

# APPLICATION FOR FULL PLANNING PERMISSION

## CASE OFFICER REPORT

|                                 |                                                                                                              |
|---------------------------------|--------------------------------------------------------------------------------------------------------------|
| <b>APPLICATION REFERENCE:</b>   | PL/2026/00387                                                                                                |
| <b>APPLICATION TYPE:</b>        | Full Planning Permission                                                                                     |
| <b>SITE ADDRESS:</b>            | Manor Barns, Norton, Malmesbury, SN16 0JR                                                                    |
| <b>DEVELOPMENT DESCRIPTION:</b> | Change of use of land to residential (C3) and (retrospective) installation of package sewage treatment plant |
| <b>RECOMMENDATION:</b>          | <b>That Planning Permission be GRANTED</b>                                                                   |

# PROPOSAL

This scheme is requesting permission for the change of use (COU) of land to residential (C3) and retrospective permission for the installation of a (partially subterranean) packaged sewage treatment plant to serve the site.

The originally submitted plans showed inconsistencies around the site area and as such revisions and clarification was requested on 18.02.2026. Revisions were sent and accepted on 20.02.2026 which resulted in the location plan and the description of development (DoD) changing – the consultation period associated with the application restarted on that date.



*Figure 1: Sewage Treatment Plant*

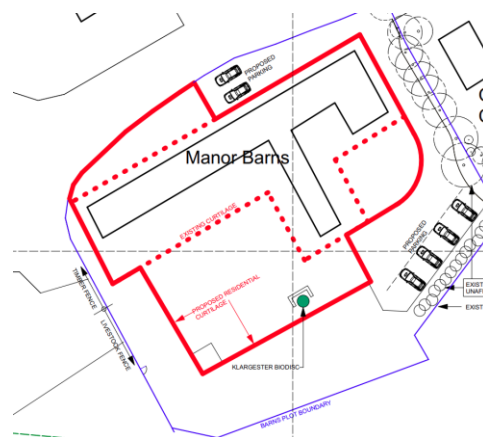


Figure 2: partial extract of proposed site plan

The clarification received included confirmation that the livestock fence and vehicle access which were specified within the application form (under section 9) do not form part of the DoD as they will be located outside of the application site, albeit on land within the applicant's ownership.

The COU is proposed to allow for a larger residential amenity area, to suit the requirements of the current owners. Clarification was sought around whether the full site should be taken as a single residential unit, or as 2 units inline with that which was originally approved, with a request for the proposed site plan to clearly show a split between the 2 units if the intention is for them to remain

as such; revised site plans did not split the unit in any way, instead the following written clarification was provided via email:

*Following commencement in December 2021, construction works to the barns as a whole were completed in early August 2022, including all services installations and connections. At this time the final interior fitting out of the main house (unit 1) was well advanced, and the remaining element of the barn – the 2-storey cart barn to the eastern end of the complex (unit 2) remained to be fitted out. It is the intention to implement the fitting out of the car barn, which we currently use as storage space.*

*The barns were inspected and assessed at the time by Wiltshire Council for council tax purposes as a single dwelling, and I confirm that we hold the barns under one single title deed.*

The clarification provided, along with the lack of any plan showing unit split, indicates clearly that the full site is being used as a single residential unit.

## **SITE DESCRIPTION**

The application site comprises attached former agricultural buildings and land adjacent, west of residential dwellings 'Orchard Cottage' and 'Norton House' in Norton, a rural village part of the Malmesbury Community Area. Norton does not benefit from a defined framework boundary and is not part of a made neighbourhood development plan (NDP) area.

The site benefits from existing vehicular access via a private track connected to a classified c-road and can also be accessed on foot via Public Right of Way (NORT5) which runs through land owned by the applicant, but outside of the application site.

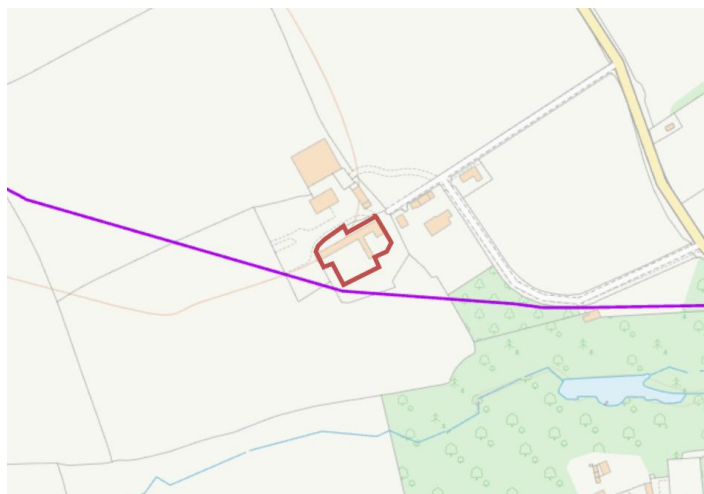


Figure 3: map view of site (red) in context with PROW (purple)



Figure 4: aerial view of site (2024)

The site is not listed, in a conservation area, or national landscape area; there are some dwellings in proximity, but the established character of the wider setting is rural agricultural. The buildings are brick/stone built and land adjacent is undeveloped save for the treatment plant and boundary

treatments. Whilst there is an watercourse (and statutory main river) south of the site, no part is within close proximity and the application site is in Flood Zone 1, at the lowest risk of flooding from rivers and sea. Furthermore, the Councils strategic flood risk assessment indicates that the site is not likely to be at high risk of ground or surface water flooding.



Figure 5: Site photo (BTA) prior to development commencing (2019)    Figure 6: Site photo taken under PL/2025/00811 (2025)

Whilst land to the south-east is registered with Natural England as being priority habitat, the site is not within, or directly adjacent to an ecological designation and detail provided under previous planning applications associated with the site does not indicate that protected species are present at the site.

## RELEVANT PLANNING HISTORY

### Relevant planning history at the site:

- 19/06326/PNCOU granted prior approval for *Proposed Change of Use of Agricultural Buildings to 3 no. Dwellinghouses (Class C3), and for Associated Operational Development* subject to permitted development conditions and 5no local planning authority (LPA) conditions on 19.08.2019
  - o 19/08430/DOC discharged *condition 2 of application 19/06326/PNCOU* on 07.10.2019
- PL/2025/00811 (made as householder application) granted *alterations to barn conversion (plots 1 and 2) permitted by Prior Approval Ref: 19/06326/PNCOU (Part Retrospective)* on 05.06.2025

### Recent, relevant planning history in the wider area (inter alia):

4 Grain Store Barn (approx. 2km south)

- PL/2025/04458 granted permission for the *change of Use of 25 square metres of land to residential and erection of a single garage and home office* on 31.07.2025

Lower Stanbridge Farm (approx. 4km west)

- PL/2025/07977 requesting *change of use of land for provision of temporary on-site residential accommodation for agricultural worker* is currently pending determination

## RELEVANT LEGISLATION, POLICIES AND GUIDANCE

Though considered as a whole, applicable Development Plan policies are listed below along with relevant legislation and guidance.

### Wiltshire Core Strategy (WCS)

- CP1: Settlement Strategy
- CP2: Delivery Strategy
- CP13: Spatial Strategy for the Malmesbury Community Area
- CP41: Sustainable Construction and Low-Carbon Energy
- CP50: Biodiversity and Geodiversity
- CP51: Landscape
- CP57: Ensuring High Quality Design and Place Shaping
- CP61: Transport and Development
- CP64: Demand Management
- CP67: Flood Risks

### Saved Policies of the North Wiltshire Local Plan (NWLP)

- H4: Residential Development in Rural Areas
- NE14: Trees, Site Features and the Control of Development

### Wiltshire Design Guide (WDG)

### Wiltshire Local Transport Plan (LTP4)

- Parking standards (LTP3)

### The Wiltshire Housing Site Allocations Plan (WHSAP)

### Revised Wiltshire Planning Obligations SPD

### Waste storage and collection: guide for developers SPD

### Wiltshire Employment Land Review Update (September 2023)

### Wiltshire Council Level 1 Strategic Flood Risk Assessment (SFRA)

### National Planning Policy Framework (NPPF)

### Planning Policy Guidance (PPG)

- Technical housing standards

## ISSUES

Taking into account the site context, and description of development, the main issues in the consideration of this application are:

- Principle / Sustainable Development

- Design and Neighbouring Amenity
- Ecology / Biodiversity

## **CONSULTATION**

At the time of writing, no representations, in response to consultation requests, have been received from Norton and Foxley Parish Council or Wiltshire Council's Public Protection Team.

## **REPRESENTATIONS**

At the time of writing, no public representations have been received.

## **PLANNING CONSIDERATIONS**

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 NPPF as a material consideration in the assessment.

### **Principle / Sustainable Development**

CP1 and CP2 of the WCS relate to the spatial strategy for Wiltshire, setting the policy foundations for sustainable development within the county. CP13 of the WCS expresses that development in the Malmesbury Community Area should be in accordance with the Settlement Strategy set out in CP1.

CP2 outlines that, other than in circumstances permitted by other policies within the WCS, development will not be permitted outside the limits of development, as defined on the policies map.

- Supporting text found at 4.25 identifies the exception policies within the WCS as being: CP34, CP37, CP39, CP40, CP44, CP46, CP47 and CP48.
- In addition to those exception policies, saved policy H4 of the NWLP provisions explicit exception criteria for new dwellings in the countryside, outside of framework boundaries.

The site is located outside of any defined settlement limits, in open countryside, and proposes residential development; as such, broadly conflicts with the aims of CP1, CP2 and CP13.

New residential development in open countryside is typically resisted; however, consideration is given to how this proposal is associated with an existing dwelling, requesting permission for an extension of residential land to be associated with a permitted dwelling; and the land subject to change of use of is minimal when taking into account the full extent of the agricultural land within the wider small holding.

Given the above, the principle of development is acceptable on this occasion; however, the suitability of the proposal remains subject to further assessment discussed in the following sections of this report.

### **Design and Neighbouring Amenity**

Policy CP57 of the WCS requires high quality design and place shaping for all new development including extensions, alterations and changes of use.

The extent of land which benefits from existing residential use somewhat follows the contours of the buildings (shown as dotted red line on figure 2 earlier in this report) and this application is requesting an extension of that land to provide additional amenity land for the permitted residential units.

The proposed extension to the amenity land which would serve the units does not represent an unacceptable encroachment into agricultural land as it would remain closely related to the host dwelling and the resulting plot size would be somewhat commensurate with those of other residential properties in the wider countryside location. The proposed change of use of the land does not raise any significant design or amenity concerns and there are no objections on grounds of development impacting the character and appearance of the wider setting.

Furthermore, the proposed package sewage treatment plant is functional in appearance and, by virtue of being mostly subterranean, is not an unacceptably incongruous feature in the rural landscape.

The increased size of the amenity land does, in turn, increase the area where domestic extensions, outbuildings and other domestic paraphernalia could ultimately be constructed, however, which runs the risk of unacceptable levels of visual clutter being introduced into the rural setting. Given the minimal boundary treatments at the site the land is highly visible from the adjacent PRow; therefore, in the interest of the visual amenity of the area and to enable the Local Authority to consider individually whether permission should be granted for certain development, it is necessary to remove permitted development rights for the following:

- Extensions
- Garages or outbuildings
- Fences or other means of enclosure

## **Ecology / Biodiversity**

Biodiversity net gain (BNG) is a way of creating and improving natural habitats and ensures that development has a measurably positive impact on biodiversity, compared to what was there before development.

Policy CP50 of the WCS outlines that Wiltshire's natural environment is one of its greatest assets and identifies protection measures necessary for consideration when assessing the impact of development on biodiversity and geodiversity.

The level of operational development proposed means that less than 25m<sup>2</sup> of habitat will be impacted by the scheme; the application, therefore, correctly asserts that the de minimis exemption for BNG would apply.

Furthermore, whilst the use of the site for residential amenity purposes would see the land utilised differently to agricultural land, there is taking into consideration the lack of ecological constraints, or existing records of protected species, at the application site, the development proposed is not considered likely to result in any significant harm to biodiversity.

## **SUMMARY AND CONCLUSION**

The application seeks permission for the extension of residential amenity land associated with an existing residential unit, and retrospective permission for the installation of a package sewage treatment plant. Whilst new residential development in the open countryside is generally resisted, the resulting residential amenity land would remain closely related to the host dwelling and would not represent unacceptable encroachment into the countryside, with the resulting plot size not inappropriately exceeding any similarly sized residential units in the wider countryside setting. The site and scheme specific circumstances raise no significant concerns regarding the principle of development.

Furthermore, there are no ecological concerns and, subject to the removal of permitted development rights to control the introduction of additional domestic built form, the proposal is acceptable in design and visual terms.

## **RECOMMENDATIONS:**

**That planning permission be GRANTED subject to the following 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; PH NMB 001 Rev C
- Site Plan; PH NMB 002 Rev A
- Site Plan; PH NMB 005 Rev B

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

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order there shall be no extensions or enlargements of any building on land forming part of the development hereby permitted.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order no buildings or structures, or gate, wall, fence or other means of enclosure, other than those shown on the approved plans, shall be erected or placed anywhere on the site on the approved plans

REASON: To safeguard the character and appearance of the area.