

16th April 2026

Our Ref: SWLC.LPC4456

Development Services – North
Wiltshire Council
Monkton Park
Chippenham
Wiltshire
SN15 1ER

Dear Sir/Madam

Town and Country Planning Act 1990
Follywood Farm, Brinkworth Road, Royal Wootton Bassett, SN4 8DT

The above site has a lengthy equestrian use, including on-site accommodation, first approved by application N/09/01452/FUL, and described then as; 'Siting of Mobile Home as Temporary Accommodation for Essential Worker and Change of Use of Agricultural Land and Building to Equestrian Use of the Stud Farm and Training Liveries'.

Most recently, by application PL/2021/09997, the related appeal was allowed (and costs awarded) for a temporary mobile home for occupation by an essential on-site equestrian worker. The consequence of the appeal decision means that an equestrian business has operated, with on-site accommodation, for more than 17 years. It is the purpose of the enclosed application to now replace the mobile home with a permanent new dwelling, in keeping with the site's well-established equestrian use.

Your records will show that a previous application (LPA reference: 18/09894/FUL) to replace the temporary accommodation with a permanent dwelling was withdrawn in the face of the enforcement action instigated at that time. It is noteworthy though that the Council's independent specialist assessment at that time had concluded, 'The business practice at the site generates an essential need for a presence at most times.'

Returning to the above referenced appeal the Inspector firstly recognised that, 'The equestrian use is clearly an established use on the site' (paragraph 6). Furthermore, she stated at paragraph 8 that, 'It has previously been accepted by both the Council and the previous Inspector that there is a functional need for someone to live on site to provide care for the equestrian use'.

Whilst there has been consistent agreement regarding the functional need for on-site accommodation viability concerns were previously raised by your Council and I have therefore inserted on the next page the Inspector's comments in full in these regards reported at paragraph 10.

‘Furthermore, the financial test is no longer required by the National Planning Policy Framework 2021 (the Framework). Therefore, this criterion of Core Policy 48 would no longer be consistent with the Framework and the lack of any financial evidence would not be a sufficient reason to withhold planning permission. It is also worth noting that the advice of the Council’s specialist advisor, APA Consultants Ltd, under the previous appeal concluded that the business of the previous proprietor fell short of viability. However, the Inspector did not raise the lack of viability of the previous equestrian use as a reason to dismiss the earlier appeal.’

For completeness I have also inserted paragraphs 5 and 6 in full below from the Inspector’s award of costs which I hope helps to format the scope of the ongoing assessment required in this case.

‘Therefore, the main issue in this case is whether there is an essential need for the mobile home to accommodate a rural worker, having particular regard to the information and evidence of need, to justify the retention of the mobile home as an exception to the settlement and delivery strategy.’

The mobile home is situated adjacent to a group of stable buildings and associated manege at Follywood Farm. The equestrian use is clearly an established use on the site. At the time of my site visit the stables were occupied by approximately 8 horses, however, based on the evidence, I note that the stables would be able to accommodate up to 14 horses.’

The above appeal decision was specifically said to run with the land and was not made as a personal permission,

In that regard the business is now run by Q and A Equine Services Ltd who took over from Ms Nutland’s satellite livery operation in 2024. Q and A Equine Services Ltd specialise in breaking horses with behavioural problems. It is an award winning business (Equestrian Business Awards-Inspiration Award winner 2025 and Behaviour Trainer of the Year nomination 2026). In the last 18 months they have had more than 55 clients. They currently stable 10 horses and upto 16 with turn out and have the capacity for 14 stabled horses and 20 to be turned out.

Follywood Farm is leased from my client, and the purpose of the enclosed application is to create greater security of tenure, in addition of course to simply upgrading the temporary accommodation, used for many years now. The provision of permanent accommodation is an investment to be made by my client so as to make the site as a whole more attractive in the long term, underpinning a long lease or sale, and so that investments in the equestrian facilities will be justifiable in the long term too by the future operator.

It is of course proposed that the new dwelling will be restricted for use by a person solely or mainly working, or last working, in connection with the equestrian enterprise at Follywood Farm, in a similar phrasing to the Inspector’s conditional wording for the current temporary accommodation. This application is made in the alternative to renewing the temporary permission but is made without prejudice to such an application, if matters become prolonged.

It is clearly established by the Inspector's quotes above that the application's assessment centres on the functional need of the equestrian operations on site. Indeed, this need has been agreed on several occasions and is well established over many years and by a number of different operators. The equestrian use has been broad ranging but in the main has been used for more than a simple livery operation. Several previous operators have incubated and grown their business, breeding and training horses before moving on to more permanent facilities. As said, the application is intended to allow such growth on site and encourage the investment needed in the equestrian facilities, based on a more permanent arrangement, most probably selling the new house and stables etc to service such ambitions.

Notwithstanding the previously reported appeal comments, and without prejudice, I have enclosed the current tenant's trading figures (and would request these are treated in confidence and not published online with the application documents). The figures however show the new business has a reasonable operating profit and that the payment of staff and rent for instance provide sufficient comfort to believe the business is sufficiently sound to finance a mortgage and related investments over time. As also indicated, the site has capacity to grow too. Whether the site is leased or purchased with a permanent dwelling the long established use to date, being more than a typical 'tail run', forces the conclusion there is no risk of the dwelling being argued not to be necessary for equestrian use in the future.

Returning to the above mentioned appeals at this site, and further to which two Inspectors have focused solely on the functional need, it is worth repeating the case made at the time of the withdrawn application for a permanent dwelling in 2018. At that time I referred to an appeal for the retention of a log cabin at an existing equestrian enterprise (PINS Ref: APP/Y3940/W/17/3192248).

In that case your Council was concerned that the business was not viable, in a general sense, because it only worked for the appellant because of her low overheads and lack of mortgage. This is of course not the case at Follywood Farm as the rent etc is akin to the financing of a mortgage.

The Inspector acknowledged that, although no longer up-to-date policy, there has been a tendency for decision makers to still rely on the advice in the annex to PPS7 on how to establish an essential need. The above quotes on page 2 are more emphatic about the singularity of the NPPF, which does not require evidence for both a functional and a financial test to be provided. This is clearly correct as the requirement is that isolated homes in the countryside should be avoided unless there are special circumstances. These include 'the essential need for a rural worker to live permanently at or near their place of work in the countryside'. Indeed this position is underpinned by case law since the publication of the NPPF when the courts in *Regina ex parte Embleton PC and David Ainsley v Northumberland CC and Ivor Gaston [2013]* accepted the argument that the test in the then numbered paragraph 55 of the NPPF was different from PPS7 as it only requires a planning judgement as to whether there is an 'essential' need for a worker to be there or not. In particular, it does not require 'that the proposal is economically viable'.

Without prejudice, although Embleton made it clear and confirmed that the NPPF does not require a proposal to be economically viable, it does not prevent financial

evidence from being considered. However, the final balancing act is a planning judgement. Accordingly, it is helpful to see that the current tenant's business is operating profitably, is run by a competent person and there is scope to expand. My client has apparently always received their rent which indicates the previous operators have been equally viable.

Moreover, the site's well established equestrian use demonstrates this is not a case where it could be said there is no long term future for an equestrian business, and the grant of a permanent permission for a dwelling to service a business that might not survive, would lead to an isolated dwelling in the countryside, contrary to policy. In the case of the enclosed application Follywood Farm's commercial operation is of course now well established, since at least 2010.

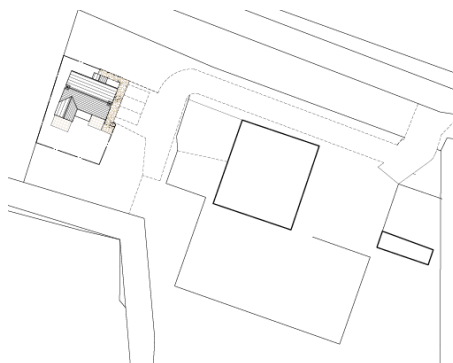
The Proposal

The holding extends to approximately 6.9ha. The main building at the yard comprises a framed shed, plus lean-to. The main shed has a profile sheet roof, with a trussed steel frame, concrete blocks to the elevations and a concrete floor. Internally, the building has been divided to provide ten loose boxes. Adjoining the building is a lean-to which has been divided to provide four loose boxes; a further six timber loose boxes have been sited at the western end of the main buildings.

On site accommodation is currently provided by a mobile home sited on the west side of a group of stable buildings which are used as part of a commercial equestrian business. This will be replaced with a new dwelling, typical in size to a farm worker's dwelling, and thus commensurate with the rural business.

The new house is moved slightly further south than the mobile home, which will of course allow the mobile to continue to be lived in whilst the house is being built. Its removal can therefore be conditionally required at the point of occupation of the new dwelling.

The new house is a two-storey property and will be constructed from reconstructed rounded/tumbled stone, below a slate roof. It has a floor area of 136m² and includes a modest defined garden space.





Relevant Legislation, Policies and Guidance

Policies

Under the provisions of section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004, applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

Development Plan

At the current time, the relevant statutory development plan documents in respect of this application consist of the Wiltshire Core Strategy (WCS) (adopted January 2015) and the 'saved' policies of the North Wiltshire Local Plan (NWLP) adopted June 2006.

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

Wiltshire Core Strategy (WCS) – adopted January 2015:

Core Policy 1 – Settlement strategy;

Core Policy 2 – Delivery strategy;

Core Policy 19 – Spatial Strategy: Royal Wootton Bassett and Cricklade Community Area

Core Policy 48 – Supporting Rural Life;

Core Policy 50 – Biodiversity & Geodiversity;

Core Policy 51 – Landscape;

Core Policy 57 – Ensuring high-quality design and place shaping;

Core Policy 60 – Sustainable Transport;

Core Policy 61 – Transport and Development;

Core Policy 62 – Development impacts on the transport network;

Core Policy 64 – Demand Management;

Core Policy 67 – Flood Risk.

Saved policies of the North Wiltshire Local Plan (NWLP)

H4 – Residential Development in the Open Countryside

Supplementary Planning Documents and guidance

Wiltshire Design Guide (adopted April 2024).

The Wiltshire Local Transport Plan 2016 – 2026: Car Parking Strategy (March 2015);

The NPPF provides the Government's planning policies for England and explains how it should be applied. Together with the NPPG online it is a material planning consideration

Issues

The main issues in the consideration of this application are:

- The principle of the development;
- Design (site layout, building design, landscaping - including landscape and heritage impacts);
- Transport and highways;
- Residential amenities (future occupiers and neighbours)
- Ecology

Principle of development

WCS Core Policy 48 and saved policy H4 of the NWLP are most relevant to the proposal. CP48 aims to support rural communities, outside the limits of development of defined settlements (those described by Core Policy 2 of the WCS). The policy is based on the following key objectives:

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- Protecting the countryside and maintaining its local distinctiveness;
- Supporting the sensitive reuse of built assets to help meet local needs;
- Supporting improved access between places and to services; and
- Supporting the community in taking ownership of local services.

NWLP saved policy H4(i) supports development of new dwellings in the open countryside providing they are: in connection with the essential needs of agriculture or forestry or other rural based enterprise, (as applicable in this case).

CP48 (along with the wider Core Strategy) generally will not normally support new residential development in the countryside unless they are required in the interests of supporting rural employment, for example in association with equestrian activities when worker accommodation is needed onsite (as is the case for this proposal). NWLP policy H4 will only support a dwelling that supports “essential needs” of rural based enterprises.

Paragraph 84(a) of the NPPF states that:

Planning policies and decisions should avoid the development of isolated homes in the countryside unless...there is an essential need for a rural worker...to live permanently at or near their place of work in the countryside.

As said, there have been several appeals at this site and there is common ground that the scale of equestrian activity supports the need for on-site accommodation.

The following paragraphs addressed the need in respect of the earlier enforcement appeals (APP/Y3940/C/20/3247225, APP/Y3940/X/19/3243397)

15. The site lies amongst a small group of dwellings and other buildings to the west of the small hamlet of Ballards Ash. It lies outside of any settlement boundary limit as defined in the Wiltshire Core Strategy (CS), Policy CP2 of which says that other than in specified circumstances, development outside of settlement boundaries will not be permitted. One of the specified circumstances relates to supporting rural life, to which CS Policy CP48 applies. That says that proposals for residential development will be supported where these meet the accommodation needs required to enable workers to live at or in the immediate vicinity of their place of work in the interests of agriculture or forestry or other employment essential to the countryside.

16. The policy also says that proposals for accommodation to meet the needs of employment essential to the countryside should be supported by functional and financial evidence. However, the financial test is no longer required by the National Planning Policy Framework, and to this extent the policy is not consistent with the Framework.

17. The mobile home is sited on the west side of a group of stable buildings which are used by the appellant as part of a commercial stabling business. In granting a temporary planning permission for a mobile home, the Council has previously accepted that there was a need for someone to live on the site to provide care for the horses. Since that time, the stables have remained in business, and at the time of my site visit, some 11 horses were stabled, with capacity for several more. I consider that it is necessary for someone to be on hand to provide care for the horses at all times, and the relatively remote position of the site gives rise to a security need which bolsters the main requirement for someone to be able to provide for the care and welfare of the horses. It seems to me that the circumstances in respect of need have not changed from the time of the previous approval

As such, the essential need for a rural worker dwelling at the site is established and is reasonably expected to persist.

More broadly, the NPPF aims to support “the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, new buildings”. Furthermore, “Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.” The site’s commercial use appears to be well-used and is considered to be a land-use appropriate to this rural area. As such, positive weight should be given to the proposal as it would support the long-term viability of the business as well as the other rural businesses that benefit from the operations at the site (feed and bedding suppliers, farriers etc.).

As such, the proposal is considered to comply (in principle) with the aims of Core Policy 48 of the WCS and the planning policy advice of the NPPF and is believed to be acceptable. This is of course subject to a suitably worded condition to ensure the occupation of the dwelling remains for a rural worker (and their family/dependents) as indicated earlier.

Design (including site layout, building design & landscape impacts)

Core Policy 57 of the WCS sets out a number of additional criteria to ensure that new development meets a high standard of design. A key aim being one that runs through both the NPPF and WCS policies is the need to identify, protect and enhance local distinctiveness (the locally distinctive character and layout of settlements and their wider landscape settings). Core Policy 51 broadly aims to ensure that development protects, conserves and where possible enhances landscape character and must not have a harmful impact upon it, with any negative impacts mitigated as far as possible through sensitive design and landscape measures.

The Wiltshire Design Guide (Supplementary Planning Document) (WDG) also sets out a number of key considerations to ensure that development meets the high standard of design expected by the WCS and NPPF.

The proposed dwelling is considered to be of an appropriate design that would respect the rural character of the site and wider landscape. It would be a 2 storey building of a relatively simple form and modest scale, set down visually with dormered front windows. It will use a rural palette of materials which would help to create a new building that would sit well within the wider rural landscape, and a condition can ensure the development is constructed in accordance with the proposed materials.

In wider landscape terms, the new building would be well screened by existing boundary hedges and trees, that are not proposed to be removed. Some views of the site may be achieved from the M4 to the south but the building would be visible within the context of larger more utilitarian agricultural/equestrian buildings and its design and materials are broadly in keeping with the distinctively rural character of the site and wider landscape setting.

The house would have a modest domestic garden, with potential to include domestic chattels only. It is a modest and commensurate development which retained the roadside established hedge to screen the proposal.

Subject to suitable conditions regarding finishes and the overall containment, the development is expected to comply with the aims of Core Policies 51 and 57 of the NPPF

Transport and highways

WCS Core Policies 60 and 61 aim to help reduce the need to travel by private car and encourage the use of sustainable and safe modes of transport across the county with a key criteria to ensure that developments are permitted in accessible locations. Core Policy 61 further adds that new development should be capable of being served by safe access to the highway network for all users (including safe loading/unloading facilities where these are required). Core Policy 62 states that developments should provide appropriate mitigating measures to offset any adverse impacts on the transport network at both the construction and operational stages. Core Policy 64 aims to promote the use of sustainable transport through a number of criteria including: (b) the application of maximum parking standards for non-residential development; and, (d) for residential development the application of minimum parking standards including provision of an appropriate mix of parking

types and smarter choices measures (expected to be detailed within Transport Plans) for larger developments.

The policies of the WCS are considered to be consistent with the advice of the NPPF particularly 110 and 116, the latter of which suggests that: Development should only be prevented or refused on highways grounds if there would be an unacceptably severe impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Firstly, the development would not give rise to the any notable adverse impacts on the transport network in the locality of the site. The access, parking and manoeuvring areas are established matters. With regard to reliance on the private car this is also an established facet of the site's overall use. It is not an open market dwelling, so due to the nature of the proposal for a rural worker's dwelling (specifically linked to the equestrian enterprise at the site) it is not considered a clear conflict with the aims of Core Policies 60 and 61 would arise. It is reasonably expected that the rural worker would be attending to commercial operations at the site so would not be required to drive to access employment elsewhere (for example).

Additionally, the site is not considered to be within an inaccessible location, and essential day-to-day services can be accessed (by car) in Royal Wootton Bassett. Paragraph 110 of the NPPF specifically advises that "opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making".

This is a scenario where the proposed dwelling is justified in an out-of-settlement location, based on the established essential need for an on-site rural worker. As such, accommodation within one of the larger, more sustainable nearby settlements would fail to protect the business interests at the site. The proposal is also small-scale and traffic expected to be generated would have little material impact on the local highway network in terms of safety and operation. It will of course not be materially different from that associated over many years with the mobile home

As such, only limited negative weight is given to the rural location of the site, which is outweighed by the support the development would provide to the local rural economy (a matter the NPPF considers should be given 'significant weight')

Taking into account the above, providing the rural worker occupation limitation is secured by condition, it is not considered the location is in conflict with the development plan.

Residential Amenity

NPPF paragraph 135(f) states that planning decisions should aim to create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. Core Policy 57(vii) of the WCS states high-quality of design will be achieved by: having regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing, vibration, and pollution (e.g. light intrusion, noise, smoke, fumes, effluent, waste or litter)

The Wiltshire Design Guide (WDG) also sets out a number of key requirements to ensure that new housing development is designed to provide good levels of residential amenity for future occupiers of a development without causing harm to amenities of properties neighbouring a development site.

The dwelling would provide an acceptable level of internal living space for future occupiers. The proposed residential garden would also provide sufficient outdoor amenity space. Whilst the location of the dwelling would be undesirable for open market housing (notwithstanding being broadly acceptable in principle) as the dwelling is for a rural worker, that is reasonably expected to be employed by the adjacent equestrian enterprise, it is not expected that any impacts to residential amenities from day-to-day commercial operations would be harmful.

Overall, the proposal is able to provide a good level of residential amenities for future occupiers of the rural worker dwelling whilst not causing harm to the amenities of neighbouring domestic properties and no conflict with the aims of Core Policy 57 of the Wiltshire Core Strategy or the relevant planning policy advice of the National Planning Policy Framework.

Ecology

The application includes a Preliminary Ecological Appraisal (PEA) report prepared by Ellendale Environmental. The report concludes that the site provides a low suitability to support protected species, and no evidence was found during the survey.

Although the scale of the development and the nature of the hardsurfaced ground from which the caravan will be removed mean this is a BNG exempt proposal, as confirmed in the ecologist's statement it is noted that WCS policy 50 requires an enhancement in and of itself. Accordingly, the PEA includes suggested Biodiversity Enhancement which my client would be happy to provide and could be conditionally controlled by reference to those suggestions listed.

Conclusion

Core Policy 48 supports dwellings required to meet employment needs for rural areas. Specifically, it supports residential development to 'meet the accommodation needs required to enable workers to live at or in the immediate vicinity of their place of work in the interest of agriculture or forestry or other employment essential to the countryside'. As indicated above the stated need to be supported by functional and financial evidence does not strictly accord with the NPPF.

Having said that I would reiterate that a business has been operating since before 2010 which supports its financial viability and the attached statement records the current profitability. The functional needs have not materially changed.

The erection of a new dwellinghouse as proposed also triggers the application of Core Policies 51 and 57, relating primarily to its acceptable visual assimilation at this site. In that regard it is strongly maintained that the proposed dwelling (which is very similar to other rural worker's properties approved elsewhere in Wiltshire) will

be constructed using stone and brick detailing typical of the area, below a slate roof. It is not a publicly prominent site either.

It is modest in size, commensurate with the siting shown and also with the needs of the business it will serve. It has an internal floor area of 136.26m² which is believed to fall within the relevant tolerance applied for suitable new rural tied accommodation.

There are no grounds to resist the erection of the new dwelling, replacing the existing. In that regard the existing structure adds nothing to the visual scene and the new dwelling will of course be built to modern insulation standards etc. enhancing both the visual scene and the sustainability of the available accommodation. It is of course anticipated that the existing structure can be conditionally removed prior to the first occupation of the new dwelling allowing the business to continue while it is being built.

In terms of the site's overall externalities there will be no material change in comings and goings and services and drainage are already available etc.

I trust the above comments provide sufficient information to allow this application to be both promptly and favourably determined, however if you have any questions to ensure your support, please do not hesitate to contact me direct.

Yours faithfully



Simon Chambers
Director

Enc.

Cc Mr and Mrs Taylor