

Planning and Heritage Statement

Town and Country Planning Act 1990

Planning (Listed Buildings and Conservation Areas) Act 1990

Project:	The conversion of a Class Q (Ref. PL/2023/10825) into a full permission for a single self-build dwelling.
Client:	Chris Upton
Site Address:	The Old Cow Shed, Church Farm, Lower Seagry, Chippenham, SN15 5EP
Issue and Revision Record:	Version 2 (03/12/2025)
Local Authority:	Wiltshire Council
Highways Authority	Wiltshire Council
Planning Portal Application Ref:	PP-14523667
MDP Reference:	CU02

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Appendix 1: Images of the application building



1. Introduction

- 1.1 This Planning Statement has been prepared to accompany a full planning application for the conversion of a Class Q (Ref. PL/2023/10825) into a full permission for a single self-build dwelling. This is at Church Farm, Lower Seagry, Wiltshire, SN15 5EP. The application has been submitted via the Planning Portal by Mark Doodes Planning (MDP) herein referred to as the Applicant or Agent interchangeably on behalf of our client Mr. Chris Upton, who holds an option agreement with the current as landowner, who is the subject of a duly served Certificate B notice as per Article 13 of the 2015 DMPO.
- 1.2 The purpose of this Statement is to clarify and expand upon the above description of development and to consider the degree to which the proposals accord with national and local planning policies. The statement also reflects upon the degree to which the proposals can be described as *sustainable* development.
- 1.3 Any use of the word 'paragraph' is, for the avoidance of doubt, a reference to the 2024 National Planning Policy Framework (NPPF or the Framework).
- 1.4 The description of development is:

"The conversion of a Class Q (Ref. PL/2023/10825) into a full permission for a single self-build dwelling."

2. Application Submission

- 2.1 This Statement is submitted with a number of documents which make-up the planning submission. These documents are all listed in the covering letter and do not need to be repeated here.
- 2.2 It is important, like with national planning policy, to read the application submission *as a whole*.
- 2.3 The development was not screened for EIA purposes as its nature and scale wasn't considered to meet the applicable thresholds and criteria for such development as set out in Schedules 1 and 2 to The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
- 2.4 Paragraph 38 of the Framework states that LPAs should approach decisions on proposed development in a positive and creative way and continues by stating that decision-makers at every level should seek to approve applications for sustainable development where possible.



2.5 Furthermore, Article 35 of the Development Management Procedure Order (2015) (DMPO) requires decision notices to include a statement explaining whether, and if so how, the LPA has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application.

2.6 We therefore look forward to working with the LPA within the spirit and encouragement required by the Framework and the 2015 DMPO.

3. Site and Surroundings

3.1 The application site is located on the eastern side of Lower Seagry. It comprises an agricultural building associated with an adjacent holding. This is a utilitarian building with a form and function in line with its original agricultural purposes. It is constructed of painted concrete block set below a corrugated asbestos roof. The building has a two-storey western range with large south facing double height doors. The single-storey eastern range is open sided to the south and was most probably constructed as a milking shed or for other animal husbandry. The application building is of no architectural merit and has been given prior approval for the conversion to a residential unit. Various images of the application building are provided at Appendix 1 to this Statement.

3.2 The site falls in a pocket of built form to the south of the settlement that is enclosed by open field systems. To the south is the River Avon and beyond this is the Strategic Road Network (M4).

3.3 In terms of constraints, the site does not fall within a National Landscape or a Conservation Area. The site falls entirely in Flood Zone 1 as shown at Figure 1 below.

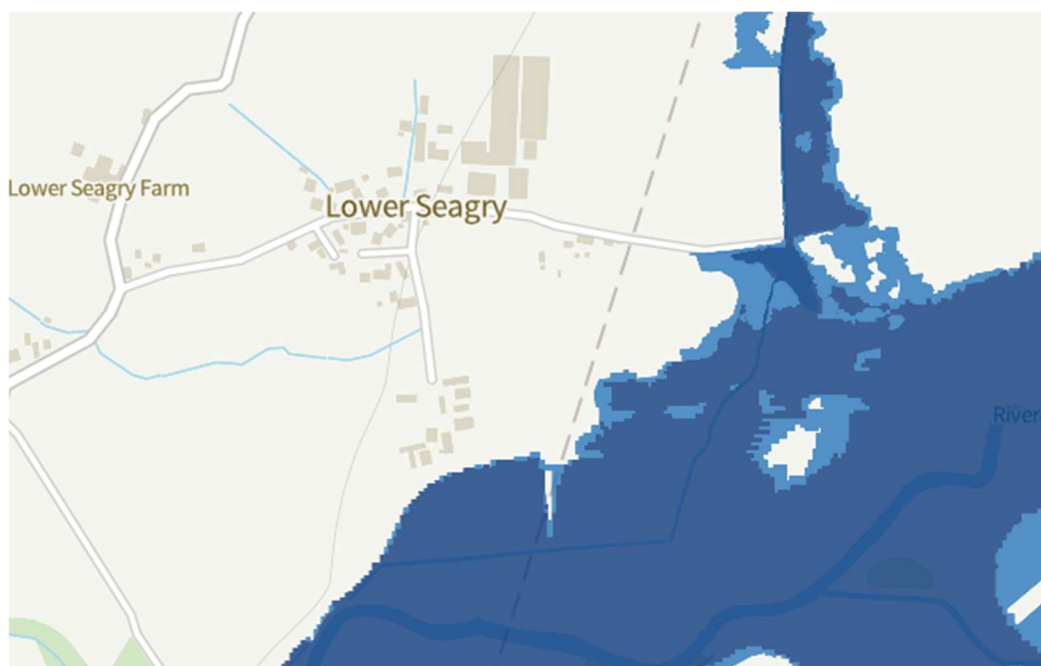


Figure 1: Site within Flood Zone 1 (source: EA Flood Map for Planning 2025).

- 3.4 There is a collection of buildings to the west of the site. This includes the Grade II listed Church of St Marys and the Tithe Barn at Church Farm. List descriptions are provided below for ease of reference.

ST 98 SE 5/288 Church of St Mary

GV II

Anglican parish church, 1849 by J.H.Hakewill, squared rubble stone with stone slate roof, coped gables, finials and ashlar gabled west bellcote. Nave, south porch, transepts and chancel, plain Early English style with lancet windows, angle buttresses to nave and chancel, side buttresses to transepts and porch. Nave has two west lancets with linked hoodmoulds, paired lancets each side, two to north, one and gabled projecting porch to south. Transepts have two end-wall lancets with linked hoodmoulds and one each side. Chancel has sill-course and two lancets with hoodmoulds each side, south side centre door and east end 3-light window with hoodmould. Interior: complete encaustic tile flooring, apparently C19 but said to include some medieval tiles. Nave has arch-braced-collar rafter roof, chancel has boarded 5-sided roof. Fittings: fine c1200 stone font with raised triangle-headed arcading. C15 timber screen of 4-lights each side of Tudor-arched centre. Traceried heads to lights, carved spandrels to centre and brattished cornice. C19 pulpit. In chancel north wall C14 female effigy said to be of Isabella Mompesson. In south transept C13 effigy of a knight, said to be W. de Clifford, who founded the church 1172, and 1678 and 1700 carved plaques to Robert and Rebekah Stratton. In nave, north wall pedimented plaque to J. Jenkins died 1764 and fine open pedimented plaque to C. Bayliffe died 1735. Stained glass: unusual east window of 1849 combining painted and stained glass, chancel lancets each side of c1878 and 1890. One nave north window of c1875. West end organ by W. Sweetland of Bath 1888. Church cost £860. (K.R. Clew Church guide 1983; N. Pevsner Wiltshire 1975 463-4)

Listing NGR: ST9582380820



5/294 Tithe Barn at Church Farm

GV II

Gatehouse range, converted to stable, C15, altered. Rubble stone with stone slate roof, coped west gable and stone octagonal spired cowl. Original range appears to comprise through arch and section to west. Through-arch has south side double-chamfer arch dying into imposts. Later raking buttress to right. Section to left has stepped buttress each side, stable door and window. Added range to right of arch has stable door and window and one upper window. North side has plain timber lintel to carriageway, stepped buttress and one very small chamfered light to right. West gable has small light at apex. Interior: roofs replaced and floors removed. One chamfered and bar-stopped beam against west wall. Seagry was a grange of Bradenstoke Priory in medieval times.

Listing NGR: ST9585480801

3.5 These assets are shown at Figure 2 below.



Figure 2: Map showing nearby listed buildings.

- 3.6 There is some degree of intervisibility between the application property and nearby designated heritage assets, albeit they are separated from the site by a carriageway, built form and established vegetation. Images depicting this are provided below.



Figure 3: Image of Tithe Barn and Church from application site.



Figure 4: View of Church from application site.

4. Planning History



- 4.1 **Ref. PL/2023/10825** - Prior approval given in 2024 for the change of use from 1 No. agricultural building to 1 No. residential dwelling (Class C3). The Block Plan and elevations approved pursuant to this development are set out below.

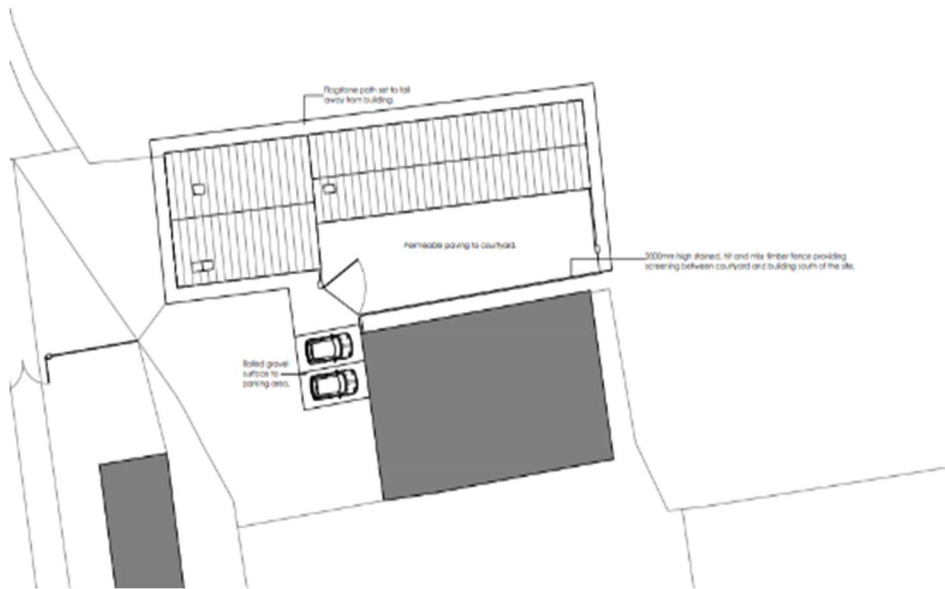


Figure 5: Proposed Block Plan approved pursuant to application Ref. PL/2023/10825.

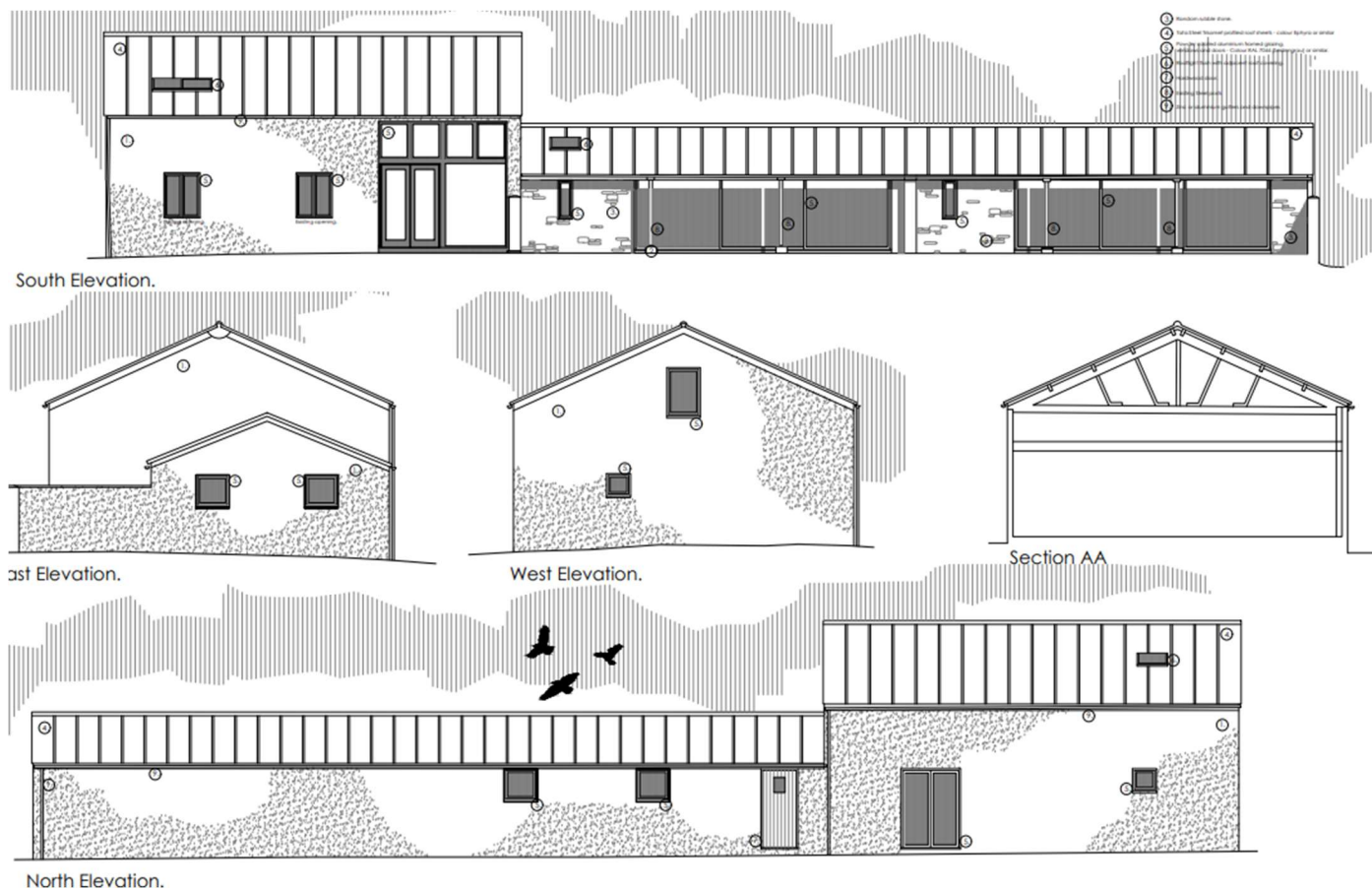


Figure 6: Proposed elevations approved pursuant to application Ref. PL/2023/10825.



Figure 7: Estate agent images of current site.

4.2 Other planning history includes:

- **PL/2023/06516** - Prior notification of a change of use from 1 No. agricultural building to 1 No. residential dwelling (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) to include operational development – Refused.
- **PL/2022/05837** - Erection of entrance gates and associated railings – Approved with Conditions.
- **13/04632/FUL** - Installation of 16 Solar Panels on Farm Shed - Approved with Conditions.

5. Proposed Development

- 5.1 This application is simple in that it seeks permission for the conversion of a Class Q (Ref. PL/2023/10825) into a full permission for a single self-build dwelling. The layout and design of the proposal would be almost identical to that approved. Elevations would be constructed of stone coloured render, powder coated aluminium glazing and random rubble stone. The roof would be constructed of steel profiled roof sheets (Tata Steel or Catnic roof).
- 5.2 The key differences are set out below. These simply could not be advanced under the provisions of the Permitted Development regulations:
- The addition of two small rooflights in the roofscape;
 - The construction of a small battery storage element;
 - The construction of a small flue; and
 - The inclusion of a modest garden area (10m in depth) in line with the Council's standards. This is as the prior approval development would not afford such a feature.

6. Planning Policy, Legal and Guidance Context

- 6.1 In accordance with the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004, this application should be considered against the provisions of the adopted Development Plan, unless material considerations indicate otherwise.
- 6.2 In this instance, the development plan comprises the 2015 Wiltshire Core Strategy (including policies saved from former District Council Local Plans as shown at Appendix D to the Core Strategy)



(CS), the 2017 Chippenham Site Allocations Plan, the 2020 Wiltshire Housing Site Allocations Plan and documents associated with minerals and waste (including the Minerals Core Strategy, Waste Core Strategy, Minerals Development Control Policies and Waste Development Control Policies).

- 6.3 Other material planning policy considerations include the National Planning Policy Framework 2024 (henceforth referred to as 'the Framework' or the NPPF) and Planning Practice Guidance (PPG). In addition, the Council is preparing an emerging plan. Wiltshire Council submitted the Wiltshire Local Plan to the Secretary of State for Housing Communities and Local Government for independent examination on 28 November 2024. However, this plan has not been subject to a full series of comprehensive hearings and policies could still be subject to change and objection. Consequently, only limited weight can be given to the LPR at this time, in line with paragraph 48 of the Framework. For the purposes of this assessment, the Council's adopted development plan must be used.
- 6.4 Key policies, national guidance and law relevant to the proposed development at this site are set out below.

Wiltshire Core Strategy

- 6.5 **Core Policy 1: Settlement Strategy** – This policy identifies the settlements where sustainable development will take place. Development is directed to Principal Settlements, Market Towns, Local Service Centres and Large and Small Villages.
- 6.6 **Core Policy 2: Delivery Strategy** – This policy outlines the considerable overall housing need for the local authority area (42,000 homes). Outside of defined limits of development, development will not be permitted other than in circumstances as permitted by this plan.
- 6.7 **Core Policy 10: Chippenham Community Area** – Approximately 580 homes will be provided in the rest of the Community Area over the plan period.
- 6.8 **Core Policy 45: Meeting Wiltshire's Housing Needs** – New housing should address local housing need incorporating a range of different types, tenures and sizes of homes to create balanced communities.
- 6.9 **Core Policy 48: Supporting Rural Life** – Outside of defined limits of development of settlements, proposals for residential development will be supported where these meet the accommodation



needs required to enable workers to live at or in the immediate vicinity of their place of work in the interests of agriculture or forestry or other employment essential to the countryside.

- 6.10 **Core Policy 50: Biodiversity and Geodiversity** – Amongst other things, this policy seeks to ensure that developments protect features of nature conservation and geological value and avoid disturbance to species and habitats. Biodiversity enhancement is encouraged.
- 6.11 **Core Policy 51: Landscape** – This policy states that development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character. Amongst other things, this policy seeks to conserve landscape features of historic and heritage value and ensure developments do not harm important views and visual amenity. It also gives great weight to the conservation and enhancement of the landscape and scenic beauty within the AONB (now known as a National Landscape).
- 6.12 **Core Policy 57: Ensuring High Quality Design and Place Shaping** – Amongst other things, this policy seeks to ensure that proposals are sympathetic to historic buildings and that they have regard to the amenities of existing occupants and the compatibility with adjoining buildings and uses.
- 6.13 **Core Policy 58: Ensuring the Conservation of the Historic Environment** - This policy states that development should protect, conserve and where possible enhance the historic environment in a manner appropriate to its significance.
- 6.14 **Core Policy 60: Sustainable Transport** – Amongst other things, this policy seeks to reduce the reliance on travel by private car and supports and encourages sustainable transport modes.
- 6.15 **Core Policy 61: Transport and Development** – New Development should be located and designed to reduce the need to travel, particularly by private car. Sustainable transport alternatives are encouraged.

National Planning Policy Framework

Approach to Sustainable Development

- 6.16 **Paragraph 7** of the Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development.



6.17 **Paragraph 8** states that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

6.18 **Paragraph 9** states that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

6.19 **Paragraph 10** states that, so that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development. This is then detailed at **Paragraph 11**.

6.20 **Paragraph 39** makes it clear that decision-makers at every level should seek to approve applications for sustainable development where possible.

Design

6.21 **Paragraph 131** states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.



6.22 **Paragraph 135** seeks to ensure that developments add to the overall quality of the area.

6.23 **Paragraph 139** states that development that is not well designed should be refused.

Living Conditions

6.24 **Paragraph 135** seeks to secure a high standard of amenity for existing and future users.

Biodiversity

6.25 **Paragraph 187** seeks, amongst other things, to improve biodiversity in and around developments and secure measurable net gains for biodiversity.

Highway Safety

6.26 **Paragraph 115** seeks to ensure that safe and suitable access to the site can be achieved for all users.

6.27 **Paragraph 116** states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Historic Environment

6.28 **Paragraph 207** of the Framework requires an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

6.29 **Paragraph 212** of the Framework states that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).

6.30 **Paragraph 215** states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.



Housing

- 6.31 The Framework shows a clear Government intention to significantly boost the supply of housing. **Paragraph 61** states that it is important that sufficient amount and variety of land can come forward where it is needed and that the needs of groups with specific housing requirements are addressed.
- 6.32 **Paragraph 73** states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area.
- 6.33 **Paragraph 135** seeks to ensure that developments optimise the potential of sites and function well.

Legal Context – Heritage

- 6.34 Established caselaw¹ contains important findings which have direct implications for developments concerning conservation areas and listed buildings. The Court emphasised the need for decision makers to apply the intended protection for heritage assets as specified under s66(1) of the relevant 1990 Act and the parallel duty under s72(1) of that Act. These are as follows:

“Section 66(1) – “In considering whether to grant planning permission [or permission in principle] for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

“Section 72(1) – “In the exercise, with respect to any buildings or other land in a conservation area, of any [functions under or by virtue of] any of the provisions mentioned in subsection (2)3, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”

- 6.35 In essence, the decision maker has a statutory duty to give ‘considerable importance and weight’ to the desirability of preserving the setting of listed buildings and preserving or enhancing the character or appearance of a conservation area when carrying out a ‘balancing exercise’ in planning decisions.

¹ *Barnwell Manor Wind Energy Ltd v East Northants DC, English Heritage, National Trust and SSCLG (2014) EWCA Civ 137.*



Additional Guidance – Heritage

6.36 Further guidance is provided in the Government's Planning Practice Guidance chapter on 'Historic Environment'. This includes guidance on plan making, decision taking, designated and non-designated heritage assets, heritage consent processes and consultation requirements. The following link is relevant:

<https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment>

6.37 Advice is also available from Historic England using the following link:

<https://historicengland.org.uk/about/what-we-do/historic-englands-role/>

6.38 Weight can be attached to its advice accordingly, although that advice is not part of the Government's guidance. Current Historic England guidance includes:

- Historic Environment Good Practice Advice in Planning: Note 1 – The Historic Environment in Local Plans.
- Historic Environment Good Practice Advice in Planning: Note 2 – Managing Significance in Decision-Taking in the Historic Environment.
- Historic Environment Good Practice Advice in Planning: Note 3 - The Setting of Heritage Assets.
- Historic Environment Good Practice Advice in Planning: Note 4 – Enabling Development and Heritage Assets.
- Seeing the History in the View.
- Understanding Place - Historic Area Assessments: Principles and Practice.
- Historic England's Heritage Planning Case Database.

Harm

6.39 In *Shimbles v City of Bradford MBC [2018] EWHC 195 (Admin)*, it was concluded that when determining planning applications, LPAs were not obliged to place harm that would be caused to the significance of a heritage asset, or its setting, somewhere on a "spectrum" in order to come to a conclusion. Rather, the only requirement was to differentiate between "substantial" and "less than substantial" harm for the purposes of undertaking the weighted balancing exercise. However, even



if the level of harm to an asset or its setting would only be minor, this should still be attributed considerable importance and weight.

- 6.40 Further advice about assessing if there is substantial harm can be found in the Planning Practice Guidance which, amongst other things, states that:

“Whether a proposal causes substantial harm will be a judgement for the decisionmaker, having regard to the circumstances of the case and the policy in the National Planning Policy Framework. In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset’s significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.”

- 6.41 The presumption in favour of sustainable development contained in paragraph 11 d) of the Framework is considerably altered from that of the previous version and states that:

“Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed.

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

- 6.42 Where paragraph 11 d) of the Framework applies: the exercise at the Framework paragraph 215 and paragraph 11 d) i. should therefore be undertaken where harm to heritage assets mentioned in Footnote 7 is identified, including less than substantial harm.

- 6.43 If the Council carries out the balancing exercise in the Framework paragraph 215 and concludes that there is harm, but then concludes that that harm is outweighed by identified public benefits, then the Framework paragraph 208 should no longer be taken to indicate that development should be restricted and the weighted balance in Framework paragraph 11 d) ii. should then be undertaken.



6.44 In *City & County Bramshill Limited v SSHCLG & Others* [2021] EWCA Civ 320, 9 March 2021, the Court confirmed that there is no requirement to undertake a “net” or “internal” balance of heritage-related benefits and harm as a self-contained exercise preceding a wider assessment as required under the Framework. The Courts have not prescribed any single approach, but have highlighted the need to follow the approach in the Framework, which should fulfil the legal duty.

7. Planning Assessment

7.1 It is considered that the main planning issues associated with this proposal are:

- 1) Whether or not this is a suitable location for housing, with particular regard to local and national planning policy; and
- 2) The effect of the proposal on the historic environment.

1) Suitable Site

Policy Context

7.2 Core Policy 2 of the Core Strategy (CS) outlines the considerable housing need (42,000 units) within the local authority area over the plan period. It states that housing development will not be permitted other than in accordance with the objectives of the CS. Core Policy 1 of the CS identifies the settlements where sustainable development will take place. Development is directed to Principal Settlements, Market Towns, Local Service Centres and Large and Small Villages. Outside of defined limits of development, development will not be permitted other than in circumstances as permitted by the plan. To support this strategy, Core Policies 60 and 61 of the CS seek to reduce the reliance on private vehicles and promote sustainable transport modes.

7.3 Taking everything together, the main objectives of the strategy shown by the above policies are to promote housing to meet identified needs and to restrict isolated and remote housing developments in open countryside locations. This objective is to ensure that the character of the countryside is preserved and to provide future residents with suitable homes and convenient access to services and facilities so that they support the vitality and viability of communities and minimise environmental harm resulting from travel.

Discussion



Principle of Residential Use

- 7.4 It is acknowledged that the proposal would be within the countryside, rather than a settlement. However, the principle of residential development has already been established through the prior approval given under application Ref. PL/2023/10825. There would be no net increase in units at the site. On the contrary, this development would simply supersede the prior approval, making it impossible to implement both developments simultaneously.
- 7.5 On this basis alone, it would be most unreasonable for the Council to object to the principle of residential development at this site. While there would be some conflict with the spatial strategy of the development plan, this would be entirely outweighed by the material consideration formed by the extant prior approval.
- 7.6 In making this assertion, the applicant is also mindful that paragraph 89 of the Framework states that decisions should recognise that sites to meet local community needs in rural areas may have to be found adjacent to or beyond existing settlements. The development, close to built form, cannot be seen to be isolated for the purposes of paragraph 84 of the Framework².
- 7.7 Furthermore, while there would be travel to and from the site via private vehicle, it must also be acknowledged that no rural settlement can be expected to have the full panoply of services required for day-to-day living. Indeed, the importance of the interconnectivity of villages with other settlements to provide the suite of requisite services is recognised at paragraph 83 of the Framework. This indicates that the Government acknowledges that travel between areas by car is sometimes necessary. Moreover, the Framework, at paragraph 110, is clear that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. For the development plan's strategy of supporting the vitality of rural settlements to succeed, housing must be permitted here regardless of its direct connectivity to facilities. This is particularly so in the context of an extant development for a residential property.

General Housing Need

² With particular regard to case law *Braintree DC v SSCLG (2018) EWCA Civ 610; (2018)* and *City & Country Bramshill Limited and SOSHCLG (2019) EWHC 3437 (Admin)*.



- 7.8 The Government's new Local Housing Needs Figures significantly increase the Council's housing need. On this basis, the Council cannot currently demonstrate a deliverable five year supply of housing land. This was confirmed recently by the Planning Inspectorate, who concluded that the Council can only demonstrate a 2.42 years supply of deliverable housing land.
- 7.9 Consequently, paragraph 11 of the Framework is engaged by virtue of footnote 7 to this paragraph. This states that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. This balance, therefore, is not a 'traditional' balance. Instead, there is a considerable weighted layer in favour of this scheme known as the 'tilted' balance. Furthermore, housing policies are considered out-of-date. This alone reduces the weight that can be afforded to conflict with them.
- 7.10 The Council's significant housing shortfall has also been confirmed in a number of recent housing applications that have been determined. These are as follows:
- PL/2025/0321 - 2 year housing supply.
 - PL/2025/03261 - 2 year housing supply.
 - PL/2025/03813 – 4 new units granted outside of any defined settlement boundary due to no housing land supply.
 - PL/2025/02712 – Outside of settlement dwelling – allowed on tilted balance due to no housing land supply.
 - PL/2025/03261 – Allowed unit acknowledging 2 year land supply.
- 7.11 The Council's land supply has been consistently failing to deliver requisite housing in recent years. This was only not the case during the period in which Councils could demonstrate a 4 year supply rather than 5. In 2022, the supply was 4.4 years. In 2024 it was 4.6 years. Now, it is 2 years. This is a chronic, persistent, housing shortfall that renders the Council's most important housing policies out-of-date.
- 7.12 Furthermore, the Government's new method for determining housing need has resulted in the national annual housing target increasing to 370,000 units. Previous Governments have frequently fallen short of their housebuilding targets, however. In 2023, the delivery total was around 230,000



houses. Figure 4 below shows that the number of new homes completed has fallen to its lowest level since 2016.

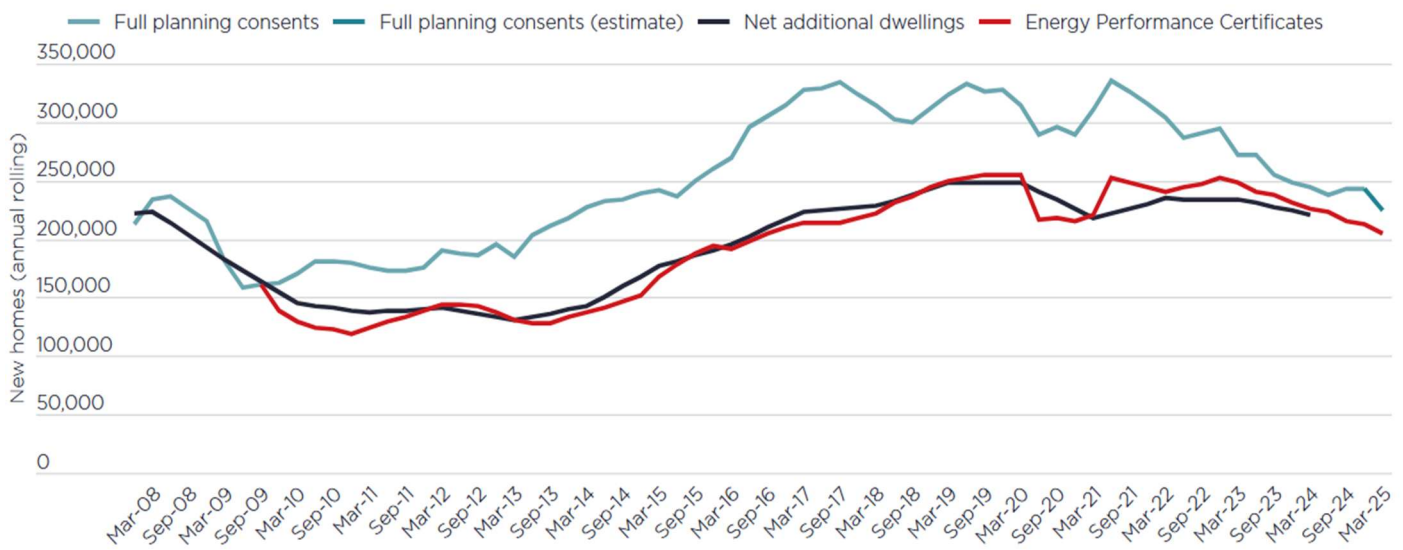


Figure 4: Graph showing new homes completions falling to lowest levels since 2016 (Source: MHCLG Live Tables 122, NB1, HBF, Glenigan (only 10+ units))

- 7.13 There is a significant national housing shortfall that alone demonstrates an unmet need and adds weight in favour of the provision of housing at this site.
- 7.14 Lastly, the proposed unit would be a self-build project. Both self-build and custom-build units are viewed as a potential additional source of housing supply by Government and have been expressly encouraged therefore (see below). Regardless of the Council’s housing land supply position, self-build units are seen by the Government as a new stream of housing not necessarily part of an existing body of consents.
- 7.15 The Self-build and Custom Housebuilding Act 2015 (as amended), introduced a new mechanism to the Town and Country Planning system involving a duty being placed upon LPAs to keep a register of persons who wish to undertake such projects and then imposes a “duty to grant planning permission” for serviced plots to facilitate such development in order to seek to meet the demand for it evidenced by the register that the LPA is mandated to keep and which needs to be updated annually. This Act was amended by The Housing and Planning Act 2016, such that from 1st April 2016, LPAs are required to:
- (i) Keep a Self-Build and Custom-Build Register (s.1);
 - (ii) Grant sufficient planning permissions for serviced plots in order to meet the registered demand for self-build and custom-build homes set out on their Register (s.2A); and

(iii) Have regard to the register when carrying out functions relating to planning (s.2).

7.16 Additionally, the Framework requires Local Planning Authorities to address the need for all types of housing. Paragraph 63 states:

“...the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, ... people wishing to commission or build their own homes).”

7.17 The scheme would provide a self-build project, for which the Government places significant emphasis on the need to deliver. The LPA are also required to provide the latest details of how the LPA are meeting their obligations to Self-Builders. The Council has a need of **136 plots** to meet total register demand and a need of **136 plots** to meet the aforementioned legal duty. It is failing in terms of provision in both aspects. It follows that the proposed self-build unit would meet identified local needs and, given a shortfall exists for high demand self-build plots, this should weigh significantly in its favour.

Supporting the Local Economy

7.18 The Framework places significant emphasis on the need to build a strong competitive economy, with paragraph 85 attributing significant weight to the need to support economic growth and productivity.

7.19 Indeed, the former coalition Government stated shortly after the Framework was launched that “its number one priority is to get the economy moving again” (Ministerial statement 6th Sept 2012). This strategic ambition remains the case once more 12 years later, in a post-EU Exit and COVID economic environment. As a barometer of the wider economic outlook, the Governor of the Bank of England, Andrew Bailey, announced at a Bank of England Monetary Policy Report Press Conference held on 4 August 2022, that GDP growth in the UK has slowed. Rachel Reeves, in a press release dated 28 January 2025, also stated that more is needed to go ‘further and faster’ to kickstart the economy. GDP growth in the UK has slowed and the economy is now in recession. Supporting it is now more important than ever.

7.20 Development is universally regarded as being a driver to growth and prosperity at the micro and macro level as well as serving a social role and allowing better movement of labour. The July 2020 White Paper carries the above sentiments forward and states that “Millions of jobs depend on the construction sector and in every economic recovery, it has played a crucial role.” In addition, the



Royal Institute of Chartered Surveyors have recently highlighted that for every £1 spend on construction a further £2.84 is generated across the wider economy (Build Back Better May 2020, University of Birmingham Paper).

- 7.21 There would be clear short and medium term economic benefits associated with this development both at local and regional levels. This is through factors such as the creation of a wide variety of jobs and apprenticeships associated with construction and increased local expenditure to support local services and those further afield.
- 7.22 As such, this scheme would support nearby services and would maintain the vitality of the community. These social and economic benefits should be afforded significant weight. This is particularly so given the Framework's objectives of enhancing or maintaining the vitality of communities (paragraph 83).

Local Need

- 7.23 The Strategic Housing and Employment Land Availability Assessment 2017 shows that there is a pressing need for three-bedroomed housing within the housing market area (HMA), and indeed neighbouring HMAs.
- 7.24 In addition, further work has been undertaken with regard to housing need (of all sizes) that supports the emerging LPR. This includes The Swindon and Wiltshire Joint Spatial Framework Issues Paper 2017 (SWIP). This shows that the Strategic Housing Market Availability Assessment (SHMA) indicates that Swindon Borough and Wiltshire should plan for a need for 3,650 new homes per year between 2016 and 2036. The current Local Plans, looking to 2026, plan for a combined requirement for 3,567 homes. The overall rate of growth anticipated in the SHMA is broadly unchanged. The SWIP also suggests that land to accommodate a further 27,000 new homes would be needed to meet the scale of needs suggested in the SHMA. In summary, the overall total is 73,000 dwellings for the period 2016-2036 to meet need as identified in the SHMA. Again, this is significant need.
- 7.25 Housing need for each HMA is also broken down in the SWIP. This is as follows: Swindon HMA: 29,000 dwellings (of which approximately 22,500 homes have been built or committed); Chippenham HMA: 22,250 dwellings (of which approximately 9,000 homes have been built or committed); Salisbury HMA: 8,250 dwellings (of which approximately 8,000 homes have been built or committed); Trowbridge HMA: 13,500 dwellings (of which approximately 6,500 homes have been built or committed).



7.26 Overall, there is a considerable housing target across the relevant HMAs, with a significant number of outstanding houses required across them. Importantly, not only is there a need for all types of housing, but there is specifically a need for 3-bedroomed properties across the Swindon and Wiltshire HMAs. The proposal would make a small, but nonetheless valuable, contribution in this regard and would meet a recognised local need.

7.27 In addition, it should again be noted that the Council has a housing land supply shortfall. The application of its housing policies is therefore failing to deliver requisite homes. Instead, it has inflated housing need. This reinforces the assertion that there is considerable local need for new homes in this HMA.

Overall Conclusion – Suitable Site

7.28 Taking everything together, there is an existing and extant permission for a residential unit at this site. The principle of residential development is therefore settled.

7.29 Furthermore, the scheme would support the vitality of local communities and would meet local and national housing need, including for 3-bedroomed, self-build, dwellings.

7.30 It follows that the site is a suitable location for residential development. The scheme is in accordance with the overarching objectives of Core Policies 1, 2, 10, 60 and 61 of the CS.

7.31 Moreover, even if there was conflict with the Council's settlement strategy, simply by virtue of falling within the countryside, this would only be academic in nature. Additionally:

- There is an extant permission for a residential unit that would be replaced by this scheme.
- The Council's housing strategy is failing to provide requisite homes as it can only evidence a 2 year supply of deliverable housing land.
- Housing policies are restrictive and are out-of-date.
- The Framework and local policy assert that sites to meet local community needs in rural areas may have to be found adjacent to or beyond existing settlements.

7.32 For all of these reasons, technical conflict with the Council's spatial strategy, simply by virtue of the site being in the countryside, should carry only limited weight against this proposal.



2) Historic Environment

- 7.33 The application site is located within the setting of nearby listed building, the significance of which is mainly derived from historic architectural composition and interesting internal features. In the case of the church, features within the churchyard, some of which are listed in their own right, contribute in this regard. The setting is rural, albeit influenced by the presence of the pocket of development in which the application property falls. The correct baseline for this proposal must also include the context of the residential development approved at the site.
- 7.34 Development given prior approval at the site was assessed by the Council in relation to its effect on the character of the area, including the setting of designated heritage assets. It was concluded that:
- “Having reviewed the Assessment and proposed plans, it is considered that the proposed conversion is sensitive to the character of the agricultural building and the setting of heritage assets...”*
- 7.35 This proposal is identical to that previously approved in terms of size. The footprint of the building would not be notably increased and its height would remain the same. The scale of development would not compete inappropriately with nearby designated heritage assets and would not draw the eye away from them.
- 7.36 The urbanisation would be almost identical to the previous approval. However, a small garden is now proposed. This would not be excessive in size and would not markedly increase the amount of residential paraphernalia at the site. It is entirely reasonable to expect a dwelling like that approved to benefit from external amenity space. Indeed, as discussed below, the approved unit currently fails the Council’s standards in this regard. This particular additional element of the scheme would not materially increase the urbanisation of the site compared to the scheme given prior approval and would raise living standards at the site.
- 7.37 Two additional rooflights are proposed, together with a small flue. These would be discretely positioned and would not increase the visual clutter on the roofscape and elevations. These changes would not give the building an unduly domestic appearance. It would be almost identical to that approved. Overall, the fenestration arrangement, including an additional French door to the rear to provide access to the garden, would not materially change the design of the scheme compared to that approved. There would also be no material change in terms of light spill compared to the approved dwelling.



Overall Conclusion – Character and Appearance

- 7.38 Taking all of the above into account, the proposal would not materially alter the design, bulk or mass of the scheme compared to the approved unit. The small garden, required to meet the Council's own standards, would not notably increase the urbanisation at the site compared to that approved. It follows that this proposal would not alter the setting of nearby listed buildings, which would be preserved.
- 7.39 For these reasons, the proposal would not harm the character and appearance of the area. This is in accordance with Core Policies 51, 57 and 58 of the CS.

Other Material Considerations

Living Conditions

- 7.40 The new dwelling would not increase the scale of the development given prior approval. It would not appear visually intrusive or oppressive from within nearby properties or their private gardens and would therefore not cause harm to living conditions in terms of outlook and access to daylight. The new unit would also be designed and positioned so that there would be no direct, close distance, views of neighbouring properties, preserving privacy.
- 7.41 Further, the small scale of the proposed development would only result in a minimal number of vehicular movements to and from the site. Such movements would not result in appreciable levels of noise and disturbance and would not be materially increased compared to the approved scheme.
- 7.42 Taking all of the above into account, the proposal would preserve the living conditions of the occupants of surrounding properties in terms of outlook, access to daylight, privacy and noise and disturbance. This is in accordance with Core Policy 57 of the CS.
- 7.43 Turning to living conditions for future occupants, the proposed unit would provide internal floor space to meet standards within the Technical housing standards – nationally described space standards. As such, it would not be unduly cramped internally.
- 7.44 The property would also offer a suitable garden area that would not be unacceptably shaded. This is a notable betterment compared to the approved development which did not offer such an external area. This garden would be 10m in depth, striking a balance between the provision of a garden for residents in line with Council standards and minimising further urbanisation. Sufficient



distance would remain between the dwelling and surrounding buildings to ensure that it would not be overlooked or visually oppressed. External areas would also be below the WHO guideline criterion for the onset of moderate noise annoyance. Overall, the proposed dwelling would provide high standards of accommodation for future occupants, in line with paragraph 135 of the Framework.

Flood Risk

- 7.45 The site falls entirely within Flood Zone 1 where there is a low probability of flooding. Furthermore, the limited proposal would not increase the footprint of built form at the site and there is no evidence of surface water collection. Consequently, the proposal would not be unduly susceptible to flood events and would not increase the likelihood of such events off-site. A Flood Risk Assessment that supported previous approvals at the site confirms this.

Highway Safety and Parking

- 7.46 The site is considered to be of sufficient size to accommodate requisite off-street parking spaces at the proposed unit. In terms of highway safety, there would be no effects in this regard that differ from the previous approval. The local highway authority raised no objection previously and it would not be reasonable to do so now. It is therefore considered that the scheme would not prejudice vehicular or pedestrian safety, in line with the requirements of Core Policies 60 and 61 of the CS.

Biodiversity

- 7.47 The proposal would not affect any protected species or any nationally, internationally or locally designated wildlife site. A Preliminary Ecological Appraisal and Roost Assessment (PEA) supports the application. This confirms that there is no evidence of bats and that built form has negligible potential to support this species. No nesting birds were noted.
- 7.48 As a self-build unit, the scheme would be except from formal biodiversity net gain (BNG). That said, the applicant would accept a condition requiring the proposal to result in at least 10% biodiversity net gains. This could be achieved by , amongst other things, the introduction of; bat boxes within nearby trees, bat bricks/tubes within the dwelling, bird nest boxes within nearby trees, bee bricks, sparrow terraces and hedgerow creation and management. This would be in line with the provisions of paragraph 185 of the Framework and the requirements of the Environment Act. It weighs in favour of this scheme.



- 7.49 Overall, the proposal would accord with Core Policy 50 of the CS insofar as it seeks to protect features of nature conservation, avoid disturbance to species and habitats and enhance biodiversity.

Other Social Benefits

- 7.50 There are other social benefits associated with providing new housing of differing types and sizes that are commonly overlooked. These include providing homes for the children of existing residents so that they are not pushed further away from established family groups or childhood networks, providing local homes so that these children can care for elderly relatives and providing options to buyers who are looking to avoid the currently uncertain rental market. These factors also add weight in favour of this proposal.

8. Planning Balance and Conclusion

- 8.1 The Council cannot sufficiently evidence a five year supply of deliverable housing land. Consequently, paragraph 11 of the Framework is engaged by virtue of footnote 7 to this paragraph. This states that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. This balance, therefore, is not a 'traditional' balance. Instead, there is a considerable weighted layer in favour of this scheme known as the 'tilted' balance.
- 8.2 The Government is seeking to significantly boost the supply of housing. This proposal would provide an additional dwelling of a type for which there is a recognised need (3-bedroomed, self-build, unit). This would be on a small site (for which the Framework specifically supports development at paragraphs 73 and 89) that could be delivered now. The proposed unit would also provide economic benefits through construction and occupation and would support the retention and growth of local services and facilities. The social and economic benefits identified in this assessment cumulatively attract significant weight.
- 8.3 The principle of development has been established by virtue of the recent prior approval. The scheme would make minimal changes compared to the approved scheme and would have no further effect on the rural setting of nearby designated heritage assets.
- 8.4 Overall, there would be no harmful impacts that would significantly or demonstrably outweigh the benefits of the development. This scheme would therefore accord with the provisions of the



Framework when read as a whole and the weighted presumption in favour of sustainable development remains applicable.

- 8.5 The proposal should therefore be approved without delay as it is in accordance with the development plan as a whole and there are no other considerations which outweigh this finding.

Overall Conclusion

- 8.6 It is concluded that the proposal would represent sustainable development for which the Framework advocates a presumption in favour, noting the near identical fall-back position.
- 8.7 It is therefore respectfully requested that permission be granted.

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Appendices

Appendix 1: Images of the Application Building



