

Development Management, Economic Development and Planning,
County Hall, Bythesea Road, Trowbridge, BA14 8JN
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Application for Planning Permission

Town and Country Planning Act 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number	
Suffix	
Property Name	2 Pear Tree Cottages
Address Line 1	The Street
Address Line 2	
Address Line 3	Wiltshire
Town/city	Crudwell
Postcode	SN16 9ES

Description of site location must be completed if postcode is not known:

Easting (x)	Northing (y)
395178	192460
Description	

Applicant Details

Name/Company

Title

Mr

First name

William Russell

Surname

Cook

Company Name

Address

Address line 1

2 Pear Tree Cottage

Address line 2

Crudwell

Address line 3

Town/City

MALMESBURY

County

Country

United Kingdom

Postcode

SN16 9ES

Are you an agent acting on behalf of the applicant?

- ☐ Yes
- ☒ No

Contact Details

Primary number

***** REDACTED *****

Secondary number

***** REDACTED *****

Fax number

Email address

***** REDACTED *****

Site Area

What is the measurement of the site area? (numeric characters only).

960.00

Unit

Sq. metres

Description of the Proposal

Please note in regard to:

- **Fire Statements** - From 1 August 2021, planning applications for buildings of over 18 metres (or 7 stories) tall containing more than one dwelling will require a 'Fire Statement' for the application to be considered valid. There are some exemptions. [View government planning guidance on fire statements](#) or [access the fire statement template and guidance](#).
- **Permission In Principle** - If you are applying for Technical Details Consent on a site that has been granted Permission In Principle, please include the relevant details in the description below.
- **Public Service Infrastructure** - From 1 August 2021, applications for certain public service infrastructure developments will be eligible for faster determination timeframes. See help for further details or [view government planning guidance on determination periods](#).

Description

Please describe details of the proposed development or works including any change of use

Retrospective change of use of approximately 13m² of land within the red line boundary to allow the continued siting and use of a small oak-clad shepherd’s hut for residential accommodation by family and friends and for short-term holiday letting.

Prior to the construction and siting of the shepherd’s hut in October 2021, we sought advice from Wiltshire Council regarding the need for planning permission with Perry Lawson on the 09th June 2021. Perry kindly advised that planning permission was not required, as the hut fell within the definition of a caravan under the relevant legislation.

On this basis, the hut was installed and brought into use. The shepherd’s hut has since been a wonderful addition to our home, used by family and friends and for short-term letting over a period of approximately four years. Whilst it is our understanding the hut was operational for 4 years, we have chosen to submit a retrospective planning application rather than pursue a Lawful Development Certificate (LDC) in order to take a transparent approach to regularising the use of the shepherd’s hut. While the hut has been in situ and in use for a number of years, we recognise that the current use includes short-term visitor accommodation, which does not fall within Use Class C3 and therefore does not benefit from the four-year immunity period.

Although advice was previously sought from the Council prior to construction and it was understood at that time that planning permission was not required, the subsequent commercial success of the short-term letting use was not anticipated. In light of this, we consider that a full planning application is the most appropriate and robust mechanism to assess the proposal on its planning merits and to ensure the continued use of the shepherd’s hut is properly within Wiltshire Councils approval.

The short-term visitors staying at the shepherd’s hut make hugely positive contribution to the local rural economy. Guests regularly use nearby facilities including the local public houses, The Potting Shed, The Wheatsheaf and Sassa's Kitchen at Pettifers and our local farm shop, as well as other local services and businesses during their stay. We believe the development is ideally situated to work within the the policies of the adopted Wiltshire Core Strategy (2015), the Crudwell Neighbourhood Plan, and the National Planning Policy Framework (NPPF, December 2024). These establish a presumption in favour of sustainable development, requiring that proposals in rural areas support the vitality of local communities while safeguarding the character and appearance of the countryside. The NPPF also provides support for rural tourism and diversification where proposals are appropriately scaled and designed, and where they respect local character and landscape. Our Shepherd's Hut is of traditional construction and overlooks a lambing field.

Has the work or change of use already started?

- ☒ Yes
- ☐ No

If yes, please state the date when the work or change of use started (date must be pre-application submission)

21/10/2021

Has the work or change of use been completed?

- ☐ Yes
- ☒ No

Existing Use

Please describe the current use of the site

The applicant property extends to approximately 960m2 and is arranged with roughly 50% of the land comprising the driveway and front access area, and the remaining 50% forming a private rear garden. The site is enclosed and well screened by mature boundary planting, including Ash, Maple, Leylandii and Eucalyptus trees.

The Shepherd's Hut is positioned within the red line boundary on the driveway, approximately 18 metres from the public highway. Only the rear elevation of the hut is partially visible through the site entrance, and it is not considered to be visible from any neighbouring residential properties.

The hut overlooks an adjacent lambing field and is screened from the highway by established Leylandii, eucalyptus and maple trees. Open agricultural fields lie to the remaining elevations, and the hut is not visible from any public rights of way within the adjoining land.

The hut occupies a very modest physical footprint, measuring approximately 6 metres in length by 2.4 metres in width, resulting in minimal visual impact. Its scale and appearance are appropriate to the rural context and are consistent with the agricultural and open character of the surrounding area.

The property is served by a private septic tank system and does not rely on the public sewerage network. Water is supplied from the main dwelling's metered domestic supply.

The hut is elevated 350mm above the ground, supported on cast iron wheels with the axels supported on railway sleepers.

There has been no requirement for additional waste removal with the fortnightly Council collections being ample to serve our family and visitors.

Is the site currently vacant?

- ☐ Yes
☒ No

Does the proposal involve any of the following? If Yes, you will need to submit an appropriate contamination assessment with your application.

Land which is known to be contaminated

- ☐ Yes
☒ No

Land where contamination is suspected for all or part of the site

- ☐ Yes
☒ No

A proposed use that would be particularly vulnerable to the presence of contamination

- ☐ Yes
☒ No

Materials

Does the proposed development require any materials to be used externally?

- ☒ Yes
☐ No

Please provide a description of existing and proposed materials and finishes to be used externally (including type, colour and name for each material)

Type:

Walls

Existing materials and finishes:

Proposed materials and finishes:

The walls of the shepherd hut externally were clad with green oak which has aged in the 4 years of construction and is settled amongst trees.

Type:

Roof

Existing materials and finishes:

Proposed materials and finishes:

The roof is a black agricultural tin corrugated roof sheet

Type:

Windows

Existing materials and finishes:

Proposed materials and finishes:

The windows and doors are painted Sapele timber in a heritage green colour.

Are you supplying additional information on submitted plans, drawings or a design and access statement?

☒ Yes

☐ No

If Yes, please state references for the plans, drawings and/or design and access statement

We attach a site plan with the hut situation, elevations and a floor plan.

Pedestrian and Vehicle Access, Roads and Rights of Way

Is a new or altered vehicular access proposed to or from the public highway?

☐ Yes

☒ No

Is a new or altered pedestrian access proposed to or from the public highway?

☐ Yes

☒ No

Are there any new public roads to be provided within the site?

☐ Yes

☒ No

Are there any new public rights of way to be provided within or adjacent to the site?

☐ Yes

☒ No

Do the proposals require any diversions/extinguishments and/or creation of rights of way?

☐ Yes

☒ No

Vehicle Parking

Does the site have any existing vehicle/cycle parking spaces or will the proposed development add/remove any parking spaces?

☒ Yes

☐ No

Please provide information on the existing and proposed number of on-site parking spaces

Vehicle Type:

Cars

Existing number of spaces:

5

Total proposed (including spaces retained):

5

Difference in spaces:

0

Trees and Hedges

Are there trees or hedges on the proposed development site?

☒ Yes

☐ No

And/or: Are there trees or hedges on land adjacent to the proposed development site that could influence the development or might be important as part of the local landscape character?

☐ Yes

☒ No

You may need to provide a full tree survey, at the discretion of the local planning authority. If a tree survey is required, this and the accompanying plan should be submitted alongside the application.

The local planning authority should make clear on its website what the survey should contain, in accordance with the current 'BS5837: Trees in relation to design, demolition and construction - Recommendations'.

Assessment of Flood Risk

Is the site within an area at risk of flooding? (Check the location on the Government's [Flood map for planning](#). You should also refer to national [standing advice](#) and your local planning authority requirements for information as necessary.)

☒ Yes

☐ No

Is your proposal within 20 metres of a watercourse (e.g. river, stream or beck)?

☐ Yes

☒ No

Will the proposal increase the flood risk elsewhere?

☐ Yes

☒ No

How will surface water be disposed of?

☐ Sustainable drainage system

☒ Existing water course

☐ Soakaway

☐ Main sewer

☐ Pond/lake

Biodiversity and Geological Conservation

Is there a reasonable likelihood of the following being affected adversely or conserved and enhanced within the application site, or on land adjacent to or near the application site?

To assist in answering this question correctly, please refer to the help text which provides guidance on determining if any important biodiversity or geological conservation features may be present or nearby; and whether they are likely to be affected by the proposals.

a) Protected and priority species

☐ Yes, on the development site

☐ Yes, on land adjacent to or near the proposed development

☒ No

b) Designated sites, important habitats or other biodiversity features

☐ Yes, on the development site

☐ Yes, on land adjacent to or near the proposed development

☒ No

c) Features of geological conservation importance

☐ Yes, on the development site

☐ Yes, on land adjacent to or near the proposed development

☒ No

Supporting information requirements

Where a development proposal is likely to affect features of biodiversity or geological conservation interest, you will need to submit, with the application, sufficient information and assessments to allow the local planning authority to determine the proposal.

Failure to submit all information required will result in your application being deemed invalid. It will not be considered valid until all information required by the local planning authority has been submitted.

Your local planning authority will be able to advise on the content of any assessments that may be required.

Biodiversity net gain

Biodiversity net gain is a legal requirement for planning permission introduced on 12 February 2024. All applications are required to either provide detailed information proving there will be a biodiversity increase; or explain why the requirement does not apply to the development.

Do you believe that, if the development is granted permission, the general Biodiversity Gain Condition (as set out in [Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 \(as amended\)](#)) would apply?

☐ Yes

☒ No

Biodiversity net gain has been introduced as a general condition for planning permission. As set out in [The Environment Act 2021](#): "grants of planning permission in England [are] to be subject to a condition to secure that the biodiversity gain objective is met". Therefore, in England, all planning permissions are generally subject to biodiversity gain rules, unless they are specifically exempt or out of scope.

If you have stated that the biodiversity net gain requirement does not apply to your application you must provide the reason(s) why, and may also need to supply evidence (especially where you believe the application is eligible for the 'de minimis' exemption).

Please add all the reasons why biodiversity net gain does not apply and enter a justification for each one

Reason biodiversity net gain does not apply:

Retrospective planning permission

Please justify the reason why biodiversity net gain does not apply:

This is a retrospective planning request and also a very small development (13m2)

Note: Please read the help text for further information why developments may be exempt or not in scope.

Foul Sewage

Please state how foul sewage is to be disposed of:

- ☐ Mains sewer
- ☒ Septic tank
- ☐ Package treatment plant
- ☐ Cess pit
- ☐ Other
- ☐ Unknown

Are you proposing to connect to the existing drainage system?

- ☐ Yes
- ☒ No
- ☐ Unknown

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste?

- ☒ Yes
- ☐ No

If Yes, please provide details:

The hut produces very little waste. We have not required any additional bins in the 4 years of use. We have just used our fortnightly bin collection.

The hut has a water but to collect rainwater to use on our vegetable patch.

Have arrangements been made for the separate storage and collection of recyclable waste?

- ☒ Yes
- ☐ No

If Yes, please provide details:

In line with Wiltshire Council provision, we separate glass, plastic and general waste.

Trade Effluent

Does the proposal involve the need to dispose of trade effluents or trade waste?

☐ Yes

☒ No

Residential/Dwelling Units

Does your proposal include the gain, loss or change of use of residential units?

☐ Yes

☒ No

All Types of Development: Non-Residential Floorspace

Does your proposal involve the loss, gain or change of use of non-residential floorspace?

Note that 'non-residential' in this context covers all uses except Use Class C3 Dwellinghouses.

☐ Yes

☒ No

Employment

Are there any existing employees on the site or will the proposed development increase or decrease the number of employees?

☐ Yes

☒ No

Hours of Opening

Are Hours of Opening relevant to this proposal?

☐ Yes

☒ No

Industrial or Commercial Processes and Machinery

Does this proposal involve the carrying out of industrial or commercial activities and processes?

☐ Yes

☒ No

Is the proposal for a waste management development?

☐ Yes

☒ No

Hazardous Substances

Does the proposal involve the use or storage of Hazardous Substances?

- ☐ Yes
☒ No

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- ☒ Yes
☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- ☐ The agent
☒ The applicant
☐ Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- ☒ Yes
☐ No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title

***** REDACTED *****

First Name

***** REDACTED *****

Surname

***** REDACTED *****

Reference

ENF/2025/00569

Date (must be pre-application submission)

29/09/2025

Details of the pre-application advice received

We received a letter dated 25 July, although this was not received by us until late September. We believe this delay was due to the letter having been delivered to an incorrect address, which has unfortunately occurred on a number of occasions with our post. The letter advised that a complaint had been made regarding the shepherd's hut not having planning permission. Upon receipt, we made contact with John Langdown by telephone and email to understand the nature of the concern and to clarify the appropriate next steps.

We explained that prior to constructing the shepherd's hut, contact was made in June 2021 with Perry Lawson of Wiltshire Council, through our architect Hook Mason (reference PL/2021/04321), to confirm whether planning permission was required. At that time, we were advised that under the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, it was not necessary to apply for planning permission, as the shepherd's hut would fall under permitted development. On this basis, the hut was subsequently constructed and brought into use.

We have engaged with Rackham Planning to consult on the requirements we need to make to fulfil the planning obligations and decided that a retrospective planning application would be the best route forward.

Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

- (a) a member of staff**
- (b) an elected member**
- (c) related to a member of staff**
- (d) related to an elected member**

It is an important principle of decision-making that the process is open and transparent.

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

- ☐ Yes
- ☒ No

Ownership Certificates and Agricultural Land Declaration

Certificates under Article 14 - Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

Please answer the following questions to determine which Certificate of Ownership you need to complete: A, B, C or D.

Is the applicant the sole owner of all the land to which this application relates; and has the applicant been the sole owner for more than 21 days?

- ☒ Yes
- ☐ No

Is any of the land to which the application relates part of an Agricultural Holding?

- ☐ Yes
- ☒ No

Certificate Of Ownership - Certificate A

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner* of any part of the land or building to which the application relates, and that none of the land to which the application relates is, or is part of, an agricultural holding**

* "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.

** "agricultural holding" has the meaning given by reference to the definition of “agricultural tenant” in section 65(8) of the Act.

NOTE: You should sign Certificate B, C or D, as appropriate, if you are the sole owner of the land or building to which the application relates but the land is, or is part of, an agricultural holding.

Person Role

- ☒ The Applicant
☐ The Agent

Title

Mr

First Name

William Russell

Surname

Cook

Declaration Date

04/12/2025

☒ Declaration made

Declaration

I/We hereby apply for Full planning permission as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.

I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☒ I / We agree to the outlined declaration

Signed

William Russell Cook

Date

19/01/2026