

TOWN & COUNTRY PLANNING ACT 1990

PLANNING STATEMENT

PERMISSION IN PRINCIPLE FOR THE PROPOSED ERECTION OF UP TO TWO DWELLINGS

ON PREVIOUSLY DEVELOPED LAND AT LIME TREE STABLES, KINGTON LANGLEY, CHIPPENHAM, WILTSHIRE, SN15 5NW

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Our Reference: LPC.5799

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1.0 INTRODUCTION

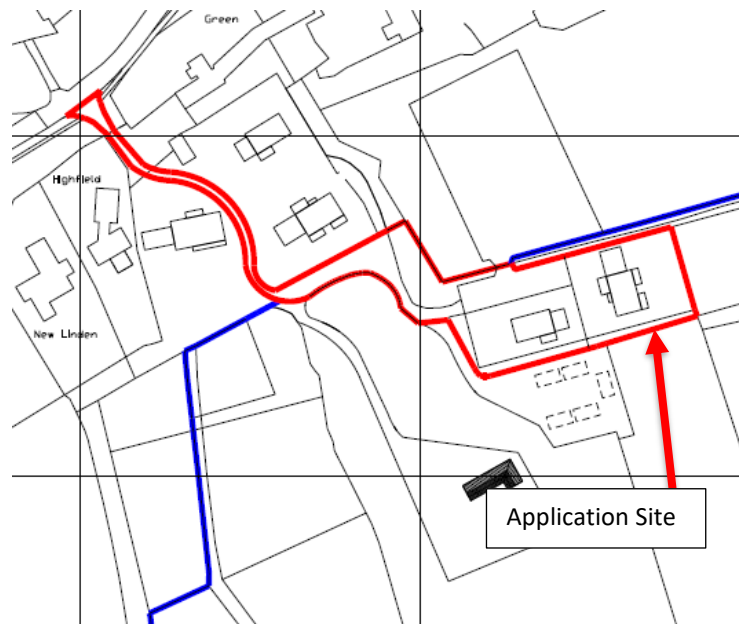
- 1.1 LPC (Trull) Ltd have been instructed by Ms Elizabeth Evans-Heyel to submit a Permission in Principle (PiP) application for the erection of up to two detached dwellings on previously developed land at Lime Tree Stables, Kington Langley, Chippenham, Wiltshire, SN15 5NW.
- 1.2 The application approach is defined in the National Planning Practice Guidance (PPG), as below;

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

- 1.3 This establishes that the application is a two-stage process, with the first stage solely intended to establish whether the site is suitable in principle and the second stage then considering the detailed development proposals and potential impacts. The Government's guidance sets out that the scope of the first stage of permission in principle is limited to location, land use and the amount of development.
- 1.4 Accordingly, the purpose of this Planning Statement is focused on the principle of development at this location only. Any further details in respect of the intended new house development and its acceptable assimilation will be submitted at the technical details stage. The statement will however provide an overview of the planning policy context and an assessment of the key material planning considerations, demonstrating the proposal's acceptability, including the implications of the newly published National Planning Policy Framework which provides strong support for the proposed development.

2.0 SITE DESCRIPTION & PLANNING HISTORY

2.1 The application site comprises the riding arena at Lime Tree Stables, Kington Langley, Chippenham, Wiltshire, SN15 5NW. The site has an existing means of access leading from Upper Common, through the new houses recently constructed to the north west, which serves the established equestrian facility, as shown on the Location Plan below.



Location Plan

2.2 The site covers an area of circa 0.28ha of land (including the existing access) with the area proposed to be developed comprising an existing riding arena as shown on the aerial photograph inserted at the top of the following page (taken whilst the adjacent new housing was under construction).



Aerial Photograph (08.06.2023) (Source: Google Earth Pro)

- 2.3 The planning history of the application site and associated land at Lime Tree Stables is as follows:

Original Equestrian Use of Land

Planning Application N/04/02223/FUL: Use of land for the training and exercising of dressage horses and for the stabling of up to 12 horses on livery and holding of dressage competitions on a restricted number of days' - Limetree Farm, Middle Common, Kington Langley, Chippenham, Wiltshire, SN15 5NW – Approved 03/11/2004

Planning Application N/06/03126/S73A: Removal of Condition 1 (Temporary Use) of Permission 04.02223.FUL - Limetree Farm, Middle Common, Kington Langley, Chippenham, Wiltshire, SN15 5NW – Approved 30/04/2007

- 2.4 Planning permission (reference N/99/01217/COU) was first granted in 1999 for a livery, and use of land for exercising and providing tuition to their owners. The permission was subject to a condition restricting commercial equestrian use. The 2004 permission noted above therefore regularised those events which were then taking place. It was a temporary permission which was later made permanent in 2026.

Planning Application 18/04322/FUL: Erection of general purpose (equestrian and agricultural) building (Resubmission of 17/09061/FUL) – Lime Tree Farm, Middle Common, Kington Langley, Chippenham, Wiltshire, SN15 5NW – Approved 16/07/2019

Discharge of Condition Application 21/00990/DOC: Discharge of condition 10 of 18/04322/FUL – Approved 24/05/2021

- 2.5 In 2019 planning permission, reference 18/04322/FUL, was granted for the erection of a large general purpose (equestrian and agricultural) building, being a resubmission of application 17/09061/FUL which had previously been withdrawn. The building has not been erected.

Residential Development (north of current site)

Planning Application 19/09467/FUL: Demolition of equestrian building and erection of 3 dwellings – The Stables, Limetree Farm, Middle Common, Kington Langley, Chippenham, Wiltshire, SN15 5NW – Approved 08/09/2020

Planning Application PL/2021/04013: Variation of Condition 2 of 19/09467/FUL Relating to Approved Plans for Plot 2 – The Stables, Limetree Farm, Middle Common, Kington Langley, Chippenham, Wiltshire, SN15 5NW – Approved 19/07/2021

Planning Application PL/2021/10630: Variation of condition 2 of application 19/09467/FUL "Demolition of equestrian building and erection of 3 dwellings" – The Stables, Limetree Farm, Middle Common, Kington Langley, Chippenham, Wiltshire, SN15 5NW – Approved 01/02/2022

Planning Application PL/2022/09407: Variation of Condition 2 of application 19/09467/FUL to make changes to the proposed elevations and floor plans – The Stables, Limetree Farm, Middle Common, Kington Langley, Chippenham, Wiltshire, SN15 5NW – Approved 22/09/2023

- 2.6 The scale of the site's equestrian use has principally changed as a consequence of the grant of permission for the demolition of the original equestrian building and the erection of 3No new dwellings by application 19/09467/FUL. The new houses are now present, and the permission has been varied by applications PL/2021/04013, PL/2021/10630 and PL/2022/09407 before that. The up to date approved layout plan inserted on the following page shows the retained access route through the houses from the north to the equestrian land and buildings. The Council's Delegated Report provided the following assessment of the new housing proposal:

"The proposed development is considered to meet the definition of infill and, therefore, within the meaning set out by policy CP2 to the Wiltshire

Core Strategy. In that context, the principle of building 3 new dwellings in this location is considered to be established as acceptable.

The development will cause harm to the setting of the listed Limetree Farmhouse and wider Conservation Area, but that harm is considered to be less than substantial and at the very minor end of the spectrum. The removal of the existing large equestrian building of utilitarian appearance is considered to present at least some benefit to that setting, however, and when combined with the creation of additional residential accommodation at a time when the Council needs to deliver housing, the public benefits associated with the development are considered to outweigh that harm.

In other respects, the proposed development is considered to be of a scale and character that is appropriate to the locality and would not result in unacceptable impacts upon the amenity or living conditions of surrounding residential occupiers or no adverse impact on the highway network or safety.

In light of the above, the proposed development is considered to comply with Core Policies 1, 2, 50, 56, 57, 61, 64 and 67 as well as relevant paragraphs in the NPPF."



- 2.7 The officer's delegated report for application 19/09467/FUL noted that at that time, planning permission existed under reference 18/04322/FUL to construct a new agricultural/equestrian building to the rear of the

application site. A condition to that 'Planning permission compels the demolition of the existing barn on the site subject to this new application within two months of the first use of the new building'. There was no indication therefore that the residential redevelopment was intended to curtail the neighbouring land's equestrian use as the barn approval supported its effective relocation. Indeed, the approved layout was also said to have been, 'arranged around the access road to the new equestrian facility 18/04322/FUL'.

Current Equestrian Use of Land

Planning Application PL/2024/03273: Erection of 7No stables, a tackroom, storage barn and welfare buildings (Retrospective) - Lime Tree Stables, Middle Common, Kington Langley, Chippenham, Wiltshire, SN15 5NW – Approved 14/06/2024

Discharge of Condition Application PL/2024/09030: Discharge of conditions 2 (Detailed scheme of discharge of surface water), 3 (Detailed scheme of foul water), 4 (Parking layout), 5 (Details of arrangements for the storage and/ or disposal of manure or other material from keeping of horses) and 7 (Detailed landscape scheme) relating to application PL/2024/03273 – Withdrawn

Planning Application PL/2024/10334: Variation of conditions 2 (surface water details), 3 (Foul drainage details), 4 (Parking details), 5 (Manure management scheme) and 7 (Landscaping scheme) under PL/2024/03273 - Erection of 7No stables, a tack room, storage barn, and welfare buildings (Retrospective) – Approved 12/02/2025

- 2.8 The earlier aerial photograph below shows the 'U' shaped cluster of timber framed single storey stables and associated storage buildings granted in 2024, under planning permission reference PL/2024/03273. On the land to the south west, which is lower than the above part of the site, and which has a separate branched vehicular access is an 'L' shaped timber framed store/welfare building. These buildings are part of the equestrian facility which also includes the historic all weather equestrian exercise arena which is positioned on a level plateau of land and is also accessed through the above mentioned new houses.

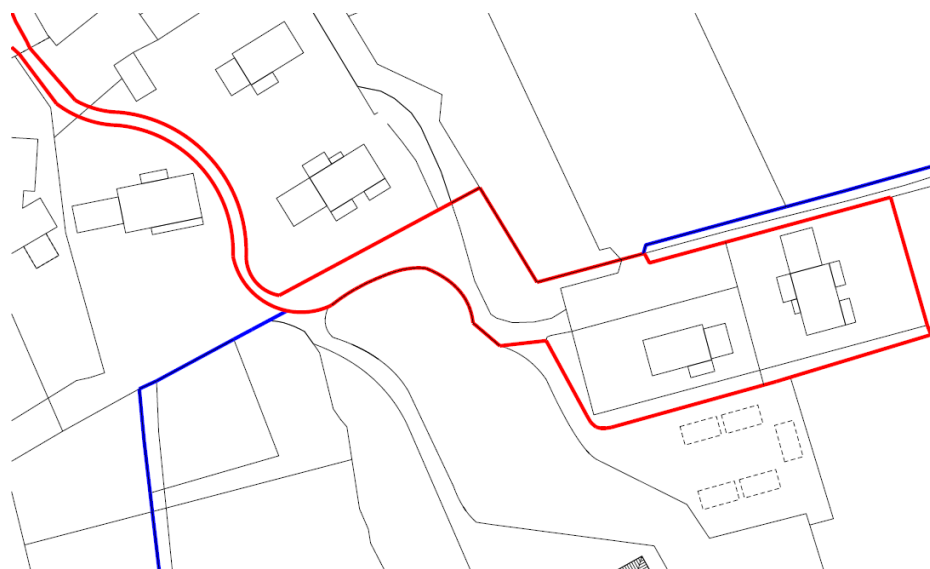


Aerial Photograph – Application Site PL/2024/03273 in Red

3.0 THE PROPOSAL

- 3.1 The proposal seeks ‘permission in principle consent’ for the erection of up to two dwellings on the application site. The PiP application has a narrow focus with only the principle of the proposed residential development being considered. The second stage which involves the ‘technical details consent’ will follow should the ‘permission in principle consent’ be granted.
- 3.2 The PPG confirms that the scope of permission in principle is limited to **location, land use and amount of development**. However, issues relevant to these ‘in principle’ matters should be considered at the permission in principle stage. Other matters should be considered at the technical details consent stage (Paragraph: 012 Reference ID: 58-012-20180615).
- 3.3 The proposed development would be contained within the existing riding manage and would be served by the existing access track leading from The Common, which benefits from good visibility splays due to the straight alignment of the road, wide grass verges, and typical road speeds. An indicative layout plan has been included with the application to show one

possible layout with two dwellings, echoing the built footprint of the adjacent new houses.



Indicative Layout Plan

- 3.4 The proposed development would be entirely on ‘previously developed land’ nestled within the mature landscaping that surrounds the historic riding arena. The proposed development also involves the removal of the ‘U’ shaped cluster of timber framed single storey stables which are no longer required for the applicant’s use of the land. The removal of these structures can of course be conditionally controlled at the detailed stage. The intention is to deliver up to two dwellings of a bespoke design that are well related to the existing built environment, make efficient use of land, and delivering wider environmental enhancements through the removal of the stables and the enhancement of the existing soft landscaping.

4.0 PLANNING POLICY CONTEXT

National Planning Policy

- 4.1 The National Planning Policy Framework (NPPF), and associated PPG, sets out the Government’s planning policies for England and how these are expected to be applied.
- 4.2 The Government published a new NPPF on the 17 August 2026 which is a key material planning consideration of critical importance to the

assessment of the PiP application. The wholly restructured NPPF sets out new clear and rules-based national policies for both plan-making and for making decisions on development proposal and how these are expected to be applied.

- 4.3 The Government explains that the new decision-making policies in the NPPF, which have been separated from those relating to plan-making, will:
 - a. make development management more certain, consistent and streamlined
 - b. standardise policies that apply across the whole of England
 - c. reduce duplication and avoid unjustified local deviation from national policy in local plans
- 4.4 The NPPF continues to highlight that planning law (Section 38(6) of the Planning and Compulsory Purchase Act 2004) requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. However, the national decision-making policies in the NPPF are a material consideration of **“critical importance”** for plan making and for decision taking (Paragraphs 1-3).
- 4.5 Some of the national decision-making policies now indicate how much weight “the government would expect a particular consideration to be given, including cases where it is appropriate to give substantial weight to certain benefits, and the limited circumstances in which it is expected that permission would be refused” (Paragraph 7).
- 4.6 The former presumption in favour of sustainable development (the “tilted balance”) now has a different weighting more in favour of development. The former stated that planning permission should be granted unless “any adverse impacts of doing so would significantly and demonstrably outweigh the benefits” (Paragraph 11.d.ii of the 2024 NPPF), whereas the new NPPF says development should be approved “unless the benefits of doing so would be **substantially outweighed** by any adverse effects”. The new presumption is much more tilted in favour of sustainable development. The Government has described the new presumption as a

“default yes” policy, and there needs to adverse effects to substantially outweigh the benefits.

4.7 The Government explained that to ensure that the decision-making policies in the NPPF have an immediate impact, they come into effect from the day of its publication. There are no transitional periods or arrangements (other than for plan-making), the Implementation section of new NPPF at Annex A clearly states that development plan policies (or parts of those policies) which are materially inconsistent with national decision-making policies in NPPF should be given **very limited weight**.

4.8 The NPPF is a material consideration in planning decisions. The policies within the following chapters of the NPPF are relevant to the assessment of the proposed development:-

- Chapter 3 – Decision-making Policies
- Chapter 4 – Achieving Sustainable Development
- Chapter 6 – Delivering a Sufficient Supply of Homes
- Chapter 9 – Promoting Sustainable Transport
- Chapter 12 – Making Effective Use of Land
- Chapter 14 – Achieving Well-Designed Places
- Chapter 15 – Promoting Sustainable Transport
- Chapter 19 – Conserving and Enhancing the Natural Environment
- Chapter 20 – Conserving and Enhancing the Historic Environment

The Local Development Plan

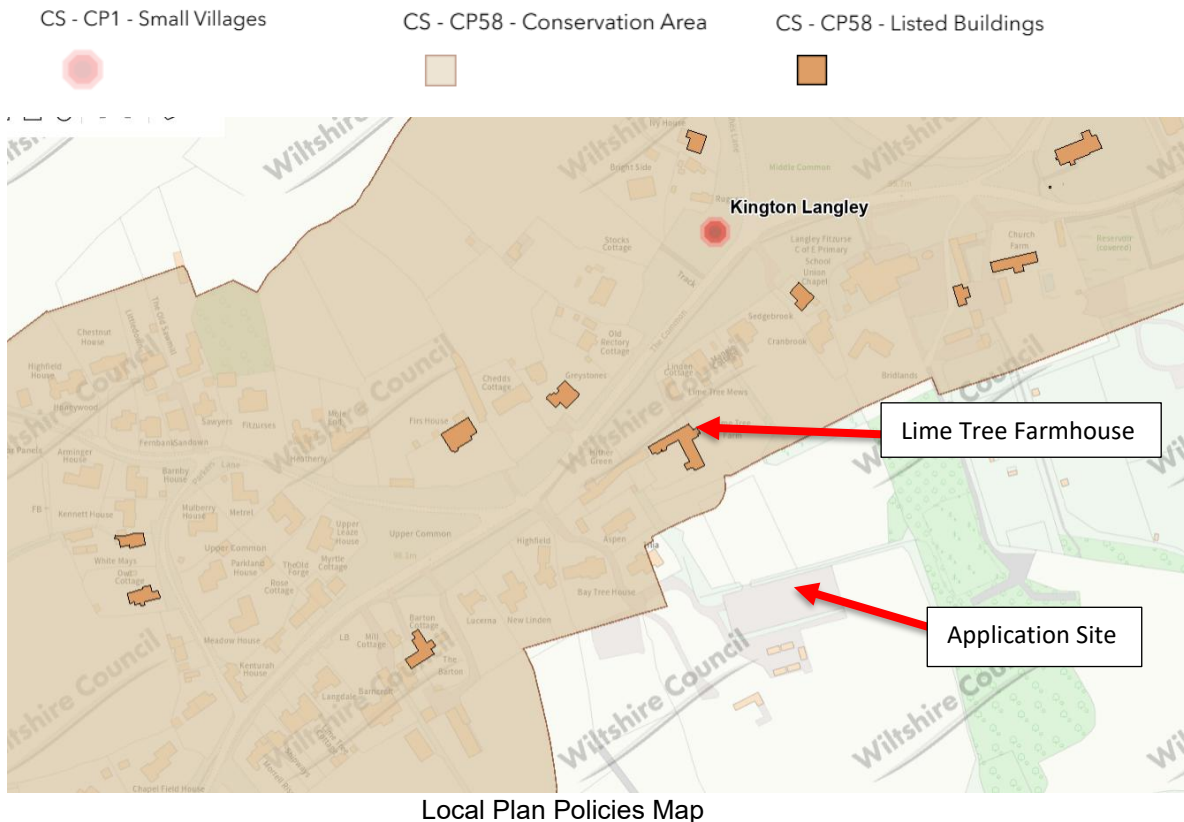
4.9 The NPPF highlights that planning law requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise as noted above. The associated PPG confirms that the same applies to an application seeking permission in principle; “A decision on whether to grant permission in principle to a site following a valid application ... must be made in accordance with relevant policies in the development plan unless there are material considerations, such as those in the National Planning Policy

Framework and national guidance, which indicate otherwise” (Paragraph: 011 Reference ID: 58-011-20180615).

4.10 The development plan relevant to the proposed development is the Wiltshire Core Strategy (WCS) (adopted January 2015), which includes saved policies from the former North Wiltshire Local Plan 2011, The key policies relevant to the ‘in principle’ matters of location, land use and amount of development, are:-

- Core Policy 1: Settlement Strategy
- Core Policy 2: Delivery Strategy
- Core Policy 10 Spatial Strategy: Chippenham Community Area
- Core Policy 45 Meeting Wiltshire’s Housing Needs
- Core Policy 50 Biodiversity and Geodiversity
- Core Policy 51 Landscape
- Core Policy 58 Conservation of the Historic Environment
- Core Policy 60 Sustainable Transport
- Core Policy 61 Transport & Development

4.11 The adopted Local Plan is accompanied by the Policies Maps, which provides a spatial representation of the Local Plan policies. The site forms part of the physical built up limits to the small village of Kington Langley and falls outside its Conservation Area. The land falls within Flood Zone 1. The key for the map extract inserted on the next page with the associated Policies Map extract.



Emerging Planning Policy

- 4.12 The WCS was adopted in 2015 and is therefore now out-of-date. Its review resulted in the production of the draft Wiltshire Local Plan (WLP) which was submitted to the Secretary of State for Housing Communities and Local Government for independent examination on 28 November 2024. There were no fundamental changes proposed to the Spatial Strategy of the Local Plan, as presented within Pre-Submission Draft (2020 – 2038) (Regulation 19) Wiltshire Local Plan (September 2023), however the draft plan pre-dated the now superseded NPPF published on 12 December 2024.
- 4.13 The draft WLP was submitted to the Secretary of State for Housing Communities and Local Government for independent examination on 28 November 2024. However, following some initial hearing sessions the Planning Inspectorate raised significant concerns with the soundness of the draft WLP and subsequently wrote to the Council on the 27 February 2026 advising that the Council should either (i) withdraw the Local Plan from examination or (ii) request that the Inspectors draft a final report

(which would recommend non-adoption). The Council has subsequently withdrawn the draft Local Plan from the Examination process.

- 4.14 The Town and Country Planning (Local Planning) (England) Regulations 2026 introduced the new Local Plan system which came into effect in March 2026 and the Council, as an authority with a housing need figure that has substantially increased, published its timeline for the preparation of the new plan on the 30 June 2026. There is now a 30-month prescribed timescale with the Council's timeline targeting 30 April 2029 for the plan to be considered for adoption. The Council will not therefore have an up-to-date strategy or Local Plan to address and plan for its housing and employment land needs for years to come.
- 4.15 The NPPF clearly advises that Local Plan policies which are materially inconsistent with national decision-making policies in the NPPF should be given very limited weight. As such, the status of the Local Plan is a key material planning consideration, and the now critical importance of the NPPF as a material planning consideration will in certain circumstances overrule the primacy of the Local Plan, the significance of which is explained within sections 5 & 6 below.

5.0 PLANNING ASSESSMENT

- 5.1 The planning considerations associated with this permission in principle application are limited to **location, land use and amount of development**. These matters associated within the principle of development will be addressed below in order to demonstrate that the site can comfortably accommodate up to two dwellings without any adverse local or environmental impacts.

2026 National Planning Policy Framework

National Sustainable Development Decision Making Policies

- 5.2 The new NPPF introduces a permanent presumption in favour of sustainable development, replacing the previous "tilted balance" approach

under paragraph 11 of the 2024 NPPF as noted above. The presumption is now clearly structured within Chapter 4 ‘Achieving Sustainable Development (within policies S3 – S6). There is no qualifying criteria or threshold; Policy S3 ‘Presumption in Favour of Sustainable Development’ clearly states that “Decisions on development proposals should apply a presumption in favour of sustainable”.

- 5.3 Policy S3 goes on to state that Policy S4 ‘Principle of Development Within Settlements’ should be applied when considering development proposals within settlements, and Policy S5 ‘Principle of Development Outside Settlements’ applied for development proposals outside settlements. These policies are of **critical importance** to the development the subject of this current PiP application because, notwithstanding the Spatial Strategy of the Local Plan, which is discussed below, they provide in principle support from the outset due to its alignment with these new national decision-making policies.

*Policy S4 ‘Principle of Development Within Settlements’ &
Policy S5 ‘Principle of Development Outside Settlements’*

- 5.4 Policy S4 (1) states that development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies as a whole. The NPPF however introduces a new ‘settlement’ definition which is as follows:

Settlement: *Includes cities, towns, villages and other predominantly built-up areas, including land which is allocated or has permission for development which will form part of the built-up area once the development is complete. This includes areas defined as a settlement in the development plan (whether using defined settlement boundaries or equivalent terms, or criteria for identifying settlement extents where boundaries have yet to be defined). Settlements do not include hamlets and scattered groups of houses located outside predominantly built-up areas, unless specifically defined as a settlement in the development plan. For the purpose of this Framework they also exclude villages which lie within and are defined as part of the Green Belt in the development plan.*

- 5.5 The application site, as a matter of fact lies on the edge of the village of Kington Langley, on previously developed land thus within its physical built up limits. However, without prejudice, if the Council does not consider the site to fall within the settlement, and outside the scope of Policy S4 'Principle of Development Within Settlements' then Policy S5 'Principle of Development Outside Settlements' is relevant.
- 5.6 Policy S5 (1) sets out a list of developments that are acceptable in principle outside settlements, unless the benefits of doing so would be substantially outweighed by any adverse effects. The developments listed within S5 (1) are those that have typically been supported by both national and local planning policy such as agricultural, rural and tourism developments, and gypsy, traveller or travelling showpeople accommodation. However, there is a significant change in policy position with a much broader range of developments being permitted in principle, with the headline being residential and mixed-use developments within reasonable walking distance of a well-connected station.
- 5.7 The developments that are acceptable in principle outside settlements and apply to the current proposal are however outlined within Policy S5 (1) 'd' and 'j', which are as follows:
- d. The redevelopment of previously developed land (including a material change of use to residential or mixed-use including residential);*
 - j. Development which would address an evidenced unmet need (including, but not limited to, development proposals involving the provision of housing where the local planning authority cannot demonstrate a five year supply of deliverable housing sites or scores below 75% in the most recent Housing Delivery Test²⁷), and where the development would:*
 - i. Be physically well-related to an existing settlement²⁸(unless the nature of the development would make this inappropriate) and be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure; or*
 - ii. Comprise major development for freight and logistics purposes which accords with policy E3.*
- 5.8 The Council is unable to demonstrate a 5 Year Housing Land Supply Position, as explained within Section 6 below, and therefore this current proposal will contribute towards meeting an evidenced unmet need for

housing. The site is clearly physically well-related to the existing settlement and can accommodate a development that would respect the established pattern, character and appearance of the built environment, drawing on scale, design and appearance of the newly constructed dwellings noted above. The provision of two dwellings is also of an appropriate scale for the settlement. Furthermore, the land aligns with the NPPF's definition of 'Previously Developed Land'.

- 5.9 It is therefore clear that the presumption in favour of sustainable development, as set out within Policy S3, applies to the proposed development and it is acceptable in principle under Policy S5 (1) 'd' & 'j'. Policy S5 (2) however outlines that in applying the policy, "the circumstances in which the benefits of approving development proposals are likely to be substantially outweighed by adverse effects include, but are not restricted to, situations where the development proposal would fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances".
- 5.10 The new NPPF now limits the situations or policies which require developments to be refused in specific circumstances. There are 15 specific circumstance, rather than generic policies, which include the following:
- 1) **Town Centres:** failure to satisfy the retail sequential test (TC3[4])
 - 2) **Transport:** development that has a severe impact on the transport network (TR6[4])
 - 3) **Hot Food Takeaways:** proposal for hot food takeaways in certain locations (HC5[1])
 - 4) **Density:** proposals that do not make efficient use of land (L3[4])
 - 5) **Green Belt:** Inappropriate development in the Green Belt (GB6[2])
 - 6) **Design:** development of a poor design (DP3[3])
 - 7) **Protected Landscapes:** proposal for major development within protected landscapes other than in exceptional circumstance (N4[2])

- 8) **International Biodiversity Sites:** developments that result in significant harm to a habitat site (fails the appropriate assessment) (N6[1a])
 - 9) **Irreplaceable Habitats:** (loss or deterioration of irreplaceable habitats (N6[2]))
 - 10) **Designated Heritage Assets:** developments that would cause harm to the significance of a designated heritage asset, unless the harm justified / outweighed by public benefits (HE6[5])
 - 11) **Peat Extraction:** proposals for the extraction of peat at new or extended sites (M5[1])
 - 12) **Coal, Oil, Gas:** proposals for coal working, onshore oil and gas extraction unless justified (M5[2])
 - 13) **Flood Risk** (river/sea): development is incompatible with the risk from river or sea flooding (F6[1a])
 - 14) **Flood Safety:** development at risk of flooding in certain circumstance (F7[2])
 - 15) **Coastal Change:** development within a Coastal Change Management Area unless justified (F9[1/3])
- 5.11 None of the national decision-making policies indicate that permission should be refused for the development the subject of this PiP application. The only relevant consideration is the impact on designated heritage assets due to the location of the site within the setting of the Kington Langley Conservation Area and nearby listed buildings. This is considered below within the Heritage Impact Assessment which concludes there will be no harm to the significant of any heritage assets. There are therefore no adverse effects which need to be considered against the benefits of the proposal. Policy S5 (2) is satisfied, and the development remains acceptable in principle.
- 5.12 Parts (3), (4), and (5) of Policy S5 are not relevant to the current proposal. Part (3) relates to 'isolated homes', Part (4) relates to developments that do not fall within any of the Policy S5 (2) categories, and Part (5) relates land within the Green Belt or designated as Local Green Space.

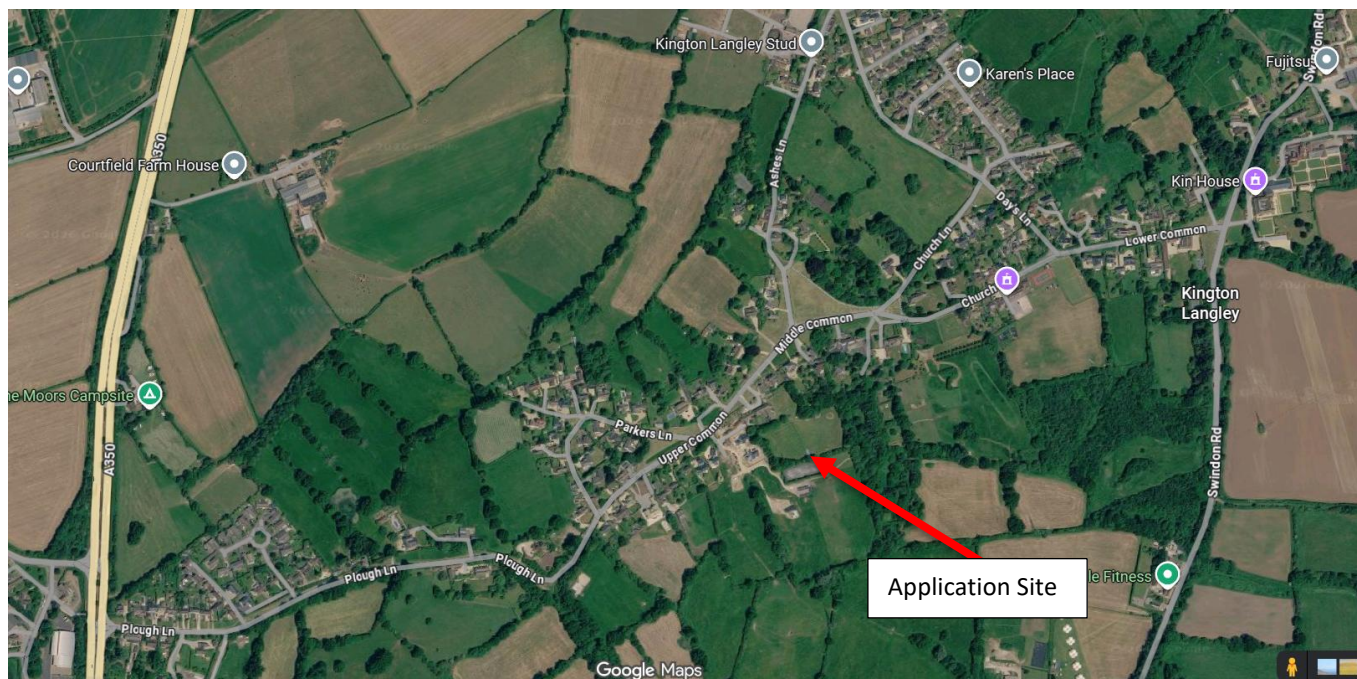
- 5.13 The proposed development the subject of this PiP therefore fully complies with Policy S5 (1) to (5) and is therefore acceptable in principle.
- 5.14 It was noted above that the **critical importance** of the NPPF as a material planning consideration will in certain circumstances overrule the primacy of the Local Plan. The NPPF clearly advises that Local Plan policies which are materially inconsistent with national decision-making policies in the NPPF should be given very limited weight. This applies in Wiltshire because its Spatial Strategy (Core Policies 1 – 3), and many criteria based exception policies, are materially inconsistent with national decision-making policies (Policies S3 – S5 being relevant to this current proposal as outlined above). It is clear that preference has to be given, or the starting point, is the new NPPF in this instance and then only very limited weight is given to the relevant out-of-date / materially inconsistent policies of the Local Plan. The relevant policies of the Local Plan are however considered below to demonstrate there is limited conflict.

Local Planning Policies

Site Sustainability

- 5.15 The WCS includes a Spatial Strategy which sets the foundations for how ‘sustainable development’ is defined and applied within Wiltshire. It has three key elements; a Settlement Strategy, Delivery Strategy and Infrastructure Requirements. The settlement and delivery strategies define where development will be the most sustainable across Wiltshire’s settlements.
- 5.16 Core Policy 1 ‘Settlement Strategy’ and Core Policy 2 ‘Delivery Strategy’ of the WCS outline that there is a presumption in favour of sustainable development within the Principal Settlements, Market Towns, Local Service Centres and Large Villages and development should be restricted to within the Limits of Development other than in exceptional circumstances as set out within the relevant core policies contained within the plan, i.e. the ‘exception policies’.

- 5.17 In the Chippenham Community Area, where the site is located, the most sustainable location to which most growth is directed is the 'Principal Settlement' of Chippenham, with the surrounding Large and Small Villages being able to accommodate some limited growth. Kington Langley is a 'Small Village' where some very modest development is permitted by the Spatial Strategy. It also meets the new NPPF 'settlement' definition.



Aerial Photograph

- 5.18 The application site is well related to the existing built-up area of the settlement which, as shown on the aerial photograph above, has a very linear form, starting from A350 at the west end of the village and then travelling eastwards along Plough Lane, Upper Common, Middle Common, and Lower Common, before reaching Swindon Road (B4069) which is on a north-south axis. The layout of the established built environment is important because, in line with NPPF Policy S5, the proposal involves the redevelopment of previously developed land and development that helps to address an unmet housing need, which is physically well-related to an existing settlement.
- 5.19 Core Policy 10 'Spatial Strategy: Chippenham Community Area' identifies the level of housing need that must be met within the 'Principal Settlement'

of Chippenham and then the rest of the Community Area. These figures were updated as part of the evidence base for the draft Wiltshire Local Plan but will now need to be updated again for the Government's new plan-making system and will undoubtedly increase, however, the key point is that the current WCS states that the indicative figures allow a flexible approach which enables the Council to "respond positively to opportunities without being inhibited by an overly prescriptive, rigid approach which might otherwise prevent sustainable development proposals that can contribute to delivering the strategic objectives of the plan".

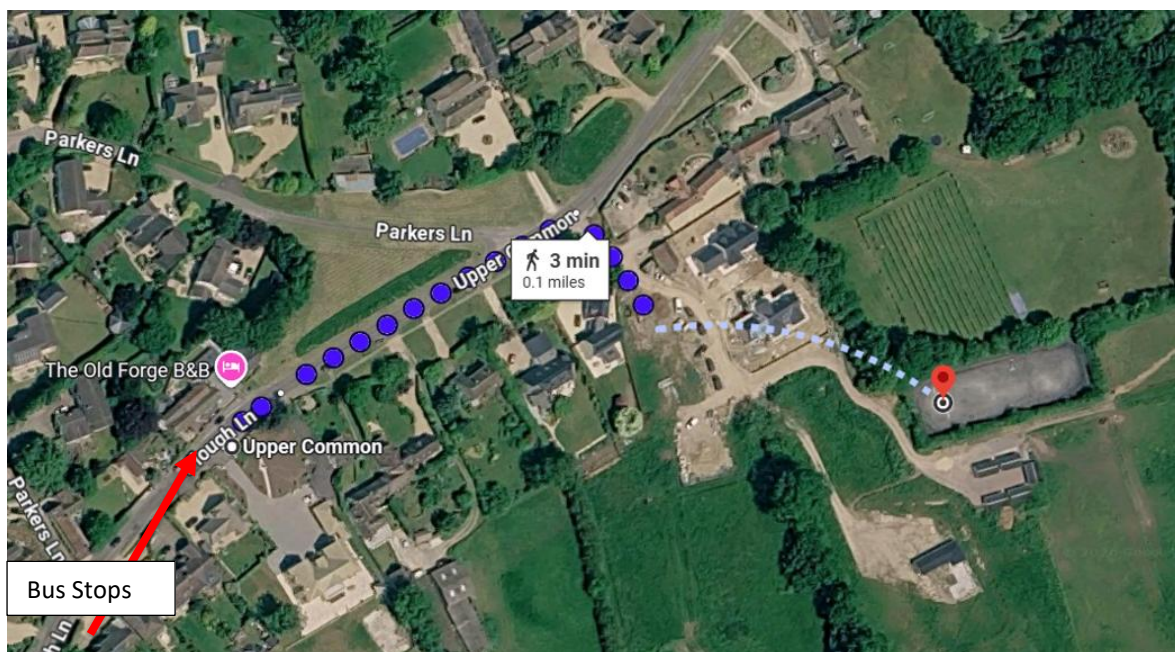
- 5.20 A key strategic objective of the WCS is to 'provide everyone with access to a decent, affordable home', which the application development can contribute towards, including the significant housing land supply shortfall (as outlined within Section 6). The application site, which comprises previously developed equestrian land is within easy reach of a range of local services and amenities as discussed below and would contribute positively to the rural communities on the outskirts of Chippenham. Furthermore, the vehicular movements associated with proposed residential development will replace the movements associated with the equestrian use of the land therefore overall there will be a neutral impact in terms of the number of vehicles travelling to and from the site.

Site Accessibility

- 5.21 The accessibility of the site and distance to local services and facilities is a key material planning consideration which is embedded within the objectives of the Spatial Strategy of the Local Plan. The application site is not however within a remote or isolated location, it is well related to the built-up area of the village, which is identified as being suitable to new development to meet local need, and within just over half a mile from the 'Principal Settlement' of Chippenham.
- 5.22 Notwithstanding the close proximity to Chippenham, it is important to acknowledge that the NPPF at policy TR3 that sustainable patterns of movement should reflect, inter alia the type of development and its

location. The policy therefore continues to recognise that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, encouraging in these areas opportunities to improve no-car based transport. Whilst it is recognised that future occupiers of the application site would use private vehicles, like any other new development within the area's villages, there will be other realistic alternative sustainable modes of transport available to future occupiers and the development will help to support these enhancing the connectivity of the area, as the policy encourages.

- 5.23 There is a bus stop on the A350 and a few metres from the site on Plough Lane, which is accessible via a level pavement as shown in the aerial photograph on the next page, and provides regular daily bus services to Chippenham and surrounding settlements. The pavement also provides a direct and safe access along Upper Common to the school and village hall etc to the east. The distances fall within the reasonable walking distances identified in the NPPF.



Aerial Photograph (Source: Google Earth)

- 5.24 In addition to the public transport service, Electric Vehicle Charging Points are proposed as part of the proposed development to serve each dwelling.

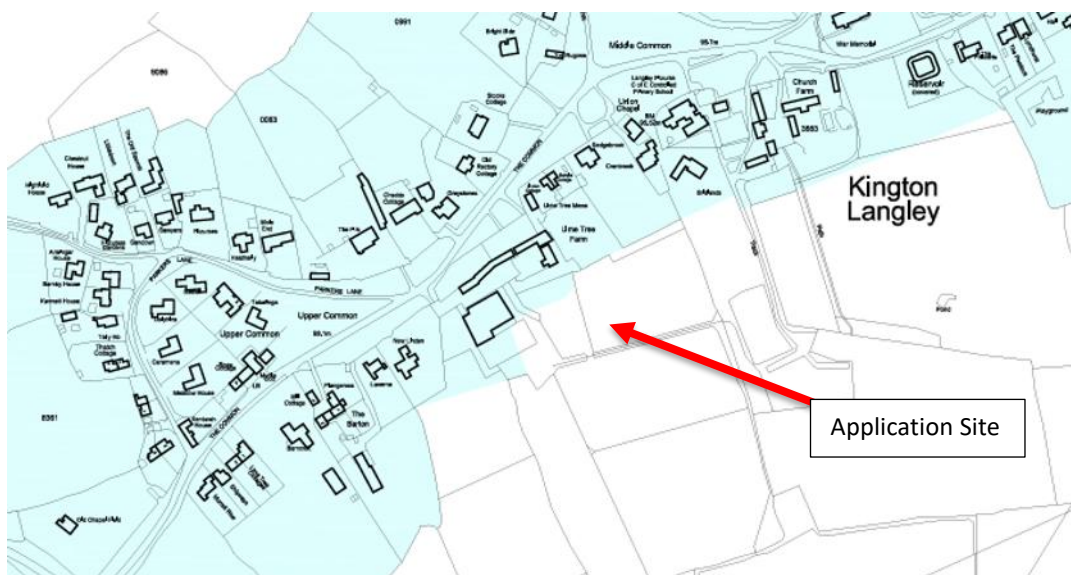
This would represent an alternative sustainable mode of transport as confirmed by the Planning Inspectorate during an appeal (reference 334559821) last year for residential development on land at Glenmore Farm, The Ham/Hawkeridge Road, Westbury. The Decision Notice can be seen at Appendix B where the Inspector notes that “each dwelling would be fitted with an electrical vehicle charging point, along with a public charging point, which would be required via a condition [condition 15]. This means that future owners would be encouraged to own ultra-low and zero emission vehicles, which represents a sustainable transport mode in the Framework” (paragraph 15). The reality therefore with the shift towards electric vehicles is that the site will only be served by sustainable modes of transport in the future.

- 5.25 A key conclusions in the Glenmore Farm appeal decision, which is equally applicable to the current proposal is that “Overall, the location of development is likely to result in future residents relying on a private car for some journeys. However, **there are realistic means of accessing services and facilities using sustainable travel modes. Thus, the proposal would be in a suitable location**” (paragraph 17) (emphasis added).
- 5.26 The WCS does acknowledge that the range of facilities in Small Villages, and other settlements, will differ due to their varying scale, and therefore their degree of ‘sustainability’ will vary. The NPPF though only excludes rural development in connection with hamlets, which does not apply in this case. The current site is not considered to be ‘isolated’ or an unsustainable location for future growth, as outlined above, and will be served by sustainable modes of transport. The proposed Electric Vehicle Charging Points can be conditioned at the Technical Details stage to be installed ready for use prior to the occupation of the development. The site is therefore considered to be an accessible location, and the development would accord with Core Policies 60 and 61 of the WCS as well as Chapter 15 to the NPPF. However, notwithstanding this conclusion, the status of the Local Plan and the weight to be attributed to the relevant policies within

the overall planning/tilted balance is a key material planning consideration and is considered within Section 6 below.

Heritage Impact Assessment

- 5.27 The duty placed on the Council under sections 16 and 66 of the Planning (Listed Building and Conservation Areas) Act 1990 is the requirement to have special regard to the desirability of preserving listed buildings and their setting or any features of special architectural or historic interest which they possess. Furthermore, Section 72 of the Act outlines that when considering whether to grant planning permission for development which affects a Conservation Area special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 5.28 Chapter 20 of NPPF includes policies on conservation of the historic environment with the main underlying policy that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It outlines that applications for development should describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance (Policy HE5:1.).



Map Identifying Extent of Conservation Area

- 5.29 The application site falls outside the village Conservation Area, as shown on the map above, and to the south of the Grade II Listed Lime Tree Farmhouse, however the development will not be within the immediate setting of these designated heritage assets. The listed building (1198966) is a period farmhouse originally built in the 17th Century and later extended in the 18th Century. The dwelling was constructed with rubble stone, originally roughcast, with ashlar dressings and stone slate roof with coped gables, ridge stack and end stacks. The building has architectural and historic interest which makes up its significance.
- 5.30 The listed building fronts the road to the north but the rear sections of the building, which are characterised as being formed of two parts constructed in different periods, are enclosed to the south by a traditionally built stone wall, offering privacy to the patio area and lawn of the back garden. There are very limited views of the rear of the property from the south on account of the enclosing wall and planting.
- 5.31 The application site is not experienced as part of the listed building or vice versa, due to the separation distance, intervening landform and mature landscaping, as shown on the aerial photograph below.



5.32 The site does not positively contribute towards the setting or character and appearance of the Conservation Area because of the equestrian developments on the land. The proposal provides an opportunity to deliver two dwellings of a sensitive design along with environmental enhancements to the south through the removal of the stable buildings thus improving the edge of the settlement and transition with the countryside beyond.

5.33 Policy HE5 'Assessing Effects on Heritage Assets' of the current NPPF advises that assessments of the potential effects of development proposals on the significance of heritage assets (including through effects on their setting) should identify whether proposals would be likely to:

- a. Have a positive effect, which is where the significance of a heritage asset would be enhanced, or better revealed; or*
- b. Have no effect on the significance of a heritage asset; or*
- c. Result in harm to the significance of a heritage asset, either from work affecting the asset itself or from development within its setting. The degree of harm should be identified: substantial harm would occur where the development proposal would seriously affect a key element of the asset's significance; or*
- d. Cause the total loss of the significance of a heritage asset.*

5.34 In summary, the site is, in principle, considered capable of accommodating up to two dwellings with no effect on the significance of the Conservation Area or the Grade II Listed Lime Tree Farmhouse. The proposed development will meet the objectives of both local and national policy on the conservation and enhancement of the historic built environment, including the statutory considerations at section 66 and 72 to the Planning (Listed Buildings and Conservation Areas) Act 1990 and guidance set out in the NPPF and its accompanying PPG. Furthermore, the proposal will result in significant public benefits which will be considered within the Planning Balance section below.

- 5.35 However, within the context of heritage policy, while Policy HE6 ‘Proposals Affecting Designated Heritage Assets’ of the NPPF advises (at HE6.1) that substantial weight should be given to the conservation of all designated heritage assets, it goes on to advise that (at HE6.3) the weight to be given to any harm should be dealt with in accordance with HE6.4 which is as follows; “Where a development proposal would harm the significance of a designated heritage asset the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal” (HE6.4).
- 5.36 The planning history outlined above identifies that the Council found the proposal for three dwelling to the north of the site would cause harm to the setting of the listed Limetree Farmhouse and wider Conservation Area, but, under the test within the 2024 NPPF, that harm was considered to be less than substantial and at the very minor end of the spectrum. The Council however concluded that “at a time when the Council needs to deliver housing, the public benefits associated with the development are considered to outweigh that harm”.
- 5.37 The current proposal is not considered to affect the significance of the heritage asset but any perceived harm (and less than identified above) would clearly be outweighed by the public benefits. Policy HO7 ‘Meeting the Needs for Homes’ of the NPPF requires that substantial weight should be given to the benefits of providing homes which will contribute towards meeting the evidenced accommodation needs of the community. It is considered that the substantial weight given to the benefits should outweigh any perceived limited harm to the designated heritage assets as a result of development within their setting.

Local Examples

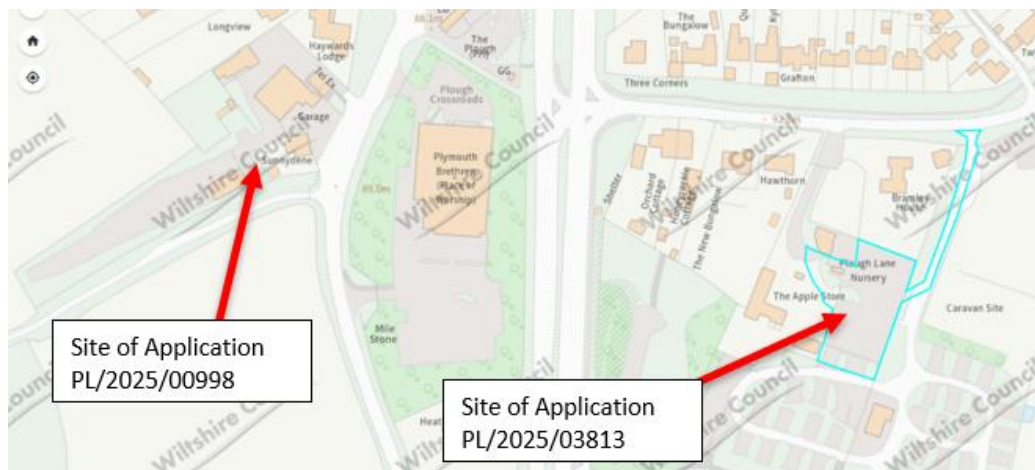
- 5.38 While it is recognised that each planning application has to be considered on its own merits, the planning history of a site and the precedent set by the Planning Inspectorate and the Council during the assessment of

similar proposals are key material planning considerations. There are three key recent decisions which are as follows:

- i. Permission in Principle PL/2025/03813 – Erection of 4 Dwelling on Land at The Apple Store, Plough Lane, Kington Langley, Chippenham, SN15 5PS – Granted 29 May 2025
- ii. Permission in Permission PL/2025/00998 – Erection of 8 Dwellings on Land at Kington Langley Garage, Malmesbury Road, Kington Langley – Granted at Appeal 31 October 2025
- iii. Planning Permission 19/09467/FUL (as amended): Demolition of equestrian building and erection of 3 dwellings – The Stables, Limetree Farm, Middle Common, Kington Langley, Chippenham, Wiltshire, SN15 5NW – Approved 08/09/2020

5.39 The planning permission granted for three dwellings immediately to the north of the application, as explained above, is a key material planning consideration. The Council identified harm to the Grade II Listed Limetree Farmhouse and wider Conservation Area, as shown on the Policies Map above, however it was concluded that the harm was ‘less than substantial’ and at the very minor end of the spectrum, and it was outweighed by the public benefits of the development. It was further noted that the scale and character of the development was appropriate to the locality and would not result in unacceptable impacts upon the amenity or living conditions of surrounding residential occupiers or adversely impact on the highway network or safety. The Delegated Report stated the proposal was in accordance with Core Policies 1, 2, 50, 56, 57, 61, 64 and 67 of the WCS as well as relevant paragraphs in the applicable NPPF.

- 5.40 The two other examples to the at the eastern side of the village relate to the housing development on previously developed land, the same as this current proposal. They are identified on the map below followed by an overview of each proposal:



Land at The Apple Store, Plough Lane, Kington Langley

- 5.41 The Council recently granted Permission in Principle (application reference PL/2025/03813) for up to four dwellings on Land at The Apple Store, Plough Lane, Kington Langley, Chippenham, SN15 5PS. It was concluded that the proposed development was in line with the Spatial Strategy of the WCS and the site was within the build-up-area of the village. A copy of the application can be seen in Appendix C, along with the Delegated Report which provides the following conclusion:

Overall, the provision of 4no. dwellings would make a contribution, albeit relatively limited, towards the supply of housing in an area with an under supply and there would also be a limited amount of social and economic benefits arising from the construction phase and future spending of occupants.

It is accepted that the Council is currently unable to demonstrate a five year supply of housing sites and therefore paragraph 11(d) has been engaged in this assessment. There are no relevant protected areas or assets that provide a strong reason for refusing the principle of the development proposed.

In this instance, with the principle of the proposed development generally acceptable, and with the adverse impacts of granting permission not significantly and demonstrably outweighing the identified

benefits, when assessed against the policies in the NPPF and the development plan it is recommended that permission in principle should be granted.

Land at Kington Langley Garage, Malmesbury Road

5.42 The Planning Inspectorate granted Permission in Principle (application reference PL/2025/00988) for up to eight dwellings on Land at Kington Langley Garage, Malmesbury Road, Kington Langley, Chippenham SN15 5PY on the 31 October 2025. The site was to the west of the A350 as shown on the map above, however the Inspector concluded that while the site was “not optimally located” there were material planning considerations which indicted permission should be granted. A copy of the Decision Notice and applications drawings can be seen in Appendix D but the main conclusion is reproduced here:

Planning Balance

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

the area's housing supply, the provision of 8 dwellings would make a valuable contribution, to which I assign substantial weight. I also afford modest favourable weight to the scheme's economic and environmental benefits along with a larger quantum of favourable weight to the utilisation of a brownfield site.

23. *Consequently, the adverse impacts of the proposal associated with its location outside the development boundary and conflict with policies of the WCS, would not significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. Therefore, the presumption in favour of sustainable development applies which is a material consideration that weighs heavily in favour of allowing the appeal.*

5.43 The site of the current application is better related to the main built up area of the village, as previously recognised by the Council within the first example detailed above, and should be awarded proportionally greater weight. The weight to be given to the residential policies of the Local Plan and the overall 'planning balance' is considered in further detail within Sections 6 and 7 below.

Principle of Development Conclusion

5.44 In summary, the **location, land use and amount of development** is considered to be acceptable in principle. The site can be accessed via sustainable modes of transport and the development can be designed to ensure it does not appear out of place with the established pattern of the built-environment. Furthermore, it will be demonstrated at the Technical Details Stage that the scheme can be designed to ensure no unacceptable harms to landscape character, visual amenity, the amenity of the occupiers of neighbouring properties, the historic environment, or highway safety.

6.0 HOUSING NEED & STATUS OF THE LOCAL PLAN

Housing Need & Land Supply

6.1 The Council's most up to date Housing Land Supply Statement details that it has 2.8 years of deliverable housing land supply. A copy of the document can be seen in Appendix E. The intention of the WLP was to identify future levels of need for new homes and employment land over the period 2020-

2038, however, the evidence that underpins the draft WLP was prepared in accordance with the now superseded December 2023 version of the NPPF, and critically it has been found to be unsound and will not proceed beyond the Examination process.

- 6.2 The Council will not therefore be able to demonstrate a five year Housing Land Supply position for years to come and therefore its previous Briefing Note (No.24-20 – December 2024) (available to view in Appendix F), which set out the implications of the 2024 NPPF and revisions to the standard methodology on its housing land supply position, comes into greater focus and carries even greater weight when considering applications for residential development. It explained that due to the change to the standard methodology, which is used to calculate local housing need, the number of homes the Council must plan for on an annual basis has increased from 1,917 to 3,525 (the annual Local Housing Need figure), an increase of 84%.
- 6.3 The Director of Planning clearly advises within the Briefing Note that “To meet this increased buffer, **the council will need to continue to approve planning applications to ensure a sufficient housing land supply can continue to be met at, and beyond, this date**” (emphasis added). The NPPF Policy S5 reflects this approach as it supports development outside settlements and where, as in this case it is physically well-related to the settlement the presumption for sustainable development applies, and is strengthened by the failure to meet the required housing supply.

Status of the Local Plan

- 6.4 The Spatial Strategy of the WCS is now out of date and the Council has a significant housing land supply shortfall. The Council’s Housing Land Supply position and the weight to be attributed to the Spatial Strategy of the WCS was under focus at the Glenmore Farm appeal mentioned above (reference 3345598). The Council did not defend the appeal due to its Housing Land Supply Position, and the Inspector stated the following within the decision notice dated 21 January 2025:-

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

- 6.5 The weight to be attributed to the Local Plan has further diminished following the withdrawal of the draft Wiltshire Local Plan from the Examination process. A recent appeal (3374421) for a residential scheme in Melksham highlighted the perilous position the Council finds itself in and the extreme need to support and deliver new housing schemes. A full copy of the appeal decision (dated 09 April 2026) can be seen in Appendix G but the Inspector noted the following about the housing need position:

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

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

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

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

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

shortfall is acute and county-wide. Action to address that needs to be taken now through the provision of housing on suitable sites.

- 6.11 In light of the above, due to the age of the WCS and the substantial shortfall in housing land supply, it is considered that very limited weight should be attributed to any possible perceived conflict with the Spatial Strategy of the WCS, which as noted above it is not working effectively and is failing to deliver housing in a strategic plan-led way. This conclusion is important and is considered within the Planning Balance section below.

7.0 CONCLUSION & PLANNING BALANCE

- 7.1 The application seeks Permission in Principle for the construction of up to two detached dwellings on previously developed land at Lime Tree Stables, Kington Langley, Chippenham, Wiltshire, SN15 5NW. The proposal would contribute towards the Government's objective of delivering a substantial increase in the supply of homes and would contribute towards the Council's own strategy to address its housing land supply shortfall.
- 7.2 The site, which currently accommodates equestrian facilities, is previously developed land and lies adjacent to the built up-area of the settlement which is identified as being suitable for small scale developments by the Spatial Strategy of the Local Plan. The site is also accessible on foot to public transport services which connects the site to higher tier settlements with a greater range of facilities. The proposal would result in the provision of two dwellings tailored towards meeting local need and would respect the layout, height and appearance of neighbouring houses, in particular those recently constructed to the immediate north of the site. The site can be developed without unacceptable harm to landscape character, visual amenity, the historic environment or highway safety.
- 7.3 The Government's publication of the new NPPF on the 17 August 2026 has had a significant impact on the assessment of planning applications. The NPPF introduces a new presumption in favour of sustainable

development (Policy S3) and introduces “default yes” policies for certain types of developments within and outside settlements (Policies S4 & S5). The new NPPF strengthens the presumption in favour of development with more weight in favour of development. However, the development the subject of this PiP application is acceptable in principle under new national decision making Policy S5 (1) ‘d’ & ‘j’.

- 7.4 The new national decision-making policies have primacy over the out-of-date Local Plan in this case due to the critical importance that should be afforded to the new NPPF and the “very limited weight” that should be afforded to the Spatial Strategy of the Local Plan because it is materially inconsistent with national decision-making policies. The new NPPF policies on achieving sustainable development indicate that the proposed development is now acceptable in principle.
- 7.5 The NPPF advises that such applications should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects. There are no adverse effects associated with the proposal but there are significant benefits. The proposed development would result in the provision of up to two new dwellings that would contribute towards the substantial deficit in the Council’s five-year housing land supply, which is a significant benefit that should be given substantial positive weight, as required by Policy HO7 of the NPPF.
- 7.6 The development would also produce short term benefits to the construction industry, and the development would also generate ongoing revenue for the Council from Council Tax etc.. There will also be further modest benefits that would result from the additional support to the vitality of the local community from the future occupiers of the development. These benefits should also be given moderate weight in favour of the proposed development.
- 7.7 The PiP application has a narrow focus with only the principle of the proposed residential development being considered. The scope of the assessment is limited to the location, land use and amount of

development. However, issues relevant to these ‘in principle’ matters should be considered at the permission in principle stage. Other matters should be considered at the technical details consent stage. The new NPPF provides support in principle for the proposed development and there are no other matters or policies that indicate that PiP should be refused.

- 7.8 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The new NPPF is a material consideration of critical importance which indicates that the development is acceptable in principle and there are no policies or reasons to refuse permission in principle.
- 7.9 In light of the above, having considered the individual planning merits of the proposal, it is considered that the material considerations indicate that permission should be granted. It is therefore respectfully requested that PiP be granted.