

APPLICATION FOR FULL-PLANNING PERMISSION

CASE OFFICER REPORT

APPLICATION REFERENCE:	PL/2026/01154
APPLICATION TYPE:	Full Planning Permission
SITE ADDRESS:	Oxen Cottage, Nables Farm, Scotland Hill, Upper Seagry, SN15 5HB
DEVELOPMENT DESCRIPTION:	Change of use from holiday accommodation to independent dwelling
RECOMMENDATION:	Approved with conditions

SITE DESCRIPTION/CONTEXT

The site is located distant from any defined settlement boundary, the closest settlement being the undefined 'small-village' of Upper Seagry¹ some 1.2km to the east. Accordingly, for planning purposes, the site is considered to be within the open countryside. The application building is known as Oxen Cottage, a brick-built former barn granted permission in 2000 for conversion into holiday accommodation under the same permission as the adjacent Woodman Cottage.

The wider holding comprises gently rolling and distinctly verdant agricultural land, enclosed by soft field boundaries and native hedgerows. A long and winding farm track leads northwards and down from the elevated highway to the farm complex which comprises a mix of historic (brick and tile) and modern (pre-fabricated) farm buildings, a farmhouse and holiday lodges and cottages. The majority of the farm buildings are now within open market residential use with the exception of both Oxen and Woodman Cottages that occupy a broadly central location within the former farmyard.

The Hen House, located directly to the north of Oxen Cottage, gained prior approval for use as two dwellings and more recently a 2024 planning permission has approved a scheme of 5 no. new build dwellings on land to the east and north of Oxen Cottage (replacing buildings previously given prior approval for residential use). The Anchorage, directly to the west of Woodmans Cottage gained permission for a change of use from holiday accommodation to independent residential use in 2025.

Within the local landscape, the site currently retains a broadly rural character, that of a former farmyard. However, the new-build elements and previous changes of use have introduced a more domesticated character to the site, despite the new buildings being designed to emulate the modern farm buildings they will replace. The older brick-built buildings help to retain some of the former rural character.

The site is located within Flood Zone 1². There are areas of higher risk surface water flooding that follow a minor watercourse to the north, but the site and most of the wider former farmyard to the south is outside of these areas. Similarly, the wider Nables Farm site abuts an area of

¹ Appendix F, List 1 and Core Policy 10 of the Wiltshire Core Strategy.

² As defined by the Environment Agency flood modelling data available at the time of writing.

ancient woodland that extends to the north, but the application site is set away from this designation.

There are no other notable designations of either heritage or ecology value or other constraints covering the site.

PROPOSAL

The proposal aims to change the use of the building and its associated plot from holiday let accommodation to an open-market, independent dwelling. No building operations are proposed.

PLANNING HISTORY

There is significant planning history across the wider site known as Nables Farm, but the most relevant are those in relation to the former barns known as Oxen Cottage (the application site) and Woodman Cottage (see linked application PL/2026/01155).

It is noted however that the 2005 application, which the 2023 application sought to vary, was itself a variation of a condition on a 2000 application. The 2005 application permitted a time limited occupation of the unit then known as Barn A (now known as Woodman Cottage) by a carer, that expired in 2008 with the occupation of the unit after that date reverting to a holiday let.

The 2023 application was refused for two reasons. The first being that a variation/removal of condition application could not vary the description of the development (that included holiday accommodation) and secondly that the residential use had not been fully justified against the development plan specifically Core Policy 48.

Application Site

Planning Reference	Proposal / Summary	Decision
PL/2023/06340	Removal of condition 5 of N/05/00384/S73A to allow independent residential use of Barn A without limitations	Refused
14/06814/VAR	Variation of Condition 2 of N/11/2312/S73A to allow occupation by a carer for further 3 years.	Approved with conditions
N/11/02312/S73A	Variation of Condition 5 of 00/00558/FUL To Allow Occupation for Carer for a Further 3 Years	Approved with conditions
N/08/01167/S73A	Variation to Condition 5 of 00/00558/FUL	Approved with conditions
N/05/00384/S73A	Variation of Condition 5 (00/00558/FUL) to allow Occupation of Barn A by a Carer	Approved with Conditions
N/00/00558/FUL	Conversion of 2 No. Barns to Form Self Catering Holiday Accommodation.	Approved with conditions

Adjacent buildings/yard

Planning Reference	Proposal / Summary	Decision
PL/2026/01155	Woodman Cottage - Change of use from holiday accommodation to independent dwelling	Under consideration
PL/2025/04856	The Anchorage - Change of Use from Holiday Accommodation to Independent Dwelling	Approved with conditions
PL/2024/00866	Erection of five new build dwellings in the alternative to applications PL/2021/07596 and PL/2022/08822 which authorised the conversion of various buildings at Nables Farm, Upper Seagry, Wiltshire, creating five new dwellings.	Approved with conditions
17/03208/PNCOU	The Hen House - Notification for Prior Approval - Conversion of Existing Building (Building 1) Falling within Class B8, for Use as 2 No. Dwelling (Class C3), Pursuant to Class P	Prior approval granted

RELEVANT LEGISLATION, POLICIES AND GUIDANCE

Statutory Legislation:

Town and Country Planning Act. 1990 (as amended).

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*), saved policies of the North Wiltshire Local Plan 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 10 Spatial Strategy Chippenham Community Area;

- Core Policy 41 Sustainable Construction and Low-Carbon Energy;
- Core Policy 48 Supporting Rural Life;
- Core Policy 50 Biodiversity and Geodiversity;
- Core Policy 51 Landscape;
- Core Policy 55 Air Quality;
- Core Policy 57 Ensuring High Quality Design and Place Shaping;
- Core Policy 60 Sustainable Transport;
- Core Policy 61 Transport & 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 Rural Areas.

Seagry Parish Neighbourhood Plan (made in May 2021):

- SNP6: Small Infill Development;
- SNP9: Electric Charging Points.

Supplementary Planning Documents and other Guidance:

- Wiltshire Design Guide - adopted April 2024 (WDG)
- Wiltshire Local Transport Plan 3 2011-2026, adopted 2015 - including the Car Parking Strategy and Cycling Strategy, adopted 2015 (LTP3)
- Wiltshire Council's Waste Storage and Collection: Guidance for Developers Supplementary Planning Document, January 2017.

Draft Wiltshire Local Plan

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.

5 Year Housing Land Supply

The Wiltshire Housing Land Supply Statement (June 2025) provides the latest position on the Council's ability to demonstrate a five-year supply of deliverable housing land, which is a material consideration in the determination of planning applications.

The National Planning Policy Framework was revised in December 2024. This has reintroduced the requirement to meet five years' worth of deliverable sites and a buffer to be applied to the five-year housing requirement in all circumstances, and has revised the Local Housing Need calculation to establish the five-year housing requirement. These factors have resulted in a substantial increase in the five-year housing requirement to be met from the previous calculation. When this is assessed against the housing land supply which can be delivered within five years, the recalculation shows a significant reduction in the number of years supply. The resulting position shows that the Council can currently demonstrate a 2.42 years housing land supply of housing at a unitary authority level. This is considered to be a substantial shortfall.

The absence of a five-year housing land supply is a material consideration in the determination of this application. In accordance with Paragraphs 78 and 11(d) of the National Planning Policy Framework (NPPF), for applications involving the provision of housing, where there is a shortfall in the supply of deliverable housing sites, the most important policies for determining the application should be considered out of date. The current housing land supply shortfall is a factor that must be considered in the planning balance and in this case, as a five-year housing land supply cannot be demonstrated, the weight that can be applied to the most important policies for determining this application should be assessed and altered in the light of the shortage in housing land supply. The proposal must be assessed against the national policy context of the need to boost housing supply and the benefits of delivering new homes whilst having particular regard to the key policies set out in paragraph 11(d)(ii) and Footnote 9 of the NPPF.

Paragraph 14 of the NPPF goes on to further express that:

In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply:

- (a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and*
- (b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement.*

For the avoidance of doubt, as the NDP was made in May 2021 it therefore became part of the development plan less than 5 years ago (at the time of writing); however, the NDP does not contain policies and allocations to meet its identified housing requirement and as such the requirements of paragraph 14(b) of the NPPF have not been met.

ISSUES

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

- Whether the development is acceptable in principle;
- Whether the scheme would have an acceptable impact upon the reasonable living conditions of the adjoining and future occupants;
- Whether the scheme would have an acceptable landscape impact;
- Whether the proposal would have a negative effect upon highway safety, including if there is sufficient parking for the proposed development.

CONSULTATION RESPONSES

WC Highways: No objection

The change of use would not be a reason for highways objection in terms of highway safety, parking, or impact on the surrounding highway network.

The site is located outside of the settlement policy boundary, raising concerns with regards to the sustainability of the site for residential development due to the likely reliance upon the

private car for any occupants and their visitors/lack of pedestrian facilities/safe cycling provision The proposal is therefore, contrary to Core Policies 60 and 61 of the WCS and NPPF. However, highways advise they will be guided by the LPA on the location and sustainability issue.

Seagry Parish Council: No objection with comments

The Parish Council note that, the original holiday-let condition identified the reason as being that the site was in a position where the local planning authority would not permit an additional unit of permanent residential accommodation. However, the Parish Council is willing to support a change in views that might lead to future long-term occupants supporting the whole Seagry community.

In offering this support the Council has a number of concerns that need to be addressed. Firstly, the Council is concerned with the cumulative effect creating a large-scale hamlet of dwellings in this location outside of the natural framework boundary of Upper Seagry. Secondly that no independent dwelling created should gain permitted development rights.

Finally, there have been concerns in regards to foul water effluent polluting local ditches. There needs to be assurance from the Environment Agency that the foul water treatment plant serving the whole built form in the Nables Farm area is fit for purpose.

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.

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.

No responses to the public consultation were received.

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

Policy Context

Core Policy 1: Settlement Strategy of the WCS establishes a hierarchy of settlements to guide where development should be focused. The policy prioritises growth in:

- Principal Settlements (e.g., Salisbury, Chippenham, Trowbridge) – main focus for strategic growth.
- Market Towns – support local services and employment; suitable for sustainable development.
- Local Service Centres – smaller towns and villages with a range of services; limited development supported.
- Large and Small Villages – development should be limited and respond to local needs.
- Outside the defined settlements – development is strictly controlled and generally not supported unless exceptional circumstances apply.

Core Policy 2: Delivery Strategy of the WCS sets out how development will be distributed and delivered across Wiltshire. The policy emphasises:

- Sustainable patterns of growth, reducing the need to travel and supporting local services.
- Development should be plan-led, aligning with the settlement strategy and supported by infrastructure.
- Windfall development (not allocated in plans) must still comply with the principles of sustainable development.
- Development outside settlement boundaries is generally not permitted, unless it meets specific policy exceptions (as set out in paragraph 4.25 of the WCS).

Together, CP1 and CP2 ensure that new development is strategically located, sustainable, and supports the character and function of Wiltshire's communities.

In countryside areas, new residential development is limited to a few exceptions. One of which is the re-use of rural buildings supported by Core Policy 48 subject to the following criteria:

Proposals to convert and re-use rural buildings for employment, tourism, cultural and community uses will be supported where they satisfy 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.*
- 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.

Where there is clear evidence that the above uses are not practical propositions, residential development may be appropriate where it meets the above criteria. In isolated locations, the re-use of redundant or disused buildings for residential purposes may be permitted where justified by special circumstances, in line with national policy.

Assessment

The site location being within the countryside and remote from any defined settlement does not align with the spatial strategy of the development plan, should new housing development be proposed. The WCS includes Core Policy 39 that relates to tourism development, including accommodation. However, CP39 does not aim to protect holiday accommodation and broadly aims to direct new tourist accommodation to the larger settlements.

However, in this case, as the building is an existing former rural building the LPA considers that Core Policy 48 and the policy advice of the NPPF are most relevant.

It is not considered there is any conflict with the aims of criteria i, ii or iii of CP48 and criterion v is not relevant. Criteria iv, whether future occupiers would have “reasonable access to local services” requires some consideration as does the justification for allowing the holiday accommodation use to be lost.

The CP48 policy requirement to provide “reasonable access to local services” is considered to be less stringent than the policy requirements set out within CP1 and CP2 in relation to entirely new housing development. The advice of para. 83 of the NPPF is also relevant to this application:

To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.

Firstly, the nearest local services to the site would be within the small-village of Upper Seagry that has a pub/restaurant, recreation grounds, primary school and a community hall. The site is located approximately 1.2km from the village accessed via unlit, rural lanes with no footpaths. As such, it is highly likely to be the case that private motor vehicles would be relied upon to access the village from the site. There would also be a requirement for future occupiers to travel further afield to Chippenham or potentially Malmesbury to access healthcare, secondary schools and larger shopping and employment areas.

However, whilst not a suitable location for new housing the LPA considers that “reasonable access” would exist to future occupiers in line with the requirements of CP48 that does not intend to only permit the conversion of rural buildings within sustainable settlements. The LPA must also consider the proposal in line with the aims of NPPF para. 11d. The provision of one dwelling (two when considering the adjacent application for Woodmans Cottage), would still

result in a small net increase to the number of residential units which would consequently bring about some benefit to the housing land supply (HLS) for Wiltshire. The permanent occupation of the site would also reasonably be considered to provide some support to the local services within the nearby village of Upper Seagry.

Turning to the loss of the holiday accommodation, it is of note that the 2023 removal of condition application was refused as insufficient information had been provided to justify the loss of the holiday accommodation use (as well as due to the location and inability of the s.73 application to be able to alter the description of the development). At the time of that refusal, the council was able to demonstrate up-to-date housing policies (4yrHLS due to the NPPF policies at the time of that determination). However, given that the HLS position is now closer to 2.4yrHLS the weight given to the WCS new housing policies is diminished. As such, the LPA considers that greater weight should be applied to the housing that would be delivered and it is not considered there is sufficient reason or policy justification for the LPA to resist the loss of the holiday let use.

Conclusion

Whilst not compliant with the aims of CP1 or 2 of the WCS, the site location is considered to comply with the aims of CP48 and the benefits of the housing development to the council's HLS and support to the local rural community and services outweigh any minor harm due to the site location. The LPA is therefore able to support the principle of the development at this time.

Design and Impact on the Character and Appearance of the Area and Landscape

Policy Context

Core Policy 51 of the Wiltshire Core Strategy requires development to:

- Protect, conserve, and enhance landscape character and quality.
- Respect local distinctiveness, key views, and visual receptors.
- Give particular weight to impacts on National Landscapes (formerly AONBs) and locally valued landscapes.

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.
- Protecting natural landscape features.

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.

Assessment

The proposal does not involve any building operations and overall, the rural character of the building and its positive contribution towards the rural character of the former farmyard and its setting within the wider landscape will be preserved. The NP identifies several key landscape views but the site is not considered to affect any of these. As such, the landscape character of the wider area would be preserved.

Conclusion

No conflict with the aims of Core Policies 51 or 57 is identified with regards to design or landscape impacts.

Amenity

Policy Context

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.

Section 9 of the Wiltshire Design Guide (WDG) aims to ensure that all new housing meets the minimum requirements of the Nationally Designated Space Standards (NDSS) as well as setting out that outdoor areas should be of sufficient size and quality to ensure that all occupiers of new development have a good quality of living standards.

Future Occupiers

In this case, the internal floorspace would meet the NDSS requirements. The outdoor space would be marginally below that required by the WDG, garden space equal to the floor space of the dwelling and generally assumed to be a rear private garden space. Oxen Cottage has an amenity area to the front of the building with a small strip of unusable land to the rear between it and the neighbouring dwellings at The Hen House directly to the north. The courtyard layout of the site is not uncommon to former farmstead developments and, whilst the site is currently open to the adjacent properties, the garden area could be enclosed using permitted development rights for means of enclosure. In any case, the front garden area is of sufficient size to provide a usable amenity space. Two car parking spaces would be provided separately to the garden area.

A condition can remove permitted development rights for extensions to the building or erection of new outbuildings in order to ensure that amenity spaces are maintained to a sufficient size and quality.

In terms of the surrounding land uses, it is noted that a number of free range chicken houses are located within the land adjacent to the farmyard, 110 metres of Oxen Cottage at the closest point with four such house/enclosures within 400 metres of the site. There was some concern over the potential impact of any intensive livestock operations when The Anchorage change of use application was being considered. Conditions attached to that permission required noise and odour impact assessments should any "intensive" livestock operations be identified. The LPA agreed, via a subsequent discharge of condition application, that the free range chicken farming at Nables Farm was not an "intensive" livestock use. Being a maximum of

2000 birds split across four enclosures/houses. The LPA has also more recently considered the location for several Class Q conversions of remaining agricultural buildings adjacent to the farmyard was acceptable on noise and practicality grounds.

Taking into account the above, it is not considered that any conditions are required with regard to noise or odour assessment. The site is located within a wider working rural environment so some expectation of day-to-day noise and odour from farming operations is expected and in this case it would not be severe.

Neighbouring amenities

The Closest neighbours to the site are at The Hen House, directly to the north, and Woodmans Cottage to the south-east. The change of use of Oxen Cottage into a permanent residential use would not impact upon the living conditions of occupiers of The Hen House. The buildings are existing, and due to the layout of the site no adverse impacts would occur and outdoor amenity spaces would remain private.

The garden areas serving both Oxen Cottage and Woodmans Cottage are currently open to each other, but (as stated above) a sufficiently sized means of enclosure erected using permitted development rights could provide sufficient privacy screening. However, views between these two cottages are not direct and an internal site track/drive separates the two cottages so the LPA considers it is not necessary to secure any screening. It would be up to any future occupiers to exercise permitted development rights.

Conclusion

Whilst the site layout does not allow for the amenity space to strictly meet the WDG standards, the spaces that can be provided would be sufficient and no impact on neighbouring amenities is expected to occur. No conflict with the aims of Core Policy 57 are identified.

Highways Impacts and Parking

Policy Context

Transport implications are a key factor in assessing planning applications, especially for larger developments. Proposals must demonstrate:

- Safe and suitable access for all users, including pedestrians, cyclists, and those with mobility impairments.
- No severe residual impacts on the surrounding highway network.
- Promotion of sustainable travel, reducing reliance on private vehicles.
- Adequate parking and cycle provision, in line with adopted standards.
- Protection and enhancement of public rights of way and active travel routes.

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.

Proposals must also ensure safe access for refuse collection vehicles and comply with the Wiltshire Council Waste Storage and Collection SPD (2017).

Assessment

The site already has an established use that generates traffic and requires refuse collection. The local highway authority (LHA) has reviewed the proposals and considers that some minor increase in traffic may occur, due to a permanent occupation, but this would not impact on the safety or operation of the public highway in the locality. Two parking spaces would be provided that meets the minimum standards sought by the LTP3. A condition can ensure these spaces are retained for the use of Oxen Cottage. An additional condition can require that at least one space is provided with an EV charging point, in line with the NP policy and that secure cycle storage for at least two bicycles is provided prior to occupation.

Concerns over the sustainability of the site location have been addressed above (in the principle section of the report).

Conclusion

The proposal complies with the aims of Core Policies 60, 61, 62 and 64 of the WCS insofar as the development would not adversely impact upon the safety or the operation of the public highway in the locality of the site.

Ecology and Biodiversity

Policy Context

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).
- Support habitat restoration and connectivity.
- Integrate biodiversity into site design.

Assessment

Firstly, the change of use of the site is expected to have a minimal impact upon the biodiversity value of the site which is reasonably expected to be very low due to the use. The development is essentially changing the occupation from short-term to permanent but the impacts of such a change would be negligible. Nonetheless, the proposal is a form of development and should comply with the aims of CP50 and the NPPF that together seek to ensure that new development provides some net gains to biodiversity. A condition can require the placement of a bird box within the site, prior to first occupation.

The development is exempt from providing the statutory 10% BNG as it would not impact on any natural habitat over and above the existing situation. As such, it complies with the *deminimis* exemption.

Conclusion

Subject to the recommended condition, no conflict with the aims of Core Policy 50 of the WCS of the planning policy advice of the NPPF is identified.

Flood Risk and Drainage

Policy Context

Core Policy 67 of the Wiltshire Core Strategy and NPPF paragraphs 170–182 require:

- Avoidance of increased flood risk.
- Use of appropriate mitigation measures.
- Application of the sequential and exception tests for developments in Flood Zones 2 or 3.

Sustainable Drainage Systems (SuDS) are required for all major developments and must:

- Manage runoff near its source.
- Improve water quality.
- Support biodiversity and amenity.
- Be integrated into the site layout and green infrastructure.

Assessment

The site is located within Flood Zone 1, but is close to areas at higher risk of surface water flooding. The surface water flood zones run adjacent to a minor watercourse that runs east-to-west to the north of the site. The site and majority of the wider former farmyard are not within surface water flood zones and are served by existing soakaways. The change mainly relates to the occupancy of the existing building and no additional impermeable surfaces are proposed to be constructed. As such, there is no justification for the LPA to seek to control drainage measures beyond the existing situation.

The Parish comments with regard to foul drainage are noted. The site is currently in use and is connected to an existing foul drainage system. The proposal would not give rise to any substantial impact on the existing system, which is assumed by the LPA to be some form of privately managed treatment/septic tank. Future replacement of any private drainage system may require planning permission and/or building regulations compliance. As such, whilst an existing system may have been installed some time ago, when it requires replacement the LPA is satisfied that sufficient improvements can be secured at that time. Currently, due to the very low expected impact of the development, the LPA cannot justify further planning controls.

Conclusion

No conflict with the aims of core Policy 67 is identified.

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;

Having regard to paragraph 11(d) of the National Planning Policy Framework and the provisions of footnote 7, the Local Planning Authority considers that the presumption in favour of sustainable development ('tilted balance') is engaged. This is because relevant policies of the development plan are considered out-of-date and/or the plan is silent on matters material to the determination of this application.

In weighing the planning balance, the following factors have been considered:

The principle of development is considered acceptable when assessed against the relevant policies of the Wiltshire Core Strategy, supported by the planning policy advice of the NPPF.

The proposal is broadly compliant with relevant local and national planning policies in respect of design, scale, residential amenity, landscape, highway safety, flood risk and drainage, ecology and biodiversity, subject to the recommended conditions.

The development would deliver clear benefits, including housing provision, increased support to local village services and the rural community, which weigh positively in the overall planning balance.

No material considerations have been identified that would significantly and demonstrably outweigh these benefits or indicate that permission should be refused, having regard to the assessment above and the representations received.

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 the following conditions:

1. Time Limit

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. Approved plans

The development hereby approved shall be implemented in accordance with the details of approved plan numbers and documents:

- LPC 2065 EX 601 – Site Location Plan;
- LPC 2065 PR 601 – Proposed Site Plan;
- LPC2065 - 01 - Floor Plan.

Reason: In the interests of proper planning and to define the planning permission.

3. EV charging and cycle storage

The dwelling hereby approved shall not be occupied or brought into use until a minimum of one off-road car parking space has been equipped with an electric vehicle charging point and secure, covered cycle storage for a minimum of two bicycles has been provided within the curtilage of the dwelling. The development shall be maintained in that state thereafter.

REASON: To ensure that low-carbon modes of transport are promoted by the development in accordance with the aims of Core Policies 60 and 64 of the Wiltshire Core Strategy, policy SNP9 of the Seagry Parish Neighbourhood Plan and the planning policy advice of the National Planning Policy Framework.

4. Provision of bird box

The dwelling hereby approved shall not be occupied or brought into use until a bird box has been attached to the building between 2 and 5 metres in height above ground level on a northern or eastern elevation. The development shall be maintained in that state thereafter.

REASON: To ensure some enhancement to the ecological value of the site is secured in accordance with the aims of Core Policy 50 of the Wiltshire Core Strategy and the planning policy advice of the National Planning Policy Framework.

5. Removal of PD rights

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A, AA, B, and E shall take place on the dwellinghouse hereby permitted or within the curtilage.

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

Informative Notes

General Notes

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required, it will be necessary for the applicant to obtain the landowner's consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

Protected Species

The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Conservation of Habitats and Species Regulations 2017 (as amended) it is an offence to disturb or harm any protected species including for example, breeding birds and reptiles. The protection offered to some species such as bats, extends beyond the individual animals to the places they use for shelter or resting. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

Community Infrastructure Levy

The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website <https://www.wiltshire.gov.uk/dmcommunityinfrastructurelevy> .

Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition)” that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation

to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Wiltshire Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

In this case, a Biodiversity Gain Plan is NOT required to be submitted as the development complies with one or more of the exemptions.

For further information please refer to:

<https://www.gov.uk/government/collections/biodiversity-net-gain#developer-guidance>