

Planning Registration Team, Wiltshire Council
Our reference: 26018.cb
10th March 2026

Dear Sir/ Madam

S.191B Town and County Planning Act

CLEUD Application: The Stone Barn, Pound Hall Farm, Studley, Calne SN11 9LN

Description: Existing use as a self-contained residential holiday-let unit

1.0 Introduction

PlanningSphere act for the freehold owners of the application site, Mr and Mrs Saint.

The enclosed Certificate of Existing Lawful Use application (CLEUD) is seeking formal confirmation from the Council that the application building (as defined by the red line on the Site Location Plan), has an existing lawfully established use as self-contained residential holiday-let unit pursuant to Section 171B and Section 191 of the Town and Country Planning Act 1990 (as amended).

The enclosed CLEUD application comprises the following:

- Application form: PlanningSphere
- Application fee: £588.00 plus £85.00 Planning Portal Administration Fee
- Site Location Plan: Applicant
- Existing Site Plan: Applicant
- Existing Floor Plans and Elevations: Applicant
- Planning Cover Letter: PlanningSphere
- Statutory Declaration and Appendices dated 10th March 2026: Mr ME Saint

2.0 Relevant Background Information

(i) Site Description

The application site comprises The Stone Barn and an associated amenity and parking area. The site lies within the ownership of Pound Hall Farm, Studley, which lies between Chippenham and Calne to the north of the A4.



Figure 1. Extract from Site Location Plan

The site layout comprises the Main House and two ancillary outbuildings that are used as short term holiday-lets: The Tiny Barn; and The Stone Barn.



Figure 2: Extract from The Existing Site Plan

The layout of the Stone Barn comprises: an open plan kitchen/diner/living area; bedroom; and a shower room / WC.

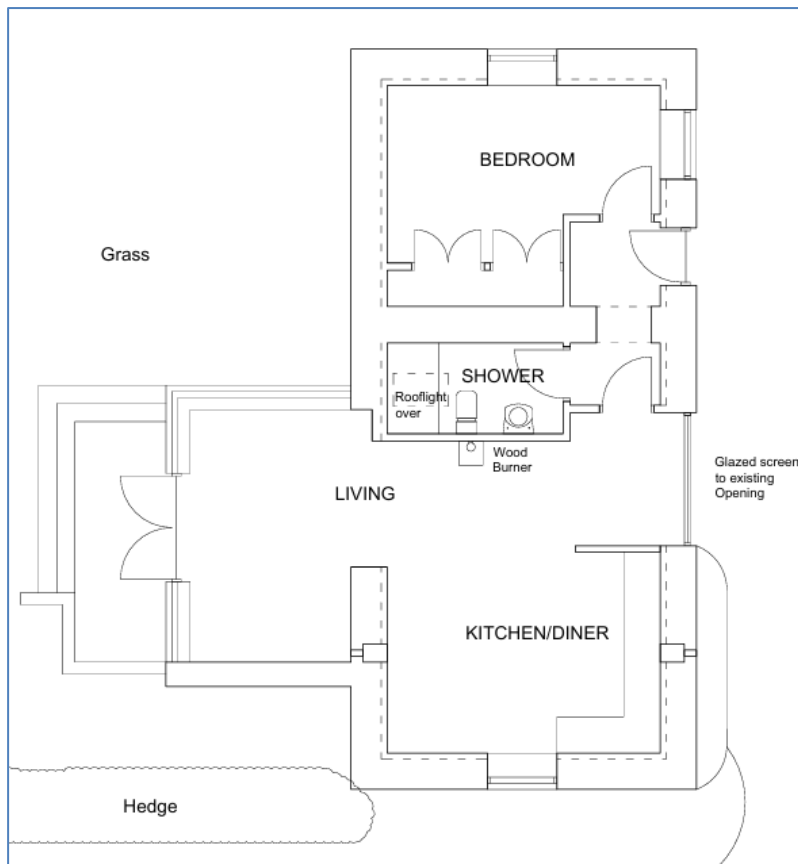


Figure 3: Extract from the Existing Floor Plans

(ii) Planning history

Recorded planning history relates to the following decisions:

Reference	Description	Decision
N/12/03242/FUL The Stone Barn	Alteration and extension to existing workshop/store to form Granny Annexe	Permitted 09.12.2021
N/12/03852/FUL Main House	Single Storey Front Extension and Alterations	Permitted 02.01.2013
N/13/01560/FUL The Tiny Barn	Demolition of existing annexe and construction of garage with ancillary accommodation	Permitted 23.07.201

Planning permission N/12/03242/FUL for the Stone Barn was lawfully implemented in early 2013.

Planning permission N/13/01560/FUL for The Tiny Barn has not been implemented and is now lapsed.

(ii) Development and Occupation History

The applicant acquired the freehold interest of Pound Hall Farm in October 2012.

From completion of the conversion works in April 2013, pursuant to N/12/03242/FUL, The Stone Barn was occupied as ancillary residential accommodation by the late Mrs DA Brown, the mother of Mrs N Saint, until her death in February 2021. During this period of residential occupation pursuant to planning permission N/12/03242/FUL, the Stone Barn was registered for Council Tax under Band A.

When the Stone Barn became vacant in February 2021, it underwent an internal refurbishment commencing in March 2021 to enable the property to be let as a short-stay holiday-let unit. The works were undertaken in good faith to bring a vacant outbuilding back into beneficial use. At the time the applicants were not aware that the proposal constituted a material change of use for which planning permission was required.

At that time, the applicants were already operating the adjacent outbuilding, The Tiny Barn, as a holiday rental. That unit was already listed for business rates. The applicants contacted Wiltshire Council regarding changing The Stone Barn from Council Tax to Business Rates and were advised to make an application to VOA. The VOA assessed the property's rateable value with an effective date of 13 July 2021, combining it with The Tiny Barn's existing listing – refer to the following link:

[Summary valuation - Valuation Office Agency - GOV.UK](#)

The first rental took place in July 2021 and has subsequently been continuously let on this basis through Airbnb – refer to the following link:

https://www.airbnb.co.uk/rooms/50839459?guests=1&adults=1&s=67&unique_share_id=1ad84426-8930-46d4-a5d6-4c8397c06183

The listing includes evidence of almost 250 guest reviews since July 2021. Whilst some guests are business travellers, most guests are leisure travellers. The guests are predominantly from the UK and the application property has a comparatively high occupancy rate.

3.0 Regularisation procedure and evidence

(i) Regularisation

It is indisputable that the 'existing use' has taken place on a continuous basis for a period in excess of 4 years hence it has been decided to regularise the 'existing use' of the application site through the submission of a lawful development certificate (CLEUD) application pursuant to s.191 B of the Town and Country Planning Act 1990, as amended.

Noting that the breach of control occurred prior to the 25th April 2024, the new 10-year rule that was introduced by section 115 of Levelling Up and Regeneration Act 2023, which amended section 171B of the Town Country Planning Act 1990, is not applicable to this case. The relevant immunity period for this application is 4-years.

(ii) Evidence

The primary evidence in support the enclosed CLEUD application takes the form of a statutory declaration from Mr M Saint dated 10th March 2026.

Appended to the signed statutory declaration are the following appendices:

- Appendix MS.1: Site Location Plan
- Appendix MS.2: Photosheet
- Appendix MS.3: Construction Evidence
- Appendix MS.4: Valuation Office Agency Rating Evidence
- Appendix MS.5: Airbnb Letting Logs Evidence

An internal site inspection can be arranged by prior appointment. If necessary, further corroborating evidence to substantiate the short-stay residential use can be provided upon request.

4.0 Planning Assessment

Guidance on lawful development certificates is set out in ID:17c in National Planning Policy Guidance. The relevant legal test for assessing the submitted evidence is on the 'balance of probability'.

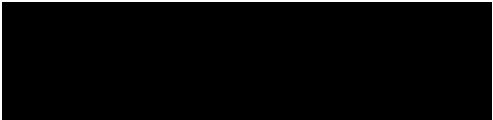
The LPA should determine the application on the basis that neither the identity of the applicant (except to the extent that they have confirmed the accuracy of the claim being made about the history of the established use) nor the merits of the use, are relevant to the consideration of the purely legal issues which are involved in determining a CLUED application.

5.0 Conclusion

We submit that sufficient and precise evidence has been submitted, which clearly demonstrates that the application property, The Stone Barn, has an established lawful use as a short-stay residential holiday-let, as outlined in red on the submitted Site Location Plan.

The Council is respectfully requested to grant a lawful development certificate on this basis.

Yours faithfully


Chris Beaver

Director

T 

E chris@planningsphere.co.uk