
Planning Statement

Applicant: Mr S Rogers

Date: September 2026

Site: Land at First Lane, Whitley SN12 8RL

Permission in Principle Application: Erection of 2 No. self-build dwellings and associated works.

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1.0 Introduction

- 1.1 PlanningSphere act for Mr S Rogers who is the prospective purchaser of the application site at First Lane, Whitley, near Melksham.
- 1.2 The application seeks permission in principle (PiP) for 2 No. self-build dwellings and associated works. The applicant and an associate who wish to develop the site for 2 No. self-build dwellings for their respective occupation.
- 1.3 The application proposal is submitted following the refusal of a speculative scheme submitted by the landowner in 2021 (PL/2021/06922) and the withdrawal of a 2-dwelling scheme on the advice of the planning officer (PL/2025/08987). A subsequent pre-application enquiry was undertaken to address technical issues including heritage and archaeology, drainage and transport evidence (ENQ/2026/00621). Subsequently, the applicant has completed an archaeological evaluation.
- 1.4 Before investing further in a detailed design process, noting that all technical issues are now resolved, the applicant now wishes to test the principle of residential development through the submission of the enclosed Permission in Principle application.
- 1.5 The proposal highlights material and relevant considerations that weigh in favour of the application in principle including: local demand for self/custom-build plots; Wiltshire Council's increased annual housing requirement in accordance with the 'Standard Method' and the severe housing land supply deficit, and the change in the strategic planning context introduced by the new August 2026 iteration of the National Planning Policy Framework (NPPF) and the weight to be attached to the housing delivery policies of the Neighbourhood Plan following the Secretary of State's decision in respect of the recent Snarlton Lane planning appeal in Melksham (PINS Ref: 3373278).
- 1.6 The enclosed Permission in Principle application submission comprises the following:
 - Planning application fee: £2,655.00 and Planning Portal Administration Fee
 - Application Forms and Ownership Certificates: PlanningSphere
 - Site Location Plan: Ashford Homes (SW) Ltd
 - Planning Parameter Plan: Ashford Homes (SW) Ltd
 - Illustrative Masterplan: Ashford Homes (SW) Ltd
 - Arboricultural Report: Silverback Consultancy
 - Archaeological Evaluation Report: Avon Archeology
 - Ecological Impact Assessment: Bengrove Ltd
 - Flood Risk Assessment and Drainage Strategy (including comments in response to the LLFA): IMA Transport Planning
 - Proportionate Heritage Statement including an Archaeological Assessment: Bristol and Bath Heritage Consultancy
 - Photosheet: PlanningSphere
 - Planning Statement: PlanningSphere
 - Transport Statement: IMA Transport Planning

2.0 Relevant Background Information

(i) Site Description

- 2.1 The application site of 0.49ha comprises part of an agricultural paddock on the southern edge of Whitley adjacent to the settlement boundary built up area. Shaw primary school is situated 350m from the site.
- 2.2 The site is bounded by First Lane to the north; Corsham Road (B3353) to the east; and a water course to the south known as South Brook. It is accessed from First Lane onto the B3353.
- 2.3 Whitley is located approximately 4km south of Corsham and 2.5km northwest of Melksham (as the crow flies). It is a settlement with a population of 842 according to the 2021 census. Whitley together with Shaw have a good level of local services and amenities, focusing on community-run facilities, education and recreation. Whitley has a good range of local facilities including a primary school, public house, community shop and golf course. There are two bus stops on Corsham Road providing public transport access to the Bath-Box-Melksham-Devizes (Nos. 272 and 273 services).

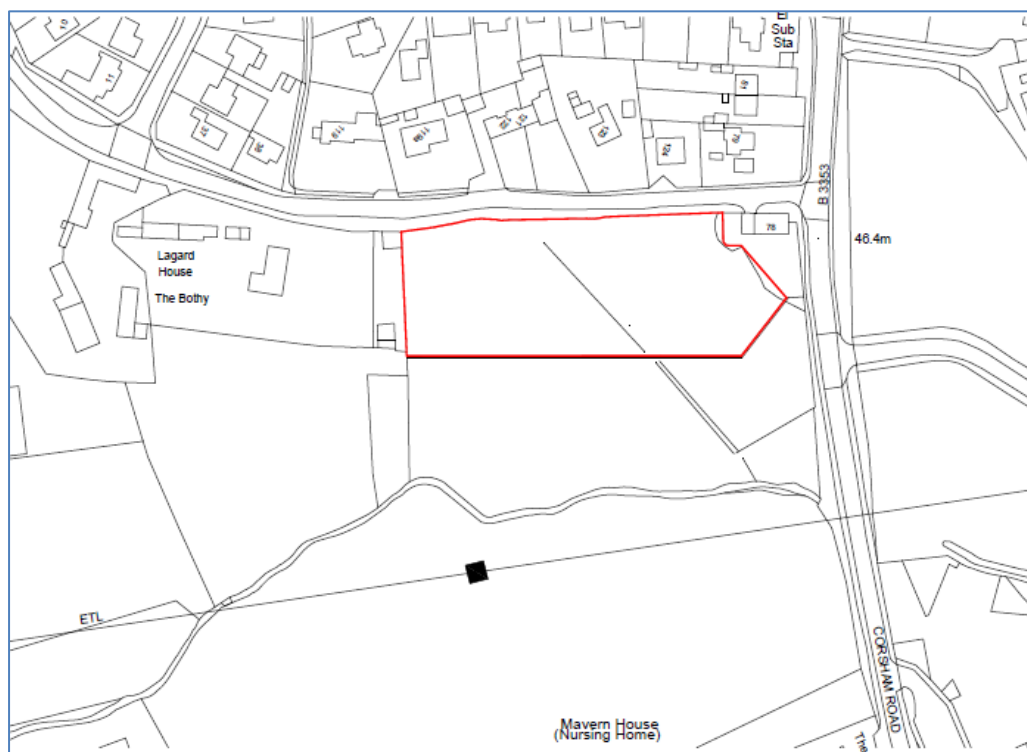


Figure 1. Extract from the Site Location Plan.

- 2.4 The site slopes gently from First Lane towards the watercourse. There is a boundary hedgerow along the First Lane frontage and a number of trees on the north and western boundaries. The submitted Arboricultural Report includes a survey of existing trees (NB. this report was submitted with the 2021 application and is included for information).
- 2.5 The Annotated Photosheet includes views from the public footpath that runs south of and parallel to the South Brook (see Photo 5). There are also filtered views of the site from First

Lane from the existing gateway (Photo 1). The frontage hedge obscures other views from First lane. There are oblique and more heavily filtered views from Corsham Road (B3553). There are no longer range views.

(ii) Planning history

- 2.6 Relevant planning history recorded on the Council's public access system for the site is set out in the table and subheadings below. Details of the site were submitted to the Council's Spatial Planning Team in 2015 and the paddock within which the site is located has the SHELAA Reference Number: 3459.

Reference	Description	Decision
PL/2025/08987	Erection of 2 No. Self-build Dwellings and Associated Works	Withdrawn 11.02.2026
PL/2021/06922	Outline proposal for 4 dwellings and associated access and landscaping works (free go)	Refused 19.10.2021
20/05766/OUT	Erection of up to 9 No. dwellings and associated works (Outline application relating to access)	Withdrawn 30.11.2020

(iii) Pre-application enquiry 16/07809/PREAPP

- 2.7 Ashford Homes (SW) Ltd acquired the site in 2015. An initial pre-application enquiry was submitted to the Council in August 2016 for a 12-unit residential scheme and a community car park. Advice received from the Council noted the location of the site outside of but adjacent to the settlement boundary. The Council's Landscape Officer noted that the site forms part of an open area separating the settlements of Shaw from Whitley but considered that the potential for harmful visual impact on the wider landscape was low.
- 2.8 As this initial proposal included a larger site area with built development outside of Flood Zone 1, an FRA was requested. At this time, Wiltshire Council had completed surface water drainage works to the culvert that runs through First Lane and traverses the application site.
- 2.9 Other key considerations included the need to minimise loss of hedgerow through the creation of new access points to preserve the setting of Lagard House and the rural character of First Lane. A Phase I habitat survey was requested given that the South Brook was identified as a 'Priority Habitat'.

(iii) Melksham Neighbourhood Plan Steering Group

- 2.10 At this time, the applicant engaged directly with the Joint Melksham Neighbourhood Plan Steering Group with the presentation of an alternative 9-unit residential scheme in November 2018. Although the presentation was well received, planning advisors acting for the Steering Group advised that only sites of 10+ dwellings would be eligible for consideration in the Neighbourhood Plan. The site was therefore screened out at this stage and was not included in the June 2020 Regulation 14 version of the Joint Melksham Neighbourhood Plan.
- 2.11 Draft proposals were presented to the local community through a leaflet drop that took place in June 2020 with copies sent to the Wiltshire ward councillor and Melksham Without Parish Council. Feedback from the Parish Council and local residents resulted in further scheme refinements that led to submission of a formal outline application 20/05766/OUT.

(iv) Determination of Planning Application 20/05766/OUT

- 2.12 Application proposal 20/05766/OUT sought outline permission for the erection of up to 9 No. dwellings and associated works (outline application relating to access) in response to the pre-application consultation. However, following discussions with the Council in respect of unresolved technical issues relating to highways and drainage, the application was withdrawn on 11th November 2020.

(v) Determination of Planning Application PL/2021/06922

- 2.13 Following a technical review of the project, application PL/2021/06922 sought outline permission for a smaller speculative scheme of 4 No. dwelling scheme under the 'free go' provision.
- 2.14 An Illustrative Masterplan was submitted to illustrate how a smaller scheme of 4 homes could be accommodated on the site, infilling the area between No. 78 Corsham Road to the east and Lagard House to the west – see extract below.
- 2.15 The application was refused under officer's delegated powers on 19th October 2021 for the following 3 reasons:

1 Having regard to all the submissions and relevant policies, including the policies of the Framework taken as a whole, this application is considered to be an inappropriate, unsustainable form of development which would significantly and demonstrably outweigh the benefit of providing additional dwellings in an open countryside location and the provision of employment created through construction processes. As such the proposal is not considered to represent sustainable development being contrary to Joint Melksham Neighbourhood Plan 2020-2026 Policy 6 and Core Policy 1, Core Policy 2 and Core Policy 15 of the Wiltshire Core Strategy and the policies of the NPPF taken as a whole.

2 The proposed development located in the open countryside would detract from the rural character of the area, would result in the urbanisation of the rural landscape and would allow development to encroach upon the northern boundary of Shaw resulting in increasing coalescence between the settlements of Shaw and Whitley. The proposed development therefore fails to conserve and where possible enhance landscape character or relate positively to its landscape setting and is contrary to Joint Melksham Neighbourhood Plan 2020-2026 Policy 17 and Core Policies 51 and 57 of the Wiltshire Core Strategy.

3 It is considered there is insufficient information to determine whether the applicant's drainage strategy would not lead to flooding on site or harmful levels of surface water runoff from the site. The proposed development is therefore contrary to Core Policy 67 of the Wiltshire Core Strategy and advice contained in the Framework.

(vi) Planning Application PL/2025/08987

- 2.16 An application proposal for a 2-unit scheme of self-build housing units with an updated vehicular access design and drainage strategy (PL/2025/08987) was submitted on 20th November 2025 and subsequently withdrawn on the advice of the planning officer to allow the applicant to address matters of heritage, archaeology and other technical matters relating to flood risk and highways.

(vii) Pre-Application Enquiry ENQ/2026/00621

- 2.17 Following the agreed withdrawal of PL/2025/08987, the applicant responded directly to the

LLFA comments of 7th January 2026 by way of a Covering Letter and provided additional technical evidence with an updated FRA and Drainage Strategy Report (January 2026).

- 2.18 The pre-application submission also included an Heritage and Archaeology Statement to address the Council Conservation Officer's comments regarding potential adverse visual impacts upon the settings of three Grade II-listed buildings near the site and the Archaeological Officer's concerns relating to the recent discovery of Romano-British settlement activity near Whitley and the possibility that the application site might contain previously unrecorded buried archaeological remains, requesting that the site should be subject to archaeological evaluation by geophysical survey followed by trial trenching.
- 2.19 The pre-application response from the Council's planning officer concluded that the proposal was potentially acceptable, subject to resolution of key issues. These have been addressed by the applicant in the preparation of the current permission in principle application which includes additional heritage and archaeological submissions.
- 2.20 The pre-application response confirms that 2 dwellings (including parking and amenity area) can be comfortably accommodated in the proposed location without resulting in a cramped or overdeveloped site.

(viii) The Current Application

- 2.21 The current application seeks Permission in Principle for the erection of 2 No. Self-build dwellings and associated works and updates the evidence base further, with a Report evaluating the results of the trial trenching. The proposals are summarised in Section 3.0 of this Report.

3.0 Description of the Proposals

(i) Proposals

- 3.1 The application seeks Permission in Principle (PiP) for the erection of 2 No. self-build, detached residential properties with vehicle and cycling parking in accordance with adopted Wiltshire Council Car Parking and Cycling Strategies. Visitor parking will also be available within the site and Electric Charging Points.
- 3.2 The proposal is supported by a Parameter Plan to show how a residential development could be sensitively accommodated on the site in this part of Whitley without adverse landscape or ecological impacts, relating well to the existing rural character of the settlement without encroaching into open countryside between Whitley and Shaw.
- 3.3 The Parameter Plan includes a green buffer, open space and ecological zone, with a bioswale that feeds into the existing drainage ditch. The existing drainage ditch will remain undisturbed with each of the two plots located with side of it as part of the drainage strategy for the site. The geometry of the proposed access has also been reviewed.
- 3.4 The proposal is also supported by an Ecological Framework Plan in response to statutory consultee comments on the withdrawn application.

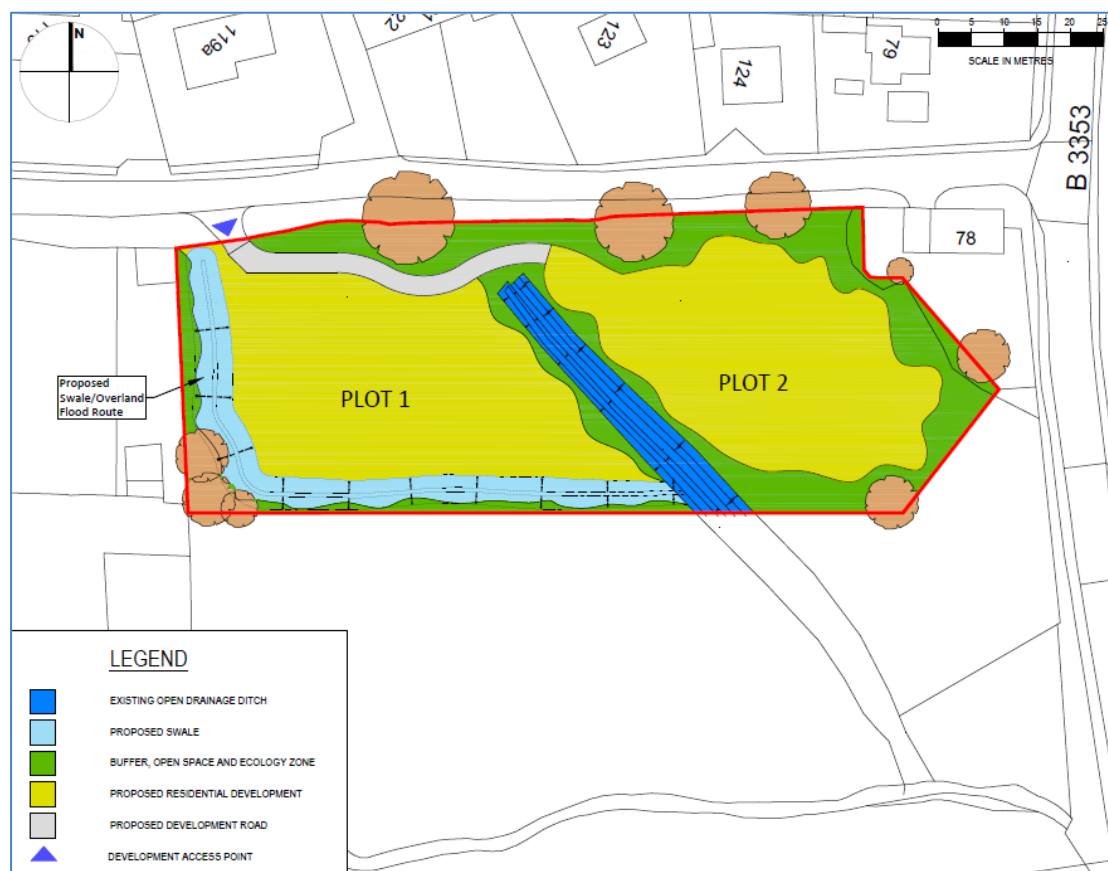


Figure 2. Extract of Proposed Parameters Plan

- 3.5 The Illustrative Masterplan (extract below) demonstrates how 2 No. dwellings can be comfortably accommodated either side of the drainage ditch. The proposal, will in spatial and landscape impact terms, relate well to the existing rural character of the settlement without encroaching into the open countryside between Whitley and Shaw.
- 3.6 The boundary which forms the front of the site, along First Lane comprises a line of mature trees that will be retained. This existing green infrastructure will be augmented with additional planting to provide an effective screen to First Lane (NB. to be specified at a subsequent Technical Details application).



Figure 3: Extract of Illustrative Masterplan

(ii) Access, Parking and Active Travel Links

- 3.7 Access to the site is proposed via a shared private drive from First Lane with a new junction formed in the location of the existing agricultural gateway at the western end of the site frontage. The access has been refined further in the light of comments from Wiltshire Highways, and it is considered that appropriate width for shared use and visibility splays can be provided in both directions. A waiting restriction across the site frontage will be provided on both side of First Lane secured through a TRO to ensure no additional car parking across the site frontage where there are potential pinch points.
- 3.8 The Illustrative Layout makes provision on each plot for a double garage and parking

/turning area. Secure cycle storage will be accommodated in the garages. Electric vehicle charging points will also be provided. Parking standards for the proposed development are in accordance with Wiltshire Parking Standards comprising 3 No. car parking spaces for each dwelling and 1 visitor space to be accommodated within the plot parking. Refer to the enclosed Transport Statement for further details.

- 3.9 Refuse and recycling bin collections would be taken from the kerbside of First Lane with bins positioned at the end of the driveway on collection days. The 'carry distance' for residents will be less than the 30m maximum identified in Part H of Building Regulations. Car and cycle parking would be provided in full accordance with the Council's standards.
- 3.10 The on-site layout would also cater for the turning requirements of large vans as typically used for home deliveries and similar. Such vehicles will therefore be able to enter the site and turn within to depart in a forward gear. This will avoid the need for reversing movements on to First Lane and for delivery vehicles to stop on First Lane carriageway.
- 3.11 The proposed traffic generation would be relatively modest and would not raise any adverse highway capacity or safety issues.

(iii) Flood Risk and Drainage Strategy

- 3.12 Matters relating to drainage design can be secured at a subsequent Technical Details Stage. The drainage strategy developed for earlier proposed schemes demonstrates that the site can be developed safely without any unacceptable degree of flood risk or increasing flood risk to inhabitants of the new dwellings or third parties.
- 3.13 The site has been assessed with respect to all reasonably anticipated sources of flooding with the proposed site layout taking environment agency and historical flood data into account and has been informed by dialogue with Wiltshire Council. The site and proposed dwellings are located within Flood Zone 1 and therefore at a very low risk of fluvial flooding. Finished floor levels will also be set to mitigate against any residual risk in terms of flood levels.
- 3.14 The proposed surface water drainage strategy splits the site into western and eastern catchments and utilizes the existing drainage ditch that traverses the site discharging into South Brook. A shallow swale is proposed to the west of the site to attenuate and re-direct and overland flows from surface water risk conveying them to the existing watercourse. The swale has been designed to accommodate the volume of surface water flood risk indicated on the Environment Agency flood map drawings.
- 3.15 SuDS features are also proposed to manage surface water runoff with tanked permeable paving for the road and driveway areas that will allow attenuation within the permeable subbase and rainwater butts for each dwelling to aid water re-use. Foul drainage will discharge into a Wessex Water foul water sewer to the north of the site.

(iv) Ecology, Landscaping and Tree Strategy

- 3.16 Matters relating to ecology, landscaping and trees can be secured at a subsequent Technical Details Stage. The boundary which forms the front of the site, along First Lane

comprises a line of mature trees that will be retained. This existing green infrastructure will be augmented with additional planting so as to provide an effective screen to First Lane.

- 3.17 The proposed site layout has been informed by previous in-season ecological surveys and further analysis from the project ecologists. A suitable landscaping scheme will be designed to complement the proposal and benefit biodiversity. However, self-build and custom-build applications are exempt from biodiversity net gain regulations. The proposed layout has been designed to avoid impact on existing trees and will ensure appropriate separation between trees and dwellings. Further detail can be found in the enclosed Ecological Impact Assessment.
- 3.18 Potential impacts during construction will be avoided and habitat and protected species enhancements will be secured through a Construction Ecological Management Plan (CEMP: Biodiversity) and Landscape and Ecological Management Plan (LEMP).

(v) Archaeology and Heritage

- 3.19 Matters relating to archaeology have been addressed through archaeological evaluation by trial trenching following an initial geophysical survey. This has confirmed that the archaeological potential of the site is low and no further archaeological work is necessary.
- 3.20 Matters relating to built heritage are set out in the enclosed Proportionate Heritage Statement (including archaeology assessment) prepared by Bristol & Bath Heritage Consultancy. The assessment concludes that whilst there is some inter intervisibility between the site and nearby listed buildings, this varies with the seasonality of vegetation and intervening built form and the site does not form part of any key element of the historic or present settings of those buildings which allow appreciation of, or contribute to, their special architectural or historic interests. Any perceived residual slight adverse visual effects could be overcome at the technical details stage if required, through consideration of building layout, scale and massing and/or through further strengthening of the planting at the northern site boundary.

4.0 Planning Policy Context

(i) Statutory Development Plan

- 4.1 Section 38(6) of the Town and Country Planning and Compulsory Purchase Act 2004 requires local planning authorities to determine planning applications in accordance with the Development Plan unless material planning considerations indicate otherwise.
- 4.2 The statutory Development Plan comprises the Wiltshire Core Strategy (adopted January 2015) and saved policies of the North Wiltshire Local Plan (2011); the Wiltshire Housing Site Allocation Plan (adopted February 2020); and the Joint Melksham Neighbourhood Plan 2 (made August 2025).

(ii) Applicable designations

- 4.3 Whitley is designated as a 'Large Village' where some development is acceptable to meet housing needs and to improve employment opportunities, services and facilities. The application site is located on a parcel of land adjoining the edge of the settlement and is not subject to any Green Belt or other protected landscape designations. The site lies with Flood Zone 1 on the Environment Agency's Flood Map for Planning. It is located outside of the core impact zone of the Bath and Bradford on Avon Special Area of Conservation for Bats.

(iii) Wiltshire Core Strategy

- 4.4 The following Policies from the Wiltshire Core Strategy are relevant to the proposals:

- CP1: Settlement Strategy
- CP2: Delivery Strategy
- CP15: Spatial Strategy for the Melksham Community Area
- CP41: Sustainable Construction and Low Carbon Energy
- CP45: Meeting Wiltshire's Housing Needs
- CP50: Biodiversity and Geodiversity
- CP51: Landscape
- CP52: Green Infrastructure
- CP57: Ensuring High Quality Design and Place Shaping
- CP58: Ensuring the Conservation of the Historic Environment
- CP60: Sustainable Transport
- CP61: Transport and Development
- CP62: Development Impacts on the Transport Network
- CP67: Flood Risk

(iv) Wiltshire Housing Sites Allocation Plan

- 4.5 The Wiltshire Housing Sites Allocation Plan does not contain any policies relevant to the application.

(v) Joint Melksham Neighbourhood Plan 2: 2020 – 2038 (JMNP2)

- 4.6 The first Joint Melksham Neighbourhood Plan 1 was 'made' on 1 July 2021 and as noted in Section 2.0 above, the application site was put forward for allocation in 2018 but was screened out by consultants acting for the NP Steering Group on grounds that it was a minor site of less than 10 No. dwellings.

4.7 The second edition of the Neighbourhood Plan proceeded to a local referendum on 31st July 2025 and was 'made' on 4 August 2025 and acknowledges the need to tackle *the difficult issue of housing shortage and need, by taking a positive and proactive approach to managing future development* (Foreword).

4.8 The NP2 contains the following relevant policies:

- Policy 1: Sustainable Design and Construction
- Policy 3: Flood Risk and Natural Flood Management
- Policy 4: Ultra Low Emission Vehicle Charging
- Policy 5: Pre-application Community Engagement
- Policy 6: Housing in Defined Settlements
- Policy 8: Infrastructure Phasing and Priorities
- Policy 11: Sustainable Transport and Active Travel
- Policy 12: Green and Blue Infrastructure
- Policy 13: Biodiversity
- Policy 17: Trees and Hedgerows
- Policy 18: Landscape Character
- Policy 19: Separation of Settlements
- Policy 20: Locally Distinctive, High Quality Design
- Policy 21: Local Heritage

4.9 Policy 6 is relevant to the application proposal, since it is intended to help meet objective 5 of the NP:

Supporting sustainable development of new housing and associated facilities within settlements, and adjacent to settlements.

With criterion 2 of Policy 6 stating:

2. Housing outside settlement boundaries will be managed in accordance with the adopted Development Plan and should meet evidenced local housing need.

4.10 The NP2 allocates 2 sites in Whitley via the following policies:

- Policy 7.4: Land at Whitley Farm, Whitley
- Policy 7.5: Land at Middle Farm, Whitley

4.11 The JMNP2 is silent on the issue self-build provision. It is also material to note that the housing requirement informing allocations within NDP was derived from the emerging Wiltshire Local plan which has now been abandoned.

(vi) National Planning Policy Framework (NPPF) August 2026

4.12 The National Planning Policy Framework (NPPF) sets the planning context to significantly boost the supply of housing in the UK, with the Government making clear that it wants to significantly increase housing delivery to help tackle the housing crisis. This includes increasing the housing delivery to an average of 300,000 homes a year.

4.13 Wiltshire Council has a severe and persistent lack of housing land supply, identifying a local housing need of approximately 3,525 dwellings per annum, an increase of approximately 84% from the previous figure highlighting the need to identify a sufficient range of deliverable

housing sites through the emerging local plan.

- 4.14 The recently published August 2026 iteration of the National Planning Policy Framework replaces the December 2024 Framework, and, under Annex A paragraph 1, its policies are material considerations which must be taken into account in decision-making from the date of publication.
- 4.15 The new Framework provides a clear and comprehensive set of policies to support the government's objectives to increase housing delivery that are directly relevant to the development proposal, in particular:

- **Policy S1**, which establishes the need for development plans to plan positively for future growth and change and to seek to meet the development needs of their area, as a minimum.
- **Policy S3**, under which the presumption in favour of sustainable development is given substantial weight through Policy S5 for development outside of settlements where the relevant criteria are met.
- **Policy S5**, which establishes the new decision-making policy for development outside settlements, with **S5(1)(j)** allowing development outside settlements where it would address an evidenced unmet need, including housing where the authority cannot demonstrate a five-year supply of deliverable housing sites; or has a Housing Delivery Test result below 75%. The development must also be physically well-related to an existing settlement, unless its nature makes this inappropriate; and be of a scale that can be accommodated having regard to existing or proposed infrastructure.

When those presumptions are met, the proposal falls within S5(1) meaning that it benefits from the S5 presumption: approval should follow unless the benefits are substantially outweighed by adverse effects when assessed against the national decision-making policies.

In addition, **NPPF Policy S5(1)(e)** allows for development comprising limited infilling within groups of houses.

- **Policy S6**, which sets out the new decision-making policy regarding Neighbourhood plans, requiring that *for development proposals involving the provision of housing, the benefits of approving development are likely to be substantially outweighed by the adverse effects where a proposal would conflict with a neighbourhood plan, providing the following apply:*
 - a. The neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and*
 - b. The neighbourhood plan contains allocations to meet its identified housing requirement (see policy HO2).*
- **Policy HO5**, which sets out the new plan-making policy to require local planning authorities to set out policies to address the housing needs of different groups, including at HO5(1)(c)(iii) where there is an identified need for plots for self and custom build housing.
- **Policy HO7**, which gives substantial weight to the benefits of providing homes which will contribute towards meeting the evidenced accommodation needs of the community, as identified through needs assessments prepared for the area of the local planning authority and other relevant evidence.

4.16 Other potentially relevant national decision-making policies in the Framework include:

- CC2: Mitigation of climate change
- CC3: Adaptation to climate change
- L3: Achieving appropriate densities, to make efficient use of land.
- DP3: Key principles for well-designed places
- TR3: Locating development in sustainable locations
- TR4: Street design, access and parking
- TR6: Assessing transport impacts
- HC3: Community facilities and public service infrastructure serving new development
- P3: Living conditions and pollution
- F4: Assessing flood risk for decision-making
- F7: Ensuring development is safe from flooding
- F8: Sustainable drainage systems and watercourses
- N2: Improving the natural environment
- N3: Trees in new development
- HE4: Securing the conservation of heritage assets
- HE5: Assessing effects on heritage assets

4.17 Annex A paragraph 2 addresses the weight to be afforded to development plan policies which are materially inconsistent with the new national decision-making policies.

4.18 Annex B glossary defines Permission in Principle as:

A form of planning consent which establishes that a site is suitable for a specified amount of housing-led development in principle. Following a grant of permission in principle, the site must receive a grant of technical details consent before development can proceed.

(vii) National Planning Practice Guidance (NPPG)

4.19 National Planning Practice Guidance (NPPG) was published on 6th March 2014 and provides a web-based source of supporting guidance to supplement policies in the NPPF.

4.20 Relevant guidance on Permission in Principle (PiP) is set out in National Planning Practice Guidance under Paragraph: 004 Reference ID: 58-004-20190315. The following table sets out the eligibility criteria for PiP applications:

Type of development or land	Route to permission in principle: Following an application	Route to permission in principle: Entering a site in Part 2 of a brownfield land register
Householder development	X	X
Major development	X	✓
Development on land not defined as previously developed	✓	X
Development consisting of the winning and working of minerals	X	X
Environmental Impact Assessment development	X	X
Habitats development	X	X

Figure 4: Extract from NPPG

- 4.21 In response to the question “How can relevant authorities increase the number of planning permissions which are suitable for self-build and custom-build housing?” NPPG: Paragraph: 025 (Reference ID: 57-025-20210508) states:

Relevant authorities should consider how local planning policies may address identified requirements for self and custom housebuilding to ensure enough serviced plots with suitable permission come forward (for example, as a number of units required as part of certain allocated sites, or on certain types of site).

More widely, relevant authorities can play a key role in brokering and facilitating relationships to help bring suitable land forward. This can include:

...when engaging with developers and landowners who own sites that are suitable for housing, and encouraging them to consider self-build and custom housebuilding, and facilitating access to those on the register where the landowner is interested.

- 4.22 In response to the question in NPPF: *What can someone on a register expect?:*

Relevant authorities must give suitable development permission to enough suitable serviced plots of land to meet the demand for self-build and custom housebuilding in their area. There is no duty on a relevant authority to permission land which specifically meets the requirements expressed by those on the register. Relevant authorities should use preferences expressed by those on the register to guide their decisions when looking at how to meet the duty to grant planning permission etc. This will help ensure that relevant authorities permission land suitable for self-build and custom housebuilding which people are actually keen to develop.

(Paragraph: 028 Reference ID: 57-028-20210508)

- 4.23 The self-build register is run on an annual basis and is organised into 'base periods' (BP), as per the regulations with annual data collected on a district-wide level. Wiltshire is currently in base period 6 (BP6) with self/custom build monitoring periods running from October to October starting from the 31st of October.

(viii) Wiltshire Self Build Register

- 4.24 A data request from WC's Planning Policy Team received on 15th September 2025 has advised that there are 24 seeking plots in Melksham, 21 in West Wiltshire and 182 applicants seeking plots across Wiltshire's administrative area. At this time, the applicant had only recently submitted details to the register, so the data did not reflect this.

(ix) National Custom & Self-Build Association Report (NaCSBA) and Custom-Building Homes Register 2024

- 4.25 The annual NaCSBA Report sets out background on the significant unmet demand for self-build in the UK and the numerous social, economic and environmental planning benefits of self-build that should be afforded significant weight when making planning decisions. The report demonstrates that the real demand for self-build is not accurately reflected in statutory self-build registers.

- 4.26 The Right to Build Register held by Custom Build Homes has 2,552 subscribers in Wiltshire as reported in April 2024 – see extract below:

Table 1: Demand Figures		
Area	Postcode areas	Number of subscribers
Wiltshire	BA1, BA11, BA12, BA13, BA14, BA15, BA2, BA3, GL7, GL8, GL9, RG17, SN1, SN10, SN11, SN12, SN13, SN14, SN15, SN16, SN17, SN2, SN25, SN26, SN3, SN38, SN4, SN5, SN6, SN8, SN9, SN99, SO5, SO51, SP1, SP11, SP2, SP3, SP4, SP5, SP6, SP7, SP9	2552

Figure 5. Extract from Custom Build Homes Demand Report, 2024

(x) Data release: Self-build and custom housebuilding data: Ministry of Housing, Communities and Local Government - 21st February 2025

- 4.27 The following self-build and custom housebuilding data was released by the Ministry of Housing, Communities and Local Government on 21st February 2025, illustrating that there is clear unmet demand for self-build plots nationally and in fact, permissions are decreasing in numbers:
- 4.28 Between 31 October 2022 and 30 October 2023, data reported by local authorities shows that:
- 4,849 new individuals joined the register and 2,436 were removed, a net increase of 2,413
 - 64,233 individuals were on the register as at 30 October 2023, an increase of 4% from 31 October 2022^{[footnote 1](#)}
 - 81 new groups joined the register and 28 were removed, a net increase of 53
 - 747 groups were on the register as at 30 October 2023, an increase of 8% from 31 October 2022^{[footnote 2](#)}
 - 5,182 planning permissions were granted for serviced plots suitable for self and custom build, a decrease of 18% from the previous year.

(xi) Levelling Up and Regeneration Act

- 4.29 Section 2a of the Self-Build and Custom Housebuilding Act 2015 has been amended by the Levelling Up and Regeneration Act 2023. The amendments to the wording mean that development permissions must specifically be for '*the carrying out of self-build and custom housebuilding*'. In ascertaining whether demand has been met, local authorities can no longer count what 'could' be self-build and custom housing (all single plots for example) only what is actually permitted as such. It has also been clarified that demand not met within 3 base periods will be rolled over to the next base period. Following the enactment of this legislation the Council will need to revise their data in a compliant format.

(xii) Wiltshire Local Plan Review

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

(xiii) Wiltshire Housing Land Supply

- 4.33 Following publication of the December 2024 iteration of the NPPF, Wiltshire Council's annual housing requirement has been significantly increased from 1,917 to 3,525 dwellings per annum. At the time of writing, Wiltshire Council has published an updated Housing Land Supply Statement in June 2026 with base date of April 2025. Table 2a stated that Wiltshire can demonstrate a supply of 10,268 homes over period 2025-2030, which translates into a claimed 5-year housing land supply of **2.8 years**. This constitutes a severe and persistent shortfall in housing land supply.

(xiv) Wiltshire Council Design Guide 2023

- 4.34 This Supplementary Planning Document expands upon Core Policy 57 Ensuring high quality design and place shaping in the adopted Core Strategy and is intended to ensure that new developments are well grounded in their locality and create a positive sense of place. The proposed scheme will be designed to comply with the SPD, with full details set out in the Technical Details Stage.

(xv) Melksham Design Guide and Codes

- 4.35 The Melksham Design Guidelines and Codes document which has been prepared as part of the updated Neighbourhood Plan includes a section which addresses water management (DC03.11), which sets out the importance of Sustainable Drainage Systems (SuDS), and includes a number of 'overarching principles' that should be applied in development to mitigate against the important issue of flood risk especially in the areas with known surface water flooding issues. An important point to note is that Green and Blue Infrastructure should be holistically planned in conjunction with the flood risk assessment / drainage strategy in order to manage surface water runoff and implement high-quality Blue/Green SuDS

solutions on site, and, where necessary, beyond. The proposed scheme will be designed to comply with this SPD, with full details set out in the Technical Details Stage.

(xvi) Other relevant legislation

4.36 The following is relevant to the application:

- Town and Country Planning Act 1990, as amended
- Environment Act 2021 which establishes the statutory framework for Biodiversity Net Gain and the government's wider move towards nature recovery.

5.0 Planning Assessment

(i) Procedural Compliance

- 5.1 This application seeks to establish the principle of residential development and the suitability of the application site for two dwellings.
- 5.2 There is no requirement for technical reports to accompany a Permission in Principle (PiP) submission, however, a suite of technical reports is enclosed to address matters raised by statutory consultees in the previously withdrawn outlined application has been included in the submission. The purpose of including these reports is provide the decision-maker (LPA or a subsequent Planning Inspector) with assurance that all technical matters are capable of being comprehensively addressed as part of a subsequent Technical Details submission in the event that the enclosed Permission in Principle (PiP) is approved.

(ii) Principle of Development

- 5.3 Pre-application advice, as documented in the planning history set out in Section 2.0 above, advised that principle of development is potentially acceptable, subject to resolution of key technical issues. In this context, it is important to note that the strategic planning context has changed fundamentally since the receipt of the aforementioned pre-application advice.
- 5.4 The application now falls to be determined under the August 2026 National Planning Policy Framework (NPPF). Under Annex A Paragraph 1, the NPPF's policies are material considerations which must be taken into account in decision-making from the date of publication. Development plan policies (or parts of those policies) which are materially inconsistent with national decision-making policies in the Framework should be given very limited weight. This includes both the Wiltshire Core Strategy (WCS) and the housing delivery policies of the Neighbourhood Plan (JMNP2) noting Paragraphs 26-30 of the Secretary of State's decision letter dated 28th July 2026 in respect of the Snarilton Lane appeal (LPA Ref: PL/2024/08097 and PINS Ref: 337278).
- 5.5 NPPF Policy S3 sets out a presumption in favour of sustainable development. NPPF Policy S5 provides the applicable national decision-making policy framework for new development outside settlements, identifying the circumstances in which such development may be acceptable, and stating that these 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 in the Framework.
- 5.6 NPPF Policy S5(1)(j) is particularly relevant as it allows for 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 Test), and where the development is physically well-related to an existing settlement and is of a scale that can be accommodated having regard to existing or proposed infrastructure.
- 5.7 The proposal represents a small-scale and proportionate addition to the existing settlement of Whitley and addresses an evidenced need for self-build housing in the context of Wiltshire's severe and persistent lack of housing land supply and statutory duty to provide self-build plots. The site is immediately adjacent to the defined settlement boundary and is

physically well-related to the existing built form and local services. Given its limited scale, it is capable of being accommodated without the need for strategic infrastructure provision. The site is located within Flood Zone 1 and is not subject to any restrictive landscape or ecological designations. All technical matters identified in earlier iterations of the scheme relating to flood risk, drainage, access, heritage and archaeology can be resolved as is evident from the enclosed technical evidence.

Addressing an evidenced unmet need: self-build housing and housing land supply

- 5.8 S5(1)(j) provides for development outside of settlement boundaries which 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 Test).
- 5.9 The proposal is specifically for two self-build dwellings, rather than speculative general-market housing. In this context, the NPPF recognises people wishing to commission or build their own homes as a specific housing-needs group.
- 5.10 **NPPF Policy HO1** requires housing needs assessments to take account of the accommodation needs of different groups, including people wishing to commission or build their own homes.
- 5.11 The proposal is a self-build project. The importance of all such housing, even on a smaller scale, as established by the NPPF and government policy is very clear. The Self-Build and Custom Housebuilding Act 2015 (the Act) requires local planning authorities to grant sufficient self-build permissions to be in keeping with local need as set out on the self-build or custom housing (SBCH) register. There is clear demand for this type of housing as evidenced by our enquiry to the Council's self-build register (Section 4.0 of this Report).
- 5.12 The enclosed Wiltshire Demand Report and evidence from the NaCSBA 2022 Summary Report provides strong evidence that the demand for self and custom build housing is much higher than is reflected in the data on the statutory register.
- 5.13 The Wiltshire Core Strategy does not include any SBCH related policies and its spatial planning policies are silent with regards to self-build housing and do not account for the statutory duty to provide such housing. Given that there is a shortfall of available plots for self-build housing as indicated by the Council's self-build register, it is considered that the Council is failing to meet its statutory duty with respect to the delivery of plots for such dwellings. The NPPF is therefore an important consideration on this matter, and the proposal directly responds to this providing two self-build homes.
- 5.14 The requirement to provide accommodation to meet the needs of different groups is further reinforced by **NPPF Policy HO7**, which requires that substantial weight be given to the benefits of providing homes which contribute towards meeting the evidenced accommodation needs of the community.
- 5.15 The proposal must also be considered in the context of Wiltshire Council's severe and persistent lack of housing land supply, which identifies a local housing need of approximately 3,525 dwellings per annum, an increase of approximately 84% from the previous figure.
- 5.16 The importance of providing a consistent supply of homes is strongly recognised in the

NPPF and in recent appeal precedents where the Planning Inspectorate has taken a pragmatic approach when Councils are faced with major shortfalls, recognising that sites of all sizes are needed to help make up the housing land supply deficit. There is an increasing recognition of the importance of delivery by SME developers who find it difficult to compete in the land market with national volume housebuilders.

- 5.17 Achieving a consistent housing land supply will be challenging in the new Plan period and beyond due to the substantial deficit in housing land supply (currently identified as 2.8 years' supply against the 5-year requirement) highlighting the need to identify a sufficient range of deliverable housing sites including self- build sites through the emerging local plan and through the determination of planning applications.
- 5.18 Whilst the current JMNP2 was published less than five years ago, it does not contain adequate policies or allocations to meet identified housing requirements, and as confirmed in the aforementioned recent Snarlton Lane appeal decision, and is out of date in this regard because was aligned with the evidence base of the now withdrawn Emerging Local Wiltshire Local Plan. The JMNP2 is also silent on self and custom-build provision.
- 5.19 In summary, as well as housing land supply issues in Wiltshire, the Council is not meeting its statutory duty to provide sufficient custom-build and self-build plots as set out in relevant planning legislation and policy in the NPPF (August 2026). The proposal would make a small contribution towards addressing that shortfall within the Melksham Community Area while simultaneously meeting a more specific need for self-build housing.

Relationship with the Settlement Boundary

- 5.20 NPPF S5(1)(j) requires that development permitted outside of settlement boundaries is physically well-related to an existing settlement. The site is adjacent to the existing built-up area and contained by First Lane to the north, Corsham Road (B3353) to the east; and the South Brook water course to the south.
- 5.22 Pre-application advice (ENQ/2026/00621) confirms that the scheme *would not result in the creation of isolated homes in the countryside* and acknowledges that *the site being adjacent to the framework boundary has a close spatial relationship to the built form associated with the village*. The pre-application advice also stated that:

"It is clear from broad assessment of the site and wider context that 2no dwellings (including parking and amenity area) can be comfortably accommodated in the proposed location without resulting in a cramped or overdeveloped site."

- 5.23 This is also evident from the enclosed Parameter Plan which demonstrates how two dwellings can be accommodated with regard to plot size and layout, with flexibility to customise the plot with details to be agreed through a subsequent Technical Details Consent.
- 5.24 Furthermore, JMNP2 Policy 6 does not preclude such development and is intended to help meet the neighbourhood plan objective (5) of *supporting sustainable development of new housing and associated facilities within settlements, and adjacent to settlements*; with criterion 2 of Policy 6 stating that *housing outside settlement boundaries will be managed in accordance with the adopted Development Plan and should meet evidenced local housing need*.
- 5.25 The proposal is therefore not inconsistent with the underlying purpose of the neighbourhood

plan because it lies outside the settlement boundary as it directly addresses a local need for self-build housing identified within the local self-build register and national housing policy. The scale of the proposal is proportionate in this location, and would deliver two modest dwellings that would provide local homes for the applicant and an associate to reside in. The proposal would not result in an uncontrolled or large-scale expansion of Whitley or constitute isolated development in the open countryside.

- 5.26 The proposed layout is more modest in scale in comparison to the previously refused scheme and has been designed to respond to its edge of village location. Generous landscape and ecological buffers will contain the proposed dwellings within the overall structure of the plot. There is also potential to augment the existing perimeter with new hedgerow and tree planting, which can be secured via at the Technical Consent stage.
- 5.27 It is relevant to note in this context that the Council's Landscape Officer, with reference to the pre-application enquiry in 2016 (16/07809/PREAPP) for a much larger 12-unit scheme, noted that although the site formed part of an open area separating the settlements of Shaw from Whitley, the potential for harmful visual impact on the wider landscape was low. It is concluded that given the small scale of the project, there will be no material harmful impact on the setting of the village and the separation of Whitley from nearby Shaw.
- 5.28 Detailed design matters including can be controlled through the Technical Details Consent process. The small scale of the proposal provides considerable scope for a sensitive transition between the existing built form and the surrounding countryside. On this basis it is considered that the proposal would positively contribute to the rural setting of the village in alignment with the JMNP2 and Core Policies 51 and 57 of the Core Strategy.
- 5.29 In summary, the physical relationship of the site with the existing settlement is demonstrated by its immediate proximity to existing residential development; its direct relationship with First Lane; its accessibility to local services and facilities; and the limited scale of the proposal. It would therefore satisfy the requirement in NPPF Policy S5 for development addressing an evidenced unmet need to be physically well-related to an existing settlement.
- 5.30 It is also considered that support for the current planning application is also provided by **NPPF Policy S5(1)(e)** which identifies limited infilling within groups of houses as an appropriate form of development outside settlements. The proposed development is of a very limited scale and would occupy a site immediately adjoining the existing built form of Whitley with physical characteristics that demonstrate the infilling of a gap between No. 78 Corsham Road to the east and Lagard House to the west rather than an isolated extension into the countryside.

Scale of Development and Infrastructure

- 5.31 NPPF Policy S5(1)(j) requires the development permitted outside of settlement boundaries must be of a scale that can be accommodated taking into account existing or proposed infrastructure.

Sustainability

- 5.32 Whitley and Shaw are designated as a 'large village' under Core Policy CP1 of the adopted local plan where development is acceptable to meet housing needs and to improve employment opportunities, services and facilities. Whitley together with Shaw have a good level of local services and amenities including a primary school, public house, community shop and golf course.

- 5.33 The site is in an accessible location on the southern edge of the settlement adjacent to the existing built-up area within walking and cycling distance of village facilities. First Lane also links to the B3353 Corsham Road with bus stops providing access to the Bath-Box-Melksham-Devizes service (No's 272 and 273 services) providing genuine non-car travel links to the wider range of services, facilities and employment opportunities in nearby Melksham and beyond. Pre-application advice confirms that: *the site is in a sustainable location for housing insofar as access to local facilities applies.*
- 5.34 Whitley itself is identified for growth with the JMNP2 confirming that the village is an appropriate location for carefully controlled housing growth and has genuine sustainability credentials.

Flood risk and drainage

- 5.35 The proposal is of a scale that is appropriate having regard to the character and capacity of the location and can be served through existing infrastructure subject to appropriate planning conditions in the Technical Details Consent stage. There are no fundamental infrastructure constraints which would prevent the site being suitable in principle for two dwellings.
- 5.36 Although the site is in Flood Zone 1 and no detailed drainage proposals are required as part of this initial stage in seeking permission in principle, given previous discussions with statutory consultees and taking into account the identification of the South Brook catchment as a priority flood risk area, the drainage strategy for this application has been carefully considered.
- 5.37 In principle foul sewage would be dealt with by mains sewer and surface water would be attenuated by the implementation of a new bioswale which would convey any overland flows to the existing watercourse. Features including tanked permeable paving for the road and driveways and rainwater butts for each dwelling would further attenuate any surface water.
- 5.38 The strategy has been fully informed by environment agency data, historical flood data in the area and ongoing dialogue with Wiltshire Council. The enclosed Flood Risk Assessment confirms that the proposed development is achievable in a sustainable manner, without increasing flood risk on the development site or within the greater catchment area. It is therefore concluded that a technically compliant drainage strategy is achievable and can be conditioned at the Technical Details stage in accordance with NPPF CC3 and local policy CP67.

Access and highways

- 5.39 The transport impact of two new homes would be negligible. A safe and secure access is proposed. Detailed access geometry, visibility, parking and turning arrangements can be assessed and secured through the Technical Details Consent process.
- 5.40 The applicant agrees with the suggested TRO contribution to secure a waiting restriction across the site frontage on both sides of First Lane, and the enclosed Transport Statement has been revised to reflect this and to address the relatively minor technical matters relating to visibility and access dimensions raised in the Highways response to PL/2025/08987.
- 5.41 The Council's highways team were consulted as part of the pre-application enquiry and commented that:

“Given the revisions made since the previously Withdrawn application, I would not foresee a Highway objection on technical/safety grounds...”

- 5.42 The proposal is therefore considered to be acceptable in principle in highway terms.

Other Material Considerations

(iii) Archaeology and Heritage Considerations

- 5.43 Following concerns raised by the Council's Archaeology Officer about the potential for unrecorded buried archaeological remains on the site after the discovery of Romano-British settlement activity near Whitley the site has been subject to archaeological evaluation by geophysical survey followed by trial trenching.
- 5.44 The initial archaeology assessment undertaken by Bristol & Bath Heritage Consultancy indicated that archaeology potential of the site is likely to be low, being on the periphery of the settlement and some distance south of the nearest known archaeological sites. This has recently been confirmed by Avon Archaeology who were commissioned to undertake an archaeological evaluation by trial trenching to provide greater clarity.
- 5.45 Four trenches targeting potential anomalies identified by the geophysical survey are reported on. Apart from modern land drains, three of the trenches were archaeologically negative. An ephemeral ditch was identified in Trench 2, from which ceramics dating from the later Medieval period were recovered. Slag, including a furnace bottom, was also recovered from the ditch; however, no evidence of in-situ Iron working was observed during the evaluation and the industrial debris is likely to have been re-deposited from offsite. The ditch appears to have been partially reopened/re-cut in the post-Medieval period, although it is not shown on available historic mapping, suggesting it had fallen out of use by the mid-19th century. On this basis, it is concluded that no further archaeological work will be required to support a subsequent Technical Details submission.
- 5.46 Following concerns raised by the Council's Conservation Officer regarding the withdrawn scheme and potential adverse visual impacts upon the settings of three Grade II listed buildings, although the potential harm was assessed by the officer to be at '*...a lesser scale*' the applicant commissioned a Proportionate Heritage Statement to support the permission in principle application. This demonstrates that the principle of appropriately designed dwellings is capable of being accommodated without a fundamental heritage constraint, subject to appropriate detailed design parameters. Particular regard will be given at the Technical Details Consent stage to the relationship between the site and the listed buildings and their settings, and landscape and boundary mitigation.
- 5.47 The built heritage assessment considers the potential indirect effects of the proposed development upon the settings of nearby listed buildings: Lagard House and Nos 120-122 First Lane. Whilst there is some intervisibility with the listed buildings it is concluded that the application site does not form part of any key element of the historic or present settings of those buildings which allow appreciation of, or contribute to, their special architectural or historic interests. The extent to which the development would be intervisible with the listed buildings would vary seasonally due to vegetation and intervening built and any perceived residual slight adverse visual effects could be overcome at the technical details stage, if required, through consideration of building layout, scale and massing and/or through further strengthening of the planting at the northern site boundary.

- 5.48 Implementation of the proposed development is therefore considered likely to have no effect upon significance in the historic environment and would conserve heritage significance in the historic environment, in compliance with the requirements of Section 20 of the NPPF (2026): *Conserving and enhancing the historic environment* and local plan policies CP57 and CP58.
- 5.49 It is notable that no conservation objection was raised in respect of previous refusals on this site. We also consider that the public benefits of self-build housing provision should be given substantial weight in the planning balance in accordance with Policy S5(1) of the new NPPF. In conclusion, the proposed development is therefore considered to be in accordance with the requirements of Section 20 of the NPPF (2025) and Wiltshire Council Policies CP57 and CP58.

(vii) Ecological Considerations

- 5.50 No ecological survey is required at the PiP stage. However, a Preliminary Ecological Appraisal has been undertaken which has helped to shape the proposals. Biodiversity enhancements would arise from new landscaping and habitat enhancements which would be submitted at a subsequent Technical Details Stage. On the basis the proposal is considered to be compliant with WCS Policy CP50 and applicable wildlife legislation.
- 5.51 The Ecological Impact Assessment enclosed with this application notes that the site does support habitats and protected species of local ecological importance, but impacts can be avoided by suitable environmental working methods; through mitigation through enhancement of existing habitats (the ditch); and compensated by the creation of habitats (additional on-site trees).
- 5.52 Key potential impact relate to the ditch and South Brook waterway and precautionary working methods should be adopted to ensure that there is no pollution of the ditch and waterway. The creation of a bioswale, tree planting and improvements to the ecology of the ditch will mitigate the loss of any on-site habitats.
- 5.53 Whitley is located outside of the core impact zone for Bath and Bradford on Avon bat SAC and the Ecology Report confirms that it is unlikely that horseshoe bats use the site more than incidentally with trees with roosting features present are being retained to safeguard against this. Precautionary working methods will be adopted to ensure that the proposal complies with national and local planning policies and objectives for biodiversity conservation including bats and other protected species. The scheme will generate biodiversity net gain through landscaping enhancements.

(viii) Arboricultural Impact

- 5.54 An updated Arboricultural Report (November 2025) was submitted to the Council's senior planning officer as part of negotiations for PL/2025/08987 assessing the trees on the northern boundary of the site. There have been no material changes in the condition of these trees since this survey was undertaken. The proposed internal access road and all related drainage infrastructure work can be implemented without encroachment into the identified root protection zones. The applicant would accept a pre-commencement planning condition requiring the submission of an updated tree protection plan at the Technical Consent stage.

(viii) Residential amenity

- 5.55 The Proposed Illustrative Layout and orientation of the proposals is such that the privacy of

all existing residents surrounding the application site be preserved. Generous levels of private amenity space to each dwelling will be provided. Internal amenity considerations can be further addressed at the Technical Consent stage in terms of detailed design specifications. On this basis, the proposal is considered to be compliant with local plan policy CP57.

(ix) Unilateral Undertaking to Securing Self-build

- 5.56 The applicant would be willing to provide a s.106 agreement with the Council to ensure that the proposed plots will be developed as self-build plots at a subsequent Technical Details Consent stage.

(x) Summary of Planning Balance

- 5.57 In policy terms, substantial weight should be given to the significant lack of housing land supply in Wiltshire and the application of the new NPPF national decision making policies (August 2026), particularly Policy S5(1)(j) which allows development outside settlements where a proposal would address an evidenced unmet need and where the authority cannot demonstrate a five-year supply of deliverable housing sites; where a site is physically well-related to an existing settlement, and be of a scale that can be accommodated having regard to existing or proposed infrastructure.
- 5.58 The proposal comprises a small, appropriately located self-build development forming a logical infill of the existing built form of Whitley, immediately adjoining the settlement boundary, and providing two dwellings which address an evidenced local self-build housing need, positively contributing to the rural community. The proposal can be accommodated without significant adverse effects on landscape, character, amenity, highways or infrastructure, as demonstrated by the preliminary findings of the technical evidence base submitted with this permission in principle application, which will be further quantified at the Technical Consent Stage.
- 5.59 The proposal for the site is consistent with the NPPF's positive approach to decision-making, contributing to Wiltshire Council's housing supply, and provision of self-build plots, while enabling the rural community of Whitley and Shaw to grow and thrive.

6.0 Planning Balance and Conclusion

- 6.1 Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.
- 6.2 The strategic planning context has changed fundamentally since the previous refusal in 2021 and the withdrawal of the 2025 scheme. The Council is unable to demonstrate a five-year housing land supply and can currently only identify approximately 2.8 years' of supply.
- 6.3 The application now falls to be determined under the August 2026 National Planning Policy Framework. Under Annex A Paragraph 1, the NPPF's policies are material considerations which must be taken into account in decision-making from the date of publication, in particular Policy S3: Presumption in favour of sustainable development; and Policy S5: Principle of development outside settlements.
- 6.4 The planning benefits of the proposal, which form part of the overall planning balance, are summarised as follows:
- A contribution to housing supply of 2 No. self-build homes attracting substantial weight in the context of the Council's severe and persistent undersupply and its statutory duty to provide self-build plots to meet identified local needs.
 - Additional village vitality and support for existing local services.
 - A proposal that is physically well-related to the existing village and its facilities and services, including bus links to the nearby town of Melksham and beyond.
 - A safe and suitable access solution can be achieved from First Road with opportunities for surface water betterment for the wider village.
 - Delivery of onsite biodiversity gains through landscaping enhancements with opportunities for surface water betterment for the wider village that could be secured at a subsequent Technical Details submission.
 - Construction stage economic activity supporting the SME housing development sector and its associated local supply chain.
 - Environmental benefits through the use of sustainable construction techniques to create energy efficient homes.
 - Generation Council Tax revenue for reinvestment in community infrastructure.
- 6.5 In accordance with Policies DM3 and S5(1)(j) of the NPPF, the Council is respectfully requested to grant Permission in Principle.