

APPLICATION FOR FULL-PLANNING PERMISSION CASE OFFICER REPORT

APPLICATION REFERENCE:	PL/2025/09280
APPLICATION TYPE:	Full planning permission
SITE ADDRESS:	Land to the rear of 11 Lydiard Green, Lydiard Millicent, SN5 3LP
DEVELOPMENT DESCRIPTION:	Change of use of land for keeping of sheep (which are not livestock) and the erection of a timber shed to provide a combined shelter/feed and bedding stores.
RECOMMENDATION:	Approve with Conditions

SITE DESCRIPTION/CONTEXT

The application site forms part of an open, agricultural field lying to the rear No 11 Lydiard Green. The site extends in a south-westerly direction with its north-western boundary formed by an existing tree belt and native hedgerow. The site measures approximately 58m long and 10m at its deepest. The land has already been segregated by way of a metal post and rail fence on three sides. No11 is a semi-detached dwelling and there is a further dwelling lying due west of the southern end of the site.

The site lies within the small hamlet known as Lydiard Green and to the west of the designated Small Village of Lydiard Millicent. The north-western boundary of the site forms the boundary of the Lydiard Green Conservation Area but there are no other heritage assets within the vicinity of the site. Within the tree belt to the north-west and broadly parallel with the site boundary lies the public right of way LMIL38.

PROPOSAL

The proposed development is for the change of use of the land for the keeping of sheep and the erection of a timber shed to provide for shelter and the storage of feed and bedding for the sheep.

As previously stated, the land has already been segregated from the main field by way of a metal post and rail fence with a field gate located at the southern end. The proposed shed would be located close the private amenity space of No11 and adjacent to the tree belt. This structure would measure approximately 5m by 3m with an overall ridge height of 2.4m. The southern end of the shed would have an open doorway and provide for animal shelter whilst the northern end would have one door and window and be utilized for the keeping of bedding and feed in association with the keeping of those sheep. In terms of materials, the shed would be constructed of horizontal timber cladding with a felt roof.

It is pertinent to note that the description of development was changed during the course of the proposal to accurately reflect the proposed use of the site.

PLANNING HISTORY

Proposal / Summary
ENF/2021/00777 - Alleged unauthorised change of use of land - LAND REAR OF 11 LYDIARD GREEN, LYDIARD MILLICENT, SWINDON, SN5 3LP –
ENF/2022/00373 - Alleged unauthorised extension of garden boundary on to Lydiard Green - 11 LYDIARD GREEN, LYDIARD MILLICENT, SWINDON, SN5 3LP –
PL/2023/01544 - Notification of proposed works to trees in a conservation area Decision - No Objection Date: 30/3/2023 – Ash tree - Remove & Grind Out Leylandii - Remove & Grind Out Horse Chestnut - Remove & Grind Out Lime - Remove & Grind Out Goat Willow - Pollard by 50% Goat Willow - Remove
ENQ/2024/00695 - Pre-Application enquiry Decision - Pre-App Response Date: 24/6/2024 – Change of use of land to garden and erection of storage shed
PL/2025/05332 - Full planning permission Decision - Refuse Date: 15/8/2025 – Proposed shed/storage for the use of feed/shelter for livestock on agricultural land.

The site history reveals that the site has been subject to similar preceding applications for the erection of a building on the land in association with livestock.

RELEVANT LEGISLATION, POLICIES AND GUIDANCE

Statutory Legislation:

National Planning Policy:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- National Design Guide

Development Plan:

The development plan for Wiltshire comprises the *Wiltshire Core Strategy (WCS)* (adopted January 2015) and any made neighbourhood plans, which remains the principal statutory planning document guiding development across the county. In line with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise.

Though the development plan is considered as a whole, those parts deemed to be particularly relevant to this application are listed below:

The adopted *Wiltshire Core Strategy (WCS)*, with particular regard to:

- Core Policy 1 Settlement Strategy;
- Core Policy 2 Delivery Strategy;
- Core Policy 3 Infrastructure Requirements;
- Core Policy 19 Spatial Strategy: Royal Wootton Bassett & Cricklade Community Area
- Core Policy 48 Supporting Rural Life
- Core Policy 50 Biodiversity and Geodiversity;
- Core Policy 51 Landscape
- Core Policy 57 Ensuring High Quality Design and Place Shaping;
- Core Policy 58 Ensuring the Conservation of the Historic Environment;

- Core Policy 60 Sustainable Transport;
- Core Policy 61 Transport & Development;
- Core Policy 64 Demand Management

North Wiltshire Local Plan Saved Policies

NE14 – Trees, site features and the control of new development

Draft Wiltshire Local Plan Policies

The examination of the emerging Wiltshire Local Plan has been paused and the weight to be afforded to any part of the emerging plan can be no more than very limited. A decision on how to proceed will be made by the Council in May 2026.

Neighbourhood Plan:

Lydiard Millicent Neighbourhood Plan. Made May 2021

- LM2 – Managing Design in Lydiard Green

Supplementary Planning Documents and other Guidance:

- Wiltshire Design Guide (adopted April 2024)
- Wiltshire Local Transport Plan 2011-2026, adopted 2015 - including the Car Parking Strategy and Cycling Strategy, adopted 2015

ISSUES

The main issues that need to be addressed in this case include:

- Whether the development is acceptable in principle (CP 1 and 2)
- Whether the scheme constitutes high quality design (CP 57)
- Whether the scheme would have an acceptable impact upon the reasonable living conditions of the adjoining occupants (CP 57)
- Whether the scheme would preserve or enhance the historic environment (CP 58)
- Whether the scheme would have an acceptable landscape impact (CP 51)
- Whether the proposal would have a negative effect upon highway safety, including if there is sufficient parking for the proposed development (CP 61 and 64)
- Whether there would be any harmful impacts upon protected species or priority habitats (CP 50)

CONSULTATION RESPONSES

Lydiard Millicent Parish Council: Comment.

Conditions should be considered restrict conversion to residential land or commercial use, limit the use to agriculture only and no development, work or activities to be carried out that would affect or prejudice the existing boundary hedge between the field and the village green.

WC Ecology: Comment - Condition for compliance with BNG baseline plan and BNG post development plan.

WC Arboriculture: No Objection – the shed will be constructed using a timber frame base with no excavation works required.

WC Conservation: Comment. Main issue appears to be potential to extend the domestic curtilage of No 11. With retention of boundary treatments and used solely for livestock purposes with no other uses or domestic storage there is no objection.

REPRESENTATIONS

In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), the application was publicised by way of:

- Neighbour notification letters sent to adjoining and nearby properties;
- A site notice displayed near the site;

These methods were used to inform interested parties and provide a period of 21 days for comments to be submitted.

Below is a summary of the representations received during the consultation period. Only material planning considerations have been taken into account in the assessment of this application. Non-material issues, such as property values or private legal disputes, cannot be considered in the determination process.

- objection to the revised application but have concerns as to how the materials to build said shed will be moved to site? The only access regularly mentioned is the pedestrian side access which doesn't appear to be feasible for the quantity and size of materials required.
- Also, as sheep only have a life expectancy of 10-12 years, is this a worthwhile endeavour or are there plans to make this an ongoing project for aging sheep?

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 Wiltshire Core Strategy (2015) and, where applicable, any made Neighbourhood Plans. Consideration has also been given to the policies of the National Planning Policy Framework (NPPF) as a material consideration in the assessment.

Principle of Development

The site lies outside of the limits of development with the nearest settlement of Lydiard Millicent being designated as a Small Village with no settlement boundary, and therefore in the countryside for planning purposes. In such locations, according to Core Policy 2 of the Wiltshire Core Strategy development will not normally be permitted other than in accordance with stated exception policies.

No planning permission is required for an agricultural use of this land. However, the current proposal is very specific in its Description of Development that it comprises the keeping of sheep that are not considered to be livestock it is therefore considered a specific and Sui Generis Use. Given that fact, and notwithstanding the wording of the Wiltshire Core Strategy, there is an acceptance that the keeping of such animals requires agricultural and is considered an acceptable use. Furthermore, it is often in need of support through buildings that play roles such as storage and to house processes that may be necessary to support agricultural use, such as housing livestock and other animals typical of agriculture. Accordingly, in principle the development is acceptable, subject to site specific considerations and site specific constraints.

Design and Impact on the Character and Appearance of the Area

Core Policy 57 of the WCS requires high-quality design that:

- Enhances local character.
- Responds to the natural, historic, and built environment.
- Retains important features (e.g., trees, hedges).
- Supports sustainable construction and compatibility with surrounding uses.
- Creates safe, legible, and accessible spaces.

Section 12 of the NPPF emphasises design that is:

- Visually attractive.
- Functionally effective.
- Contributes to the quality of the built environment.

The Wiltshire Design Guide encourages sensitivity to local character, materials, and architectural styles and supports modern living standards while maintaining aesthetic and functional quality.

The site is located outside of but directly adjoining the Lydiard Green Conservation Area which mainly covers the built form and residential properties within this small hamlet which comprises an eclectic mix of properties from small cottages to larger manor houses.

The building would not significantly affect the openness of the wider agricultural field and in terms of the proposed timber elevations, it is considered typical for a building of this nature in many countryside locations and views across the field from the wider area would be limited.

In comparison with the preceding application, the proposed use has been clearly stated within the Description of Development and within the supporting documentation. Whilst it is not considered that the number of animals falls within the category of agriculture or livestock, a small number of sheep on this land together with a modest storage shed is considered acceptable. A condition to reflect this use, the removal of any other uses and the very specific Description of Development would allow the Local Planning Authority, the ability to restrict the

use to the specified purpose. As concern with regard to future uses has been raised by the Parish Council, the Conservation Officer and other interested parties, it would also allow the Local Planning Authority the ability to further assess any subsequent change of use.

Impact on Heritage Assets

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 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 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. In particular:

Paragraph 208 requires LPAs should “avoid or minimise any conflict” between the heritage asset’s conservation (which includes achieving its optimum viable use) and any aspect of a proposal.

Paragraphs 212 requires “great weight” to be given to an asset’s conservation “irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”

Paragraph 213 advises that harm to the significance of a designated heritage asset should require “clear and convincing justification”.

Paragraphs 213-215(214-216) require a balanced approach with any harm which would be caused being weighed against the potential public benefits which might be achieved.

The Planning Practice Guidance provides guidance on interpreting the NPPF.

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 CP 57: 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 shed has been relocated closer to the residential property associated with the site and the Council’s Conservation Officer consulted. It is now considered that the proposed shed would have a neutral impact on the character and appearance of the Conservation. A condition to ensure that the development is undertaken and retained in the form proposed can be appended to any grant of permission.

Amenity

Core Policy 57 (Point vii) of the Wiltshire Core Strategy requires development to respect the amenity of existing occupants and ensure appropriate amenity levels for future residents.

The National Planning Policy Framework (NPPF), particularly Paragraph 135, reinforces the need for development to provide a high standard of amenity for both existing and future users.

The preceding application was considered unacceptable in terms of the keeping of livestock, the lack of detail and quantum of animals involved in relation to nearby properties. It was advised that it is for this very reason that permitted development rights in respect of agricultural buildings are restricted for buildings housing livestock within close proximity to dwellings. The current proposal would be limited to the keeping of a small number of sheep but not as livestock and occupied by the animals in the ownership of the directly adjacent dwelling only. As such the proposal is now considered acceptable. As previously advised, a condition for the reversion to agricultural land and the removal of the shed once the animals are no longer present is considered appropriate and necessary and to assist the very specific circumstances of this proposal.

Highways Impacts and Parking

Relevant policies include Core Policies 60–64 of the Wiltshire Core Strategy, supported by the Wiltshire Local Transport Plan, Car Parking Strategy, and Cycling Strategy. The Local Cycling and Walking Infrastructure Plan (LCWIP) and LTN 1/20 (DfT) provide further design guidance for active travel infrastructure.

As a site-specific use for the keeping of a small number of sheep, and the erection of one, small timber shed, it is considered that one-time access for construction materials in relation to the shed, ongoing feed and/or bedding requirements can be taken through the associated residential dwelling at No 11 Lydiard Green. Given the limited size of the site and building it is not considered that there is full justification for a reason for refusal on this element.

Ecology and Biodiversity

The ecological impact of development is a key planning consideration, especially for larger schemes. Proposals must assess and address potential effects on:

- Protected species
- Priority habitats
- Ecological networks
- Green and blue infrastructure

Core Policy 50 of the Wiltshire Core Strategy requires development to:

- Avoid harm to ecological assets.
- Deliver measurable Biodiversity Net Gain (BNG), in line with the Environment Act 2021.
- Support habitat restoration and connectivity.
- Integrate biodiversity into site design.

Unless exempt, National policy requires a minimum of 10% Biodiversity Net Gain (BNG) for major developments, demonstrated via:

- Biodiversity Metric calculations
- Ecological assessments (e.g. PEAs, Phase 1 surveys, protected species surveys)

The Council's Ecology Team were consulted on this proposal and there is no objection to the proposal subject to conditions that the development is carried out and retained in accordance with the proposed site plan, the BNG Baseline Plan and the BNG Post Development Plan.

The site does fall within the outer zone of influence of the North Meadows Special Area of Conservation. However, as there would be no increase in the quantum of habitable accommodation it is not considered that there are any additional requirements in relation to this constraint.

As the western boundary of the site contains many mature, native trees, the Council's Arboricultural Officer as also consulted. Given the new location of the proposed shed, its timber base, which would not disturb the ground, there is no objection from that service.

PLANNING BALANCE AND CONCLUSION

At the heart of the NPPF there is a presumption in favour of sustainable development requiring local planning authorities to approve development proposals that accord with an up-to-date development plan without delay; and where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless (taken from paragraph 11d of the NPPF):

- The application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing development proposed; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole;

The principle of development is considered acceptable when assessed against the settlement strategy of the Wiltshire Core Strategy and the emerging Local Plan.

The proposal is broadly compliant with relevant local and national planning policies in respect of design, scale, residential amenity, heritage, landscape, highway safety and ecology and biodiversity, and environmental impacts, subject to the recommended conditions and any necessary mitigation measures

Accordingly, the proposal is considered acceptable in planning terms and in accordance with the Wiltshire Core Strategy, the National Planning Policy Framework, and all other relevant material considerations.

RECOMMENDATION:

That Planning Permission be GRANTED, subject to conditions

1

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2

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

Location Plan. Received on 25 November 2025

25/3364/02 Rev B. Existing Site Plan. Received on 25 November 2025

25/3364/03 Rev D. Proposed Site Plan. Received on 25 November 2025

25/3364/01 Rev C. Proposed Plans. Received on 25 November 2025

Planning Statement. Received on 25 November 2025

Heritage Statement. Received on 25 November 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 be as stated on the plans hereby approved.

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

4

The land and building shall be used only in connection with the keeping of sheep and for no other purpose.

REASON: The proposed use is acceptable, but the Local Planning Authority wish to consider any future proposal for a change of use having regard to the circumstances of the case.

5

When the land and building cease to be used for keeping sheep, the building, resulting demolition materials and equipment brought on to the land in connection with the use shall be removed and the site shall be restored to its condition before the development took place.

REASON: To ensure that the building is removed on cessation of its authorised purpose, in the interests of protecting the rural character of the area.

6

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no gates, fences, walls or other means of enclosure, other than those shown on the approved plans, shall be erected or placed anywhere on the site.

REASON: In the interests of amenity.