



LAND & PROPERTY PLANNING
CHARTERED PLANNING CONSULTANTS

PLANNING STATEMENT

“Construction of tennis court to include part retrospective change of use of land to garden and associated works.”

Lordswood House,
Commonwood Lane, Sherston,
Wiltshire, SN16 0PX

LP Planning, 31 Market Place,
Chippenham, SN15 3HZ

Applicant: Mr Gay

November 2025

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1. Introduction

- 1.1 LP Planning Consultants have been instructed by Mr Gay (the Applicant) to prepare and submit this Planning Statement in support of a full planning application seeking the construction of a tennis court to include part retrospective change of use of land and associated works at Lordswood House, Sherston, Wiltshire, SN16 0PX.
- 1.2 The proposed development is not “major” within the terms of Article 2 of the Town and Country Planning [Development Management Procedure (England) Order 2015] but this statement sets out in full the planning issues in support of the application.

2. Description of Site and Context

- 2.1 Lordswood House is a large, detached period property with grounds. Access is via Common Lane which is to the south of Sherston. The surroundings are rural, with open countryside and woodland, as well as Commonwood Farm to the north-west.
- 2.2 There is a public right of way (footpath) that follows the northern site boundary and the far western boundary (byway).



Figure 1: Lordswood House set within its grounds

- 2.3 In planning terms, Lordswood House is not a listed building or within a Conservation Area, Green Belt and nor does it form part of a designated National Landscape.
- 2.4 The part of the site subject of this application amounts to approximately 0.5ha, whereas the overall grounds of Lordswood House under ownership and management by the Applicant are approximately 6ha, this includes a significant area of woodland to the south of the dwelling.



Figure 1: Photograph showing extended curtilage and area of proposed tennis court

3. Planning History

3.1 The available planning history for Lordswood House is summarised in the table below.

Application No.	Description	Outcome
PL/2025/06079	Forestry Store Building	Approval August 2025
PL/2023/03097	Erection of on oak framed garage with storage above.	Approved 2023
19/04094/FUL	Change of use of land from agricultural to domestic use to facilitate the creation of a tennis court	Withdrawn 2019
N/92/00854/FUL	Erection of detached double garage for private cars/use detached double garage	Approved 1992
N/89/2302/FUL	Conversion of barn and byre, into residential accommodation and alterations to existing cottage.	Approved 1989
N/88/01093/FUL	Conversion of barn to dwelling	Approved 1988
N.87.2399.F	Conversion of barn to dwelling	Approved 1988

3.2 Since the withdrawal of the earlier application in 2019 that included a tennis court, this application is now supported by an ecology survey and an associated Biodiversity Net Gain report to address concerns. In addition, as detailed further below, the application site represents the most logical position for the tennis court and it will not be a visually intrusive addition to the site given the discreet location that has been selected.

4. Description of Development

4.1 The description of development is as follows:

“Construction of tennis court to include part retrospective change of use of land to garden and associated works.”

4.2 The tennis court will be 17m x 34.7m and is proposed to be located on land that is sought to be changed to domestic curtilage, this change of use is retrospective and the land

became part of the curtilage in February 2016 when the land was purchased from the adjoining farmer. It is now separated from the rest of the field by a traditional post and rail fence (with access still possible to the adjoining field via a gate).

- 4.3 The tennis court will be hard surfaced with porous macadam surface and enclosed by 2.75m green mesh fencing and elevations are included on the submitted drawing. No lighting is proposed. Surface run off will go the adjoining ditch in the ownership of the client.

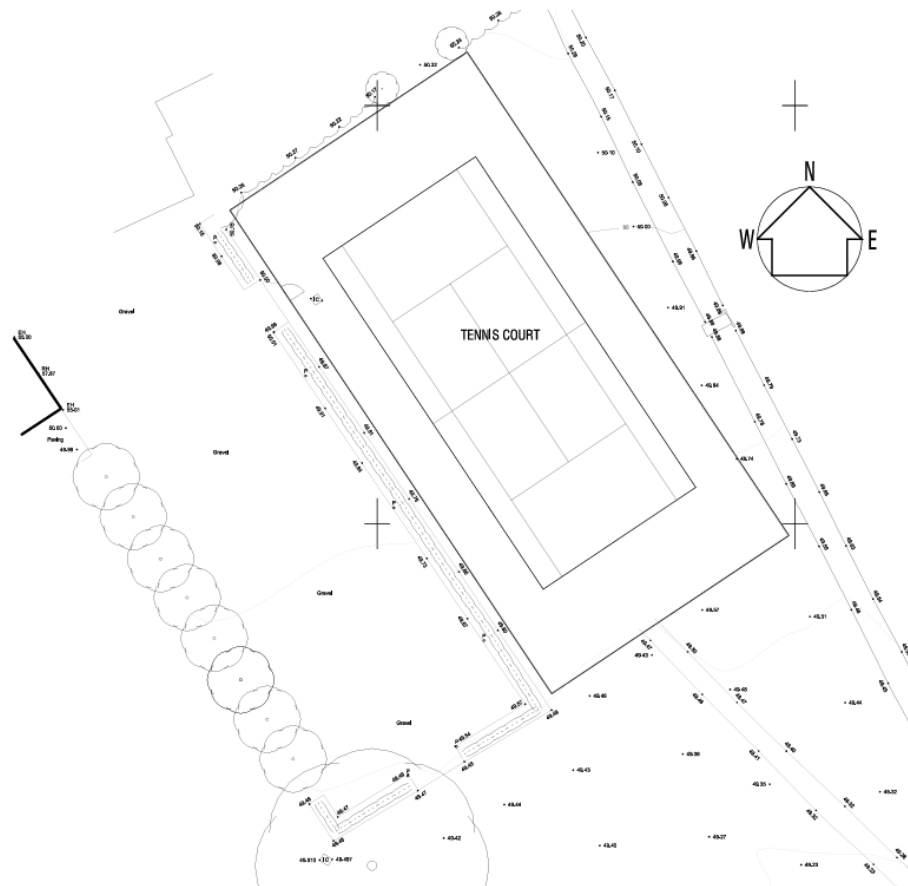


Figure 2: Proposed Tennis Court

5. Relevant National and Local Planning Policies

- 6.1 Section 70(2) of the Town and Country Planning Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the provisions of the development plan unless material considerations indicate otherwise.

- 6.2 The Development Plan in this case comprises the Wiltshire Core Strategy 2011-2026 (January 2015) (the WCS). The following policies are relevant to this application:

Core Policy 1: Settlement Strategy
 Core Policy 2: Delivery Strategy
 Core Policy 50: Biodiversity & Geodiversity
 Core Policy 57: Ensuring High Quality Design & Place Shaping
 Core Policies 60- 64: Transport & traffic

6.3 The Development Plan also comprises saved policies of the former North Wiltshire Local Plan (2006) which have been ‘saved’ and continue to form part of the Development Plan.

6.4 There is currently no Neighbourhood Plan in force.

6.5 The National Planning Policy Framework (NPPF) (2024) is a significant material consideration in the determination of the application, and the Planning Practice Guidance (PPG) also provides relevant advice. In particular, it promotes sustainable development, delivering much needed new homes, including self and custom build homes.

6.6 Wiltshire Council’s new local plan is currently submitted for examination and in accordance with paragraph 49a) of the NPPF, the more advanced a plan’s preparation, the greater the weight that may be given to its relevant policies.

6.7 The relevance of the above policies are set out in the detailed planning assessment below.

6. Planning Considerations

7.1 When assessing the proposed development against the relevant planning policies, the key issues in this case are as follows:

- The acceptability of the principle of development;
- The impact upon the character and appearance of the area;
- Residential amenity; and
- Ecology and trees

Principle of Development

7.2 The 2023 garage included a red line which is considered to effectively show the extent of the established residential curtilage associated with Lordswood House. This application replicates that red line apart from the addition of the small area of land to the east of the house, which is the area where a retrospective change of use is sought and where the tennis court is to be located. This strip of land is clearly identified on the submitted location plan. The area of land beyond this to the north and east is included for BNG purposes.

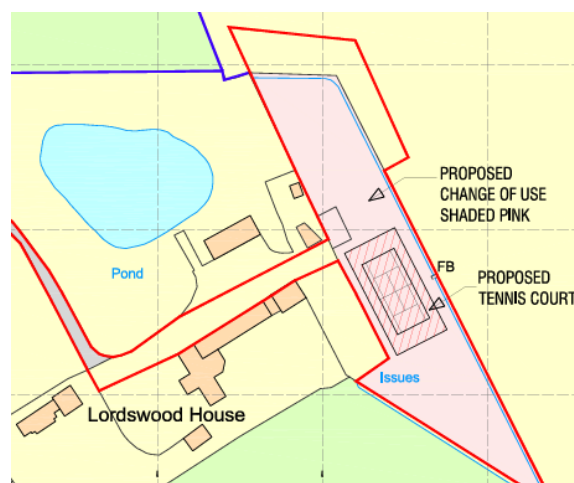


Figure 3: Location Plan showing proposal

7.3 Although the site is within the countryside in planning policy terms, given the area of land is relatively small in the overall context of Lordswoods House and its grounds, the minor increase in curtilage is considered to be reasonable and proportionate.

7.4 Further, the land the subject of this application is located very close to the existing house and other domestic outbuildings, and the tennis court will be an appropriate and discreet addition to the residential unit.

7.5 This location as proposed within the land holding is considered to be most appropriate for the tennis court for the following reasons:

- Lack of visibility from public vantage points (primarily due to existing vegetation and topography of the surrounding area)
- It is one of the flattest parts of the holding, and thus the proposal requires minimal earthworks (other areas would require more cut and fill and possible changes to drainage infrastructure)
- There is a need to maintain a 15m buffer from the nearby woodland boundary.
- From a functional perspective the court will be close to the house and easily accessed (including for maintenance, construction and safety purposes)

7.6 A more detailed consideration of the impact is set out below but overall, the change of use of land to allow for the provision of a private domestic tennis court is acceptable and any glimpses of the court from the public right of way would be seen against the backdrop of a large residential property and its associated outbuildings and grounds. The planting proposed as part of the BNG enhancements would further reduce any possible glimpses of the tennis court from the nearby public footpath.

Impact on the Character and Appearance of the Area

7.7 The WCS includes Core Policy 57 which requires proposals to be to a high standard of design and be complementary to the locality it is set within. Proposals are also required to have regard to the landscape setting and the historic environment.

7.8 As shown below, the public footpath (SHER17) runs along the northern boundary of the site, directly along the northern edge of the strip of land proposed to change use. Passers by would not experience a significant visual change in the landscape when using this footpath given the existing residential appearance of Lordswood House and its grounds.

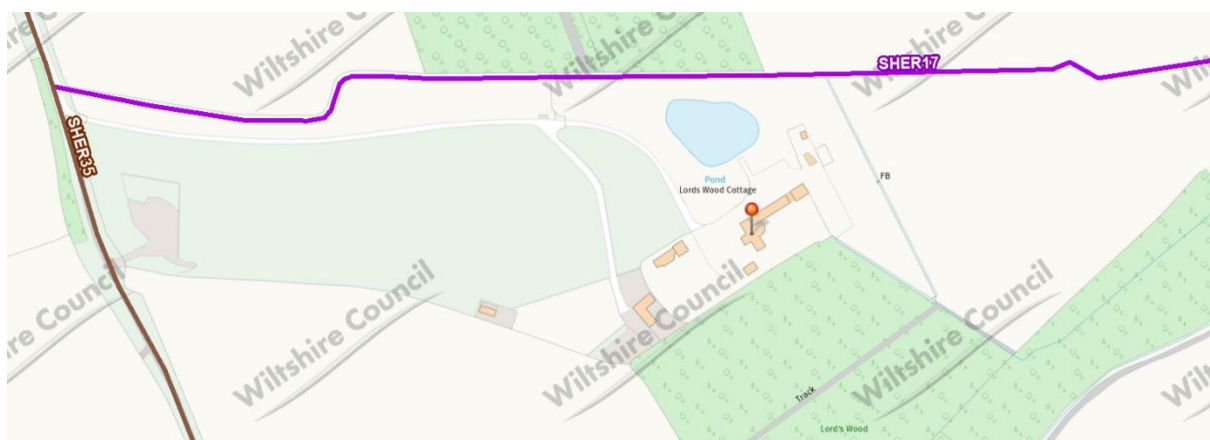


Figure 4: Nearby PRow's (shown in blue and red)

- 7.9 The strip of land for which retrospective permission is sought to change the use to form part of the residential curtilage can be visually assessed on site given it is retrospective (although the tennis court itself has not been installed). The strip of land already visually forms part of the site and the traditional post and rail fence ensures a rural/agricultural connection to the fields beyond is maintained.



Figure 5: View from the land changing use facing north towards the nearest PRofW

- 7.10 There is no harm to the wider landscape of this piece of land changing use. The public footpath SHER 17 along the north, already has views of the residential curtilage and a minor extension to the existing curtilage is not considered to represent a significant impact that could warrant refusal of this application.
- 7.11 Lastly, a domestic tennis court is not an uncommon facility for large, detached properties in the countryside and given the court is to be hard surfaced and the enclosure fencing to be mesh, it will not have adverse impacts that could be significant enough to refuse the application.

Residential Amenity

- 7.12 Core Policy 57 sets out the general principles for the design of development, including impacts on neighbours:

“vii. Having regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing, vibration and pollution”.

- 7.13 The Officer Report for the 2023 garage scheme confirms there are no nearby residential neighbouring properties to this site and therefore it would have no detrimental effect on neighbouring amenity.
- 7.14 Similarly, this application for a tennis court (and associated change of use of the land) is also considered to preserve amenity and will enhance the existing amenity offer at the property for the Applicant to enjoy. Sports such as tennis should be supported and encouraged given the benefits they directly provide towards health and wellbeing.

Ecology & Trees

7.15 Seasons Ecology have been instructed to prepare a statement on biodiversity net loss/gain as well as a Preliminary Ecology Appraisal. The PEA confirms that regarding protected/notable species:

- There is no bat roosting habitat on site. The site offers low-quality foraging and commuting habitats for bats, however the site is likely used by bats to commute between the Priority Habitat Deciduous Woodland adjacent the north-west and south of the site.
- The site is suitable to support low numbers of common and widespread species or reptiles, amphibians and small mammals. There is negligible potential for dormouse and low potential for great crested newt to utilise the site.

7.16 The PEA includes recommendations in order to protect the nearby woodland (by maintaining a 15m buffer) and also provides a Precautionary Method Statement due to the low potential for the presence of great crested newt. If necessary, any lighting scheme would be sensitive to biodiversity and several biodiversity enhancement measures are also proposed, including bird and bat boxes in nearby trees and two refuges/hibernacula for reptiles, amphibians and small mammals.

7.17 The BNG Statement confirms that the site occupies part of the curtilage of Lordswood House as well as an area of the adjacent pasture field unit (to the east). To compensate for the loss of an area of modified grassland, to form the footprint of the proposed tennis court, 15 small native broadleaved trees are proposed across the adjacent agricultural field unit, in the east of the site (outside of residential curtilage) as well as a new native beech hedgerow. This results in an overall net gain of **11.46%** in biodiversity on site, exceeding the minimum 10% requirement.

7.18 No trees will be removed to implement the proposals. The NPPG states that for ancient woodlands, proposals should have a buffer zone of at least 15 metres from the boundary of the woodland to avoid root damage. As such, the proposed site plan has adhered to this 'guidance'.

8 Conclusions

8.1 The application seeks permission for the construction of a tennis court to include part retrospective change of use of land to garden and associated works.

8.2 The tennis court will improve the residential amenity at the site for occupiers and the size of the strip of land required to become part of the residential curtilage is considered to be appropriate given the nature of the proposal is directly to allow for the provision of a private tennis court.

8.3 There are no other residents that would be affected by the proposals and the wider impact on the character of the area is neutral given the existing residential surroundings immediately at Lordswood House. The proposal will integrate well into the landscape and will ensure a sensible functional relationship can be achieved with the dwelling.

8.4 From an ecological perspective the proposal affects only low-value modified grassland and exceeds BNG targets and maintains a 15m buffer to the nearby woodland.

8.5 This Planning, Design and Access Statement has demonstrated how the proposed development complies with all relevant planning policies and it is requested that permission is granted without delay.