

REPORT FOR NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	12/08/2026 - Northern Area Planning Committee
Application Number	PL/2025/02257
Site Address	Land to the North of Whychurch Farm and West of Crudwell Road, Malmesbury
Proposal	Outline planning application (with all matters reserved except access) for residential development, including the construction of up to 149 dwellings, new vehicular access with footways and cycleways, public open space, landscape and associated infrastructure.
Applicant	Gleeson Land
Town/Parish Council	Malmesbury Town Council
Electoral Division	Malmesbury - Cllr Gavin Grant
Type of Application	Outline Planning Permission: Some matters reserved
Case Officer	Oliver Phippen
Reason for the Application being reported to Planning Committee	The application is before the Planning Committee at the request of the Local Division Member for the following reasons: scale of development; visual impact upon the surrounding area; and environmental/highway impact.

1. RECOMMENDATION

That planning permission be GRANTED subject to conditions, and subject to delegation to the Head of Development Management for the completion of a Section 106 legal agreement covering the matters set out in this report.

2. EXECUTIVE SUMMARY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

This Outline Planning Permission application seeks approval for residential development comprising up to 149 dwellings, vehicular access with footways and cycleways, public open

space, landscaping and associated infrastructure. All matters are reserved except for means of access.

The application site lies outside the defined settlement of Malmesbury and is therefore contrary to Core Policies 1 and 2 of the Wiltshire Core Strategy. The Council are currently unable to demonstrate a 5 year housing land supply. The Council's current 2.8 year housing land supply is considered to be a substantial shortfall. As such, the 'tilted balance' under paragraph 11(d) of the NPPF is engaged.

It is considered that the proposed development would be sustainable located and future residents would be offered a genuine choice of transport modes, including walking, cycling and public transport. The Local Highways Authority are satisfied that safe vehicular access can be provided.

The application site sits to the north of the Grade II listed Whychurch Farmhouse and associated outbuilding, and long distance views are available from the site towards the Grade I listed Abbey Church of St Mary and St Aldhelm. Less than substantial harm has been identified to the heritage assets at Whychurch Farm and, to a lesser level, to the Abbey Church by way of a change within their setting. It is considered that this harm is outweighed by the extensive public benefits of the proposal.

The policies in the NPPF that protect areas or assets of particular importance do not provide a strong reason for refusing the development proposed. As such, in accordance with paragraph 11(d) of the NPPF, the proposed development must be granted planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

The adverse impacts of granting planning permission include:

- Conflict with Spatial Strategy (Moderate weight);
- Landscape and Loss of Open Countryside (Limited weight);
- Heritage Impact (Significant weight); and
- Loss of Agricultural Land (Limited weight).

The benefits of granting planning permission include:

- Provision of Market Housing (Significant weight);
- Provision of Affordable Housing (Substantial weight);
- Socio-Economic Benefits (Moderate weight);
- Biodiversity Net Gain (Limited weight);
- Green Infrastructure and Open space (Limited weight); and
- Sustainable Transport and Connectivity (Limited weight).

It is considered that the adverse impacts of granting planning permission **do not** significantly and demonstrably outweigh the benefits. As such, in accordance with paragraph 11(d) of the NPPF, Outline Planning Permission should be **granted** subject to conditions, and subject to delegation to the Head of Development Management to complete a S106 legal agreement based on the following Heads of Terms and details outlined in this report.

Planning Obligations

Heads of Terms	Contribution details/mix
Affordable Housing	40% on-site affordable housing provision. - Tenure mix: 60% affordable rent and 40% affordable home ownership; or alternative Affordable Housing Mix to be first agreed by the Housing Enabling team.
Education	£297,874 towards Early Years provision.
Highways and Access	£100,000 towards off-site local walking and cycling connections. £9,000 towards a pair of bus stops on Fraser Way.
Healthcare	£154,883 towards delivering additional primary care floorspace.
Public Art	£300 per dwelling towards public arts schemes.
Open Space	£41,124 towards off-site sport pitches and courts.
Waste and Recycling	£17,507 towards the provision of containers for waste and recycling.
BNG	BNG on-site 30 year monitoring fee.
Monitoring	2.5% of the total sum of contributions.

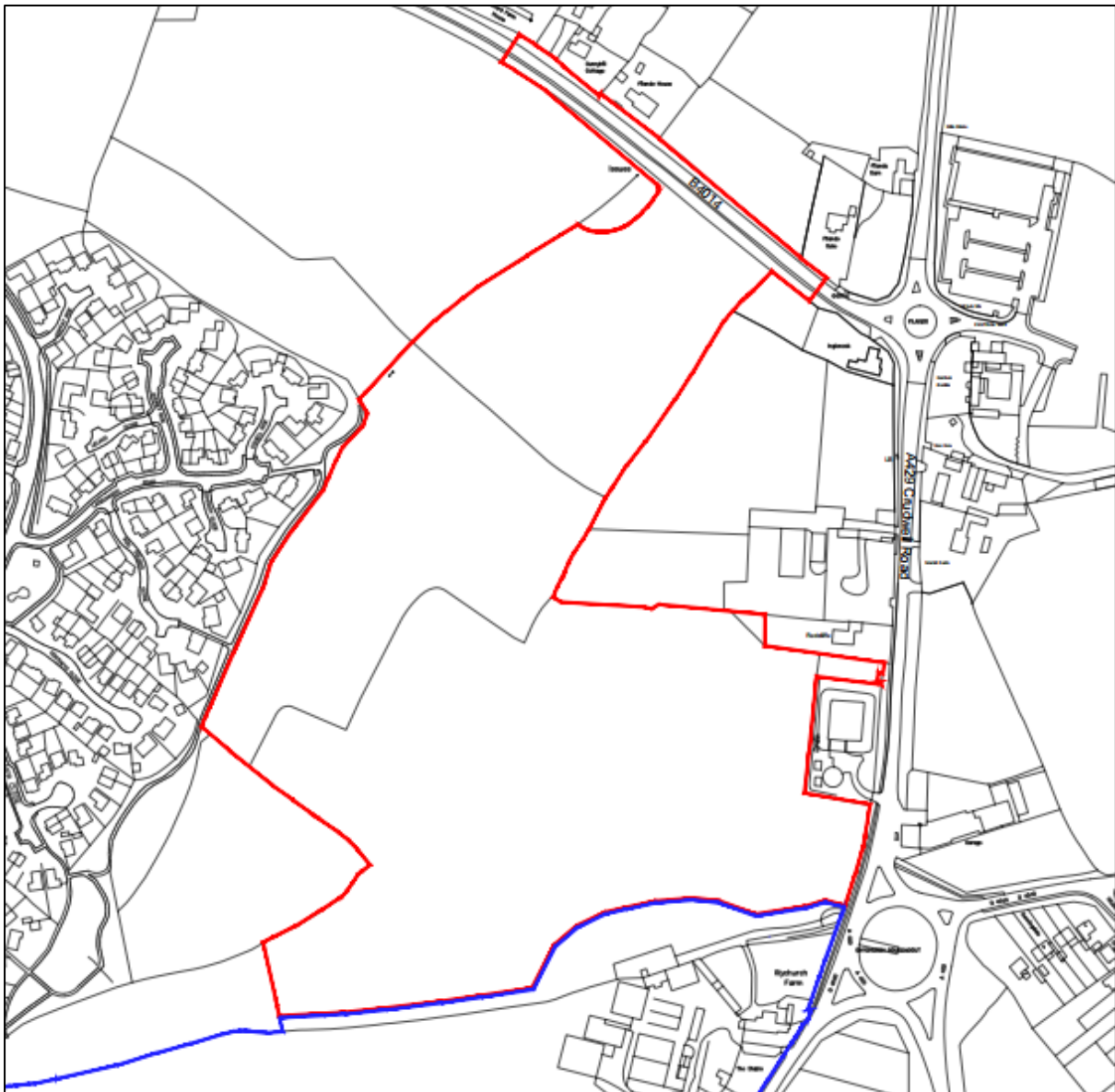
Conditions

1. Outline commencement time limit.
2. Approval of certain reserved matters.
3. Reserved Matters time limit.
4. Approved plans list.
5. Visibility splays as per approved plan.
6. Written program of archaeological investigation to be submitted.
7. Arboricultural Method Statement to be submitted.
8. Construction Method Statement to be submitted.
9. Construction Environmental Management Plan to be submitted.
10. Landscape and Ecology Management Plan to be submitted.
11. Habitat Management and Monitoring Plan to be submitted.
12. Surface Water Drainage Strategy to be submitted.
13. Details of the works for the disposal of sewerage to be submitted.
14. Details of the culverting of existing ordinary watercourses to be submitted.
15. Acoustic Design Scheme (for external traffic noise) to be submitted.
16. Standard land contamination condition.
17. Travel Plan to be submitted.
18. Details of the proposed site levels and finished floor slab levels to be submitted.
19. Compliance with approved Ecological Parameters Plan.
20. External Lighting Strategy to be submitted.
21. Sustainable Energy Strategy to be submitted.
22. Electric Vehicle Charging Strategy to be submitted.

3. PROPOSED DEVELOPMENT AND SURROUNDINGS

The application site covers approximately 12.5 hectares of existing agricultural land. The site lies to the north-east of Malmesbury, a Market Town in north Wiltshire. The site is bound by Filands (B4014) to the north, Crudwell Road (A429) to the east, and existing residential development to the west. Fraser Way cuts through the north-west corner of the site to provide access to the recently built out 'Avon Rise' development. Public footpath MALM7 runs east-west through the site, whilst footpaths MALM6 and MALM8 run adjacent to the south and west boundaries respectively.

The application site sits adjacent to, but not within, the defined Malmesbury settlement boundary. The site sits to the north of the Grade II listed Whychurch Farmhouse and associated outbuilding; approximately 400 metres north-east of the Malmesbury Conservation Area; and approximately 1.3 kilometres west of the Cotswolds National Landscape (AONB). The site is located within Flood Zone 1 and the DEFRA Predictive Agricultural Land Classification map shows the site as Grade 3b agricultural land.



The northern section of the site benefits from extant planning permission for the erection of 71 dwellings (ref. PL/2021/08453 (Outline Consent) and PL2023/08687 (Reserved Matters)).

Outline Planning Permission is sought for the erection of up to 149 dwellings and associated works, with all matters reserved except for means of access. This means that appearance, landscaping, layout, and scale would be determined as part of a future Reserved Matters application if permission was forthcoming.

Vehicular access is proposed via Fraser Way from Filands (B4014) to the north of the site. Pedestrian access is proposed via Fraser Way from Filands (B4014) to the north and Crudwell Road (A429) to the east. Pedestrian links would also be provided through to the existing residential areas and public footpath MALM8 to the west, and to public footpath MALM6 to the south. Public footpath MALM7 runs through the site east-west. The proposed development area extending to approximately 4.53 hectares with the remainder of the site being open space. Of the 149 dwellings proposed, it has been indicated that 40% (60 units) would be affordable housing.

The northern section of the site benefits from extant planning permission for the erection of 71 dwellings. This latest application partly overlaps the previous approved application site, creating one larger development incorporating the previously approved development area.

The applicant has proposed that the development be identified as two phases which could be delivered independently, though necessary sequence would apply where key infrastructure within Phase 3 area is relied upon.

4. RELEVANT PLANNING HISTORY

Application Site

Proposal / Summary
PL/2021/08453 - Outline Planning Consent - Allowed at Appeal (31/10/2022) Outline planning application (all matters reserved except means of access) for residential development, including the construction of dwellings, the creation of a new vehicular access with footways and cycle ways and ancillary road infrastructure, public open space, children's play area, allotments, landscape planting, surface water attenuation and associated infrastructure.
PL/2023/03934 - Non-Material Amendment - Approved (06/06/2023) Non Material Amendment to PL/2021/08453 - Variation of condition 4 - Vary the phase 3 condition 4 through a non-material amendment to the following: <i>"The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan - BMD.20.035.DR.001; Parameter Plan - BMD.20.035.DR.004; Site Access Plan - ITB16003-GA- 003F unless otherwise agreed by the local planning authority through the approval of reserved matters."</i>
PL/2023/08687 - Approval of Reserved Matters - Approved with Conditions (15/05/2026) Reserved matters pursuant to outline planning permission PL/2021/08453, for 71 dwellings, new vehicular access with footways and cycle ways and ancillary road infrastructure, public open space, children's play area, landscape planting, surface water attenuation, and

associated infrastructure (Matters relating to Appearance, Landscaping, Layout and Scale for determination).
--

Adjacent Site (shared access)

Proposal / Summary

PL/2023/00958 - Full Planning Permission - Approved with Conditions (14/12/2023) Erection of 132 dwellings, public open space and associated infrastructure, with 0.3ha of land safeguarded for a nursery.

5. RELEVANT PLANNING POLICY AND GUIDANCE

National Planning Policy

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- National Design Guide

Development Plan

For the purposes of housing development, the development plan for Wiltshire comprises the *Wiltshire Core Strategy (WCS)* (adopted January 2015), any made neighbourhood plans, together with the Wiltshire Housing Site Allocations Plan, the Chippenham Site Allocations Plan. These remain the principal statutory planning document guiding development across the county.

In line with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise. Though the development plan is considered as a whole, those parts deemed to be particularly relevant to this application are listed below:

The adopted **Wiltshire Core Strategy (WCS)**, with particular regard to:

- Core Policy 1 Settlement Strategy
- Core Policy 2 Delivery Strategy
- Core Policy 3 Infrastructure Requirements
- Core Policy 13 Spatial Strategy for the Malmesbury Community Area
- Core Policy 41 Sustainable Construction and Low-Carbon Energy
- Core Policy 43 Providing Affordable Homes
- Core Policy 45 Meeting Wiltshire's Housing Needs
- Core Policy 50 Biodiversity and Geodiversity
- Core Policy 51 Landscape
- Core Policy 52 Green Infrastructure
- Core Policy 55 Air Quality
- Core Policy 56 Contaminated Land
- Core Policy 57 Ensuring High Quality Design and Place Shaping
- Core Policy 58 Ensuring the Conservation of the Historic Environment
- Core Policy 60 Sustainable Transport
- Core Policy 61 Transport & Development

- Core Policy 62 Development Impacts on the Transport Network
- Core Policy 64 Demand Management
- Core Policy 67 Flood Risk
- Core Policy 68 Water Resources

New Wiltshire Local Plan

At Full Council on 19 May 2026, the elected members of Wiltshire Council agreed to withdraw the emerging Wiltshire Local Plan. The said Plan has no material weight for the purposes of the application.

In accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2026, on 30th June 2026 Wiltshire Council published a notice of intention to prepare a new local plan for Wiltshire. The next stage is a Scoping Consultation which commences on 2nd September 2026. This plan is at a very early stage and carries no weight for decision making.

The adopted **Malmesbury Neighbourhood Plan (MNP)**, with particular regard to:

- Policy 4 Housing Need
- Policy 5 Housing Need
- Policy 13 Malmesbury's Setting, Architecture and Townscape

Supplementary Planning Documents and Guidance

- Wiltshire Design Guide (adopted April 2024)
- Wiltshire Local Transport Plan 2011-2026, adopted 2015 - including the Car Parking Strategy and Cycling Strategy, adopted 2015
- Wiltshire Council's Waste Core Strategy, adopted July 2009
- Wiltshire Council's Waste Storage and Collection: Guidance for Developers Supplementary Planning Document, January 2017
- Art and Design in the Public Realm in Wiltshire – 2024 Guidance – adopted May 2024
- A Green & Blue Infrastructure Strategy for Wiltshire: Wiltshire's Natural Environment Plan 2022-2030
- Wiltshire Local Cycling and Walking Infrastructure Plan (LCWIP)
 - Active travel infrastructure design standards 2022
 - Active travel parking standards and design guide 2022
- LTN1/20 – Cycle Infrastructure Design (July 2020)
- Air Quality SPD (July 2023)
- Wiltshire Housing Site Allocations Plan, adopted 25 February 2020
- Open Space provision in New Housing Developments – A Guide (Supplementary Planning Guidance) and Wiltshire Council's Playing Pitch Strategy February 2017
- Malmesbury Conservation Area Appraisal

6. SUMMARY OF CONSULTATION RESPONSES

Consultation response received are summarised below with full responses being available online.

Malmesbury Town Council

Objection - For the following reasons: outside of the Malmesbury Neighbourhood Plan; in excess of NPPF numbers for Malmesbury; detrimental effect on traffic and congestion; lack of footpath provision will contribute to reliance on car transport; detrimental effect on education and medical services; loss of green space; detrimental effect on biodiversity and hedgerows; and little provision for social and economic space. (Comment received 03/04/25 and updated 16/03/26).

St Paul Malmesbury Without Parish Council

Objection - For the following reasons: outside the town's settlement boundary; not promoted in the Malmesbury Neighbourhood Plan; the local community area has already delivered significant housing; deleterious impact on education and medical services; increased traffic congestion; and loss of open space. (Comment received 07/04/25 and updated 28/04/26).

Cllr Gavin Grant

Objection - The site is not one designated in the made Malmesbury Neighbourhood Plan. Malmesbury has already reached and is set to exceed the level of housing provision as set out in the Council's Draft Local Plan to 2036.

The proposed development has a single access road shared with a separate development by Bloor Homes of approximately 140 houses and the already agreed development by Gleeson Homes. The Bloor site is also the location for the new preschool/nursery. This access road joins Filands. Filands is already a very busy road as it is the main commuter route to the Dyson HQ. It is not unusual from Filands to back up with traffic now to a point well beyond the already open single access road. The traffic generated by this substantial additional development will bring traffic gridlock to this area.

Finally, this open space offers important views of Malmesbury Abbey. This vista will be lost as a result of this unwanted and unnecessary development. (Comment received 09/04/25).

Objection - The site is not in the made Malmesbury Neighbourhood Plan. The huge expansion in the provision fundamentally alters this area of open space. The site plan shares a single access point with another major development that will house a new nursery school. The road concerned is already very busy as it provides access to the Dyson HQ and in the main link between Malmesbury and Tetbury. (Comment received 13/10/25).

WC Arboricultural Officer

There are a number of 'A' category Oak trees which must be retained as part of the proposed development. The indicative design places these trees in or adjacent to public open space which is welcomed. Only two hedgerows would be partly removed to facilitate the proposals, and five 'U' category trees would be removed due to their poor condition. A detailed Arboricultural Method Statement and Tree Protection Plan should form part of any Reserved Matters application. (Comment received 14/05/25 and updated 10/03/26).

WC Archaeology

No objection subject to the inclusion of a condition to secure the submission of a written programme of archaeological investigation and carrying out of the approved program of archaeological work. (Comment received 01/04/25 and updated 04/03/26).

WC Conservation

Objection - The proposed development would result in less than substantial harm to the heritage assets at Whychurch Farm and, to a lesser level, to the Abbey Church by way of a change within their setting. (Comment received 24/04/25 and updated 26/03/26).

Dorset & Wiltshire Fire and Rescue Service

Development should be designed and built to meet current Building Regulations requirements. Consideration should be given to ensure access to the site and the necessary water supply for the purpose of firefighting. (Comment received 12/05/2025).

WC Drainage

No objection subject to the inclusion of a condition to secure the submission of a final surface water drainage strategy. (Comment received 31/03/25 and updated 15/08/25).

WC Ecology

Objection - The submitted Ecological Impact Assessment states that additional survey effort is to be completed. The results of these surveys are required to be submitted prior to determination. (Comment received 07/05/25).

An Ecological Impact Assessment Addendum was submitted in support of the application on 07/07/25.

Objection - The submitted Ecological Constraints and Opportunities Plan must be amended to include wildlife corridors and buffers surrounding protected and retained habitats. The suggested ecological enhancements must be shown on site drawings/plans. (Comment received 13/08/25).

An updated Biodiversity Net Gain Assessment and Ecological Constraints Plan were submitted in support of the application on 20/02/26.

No objection subject to the inclusion of conditions to secure: compliance with the submitted documents; control of external lighting; and the submission of a Construction Environmental Management Plan (CEMP), Landscape and Ecological Management Plan (LEMP), Habitat Management and Monitoring Plan (HMMP) and Ecological Parameter Plan (EEP).

S106 agreement required to secure a Biodiversity Net Gain on-site 30-year monitoring fee that must be paid prior to commencement of development. (Comment received 19/03/26).

WC Education

S106 agreement required to secure £17,522 per place (£297,874 based on 17 places for the 131 qualifying properties) towards the development of Early Years provision in the area. There is sufficient capacity (including additional places already secured by S106) at Malmesbury CE Primary School, St Joseph's RC Primary School; and Malmesbury Secondary School to

accommodate the pupils arising from this development. (Comment received 08/04/25 and updated 02/10/25 and 03/03/26).

WC Highways

No objection subject to the inclusion of conditions to secure: visibility splays; the submission of a Construction Method Statement; detailed assessment of culverting the existing ordinary watercourses; detailed technical design; and the submission of a Travel Plan.

Bus stops should be provided on the B4014 and on the A429 north of the Whychurch Roundabout. These should be secured by condition and/or S106 agreement. (Comment received 15/04/25 and updated 24/03/26).

WC Housing Enabling

S106 agreement required to secure 40% Affordable Housing provision. The tenure mix should reflect local need and should therefore be provided with a tenure mix of 60% of the units being for affordable rented housing and 40% of the units being provided for affordable home ownership that could comprise of shared ownership and first homes. (Comment received 10/04/25 and updated 04/03/26).

WC Landscape

No objection subject to the inclusion of conditions to secure: details of all tree protection measures; a detailed hard and soft landscaping scheme; a Landscape Management Plan; and details of long-term maintenance and management provision. (Comment received 29/10/25 and updated 04/11/25 and 09/04/26).

NHS - Bath and North East Somerset, Swindon and Wiltshire Integrated Care Board

S106 agreement required to secure £154,883 towards the capital cost of delivering additional primary care floorspace. (Comment received 09/04/25).

NHS - Royal United Hospitals Bath NHS Foundation Trust

S106 agreement required to secure £25,704 towards the gap in the funding created by each potential patient. (Comment received 21/03/25).

Natural England

No objection. (Comment received 26/03/25).

WC Public Art

S106 agreement required to secure £300 per dwelling (£44,700 based on 149 dwellings) towards Wiltshire Council's Arts Service to devise and manage a public arts scheme. (Comment received 19/05/25 and updated 19/03/26).

WC Public Open Space

The submitted plans show a large amount on open space along with the LEAP and LAP provision on site however the proposed number of square metres is not specified. Using the dwelling mix provided for 149 dwellings, the requirement would be 8,730 square metres of open space and 852 square metres of play equipment. If this provision is not provided fully on-site, then a S106 agreement would be required to secure off-site financial contribution.

S106 agreement required as 149 dwellings would generate a requirement for 4,112 square metres of sports pitches and courts which would equate to an off-site contribution of £41,124. (Comment received 14/08/25 and updated 19/03/26).

WC Public Protection

A Noise Impact Assessment is required to be submitted prior to determination. Once provided, a range of conditions will be required. (Comment received 27/05/25).

A Noise Assessment was submitted in support of the application on 20/02/26.

No objection subject to the inclusion of conditions to secure the submission of an Acoustic Design statement, contaminated land details, and Construction Environmental Management Plan (CEMP). (Comment received 22/05/26).

WC Rights of Way

S106 agreement required to secure contribution towards surface improvements on MALM7 from the site to the tarmac path behind 28 Bonners Close. Improvements to MALM7 are welcomed as is the link to MALM6. There is an opportunity to enhance the northern spur of MALM7. (Comment received 03/04/25).

WC Urban Design Officer

Observations and comments on the submitted Illustrative Masterplan. Further consideration would be needed at Reserved Matters stage if permission was forthcoming. (Comment received 09/07/25 and updated 18/05/26).

WC Waste (Refuse and Management)

No objection subject to the inclusion of conditions to secure details of vehicle tracking, bin storage points, and bin collection points. S106 agreement required to secure contribution towards the provision of waste and recycling containers for each residential unit. (Comment received 25/04/25 and updated 22/05/26).

Wessex Water

No comment received.

7. SUMMARY OF REPRESENTATIONS

In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), the application was publicised by way of:

- Neighbour notification letters sent to adjoining and nearby properties;
- A site notice displayed near the site; and
- An advertisement placed in the local press.

These methods were used to inform interested parties and provide a period of 21 days for comments to be submitted.

Below is a summary of the representations received during the consultation period. Only material planning considerations have been taken into account in the assessment of this application. Non-material issues, such as property values or private legal disputes, cannot be considered in the determination process.

Members of the Public

116 comments have been received from members of the public. The overwhelming majority of these are objections but a small number are neutral or supportive. The main themes from these **objection** and **neutral** comments are listed below:

Principle of Development

- Malmesbury has already accommodated substantial recent housing growth and has met or exceeded anticipated housing requirements.
- The proposal is not plan led and is inconsistent with the neighbourhood plan.
- Cumulative impact of multiple housing developments around Malmesbury.
- Urbanisation and loss of agricultural land.

Design, Visual Amenity and Landscape Impact

- Loss of open countryside and green space.
- Impact on rural setting and distinctive character and identity of Malmesbury.
- Visual impact of additional housing on approach to town.
- Impact on public views and recreational enjoyment of landscape.
- Scale and density of development.
- Cumulative scale of development.

Impact on Heritage Assets

- Impact on historic character and setting of Malmesbury.
- Effect on views towards Malmesbury Abbey.

Residential Amenity

- Adverse impact on quiet character of adjacent residential areas.
- Increased noise and disturbance from traffic, construction activity and general residential use.

Sustainability

- Would create car dependent development.
- Limited access to public transport.
- Future residents would need to travel elsewhere for employment, education and services.

Public Rights of Way

- Footpath MALM7 has been incorrectly identified.
- Lack of pedestrian links to existing network.

Highway Safety

- Increased traffic generation on Filands Road and wider network.
- Single vehicle access point would be insufficient and unsafe.

- Increased congestion during peak times.
- Road safety for pedestrians and cyclists.
- Local roads already subject to speeding and are in a poor condition.
- Insufficient walking and cycling connections.
- Increased reliance on private motor vehicle.
- Increased parking pressure in town centre.

Ecology and Biodiversity

- Loss of greenfield land and wildlife habitat.
- Impact on birds, bats, amphibians and other wildlife and protected species.
- Impact on ecological corridors and habitat connectivity.
- Impact on existing trees and hedgerows.

Flood Risk and Drainage

- Development of greenfield land would increase surface water runoff.
- Existing flooding issues within parts of Malmesbury would be exacerbated.
- Concerns regarding proposed drainage and attenuation arrangements.
- Concerns regarding foul sewer capacity and wastewater disposal.

Infrastructure

- Lack of on-site community, sports and youth facilities.
- Existing infrastructure is already operating under significant pressure.
- Pressure on existing healthcare services already at capacity.
- Lack of capacity in local primary and secondary schools.
- Concerns regarding nursery and childcare provision.
- Concerns relating to water supply, sewage treatment and electricity capacity.

Housing Mix

- Proposal does not adequately provide for local housing need, including affordable housing.

The main themes from the **support** comment are listed below:

- Identified need for additional housing. Future generations require greater access to housing opportunities.
- Proposal would retain key ecological features.
- Proposal would be unlikely to increase surface water runoff.

North Wiltshire Swifts

The proposed integration of swift boxes should be encouraged. The density of boxes proposed, 1 box per dwelling, is endorsed. Swift boxes should be secured by condition (Comment received 12/03/25).

8. PLANNING CONSIDERATIONS

In accordance with Section 70 (2) of the Town and Country Planning Act 1990, Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:

"If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise."

In accordance with this statutory requirement, this application has been assessed against the relevant policies of the Development Plan, including the Wiltshire Core Strategy (2015) and, where applicable, any relevant made, or emerging, Neighbourhood Plans. Consideration has also been given to the policies of the National Planning Policy Framework (NPPF) as a material consideration in the assessment.

Key issues

- The main issues that need to be addressed in this case include:
- Whether the proposal constitutes EIA development.
- Whether the development is acceptable in principle.
- Whether the scheme would have an acceptable visual amenity and landscape impact.
- Whether the scheme would preserve or enhance the historic environment.
- Whether the scheme would have an acceptable impact upon the residential amenity of adjoining occupants.
- Whether the proposed development would be sustainable.
- Whether the proposal would have a negative effect upon highway safety.
- Whether the site can be adequately drained without increasing flood risk elsewhere.
- Whether there would be any harmful impacts upon protected species or priority habitats.
- Whether there would be any land contamination or air quality issues.
- Whether the proposal results in the loss of best and most versatile agricultural land.
- What planning obligations would be required to make the development acceptable in planning terms.

9. ASSESSMENT

9.1 Environmental Impact Assessment (EIA) Screening

In accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended), the Local Planning Authority has considered whether the proposed development constitutes EIA development.

A formal screening opinion was issued by the Local Planning Authority prior to the submission of the application (ref. PL/2024/09796). The screening opinion concluded that the proposal does not constitute EIA development, as it does not exceed the relevant thresholds or criteria set out in Schedule 1 or Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations. It was further concluded that the development is not likely to give rise to significant effects on the environment, having regard to factors such as its nature, scale and location.

Having undertaken screening in accordance with the EIA Regulations, the Local Planning Authority is satisfied that the proposal does not constitute EIA development, as it is not likely to give rise to significant environmental effects by virtue of its nature, scale or location.

9.2 Principle of Development

Core Policy 1: Settlement Strategy of the Wiltshire Core Strategy establishes a hierarchy of settlements to guide where development should be focused. The policy prioritises growth in:

- Principal Settlements (e.g., Salisbury, Chippenham, Trowbridge) - main focus for strategic growth.
- Market Towns - support local services and employment; suitable for sustainable development.
- Local Service Centres - smaller towns and villages with a range of services; limited development supported.
- Large and Small Villages - development should be limited and respond to local needs.
- Outside the defined settlements - development is strictly controlled and generally not supported unless exceptional circumstances apply.

Core Policy 2: Delivery Strategy of the Wiltshire Core Strategy sets out how development will be distributed and delivered across Wiltshire. The policy emphasises:

- Sustainable patterns of growth, reducing the need to travel and supporting local services.
- Development should be plan-led, aligning with the settlement strategy and supported by infrastructure.
- Windfall development (not allocated in plans) must still comply with the principles of sustainable development.
- Development outside settlement boundaries is generally not permitted, unless it meets specific policy exceptions (as set out in paragraph 4.25 of the WCS).

Together, CP1 and CP2 ensure that new development is strategically located, sustainable, and supports the character and function of Wiltshire's communities.

The application site lies to the north-east of Malmesbury, defined as a Market Town in the WCS. Core Policy 1 of the WCS sets out that:

“Market Towns have the potential for significant development that will increase the jobs and homes in each town in order to help sustain and where necessary enhance their services and facilities and promote better levels of self containment and viable sustainable communities.”

The application site sits adjacent to, but not within, the defined Malmesbury settlement boundary. Core Policy 2 of the WCS sets out that:

“Other than in circumstances as permitted by other policies within this plan, identified in paragraph 4.25, development will not be permitted outside the limits of development, as defined on the policies map.”

The application site is located outside the defined limits of development for Malmesbury and does not meet any of the exception policies identified in paragraph 4.25 of the WCS. As such, the proposed development is contrary to Core Policies 1 and 2 of the WCS.

The proposed development would be located outside the defined limits of development for Malmesbury and would not meet any of the exception policies identified in paragraph 4.25 of the WCS. The proposed development would therefore be contrary to Core Policies 1 and 2 of the WCS.

5 Year Housing Land Supply

The Wiltshire Housing Land Supply Statement (June 2025) provides the latest position on the Council's ability to demonstrate a five-year supply of deliverable housing land, which is a material consideration in the determination of planning applications.

The NPPF was revised in December 2024. This has reintroduced the requirement to meet five years' worth of deliverable sites and a buffer to be applied to the five-year housing requirement in all circumstances and has revised the Local Housing Need calculation to establish the five-year housing requirement. These factors have resulted in a substantial increase in the five-year housing requirement to be met from the previous calculation. When this is assessed against the housing land supply which can be delivered within five years, the recalculation shows a significant reduction in the number of years supply. The resulting position shows that the Council can currently demonstrate a 2.8 years housing land supply of housing at a unitary authority level. This is considered to be a substantial shortfall.

The absence of a five-year housing land supply is a material consideration in the determination of this application. In accordance with paragraphs 78 and 11(d) of the NPPF, for applications involving the provision of housing, where there is a shortfall in the supply of deliverable housing sites, the most important policies for determining the application should be considered out of date. The current housing land supply shortfall is a factor that must be considered in the planning balance and in this case, as a five-year housing land supply cannot be demonstrated, the weight that can be applied to the most important policies for determining this application should be assessed and altered in the light of the shortage in housing land supply. The proposal must be assessed against the national policy context of the need to boost housing supply and the benefits of delivering new homes whilst having particular regard to the key policies set out in paragraph 11(d)(ii) and footnote 9 of the NPPF.

Neighbourhood Plan

Paragraph 14 of the NPPF sets out that 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:

- a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and
- b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement.

The Malmesbury Neighbourhood Plan was made in 2015 and, as such, is over five years old. Therefore, paragraph 14 of the NPPF does not apply.

Loss of Best and Most Versatile (BMV) Agricultural Land

BMV agricultural land includes Grades 1, 2, and 3a under the Agricultural Land Classification system. It is considered the most productive and sustainable for food production. Paragraph 187(b) of the NPPF emphasises the need to protect BMV agricultural land from unnecessary development and recognises the economic and environmental value of BMV agricultural land.

Natural England Guidance recommends consultation for developments involving 20 hectares or more of agricultural land but that smaller developments still require assessment if BMV agricultural land is involved.

In April 2026 the Department for Environment, Food and Rural Affairs (DEFRA) replaced its outdated Provisional Agricultural Land Classification map with a new Predictive Agricultural Land Classification (ALC) map. The DEFRA Predictive ALC map shows the agricultural fields that are the subject of this application as Grade 3b agricultural land. As such, the proposed development would not lead to the loss of any BMV agricultural land.

The proposed development would result in the loss of agricultural land. However, the DEFRA Predictive ALC mapping identifies the site as Grade 3b and therefore not BMV agricultural land. Whilst the permanent loss of agricultural land is acknowledged, only limited weight is afforded to this matter.

The DEFRA Predictive ALC map shows the agricultural fields that are the subject of this application as Grade 3b agricultural land. As such, the proposed development would not lead to the loss of any BMV agricultural land.

9.3 Scale, Design and Landscape Impact

Core Policy 51 of the Wiltshire Core Strategy requires development to:

- Protect, conserve, and enhance landscape character and quality;
- Respect local distinctiveness, key views, and visual receptors; and
- Give particular weight to impacts on National Landscapes (AONBs) and locally valued landscapes.

Core Policy 57 of the Wiltshire Core Strategy requires high-quality design that:

- Enhances local character;
- Responds to the natural, historic, and built environment;
- Retains important features (e.g., trees, hedges);
- Supports sustainable construction and compatibility with surrounding uses; and
- Creates safe, legible, and accessible spaces.

The Wiltshire Design Guide promotes a context-led approach, encouraging integration with natural features and settlement patterns while avoiding visual intrusion. The design guide

encourages sensitivity to local character, materials, and architectural styles and supports modern living standards while maintaining aesthetic and functional quality.

The Green & Blue Infrastructure Strategy (2022–2030) supports landscape protection through green infrastructure, habitat connectivity, and nature-based solutions.

The NPPF emphasises the need to protect and enhance valued landscapes, particularly those with scenic, historic, or ecological significance. Planning decisions should:

- Recognise the intrinsic character and beauty of the countryside;
- Safeguard key views, local distinctiveness, and landscape settings; and
- Ensure development is well-integrated into its surroundings and avoids visual intrusion, especially in sensitive or designated areas.

Building for a Healthy Life Framework promotes healthy, inclusive, and sustainable places. The document encourages:

- Walkability;
- Access to green space; and
- Active design principles for well-being.

Landscape impact must be considered alongside biodiversity, heritage, and green infrastructure objectives, with mitigation measures encouraged where harm cannot be avoided.

Outline permission is sought for the erection of up to 149 dwellings with all matters reserved except for means of access. This means that appearance, landscaping, layout, and scale would be determined as part of a future Reserved Matters application if permission was forthcoming. The submitted Land Use Parameter Plan, Building Heights Parameter Plan, and Proposed Site Access would however be approved plans.

Vehicular access is proposed via Fraser Way from Filands (B4014) to the north of the site. Pedestrian access is proposed from via Fraser Way from Filands (B4014) to the north and Crudwell Road (A429) to the east. Pedestrian links would also be provided through to the existing residential areas and public footpath MALM8 to the west, and to public footpath MALM6 to the south. Public footpath MALM7 runs through the site east-west. The submitted Land Use Parameter Plan shows the proposed development area extending to approximately 4.53 hectares with the remainder of the site being open space.

The northern section of the site has extant planning permission for the erection of 71 dwellings. The submitted Land Use Parameter Plan appears consistent with the approved plans for this extant permission.

The application site is bound by Filands (B4014) to the north, Crudwell Road (A429) to the east, and existing residential development to the west. In this context, the proposed development would be experienced as a logical extension to the established built form of Malmesbury. Furthermore, with the northern section of the site already benefiting from extant planning permission, the proposed development would result in only limited additional

landscape change beyond that which has previously been accepted when viewed from Filands (B4014) to the north.

It is acknowledged that the proposed development would alter that character of the site when viewed from Crudwell Road (A429) and the Whychurch Roundabout to the east. However, landscape change is an inherent consequence of development and does not, in itself, equate to landscape harm. The site comprises agricultural fields of ordinary landscape character and does not form part of a designated or otherwise particularly sensitive landscape. Moreover, existing features within views northwards from the Whychurch Roundabout, including the Whychurch Water Tower and the Texaco filling station, contribute to a landscape that is already influenced by modern built development. In this regard, whilst the proposal would introduce additional built form into these views, it would do so within a landscape context that is not undeveloped or of exceptional scenic quality.

In the appeal decision for the allowed appeal for 71 dwellings in the northern section of the site the Inspector concluded that:

“The development would clearly result in the loss of open agricultural land and urbanisation of the countryside. However, whilst pleasant enough, the land has a rather nondescript character, and makes little contribution to the wider landscape... The proposed appeal development would very much be perceived in that increasingly urbanised context. In my judgement, the site would be an obvious and logical location for housing, and the overall impact on the character and appearance of the area, including the landscape, would be minimal.”

It is acknowledged that the proposal would alter the character of the site through the introduction of built development onto agricultural land, however, the resulting effects are not considered to give rise to unacceptable landscape harm for the purposes of Core Policy 51.

The proposed development would be experienced as a logical extension to the established built form of Malmesbury and would not result in any unacceptable landscape harm.

It should be noted that this application is for outline planning permission only with appearance, landscaping, layout, and scale reserved. Any future reserved matters application would be subject to detailed scrutiny to ensure compliance with the policies of the WCS and the provisions of the NPPF, in particular it should be ensured that any landscape harm is mitigated as far as possible.

9.4 Heritage and Archaeology

Policy Context

From the point of view of the historic environment the main statutory tests are set out within the Planning (Listed Building and Conservation Areas) Act 1990.

Section 66 requires that special regard be given to the desirability of preserving listed buildings, their settings or any features of special architectural or historic interest which they possess. Section 72(1) of the Act requires the Council to pay special attention to the

desirability of preserving or enhancing the character or appearance of designated Conservation Areas.

The NPPF outlines government policy for planning. Chapter 16 of the NPPF 'Conserving and enhancing the historic environment' sets out the Government's high-level policies concerning heritage and sustainable development. In particular:

- Paragraph 208 requires LPAs should "avoid or minimise any conflict" between the heritage asset's conservation (which includes achieving its optimum viable use) and any aspect of a proposal.
- Paragraph 210 requires local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable new uses and of new development making a positive contribution to local character and distinctiveness.
- Paragraphs 212 requires "great weight" to be given to an asset's conservation "irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."
- Paragraph 213 advises that harm to the significance of a designated heritage asset should require "clear and convincing justification".
- Paragraphs 213-216 require a balanced approach with any harm which would be caused being weighed against the potential public benefits which might be achieved.
- Paragraph 220 advises that not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm or less than substantial harm as appropriate.

The Planning Practice Guidance provides guidance on interpreting the NPPF.

Core Policy 58 of the Wiltshire Core Strategy requires that designated and non-designated heritage assets and their settings will be conserved, and where appropriate enhanced, in a manner appropriate to their significance and encourages proposals which improve the condition of heritage assets at risk.

Core Policy 57 of the Wiltshire Core Strategy requires a high quality of design in all new developments. The policy requires applicants to "demonstrate how the proposal will make a positive contribution to the character of Wiltshire through (amongst other things) responding to the value of the natural and historic environment and being sympathetic to and conserving historic buildings and landscapes. Development is required to respond positively to the existing in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting.

The application site sits to the north of the Grade II listed Whychurch Farmhouse and associated outbuilding, and approximately 400 metres north-east of the Malmesbury Conservation Area. Long distance views are available from the site towards the Grade I listed Abbey Church of St Mary and St Aldhelm, and St Pauls Bell Tower. The application is supported by a Built Heritage Statement which provides sufficient information to understand

the impact of the proposals and is proportional to their scope, in accordance with paragraph 207 of the NPPF.

It is considered that the agricultural fields that comprise the southern half of the site constitute part of the wider setting of all the assets listed above. However, in the case of the more distance assets (Malmesbury Conservation Area and the Grade I listed Abbey Church of St Mary and St Aldhelm, and St Pauls Bell Tower) the contribution made by the site is of secondary importance and that its development would therefore have only a limited impact. Through development within its wider setting, low level harm is identified to the significance of the Abbey Church. No harm is identified to the Conservation Area or St Pauls Bell Tower.

A greater level of harm is identified to the Whychurch farmstead which lies immediately to the south of the site. There is an historic and current functional and ownership association between the agricultural fields that comprise the southern half of the site and the Whychurch farmstead, with carrying levels of intervisibility between the site and the farmhouse and buildings within the farmstead. The development of these fields would result in moderate harm to the setting of both the listed farmhouse and separately listed outbuilding.

The submitted Land Use Parameter Plan allows for a relatively generous landscape buffer between the proposed developable area and the heritage assets as Whychurch Farm. Whilst this would provide some mitigation of the impacts of the development from a purely aesthetic viewpoint, the mitigation itself would also result in change to the current agricultural landscape. The submitted Illustrative Masterplan shows a more formal and suburban parkland character which would likely appear as alien in the context of the historic farmstead. The development, including the mitigation shown on the Illustrative Masterplan, would result in the loss of the last surviving agricultural fields which have a visual and functional relationship with the listed buildings, removing the ability to experience these assets within their historic agricultural setting and resulting in a diminution of their significance and of the understanding of their development.

Taking account of the above assessment, and recognising that the heritage assets themselves would remain unaltered, it is considered that the identified harm would be 'less than substantial' for the purposes of interpreting the NPPF. The proposals would not give rise to any heritage related benefits.

The proposed development would result in less than substantial harm to the heritage assets at Whychurch Farm and, to a lesser level, to the Abbey Church by way of a change within their setting. The assets themselves would be unaltered, and it is agreed that the harm should be considered as 'less than substantial' harm for the purposes of interpreting the NPPF. No heritage benefits would result from the proposals.

Considering the special regard required by Section 66 of the Act to be given to the desirability of preserving the setting of listed buildings and the great weight ascribed to the conservation of designated assets by paragraph 212 of the NPPF, it is clear that the proposals should be subject to a high level of scrutiny. Paragraph 208 of the NPPF also requires that LPAs take opportunities to avoid or minimise conflict with heritage objectives.

The proposed development is at odds with the requirements above and with those of Core Policies 57 and 58 of the WCS which require the preservation or enhancement of the settings of heritage assets.

Paragraph 215 of the NPPF requires where development proposals would lead to less than substantial harm to the significance of designated heritage assets, this harm should be weighed against the public benefits of the proposals.

Public benefits of the proposed development include the provision of 149 new dwellings, 40% (60 units) of which would be affordable housing; economic uplift through construction jobs and post-occupation local expenditure; delivery of a measurable and meaningful uplift in biodiversity; the provision of new public open space; and contributions towards improving desirable local walking and cycling routes.

The range of public benefits listed above are extensive and sufficient to outweigh the identified less than substantial harm to the significance of the designated heritage assets.

The archaeological potential of the application site has been characterised by geophysical survey, archaeological desk-based assessment and two phases of archaeological trial trench evaluation. All of which have been submitted in support of this application. The two phases of trial trench evaluation have identified several areas of archaeological features which would require mitigation by means of an Archaeological Strip, Map and Record excavation. This mitigation should be secured by condition.

9.5 Residential Amenity

Core Policy 57 (Point vii) of the Wiltshire Core Strategy requires development to respect the amenity of existing occupants and ensure appropriate amenity levels for future residents.

The NPPF, particularly Paragraph 135, reinforces the need for development to provide a high standard of amenity for both existing and future users.

Outline permission is sought for the erection of up to 149 dwellings with all matters reserved except for means of access. This means that appearance, landscaping, layout, and scale would be determined as part of a future Reserved Matters application if permission was forthcoming. The submitted Land Use Parameter Plan, Building Heights Parameter Plan, and Proposed Site Access would however be approved plans.

The submitted Land Use Parameter Plan indicates that the developable area would be set away from the existing residential development to the west of the site. The indicated developable area would however extend up to the south boundary of the property known as Redcliffe, Crudwell Road and the north-west boundary of the property known as Inglenook, Crudwell Road. The submitted Illustrative Masterplan however suggests that landscape buffers would remain along the identified boundaries. As this plan would not be an approved plan if permission was forthcoming, it would be important that any future Reserved Matters application maintains a suitable buffer between the identified boundaries of neighbouring properties and any development proposed.

Vehicular access is proposed via Fraser Way from Filands (B4014) to the north of the site. Pedestrian access is proposed from via Fraser Way Filands (B4014) to the north and Crudwell Road (A429) to the east. Pedestrian links would also be provided through to the existing residential areas and public footpath MALM8 to the west, and to public footpath MALM6 to the south. It is not considered that these proposed accesses would have any unacceptable impacts on the residential amenity of neighbouring properties.

The proposed vehicular and pedestrian accesses would not have any unacceptable impacts on the residential amenity of neighbouring properties. Appearance, landscaping, layout, and scale are reserved matters that would be determined as part of a future Reserved Matters application if permission was forthcoming.

9.6 Access, Parking and Sustainable Transport

Transport implications are a key factor in assessing planning applications, especially for larger developments. Proposals must demonstrate:

- Safe and suitable access for all users, including pedestrians, cyclists, and those with mobility impairments;
- No severe residual impacts on the surrounding highway network;
- Promotion of sustainable travel, reducing reliance on private vehicles;
- Adequate parking and cycle provision, in line with adopted standards; and
- Protection and enhancement of public rights of way and active travel routes.

Relevant policies include Core Policies 60, 61, 62, and 64 of the Wiltshire Core Strategy, supported by the Wiltshire Local Transport Plan, Car Parking Strategy, and Cycling Strategy. The Local Cycling and Walking Infrastructure Plan (LCWIP) and LTN 1/20 (DfT) provide further design guidance for active travel infrastructure.

Proposals must also ensure safe access for refuse collection vehicles and comply with the Wiltshire Council Waste Storage and Collection SPD (2017).

Where necessary, Transport Assessments or Statements should be submitted to evaluate impacts and identify mitigation. Planning conditions or legal agreements may be used to secure off-site improvements, travel plans, or contributions to sustainable transport infrastructure.

This assessment can be split into two distinct considerations; the accessibility of the site and the highway safety implication of the proposed development.

Assessment - Accessibility

The application site is located to the north-east of Malmesbury, which is identified as a Market Town within the WCS. As a Market Town, Malmesbury provides a wide range of services and facilities, including: two primary schools; a secondary school; a vibrant town centre; leisure facilities; and a range of employment opportunities.

The site is within a 2 mile safe walking distance of both Malmesbury Primary School and St Joseph's Primary School, and within a 3 mile safe walking distance of Malmesbury Secondary

School. In addition, the proposed site access is approximately a 5 minute walk from the Aldi supermarket off Crudwell Road and a 15 minute walk from the Dyson Principal Employment Area off Filands.

There are existing bus stops on Crudwell Road (A429) to the east of the site and Filands (B4014) to the north-west. Fraser Way that runs through the north-west corner of the site features a bus gate further along suggesting that busses could divert through the site in future. To facilitate this, a financial contribution of £9,000 should be secured via s106 agreement towards the provision of 2 new bus stops. These stops are served by the Coachstyle 99 service that offers multiple busses per day, Monday to Saturday, to and from Malmesbury. This service also extends to Chippenham, Royal Wootton Bassett and Swindon.

The submitted Land Use Parameter Plan indicated multiple links would be provided for future residents to access the surrounding public footpath network. This includes public footpath MALM7 that runs east-west through the site and MALM6 and MALM8 that run adjacent to the south and west boundaries respectively. To facilitate these off-site connections, a financial contribution of £100,000 should be secured via s106 agreement towards desirable local walking and cycling connections.

Having regard to the site's relationship with Malmesbury and its proximity to education, employment and retail facilities, it is considered that the proposed development would be sustainably located in accordance with paragraph 110 of the NPPF. Future residents would be offered a genuine choice of transport modes, including walking, cycling and public transport, for most of their daily travel needs, thereby reducing reliance on private vehicles.

To promote sustainable travel for future residents the submission and implementation of a Travel Plan should be secured by condition.

Assessment - Highway Safety

Outline permission is sought for the erection of up to 149 dwellings. Vehicular access is proposed via Fraser Way from Filands (B4014) to the north of the site. Fraser Way cuts through the north-west corner of the site to provide access to the recently built out 'Avon Rise' development. The junction between Fraser Way and Filands (B4014) appears to have been designed to a capacity with this development in mind.

The submitted Proposed Site Access plan shows that suitable visibility splays can be provided from the site access onto Fraser Way. As such, there are no in principal objections to the proposed access off Fraser Way, which was previously approved under application ref. PL/2023/08687. Conditions will be required to ensure the provision of vehicle access and visibility splays, as well as pedestrian and cycling access, in the interest of highway safety and to encourage sustainable travel.

To control the impacts of the construction phase of development, the submission and implementation of a Construction Management Plan should be secured by condition.

The proposed development would be sustainably located in accordance with paragraph 110 of the NPPF and future residents would be offered a genuine choice of transport modes, including walking, cycling and public transport, for most of their daily travel needs.

It is the opinion of the Local Highways Authority that safe vehicular access can be provided for the proposed development.

9.7 Ecology and Biodiversity

Core Policy 50 of the WCS sets out that development proposals must demonstrate how they protect features of nature conservation and geological value as part of the design rationale.

Section 15 of the NPPF requires that the planning authority ensures protection of important habitats and species in relation to development and seeks enhancement for the benefit of biodiversity through the planning system.

Biodiversity Net Gain (BNG) is an approach to development seeking to ensure that habitats for wildlife are left in a measurably better state than they were before the development. BNG is mandatory in England under the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). This means developers must deliver a BNG of 10% to ensure development will result in more or better quality natural habitat than there was before development.

The application site covers approximately 12.5 hectares of existing agricultural land. This land is identified as modified grassland bound predominantly by species-rich native hedgerows. Mature trees are present within the hedgerows and grassland. The site does not lie within, or adjacent to, any sites designated for nature conservation.

The application is supported by an Ecological Impact Assessment, Ecological Impact Assessment Addendum, Arboricultural Impact Assessment, Land Use Parameter Plan, eDNA Results, Updated Biodiversity Net Gain Assessment and Ecological Constraints Plan, and the Statutory Biodiversity Metric.

Bats

The submitted survey work confirms that the site supports high levels of bat activity, with at least ten species recorded during surveys in 2020, 2024 and 2025. Common pipistrelle and soprano pipistrelle were the most frequently recorded species, followed by Myotis species and noctule. Light-sensitive species recorded included Myotis bats, long-eared bat, lesser horseshoe bat, greater horseshoe bat, and barbastelle.

A Ground Level Tree Assessment in 2024 identified two trees with potential roosting features. These trees would not be directly affected by the proposed development, and dusk emergence, dawn re-entry, and aerial tree climbing surveys in 2020, 2024 and 2025 recorded no evidence of roosting bats.

Elevated levels of bat activity were concentrated along the boundary hedgerows and adjacent woodland. Static detector surveys recorded the highest overall bat activity along the eastern boundary of the northern field and in the south-west adjacent to woodland. The hedgerow network provides key commuting and foraging habitat for bats and would be predominantly retained. However, approximately 160 metres of hedgerow would be removed to facilitate

access, which would have the potential to reduce habitat connectivity and risks fragmenting east-west movement routes across the site.

Ecological enhancements within Section 4 of the Ecological Impact Assessment are provided through the installation of bat boxes. Habitat creation proposals; including new woodland, hedgerow planting and wildflower grassland; would enhance the ecological connectivity of the site and provide suitable foraging and commuting habitat for bat species.

The installation of artificial lighting has the potential to negatively impact bat population and, as such, should be carefully controlled by condition.

Birds

A breeding bird survey undertaken in 2020 and updated in 2025 which recorded 19 species, with 13 species confirmed, probably, or possibly breeding on-site, including linnet, house sparrow, dunnoek and stock dove. The proposed development would result in the loss of nesting and foraging habitats for bird species. To avoid impacts on nesting birds, it is proposed that any habitat clearance would take place outside the bird breeding season and if clearance is necessary during this period, a pre-commencement survey by a qualified ecologist would be conducted to confirm the absence of active nests. If active nests are found, a buffer zone would be established, and works would be delayed until the young have fledged.

Ecological enhancements within Section 4 of the Ecological Impact Assessment are provided through the installation of bird boxes.

Badgers

The potential impacts of the proposed development on badgers have been fully assessed and appropriate mitigation proposed.

Great Crested Newts (GCN)

Site surveys in 2020 and 2025 identified three ponds within 250 metres of the site. Habitat Suitability Index (HSI) assessments were carried out in April 2025, followed by eDNA surveys of ponds 1 and 3, with pond 2 being dry at the time of survey. Both ponds returned negative eDNA results for GCN, therefore the species is considered to be absent from the site. The site offers suitable terrestrial habitat for amphibians which are likely used for foraging and commuting. As outlined in Section 4 of the Ecological Impact Assessment and subsequent Addendum, a precautionary method of working would be undertaken including a sensitive, phased vegetation clearance outside of the hibernation season, carried out under the supervision of a suitably qualified ecologist. Additional precautionary measures, including the protection of retained hedgerows during construction using temporary barriers, creation of a wildflower area, and creation of three hibernacula.

Reptiles

Site surveys in 2020 and 2025 recorded a 'good' population of slow-worm and low populations of grass snake in 2020, however this species was not recorded during the 2025 update survey. The proposed development would result in the removal of grassland and hedgerow sections, leading to a reduction in foraging and breeding habitat for slow-worm and grass snake, as well as the risk of direct impacts. A sensitive vegetation clearance strategy is proposed within the Ecological Impact Assessment, including possible translocation of reptiles to suitable retained

habitat in the vicinity by a suitability qualified ecologist and installation of hibernacula in Public Open Space areas. New hedgerows, wetland, wildflower grassland, and SuDS features would provide suitable foraging, basking, and hibernation habitat once established.

Compliance with the submitted Ecological Impact Assessment and Ecological Impact Assessment Addendum, including the mitigation and enhancement measures they include, should be secured by condition. The submission of a Construction Environmental Management Plan (CEMP) and Landscape Ecological Management Plan (LEMP) should also be secured by condition to secure further mitigation and enhancements.

Biodiversity Net Gain

Under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) this application is required to deliver 10% Biodiversity Net Gain (BNG). The Biodiversity Gain Plan condition would automatically apply if approval were forthcoming. A completed statutory metric calculation, map and condition assessments (Updated Biodiversity Net Gain Assessment and Ecological Constraints Plan) stating the baseline and predicted post-development biodiversity units of the site have been submitted in support of the application.

The submitted documents show an on-site pre-development baseline of 25.89 habitat units, 15.08 hedgerow units and 0.53 watercourse units. This creates a minimum statutory requirement of 28.47 habitat units, 16.59 hedgerow units and 0.58 watercourse units. This level of on-site BNG would be considered 'significant' due to the nature of the application, units required and the BNG proposed (including medium distinctiveness habitats of other neutral grassland, other woodland, broadleaved, bioswale, mixed scrub, sustainable drainage system, traditional orchards, and individual urban trees). In order for the LPA to provide appropriate monitoring in line with statutory requirements, a BNG on-site 30 year monitoring fee must be paid prior to commencement of development, and this can be secured as part of any S106 agreement. The submission of a Habitat Management and Monitoring Plan (HMMP) should also be secured by condition.

There are no ecology objections to the proposed development subject to the inclusion of a number of conditions.

9.8 Flood Risk and Drainage

Core Policy 67 of the WCS outlines that all new development will include measures to reduce the rate of rainwater run-off and improve rainwater infiltration to soil and ground (sustainable urban drainage) unless site or environmental conditions make these measures unsuitable. Section 14 of the NPPF expects that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.

The NPPF expects that inappropriate development in areas at risk of flooding is to be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. Paragraph 173 of the NPPF requires that a sequential risk-based approach should be taken to individual applications in areas known to be at risk now or in future from any form of flooding. The sequential test should be applied to 'major' and

'non-major' development proposed in areas at risk of flooding, as set out in paragraphs 173 to 174 of the NPPF. Paragraphs 175, 176 and 180 set out exemptions from the sequential test.

The application is supported by a Site-Specific Flood Risk Assessment (FRA). The application site is located within Flood Zone 1 and is at low risk of groundwater flooding. The Environment Agency National Flood Risk Assessment (NaFRA) Risk of Flooding from Surface Water mapping indicates that the majority of the site is not at risk of surface water flooding. A surface water flow route is evident along the western site boundary, of 'low', 'medium' and 'high' risk of surface water flooding, however this is outside the development area proposed. The site is not at risk of sewer, reservoir, canal or other artificial sources of flooding.

Based on the overview of flood risk identified in the site specific FRA the site is not at risk of flooding and as such the sequential test is not applicable.

The application is proposing to restrict surface water discharge rates and provide 20% betterment on the existing QBAR (greenfield rate). Whilst the calculations submitted in support of this application do not fully achieve this; there is no evidence to suggest that this cannot be achieved through minimal changes. These changes should be secured by condition.

Outline hydraulic calculations have been submitted in support of this application to help understand the required size of attenuation on-site. This is necessary as the size and location of on-site attenuation has a significant impact on future development layout. Full hydraulic calculations would not be expected at this stage and should instead be secured by condition.

The LPA are satisfied that the proposed development would not result in an increase in flood risk elsewhere, and therefore that the required additional details relating to a detailed drainage strategy can be safely secured by condition.

On this matter relating to drainage and flood risk, subject to an appropriate detailed drainage strategy for the site being approved prior to the commencement of development, the site is considered to be an acceptable location for development in policy terms.

The LPA are satisfied that the proposed development would not result in an increase in flood risk on the site or elsewhere. A detailed surface water drainage strategy can therefore safely be secured by condition.

9.9 Environmental Considerations (Noise, Air Quality, Contaminated Land, etc.)

Core Policies 55 and 56 of the Wiltshire Core Strategy require:

- Development proposals to avoid unacceptable environmental impacts; and
- To provide appropriate mitigation where risks are identified.

The NPPF and Planning Practice Guidance reinforce this by stating that proposals should:

- Prevent development that contributes to or is exposed to unacceptable pollution; and
- Ensure developer responsibility for safe development on contaminated land.

Wiltshire Council's Air Quality SPD (2023) provides detailed guidance, especially near Air Quality Management Areas (AQMAs) and encourages mitigation such as:

- EV charging infrastructure;
- Green buffers; and/or
- Sustainable transport options.

The proposed development has the potential to encounter contaminated land and further site investigation are recommended. A condition should be attached to any consent to secure further site investigations in the interest of avoiding and/or mitigation contaminated land.

The construction phase of the development has the potential to cause unacceptable noise, vibration and dust. To mitigate this, a condition should be attached to any consent to secure the submission of a Construction Management Plan (CMP).

A condition should be attached to any consent to secure the submission of an acoustic design scheme for protecting the proposed dwellings and future occupiers from unacceptable noise.

The application site is not located near or likely to affect any AQMAs.

9.10 Energy and Sustainability

WCS Core Policy 41 identifies how sustainable construction and low-carbon energy will be integral to all new development in Wiltshire. Major developments are required to include a Sustainable Energy Strategy. It is relevant to note that the energy performance standards referred to in CP41 for new homes is the 'Code for Sustainable Homes' which was removed by government in 2015. There is no replacement standard that Core Policy 41 will apply to at this time. Chapter 14 of the NPPF, paragraphs 161 to 169 deals with climate change related matters. In particular, paragraph 163 indicates that proposals should take into account the full range of potential climate change impacts, and paragraph 164 stipulates that new development should avoid vulnerability to the range of impacts and help to reduce greenhouse gas emissions. Climate change adaption is integral to design related policies at local and national level.

Full details of the building design are not included at outline stage. As of April 2026, building regulations has placed a stricter requirement on individual buildings to be constructed to meet higher energy efficiency standards.

With limited information available at outline stage in relation to the site layout, building design, landscaping and water management, it is not possible to secure detailed and specific measures. It is however considered appropriate to include a planning condition which ensure that Sustainable Energy Strategy is submitted alongside the later reserved matters application to demonstrate low-carbon strategy for the development as a whole including consideration of site layout, building materials, renewable energy provision, EV charging, green and blue infrastructure and water usage. Subject to the recommended condition it is considered that a low-carbon design that is resilient to the impacts of climate change can be secured in accordance with Core Policies 41 and 57 of the WCS and the provisions of the NPPF.

9.11 CIL and S106 CONTRIBUTIONS

S106 Heads of Terms

Wiltshire Council has a Planning Obligations Supplementary Planning Document, which should be read in conjunction with the WCS (primarily Core Policy 3) and the Wiltshire CIL charging schedule. This SPD identifies the planning obligations that will be sought by the Council for development that generates a need for new infrastructure and should be a material consideration in planning applications. It is essential to demonstrate that each obligation meets the three Regulation 122 tests under the Community Infrastructure Levy (CIL) Regulations 2010. Paragraph 58 of the National Planning Policy Framework reiterates the three tests as:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development

The infrastructure items listed below are those that are relevant to the application site and have been raised by consultees as necessary in order to mitigate the impact of the proposed scheme.

All financial contributions set out in this report are subject to indexation. Should there be any changes in inflation rates between the date of this report and the completion of the Section 106 Agreement and subsequent determination of the application, the contribution figures will be adjusted accordingly. The final amounts will reflect the applicable indexation at the time of signing the agreement, in line with the Council's standard practice and relevant policy requirements.

Affordable Housing

The NPPF Chapter 5 supports the provision of affordable housing, particularly paragraphs 64-66. The PPG gives further guidance regards provision of housing for different groups. Core Policy 43 of the Wiltshire Core Strategy supports the provision of affordable homes as part of large housing developments. This policy requires affordable housing to be secured via a legal agreement.

WC Housing Officer has requested the following:

- 40% on-site affordable housing provision as the site is within a 40% affordable housing zone.
- A tenure mix of 60% of the units being Affordable Rent and 40% of the units being provided for affordable home ownership that could comprise of Shared Ownership and First Homes.
- Unit size mix for the affordable rented units of: 28% 1 bed, 2 person flats; 9% 2 bed, 4 person bungalows; 28% 2 bed, 4 person houses; 28% 3 bed, 6 person houses; 5% 4 bed, 7 person houses; and 2% 5 bed, 8 person houses.
- Unit size mix for affordable home ownership units of: 70% 2 bed, 4 person houses; and 30% 3 bed, 5 person houses.
- The affordable dwellings (other than First Homes) will be required to be transferred to a Registered Provider, approved by the Council, or to the Council, on a nil subsidy basis.

- First Homes must be discounted by a minimum of 30% against the market value, with the sale price, at first sale, no higher than £250,000 after the discount has been applied. They must be sold to qualifying first time buyers (with the discount and restrictions passed on to subsequent owners in perpetuity) in accordance with procedures and eligibility criteria set out in government guidance. First Homes should be marketed to households with a local connection to Wiltshire for the period that local eligibility criteria apply.

The s106 would allow final Affordable Housing Mix to be agreed in consultation with the Housing Enabling team as appropriate.

Education Contributions

The obligation is necessary to ensure the proposed development complies with Core Policy 3 of the WCS and supported by the NPPF, and PPG (paragraphs 007 and 008). Failure to provide the contributions would result in insufficient education places in the locality of the development. Without the proposed contribution, the proposed development would have an unacceptable impact on the community and potentially lead to the need for parents to travel further to access these facilities.

WC Education Officer has requested the following:

- The provision of 149 dwellings would result in extra demands being placed on the local early years facilities which are currently operating at high capacity. Wiltshire Council has a duty to provide sufficient childcare for working parents under Section 6 of the Childcare Act 2006.

Current pupil products: 0.04 per dwelling for 0-2 year olds and under (4 per 100 dwellings) and 0.09 per dwelling for 3-4 year olds (9 per 100 dwellings). Current cost multiplier is £17,522 per place (please note that this is shortly to be updated for the new financial year and the new figure will apply to S106s signed in that financial year).

Total required as per calculations above is £297,874 towards the development of Early Years provision in this area.

Highways and Access Contributions

NPPF paragraph 109 (f) supports the provision of suitable infrastructure. Sustainable transport measures are also listed at infrastructure priority theme 1 under Core Policy 3 of the adopted WCS. Core Policy 60 and 61 of the WCS encourage the sustainable, safe and efficient movement of people and goods. The Wiltshire Local Transport Plan contains a number of policies to support active travel, including:

- Policy SO2 (to provide, support and promote a choice of sustainable transport alternatives);
- Policy SO13 (to reduce the need to travel, particularly by private car); and
- Policy SO14 (to promote travel modes that are beneficial to health) of the Wiltshire Local Transport Plan 3.

WC Highways Officer has requested the following:

- £100,000 towards off-site desirable local walking and cycling connections.

- £9,000 towards a pair of bus stops on Fraser Way.

Healthcare Contributions

The obligation is necessary to ensure the proposed development complies with Core Policy 3 of the WCS, supported by the NPPF and PPG. Failure to provide the contributions would result in insufficient primary healthcare in the locality of the development. Without the proposed contribution, the proposed development would have an unacceptable impact on the community.

Bath and North East Somerset, Swindon and Wiltshire Integrated Care Board have requested the following:

- £154,883 towards the capital cost of delivering additional primary care floorspace.

The above request meets the tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and paragraph 58 of the NPPF as it is necessary to mitigate the increased demand for primary healthcare services in the immediate area arising from future residents of the development. There is an identified need for additional capacity to accommodate this demand and the contribution would be used to provide this additional capacity.

Royal United Hospitals Bath NHS Foundation Trust have requested the following:

- £25,704 towards the gap in the funding created by each potential patient.

The above request does not meet the tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and paragraph 58 of the NPPF as there is limited evidence that future residents would be from outside the Trust area. It cannot therefore be evidenced that each future resident would equate to a new patient for the Trust.

Public Art Contributions

Core Policy 57 criterion xii of the WCS refers to the integration of art and design in the public realm as a means of securing high quality design in new developments, as qualified in the Council's Arts and Design in the Public Realm in Wiltshire - 2024 Guidance which is an adopted SPD. Public Art and streetscape features are listed as place shaping infrastructure under priority theme 2 of Core Policy 3 of the WCS and that such infrastructure can be met through the use of planning obligations.

TWC Public Arts Officer has requested the following:

- £300 per dwelling towards Wiltshire Council's Arts Service to devise and manage public arts schemes.

The above request meets the tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and paragraph 58 of the NPPF as it is necessary to support the successful integration of the development into the surrounding residential areas through the delivery and management of public art and place-shaping measures. Similar contributions have been secured in the past on adjacent planning permissions.

Public Rights of Way Contributions

The NPPF, PPG, and the National Design Guide all supports the provision of healthy communities. The PPG states that rights of way form an important component of sustainable transport links and should be protected or enhanced. Core Policy 60 of the WCS seeks to promote the enhancement of sustainable transport infrastructure, including the improvement of pedestrian and cycling links, in order to promote sustainable modes of transport. In addition to this, Core Strategy Policy CP51 of the WCS aims to safeguard the landscape character of the county while encouraging the development of safe, accessible, and well-designed rights of way that are compatible with their surroundings.

WC Rights of Way Officer has requested the following:

- Contribution towards the cost of constructing an adoptable standard path from the site to the tarmac path behind 28 Bonners Close.

The above request would be covered by the £100,000 contribution towards off-site desirable local walking and cycling connections requested by WC Highways Officer.

Public Open Space and Leisure Contributions

The principle of obtaining quality open spaces and opportunities for sport and recreation is stated in paragraph 103 of the NPPF, and within the PPG (paragraphs 001 to 003), which indicate that open space provision should be taken into account in planning for new developments, as it can provide health and recreation benefits, have ecological value and contribute to green infrastructure, as well as being an important part of the landscape and setting of built development, and is a component in achieving sustainable development.

Core Policy 52 of the adopted WCS supports this, and open space is listed as place shaping infrastructure under priority theme 2 of Core Policy 3 of the WCS.

WC Open Space Officer has requested the following:

- 149 dwellings would generate a requirement for 4,112 square metres of sports pitches and courts which would equate to an off-site contribution of £41,124.

Waste and Recycling Contributions

The importance of the handling and treatment of waste is covered by the PPG in general terms. Core Policy 3 paragraph 4.41 of the WCS identifies sustainable waste management facilities as essential components of daily life and therefore critical to delivering our strategic goal of building more resilient communities. Waste management is listed as place shaping infrastructure under priority theme 1 of Core Policy 3 of the WCS. The Council's Waste Core Strategy policy WCS6 and SPG also outlines that large housing developments should contribute towards recycling provision.

WC Waste and Recycling Officer has requested the following:

- £17,507 towards the provision of containers for waste and recycling.

Biodiversity Net Gain (BNG) Contributions

As of April 2024, any major planning application needs to demonstrate no net loss and a minimum of 10% net gain in biodiversity (BNG) on the site, in line with the requirements of the

NPPF, PPG, Core Policy 50 of the WCS and the Environment Act. The preference is for any such BNG to be provided on site, although it can also be provided off site.

WC Ecology Officer has requested the following:

- A Biodiversity Net Gain (BNG) on-site 30 year monitoring fee.

S106 Monitoring Fee

To ensure the proper and effective management of planning obligations, the Council will monitor development sites to ensure that obligations are met at the relevant trigger points. A monitoring fee is therefore required to cover the administrative costs associated with monitoring, which would not otherwise arise in the absence of development. The fee is directly related to the cost of monitoring the Section 106 agreement and is calculated at 2.5% of the total financial contributions.

Community Infrastructure Levy (CIL)

The Community Infrastructure Levy (CIL) is a charge that local authorities can apply to new development to help fund infrastructure required to support growth. The proposed development constitutes CIL-liable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's adopted CIL Charging Schedule (May 2015).

The site falls within CIL Charging Zone 1, where the applicable rate is £85 per square metre of chargeable floorspace, subject to indexation in accordance with the Regulations. The levy would become payable upon commencement of development.

Overall S106 Mitigation Summary

With regards to the above, it is therefore considered that the following contributions, provisions and mitigation is needed in relation to this proposal:

Heads of Terms	Contribution details/mix
Affordable Housing	• 40% on-site affordable housing provision. • Tenure mix: 60% affordable rent and 40% affordable home ownership; or alternative Affordable Housing Mix to be first agreed by the Housing Enabling team.
Education	• £297,874 towards Early Years provision.
Highways and Access	• £100,000 towards off-site local walking and cycling connections. • £9,000 towards a pair of bus stops on Fraser Way.
Healthcare	• £154,883 towards delivering additional primary care floorspace.
Public Art	• £300 per dwelling towards public arts schemes.
Open Space	• £41,124 towards off-site sport pitches and courts.
Waste and Recycling	• £17,507 towards the provision of containers for waste and recycling.
BNG	• BNG on-site 30 year monitoring fee.
Monitoring	• 2.5% of the total sum of contributions.

10. CONCLUSION - the 'planning balance'

In determining the weight to be given to relevant Development Plan policies in this case, and whether paragraph 11(d)(i) or 11(d)(ii) of the NPPF applies, regard has been had to the current housing land supply position and the extent to which the proposal accords with or conflicts with the policies of the Framework taken as a whole.

At the heart of the NPPF is a presumption in favour of sustainable development, which requires that proposals which accord with an up-to-date development plan should be approved without delay. Where there are no relevant development plan policies, or where the most important policies for determining the application are out-of-date, permission should be granted unless (as set out in paragraph 11(d) of the NPPF):

- the application of policies in the NPPF that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF 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 combination.

The Local Planning Authority's current 2.8 year housing land supply is considered to be a substantial shortfall.

The absence of a five-year housing land supply is a material consideration in the determination of this application. In accordance with paragraphs 78 and 11(d) of the NPPF, for applications involving the provision of housing, where there is a shortfall in the supply of deliverable housing sites, the most important policies for determining the application should be considered out of date. As such, the NPPF paragraph 11d 'tilted balance' is engaged.

As per the above assessment, the policies in the NPPF that protect areas or assets of particular importance do not provide a strong reason for refusing the development proposed. As such, in accordance with paragraph 11 d) of the NPPF, the proposed development must be granted planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF 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 combination.

This section of the report sets out the overall planning balance, weighing the identified benefits of the proposal against any harm, in order to determine whether the proposal complies with the development plan when read as a whole, or whether other material considerations indicate that a decision should be made otherwise.

Benefits of the Proposal

Provision of Market Housing

The delivery of new homes is a substantial benefit, particularly in the context of Wiltshire's current housing land supply position. As of the latest Housing Land Supply Statement (June

2025), the Council is unable to demonstrate a five-year supply of deliverable housing land, with a shortfall that is considered substantial.

- **Benefit:** Provision of 149 new dwellings.
- **Weight:** Substantial weight.

Provision of Affordable Housing

The delivery of affordable housing is a key policy objective at both national and local levels. Wiltshire Council has a shortfall in affordable housing delivery, and the provision of new affordable homes contributes directly to meeting identified local needs.

- **Benefit:** Provision of 40% (60 units) affordable housing.
- **Weight:** Substantial weight.

Socio-Economic Benefits

The proposal will generate economic benefits during both the construction and operational phases. This includes direct employment in the construction sector, supply chain benefits, and increased local spending by future residents. These benefits align with paragraph 85 of the NPPF, which supports the role of housing in promoting economic growth and resilience.

- **Benefit:** Economic uplift through construction jobs and post-occupation local expenditure.
- **Weight:** Moderate weight.

Biodiversity Net Gain (BNG)

Where the proposal demonstrates a measurable and meaningful uplift in biodiversity, this is a benefit in line with the Environment Act 2021 and Core Policy 50 of the Wiltshire Core Strategy.

- **Benefit:** Delivery of a minimum 10% on-site biodiversity net gain.
- **Weight:** Limited weight.

Green Infrastructure and Open Space

The provision of new public open space, green corridors, or enhancements to existing green infrastructure contributes to health, well-being, and ecological connectivity.

- **Benefit:** Informal open space (including amenity green space, natural and semi-natural green space, tree planting, play and natural play spaces, and allotments).
- **Weight:** Limited weight.

Sustainable Transport and Connectivity

Where proposals include enhancements to pedestrian, cycle, or public transport infrastructure; such as new footpaths, cycleways, or contributions to active travel networks; this supports modal shift and aligns with the Wiltshire Local Transport Plan and LCWIP. Whilst these measures are necessary to make the development acceptable in planning terms, it is acknowledged that they will also deliver wider benefits to the existing community who can make use of them

- **Benefit:** Contributions towards desirable local walking and cycling connections including to public footpaths MALM6, MALM7 and MALM8.
- **Weight:** Limited weight.

Identified Harms

Conflict with Spatial Strategy

The NPPF and Core Policies 1 and 2 of the WCS promote a plan led spatial strategy focused on existing sustainable settlements, facilities and services. Whilst Wiltshire Council cannot currently demonstrate a five-year supply of deliverable housing land, this does not render development plan policies relating to the principle of development irrelevant; such policies remain capable of attracting significant weight where they align with the National Planning Policy Framework in directing growth to the most sustainable locations. The weight is tempered by the substantial shortfall of housing supply however and as such the conflict is afforded moderate weight in this planning balance.

Whilst Wiltshire Council cannot currently demonstrate a five-year supply of deliverable housing land, this does not render development plan policies relating to the principle of development irrelevant.

- **Harm:** Departure from the Development Plan.
- **Weight:** Moderate weight.

Landscape and Loss of Open Countryside

The NPPF emphasises the need to protect and enhance valued landscapes, particularly those with scenic, historic, or ecological significance. Core Policies 51 and 57 of the WCS seeks to protect, conserve and enhance landscape character and quality, and enhance local character.

- **Harm:** Introduction of built form on undeveloped agricultural land. Harm to existing agricultural character would exist but this would not be unacceptable as the site is not visually sensitive.
- **Weight:** Limited weight.

Heritage Impact

Where the site lies within or near designated heritage assets (e.g. conservation areas, listed buildings), the proposal may result in harm to their setting or significance.

- **Harm:** Less than substantial harm to the heritage assets at Whychurch Farm and, to a lesser level, to the Abbey Church by way of a change within their setting
- **Weight:** Significant weight.

Loss of Agricultural Land

Where development results in the permanent loss of best and most versatile (BMV) agricultural land, this is a material consideration under paragraph 187 of the NPPF.

- **Harm:** Irreversible loss of agricultural land. The DEFRA Predictive ALC map shows the agricultural fields that are the subject of this application as Grade 3b agricultural land. As such, the proposed development would not lead to the loss of any BMV agricultural land.
- **Weight:** Limited weight.

Neutral Impacts

In assessing the overall planning balance, it is also important to identify those aspects of the development that are considered to be policy-compliant and acceptable, but which do not result in either a net benefit or harm. The following elements are afforded neutral weight in the planning balance, as they represent the baseline expectation for sustainable development in accordance with the development plan and national policy:

- Highways impact.

- Ecological impact.
- Flood risk and drainage.

Summary

In applying paragraph 11(d)(ii) of the NPPF, it is considered that the adverse impacts of granting permission, including conflict with the Spatial Strategy and less than substantial harm to designated heritage assets, would not significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole. No strong reason for refusal is identified in respect of the relevant policies at 11d(i).

The presumption in favour of sustainable development therefore applies, and planning permission is recommended for approval.

11. RECOMMENDATION

That planning permission be GRANTED, subject to delegation to the Head of Development Management for the completion of a Section 106 agreement legal agreement covering the matters set out in this report, and subject also to the planning conditions listed below.

12. CONDITIONS

1. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. No development shall commence within any phase of the development, as defined by Phasing Plan PP.01 P1, until details in respect of that phase (for which approval is expressly reserved) for the following matters have been submitted to and approved in writing by the Local Planning Authority:

- The scale of the development;
- The layout of the development;
- The external appearance of the development; and
- The landscaping of the site.

The development shall be carried out in accordance with the approved details.

Reason: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 5 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

3. An application for the approval of all the reserved matters, specified in Condition 2, shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

4. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

LP.01 A - Location Plan (received 04/03/2025)

LLPP.01 D - Land Use Parameter Plan (received 20/02/2026)

BHPP.01 C - Building Height Parameter Plan (received 20/02/2026)

ITS200270-GA-005 A - Proposed Access Arrangement (received 20/02/2026)

PP.01 P1 - Phasing Plan (received 07/07/2026)

Reason: For the avoidance of doubt and in the interest of proper planning.

5. No dwelling shall be occupied until; the visibility splays shown on approved plan ITS200270-GA-005 A have been provided with no obstruction to visibility at or above a height of 600mm above the nearside carriageway level. The visibility splays shall be maintained free of obstruction thereafter.

Reason: In the interest of highway safety.

6. No development shall commence on site, for any phase of development, until; a written programme of archaeological investigation for that phase, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved in writing by the Local Planning Authority. The approved program of archaeological work shall be carried out in accordance with the approved details.

Reason: To enable the recording of any matters of archaeological interest.

7. No development shall commence on site, for any phase of development, including any works of site clearance and preparation, until; an Arboricultural Method Statement (AMS) for that phase, prepared by a suitable qualified arboricultural consultant, providing details of construction works in relation to trees has been submitted to and approved in writing by the Local Planning Authority. All works shall subsequently be carried out in strict accordance with the approved details. In particular, the AMS must provide the following:

- A specification for protective fencing to trees during both demolition and construction phases which complies with BS 5837:2012 and a plan indicating the alignment of the protective fencing.
- A specification for any scaffolding and ground protection within tree protection zones in accordance with BS 5837:2012.
- A schedule of tree works conforming to BS 3998:2010.

- Details of general arboricultural matters such as the area for storage of materials, concrete mixing and use of fires.
- Plans and particulars showing the siting of the service and piping infrastructure
- Details of how the ditch will be constructed in close proximity to T10.
- A full specification on how the construction of the access road and any parking spaces will be achieved within the root protection areas of retained trees including details of any no-dig method.
- Details of the length of hedgerow to be removed to facilitate the pedestrian access.
- Details of the works requiring arboricultural supervision to be carried out by the developer's arboricultural consultant, including details of the frequency of supervisory visits and procedure for notifying the local planning authority of the findings of the supervisory visits.
- Details of all other activities, which have implications for trees on or adjacent to the site.

In order that trees to be retained on-site are not damaged during the construction works, no demolition, site clearance or development should commence on site until a pre-commencement site meeting has been held, attended by the developer's arboricultural consultant, the designated site foreman and a representative from the local planning authority, to discuss details of the proposed work and working procedures.

Subsequently and until the completion of all site works, site visits should be carried out on a monthly basis by the developer's arboricultural consultant. A report detailing the results of site supervision and any necessary remedial works undertaken or required should then be submitted to the local planning authority for approval. Any approved remedial works shall subsequently be carried out under strict supervision by the arboricultural consultant following that approval.

Reason: To ensure the retention and protection of existing trees and hedges, in the interests of visual amenity and biodiversity.

8. No development shall commence on site, for any phase of development, including any works of site clearance and preparation, until; a Construction Method Statement (CMS) for that phase has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved CMS, which shall include the following:
 - description of management responsibilities, names person for residents to contact.
 - description of the construction programme.
 - the on-site parking of vehicles of site operatives and visitors.
 - loading and unloading of plant and materials.
 - storage of plant and materials used in constructing the development.
 - the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.
 - wheel washing facilities.

- measures to control the emission of dust and dirt during construction and prohibition on burning of materials.
- a scheme for recycling/disposing of waste resulting from demolition and construction works.
- hours of construction to be restricted so that no construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.
- drainage arrangements during the construction works.
- on-site vehicle routing for construction vehicles including site access.
- location of generators.

Reason: To protect the amenity of surrounding occupiers and in the interest of highway safety.

9. No development shall commence on site, for any phase of development, until; a Construction Environmental Management Plan (CEMP) for that phase has been submitted to and approved in writing by the Local Planning Authority. The Plan shall provide details of the avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:
 - Identification of ecological protection areas/buffer zones and tree root protection areas and details of physical means of protection, e.g. exclusion fencing.
 - Working method statements for protected/priority species, such as nesting birds, badgers, bats, Great Crested Newts and reptiles.
 - Mitigation strategies already agreed with the local planning authority prior to determination, such as for Great Crested Newts, reptiles, badgers or bats; this should comprise the preconstruction/construction related elements of strategies only.
 - Work schedules for activities with specific timing requirements in order to avoid/reduce potential harm to ecological receptors; including details of when a licensed ecologist and/or ecological clerk of works (ECoW) shall be present on site.
 - Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECoW).

Development shall be carried out in strict accordance with the approved CEMP.

Reason: To ensure adequate protection and mitigation for ecological receptors prior to and during construction, and that works are undertaken in line with current best practice and industry standards and are supervised by a suitably licensed and competent professional ecological consultant where applicable.

10. No development shall commence on site, for any phase of development, until; a Landscape and Ecology Management Plan (LEMP) for that phase has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall include long term objectives and targets, management responsibilities and maintenance

schedules for each ecological feature within the development, together with a mechanism for monitoring success of the management prescriptions, incorporating review and necessary adaptive management to attain targets. The LEMP shall be implemented in full and for the lifetime of the development in accordance with the approved details.

Reason: To ensure the long-term management of landscape and ecological features retained and created by the development, for the benefit of visual amenity and biodiversity for the lifetime of the scheme.

11. No development shall commence on site, for any phase of development, until; a Habitat Management and Monitoring Plan (HMMP) for that phase has been submitted to and approved in writing by the Local Planning Authority. The HMMP shall be prepared in accordance with the statutory Biodiversity Gain Plan and include:

- a non-technical summary.
- the roles and responsibilities of the people or organisation(s) delivering the HMMP.
- the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the statutory Biodiversity Gain Plan and schedule for implementation.
- the management measures to maintain habitat in accordance with the statutory Biodiversity Gain Plan for a period of 30 years from the completion of development.
- the monitoring methodology and specification of a Monitoring Pack (to include but not exclusively up to date Management Actions Logs, Habitat Condition Assessment Reports, metric calculation; and corresponding post intervention Habitat Map) which shall be submitted to the Local Planning Authority in years 2 (two), 5 (five), 10 (ten), 15 (fifteen), 20 (twenty) and 30 (thirty) of the Maintenance Period.

The created and/or enhanced habitat shall be managed and maintained in accordance with the statutory HMMP at all times thereafter.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

12. No development shall commence on site, for any phase of development, until; a Surface Water Drainage Strategy, complying with Wiltshire Council requirements, NPPF, PPG and the Non Statutory Technical Standards for SuDS for that phase has been submitted to and approved in writing by the Local Planning Authority.

To discharge the above condition the following additional information must be provided:

- Greenfield rates have been calculated using IH124 (FSR based rainfall data) and then use FEH22 data for the design. The applicant is to amend the design using only the more conservative method throughout.

- Calculations for the drainage system design that also include the piped network based on no flooding on site for a 1 in 30 year plus climate change rainfall event.
- Calculations for the drainage system design that also include the piped network based on no flooding on site for a 1 in 100 year plus climate change rainfall event in respect to a building (including basement) or utility plant susceptible to water within the development.
- Hydraulic Models should set the MADD factor / additional storage volume factor to 0m³ / ha in order to prevent an overestimation of storage capacity in the proposed drainage network.
- A clearly labelled drainage layout plan showing not only the attenuation ponds but also the pipe networks and any. The plan should show any pipe node numbers referred to within the drainage calculations.
- If proposed, a drawing showing how the pumped discharge point into the Attenuation Basin C will be managed and clarification as to whether this is an Emergency overflow.
- Consent for any outfalls from the proposed drainage systems into a public sewer or other drainage system not owned by the applicant.
- A construction management plan, which shall include monitoring of, and measures to retain, the existing vegetation across the site, together with details of drainage arrangements during the construction phase, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority.

Reason: To ensure the proposed development can be adequately drained.

13. No development shall commence on site, for any phase of development, until; details of the works for the disposal of sewerage, including the point of connection to the existing public sewer, for that phase have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans.

Reason: To ensure the proposed development does not pose an unacceptable risk to the water environment.

14. No development shall commence on site, for any phase of development, until; a detailed assessment for the culverting of existing ordinary watercourses for that phase has been submitted to and approved in writing by the Local Planning Authority. The assessment must demonstrate through hydraulic modelling that the culverting will not increase risk of flooding to the site/adjacent land and upstream catchments, and that the technical benefits of watercourse culverting outweigh any potential loss of amenity/biodiversity in the watercourse. The approved scheme shall be implemented in accordance with the approved details prior to the occupation of the first dwelling on the site. The scheme must be permanently retained thereafter.

Reason: To ensure the proposed development does not increase flood risk.

15. No development shall commence on site, for any phase of development, until; an Acoustic Design Scheme (for external traffic noise) for that phase, for the protection of the proposed residents from external traffic noise has been submitted to and approved in writing by the Local Planning Authority. The Acoustic Design Scheme (for external traffic noise) shall use Good Acoustic Design (in accordance with the Professional Practice Guidance: Planning and Noise New Residential Development (May 2017 or later versions)) to achieve the following noise limits:
- Bedrooms shall achieve an 8-hour LAeq (23:00 to 07:00) of 30dB(A) and an LAmax, F of 45dB based on the 10th highest measured level.
 - Living rooms and dining rooms shall achieve a 16-hour LAeq (07:00 to 23:00) of 35dB(A).
 - External noise levels within private external amenity spaces shall not exceed 55dB, 16-hour LAeq (07:00 to 23:00 where practicable

The Acoustic Design Scheme (for external traffic noise) shall be implemented during construction of each dwelling and thereafter be permanently retained. For the avoidance of doubt, using closed windows to achieve the internal noise level target shall only be considered once all other good acoustic design acoustic mitigation measures have been utilised.

In accordance with a timetable in the approved Acoustic Design Scheme (for external traffic noise), a post completion report, prepared by the acoustic consultancy who designed the Acoustic Design Scheme or other suitably qualified expert, shall be submitted to and approved in writing by the local planning authority. This shall provide evidence that the approved Acoustic Design Scheme (for external traffic noise) has been fully implemented, any additional measures required to achieve compliance.

Reason: To ensure that appropriate levels of amenity are achieved.

16. No development shall commence on site, for any phase of development, other than that required to be carried out as part of a scheme of remediation approved by the Local Planning Authority under this condition, until; steps (i) to (iii) below have been fully complied with for that phase.

- i. An investigation and risk assessment must be completed to assess the nature and extent of any contamination (including asbestos) on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:
 - A survey of the extent, nature and scale of contamination on site;
 - The collection and interpretation of relevant information to form a conceptual model of the site, and a preliminary risk assessment of all the likely pollutant linkages;
 - If the preliminary risk assessment identifies any potentially significant pollutant linkages a ground investigation shall be carried out, to provide further information on the location, type and concentration of

contaminants in the soil and groundwater and other characteristics that can influence the behaviour of the contaminants; and

- An assessment of the potential risks to:
 - human health;
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;
 - adjoining land;
 - groundwater and surface waters;
 - ecological systems; and
 - archaeological sites and ancient monuments.
- ii. If any unacceptable risks are identified as a result of the investigation and assessment referred to in step (i) above, a detailed remediation scheme to bring the site to a condition suitable for the intended use must be prepared. This should detail the works required to remove any unacceptable risks to human health, buildings and other property and the natural and historical environment, should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures.
- iii. The approved remediation scheme under step (ii) must be carried out in accordance with its requirements. The Local Planning Authority must be given at least two weeks written notification of commencement of the remediation scheme works.
- iv. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it should be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment should be undertaken in accordance with the requirements of step (i) above and where remediation is necessary, a remediation scheme should be prepared in accordance with the requirements of step (ii) and submitted to and approved in writing by the Local Planning Authority.
- v. Following completion of measures identified in the approved remediation scheme a verification report must be produced. The report should demonstrate the effectiveness of the remedial works. The verification report should be submitted to and approved in writing of the Local Planning Authority.
- vi. If a monitoring and maintenance scheme is required as part of the approved remediation scheme, reports must be prepared and submitted to the Local Planning Authority for approval at the relevant stages in the development process as approved by the Local Planning Authority in the scheme approved pursuant to step (ii) above, until all the remediation objectives in that scheme have been achieved.

All works must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until step (iv) has been complied with in full in relation to that contamination.

Reason: To reduce the risks associated with land contamination.

17. No dwelling shall be occupied, for any phase of development, until; a Travel Plan for that phase, comprising immediate, continuing, and long-term measures to promote and encourage alternatives to single-occupancy car use, along with the contact details of the current Travel Plan Coordinator and a copy of the Travel Information Pack has been prepared, submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented, monitored, and reviewed in accordance with the agreed Travel Plan Targets to the satisfaction of the Local Planning Authority. As part of the Travel Information Pack sustainable travel vouchers must be included for new occupants. The Travel Plan shall be written in accordance with the sustainable development aims and objectives of the National Planning Policy Framework and the Council's Travel Plan Guide for New Developments guidance.

Reason: In order to deliver sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking & cycling.

18. The reserved matters submitted pursuant to Condition 2 shall be accompanied by full details of the proposed site levels (above ordnance datum), together with the finished floor slab levels of the proposed buildings and structures (including roads and footpaths), in relation to existing ground levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To enable the Local Planning Authority to ensure that the proposed development will relate satisfactorily to existing features within the site and its surroundings in the interests of visual amenity.

19. The reserved matters submitted pursuant to Condition 2 shall be accompanied by a statement which demonstrates how the proposed layout broadly complies with the approved Ecological Parameters Plan (Ecological Constraints and Opportunities Plan. 03 February 2026. EAD Ecology). This document sets out the ecologically sensitive areas of the site that will be retained, protected and enhanced. It shall not be altered at Reserved Matters without detailed justification based on additional habitat and wildlife species surveys.

Reason: To protect the ecologically sensitive features of the site.

20. The reserved matters submitted pursuant to Condition 2 shall be accompanied by an External Lighting Strategy. The submitted details shall demonstrate how the proposed lighting will impact on bat habitat compared to the existing situation. The plans will be in accordance with the appropriate Environmental Zone standards set out by the Institution of Lighting Professionals (ILP) Guidance Notes on the Avoidance of Obtrusive Light (GN 01/2021) and Guidance note GN08/23 "Bats and artificial lighting at night", issued by the Bat Conservation Trust and Institution of Lighting Professionals.

Reason: To avoid illumination of habitat used by bats.

21. The reserved matters submitted pursuant to Condition 2 shall be accompanied by a Sustainable Energy Strategy. The Strategy shall include details of the energy efficiency measures (such as use of renewable energy to provide electricity/heat, building orientation & insulation, rainwater harvesting and EV charging). The development shall be carried out in accordance with the approved Strategy.

Reason: To ensure the development contributes to climate change mitigation and adaptation and accords with Core Policies 41 and 57 of the Wiltshire Core Strategy

22. The reserved matters submitted pursuant to Condition 2 shall be accompanied by an Electric Vehicle Charging Strategy to include the number/type/location/means of operation and a programme for the installation and maintenance of Electric Vehicle Charging Points and points of passive provision for the integration of future charging points. The Electric Vehicle Charging Points as approved shall be installed prior to occupation of each respective building or dwelling.

Reason: To promote sustainable travel, aid in the reduction of air pollution levels and help mitigate climate change.