

19th December 2025

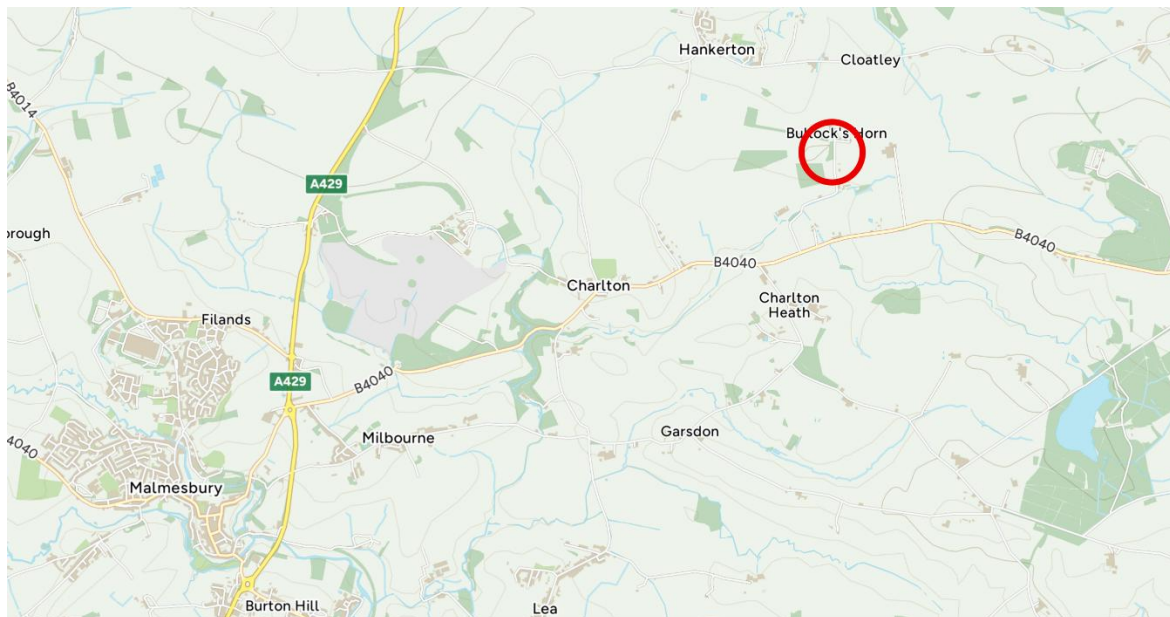
Our Ref: DJD.LPC.5609

Development Services – North
Wiltshire Council
Monkton Park
Chippenham
Wiltshire
SN15 1ER

Dear Sir or Madam,

Town and Country Planning Act
Change of use of land from agricultural to extend residential curtilage at Land to west side of Bullocks Horn Lane, Bullocks Horn, Charlton, Malmesbury, Wiltshire SN16 9DZ

The application site lies in the open countryside in a remote location to the north east of Charlton and the town of Malmesbury. The site has previously been in agricultural use which was for the growth and sale of Christmas trees through the nearby horticultural business at Greenhill Farm Nurseries. Please see below the site's location indicated by the red circle.



Ordnance Survey Map identifying site

The existing building on the site has now been converted to a dwelling under the recent approval under Class Q of the General Permitted Development Order 2015 (as amended). This was approved by the Council under the reference PL/2024/05812 dated 15th October 2024.

Provided below are photographs of the original agricultural building and then the converted dwelling and attached as Appendix 1 is the Building Regulations Completion Certificate.



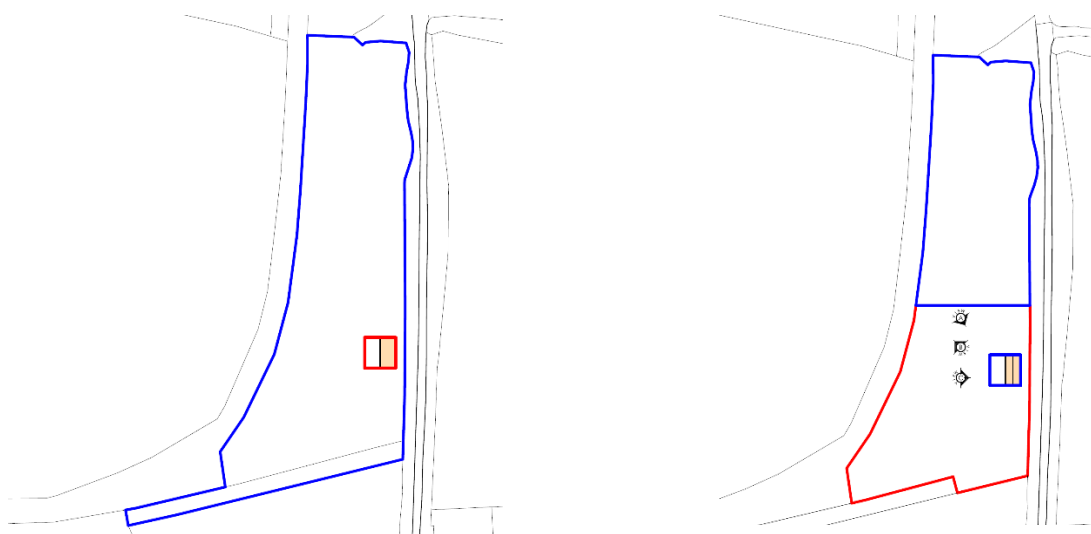
Above – original building prior to conversion



Above – views of completed dwelling

As Officers will be aware, under the Class Q regulations, any dwelling created under these Permitted Development Rights is allowed a curtilage. However, this curtilage cannot exceed the land area occupied by the agricultural building itself (i.e., the footprint of the building). In this case, given the small footprint of the agricultural building, the corresponding curtilage is very limited. This only extends to some 42 sqm (equal to the footprint of the building, and as a result is very limited). Therefore opposed is to make more effective use of the surrounding land which was of course originally linked to the building as part of its former agricultural use. The proposals would create a larger add more he's able garden area to serve the dwelling And this would make more sense as the surrounding land is somewhat redundant in any event. It would also serve to provide the dwelling with a larger buffer between itself and the surrounding open countryside.

What is important to mention is that this application represents the change of use of the land only. No building works or engineering operations are proposed – the application is simply to establish the extended residential curtilage. In this regard, no preliminary ecology appraisal or biodiversity net gain assessment would be required. Furthermore, should the Council be concerned about further works within the extended area, it would of course be acknowledged that Permitted Development Rights can be removed, thereby retaining the Council have control over any development within this area.



Side-by-side comparison of existing and proposed curtilage

As can be seen from the above side by side analysis above, what is proposed is to create a larger garden area mainly to the west and south of the newly converted dwelling. That can be seen by the aerial photograph provided below, whilst the new extended garden area would cover a much larger area than existing, this is a very secluded location. Mature tree cover means that views into the site are extremely

limited, affording a great deal of privacy to the new dwelling and garden area. This also means that any impact on the surrounding landscape would be very minimal indeed because the site is entirely contained and secluded.



Aerial photograph of the application site dense tree cover Shields it from wider views

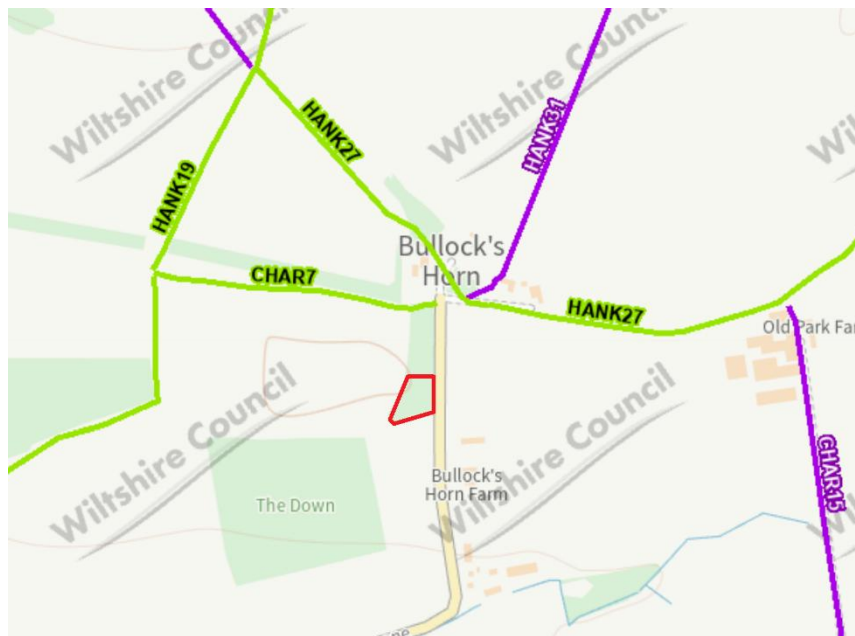
Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 require that all applications are determined in accordance with the Development Plan unless other material considerations indicate otherwise. The relevant Development Plan policies applicable to the assessment of this application comprise the adopted Wiltshire Cores Strategy (January 2015). The only relevant planning policies therein to the assessment of this application are believed to be Core Policy 51 (Landscape) and Core Policy 57 (Ensuring High Quality Design and Place Shaping),

Policy 51 requires that development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures.

Policy 57 also makes clear that applications should make a positive contribution, having regard to the compatibility of adjoining buildings and uses, A high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Proposals should respond positively to the existing townscape and landscape features in terms of building layouts, built form,

height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting.

The map below shows the public footpaths in the locality of the site with the site itself outlined in red. As can be seen, there are no public footpaths that run alongside or near to the site with the majority of these located further to the north and even further to the west and east. As a result, the area of land to be changed to the garden will not have an adverse effect on the landscape. It will be highly secluded and well away from public view.



Public Rights of Way Explorer Map with application site outlined in red

The Wiltshire Core Strategy requires that development protects, conserves and where possible enhances landscape character and that new development achieves a high standard of design which responds to its context. Core Policy 51 seeks to avoid harmful effects on landscape character and to secure mitigation or enhancement where impacts arise, while Core Policy 57 requires proposals to respond positively to existing townscape and landscape features and to integrate development into its setting through appropriate layout, materials and landscaping.

In spatial and visual terms, the proposed enlargement of the curtilage is limited, contained and carefully related to the existing converted dwelling. The surrounding land to the west and south of the dwelling is already physically and visually strongly contained by mature tree and hedgerow cover so it is not a prominent or open parcel of farmland within the wider landscape; this containment substantially reduces any potential visual intrusion into the landscape and ensures there would be no material change to the landscape's character when viewed from public vantage points. The site is not located adjacent to any public rights of way or other frequent public viewpoints and, as such, the proposed change of use to residential garden would not introduce new public-facing built form or intensification of use that would be visible or harmful to the local landscape. These factual circumstances accord with

the tests in Core Policy 51 which focus on the protection of landscape character and avoiding harmful visual impacts.

It is important to note the relationship between Class Q conversions and curtilage. The permitted development right that enabled conversion under Class Q creates a very limited curtilage that is generally tied to the footprint of the original agricultural building; that limited curtilage does not preclude a separate planning application to formally change the use of adjacent land to garden where that change would not harm landscape character or conflict with development plan policies. The present application is precisely such a case: it seeks a modest, well-contained change of use which, because of the site's enclosure, would not extend the built or domesticated appearance of the site into the wider countryside in a way that would be harmful to the character of the area. The proposed extension therefore represents a reasonable and proportionate alteration to the originally limited curtilage created by Class Q.

Taken together, the limited scale and location of the extended garden, the existing substantial tree and hedge containment mean the proposal would not materially conflict with Core Policies 51 and 57. On the contrary, by formalising a modest residential curtilage that is physically contained and by delivering a sensitive landscape-led approach to boundary treatment and planting, the development would be integrated into its setting, preserve local landscape character and deliver the positive design responses required by the Core Strategy.

Conclusions

In conclusion, this application seeks permission solely for a change of use of land to extend the residential curtilage associated with a dwelling that has been lawfully created under Class Q permitted development rights. No operational development is proposed, and the application does not give rise to any built form, visual intrusion or intensification of activity that would be harmful to the character or appearance of the surrounding countryside.

The proposed curtilage extension is modest, proportionate and closely related to the existing dwelling. It is physically and visually well contained by established tree and hedgerow cover and is located away from public rights of way and public viewpoints. As such, the change of use would not result in any material harm to landscape character or visual amenity and would not lead to an encroachment into the wider countryside.

The proposal has been carefully assessed against the relevant Development Plan policies, in particular Core Policies 51 and 57 of the Wiltshire Core Strategy, and it is considered to fully accord with their objectives. The development would preserve the character of the landscape, respond positively to its context and integrate successfully with its surroundings.

Together with the duly completed application forms, the following documents and drawings are enclosed:

- CIL form

- Drawing No. 5431 03B Site Location Plan
- Drawing No. 5431 04 Photo Sheet

Yours faithfully

A handwritten signature in black ink, reading "Daniel Drayton". The signature is written in a cursive style with a horizontal line extending from the end.

Daniel Drayton
Associate

Appendix 1 – Building Control Completion Certificate