

FAO: The Planning Inspectorate

Temple Quay House
2 The Square
Bristol
BS1 6PN

03rd July 2026

Dear Sir / Madam,

PINS Ref: 6008434

Application Ref: PL/2025/09810

Site Address: Land at Brakenhill Mews, Upper Seagry, Chippenham, SN15 5EU.

Appeal By: Mr. & Mrs. Allun and Kate Sutherland

On behalf of the appellant, Arena Global Management (AGM) Ltd would like to make the following, final comments with regard to the above referenced appeal and in light of receiving the LPA's Statement of Case:

- 1) The LPA contends that it would "not be safe for an Inspector to slavishly follow the conclusions reached" in previous appeal decisions relied upon by the appellant. Whilst it is accepted that every planning application must be determined on its own individual merits, the appellant maintains that the appeal decisions cited remain highly relevant material considerations and provide useful guidance in the assessment of the current proposal.

Notably, two of the appeal decisions relate directly to appeals against Wiltshire Council and concern the interpretation of Core Policy 2, specifically what constitutes "not more than a few dwellings" within the wording of the policy. Whilst the appellant does not intend to repeat the detailed submissions contained within the Statement of Case, it is noteworthy that developments comprising between four and eight dwellings have previously been permitted through the Permission in Principle process within a comparable policy context. These decisions therefore provide a clear indication of how Inspectors have interpreted the policy in similar circumstances.

Furthermore, the appellant referred to a more recent appeal decision, again within Wiltshire Council's administrative area, which demonstrated that a degree of reliance on the private car does not, in itself, render a development unsustainable. Inspectors have consistently recognised that opportunities for sustainable travel inevitably differ between urban and rural locations. The key consideration is whether residents have reasonable opportunities to access at least some day-to-day services and facilities without being wholly dependent upon the private car.

As previously outlined, Upper Seagry benefits from a range of local services and community facilities, including a Church of England Primary School, Village Hall, Public House and

Recreation Ground. Although there is no formal pedestrian footway linking the appeal site along Seagry Road, it is important to note that formal footways are absent throughout much of the village, including on pedestrian routes serving the primary school.

The appellant also considers it appropriate to address the LPA's criticism of the reliance placed upon previous appeal decisions. Referring to relevant appeal decisions in support of an appellant's case is both established and accepted planning practice. Indeed, the GOV.UK guidance on planning appeals advises that it is often helpful to submit previous local planning authority or appeal decisions where they are directly relevant, provided their relevance is clearly explained. The appellant considers that the appeal decisions cited have been carefully selected, are directly comparable to the circumstances of the current proposal, and their relevance has been fully justified within the Statement of Case.

- 2) Secondly, the LPA asserts that the appellant has sought to be disingenuous by suggesting that the Council's Highways Officer did not raise concerns regarding the sustainability of the site's location. This does not accurately reflect the appellant's position. As acknowledged within the Statement of Case, and indeed quoted directly, the Highways Officer comments that the site lies outside the defined settlement boundary and expressed concerns regarding the sustainability of the location as part of the statutory consultation response.

The appellant's submission simply highlights that, notwithstanding these observations, the Highways Officer did not raise a formal objection to the proposed development. Indeed, with their response it expressly states that a change to residential use "may be of benefit in reducing larger vehicle attraction associated with the existing use." The appellant therefore considered it reasonable to draw attention to this fact.

- 3) Finally, the appellant would like to reaffirm once more that Wiltshire Council can still only demonstrate a Five-Year Housing Land Supply of just **2.42 years** (published 18 June 2025). Thus there continues to be a significant shortfall against the requirement to demonstrate a supply of deliverable housing land. For these reasons, Paragraph 11(d)(ii) of the NPPF should be engaged. Furthermore, it should be noted that at a meeting of full council on the 19 May 2026, Councillors voted to withdraw the Wiltshire Local Plan Review from examination.

The proposed development of between four to nine new build dwellinghouses will allow for the redevelopment of a brownfield site to provide essential houses in the village of Upper Seagry. The appeal site already contains substantial hardstanding and infrastructure, including the long-established all-weather riding arena with engineered drainage, membrane and gravel construction, together with two large commercial buildings and associated paraphernalia. The proposed development would be wholly contained and situated within the extent of existing structures on site which should be considered as previously developed land.

Because of this, it is not considered that the development would elongate the village beyond that what is already there.

The appeal scheme would deliver a modest but important and valuable contribution towards the area's housing requirement which should be afforded significant weight within the overall planning balance. The proposal is not considered to give rise to unacceptable impacts in terms of highways or landscape character and would deliver clear social, environmental and economic benefits – including the provision of new housing and the enhancement of an existing developed site. The limited harms identified would not significantly and demonstrably outweigh the benefits of the scheme when assessed against the policies of the Framework taken as a whole and the presumption in favour of sustainable development should therefore apply.

Having careful regard to the relevant policies of the adopted LDP and the National Planning Policy Framework (NPPF), the appeal proposal is considered to be acceptable in principle.

We respectfully request that the Inspector considers these aforementioned points, alongside the appellant's Statement of Case, within their decision and respectfully request that the appeal is allowed.

Should you require anything further please do not hesitate to get in touch with either myself or one of the team. If you could please confirm receipt of this letter that would be much appreciated.

Yours Faithfully,

Daniel Warburton BSc, MRTPI

Senior Planner

T: 01225 681589

Arena Global Management Ltd