

APPLICATION FOR PLANNING PERMISSION DELEGATED REPORT

APPLICATION REFERENCE:	PL/2025/09094
APPLICATION TYPE:	Full planning permission
SITE ADDRESS:	Lock Farm, Foxham, Chippenham, SN15 4NL
DEVELOPMENT DESCRIPTION:	Full planning application (retrospective) for equestrian arena at Lock Farm, Foxham, Wiltshire, SN15 4NL.
RECOMMENDATION:	That Planning Permission be GRANTED

PROPOSAL

The proposal seeks retrospective planning permission for the extension of an existing equestrian menage (riding arena) at Lock Farm, Foxham, Chippenham.

According to the supporting statement submitted with the application, the original riding menage was constructed around 1993 and measured approximately 60 metres by 31 metres. No planning permission was granted for that development.

This application seeks to regularise both the original menage including mirrors at one end, as well as a recent extension measuring approximately 10 metres in width and 60m in length, which was added to the menage circa 2024/2025. The development therefore comprises the retention of the established facility together with the approval of the extension. The menage currently measures circa 60m x 40m.

The submission confirms that the arena will be used for the applicants personal use as well as their eventing business.

SITE DESCRIPTION/CONTEXT

The proposed application is located at Lock Farm. Lock Farmhouse is a Grade II Listed dwelling and is described by Historic England as follows:

*BREMHILL THE LOCK, Foxham ST 97 NE 5/53 Lock Farmhouse II Farmhouse, early C19, red brick with ashlar dressings, extended to left in ashlar. Stone slate roof and end stacks. Two storeys, three window range of 16-pane sashes in plain slightly raised surrounds. Centre door in raised moulded surround with hood on brackets. Left bay is ashlar, centre and right red brick with flush quoins at right end. Single storey outbuilding attached to right end. House adjoins a former Lock of the disused Wilts and Berks Canal.
Listing NGR: ST9819177345*

The application is not located within any conservation, landscape or ecological designations.

The application site is subject to the following planning policy constraints:

- Infiltration Consultation Areas - Medium Risk of Foul Sewer Inundation
- Infiltration Consultation Areas - High Risk of Foul Sewer Inundation
- Wessex Water
- Wessex
- Canal River Trust Planning Buffer
- Risk of Flooding from Surface Water (RoFSW) with Climate Change - Medium
- Risk of Flooding from Surface Water (RoFSW) with Climate Change - High
- Risk of Flooding from Surface Water (RoFSW) with Climate Change - Low
- Risk of Flooding from Surface Water (RoFSW) - Medium
- Risk of Flooding from Surface Water (RoFSW) - Medium
- Risk of Flooding from Surface Water (RoFSW) - Low
- Risk of Flooding from Surface Water (RoFSW) - High
- Risk of Flooding from Surface Water (RoFSW) - Low
- Risk of Flooding from Surface Water (RoFSW) at 0.3m depth - High
- Risk of Flooding from Surface Water (RoFSW) at 0.3m depth - Very low
- Risk of Flooding from Surface Water (RoFSW) at 0.3m depth - Low
- Risk of Flooding from Surface Water (RoFSW) with Climate Change at 0.3m depth - Low
- Risk of Flooding from Surface Water (RoFSW) with Climate Change at 0.3m depth - Medium
- Risk of Flooding from Surface Water (RoFSW) with Climate Change at 0.3m depth - High
- Risk of Flooding from Surface Water (RoFSW) with Climate Change at 0.3m depth - Very low
- Risk of Flooding from Surface Water (RoFSW) with Climate Change at 0.9m depth - Very low
- Risk of Flooding from Surface Water (RoFSW) at 0.6m depth - Very low
- Risk of Flooding from Surface Water (RoFSW) at 1.2m depth - Very low
- Risk of Flooding from Surface Water (RoFSW) at 0.9m depth - Very low
- Risk of Flooding from Surface Water (RoFSW) at 0.2m depth - Low
- Risk of Flooding from Surface Water (RoFSW) at 0.2m depth - High
- Risk of Flooding from Surface Water (RoFSW) at 0.2m depth - Very low
- Risk of Flooding from Surface Water (RoFSW) with Climate Change at 0.2m depth - Medium
- Risk of Flooding from Surface Water (RoFSW) with Climate Change at 0.2m depth - Low
- Risk of Flooding from Surface Water (RoFSW) with Climate Change at 0.2m depth - High
- Risk of Flooding from Surface Water (RoFSW) with Climate Change at 0.2m depth - Very low
- Risk of Flooding from Surface Water (RoFSW) with Climate Change at 0.6m depth - Very low
- Risk of Flooding from Surface Water (RoFSW) with Climate Change at 1.2m depth - Very low

- SFRA 2024 Appendix G Groundwater Emergence - No risk - This zone is deemed as having a negligible risk from groundwater flooding due to the nature of the local geological deposits.
- SFRA 2024 Appendix I Sewer Flood Incidents Number of Flood Incidents: 2
- WESSEX WATER - Water Utilities Supply
- WESSEX WATER - Water Utilities Waste

PLANNING HISTORY

Proposal / Summary
PL/2024/09434 - Certificate of lawfulness in respect of a caravan (Mobile Home 3) – Refuse
PL/2024/09432 - Certificate of lawfulness in respect of a caravan (Mobile Home 2) – Refuse
PL/2024/09431 - Certificate of lawfulness in respect of a caravan (Mobile Home 1) – Refuse
N/94/00038/FUL - Full planning permission Decision - Approved Date: 5/5/1994 – CHANGE OF USE OF COW BYRE TO ADDITIONAL RESIDENTIAL ACCOMMODATION/ERECTION OF AGRICULTURAL BUILDING ALTS & USE COW BYRE AS ACCOM
N/96/02358/LBC - Listed building consent Decision - Unknown Date: 29/1/1997 – MINOR AMENDMENTS TO APPROVED PLANS N/94/0039/LB MINOR AMENDMENTS
N/94/00039/LBC - Listed building consent Decision - Approved Date: 4/5/1994 – REFURBISHMENT AND EXTENSION TO FARMHOUSE AND CHANGE OF USE OF COW BYRE TO ADDITIONAL ACCOMMODATION/DEMOLITION OF OUTBUILDINGS ALTERATIONS/DEMOLISH OUTBLDGS

RELEVANT POLICIES AND GUIDANCE

Wiltshire Core Strategy:

- Core Policy 34: Additional Employment Land
- Core Policy 51: Landscape
- Core Policy 57 Ensuring High Quality Design and Place Shaping

Bremhill Parish Neighbourhood Plan:

Wiltshire Design Guide:

- Appendix D – Design Guidance for Householder extensions

The National Planning Policy Framework (NPPF)

The Planning Practice Guidance

CONSULTATION RESPONSES

Bremhill Council: Support:

'Ward Councillors have reviewed this application and are happy to support it.'

Wiltshire Council Highways Engineer: No objection:

'refer to the above planning application to which no highway objection is raised'

REPRESENTATIONS

One letter of objection has been received. Main issues raised:

- *'Erection of a row of mirrors along on edge of it, which causes a horrendous sun flare towards all the houses at the top of Foxham Lock'*
- *'extended the riding school (menage) to a very substantial size encroaching even more towards the joint boundaries with four houses in Foxham Lock.'*
- *'None of the residents of Foxham Lock were consulted prior to this work'*
- *'No stop was put on the work and it continued to a finished state several weeks later'*

ASSESSMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:

"If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise."

In accordance with this statutory requirement, this application has been assessed against the relevant policies of the Development Plan, including the adopted Wiltshire Core Strategy (2015) and, where applicable, any made Neighbourhood Plans.

Principle

Wiltshire Core Strategy Policies CP1 (Settlement Strategy) and CP2 (Delivery Strategy) set out the spatial strategy for sustainable development across Wiltshire. These policies direct new development to the most sustainable locations, primarily within the limits of development of market towns, local service centres, and large villages. Proposals outside these limits are generally only supported in exceptional circumstances.

The proposal is for the retention of an equestrian menage, used in association with the applicants equestrian eventing business operated from Lock Farm. Core Policy 34 of the Wiltshire Core Strategy sets out the circumstances in which rural economic development can be supported, CP34 supports rural development where proposals meet sustainable development objectives, are of an appropriate scale for their countryside location, safeguard residential amenity, and are justified by local economic or social need.

In this instance, it is considered that the development represents an appropriate form of rural diversification supported by the adequate infrastructure at Lock Farm and the principle of development is supported, providing those proposals are compliant with the requirements of relevant policies within the development plan.

Design and Impact upon the character and context of the area

Core Policy 57 - Ensuring High Quality Design and Place Shaping of the Wiltshire Core Strategy seeks to ensure that all new development is of high design quality, reflecting local context, character, and distinctiveness. Lock Farm Is Located Within the Designated Neighbourhood Plan Area for Bremhill, due consideration shall be given to the Bremhill Parish Neighbourhood Plan - Made February 2018.

Lock Farm is located to the east of Foxham, accessed from This application seeks to regularise the existing menage, as no record of formal planning permission for its original construction can be identified. In addition, it seeks retrospective approval for a recent extension measuring approximately 10 metres in width and 60 metres in length, which was added to the facility in or around 2024/2025. The proposal therefore comprises both the retention of the menage as constructed circa 1993 and the authorisation of the more recent enlargement.

The proposed riding arena is of a standard and functional design, measuring in totality approximately 60 metres by 40 metres. Its layout and form reflect the typical characteristics of equestrian arenas commonly found within rural settings. The construction incorporates materials and surfacing that are routinely used for developments of this nature, ensuring the appearance remains in keeping with the countryside context. Although the arena is enclosed broadly with timber post-and-rail fencing, the use of sleepers and low-profile kickboards provides a subtle and unobtrusive boundary treatment to the edges of the arena, helping to minimise visual bulk and maintain a lightweight, rural character. Overall, the design is modest, utilitarian and consistent with established equestrian practice, resulting in a development that sits comfortably within its surroundings.

Therefore, it is deemed that overall, the proposed menage would have an acceptable relationship with the existing dwelling and buildings on site. The design is proportionate to the proposed use and existing built form in terms of scale, bulk, height, layout, design and materials used and is considered acceptable and compliant with CP57 of the Wiltshire Core Strategy and the Bremhill Parish Neighbourhood Plan.

Amenity

Point vii of Core Policy 57 - Ensuring High Quality Design and Place Shaping of the Wiltshire Core Strategy seeks to ensure that developments do not adversely affect neighbouring properties. The National Planning Policy Framework (NPPF), particularly Paragraph 135(f), stresses that planning decisions should ensure developments provide a high standard of amenity for existing and future users.

The proposed development has been assessed in terms of its potential impact on the residential amenity of neighbouring properties, with particular regard to loss of light, overshadowing, loss of privacy, and overbearing effects.

Given the positioning of the arena to the rear of the site, it is concluded that the proposal would be unlikely to result in any adverse impact on the amenities currently enjoyed by nearby dwellings. The nearest residential properties are located at sufficient distances from the application site: Lock Cottage 6 Foxham Lock lies approximately 54 metres to the northwest, 2 Foxham Lock Foxham is situated circa 71 metres to the north, and Wharf Cottage is positioned approximately 103 metres to the south. These separation distances, combined with the intervening landscape and existing boundary features, ensure that the development would not give rise to unacceptable levels of overlooking, overshadowing, or loss of privacy.

The proposed equestrian ménage is of an acceptable scale, and its intended design and use is such that it would not result in any unacceptable adverse impacts on neighbouring properties. In particular, the development would not give rise to loss of light, an overbearing presence, or any unacceptable reduction in residential amenity for nearby occupiers.

The submitted Design and Access Statement, together with the accompanying site photographs, confirms that training mirrors have been positioned along the southeastern boundary of the arena. The photographic evidence also demonstrates that these mirrors are orientated westwards, resulting in their reflective surfaces facing towards nearby residential properties situated approximately 113 metres to the west at the nearest point.

It is acknowledged that mirrors can, under certain conditions, generate seasonal glare when exposed to direct sunlight. However, any such occurrences are expected to be limited. The likelihood and intensity of glare are influenced by a combination of factors, including the sun's position throughout the year, prevailing weather conditions, and the precise angle of the reflective surface. Given the south-easterly orientation of the mirrors and the established solar path, direct alignment between the sun, the reflective surface and neighbouring properties would be limited to short windows of the day and only during certain seasons when the sun is at a particular altitude. Outside of those narrow periods, the position of the sun or cloud cover is likely to diffuse or prevent any unacceptable durations of reflection towards the residential properties sited to the west. Even during optimal alignment, any glare that might be produced would be of a relatively brief duration due to the continuous movement of the sun.

Taking these variables into account, it is considered that any potential glare effects would be for a relatively minimal duration, infrequent and therefore unlikely to result in any unacceptable level of impact on neighbouring amenity. Whilst the objections of the neighbour are entirely understood, given the separation distance of approximately 113m to the nearest neighbour, the natural screening within and surrounding the site, and the limited periods during which

glare is likely to arise, it is considered that the mirrors would not result to unacceptable impacts to the amenity and living conditions of surrounding residential occupiers.

Sole use for the horses on site will not generate a level of noise and disturbance that would be considered detrimental to the occupants adjoining the site to the north, south or west. The plans do not indicate that any external lighting is proposed/currently installed, however the installation of lighting will be restricted by way of a condition.

Planning permission is not sought for any external lighting. However, given the potential for such features to cause unacceptable impacts upon amenity and living conditions, it is considered necessary to make use of a planning condition which restricts its future installation unless agreed through a separate planning permission.

The proposal therefore accords with Core Policy 57 point vii in respect of safeguarding residential amenity and Appendix D of the Wiltshire Design Guide.

Heritage

From the point of view of the historic environment the main statutory tests are set out within the Planning (Listed Building and Conservation Areas) Act 1990. Section 66 requires that special regard be given to the desirability of preserving listed buildings, their settings or any features of special architectural or historic interest which they possess. Section 72(1) of the Act requires the Council to pay special attention to the desirability of preserving or enhancing the character or appearance of designated Conservation Areas.

The Council's Core Strategy Policy CP58: Ensuring the conservation of the historic environment - requires that designated and non-designated heritage assets and their settings will be conserved, and where appropriate enhanced, in a manner appropriate to their significance and encourages proposals which improve the condition of heritage assets at risk.

The Council's Core Strategy CP57: Ensuring high quality design requires a high quality of design in all new developments. The policy requires applicants to "demonstrate how the proposal will make a positive contribution to the character of Wiltshire through (amongst other things) responding to the value of the natural and historic environment and being sympathetic to and conserving historic buildings and landscapes. Development is required to respond positively to the existing 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 NPPF outlines government policy for planning. Chapter 16 of the NPPF 'Conserving and enhancing the historic environment' sets out the Government's high-level policies concerning heritage and sustainable development.

The proposal, by virtue of its scale, design, and use of materials, is considered to preserve the character and appearance of the setting of the listed buildings in accordance with relevant heritage legislation and local planning policy. Albeit a sizable addition, the development has been constructed in a functional character typically associated with rural equestrian infrastructure.

The application does not seek consent for works to a listed asset itself. Instead, it seeks retrospective planning permission for the construction of an equestrian riding arena originally installed in 1993 and subsequently extended around 2024/25. The arena is positioned to the north of the listed farmhouse, at a separation distance of approximately 53 metres. This spatial relationship ensures that the principal elevation, immediate curtilage and core historic setting of the listed building remain largely unaffected.

Between the farmhouse and the arena lie a collection of agricultural and equestrian buildings, which serve as a visual and physical buffer. These structures, along with the general farm layout limits direct intervisibility between the listed building and the arena. As a result, any views of the proposed development from the listed building or its associated land are incidental and experienced within the wider agricultural and equestrian context.

Given the separation distance, the intervening built form, and the relatively low-key nature of the arena, the development is assessed as having a neutral impact on the significance and setting of the listed building, with no harm being caused to the heritage assets. The development is therefore considered to comply with Core Policy 58 of the Wiltshire Core Strategy and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as the relevant provisions of the NPPF.

Highways

Core Policy 57 (xiv) of the Wiltshire Core Strategy seeks to ensure that development must meet the requirements of Core Policy 61. This policy requires proposals to be capable of being served by safe access to the highway network. Core Policy 64 seeks to ensure compliance with parking standards set out in the Local Transport Plan. The National Planning Policy Framework (NPPF), particularly Paragraph 115 and 116, requires that development proposals do not have an unacceptable impact on highway safety and that safe and suitable access to the site can be achieved for all users.

The covering letter of the application states that the extension to the menage would assist with the applicants current equestrian eventing business which is operated from the site. The highways engineer has been consulted and provides no objection. The proposed use of the development is limited to the use for the existing horses owned by the applicant on site for the current eventing business operated from the site. The ménage will be accessed through the existing farm access and no alterations to existing accesses are proposed. Whilst little information has been supplied by the applicant regarding traffic movements, given its limited scale, it is not considered that the proposal would significantly increase vehicular traffic movements and there is no reason or evidence to reach a different conclusion to that of the Council's Highway Engineer.

The proposed development would not result in an unacceptable impact on highway safety nor a severe residual cumulative impact on the road network. Adequate parking and turning provision are provided in accordance with Wiltshire's adopted parking standards, and access arrangements are not being altered. Accordingly, the proposal is therefore considered to comply with Core Policies 57 (xiv), 61 and 64 of the Wiltshire Core Strategy, the NPPF, and the Wiltshire Local Transport Plan.

Landscape

Core Policy 51 of the Wiltshire Core Strategy requires all development to protect, conserve, and where possible enhance the character and quality of Wiltshire's landscapes, giving particular weight to designated areas such as National Landscapes. Core Policy 57 requires a high standard of design in all new developments and that development respond positively to the existing landscape.

Permission is sought for the regularisation of an extension to an existing equestrian menage. The site is not within an area of special importance or interest such as an National Landscape or National Park and so the proposed change of use would not result in a loss of 'designated' open countryside. It is however still important to protect valued landscapes and to prevent the erosion of the landscaped setting of existing settlements.

The ménage is a levelled area of surfaced land suitable for horses to use for exercise and training purposes and has been constructed within a field already utilised by horses. Although the proposed extension has increased the overall size from 60m x 30m to 60m x 40m, the menage would be well-screened from the road by the topography of the site, established boundary treatments and existing built form to the north and west, with mature natural screening in the form of established trees and hedging to the west.

The level and degree of visual impact is limited in terms of distant views into the site. Although it could be glimpsed from the highway to the west, it is considered there is sufficient degree of screening which ensures that the ménage would not be so adversely harmful that it would warrant a refusal. The arena would be read in conjunction with existing equestrian and agricultural buildings on site and is a typical addition within this rural setting. The menage would not therefore constitute a prominent feature when viewed from the surrounding area, and it is considered to be in-keeping with the rural character of the locality. No external lighting is proposed or has been installed in this instance.

It is therefore considered that the use proposed would not be unacceptably visually prominent within the wider landscape nor would it have an adverse impact on the rural character of the area. It is therefore considered that the proposals comply with Core Policy 51 and Core Policy 57 of the WCS Development Plan and are considered acceptable.

Drainage

Core Policy 67 of the Wiltshire Core Strategy and paragraph 181 of the NPPF requires that all new development avoids increasing flood risk on-site or elsewhere and, where appropriate, incorporates sustainable drainage measures. Development must also comply with national policy on flood risk management and drainage design. Paragraph 176 (via footnote 62) of the NPPF states that householder development should not be subject to the sequential test, nor the exception test.

The site predominantly lies within Flood Zone 1 (FZ1), which is classified as having a low probability of fluvial flooding from rivers or the sea. This designation generally indicates that the risk of flooding from these sources is minimal. However, it is important to note that being

within Flood Zone 1 does not eliminate the potential for other forms of flooding, particularly surface water flooding. Surface water flooding can occur as a result of intense rainfall events, inadequate drainage infrastructure, or runoff from surrounding higher ground. These factors should be considered when assessing the overall flood risk for the proposed development.

The proposed surface of the ménage would be fully permeable. Submitted site sections demonstrate that the arena incorporates an appropriate drainage design comprising a 25mm all-weather surface and a 125mm riding surface laid over approximately 150mm of compacted stone. This is underlain by a geotextile layer, a non-woven membrane, and a 100mm drainage channel system. Together, these components ensure that surface water can infiltrate effectively and be drained adequately at a controlled rate.

Additional drainage channels have been installed beneath the arena to further assist with the dispersal of surface water. As a result of this permeable construction, it is considered that the proposed development would not lead to any significant increase in surface water run-off or elevate flood risk within the wider area.

On this basis, with development proposed solely in FZ1, the proposal aligns with Core Policy 67 of the Wiltshire Core Strategy and the relevant provisions of the NPPF.

Biodiversity Net Gain

Planning guidance states that while every grant of planning permission in England is deemed to have been granted subject to the biodiversity gain condition, commencement and transitional arrangements, as well as exemptions, mean that certain permissions are not subject to biodiversity net gain.

Biodiversity net gain has only been commenced for planning permissions granted in respect to an application made on or after 12 February 2024. Permissions granted for applications made before this date are not subject to biodiversity net gain.

Biodiversity net gain does not apply to retrospective planning permissions made under section 73A.

The application has been submitted retrospectively, seeking regularisation of the existing riding arena and its further extension. As the proposal is retrospective, it is understood to be exempt from mandatory Biodiversity Net Gain (BNG) requirements. However, the applicant is advised that it remains their responsibility to ensure that the development is lawfully exempt from BNG. An informative will be added to this effect.

Other matters

Concerns have been raised regarding a lack of consultation by the applicant with residents of Foxham Lock to the west of the application site, prior to the commencement of the works. While early engagement with neighbours is encouraged as good practice, there is no statutory requirement for an applicant to undertake such consultation before submitting a planning application.

In respect of the works having already been undertaken on site, it is acknowledged that all elements of the application appear to have been completed prior to the determination of this application. However, the planning system is required to assess the proposal on its planning merits irrespective of whether works have commenced. Carrying out development without planning permission is done at the applicant's own risk and does not influence the outcome of the assessment. Where works are judged to be acceptable, consent may be granted retrospectively; where they are unacceptable, appropriate enforcement action may be considered. In this case, the assessment has focused solely on whether the development is acceptable in planning terms.

The applicant has also referred, within their covering letter, to a potential fallback position relating to the menage having been in situ for over 10 ten years. Whilst fallback positions can sometimes form a material consideration, in this case the evidence for such amounts to mere assertion by the applicant (albeit with available aerial images available on proprietary internet sites appearing to perhaps support the position - with the menage being visible on aerial images from at least circa 1999). In any event, as the proposal has been fully assessed and found to be acceptable on its own merits, the fallback position is not determinative in this instance and is not given any significant weight in the determination of the application.

Overall, the retrospective nature of the application and the stated fallback position do not alter the planning assessment or the conclusions reached within this report.

CONCLUSION

The proposal is considered to be acceptable in terms of its design, scale, and relationship with the surrounding area. It would not result in any unacceptable harm to the character of the locality, the amenities of neighbouring occupiers, heritage and the interests of the wider landscape.

The proposal is therefore considered to comply with the relevant policies of the Wiltshire Core Strategy, the Wiltshire Local Plan, and the National Planning Policy Framework. As such, the application is recommended for approval, subject to the conditions set out below. No time limit condition is necessary due to the development having already being carried out.

RECOMMENDATION: That Planning Permission be GRANTED subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Design And Access Statement – Dated 13th November 2025 JH/Goss
Location Plan
Proposed Block Plan GG-JH-02
Section – Arena Plans GG-JH-101
Site Section Plans GG-JH-100

Received: 17.11.2025

REASON: For the avoidance of doubt and in the interests of proper planning.

- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those detailed on the application form and approved drawings.

REASON: In the interests of visual amenity and the character and appearance of the area.

- 4 No external lighting shall be erected or installed at the site unless otherwise agreed in the form of a separate planning permission in that regard.

REASON: In the interests of the amenities and living conditions of surrounding residential occupiers as well as to minimise the impacts of light spillage on the locality and landscape.