

RCC TOWN PLANNING CONSULTANCY



Site: Land adjacent 151 Malmesbury Road, Chippenham SN15
5LP

Proposal: Outline planning application for the erection of a
single dwelling and associated works

On behalf of: Adele Holmes & Carole Mann

Date of Issue: June 2026



RCC TOWN PLANNING CONSULTANCY

PLANNING STATEMENT

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1.0 BACKGROUND AND DEVELOPMENT PROPOSAL

- 1.1 This Statement has been prepared on behalf of the applicants to support their outline planning application for the erection of a two-storey dwelling and associated works on land adjacent 151 Malmesbury Road, Chippenham SN15 5LP.
- 1.2 The intention is to make best use of the overly large side garden associated with 151 Malmesbury Road, which offers an opportunity for the erection of a dwelling within the built area of Chippenham. There have been no previous planning applications made at the site.
- 1.3 The application is submitted in outline form with means of access also to be considered. An illustrative layout is however submitted in accordance with the Council's validation requirements. The illustrative layout demonstrates how the house could be accommodated on the site.
- 1.4 Although the site lies within the built-up-area of Chippenham, it strictly lies outside of the Limits of Development (LOD) as designated within the Wiltshire Core Strategy. For this reason, a pre-application submission was made to Wiltshire Council regarding the proposal prior to the submission of this planning application. The Council advised that whilst the site lies outside the defined settlement boundary for Chippenham and is therefore technically contrary to the adopted development plan, the site-specific circumstances are such that the proposal is likely to be considered acceptable in principle. The pre-app response stated the following in respect of the principle of development in this location:

"However, given the context of the site - in particular the fact that the site now clearly falls well within the developed envelope associated with this part of Chippenham - it is considered that in this instance, the limits of development no longer fully reflect the nature of the site and surroundings in this specific location. Despite the proposal being contrary to the development plan policies, it is noted that there is a significant quantum of built development in the form of residential properties directly adjacent to the land in question. As such, and cognisant of the process for determining planning applications in accordance with the development plan unless material considerations indicate otherwise set out at section 38 (6) of the 2004 Act, it is reasonable to consider that development at this site may attain Officer support in principle. Notwithstanding this position, there will be other matters to be considered should an application be forthcoming. Such matters are dealt with in subsequent sections of this report".

- 1.5 The pre-application response identified a number of matters requiring further consideration as part of any subsequent application. In design terms, the Council advised that the proposed dwelling should take cues from the existing cottage-style dwellings at Nos. 151 and 153 Malmesbury Road (rather than those within the modern estate). The response also highlighted the need for



ecological and Biodiversity Net Gain (BNG) considerations to be addressed, alongside matters of neighbour amenity. Overall, the pre-application advice therefore concluded that a proposal for a single dwelling on the site may gain officer support, subject to the identified technical and design matters being satisfactorily addressed.

- 1.6 This Planning Statement will examine how the proposed development relates to the site and its context, as well as provide an explanation and justification for the scheme having regard to national and local plan policy and guidance, as well as the pre-application advice of the Council.

2.0 SITE CONTEXT

- 2.1 This outline planning application concerns the side garden of 151 Malmesbury Road, Chippenham and an adjacent strip of unused grassland. Together, these two parcels of land form the application site and measure 863m².
- 2.2 Chippenham is identified as a Principal settlement within the Wiltshire Core Strategy (WCS), which is a main focus of growth and development.
- 2.3 Malmesbury Road is located on the northern edge of Chippenham, within an area that has experienced substantial residential growth in recent years. The application site itself is situated between residential development permitted under application 20/05495/FUL to the south, which is currently under construction, and the wider North Chippenham mixed-use development to the north and east. Consequently, whilst the site is shown as lying outside the Limits of Development (LOD) on Wiltshire Core Strategy Inset Map 04, the site now clearly forms part of the established built-up area of Chippenham in practical terms, being enclosed by surrounding residential development. As noted in Section 1.0 of this Statement, this position and the site's wider context were acknowledged and agreed by the Council.
- 2.4 The 'North Chippenham' development was originally a large mixed-use allocation when the current Wiltshire Core Strategy was still in its draft stage. However, due to the lack of housing supply, the site came forward early prior to the adoption of the core strategy and has subsequently been developed. It is now evidently clear that this large swathe of development now represents the built up area of the town but unfortunately it still remains outside of the LOD. This is because the Chippenham Site Allocations Plan which reviewed and extended the LOD was adopted in 2017 and preceded the approval of the reserved matters consents at the site. Only those large sites with outstanding planning permission where reserved matters had been approved were included within the revised settlement boundary. This now means that the LOD for Chippenham, in so far as it relates to the 'North Chippenham' site and the pre-application site, is out of date and does not accurately reflect the built-up area of the settlement as it is 'on the ground'.
- 2.5 The map at Figure 1 shows the site as it was before the 'North Chippenham' development took place, i.e. positioned just beyond the LOD boundary with the countryside beyond. In comparison, Figure 2 and the following photographs show the site as it is now; surrounded by modern estate development and very much forming part of the built up area

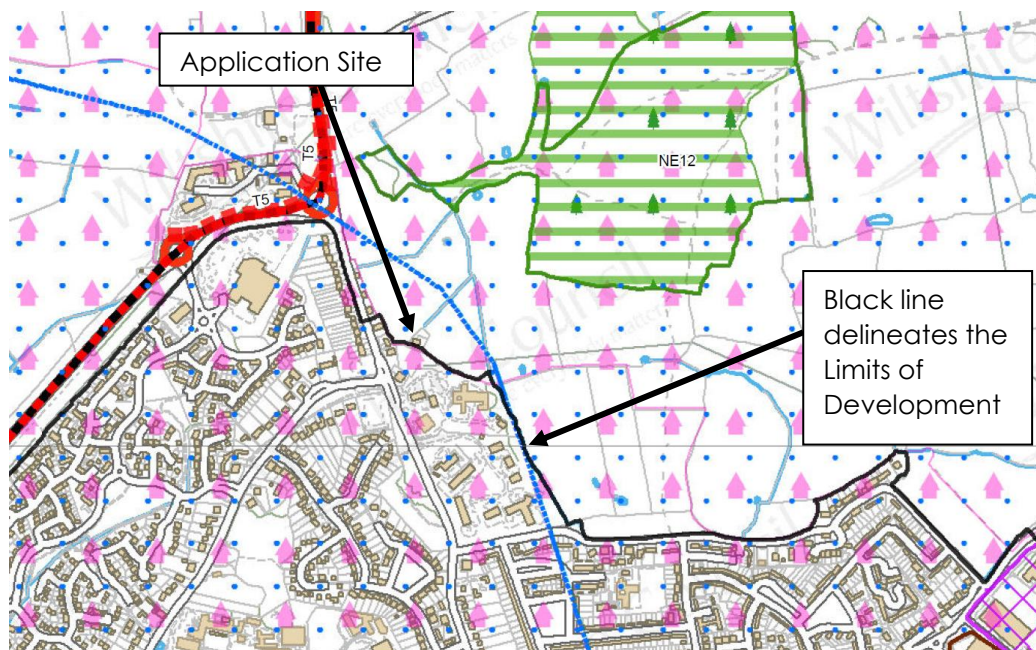


Figure 1: Extract from Wiltshire Core Strategy Inset Map 04



Figure 2: Extract of masterplan for 'North Chippenham' development



Figure 3: Aerial photograph (dated 06/08/2023)



Figure 4: Site layout plan showing the site in relation to the development permitted under 20/05495/FUL and now under construction



Figure 5: View of the site from the rear, within the adjacent modern estate – Google Earth image dated 07/2024



Figure 6: View of application site looking east along access road towards the site and surrounding modern development



Figure 7: Application site looking north from access road



Figure 8: View of application site looking west towards the site (right) and development under construction

- 2.6 The application site would utilise the existing vehicular access onto Malmesbury road, alongside no's 151 and 153.
- 2.7 In looking at the wider context, there are no landscape, heritage or cultural designations affecting the site.

3.0 PLANNING POLICY

- 3.1 Under the provisions of section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004, applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 3.2 In relation to this site, the Development Plan comprises the Wiltshire Core Strategy (WCS), Chippenham Neighbourhood Plan (Made 2024) (CNP) and the 'saved' policies of the North Wiltshire Local Plan (NWLP).
- 3.3 Material considerations comprise the following:
- Wiltshire Local Transport Plan 2011-2026 Car Parking Strategy
 - The Wiltshire Design Guide (2024)
 - National Planning Policy Framework 2024 (NPPF)
 - National Planning Practice Guidance (NPPG)
- 3.4 The relevant policies and guidance are set out in the associated tables:

WILTSHIRE CORE STRATEGY

Policy	Title
CP1	Settlement strategy
CP2	Delivery strategy
CP10	Spatial Strategy: Chippenham Community Area
CP50	Biodiversity and Geodiversity
CP51	Landscape
CP57	Ensuring high quality design and place shaping
CP61	Transport and New Development
CP62	Development Impacts on the Transport Network

CHIPPENHAM NEIGHBOURHOOD PLAN

Policy	Title
GI1	Protecting and Enhancing Biodiversity

SAVED POLICIES OF NORTH WILTSHIRE LOCAL PLAN

Policy	Title
H4	Residential Development in the Open Countryside

NATIONAL PLANNING POLICY FRAMEWORK

Chapter	Title
2	Achieving sustainable development
4	Decision-making
5	Delivering a sufficient supply of homes
8	Promoting healthy and safe communities
9	Promoting sustainable transport
12	Achieving well-designed places
15	Conserving and enhancing the natural environment

4.0 PLANNING ASSESSMENT

- 4.1 This is an outline planning application, with means of access to also be considered. All other matters, namely, layout, landscaping, scale and appearance, are reserved.
- 4.2 Accordingly, this Statement will only address the issues of principle and access.

Principle of Development

- 4.3 Section 38(6) of the Planning & Compulsory Purchase Act 2004 establishes that 'determination must be made in accordance with the development plan unless material considerations indicate otherwise'. The Development Plan in this instance comprises the WCS, the saved policies of the NWLP and the CNP.
- 4.4 A significant material consideration is the NPPF. This requires LPAs to identify a five-year supply of specific deliverable sites to meet housing needs, with an appropriate buffer. Where Councils are unable to demonstrate this, planning policies concerning housing delivery are considered out of date and applications for housing development should instead be considered in line with paragraph 11d of the NPPF. Wiltshire Council is unable to demonstrate a 5-year supply¹ and paragraph 11d is therefore 'engaged'. This means that the 'planning balance' is tilted from a neutral balancing exercise where if the harms outweigh the benefits planning permission is usually withheld, to a tilted balance where the harms should significantly and demonstrably outweigh the benefits for permission to be withheld. The relevant extract is set out below:

For **decision-taking** this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁸, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance⁷ 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 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 combination⁹.

- 4.5 This lack of HLS is further exacerbated by the recent agreement by Wiltshire Council that the Wiltshire Local Plan should be withdrawn from the independent examination process. As a result, there is no clear or immediate

¹ Wiltshire Council Housing Land Supply Statement (issued June 2025) confirms that it can only demonstrate 2.42 years of housing land supply

prospect of an up-to-date development plan being in place, and the Council will continue to rely on increasingly dated policies. In these circumstances, and when read alongside the Council's acknowledged shortfall in housing land supply, policies CP1, CP2 and CP10 of the WCS regarding housing land supply are considered out of date.

- 4.6 Although the Chippenham Neighbourhood Plan was 'made' in 2024, as it does not contain policies *and* allocations to meet its identified housing requirement, it does not benefit from the protections afforded by paragraph 14 NPPF and the application therefore remains to be assessed under the 'presumption' set out in paragraph 11(d).
- 4.7 Within the 'planning balance' at Section 5.0 of this Statement, the level of conflict with the development plan is discussed alongside the benefits the additional dwellinghouse can bring about. This concludes that the benefits far outweigh any negative impacts.
- 4.8 The starting point for assessing the proposal remains the relevant policies of the development plan. In 'planning principle' terms, this means policies CP1, CP2 and CP10 of the WCS as well as policy H4 of the NWLP.
- 4.9 Policies CP1 and CP2 of the WCS outline the settlement and delivery strategies for the County, identifying four tiers of settlements and directing new development to the more sustainable settlements at a scale commensurate with their position in the hierarchy. In the case of this proposal, Core Policy 10 'Spatial Strategy: Chippenham Community Area' identifies Chippenham as a 'Principal Settlement'. CP1 notes that these settlement types are strategically important centres and the primary focus for development, providing significant levels of jobs and homes.
- 4.10 As described in Section 2.0 of this Statement, the application site falls immediately outside of the Chippenham Limits of development and therefore for the purpose of assessing this proposal falls within the countryside. As such development is not generally supported in this location, other than in exceptional circumstances, permitted by other policies that seek to respond to both local circumstance and national policy. These include H4 (agriculture/forestry or other rural based dwellinghouses), CP44 (rural exceptions sites), CP46 and CP47 (specialist accommodation provision) and CP48 (supporting rural life). It is accepted that the application proposal does not fall within any of these exceptions.
- 4.11 However, whilst the proposal may represent a technical departure from the development plan, the site context and surrounding circumstances are material considerations of substantial weight in this case.
- 4.12 Although the site lies marginally beyond the LOD, it is clear from both its physical relationship with surrounding development and its functional relationship with Chippenham that it is not a 'countryside' site. Rather, the site occupies a highly sustainable and integrated location immediately adjacent to both established and recent residential development, with convenient access to employment opportunities and the wide range of services and

facilities available within Chippenham. In practical terms, the site forms part of the wider urban area and very much reads as such.

- 4.13 The proposal itself would represent a logical and modest infill form of development. The dwelling would occupy a site positioned between existing residential properties fronting Malmesbury Road and the more recent residential development that extends to the site's northern, eastern and southern boundaries. Consequently, the proposal would neither appear isolated nor incongruous in the landscape and would integrate naturally with the established pattern and grain of surrounding development.
- 4.14 The immediate context of the site has altered significantly since the current LOD was established through the Chippenham Site Allocations Plan (adopted in 2017). Extensive residential development has subsequently taken place surrounding the application site, fundamentally changing the character of the area and reinforcing its relationship with the wider built form of Chippenham. The application site is now largely enclosed by development and reads as an integral part of the settlement rather than a transitional or rural edge location.
- 4.15 It is therefore reasonable to conclude that the current LOD, in so far as it relates to the application site, is out of date and no longer accurately reflects the physical situation on the ground. The out of date nature of LODs was discussed at a recent appeal at Woodrow Road, Melksham (April 2026) (attached at Appendix A). This appeal decision is an important material consideration in that it provides up-to-date, clear and highly relevant guidance in respect of decision-making in Wiltshire in the current policy context. In that case, the Inspector confirmed that settlement boundaries defined through the Wiltshire Core Strategy were intended to meet needs only up to 2026 and should not be relied upon beyond that period, whilst also emphasising that housing land supply is assessed on a county-wide basis, such that even modest schemes can make a meaningful contribution to addressing shortfall. The Council's housing land supply position was found to be chronic, with a shortfall of over 9,500 dwellings and a separate affordable housing need of over 1,200 leading to the Inspector to note:

"It is inevitable and accepted by the Council, that permission for housing will need to be granted on unallocated greenfield sites even though that will conflict with CS Policies CP2 and CP15".

- 4.16 Here, the site is surrounded by dwellings and it is clear that any future revision of the Chippenham LOD would include it within the built area, alongside the extensive estate development that has taken place since the revision of the LOD adopted in 2017 as part of the Chippenham Site Allocations Plan.
- 4.17 We therefore submit that this pre-application scheme makes the best use of underutilised land within a sustainable location that is well contained within the built area of Chippenham. It would be perverse to object to the location of the dwelling based on 'principle' grounds and the out-of-date nature of the LOD.

- 4.18 This position was recognised by the Council through the pre-application process, where the Planning Officer states:

"However, given the context of the site - in particular the fact that the site now clearly falls well within the developed envelope associated with this part of Chippenham - it is considered that in this instance, the limits of development no longer fully reflect the nature of the site and surroundings in this specific location..."

- 4.19 The Officer's comments are important in that they acknowledge that whilst the proposal may not align strictly with the wording of the development plan, the realities of the site's physical context mean that it now falls within the built up area of Chippenham.
- 4.20 On the matter of 'principle', we therefore submit that the proposed development of a single dwellinghouse is acceptable. Given its location adjacent to the defined LOD and position between existing dwellinghouses, we consider there to be very limited conflict with the locational policies of the WCS (CP1, CP2 and CP10).

Residential Amenity

- 4.21 Having regard to neighbour amenity, Policy CP57 (vii) requires development to have regard to the compatibility of adjoining buildings and the impact on amenities of existing neighbouring occupants.
- 4.22 As shown on the indicative site plan, the application site is of sufficient size to readily accommodate a dwelling and its associated access, parking and garden space without causing harm to residential amenities. The surrounding dwellings are sited sufficient distance from the site so as not to cause any privacy issues through overlooking or adverse impact in terms of dominance or loss of light/shadowing.
- 4.23 The plot size will also ensure that an acceptable standard of amenity for future occupiers would be achievable.

Ecology

- 4.24 Policy CP50 of the WCS recognises that Wiltshire's natural environment is one of its greatest assets and requires that development proposals must demonstrate how they protect features of nature conservation. The policy also advises that development should seek opportunities to enhance biodiversity. Chapter 15 of the NPPF provides further guidance on conserving and enhancing the natural environment.
- 4.25 Malford Environmental Consulting was commissioned as part of the planning process to carry out an ecological assessment of the site and advise on Biodiversity Net Gain (BNG). The related report which accompanies this application sets out baseline information, and an appraisal of predicted impacts associated with the proposed development.

- 4.26 The ecological assessment confirms that the application site comprises predominantly low-value urban habitats, including residential garden, bramble scrub, small areas of poor-quality neutral grassland, bare ground and existing access surfaces. No priority habitats are present and the site is surrounded by established and recently constructed residential development.
- 4.27 The survey found no significant ecological constraints to the proposed development. There are no buildings or mature trees with bat roost potential, no evidence of badgers or other protected mammals, and the site provides only limited and sub-optimal habitat for reptiles and amphibians. Some garden shrubs and bramble vegetation have the potential to support nesting birds, whilst common mammals such as hedgehogs may occasionally use the site.
- 4.28 Appropriate mitigation measures are recommended to safeguard wildlife during construction, including precautionary working methods for common mammals, timing restrictions and checks in relation to nesting birds, and the implementation of sensitive external lighting. It is also recommended that the final scheme incorporates biodiversity enhancements of an integrated bat roost box, integrated swift nesting boxes and hedgehog access gaps within garden fencing, thereby improving opportunities for wildlife within the completed development.
- 4.29 In line with Core Policy 50 of the WCS and BNG requirements, the report by Malford has also calculated changes in existing and proposed habitats to establish what the gain or loss in BNG terms is. This has been calculated at a deficit of 0.1 units. Therefore, the proposed residential development scheme does not meet the requirements of the Environment Act 2021 as there is not adequate on-site land within the development site to meet the minimum 10% BNG requirement. There is no other land owned by applicants to accommodate the BNG. Consequently, as set out in the report, these circumstances permit the purchase of off-site credits via a habitat bank or broker. Therefore, for this scheme the total BNG unit deficit of 0.1 units will be financially compensated through purchasing off-site BNG credits.
- 4.30 The report therefore concludes:

"The proposed development therefore complies with both national and local planning policies (NPPF and Wiltshire Core Policy 50) to maintain and enhance biodiversity. The absence of a significant residual adverse impact combined with inclusion of on-site wildlife features and purchase of off-site BNG units is concluded to provide an overall enhancement for biodiversity. The residual ecological effect of the proposed development is concluded to be positive in a Local context."

- 4.31 It is therefore concluded that the scheme can take place without causing harm to matters of ecological importance. The proposal thus accords with requirements of overarching legislation, and planning policies and principles set out in Core Policies 50 and 57 of the WCS, policy GI1 of the CNP and Chapter 15 of the NPPF.



Means of Vehicular Access:

- 4.32 This application also seeks approval for the means of access to the site alongside establishing the principle of development.
- 4.33 Policies CP60 and CP64 of the WCS deal with the traffic impacts of development and parking standards. These policies aim to ensure developments adequately address matters of access arrangements and road safety alongside adequate parking provision.
- 4.34 Paragraph 116 of the NPPF states that:

“Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or residual cumulative impacts on the road network would be severe”

- 4.35 Access would be via the junction with Malmesbury Road, which currently serves three dwellings. The access road benefits from having good visibility in both directions.
- 4.36 The addition of a further dwelling utilising this access would not cause any harm in highway safety terms, particularly given that it already adequately serves three dwellings.
- 4.37 The submitted plans show the parking arrangement for not only the new dwelling but a new parking arrangement for 151 itself. The plans confirm that both properties would benefit from an off-street parking arrangement and suitable turning arrangements, in compliance with the Wiltshire Transport Plan.
- 4.38 The proposed development is therefore considered to comply with Core Policy 61 which requires new development to be served by a safe access to the highway network. Having regard to paragraph 116 of the Framework, it is concluded that the development would not result a reason for refusal on highway safety grounds.

5.0 CONCLUSION

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.
- 5.2 In this case, Wiltshire Council is currently unable to demonstrate a five-year housing land supply and can only identify approximately 2.42 years of deliverable housing land. As set out earlier in this Statement, this means that policies relating to the supply and location of housing are considered out of date and the provisions of paragraph 11(d) of the NPPF are engaged. Accordingly, planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole.
- 5.3 It is accepted that, in strict policy terms, the application site lies outside the defined Limits of Development for Chippenham and is therefore contrary to Core Policies CP1, CP2 and CP10 of the Wiltshire Core Strategy together with Policy H4 of the North Wiltshire Local Plan. However, as this Statement has demonstrated, such conflict is limited. This is because the site is now largely surrounded by modern residential developments and can by no means be considered as part of the "countryside" beyond the built-up-area of Chippenham. Moreover, the site benefits from a sustainable location with access to employment opportunities and the wide range of services and facilities available in this Principle Settlement.
- 5.4 Furthermore, the Council itself has acknowledged in their pre-application response that the existing Limits of Development no longer accurately reflect the circumstances on the ground in this location and that the site falls within the developed envelope associated with this part of Chippenham. The proposal therefore represents a logical and modest infill development that would make efficient use of underutilised land and would integrate naturally into the surrounding pattern of development.
- 5.5 The proposal would deliver benefits through the provision of an additional dwelling at a time when the Council faces a significant housing land supply shortfall. Whilst the delivery of a single dwelling attracts modest weight in isolation, recent appeal decisions and the NPPF make clear that even smaller developments contribute towards addressing housing need and should not be discounted. The proposal would also provide associated economic benefits through construction activity and expenditure (including Council Tax payments).
- 5.6 In terms of potential adverse impacts, this Statement has demonstrated that the development would not give rise to unacceptable effects in respect of residential amenity, highway safety, ecological interests or the character of the surrounding area. The indicative layout demonstrates that an appropriate form of development can be achieved.

- 5.7 Having regard to the planning balance required by paragraph 11(d) of the NPPF, it is considered that the limited conflict with the development plan should attract only reduced weight in light of the Council's significant housing land supply shortfall and the site-specific circumstances of the proposal. When weighed against the benefits of delivering additional housing within a sustainable and integrated location, together with the absence of any significant adverse impacts, it is evident that the harms associated with the proposal would not significantly and demonstrably outweigh the benefits.
- 5.8 The proposal therefore constitutes sustainable development and the Council is respectfully requested to grant outline planning permission.