

**PL/2026/00195 Land to the West of Westbury Road, Warminster.
Settlement Boundary and sustainability**

Objection:

The site is outside the settlement boundary, conflicts with policy 1, 2, and 31 of the Wiltshire Council Local Plan. Although the council cannot show a 5 year land supply, the conflict with those policies must still be given some weight. Further, Wiltshire Council's own officers have already concluded the site is unsustainable and therefore it should be rejected under NPPF. Planning Inspectors have reviewed that assessment in their review of the new Local Plan and have not taken issue with it.

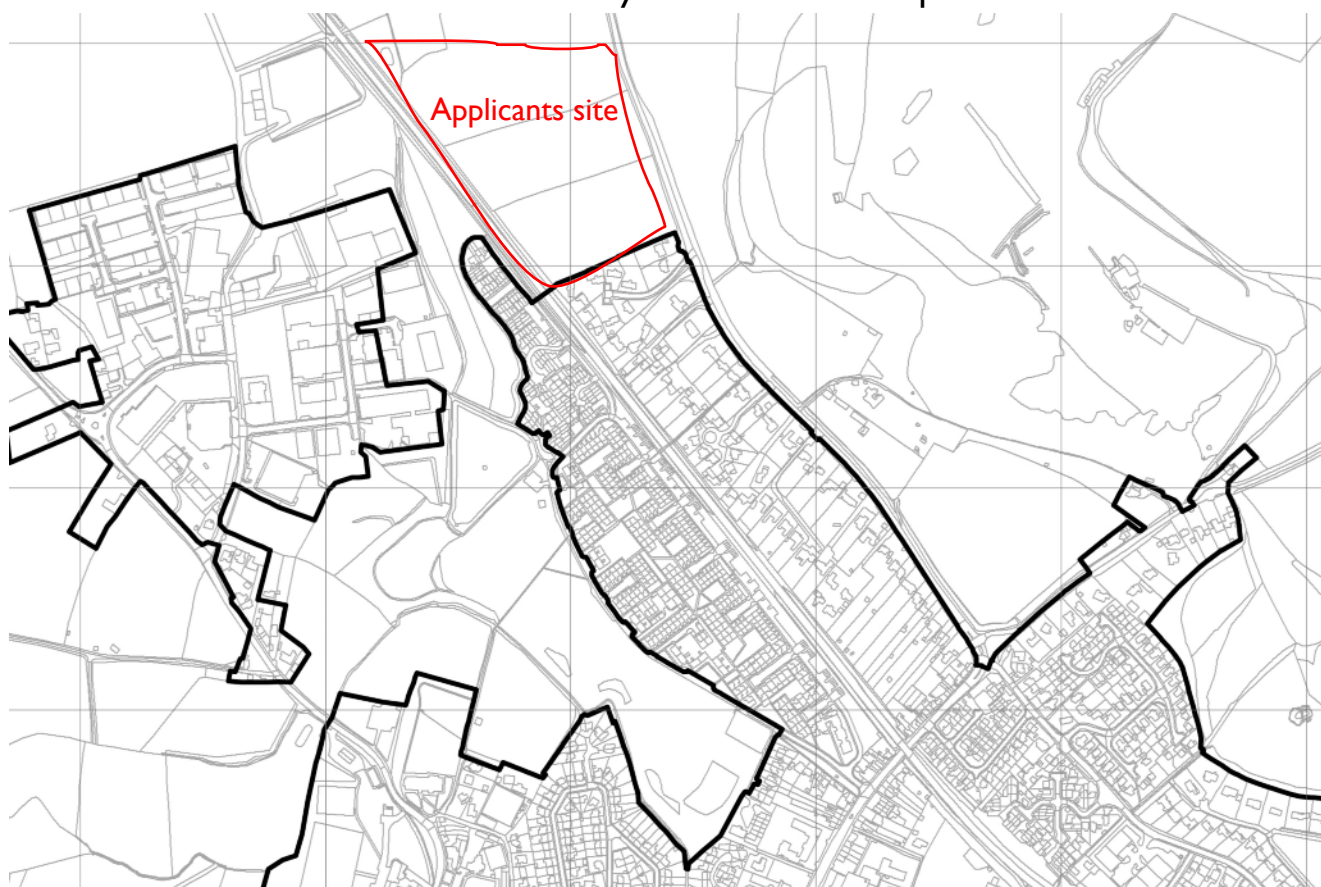
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The applicant proposes to develop 205 houses that are beyond the confirmed settlement boundary for Warminster.

The settlement boundary was re-evaluated in 2020, and a new map produced. That map was considered as part of the Wiltshire Council Local Plan for to 2038 issued for consultation in September 2023.

The settlement boundary has been confirmed once more along the same lines as in 2020. This is the reconfirmed settlement boundary for the Northern part of Warminster:



It is not a point of contention that the applicant's site is outside the settlement boundary. There is no contention that because of this, the applicant's site would ordinarily be turned down for being out of line with the settlement strategy in the core plan. As such it conflicts with Core Policy 1, 2 and 31.

In other words it is beyond the settlement boundary for Warminster, it is not a site that is considered sustainable and it is not a site that was considered viable when looking at development in the market towns of west Wiltshire.

The Core Policies that this site breaches remain unchanged in the Wiltshire Council plan to 2038.

It is not a point of contention that this is a speculative application that has only been brought forward because Wiltshire Council cannot show a 5 year land supply and in the knowledge that if it could, this application would be turned down without further consideration.

All that being said, it is also not a point of contention that Wiltshire Council cannot show a five year land supply.

However: **that does not mean that no weight can be allocated** to the fact that development of the site would breach the Core Policies 1, 2 and 31. Weight must be allocated to the harm that this development would cause acknowledging the site has only been brought forward because the council cannot show a five year land supply.

Sustainability

Whilst the Wiltshire Council Local Plan is considered “out of date” for planning purposes because of the lack of a 5 year land supply, the National Planning Policy Framework (NPPF) still applies. Planning applications must comply with NPPF, regardless of the state of a 5 year land supply.

NPPF is clear that all applications must be sustainable. Sustainability runs through the very fabric of NPPF and it is mentioned over 65 times.

This is relevant because as part of the preparation of the new Local Plan, Wiltshire Council’s own officers carried out an assessment of all the sites available for development in the Warminster area (Planning_for_Warminster_September2023 p14-16)

All potential sites were selected including the site owned by the applicant. A three stage assessment of site sustainability was undertaken with 39 of the potential sites being eliminated at stage 1.

At stage 2 planning officers undertook: *“a high-level assessment of the suitability of each remaining site, based on a range of criteria, including potential for landscape impacts, heritage impacts and accessibility. Sites were excluded from further consideration at Stage 2 where it was judged likely that there would be significant likelihood of harm resulting from development of a site.”*

Ten sites including the applicant’s, were then taken through to stage 3. The conclusion of that assessment was that *“all sites were excluded from further consideration at Stage 3, it was not necessary to take any sites for further consideration at Stage 4 of the site selection process.”*

In short Wiltshire Council planning officers have looked at the applicant’s site as well as the others in the area and considered that they are not sustainable.

It would be perverse, indeed hard to justify in terms of wasting public money, for Wiltshire Council officers to now decide that this site is sustainable, when other council officers have concluded the opposite.

There are of course other aspects in which the site is not sustainable. The Planning Inquiry established that the site was not sustainable without WARM 16. And as I have pointed out in my paper on WARM 16, it is clear that the footpath is inadequate for the task. And neither the developer nor the council have carried out the necessary consultations and adjustments required by the Equalities Act 2010.

The applicant has strongly implied, inaccurately, that there is a problem with the new Local Plan under review with the Planning Inspectorate as regards the site allocations for Warminster. The suggestion being that the new plan does not allow for sustainable development in the area.

The Planning Inspectorate have not said that.

Despite some criticism of targeted allocations around Chippenham, Melksham and Trowbridge and had a further slew of questions around a Salisbury Area New Community. The Inspectors had **NO** negative remarks on either the housing numbers proposed for Warminster nor the sustainability assessments made of the existing sites.

In other words the Planning Inspectorate has not taken issue with the conclusion in the new Local Plan, that the sites in Warminster, including that of the applicant, are unsustainable. If that assessment has not been challenged by the Planning Inspectorate, why would the site now be considered at all?

And if the site is not sustainable, then under NPPF this application should be rejected.

It has been assessed as unsustainable and should now be rejected for that reason.