
Planning Statement

Applicant: Doric Developments (Bath) Ltd

Date: August 2026

Site: Land west of the Former Kings Arms public house car park, 79 Wyke Road, Hilperton, Trowbridge BA14 7NZ

Proposal: Erection of 7 No. residential dwellings and associated works



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1.0 Introduction

- 1.1 PlanningSphere act for Doric Developments (Bath) Ltd, the freehold owners of the site.
- 1.2 The application site comprises vacant car park that was formally associated with the Kings Arms Inn public house, 79 Wyke Road, Hilperton, Full planning permission is sought for the erection of 7 No. residential dwellings and associated works.
- 1.3 The application proposals are submitted following the sale of the grade II listed former Kings Arms public house which is now in third party ownership. It is understood that the new owner intends to use the former public house for commercial / retail purposes subject to planning.
- 1.4 The former Kings Arms listed building lies outside of the application site. No alterations, extension or physical works are proposed to the listed building. The application site does not form part of the historic architectural interest identified within the statutory listing description.
- 1.5 The scheme has been carefully formulated taking into account: marketing advice, site surveys, and technical assessments across a range of applicable disciplines.
- 1.6 The enclosed full planning application comprises the following:
 - Planning Application Fee: £4,270.00 (plus planning portal admin fee £91.00)
 - Application Form, CIL Form and Notice: PlanningSphere
 - Site Location Plan: Tea Architects Ltd
 - Architectural Drawing Pack (10 No. Drawings): Tea Architects Ltd
 - Access Plan: Miles White Transport
 - Drainage Plan: Tumu Consulting
 - Arboricultural Survey and Assessment: Silverback
 - Design and Access Statement: Tea Architects Ltd
 - Drainage Strategy: Tumu Consulting
 - Ecological Impact Assessment (EclA) and BNG Statement and Metric: GE Consulting
 - Heritage Statement and Impact Assessment: Heritage Planning Services
 - Planning Statement: PlanningSphere
 - Transport Statement: Miles White Transport
 - Accommodation Schedule: Tea Architects Ltd
 - Validation Schedule: PlanningSphere

2.0 Relevant Background Information

(i) Site Description

- 2.1 The application site of 0.29ha comprises vacant car park land to the rear of the former grade II listed Kings Arms public house in Hilpertown Marsh. The site comprises existing hard standing associated with the former public house car park and peripheral areas of landscaping and mature vegetation. As noted in the Introduction, the former public house is in separate third party ownership and lies outside of the application site boundary.
- 2.2 Hilpertown lies to the north-east of Trowbridge and is designated as a Large Village in the Core Strategy. The vacant previously developed site is within an established residential area, bounded by Marsh Road to the north, Hammond Way to the south and east, existing residential development to the west and the former Public House to the east. Whilst historically related to the former Kings Arms, the site no longer fulfils an active function and does not form part of the historic architectural interest identified within the statutory listing description of the building.
- 2.3 Further information on the site's constraints and opportunities, its accessibility and the local heritage context is set out in the enclosed Design and Access Statement, Heritage Statement and Transport Statement, together with other technical reports listed in the enclosed Validation Schedule including ecology, arboriculture and drainage.

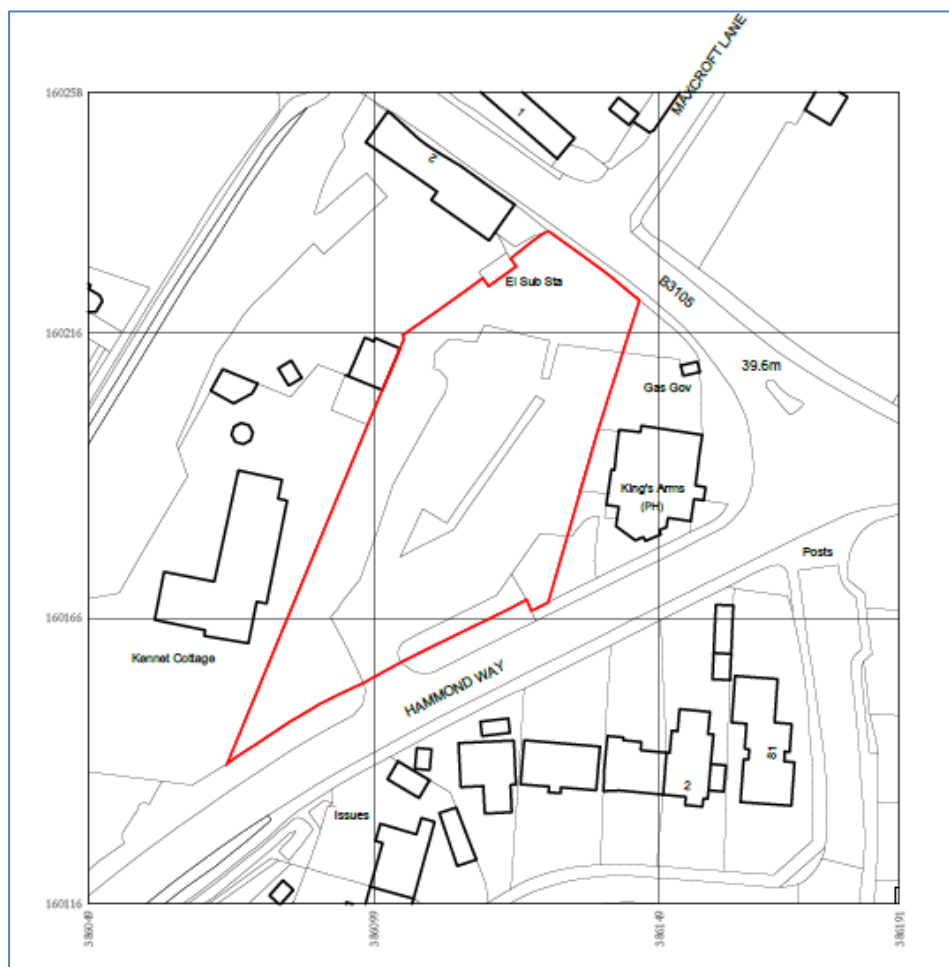


Figure 1. Extract from the Site Location Plan

(ii) Planning History

- 2.4 Relevant planning history for the former Kings Arms public house includes the following decisions recorded on the Council's public access system. In addition, there are a number of historic applications 1974 to 1988 available on the Council's website.
- 2.5 The planning history demonstrates that multiple changes have been made to the fabric of the listed building over time.

Application Ref.	Description	Decision
W/08/01718/LBC	Demolish existing single storey flat roof, rendered entrance porch, full internal decoration and refurbishment of fixtures and fittings, full external decoration	Approve with conditions 16.07.2008
W/08/01719/FUL	Demolish existing single storey flat roof rendered entrance porch, full internal decoration and refurbishment of fixtures and fittings, full external redecoration	Approve with conditions 16.07.2008
W/04/01751/FUL	Extend existing single storey trading area to side and rear elevation	Refused 08.11.2004
W/04/01749/LBC	Extend existing single storey trading area to side and rear elevation	Refused 08.11.2004
W/02/00580/FUL	Extension to rear elevation forming beer cellar, male toilets, alterations to kitchen, new external emergency escape staircase and new timber fencing and gates	Approve with conditions 15.08.2002
W/02/00582/LBC	Demolish existing flat roof front entrance lobby, demolish existing lean to store at rear and rebuild new stores/toilets	Approve with conditions 15.08.2002
19/09426/FUL	Extension of the existing rear single storey extension. Full internal refurbishment. Alterations to 1st floor.	Approve with conditions 28.11.2019
19/09674/LBC	Extension of the existing rear single storey extension. Full internal refurbishment. Alterations to 1st floor.	Approve with conditions 28.11.2019
14/09584/FUL	Form new single storey extension and flat roof infill. New single storey toilet block. Alterations to existing pub entrance. Internal refurbishment.	Approve with conditions 08.12.2014
14/09673/LBC	Form new single storey extension and flat roof infill. New single storey toilet block. Alterations to existing pub entrance. Internal refurbishment.	Approve with conditions 08.12.2014

(iii) Enforcement enquiry

- 2.6 In June 2026 an enforcement enquiry was initiated by the Council's Enforcement Team in response to a third-party enquiry relating to the erection of a close boarded fence. The fence was erected by the applicant following the disposal of the adjacent former public house site to a third party and was a condition of sale to enhance site security. The application proposals seek retrospective approval of the fence as part of the landscaping scheme which proposes the planting of native hedgerow to mitigate the visual impact of the fence. In the longer term when the hedge matures the fence could potentially be removed.

(iv) The Current Application

- 2.7 The proposed development will deliver seven high-quality dwellings on previously developed land within the Hilperton settlement boundary with landscape and biodiversity enhancements.
- 2.8 The site is well-connected and can be characterised as sustainable windfall opportunity that will contribute to meeting an identified current housing need in the Trowbridge Community Area.
- 2.9 The proposals are set out in Section 3.0 of this Report and the accompanying DAS.

3.0 Description of the Proposals

- 3.1 This section outlines a summary of the finalised proposal that is submitted as a full planning application.

(i) Description

- 3.2 Full planning permission is sought for the erection of 7 No. residential dwellings and associated works on land west of the Former Kings Arms public house car park, 79 Wyke Road, Hilpertown, Trowbridge.

(ii) Proposed New Dwellings: Scale and Layout

- 3.3 The evolution of the scheme is described in the Design and Access Statement with the design approach reflecting a collaborative approach between specialist consultants in relation to heritage, transport, ecology, arboriculture and drainage.
- 3.4 Technical assessments informing the proposals in relevant disciplines are enclosed as summarised in the Validation Schedule. The proposed dwellings have been designed to reflect the character of the surrounding residential development whilst maintaining their own cohesive identity. Buildings heights ensure that the development remains subordinate to the adjacent former public house and site comfortably within the landscape. The scale of development responds to neighbouring properties and reflects the varied character of the surrounding area, with simple residential forms chosen with traditional roof profiles and carefully proportioned elevations.
- 3.5 The Proposed Site Layout Plan, extract below, shows how a scheme of 7 high-quality dwellings can be accommodated, arranged around a shared access and turning head. The proposed layout responds positively to its surroundings, preserves the setting of the Grade II listed former public house and delivers significant landscaping and biodiversity benefits.



Figure 2 Extract of Proposed Site Plan

- 3.6 Vehicular and pedestrian / cycle access is proposed via a simple priority T junction with the B3105 Hammond Way. The site benefits from sustainable transport links to Trowbridge Town Centre with easy access to local services and facilities in Hilperton and the town and access to the wider Staverton / Bradford on Avon area. The adjacent listed former public house, being in separate third-party ownership, benefits from its own separate access.

(iii) Proposed New Dwellings: Amount and Mix

- 3.7 7 No. residential dwellings are proposed comprising a balanced mix of two and three-bedroom homes suitable for a variety of occupiers including first-time buyers, downsizers and family households. An Accommodation Schedule is enclosed within the DAS and summarised below:

Proposed Private Housing Mix:

- 4 No. 2 bed open market dwellings
- 3 No. 3 bed open market dwellings

- 3.8 The resulting development achieves an efficient and sustainable use of land whilst maintaining a spacious and attractive residential environment.

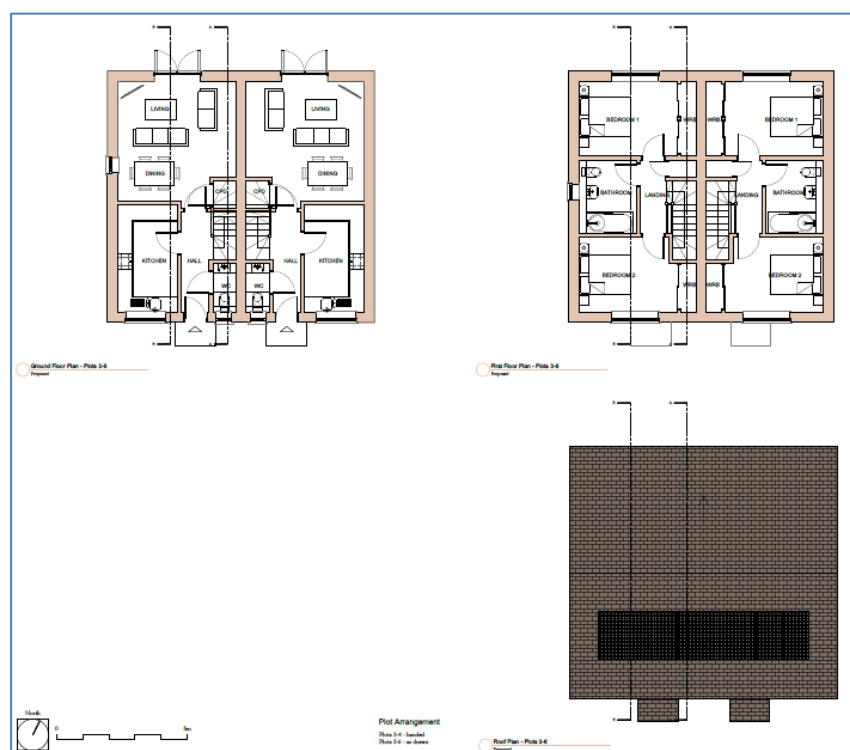


Figure 3: Extract of floor plan for plots 3-6

(iv) Appearance and Materials

- 3.9 The proposed palette of materials follows a vernacular style with a high-quality contemporary interpretation. Variation in house types, roof forms and materials helps to create visual interest whilst maintaining a coherent overall character. Refer to the submitted DAS.
- 3.10 The following external finishes are proposed:

- Walling: buff facing brickwork and smooth off-white render
- Roof: concrete plain roof tiles selected to complement the existing King's Arms Public House
- Windows and Doors: dark grey aluminum windows, doors and rainwater goods



Figure. 4 Extract of proposed elevations plots 1-2



Figure 5: Extract of proposed elevations plot 7

3.11 Proposed site sections are illustrated in the extract below.

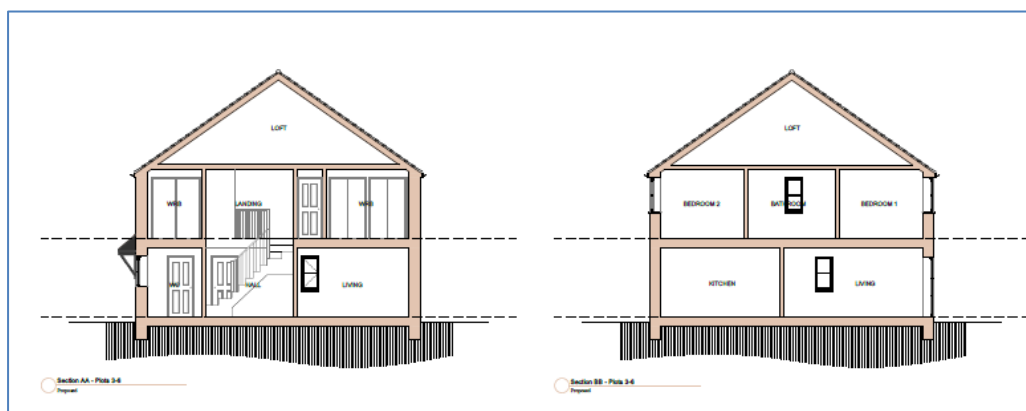


Figure 6: Extract of proposed site sections for plots 3-6

3.12 Proposed street elevations are illustrated in the extract below.



Figure 7: Extract of Proposed Street Elevations

(v) Access and Parking

3.12 The proposed access arrangement has been informed by specialist transport advice. The relocation of the site access enabling the former Public House to retain its own has enabled a more efficient and attractive layout whilst maintaining safe vehicle movements and visibility standards. All properties will take vehicle access via a simple priority T junction with the B3105 Hammond Way with the required visibility splays in both directions. The proposed layout of the site access junction is shown on the enclosed Proposed Access Plan, extract below.

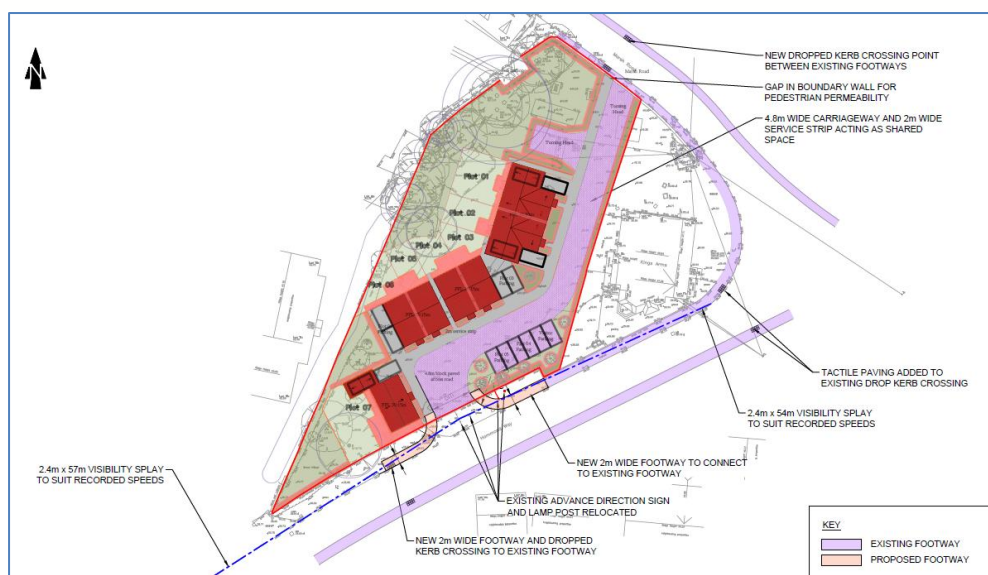


Figure 8: Extract of Proposed Site Access Plan.

- 3.13 The site location benefits from a good level of non-car accessibility with local services and amenities within an appropriate walking distance of the site and bus links to wider retail, employment, education and leisure opportunities within Trowbridge on an hourly basis.
- 3.14 With regards to pedestrian access, the scale of the proposed development is such that formal footway provision within the site and linking to each dwelling is not required. Connections to existing off site pedestrian infrastructure will be provided for site permeability and to encourage future residents to walk and reduce the reliance on the private car.
- 3.15 Car parking has been integrated into the layout with a mix of garaging and allocated car parking spaces. Two visitor parking spaces and electric vehicle charging will also be provided to comply with Wiltshire Council requirements.
- 3.16 Covered and secure cycle parking will be provided in accordance with the Wiltshire Council standards, i.e. one space per bedroom to a maximum of three. This parking will be accommodated either within the garages (where provided) or within appropriately sized garden sheds or similar structures. The following provision is proposed:
- 14 No. Car Parking Spaces
 - 2 No. Visitor Spaces
 - 17 No. Cycle Spaces
- 3.17 The application proposal complies with Policies 60, 61 and 62 of the Wiltshire Core Strategy and Section 9 of the NPPF.

Refuge and Recycling and Fire Tender Access

- 3.18 Refuse vehicle access and resident and operative 'carry distances' have been considered in line with Wiltshire Council's supplementary planning guidance for waste storage and collection. Refuse and recycling collections will be made from the kerbside of each dwelling with the collection vehicles accessing the site to and from Hammond Way. The site layout will include a new turning head with the access plan demonstrating that the turning

requirements of the Council's Refuse Collection Vehicle, Fire Tenders and other service vehicles can be accommodated. Further details are provided in the Transport Statement.

(vi) Drainage and Flood Risk

- 3.19 The site is located in Flood Zone 1 on the Environment Agency's Flood Maps for Planning. A comprehensive drainage strategy has been developed to ensure that the development will be safe throughout its lifetime and that it does not increase flood risk elsewhere, factoring in the potential for pluvial flooding in the south of the site, future climate change resilience and urban creep.
- 3.20 Proposed surface water discharge from the development will maintain the existing arrangement, and discharge to the culverted watercourse to the south west of the development, utilising the existing connection. Flows will be limited via a flow control device. Water butts will be provided for each dwelling to provide amenity, biodiversity and interception benefits, as well as rainwater re-use.
- 3.21 Flood Exceedance flows will be directed to the south of the development, away from people, utility and structure. They will discharge to Hammond Way, where any inundation will be intercepted by Highways gullies.
- 3.22 Foul drainage will connect to the existing private foul system serving the Kings Arms Public House with 2 dwellings (plot 01 and plot 02) discharging via gravity to the existing private system and 5 dwellings (plots 03-07) discharging to a private package pumping station, beyond which it connects to the existing Wessex Water combined sewer.
- 3.23 The application proposal is therefore in compliance with policy 67 of the Wiltshire Core Strategy and Section 14 of the NPPF.

(vii) Ecological Strategy

- 3.24 An Ecological Impact Assessment has been undertaken to inform the detailed design of the scheme noting its location on the outskirts of Trowbridge, surrounded by existing urban development and agricultural fields and situated east of the Kennet and Avon Canal. The Bath and Bradford on Avon Bats SAC and several Local Wildlife Sites are within 1km.
- 3.25 The site is predominantly hardstanding and comprises modified grassland, trees and bramble scrub which has been found to be suitable for commuting and foraging bats (including Annex II Species), badgers, hedgehogs and nesting birds. No badgers or evidence of badgers was found within the site. However, a pre-commencement badger survey is recommended and precautionary methods of working. There is a risk of disturbing breeding birds and their nests and therefore tree and bramble scrub removal should be carried out outside of nesting season or supervised by a pre-works check by a licenced ecologist. It is considered unlikely that the site provides any important foraging or commuting habitat for bats due to the existing ambient light levels and limited habitats present. However, since the removal of the majority of this limited habitat is required to facilitate the development and access, a range of mitigation measures are proposed to avoid, minimise or compensate for any impacts and enhance the site's biodiversity.
- 3.26 Provisions in relation to mitigation and compensation include landscaping and native tree planting, precautionary methods of working during construction, tree protection fencing for all retained trees and the installation of a wildlife sensitive lighting scheme to ensure minimal

light spill onto the boundaries and maintain the site's attraction to foraging bats and other nocturnal species. A financial contribution towards funding the LPA scheme for mitigating residual in combination effects from recreational pressure as per the TWBMS is also recommended.

- 3.27 Potential impacts during construction will be avoided and habitat and protected species enhancements will be secured through a Construction Ecological Management Plan (CEMP: Biodiversity) and Landscape and Ecological Management Plan (LEMP).
- 3.28 A separate Biodiversity Net Gain (BNG) Assessment and Report is provided and demonstrates a habitat gain of 10.21% exceeding the statutory 10% requirement.
- 3.29 On this basis the proposals are considered to comply with Policies 50 and 52 of the Wiltshire Core Strategy and relevant sections of the NPPF and relevant wildlife and biodiversity legislation.

(viii) Trees and Landscaping

- 3.30 The site contains several mature trees and areas of established vegetation that positively contribute to local character and ecological value. The location of trees has informed the proposed site layout with the proposed dwellings carefully sited to avoid impact on retained trees and ensure appropriate separation between trees and dwellings so that there will be no pressure on existing trees post development. The arboricultural report sets out required root protection areas. It is proposed to remove T15 to facilitate the proposed development with the loss mitigated by implementation of a landscaping scheme including replacement native trees and shrubs to enhance the landscape and visual amenity.
- 3.31 The proposed layout has been carefully developed to respect the setting of the listed building through generous, landscaped buffers, retention of other existing trees and dwellings designed to sit comfortably within the landscape. Existing vegetation has been retained where practicable and native planting of trees and new hedgerows will reinforce the local green character, improve the appearance of the site and create a more attractive entrance to Hilperton Marsh in this part of Hilperton parish. Areas of mixed scrub habitat and other neutral grassland are proposed alongside the new residential planting and enhanced boundary treatments.
- 3.32 As noted in Section 2.0, retrospective approval is sought for the retention of the existing boundary fence. Its visual impact will be mitigated by the planting of native hedgerow.
- 3.33 The proposals will be subject to an agreed Landscape and Environmental Management Plan (LEMP) which will be implemented by a private management company set up to maintain the areas of common ownership. This will ensure that the proposals are fully compliant with national and local planning policies and objectives for biodiversity conservation including Policies 50 and 52 of the Core Strategy.

(ix) Heritage Strategy

- 3.34 The assessment considers the significance of the Grade II listed Kings Arms, together with three neighbouring Grade II listed buildings: Kennet Cottage, Wharhouse (No. 2 Marsh Road) and Wharf Cottage (No. 1 Marsh Road), noting that their value lies principally in terms of architectural, evidential and historical interest associated with Hilperton Marsh and the

Kennet and Avon Canal. The application site is not a heritage asset and is not considered significant to the wider setting of this group.

- 3.35 It is also relevant to note that the listed former Kings Arms has undergone multiple changes to its fabric over time as set out in the planning history section of this report.
- 3.36 The setting of the listed building has however been carefully considered in the design of the proposal, informing the final layout which has been carefully arranged to maintain meaningful separation from the building, ensuring that the new homes remain subordinate in scale and appearance. The layout provides space around the heritage asset, preserving important views of the building. The landscaping scheme with the retention of trees and new native planting also contributes to the preservation of setting. Without prejudice to the sensitive consideration of design and layout, the scheme also offers a number of public benefits which are set out in the Planning Assessment.

(x) Sustainability Strategy

- 3.37 Sustainability measures include a commitment to a fabric first approach, with an energy efficient building design, electric vehicle charging provision, water-efficient fixtures and fittings, native planting and habitat creation, and sustainable drainage infrastructure creating a resilient and environmentally responsible development capable of meeting modern residential requirements.

(xi) Residential Amenity

- 3.38 The proposed layout and orientation of the proposals is such that the privacy of proposed residents will be preserved, whilst also providing adequate levels of private amenity space to each dwelling as required by local plan policy. Refer to the DAS for further information.

4.0 Planning Policy Context

(i) Development plan

- 4.1 Section 38 (6) of the Town and Country Planning and Compulsory Purchase Act 2004 requires local planning authorities to determine planning applications in accordance with the development plan unless material considerations indicated otherwise.
- 4.2 The statutory development plan comprises: the adopted Wiltshire Core Strategy (2015), the saved policies from the West Wiltshire District Plan 1st Alteration (June 2004), the Wiltshire Housing Site Allocation Plan (2020) and the Hilperton Neighbourhood Development Plan (made November 2018).

(ii) Applicable designations

- 4.3 The application site is located within the settlement boundary of Hilperton which is designated as a 'large village' in the Core Strategy under Core Policy CP1 where development is acceptable to meet housing needs and to improve employment opportunities, services and facilities.

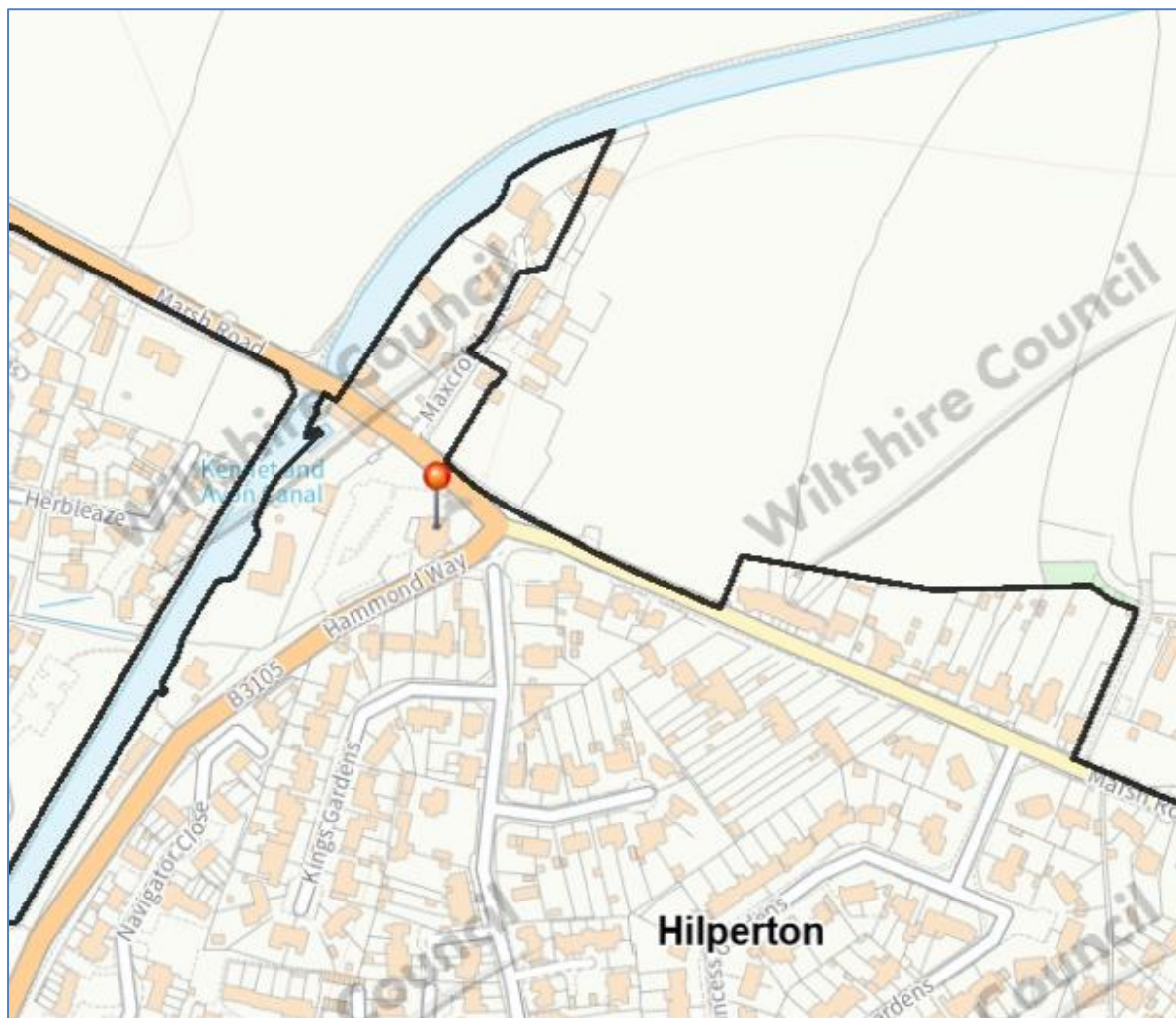


Figure 7: Extract from Wiltshire Council Interactive Policy Map locating the former Public House and application site within the Hilperton settlement boundary.

- 4.4 Hilperton lies in the Trowbridge Community Area and is located on the north eastern outskirts of the Trowbridge urban area, being a Principal Settlement and a strategically important centre that provides significant levels of jobs and homes and supporting community facilities and infrastructure.
- 4.5 The site lies with Flood Zone 1 on the Environment Agency's Flood Map for Planning and flooding is not a constraint to the proposed development.

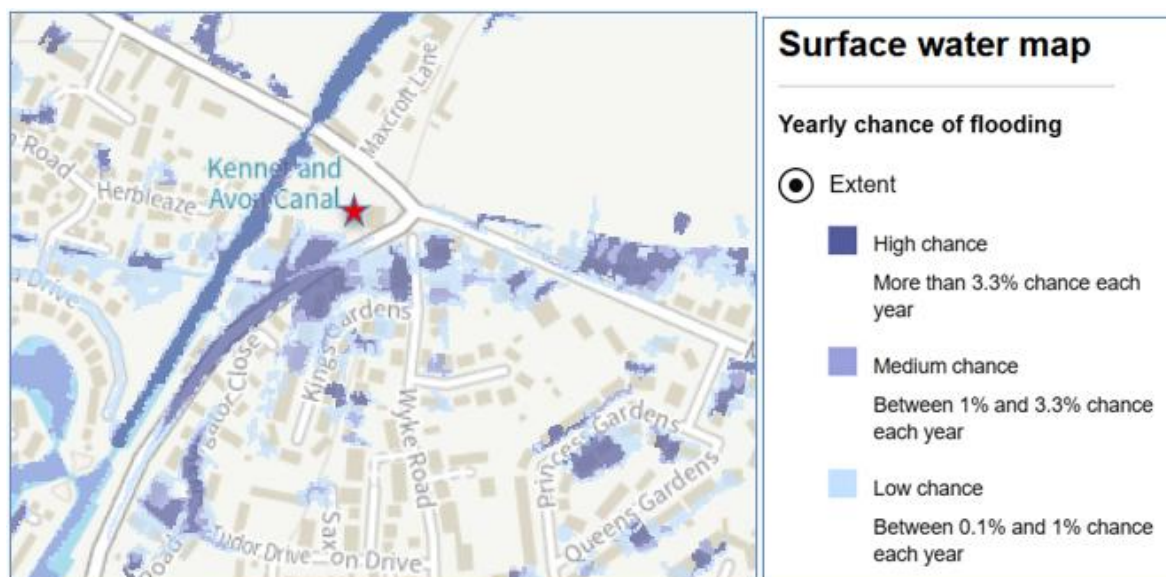


Figure 9: Extract of Environment Agency Surface Water Map locating site outside of surface water flooding zone.

- 4.6 The site is situated within the Bath and Bradford on Avon bat SAC grey core area where developments may increase recreational pressure in publicly accessible woodlands to the southeast of Trowbridge where rare species of bats breed. The Trowbridge and Westbury Bat Mitigation Strategy is relevant.

(iii) Wiltshire Core Strategy

- 4.7 Applicable Core Strategy policies include:
- CP1: Settlement Strategy
 - CP2: Delivery Strategy
 - CP3: Infrastructure Requirements
 - CP29: Spatial Strategy: Trowbridge Community Area
 - CP41: Sustainable Construction & Low Carbon Energy
 - CP45: Meeting Wiltshire's Housing Needs
 - CP50: Biodiversity and Geodiversity
 - CP51: Landscape
 - CP52: Green Infrastructure
 - CP57: Ensuring High Quality Design and Placeshaping
 - CP58: Ensuring the Conservation of the Historic Environment
 - CP60: Sustainable Transport
 - CP61: Transport and New Development
 - CP64: Demand Management
 - CP67: Flood Risk

(iv) Wiltshire Housing Sites Allocation Plan 2020

- 4.8 The Wiltshire Housing Sites Allocation Plan (adopted 2020) includes allocations and updated settlement boundaries. There are no generic development management policies.

(v) Hilperton Neighbourhood Development Plan 2017-2026

- 4.9 The Hilperton Neighbourhood Development Plan was 'made' in November 2018. The vision in respect of the parish and its main settlements of Hilperton, Hilperton Marsh and Whaddon, states that:

While valuing the positive elements of the present historic character, the community welcomes positive change of a modest scale. New development should preserve or enhance local wildlife habitat, landscape and conservation area, including fresh tree and hedgerow planting...

- 4.10 Relevant policies in the Neighbourhood Plan include:

- Policy 2: Housing
- Policy 3: Heritage and Design
- Policy 4: Sustainable Transport
- Policy 5: Infrastructure and Developer Contributions

- 4.11 The Neighbourhood Plan also references the Hilperton Village Design Statement. As there is an adopted Neighbourhood Plan, the Parish Council is entitled to 25% of CIL receipts to help mitigate the impact of the development.

- 4.12 NPPF Paragraph 14 is applicable and states:

In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply:

The neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and the neighbourhood plan contains policies and allocations to meet its identified housing requirement (see paragraphs 69-70)

(vi) National Planning Policy Framework (NPPF)

- 4.13 National planning policy is set out in the NPPF (last updated in February 2025). The NPPF places a renewed emphasis on delivering more quality, well-designed homes in areas where they are needed and the importance of providing a choice of homes to address a national shortage. The NPPF reaffirms the legal requirement that applications for planning permission must be made in accordance with the development plan unless material considerations indicate otherwise (Paragraph 210, NPPF). The NPPF is itself a material consideration in the determination of planning applications (Paragraph 212, NPPF).

- 4.14 Relevant sections of the NPPF include:

- Achieving sustainable development: 7-10

- The presumption in favour of sustainable development: 11-14
- Decision making: 39
- Delivering a sufficient supply of homes: 61, 73, 83
- Promoting healthy and safe communities: 96
- Promoting Sustainable Transport: 115, 116, 117
- Making Effective Use of Land: 124, 125
- Achieving well-designed places: 131, 135, 136
- Meeting the challenge of climate change, flooding and coastal change: 161, 164, 166, 170, 181
- Conserving and enhancing the natural environment: 187, 193
- Conserving and enhancing the historic environment: 202, 207, 212, 215, 219
- Annex 1: Implementation: 231-233

4.15 Of particular relevance to this proposal are: Paragraph 11d ii (i.e. the engagement of the Framework's 'tilted balance'); and para 39 which states that LPAS should approach planning decisions in a positive and creative way and that it is important that land comes forward where it is needed with a mix of housing types to significantly boost the supply of homes.

39. Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure development that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

61. To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet an area's identified housing need, including an appropriate mix of housing types for the local community.

73: "Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, are essential for Small and Medium Enterprise housebuilders to deliver new homes, and are often built-out relatively quickly. ... To promote the development of a good mix of sites local planning authorities should...

d) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes..."

124: "Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions."

Developments should **(135)** 'function well and add to the overall quality of the area'; 'are visually attractive as a result of good architecture, layout and appropriate and effective landscaping'.

215: "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use."

219: "Local planning authorities should look for opportunities for new development within... the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance should be treated favorably."

(vii) NPPF Consultation Draft

- 4.16 A consultation draft NPPF was published between 17th December 2025 and 10th March 2026. A new NPPF is expected to be published by Q2/Q3 2026¹. Although the document is currently only a consultation draft and therefore carries very limited weight, if implemented in its current form, the presumption in favour of sustainable development would be strengthened.

(viii) National Planning Practice Guidance

- 4.17 National Planning Practice Guidance (NPPG) was published in March 2014 and provides a web-based source of supporting guidance to supplement policies in the NPPF.

(ix) National Design Guide (MHCLG: 30 January 2021)

- 4.18 The National Planning Policy Framework makes clear that creating high quality buildings and places is fundamental to what the planning and development process should achieve. The National Design Guide illustrates how well-designed places that are beautiful, enduring and successful can be achieved in practice. It forms part of the Government's collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools. The 30th January 2021 amendment aligned the National Design Guide with the National Model Design Code and Guidance Notes for Design Codes.
- 4.19 The Government published draft new build design guidance on 21st January 2026 to focus on design quality creating places of lasting value, that are climate change resilient.

(x) Nationally Described Space Standards (DCLG: March 2015)

- 4.20 These space standards represent a technical planning standard which is a material consideration in the assessment planning applications. In Wiltshire, NDSS standards are only applicable to affordable housing provision.

(ix) Wiltshire Council Design Guide (2023)

- 4.21 This Supplementary Planning Document expands upon Core Policy 57 Ensuring high quality design and place shaping in the adopted Core Strategy. The content has been structured around the 10 characteristics of design' as recognised in the National Design Guide and responds to local priorities and expectations whilst maintaining regard to each of the 10 characteristics, as required by the NPPF (Paras 133 - 135) and corresponding Planning Practice Guidance on Design. The guide is intended to ensure that new developments are well grounded in their locality and create a positive sense of place.

(x) Supplementary Planning Guidance

- 4.22 In addition to the Wiltshire Council Design Guide, the following published guidance has informed the development proposals.
- Trowbridge and Westbury Bat Mitigation Strategy (July 2025)

¹ In the event that the planning application is undetermined following the publication of the new NPPF, the applicant reserves the right to submit a revised Planning Statement if new NPPF policies necessitate a re-assessment of the proposal.

- Waste Storage and Collection: Guidance for developers SPG (January 2017)
- Wiltshire Local Transport Plan 2011-2026 (adopted 2015) including the Car Parking Strategy and Cycling Strategy (adopted 2015)
- A Green and Blue Infrastructure for Wiltshire: Wiltshire's Natural Environment Plan 2022-2030
- Wiltshire Local Cycling and Walking Infrastructure Plan (LCWIP)
- Active travel infrastructure design standard 2022
- Active travel parking standards and design guide 2022
- LTN1/20: Cycle Infrastructure Design (July 2020)

(xi) Proposed Wiltshire Local Plan

- 4.23 A Regulation 19 iteration of the Wiltshire Local Plan Review (ELP) was submitted to the Secretary of State for Housing Communities and Local Government for examination on 28th November 2024. Following fundamental concerns raised by planning inspectors in respect of the spatial strategy, plan period and insufficient consideration of reasonable alternatives, the Council issued a Notice of Withdrawal of ELP pursuant to Section 22 of the Planning and Compulsory Purchase Act 2024 on 22nd May 2026. Accordingly, no weight can be ascribed to the development management policies and allocations contained within the now withdrawn ELP.
- 4.24 Wiltshire Council's Cabinet meeting of 25th June 2026 approved the commencement of the Wiltshire Local Plan in accordance with regulations introduced under the Levelling-up and Regeneration Act 2023 which came into force on 25th March 2026.
- 4.25 A Commencement Notice was published on 30th June 2026, which formally confirmed the comment of the new 'Wiltshire Local Plan'. The new local plan regulations mandate a faster 30-month digital-first plan-making system. A timetable has also been published, which advises the commencement of 'scoping consultation' in September 2026 followed by the various milestone stages of the plan making process culminating in anticipated adoption in April 2029.

(xii) Wiltshire Housing Land Supply

- 4.26 Following publication of the December 2024 iteration of the NPPF, Wiltshire Council's annual housing requirement has been significantly increased from 1,917 to 3,525 dwellings per annum. At the time of writing, Wiltshire Council has published an updated Housing Land Supply Statement in June 2026 with base date of April 2025. Table 2a stated that Wiltshire can demonstrate a supply of 10,268 homes over period 2025-2030, which translates into a claimed 5-year housing land supply of 2.8 years. However, on 28th July 2026, with respect to the SoS appeal for Land at South of Snarlton Farm, Melksham (PINS ref. 3373278), Wiltshire Council did not challenge the appellant's 2.16 year HLS calculation. This constitutes a severe and persistent shortfall in housing land supply.

5.0 Planning Assessment

- 5.1 Section 38 (6) of the Town and Country Planning and Compulsory Purchase Act 2004 requires local planning authorities to determine planning applications in accordance with the development plan unless material considerations indicated otherwise.
- 5.2 Full planning permission is sought for the erection of 7 No. residential dwellings and associated works.

(i) Principle of Development

- 5.3 Hilperton is designated as a 'large village' under Core Policy CP1 where development is acceptable to meet housing needs and to improve employment opportunities, services and facilities.
- 5.4 Since the application site lies within the defined settlement boundary of Hilperton, the proposal can be assessed a 'windfall' housing development opportunity.
- 5.5 The former public house was subject to extensive marketing by Carter Jonas during 2025 with no proceedable offers received from prospective publicans for continuing use as a going concern. Terms for sale of public house, excluding the rear car park, were agreed on 2nd July 2025 with completion taking place on 27th October 2025. Given that the application site, i.e. the former car park, is now in separate ownership from the former public house, it is submitted that WCS Policy 49, Protection of Rural Services and Community Facilities, is not applicable to the application proposal. The future use of the vacant public house is now a matter solely for its new owner.
- 5.6 Paragraphs 7 and 8 of the NPPF note that the function of planning is to contribute to achieving sustainable development with three overarching interdependent objectives: economic, social and environmental.
- 5.7 The proposals, as demonstrated below, represent a sensitive and well-considered redevelopment of previously developed land within the settlement boundary of Hilperton and would meet the Framework's three-dimensional tests for 'sustainable development' (NPPF: 7-10) whilst making a modest but important contribution to housing supply which in the context of the Council's significant undersupply and with the proposed heritage benefits, should be given significant weight as a benefit to the proposed scheme.

Housing Land Supply Deficit

- 5.8 Following changes introduced to the 'Standard Method' of calculating housing need by the revised NPPF (December 2024), there has been an increase of 84% of Wiltshire Council's Housing Need: rising from 1,917 to 3,525 homes per annum. The recalculation has led to a significant reduction in housing land supply to 2.8, as noted In Section 4.0 above, now 2.16 years as evidenced in the recent Snarlton Farm planning appeal decision (PINS ref. 3373278).
- 5.9 The importance of providing a consistent supply of homes is strongly recognised in the NPPF and in recent appeal precedents where the Planning Inspectorate has taken a pragmatic approach when Councils are faced with major shortfalls, recognising that sites of all sizes are needed to help make up the housing land supply deficit. There is an increasing

recognition of the importance of delivery by SME developers who find it difficult to compete in the land market with national volume housebuilders. The provision of 7 No. high-quality homes on this vacant brownfield site would make a positive contribution to meeting identified local housing need in accordance with Section 5 of the Framework.

- 5.10 The application site is located within the settlement boundary of Hilperton and therefore there is no conflict with the Council's spatial development policy CP2. Further support for the proposal is provided by the following:
- The severity of the housing land supply shortfall in Wiltshire, i.e. 2.16 years.
 - Full compliance with the applicable development plan (development management) policies.
 - Contribution towards the delivery of the Trowbridge Community Area Strategy.
 - Delivery of economic, social, environmental benefits, i.e. meeting the Framework's three-dimensional sustainable development test, as summarised below:

Sustainable Location

- 5.11 As referenced above, the site is located within Hilperton settlement boundary and therefore is suitable for residential development. Being situated on the northern edge of Trowbridge which is defined as a Principle Settlement under Core Policy CP1, it is in a sustainable location for residential development.
- 5.12 The proposals will provide 7 No. open market homes for which there is a demonstrable need, that will contribute towards the adopted Core Strategy housing target for the Trowbridge Community Area.
- 5.13 The site is well connected in terms of active and public transport opportunities, offering future residents' opportunities to travel by sustainable modes when accessing the local services and facilities available within the Hilperton, Staverton and the wider Trowbridge area. Public transport also offers good opportunities for non-car travel to other towns and cities in the region.
- 5.14 There are a good range of local services and amenities within an appropriate walking distance of the site including convenience shopping, primary schools and a wide range of employment opportunities. These can be accessed safely via existing footways, crossings and Public Rights of Way. Cycling allows access to the whole of Trowbridge together with parts of Bradford on Avon and Melksham. The towpath of the Kennet and Avon canal forms part of NCN Route 4 and provides a traffic free cycle route to local destinations. Public transport provision in the vicinity of the site is reasonable and based primarily on an hourly service that links to and from Trowbridge town centre. For further information on the site's accessibility refer to the Transport Statement.

Socio-economic benefits

- 5.15 Socio-economic benefits of housing are recognised by Inspectors in appeal decisions and there is a clear political commitment to solving the housing crisis, with council's having a role in addressing this through positive decision making. The economic benefits of new housing are now vitally important and should be viewed as a crucial component of the planning balance. The application proposal will add new social vitality to Hilperton Marsh and Hilperton and contribute to the Council's persistent and severe housing shortfall. The combination of economic benefits including: (i) construction phase (i.e. construction

employment and training, and local supply chain support; and (ii) the occupation phase including local spending power of future residents, and payments such as Council Tax, contribute towards the planning balance.

- 5.16 The combination of economic benefits including but not limited to those associated with local spending power of future residents, the construction phase, and payments such as S106 commuted sums and Council Tax, should also be attributed very important weight in the planning balance.

Environmental objectives

- 5.17 The proposal would make use of a vacant brownfield site within the Hilperton settlement boundary and will provide a sustainable residential development built to Future Homes Standards with sustainable construction methods used throughout and a fabric first/low carbon approach with energy production and conservation features. There are also heritage benefits in terms of landscaping to the setting of the nearby listed building.

Conclusion on the principle of development

- 5.18 For the reasons set out above, proposal is in full compliance with development plan's spatial strategy and can be considered as a windfall housing site. It has also been demonstrated that the proposal is demonstrably in compliance with the NPPF's 3-dimensional tests for achieving sustainable development. On his basis the principle of residential development is clearly established in planning terms as the proposal complies with WCS Policy CP2.

(iii) Design Considerations

- 5.19 The design of the proposal has evolved with input from specialist consultants and technical studies across a range of disciplines with a careful consideration of the local context, including the proximity of the former Kings Arms Public House, a grade II listed building.
- 5.20 The design approach is explained in the enclosed Design and Access Statement (DAS) and reflects a collaborative approach between specialist consultants in relation to heritage, transport, ecology, arboriculture and drainage as well as the Wiltshire Design Guide to ensure that the proposed development responds positively and sensitively to the local setting.
- 5.21 The DAS sets out the development principles for the site with a Proposed Site Plan that demonstrates how a scheme of 7 dwellings with suitable amenity space and parking provision can be delivered with a proposed layout that is sensitive and sympathetic to the site context, harmonising with the existing pattern of surrounding residential development and local heritage asset.
- 5.22 The design, layout and density of the scheme has been specifically guided by heritage, landscape, tree and ecological considerations.
- 5.23 The proposal will deliver a balanced mix of 2 and 3 bedroom homes in the Trowbridge Community Area and have been designed using a fabric first/low carbon approach with energy production and conservation features.

(iv) Heritage Considerations

- 5.24 The Heritage Impact Assessment considers the significance of the Grade II listed Kings Arms, now in third party ownership, together with three neighbouring Grade II listed buildings that share a demonstrated relationship with the application site: Kennet Cottage, Wharfhouse (No. 2 Marsh Road) and Wharf Cottage (No. 1 Marsh Road). The value of these assets' rests principally in their architectural, evidential and historical interest as a group of late 18th and early 19th century buildings associated with the development of Hilperton Marsh and the Kennet and Avon Canal. The modern car park that comprises the application site is not itself a heritage asset and is not considered significant to the wider setting of this group.
- 5.25 Although within the curtilage of the Grade II listed Kings Arms Public House, the application site makes no discernible contribution to the character and setting of the heritage asset or to the wider setting of designated and non-designated assets that preserve the wider historic character.
- 5.26 While the current tarmacadam car park does not make a positive contribution to the setting of the heritage asset, the loss of associated land through the infilling will have an impact on the sense of openness to the rear of The Kings Arms, resulting in less than substantial harm, at the lower end of the scale, to the setting of a Grade II listed building. The design of the scheme and its layout and roof lines have evolved to take this into account with a reduction in the proposed number of dwellings from eight to seven with the northernmost unit close to Marsh Road omitted, further limiting this impact.
- 5.27 In line with para 215 of the NPPF, any harm should be weighed against the public benefits of the scheme, which in this case are considered to carry significant weight: securing the optimum viable use of this underused brownfield site, delivering seven new homes in a sustainable and accessible location in the context of a significant lack of housing land supply, and generating economic benefits through construction and occupation. These benefits are set out in full in the Public Benefit section of the Heritage Report which concludes that the less than substantial harm at the lower end of the scale, is clearly and convincingly justified by these public benefits.
- 5.28 In summary, it is considered that the proposal responds positively to the surrounding predominantly residential area and its setting; ensuring compliance with the requirements of Core Policy 57 *Ensuring high quality design and place shaping* and Policy CP58: *Ensuring the conservation of the historic environment*; the NPPF, the Council's Design Guides and applicable heritage policy and legislation.
- 5.29 With regard to archaeology, there is evidence of any archaeology of great significance on the site, and any programme of investigation and recording can be secured by way of a suitably worded planning condition.

(v) Other Technical Reports

- 5.30 The application submission includes assessment across a range of technical disciplines which are reported as standalone assessments. A summary of the key findings against the various technical disciplines is set out below:
- 5.31 **Arboricultural Survey and Assessment:** identifies and classifies all trees on site ensuring that the proposed layout takes the constraints of all valuable trees on the site into account in the construction process. It is proposed to remove T15 to facilitate the proposed development. It is proposed to mitigate for the loss of this tree by the implementation of a

landscaping scheme including replacement trees and shrubs to enhance that landscape and visual amenity of the site. No remedial tree works are considered necessary to facilitate the proposed development. There are no trees outside of the site boundary which are impacted by the proposed development.

- 5.32 Retained trees will be protected throughout the proposed works in accordance with the detailed Arboricultural Method Statement. Where new hard surfacing is to be installed within the Root Protection Areas of trees T01, T11 and T12 (part of the turning head and a small section of patio on plot 7) construction will be undertaken in accordance with Arboricultural Guidance Note 12 'The use of Cellular Confinement Systems near Trees. A Guide to Good Practice' using a Cellular Confinement System such as 'Cellweb'.
- 5.33 **Drainage Strategy:** the site lies in Flood Zone 1 on the Environment Agency's Flood Map for Planning. The only notable source of flood risk to the development is pluvial flooding and therefore the drainage strategy focuses on surface water management in line with Environment Agency standing advice, the NPPF, and Wiltshire Council Planning Policies. The proposed drainage strategy seeks to mitigate against pluvial flood risk by raising the finished floor level above the calculated 0.1% AEP (Annual Exceedance Probability pluvial event) with further resilience measures. The site strategy has been informed by the NPPF, The National Standards for SuDS and the Wiltshire Council Drainage and Betterment Strategy.
- 5.34 The surface water drainage strategy proposes to discharge surface water via the existing connection to the existing culverted watercourse to the south of the site ensuring that the proposed development does not increase the risk of flooding on or from the site factoring in climate change and urban creep.
- 5.35 The Drainage Strategy also demonstrates that a foul drainage solution can be achieved connecting to the existing private foul system serving the Kings Arms Public House with 3 dwellings discharging via gravity to the existing private system and 5 dwellings discharging to a private package pumping station. The existing private system discharges to the existing main foul sewer where it becomes classified as combined.
- 5.36 It is concluded that the proposed development can therefore be undertaken in a sustainable manner without increasing the flood risk to the proposed development or to existing properties/systems and therefore aligns with Core Strategy Policy CP67: Flood Risk and other relevant legislation.
- 5.37 **Ecological Impact Assessment and BNG Statement:** the ECIA discusses the likely effects of the proposed development on the ecology of the site using habitat survey information and species-specific surveys. The report describes the baseline ecological conditions existing on site and assesses the potential impact of the proposed development on ecological features and any constraints to development.
- 5.38 The report outlines avoidance, mitigation and compensation measures to reduce any potential impact to an acceptable level ensuring that valuable ecological features are retained and enhanced wherever possible and the landscaping proposed will provide suitable foraging habitat and strengthen connectivity to the wider area. No significant impacts are anticipated upon the Bath & Bradford on Avon Bats SAC. In conclusion, the proposed development is in line with all relevant wildlife and biodiversity legislation, Core Strategy Policy 50 and in keeping with all best practice guidelines concerning the survey, assessment and mitigation of impacts on protected species.

- 5.39 **BNG Assessment and Metric:** a baseline BNG assessment was undertaken using the statutory biodiversity metric (July 2025) to assess the pre-development and indicative post-development value of the habitats on site following current guidance. The proposals demonstrate a habitat gain of 10.21% exceeding the statutory 10% as a result of the development proposals. On this basis the proposals are considered to comply with Policies 50 and 52 of the Wiltshire Core Strategy and relevant sections of the NPPF.
- 5.39 Habitat and protected species enhancements and construction phase management can be secured through a Construction Environment Management Plan (CEMP). Post-development management can be secured through Landscape and Environment Management Plan (LEMP). Both the CEMP and LEMP can be secured by a planning condition.
- 5.39 **Transport Statement:** reviews the standard of the existing highway network, the non-car accessibility of the site, the vehicle access arrangements and the effects of the likely increase in traffic flows on the operation of the local highway network. The proposed scheme and junction access and internal layout have been track tested and a safe access can be provided.
- 5.38 Parking provision will be provided in accordance with the Council's parking standards. Provision will also be made for EV charging and cycle storage.
- 5.39 The site is located within Hilperton Marsh at the northern extent of the wider Trowbridge built-up area with convenient road access to the local and regional highway network, a good range of local services and amenities within walking distance and cycling access to Trowbridge, Bradford on Avon and Melksham. The towpath of the Kennet and Avon canal provides a traffic free cycle route to local destinations and public transport provision is also available to Trowbridge town centre.
- 5.40 The Transport Statement concludes that the traffic impact of the proposal will be extremely small and will have no material effect on the operational capacity or safety of the B or the wider local highway network. This is particularly the case given the fallback position of the site as the car park for a Public House. As such, the proposals are considered acceptable in highway terms and are in conformity with Wiltshire Core Strategy Policy CP61: Transport and Development and relevant government guidance.

(v) Residential Amenity

- 5.41 Core Policy 57 of the Wiltshire Core Strategy requires proposals to '*have regard to the compatibility of adjoining buildings and uses, as well as the impact on the amenities of existing occupants, and ensuring appropriate levels of amenity are achievable within the development itself, including the consideration of privacy and overshadowing*'.
- 5.42 The siting, layout and orientation of the proposed dwellings will not give rise to any loss of amenity or privacy to existing neighbouring dwellings.

6.0 Planning Balance and Conclusions

- 6.1 Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.
- 6.2 The windfall housing proposal, which seeks full planning permission for 7 No. residential dwellings and associated works, has been informed by specialist heritage, landscape, ecology, arboricultural, drainage and transport input, delivering a high-quality development that responds positively to its context and setting.
- 6.3 The previously developed and functionally redundant application site lies within Hilpertons defined settlement boundary where infill housing is permitted under WCS Policies CP1 and CP2. The NPPF's 'presumption in favour of sustainable development' is also a material consideration.
- 6.4 The following material considerations and public benefits form part of the planning balance:
- A high-quality scheme of 7 No. new homes on a sustainably located previously developed site within the Hilpertons settlement boundary on the north eastern edge of Trowbridge with active travel opportunities to local services and amenities and bus links to Trowbridge town centre.
 - Provision of a balanced mix of 2 and 3 bedroom open market housing to meet local housing needs for first-time buyers, downsizers and families, contributing to the Core Strategy Housing Requirement for the Trowbridge Community Area.
 - Preservation of the significance and setting of the grade II listed former Kings Arms Public House, with a scheme that has been designed with a density, layout and appearance that is sympathetic to the spatial character of the local area with associated landscaping and biodiversity benefits.
 - Design-led sustainable homes that will be zero-carbon in use and provided with electric charging points and air source heat pumps.
 - Safe and convenient access to the site with car and secure cycle parking in accordance with the Council's standards.
 - A biodiversity net gain of 10.21% when assessed against the Defra 4.0 metric.
 - Provision of an integrated drainage system to provide surface water attenuation that will enhance the site's flood resilience whilst also factoring in future climate change.
 - A suitable site for delivery by a local SME home builder providing choice and diversity in a local housing market that is dominated by volume home builders.
 - Construction phase expenditure generating local employment and local supply chain expenditure.
 - Post-occupation support from new households towards existing community facilities and services.
 - CIL and s.106 payments for reinvestment in local community infrastructure.

- 6.5 In accordance with Paragraph 11c of the NPPF, and on the basis that the proposal is demonstrably compliant with applicable development policies and legislation, the Council is respectfully requested to grant planning permission.