

TOWN & COUNTRY PLANNING ACT 1990

PLANNING STATEMENT

**PERMISSION IN PRINCIPLE FOR THE
PROPOSED ERECTION OF UP TO FIVE
DWELLINGS**

**ON LAND AT PRATERS FARM,
EASTON TOWN, SHERSTON,
MALMESBURY, WILTSHIRE, SN16 0PS**

Prepared by

**Morgan Jones BSc (Hons), MA, MRTPI
Associate
LPC (Trull) Ltd**

Our Reference: LPC.5976

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LPC (TRULL) LTD
TRULL, TETBURY
GLOS, GL8 8SQ
Tel: 01285 841433
www.lpctrull.com

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1.0 INTRODUCTION

1.1 LPC (Trull) Ltd have been instructed by Mr and Mrs Wood to submit a Permission in Principle (PiP) application for the erection of up to five detached dwellings on land at Praters Farm, Easton Town, Sherston, Malmesbury, Wiltshire, SN16 0PS.

1.2 The application approach is defined in the National Planning Practice Guidance (PPG), as below;

The permission in principle consent route is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle for proposed development from the technical detail of the development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed.

1.3 This establishes that the application is a two-stage process, with the first stage solely intended to establish whether the site is suitable in principle and the second stage then considering the detailed development proposals and potential impacts. The Government's guidance sets out that the scope of the first stage of permission in principle is limited to location, land use and the amount of development.

1.4 Accordingly, the purpose of this Planning Statement is focused on the principle of development at this location only. Any further details in respect of the intended new house development and its acceptable assimilation will be submitted at the technical details stage. The statement will however provide an overview of the planning policy context and an assessment of the key material planning considerations, demonstrating the proposal's acceptability within the context of the Government's presumption in favour of sustainable development.

2.0 SITE DESCRIPTION & PLANNING HISTORY

2.1 The application site comprises an area of land associated with Praters Farm, which lies to the south of Easton Town road as shown on the Location Plan below:-



Location Plan

2.2 The site covers an area of circa. 0.28h of land which is proposed to be developed. The Cotswolds National Landscape washes over the site but there are no other national or local landscape or ecological designation, or any site specific constraints from a planning perspective. The site is level and can be accessed via Easton Town Road (B4040). It is surrounded by residential properties with existing dwellings directly opposite and to the right as shown in the photograph below.



Site Photograph (31 January 2025)

3.0 THE PROPOSAL

- 3.1 The proposal seeks ‘permission in principle consent’ for the erection of up to five dwellings on the application site. The PiP application has a narrow focus with only the principle of the proposed residential development being considered. The second stage which involves the ‘technical details consent’ will follow should the ‘permission in principle consent’ be granted.
- 3.2 The PPG confirms that the scope of permission in principle is limited to **location, land use and amount of development**. However, issues relevant to these ‘in principle’ matters should be considered at the permission in principle stage. Other matters should be considered at the technical details consent stage (Paragraph: 012 Reference ID: 58-012-20180615).
- 3.3 The proposed dwellings would be served by a new vehicular entrance from Easton Town Road, which would benefit from good visibility splays due to the straight alignment of the road, and typical road speeds. The intention will be to provide environmentally sustainable dwellings of a bespoke design yet they will respond to the established built environment. An indicative layout plan has been included with the application to show one possible layout with dwellings nestled within the site amongst the boundary trees. The site is surrounded by mature boundary trees on three sides of the plot, providing privacy and a natural setting.
- 3.4 The detailed design and layout is reserved for the next stage, the Technical Details application, and the applicant is keen to engage with the local community on the detailed aspects of the scheme, however the initial design vision and parameters are as follows:-
- The development will be limited to a maximum of five dwellings, with a scale of two storeys or less.
 - The design will honour the history of Sherston and respond to the local Cotswold vernacular, making use of traditional materials such as Cotswold stone.

- The mature boundary trees and hedgerows will be retained, ensuring the scheme is visually contained and well assimilated into the village edge.
- The dwellings will be designed with sustainability in mind. Opportunities for energy efficiency and low-carbon living will be embedded from the outset, including passive solar gain, and renewable energy technologies where feasible. The applicant will also explore the potential for homes to meet or exceed Passivhaus standards at the Technical Details Consent stage.



Indicative Layout Plan

4.0 PLANNING POLICY CONTEXT

National Planning Policy

4.1 The National Planning Policy Framework (NPPF) (published December 2024, updated 7 February 2025), and associated PPG, sets out the Government's planning policies for England and how these are expected to be applied. The NPPF is a material consideration in planning decisions. The policies within the following chapters of the NPPF are relevant to the assessment of the proposed development:-

- Chapter 2 – Achieving Sustainable Development
- Chapter 4 – Decision-making
- Chapter 5 – Delivering a Sufficient Supply of Homes
- Chapter 9 – Promoting Sustainable Transport
- Chapter 11 – Making Effective Use of Land
- Chapter 12 – Achieving Well-Designed Places
- Chapter 15 – Conserving and Enhancing the Natural Environment
- Chapter 16 – Conserving and Enhancing the Historic Environment

The Local Development Plan

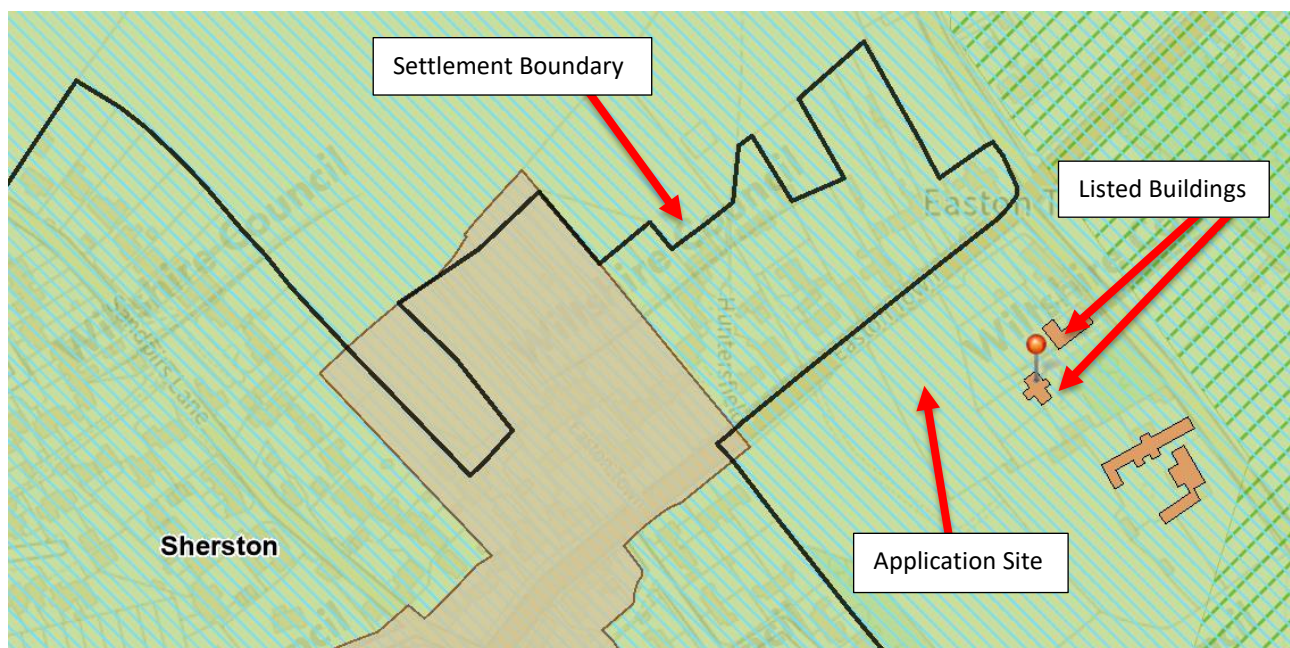
4.2 The NPPF highlights that planning law (section 70 [2] of the Town and Country Planning Act 1990 and section 38 [6] of the Planning and Compulsory Purchase Act 2004) requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise.

4.3 The associated PPG confirms that the same applies to an application seeking permission in principle; “A decision on whether to grant permission in principle to a site following a valid application ... must be made in accordance with relevant policies in the development plan unless there are material considerations, such as those in the National Planning Policy Framework and national guidance, which indicate otherwise” (Paragraph: 011 Reference ID: 58-011-20180615).

4.4 The development plan relevant to the proposed development is the Wiltshire Core Strategy (WCS) (adopted January 2015), which includes saved policies from the former North Wiltshire Local Plan 2011, and The Sherston Neighbourhood Plan (SNP) 2006 - 2026 (made March 2019). The key policies relevant to the 'in principle' matters of location, land use and amount of development, are:-

- Core Policy 1: Settlement Strategy
- Core Policy 2: Delivery Strategy
- Core Policy 13 Spatial Strategy: Malmesbury Community Area;
- Core Policy 50 Biodiversity and Geodiversity
- Core Policy 51 Landscape
- Core Policy 60 Sustainable Transport
- Core Policy 61 Transport & Development

4.5 The adopted Local Plan is accompanied by the Policies Maps, which provides a spatial representation of the Local Plan policies. The site falls within Flood Zone 1 and is washed over by the Cotswolds National Landscape. The site is adjacent to the Limits of Development for Sherston. A Tree Preservation Order is placed on the tree within the northern corner of the site.



Local Plan Policies Map

4.6 The vision of the SNP is to:-

- i. allow the village to continue to thrive as a vibrant community and to evolve whilst retaining its unique and distinctive character.
- ii. manage development within and around the village in a sustainable manner that is both appropriate in scale and location sufficient to meet the continuing and future needs of the community.
- iii. provide and maintain an outstanding quality of life for current and future generations by retaining, enhancing and where necessary replacing a wide range of existing services and facilities.

4.7 In order to deliver the vision the SNP has eight primary objectives. Objective 4 is of particular relevance to this current PiP application, it is as follows:-

The Plan will seek to provide for the housing needs of the community. It will do this through:

- *Allowing an appropriate amount of development in selected locations – to include houses for sale on the open market, affordable rented and shared equity housing, and sheltered elderly persons accommodation;*
- *Ensuring that all such development includes a mix of house types capable of meeting the identified local need;*
- *Considering the redevelopment of existing brown field development opportunities first;*
- *Supporting the provision of a replacement dwelling for the local vicar in an appropriate location.*

4.8 In order to contribute towards the housing need identified within the WCS the SNP allocates three sites for development, namely:

1. Site 1. Sopworth Lane for a mixed use development comprising up to 45 houses (40%affordable) plus land being set aside to accommodate a new GP surgery, a pre-school facility and for the future expansion of the Sherston Primary School).

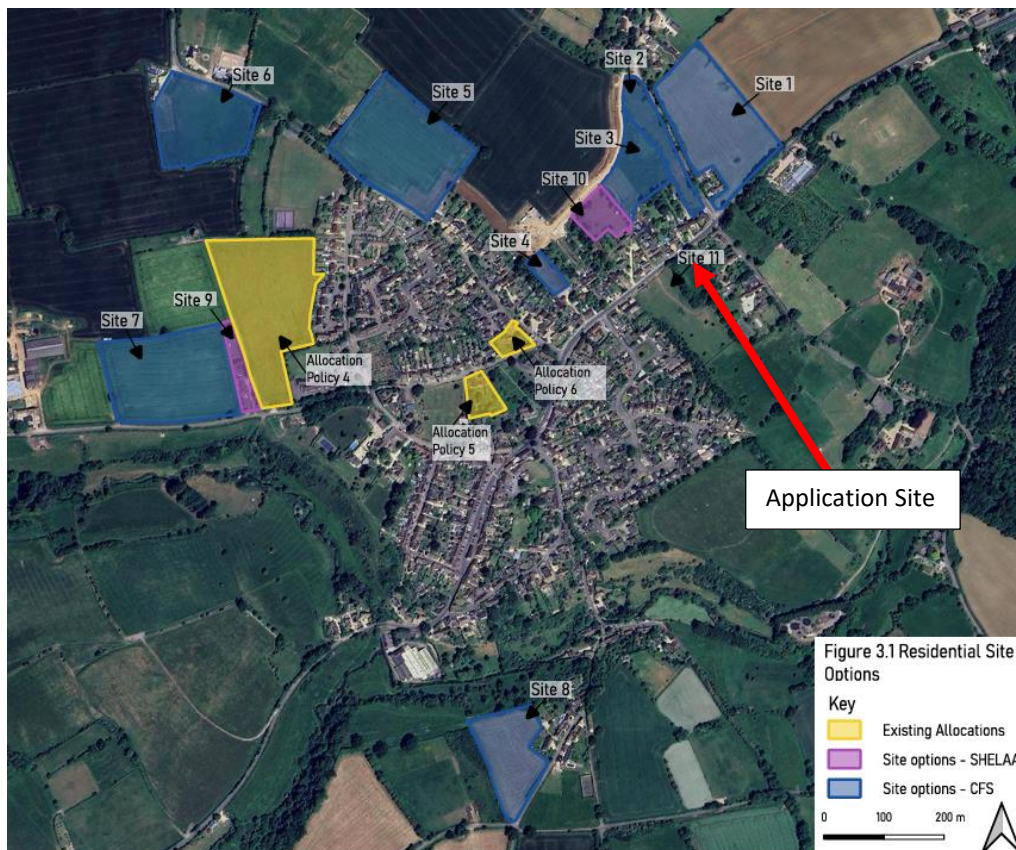
2. Site 2. Vicarage Site off Green Lane for the replacement of the existing vicarage together with the provision of some additional land for use as burial space. It has an estimated capacity of 3 dwellings (net 2).
3. Site 3. The Elms which has an estimated capacity of 4 units (net 3).

Emerging Planning Policy

- 4.9 The WCS was adopted in 2015 and is therefore being reviewed. The review is termed the 'Local Plan Review'. The draft Wiltshire Local Plan (WLP) rolls forward the strategy for housing and employment delivery in the WCS, and updates the housing and employment requirements for the period 2020 to 2038.
- 4.10 The draft WLP was submitted to the Secretary of State for Housing Communities and Local Government for independent examination on 28 November 2024. The recently updated Wiltshire Local Development Scheme (September 2025) outlines that the Council expects to adopt the WLP by the end of June 2026.
- 4.11 There are no fundamental changes proposed to the Spatial Strategy of the Local Plan, as presented within Pre-Submission Draft (2020 – 2038) (Regulation 19) Wiltshire Local Plan (September 2023), however the draft plan pre-dates the recently published NPPF (12 December 2024). A key purpose of the WLP is to ensure the Local Plan for Wiltshire is up to date and consistent with national planning policy, however the NPPF has been updated several times during the plan making process, and there was a significant update as a result of the new Labour Government which post-dates the aforementioned version of the WLP. The progression of the plan-making progress does benefit from certain transitional arrangements but due to the recent update to national planning policy there are significant areas that are not up-to-date as discussed further below.
- 4.12 The SNP period is 2006 – 2026 in line with the WCS and is therefore also under review. The Neighbourhood Development Plan (NDP) Review 2025 has involved a community questionnaire to seek the view of the community

on additional housing sites, however an updated version of the SNP has yet to be published for formal consultation.

- 4.13 The applicant was approached by the Parish Council / Neighbourhood Plan Working Group to put forward the land for consideration as part of the review of the Plan. However, the approach coincided with the applicants work to restore their Grade II Listed home and were unable to consider the request in detail and were unaware of the timeline. The applicant has since sought to promote the land through the plan making process without success. The SNP Review Site Assessment Report (February 2025) identifies the sites being considered for residential development as part of the review of the Plan as shown on the map below:-



Sherston Neighbourhood Plan Review – Figure 3.1 Residential Site Options

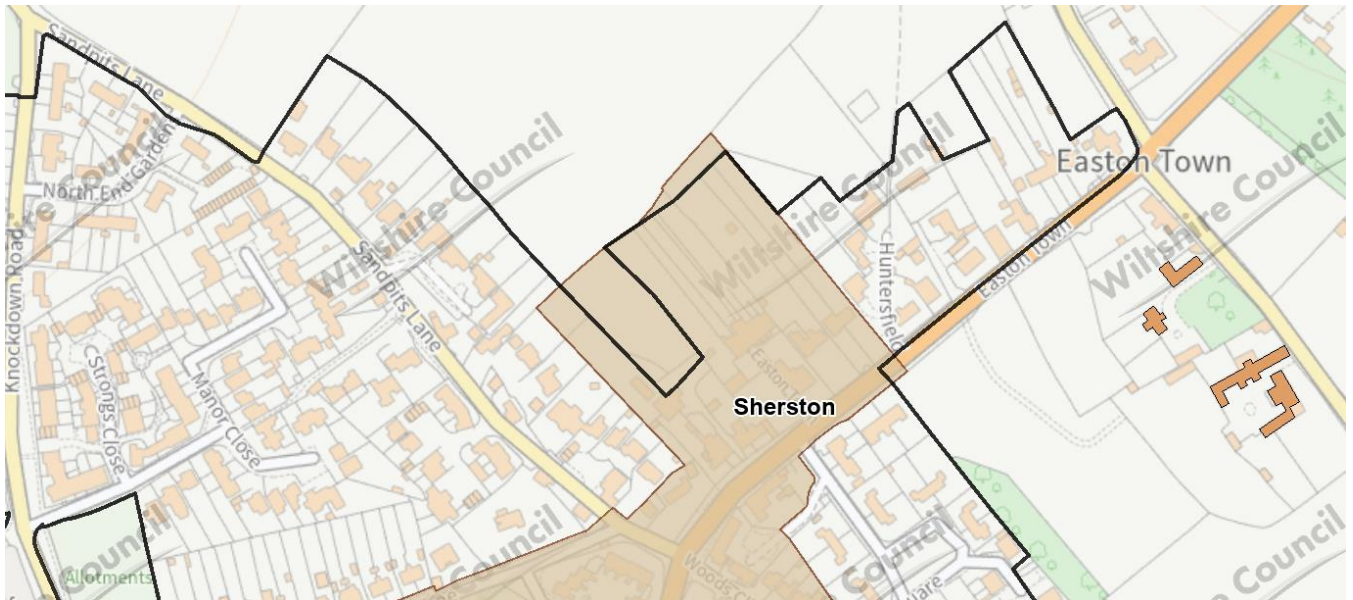
5.0 PLANNING ASSESSMENT

- 5.1 The planning considerations associated with this permission in principle application are limited to **location, land use and amount of development**. These matters associated within the principle of development will be addressed below in order to demonstrate that the site can comfortably accommodate up to five dwellings without any adverse local or environmental impacts.

Site Sustainability & Accessibility

- 5.2 The WCS includes a Spatial Strategy which sets the foundations for how 'sustainable development' is defined and applied within Wiltshire. It has three key elements; a Settlement Strategy, Delivery Strategy and Infrastructure Requirements. The settlement and delivery strategies define where development will be the most sustainable across Wiltshire's settlements.
- 5.3 Core Policy 1 'Settlement Strategy' and Core Policy 2 'Delivery Strategy' of the WCS outline that there is a presumption in favour of sustainable development within the Principal Settlements, Market Towns, Local Service Centres and Large Villages and development should be restricted to within the Limits of Development other than in exceptional circumstances as set out within the relevant core policies contained within the plan, i.e. the 'exception policies'.
- 5.4 In the Malmesbury Community Area, where the site is located, the most sustainable location to which most growth is directed is the 'Market Town' of Malmesbury, with the surrounding 'Large Villages', which include Sherston, being able to accommodate some growth in order to help retain the vitality of these communities. The WCS states that at Large Villages "development will predominantly take the form of small housing and employment sites within the settlement boundaries. Small housing sites are defined as sites involving fewer than 10 dwellings (i.e. not a major application).

- 5.5 The application site lies adjacent to the Limits of Development of Sherston and is well related to the established built environment, as shown on the map and aerial view below. The proposed scheme will be in-keeping with the development along Easton Town Road and will not extend into the open countryside or elongate the village.



Aerial Photograph (source: Google 2025)

- 5.6 The site is within easy walking distance of the bus stops along Easton Town road via footpath, which also leads into the centre of the village. There is a bus service in both directions (service 41) linking Malmesbury - Easton Grey - Acton Turville - Chipping Sodbury - Yate.

- 5.7 The NPPF advises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making, however the current site is well served by a bus service which offers a genuine convenient alternative choice of means of travel for future occupiers. This site is therefore considered to be an accessible location and the development would accord with Core Policies 60 and 61 of the WCS which together support development in locations which reduce the need to travel and support sustainable transport alternatives to the use of the private car.
- 5.8 Notwithstanding the accessibility of the site via sustainable modes of transport, the Spatial Strategy of the WCS does support small scale development at Sherston as outlined above. The village has a Primary School, village shop and Post Office, a Public House, and sports facilities. It is recognised that the proposed development does not strictly align with the Spatial Strategy of the WCS due to the location of the site outside the Limits of Development, however, this factor does not make the site any less sustainable than one within the Limits of Development, and a key material planning consideration which weighs heavily in favour of the proposal is its ability to meet current local housing need, in line with national policy as outlined below.

Status of the Local Plan

- 5.9 The Spatial Strategy of the WCS is now out of date. The Council's Housing Land Supply Position is now 2.42 years, as detailed within the Wiltshire Housing Land Supply Statement (base date April 2024 / published June 2025). A copy of the statement can be seen in Appendix A.
- 5.10 The Council's Housing Land Supply Position and the weight to be attributed to the Spatial Strategy of the WCS has been the focus on numerous appeals recently. An initial key appeal decision earlier this year was for a residential development scheme on Land at Glenmore Farm, The Ham/Hawkeridge Road, Westbury (appeal reference 3345598). A copy of the appeal decision notice can be seen in Appendix B. The Council

did not defend the appeal due to its Housing Land Supply Position (which was 2.03 years supply), and the Inspector stated the following within the decision notice dated 21 January 2025 :-

*“41. Aside from the emerging Local Plan, which has only just been submitted for Examination, there is no other obvious remedy to the shortfall in the short or medium term. This overall position indicates that **the development plan is failing to meet its strategic challenges**. Thus, **its settlement strategy and limits of development are not working effectively**. These policies are therefore of **limited weight**, as is the conflict with them.”* (my emphasis added)

- 5.11 In light of the above, due to the age of the WCS and the substantial shortfall in housing land supply, it is considered that limited weight should be attributed to the conflict with the Spatial Strategy of the WCS, which as noted above is not working effectively and is failing to deliver housing in a strategic plan-led way. This conclusion is important and is considered further below within the Planning Balance section.

Cotswolds National Landscape

- 5.12 The application site lies within the Cotswolds National Landscape and therefore regard must be had to the purpose of conserving and enhancing the natural beauty of the landscape as required by the Countryside and Rights of Way Act (2000), and confirmed within the NPPF which advises that great weight should be given to conserving and enhancing its landscape and scenic beauty (paragraph 189).
- 5.13 The Cotswolds National Landscape Management Plan 2023-2025 outlines that “The Cotswolds National Landscape is a living and working landscape in which the social and economic wellbeing of local communities is an important consideration. Maintaining vibrant and thriving local communities is essential to the long-term future of the National Landscape. The provision of housing and services that meets local needs plays an important role in achieving these aspirations. However, these aspirations should be delivered in a way that is compatible with the purpose of conserving and enhancing the natural beauty of the Cotswolds National Landscape” (p.52).

- 5.14 The Management Plan recognises that development may be required to meet local housing needs and to ensure that the vitality of National Landscape settlements is maintained and enhanced, albeit it advises that development should not be at such scale that either individually or cumulatively, it erodes the special qualities of the National Landscape.
- 5.15 The Management Plan outlines the ‘special qualities’ of the National Landscape and explains they are those aspects of the area’s natural beauty which make the area distinctive, and which are considered valuable, especially at a national scale. They are the key attributes on which the priorities for its conservation, enhancement and management are based. The application site is a small parcel of land well related to the established built environment and enclosed by the mature boundary trees, as shown on the aerial photograph below. The site is not seen as part of the wider open landscape beyond the village which contributes towards the special quality of the National Landscape. The site is not therefore ‘valuable’ in terms of its contribution to the National Landscape.



Aerial Photograph (source: Google Earth Pro 08 June 2023)

- 5.16 The proposed development involves the retention of the mature trees around the periphery of the site to ensure the development is well contained and screened. The roadside treatment will be in-keeping with the established character along Easton Town Road to ensure the

development assimilates well with the existing built and natural environment.

- 5.17 It is recognised that great weight needs to be given to conserving the scenic beauty of the National Landscape, but due to the context of the site and nature of the development it is considered that a scheme can be delivered without unacceptable impacts on landscape character or visual amenity. The proposed would maintain the character and appearance of the built-up area along Easton Town Road and would not individually or cumulatively erode the wider special qualities of the National Landscape.

Principle of Development Conclusion

- 5.18 In summary, the **location, land use and amount of development** is considered to be acceptable in principle. The site can be accessed via sustainable modes of transport and the development can be designed to ensure it does not appear out of place with the established pattern of the built-environment, and the scheme can be designed to ensure no unacceptable harms to landscape character, visual amenity, the amenity of the occupiers of neighbouring properties, the historic environment, or highway safety.

Housing Need and Planning Balance

- 5.19 The NPPF states it is important that a sufficient amount and variety of land can come forward where it is needed to support the Government's objective of **significantly boosting the supply of homes**" (emphasis added) (paragraph 61). The level of need identified within the development plan should not be seen as an upper limit, and new development that is otherwise sustainable should not automatically be refused, in particular in the context of the Council's housing land supply position.
- 5.20 The Council's most up to date Housing Land Supply Statement (HLSS) details that it has 2.42 years of deliverable housing land supply as mentioned above. The Wiltshire Local Plan (WLP) will identify future levels of need for new homes and employment land over the period 2020-2038,

and it has reached the Examination 19 stage. However, the evidence that underpins the draft WLP was prepared in accordance with the now superseded December 2023 version of the NPPF.

- 5.21 The Council therefore published a Briefing Note (No.24-20) (available to view in Appendix C) which sets out the implications of the new NPPF and revisions to the standard methodology on its housing land supply position. It explains that due to the change to the standard methodology, which is used to calculate local housing need, the number of homes the Council must plan for on an annual basis has increased from 1,917 to 3,525 (the annual Local Housing Need figure), an increase of 84%.
- 5.22 The Briefing Note explains that “the changes to the NPPF now require Wiltshire to demonstrate a five-year housing land supply, including a 5% buffer, and must apply the revised Local Housing Need for decision-taking immediately”. The Council therefore confirms that the tilted balance should be applied to housing application and highlights that **“the magnitude of the shortfall in supply is now substantial** and the weight to be given to improving housing supply greater compared to when the council had a more marginal supply” (emphasis added). The Council also advises within the Briefing Note that the application of the presumption in favour of sustainable development should be considered within the national aim of radically boosting the supply of housing.
- 5.23 In terms of the implications for plan-making, the Council confirms that because the housing requirement in the emerging Local Plan will meet less than 80% of the revised Local Housing Need, the Council will be expected to begin work on a new Local Plan promptly (when the revised plan-making system comes into force in 2025). However, when the new Local Plan is adopted, the five-year Housing Land Supply position will be determined based on the previous Local Housing Need calculation, albeit the updated NPPF requires a 20% buffer to be added, which in essence will require a six-year Housing Land Supply position to be demonstrated.

- 5.24 The Director of Planning clearly advises within the Briefing Note that “To meet this increased buffer, the council will need to continue to approve planning applications to ensure a sufficient housing land supply can continue to be met at, and beyond, this date”.
- 5.25 In these circumstances, NPPF paragraph 11d advises that policies which are most important for determining the application (which in this case would include Core Policies 1, 2 and 13) should not be considered up to date. As a result, the presumption in favour of sustainable development as set out at Paragraph 11d of the Framework is engaged, so permission should be granted unless 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.
- 5.26 There are no policies within the NPPF, which aim to protect areas or assets of particular importance, that provide a strong reason for refusing the proposed development. The proposed residential development scheme can be designed to ensure there will be no unacceptable impacts on character of this part of the National Landscape. The tilted balance is therefore engaged and is considered below.
- 5.27 It is considered that there would be no adverse impacts associated with the approval of the PiP application that would significantly and demonstrably outweigh the benefits. In terms of the benefits, the proposed development would result in the provision of a new dwellings that would contribute towards the substantial deficit in the Council’s five-year housing land supply, which is a significant benefit that should be given substantial weight.
- 5.28 The NPPF recognises that “Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, are essential for Small and Medium Enterprise housebuilders to deliver new homes, and are often built-out relatively quickly.” (paragraph 73). The proposal is deliverable within a short timeframe which will ensure it contributes to the substantial shortfall in the Council’s housing land supply.

- 5.29 The development would also produce short term benefits to the construction industry and the development would also generate ongoing revenue for the Council from Council Tax etc.. There will also be further modest benefits that would result from the additional support to the vitality of the local community from the future occupiers of the development. These benefits should also be given moderate weight in favour of the proposed development. The development would also deliver ecological benefits associated with the requirement to deliver 10% Biodiversity Net Gain that will be considered during the technical details stage.
- 5.30 In terms of the harms, it is recognised the proposed development does not strictly align with the Spatial Strategy of the WCS due to the location of the site, however only limited weight should be attributed to this factor within the overall planning balance because Core Policies 1, 2 and 13 are now out of date and are not working effectively, as concluded by the Planning Inspectorate. It is also important to recognise that the site is within a settlement which is identified as being suitable for small scale growth by the Local Plan, and it has good access to local facilities and is an accessible location benefiting from a good bus service to wider services and facilities in surrounding higher tier settlements. The site is well contained and it will be demonstrated during the technical details stage that the development would not result in any site specific harms, or to the wider environment that cannot be adequately mitigated.
- 5.31 The proposed development would contribute towards the Government's aim of significantly boosting the supply of homes in a sustainable location and it is contended that when considering the overall tilted balance, which includes regard to the key policies for directing development to sustainable locations, making effective use of land, and securing well-designed places, there would be no adverse impacts that stem from the development that would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. The moderate to substantial benefits that weight in favor of the proposed

development outweigh the limited harm associated with the lack of a planned approach.

- 5.32 The contribution made by the approval of minor developments and single dwellings throughout the Wiltshire Council area towards addressing housing need should not be underestimated and now has greater importance considering the Council's substantial housing land supply deficit and the Government's objective to radically boost the supply of housing, as identified by the Council within the aforementioned Briefing Note

The Neighbourhood Planning Process

- 5.33 The NPPF advises, at Paragraph 14, that "In situations where the presumption (at paragraph 11d) 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 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; and
 - b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement (see paragraphs 69-70)."
- 5.34 The SNP contains allocations to meet the identified need within the WCS, as explained within section 4 above, and was adopted in March 2019. As such, due to the age of the SNP and out of date nature of the WCS, the strategic plan which underpins the SNP, the development currently proposed within this PiP application does not conflict with Paragraph 14 of the NPPF.
- 5.35 The NPPF advises at Paragraph 69 that "Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over

the plan period. The requirement may be higher than the identified housing need if, for example, it includes provision for neighbouring areas, or reflects growth ambitions linked to economic development or infrastructure investment. Within this overall requirement, strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations”.

- 5.36 The current level of housing need is identified within the Wiltshire Local Housing Needs Assessment by Opinion Research Services which is a key piece of evidence which underpins the emerging WLP. The associated WLP Rural Housing Requirements 2023 (September 2023) sets out the requirement for rural communities and neighbourhood plan areas. It states that at 2022 there is a residual of 30 dwellings for Sherston.
- 5.37 It is recognised that work is underway to review the SNP and the Parish Council and associated Neighbourhood Plan Working Group is exploring options to deliver the figure identified by Wiltshire Council. The applicant has engaged with the Parish Council and has sought to promote the application site through the plan making process, however, unfortunately it has not been accepted or included as part of the neighbourhood plan review moving forward.
- 5.38 The current PiP application therefore seeks to establish the principle of the proposed development on the application site on its own merits, however it is considered that the proposal will not impact the plan making process. It must be stressed that there has been an 84% uplift in housing need within Wiltshire since the draft WLP was published and it is the Council’s own strategy to approve speculative applications which have no site specific harms in order to contribute towards the current substantial shortfall in housing land supply.
- 5.39 In addition to the above, the NPPF advises that “in the context of the Framework – and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to

justify a refusal of planning permission other than in the limited circumstances”. The review of the SNP is not at an advanced stage and the current PiP proposal is for a minor development therefore its approval will not undermine the plan-making process. The application should be assessed against the current NPPF and Local Plan as it exists, however the applicant’s desire to further engage with the Neighbourhood Plan Working Group remains.

Wiltshire Council ‘Tilted Balance’ Example

- 5.40 Whilst it is recognised that all cases should be considered on their own merits there are a number of very recent decisions on applications where the Council’s current housing land supply shortfall has been considered and the tilted balance applied. Permission in Principle, reference PL/2024/08878, for a single dwelling on land at No 1, Lamberts Marsh, Southwick, was granted following an earlier refusal due to the location of the site outside the defined Limits of Development for the Large Village. The Case Officer noted that “in the absence of adverse impacts that would significantly and demonstrably outweigh the benefits, when assessed against the NPPF as a whole, officers in acting reasonably and mindful of the difficulties a refusal of this PIP would present, the application is recommended for approval”.
- 5.41 A more recent example is Permission in Principle, reference PL/2025/00407, for a single dwelling on Land at School Lane, Lea, Malmesbury, SN16 9PQ granted on the 10 April 2025, which was again granted following an earlier refusal. The Case Officer noted that considering the reduced weight that must be given to the harm arising from the technical breach in planning policy, “it is not considered in this case that the adverse impacts of permitting the development proposed would significantly and demonstrably outweigh the benefits. Following the process required in the tilted balance, therefore, it is recommended that the principle of development of a single dwelling at this site should not be resisted.”. It is considered that the same conclusion should be reached for the development the subject of this current application.

5.42 There are also many recent decisions by the Planning Inspectorate which are material to the consideration of this current application. One recent appeal example is against the decision of the Council to refuse PiP for 2 No. Dwellings on Land at West Street, Great Somerford, Chippenham, Wiltshire, SN15 5EH (appeal ref APP/Y3940/W/24/3345527). The site is located outside, but adjoining, the defined Limits of Development for the Large village of Great Somerford.

5.43 The appeal was however allowed on the 19th November 2024 (a copy of the Decision Notice can be seen in Appendix D). The Inspector stated there would be conflict with Core Policies 1 and 2 of the WCS because the site lies outside the defined settlement boundary and therefore in the countryside for planning purposes. However, the development of rural homes in an accessible location which would help to support rural communities, services and facilities is a positive aspect of the scheme that weighs in its favour. The tilted balance was applied and the following conclusions reached:

“When assessed against the policies in the Framework as a whole, the adverse impact does not significantly and demonstrably outweigh the benefits of two additional homes on a windfall site. Consequently, the presumption in favour of sustainable development indicates that permission should be granted.” (paragraph 31).

5.44 These examples demonstrate that any conflict with the Spatial Strategy of the Local Plan is given limited weight within the overall planning/tilted balance, which certainly does not demonstrably outweigh the benefits of housing delivery, especially when considering the current national planning policy position which seeks to boost the supply of housing and the local shortfall in housing delivery to meet the minimum need. These examples and the precedent set weight heavily in favour of granting PiP for the current application.

6.0 CONCLUSION

- 6.1 The application seeks Permission in Principle for the construction of up to five detached dwellings on land at Praters Farm, Easton Town, Sherston, Malmesbury, Wiltshire, SN16 0PS. The proposal would contribute towards the Government's objective of significantly boosting the supply of homes and would contribute towards the Council's own strategy to address its housing land supply shortfall.
- 6.2 The site lies adjacent to the defined Limits of Development for Sherston which is a settlement identified as being suitable for small scale developments by the Spatial Strategy of the Local Plan. The site is also accessible on foot to public transport services which connect the site to higher tier settlements with a greater range of facilities. The proposal would result in the provision of a five dwellings tailored towards meeting local need and would respect the layout, height and appearance of neighbouring houses along Easton Town Road. The site can be developed without unacceptable harm to landscape character, visual amenity, the historic environment or highway safety.
- 6.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The proposal benefits from the presumption of sustainable development (Paragraph 11.d.ii of the NPPF), due to the Council's current 2.42 years housing land supply position, and therefore permission should be granted unless 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.
- 6.4 The proposed development would deliver both social and economic benefits and there would be no planning harms, apart from the speculative nature of the application thus not aligning with the plan-led approach as outlined within the Wiltshire Core Strategy. However, due to the age of the Local Plan and the Council's substantial housing land supply shortfall the

weight to be given to the harm is limited. It is considered that significant weight should be placed on the benefits of the proposed development and therefore any adverse impacts of granting permission would not significantly and demonstrably outweigh the benefits.

- 6.5 In light of the above, having considered the individual planning merits of the proposal, it is considered that the material considerations indicate that permission should be granted. It is therefore respectfully requested that permission in principle be granted.