

Design, Access and Planning Statement for an Outline Planning Application for Two Dwellings with Garages on Land At Fairwood Road, Penleigh, Dilton Marsh, Westbury BA13 4EA for Mrs Louise Page

Introduction

This application was the subject of a pre-application enquiry submitted on 10th November 2025. The advice was made available early in 2026. This informal advice was provided in response to application number ENQ/2025/01855.

Site Location

Penleigh is a small hamlet situated between the village of Dilton Marsh and the town of Westbury. It consists of approximately 20 dwellings which are a mixture of relatively modern bungalows and houses. The proposed site is situated centrally, off Fairwood Road, within this small hamlet and could be looked upon as a logical infill site. The site is within reasonable walking and cycling distance of Dilton Marsh railway station. Fairwood Road is a C class road and traffic is usually light when compared to the A350, the A3098 and the B3099, all of which are located close by. A food store, Tesco Express, is located less than a mile to the east at Leigh Park. This can be reached on foot or bicycle via Penleigh Road to the north or Fairwood Road to the south. Footpaths DMAR14 and 15A lead to Dilton Marsh and footpaths DMAR43 and WEST20 lead to Leigh Park.

Planning Officer's Advice

- The site falls outside any defined settlement boundary.
- The site is in a position where public transport links or convenience stores are not accessible through routes with public footpaths or street lighting.
- Unsustainable location.
- Particularly sensitive ecological location.

Ecology and the Preliminary Ecological Appraisal (PEA)

The submitted PEA (Seasons Ecology – Marsh 2026) is sufficient. It assesses the entire 0.2 of a hectare site and concludes habitats are of low ecological value, that no Phase 2 survey is required and that risks are addressed by standard precautionary mitigation. None of those conclusions are sensitive to dwelling positions within the developable footprint. The receptors and impacts are unchanged by the layout.

The proposal is statutorily exempt from the Biodiversity Metric Assessment under paragraph 17 of Schedule 7A TCPA 1990 (2 dwellings 0.2Ha, exclusively self build), as acknowledged at PEA paragraph 6.7.1. The SAC, TWBMS yellow/grey zones and Salisbury Plain SPA recreational impact zone are matters for the Council's Appropriate Assessment informed by the UU at section 1 – not by a re-issued PEA.

Bath and Bradford on Avon Bats SAC, TWBMS, and the tilted balance

Foot note 7 to the NPPF paragraph 11(d) is engaged only where the local authority is unable, after appropriate assessment under Regulation 63 of the Habitats Regulations 2017, to conclude no adverse effect on integrity. It is not engaged by location within a consultation of impact zone. Where AA is concluded positively, the tilted balance is restored.

The applicant wishes to proceed immediately with the Section 106 Unilateral Undertaking process to secure the TWBMS tariff contribution and any pro-rata Salisbury Plain SPA contribution. Please provide draft heads of terms and template UU wording at your earliest convenience so the UU can be engrossed and submitted before any decision. It is acknowledged by the Council that they cannot demonstrate a 5-year land supply. Once the AA is concluded positively and footnote 7 falls away, paragraph 11(d) is engaged in the applicant's favour. The proposal is also self-build under the Self-Build and Custom Housebuilding Act 2015, which carries significant weight in its own right where Part 1 register demand has not been met.

Achieving Well Designed Places

This is an Outline Planning Application to establish the principle of the proposed development. A Reserved Matters Application will follow if this application is approved. For this to be prepared the following documents will be consulted and these will form the basis of the application:

- The National Design Guide.
- The National Model Design Code
- The Adopted Wiltshire Design Guide
- Core Policy 57 of the Wiltshire Core Strategy 2015

Sustainable Transport – NPPF Paragraphs 109, 110, 111 and 116

There are local facilities regarding schools, a food store and Dilton Marsh Railway Station all within walking/cycling distance of the site. Paras 109/110/111 of the 2024 NPPF promote sustainable transport which two dwellings/garages on this site would provide. Para 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 the residual cumulative impacts on the road network, following mitigation would be severe, taking into account all reasonable future scenarios.' The application will also take into account policies CP60 – CP64 inclusive of the WCS. Adequate parking, turning space, cycle storage and accessibility for waste collection will be provided in a Reserved Matters Application.

Flood Risk and Drainage

The application site falls within Flood Zone 1, and in a location where the Council's Strategic Flood Risk Assessment identifies a negligible risk from ground water flood, and discernible risk from surface water flooding, however a Sustainable Drainage System will be provided (planning application form Item 6), in a Reserved Matters Application.

Conclusions

The site is located in a sustainable location, with Dilton Marsh railway station accessible in minutes either on foot or by bicycle. Other facilities at Leigh Park can also be similarly accessed within 15 minutes.

The Council's substantial shortfall in its 5 – year housing land supply is a material consideration of significant weight. In this context, the titled balance in paragraph 11(d) (ii) applies. Any limited harm arising from the site's location is clearly outweighed by the benefits of delivering two dwellings and contributing to the housing supply. The Council is invited to issue draft Unilateral Undertaking heads of terms for the TWBMS and Salisbury Plain SA contributions as soon as possible, and agree an EOT of 6 – 8 weeks to enable the UU process to complete.

The recommendations as set out in item 6 of the Preliminary Ecology Appraisal will be carried out in full.