

Interested party 1

Comments

I believe the appeal should be rejected. The arguments for the original refusal of this application remain valid and extant. Outside of the development boundary as defined within the relevant policies. The land is not in the neighbourhood plan, democratically voted for and accepted in summer 2025. There is already ample provision of land and agreed developments to meet the requirement for new properties in Whitley. (Again all voted for and agreed in the NH plan). The development of 5 two storey houses is not in keeping with the immediate surroundings which consists of 4 bungalows. Access onto Corsham Road from any development has very poor visibility, to the north, as the road bends and is on an incline

Interested party 2

Comments

1. Introduction and Community Position

This representation is submitted on behalf of a local community group. The group represents residents of Whitley and Shaw who have engaged constructively with the plan-led process, including the preparation, examination and referendum approval of the Joint Melksham Neighbourhood Plan 2 (JMNP2).

The community was relieved when Wiltshire Council refused the application in December 2025. That decision reflected adopted development plan policy and long-standing concerns about speculative development beyond settlement boundaries and the erosion of the countryside gap separating Whitley and Shaw.

For the reasons set out below, we strongly support the Council's decision and consider the appeal to be without merit.

2. Principle of Development and the Plan-Led System

The appeal site lies outside the defined settlement boundary of Whitley and Shaw. This is not in dispute. The development plan is clear that such locations are subject to strict control.

The proposal conflicts with:

- Wiltshire Core Strategy Policies CP1, CP2 and CP15, which direct new housing to within settlement boundaries except in clearly defined circumstances; and
- the Joint Melksham Neighbourhood Plan 2, which was made in August 2025 and deliberately identifies where housing should and should not occur.

The appeal proposal is unallocated, speculative development that cuts directly across the spatial strategy endorsed through both examination and local referendum.

Accepting development in this location would undermine the credibility of the plan-led system and neighbourhood planning more broadly.

3. Neighbourhood Plan Protection and National Policy

The appellant seeks to justify the proposal by reference to housing figures and wider supply considerations. This approach is fundamentally flawed.

The appellant's approach seeks to use housing figures to override neighbourhood plan protections, effectively treating minimum housing requirements as a ceiling to be circumvented rather than a baseline within a plan-led system. This runs directly contrary to the intent of neighbourhood planning and to national policy, which makes clear that where a neighbourhood plan is up to date, the adverse impacts of allowing development that conflicts with it are likely to significantly and demonstrably outweigh the benefits.

JMNP2 was made less than five years ago, contains housing allocations, and was examined against the evidence available at the time. Its policies therefore attract full weight, and paragraph 14 of the National Planning Policy Framework is engaged.

4. Policy 19 – Separation of Settlements

A central reason for refusal, and a matter of particular importance to the local community, is the harm to the countryside gap between Whitley and Shaw.

Policy 19 of JMNP2 seeks to protect the open land between settlements to prevent their coalescence and to maintain their separate identities. While the policy does not impose a blanket prohibition, it sets a clear and high threshold. In order to justify development affecting this separation, it must be demonstrated that:

- the actual and perceived separation between settlements would be retained;
- the functional role of the land as an open countryside buffer would not be compromised; and
- any claimed mitigation does not rely on landscaping or design as a substitute for openness.

The appeal proposal fails all of these tests. The harm arises from the introduction of built development itself and the resulting loss of openness, not from matters of layout, scale or appearance. Once the principle of residential development is accepted, the separation function is permanently eroded.

5. Permission in Principle and Irreversible Harm

The fact that the appeal seeks Permission in Principle does not reduce the weight of the harm identified. The impacts on settlement separation and landscape character are harms of principle.

Granting Permission in Principle would:

- establish residential use on land specifically intended to remain open;
- undermine the settlement boundary; and
- create pressure for further incremental development within the Shaw–Whitley gap.

These consequences cannot be mitigated at a later technical details stage.

6. Conclusion

The appeal proposal conflicts with the development plan, undermines a recently made neighbourhood plan, and would cause irreversible harm to the separation and identity of Whitley and Shaw.

Once the principle of development is accepted, the Shaw–Whitley separation is irreversibly compromised, placing the proposal in direct conflict with JMNP2 Policy 19 and the plan-led strategy endorsed by the local community.

The appeal should therefore be dismissed and Wiltshire Council's decision upheld