

# Planning Statement



October  
2025

**Land South of Lewis Court, Southwick, Wiltshire, BA14 9RQ**

**Planning statement in support of the development of land south of Lewis Court, seeking approval for 9 dwellings and associated works.**

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## 1. INTRODUCTION

- 1.1. Context Planning Ltd have been instructed by Ashford Homes, the land owner, to prepare a detailed planning application submission in respect of land south of Lewis Court, Southwick (Figure 1).



**Figure.1 – The Land south of Lewis Court, Southwick**

- 1.2. The land south of Lewis Court is located towards the SE edge of Southwick, within the Trowbridge Community Area Boundary, 3 miles SW of Trowbridge (Principal Settlement) as defined by Core Strategy Policy 29. This policy along with CP1 also identifies Southwick to be a 'large village' as defined within Wiltshire's Settlement Framework and Spatial Strategy.
- 1.3. The site as shown in Figure 1, measures approximately 0.49ha and is located to the east of Wynsome Street, outside of, but adjacent to the established

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settlement boundary of Southwick.

- 1.4. The application seeks full planning permission for 9no. new homes, (2 x 3bed dwellings and 7 x 4bed dwellings) with associated access and landscaping. Each dwelling will benefit from private rear gardens as well as additional amenity space to the front and/or sides of the properties. Private parking is provided for all units, either through designated spaces or detached double garages with additional parking spaces in front. Each garage space measures the min 6m x 6m internal dimensions.
- 1.5. The Application, by virtue of the number of new dwellings proposed, site area and new floorspace to be created, is classed as a 'minor application'.
- 1.6. Whilst the site is undeveloped and outside of the established settlement boundary of Southwick, it is sandwiched between two existing developed sites, namely Lewis Court, immediately north, comprising nine residential properties (LPA ref: W/05/01788/FUL; granted Dec 2006); and residential and agricultural farm buildings to the south (Berryfield Farm – no.s 3 and 5 Goose Street).
- 1.7. The Site is located within the Trowbridge Bat Mitigation (yellow) zone, it is not subject to any landscape, flood risk or archaeological designations nor does it contain any public rights of way.
- 1.8. The site is acknowledged to be sustainably located, offering good accessibility to public transport routes and several village amenities including a regular bus route service to Trowbridge and neighbouring towns and villages across Wiltshire and Somerset via the A361.
- 1.9. The application must also be considered in context with the current five-year housing land supply position for which the Council's most recent Housing

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Supply Statement (2024) confirming a supply of only 2.42 years across Wiltshire. This figure has been recently examined at appeal where both parties agreed that the Council's five-year supply of deliverable housing sites was actually found to be **2.03 years** (Appeal Ref: APP/Y3940/W/24/3349828, 17 Jan 2025). This represents a chronic and persistent housing shortfall of more than 10,000 homes in Wiltshire. In the absence of a 5-year supply of deliverable housing sites, the housing policies of the development plan must be considered 'out of date', which includes the currently adopted settlement boundary of Southwick which has not been reviewed for many years and does not reflect currently identified needs.

- 1.10.** This supporting statement provides background to the site and details of the proposal. This application submission is accompanied by a comprehensive suite of planning documents, including layout, plans and elevations, a Design and Access Statement (DAS), Ecology and BNG Reports, Drainage Strategy and an Arboricultural Assessment.
- 1.11.** The development is capable of being brought forward quickly and so would contribute towards addressing the shortfall in the 5-year housing land supply, making an important contribution towards the growing housing need in Southwick and the wider Trowbridge Community Area.

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## 2. RELEVANT PLANNING HISTORY

- 2.1.** The site has some limited but relevant planning history, as detailed in Table 1 below. Of most relevance is a refused application for 3no. residential dwellings on the site in June 2013 (W13/00647/FUL) and November 2014 (14/05120/FUL), followed by a dismissed appeal in September 2015 (APP/Y3940/W/15/3065791). Whilst no technical issues were raised with the scheme by either the Case Officer or Inspector, the November 2014 application was refused solely on the basis that the proposed development was outside of the defined village settlement boundary.
- 2.2.** Whilst the inspector recognised the sustainability credentials of the Site, noting *‘...The site is not isolated, nor inaccessible to the village’s facilities, and the proposal would be no more or less sustainable in these terms than the adjacent Lewis Court...’*<sup>1</sup>, there were no exceptional circumstances at that time to allow residential development outside the settlement boundary of Southwick.
- 2.3.** It is important to acknowledge the significant change in context and planning policy since these decisions were made, namely the dramatically reduced housing land supply position in Wiltshire (currently 2.42 years, as set out in Wiltshire’s latest Housing Land Supply Statement, June 2025) however recent appeal decisions have found this number to be **2.03 years** (Appeal Ref: APP/Y3940/W/24/3349828, 17 Jan 2025). These matters are discussed in more detail in later sections of this report.

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<sup>1</sup> Paragraph 16 of PINS appeal decision ref APP/Y3940/W/15/3065791 dated 18 September 2015

**Table.1 – Relevant Planning History**

| <b>LPA<br/>Application /<br/>Appeal<br/>Reference</b> | <b>Address</b>                                               | <b>Proposal</b>                                                                                                                                       | <b>Decision</b>                |
|-------------------------------------------------------|--------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|
| W/13/00647/FUL                                        | Land North Of 3,<br>Goose Street,<br>Southwick,<br>Wiltshire | Change of use and<br>development of 3<br>residential single storey<br>dwellings with private<br>access drive                                          | Refused<br>June 2013           |
| 14/05120/FUL                                          | Land North Of 3,<br>Goose Street,<br>Southwick,<br>Wiltshire | Change of use and<br>development of 3<br>residential single storey<br>dwellings with private<br>access drive (Re-<br>submission of<br>W/13/00647/FUL) | Refused<br>November<br>2014    |
| APP/Y3940/W/15<br>/3065791                            | Land North Of 3,<br>Goose Street,<br>Southwick,<br>Wiltshire | Appeal to PINS against<br>the LPA November 2014<br>decision                                                                                           | Dismissed<br>September<br>2015 |

### 3. DETAILS OF PROPOSALS

- 3.1.** This application is for full planning permission for 9no. new homes, on the site in Southwick, accessed via an improved vehicular entrance from Wynsome Street.
- 3.2.** The application comprises 2no. x 2-bedroom semi-detached dwellings and 7no. x 4-bedroom detached dwellings, each with their own private rear gardens and dedicated parking spaces.
- 3.3.** Soft landscaping and biodiversity enhancement measures will be incorporated on the north and eastern boundaries of the Site, with all existing hedgerows retained or enhanced where possible. Existing trees on the development site

and neighbouring land have been surveyed, and the development has been designed to avoid root protection zones, ensuring tree preservation where possible. The boundary treatment also provides screening to properties on the neighbouring sites.

- 3.4. The new vehicular access, parking and turning areas will be permeable incorporating a drainage strategy developed by Tumu Consulting.
- 3.5. The proposed dwellings are of typical residential scale and appearance, incorporating a mix of brick and stone with traditional detailing throughout, responding to the prevailing local character. An illustration of the proposed layout is included in Figure 2 below.



**Figure 2 – Layout for 9no. new homes on land south of Lewis Court, Southwick**

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## 4. PLANNING POLICY

- 4.1. Section 70(2) of the Town and Country Planning Act 1990 provides that, in dealing with proposals for planning permission, regard must be had to the provisions of the development plan, so far as material to the application, and to any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that, if regard is to be had to the development plan for any determination, then that determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 4.2. The parts of the Statutory Development Plan which are of most relevance to this proposal includes the Wiltshire Core Strategy (CS) (adopted in January 2015), Saved Policies of West Wiltshire District Plan 1st Alteration 2004 and the Southwick Neighbourhood Plan (NP) (made October 2021). Whilst adopted in 2021, the NP is currently being updated, including a review of potential suitable sites for new homes within the NP area, however this updated is at a relatively early stage and therefore attracts little weight at this point.
- 4.3. The NPPF (2024) forms a significant material consideration, particularly in understanding the weight that should be attached to policy and whether policy can be considered up-to-date. The National Planning Practice Guidance (PPG) provides additional clarification as to the Government's planning policy approach and in places is relevant to this submission.

### **Wiltshire Core Strategy (January 2015)**

- 4.4. Wiltshire Council formally adopted the Wiltshire Core Strategy Development Plan Document in January 2015.
- 4.5. Core Strategy Core Policy (CP1) sets out the settlement strategy for Wiltshire,

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identifying four tiers of settlements (Principal Settlements, Market Towns, Local Service Centres and Large and Small Villages). Southwick is defined as a 'Large Village' where development is encouraged to 'meet the housing needs of settlements and to improve employment opportunities, services and facilities'.

- 4.6. Core Strategy Core Policy 2 (CP2) sets out a delivery strategy, which states that in Large Villages there will be presumption in favour of sustainable development. The Policy states that will be delivered in a sustainable pattern in a way that prioritises the release of employment land and the re-use of previously developed land to deliver regeneration opportunities, and to limit the need for development on Greenfield sites, with approximately 35% of development taking place on previously developed land.
- 4.7. CP29 outlines the spatial strategy for the Trowbridge Community Area (CA) which envisages the provision of approximately 7,000 new homes within the wider CA, 5,860 of which within Trowbridge itself to help facilitate the delivery of improved services and facilities in town.
- 4.8. The accompanying table (see below) establishes the number of dwellings completed and/or permitted out of the 6,975 required in the Trowbridge CA. It indicates that another 2,624 dwellings remain to be identified, yet the plan period ends in 2026.

| <b>Area</b>                                                    | <b>Indicative requirement 2006-2026</b> | <b>Completions 2006-2024</b> | <b>Deliverable commitments 2024-2026<sup>12</sup></b> | <b>Indicative remaining requirement<sup>13</sup></b> |
|----------------------------------------------------------------|-----------------------------------------|------------------------------|-------------------------------------------------------|------------------------------------------------------|
| Malmesbury                                                     | 885                                     | 1,043                        | 180                                                   | -338                                                 |
| Malmesbury CA remainder                                        | 510                                     | 617                          | 118                                                   | -225                                                 |
| Malmesbury CA                                                  | 1,395                                   | 1,660                        | 297                                                   | -562                                                 |
| Melksham and Bowerhill                                         | 2,240                                   | 2,590                        | 103                                                   | -453                                                 |
| Melksham CA remainder <sup>16</sup>                            | 130                                     | 186                          | 22                                                    | -78                                                  |
| Melksham CA <sup>16</sup>                                      | 2,370                                   | 2,776                        | 125                                                   | -531                                                 |
| Royal Wootton Bassett                                          | 1,070                                   | 1,170                        | 16                                                    | -116                                                 |
| Royal Wootton Bassett and Cricklade CA remainder <sup>17</sup> | 385                                     | 745                          | 104                                                   | -464                                                 |
| Royal Wootton Bassett and Cricklade CA <sup>17</sup>           | 1,455                                   | 1,915                        | 120                                                   | -580                                                 |
| Trowbridge                                                     | 6,810                                   | 3,629                        | 352                                                   | 2,829                                                |
| Trowbridge CA remainder                                        | 165                                     | 346                          | 24                                                    | -205                                                 |
| Trowbridge CA                                                  | 6,975                                   | 3,975                        | 376                                                   | 2,624                                                |

**Fig. 2 – Delivery of housing in Trowbridge CA (extract from WC Housing Land Supply Statement – June 2025)**

- 4.9.** Policy CP41 (Sustainable Construction and Low Carbon Energy) encourages the incorporation of sustainable design measures to reduce energy demand for all new homes.
- 4.10.** Policy CP45 (Meeting Wiltshire’s Housing Needs) states that new housing should seek to provide a range of different types, tenures and sizes of homes to create mixed and balanced communities.
- 4.11.** Policy CP51 (landscape) states that “development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character”. Locally distinctive natural features, the character of settlements and their landscaped setting will be conserved and enhanced. Important views and visual amenity will be protected.

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- 4.12.** Policy CP57 (Ensuring high quality design and place shaping) requires new developments to make efficient use of land whilst taking account of characteristics of the site and having regard to the compatibility of adjoining buildings and uses, to ensure that appropriate levels of visual and residential amenity are achievable within a development. A high standard of design is required in all new developments. Development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality.
- 4.13.** Core Policy CP60 (Sustainable Transport) seeks to direct development to accessible locations and promote the use of sustainable transport modes.
- 4.14.** CP61 (Transport and New Development) ensures that development proposals achieve a suitable connection to the highway that is safe for all road users, and that appropriate levels of parking are provided within the site. Policy CP64 (Demand Management) and LTP3 Car Parking Strategy adopted by the council in February 2011 includes residential parking standards (see table 7.1, page 27), which sets out the minimum parking requirements for new residential development.

### **Southwick Neighbourhood Development Plan (NDP) 2018-2036 (October 2021)**

- 4.15.** The Southwick Neighbourhood Development Plan (2021) was formally 'made' in October 2021 and spans the period of 2018-2026. It is a community-led document that outlines the vision, goals, and policies for the development and sustainability of the village. The plan was created with input from residents and stakeholders to reflect the community's aspirations and serves as a guide for future development in the area, ensuring that it aligns with the needs of the local community while preserving the unique character of Southwick.
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- 4.16.** Policy 6 of the adopted Neighbourhood Development Plan (Additional Housing Development) states proposals for windfall development outside of the sites identified by Policy 5a and 5b (Site Allocations) will only be supported within the Southwick Village settlement boundary, as defined by Wiltshire Core Strategy and Housing Site Allocations Plan. This NDP policy states development should not be permitted in the 'open countryside' unless it is for development permitted by the exceptions set out in paragraph 4.25 of the Core Strategy and is in accordance with the Trowbridge Bat Mitigation Strategy SPD.
- 4.17.** Policy 10 of the NDP states all new housing development proposals in the area will be expected to contribute towards local infrastructure either through section 106 or CIL funding.

*Southwick NDP Review*

- 4.18.** The Southwick NDP is currently undergoing a review to meet the updated housing targets, to coincide with the Wiltshire Local Plan review. The NDP Steering Group undertook a call for sites in early 2023, from which 11 sites were identified for possible residential use, which included the Application site (Site 15 – Land between Lewis Court and Berryfield Farm, Goose Street).
- 4.19.** These sites, along with a further 5 identified in the Wiltshire Strategic Housing and Economic Land Assessment (SHELAA) have undergone a comprehensive site assessment, resulting in a shortlist of sites which are potentially suitable for allocation in the Neighbourhood Plan. Whilst this is an important context in which to view the site, as the review is at the early stages, it is acknowledged little weight can be attributed to the amendments at this stage.

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## National Planning Policy Framework (NPPF)

- 4.20. Paragraph 10 advises ‘so that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development’. Paragraph 11 outlines how the presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking is to be implemented. For decision taking this means ‘approving development proposals which accord with an up-to-date Development plan without delay’.
- 4.21. Alternatively, where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a 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 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.
- 4.22. Footnote 7 clarifies that the policies referred to above are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 181) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets

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(and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change.

- 4.23.** Paragraph 39 of the NPPF advises that ‘Local Planning Authorities (LPA) should approach decision-making on proposed development in a positive and creative way...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision makers at every level should seek to approve applications for sustainable development where possible’.
- 4.24.** Paragraph 61 makes clear that ‘to support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed’.
- 4.25.** Paragraph 63 explains that variety of sizes, types and tenures of housing are needed for different groups in the community. This should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).
- 4.26.** Paragraph 78 explains that where LPAs should identify and update annually a supply of specific deliverable sites sufficient to provide either a minimum of five years’ worth of housing against their housing requirement set out in adopted policies, or against their local housing need where the strategic policies are more than 5 years old. The supply of deliverable sites should also deliver a buffer as set out in the policy.
- 4.27.** Paragraph 83 advises that ‘planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services.
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Where there are groups of smaller settlements, development in one village may support services in a village nearby’.

- 4.28.** In respect of sustainability and transport, paragraph 110 states significant development should be focussed in sustainable locations, with paragraph 115 advising development should ensure a ‘safe and suitable access to the site can be achieved for all users’. Paragraph 116 advises that ‘development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe’.
- 4.29.** Paragraph 124 advises that ‘planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses’. Paragraph 135 guides that planning decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; 39 c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

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- 4.30.** Paragraph 232, in respect of implementation of the NPPF and existing policies, guides that ‘due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)’.

## **5. PLANNING ASSESSMENT**

### **Principle of development**

- 5.1.** Southwick is identified as a ‘Large Village’ under Core Policy 1 (CP1). This policy states that development at Large Villages ‘will be limited to that needed to help meet the housing needs of settlements and to improve employment opportunities, services and facilities’.
- 5.2.** Core Strategy Policy 2 (CP2) sets out the delivery strategy, stating that in Large Villages there will be presumption in favour of sustainable development. The Policy states that homes will be delivered in sustainable locations in conformity with the Delivery Strategy, against which the land supply situation will be assessed. CP2 also explains that the delivery of housing should be within the limits of development, as defined on the policies map.
- 5.3.** There is therefore a degree of conflict with CP2 and CP29 of the Core Strategy, and Neighbourhood Development Plan (NDP) Policy 6 which seek to limit residential development to be within the settlement boundaries. No conflict is identified with CP1 which outlines minimum levels of planned for growth across the growth and supports further residential growth at ‘large villages’ to meet the housing needs of settlements and to improve employment opportunities, services and facilities.
- 5.4.** The conflict with CP2, CP29 and NDP Policy 6 is solely in respect of the site’s
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location adjacent to but outside the settlement boundary of the village. CP2 seeks the provision of 24,740 dwellings across the North and West HMA, and that this be delivered in sustainable locations in general conformity with the relevant area strategies. The site, it will be shown has excellent sustainability credentials having regard to its locational accessibility to services and facilities and that developing the site is in general conformity with the aims and approach of the Council's spatial strategy.

- 5.5. Whilst the application site sits outside, but adjacent to, the established settlement boundary of Southwick, it is acknowledged to be a sustainably located site by virtue of the good public transport links and local village amenities. The sustainability credentials of the site has also been confirmed by PINS during the assessment of the 2015 planning appeal (APP/Y3940/W/15/3065791) as discussed in more detail below.
- 5.6. Although the application does not strictly conform with the adopted delivery strategy that stipulates development should be within the defined settlement boundary, there are material considerations as to why a departure from this policy is justified. These are dealt with in turn below.

### ***Housing Land Supply Position***

- 5.7. Wiltshire Council have issued a briefing note (June 2025), to explain the implications of the December 2024 revisions to the NPPF which included amendments to calculating the standard method for housing need; the terms under which a buffer should be added to the housing requirement to be used in the housing land supply calculation; and the implications of not being able to meet a sufficient deliverable housing land supply. The briefing note also addresses the revisions to the Planning Practice Guidance (PPG) including the standard methodology for assessing and setting Local Housing Need.

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- 5.8. The number of homes per annum required under the previous local housing need calculation was 1,917, and this has increased to 3,525 under the revised housing need calculation. This represents an 84% increase. Wiltshire Council must now demonstrate a five-year housing land supply (rather than four years), including a 5% buffer, and immediately apply the revised Local Housing Need figure for decision-making.
- 5.9. According to the updated calculations, the Council is unable to demonstrate the required five-year housing land supply (plus buffer), with the Council's most recent Housing Supply Statement (2024) confirming a supply of only 2.42 years across Wiltshire. This figure has been recently examined at appeal where both parties agreed that the Council's five-year supply of deliverable housing sites is actually found to be **2.03 years** (Appeal Ref: APP/Y3940/W/24/3349828, 17 Jan 2025). This represents a chronic and persistent housing shortfall of more than 10,000 homes in Wiltshire over the current 5 year housing land supply period.
- 5.10. In the absence of a 5-year supply of deliverable housing sites, the housing policies of the development plan must be considered 'out of date', which includes the currently adopted settlement boundaries, which were adopted on the basis of the Core Strategy figures for growth.
- 5.11. In these circumstances the tilted balance applies (paragraph 11d), requiring that permission should be granted unless the adverse impacts of the scheme significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate otherwise. In such circumstances the development would benefit from the presumption in favour of sustainable development. This is an important material consideration in the consideration of this application.
- 5.12. As detailed within the published Briefing Note (June 2025), the Council acknowledges the significant shortfall and emphasises that the weight given to
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the benefits of housing in planning decisions has now increased. Furthermore, the Council highlights that the presumption in favour of sustainable development should be viewed in the context of the national objective to boost housing land supply.

- 5.13.** Under the NPPF's transitional arrangements, the Local Plan submitted by Wiltshire Council for Examination will be assessed under the relevant previous version of the NPPF. The council must however be able to demonstrate a five-year housing land supply at the point of adoption assessed against the housing requirement in the emerging Local Plan. It is to be noted there remain many unresolved objections to the emerging plan's housing figures which are disputed.
- 5.14.** Upon adoption of the Local Plan, the five-year housing land supply will be assessed against the housing requirement in the plan for a period of up to five years from adoption. However, the NPPF directs that for authorities whose adopted housing requirement is substantially less than the revised Local Housing Need figure, they will be required to add a 20% buffer to their five-year housing requirement from 1 July 2026 and need to immediately begin work on a new plan to meet the local housing need figure.
- 5.15.** The Local Plan Review (LPR) is only planning to meet 59% of local housing need (LHN). While the LHN is 3,492 dwellings per annum, the LPR sets out a requirement for 36,740 dwellings over the 18-year period 2020-2038, which equates to 2,041 dwellings per annum.
- 5.16.** The LPR hearings have not been scheduled in their entirety and even if the plan is found sound, which is not certain given the level of unresolved objections, it is reasonable to anticipate that a further 30 months (the Government's maximum timeframe for preparing and adopting plans) would elapse before a

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plan could be adopted which meets the LHN in its entirety. It is likely that even if swift progress with plan-making can be made, the Council will remain without a plan which meets the LHN until, at the earliest, 2029.

- 5.17.** The Council recognise that to meet this increased buffer, they will need to continue to approve planning applications to ensure a sufficient housing land supply can continue to be met. It is important therefore, that development such as that proposed, are assessed in this context. The provision of 9no. sustainably located homes, situated adjacent to the adopted, (now out of date) settlement boundary, positioned immediately adjacent to established built form to the north and south of the application site, should be given substantial weight in the planning balance.
- 5.18.** The settlement boundaries are frustrating housing land supply and the minimum levels of housing growth are not being met. Confining development to within settlement boundaries will not address the housing land supply shortfall. Case Law is clear (*Hopkins Homes*<sup>2</sup>) that the weight to be afforded to policies which are frustrating supply needs to be recalibrated in cases where a shortfall persists.
- 5.19.** Recent appeal decisions within Wiltshire have repeatedly and consistently identified that only limited weight should be afforded to conflict with the Council's spatial strategy (CP2, CP29 and NDP Policy 6 in particular here).
- 5.20.** Lord Gill noted in this regard 'If a planning authority that was in default of the requirement of a five years' supply were to continue to apply its environmental and amenity policies with full rigour, the objective of the Framework could be

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<sup>2</sup> *Hopkins Homes Ltd v SSCLG and other* [2017] 1 WLR 1865

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frustrated' (paragraph 83).

- 5.21. WC's earlier briefing note (22-09) accepted that the Council must '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' (paragraph 61). As previously mentioned, there were no technical issues raised during the previous assessment of the site by both the Council's case officer and the Planning Inspector (APP/Y3940/W/15/3065791) rather the November 2014 application was solely refused on the basis that the proposed development was outside of the (now out of date) village settlement boundary.

***The sustainable location of the site***

- 5.22. Whilst located outside of the defined development boundary, the Site is sustainably located and thus accords with the broad objectives of the Development Plan and the Framework. Future occupiers of the site would therefore not be wholly reliant on the private car to meet their day-to-day needs.
- 5.23. Manual for Streets indicates that walking offers the greatest potential to replace short car journeys, particularly those under 2 kilometres (km). The Institute of Highways and Transportation Guidelines for Providing Journeys on Foot (the IHTC guidelines) suggest that an acceptable walking distance is 800m with a preferred maximum of 1.2 km.
- 5.24. The PPG explains that whether locations are sustainable should be determined in light of local context and site or development-specific considerations. However, in reaching these judgements, national policy is clear that authorities should consider opportunities to maximise sustainable transport solutions, as set out in paragraphs 115 and 116 of the NPPF. The Framework sets out at

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paragraph 110 that the opportunities to maximise sustainable transport solutions will vary between urban and rural areas. The application should be considered in light of this advice.

- 5.25.** As previously mentioned, the application site is located adjacent to the established settlement boundary of Southwick and adjacent to two existing residential developments to the north and south of the site boundary. The development of the application site will therefore sit within the existing and well-established urban form of Southwick.
- 5.26.** The site is also well located within regards to access to public transport routes and village amenities being located just 0.5km from the heart of the village, from which Wynsome Street branches off to the south-east. Southwick offers a range of facilities and amenities from the village itself including; Primary School; Pre-school; Southwick Allotments (0.9km); Village Pub (0.8km) Village Shop; Children's Park and Recreation Ground (0.8km); Baptist Church (0.2km); Social Club (0.8km) and Visitors Farm (1.6km), all of which are within the 0.8-2km suggested walking distance as detailed in the Manual for Streets guidelines.
- 5.27.** There is a continuous pavement, of generous width, which links the site to the heart of the village with controlled crossing points on Frome Road to access services and facilities in the northern part of the village. The footways linking the site to the village are well lit, without any significant change in gradient making walking a pleasant and attractive alternative to driving to local amenities.
- 5.28.** The site is also well located with regards to proximity to bus services along the A361, offering regular services to Trowbridge and neighbouring towns and villages across Wiltshire and Somerset. Bus services run on approximately 30-60 min frequencies and are 'journey to work' services which would enable future occupiers of the development to commute to neighbouring towns without the

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need to rely on the private car. Trowbridge, Frome and Chippenham all have good rail connections to higher order settlements.

5.29. Further to this, the planning history for the site reveals the consideration of the sustainability of the site by PINS from which the following remarks were made; *‘The site is not isolated, nor inaccessible to the village’s facilities, and the proposal would be no more or less sustainable in these terms than the adjacent Lewis Court, which falls within Southwick’s settlement boundary as currently drawn’* (paragraph 12 of appeal decision APP/Y3940/W/15/3065791 dated Sept 2015. It is clear, that the site, in the context of paragraph 110 of the Framework, is sustainably located and there is no reason to reach a different conclusion for this application, than was made for the appeal.

5.30. Therefore, notwithstanding the location of the site outside of the development limits, the development accords with the overall objectives of the Development Plan and the NPPF, in locating development in the most sustainable locations.

5.31. This is particularly important because it accords with the CP2 objective of achieving development in Wiltshire ‘in the most sustainable manner’ focussed on sustainable locations. The degree of conflict with the WCS and NDP out of date housing policies in this instance is limited to the fact that the site adjoins but sits outside the settlement boundary. Its development would deliver an inherently sustainable form of development, in an accessible location, within the village which would avoid extending the form of the settlement.

## **Drainage**

5.32. A Drainage Strategy prepared by Tumu Consulting Ltd supports the proposed development and accompanies this application. The strategy confirms the site is located within Flood Zone 1 and so a Flood Risk Assessment is not required

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for the site.

- 5.33. The surface water drainage strategy ultimately discharges to an existing ditch south-west of the site via a private permeable-paved access road designed to provide attenuation within its sub-base. The system incorporates baffles and an under drain to maximise storage capacity and control flows.
- 5.34. The proposed SuDS meet pollution mitigation requirements and exceedance flows will be directed to a depression in the southwest corner of the site.
- 5.35. The scheme will reduce existing surface water flood risk at the site's low point, meeting Wiltshire Council's drainage betterment requirements, Wessex Water has confirmed that its existing foul sewer in Wynsome Street has capacity to accommodate flows from the proposed development and ensure compliant foul water disposal.

### **Ecological Implications / Biodiversity Net Gain (BNG)**

- 5.36. Ecological surveys have been undertaken in 2025 for the proposed residential development at Land South of Lewis Court, Southwick with bat activity monitoring and dormouse surveys ongoing. A BNG assessment indicates an on-site loss of area, to be compensated through off-site provision. A 30+ year Habitat Management Plan will govern retained and enhanced habitats.
- 5.37. Protected species surveys confirm no features suitable for roosting bats within the site, though integrated bat roost features are recommended. hazel dormouse nests have been identified in the eastern scrub, and a licence from Natural England will be required for limited habitat removal.
- 5.38. Breeding birds, including house sparrow, were recorded using the site for

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nesting and foraging; bird boxes and careful management of boundary vegetation will provide ongoing support.

- 5.39. A population of slow worms has also been identified and will require translocation before construction, with reptiles to be considered in long-term vegetation management. Further and more comprehensive details are available in the accompanying ecology report.

## **Trees**

- 5.40. The application has been informed by the Arboricultural Assessment prepared by Silverback Arboricultural Consultancy Ltd which confirms the majority of existing trees and hedgerows within the application site and all the trees on the neighbouring sites will be retained and accommodated by the proposed design. The development and enabling works has been carefully shaped around the existing trees, with root protection zones identified and incorporated.
- 5.41. Some limited tree and hedgerow removal is proposed within the application site, to enable sufficient access, however this is limited to category C and category U trees. The remaining trees will be retained and protected throughout the proposed development. It is proposed to mitigate for the loss of these trees by the implementation of a landscaping scheme including replacement trees and shrubs to enhance that landscape and visual amenity of the site.

## **Residential Amenity**

- 5.42. The layout of the application has been carefully designed to minimise the impact upon the amenity of neighbouring occupiers to the north and south.
- 5.43. The proximity of Berryfield Farm (No.3 Goose Street), sitting directly on the southern boundary of the site has resulted in the south-west corner of the

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development being free from residential development. Rather, the existing hedgerow and additional planting is proposed for this part of the Site to avoid any unacceptable impacts to the north facing windows of this property. Furthermore, Plots 3 and 4 (as shown on the proposed layout) are positioned so not to directly overlook the southern boundary.

**5.44.** Similarly, the relationship of the development with the residential properties at Lewis Court have also been carefully considered, noting the south facing windows of this development are either small (likely bathroom windows) or situated a sufficient distance away from the development boundary to not be unduly affected by the proposal. That said, the layouts of Plots 5, 6 and 8 of the proposal are positioned off the shared boundary, separated by generous rear gardens, existing and new native hedgerow landscaping will be retained and enhanced along the shared northern boundary in addition to the new 1.8m high close-boarded timber fence.

**5.45.** Overall, the proposal represents a well-considered scheme that carefully responds and respects the relationship with existing neighbouring occupiers in accordance with the requirements of Policy CP57. Each plot benefits from ample private amenity space and parking provision to also ensure that the amenities of the future occupiers will be safeguarded in accordance with CP57. The density of development in this regard is akin to that at Lewis Court.

### **Design/landscape character and appearance.**

**5.46.** TEA Architects have prepared a supporting Design and Access Statement to accompany this planning application. This explores the context of the site, constraints and opportunities. It demonstrates a layout and attractive scheme that provides a high-quality design in a sustainable setting.

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- 5.47.** The scheme will deliver 9 dwellings, each of which will benefit from private rear gardens, with some also including additional amenity space to the side or front. Private parking is provided for all units, either through designated spaces or detached double garages with additional parking spaces in front in accordance with Wiltshire Council's LTP3 Car Parking Strategy.
- 5.48.** The dwellings are of a typical residential scale, comprising 2 storeys with internal ceiling heights at a minimum of 2.4m. The street scene elevations confirm the proposed dwellings are no taller than those in the adjacent Lewis Court development. Furthermore, Plots 1 and 2 of the development will face Wynsome Street and so continue the established building line.
- 5.49.** The external finish will include a mix of brick, rubble stone, terracotta and grey coloured roof tiles and block paving, reflecting the local material palette. The scheme incorporates traditional architectural detailing such as the incorporation of bay windows and porches, to break up the front elevations and provide visual interest on the facades.
- 5.50.** The scheme will deliver highly energy-efficient, low-carbon homes that are future-proofed and environmentally responsible. The scheme integrates passive design strategies, renewable technologies, and sustainable construction methods to reduce its environmental impact from the outset.
- 5.51.** Overall, the illustrative layout shows that the emerging scheme development would be of a high-quality design creating a strong sense of place through drawing on the local context, complementing the existing character of the area and making an efficient use of land.
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## 6. CONCLUSION AND PLANNING BALANCE

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 outlines that 'if regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'.
- 6.2. The application site is technically outside of the settlement boundary in the adopted development plan, and so there is a degree of conflict with WCS policies CP2 and CP29 and NDP Policy 6, which limits new residential development outside the defined settlement boundary of Southwick. However, given the lack of a 5-year housing land supply, and having regard to the requirements of Footnote 8 to Paragraph 11, these policies of the development plan are 'out-of-date' for the purposes of NPPF Paragraph 11d.
- 6.3. The tilted balance is engaged in this case because there are no areas or assets of particular importance which provide a strong reason for refusing the development proposed. The 'tilted balance' means that permission should be granted unless;

*'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the framework taken as a whole, 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'.*

- 6.4. Case Law has established that the development plan must be read as a whole. Furthermore, breach of one policy does not necessarily mean the development

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will not be in accordance with the plan when read as a whole (*Cornwall Council v Corbett* [2020] EWCA Civ 508). The only policies of the plan which have been identified to be breached is CP2, CP29 and NDP Policy 6, and not substantively so. The breach is restricted to the site being positioned adjacent to but outside the settlement boundary. The other key tenets of CP2 would be met, namely that it aligns with the plan's strategy which notes, *'there is a presumption in favour of sustainable development at the Principal Settlements, Market Towns, Local Service Centres and Large Villages'*.

- 6.5. The development will also contribute towards the development plan target for approximately 7,000 new homes within the wider Trowbridge Community Area and the overall target for the North and West HMA of 24,740 dwellings. Both of which are significantly below the level of housing which is now required. There is only a limited degree of conflict with CP2. This assessment of the planning merits of the proposals has not identified any other breaches of the development plan, which engages many policies.
- 6.6. It is therefore the applicant's position that the development plan when read as a whole would not be breached in this case, therefore the proposals should be approved under the terms of NPPF Paragraph 11c.
- 6.7. In the event the Council disagree, then it is also argued that any adverse impacts of approving the development would not come close to significantly and demonstrably outweighing the benefits of the proposal when assessed against the policies in the Framework, considered as a whole.
- 6.8. The benefits that would accrue in this case are substantial. The delivery of 9no. dwellings would make an important contribution towards the growing and unmet housing need in Southwick and the wider Trowbridge Community Area. WC has routinely accepted that substantial weight should be afforded to the benefit of

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delivering housing, particularly in the context of a severe shortfall in demonstrable housing land supply (2.03 years). Planning Inspectors have likewise, as a matter of course, afforded substantial weight to this benefit whilst only placing limited weight on breaches of the housing policies of the WCS.

- 6.9.** The development is capable of being brought forward quickly to contribute towards bridging the housing shortfall in the short term which is a further benefit of the proposal which should be afforded substantial weight.
- 6.10.** The development will generate employment in the construction of the housing. It will also bring economically active people into the area who will increase spending on local services and amenities with associated multiplier effects. The House Building Federation (HBF) have prepared a housing calculator<sup>3</sup> which quantifies the benefits of new residential development. In this case the development of 9 houses would support the employment of 31 people, it would increase open space, community sport and leisure spending by £8,100 and generate £56,250 towards infrastructure. Overall, £240,000 in tax revenue and £18,112 in Council Tax revenue. NPPF (paragraph 85) guides that ‘significant weight should be placed on the need to support economic growth and productivity’ and it is clear therefore that significant weight should be afforded to these benefits in the planning balance.
- 6.11.** The development will deliver BNG of at least 10% which is a benefit to which moderate weight should be attached. On the other side of the planning balance, no site-specific harms have been identified, the site being located adjacent to, but outside the settlement boundary is the only area in which conflict with a part of CP2, CP29 and NDP Policy 6 has been found. This conflict is arbitrary in nature, not only because these policies are out of date and so can only be

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<sup>3</sup> <https://www.hbf.co.uk/policy/policy-and-wider-work-program/hbf-housing-calculator/>

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afforded limited weight in the overall balance, but also given the wholly sustainable location of development, adjacent to two existing residential developments to the north and south of the site boundary, therefore sitting within the existing and well-established urban form of Southwick.

- 6.12.** In the event the development is not found to be in accordance with the development plan, which the applicant would contest, any harm identified would be very limited and would not come close to significantly and demonstrably outweighing the benefits of the proposal which should attract substantial weight in the planning balance. The Council are respectfully asked to support this application and grant planning consent.