a future reserved matters application and electric vehicle charging points would be provided within the curtilage of each dwelling.

A proposed pedestrian crossing point is proposed as part of the application which is as follows:



The Councils highways team have worked closely with the Councils Road Traffic Team and having carefully reviewed the scheme and accounted for its relationship with the local highway, it has been concluded that the number of pedestrian movements predicted to cross the road would not justify the need for a light-controlled crossing.

However, it has been agreed that the speed limit should be reduced to 30mph with a new speed limit gateway sign being secured which would be subject to a separate Traffic Order and be separate from the planning application process. The planning process can however secure the necessary highway works through the s106 Legal Agreement. A pedestrian crossing is still proposed as part of this application as demonstrated above which has been considered appropriate by the Councils Highway Officer and the Road Traffic Team.

Subject to planning conditions and the s106, the proposed development would not result in a severe cumulative impact on the highway network and as such, the application would comply with the relevant policies.

#### Parish Council highway concerns

The concerns from the Parish Council and local residents are duly noted in terms of referencing a perceived need for a mini roundabout to serve the dwellings in this application as well as the dwellings allowed on appeal (as previously mentioned) rather than it being served from Great Parks. However, a mini roundabout is not necessary in planning or highway terms and the request would not satisfy the legal tests for developer obligations.

The Council's highways authority have confirmed that mini roundabouts are not effective or efficient when there is a small number of traffic movements as would be the case for this proposal. A mini roundabout is only considered to be suitable in highway terms when the traffic flows are balanced on all arms. They should not be installed where traffic flows or turning proportions differ significantly between the arms. In this particular case, traffic on the B3107 would far exceed the traffic entering and exiting the development site and the flows would not be balanced. To put this into context – the submitted Transport Assessment shows a weekday average AM peak hour flow on the B3107 to be measured as 523 trips (where a trip is a one way movement) whereas, the TA predicts approximately 26 trips for the same period to be generated by the 55-house development (which equates to one traffic movement every 2 minutes).

The application to the south was in outline form that requested access to be approved. This was approved at appeal whereby the appointed planning inspector concluded that the Great Parks access to the appeal site could adequately cope with the additional traffic. Given that appeal has been allowed, it would be ultra vires for the Local Planning Authority to attempt to seek a material change for the appealed development.

Holt PC are concerned that the cumulative impacts of this proposed development in combination with the allowed appealed development south of the B3107 has not been appropriately assessed. In response, highway officers strongly refute such a claim, and the application has been properly assessed alongside having full awareness of the 90-house scheme to the south.

Holt PC have raised objections regarding the removal of the toucan crossing – which had been originally proposed. It should be noted that since the pre-application advice was provided, a more detailed engagement with the Road Traffic Team has taken place who have advised that the number of pedestrians likely to cross the road is not sufficient to warrant a toucan crossing, which has justified its removal from the application. The Road Traffic Team have confirmed that the need for a signalled controlled crossing must be assessed against technical criteria including requiring a minimum level of pedestrian flow before a formal crossing is considered. In practice, an average level of 50 pedestrians per hour over the four peak hours is considered appropriate. However other factors must also be met following a site assessment, including a general assessment of traffic flows and the number of vulnerable users. The site must also be suitable in terms of visibility and footway widths, and in response to all of the above, the Council's highways officer has confirmed that the 55-house proposal does not meet the said criteria.

Also of concern is the lack of pedestrian infrastructure improvements being requested on this application which were deemed necessary for the site on the southern side of the highway (allowed on appeal) which secured £100,000 towards the off road cycle route between Holt, Melksham and Bradford on Avon, £7,400 towards Public Right of Way improvements, £7,500 towards a travel plan and £3000 towards a traffic regulation order for a bus stop set down). Following a thorough consultation, officers have concluded and have agreed with the applicant that the development necessitates the following highway related developer obligations to be secured by a s106:

- £61,100 towards the delivery of an off-road cycle route to serve the site, the village and Melksham and Bradford on Avon.
- £9,165 towards adding extra journeys within the existing public transport timetable
- To deliver a bus stop and associated set down and shelter along Melksham Road
- To secure a Traffic Order prior to any dwelling being occupied to amend the speed limit of the stretch of Melksham Road along the site's frontage whereby the applicant/developer shall pay for the Order and its advertisement procedures.

The Parish Council have highlighted a desire to secure developer contributions to improve the existing footways from the site to access key village amenities such as the primary school, shop and bus stops. The safety of pedestrians using these existing pavements has also been highlighted due to cars being parked on them, alongside identifying stretches not being wide enough for pushchairs. It is noted that the existing pavements are uneven but the condition of the existing pavements in the village is an existing problem that has not been caused by this proposal and as such, burdening the developer to remedy long standing maintenance issues relating to the pavement would not be unreasonable.

The Councils Highways Team have identified the aforementioned necessary s106 obligations that would satisfy the three legal tests. The Parish Council are encouraged to approach the local highways authority separately to discuss the condition of the pavements and to help identify what needs to be done and the associated costs alongside arranging for cars to be ticketed for parking on the pavements which restricts the width for users and endangers pedestrians.

The proposed reduced speed limit remedy is not supported by Holt PC who argue that it would not guarantee compliance. Holt PC have suggested speed cushions, chicanes or an electronic speed sign. At this location, speed cushions and chicanes are not considered to be appropriate because of the classification of the road (Class II road). Permanent speed indicator devices have been discussed with the Traffic Team who have confirmed that the Council do not promote the use of these, and it is the Councils policy that these are best served as mobile/portable devices for short term installations.

The applicant has agreed to cover the costs associated to relocating the existing village gateway speed limit sign further to the east which would be part of the aforesaid Traffic Order to be secured under the Highways Act.

### **10.8 Public Rights of Way**

There are no public rights of way located within the development site. The Councils Public Rights of Way Team have requested a developer s106 contribution of £150 per dwelling to improve the PROW network within the parishes of Holt, Atworth and Broughton Gifford. This financial contribution is considered to be appropriate and would positively encourage future residents of this scheme to use the PROW network and the contribution would satisfy the legal tests.

## **10.9 Drainage**

Core Policy 67 of the WCS states that all new development should include measures to reduce the rate of rainwater run-off and improve rainwater infiltration to soil and ground (SUDs).

The site lies within Flood Zone 1 which is the least likely to flood and is also located within an area of very low risk of surface water flooding.

The applicant's drainage strategy proposes to manage surface water from the proposed development by directing it to two lined swales and surface water sewers which in turn, would connect with an infiltration basin located in the northeast of the site. This would then drain to an existing water course which would require separate land drainage consent from the Local Lead Flood Authority (Wiltshire Council).

Foul drainage would be connected to the foul sewer on Melksham Road. Profiled ground levels and raised finished floor levels of the proposed dwellings would protect future occupiers from any further risk.

Officers representing the Council's local drainage authority has supported the application subject to planning conditions regarding the details of the surface water drainage strategy which is considered to be acceptable. Wessex Water have also supported the scheme.

## **11 Developer Obligations and Recommendation:**

Core Policy 3 of the WCS states that all new development shall be required to provide necessary on-site (and where appropriate) off-site infrastructure requirements arising from the proposal.

The infrastructure items listed below are those that are relevant to the application site and are considered necessary in order to mitigate the impact of the proposed scheme, in line with the tests set under Regulation 122 of the Community Infrastructure Levy Regulations 2010, otherwise known as the legal tests (which are set out below as bullet points), as well as NPPF paragraph 58.

- Necessary to make the development acceptable in planning terms
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development

The developer has agreed to the following s106 developer obligations:

Affordable Housing: Section 5 of the NPPF requires a sufficient supply of homes including affordable. Core Policy 43 of the WCS sets out a requirement for 40% on-site Affordable Housing provision, based on the scheme of 55 residential units there would be a requirement to provide 22 affordable units on this site.

22 units have been proposed within the submitted documents, but the mix suggested would need to be slightly adjusted in order to reflect the current demonstrable need and delivery approaches which the s106 should secure. These dwellings would need to be transferred to a Registered Provider.



The current demonstrable need is as follows:

60 % for (13 units) Affordable Rent and 40% (9 units) for affordable home ownership that could comprise of shared ownership and first homes.

An indicative tenure mix would be as follows

Affordable Rent (13)

31% x 1 bed 2 person flats/in house-style /maisonettes\* (4)

38% x 2 bed 4 person houses (5) 23% x 3 bed 5-6 person houses (3) 8% x 4 bed 6–7-person house (1)

Affordable Home Ownership (9)

(specific tenures to be advised by the Housing Enabling Team and included in the S106 Agreement) 70% x 2 bed 4 person houses (6)

30% x 3 bed 5 person houses (3)

2 of the above units should be built to meet the adapted needs of older people or those with disabilities which should be 2 x ground floor Affordable 1 bed flats.

It is important for the applicant to contact the Council's Housing Team to secure the most up to date requirements prior to the submission of a reserved matters application.

Open Space: The principle of obtaining quality open spaces and opportunities for sport and recreation is set out within NPPF paragraph 103.

The Leisure and Recreation DPD requires developers to provide public open space with major housing schemes unless there is an over provision locally. The requirement for this development has been calculated at 1921.04m<sup>2</sup> of public open space and 97.35m<sup>2</sup> of Equipped Play which has been calculated using the latest Sport England Guidance.

The illustrative masterplan provides sufficient on site public open space and details a trim trail on site; however, officers hold the view that this should take the form of an extended LAP to provide more play value.

The proposal would also generate a requirement of 1298m<sup>2</sup> of sport pitches and courts which equates to an offsite financial contribution of £12,980 which would be directed to Holt Recreation Ground and/or other pitch and ancillary provision within the village.

Education: NPPF paragraph 100 encourages Council's to ensure that sufficient choice of school places is available to meet the needs to existing and new communities. In order to fulfil this requirement, the proposed development is required to fund 6 Early Years Places (£17,522 x 6 = £105,132) and 9 Secondary School places (£22,940 X 9 = £206,460).

There is sufficient space at Holt Primary for the 13 spaces required.

Waste: Core Policy 3 of the WCS and Policy 6 of the Waste Core Strategy, the Council requires developers to cover the costs of providing new waste and recycling containers for each residential unit (costed at £101 per dwelling) totalling up to £5,555 would be

required. This is in conformity with the Wiltshire Council Waste Collection Guidance for New Development.

Highways: Core Policy 61 of the WCS states that *'where appropriate, contributions would be sought towards sustainable transport improvements and travel plans will be required to encourage the use of sustainable transport alternatives'*. Such requests are also listed under Core Policy 3 as infrastructure priority theme 1, and this development triggers the following developer obligations:

- £61,100 towards an off-road cycle route between Holt, Melksham and Bradford on Avon
- £9165.00 towards adding extra journeys within the existing public transport timetable
- Bus stop and associated set down and shelter

Prior to occupation of the first dwelling, a Traffic Order to amend the speed limit on Melksham Road shall have been prepared, consulted upon, and advertised, with a final report recommending whether to proceed with the Order prepared for consideration by the Cabinet Member for Highways. If the Cabinet Member for Highways approves the Order the amendments shall be implemented. including a new speed limit "gateway" (signs, a feature on the highway verges such as short sections of white gateway fencing, speed limit entry countdown bars on the carriageway, and gateway carriageway red speed limit surfacing).

Public Rights of Way: Core Policy 52 of the WCS states *"Development shall make provision for the retention and enhancement of Wiltshire's Green Infrastructure network and shall ensure that suitable links to the network are provided and maintained"*.

This is also confirmed in Saved Policy CR1 of the Leisure and Recreation DPD and the Local Cycling and Walking Infrastructure Plan which is nearing adoption.

The NPPF at paragraph 105 requires planning decisions to protect and enhance public rights of way and take opportunities to provide better facilities for users.

A sum of £150 per dwelling would be required to upgrade the Public Rights of Way within the parishes of Holt, Broughton Gifford and Atworth.

Arts Contribution: Core Policy 57 of the WCS: Ensuring high quality design and place shaping [page 287, paragraph xii)] promotes *"the use of high standards of building materials, finishes and landscaping, including the provision of street furniture and the integration of art and design in the public realm"*.

Core Policy 3 of the WCS: Infrastructure Requirements [page 58, paragraph 4.42] promotes and defines public art as a type of place-shaping infrastructure and states that the cost of providing infrastructure can be met through the use of planning obligations. In addition, the NPPF recognises that cultural wellbeing is part of achieving sustainable development and includes cultural wellbeing within the twelve core planning principles that underpin both plan-making and decision-taking.

The PPG complements the NPPF and states that “*Public art and sculpture can play an important role in making interesting and exciting places that people enjoy using.*”

A contribution of £16,500 is necessary (based on the Council’s current public art charging of £300 per dwelling and £3 per square metre of non-residential commercial land) to fund a Council led arts installation to deliver a public art scheme for the site.

Management Company: The s106 Legal agreement would need to ensure that the proposed dwellings are served by a management company to ensure that the area of public open space and other shared communal areas are properly managed in perpetuity.

The management company could be an independent company or the Parish Council should they express a commitment to take on the play space or other communal areas within the scheme pursuant to their long-term maintenance and management.

Ecology BNG Monitoring Fee: A developer contribution of £11,165 is necessary to cover the monitoring BNG on the site for a period of 30 years in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021 and Section 111 of the Local Government Act 1972

Section 106 Monitoring Fee: A s106 developer monitoring fee obligation is required at 1% of the total financial contributions capped at £10,000.

#### Other Matters

Wiltshire Council adopted CIL (Community Infrastructure Levy) on 18 May 2015 and the proposed dwellings subject of this application would be liable to pay CIL and therefore an informative should be added to any approval informing the applicant. Holt has a made neighbourhood plan and would benefit from 25% of the total CIL receipts to fund local environmental infrastructure projects.

## **12 PLANNING BALANCE & CONCLUSION**

NPPF Paragraph 11 (d) and footnote 8 state that when a Council cannot demonstrate a five-year housing land supply then, for applications including housing provision, the policies which are most important for determining the application should be considered out-of-date.

As a result, the presumption in favour of sustainable development (often referred to as the ‘tilted balance’) should be applied and permission should be granted unless protection policies set out in footnote 7 of the NPPF apply, or the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits. In this particular case, there are no protection policies that would prevent the tilted balance being engaged and there are no technical objections to the application.

It is considered material to be mindful of the conclusions reached by the appointed planning inspector for the allowed appeal for 90-houses on the land opposite this current application site, who argued in paragraph 65-67 the following:

*“65. If housing land supply cannot be achieved within the defined settlement boundaries then, as the [Council’s] Briefing Note implies, housing may need to be accepted, contrary to the development plan, on sites outside of those boundaries where there are no other major policy obstacles to the decision. Such instances may well mean the development occurs on a field with a consequent effect on the landscape. It is also fair to assume there is an acceptance that, in such a situation, the new housing would often be more distant from the services than the housing within the settlement. I recognise too that there are limited opportunities for the delivery of housing within the Bradford on Avon Community Area, given the restrictions of the Green Belt and the relatively few settlements identified as a Large Village or above in the spatial hierarchy*

*66. It was said that Holt was not the right place for housing, and the village had delivered its share through pro-active planning in the context of the Neighbourhood Plan. I certainly accept Holt has done well in this regard with various new housing schemes over recent years, such as at The Tannery or on Station Road. The specific needs of the settlement have no doubt been addressed in the policies, allocations, and defined boundaries in the development plan that direct where new housing can go. However, as stated, housing policies are now deemed out-of-date, so the housing delivered as a consequence through the application of the Briefing Note could well be above and beyond that need, especially as the shortfall being addressed is Countywide.*

*67. In these circumstances, I have noted the conflict with the spatial strategy, the delivery of housing that is possibly beyond the need of the village, the development not being a ‘small housing site’ and the effect on the character and appearance of the countryside. Moreover, although not found to be a development plan conflict, I have also been mindful of the limited access to services”.*

These conclusions continue to apply for this application rendering any refusal in the absence of any technical reasons, likely to be very difficult to defend at appeal and may potentially expose the Council to a costs application for unreasonable behaviour.

The application proposal for up to 55 additional homes would deliver multiple benefits through the provision of 33 open market properties and 22 affordable homes which is a key part of national and local planning policy and has recently been re-enforced by the Written Ministerial Statement and would contribute towards addressing the Councils housing shortfall and meeting affordable housing needs, which merits being afforded **very significant weight**.

The site is considered to be an accessible location with good access to public transport links which the aforesaid planning inspector considered to be good for a rural area. This merits **significant weight** in the planning balance.

The site would also generate short term economic benefits and support jobs during construction and long-term economic benefits from the expenditure on local goods and services by the future residents alongside CIL which also deserves **significant weight**.

The developers s106 and CIL burdens merits **moderate weight**.

The provision of public open space, BNG and public rights of way improvements would but would provide some benefit to existing residents in the area and also merits being afforded **moderate weight**

The housing development of the field on an unallocated site does not accord with the development plan and this plan departure acts as a negative as would the loss of the open field character and landscape change when read as a whole. However, officers have reached the conclusions that with the benefit of the recent appeal decision for the land to the south of Melksham Road, the harm that can be attributed to the plan policy conflict and landscape harm would not demonstrably outweigh the benefits of delivering up to 55 homes at this site, and only **limited weight** can be afforded to the stated harms.

The site is located in the open countryside and fails to comply with adopted Wiltshire Core Strategy Core Policies 1, 2 and 7. The Holt NP is more than five years old and there are no protections afforded to the Neighbourhood Plan by the NPPF.

At the time of reporting this application to the members of the Strategic Planning Committee, as a result of recent changes to the way housing need is calculated, introduced by government, the council is unable to demonstrate a five-year supply of deliverable housing sites, and as demonstrated through this report, the adverse impacts of allowing the residential development would not significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies in the Framework when taken as a whole. The proposal therefore benefits from the presumption in favour of sustainable development which represents a very significant material consideration that steers the decision maker towards granting outline planning permission subject to a s106 and planning conditions.

## **RECOMMENDATION**

**To Delegate to the Director of Planning to grant outline planning permission subject to the prior completion of a Section 106 legal agreement to cover the contributions identified in Section 11 of this report, and subject to the following planning conditions set out below –**

### **Conditions:**

- 1) The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2) Application(s) for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of outline permission being granted.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

- 3) No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:
  - (a) The scale of the development;
  - (b) The layout of the development;
  - (c) The external appearance of the development;
  - (d) The landscaping of the site;

The development shall be carried out in accordance with the approved details.

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.

- 4) The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Location Plan Received by the Local Planning Authority on 13th June 2024  
Constraints Plan Rev A, Site Access Strategy (22044-GA01), Landscape Strategy (3227-5-2-DR-0001-P10) Received by the Local Planning Authority on 12th December 2024:

Ecological Impact Assessment (eg211140.02\_EcIA\_REV02), Design and Access Statement Rev A received by the Local Planning Authority on 12th December 2024

REASON: For the avoidance of doubt and in the interests of proper planning.

- 5) A detailed housing mix strategy, including the number and size of dwelling units shall be submitted with the subsequent reserved matters application which provides details of the proposed dwellings and based on demonstrable need. Thereafter, the development shall be carried out in accordance with the approved housing mix

REASON: The matter is required to be agreed with the Local Planning Authority in order that the development is undertaken in an acceptable manner and to ensure that the proposed development provides a diverse and balanced range of housing types and sizes, contributing to the creation of a sustainable and inclusive community, in accordance with local planning policies and housing needs

- 6) A revised Sustainable Energy Strategy shall be submitted as part of the subsequent reserved matters application and provide full technical details of operational energy, embodied carbon, climate change adaptation measures. sustainable transport, low-carbon and renewable energy technologies, electric

vehicle charging points. Thereafter, the development shall be carried out in accordance with the details approved by the Local Planning Authority.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner and in response to climate change.

- 7) An Acoustic Design Scheme or a scheme for the protection of the proposed dwellings from external noise (including traffic and water pumping station, air source heat pumps and/or mechanical ventilation systems) including all schemes of mitigation required shall be submitted with the subsequent reserved matters application.

The Scheme shall use Good Acoustic Design (in accordance with the Professional Practice Guidance: Planning and Noise New Residential Development (May 2017 or later versions)) to achieve the following noise limits:

- a. bedrooms shall achieve an 8-hour LAeq (23:00 to 07:00) of 30dB(A) and an L<sub>Amax,F</sub> of 45dB.
- b. living rooms and dining rooms shall achieve a 16-hour LAeq (07:00 to 23:00) of 35dB(A)
- c. external noise levels within private external amenity spaces shall not exceed 50 dB LAeq,16hr (0700 – 2300)

Thereafter the development shall be carried out in accordance with the details approved by the Local Planning Authority prior to the first occupation and all mitigation measures shall be maintained for the lifetime of the development

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner and to protect the amenity of future occupiers

- 8) The subsequent reserved matters application shall detail features of ecological importance (to include but not necessarily be limited to, boundary hedgerows and trees with bat roosting potential) and how they will be retained and protected alongside a landscape buffer measuring at least 10 metres in width.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner and to protect the ecology on the site

- 9) No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of land contamination arising from previous uses (including asbestos) has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:

Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site and any adjacent sites for at least the last 100 years and a description of the current condition of the sites with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site and the potential impact of any adjacent sites.

Step (ii) If the above report indicates that contamination may be present on, under or potentially affecting the proposed development site from adjacent land, or if evidence of contamination is found, a more detailed site investigation and risk assessment should be carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

Step (iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details must be submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

REASON: To reduce and manage the risks associated with land contamination.

10) No development shall commence on site (including any works associated to the formation of the new access) until a Construction Management Statement, together with a site plan, which shall include the following:

1. the parking of vehicles of site operatives and visitors;
2. loading and unloading of plant and materials;
3. storage of plant and materials used in constructing the development;
4. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
5. wheel washing facilities;
6. measures to control the emission of dust and dirt during construction;
7. a scheme for recycling/disposing of waste resulting from demolition and construction works; and
8. measures for the protection of the natural environment.
9. hours of construction, including deliveries;
10. pre-condition photo survey
- 11 Routing Plan
- 12 Traffic Management Plan (including signage drawings)
- 13 Number of staff vehicle movements
- 14 Details of temporary/permanent Traffic Regulation Orders



has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner and to minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

11) No development shall commence on site (including any works associated to the formation of the new access) until the following information regarding the site's drainage scheme have been submitted to and approved in writing by the Local Planning Authority:

- Evidence of how the surface water disposal hierarchy has been applied and how all other options have been exhausted
- Calculations which demonstrate that the required 30% betterment against greenfield rates has been achieved for all storm events between the 1 in 1 year and the 1 in 100year return period storm events.
- arrangements for ownership and ongoing maintenance of SuDS over the lifetime of the development.

The development shall then be carried out in accordance with the approved details.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner in the interest of drainage.

12) No site clearance or development shall commence on the site (including any works associated to the formation of the new access) until an Arboricultural Method Statement, prepared in accordance with British Standard 5837 (2012): "Trees in Relation to Design, Demolition and Construction -Recommendations" has been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner and to ensure the trees on and off the site have been appropriately considered in the interests of visual amenity.

13) No development shall commence on site (including any works associated to the formation of the new access) until a Habitat Management and Monitoring Plan

(the HMMP), prepared in accordance with the statutory Biodiversity Gain Plan has been submitted to, and approved in writing by, the local planning authority.

The HMMP shall include:

- a) a non-technical summary;
- b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the statutory Biodiversity Gain Plan and schedule for implementation;
- d) the management measures to maintain habitat in accordance with the statutory Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- e) the monitoring methodology and specification of a Monitoring Pack (to include but not exclusively up to date Management Actions Logs, Habitat Condition Assessment Reports, metric calculation; and corresponding post intervention Habitat Map) which shall be submitted to the Local Planning Authority in years 2 (two) 5 (five) 10 (ten) 15 (fifteen) 20 (twenty) and 30 (thirty) of the Maintenance Period

No more than 75% of the dwellings hereby approved shall be first occupied until the habitat creation and enhancement works set out in the approved HMMP have been implemented.

The created and/or enhanced habitat shall be managed and maintained in accordance with the approved HMMP for the lifetime of the development

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner and to ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

- 14) No development shall commence on site, (including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, or any works associated to the formation of the new access), until a Construction Environmental Management Plan (CEMP) shall be submitted to the local planning authority for approval in writing.

The CEMP shall include a detailed marked-up plan showing detail of the avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:

- a) Identification of ecological protection areas/buffer zones/bat habitat and tree root protection areas and details of physical means of protection, e.g. exclusion fencing and including who will be responsible for its installation.
- b) Locations of temporary work areas/construction compounds.
- c) Working method statements for protected/priority species, such as nesting birds, and reptiles.

- d) Work schedules for activities with specific timing requirements in order to avoid/reduce potential harm to ecological receptors; including details of when a licensed ecologist and/or ecological clerk of works (ECoW) shall be present on site.
- e) Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECoW).
- f) Timeframe for provision of compliance report to the local planning authority; to be completed by the ecologist/ECoW and to include photographic evidence.

Thereafter, the development shall then be carried out in accordance with the approved CEMP.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner and to ensure adequate protection and mitigation for ecological receptors prior to and during construction, and that works are undertaken in line with current best practice and industry standards and are supervised by a suitably licensed and competent professional ecological consultant where applicable.

- 15) Prior to the commencement of any works, (including vegetation removal and demolition or any works associated to the formation of the new access), details of the number, design and locations of features for bats, birds (including swifts), reptiles, hedgehog and invertebrates alongside a timetable for their implementation shall be submitted to and approved in writing by the local planning authority.

The development shall then be carried out in accordance with the approved details and be maintained as such for the lifetime of the development.

REASON: The matter is required to be agreed with the Local Planning Authority in order that the development is undertaken in an acceptable manner and to provide enhancement for biodiversity.

- 16) No part of the development shall be brought into use until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2.4 metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the nearside edge of the carriageway 125m in both directions in accordance with the approved plans.

The boundary treatment (hedge line) shall be replanted 1m behind the visibility splay; this is to ensure that overgrown vegetation will not affect the visibility splay. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 600mm above the level of the adjacent carriageway for the lifetime of the development.

REASON: The matter is required to be agreed with the Local Planning Authority in order that the development is undertaken in an acceptable manner in the interest of highway and highway safety

17) No part of the development shall be brought into use until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

- location and current canopy spread of all existing trees and hedgerows on the land.
- full details of any to be retained, together with measures for their protection in the course of development.
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities.
- finished levels and contours.
- means of enclosure.
- car park layouts.
- other vehicle and pedestrian access and circulation areas.
- all hard and soft surfacing materials.
- minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc).
- proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc).
- retained historic landscape features and proposed restoration, where relevant.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

18) All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.

All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

19) Prior to occupation of the first dwelling, all the highway works shown on the hereby approved Site Access Drawing, 22044-GA01A shall be completed along with provision of the bus stop with high access kerbs, the removal of the existing island, the provision of a 3m shared path, provision of frontage footway and the site access (which shall include the planing off and resurfacing over the area of the site access to the existing centre line of the carriageway).

Reason: In the interests of highway safety

- 20) No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained tree(s) or hedgerow or adjoining land. No concrete, oil, cement, bitumen or other chemicals shall be mixed or stored, and no workers compounds/facilities or heavy machinery will be located or stored, within 10 metres of the trunk of any tree(s) or hedgerow to be retained on the site or adjoining land.

REASON: To ensure the retention of trees on and off site in the interests of visual amenity.

- 21) No dwellinghouse shall have external light fixtures or fittings installed unless full details of the exterior lighting have been submitted to and approved by the Local Planning Authority in writing.

The submitted details shall demonstrate how the proposed lighting would impact on bat habitat (such as, boundary features and trees with bat roosting potential) compared to the existing situation.

The plans and details must also be in accordance with the appropriate Environmental Zone standards set out by the Institution of Lighting Professionals (ILP) Guidance Notes on the Avoidance of Obtrusive Light (GN 01/2021) and Guidance note GN08/23 "Bats and artificial lighting at night", issued by the Bat Conservation Trust and Institution of Lighting Professionals.

REASON: The matter is required to be agreed with the Local Planning Authority in order that the development is undertaken in an acceptable manner and to avoid illumination of habitat used by bats

Planning Informatives:

- 1) This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated the [INSERT TO BE ADDED ONCE S106 IS SEALED AT LATER DATE].
- 2) The applicant is advised that the development hereby approved represents chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply, and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website <https://www.wiltshire.gov.uk/dmcommunityinfrastructurelevy>.

- 3) The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition”) that development may not begin unless:
- a Biodiversity Gain Plan has been submitted to the planning authority, and the planning authority has approved the plan.
  - If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission (“the earlier Biodiversity Gain Plan”) there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Wiltshire Council. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

Before commencing development, you should consider whether a Biodiversity Gain Plan needs to be submitted and approved. Commencing development which is subject to the biodiversity gain condition without an approved Biodiversity Gain Plan could result in enforcement action for breach of planning control.

For further information please refer to: <https://www.gov.uk/government/collections/biodiversity-net-gain#developer-guidance>

- 4) The applicant will be required to enter into a Section 278 Agreement to work within the highway and deliver the proposed access arrangements. Within the terms of the agreement, the applicant will be required to determine and fund the delivery of any necessary Traffic Regulation Orders that are necessary to accommodate the access arrangements, bus stop, crossing facilities and any extension to existing speed limits.
- 5) The housing mix strategy shall demonstrate how the proposed development will meet the latest up to date local housing needs and provide a balanced mix of dwellings, with consideration given to the requirements of the local housing market and any relevant housing policies.
- 6) It is advised that the reserved matters application should include connected streets through the use of pedestrian and cycle paths to ensure the proposal accords with Streets for a Healthy Life (P.53). A village green/social space should also be provided with benches to provide a meeting area for future residents
- 7) With regards to the submission of an Acoustic Design Scheme using closed windows to achieve the internal noise level target shall only be considered once all

other good acoustic design acoustic mitigation measures have been utilised. A good acoustic design process should be followed to ensure that the internal noise criteria are achieved with windows open. Using closed windows to achieve the internal noise level target shall only be considered once all other good acoustic design acoustic mitigation measures have been utilised. When relying on closed windows to meet the internal guide values, there needs to be an appropriate method of ventilation that does not compromise the façade insulation or the resulting internal ambient noise level.

- 8) The applicant is advised to use the letter from Wessex Water dated 11th March 2025 when designing the final layout of the proposed development.
- 9) Holt Parish Council would like their existing village gateway fencing and signs to be moved further East along the B3107 to form the new gateway to the village. This should be taken into consideration when submitting a Traffic Order to reduce the speed limit along Melksham Road