



**HOUSING AND PLANNING ACT 2016
TOWN AND COUNTRY PLANNING
(PERMISSION IN PRINCIPLE) REGULATIONS 2017**

PLANNING STATEMENT

**RE: TECHNICAL DETAILS CONSENT FOR THE ERECTION OF 4 NO.
DWELLINGS TOGETHER WITH ASSOCIATED ANCILLARY WORKS**

**LAND ADJ. FILANDS FARM, FILANDS,
MALMESBURY, WILTSHIRE, SN16 9JN**

**On behalf of:
MR M. SMITH**

Date: January 2026

Ref: AP/P/S-080B

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1. INTRODUCTION

- 1.1 This statement has been prepared by **Plan-A Planning and Development Ltd** in support of an application for 'Technical Details Consent' (TDC) for the erection of 4 no. detached dwellings together with associated ancillary works on land adj. Filands Farm, Filands, Malmesbury, SN16 9JN. It follows the grant of 'Permission in Principle' (PiP) by Wiltshire Council on 3rd July 2025 for construction of a single dwelling (LPA Ref. PL/2025/02543 refers).
- 1.2 The Permission in Principle (PIP) route to obtaining planning permission came into force on 1 June 2018, having been introduced by the Housing and Planning Act 2016, the Town and Country Planning (Brownfield Land Register) Regulations 2017 and the Town and Country Planning (Permission in Principle) Order 2017. It is a two-stage process which separates the consideration of matters of principle from the technical detail of the proposed development.
- 1.3 The purpose of this statement is to set out the justification as to why the TDC application should be permitted, referring as appropriate to the following drawings and documents:-
- Design and Access Statement (Coombes Everitt Architects)
 - Arboricultural Impact Assessment (S J Stephens Associates)
 - Preliminary Ecological Appraisal (Cotswold Environmental)
 - Statutory Biodiversity Net Gain Feasibility Assessment (Cotswold Environmental)
 - BNG Baseline (Cotswold Environmental)
 - BNG Proposal (Cotswold Environmental)
 - Statutory BNG Metric (Cotswold Environmental)
 - Drawing No. 25.20.010.PL001A – Site Location Plan
 - Drawing No. 25.20.010.PL002A – Existing and Proposed Site Block Plan
 - Drawing No. 25.20.010.PL003 – Existing Site Plan
 - Drawing No. 25.20.010.PL004A – Proposed Site Layout Plan
 - Drawing No. 25.20.010.PL005 – Proposed Unit 1
 - Drawing No. 25.20.010.PL006 – Proposed Unit 2
 - Drawing No. 25.20.010.PL007 – Proposed Garage Unit 1 and 2
 - Drawing No. 25.20.010.PL008 – Proposed Unit 3
- 1.4 The following sections set out the context and character of the site and surrounding area and consider the proposals against the national and local policy framework. The statement then concludes our case that the application proposals will cause no material harm to interests of acknowledged importance and that consent should therefore be granted.

2.1 The application site is located on the northern fringe to the main built-up area of Malmesbury and forms part of the ribbon of development to the north of the B4014. It lies between two existing residential properties - '*Bluewood*' to the west and '*Orchard Barn*' to the east whilst, to the south of the B4014, all land is either committed for residential use as part of large estate-style development or has already been developed as such.



2.2 The site benefits from an existing gated entrance onto the B4014 which leads onto a hard surfaced access track serving an existing agricultural building located in the northern half of the site. The remainder of the plot is currently undeveloped, with all site boundaries generally defined by post and rail fencing and associated vegetation to the south and west largely screening the site to views from those directions. The site is not subject to any landscape designations and falls within Flood Zone 1.

2.3 The site is well connected to the full range of facilities and services available within Malmesbury. The nearest bus stop lies within 300 metres of the site entrance with existing footway access along the south side of the B4014 and is served by the no. 99 and X99 services. These provide direct links to Swindon, Wootton Bassett, Malmesbury and Chippenham throughout the week. The site also benefits from connectivity into the existing/committed housing estate development which lies to the south of the road.

3. SITE PLANNING HISTORY

17/05847/FUL & 20/08823/VAR

- 3.1 Planning permission was granted in September 2017 for the development of an agricultural storage and stable building on the application site. A variation to this consent was subsequently approved in December 2020 in order to regularise a number of minor discrepancies between the plans as originally approved and the development as implemented.

PL/2024/10239

- 3.2 Permission was refused in January 2025 for conversion of the agricultural building to use as a principal dwelling under Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

PL/2025/02543

- 3.3 Permission in Principle (PiP) was granted on 3rd July 2025 for the erection of up to 4 no. new dwellings at the site. The corresponding case officer's report confirmed that the site was not located in an isolated position and that a development of up to four dwellings could be designed to reflect and respect the looser character of other existing development to the north of the B4014. In the context of the significant county-wide shortfall in housing land supply, it was concluded that the principle of the proposed development was generally acceptable and no adverse impacts were identified that would significantly and demonstrably outweigh the benefits.

4. PLANNING POLICY AND LEGISLATIVE FRAMEWORK

4.1 The provisions enabling the Permission in Principle (PIP) route to obtaining planning permission were introduced by the Housing and Planning Act 2016, the Town and Country Planning (Brownfield Land Register) Regulations 2017 and the Town and Country Planning (Permission in Principle) Order 2017, and came into force on 1 June 2018.

4.2 The PIP consent route is a two-stage process. The first (PIP) stage establishes whether a site is suitable in principle and, if successful, is followed by a second 'Technical Details Consent' (TDC) stage, when the detailed development proposals are assessed. The scope of PIP is limited to the location, land use and amount of development, and only matters relating to these 'in principle' issues are to be considered as part of the first stage. All other matters should be considered at this subsequent TDC stage against all relevant Development Plan policies, unless there are any material planning considerations which indicate otherwise.

Wiltshire Core Strategy (2015)

Core Policy 45 – Meeting Wiltshire's Housing Needs

4.3 CP45 stipulates that new housing must be well designed to address local housing need, incorporating a range of different types, tenures and sizes of homes to create mixed and balanced communities.

Core Policy 50 – Biodiversity and Geodiversity

4.4 CP50 requires development proposals to demonstrate how they protect features of nature conservation and geological value as part of the design rationale, with the expectation that such features be retained, buffered and managed favourably to maintain their ecological value, connectivity and functionality in the long-term.

4.5 Where retention is not feasible, removal or damage will only be acceptable where the anticipated ecological impacts have been mitigated and appropriate compensatory measures secured to ensure no net loss of the local biodiversity resource.

4.6 The policy confirms that all development should seek opportunities to enhance biodiversity.

Core Policy 51 – Landscape

4.7 This policy highlights that developments should protect, conserve and where possible enhance landscape character. Proposals are expected to demonstrate that landscape

character will be conserved and where possible, enhanced through sensitive design, landscape mitigation and enhancement measures, including:

- Locally distinctive pattern and composition of natural features;
- Locally distinctive character of settlements and their landscape settings;
- Maintaining separate identity of settlements and the transition between man-made and natural landscapes at the urban fringe;
- Visually sensitive skylines;
- Important views and visual amenity
- The need to protect against intrusion from light pollution;
- Protecting the special qualities of AONBs.

Core Policy 57 – Ensuring High Quality Design and Place Shaping

- 4.8 This policy confirms that a high standard of design is required in all new development which draws on local context in order to maintain or create a strong sense of place. Proposals are expected to enhance local distinctiveness, retain existing landscape/natural features and be sympathetic to their surroundings, whilst making efficient use of land. The needs of future occupants should be taken into account through making use of high standards of building materials and maximising opportunities for sustainable construction techniques.

Core Policy 60 – Sustainable Transport

- 4.9 CP60 aims to help reduce the need to travel particularly by private car and to support and encourage sustainable, safe and efficient movement of people and goods within and through Wiltshire. This is to be achieved by measures including: planning developments in accessible locations, promoting sustainable transport alternatives, and through maintenance and selective improvements to the local transport network, and appropriate demand management measures.

Core Policy 61 – Transport and New Development

- 4.10 CP61 stipulates that new development should be located and designed to reduce the need to travel, particularly by private car and encourage the use of sustainable transport alternatives. Where applicable, Transport Assessments should include consideration to the needs of all transport users, that proposals are capable of being serviced by safe access to the highway network.

- 4.11 Where appropriate, contributions will be sought towards sustainable transport improvements, and travel plans required to encourage the use of sustainable transport alternatives.

Other Material Policy Considerations

National Planning Policy Framework (NPPF)

- 4.12 The NPPF sets out the Government’s planning policies for England, together with guidance on how they are expected to be applied. It is a material consideration in its own right in the determination of planning applications.
- 4.13 The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, which encompasses the three overarching and interdependent economic, social and environmental objectives. It confirms that planning policies and decisions should play an active role in guiding development towards sustainable solutions, In doing so, Local Planning Authorities are instructed to take local circumstances into account to reflect the character, needs and opportunities of each area (paragraph 9 of the Framework refers).
- 4.14 At the heart of the NPPF is a clear presumption in favour of sustainable development (see paragraphs 10 and 11). For decision-taking, this means approving development proposals that accord with an up-to-date development plan without delay, or where there are no relevant development plan policies or the policies which are most important for determining the application are out of date (such as is in cases where there is no five year housing land supply), granting permission unless: policies in the Framework provide a strong reason for refusing the proposals; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits having particular regard to key policies such as directing development to sustainable locations, making effective use of land and securing well-designed places (NPPF para. 11 refers).
- 4.15 The Framework instructs LPAs to approach decision-making in a positive and creative way, and to *“work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area”*. The Framework stipulates that decision-makers at every level should *“seek to approve applications for sustainable development where possible”* (para 39 refers).

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- 4.16 Para 61 emphasises the Government’s objective of *“significantly boosting the supply of homes”* whilst para 124 confirms that planning decisions should promote the effective use of land. Additionally, paragraph 125 supports the development of under-utilised land and buildings, especially where this would help to meet identified needs for houses where land supply is constrained.
- 4.17 Para 73 confirms that, in identifying land for new homes, small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are essential for small and medium enterprise housebuilders to deliver new homes that are often built out relatively quickly. It goes on to confirm that in promoting the development of a good mix of sites, local planning authorities should use tools such as permission in principle to help bring small and medium sized sites forward.
- 4.18 Paragraph 115 outlines that planning decisions should take account of whether safe and suitable access to the site can be achieved for all users. However, paragraph 116 goes on to confirm that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or where the residual cumulative impacts on the road network, following mitigation, would be severe.
- 4.19 Para 131 highlights that good design is a key aspect of sustainable development and helps create better places to live and work. Accordingly, para 135 confirms that planning decisions should aim to ensure that developments:-
- a) *“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;*
 - 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 spaces) 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 quality of life or community cohesion and resilience.”*

5. PLANNING ASSESSMENT

5.1 Now that the principle of development has been established by the granting of Permission in Principle on 3rd July 2025, the purpose of this section is to confirm why Technical Details Consent (TDC) should be granted, based on an assessment of the following technical details:-

- Design, Appearance and Residential Amenity
- Ecology and Biodiversity
- Arboricultural Impact Assessment
- Drainage
- Highway, Access and Parking Issues

Design, Appearance and Residential Amenity

5.2 As explained within the Design and Access Statement (DAS) submitted in support of the application, the scheme proposals take full account of a series of design objectives derived from consideration of the site and the case officer's report associated with the preceding PiP application.

5.3 Whilst the site is currently underutilised, the layout and design of the proposed scheme reflect the density and looser pattern of adjoining development to the north of the B4014 and, in conjunction with a palette of high-quality traditional and contemporary materials, will ensure that the development blends seamlessly with the character and appearance of the wider built context. Care has also been taken to ensure that the scale, form and layout of development retains the existing verdant edge to the built-up area of the settlement whilst still allowing some limited views through to the open countryside beyond. Overall, the proposed design seeks to create interest whilst reflecting the traditional local vernacular, with limited gable depths and 45-degree pitched roofs. Furthermore, the precise siting and layout of each detached dwelling has also been carefully considered to ensure that the privacy and amenity of all occupiers is suitably maintained.

5.4 Full design details are provided within the DAS which should be referred to accordingly and serves to demonstrate that the proposed dwellings are in full accordance with Policies CP45, CP51 and CP57 of the Wiltshire Core Strategy together with all associated NPPF design policies.

Ecology and Biodiversity

- 5.5 The Preliminary Ecological Appraisal (PEA) undertaken in support of the application proposals established that apart from the mature species-rich native hedgerows which border the site's southern and western boundaries, the dominant on-site habitat is intensively managed modified grassland of low species diversity. As the boundary hedgerows are to be retained and protected during construction the PEA confirms that no significant adverse impacts to local habitat networks are anticipated as a result of the proposed development. No potential bat roosting opportunities were identified within the existing buildings although the boundary hedgerows may provide linear commuting routes and localised foraging habitat. Therefore, it is advised that nocturnal lighting will need to be carefully designed to avoid light spill onto the hedgerows and surrounding semi-natural habitats.
- 5.6 Despite the site's negligible value to protected species, the PEA recommends the preparation of a Precautionary Working Method Statement (PWMS) detailing reasonable avoidance measures to further reduce risks to wildlife. Furthermore, biodiversity enhancements are to be achieved by fitting bat and bird boxes in suitable locations as part of the proposed development.
- 5.7 The above measures are sufficient to ensure full compliance with Core Policy 50 of the Wiltshire Core Strategy whilst the net loss of 0.22 habitat units resulting from the proposed development is to be addressed by means of purchasing 0.28 habitat units from a suitable off-site provider or habitat bank in order to achieve the mandatory 10% biodiversity net gain.

Arboricultural Impact Assessment

- 5.8 The Arboricultural Impact Assessment report submitted in support of the application confirms that two dead (Category U) trees (T7 and T15) and one group of dead elm (G8) are proposed for removal. Some dead elm are also to be removed from the dense hedgerow along the site's southern boundary (G2).
- 5.9 The tree protection plan incorporated within the report specifies those measures necessary to protect the Root Protection Areas of all retained trees. The plan also indicates the shading patterns for all key trees and confirms that all proposed dwellings fall outside of the potential shading areas except for Unit 2, where part of the house will be subject to late afternoon shade. However, as the house will not be shaded from the south and the rear garden/patio

are largely unaffected, this should not result in any material adverse impact on residential amenity and ensuring full compliance with Core Policy 57 of the Wiltshire Core Strategy.

Drainage

- 5.10 As confirmed within the DAS, foul drainage will be connected to the main sewer in the highway, whilst surface water drainage will be dealt with via a SuDS scheme and soakaways.

Highway, Access and Parking Issues

- 5.11 The case officer report in support of the local planning authority's decision to grant Permission in Principle included details of the highway engineer's assessment. This confirmed that the site is not isolated from Malmesbury and is served by a local town bus and an hourly service between Chippenham and Swindon within 300m of the site access. Each of the properties will also be provided with parking for at least 3 vehicles and an electric vehicle charging point together with adequate space for cycle storage. The proposals will thereby accord with the requirements and policy objectives which underpin Core Policy 60 and 61.
- 5.12 As for use of the site's existing access onto the B4014, the Proposed Site Layout Plan (Drawing No. 25.20.010.PL004A) confirms that adequate sight lines can be achieved and the access widened to allow for conflicting traffic movements without the need to remove the adjoining tree (albeit it is dependent on an area of 'no-dig construction'). Finally, the scale of development proposed, and the fact the site is accessed directly from the B4014 means that it will not have a material impact on the operation of the local highway network.

6. CONCLUSION

- 6.1 In accordance with the provisions of the Act, application proposals that are in accordance with the Development Plan should be permitted unless material considerations indicate otherwise. In this case, it has been demonstrated that the scheme proposals are in full accordance with both national and local planning policy requirements and will cause no harm to any interests of acknowledged importance. Accordingly, this application for Technical Details Consent (TDC) can safely be granted.