

Planning, Design and Access Statement

supporting a

Full Planning Application for Three Dwellings

on

Land Adjacent to 3 Lower Marsh Road, Warminster

“Development which would address an evidenced unmet need (including [...] housing where the local planning authority cannot demonstrate a five year supply of deliverable housing sites) [...] should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects”

(NPPF ¶55)



Lone Wolf Planning Ltd.

Company No. 15897389. Registered office: Leanne House, 6 Avon Close, Weymouth, Dorset, England, DT4 9UX

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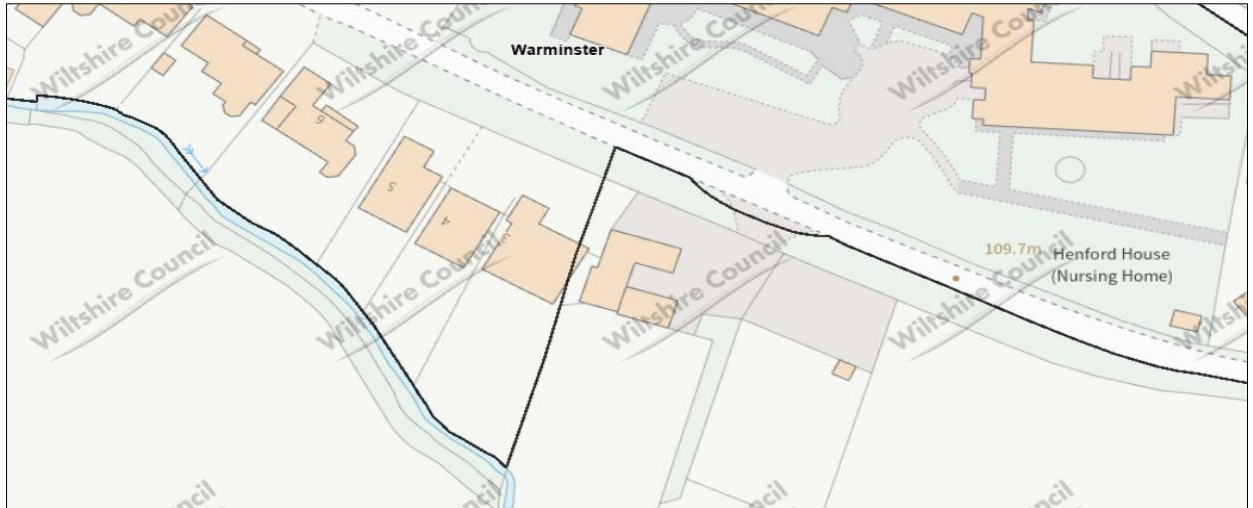
“Decisions on development proposals should not be delayed in order to secure advice from a statutory or internal consultee beyond their statutory deadlines unless there is insufficient information to make the decision, there are public safety risks from proceeding without advice, or more detailed advice may enable an approval rather than a refusal”

(NPPF ¶DM3:1.d.)



1. Introduction

- 1.1 Lone Wolf Planning is pleased to submit this full planning application for the erection of three dwellings with garaging and associated works on land east of 3 Lower Marsh Road, Warminster following the recent grant of outline planning for up to three dwellings.
- 1.2 The application site is 0.20 hectares. It contains the lawful stable complex, associated hardstanding and equestrian land. It lies immediately adjoining the defined settlement boundary of Warminster and forms the eastern end of the existing run of development on the south side of Lower Marsh Road.



- 1.3 The planning position has changed materially since the previous outline application was granted. Firstly, that permission is extant and provides a real fallback. Secondly, the National Planning Policy Framework was replaced in August 2026 and now contains national decision-making policies which provide materially clearer support for appropriate development outside settlements.
- 1.4 The August 2026 NPPF is particularly important because policy S5 expressly identifies the redevelopment of previously developed land and development which addresses evidenced unmet need as forms of development which should be approved outside settlements, unless the benefits are substantially outweighed by adverse effects. For housing, S5 expressly identifies the inability of an authority to demonstrate a five-year housing land supply as evidence of unmet need.
- 1.5 The current application has also been refined technically. The red line has been reduced to 0.20 hectares; the layout is now fixed rather than indicative; the dwellings are arranged in the lowest-risk part of the site; an updated Flood Risk Assessment and Drainage Strategy accompany the application; and the Nutrient Statement are based on the same 0.20 hectare application site.
- 1.6 The main issues are therefore:
 - ☛ the status and effect of the development plan and the August 2026 NPPF;
 - ☛ the principle of three dwellings immediately adjoining Warminster, including the effect of the extant outline permission;
 - ☛ flood risk, including the Sequential Test and compliance with national policies F6, F7



and F8;

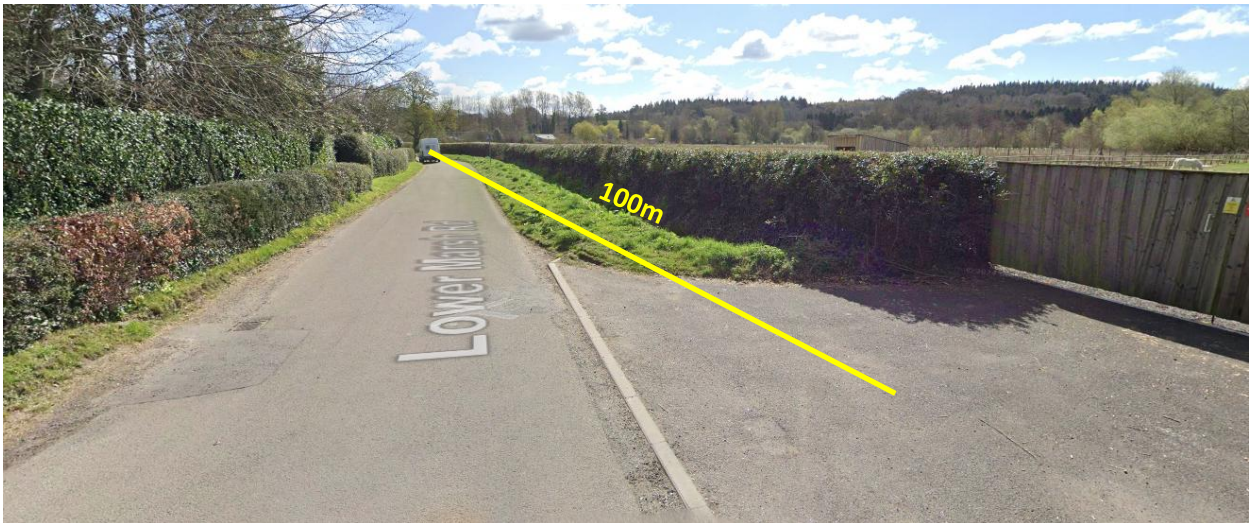
- ✎ design, landscape, living conditions and access;
- ✎ ecology and the current statutory Biodiversity Net Gain exemption for sites no larger than 0.20 hectares;
- ✎ the River Avon SAC and nutrient mitigation; and
- ✎ the overall planning balance.

- 1.7 For the reasons set out below, the proposal is supported directly by national policy S5(1)(d) and S5(1)(j), attracts substantial positive weight under HO7 for contributing to evidenced housing need, satisfies the operative flood-safety requirements, and should be approved.

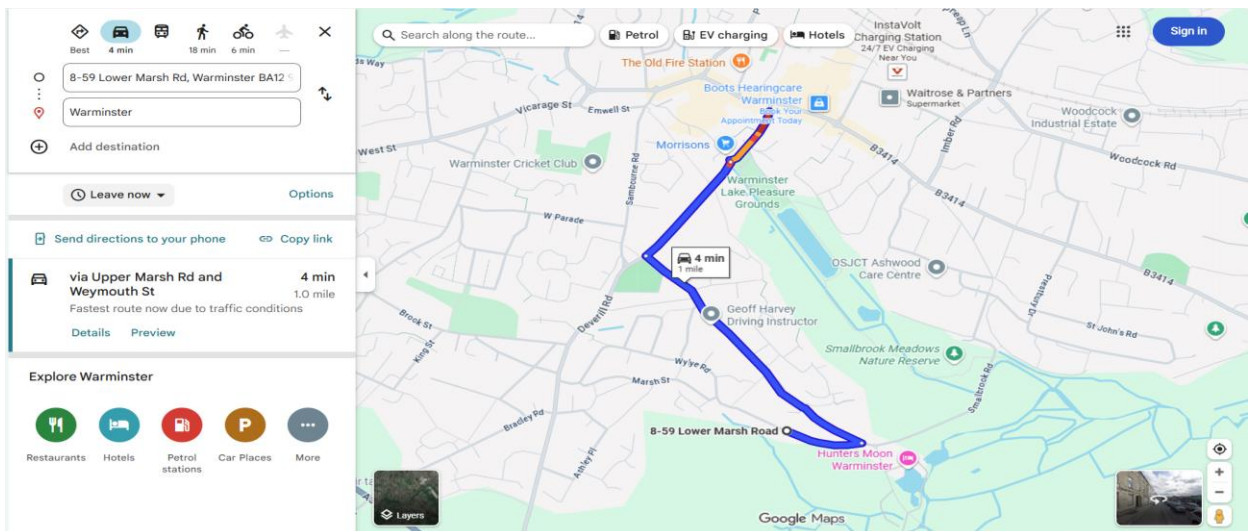
2. Site and Location

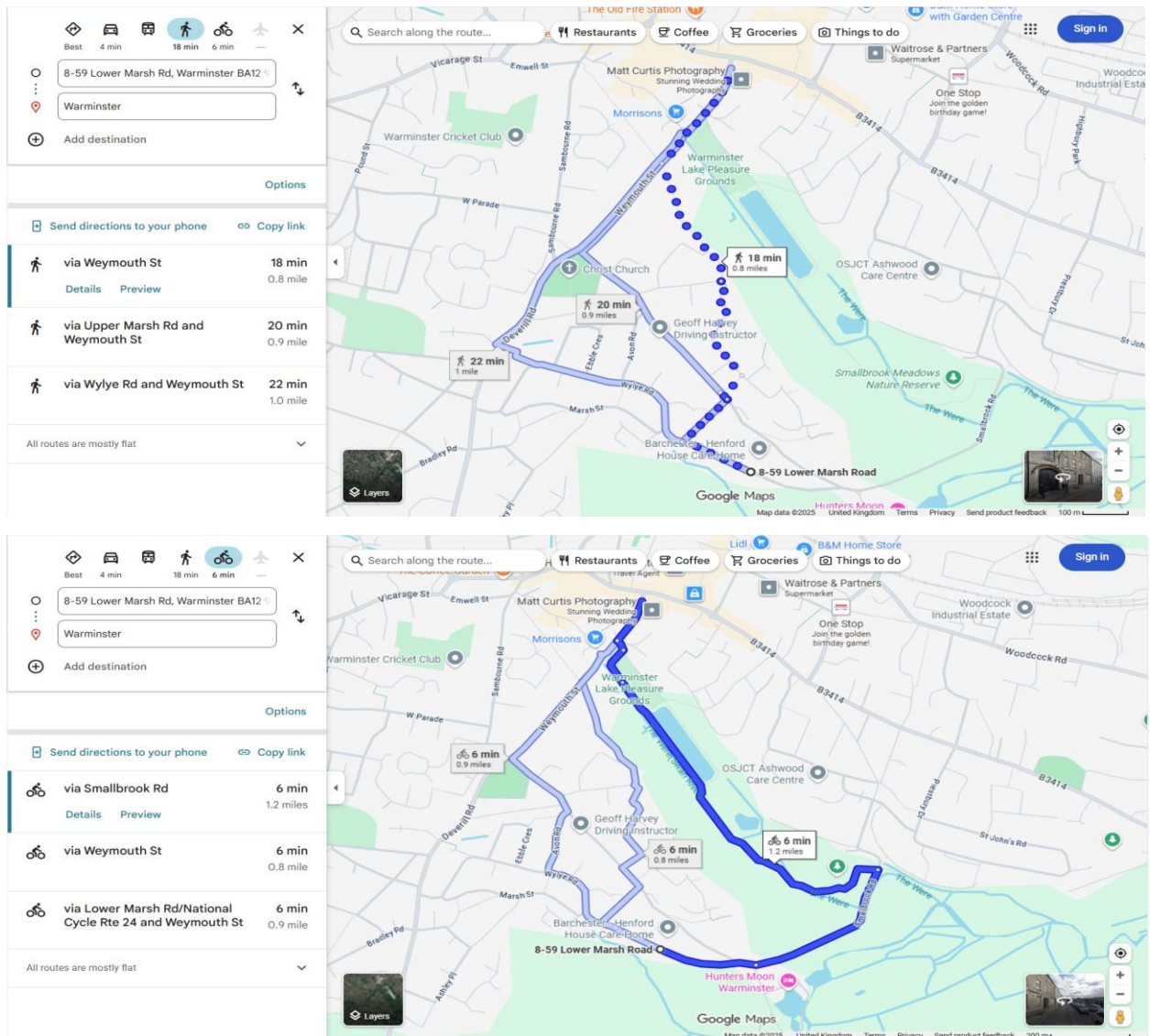
- 2.1 The site lies east of No. 3 Lower Marsh Road. Warminster is a Market Town in the Wiltshire settlement hierarchy and provides a full range of day-to-day services, employment, schools, shops, public transport and community facilities.
- 2.2 The site directly abuts the settlement boundary. It is not an isolated countryside location: residential development continues immediately to the west and north, and the site reads as the end of the existing developed frontage before the land opens out to the south and east.
- 2.3 The site is lawfully developed with a stable complex approved under planning permission W/11/03130/FUL, together with associated fixed hardstanding and equestrian use. The NPPF definition of previously developed land includes land lawfully developed and occupied by a permanent structure and its associated fixed surface infrastructure and curtilage. The stable complex is not an agricultural or forestry building. The site therefore falls within the previously developed land limb of policy S5(1)(d).
- 2.4 The existing vehicular access onto Lower Marsh Road is retained. The previous application demonstrated visibility in excess of 100 metres in both directions from the access in a 30mph environment. Wiltshire Council Highways raised no objection to the outline application, and the same established access is used by the current scheme.





- 2.5 The previous assessment recorded the town centre as approximately 4 minutes by car, 6 minutes by cycle and 18 minutes on foot. More importantly, the proposal is immediately related to a Market Town rather than a village or isolated rural settlement. Its likely occupants will have access to the same range of services and facilities as the existing homes along Lower Marsh Road.





- 2.6 The Environment Agency flood mapping shows the higher fluvial flood-risk area concentrated at the site frontage/access. The central and southern parts of the application site, where the dwellings are positioned, are at materially lower fluvial risk. The updated Flood Risk Assessment also identifies groundwater as a source requiring mitigation and management.
- 2.7 Drawing 10435_P04 shows three detached dwellings and associated garaging, the existing access retained and a permeable driveway. The layout deliberately keeps the dwellings away from the estimated flood-zone frontage and follows an on-site sequential approach. The final submitted levels and construction details will accord with the Flood Risk Assessment and the requirements of NPPF policy F7.
- 2.8 The proposed built form provides a controlled transition at the settlement edge. Plots 1 and 2 are principally two-storey with lower rear/garage elements, while Plot 3 incorporates a lower and more articulated form towards the countryside. The detailed arrangement is capable of respecting the existing building line, providing appropriate private amenity space and avoiding an unduly cramped appearance.
- 2.9 The application site area is 0.20 hectares. The current national BNG exemption for development on sites no larger than 0.20 hectares therefore applies, subject to the



development not affecting an onsite priority habitat. The ecological evidence identifies modified grassland and does not identify an onsite priority habitat affected by the scheme. Ecology remains relevant in the normal way and the mitigation and enhancement measures previously accepted by the Council can be retained.

3. Planning History

3.1 The site-specific planning history is short and highly material to the current application:

Reference	Proposal	Decision / relevance
W/09/02317/FUL	Stables with new vehicular access	Withdrawn, 10 November 2009.
W/11/03130/FUL	Stables with new vehicular access	Approved, 7 March 2012. Establishes the lawful stable complex and access.
PL/2025/08865	Residential development (up to three dwellings), outline with access for approval	Approved 2 April 2026 subject to conditions and nutrient mitigation. Extant fallback permission for the same residential quantum.

- 3.2 The extant outline permission is a substantial material consideration. The Council has already determined that residential development of up to three dwellings is acceptable on this site, notwithstanding its position outside the settlement boundary and notwithstanding that the Sequential Test identified lower-risk alternative sites.
- 3.3 The officer report for PL/2025/08865 recorded that all proposed dwellings could be located outside Flood Zones 2 and 3, that the development could be made safe for its lifetime without increasing flood risk elsewhere, and that both the Environment Agency and the Council drainage team raised no objection subject to conditions.
- 3.4 The outline permission also demonstrates a practical route to controlling flood risk, drainage, ecology and nutrients. Conditions require sustainable drainage, groundwater investigation, a Flood Warning and Evacuation Plan, controls on ground raising and finished floor/built development levels, ecological mitigation and nutrient mitigation.
- 3.5 The present full application is not merely a repetition of the outline scheme. It brings forward a fixed 0.20 hectare layout, updated flood and drainage evidence and the new August 2026 national policy framework. The planning position is therefore at least as favourable as it was when permission was granted in April 2026.

4. Development Plan Policy Context

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise.
- 4.2 The relevant adopted development plan comprises the Wiltshire Core Strategy 2015, the Wiltshire Housing Site Allocations Plan 2020, the made Warminster Neighbourhood Plan and



any relevant saved policies of the former West Wiltshire Local Plan. The Wiltshire Local Plan Pre-Submission Draft 2020-2038 was formally withdrawn from examination on 22 May 2026 following the decision of Full Council on 19 May 2026. It is not part of the development plan and no reliance is placed upon its former draft allocations or policies as an emerging plan.

- 4.3 The Core Strategy was prepared to govern growth to 2026. Its settlement and housing distribution policies therefore fall to be read in the context of the end of that plan period, the Council's continuing inability to demonstrate five years of housing land supply, and the national decision-making policies introduced in August 2026.
- 4.4 Annex A of the August 2026 NPPF is explicit that development plan policies, or parts of policies, which are materially inconsistent with national decision-making policies should be given very limited weight. Other older policies are not reduced in weight merely because of their age; the issue is material inconsistency.
- 4.5 The following adopted policies remain relevant:
 - 🐾 Core Policy 1 - Settlement Strategy
 - 🐾 Core Policy 2 - Delivery Strategy
 - 🐾 Core Policy 31 - Spatial Strategy: Warminster Community Area
 - 🐾 Core Policy 45 - Meeting Wiltshire's Housing Needs
 - 🐾 Core Policy 48 - Supporting Rural Life
 - 🐾 Core Policy 50 - Biodiversity and Geodiversity
 - 🐾 Core Policy 51 - Landscape
 - 🐾 Core Policy 56 - Contaminated Land
 - 🐾 Core Policy 57 - Ensuring High Quality Design and Place Shaping
 - 🐾 Core Policy 58 - Ensuring the Conservation of the Historic Environment
 - 🐾 Core Policies 60, 61, 62 and 64 - Transport, development and parking
 - 🐾 Core Policy 67 - Flood Risk
 - 🐾 Core Policy 69 - Protection of the River Avon SAC
 - 🐾 Saved Policy U5 - Sewage Treatment Works Buffer Zone
 - 🐾 Warminster Neighbourhood Plan Policy E5 - Surrounding Environment / Local Character

Settlement Strategy and Principle of Development

- 4.6 Core Policies 1, 2 and 31 seek to direct most development to defined settlements and, in particular, Core Policy 2 contains a general restriction on development outside settlement limits unless another development plan policy provides an exception.
- 4.7 That blanket restriction is now materially inconsistent with national decision-making policy S5. S5 expressly provides that specified forms of development outside settlements should be approved unless their benefits are substantially outweighed by adverse effects. Those specified forms include the redevelopment of previously developed land under S5(1)(d).
- 4.8 The proposal also falls within S5(1)(j). It addresses evidenced unmet housing need in an



authority which cannot demonstrate a five-year supply, is physically well-related to Warminster and is of a scale - three dwellings - which existing infrastructure can plainly accommodate. The restrictive parts of Core Policies 1, 2 and 31 which would prevent this development solely because it lies beyond the mapped settlement boundary should consequently be given very limited weight.

- 4.9 This does not disapply the development plan. It means the statutory balance must recognise that current national policy now expressly supports the type and location of development proposed, whereas the older local strategy applies a materially different and more restrictive approach.

Housing Need

- 4.10 Core Policy 45 concerns the type, mix and size of housing. The proposal is for only three market dwellings and does not trigger major-development affordable housing requirements. The detailed mix is appropriate to this small edge-of-town site and can contribute to the range of homes available in Warminster.
- 4.11 National policy HO7 is directly relevant and requires substantial weight to be given to the benefits of providing homes which contribute towards evidenced accommodation needs. The Council remains unable to demonstrate a five-year housing land supply. The housing contribution is therefore not a token benefit: substantial positive weight is required by national policy.

Biodiversity and Ecology

- 4.12 Core Policy 50 remains applicable. The previous ecological work identified ecological mitigation and enhancement measures which were accepted by the Council and secured by condition on the outline permission. Those measures can be carried into the current full scheme.
- 4.13 For applications made on or after 6 August 2026, development on a site no larger than 0.20 hectares is exempt from the statutory Biodiversity Net Gain requirement provided it does not impact an onsite priority habitat. The application site is 0.20 hectares and the ecological evidence does not identify an affected onsite priority habitat. The statutory biodiversity gain condition should therefore not apply to this application.
- 4.14 The exemption from mandatory BNG does not remove normal ecological policy or species-protection requirements. Sensitive lighting, precautionary working methods, native planting and species enhancements remain appropriate and can be secured as part of the approved scheme and/or by condition.

Landscape, Design and Heritage

- 4.15 Core Policies 51 and 57 require development to respond positively to landscape, townscape and local character. The site is not within a designated landscape. It adjoins existing residential development and offers a logical opportunity to provide a more deliberate and landscaped transition between Lower Marsh Road and the countryside.
- 4.16 The fixed layout demonstrates that three dwellings can be accommodated without overdevelopment. Building height and mass step down through lower rear and garage elements, private gardens are retained, parking and turning are contained within the site, and the houses are set away from the higher flood-risk frontage.



- 4.17 The nearest designated heritage asset previously identified is Grade II listed Turnpike Cottage, around 200 metres to the east in a context which includes modern development. The scale, separation and intervening context mean the proposal is not expected to harm its significance. If the Council identifies any heritage effect requiring further assessment, the proportionate approach required by NPPF HE5 can be followed.

Transport

- 4.18 Core Policies 60-64 and NPPF policies TR3 and TR4 seek safe access, sustainable patterns of movement and appropriate parking. The development uses an existing access which the Highway Authority previously accepted without objection. It generates only the limited movement associated with three dwellings.
- 4.19 NPPF TR3 specifically recognises that in rural areas opportunities to improve walking, wheeling, cycling and public transport should be taken where they exist and can be supported by the development proposed. The site immediately adjoins a Market Town and is not dependent upon the level of public transport choice expected of a strategic urban development. Secure cycle storage and electric vehicle charging can be provided as part of the scheme.

Flood Risk

- 4.20 Core Policy 67 requires the sequential approach and safe development. The updated national policies F4-F8 now provide the detailed decision-making framework and are addressed in Section 6 below.
- 4.21 The current application does not attempt to ignore the Sequential Test. Because the existing access remains within mapped Flood Zones 2/3, the cautious and robust approach is to acknowledge that F5 applies. The updated assessment identifies lower-risk alternatives and therefore does not claim a contrived pass.
- 4.22 The decisive question is then whether the development is safe and otherwise acceptable under F6, F7 and F8, and what weight should be given to the F5 conflict in the S5 balance. The technical evidence demonstrates that the development can be safe throughout its lifetime and will not increase flood risk elsewhere.

River Avon SAC and Nutrients

- 4.23 Core Policy 69 and the Habitats Regulations require the competent authority to be satisfied that the proposal will not adversely affect the integrity of the River Avon SAC. A corrected Nutrient Statement accompanies the application and uses the 0.20 hectare application site consistently.
- 4.24 The Nutrient Statement identifies the phosphorus loading arising from three dwellings and the route to mitigation through Wiltshire Council's phosphorus credit scheme or another approved mitigation package. As with the outline permission, a Grampian-style condition can prevent commencement until the required mitigation has been secured.

Saved Policy U5 and Living Conditions

- 4.25 Saved Policy U5 concerns development sensitive to odour within the sewage treatment works buffer. The policy does not amount to an absolute prohibition; its operative concern is whether residential development can reasonably co-exist with the treatment works.



4.26 The extant outline permission for the same three-dwelling use is powerful site-specific evidence on this point. The Council did not identify odour as a reason preventing permission. Current NPPF policies P3 and P4 similarly focus on acceptable living conditions and avoiding unreasonable constraints on existing activities. There is no evidence that the current, more defined scheme changes the conclusion reached in April 2026.

4.27 The overall development plan position is summarised below:

Policy	Performance	Comment
CP1 Settlement Strategy	Limited conflict in boundary terms	Restrictive effect materially inconsistent with S5(1)(d)/(j); very limited weight to that part.
CP2 Delivery Strategy	Limited conflict in boundary terms	Blanket restriction materially inconsistent with S5(1)(d)/(j); very limited weight to that part.
CP31 Warminster Spatial Strategy	Broadly neutral	Three homes do not prejudice strategic growth and support Warminster.
CP45 Housing Needs	Complies / neutral	Small market scheme contributes to evidenced need.
CP48 Supporting Rural Life	Neutral	National S5 provides the direct current policy route.
CP50 Biodiversity	Complies subject to mitigation	Mandatory BNG exempt; normal ecology measures retained.
CP51 Landscape	Complies	No designated landscape harm; landscaped edge transition.
CP56 Contaminated Land	Complies subject to condition if required	No identified material contamination constraint.
CP57 Design	Complies	Fixed layout demonstrates acceptable form, amenity, parking and transition.
CP58 Historic Environment	Complies	No identified harm to designated heritage significance.
CP60-64 Transport	Complies	Existing safe access; minor traffic generation; appropriate parking/cycle/EV provision.
CP67 Flood Risk	Policy tension through F5 outcome; safety compliance	Sequential Test not passed, but F6/F7/F8 requirements satisfied.
CP69 River Avon SAC	Complies subject to mitigation	Nutrient credits/approved mitigation secured before commencement.
Saved U5 Odour	Neutral / no demonstrated conflict	Same residential use already permitted; no evidence of unacceptable living conditions.
WNP E5 Local Character	Complies	Development respects edge-of-settlement character and landscaping.

4.28 Read as a whole, the development plan contains no environmental, design, highway or



habitats policy which requires refusal. The only material tension is the older settlement-boundary strategy and the failure of the flood-risk Sequential Test. Both require the current national policy framework to be applied, rather than treating either issue as an automatic prohibition.

5. Development Plan Balance and Planning Controls

- 5.1 The statutory question is whether the proposal accords with the development plan as a whole, not whether every sentence of every policy is satisfied in isolation. In this case the proposal complies with the development plan's substantive requirements for design, landscape, highways, ecology, living conditions and habitats mitigation, while the older spatial restriction is materially inconsistent with the current national decision-making policy for development outside settlements.
- 5.2 NPPF DM3 requires a positive and proportionate approach to decision-making and expressly requires authorities to consider whether otherwise unacceptable development can be made acceptable through planning conditions or obligations.
- 5.3 The current application is a full application, so the principal layout and design parameters are fixed. Conditions can nevertheless secure the detailed implementation measures which properly sit at that stage, including:
- ✿ implementation of the Flood Risk Assessment, finished floor/ground level controls, flood-resilient construction and the Flood Warning and Evacuation Plan;
 - ✿ the final surface-water drainage scheme and its long-term management in accordance with the Drainage Strategy;
 - ✿ ecological construction safeguards, sensitive lighting and agreed enhancement measures;
 - ✿ landscaping and boundary treatment;
 - ✿ cycle storage and electric vehicle charging infrastructure; and
 - ✿ nutrient mitigation before commencement through the Council credit scheme or an approved alternative.
- 5.4 The existence of the April 2026 outline permission is also relevant to proportionality. The Council has already imposed and found acceptable a suite of controls addressing precisely these matters. There is no need to invent a new principle objection where the full application provides a clearer design and updated technical evidence.

6. Material Considerations

August 2026 National Planning Policy Framework

- 6.1 The August 2026 NPPF replaced the December 2024 Framework and introduced a clearer distinction between plan-making policies and national decision-making policies. For this application the relevant decision-making policies include DM3, S5, HO7, L2, DP3, TR3, TR4, P3, P4 and F4-F8.
- 6.2 Policy S5 is the central policy on principle. It says specified forms of development outside



settlements should be approved unless the benefits are substantially outweighed by adverse effects. The proposal qualifies by two independent routes:

- ☛ S5(1)(d): redevelopment of previously developed land, including residential redevelopment; and
- ☛ S5(1)(j): development addressing evidenced unmet need, expressly including housing where the LPA cannot demonstrate a five-year housing land supply, where it is physically well-related to an existing settlement and of an infrastructure-compatible scale.

- 6.3 The site directly adjoins Warminster, is only three dwellings in scale and is already the subject of an extant residential permission. It is therefore a strong rather than marginal example of the development contemplated by S5.
- 6.4 Policy HO7 additionally requires substantial weight to be given to the benefits of homes which contribute towards evidenced accommodation needs. The Council's housing land supply remains materially below five years. This is an express policy weighting, not merely a general benefit to be acknowledged.
- 6.5 Policy L2 supports better use of vacant and underutilised land and buildings. Redeveloping the stable complex and hardstanding for housing represents a materially more effective use of land immediately adjoining a Market Town.

The Extant Outline Permission

- 6.6 Planning permission PL/2025/08865 is a real and extant fallback for up to three dwellings. The permission is recent, carries a three-year implementation period and has conditions which provide a clear route to reserved matters and implementation.
- 6.7 The fallback materially reduces the planning significance of objections to the principle of three dwellings, the use of the existing access, the relationship with Warminster and the ability to make the site safe from flooding. Those issues were already considered by the Council and did not prevent permission.
- 6.8 The current full application improves certainty by fixing the layout and reducing the application site to 0.20 hectares while relying on updated flood and drainage evidence. There is no rational planning basis to place the current proposal in a worse position than the consented fallback unless a new material harm is identified. None has been identified.

Flood Risk - National policy framework

- 6.9 NPPF F4 requires a site-specific Flood Risk Assessment for development in Flood Zones 2 and 3 and where other sources of flood risk are identified. The application is accompanied by Urban Water Flood Risk Assessment U0536 FRA-v4, September 2026.
- 6.10 Policy F5 seeks to steer new development to areas with the lowest risk of flooding. The area of search should not be greater than the anticipated catchment of the development in terms of its likely occupiers or users. For a three-dwelling proposal immediately adjoining Warminster, a Warminster search area is proportionate and directly supported by F5.
- 6.11 The F5 exemption in paragraph 2(b)(i) is not relied upon. Although the dwellings are in the lower-risk part of the site, the existing access/escape route intersects mapped Flood Zones 2/3. The robust approach is therefore to apply the Sequential Test.



- 6.12 Policy F6 deals with river and sea flooding and, where the Exception Test is required, asks whether the development provides wider sustainability benefits which outweigh flood risk, will be safe for its anticipated lifetime, and will not increase flood risk elsewhere and where possible will reduce it overall.
- 6.13 Policy F7 is the operative safety policy. Development in a location known to be at risk should be refused unless the most vulnerable development is in the lowest-risk parts of the site, the development is safe throughout its lifetime, residual risk can be safely managed with access/escape arrangements where appropriate, the development is flood resistant and resilient, and flood risk is not increased elsewhere.
- 6.14 Policy F8 requires proportionate sustainable drainage. The accompanying Drainage Strategy provides the detailed response.

Flood Risk - Site-specific flood response

- 6.15 The layout follows the on-site sequential approach. The houses are kept away from the mapped/estimated higher-risk frontage and are positioned in the lowest-risk available part of the 0.20 hectare site. The final levels and construction specification will be consistent with the FRA and the conservative controls previously accepted on the outline permission.
- 6.16 The FRA identifies appropriate flood-resistance and resilience measures and a means of managing residual risk. A Flood Warning and Evacuation Plan can be approved and implemented before occupation, providing occupiers with a clear route and procedure in the event of a flood.
- 6.17 The Drainage Strategy proposes a controlled SuDS solution, including permeable surfaces and attenuation/storage, with discharge to the nearby watercourse. It has been designed for the 1 in 100 year event plus a 45% climate-change allowance; it reports no flooding in the 1 in 30 year event and safe containment of the 1 in 100 year plus climate-change event.
- 6.18 The technical case therefore satisfies the substantive safety objectives of F6, F7 and F8: the dwellings occupy the lowest-risk land, the development can be made safe for its lifetime, residual risk is manageable, and flood risk is not increased elsewhere.

Updated Sequential Assessment

- 6.19 The previous Shadow Sequential Information assessed 67 sites across Warminster. It identified six reasonably available lower-risk sites providing 16 dwellings and therefore concluded that the Sequential Test was not passed. Wiltshire Council considered that conclusion when it approved the outline application.
- 6.20 The assessment has been updated to 2 September 2026. It does not seek to manufacture a pass. At least Sites 006, 009, 066 and 067 remain capable of being treated as reasonably available lower-risk alternatives and together provide 14 dwellings. In addition, the Warminster Prep School site has been marketed in 2026 as a development opportunity following relocation of the Prep School, and may provide a further alternative; it is unnecessary to resolve that point because the test already fails on the clear sites.
- 6.21 The correct conclusion is therefore that the F5 Sequential Test remains not passed. The significance of that conclusion is addressed after the schedules below:



No.	Site	Relevant capacity	September 2026 position
006	Westbury Road / land rear of 8 Westbury Road	2	Full permission PL/2024/04959 approved December 2025; actively marketed and shown Sold STC. Retained as a cautious lower-risk alternative.
009	Brick Hill Farm, 48 Bath Road	9	Reserved matters PL/2025/09907 submitted January 2026 and progressed through amended plans. Retained.
066	Masons Arms, East Street	2 new-build	Extant full permission; development opportunity actively marketed/auctioned in 2026. Retained for the two new-build houses.
067	Land rear of 19 Market Place	1	October 2024 consent remains within implementation period; no evidence displacing original conclusion. Retained.
037	Warminster Prep School	Potential larger site	Marketed in March 2026 as a c.5.38 acre development opportunity; school relocation is taking place in September 2026. Potential additional alternative, but no finding is required because F5 already fails.

6.22 The consolidated 67-site schedule below replaces the need for a separate appendix. It records the baseline search and the decisive reason each site is, or is not, relied upon. For large comprehensive sites, the assessment does not assume automatically that a large site is unavailable merely because it is large; rather, it considers whether there is a realistic, independent lower-risk parcel capable of accommodating the proposed type of development.

No.	Site	Updated F5 assessment
001	Bore Hill Farm (4.83ha; 80 dwellings)	Not relied upon. Long-running residential proposal affected by unresolved odour/amenity issues associated with the adjoining anaerobic digestion operation; no clear independent three-dwelling parcel. A smaller Bradley Road component is separately committed.
002	Boreham Road (1.32ha; 35 dwellings)	Developed/constructed. Not available.
003	West Warminster Urban Extension North (84ha; 1,000 dwellings)	Strategic Persimmon-controlled phased development. Phases are committed, constructed or progressing; no identified independent released three-dwelling parcel.
004	West Warminster Urban Extension South (23ha; 530 dwellings)	Strategic committed development with reserved matters/phasing and housebuilder control. No identified independent three-dwelling parcel.
005	Rear of 106 West Street (0.3ha; 12 dwellings)	Long-standing site with ownership/access and implementation constraints. No current evidence of a reasonably available deliverable alternative.



No.	Site	Updated F5 assessment
006	Westbury Road / land rear of 8 Westbury Road	Reasonably available. Two-dwelling full permission PL/2024/04959 approved December 2025; actively marketed/Sold STC. Retained as lower-risk alternative.
007	Land north of Fairfield Road (1.47ha; 30 dwellings)	Long-standing allocation with no convincing evidence of current delivery or availability. Not relied upon.
008	Upper Marsh Road (0.75ha; 3 dwellings)	Tree/woodland and ecological constraints materially affect development. Not demonstrated as a straightforward lower-risk alternative.
009	Brick Hill Farm, 48 Bath Road (9 dwellings)	Reasonably available. Reserved matters PL/2025/09907 submitted January 2026 and progressing. Retained.
010	East of Westbury Road (2.02ha; 77 dwellings)	Large site with ecological/highway constraints and no identified independent three-dwelling parcel. Not relied upon.
011	Land at Church Street (4.08ha; 60 dwellings)	Flood-risk and access/ownership constraints, including previous refusal history. Not relied upon.
012	Land south of Wren Close (2.49ha; 75 dwellings)	Access constraints and no demonstrated independent parcel. Not relied upon.
013	Land west of Westbury Road / New Farm (10.45ha; c.205 dwellings)	Fresh outline application PL/2026/00195 for a major comprehensive scheme. Active major proposition; no identified independent released three-dwelling parcel.
014	Land east/off Damask Way (c.49 dwellings)	Outline application PL/2026/03045 received June 2026. Major comprehensive proposal; not relied upon as a discrete alternative.
015	Land north of Boreham Road (0.18ha; 4 dwellings)	Locational/access and flood/surface-water constraints. Not demonstrated as a deliverable lower-risk alternative.
016	Land south of Boreham Road (1.41ha; 10 dwellings)	Material flood-risk and River Avon environmental constraints. Not sequentially preferable on the evidence.
017	Home Farm / land east of The Dene, Boreham Road (c.135 dwellings)	Full application PL/2026/02717 submitted May 2026 for a major scheme. No identified independent three-dwelling parcel.
018	Yew Tree PH (0.08ha; 2 dwellings)	Site frontage lies within Flood Zone 3. Not sequentially preferable.
019	Butler's Coombe Farm / land off Ashley Coombe (c.77 dwellings)	Outline application PL/2025/10007 for a major scheme; access is subject to third-party control and the site is affected by the sewage-treatment buffer. Not relied upon as a discrete alternative.
020	36 Victoria Road (0.21ha; 16 dwellings)	Relevant parts developed/committed and remaining use not demonstrated as available. Not relied upon.
021	3 High Street (10 flats plus shop in current proposal)	Integrated town-centre/heritage redevelopment. Not a straightforward severable three-dwelling alternative.



No.	Site	Updated F5 assessment
022	Preston House, 51 East Street (0.06ha; 5 dwellings)	Conversion/change of use implemented or committed. Not available.
023	Land at Market Place / East Street (2.94ha; 30 dwellings)	Integrated site with heritage and ownership constraints; no identified independent parcel. Not relied upon.
024	Land south of Forage Lane (0.31ha; 15 dwellings)	Access and multiple ownership/third-party constraints. Not demonstrated as reasonably available.
025	Land adjacent 89 Bath Road (0.5ha; 18 dwellings)	Authorised gypsy/traveller use and associated use/availability conflict. Not relied upon.
026	East of 52 Brook Street (0.6ha; 22 dwellings)	Material parts affected by Flood Zones 2/3 and previous planning constraints. Not a lower-risk alternative.
027	Land between Portway, High Street and The Close (0.7ha; 16 dwellings)	Parts affected by Flood Zones 2/3 and existing permissions/ownership constraints. No independent available parcel demonstrated.
028	Land rear of 12 West Street (1ha; 38 dwellings)	Access/title constraints and potential flood-risk on the access. Not demonstrated as a reasonably available lower-risk alternative.
029	The Halve (0.8ha; 10 dwellings)	Developed/constructed. Not available.
030	ABRO, Imber Avenue (4.3ha; 132 dwellings)	Defence/MOD land in operational or controlled use; no evidence of disposal/availability for a three-dwelling scheme.
031	Old Were Court (0.3ha; 10 dwellings)	Affected by Flood Zones 2/3. Not sequentially preferable.
032	Land south-west of Smallbrook Road (0.44ha; 19 dwellings)	Flood Zone 3 and ecological constraints associated with Smallbrook Meadows/lowland fen. Not sequentially preferable.
033	Yeates Meadow (2.51ha; 95 dwellings)	Public open space/community orchard function. Not suitable/available for the proposed residential development.
034	Land rear of 44 Imber Road (0.42ha; 15 dwellings)	Backland access/character constraints and no evidence of current availability. Not relied upon.
035	Land north of Victoria Road (7.4ha; 30 dwellings)	Substantially developed/committed or retained as open space. Not available.
036	Land south of Folly Lane (2ha; 78 dwellings)	Narrow access/highway constraints would require disproportionate intervention. No current deliverable independent parcel.
037	Warminster Prep School (c.5.38 acres)	Material update: site marketed in March 2026 as a development opportunity and the Prep School is relocating to the senior campus in September 2026. Potentially reasonably available in principle, subject to heritage, sports/open-space and comprehensive-development considerations. Its inclusion is not required to determine F5 because the test already fails.



No.	Site	Updated F5 assessment
038	Land north of Grovelands Way (11.4ha; 55 dwellings)	Material parts affected by Flood Zones 2/3 and/or committed to other comprehensive development. Not relied upon as a lower-risk independent parcel.
039	Land north of Grange Lane (0.1ha; 4 dwellings)	Private/unregistered access/title risks prevent confidence in timely availability. Not relied upon.
040	Land south of Wilson Square (0.5ha; 22 dwellings)	MOD/controlled land with no evidence of disposal or availability. Not relied upon.
041	Battlebury Barracks (17.5ha; 535 dwellings)	Operational defence land. Not available.
042	Battlebury Barracks Playing Fields / Open Space (9.4ha; 286 dwellings)	Operational defence/recreation land. Not available.
043	Land east of Battlebury Barracks (10.6ha; 273 dwellings)	Access dependent on operational defence land and no evidence of availability. Not relied upon.
044	Land between Bath Road and A36 (4.3ha; 132 dwellings)	Not physically related to the settlement in a manner appropriate to this proposal. Not relied upon.
045	Land at Lime Kiln Close (0.3ha; 5 dwellings)	Built out. Not available.
046	Imber Court, 21 George Street (0.26ha; 40 dwellings)	Built out/implemented. Not available.
047	Queensway Recreation Ground (0.84ha; 31 dwellings)	Formal recreation/open-space use. Not available for ordinary residential development.
048	Henford House Care Home (0.7ha; 26 dwellings)	Operational care-home site with access affected by Flood Zone 3. Not a lower-risk available residential alternative.
049	R & R Coaches, Bishopstrow Road (0.4ha; 10 dwellings)	Flood-risk affects the site perimeter/access and the site is developed/committed. Not sequentially preferable/available.
050	The Malthouse, 39 Pound Street (0.37ha; 30 dwellings)	Highly sensitive integrated heritage site, including Grade II* significance. Not a comparable/severable three-dwelling alternative.
051	Land between 47 The Downlands and 51 Imber Road (0.1ha; 1 dwelling)	Earlier permission/implementation timing does not provide clear current availability. Not relied upon.
052	Land south of Savernake Close (0.25ha; 6 dwellings)	Access affected by Flood Zone 3 and/or development committed. Not sequentially preferable.
053	Land rear of 2 Wren Close (0.1ha; 1 dwelling)	Built out/implemented. Not available.



No.	Site	Updated F5 assessment
054	Land adjacent 4 Chapel Street (0.1ha; 1 dwelling)	Renewal application PL/2025/09316 withdrawn November 2025; earlier consent has reached its implementation period. No longer relied upon absent evidence of lawful commencement.
055	Land south of 84 Westleigh (0.1ha; 1 dwelling)	Development commenced/committed. Not available.
056	F & S Gibbs Depot, 40 Boreham Road (0.2ha; 8 dwellings)	Extant/implemented development commitment and no identified released independent parcel. Not relied upon.
057	Land rear 63 West Street (0.1ha; 1 dwelling)	Built out. Not available.
058	Land rear 9 West Street (0.1ha; 1 dwelling)	Old permission lapsed/no current evidence of delivery intent. Not relied upon.
059	32 Imber Road (0.1ha; 5 dwellings)	Completed/implemented. Not available.
060	Land between 34 and 36 Boreham Road (0.1ha; 1 dwelling)	Completed/implemented. Not available.
061	The Organ Inn, 49 High Street (0.1ha; 1 dwelling)	Affected by Flood Zone 3. Not sequentially preferable.
062	121-121A Pound Street (0.1ha; 1 dwelling)	Completed/implemented. Not available.
063	Land rear 38 West Street (0.1ha; 1 dwelling)	January 2023 permission reached normal three-year implementation period in January 2026; no evidence of lawful commencement identified. No longer relied upon.
064	Wiltshire Police site (0.1ha; 29 dwellings)	Conversion/development committed or implemented and integrated with wider scheme. No independent parcel available.
065	Warminster Motor Company, Fairfield Road (0.1ha; 4 dwellings)	Developer-owned/committed conversion/redevelopment. No identified independent available parcel.
066	Masons Arms, East Street (2 relevant new-build dwellings)	Reasonably available. Full permission remains extant and the development opportunity was actively marketed/auctioned in 2026. Retained.
067	Land rear of 19 Market Place (0.1ha; 1 dwelling)	Reasonably available on a cautious basis. October 2024 consent remains within implementation period and no contrary evidence has been identified. Retained.

6.23 A further check of post-September 2025 residential proposals identified the following additional small or medium candidates. None is needed to establish the outcome because the clear alternatives already mean the Sequential Test is not passed:



Reference	Location	Proposal	Treatment
PL/2025/07124	41 Thornhill Road	1 dwelling	Refused; not relied upon.
PL/2025/06434	28 George Street	Conversion of salon to 1-bed flat	Candidate source only; not needed for conclusion.
PL/2025/08018	1 Copheap Lane	4 detached bungalows	Active/committed comprehensive proposal; candidate only.
PL/2025/09419	Weymouth Street	1 dwelling	Candidate identified after baseline; not relied upon without final status/flood verification.
PL/2026/00933	78 East Street	Class MA conversion to 1 dwelling	Prior approval recorded as granted; possible additional unit but not needed.
PL/2026/01683	32 Market Place	1 flat + 1 new dwelling	Pending/contested in 2026; candidate only.
PL/2026/02078	65 West Street	1 additional dwelling	Candidate only; not needed for conclusion.
PL/2026/02177	Boreham Mill	Class MA conversion to 6 flats	Flood-risk position requires verification before it could be treated as sequentially preferable; not relied upon.

Planning consequence of the Sequential Test outcome

- 6.24 Failure of F5 remains an adverse planning consideration and is not dismissed. However, the August 2026 Framework is materially clearer about the consequence of different types of policy conflict.
- 6.25 S5(2) identifies circumstances where benefits are likely to be substantially outweighed by adverse effects, including where a proposal fails to comply with a national decision-making policy which states that development should be refused in specified circumstances. F6(1) and F7(2) contain that refusal language. F5 does not.
- 6.26 That distinction matters. It does not make F5 optional, but it confirms that a failed Sequential Test is not expressed as an automatic refusal trigger under S5. It is an adverse effect to be weighed. The policies which could produce a direct refusal consequence are the substantive vulnerability and safety policies F6 and F7.
- 6.27 The current proposal satisfies those substantive requirements. The dwellings are in the lowest-risk part of the site; the FRA demonstrates lifetime safety and resilience; residual risk can be managed through an emergency plan; and the drainage strategy demonstrates no increase in flood risk elsewhere. The real-world flood-risk harm is therefore limited, even though the policy objective of F5 is not fully achieved.
- 6.28 This is the same essential factual conclusion reached by Wiltshire Council in April 2026, but the August 2026 NPPF now provides a more direct policy route for the decision: acknowledge F5, demonstrate F6/F7/F8 compliance, and apply the positive S5(1)(d) and S5(1)(j) balance.



Design and Effective Use of Land

- 6.29 NPPF DP3 requires development to respond to context and create well-designed places. The proposal is modest in scale and responds to the existing residential pattern on Lower Marsh Road while forming a landscaped edge to the countryside. It also makes more effective use of an underutilised developed site, consistent with L2.
- 6.30 The design does not need to replicate every neighbouring plot. The relevant test is whether the scheme integrates with its surroundings and provides acceptable living conditions, access, amenity and landscape treatment. The submitted layout demonstrates that it can.

Highways and Sustainable Transport

- 6.31 The access was accepted by the Highway Authority on the outline application and there has been no material change to the highway circumstances. Three dwellings will not generate a significant amount of movement in the context of Lower Marsh Road.
- 6.32 The site is physically connected to Warminster and its services. Secure cycle storage, permeable parking/turning areas and EV charging can be incorporated without difficulty. The proposal is consistent with the proportionate rural approach in TR3 and the access/parking principles in TR4.

Ecology and Biodiversity Net Gain

- 6.33 The previous ecological assessment recorded modified grassland and general wildlife value, with no direct or indirect effect anticipated on designated sites from the physical development. It recommended standard precautionary and enhancement measures for bats, birds, amphibians, reptiles, hedgehogs, vegetation and lighting.
- 6.34 The 0.20 hectare statutory BNG exemption now applies to the planning application, subject to the absence of impact on onsite priority habitat. The development therefore does not need to provide the statutory 10% BNG or a Biodiversity Gain Plan. This is a change from the April 2026 permission, which pre-dated the new exemption.
- 6.35 Ecological mitigation and sensible enhancement remain planning benefits and good design. Native planting, wildlife-sensitive lighting and integrated species features can be retained without turning them into a mandatory 30-year BNG regime.

Habitats Regulations and Nutrient Neutrality

- 6.36 The site lies within the Hampshire Avon catchment and the proposal requires nutrient neutrality in relation to the River Avon SAC. The corrected Nutrient Statement assesses the three dwellings on the 0.20 hectare application site and identifies the necessary phosphorus mitigation.
- 6.37 The outline permission demonstrates that the Council's phosphorus credit scheme provides an accepted mitigation route. A condition preventing commencement until credits or another approved mitigation package have been secured enables the competent authority to complete the Habitats Regulations assessment and conclude no adverse effect on site integrity.



7. Planning Balance

- 7.1 The August 2026 NPPF has changed the appropriate decision-making structure. The old paragraph 11 “tilted balance” is no longer the most useful way to frame this application. Policy S5 now provides the direct national policy test for development outside settlements.
- 7.2 The proposal falls within both S5(1)(d) and S5(1)(j). The starting point is therefore that it should be approved unless the benefits of doing so are substantially outweighed by adverse effects when assessed against the national decision-making policies.
- 7.3 The principal benefits are:
- ☛ three additional homes in an authority which cannot demonstrate a five-year housing land supply, to which HO7 requires substantial weight;
 - ☛ redevelopment and more effective use of previously developed/underutilised land immediately adjoining Warminster;
 - ☛ a small scheme capable of being delivered without the infrastructure, phasing and lead-in requirements of a strategic housing site;
 - ☛ support for the services and facilities of Warminster;
 - ☛ a fixed design which provides a controlled and landscaped transition at the settlement edge;
 - ☛ use of an existing access already accepted by the Highway Authority;
 - ☛ a surface-water strategy which controls runoff and provides sustainable drainage; and
 - ☛ the very substantial practical weight of an extant outline permission for the same three-dwelling residential use.
- 7.4 The adverse effects are limited. There is formal tension with the older settlement-boundary strategy, but that restrictive effect is materially inconsistent with S5(1)(d) and S5(1)(j) and should be given very limited weight. There is also a failure of the F5 Sequential Test because lower-risk alternatives exist in Warminster.
- 7.5 The F5 conflict deserves genuine weight, but it does not translate into real-world flood harm. The dwellings are on the lowest-risk part of the site; the updated FRA and drainage evidence demonstrate lifetime safety, resilience and no increased risk elsewhere; and residual risk can be managed by an agreed Flood Warning and Evacuation Plan. The proposal therefore avoids the refusal consequence in F7(2) and, to the extent relevant, satisfies F6.
- 7.6 There are no identified landscape, heritage, highway, amenity, ecological or habitats effects which approach the level necessary to substantially outweigh the benefits. Mandatory BNG is not applicable because the 0.20 hectare exemption is engaged, but ordinary ecological safeguards and enhancements remain part of the scheme.
- 7.7 The balance is therefore comfortably positive. National policy does not ask whether there is a perfectly policy-neutral site somewhere else in Warminster; it asks whether, taking the current national decision-making policies as a whole, the benefits of approving this qualifying S5 development are substantially outweighed by adverse effects. They are not.



8. Conclusion

- 8.1 This is a full application for three dwellings on a 0.20 hectare previously developed site immediately adjoining Warminster. The principle of the same number and type of homes is already established by the extant outline permission PL/2025/08865 granted on 2 April 2026.
- 8.2 The August 2026 NPPF materially strengthens the principle of development. S5(1)(d) supports redevelopment of previously developed land outside settlements and S5(1)(j) supports development addressing evidenced unmet need where it is physically well-related to a settlement and of an appropriate scale. HO7 requires substantial weight to the housing benefit.
- 8.3 The updated Sequential Assessment is deliberately candid: the F5 Sequential Test is not passed because lower-risk alternative residential sites remain reasonably available in Warminster. That was also the position when the Council granted outline permission.
- 8.4 The proposal nevertheless satisfies the substantive flood-safety requirements. The dwellings are located in the lowest-risk part of the site; the FRA and Drainage Strategy demonstrate that they can be safe for their lifetime without increasing flood risk elsewhere; residual risk can be managed; and the scheme provides appropriate sustainable drainage. F6, F7 and F8 do not require refusal.
- 8.5 The application is exempt from mandatory Biodiversity Net Gain because the site is no larger than 0.20 hectares and no affected onsite priority habitat is identified. Appropriate ecological mitigation and enhancement remain incorporated. Nutrient neutrality can be secured through the Council's phosphorus credit scheme or another approved mitigation package, as with the existing permission.
- 8.6 Any residual development plan conflict arising from the historic settlement boundary strategy and the failed Sequential Test is substantially outweighed by the current national policy support, the substantial housing benefit, the effective reuse of developed land, the absence of substantive environmental harm and the extant residential fallback.
- 8.7 The statutory balance does not require every policy to be satisfied in isolation. If the Council concludes that the residual conflict with the older settlement-boundary strategy means the proposal does not accord with the development plan as a whole, the material considerations nevertheless decisively indicate a decision otherwise. Those considerations include the direct support of S5(1)(d) and S5(1)(j), the substantial HO7 housing benefit, compliance with the substantive flood-safety policies and the extant permission for the same three-dwelling use. Planning permission should therefore be granted.

