

TOWN & COUNTRY PLANNING ACT 1990

PLANNING STATEMENT

**PERMISSION IN PRINCIPLE FOR THE
PROPOSED ERECTION OF UP TO SIX
DWELLINGS (ONE SELF-BUILD)**

**LAND AT WAYSIDE, 12 CHITTOE HEATH,
BROMHAM, WILTSHIRE, SN15 2EH**

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Our Reference: LPC.5991

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1.0 INTRODUCTION

- 1.1 LPC (Trull) Ltd have been instructed by Mr and Mrs Seed to submit a Permission in Principle (PiP) application for the erection of up to six detached dwellings on previously developed land at Wayside, 12 Chittoe Heath, Bromham, Wiltshire, SN15 2EH.
- 1.2 The application approach is defined in the National Planning Practice Guidance (PPG), as below;

The permission in principle consent route is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle for proposed development from the technical detail of the development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed.

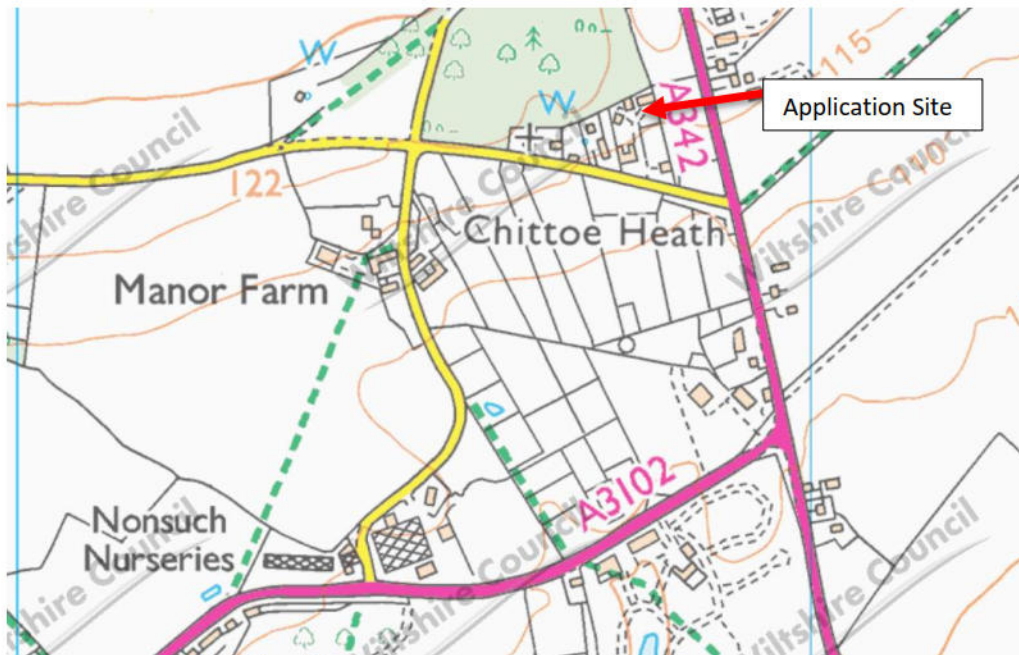
- 1.3 This establishes that the application is a two-stage process, with the first stage solely intended to establish whether the site is suitable in principle and the second stage then considering the detailed development proposals and potential impacts. The Government's guidance sets out that the scope of the first stage of permission in principle is limited to location, land use and the amount of development.
- 1.4 Accordingly, the purpose of this Planning Statement is focused on the principle of development at this location only. Any further details in respect of the intended new house development and its acceptable assimilation will be submitted at the technical details stage. The statement will however provide an overview of the planning policy context and an assessment of the key material planning considerations, including the site history.
- 1.5 The current PiP application follows a full planning application (reference PL/2025/08122) on the land in 2025 which sought permission for the "Proposed Redevelopment of Previously Developed Land Through The Erection of Six Detached Dwellings". The application was withdrawn on the 12 December 2025 following feedback from the Council in relation to the Spatial Strategy of the Local Plan, the lack of justification for the loss

of holiday accommodation, and the design of the proposed development. This PiP application therefore presents further information to address the feedback but narrows the focus to the principle of development only as noted above. However, the indicative layout drawing presented as part of the application, which shows six smaller dwellings, demonstrates that the design feedback has been taken on board and can be addressed.

- 1.6 Since the previous application, there has also been a material change of planning policy at both the national and local level in relation to the plan-making process, which impacts on the decision-making process when current applications are assessed and determined. In summary, on the 19 May 2026 Wiltshire Council's Full Council agreed that the Wiltshire Local Plan (WLP) should be withdrawn from the independent examination process. The emerging Bromham Neighbourhood Plan relies on the WLP housing need evidence and will therefore need to be reviewed. The result will be the need to plan for a greater quantum of housing.
- 1.7 At the national level, the Town and Country Planning (Local Planning) (England) Regulations 2026 introduced a new plan-making process that came into force on the 25 March 2026. The Full Council meeting on the 19 May 2026 confirmed that the Council's housing need figure has substantially increased, and its intention to commence a new plan.
- 1.8 The Council will not therefore have an up-to-date Local Plan to address its housing need for years to come. As a result, the weight to be placed on the Spatial Strategy of the Local Plan is further reduced and is discussed in detail below, alongside the lack of site specific planning harms, to demonstrate the acceptability of the proposed development within the context of the Government's 'presumption in favour of sustainable development'.
- 1.9 The proposed development will contribute towards meeting the Council's local housing need through the redevelopment of the brownfield site already within a residential use within an accessible location. The existing holiday units will simply be replaced by permanent residential units.

2.0 SITE DESCRIPTION & PLANNING HISTORY

2.1 The application site comprises land to the north and east of the residential property known as Wayside, 12 Chittoe Heath. The site forms part of the built up area of Chittoe Heath which is located immediately to the north of Bromham.



Location Plan (Source: Wiltshire Planning Explorer)

2.2 The application site covers a 0.49hecatre area of land which accommodates a number of holiday chalet units and a stable building, as identified on the submitted existing site plan. The majority of the site is within a residential use, albeit restricted to tourist accommodation, which has been established in line with the planning permissions detailed below. The site has an established vehicular access onto Chittoe Heath Road which serves the existing holiday chalets and stable building.

2.3 In terms of the planning history of the site, the following planning applications are relevant to the assessment of the current proposal:

- **Planning Application K/16547** – Erection of 2No Holiday Chalets – Approved 25.10.1990
- **Planning Application K/17208** – Re-siting of Chalet (Plot 2) – Approved 28.03.1991

- **Planning Application K/30314** - The erection of one new holiday chalet, use of existing timber building for a 1 bedroomed chalet, construction of detached garage and equipment store and hard surface – Approved 20.09.1994
- **Planning Application 16/04791/OUT** - Redevelopment of land, Erection of 4 dwellings and garages (outline application for access only) – Refused 21.07.2016 – Appeal Dismissed 14.11.16
- **Planning Application PL/2025/08122** - Proposed Redevelopment of Previously Developed Land Through The Erection of Six detached dwellings – Withdrawn 12.12.25

2.4 The most recent determined planning application sought outline planning permission for four dwellings in 2016. The application was not supported due to the conflict with the Local Plan, less than one year after it was adopted, and the Council's ability to demonstrates a 5 year housing land supply, however this statement will explain the significant material change in planning policy in order to demonstrate the acceptability of the proposal, at both the national and local level.



Site Photograph – Existing Residential Units

3.0 THE PROPOSAL

- 3.1 The proposal seeks 'permission in principle consent' for the redevelopment of the brownfield site through the demolition and removal of the existing buildings and their replacement with up to six dwellings on the application site, one self-build unit and five open market units.
- 3.2 The PiP application has a narrow focus with only the principle of the proposed residential development being considered. The second stage which involves the 'technical details consent' will follow should the 'permission in principle consent' be granted.
- 3.4 The PPG confirms that the scope of permission in principle is limited to **location, land use and amount of development**. However, issues relevant to these 'in principle' matters should be considered at the permission in principle stage. Other matters should be considered at the technical details consent stage (Paragraph: 012 Reference ID: 58-012-20180615).
- 3.5 The indicative layout plan shows one possible layout with the proposed dwellings arranged around a central courtyard, including one dwelling fronting the road on the footprint of the stable building. The development would be served by the existing vehicular access from Chittoe Heath road.



Existing Site Plan



Proposed Indicative Layout Plan

4.0 PLANNING POLICY CONTEXT

National Planning Policy

4.1 The National Planning Policy Framework (NPPF) (published December 2024, updated 7 February 2025), and associated PPG, sets out the Government's planning policies for England and how these are expected to be applied. The NPPF is a material consideration in planning decisions. The policies within the following chapters of the NPPF are relevant to the assessment of the proposed development:-

- Chapter 2 – Achieving Sustainable Development
- Chapter 4 – Decision-making
- Chapter 5 – Delivering a Sufficient Supply of Homes
- Chapter 9 – Promoting Sustainable Transport
- Chapter 11 – Making Effective Use of Land
- Chapter 12 – Achieving Well-Designed Places
- Chapter 15 – Conserving and Enhancing the Natural Environment
- Chapter 16 – Conserving and Enhancing the Historic Environment

The Local Development Plan

4.2 The NPPF highlights that planning law (section 70 [2] of the Town and Country Planning Act 1990 and section 38 [6] of the Planning and Compulsory Purchase Act 2004) requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise.

4.3 The associated PPG confirms that the same applies to an application seeking permission in principle; "A decision on whether to grant permission in principle to a site following a valid application ... must be made in accordance with relevant policies in the development plan unless there are material considerations, such as those in the National Planning Policy Framework and national guidance, which indicate otherwise" (Paragraph: 011 Reference ID: 58-011-20180615).

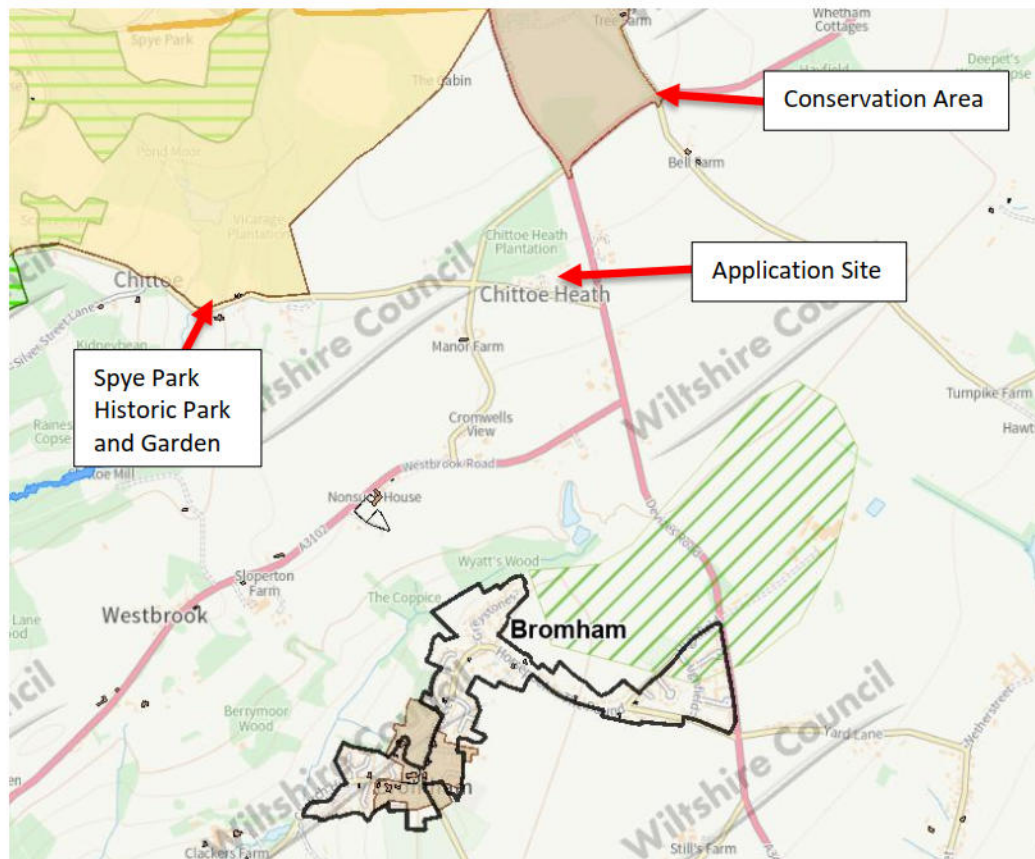
4.4 The development plan relevant to the proposed development is the Wiltshire Core Strategy (WCS) (adopted January 2015) (which includes saved policies from the former Kennet Local Plan). The key policies relevant to the 'in principle' matters of location, land use and amount of development, are:-

- **WCS** Core Policy 1: Settlement Strategy
- **WCS** Core Policy 2: Delivery Strategy
- **WCS** Core Policy 12: Spatial Strategy - Devizes Community Area
- **WCS** Core Policy 44: Meeting Wiltshire's Housing Needs
- **WCS** Core Policy 48: Supporting Rural Life
- **WCS** Core Policy 50: Biodiversity and Geodiversity
- **WCS** Core Policy 51: Landscape
- **WCS** Core Policy 58: Conservation of the Historic Environment
- **WCS** Core Policy 60: Sustainable Transport
- **WCS** Core Policy 61: Transport and Development

4.5 The following Briefing Notes are also relevant in the determination of this application:

- Wiltshire Council Briefing Note No.24-20 Implications of Revised NPPF and Revisions to the Standard Methodology on the Housing Land Supply (December 2024)
- Wiltshire Council Briefing Note: Housing Land Supply No.24-18 (September 2024); and
- Wiltshire Council Briefing Note: 5 Year Housing Land Supply and Housing Delivery Test No.23-15 (May 2023) and 24-13 (June 2024)

4.6 The adopted Local Plan is accompanied by the Policies Maps, which provides a spatial representation of the Local Plan policies. The site lies within Flood Zone 1 and is not subject to any national or local landscape designations. Spye Park Historic Park and Garden Lies to the north-west of the site and Sandy Lane Conservation Area to the north as shown on the map below.



Local Plan Policies Map – WCS

- 4.7 The site falls within a designated Neighbourhood Plan Area, however a Neighbourhood Plan has yet to be 'made'. The Bromham Neighbourhood Plan is currently within the final preparation stages and there has been some initial informal community consultation. The application site is however being considered for a residential development allocation as discussed within Paragraph 6.11 – 6.15 below.

Emerging Planning Policy

- 4.8 The WCS was adopted in 2015 and has therefore been under review, resulting in the production of the draft Wiltshire Local Plan (WLP) which was submitted to the Secretary of State for Housing Communities and Local Government for independent examination on 28 November 2024. There are no fundamental changes proposed to the Spatial Strategy of the Local Plan, as presented within Pre-Submission Draft (2020 – 2038) (Regulation 19) Wiltshire Local Plan (September 2023). However, on the 17 November 2025 the WLP Inspectors postponed the hearing sessions

scheduled for December 2025 due to a number of concerns in relation to the “Sustainability Appraisal, Habitats Regulations Assessment, housing need and the housing requirement, and employment land, together with the plan period”.

- 4.9 The Council suggested a further programme of work to address the concerns raised, however, the Planning Inspectorate wrote to the Council on the 27 February 2026 advising that the Council should either (i) withdraw the Local Plan from examination or (ii) request that the Inspectors draft a final report (which would recommend non-adoption).
- 4.10 The Town and Country Planning (Local Planning) (England) Regulations 2026 introduced the new Local Plan system which came into effect in March 2026 and the Council, as an authority with a housing need figure that has substantially increased, published its timeline for the preparation of the new plan on the 30 June 2026. There is now a 30-month prescribed timescale with the Council’s timeline targeting 30 April 2029 for the plan to be considered for adoption. The Council will not therefore have an up-to-date strategy or Local Plan to address and plan for its housing need for years to come.

5.0 PLANNING ASSESSMENT

- 5.1 The planning considerations associated with this permission in principle application are limited to **location, land use and amount of development**. These matters associated within the principle of development will be addressed below in order to demonstrate that the site can comfortably accommodate up to six dwellings without any adverse local or environmental impacts.
- 5.2 The Council's historic view on the principle of the proposed development has previously been outlined within the Delegated Report and Decision Notice for application reference 16/04791/OUT and associated appeal reference 3157676. Whilst these decisions are now dated, the same Local Plan remains in force and is therefore a material planning consideration. However, the weight to be attributed the planning history of the site is limited due to the significant material change in national planning policy and its impact on the Local Plan, including the out-of-date nature of the Plan itself, as set out in detail below.
- 5.3 The sole area of concern previously raised by the Council within the outline and full applications related to the principle of the development due to the location of the site within the 'countryside' and its alignment with the Spatial Strategy of the Local Plan. This will be addressed below, however, it is worth highlighting from the outset the areas of common ground with the Council based on the assessment of the previous applications. The Delegated Report for application reference 16/04791/OUT confirmed that there were no concerns or objections to the principle of the development or associated impacts in relation to the impact on the natural and historic environment, highway safety, neighbour amenity, or the surrounding environment as a result of drainage, flooding, or land contamination etc. The scale and design of the proposed dwellings proposed within the most recent full planning application, reference PL/2025/08122, was questioned however the indicative layout submitted with this PiP application presents a scheme with smaller dwellings to acknowledged the feedback and demonstrate it can be addressed at the Technical Details Stage.

Site Sustainability & Accessibility

- 5.4 The WCS includes a Spatial Strategy which sets the foundations for how 'sustainable development' is defined and applied within Wiltshire. It has three key elements; a Settlement Strategy, Delivery Strategy and Infrastructure Requirements. The settlement and delivery strategies define where development will be the most sustainable across Wiltshire's settlements.
- 5.5 Core Policy 1 'Settlement Strategy' and Core Policy 2 'Delivery Strategy' of the WCS outline that there is a presumption in favour of sustainable development within the Principal Settlements, Market Towns, Local Service Centres and Large Villages. In the Devizes Community Area, where the site is located, the most sustainable location to which most growth is directed is the 'Market Town' of Devizes, followed by the 'Local Service Centre' of Market Lavington, and the 'Large Villages' of Bromham, Potterne, Rowde, Urchfont, West Lavington / Littleton Pannell and Worton, which are capable of accommodating a modest level of housing growth to help meet the housing needs of the settlements.
- 5.6 The application site lies to the north of Bromham within the village of Chittoe but directly next to the A342 road which links Devizes with Chippenham. The site is within easy reach of Bromham on foot, via footpath along the A342 Devizes Road to Highfield Road, bike, car or public transport. Bromham is a large village with a wide range of local facilities and amenities, including a Primary School (St Nicholad CofE Primary School), Pre-School (Busy Kids), shops (Stiles Butcher, V&P Collins Farm Shop, Sandridge Bacon), Post Office, restaurants (The Clubhouse Café, The Greyhound, The Westbrook, The Haveli Indian), a Community Hub, places of worship and allotments. There is also an extensive range of local businesses based at Bromham, including a regular bus service. The V&P Collins Farm Shop is within easy reach on foot and provides fresh and packaged produce to serve the daily requirements of future occupiers of the proposed development.

- 5.7 The site falls outside the Limits of Development for Bromham, however the site is not remote or 'isolated' and is already served by a safe and suitable access which serves the existing holiday accommodation on the site. The site is also accessible via public transport. The map below identifies the position of the bus stops on the A342 only 110m from the site entrance.



- 5.8 The appeal decision (ref 3157676) associated with the former application on the site acknowledged the sustainable credentials of the site. The Inspector acknowledged that Bromham could provide some of the services that would satisfy everyday needs, and recognised the site is adjacent to a bus service. However, the Inspector felt that certain factors would lessen the likelihood of future occupiers regularly relying on the bus service, those being the unlit country lane (Chittoe Heath road), the volume and speed of traffic along the Devizes Road, and the lack of a bus shelter.
- 5.9 The factors raised by the Inspector are noted however it is considered that greater weight should be placed on the fact that it is an existing bus stop that serves the community and would not have been installed if it was deemed unsafe. It is understood that all bus stops outside villages do not have shelters, however in this case the Parish Council is pursuing the installation of bus shelters and Wiltshire Council has recently approved a Traffic Regulation Order (TRO) to reduce the existing speed limits on the

A342 & A3102. The speed limit along the A342 has been reduced to 50mph, details of which and the entire TRO can be seen in Appendix A. This decision was published on 10 April 2025 and came into force on 22 April 2025.

- 5.10 The bus stop is installed on a straight stretch of the A342 with pavements on both sides of the road, level crossing between both sides, and raised height pedestrian access kerbing. There is clear visibility in both directions to allow pedestrians time to safely cross the road. There are no known records of any accidents.



Photograph of Bus Stops on A342 (January 2025)

- 5.11 Bus Service No.33/X33 connects the site to Chippenham - Calne - Bromham - Rowde – Devizes from which there are many other local and national connections via public transport, including train. Bus Service X76 also connects the site with Marlborough - Calne - Melksham – Bath. There are regular services throughout each day, and service No.33/X33 has recently been expanded to include a Sunday service because it is well used and commercially viable. The timetables can be seen at Appendix B. The bus services offer existing residents and future occupiers of the site a convenience and realistic sustainable mode of transport.

- 5.12 The short stretch of road between the bus stop and the application site along Chittoe Heath road is straight and level as shown in the photograph below. The route is safe and easy for pedestrians to use and occupiers of the holiday accommodation within the application site, and the wider community, regularly walk along the road to use the bus service. There will be no change to the status quo as a result of the development, albeit an informal route across land within the applicant's control could be delivered if considered necessary by the Council and secured at the Technical Details Stage.



Photographs of Chittoe Heath Road towards A342 (October 2025)

- 5.13 There was a recent planning application, reference PL/2025/05953, further west along Chittoe Heath Road, as identified on the map below, for the erection of 'Stables & Agricultural Storage Building and Associated Self-Build Dwelling' where the sustainable credentials of the site were acknowledged within the Council's Delegated Report:

"Although outside a defined settlement boundary, the site does not function as an isolated location. It forms part of a small cluster of buildings at Chittoe Heath and benefits from direct access to the

A342, where a regular bus service connects to Devizes, Calne, and Chippenham. Bromham, classified as a Large Village offering a range of services, lies within reasonable proximity.

Local residents commonly walk along the surrounding lanes, and while these are unlit rural roads, they provide practical local connectivity consistent with other rural settlements in Wiltshire” (emphasis added).



Map Identifying Site of Planning Application PL/2025/05953

- 5.14 The current and future occupiers of the land have only a 2minute walk to the bus stop as demonstrated on the map below. The proximity and ease of access to the bus stops is significantly better than the majority of properties within Bromham or other settlements within the County.



Aerial Photograph – Distance to Bus Stops (source: Goole Earth Pro)

- 5.15 In addition to the public transport service, cycling would be an option to commute to Bromham and other recommended cycle routes, given the terrain is mostly flat. Furthermore, an Electric Vehicle Charging Point is proposed for each dwelling as part of the proposed development. This would represent an alternative sustainable mode of transport as confirmed by the Planning Inspectorate during an appeal (reference 3345598 / 21 January 2025) last year for residential development on land at Glenmore Farm, The Ham/Hawkeridge Road, Westbury. It was noted that “each dwelling would be fitted with an electrical vehicle charging point, along with a public charging point, which would be required via a condition [condition 15]. This means that future owners would be encouraged to own ultra-low and zero emission vehicles, which represents a sustainable transport mode in the Framework” (paragraph 16). A copy of the appeal decision can be seen in Appendix C.
- 5.16 A key conclusions in the Glenmore Farm appeal decision, which is equally applicable to the current proposal is that “Overall, the location of development is likely to result in future residents relying on a private car for some journeys. However, **there are realistic means of accessing services and facilities using sustainable travel modes. Thus, the proposal would be in a suitable location**” (paragraph 17) (emphasis added). The proposed provision of EV charging points at each property means they will be encouraged to own ultra-low and zero emission vehicles, which as mentioned above represents a sustainable transport mode. This demonstrates there will be multiple opportunities to travel via sustainable modes of transport thus complying with the objective of Core Policies 60 and 61 of the WCS.
- 5.17 The NPPF advises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making, however the current site is well served by a bus service which offers a genuine convenient alternative choice of means of travel for future occupiers. This site is therefore considered to be an accessible location as outlined above,

and the development would accord with Core Policies 60 and 61 of the WCS which together support development in locations which reduce the need to travel and support sustainable transport alternatives to the use of the private car.

Established Use & Fall Back Position

- 5.18 The existing use of the site or 'fall-back position' is a key material planning consideration which must be considered when assessing the proposed development. A fall-back position for the purpose of assessing planning applications is a use or development that is likely to occur if planning permission is refused.
- 5.19 The need to consider any fall-back position and weight to be applied within the overall planning balance was confirmed within a Court of Appeal Judgement (Mansell v Tonbridge and Malling Borough Council [2017]). If a legal fall-back position exists it must be established whether there is a real prospect of the use occurring. In the case of this current application, the site has an established residential use which is within active use. The fallback position therefore represents the existing lawful planning use of the site.
- 5.20 It is acknowledged that the loss of the existing holiday units was questioned during the previous full planning application, however there is no policy requirement which seeks to protect or resist the loss of such a facility. Core Policy 39 'Hotels, Bed & Breakfast, Guest houses and Conference Facilities' of the WCS seeks to guard against the change of use of bed spaces within hotels or public houses, however there is no adopted development plan policy requiring the retention of self-catering holiday accommodation.
- 5.21 However, notwithstanding the lack of policy conflict, the applicants are both old age pensioners and wish to retire from their holiday business. Demand for holiday lets has decreased in recent years and the lodges themselves are now elderly and dated. They need replacing and this would not be economically viable in the current market climate. The holiday units

will therefore soon reach their natural end, however even within their current state, the loss of the minor benefits associated with the holiday units is considered to be outweighed by the substantial benefits associated with housing delivery as outlined below.

- 5.22 The proposed development would not introduce new residential development within the 'countryside', but would replace the existing holiday let units with open market units. There would be no change to the planning use classification of the land which falls within the C3 'Dwellinghouse' Use Class of the Town and Country Planning Use Classes Order 1987 (as amended).
- 5.23 The proposed development would not result in a significant intensification of use of the land and the journeys associated with the open market residential use of the land will result in shorter journeys locally as opposed to longer journeys associated with travelling to and from the site and for day trips. It is considered there would be no material impact between the existing and proposed use of the land from a sustainability perspective, which is a key conclusion when considering the Spatial Strategy of the Local Plan and the overall planning balance. Furthermore, the social and economic benefits associated with the residential use of the land are considered to be greater than the holiday use of the land.

Principle of Development Conclusion

- 5.24 In summary, the **location, land use** and **amount of development** is considered to be acceptable in principle. The application site is within an established residential use and is not considered to be 'isolated' or an unsustainable location for future growth. The proposed development would form a natural extension of the existing cluster of properties at Chittoe Heath, and future occupiers would be well connected and have easy access to the range of services within Bromham and within higher tier settlements a short distance away via sustainable modes of transport.
- 5.25 The position of the site outside the defined Limits of Development of Bromham is acknowledged, however it is considered that there are no

other planning harms associated with the proposed development as previously demonstrated. However, a future Technical Details Stage application will demonstrate that a scheme can be designed to ensure no unacceptable harms to landscape character, visual amenity, the amenity of the occupiers of neighbouring properties, the historic environment, or highway safety. The ecology report produced for the previous full application is however submitted to demonstrate there are no ecological impacts that would prevent the principle of development being agreed at this stage. Furthermore, the weight to be given to the conflict with the Spatial Strategy of the Local Plan should be significantly reduced due to the status of the Local Plan and because the 'tilted balance' is now engaged as explained further below.

- 5.26 The NPPF seeks to ensure that "The planning system should be genuinely plan-led" (paragraph 15) and the desire of the Council not to deviate from its Settlement Strategy is recognised. However, due to the previously developed nature of the land, the sustainable location of the site and lack of site specific harms, and within the context of the presumption in favour of sustainable development, it is considered that planning permission should be granted when considering the overall planning and tilted balance.

6.0 HOUSING NEED & STATUS OF THE LOCAL PLAN

Housing Need & Land Supply

- 6.1 The NPPF states it is important that a sufficient amount and variety of land can come forward where it is needed to support **the Government's objective of significantly boosting the supply of homes**" (emphasis added) (paragraph 61). The level of need identified within the development plan should not be seen as an upper limit, and new development that is otherwise sustainable should not automatically be refused, in particular in the context of the most recent NPPF updates and the Council's housing land supply position.
- 6.2 The Council's most up to date Housing Land Supply Statement (Base date April 2025 / Published June 2026) details that it has 2.8 years of deliverable housing land supply. A copy of the document can be seen in Appendix D. The intention of the WLP was to identify future levels of need for new homes and employment land over the period 2020-2038, however, the evidence that underpins the draft WLP was prepared in accordance with the now superseded December 2023 version of the NPPF, and critically it has been found to be unsound and will not proceed beyond the Examination process.
- 6.3 The Council will not therefore be able to demonstrate a five year Housing Land Supply position for years to come and therefore its previous Briefing Note (No.24-20 – December 2024) (available to view in Appendix E), which set out the implications of the new NPPF and revisions to the standard methodology on its housing land supply position, comes into greater focus and carries even greater weight when considering applications for residential development. It explains that due to the change to the standard methodology, which is used to calculate local housing need, the number of homes the Council must plan for on an annual basis has increased from 1,917 to 3,525 (the annual Local Housing Need figure), an increase of 84%.

- 6.4 The Council therefore confirms that the tilted balance should be applied to housing applications and highlights that **“the magnitude of the shortfall in supply is now substantial and the weight to be given to improving housing supply greater compared to when the council had a more marginal supply”** (emphasis added). The Council also advises within the Briefing Note that the application of the presumption in favour of sustainable development should be considered within the national aim of radically boosting the supply of housing.
- 6.5 The Director of Planning clearly advises within the Briefing Note that **“the council will need to continue to approve planning applications to ensure a sufficient housing land supply can continue to be met at, and beyond, this date”** (emphasis added).

Status of the Local Plan

- 6.6 The Spatial Strategy of the WCS is now out of date and the Council has a significant housing land supply shortfall as noted above. The Council's Housing Land Supply position and the weight to be attributed to the Spatial Strategy of the WCS was under focus at an appeal for a residential development scheme on Land at Glenmore Farm, The Ham/Hawkeridge Road, Westbury (reference 3345598) early last year. The Council did not defend the appeal due to its Housing Land Supply Position, and the Inspector stated the following within the decision notice dated 21 January 2025 (the appeal decision can be seen in full at Appendix C):-

*“41. Aside from the emerging Local Plan, which has only just been submitted for Examination, there is no other obvious remedy to the shortfall in the short or medium term. This overall position indicates that **the development plan is failing to meet its strategic challenges**. Thus, its settlement strategy and limits of development are not working effectively. These policies are therefore of limited weight, as is the conflict with them.”* (emphasis added)

- 6.7 The weight to be attributed to the Local Plan has further diminished following the withdrawal of the draft WLP from the examination process. A recent appeal (3374421) for a residential scheme in Melksham highlighted the perilous position the Council finds itself in and the extreme need to

support and deliver new housing schemes. A full copy of the appeal decision (dated 09 April 2026) can be seen in Appendix F but the Inspector noted the following about the housing need position:

*“12 ... the minimum housing target expressed in the CS of 42,000 homes over the plan period was not met, with a shortfall of around 1000 homes. Exacerbating this is the Council’s five-year housing land supply shortfall of over 9,500 dwellings and a separate affordable housing need of over 1,200. **It is inevitable and accepted by the Council, that permission for housing will need to be granted on unallocated greenfield sites even though that will conflict with CS Policies CP2 and CP15.** (emphasis added)*

- 6.8 The Inspector went on to outline the implications of the withdrawal of the draft Wiltshire Local Plan from Examination:

14. The implication of this is that there will not be a strategic plan in place to lead development in Wiltshire for the foreseeable future. Importantly there will be no plan led mechanism to rectify the housing land supply shortfall, thus making it ever more pressing that housing continues to come forward in a timely manner in sustainable locations such as Melksham. The appeal site is well related to the existing built-up area and would form a logical extension to this part of the town.

- 6.9 It was also significant that the appeal site was within an area with an up-to-date Neighbourhood Plan yet the Inspector still allowed the appeal due to the Council’s chronic housing land supply shortfall:

43. Regardless of the parties’ contrary positions on the application of Framework paragraph 69, in the parlance of Framework paragraph 14 ‘likely’ does not and cannot mean ‘absolute’. It does not place a firm bar against development going ahead even if counter to a Neighbourhood Plan that meets the tests in Framework paragraph 14. I acknowledge that the JMNP2 has relatively recently been made and reflects the wishes of those who supported it at referendum. I also note that development has been coming forward in Melksham, but the Council’s housing land supply shortfall is acute and county-wide. Action to address that needs to be taken now through the provision of housing on suitable sites.

- 6.10 In light of the above, due to the age of the WCS and the substantial shortfall in housing land supply, it is considered that limited weight should be attributed to any conflict with the Spatial Strategy of the WCS, which as noted above is not working effectively and is failing to deliver housing in a

strategic plan-led way. This conclusion is important and is considered further below within the Planning Balance section.

The Neighbourhood Plan

6.11 The Designation of Bromham Neighbourhood Area was approved by the Council in November 2018. A draft Plan has yet to be published but there has been some initial informal community consultation on the shortlist of potential site options, for both housing and commercial development. The Site Assessment Report (September 2024) considers 28 sites and concludes:-

- *14 sites are considered to be potentially suitable, available, and achievable for housing allocation either in full or in part, and subject to the resolution or mitigation of identified constraints*
- *14 sites are currently unsuitable for housing allocation in the Neighbourhood Plan. This is based on significant accessibility/connectivity issues with the village or hamlets, being contrary to Wiltshire Councils spatial strategy, landscape sensitivities, access constraints and amenity considerations.*

6.12 The application site is one of the final sites being taken forward to the next stage and it can be demonstrated that the site is suitable, available, and achievable. It is understood that the Plan seeks to develop housing both in Bromham and its five hamlets. The site scored highly in the first community consultation exercise and is the only site in the Plan for the hamlet of Chittoe. It is understood the Plan is currently at Environmental Impact Assessment (EIA) and Habitats Regulations Assessment (HRA) screening stage where Wiltshire Council will determine if the plan will have significant environmental effects or impact European or designated habitats. The next stage in the process will then be a formal consultation exercise on the draft Plan (Regulation 14 Consultation).

6.13 It is recognised that the site is being brought forward prior to the publication of a draft Neighbourhood Plan, however the proposed development is considered to be acceptable on its own merits as outlined within this statement and will not prejudice the plan making process. The minutes from the Bromham Neighbourhood Plan Meeting on the 27 February 2025

recognises that “The government are encouraging Neighbourhood planning bodies to not only meet their housing requirements but, where possible, to exceed it”.

- 6.14 The policies within the NPPF are also a key material planning consideration when considering the timing of this application. Paragraphs 49 – 51 advise that the “Refusal of planning permission on grounds of prematurity will seldom be justified where a draft plan has yet to be submitted for examination; or – in the case of a neighbourhood plan – before the end of the local planning authority publicity period on the draft plan”.
- 6.15 It is considered that brining the site forward at this stage on its own merits will complement the development of the Neighbourhood Plan which will now need to review and increase its housing need target in light with the aforementioned national planning policy updates. It is also material to note that the Inspector stated within the Melksham appeal noted above that even if there was a ‘made’ neighbourhood plan in place the Council should continue to approve housing proposals on suitable greenfield sites to help meet its significant housing shortfall. This site will however see the redevelopment of a brownfield site which is already within a residential use.

7.0 PLANNING BALANCE

The Presumption in Favour of Sustainable Development

7.1 The NPPF specifies that “So that sustainable development is pursued in a positive way, at the heart of the Framework is a **presumption in favour of sustainable development** (paragraph 11)” (Paragraph 10). The relevant extract from Paragraph 11 is included below for clarity:-

For **decision-taking** this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁸, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance⁷ provides a strong reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination⁹.

7.2 The policies which are the most important for determining the current planning application (Core Policies 1, 2 and 12) are out of date due to the age and status of the WCS. Furthermore, the Council is unable to demonstrate a 5 Year Housing Land Supply as noted above. As a result, the presumption in favour of sustainable development as set out at Paragraph 11d of the Framework is engaged, so permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

7.3 There are no policies within the NPPF, which aim to protect areas or assets of particular importance, that provide a strong reason for refusing the proposed development. The tilted balance is therefore engaged and is considered below.

The Tilted Balance

- 7.4 It is considered that there would be no adverse impacts associated with the approval of the PiP application that would significantly and demonstrably outweigh the benefits. In terms of the benefits, the proposed development would result in the provision of a six new dwellings that would contribute towards the substantial deficit in the Council's five-year housing land supply, which is a significant benefit that should be given substantial weight. The delivery of a self-build dwelling to meet an identified local need should also be given substantial weight in the planning balance. The Delegated Report for the planning application, reference PL/2025/05953, further west along Chittoe Heath Road noted the following about self-build:

"In the context of Wiltshire's significant housing shortfall, the delivery of even a single self build dwelling represents a meaningful public benefit, attracting significant positive weight in the planning balance. This benefit carries more weight than a typical single open market dwelling because the self build sector is specifically under served and the NPPF requires councils to make sufficient provision for it".

- 7.5 The NPPF recognises that "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." (paragraph 73). The proposal is deliverable within a short timeframe which will ensure it contributes to the substantial shortfall in the Council's housing land supply.
- 7.6 The development would also produce short term benefits to the construction industry and the development would also generate ongoing revenue for the Council from Council Tax etc.. There will also be further modest benefits that would result from the additional support to the vitality of the local community from the future occupiers of the development. These benefits should also be given moderate weight in favour of the proposed development. The development would also deliver ecological benefits associated with the requirement to deliver 10% Biodiversity Net Gain that will be considered during the Technical Details Stage.

- 7.7 In terms of the harms, it is recognised the proposed development does not strictly align with the Spatial Strategy of the WCS due to the location of the site, however only limited weight should be attributed to this factor within the overall planning balance because Core Policies 1, 2 and 12 are now out of date and are not working effectively, as concluded by the Planning Inspectorate. It is also important to recognise that the site is next to a settlement with good access to local facilities and is an accessible location benefiting from good bus services to wider services and facilities in surrounding higher tier settlements. The site is well contained and development would not result in any site specific harms, or to the wider environment that cannot be adequately mitigated.
- 7.8 The proposed development would contribute towards the Government's aim of significantly boosting the supply of homes in a sustainable location and it is considered that when considering the overall tilted balance, which includes regard to the key policies for directing development to sustainable locations, making effective use of land, and securing well-designed places, there would be no adverse impacts that stem from the development that would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. The **moderate to substantial benefits** that weight in favor of the proposed development clearly outweigh the **limited harm** associated with the lack of a plan-led approach.
- 7.9 The contribution made by the approval of minor developments and single dwellings throughout the Wiltshire Council area towards addressing housing need should not be underestimated and now has greater importance considering the Council's substantial housing land supply deficit and the Government's objective to radically boost the supply of housing, as identified by the Council within the aforementioned Briefing Note
- 7.10 The proposed development would contribute towards the Government's aim of significantly boosting the supply of homes in a sustainable location and it is considered that when considering the overall tilted balance, there

would be no adverse impacts that stem from the development that would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Wiltshire Council 'Tilted Balance' Example

- 7.11 Whilst it is recognised that all cases should be considered on their own merits there are a number of very recent decisions on applications where the Council's current housing land supply shortfall has been considered and the tilted balance applied. Permission in Principle, reference PL/2024/08878, for a single dwelling on land at No 1, Lamberts Marsh, Southwick, was granted following an earlier refusal due to the location of the site outside the defined Limits of Development for the Large Village. The Case Officer noted that "in the absence of adverse impacts that would significantly and demonstrably outweigh the benefits, when assessed against the NPPF as a whole, officers in acting reasonably and mindful of the difficulties a refusal of this PIP would present, the application is recommended for approval".
- 7.12 A more recent example is Permission in Principle, reference PL/2025/00407, for a single dwelling on Land at School Lane, Lea, Malmesbury, SN16 9PQ granted on the 10 April 2025, which was again granted following an earlier refusal. The Case Officer noted that considering the reduced weight that must be given to the harm arising from the technical breach in planning policy, "it is not considered in this case that the adverse impacts of permitting the development proposed would significantly and demonstrably outweigh the benefits. Following the process required in the tilted balance, therefore, it is recommended that the principle of development of a single dwelling at this site should not be resisted."
- 7.13 There are also many recent decisions by the Planning Inspectorate which are material to the consideration of this current application. The Planning Inspectorate granted Permission in Principle (application reference PL/2025/00988) for up to eight dwellings on Land at Kington Langley

Garage, Malmesbury Road, Kington Langley, Chippenham SN15 5PY on the 31 October 2025. The site was to the west of the A350 as shown on the map below, however the Inspector concluded that while the site was “not optimally located” there were material planning considerations which indicted permission should be granted. A copy of the Decision Notice and applications drawings can be seen in Appendix G but the main conclusion is reproduced here:

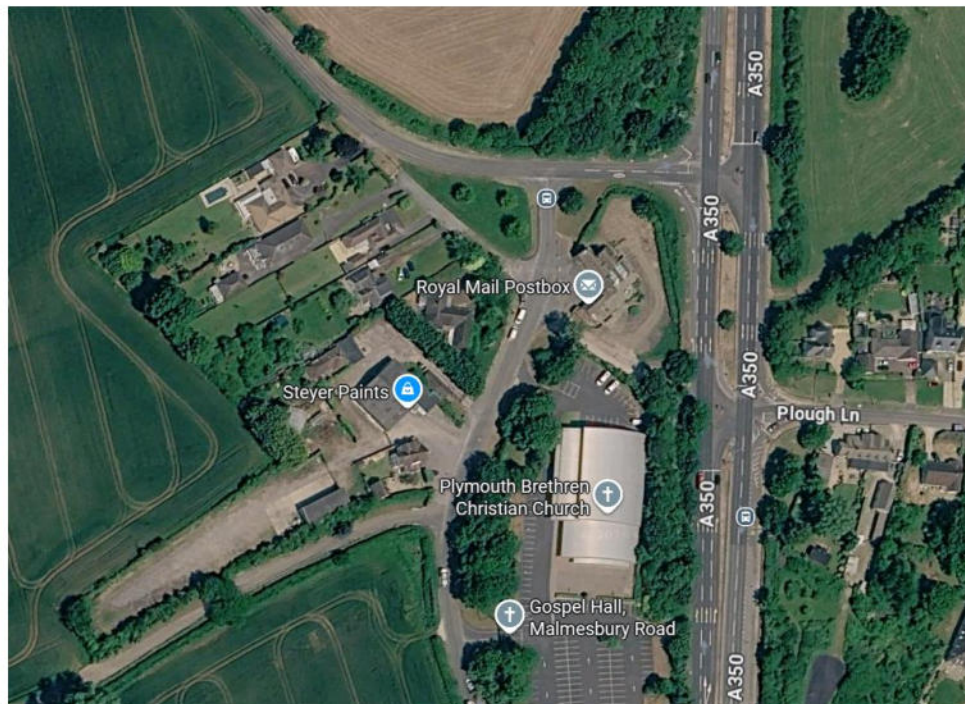
Planning Balance

18. *The Council sets out it has a housing land supply position of 2.42 years. Therefore, **there is a significant shortfall against the requirement to demonstrate a five-year supply of deliverable housing land**, as set out at paragraph 78 of the Framework.*
19. *In this circumstance, paragraph 11(d) (ii) of the Framework is engaged. This indicates that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.*
20. *Despite the presence of nearby bus routes, the proposed development would not be optimally located to reduce the need to travel and encourage the adoption of sustainable transport options. However, paragraph 110 of the Framework acknowledges that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, therefore I attach moderate harm to the proposal’s conflict with Policies CP1, CP2, CP10, CP60 and CP61 of the WCS.*
21. *In terms of benefits, paragraph 73 of the Framework recognises that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and paragraph 89 of the Framework also gives substantial weight to the value of using previously developed land where suitable opportunities exist.*
22. *The proposal would provide up to 8 additional dwellings, thus making a modest but important contribution towards the area’s housing requirement. Considering the magnitude of shortfall in the area’s housing supply, the provision of 8 dwellings would make a valuable contribution, to which I assign substantial weight. I also afford modest favourable weight to the scheme’s economic and environmental benefits along with a larger quantum of favourable weight to the utilisation of a brownfield site.*
23. *Consequently, the adverse impacts of the proposal associated with its location outside the development boundary and conflict*

with policies of the WCS, would not significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. Therefore, the presumption in favour of sustainable development applies which is a material consideration that weighs heavily in favour of allowing the appeal.



Site of Permission in Principle Application PL/2025/00988



Aerial View of Site of Permission in Principle Application PL/2025/00988

- 7.14 There are many similarities between the Kington Langley Garage PiP scheme and the current PiP proposal. They both make use of previously developed land on the edge of a cluster of residential properties next to a primary 'A' class road providing good bus services to higher tier settlements. Both proposals make an important contribution towards the area's housing requirement which is afforded substantial positive weight. As such, while the Kington Langley Garage site was "not optimally located" it was found to be a sustainable development within the context of the Government's presumption in favour of sustainable development.
- 7.15 These examples demonstrate that any conflict with the Spatial Strategy of the Local Plan is given limited weight within the overall planning/tilted balance, which certainly does not demonstrably outweigh the benefits of housing delivery, especially when considering the current national planning policy position which seeks to boost the supply of housing and the local shortfall in housing delivery to meet the minimum need. These examples and the precedent set weight heavily in favour of granting PiP for the current application.

8.0 CONCLUSION

- 8.1 The application seeks Permission in Principle (PiP) for the redevelopment of previously developed land through the demolition of holiday accommodation buildings and a stable building and the construction of six detached dwellings on land at Wayside, 12 Chittoe Heath, Bromham, Wiltshire, SN15 2EH.
- 8.2 The current PiP planning application follows previous outline and full planning applications on the site where the principal area of concern was the alignment of the proposal with the Spatial Strategy of the adopted Wiltshire Core Strategy. The Local Plan is now however out of date and is failing to meet its strategic challenges because its settlement strategy and limits of development are not working effectively, and therefore its residential development policies are of limited weight, as is the conflict with them, as stated by the Planning Inspectorate. As such, this application demonstrates that the proposed **location, land use and amount of development** is acceptable in principle within the context of the Government's 'presumption in favour of sustainable development'.
- 8.3 The site lies within the built-up area of the Chittoe Heath and is well connected to the Bromham on foot, bike, public transport, or private (electric) vehicle. The proposal would result in the provision of six dwellings, one of which will be a self-build, which can be delivered without unacceptable harm to landscape character, visual amenity, neighbour amenity, the historic environment or highway safety, which can be demonstrated at the Technical Details Stage.
- 8.4 The proposal would contribute towards the Government's objective of significantly boosting the supply of homes and would contribute towards the Council's own strategy to address its housing land supply shortfall. Substantial weight should be given to the provision of housing, bearing in mind too that even the stated annual target, which the Council is far from reaching, is not a ceiling. There are recognised economic and social benefits to support village life and services.

- 8.5 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The proposal benefits from the presumption of sustainable development (Paragraph 11.d.ii of the NPPF) as noted above and due to the Council's current 2.8 years housing land supply position. As such, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole.
- 8.6 The proposed development would make efficient use of previously developed land and deliver both social and economic benefits, and there would be no planning harms, apart from the speculative nature of the application thus not aligning with the plan-led approach as outlined within the Wiltshire Core Strategy. However, due to the age of the Local Plan and the Council's substantial housing land supply shortfall the weight to be given to the harm is limited. It is considered that significant weight should be placed on the moderate to substantial benefits of the proposed development and therefore any adverse impacts of granting permission would not significantly and demonstrably outweigh the benefits.
- 8.7 In light of the above, having considered the individual planning merits of the proposal, it is considered that the material considerations indicate that permission should be granted. It is therefore respectfully requested that permission in principle be granted.