

Appeal 6012754

Appeal details

Appeal type	Planning
Appeal procedure	Written Part 1
Appeal site	Land at Sopworth Road, Sherston, Malmesbury, SN16 0QB
Agent contact details	Chris Beaver chris@planningsphere.co.uk
Application number	PL/2026/03415

Before you start

Which local planning authority (LPA) do you want to appeal against?	Wiltshire
What is your appeal about?	Full planning
What date did you submit your application?	28 May 2026
Was your application granted or refused?	Refused
What is the date on the decision letter from the local planning authority?	29 Jun 2026

Appellant's appeal

Was the application made in the appellant's name	No
Applicant's name	- Mr K Bird and Ms H Hyde-Andrews
Application reference	PL/2026/03415
Contact details	Chris Beaver PlanningSphere Ltd
Phone number	07827 944638
Site address	Land at Sopworth Road Sherston

What is the area of the appeal site?	4900 m ²
Is the site in a green belt	No
Site fully owned	Yes
Agricultural holding	Yes
Tenant on agricultural holding	No
Informed other agricultural holding tenants	Yes
Will an inspector need to access the land or property?	Yes It is important for the Inspector to enter the site to assess the national landscape setting and the new planning context in light of the recently permitted 45 dwelling residential development adjacent, from all relevant publicly accessible viewpoints.
Site health and safety issues	No
Was your application for a major or minor development?	Minor
Was your application about any of the following?	Minor dwellings
Enter the description of development	Erection of up to 5 No. accessible single storey dwellings (Class C3) and associated works. (Permission in Principle)
Did the local planning authority change the description of development?	No
Why are you appealing?	RfR 1: Whilst the appeal site lies outside the existing settlement boundary, the Neighbourhood Plan and Wiltshire Core Strategy were prepared to guide development until 2026. Wiltshire Council acknowledges a 2.8-year housing land supply, and the emerging Neighbourhood Plan Review is identifying land to meet housing needs to 2038, including Hillberry Lodge (Site 9) immediately east of the appeal site and adjoining the permitted 45-dwelling development (PL/2024/00865). Wiltshire's Highway Officer response advises that the approved off-site highway works associated with the adjoining development will change the character of Sopworth Road from a country road to a residential road, improve opportunities for walking to village facilities, and concludes that "it would be harder to make a sustainable transport objection" and "I would not recommend a refusal reason on sustainable transport grounds." These material considerations should be afforded significant weight.

RfR 2: The LVIA and Landscape Framework Plan demonstrate the proposal can be successfully integrated through landscape-led design, creating a landscaped settlement edge. The LVIA concludes that effects would reduce from minor adverse initially to minor beneficial by Year 15. No alternative technical landscape evidence has been submitted, and Wiltshire's Landscape Officer raised no objection. The proposal therefore demonstrates that it can conserve and enhance, and seek to further, the purposes of the CNL. Please also see CNLB rebuttal.

Conclusion: The Council has given insufficient weight to these material considerations, particularly the professional advice of its Highway Officer and the unchallenged landscape evidence. The Inspector is respectfully requested to allow the appeal.

Significant changes since application	Other: The recent grant of permission on the adjacent site for 45 No. dwellings (Ref. PL/2024/00865) and proposed off-site works materially changes the character of Sopworth Road. This should be taken into account.
Preferred procedure	written
Are there other appeals linked to your development?	No
Did the appellant apply for an award of appeal costs?	No

Appellant's documents

Application form	26006 Application Form PIP 2605-28.final.pdf (/published-document/032b309f-2658-482b-ad49-44e6021fafe6)
Decision letter	Decision Notice PL.2026.03415.pdf (/published-document/fca328c9-cee5-44aa-affc-9062937d3896)
Separate ownership certificate in application	26006 notice 2605-28.pdf (/published-document/62c884dd-1094-4f12-9ed0-253a7930114f)
Environmental statement	No