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**Mr Russell Brown
Senior Planning Officer
Development Management
Wiltshire Council
County Hall, Bythesea Road
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1 July 2026

Dear Russell,

Ref: PL/2026/02717 and PL/2026/03056

**Site Address: Land at Home Farm, north of Boreham Road, Warminster
Proposal: Full planning application for 135 dwellings, with public open space, access, drainage and associated works (Bellway Homes Ltd)**

- 1.1. Context Planning Ltd is instructed by the proprietors of Bishopstrow House Hotel and Spa, a Grade II listed Georgian country house operating as a destination hotel and spa within its own historic parkland immediately to the east of the application site; and by the East Boreham Business and Resident Action Group (EBBRAG), a group that represents over 400 recorded residents and businesses, with considerably higher numbers of people living across the wider Boreham and Bishopstrow area who would be directly and significantly affected by the proposal.
- 1.2. The application seeks full planning permission for the erection of 135 dwellings, with public open space, vehicular access from Boreham Road, with drainage and associated works on a greenfield site of approximately 10.5 hectares on the eastern edge of Warminster.
- 1.3. Both parties consider that the development would cause serious and unjustified harm to designated heritage assets, to the landscape and rural setting of the town, to protected species

and irreplaceable habitats, and to the operation of an established listed hotel, and that it is not needed to meet local housing need. They object in the strongest terms and request that the application be refused. Importantly, almost every concern set out below is evidenced by the applicant's own submitted documents, by Wiltshire Council's published evidence, and by the Council's professional officers, who objected to a materially similar scheme on this site less than ten years ago.

1.4. The key concerns can be summarised as follows:

- **A site rejected multiple times** – the land was most recently promoted for housing in 2020 and 2026 as a Local Plan allocation, and was rejected due to the significant heritage harms and phosphate impacts on the nearby River Avon SAC. In 2020, the allocation was deleted by the Local Plan Inspector following Historic England's objection, and the 2016 application was withdrawn. Nothing material has changed;
- **Not needed to meet local housing need** - Warminster's housing requirement is already being met by the West Warminster Urban Extension (around 1,000 homes). This unallocated, heavily constrained site is not needed to meet local need;
- **Harm to designated heritage assets** - the scheme would harm the setting of the Grade II listed Bishopstrow House and the Bishopstrow Conservation Area. Harm the applicant's heritage consultant concedes, and which the Council's Conservation Officer identified in 2016; resulting in PINS recommending its removal from the Local Plan in 2020. The Council again identified harm in their most recent site selection process in 2023, resulting in the site not being taken forward for allocation;
- **Landscape harm and coalescence** - development of this scale on this prominent edge, together with an access road driven through the southern part of the site, would erode the rural approach to Warminster and the green gap between the town and Bishopstrow, contrary to the Council's landscape evidence and its Landscape Officer's most recent objection;
- **Archaeology** - the applicant's evidence confirms prehistoric remains of regional importance and high potential for more; its significance is not properly understood;
- **Ecological harm** - the applicant's ecology report finds a regionally important bat population, including rare light-sensitive species, and concludes that lighting would cause significant harm unless mitigated, yet the lighting submitted does not demonstrate that mitigation;

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- **Flood risk** - the drainage strategy relies on soaking water into the ground, on the basis of groundwater monitoring that was still incomplete when the application was submitted, in an area of high groundwater and soluble bedrock;
 - **Unsecured nutrient mitigation** - the site lies barely 85 metres from the River Avon Special Area of Conservation and a Site of Special Scientific Interest (SSSI); phosphate mitigation is described only as 'likely' and 'subject to separate negotiations' and is not secured, so permission cannot lawfully be granted on that basis;
 - **Highways** - the transport assessment ignores the committed 1,000-home urban extension, so the cumulative traffic impact is untested; it is also overstated how sustainable the location is;
 - **Harm to the hotel** - suburbanising the setting of a destination country-house hotel, with the noise, traffic, light and disturbance of 135 homes and their construction, would damage the business, its guests' experience and a significant local employer; and
 - **Strong local opposition** - the proposal has generated substantial and sustained objection from the local community, reflected in the formation of EBBRAG.

Site Context

- 1.5. The application site is a greenfield parcel of around 10.5 hectares of farmland on the eastern edge of Warminster, lying between the built-up edge of the town and the open chalk downland beyond. It adjoins the Bishopstrow Conservation Area to the east and the historic parkland of Bishopstrow House (the hotel and spa), and is bounded to the south by Boreham Road behind a long historic boundary wall. There are public rights of way on the western, eastern and northern boundaries of the site (WARM39, WARM40, WARM41); and to the north-east lie the scheduled monuments of Battlesbury Hillfort and associated barrows, and to the south the River Avon Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI).
- 1.6. It is, in short, the site is located on a sensitive and undeveloped edge; that contributes to the rural setting of a listed hotel, on land adjoining a conservation area and is land within the catchment of an internationally protected river.

A Site That Has Already Been Rejected

- 1.7. This is the most important point, and one with which the Council will be familiar. The application land has been promoted for housing before, and rejected, many times over, dating back to the 1990's.

Wiltshire Local Plan Review – now withdrawn

The application site was assessed and ultimately excluded from Wiltshire's most recent (now withdrawn) Local Plan review. As set out in Wiltshire Local Plan, Planning for Warminster (2023), the site was rejected from allocation primarily on two key grounds;

- 1) Nutrients pollution (phosphates) entering the River Avon system SAC which cannot be easily mitigated;
- 2) The '*significant*' heritage constraints, namely 'impacts on the nearby Grade II listed Bishopstrow House Hotel, Battlesbury Hill scheduled monument and other heritage assets in the vicinity'.

Site Assessment conclusion also noted that access to the northern part of the site 'is not feasible without encroachment into more sensitive parts of the site'. For the above reasons, the site was excluded from further consideration in the most recent Local Plan process. There is no reason why a different view should now be taken.

The deleted Local Plan allocation (2020)

- 1.8. The site was put forward as a proposed housing allocation through the Wiltshire Housing Site Allocations Plan (site reference H2.7 - Land at the East of the Dene) despite objections from Historic England. An independent Heritage Impact Assessment (LUC, 2018) concluded that only limited development confined to the north-western corner of the site could avoid harm to the surrounding heritage assets, and that capacity should be reduced accordingly. Historic England advised that the principle of the allocation could not properly be left to be resolved at a later application stage.
- 1.9. The Local Plan Inspector agreed and noted within his Final Report (2020) that the proposed allocation would unacceptably impact the setting of the listed Hotel and Spa (Bishopstrow House), the Conservation Area as well as views from Battlesbury Camp hillfort. The Inspector noted the

significance of the Hotel '*comes from both its aesthetic and architectural value*' as well as the '*extensive designed landscape that pre-dates the current house and the existing estate assets*'. The Inspector also stated that an '*access road that would need to run through the southern part of the site*' would cause '*a detrimental impact on the setting of heritage assets*'.

- 1.10. The allocation was subsequently deleted from the Local Plan in 2020 and remains unallocated.

The withdrawn 2016 planning application

- 1.11. In 2016 a similar scheme for up to 135 dwellings, on the same land, with the same access taken from Boreham Road was submitted (ref 16/10502/OUT). Following sustained objection, including heritage, landscape and archaeology grounds, the application was withdrawn in 2020.
- 1.12. The current application does not overcome the reasons the proposed allocation was previously withdrawn. Whilst the development is now more concentrated to the northern and north-western part of the site, development extent extends beyond the limited north-western focus the previous heritage evidence identified as the only potentially acceptable area.
- 1.13. Although the southern and eastern land is laid out as open space, the scheme proposes to take its single access from Boreham Road and drive through the currently open and undeveloped land to the south, an arrangement the Inspector found would cause a detrimental impact on the setting of heritage assets. The harms that led to the deletion of the allocation and the withdrawal of the 2016 scheme have therefore not been avoided, they are repeated.

Warminster Neighbourhood Plan (2016)

- 1.14. The Core Strategy was adopted in 2015, and the Warminster Neighbourhood Plan, made in November 2016, retained the settlement boundary, excluding this site from the Plan.

Core Strategy (2015)

- 1.15. The site was re-promoted by Hallam Land for the 2012 Core Strategy, it was again rejected in favour of the West Urban Extension. That decision was upheld by the Inspector, who confirmed a settlement boundary that excluded the site.

- 1.16. Although included in the 1998 deposit West Wiltshire District Plan, the 2003 Inspector recommended development to the west of Warminster, which was adopted in the 2004 District Plan.
- 1.17. Taken together, this represents a consistent line of independent planning judgement spanning more than twenty years and four statutory examinations. On every occasion the site has been assessed, it has been found unsuitable for development and placed outside the settlement boundary, most recently on heritage and phosphate grounds that the current application does not overcome. It is our view the application does not present any new evidence or change in circumstances to justify departing from this settled and repeatedly tested position.

The Development Is Not Needed to Meet Local Housing Need

- 1.18. Warminster's housing requirement is already being delivered. The West Warminster Urban Extension, a strategic allocation for around 1,000 homes, is consented and being built out, and substantially meets the town's identified need over the plan period. The Warminster Neighbourhood Plan does not allocate this site, and the residual local requirement is modest by comparison. There is no local need that requires this unallocated and heavily constrained site to come forward. Furthermore, a number of other large and speculative housing proposals in and around Warminster are currently under consideration, which further undermines any contention that this constrained site is needed to meet local need.
- 1.19. It is evidenced in the recently published Local Housing Needs Assessment for Warminster (2023), prepared by Arc4, that the residual *evidenced* need in Warminster is not the type of housing this scheme principally delivers. The assessment identifies the unmet need as predominantly affordable rented and small (one and two-bedroom) homes, together with specialist accommodation for an ageing population¹. It records, conversely, a likely surplus of four-or-more-bedroom detached houses and town houses and a shortage of smaller family homes². Of the 135 dwellings proposed, some 105 are three-bedroom or larger, rather than the smaller and affordable

¹ Housing Needs Assessment 2023 for Warminster Town Council; paras 1.5, 4.73 and 4.76; Tables 4.1 and 4.3

² Housing Needs Assessment 2023 for Warminster Town Council; paras 3.9, 4.77 and 5.23

homes for which need is evidenced. A 135-unit, market-led scheme on a greenfield edge is a poor fit for that profile.

- 1.20. We recognise that Wiltshire Council has recently been unable to demonstrate a five-year housing land supply across the authority and acknowledge the shortfall. However, where a proposal engages policies protecting designated heritage assets and a Habitats site, as is the case here, the NPPF (paragraph 11(d)(i) and footnote 7) disapplies the ‘tilted balance’ in favour of development. The application therefore falls to be judged against the development plan in the ordinary way, and against the statutory heritage duties. For the reasons set out below, even if the tilted balance under paragraph 11(d)(ii) is applied, the adverse impacts are considered to *significantly* and *demonstrably* outweigh the benefits.

Heritage Harm

- 1.21. In determining the application, the Council must give great weight to the conservation of designated heritage assets. The Council has duties to have special regard to the desirability of preserving the setting of listed buildings (section 66) and to pay special attention to the desirability of preserving or enhancing the character and appearance of the conservation area (section 72) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 1.22. The applicant’s Heritage Impact Assessment (HIA) concedes harm to designated heritage assets. It accepts less than substantial harm to the setting and significance of the Grade II listed Bishopstrow House, and a low level of less than substantial harm to the Bishopstrow Conservation Area, through the introduction of the estate driveway and the suburbanisation of the area’s currently rural and open landscape setting. The HIA does not treat this as immaterial, its own conclusion states that ‘great weight needs to be given to this harm,’ recognising both the level of harm and the medium importance of the assets. The applicant’s heritage consultant accepts both that harm would be caused and that great weight should be attached to it. That concession engages the statutory presumption against harm, which the Council must apply.
- 1.23. Harm is also conceded to the historic Boreham Road boundary wall, a non-designated heritage asset, through the removal of a section of historic fabric to widen the Home Farm access. Separately, and importantly, Wiltshire Council has identified the stretch of wall immediately west of The Cotes (207 Boreham Road) as forming part of the Grade II listing of that building, and works to that listed wall are the subject of a separate listed building consent application. The HIA characterises those works as an ‘*enhancement*,’ but that should not be taken at face value. The

section 66 duty applies in full to the listed wall, and re-opening a blocked historic opening to create a new pedestrian access into a housing estate is a material change to a listed structure that must be shown to preserve its significance, not assumed to enhance it.

- 1.24. The properties at Bishopstrow Court, converted from the original farm buildings of Home Farm associated with Bishopstrow House, are themselves non-designated heritage assets that contribute to an understanding of the historic landscape of the hotel and its surroundings. The harm to their setting should likewise be weighed in the heritage balance.
- 1.25. The HIA also argues that section 72(1) is '*not engaged*' because, on its analysis, there would be no direct harm to the character or appearance of the Conservation Area. Part of the application site lies within the Conservation Area, and the section of boundary wall proposed for removal to form the access lies within it. The HIA accepts that the character and appearance of that wall '*would be slightly affected*.' A physical alteration to fabric within the designated area engages the section 72 duty directly, and that duty attracts considerable weight. The conservation area harm should be determined on the basis that section 72 is engaged.
- 1.26. Further to this, the applicant's HIA records that Wiltshire's Conservation Officer raised heritage concerns about the scheme at pre-application stage in December 2025. Namely, the urbanisation of the Conservation Area's setting; the '*highways-engineered splayed 'urban' access*' and loss of historic wall eroding the verdant, informal character of the area; the loss of the rural setting to Home Farm; the loss of the rural setting to The Grange; the adverse impact on the setting of The Cotes; and the adverse impact on views from Bishopstrow House Hotel.
- 1.27. These echo the Council's position on the materially similar 2016 scheme, when the Council's Conservation Officer objected on grounds of coalescence between Warminster and Bishopstrow; harm to the setting, views and parkland of Bishopstrow House; harm to the character of Home Farm, and damage to the historic wall, and expressly rejected the applicant's attempt to characterise the harm as a '*minor positive contribution*' or as '*negligible*'. The officer found that the rural landscape beyond the parkland, which includes this site, forms part of the wider setting of the listed house and makes a positive contribution to its significance, such that development would adversely affect it. The current applicant states the same '*low harm*' framing that the Council's officers have, previously not accepted.
- 1.28. The same conclusion has been reached when the land was last examined for allocation. Historic England objected to the proposed allocation (Draft Policy H2.7) at the Wiltshire Housing Site

Allocations Plan examination (subsequently adopted in 2020). HE's hearing statement of March 2019, relied on the Council's LUC Heritage Impact Assessment (March 2018), which found that only a limited amount of development at the far north-western corner of the site could avoid harm to the significance of the affected assets. As such, HE considered the allocation '*unjustified... ineffective... and inconsistent with national policy*,' that the Council had failed to attach great weight to conservation and to discharge its section 66 duty, and that the principle of development could not properly be deferred to a later application because fundamental heritage considerations went to its form, quantum and deliverability. The allocation was subsequently deleted from Wiltshire's Housing Site Allocations Plan in 2020 at the request of the Inspector.

- 1.29. The harm is 'less than substantial' in the terms of the Framework, but it is harm to which great weight must be given, and it must be weighed against the public benefits of the scheme. Given that the town's housing need is being met elsewhere, as set out above, those benefits are considered limited. It is our submission that the heritage harm is not outweighed, and the proposal conflicts with the statutory duties under sections 66 and 72 and with the heritage policies of the development plan and the Framework.

Landscape, Visual Impact and Coalescence

- 1.30. The site forms part of the rural, undeveloped approach to Warminster from the east and the visual gap between the town and the village of Bishopstrow. Although the site itself carries no landscape designation, its value and sensitivity are not in dispute. The applicant's LVIA assesses the site to be of '*Medium landscape sensitivity*,' and records the management objectives for the relevant Landscape Character Area (the Warminster Greensand and Chalk Terrace) as being to '*conserve the existing landscape pattern and dramatic open views to the adjacent Chalk Downland Edge*,' to '*resist any development that would affect the open views across the terrace to the chalk uplands*,' and to '*conserve and enhance the landscape setting of Warminster*'.
- 1.31. The Council's evidence base reaches the same conclusion. The 2011 Strategic Site Options landscape assessment found that this land '*gives a strong visual setting to the edge of Warminster*,' that only '*small parts of the site could cope with minor changes if there was substantial mitigation*'.
- 1.32. It is our concern that the proposed development of the northern parcel is more than the '*small parts*' the assessment considered the site capable of accommodating. This is compounded by the development of the southern parcel would still be required to accommodate the engineered

estate access road, street and bollard lighting, surface-water drainage basin and equipped play area. The Council's landscape assessment's further conclusion that developing this land '*would dramatically alter the character of this approach to Warminster and obstruct views to the chalk land*', remains directly relevant to a scheme of this scale and footprint.

- 1.33. Measured against those objectives, the applicant's LVIA does not demonstrate the proposal is acceptable, concluding '*Moderate Adverse*' effects on landscape character and land cover, and '*Moderate Adverse*' visual effects at Year 1 from high-sensitivity receptors including Battlesbury Hill, Middle Hill and the Wessex Ridgeway. Those are significant effects resulting in significant adverse harm, on the applicant's own evidence, contrary to Core Policy 51.
- 1.34. Particular concern is also raised regarding the view of the site from Battlesbury, the scheduled Iron Age hillfort that overlooks the proposed development from the north-east. From this elevated and publicly accessible vantage point, the housing would be highly visible against the open farmland, materially greater in its landscape and visual impact than the applicant's assessment acknowledges. This is the same reciprocal relationship the Local Plan Inspector recognised in 2020 when identifying harm to views from Battlesbury Camp hillfort. A photograph taken from Battlesbury towards the site is provided separately to illustrate this point (**Figure 3 – Appendix 1**).
- 1.35. The conclusion that the land has '*capacity... without unacceptable harm*' rests entirely on planting maturing to screen the development by Year 15. A scheme that becomes acceptable only once screened from view after fifteen years does not conserve the open character that gives this land its value, and the Council's 2011 evidence found that developing it '*would dramatically alter the character of this approach to Warminster and obstruct views to the chalk land*.'
- 1.36. Further to this, the LVIA does not assess coalescence despite Officers raising this as a key issue under the previously assessed scheme. The Council's Landscape Officer previously found development in this location would cause '*the coalescence of Warminster and Bishopstrow*'; and found the buffer '*cluttered and urbanised*' in a way that '*emphasises the coalescence between the settlements*'. Historic England (6 March 2019) also warned against the '*further urbanising of the setting of this historic landscape character*.' Confining housing to the northern parcel does not address these concerns.

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- 1.37. We ask the Council carefully consider whether the proposed offset to the north and open space to the south, is generous enough to prevent the coalescing, and the creation of an urbanised edge as previously raised by Officers. In particular whether the '*channelled view*' towards Battlesbury Hill is genuinely retained, given that the applicant's HIA accepts that the proposed houses and parkland trees would, on maturity, screen some visibility of the hillfort. And whether the engineered estate access, lighting and drainage introduced into the southern parcel are consistent with the rural, parkland character the Officers previously sought.
- 1.38. For these reasons the proposal conflicts with Core Policies 51 and 57 of the Wiltshire Core Strategy and with paragraph 187 of the NPPF. Development of this scale on this part of the eastern approach to Warminster would cause significant adverse landscape and visual effects, at Year 1 (as stated in the Applicant's LVIA), would erode the separation between Warminster and Bishopstrow, and would alter the open, rural character that the development plan, the Council's evidence base and successive officers have all sought to protect.

Archaeology

- 1.39. The applicant's Archaeology Desk-Based Assessment, informed by the 2017 trial-trench evaluation, confirms non-designated remains of 'regional importance', prehistoric pits, postholes, ditches and worked flint, and a 'high' potential for further early and later prehistoric remains. Yet its impact assessment then downplays these to 'no more than local significance,' understating the significance the evidence supports, including the regional importance recognised by the Council's own archaeology service. We do not suggest archaeology is, in isolation, a reason for refusal. We do, however, ask the Council to be satisfied, on the advice of the Wiltshire and Swindon Archaeology Service, that the 2017 evaluation and DBA are sufficient to understand what survives in the northern parcel before significance and impacts are settled.
- 1.40. Local research, drawing on recognised landscape archaeologists, points to a multi-period prehistoric system spanning several thousand years and the possibility of as-yet unevaluated remains of more than regional significance. It is our view that the significance of this landscape should be established before determination, not deferred to a post-determination conditions.
- 1.41. In addition, we remain concerned the application assesses Home Farm in isolation. Rather, it is a site that is integral to the interconnected significance of the Bishopstrow historic estate and the wider Upper Wylfe Valley landscape. As the Inspector recognised in 2020, the significance of

these assets derives from their historic and spatial interrelationship, Bishopstrow House, Home Farm, the Conservation Area, Battlesbury Camp, the River Wylfe corridor and the surrounding valley, together forming a coherent historic environment greater than the sum of its parts. The legibility of which depends on this open landscape surviving. By assessing the site in isolation rather than as part of that interconnected and demonstrably sensitive landscape, the application materially understates the harm.

- 1.42. This concern is sharpened at the south-eastern corner, where an earlier (1998) evaluation identified a Mesolithic flint-working site precisely where the proposed access road would meet Home Farm Lane. The loss or disturbance of this most sensitive area to form the access has not been properly evaluated and engages the access concerns raised elsewhere in this letter.

Ecology and Biodiversity

- 1.43. The applicant's Ecological Impact Assessment (EIA) finds that the site supports a bat assemblage of regional importance, including rare and highly light-sensitive species such as Greater and Lesser Horseshoe, Bechstein's and Barbastelle bats. The same report concludes that artificial lighting would cause a significant adverse effect at District level unless mitigated.
- 1.44. That conclusion depends on a lighting scheme that delivers very low light spill at the site's boundaries. We are not convinced the lighting information submitted with the application demonstrates this will be achieved. There is no lighting-contour plan showing the required lighting levels; it assumes a brighter environmental zone than is appropriate for what is currently a dark, unlit rural edge, and omits a mitigation measure the Applicant's ecologist asked for (part-night switch-off / dark-corridor provision). The applicant's two documents (EIA and Lighting Scheme) contradict each other, and on the precautionary basis the Habitats Regulations require, the Council cannot be satisfied that the harm to this protected bat population is mitigated.
- 1.45. The scheme also relies on a headline BNG figure, but the great majority of that gain depends on creating roughly four hectares of species-rich grassland on the low-lying southern part of the site. This is the same area that is simultaneously required to accommodate the surface-water drainage basins, flood storage, children's play space and phosphate mitigation. We are unconvinced one parcel can deliver all the competing functions at once.

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- 1.46. We are also concerned that no Construction Environmental Management Plan (CEMP) has been submitted for scrutiny prior to determination. Given the site's proximity to the River Avon SAC and the regionally important species present, the construction-phase impacts of building 135 dwellings (including dust, pollution, lighting and surface-water runoff pathways) are themselves capable of causing significant harm yet have not been assessed. On the precautionary basis the Habitats Regulations require, those impacts should be assessed and appropriate safeguards secured before any grant of permission, not left to a condition discharged afterwards.

Impact on the Viability of Bishopstrow House Hotel and Spa

- 1.47. Bishopstrow House Hotel and Spa is a destination country-house hotel whose entire commercial offer, and the experience its guests pay for, depends on the tranquil, rural, parkland setting. It is a significant local employer and a valued part of the area's visitor economy.
- 1.48. Bishopstrow House Hotel and Spa is one of Warminster's largest employers and a multi-million-pound business attracting in the order of 10,000 visitors each year, operating a 'buy local' procurement policy and supporting a wide network of local suppliers and jobs through the multiplier effect. The applicant has not assessed the impact of constructing a large housing estate immediately adjacent to this established business. More broadly, the surrounding landscape sustains a living rural economy, including Home Farm (a local bed-and-breakfast) and a community egg station, representing a sustainable, evolved economic use of this setting that the proposal would erode. These are material economic considerations that must be considered.
- 1.49. Introducing a residential development of 135 dwellings, with its access road, estate infrastructure, lighting and publicly accessible open space, onto this land immediately adjoining the hotel and its parkland would fundamentally change that setting, replacing a quiet rural edge with a suburban estate. The hotel and its guests would be exposed to the noise, traffic, lighting and general disturbance of a substantial new residential community, and to a protracted construction period on its doorstep. For a business of this kind the harm is not incidental, it goes to the core of what the hotel offers. The loss of the rural setting risks real and lasting economic harm to an established and successful local enterprise, which is itself a material consideration that should be weighed against the proposal.

Flood Risk - Surface Water and Groundwater

- 1.50. The drainage strategy relies on soaking surface water into the ground (infiltration). Yet the applicant's Flood Risk Assessment (FRA) confirms that the groundwater monitoring underpinning that strategy was incomplete when the application was submitted, and that groundwater sits close to the surface, with the highest groundwater and surface-water flood risk concentrated in the southern part of the site, including at the proposed access. Infiltration into shallow groundwater and soluble (karst) bedrock of this kind also creates a rapid pathway for pollutants to reach the nearby River Avon SAC.
- 1.51. Local residents' long experience of the site reinforces these concerns. The southern field is observed to flood extensively during periods of heavy rain, on one occasion remaining under water for around two months, in the very area where the surface-water attenuation pond is proposed. Photographic evidence of this flooding is provided separately (**Figures 1 and 2 of Appendix 1**).
- 1.52. The applicant's documents are also inconsistent with regards to the requirement of a Sequential Test. The submitted FRA states that no sequential flood-risk test was required, while the separate Sequential Test report says the test *is* required, precisely because of the groundwater risk. The applicant has therefore not demonstrated, through a proper sequential approach to flood risk, that the development could not instead be located on a sequentially preferable site at lower risk of flooding. Rather the applicant has relied on a drainage solution built on unfinished evidence, in ground known to be wet and soluble, with the highest risk where the access and the open space are to go, has not been shown to be either safe or deliverable.

Nutrient Neutrality and the River Avon SAC

- 1.53. The site lies only around 85 metres from the River Avon Special Area of Conservation (SAC), which is in unfavourable condition because of phosphate pollution. New housing must achieve 'nutrient neutrality,' and the Council cannot lawfully grant permission unless it can be sure, on the evidence, that the development would not harm the integrity of the SAC.
- 1.54. The applicant's ecology report describes the mitigation only as 'likely' to be achieved through the purchase of off-site credits 'through a third-party scheme,' and the applicant's site plan marks the phosphate mitigation land as 'subject to separate negotiations.' As such mitigation is not secured.

Under the Conservation of Habitats and Species Regulations 2017 the Council cannot conclude there would be no adverse effect on the SAC on the strength of an aspiration.

- 1.55. The River Avon is also notified as a Site of Special Scientific Interest, currently in unfavourable condition, and paragraph 193(b) of the NPPF provides that development within or outside an SSSI which is likely to have an adverse effect on it, individually or in combination with other developments, should not normally be permitted unless the benefits clearly outweigh the harm to the features of the site and the wider SSSI network. Given the unsecured phosphate mitigation and the rapid infiltration pathway to the river identified in the flood-risk section above, and the cumulative pressure from committed growth nearby, that test is not met.
- 1.56. This issue was one of the two key grounds for which the site was removed from Wiltshire's most recent (now withdrawn) Local Plan review, as confirmed in the site selection document Planning for Warminster (2023).

Highways and Access

- 1.57. The applicant's Transport Assessment expressly includes '*no committed developments*' in its traffic modelling. That omits the West Warminster Urban Extension for up to 1,000 homes, consented and building-out nearby. The cumulative effect of this scheme together with that major committed growth on the local road network has therefore simply not been tested, contrary to the requirement to assess cumulative impacts. Concern is also raised regarding the capacity case for the site. The modelling rests on a single week of traffic counts from September 2022 and, as noted above, excludes all committed development, relying on a generic growth factor that is no substitute for adding the traffic of the consented urban extension. Those traffic counts are now several years old and cannot be relied upon to represent current conditions on the local highway network.
- 1.58. Furthermore, the access is taken from Boreham Road by altering the existing Home Farm access and lowering the historic boundary wall to achieve visibility, the access arrangement the previous Inspector found harmful, which re-engages the heritage harm set out above.
- 1.59. It is also our view that the assessment overstates how sustainable the location is, relying on an infrequent bus service and overstating walking access to everyday facilities, while the supporting measures (such as bus and active-travel contributions) are not secured.

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- 1.60. Lastly, it is our understanding the applicant has not secured a legal right of access to the site over Home Farm Lane. The proposed sole access engages third-party easement rights over the Lane attached to the eleven properties at Bishopstrow Court, Home Farm Lane being servient land; the application proceeds as if those rights did not exist. Please be advised a solicitor's letter has been sent to Bellway on behalf of the Bishopstrow Court residents in this regard. Whilst it is acknowledged the existence of easements does not of itself preclude the grant of planning permission, it goes directly to the deliverability of the only proposed access to the site and so is a material consideration. The proposed access would also entail the loss of the archaeologically most sensitive south-eastern corner of the site which again reengages the archaeology concerns set out above.

Level of Public Opposition

- 1.61. This proposal has provoked substantial and sustained local opposition, reflected in the formation of the East Boreham Business and Resident Action Group specifically to resist it. At the time of writing the application has attracted numerous representations of objection from residents and businesses. The strength and breadth of community concern about heritage, landscape, traffic, flooding and the loss of a valued rural edge is itself a material consideration to which the Council should have regard. By way of illustration of the strength of feeling, a single objection submitted to the Council carries over 170 signatures across a range of concerns.
- 1.62. The community's attachment to this land is further evidenced by a local survey supporting its designation as a Local Green Space, which attracted over 140 responses recording the site's wildlife, landscape and amenity value. While Local Green Space designation is properly a matter for plan-making rather than for the determination of this application, the survey is cogent evidence of the recognised local value of this land, to which weight should be given in the planning balance.

Planning Balance and Conclusion

- 1.63. The starting point for the decision is section 38(6) of the Planning and Compulsory Purchase Act 2004, the application must be determined in accordance with the development plan unless material considerations indicate otherwise. This is an unallocated, heavily constrained, greenfield site that the planning system has already examined for housing and rejected, on heritage and landscape grounds that remain valid today. It is not needed to meet local housing need, which is being met elsewhere.

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- 1.64. The current scheme repeats the previously rejected proposal and layers on a series of unresolved problems, conceded heritage harm, landscape harm and coalescence, harm to a regionally important bat population, a drainage strategy built on incomplete evidence, unsecured nutrient mitigation in the catchment of an internationally protected river, untested cumulative highway impact, and serious harm to the setting and viability of an established listed hotel.
- 1.65. Because the proposal engages policies protecting designated heritage assets and a Habitats site, the presumption in favour of development does not apply. Judged against the development plan and the statutory heritage duties, and weighing the harms against the limited benefits, the adverse impacts significantly and demonstrably outweigh any benefits the scheme offers.
- 1.66. Bishopstrow House Hotel and Spa and EBBRAG therefore urge Wiltshire Council to refuse this application, on grounds that are robust, evidenced in the applicant's documents and the Council's evidence base. We would be grateful to be kept informed of the progress of the application and to be notified of the decision.

Kind regards

Context Planning LTD

Enc. Appendix 1 - Photographic Schedule



APPENDIX 1 – PHOTOGRAPHIC SCHEDULE

Land at Home Farm, north of Boreham Road, Warminster

Planning application refs. PL/2026/02717 and PL/2026/03056



Figure 1 – Surface water flooding across Boreham Road

Location: Boreham Road / Home Farm Lane junction, adjacent to the application site



Figure 2 – Vehicle passing through flood water on Boreham Road

Location: Boreham Road, at Home Farm B&B, Warminster



Figure 3 – View across the application site from Battlesbury Camp Hillfort

Location: Battlesbury Camp Hillfort, Wylde Valley, looking towards Home Farm, north of Boreham Road, Warminster

Note: Application site boundary outlined in red