

Town and Country Planning Act 1990

Section 78 Appeal by Millen Homes Limited

Site address: Land to the East of Yarnbrook Road, West Ashton, Trowbridge, BA14 6AP

Appeal against refusal of planning permission for Outline planning application for development of 9no self-build dwellings. All matters reserved except for Access and Layout.

Statement of Case by Wiltshire Council as Local Planning Authority

Case Officer: Steven Sims

1. INTRODUCTION

1.1 This statement has been prepared on behalf of Wiltshire Council to justify the refusal of application PL/2026/00531 for an outline planning application for development of 9no. self-build dwellings with all matters reserved except for access and layout at Land to the East of Yarnbrook Road, West Ashton, Trowbridge. The Council's statement of case is detailed in the Delegated Report decided under delegated powers on 15 June 2026. A copy of this report is attached in Appendix A. The Decision Notice and reasons for refusal have already been sent to the Planning Inspectorate. The refusal reasons are as follows:

1. *The site lies in the open countryside beyond the limits of development of any settlement identified for sustainable development in the settlement strategy of the Wiltshire Core Strategy. The proposal therefore conflicts with policies CP1*

and CP2 of the Wiltshire Core Strategy (WCS) and does not meet the criteria for any of the exceptions to these policies set out in paragraph 4.25 of the WCS. Furthermore, the proposed development would be poorly served by local services, facilities and amenities such that the occupants of the dwellings would likely be heavily reliant on the use of private motor vehicles for the majority of routine journeys. The application is considered to be an inappropriate, unsustainable form of development which would significantly and demonstrably outweigh the benefit of providing nine additional dwellings in an open countryside location. As such the proposal, in the absence of an outweighing justification, is not considered to represent sustainable development being contrary to Core Policies 1, 2, 29, 60 and 61 of the Wiltshire Core Strategy and the policies of the National Planning Policy Framework taken as a whole.

- 2. The proposed development seeks to create a new access onto the A350, which forms part of the National Primary Route Network (NPRN), in a location outside of a built-up area. In the absence of any overriding justification, the proposal is contrary to Core Policy 62 of the Wiltshire Core Strategy, which resists new direct accesses onto the NPRN in such locations.*

The proposed access arrangements, together with the expected intensification of use by motor vehicles and pedestrian movement interacting with the heavily trafficked PRN, would introduce material hazards and inconvenience to all users of the highway.

The development would result in increased pedestrian activity along a section of highway lacking adequate footways, lighting and safe crossing facilities, thereby exacerbating existing safety deficiencies.

As a result, the proposal would give rise to unacceptable impacts on highway safety and the free flow of traffic, contrary to Core Policy 57 (criteria ix and xiv), Core Policy 61 and Core Policy 62 of the Wiltshire Core Strategy and paragraphs 115, 116 and 117 of the of the National Planning Policy Framework.

3. *The proposed development would result in the urbanisation of the open countryside with the subsequent erosion and loss of rural character being harmful. The Council is not satisfied the 9-house proposal would result in a scheme that would protect, conserve or enhance landscape character. The proposal is therefore contrary to Core Policies CP51 and CP57 of the Wiltshire Core Strategy and Paragraphs 135 and 187 of the National Planning Policy Framework.*
4. *The site is located within the Bradford on Avon Bat Special Area of Conservation (SAC) and grey and yellow zones of the Trowbridge Westbury Bat Mitigation Strategy and must, therefore, be considered under the Habitat Regulations. The SAC is recognised for its national and international importance for nature conservation. Its qualifying features are its protected priority habitats and species including important population of Bechstein Bats and Greater Horseshoe Bats. Insufficient information has been submitted to enable the Council to conclude a favourable Appropriate Assessment with respect of the Bath & Bradford-on-Avon Bat SAC. The Council is unable to conclude that there would be no adverse effects on the integrity of the Bath & Bradford-on-Avon Bat SAC. The proposed development is therefore contrary to Core Policy CP50 of the Wiltshire Core Strategy and paragraphs 187, 193, 194 and 195 of the National Planning Policy Framework*
5. *The applicant has failed to provide an appropriate archaeological trial trench evaluation. In the absence of this information, the Local Planning Authority is unable to properly assess the significance of any heritage assets with archaeological interest that may be present within the site, or to determine the potential impact of the proposed development upon them. As a result, the proposal does not demonstrate that the archaeological implications of the development have been fully understood or that harm can be avoided or mitigated. The development is therefore contrary to Core Policy 58 of the Wiltshire Core Strategy, which requires that heritage assets and their settings are conserved in a manner appropriate to their significance. The proposal also conflicts with the principles of the Framework, paragraph 207, which requires*

applicants to describe the significance of heritage assets affected and for local planning authorities to ensure that such information is provided to enable informed decision making.

6. *In the absence of completed legal obligation at time of determination to secure the delivery and retention of the dwellings as self-build housing and to secure the necessary ecological mitigation measures, the proposed development fails to ensure appropriate mitigation of its impacts and compliance with relevant policy requirements. Without such secured mechanisms, the local planning authority cannot be satisfied that the development would deliver the self-build benefits or adequately mitigate its ecological impacts, resulting in an unacceptable form of development. The proposal is therefore contrary to Core Policies 3 and 50 of the Wiltshire Core Strategy and provisions of the National Planning Policy Framework.*

2. APPEAL SITE LOCATION

- 2.1 See Report Appendix A

3. PROPOSAL

- 3.1 See Report Appendix A

4. RELEVANT PLANNING HISTORY

- 4.1 See Report Appendix A, except PL/2026/02193 – Demolition of an existing agricultural barn (which has prior approval for conversion to two dwellings under Class Q permitted development) and the erection of two detached self-build dwellings, was refused under delegated powers dated 23/07/2026.

5. RELEVANT POLICIES

- 5.1 See Report Appendix A, except as detailed below.

- 5.2 West Ashton Neighbourhood Plan 2026-2038 (in particular Policy 2 – Sustainable Transport, Policy 3 – Bat Conservation, Policy 4 – Biodiversity and Policy 5 – Housing)
- 5.3 Wiltshire Local Plan Pre-Submission Draft 2020-2038 - 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 this appeal.
- 5.4 National Planning Policy Framework August 2026 - The Government has published a revised National Planning Policy Framework (NPPF) on 17 August 2026. The latest iteration of the NPPF is a material consideration of substantial weight in the determination of this appeal. It supersedes the December 2024 iteration which is referenced in the Council's refusal decision notice and the accompanying delegated officer's report (see Appendix A below).
- 5.5 The Council's refusal reasons reference numerous paragraphs of the 2024 NPPF including those relating to sustainability and development outside the limits of development (section 2), those relating to highway safety issues (paragraphs 115, 116 and 117), those relating to design principles (paragraph 135), those relating to conserving and enhancing the natural environment (paragraphs 187, 193, 194 and 195) and those relating to the setting of heritage assets (paragraph 207).
- 5.6 The following policies of the revised NPPF are considered relevant to this appeal in relation to refusal reason one and include –
- The site is located outside any settlement boundary as such policy S5 'Principle of development outside settlements' is applicable.
 - In addition, other national decision-making policies are relevant via Policy S5(2) which will be detailed further below.

- Although West Ashton has a neighbourhood plan it does not allocate housing therefore Policy S6 'Neighbourhood plans and the presumption' is not engaged.
- Other policies of relevance include Policy H07 'Meeting the need for homes'.
- With regards policies HO8 to HO13 these are not considered applicable to this application as detailed below.

5.7 Each criterion of Policy S5(1) is assessed against refusal reason one as detailed here –

- Criteria (a), (b) and (c), (f), (g) do not apply.
- With regards criteria (d) the land is not considered previously developed land.
- With regards criteria (e) the development is not considered to be located within groups of houses or limited in scope in terms of housing numbers proposed (9 dwellings). As detailed in the officer's report section 'Layout, Density, Design and Visual Impacts' the site is located to the south and west of existing residential development at West Ashton and as such it is considered the site is not located 'within groups of houses'.
- With regards criteria (h) the site is not within reasonable walking distance of a well-connected station and is not of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure. This is detailed in the 'Principle of development' section of the officer's report.
- With regards criteria (i) the site is not allocated in the development plan for housing, or for any other purpose. The West Ashton Neighbourhood Plan allocates no housing sites.
- With regards criteria (j), as stated in the section '5-Year Housing Land Supply' of the officers report the council cannot demonstrate a 5-year housing land supply and can demonstrate 2.8-year housing land supply. However, it is considered the site is not physically well-related to the existing settlement of West Ashton as detailed in the 'Principle of development' section of the officer's report.

- With regard to Policy S5(2) the Council considers the development fails to comply with national decision-making policies relating to highway safety, design, ecology and archaeology, as detailed further below and in the officer's report, which states that development proposals should be refused in specific circumstances where the benefits of approving development proposals are *likely to be substantially outweighed by adverse effects*.
- With regard to Policy S5(4) it is not considered the benefits of the proposal would substantially outweigh the adverse effects as detailed throughout the officer's report.

5.8 Policy H07 states that substantial weight should be given to the benefits of providing homes which will contribute towards meeting the evidenced accommodation needs of the community. The proposed development would provide 9 self-build dwellings with details of design being a reserved matter. However, the proposed layout (not a reserved matter) would seem to indicate the dwellings are family dwellings. While substantial weight can be attached to the benefits of providing such homes it is considered, as detailed in the 'Planning Balance' of the officer's report that the harm caused, in terms of sustainability, highway safety issues, ecology issues and archaeological issues, would outweigh these benefits.

5.9 With regard to policies HO8 to HO13, providing 9 family dwellings and no affordable housing would exclude Policy HO8. In addition, Policy H09 references specialist forms of accommodation, Policy H10 defines exception sites, Policy HO11 references isolated homes in the countryside, Policy H12 refers to traveller sites and Policy HO13 refers to residential and strategic sites, and none of these are considered applicable to this appeal.

5.10 The Council maintains that the reasoning as set out in the officer's report remains extant particularly the sections titled 'Principle of development' and 'Conclusion (The Planning Balance)' in terms of supporting refusal reason one,

which remains the position of Wiltshire Council and is consistent with the policy approach set out in the revised NPPF.

5.11 The following policies of the revised NPPF are considered relevant to this appeal in relation to refusal reason two and include –

- TR3: Locating development in sustainable locations.
- TR4: Street design, access and parking
- TR6: Assessing transport impacts.
- DP3: Key principles for well-designed places

It is considered the above policies support the Council's refusal reason.

5.13 With regard to Policy TR3, as detailed in the officer's report, the appeal site is not located in a sustainable location, and the appealed development would be heavily reliant on use of the private motor vehicles to access services and facilities. In terms of Policy TR4 the appeal development does not give priority first to walking, wheeling and cycle movements or minimise the scope for conflict between pedestrians, cyclists and vehicles. In addition, the appealed development would have an unacceptable impact on highway safety and is contrary to Policy TR6. The appealed development is also contrary to Policy DP3(d) in that the development does not provide good connections to the wider settlement (or those nearby), and does not prioritise walking, wheeling, cycling and public transport.

5.14 Reference is made in the Appellant's Statement of Case to the consented development at Ashton Park and in particular the relief road and road improvements at West Ashton (under planning application reference 15/04736/OUT). However, as detailed below, that development has only recently gained outline permission and is likely to be many years from meaningful delivery of the respective highway infrastructure the appellants are seemingly relying upon in part, and there is no certainty what they are referencing will be fully delivered to provide the argued benefits the appellants cite. This appeal must therefore be assessed on the existing access onto the

existing highway and what is proposed is unacceptable. The appealed development would continue to be heavily dependent on private vehicle travel to access services and facilities.

5.15 The following policies of the revised NPPF are also considered relevant to this appeal in relation to refusal reason three and include –

- DP3: Key principles for well-designed places
- N2: Improving the natural environment.

They continue to support the Council's refusal reason.

5.16 With regard to refusal reason three, the case for the Council is set out in section 'Layout, Density, Design and Visual Impacts' of the officer's report. The Council has reviewed the new NPPF and argues the appeal conflicts with Policy DP3(1) on the grounds that it fails to respond to its context in terms of character and setting of the site in an open countryside location. In addition, the scheme fails to consider the environmental qualities of land proposed for development, including landscape character and the natural beauty of the countryside and it fails to identify opportunities for those qualities to be conserved or enhanced (Policy N2(a)).

5.17 The following policies of the revised NPPF are considered relevant to this appeal in relation to refusal reason four and include –

- N2: Improving the natural environment (in particular N2(1)(a), (d) and (f) and N2(2))
- N6: Areas of particular importance for biodiversity and geodiversity (in particular Policy N6(1))

5.18 As stated in section 'Ecology Impacts' of the officer's report, the appeal development fails to comply with policies of the NPPF in that the applicant has failed to satisfy the Council that the 9-house proposal would not result in the loss of functionality of habitat potentially used by SAC bats. It is considered the

above policies of the revised NPPF continue to support the approach of the LPA on this matter.

5.19 It is noted the appellants have submitted a Preliminary Ecological Appraisal (PEA) and a Unilateral Undertaking that provides contributions towards strategic mitigation measures as identified in the TWBMS. Issues relating to these documents are dealt with in section 7 of this statement.

5.20 The following policies of the revised NPPF are also considered relevant to this appeal in relation to refusal reason five and include –

- HE4: Securing the conservation of heritage assets.
- HE5: Assessing effects on heritage assets.
- HE10: Loss or removal of heritage assets

Policy HE5(1) clearly states that development proposals affecting heritage assets should be accompanied by an assessment of the significance of the assets affected (including any contribution made by their setting) and of the potential effect of the proposal on their significance. While policy HE5(5) reiterates that a heritage asset with archaeological interest should be accompanied by an appropriate desk-based assessment and field evaluation where necessary. It is considered the policies of the revised NPPF in relation to the preservation of heritage assets, and in particular archaeological assets, remains broadly consistent with the 2024 NPPF and these issues are dealt with in the section ‘Archaeology issues’ of the officer’s report.

5.21 Policy DM6 ‘Use of planning conditions and obligations’ references planning obligations and their use to address otherwise unacceptable impacts and is relevant to refusal reason six.

6. CASE FOR THE LOCAL PLANNING AUTHORITY (LPA)

- 6.1 The main case for the Local Planning Authority is set out in the Delegated Report (Appendix A).

7. COMMENTS ON THE APPELLANT'S STATEMENT OF CASE

- 7.1 Reference is made in the Appellant's Statement of Case to the proposed housing development at Ashton Park (planning application reference 15/04736/OUT) (section 6 and 7 in particular). The submitted phase plan (revision F dated 08/07/2025 – which is contained in appendix B) for the Ashton Park development reveals the developer's trajectory for the construction of a future relief road and associated road works at West Ashton that are identified as forming part of phase 2 of the scheme with reference to the delivery of the respective highway infrastructure road works of five following first occupation or before 1000 dwellings. This points to the highway infrastructure being many years away from delivery.
- 7.2 Paragraph 6.4 of the appellants statement states that the construction of the Ashton Park development would provide future occupiers with '*ready access to a full range of day-to-day services, facilities and public transport.*' The Ashton Park scheme would include a cycle route from West Ashton to Trowbridge marginally improving accessibility of the appeal site, however it is considered this would not result in the level of improved connectivity required to make the site sustainable in its own terms. The Ashton Park scheme will require multiple REM approvals and whilst Wiltshire Council is hopeful of seeing material house building taking place across the strategic urban extension that now has outline consent, it will likely be many years before we see the infrastructure that the appellants are relying upon, and delays along the way could well further reduce the weight that can truly be given to the delivery of such a significant housing development. In the interim, if this appeal site comes forward and the cited future relief road is 5 years from delivery, that casts a shadow over the sustainability of the appealed development being promoted now in 2026. If

allowed, it would have poor access to services and facilities, and the occupiers of this 9-house scheme would be heavily reliant on the private motor vehicle for all trips.

- 7.2 It is noted that the appellant has suggested a condition (their no.4) to address this issue. However, it is considered that the proposed condition fails the legal tests, particularly those relating to reasonableness and precision. The condition would rely upon the completion of highway infrastructure associated with a separate planning permission, where the applicant for this appeal has no control. If the proposed road network is delayed or is not delivered, and the scheme is subject to variation to modify the terms of the original submission this appeal would be unreasonably left in limbo if the condition being put forward was imposed. The housing could be constructed but remain unoccupied for an indefinite period. Whilst the use of a Grampian-style condition is possible, strict rules apply, and the Council is not supportive of the condition being put forward by the appellants and the respective inspector is invited to assess whether the appeal is acceptable on its own merits in terms of site sustainability when tested against the NPPF development management policies. The future delivery of the relief road is not at stage where it can be relied upon for this appeal.
- 7.3 The Council does not dispute the prospect that the cited off-site highway works coming forward in the future. It is more a matter of when and how much weight can be afforded to something that may be many years in the future and whether it is acceptable in planning terms to have a nearby site delivered with poor connections until those off-site works are delivered.
- 7.4 The wording of the condition being advanced by the appellants is questionable in terms of there being a definitive connection to a new route through the Ashton Park scheme, in particular the phrase *"the associated stopping-up and landscaping of the existing A350 carriageway at the site frontage has been implemented"*, is considered insufficiently precise, as it does not clearly identify the works required to satisfy the condition.

- 7.5 The appellants, within Section 10 of their appeal statement refer to approved application PL/2021/09453 at Sunnyside, Yarnbrook Road, West Ashton. That application related to the provision of 2 additional gypsy traveller pitches at an existing gypsy traveller site, which is not comparable to this appeal for the erection of 9 dwellings on agricultural field. The nature, scale and of scope of the approval of that 2021 application differs significantly from this appeal proposal and the Council maintains that each application should be treated on its own merits.
- 7.6 Section 10 of the appellant statement also relies heavily on the Ashton Park development being constructed to support the argument that the submitted Preliminary Ecological Appraisal (PEA), together with the use of planning conditions, would be sufficient to address the Council's fourth reason for refusal relating to ecological impacts. However, the Ashton Park development differs significantly from the current appeal proposal in terms of its scale, location and proposed ecological mitigation measures. Consequently, the comparison is not considered to be directly applicable in assessing the likely ecological impacts of the appeal proposal.
- 7.7 By submitting a revised Preliminary Ecological Appraisal (PEA) as part of the appeal, the appellant is acting contrary to the procedural guidance for appeals that apply to applications determined on or after 1 April 2026. The Planning Practice Guidance, *Planning appeals: procedural guide for appeals relating to applications determined on or after 1 April 2026*, particularly paragraphs 3.1.1, 3.1.2 and 7.3.6, advise that the Planning Inspectorate will not generally accept new evidence during the appeal process. The guidance further states that "*if an appellant believes that new evidence (for example, a detailed technical report) or amendments to a scheme will overcome the local planning authority's reasons for refusal, they should submit a revised planning application to the local planning authority*". In light of this guidance, the Council considers that if the appellant wish to rely on the revised PEA to address the fourth reason for refusal, the appropriate course of action would be to submit a new planning

application for consideration by the local planning authority and to withdraw this appeal.

7.8 With regard to the submitted PEA –

- Section 3 of the report advises with regard to roosting bats/ protected species and states that the appellants ‘At the time of writing, we are still awaiting record results.’
- Section 4 advises there is moderate likelihood of bats being present for foraging/ commuting (para 4.7) and that further surveys for bats will be required (para 4.8 and 4.10).
- Paragraph 4.71 advises on points necessary to be compliant with the TWBMS including additional surveys and provision of 15m ‘dark zone’ buffer and strategic contributions.
- Paragraph 5.3 states specific details regarding layout, access and land are yet to be confirmed however it should be noted the scheme is outline and layout is not a reserved matter. Paragraph 5.9 also references the absence of a layout plan when providing the ecological conclusion.
- Section 6 of the PEA advises additional survey work for foraging and commuting is required and an Ecological Parameters Plan (EPP) is necessary to support the application (p49).

7.9 At the time of writing this appeal statement no additional record or survey information has been submitted and the appeal is not accompanied by an EPP. The current proposal is for 9 dwellings and the layout of the of the site is not a reserved matter as such it is unclear how mitigation measures including a 15m buffer and 15m dark zone buffer and the mitigation advised under section ‘Future Enhancements Subject to Final Layout’ would be provided on site.

7.10 The lack of survey details and ecological information is fatal to this appeal, and the appellants have failed to address the Council’s refusal reason four. Progressing with this appeal is considered unreasonable behaviour on the part of the appellant and the Inspector is invited to consider an award of costs

against the appellants on the grounds that their appeal submission is little chance of success and is not properly supported or evidenced. Insufficient information has been submitted to enable the Council to conclude a favourable Appropriate Assessment with respect of the Bath & Bradford-on-Avon Bat SAC and the Council cannot see how an appointed inspector can reach a lawfully competent position to produce one either.

7.11 With regard to the appellants submitted Unilateral Undertaking the Council's ecology officer has advised –

- The council cannot confirm an SPA Contribution figure at present.
- To confirm the TWMBs contributions, the legal admin fee is usually £375 for the grey zone contribution, and £375 for the yellow zone contribution (both apply for between 6-10 properties).

7.12 All other matters raised in the Appellant's grounds of appeal are dealt with in the main body of the Council's statement.

8. CONCLUSION

8.1 For the reasons set out above it is requested that the Inspector **dismiss** the appeal.

9. SUGGESTED CONDITIONS

9.1 Without prejudice to the Council's case it is respectively requested that the following conditions set out in Appendix C be considered if the appointed Planning Inspector is minded to grant planning permission. The Council submits that the listed / suggested conditions satisfy the 6 tests.

10. Disclaimer

Microsoft Copilot was used as an editorial support tool in the preparation of this document to assist with grammar, spelling, syntax, and general readability. The factual content, planning assessment, policy interpretation, professional judgement, and conclusions have been prepared and reviewed by the author. Responsibility for the content of this document rests solely with the author and the Local Planning Authority.

Wiltshire Council reference: PL/2026/00531

Planning Inspectorate reference: 6013972

Appendix A: Officers Delegated Report (PL/2026/00531)

CASE OFFICER'S REPORT

Application Reference:	PL/2026/00531
Application Type:	Outline planning permission: Some matters reserved
Consultation ends:	12 May 2026
Case officer:	Steven Sims

Site Address:	Land to the East of Yarnbrook Road, West Ashton, Trowbridge, BA14 6AP
Proposal:	Outline planning application for development of 9no self-build dwellings. All matters reserved except for Access and Layout.
Recommendation:	REFUSE

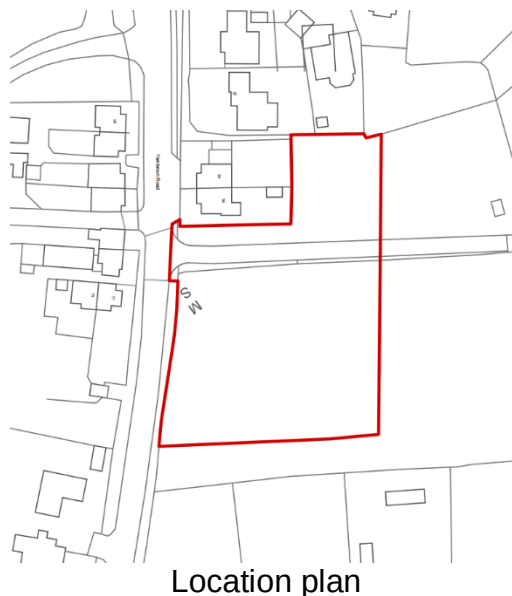
PROPOSAL AND SITE DESCRIPTION

The site

The site is very rural in nature and comprises approximately 0.47 hectares of agricultural land located to the east of Yarnbrook Road and to the south of West Ashton. Residential development is located beyond the northern and northwest boundaries of the site. There is a traveller's site to the south and agricultural land further to the east.

A gravel track runs through the site west to east, which is bordered by mainly hedgerows and slopes down gently from east to west. The site is located within the Bath and Bradford on Avon Bat Special Area of Conservation (SAC), grey and yellow zone of the Trowbridge Westbury Bat Mitigation Strategy (TWBMS) and Salisbury Plain Special Protection Area (SPA).

The site is located within flood zone 1 and is not subject to groundwater flooding. The site is subject to surface water flooding at the access onto Yarnbrook Road.





Application site viewed from the East looking towards Yarnbrook Road

The application

This is an outline planning application with all matters reserved except access and layout for the erection of 9 dwellings. Access to the site would be via the existing farm access off Yarnbrook Road which would be upgraded to serve the new development.

The submitted layout plan indicates the provision of two parking spaces per dwelling. Paragraph 6.3 of the Design and Access Statement confirms that secure bicycle storage will be provided for each dwelling, along with visitor parking (although the visitor parking is not indicated on the layout plan). The development is proposed as self-build/custom build.

The proposed layout of the site is illustrated in the plan below:



Proposed layout

POLICIES

Wiltshire Core Strategy (WCS) 2015

Core Policy 1: Settlement Strategy; Core Policy 2: Delivery Strategy; Core Policy 29: Spatial Strategy for the Trowbridge Community Area; Core Policy 41: Sustainable Construction and Low Carbon Energy; Core Policy 50: Biodiversity and Geodiversity; Core Policy 51: Landscape; 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 and Development; Core Policy 62: Development Impacts on the Transport network; Core Policy 64: Demand management; Core Policy 67: Flood Risk

National Planning Policy Framework 2024 (the Framework) and Planning Practice Guidance (PPG)

Other

Wiltshire Local Transport Plan 2011 – 2026

Wiltshire Local Transport Plan 2025 – 2038 (endorsed at full council on 11 March 2025)

Wiltshire Local Transport Plan 2011 – 2026: Cycling Strategy

Wiltshire Design Guide SPD 2024

Trowbridge and Westbury Bat Mitigation Strategy (TWBMS) SPD July 2025

The 2025 Housing Land Supply Statement (base date April 2025)

Wiltshire Council's Emerging Local Plan (WLP) 2020-2038

At Full Council on 19 May, the elected members of Wiltshire Council agreed to withdraw the emerging WLP. It will now be subject to a legal process to finalise its withdrawal - which is likely to happen in July or August (2026). The said Plan has no material weight for the purposes of the application.

PLANNING HISTORY

PL/2026/02193 – Demolition of an existing agricultural barn (which has prior approval for conversion to two dwellings under Class Q permitted development) and the erection of two detached self-build dwellings. – Under Consultation

PL/2025/08586 – Conversion of existing barn to two dwellings. The access track presently exists in serviceable order. – Prior Approval Granted

W/07/01375/FUL – Change of use from agriculture to mixed use of agriculture and livery/breeding of horses including the provision of a menage, the established barn and three mobile field shelters – Approved.

W/05/01121/FUL – Change of use of land and buildings to mixed use of agriculture and equestrian (livery and breeding), together with provision of a menage – Withdrawn.

W/01/01478/FUL – Erection of agricultural building for livestock shelter and storage – Approved.

CONSULTATION RESPONSES

West Ashton Parish Council: Objects “to the above application on the grounds that it fails to provide adequate information for consideration and the information that has been supplied is both misleading and factually incorrect. The documentation provided

appears to have drawn its assertions from online sources rather than knowledge of the village.

For example, using the clause references within the 'Design and Access Statement' accompanying the application:

2.1.1 It is incorrect to state that West Ashton has a Public House. The statement that the village has 'excellent transport connections to larger settlements' is refuted. (see qv)

2.1.2 The assertion that the site is 'bounded by existing residential development to the East, South and West' is disputed.

2.1.4 The statement of Local Services and Facilities for sustainable living is misleading as it:

i) repeats the inaccuracy regarding a Public House. There is a Longs Arms in Steeple Ashton (1.9 miles away).

ii) the statements regarding Local Shops and Healthcare concede that these are only available in Trowbridge but fail to acknowledge that these cannot be accessed without use of private car transport which, of itself, is contrary to Wiltshire Council's policy for sustainable development.

2.1.5 Public Transport Links

This submission is wholly inaccurate.

There are no regular bus services available to West Ashton. There is no 'car-free' access to employment shopping or services.

There is no such railway station as Ashton Park. There is no railway station available to residents which has 'direct pedestrian/cycle access' and hence cannot be "supporting sustainable commuting patterns.

Trowbridge Railway station cannot be reached by bus as no such service is available.

The declaration that the above 'fully satisfies (sic) the NPPF paragraph 110 requirement for developments to be located where they offer "genuine choice of transport modes" and support travel patterns' is demonstrably incorrect.

2.2 We would appreciate clarification of the conditions that define suitable infill development.

2.3 Adjacent Barn Permission

The statement that the granting of 'planning permission' for the change of use of an agricultural barn designates the proposed site as being enclosed by residential development on all four sides is disingenuous. The granting of prior approval under Schedule 2 Part 3 Class Q of the General Permitted Development Order regulations does not constitute granting of planning permission.

Indeed, the regulations declare that prior approval does not grant planning permission. It is a change of use, not development.

2.4 Housing Land Supply Context

The application does not specify the source of its information but it is presumed that this is the Housing Land Supply Statement issued in June 2025. This document does show the 2-year shortfall against the 5-year requirement of the National Planning Policy Framework but fails to disclose the excess of houses that will be provided within the County over the appropriate period.

3.1.4 Sustainable Transport not proven, see above.

5.3 Landscape and Biodiversity see comments below on the Ecology Assessment

5.4 Access and Movement.

The ability to connect to 'existing footpath networks linking to local services and facilities' is questioned. Detailed information on such existing footways is requested.

6.4 Pedestrian and Cycle Access

This repeats the erroneous and misleading information as shown above.

Preliminary Ecological Appraisal

It is appreciated that this submission is preliminary, but its conclusions are most concerning. It is recommended that no phase 2 protected species surveys are necessary and declares that there are no bats present. This demonstrates inadequate research and appreciation of West Ashton's ecology and Wiltshire Council's and Trowbridge Town Council's policies in that it does not mention the Trowbridge and Westbury Bat Mitigation Strategy. This initiative impacts directly on our community. The proposed site is designated as being within a 'Yellow Area' and consequently requires mitigation measures.

We do not believe that the applicant has demonstrated appropriate care and expertise in its submission and as such it should not be approved.'

Highways Officer: Objects

Ecology Officer: Objects. *'Insufficient information has been submitted. In carrying out its statutory function, the LPA must be reasonably sure that the proposal will not result in significant adverse effects on protected habitats or species. The information outlined above must therefore be submitted and reviewed by the LPA's ecology team prior to determination of the application. I therefore maintain a holding objection until all the issues listed above have been suitably addressed.'*

Drainage Team: Holding objection. *'In the previous response, the Lead Local Flood Authority (LLFA) raised an objection specifically requiring BRE 365 soakage testing to assess the feasibility of infiltration and to establish groundwater levels on site. These tests do not depend on the detailed design of the dwellings and can be undertaken independently at the current stage. Therefore, the applicant must submit the results of the soakage testing in order to address and remove the existing objection. The LLFA acknowledges that other detailed drainage information can be secured by condition and provided at a later stage, such as the pre-commencement or reserved matters stage, once the dwelling designs have been finalised.'*

Archaeology Officer: Objects and pursuant to the agent's response to consultees, *"the site agent has challenged my previous advice in regard to this application when I advised that a geophysical survey of the site be carried out, followed by a trial trench evaluation, prior to the determination of the application. I must stress that this work will be required in order for me to fully assess the archaeological potential of the site, before advising on the likely impact of the proposals (as is required by NPPF Section 208, 2024 edition). I will not be changing my advice, and I will maintain my objection to this application until the required work is carried out."*

REPRESENTATIONS

11 comments have been received which have been summarised as follows –

- Loss of privacy /overlooking/ loss of light to neighbouring properties
- Adverse impact from noise and other disruptions during construction works.
- This site cannot surely be defined as 'infill'.
- It would further link West Ashton, a small village, to Yarnbrook
- Increased traffic onto the very busy A350 / highway safety issues / poor pedestrian links
- West Ashton does not have "excellent transport connections to larger settlements".
- Increase use of private car.
- There is no 'Ashton Park' railway station/ there are no bus services to, or from, West Ashton, regular or otherwise / no 'direct pedestrian/cycle access' either.
- Lack of local services/ no shop, public house or other amenities within the village
- Ecological issues including presence of bats on site.
- Should the application be approved needs to be controlled by conditions?
- Drainage issues, in particular groundwater
- There is a need for smaller affordable housing in the village.
- Set a precedent for future development.
- Air pollution issues
- Size, height, and/or design of the proposal is out of keeping with the character of the surrounding area.
- Does not demonstrate adherence with relevant local planning policies.
- Swift bricks should be installed in accordance with best-practice guidance.

ASSESSMENT

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 adopted Wiltshire Core Strategy (2015) and, where applicable, any made Neighbourhood Plans.

Principle of development

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of the application must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

West Ashton is designated a Small Village (Core Policy 29) however it is considered the proposed development is located outside the village envelope and manifests as a speculative housing development within the open countryside.

Policy CP2 of the adopted WCS is clear 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 limits of development may only be altered through the identification of sites for development through subsequent Site Allocations Development Plan Documents and neighbourhood plans*". This proposal therefore does not satisfy any of the 'exception policies' listed in paragraph 4.25.

Core Policy 2 is clear that only in certain circumstances would development be permitted in the open countryside (where an exception listed in paragraph 4.25 applies or other such policy exceptions exist), otherwise new housing should not be permitted outside settlement boundaries as a matter of principle.

Core Policies 60 and 61 of the WCS seek to promote sustainable development through the reduction on the reliance on private car use and encouraging the sustainable and safe movement of people within Wiltshire.

Although the village of West Ashton has a primary school and a town hall, local facilities are very limited. Public transport options are also very limited. The applicants Design and Access statement refers to 'Regular bus routes connect West Ashton to Trowbridge, Bradford on Avon, and Bath...' and the 'Ashton Park Railway Station'. However, the nearest bus stop that serves West Ashton is located at Yarnbrook 1 km distant, resulting in very limited and indirect bus service provision requiring walking along substandard/unattractive route. There is also no Ashton Park rail station.

In addition, the pavement along the eastern side of Yarnbrook Road, which would serve as the main pedestrian link to West Ashton, is narrow in places and is considered substandard and inadequate to safely support the proposed development.

The proposed development would be poorly served by local services, facilities and amenities and future occupiers would be highly reliant on private motor vehicles to access the majority of local services including places of work, social, leisure, health and retail facilities.

In addition, with the identified poor pedestrian connectivity to the limited services of West Ashton and public transport, this would furthermore exacerbate the reliance on private motor vehicles, and future occupiers without their own private vehicle there

would be a risk of social and economic seclusion and/or pedestrian access / highway conflicts in using the substandard pavement.

The application is therefore considered to be an inappropriate, unsustainable form of development. The development is located outside the limits of development and in the open countryside and as such is contrary to policies CP1, CP2, CP29, CP60 and CP61 of the WCS. The proposed scheme also needs to be assessed against the relevant policies of the local plan as detailed below.

5-Year Housing Land Supply

Following the Government's December 2024 revisions to the NPPF, Wiltshire Council needs to provide a five-year Housing Land Supply (HLS). As a result of the December 2024 changes to the way housing need is calculated, introduced by government, the Council is unable to demonstrate a five-year supply of deliverable housing sites. Currently the Council can demonstrate 2.8-year housing land supply.

As a result of this housing land supply shortfall, NPPF paragraph 11 is engaged and local plan policies which seek to restrict the supply of housing whilst there is a supply deficit should be considered 'out-of-date' and full weight cannot be afforded to these policies.

However, as set out within the NPPF the presumption in favour of sustainable development (the 'tilted balance') set out in paragraph 11d) ii. is engaged whereby permission should be granted for new housing. unless any adverse impacts of doing so would "significantly and demonstrably outweigh the benefits" or the 'protection policies' detailed in Footnote 7 of the Framework apply" (officer emphasis added).

The implications of the current housing land supply position, and in particular the weight to be attributed to the development plan policies, must be taken into account when determining applications for new housing, including speculative non-plan led applications.

The weight to be attributed to such policies is a matter of judgment for the decision-maker. The weight to be afforded to the spatial strategy policies of the development plan is detailed in the section 'Planning Balance' later in this report.

Layout, Density, Design and Visual Impacts

Core Policy 51 of the WCS outlines that development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character. The policy requires applications to demonstrate how development proposals conserve and where possible enhance landscape character through sensitive design, landscape mitigation and enhancement measures. Core Policy 57 requires a high standard of design in all new developments and states that development should respond positively to the existing townscape and landscape.

Paragraph 131 of the Framework states *"The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve"*.

Paragraph 135 of the Framework sets out a series of criteria which planning policies and decisions should ensure developments create, including being of high quality over the lifetime of the development, being visually attractive and sympathetic to the local character and history, creating a strong sense of place and creating places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

This application is seeking outline planning permission, with all matters reserved except for access and layout, for the construction of 9 dwellings. It should therefore be noted that appearance, landscaping and the scale of the development are matters reserved for a decision at a later date.

The outline application is accompanied by a layout plan that details the layout of the site including location and setting nine dwellings, access road, and accompanying parking.

The site is located within the open countryside and is readily visible from the adjacent highway and surrounding agricultural land. Whilst there are existing residential properties to the north and north-west, together with a traveller site to the south, the application site forms part of a wider expanse of undeveloped fields which provide a clear and defensible break between the built form of West Ashton and the surrounding rural landscape. As such, the site contributes positively to the prevailing open and rural character of the area.

The proposed development would materially change the rural landscape, resulting in an urbanising effect that would erode the existing character of the countryside. In addition to the dwellings themselves, the associated paraphernalia of residential occupation, including areas for parking, bin storage, and domestic garden features, would cumulatively domesticate the site. This would lead to a perceptible encroachment of built form and activity into the open landscape, diminishing its rural quality and edge of village character and undermining the site's role as a transitional buffer between the existing dwellings to the north and the traveller site to the south.

It is therefore considered the residential development proposed, in this rural location, fails to protect, conserve or enhance landscape character and is contrary to local and national policy.

Amenity Effects

Core Policy 57 of the WCS requires in criteria vii for developments to have *"regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing, vibration, and pollution (e.g. light intrusion, noise, smoke, fumes, effluent, waste or litter)"*. Paragraph 135 of the Framework also requires planning policies and decisions

to ensure developments have *"a high standard of amenity for existing and future users"*.

This application seeks outline planning permission only at this stage. Although a layout plan has been submitted, no detailed design information for the proposed dwellings has been provided. Nevertheless, the layout plan demonstrates that the site could be potentially developed with appropriate separation distances and a clear approach to ensuring that the amenity of adjacent and future residents is not adversely affected.

Existing residential development lies immediately to the north of the site, with Plots 4 and 5 adjoining properties fronting Yarnbrook Road and Orchard Close. However, given the separation distances and the presence of intervening land, it is considered that a suitably designed scheme could be planned to avoid material harm to the amenities of these residents in terms of overlooking or loss of privacy.

Highway Impacts

Core Policy 57 (xiv) of the Wiltshire Core Strategy seeks to ensure that development must meet the requirements of Core Policy 61. This policy requires proposals to be capable of being served by safe access to the highway network. Core Policy 62 states new development should not be accessed directly from the national primary route network outside built-up areas, unless an over-riding need can be demonstrated. Core Policy 64 seeks to ensure compliance with parking standards set out in the Local Transport Plan.

Paragraph 116 of the NPPF states *'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.'*

The application is accompanied by a site layout plan, revised access plan and a Design and Access Statement.

This outline application seeks permission for nine dwellings, with all matters being reserved except for access and site layout.

Two parking spaces are proposed for each dwelling. Vehicular access to the site would be taken from an existing access serving the stables and buildings at Lifely Farm, off the A350 Yarnbrook Road.

The A350 forms part of the Primary Route Network (PRN), which connects major towns within Wiltshire and is a heavily trafficked route.

Following the submission of revised access details, the Council's highway team advised that the updated visibility splays, showing DMRB standards of 2.4m x 120m have demonstrate that such splays are possible within the extent of public highway. Providing these splays are maintained and regularly involve vegetation cutting to the north of the access, within the public highway, the access was not identified as a substantive ground for concern by the Council's highways authority.

However, the Council's highway team continue to raise the following objections to the scheme (set out in summary form):

the site is located in an unsustainable location, and the scheme is contrary to policy CP62 of the WCS since the development would access the PRN where there is poor pedestrian connectivity to West Ashton.

Core Policy 62 of the Wiltshire Core Strategy states that new development should not be accessed directly from the PRN unless an overriding need can be demonstrated. In this case, the proposed access to serve the nine-dwelling scheme would be taken from the A350 Yarnbrook Road, a principal route characterised by high traffic flows and vehicle speeds.

The introduction of a new junction at this location raises concerns regarding potential conflict between vehicles and the safe ingress and egress of residents. Furthermore, limited opportunities for pedestrian connectivity, together with substandard footway provision along this stretch of road, compound the identified highway / site sustainability concerns.

Whilst the applicants have attempted to address visibility splays, they have failed to address the substantive concerns relating to the site and wider sustainability principles, and as such, the proposal is considered to be contrary to the requirements of Core Policies 61 and 62 and the advice set out within the NPPF.

The applicant's comments regarding the use of the existing access from the A350 to serve the development are noted. However, there is a significant difference between the approved use of the access for two dwellings at Lively Farm, as permitted under a separate prior approval process, where the access already serves existing farm buildings and its farming operations, compared to the proposal to erect nine dwellings.

The latter would result in a substantial increase in traffic generation and a material intensification of the use of the access onto the busy A350/ PRN.

A recent dismissed appeal at land adjacent to A350, West Ashton Road, Yarnbrook (under application PL/2023/10654) is worthy of reporting here since it related to a proposal for the erection of 4 houses outside settlement limits where there was similar site sustainability arguments and for that appeal, the appointed inspector commented on the access to the PRN (A350) within paragraphs 13 and 14:

'Finally, on the question of principle, one would consider CS CP62. This underlines that new development should not be accessed directly from the National Primary Route Network (NPRN) outside built-up areas, unless an over-riding need can be demonstrated. I note the Appellant's argument that an old (now overgrown) field entrance exists, but this would be very different from a significant access to 4 new dwellings being created at a point further along the frontage. I conclude that the scheme would fail to accord with CS CP62.'

and

'I touch on CS CP62 above. The reasoning for the strict control over new development to the NPRN is to assist with traffic flow and reduce risk. Having observed the vehicular flows, speeds and make-up on this section of the A350, along with its alignment, lack of adequate footways, lighting or crossings, and having also personally gained access to the road from three existing nearby points, I would deem that new development served as planned would undoubtedly hinder traffic flow and significantly increase risk. Whatever the details of the entrance design, I would say that this is not a suitable location for new housing to emerge onto the NPRN. The scheme would also fail to suitably provide for any meaningful pedestrian or cycle arrangements.'

Although the site referenced above is located to the northeast of Yarnbrook and approximately 760m from the current application site, the Inspector comments, regarding the heavily trafficked nature of the PRN, the vehicular flows and speeds, the substandard pavement/ footway provision, inadequacies over street lighting and safe road crossings, there would be a similar increased risk to highway safety for the 9-house proposal and the same reasons for dismissing the 4-house scheme apply here. The proposed development is therefore considered contrary to CP61 and CP62 of the WCS and paragraphs 115, 116 and 117 of the Framework.

Ecology Impacts

Core Policy 50 of the adopted Wiltshire Core Strategy seeks to protect and enhance biodiversity and geodiversity, as well as seeking to ensure that development avoids harm to protected species and habitats.

Paragraph 193 of the NPPF, requires that development minimises ecological impacts and provide net gain for biodiversity, including ensuring mitigation is secured where harm cannot be avoided.

The application is accompanied by a Preliminary Ecological Appraisal (PEA) produced by Arborweald dated November 2025 and a Design and Access statement supports the application.

The application site lies within the 6.4km zone of influence of the Salisbury Plain SPA and in light of the HRA for the Wiltshire Core Strategy and the HRA for the Wiltshire Housing Site Allocations Plan, the proposed development due to its location and proximity / and potential effects to ecology/protected species, it needs to have an Appropriate Assessment due to the potential impact of recreational pressures in combination with other plans and projects.

A strategic Appropriate Assessment (AA) has been prepared pertaining to development within the 6.4km zone of influence that could result in a likely significant effect on the SPA as a result of an increase in recreational / visitor pressure.

The AA reached the conclusion that there would be no likely adverse effects on the integrity of the SPA or its qualifying features provided that the Council's mitigation strategy continues to be implemented.

Annual stone curlew monitoring and protection measures continue to be secured by the Council through appropriate mitigation. In January 2026 Natural England (NE) confirmed that the 2026 strategic AA for Salisbury Plain SPA continues to be supported by NE.

The application site is also located within the grey and yellow zones of the TWBMS, associated with the Bath & Bradford on Avon Bats SAC, and therefore the development of 9 houses has the potential to result in significant adverse impact on the special features of the SAC. The application must therefore be considered under the Habitats Regulations for the SAC as well as the SPA.

The grey medium risk zone represents an area where new residential development is likely to result in increased recreational use of important woodland bat sites.

In order to conclude an AA favourably, new residential development proposals for 49 dwellings or less within the grey hatched (recreational risk) zone will be expected to provide a financial contribution of £925 per dwelling towards the Council's strategic recreational pressure mitigation scheme as detailed within section 9.2 of the 2025 adopted TWBMS.

This is required prior to commencement of development and must be secured via legal agreement. The applicants in their letter dated 26/4/26 have agreed to pay this sum but no mechanism has been secured at this stage in the life of the application.

The yellow-coloured risk zone represents areas where habitat has been shown to be of particular importance, where development proposal is required to take into consideration the foraging areas and flightlines of horseshoe and Bechstein's bats. In short, applications that would result in loss of potential habitat need to be properly surveyed and supported by on-site analysis and reporting.

It is nevertheless accepted that with proper surveying, some sites may be able to accommodate a suitable level of housing growth, but the key first test, is compliance with the requirements set by the adopted TWBMS.

Impacts will likely arise on individual sites and in-combination with other sites as a result of loss and/degradation of habitat of importance to the qualifying bats. In order to conclude the AA favourably, applications impacting greenfield land and bat habitat (such as the present application) are expected to provide a S106 contribution prior to commencement of £1,000 per dwelling (index linked from 2018) towards habitat mitigation detailed in Section 9.1 of the TWBMS. The applicants in their letter dated 26/4/26 have agreed to pay this sum, but there is no mechanism to secure this developer obligation at the time of determining the application.

As required by the Conservation of Habitats and Species Regulations 2017 (as amended) an Appropriate Assessment must be carried out by the LPA, and in this case, be tested against the TWBMS criteria (sections 6 and 8).

The submitted PEA states that the site contains grassland, scrub, hedgerow and a building. There are no potential roosting opportunities on-site. The report states that

“the site provides limited opportunities for foraging and commuting bats”, although later considers the likelihood of presence as *“moderate”*.

No bat activity surveys have been undertaken despite the surrounding land being dominated by a mosaic of arable and pasture fields with connected hedgerow and patches of woodland. The site was previously grazed and possesses linear features that may be of some value to commuting bats. Moreover, there are multiple records of Bechstein’s bat roosts 130m southwest, 200m southwest (maternity roost), and 400m northeast, and a Greater Horseshoe roost 260m northeast – all within relatively close proximity to the site.

These records are not considered within the applicant’s ecology report – which is a material falling and given the absence of any bat survey data, it is considered that qualifying bat SAC species are likely using the application site to some extent for foraging and commuting purposes.

As required by paragraph 161 of the TWBMS an Ecological Parameters Plan (EPP) is necessary to support this type of application to clearly identify those areas of the site which are unconstrained, those areas where sensitive design or restrictions may be required (i.e., core habitat features), and any areas of the site which are to be retained, remain undeveloped, or be enhanced through developer mitigation.

In addition, an Ecological Mitigation Plan has not been provided as required (by paragraph 162 of the adopted TWBMS).

The layout plan implies the retention of the scrub border at the southwest boundary, which is welcomed. However, plans for the remaining scrub and hedgerow are unclear. At present, the habitat retention appears to be inadequate. The proposals would result in the significant urbanisation of the site, and the retention of the scrub at the southwest would be insufficient to demonstrate the site’s functionality to bats would not be adversely affected.

It is also not clear how the scrub would be managed/ secured away from the residential properties. In addition, there are no habitat buffers provided on any other boundary and the TWBMS makes clear that core habitat features should be expanded to 15m (Zone A), and then further buffered from development (as a dark buffer) by 15m (Zone B).

It is considered habitat mitigation has not been sufficiently demonstrated within the submission i.e. it is not clear what habitats would be lost, would be created, and which would be enhanced, etc.) and development in the yellow zone is expected to mitigate for habitat loss on site (see paragraph 146 of the TWBMS).

The submitted site plan does not sufficiently address this criterion of the TWBMS and given all the aforementioned failings of the submission, the only decision the Council can reach, is to refuse the application and conclude that the applicant has failed to satisfy the Council that the 9-house proposals would not result in the loss of functionality of habitat potentially used by SAC bats.

Based on the above, the Council is not in a position to issue a favourable AA.

The Council's ecologist furthermore raises concern regarding the impact of the development on Great Crested Newts (GCN) whereby the site may contain habitats suitable for use by GCN during their terrestrial phase (scrub and hedgerow) and further information would be required to adequately assess the impacts on GCN.

The Council's ecologist welcomes the applicant's commitment to use bird nest boxes, bee bricks and mammal gaps.

Insufficient information has however been submitted. In carrying out its statutory function, the LPA must be reasonably sure that the proposal will not result in significant adverse effects on protected habitats or species. The applicant has not demonstrated that the proposal would not, either alone, or in combination, with other development, likely result in significant adverse effects on the SAC and its qualifying features and for this reason, the application must be refused.

Drainage issues

Core Policy 67 of the adopted WCS states 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.

It is proposed that surface water drainage would be dealt with via soakaways and foul water drainage by existing mains sewer.

Concerns have been raised by the Council's drainage team regarding lack of soakage testing to confirm the feasibility of infiltration and to establish groundwater levels on site. However as stated above the Council drainage mapping established the site is not subject to high levels of ground or surface water flooding (except at the access). Planning officers hold the view that surface water managed could be suitably controlled by a planning condition should an appeal be lodged and be successful against the LPAs decision.

Archaeology issues

Core Policy 58 of the WCS states development should protect, conserve and where possible enhance the historic environment and, designated heritage assets and their settings will be conserved, and where appropriate enhanced in a manner appropriate to their significance which include nationally significant archaeological remains.

Paragraph 207 of the NPPF states '*...local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.*' The paragraph continues '*Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.*'

The site of the proposed housing is located in an area mapped as having medieval and post-medieval archaeological interest along with evidence for isolated Romano-British settlement. It is possible that any groundworks associated with the construction of the proposed 9 houses could impact upon previously unrecorded archaeological features associated with this activity.

The Council's archaeologist advises that the site / proposals should be the subject of a bespoke geophysical survey, followed by a trial trench evaluation in order to ground-truth the results of the remote sensing.

However, no evaluation has been submitted for this application, and the Council cannot adequately determine the impact of the development on underground historic features. In the absence of this information, the LPA is unable to properly assess the significance of any heritage assets with archaeological interest that may be present within the site, or to determine the potential impact of the proposed development upon them. As a result, the proposal does not demonstrate that the archaeological implications of the development have been fully understood or that harm can be avoided or mitigated. The development is therefore contrary to Core Policy 58 of the WCS, which requires that heritage assets and their settings are conserved in a manner appropriate to their significance. The proposal also conflicts with the principles of the NPPF (paragraph 207), which requires applicants to describe the significance of heritage assets affected and for local planning authorities to ensure that such information is provided to enable informed decision-making.

CONCLUSION (THE PLANNING BALANCE)

This proposal conflicts with the adopted Wiltshire Core Strategy and its strategic policy, which restrict new housing development outside the defined settlement boundaries in the open countryside, as detailed above.

The proposal would deliver a modest level of public benefit through the provision of nine new dwellings, contributing to the acknowledged shortfall in housing supply. In addition, some economic benefits would arise during the construction phase and through the subsequent occupation of the dwellings through local spend, including the potential support provided by new occupiers for local services and businesses.

The applicants advise that the development would be self/ custom build development, although there is no mechanism to secure this through a legal agreement at the time of the application being determined. Overall, these benefits can be given modest (future economic spend) to significant (housing delivery) weight in the planning balance.

The scheme would however result in the urbanisation of the open countryside with the loss of rural character and erosion of the landscape buffer that exists to the south of the existing village envelope, and the proposed development would neither protect, conserve or enhance landscape character. This harm merits significant weight in the planning balance.

The application site is located outside the defined limits of development and is poorly connected to West Ashton, with very limited access to public transport. The nearest bus stops are located some distance from the site and would be accessed via a narrow, intermittent and substandard pavement for pedestrians. These conditions are not considered to provide a safe, convenient or attractive walking environment, particularly for more vulnerable users and as such the site is not considered sustainable when tested against the NPPF as a whole.

Furthermore, the village of West Ashton offers only very limited day-to-day services and facilities, with the majority of employment, retail, healthcare and leisure opportunities located in Trowbridge or other towns. Access to these destinations on foot or by cycle would be heavily constrained by the nature of the surrounding highway network, including the dominance of the heavily trafficked A350 and the lack of continuous, high-quality pedestrian and cycle infrastructure, which furthermore materially reduces the site's/proposal's sustainability suitability.

Future occupiers of the development would likely have to rely heavily on private vehicles for the majority of trips, and officers are not satisfied there are genuine, suitable and safe alternative choices of transport modes to support sustainable travel patterns, which is contrary to Core Policies 60 and 61 of the Wiltshire Core Strategy and the objectives of the National Planning Policy Framework.

The introduction of a new junction onto the PRN that would serve a material increase of traffic is also a significant concern pursuant to the potential conflicts between vehicles and the safe ingress and egress of residents. Furthermore, limited opportunities for pedestrian connectivity, together with substandard pavement provision along this stretch of highway, would result in significant identified highway safety concern to warrant a refusal.

The proposed development has not clearly demonstrated that it can achieve a safe and policy-compliant means of access without prejudicing the free flow of traffic along the A350 or compromising highway safety.

In addition, it has not been demonstrated that the development would not have, either alone, or in combination with other development, result in significant adverse effects on the SAC and its qualifying features.

Insufficient information has been submitted pursuant to bat and great crested newts. In carrying out its statutory function, the LPA must be reasonably sure that the proposal would not result in significant adverse effects on protected habitats or species. The applicant has not demonstrated that the proposal would not, either alone, or in combination, with other development, likely result in significant adverse effects on the SAC and its qualifying features and for this reason, the application must be refused.

The applicant has failed to provide an appropriate archaeological trial trench evaluation. In the absence of this information, the Local Planning Authority is unable to properly assess the significance of any heritage assets with archaeological interest that may be present within the site, or to determine the potential impact of the proposed development upon them. As a result, the proposal does not demonstrate that the

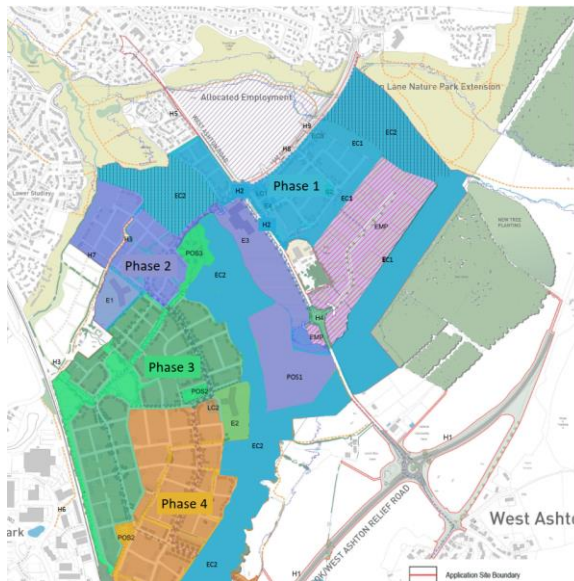
archaeological implications of the development have been fully understood or that harm can be avoided or mitigated. The development is therefore contrary to Core Policy 58 of the Wiltshire Core Strategy, which requires that heritage assets and their settings are conserved in a manner appropriate to their significance. The proposal also conflicts with the principles of the Framework, paragraph 207, which requires applicants to describe the significance of heritage assets affected and for local planning authorities to ensure that such information is provided to enable informed decision-making.

Whilst the Council recognises the need to address its housing land supply, this does not override the need to demonstrate the development would not harm protected habitats sites, as defined in in Footnote 7 of the NPPF, and it is considered the tilted balance under paragraph 11(d) does not apply.

As such it is considered the development does not represent sustainable development being contrary to Core Policies 1, 2, 29, 50, 51, 58, 60 and 61 of the Wiltshire Core Strategy and the policies of the National Planning Policy Framework.

RECOMMENDATION: That Planning Permission be REFUSED

Appendix B: Ashton Park Phasing Plan for consented outline application 15/04736/OUT (annexed pdf also attached to Statement)



E3	Serviced site for Secondary School inclusive of 0.3ha Early Year Site	5.2ha	Serve notice to transfer land for Secondary School by 300 Occupations	By 400 Occupations		
E4	Serviced site for Early Years	0.3ha	By 50 Occupations			
Highways and Transport						
H1	WARR East & WARR West		The earlier of 5 years from 1st occupation or before 1000 dwellings			
H2	West Ashton Road alterations (fourth arm off Leap Gate Roundabout and access to land east of West Ashton Road)		By 75% Occupations within Phase			
H3	Vehicular Connection to Drynham Lane and prohibition of driving order		By 75% Occupations within			
H4	Provision of a four arm roundabout to access the Land east and west of West Ashton Road			By 1250 Occupations		
H5	West Ashton Road Footway enhancements and Toucan Crossing		By 75% Occupations within Phase			
H6	Off-site footpath Enhancements			By 75% Occupations within Phase		
H7	Road Connection to within 3m of the boundary of third party land			By 75% Occupations within Phase		
H8	Vehicular accesses served from Leapgate		Pre-occupation By 75% Occupations within Phase			
H9	LEAP Gate footpath/cycleway					
Local Centre						
LC1	Local Centre 1	1ha	Marketed within phase		Marketed within phase	
LC2	Local Centre 2	0.2ha				
Public Open Space						
POS1	4 x Sports Pitch and Changing Facilities	6.35ha	By 1000 Occupations			
POS2	3 x LEAPs	0.04ha	Open space within Phase to be delivered by 75% of Dwelling Occupations within respective Phase		Open space within Phase to be delivered by 75% of Dwelling Occupations within respective Phase	
POS3	Destination Play Areas	0.13ha			Open space within Phase to be delivered by 75% of Dwelling Occupations within respective Phase	

Appendix C: 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 on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:
 - (a) The scale of the development.
 - (b) The external appearance of the development.
 - (c) 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 of the reserved matters 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:

Location plan/ site playout plan scale 1:1250/ 1/500 drg no. YWA001 rev 1.

Site context plan scale 1:1000 drg no. YWA002 rev 1.

Highways Viz Plan scale 1:1000 drg no. YWA993 rev 1.

REASON: For the avoidance of doubt and in the interests of proper planning.

5. No development shall commence on site until a detailed drainage strategy for the site, incorporating sustainable drainage details (SuDs), has been submitted to and approved in writing by the Local Planning Authority and detailing the following matters:
- A clearly labelled drainage layout plan showing the pipe networks and any attenuation ponds. The plan should show any pipe node numbers referred to within the drainage calculations.
 - Calculations that demonstrate the sizing of any attenuation/ SuDS features and cross section drawings of these features.
 - Pre and post development exceedance routing that demonstrates flood risk is not increased elsewhere.
 - Evidence that the finished floor levels are above the maximum predicted 100-year flood level or if no flooding is predicted, at a 150 mm height above the SW drainage cover levels.
 - Evidence that the proposed drainage design provides a sufficient level of water treatment.

The development shall then be carried out in accordance with the approved details. No housing shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained.

6. No development shall commence on site until a scheme to dispose of foul drainage, including connection to the public foul sewer network, has been submitted to, and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details.

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

7. No development shall commence on site (including any works of demolition), until a Construction Management Plan (CMP), has been submitted to and approved in writing by the local planning authority. The plan shall include details of the measures that will be taken to reduce and manage the emission of noise, vibration and dust during the demolition and/or construction phase of the development. It shall include details of the following:

- The movement of construction vehicles
- The parking of vehicles of site operatives and visitors
- The cutting or other processing of building materials on site
- Wheel washing and vehicle wash down facilities.
- The transportation and storage of waste and building materials.
- The 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
- Measures to control the emission of dust and dirt during construction.
- A scheme for recycling/disposing of waste resulting from demolition and construction works.
- Hours of construction, including deliveries
- Hours of Operation (8am to 6pm Mon – Fri, 8am – 1pm Sat, no working on Sundays or Bank Holidays)

The approved Statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement without the prior written permission of the Local Planning Authority.

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

8. No development shall commence on site, including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include 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, and the development shall be carried out in strict accordance with the approved CEMP:

- 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 and habitats.
- 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.
- No external night-time works or use of artificial lighting during the construction phase.
- 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 appropriate levels of amenity are achievable and to ensure adequate protection and mitigation for ecological receptors prior to and during construction, and that works is undertaken in line with current best practice and industry standards and are supervised by a suitably licensed and competent professional ecological consultant where applicable.

9. Prior to the start of the construction, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP will 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 in order 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.

10. No development shall commence on site, including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, until an Ecological Parameters Plan / Habitat Enhancement Plan has been submitted to and approved in writing by the Local Planning Authority.

The Ecological Parameters Plan / Habitat Enhancement Plan shall be implemented in full and for the lifetime of the development in accordance with the approved details.

REASON: For the protection, mitigation and enhancement of biodiversity.

11. No development shall commence on site until a written scheme of investigation (WSI) for a programme of archaeological work (comprising staged geophysical survey, trial-trench evaluation informed by the geophysics, and mitigation by record where required) has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved WSI, including post-excavation analysis, publication and archiving.

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

NOTE: The excavations and required works are to be undertaken by qualified archaeologists following the standards and guidelines for Sites and Monuments Records and open area excavations, as set out by the Chartered Institute for Archaeologists (CIfA). The costs of the work are to be borne by the applicant.

12. The development will be carried out in strict accordance with the following documents:

- Section 6 of the 'Preliminary Ecological Appraisal (PEA)' by Arborweald Environmental Planning Consultancy, ref no. DKS1723.1 – PEA, dated 26/11/2025.

REASON: For the avoidance of doubt and for the protection, mitigation and enhancement of biodiversity.

13. No new external lighting shall be installed within the application site unless details of proposed new lighting have been submitted to and approved by the Local Planning Authority in writing. The submitted details will 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: In the interests of the amenities of the area and to minimise impacts on biodiversity caused by light spillage to areas above and outside the development site.

14. The vehicular access shall be provided with visibility splays of 2.4 metres × 120 metres in accordance with the approved Highway Visibility Plan, and these shall thereafter be kept free of obstruction above 0.6 metres.

REASON: In the interests of highway safety.

15. No development shall commence above ground floor slab level until full details of a hard and soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:

- Location and current canopy spread of all existing trees and hedgerows on the land

- Full details of all existing trees and hedging to be retained, together with measures for their protection during development.
- A detailed planting specification showing all plant species, supply and planting sizes and planting densities.
- All means of enclosure.
- Car park layouts
- Refuse/recycling collection points.
- Bin storage areas
- Other vehicle and pedestrian access and circulation areas.
- All hard and soft surfacing materials

REASON: In order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

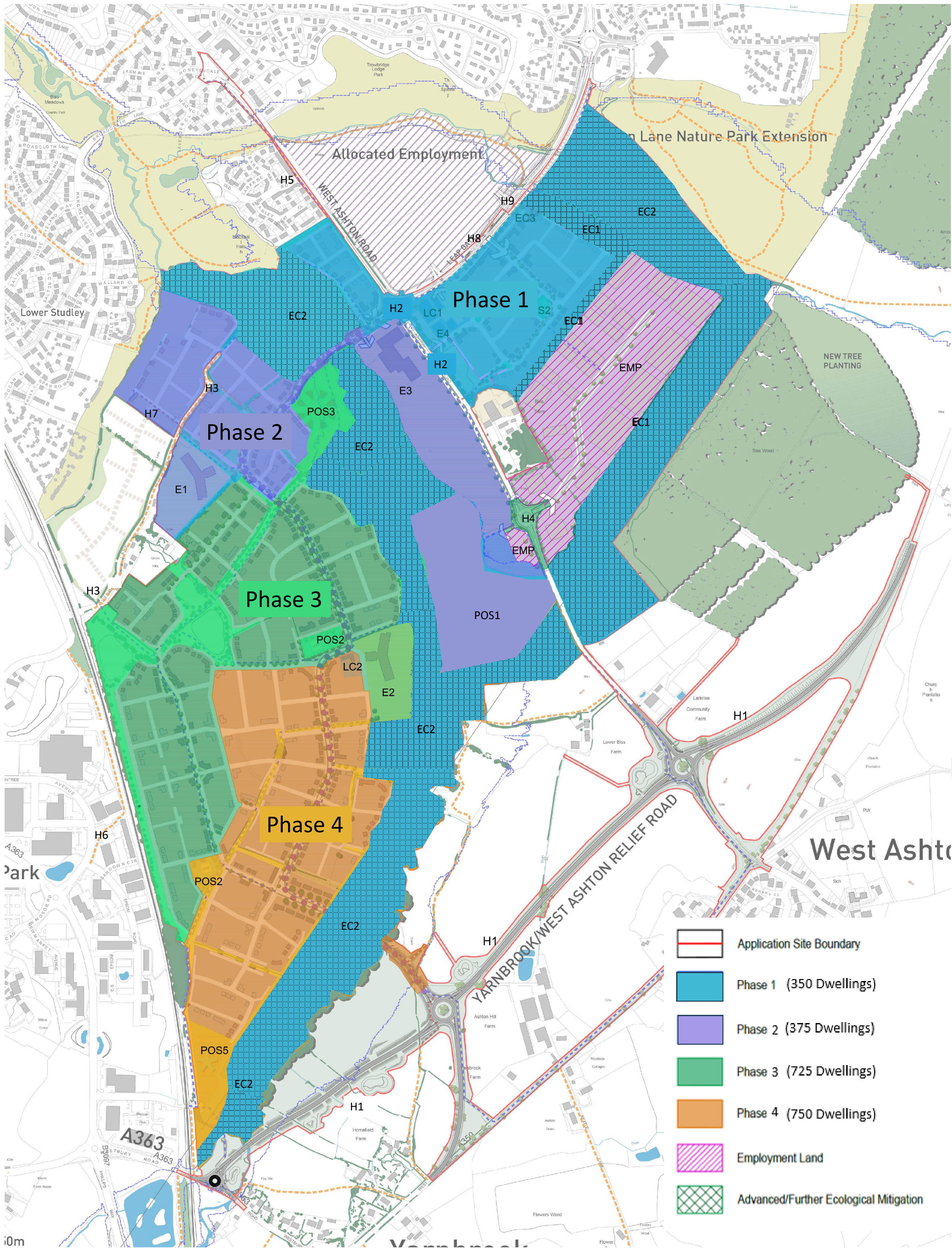
16. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

Ashton Park, Trowbridge

Phasing Plan

Rev F 08.07.2025



Land Use / Facility		Area	Phase 1	Phase 2	Phase 3	Phase 4
			Approx 350 Dwellings	Approx 375 Dwellings	Approx 725 Dwellings	Approx 750 Dwellings
				(725 Dwellings)	(1450 Dwellings)	(2200 Dwellings)
Education						
E1	Serviced site for 2fe Primary School inclusive of 30 Early Years places	1.80ha		By 400 Occupations		
E2	Serviced Site for 1fe Primary School inclusive of 30 Early Years places	1.80ha			By 1200 Occupations	
E3	Serviced site for Secondary School inclusive of 0.3ha Early Year Site	5.24ha	Serve notice to transfer land for Secondary School by 300 Occupations	By 400 Occupations		
E4	Serviced site for Early Years	0.3ha	By 50 Occupations			
Highways and Transport						
H1	YWARR East & YWARR West			The earlier of 5 years from 1st occupation or before 1000 dwellings		
H2	West Ashton Road aletérations (fourth arm off Leap Gate Roundabout and access to land east of West Asthon Road)		By 75% Occupations within Phase			
H3	Vehicular Connection to Drynham Lane and prohibition of driving order			By 75% Occupations within		
H4	Provision of a four arm roundabout to access the Land east and west of West Ashton Road			By 1250 Occupations		
H5	West Asthon Road Footway enahnancements and Toucan Crossing		By 75% Occupations within Phase			
H6	Off-site footpath Enhancements				By 75% Occupations within Phase	
H7	Road Connection to within 1m of the boundary of third party land				By 75% Occupations within Phase	
H8	Vehicular accesses served from Leapgate		Pre-occupation By 75% Occupations within Phase			
H9	LEAP Gate footpath/cycleway					
Local Centre						
LC1	Local Centre 1	1ha	Marketed within phase			
LC2	Local Centre 2	0.2ha			Marketed within phase	
Public Open Space						
POS1	4 x Sports Pitch and Changing Facilities	6.35ha		By 1000 Occupations		
			Open space within Phase to be delivered by 75% of Dwelling Occupations within respective Phase		Open space within Phase to be delivered by 75% of Dwelling Occupations within respective Phase	Open space within Phase to be delivered by 75% of Dwelling Occupations within respective Phase
POS2	3 x LEAPs	0.04ha				
					Open space within Phase to be delivered by 75% of Dwelling Occupations within respective Phase	
POS3	Destination Play Areas	0.12ha				
						Open space within Phase to be delivered by 75% of Dwelling Occupations within respective Phase
POS5	Allotments	0.9ha				
Ecological Mitigation						
EC1	Advanced Ecological Mitigation		Prior to commencement			
EC2	River Biss Corridor		Prior 150 Occupations			
EC3	Visitor Centre		By 300 Occupations			
Employment Land						
EMP	Marketing of Employment Land	13.58ha			By 1250 Occupations	
Bus Strategy						
BS1	Bus Strategy Phase 1		By 51 Occupations			
				By 51 Occupations south of West Ashton Road		
BS2	Bus Strategy Phase 2					