



Appeal Decision

Site visit made on 11 November 2025

by D R Kay BA Dip.Arch RIBA

an Inspector appointed by the Secretary of State

Decision date: 19 December 2025

Appeal Ref: APP/Y3940/W/25/3371671

Land at The School, The Green, Biddestone, Wiltshire, SN14 7DG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Mr & Mrs D Pearce against the decision of Wiltshire Council.
 - The application Ref is PL/2025/03209.
 - The development proposed is the erection of one dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal is for permission in principle. The Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle (PIP) consent route has two stages: the first establishes whether a site is suitable in-principle and the second (technical details consent - TDC) is when the detailed development proposals are assessed. This appeal relates to the first of these two stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent TDC application, if permission in principle is granted. Whilst there is no dispute between the parties regarding the amount of development, as the site is within the Cotswold National Landscape, I shall, therefore, deal with the amount of development along with matters of land use and location, in my determination of the appeal.
4. The appeal site is situated within the Biddestone Conservation Area (CA) and is proximate to several Grade II listed buildings. I have therefore paid special attention to the statutory requirements placed upon decision-makers by section 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the Act).

Main Issues

5. The main issues are whether, or not, the site is suitable for residential land use, having regard to; i) its location and its accordance with the spatial strategy of the development plan; and ii) the amount of development proposed and its effect on the Cotswold National Landscape (CNL), the Biddestone Conservation Area (CA) and its setting, and the significance and setting of nearby listed buildings.

Reasons

Spatial Strategy

6. Policies CP1 and CP10 of the Wiltshire Core Strategy (WCS) outline the hierarchical spatial strategy for accommodating new housing in Wiltshire, with development focused on principal settlements, then market towns, then local service centres, then large villages and finally small villages. The first four of these settlement categories have defined settlement boundaries. The lowest end of the hierarchy, small villages, does not benefit from designated settlement boundaries.
7. Policy CP2 of the WCS sets out the Council's housing delivery strategy and states that, unless permitted by other policies within the WCS, as set out in paragraph 4.25, development will not be permitted outside the limits of development, defined by the settlement boundaries. Policy CP2 states that at small villages, such as Biddestone, development will be limited to infill within the existing built area. The appeal site is classified as a location outside the defined limits of development under Policy CP2 and there is little to indicate that any of the paragraph 4.25 exceptions apply in this case. It would therefore be categorised as open countryside. The question then, is whether the appeal site would constitute infill development.
8. Policy CP2 of the WCS defines infill development as 'the filling of a small gap within the village that is only large enough for not more than a few dwellings, generally only one dwelling'. The appeal site, in terms of its own size, would only be suitable for a small number of dwellings, and so may be considered to comply with policy CP2 in this regard. However, whilst there is development to both the west and east of the appeal site, there are substantially sized fields between the appeal site and such development. Accordingly, as a matter of fact and degree, I do not find that this would constitute a small gap within the village. Development would therefore be in open countryside.
9. No evidence has been put before me that would demonstrate that the appeal proposal would comply with any of the exemptions for development in the countryside, outlined in saved Policy H4 of the North Wiltshire Local Plan 2011. I therefore find the proposal would conflict with Policies CP1, CP2 and CP10 of the WCS.
10. Policies CP60 and CP61 of the WCS identify that new development should be located and designed to reduce the need to travel by private car and encourage the use of sustainable transport alternatives.
11. The village of Biddestone has few local services, limited to the local pub and church. Residents would need to travel for most of the services and facilities that they would require daily. Having examined the submitted evidence, I find that whilst the bus timetables do identify the availability of access to public transport, the timings and frequency of such transport, is not such that future occupants would be able to rely on the system to provide the regularity of access to the services they would require, though it is acknowledged that there is a school bus service.
12. Whilst Chippenham may technically be within cycling range, I find the combination of the distance, and the route either via narrow, unlit country roads, or faster A roads, would not encourage cycle use. Whilst the appeal site would be provided with an electric vehicle charger, which would be a sustainable form of transport, this

would not be considered until the TDC stage, were PIP granted. Therefore, residents would need to rely on the motor car for daily access to most of the services they need and for employment. Accordingly, I find the proposal would conflict with Policies CP60 and CP61 of the WCS.

Amount of Development and Effect on National Landscape and Heritage Assets

13. The appeal site is part of what was the playing field of the former village school. It is an area of open, gently sloping land, bounded by a mix of waist height stone walls and post and rail timber fences. A high hedge is situated to its southern boundary, behind the fence, together with a small belt of mature trees. The former school building, which has been substantially extended and converted into a residential dwelling, is situated to the north side of the appeal site. This dwelling would provide the appeal site with its vehicular access, via a lane past the former school building itself, and between School Cottage and Elm Cottage, two grade II listed buildings, joining The Green, close to its junction with Church Road.
14. To the south of the site, beyond the hedge lies open farmland. To the east of the site is a substantially sized open field, with the grade II listed 'Pool Farm' House and its outbuildings beyond. At the northern end of this field is the village pond which opens onto 'The Green' at the heart of the village. To the west of the appeal site is another substantially sized open field, with a dense belt of trees at its western boundary, lining the drive to the Old Rectory beyond.
15. The appeal site lies towards the southern end of, but within, the Cotswolds National Landscape (CNL), an area designated for its landscape and scenic beauty. The site, and the fields which flank it, are a substantial area of green open space. They form the transition between the open countryside of the CNL and the southern fringes of the village of Biddestone, acting as a buffer between development and the wider CNL.
16. This part of the CNL is nationally defined as the Cornbrash Pastoral Lowlands, the appeal site sitting within the character area 14A – Biddestone Lowland Farmland designation. The Cornbrash Lowlands are defined as providing the transition from the Dip-Slope Lowland of the South Cotswolds to the flatter, more open landscapes to the south-east, though only two small areas of this character type occur in the CNL, 14A being one of them. It is a gently undulating, rural landscape that offers views over productive farmland. Fields are medium to large, in size, bounded by intermittent hedgerows and the occasional stone wall. Woodland is infrequent. Nucleated villages, hamlets and farms make up the dispersed pattern of development.
17. The district-level North Wiltshire Landscape Character Assessment defines the site as being within the Limestone Lowland Landscape Character Area. This designation notes the area as being a generally broad, rolling landscape, where objectives include the conservation and enhancement of its pastoral character and the discouragement of development in its rural hinterland.
18. The appeal site is of sufficient size to accommodate the amount of proposed development. In that sense, there is agreement between the parties that the amount of proposed development would be acceptable, within the area of land available. However, I have already found that from a land use and location perspective, the proposal would conflict with the WCS policies which control development in these regards.

19. The appeal site is bounded to east and west by open fields. At my visit, it was evident that a public footpath runs from the side of the village pond on The Green, through the field to the east of the appeal site, running across several further fields to join Hartham Lane south of the village. From this footpath, there are currently views across the appeal site to the open field to its west, though there is a sparse hedge on the field side of the stone boundary wall, which restricts some visibility. Development within the appeal site would therefore be visible from the public realm within the CNL. It would have the effect of reducing the open character of the landscape at its transition from the village to the wider landscape.
20. Whilst this is a PIP appeal, and the full detailed design and extent of development would not be put forward until the TDC stage, were the PIP granted, I find that the introduction of built form, residential activity and inevitable lighting at night, would harmfully encroach into the countryside. As such the proposal would have a significant harmful effect on the rural nature of the area. It would also fail to enhance the existing tranquil, rural character of this sensitive landscape setting.
21. Consequently, the proposed development has not demonstrated that it would conserve and enhance the CNL. Accordingly, I find conflict with Policy CP51 and CP57 of the WCS in relation to the location of the proposed development and the conservation and enhancement of the landscape character of the CNL. These policies, among other things, seek development that protects, conserves and, where possible, enhances the character of the landscape and local distinctiveness.
22. The appeal site lies within the Biddestone Conservation Area (CA) and is proximate to three grade II listed buildings. The CA covers a large area, covering much of the built-up area of the village, and includes a significant amount of open land to the south of both the appeal site and the other built form of the village. The significance of the CA is derived from the mix of historic buildings within the village, which has an exceptionally high number of listed buildings, together with its pastoral, tranquil rural setting. The appeal site, as it contributes to the rural setting of the village, makes a positive contribution to the significance of the CA and its setting.
23. Given that this is a PIP application, the full detailed design and extent of development would not be submitted until the TDC stage, were the PIP granted. It is therefore not possible to fully assess any specific effects or levels of harm, if any, the proposal might have on the significance of, or setting of, the nearby listed buildings. This would be more properly examined at the TDC stage. I have therefore, treated the proposal's potential effects on listed building heritage assets, as a neutral factor in this appeal.
24. However, the introduction of the built form of a dwelling into the appeal site would result in the undeveloped, open, rural character of this land being diminished. It would therefore reduce the positive contribution the appeal site makes to the significance and setting of the CA, causing less than substantial harm, which I find would be at the lower end of that scale. Therefore, I find the proposal would conflict with Policy CP58 of the WCS. This policy, among other things, seeks development to conserve and enhance the setting and significance of designated heritage assets.

Other Matters

25. My attention has been drawn to several PIP appeal decisions for housing developments in Wiltshire, which were found to be contrary to the Development

Plan, but were allowed due to the deficiency in housing land supply. However, having examined these examples, they all have a different site and locational context and significantly, none are located within a National Landscape setting. Accordingly, the circumstances are not directly comparable with those which apply in this appeal.

Planning Balance

26. The Council have identified within their appeal statement that they can demonstrate a 2.03-year supply of housing land, calculated in accordance with the National Planning Policy Framework 2024 (the Framework).
27. Accordingly, paragraph 11(d) of the Framework is engaged for decision making purposes. However, the appeal site is within the CNL, and within the Biddestone CA. These are two of the protected areas or assets referenced in paragraph 11(d)(i) and footnote 7 of the Framework.
28. Section 245 of the Levelling-up and Regeneration Act 2023 (LURA) places a duty on relevant authorities and decision makers to seek to further the statutory purposes of protected landscapes, of which the CNL is one. It requires, as far as is reasonably practical, relevant authorities to seek to avoid harm and to contribute to the conservation and enhancement of the natural beauty, special qualities and key characteristics of Protected Landscapes.
29. Paragraph 189 of the Framework requires 'Great Weight' to be given to conserving and enhancing landscape and scenic beauty in National Landscapes (NL), which have the highest status of protection in relation to these issues. The scale and extent of development within a NL should be limited, to avoid or minimise adverse impact on the designated area. As I have found that the proposal would not conserve the landscape and scenic beauty of the NL, then this weighs heavily against the proposed development and therefore provides a strong reason for refusal. Hence paragraph 11(d)(ii) of the Framework does not apply in this instance.
30. The policies within section 16 of the Framework need to be considered, specifically paragraph 212, that requires decision makers when considering the impact of a proposed development on the significance of a designated heritage asset to give great weight to its conservation. I have already found that there would be harm to the significance and setting of the CA. This carries great weight against the proposal.
31. The appeal proposal would provide additional housing which would support the government's objective of significantly boosting the supply of homes. However, as the proposal is only for a single dwelling, this would attract only moderate weight. The proposal would also provide local economic benefit, both in the construction phase and in the longer term with future occupiers supporting local businesses and services within the area. However, given the size of the development this would again attract only moderate weight.
32. These public benefits would not be sufficient to outweigh the great weight I give to the less than substantial harm to the significance of the CA.

33. I have already found that the proposal would not be infill development, that it would not represent a suitable or sustainable location for residential development, taking into account the delivery strategy and the accessibility to day-to-day services. Consequently, I have also found it would conflict with the Local Plan policies in these regards.
34. The Local Plan is more than five years old. and the Council cannot demonstrate a five-year housing land supply, hence I give limited weight to the conflict with the spatial strategy. However, given that the other policies with which I find conflict largely accord with the Framework, I give that conflict full weight. Overall, therefore, there would be conflict with the development plan as a whole.

Conclusion

35. For the reasons set out above, I conclude that the appeal proposal would be contrary to the development plan, read as a whole, and that the material considerations I outline above, including policies in the Framework, would not outweigh that conflict. Therefore, the appeal is dismissed.

D R Kay

INSPECTOR