

PLANNING STATEMENT



**Dec
2025**

**Land adjacent to Coomb Cottage, Moor Lane,
Charlton, Malmesbury, SN16 9DR**

**Change of use of land and buildings from agricultural to Sui
Generis mixed use for recreation, education and community
purposes, with associated works including the erection of a
yurt, composting toilets and parking**

TABLE OF CONTENTS

1.	INTRODUCTION	3
2.	THE PROPOSED DEVELOPMENT	6
3.	RELEVANT POLICY AND LEGISLATION.....	7
4.	PLANNING HISTORY	11
5.	PLANNING ASSESSMENT – MAIN ISSUES.....	12
6.	CONCLUSION.....	16

1. INTRODUCTION

- 1.1 Context Planning Ltd have been instructed to prepare this full planning application on behalf of Ms Teresa Bromley Gardner for the change of use of land and buildings from agricultural to Sui Generis mixed use for recreation, education and community purposes, with associated works including the erection of a yurt, composting toilets and parking on land adjacent to Coomb Cottage, Moor Lane.

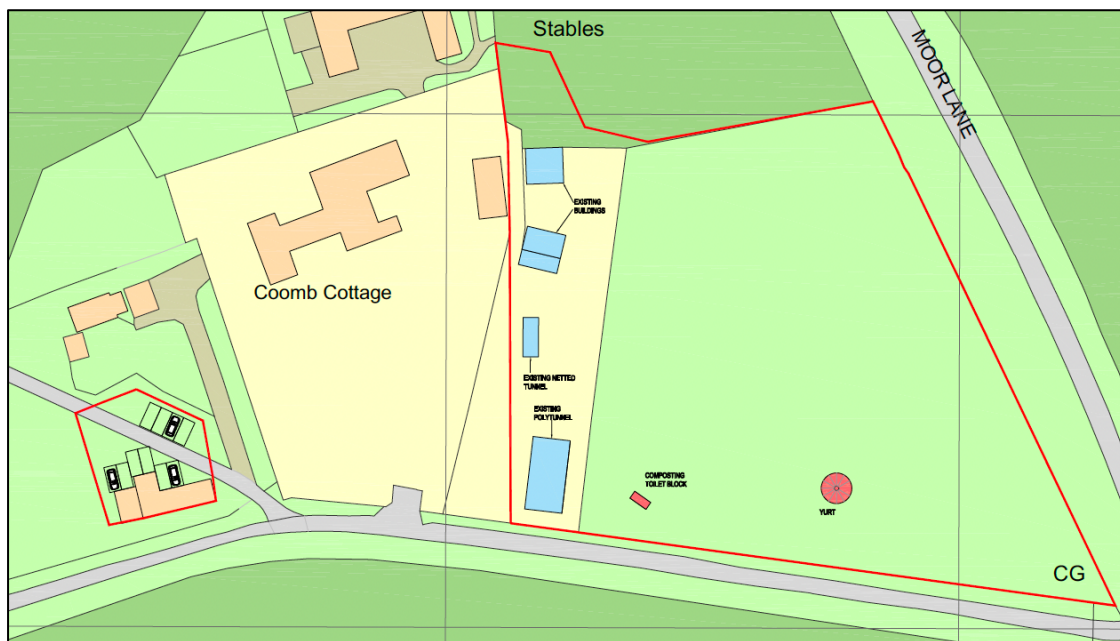


Figure 1 – Layout

- 1.2 The application site is located approximately 1.2km to the south east of the village of Charlton. The site is accessed from Moor Lane, with the B4040 located to the north. A Public Bridleway (CHAR4) runs to the south of the site. The land is not within the Green Belt, is not subject to any landscape designations, and is within Flood Zone 1.



Figure 2 - Existing Site

- 1.3 The site is separated into two parcels, a smaller 720m² area to the south west currently containing sheds, and a larger 0.8ha area to the east containing various agricultural buildings and planting. Coomb Cottage, within the ownership of the applicant, is between the two parcels. The site is bordered by hedgerows, and glimpses of the existing agricultural buildings are possible from Moor Lane.
- 1.4 The land is currently agricultural in nature, last used for a horticulture business growing ornamental trees and flowers. Substantial planting has been undertaken in the eastern area, laid out in the shape of a tree.
- 1.5 The eastern area contains two existing buildings, a netted tunnel and a polytunnel. Under 171B of the 1990 Act, any operational development that was substantially completed before 25th April 2024 remains under the 4 year rule. As aerial imagery shows, these existing buildings have been in place since 2020, and as such are immune from enforcement action.



Figure 3 – Existing buildings and dated aerial imagery



Figure 4 – Sheds in western area



Figure 5 – Planting in eastern area

2. THE PROPOSED DEVELOPMENT

- 2.1 The application seeks full planning permission for the change of use of land and buildings from agricultural to Sui Generis mixed use for recreation, education and community purposes, with associated works including the erection of a yurt, composting toilets and parking.
- 2.2 The proposed uses to be undertaken at the site are yoga, exercise classes, pick your own flowers, singing, acting, music making, painting, photography, outdoor recreation and to accommodate forest school days. A yurt is proposed for use during winter and inclement weather. Two compost toilets are also on site, permission is sought for these retrospectively.
- 2.3 This Planning Statement assesses the proposed development against the development

plan policies of Wiltshire Council, the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG).

3. RELEVANT POLICY AND LEGISLATION

- 3.1 Section 70(2) of the Town and Country Planning Act 1990 provides that, in dealing with proposals for planning permission, regard must be had to the provisions of the development plan, so far as material to the application, and to any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that, if regard is to be had to the development plan for any determination, then that determination must be made in accordance with the plan unless material considerations indicate otherwise.

Wiltshire Core Strategy

- 3.2 Policy CP1 identifies the settlements where sustainable development will take place.
- 3.3 Policy CP2 allocates housing and employment areas.
- 3.4 Policy CP48 allows for the Conversion and re-use of rural buildings for community uses where they meet the following criteria:
- i. The building(s) is/are structurally sound and capable of conversion without major rebuilding, and with only necessary extension or modification which preserves the character of the original building.
 - ii. The use would not detract from the character or appearance of the landscape or settlement and would not be detrimental to the amenities of residential areas.
 - iii. The building can be served by adequate access and infrastructure.

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- iv. The site has reasonable access to local services.
 - v. The conversion or re-use of a heritage asset would lead to its viable long term safeguarding
- 3.5 Policy CP49 relates to the protection of rural services and community facilities.
 - 3.6 Policy CP50 is for the protection and enhancement of biodiversity and geodiversity.
 - 3.7 Policy CP51 (Landscapes) advises that developments should protect, conserve and where possible enhance landscape character. Within National Landscapes great weight will be afforded to conserving and enhancing landscapes and scenic beauty.
 - 3.8 Policy CP52 relates to Green Infrastructure and ensures on site green infrastructure is retained and enhanced.
 - 3.8 Policy CP57 relates to design and advises that new development should enhance local distinctiveness relating positively to its setting. Green Infrastructure should be safeguarded and development should make an efficient use of land. Development should have regard to its impact on adjoining uses and buildings ensuring an appropriate level of amenity. Buildings should take account of diversity and adaptability, considering how buildings and space will be used in the immediate and long term future.
 - 3.9 Policy CP60 is for sustainable transport, planning developments is accessible locations and promoting sustainable transport alternatives to the use of the private car.
 - 3.10 Policy CP61 states that new development should be located and designed to reduce the need to travel particularly by private car, and to encourage the use of sustainable transport alternatives.
 - 3.11 Policy CP64 requires measures to reduce reliance on the private car and encourage the use of sustainable transport alternatives, including car park management and smarter choices measures.

North Wiltshire Local Plan 2011 (saved policies)

- 3.12 Policy NE12 sets out that the creation, conservation, enhancement and positive management of woodlands across the district will be supported.
- 3.13 Policy NE14 prevents the loss of trees, hedges, lakes/ponds or other important landscape or ecological features that could be successfully and appropriately incorporated into the design of a development.
- 3.14 Policy CF2 states that proposals for leisure facilities and open space within or adjoining the Framework Boundaries of Towns and Villages will be permitted.

National Planning Policy Framework (NPPF)

- 3.15 The NPPF (December 2024) guides at paragraph 39 that 'Local Planning Authorities (LPAs) should approach decision-making on proposed development in a positive and creative way...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision makers at every level should seek to approve applications for sustainable development where possible'
- 3.16 Paragraph 10 advises 'so that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development'. Paragraph 11 outlines how the presumption in favour of sustainable development is engaged. For decision taking this means 'approving development proposals which accord with an up-to-date Development plan without delay'.
- 3.17 Paragraph 88 sets out that in order to support a prosperous rural economy, decisions should enable:
 - a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, new buildings;

b) the development and diversification of agricultural and other land-based rural businesses;

c) sustainable rural tourism and leisure developments which respect the character of the countryside; and

d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

- 3.18 Paragraph 89 states that “Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.”
- 3.19 Paragraph 96 promotes healthy and safe communities through the following: ” c) enable and support healthy lives, through both promoting good health and preventing ill-health, especially where this would address identified local health and well-being needs and reduce health inequalities between the most and least deprived communities – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.”
- 3.20 Paragraph 99 of the NPPF set out the importance that a sufficient choice of educational places should be available to meet the needs of communities. It gives great weight to the needs for facilities. Furthermore, paragraph 100 sets out significant weight should be given to public service infrastructure, which includes adult education.

- 3.21 Paragraph 103 sets out that “Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change.”
- 3.22 In respect of transport, paragraph 115 advises that it should be ensured that safe and suitable access to the site can be achieved for all users. Paragraph 116 advises 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.
- 3.23 Paragraph 135 guides that planning decisions should ensure that developments will ‘function well and add to the overall quality of the area’; ‘are visually attractive as a result of good architecture, layout and appropriate and effective landscaping’.
- 3.24 Paragraph 139 states that development that is not well designed should be refused, and, conversely, proposals that help to raise the standard of design more generally in the area, so long as they fit in with the overall form and layout of their surroundings, should be given significant weight.
- 3.25 Paragraph 187 acts to conserve and enhance the natural environment by: “b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;”

4. PLANNING HISTORY

- 4.1 N/95/00044/FUL - PROPOSED STABLE YARD AND CREATION OF DRIVEWAY
STABLE YARD – Approved 03/04/1995

5. PLANNING ASSESSMENT – MAIN ISSUES

Principle of Development

- 5.1 The proposal as submitted is for the change of use of land and buildings from agricultural to Sui Generis mixed use for recreation, education and community purposes, with associated works including the erection of a yurt, composting toilets and parking.
- 5.2 The proposed community facility is intended to be run as a not-for-profit enterprise for both adults and children, with the ambition to exist in harmony with the existing landscape, created by the applicant when the site was a horticultural enterprise.
- 5.3 The applicant is currently undertaking their qualification to run forest school clubs. Lea and Garsdon CE Primary School have expressed an interest in using the venue for both forest school, and activities for SEN children in a safe and private location.
- 5.4 The ethos of the proposal is fully in line with the NPPFs requirement for providing healthy and safe communities, as well as educational settings, as well as conserving the natural environment.
- 5.5 The site is within the open countryside, where development would not usually be encouraged under CP1 and CP2. The proposal is predominantly for the change of use of land and existing buildings, along with the erection of a yurt and composting toilet. CP48 supports the conversion or re-use of buildings for employment, tourism or residential uses etc., where they meet all the requirements set out in CP48. These proposals must not lead to subsequent applications for replacement buildings elsewhere, additions and extensions should also normally be avoided (Our emphasis).
- 5.6 Policy CP48 has the following criteria:

- i. The building(s) is/are structurally sound and capable of conversion without major rebuilding, and with only necessary extension or modification which preserves the character of the original building.*
- 5.7 The existing buildings consist of two timber buildings, an existing netted tunnel and an existing polytunnel. Although the buildings are not particularly substantial, they are more than capable of being used for their intended use; the netted tunnel and polytunnel will continue to be used for growing plants and flowers and the timber buildings will supply shelter when required and some storage.
- 5.8 *ii. The use would not detract from the character or appearance of the landscape or settlement and would not be detrimental to the amenities of residential areas.*
- 5.9 The site is within an existing rural area, characterised by open fields, trees and agricultural uses, as well as sporadic equestrian sites. The proposed community use very much leads from the existing landscaping of the site. Trees and flowers are laid out in a tree shape when viewed from above, undertaken when the site was in use as horticulture. When viewed on the ground, the site sits in harmony with its rural surroundings. Small glimpses of the site are possible from Moor Lane, however due to the existing landscaping and boundary treatments, these are extremely limited. The use of the site for recreation, education and community purposes would not detract from the character and appearance of the landscape.
- 5.10 Residential properties near the site are limited, with the only adjacent neighbouring being Coomb Cottage which is owned by the applicant. Regardless, the proposed uses are not significant noise generators and would be entirely appropriate near residential buildings.
- 5.11 *iii. The building can be served by adequate access and infrastructure.*
- 5.12 The eastern portion of the site is not proposed to have vehicular access, with any vehicles travelling to the site parking in the western portion which currently contains

agricultural buildings and hardstanding. This has an existing access from Moor Lane, and is currently used by agricultural vehicles with sufficient visibility splays.

- 5.13 The site was previously a horticultural business, and prior to that a stud farm. The business generated vehicle movements from deliveries, visits from the public, and the applicant's day to day movements for events. The proposed use is low intensity, would attract limited vehicles, and would be unlikely to exceed that of the previous use.
- 5.14 In terms of infrastructure, the site requires very little, with a composting toilet provided and solar panels proposed for the yurt. The site already has access to water from the horticultural building.
- 5.15 *iv. The site has reasonable access to local services.*
- 5.16 Although in a relatively rural location, the site cannot be said to be entirely isolated from local services. The village of Charlton to the north west is located approximately 1.2km away, with regular bus services to Malmesbury and Cirencester. Charlton village and bus stops are approximately a half hour walk, or a 7 minute cycle. Malmesbury, the closest Market Town, is approximately a 20 minute cycle. A play area, café and campsite is located a short distance to the north east, and a proposal for commercial units on the same site is currently under consideration. A well-used public bridleway connects the site to Charlton. Many of the site users are likely to travel in groups and car share, and the applicant will provide a dedicated mini-bus being available to offer a shuttle service to and from site.
- 5.17 In line with CP61 and CP64, it is clear that whilst not located within a town or village, there are viable solutions to reduce the need to travel by private car and offer sustainable transport solutions. The applicant would be willing to agree to the implementation of a travel plan and operational statement by condition to secure these arrangements. The levels of movements however it must be emphasised will be limited, these are community uses operated by volunteers and by their nature are

designed as small group activities.

- 5.18 *v. The conversion or re-use of a heritage asset would lead to its viable long term safeguarding*
- 5.19 The proposal does not impact on a heritage asset, as such this is not relevant to the proposal.
- 5.20 In addition to the conversion, two new buildings are proposed. These comprise a compost toilet, a small wooden block already erected on site, and a yurt intended for use in winter and inclement weather. The yurt is 6m in diameter, sited on a deck 15cm above ground level installed using sustainable ground screws, and sand coloured in order to be unobtrusive within this environment.
- 5.21 Although it is noted that CP48 would normally avoid new structures, there is clearly scope for the introduction of built development in certain circumstances. The toilets are small and unobtrusive and are required for hygiene reasons, and the yurt is a semi-permanent structure that is unobtrusive, and could easily be removed if no longer required by the applicant, leaving no long-term impact.
- 5.22 When CP48 is applied to these elements, it is clear that these are necessary modifications that entirely reflect the existing character of the site, would not detract from the character or appearance of the landscape and would not be detrimental to the amenities of residential areas.
- 5.23 In addition, some children and people with learning disabilities have a short attention span and need to be in a secure environment, and people with autism sometimes need to find a quiet space. The provision of the yurt would ensure that the proposed community facilities are accessible to all.

Landscape and Ecology

- 5.24 The existing site is already heavily landscaped due to its prior use, and the proposal is intended to work and thrive within this existing landscape. No planting is proposed to be removed, and the site will continue to grow plants and flowers as part of its overall use. Existing structures will be used and new development is minimal, designed around the existing landscape features. The proposal clearly complies with CP51 by conserving the existing landscape character.
- 5.25 The planting carried out is beneficial to flora and fauna, and 10% BNG can be provided on site. No impact is expected upon any protected species, nonetheless enhancements across the site could be secured by planning condition, if considered necessary.

Flood Risk

- 5.26 The site is within Flood Zone 1, where there is no risk of flooding occurring that might affect the development.

6. CONCLUSION

- 6.1 Section 70(2) of the Town and Country Planning Act 1990 provides that, in dealing with proposals for planning permission, regard must be had to the provisions of the development plan, so far as material to the application, and to any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that if regard is to be had to the development plan for any determination then that determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 6.2 Although the development is located outside of the settlements identified in CP1, the uses proposed are those connected with the landscape and rural area, and would be out of place within a settlement. The existing site would provide an excellent community

- facility for both adults and children, providing a small-scale education and leisure facility, with the additional benefit of a safe space for SEN children and to provide support to an established local school.
- 6.3 The applicant is able to provide alternatives to the private car, and the site is not so isolated that it could be considered unsustainable, especially when a travel plan and operational statement for mini-bus transfer is in place. It is highly likely that the site will mostly be used by members of the local population.
- 6.4 The site is already extensively landscaped and the well-designed proposals sit in harmony with the rural character. Ecology will be preserved and enhanced where possible.
- 6.5 No harm would result to residential properties due to the sites location.
- 6.6 Paragraph 88 of the Framework states that planning decisions should enable, amongst other things, the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings. It also supports sustainable rural tourism and leisure developments which respect the character of the countryside.
- 6.7 Paragraph 89 of the Framework states that decisions should recognise that sites to meet local business needs in rural areas may have to be found adjacent to or beyond existing settlements and in locations that are not well served by public transport.
- 6.8 Paragraph 96 promotes healthy and safe communities through the following: " c) enable and support healthy lives, through both promoting good health and preventing ill-health, especially where this would address identified local health and well-being needs and reduce health inequalities between the most and least deprived communities – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling."
- 6.9 Paragraph 99 of the NPPF set out the importance that a sufficient choice of educational places should be available to meet the needs of communities. It gives great weight to the needs for facilities. Furthermore, paragraph 100 sets out

significant weight should be given to public service infrastructure, which includes adult education.

- 6.10 Paragraph 103 sets out that “Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change.”
- 6.11 Notwithstanding the fact that the proposal would partially conflict with policy CP1, the site would be an appropriate location for the proposed use and would accord with Policy CP48, as well as 88 and 89 of the NPPF.
- 6.12 No harm results from this proposal and there are clear public benefits associated with the development. The Council are respectfully encouraged to approve the application.

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