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Date 10 July 2026

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Dear Lucy,

Planning Application - Land North of Forest Road, Wootton Rivers, Marlborough, SN8 4NL ("the Site")

Erection of 1no. Rural Worker's Dwelling including garage with associated parking area. Use existing highways access from Forest Road (Ref: PL/2026/03475) ("the Application")

We act on behalf of Sean and Joy Flanagan the owners of the property Bank Cottage, Wootton Rivers, Marlborough SN8 4NQ – ("Bank Cottage"), which is located less than 200m to the south of the barns that have recently been constructed at the Site. Our clients **OBJECT** to the Planning Application on the Site submitted by Mr and Mrs Blanchard ("**the Applicant**") for:

1. Summary

- 1.1. This objection is submitted on behalf of the owners of Bank Cottage in relation to Planning Application PL/2026/03475 for a rural worker's dwelling at Land North of Forest Road, Wootton Rivers. The proposal should be refused as it constitutes an unjustified new dwelling in open countryside outside the settlement boundary, contrary to Policy H1 of the Wootton Rivers Neighbourhood Plan and the wider development plan.
- 1.2. The Applicant has failed to demonstrate the essential functional need required to justify a rural worker's dwelling under Core Policy 48 and paragraph 84(a) of the NPPF.
- 1.3. The proposal would also harm the character and appearance of the North Wessex Downs National Landscape, raise significant highway safety concerns due to the access onto Forest Road, fail to demonstrate compliance with biodiversity requirements, and contribute to the continued incremental expansion and domestication of a site which until recently was an undeveloped agricultural field.

2. Planning History

- 2.1. The planning history is material because it demonstrates the gradual transformation of what was until recently an open agricultural field into an increasingly intensive built development. The Site was formerly undeveloped arable land with no built form visible from Bank Cottage. Since 2017, a succession of permissions has facilitated the construction and expansion of agricultural buildings, initially for hay storage and subsequently for cattle accommodation.
- 2.2. The present Application represents a significant further stage in that process. Unlike the earlier permissions, which related to agricultural buildings, the proposal seeks consent for a substantial four-bedroom dwelling incorporating a garage, office and meeting room. The Parish Council has previously expressed concern regarding the continuing expansion of development on the Site and the cumulative effects of successive applications.
- 2.3. Against that background, the Council should carefully scrutinise whether the proposal is genuinely required to meet an essential agricultural need or whether it represents a further step in the gradual domestication of the Site. The scale, footprint and domestic character of the proposed dwelling extend well beyond what might ordinarily be expected for accommodation required solely to support livestock welfare and day-to-day agricultural operations.
- 2.4. The planning history also demonstrates that the wider farming enterprise has operated for a number of years without a dwelling at this location. That is a relevant consideration when assessing whether the Applicant has discharged the burden of demonstrating the exceptional circumstances and essential functional need required by Core Policy 48 and paragraph 84(a) of the NPPF.

3. Compliance with the Development Plan

- 3.1. The Application is required to be determined in accordance with the Wiltshire Core Strategy 2015 and the Wootton Rivers Neighbourhood Development Plan 2017–2026.
- 3.2. Policy H1 of the Wootton Rivers Neighbourhood Plan states:

Any new development will be limited to “in-fill” as defined by Core Policy 2 in the Wiltshire Core Strategy. Development will only be acceptable if it is within the built up area

Residential development shall consist of 3 bedroom units or less.
- 3.3. The Applicant has accepted that the Site lies outside the built-up area of Wootton Rivers and does not constate “in-fill” development. The proposed four bedroom dwelling outside of the built-up area does not accord with Policy H1 and as such is contrary to the development plan and should be refused.
- 3.4. The Applicant seeks to overcome this conflict by relying on Core Policy 48 of the Wiltshire Core Strategy which states:

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

- 3.5. The Planning Statement fails to address paragraph 6.67 of the Wiltshire Core Strategy which clearly provides that the exemption of rural employment in the countryside shall only be approved in “exceptional circumstances” where there is a need for the dwellings to be on-site. In accordance with this policy the Council should also consider alternative accommodation in nearby settlements.
- 3.6. The setting and scale of the proposed dwelling does not support the Applicant’s claim that the dwelling is necessary to support rural employment. The development proposes 4x double bedrooms with car parking for 4-5 vehicles along with an office and meeting room.
- 3.7. The Planning Statement seeks to demonstrate necessity for the dwelling in this location as *“There is a lack of suitable accommodation in the area to house a farm worker within sight and sound of the barns.”* However, it is noted that the barns are south and downhill from the proposed dwelling, no external lighting is proposed for the darker and winter months (which would be unacceptable in any event). The orientation of the dwelling faces the open fields to the west of the Site with the garage towards the south. No windows or vantage points are orientated towards to barn for the monitoring of the calves to take place.
- 3.8. This is excessive in scale and footprint for what is being presented as a modest rural worker’s dwelling. The inclusion of a meeting room, offices and additional parking is particularly concerning. If the true need is for a worker to monitor calves, there is no adequate planning justification for additional business floorspace or the increased parking in this sensitive location.
- 3.9. In the circumstances, it is apparent that the proposed dwelling is being presented as rural worker accommodation in order to invoke the exception under paragraph 84(a) of the NPPF and Core Policy 48, notwithstanding that the evidence does not convincingly demonstrate an essential operational need for permanent residential accommodation at this location.

4. Biodiversity Net Gain

- 4.1. The application is advanced on the basis that the proposed dwelling is exempt from the statutory Biodiversity Net Gain (“BNG”) regime because it is said to constitute a self-build development. The Preliminary Ecological Appraisal (the “Ecological Appraisal”) submitted with application PL/2026/03475 expressly states, at paragraph 2.3.1, that the proposal is considered exempt from the requirement to deliver at least 10% BNG on that basis.
- 4.2. The Planning Statement seeks to contend that the Site falls within the scope of The Biodiversity Gain Requirements (Exemptions) Regulations 2024 on the basis that the dwelling should be considered “Self-Build.” This contention requires further analysis.
- 4.3. The Planning Practice Guidance provides:
In considering whether a home is a self-build or custom build home, relevant authorities must be satisfied that the initial owner of the home will have primary input into its final design and layout.
- 4.4. The Applicant, Tom and Pippa Blanchard, are the owners of the wider Wolfhall Farm Estate and reside in Durley, 4.4 miles from the Site.
- 4.5. The proposal before the Council is not an ordinary self-build dwelling. The Application is expressly promoted as a permanent agricultural worker's dwelling required to serve

an existing cattle enterprise and incorporates a farm office, meeting room and associated business accommodation. It is clear that the business accommodation is proposed to serve the wider Wolfhall Farm Estate. The Ecological Appraisal itself repeatedly describes the proposal as a "farm worker's dwelling" associated with the wider farming operation rather than a private self-build home. Accordingly, if the Council concludes that the self-build exemption is unavailable, the proposal is incapable of complying with the mandatory biodiversity gain requirements because no biodiversity metric, biodiversity gain plan or evidence of a minimum 10% net gain has been supplied.

- 4.6. It is apparent from the Planning Statement that the occupier of the dwelling is not intended to be the Applicant. The Application is for full planning permission and it is plain that the proposed rural worker has not had any input into the design or layout of the dwelling.
- 4.7. On the basis that the Application fails to demonstrate that the mandatory 10% Biodiversity Net Gain is achieved, the Application must be refused.
- 4.8. Even if the Council were not persuaded on the legal point concerning the exemption, the proposal still conflicts with national and local biodiversity policy. Paragraph 187(d) of the NPPF requires planning decisions to contribute to and enhance the natural environment by "minimising impacts on and providing net gains for biodiversity". The Ecological Appraisal itself identifies opportunities for habitat enhancement, including enhancement of hedgerows, woodland creation, field margin improvements, biodiversity buffers around the adjacent woodland, bat-focused habitat creation and additional ecological planting. Paragraphs 5.2.3 to 5.2.5 specifically recommend habitat enhancement and woodland creation measures, while paragraph 4.4.2 acknowledges that the Site falls within Local Nature Recovery Strategy measures promoting woodland creation and ecological enhancement.
- 4.9. Crucially, those measures are not secured through the Application. These are presented merely as recommendations. The proposal therefore seeks to develop a currently undeveloped agricultural field within a wider ecological network whilst providing no quantified biodiversity gain and no secured package of ecological enhancement. This approach conflicts with paragraph 187(d) of the NPPF and with Core Policies 50, 51 and 52 of the Wiltshire Core Strategy, all of which seek not merely to avoid harm but to secure enhancement of biodiversity and green infrastructure.

5. No essential need

- 5.1. The justification for the proposal depends entirely upon demonstrating an essential need for a rural worker's dwelling in this location pursuant to paragraph 84 of the NPPF. That essential need has not been demonstrated. The Applicant's case rests on the proposition that calves at the Forest Road barns require 24-hour attention and that a worker must therefore live on the Site.
- 5.2. First, the principal farm operations are not located at the Site. The Applicant's own Planning Statement states that the principal farms are at New Barn Farm and Wolfhall Farm in the neighbouring village of Burbage, that the main farm infrastructure and milking operations are there, and that the application Site is not contiguous with the main Wolfhall Farm Estate holding. The main farming operation at Wolfhall Farm (and Wolfhall Farmhouse) is 4.9 miles from the Site (circa 11 minutes drive).

- 5.3. The Applicant already lives in close proximity to the Site, with the main farmhouse and associated farm accommodation in Burbage, and with other employees living closer in Cadley (centre of Cadley 2.9 miles to the Site, circa 7 minutes drive). The main farmhouse is at Burbage and the day-to-day operators live in another house approximately four miles from the Site in Durley (centre of Durley 4.2 miles to the Site circa 9 minutes drive). Both accommodations are circa 7 – 9 minutes drive from the Site and therefore sufficiently close to allow regular in person monitoring of the calves several times daily. Moreover, remote monitoring of calves (and cows during calving) in barns is a very common modern farming practice, particularly on dairy farms and beef units during calving season. Typical systems include:
- CCTV cameras mounted in calf sheds or calving pens.
 - Live viewing on a phone, tablet or computer.
 - 4G-connected cameras where there is no farm broadband.
 - More advanced systems using sensors or AI to alert staff to calving, illness or unusual behaviour.
- 5.4. There is now a substantial commercial market in dedicated "calving cameras", "barn cameras" and livestock monitoring systems specifically designed for cattle sheds and calf barns. Modern calving and livestock-monitoring systems are specifically marketed on the basis that these enable farmers to observe animals remotely and intervene promptly when needed, rather than requiring constant physical presence in the barn. If a camera were to identify a calf in distress then the Applicant or another agricultural worker could arrive within circa 7-9 minutes. A 7-9-minute response time is understood to be considered prompt in the context of livestock monitoring. Remote monitoring exists precisely to facilitate prompt attendance when a problem is observed.
- 5.5. That materially undermines the suggestion that a further permanent dwelling at this elevated site is essential.
- 5.6. The Applicant has not demonstrated why the alleged need could not be met by existing accommodation within Wootton Rivers, Burbage, Cadley, Durley or other nearby settlements. The Parish Council objection records that several properties have been available for sale in the village over the past year and that such properties could have provided accommodation close enough to meet the claimed need, particularly when combined with modern monitoring technology.
- 5.7. The Council should require the Applicant to demonstrate, by independent agricultural evidence, why twice-daily inspections, existing nearby accommodation and remote monitoring technology would be insufficient for care of the calves at the Forest Road barns..
- 5.8. The Planning Practice Guidance ("PPG") (Paragraph: 010, Reference ID: 67-010-20190722) puts the burden on the Applicant to provide clear evidence of necessity. A preference for convenience, a desire to improve general management, or an aspiration to live in a highly attractive rural location is not enough. The PPG at the first bullet of the above referenced paragraph specifically addresses the need for a dwelling in connection with animal welfare in these terms:

evidence of the necessity for a rural worker to live at, or in close proximity to, their place of work to ensure the effective operation of an agricultural, forestry or similar land-based rural enterprise (for instance, where farm animals or agricultural processes

require on-site attention 24-hours a day and where otherwise there would be a risk to human or animal health

5.9. The Applicant has not demonstrated that “on-site attention 24-hours a day” is needed in this case. The Applicant has not adequately demonstrated why a 7–9 minute response is inadequate for the effective operation of the enterprise, and what welfare or economic losses would arise if a worker were not on site 24 hours a day.

5.10. The Council’s attention is also drawn to the fact that there no requirement or published guidance that requires 24-hours a day monitoring of calves. The Welfare of Farmed Animals (England) Regulations 2007, (Schedule 6, paragraph 2) states that:

All housed calves shall be inspected by the owner or keeper of the calves at least twice a day to check that they are in a state of well-being.

This requirement is repeated in the “Code of Recommendations for the Welfare of Livestock”.

<https://assets.publishing.service.gov.uk/media/5a797ca9ed915d0422068dae/pb7949-cattle-code-030407.pdf>

6. Environment and Landscaping

6.1. The Site lies within the North Wessex Downs National Landscape. The NPPF requires great weight to be given to conserving and enhancing landscape and scenic beauty within National Landscapes.

Ecology

6.2. Paragraph 189 of the NPPF requires great weight to be given to conserving and enhancing landscape and scenic beauty in National Landscapes, whilst Core Policy 51 requires development to conserve and where possible enhance landscape character, biodiversity and the special qualities of the designated landscape. The Applicant's own Ecological Appraisal acknowledges the significance of the surrounding ecological resource, including priority hedgerows and adjacent woodland habitats, and confirms that the Site sits within an area identified by the Local Nature Recovery Strategy for woodland creation and habitat enhancement. In those circumstances, a proposal that secures no measurable biodiversity gain and no binding ecological enhancement package should attract substantial negative weight.

6.3. Further, the ecological evidence relied upon by the Applicant should also be treated with caution. The Preliminary Ecological Appraisal confirms that the field survey was undertaken on 9 January 2026 and expressly acknowledges that January is a "sub-optimal survey period" for ecological assessment. The report further states that botanical surveys are generally best undertaken between April and August and acknowledges that protected species groups such as amphibians and reptiles are less active during January, making signs of their presence more difficult to identify (paragraphs 3.4.2 and 3.4.3).

6.4. Whilst this does not automatically invalidate the report, it inevitably limits the confidence that can be placed in conclusions derived from a winter survey alone. The survey was undertaken during a self-acknowledged sub-optimal survey period when habitats and species are less readily identifiable. In circumstances where the Site lies within a nationally protected landscape and immediately adjoins ecologically valuable

habitats, the Council should exercise caution before concluding that the full ecological implications of the development have been properly identified and assessed.

- 6.5. There are also concerns regarding the nutrient neutrality evidence submitted in support of the Application. The Nutrient Neutrality Exemption Note seeks to rely upon the Annex F "insignificant effects" exemption and concludes that no nutrient offsetting is required. However, the report acknowledges that one of the key exemption criteria, namely compliance with the percolation testing requirements for the proposed drainage field, has not yet been demonstrated. Criterion 3 of the assessment states that compliance is "to be confirmed at Technical Design stage" following future percolation testing and therefore remains unverified at the point of determination. The report likewise relies upon future confirmation of drainage field details and other technical matters.
- 6.6. As a result, the conclusion that the proposed package treatment plant will give rise to no likely significant effect on the River Avon SAC is dependent in part upon information which has not yet been provided. The Council is therefore being asked to accept the benefit of a nutrient neutrality exemption before the evidential basis for that exemption has been fully established. This is particularly concerning where the proposal includes a new isolated dwelling served by a package treatment plant within the Hampshire Avon nutrient neutrality catchment.

North Wessex Downs National Landscape

- 6.7. The Site is situated wholly within the North Wessex Downs National Landscape. The Applicant's own Landscape and Visual Appraisal recognises that the landscape has a "High" value and constitutes a "valued landscape" for the purposes of paragraph 187(a) of the NPPF. Paragraphs 4.4.2 to 4.4.5 of the Visual Appraisal expressly acknowledge the Site's location within a nationally designated landscape and the high scenic quality associated with that designation.
- 6.8. Paragraph 189 of the NPPF requires great weight to be afforded to conserving and enhancing landscape and scenic beauty in National Landscapes, while Core Policy 51 similarly requires particular weight to be given to conserving the special qualities of the AONB/National Landscape. The proposal conflicts with those objectives because it would extend built development further into an open and visually prominent hillside location beyond the existing three cattle barns and yard.
- 6.9. Significantly, both the Parish Council and the Applicant's own consultants acknowledge that the dwelling would extend development further upslope. The Parish Council specifically objected on the basis that the dwelling would create a further extension of development into the hillside and should instead be located closer to the existing barns if development were considered acceptable in principle.
- 6.10. The Landscape and Visual Appraisal effectively accepts that the development would introduce additional visual harm. Much of the report is directed towards identifying future mitigation planting needed to reduce the visual impacts of the dwelling, including new hedgerows, extensive tree planting and long-term landscape management. Paragraphs 6.3.1 and 6.3.2 recommend significant additional landscape mitigation specifically to contain and soften the development. The need for such substantial mitigation demonstrates that the development is not inherently compatible with its National Landscape setting.

- 6.11. Further, the extent of the proposed mitigation planting also raises a wider concern. The Site presently forms part of an open agricultural landscape which contributes to the character and scenic beauty of the National Landscape. The Applicant's proposed response to the visual impacts of the dwelling is not to minimise the scale of development, but instead to introduce extensive new landscaping, woodland planting and vegetative screening to reduce its visibility.
- 6.12. The surrounding fields currently support a range of wildlife associated with open countryside and farmland habitats. The environmental consequences of extensive tree and shrub planting should therefore be assessed in the context of the Site's existing ecological value and not simply assumed to be beneficial because additional planting is proposed.
- 6.13. Whilst tree and hedgerow planting can often be beneficial, in this case the proposed mitigation would itself materially alter the existing landscape character. Rather than conserving the open rural qualities of the Site, the development would require the creation of a more enclosed and managed landscape in order to accommodate a dwelling that would otherwise appear visually intrusive.
- 6.14. The question is not merely whether additional planting can screen the development from view, but whether the substantial alteration of the Site's existing character through planting and landscape engineering is itself appropriate in this location. The need for significant mitigation suggests that the proposed dwelling is not a natural or sympathetic fit within the receiving landscape.
- 6.15. Furthermore, the Landscape and Visual Appraisal acknowledges that the Site lies within an area identified in the East Wiltshire Landscape Character Assessment as falling within a "Conserve" landscape category and located on the prominent chalk scarp overlooking the Vale of Pewsey. Paragraphs 4.4.4 and 5.1.2 expressly recognise those sensitivities. In policy terms, therefore, the proposal conflicts with Core Policy 51, paragraph 189 of the NPPF and the North Wessex Downs National Landscape Management objectives.

7. Highway safety: unsafe access on a blind bend

- 7.1. The Application proposes to use the existing access from Forest Road.
- 7.2. The Applicant relies on paragraph 116 of the NPPF, which states that development should only be prevented or refused on highway grounds where there would be an unacceptable impact on highway safety or severe residual cumulative impacts.
- 7.3. The proposed access is on or very close to a blind bend on a narrow rural road, with hedgerows affecting visibility. No suitable visibility splays have been proposed exiting the Site.
- 7.4. The highway safety concerns extend beyond the immediate site access. Vehicles entering and leaving the Site must travel along a section of Forest Road characterised by constrained visibility and a series of bends.
- 7.5. In the direction of Wootton Rivers, road users encounter a transition from the national speed limit to a 30mph speed restriction upon entering the village. Further along this route, close to Bank Cottage, there is a sharp bend with limited forward visibility which residents consider to be a longstanding highway safety concern.
- 7.6. Residents of Bank Cottage have personally witnessed a number of near-miss incidents and vehicle collisions on this stretch of Forest Road over the years,

particularly at the sharp bend adjacent to Bank Cottage where forward visibility is restricted. They have also experienced a number of close calls when using the road and are aware of incidents involving vehicles negotiating the bend at excessive speed. Whilst they have not personally witnessed a collision at the sharp corner immediately adjacent to the Site access, they consider the route between the Site and Bank Cottage to comprise a series of blind and constrained bends which already give rise to highway safety concerns.

- 7.7. Whilst the Council will no doubt place greatest weight on any available collision data and the professional advice of the Highway Authority, these observations are consistent with concerns previously raised by Wootton Rivers Parish Council regarding the safety of the sharp bend and the existing access arrangements onto Forest Road. The introduction of a permanent dwelling, together with associated residential, visitor and service vehicle movements, including movements relating to the proposed business accommodation, would increase traffic on this constrained stretch of road and has the potential to exacerbate existing highway safety concerns.
- 7.8. Due to the amount of vehicle parking spaces proposed, the development would introduce additional vehicle movements to an access point with poor visibility on a rural road where vehicles are understood to travel at speed.
- 7.9. Street lighting would not be an acceptable mitigation in this rural National Landscape location. The absence of lighting, while appropriate in landscape terms, increases the hazard at night. Conversely, introducing lighting would itself cause unacceptable visual and light pollution harm. The highway issue therefore cannot be dismissed simply because the access already exists for agricultural use. Residential and business-related traffic associated with a permanent dwelling is materially different in intensity, timing and character. The proposal is also likely to create an increase in trips, with the main Wolfhall Farm complex.

8. Utilities and Infrastructure

- 8.1. The existing site is rural and, has very limited infrastructure. There is no current power connection to the three barns located on the Site, and the introduction of residential lighting would represent a material increase in light pollution. The North Wessex Downs National Landscape's website states that: *"In the North Wessex Downs almost 15% of our sky is as dark as anywhere in the country"* and it is actively working to reduce light pollution and protect dark skies through policy guidance and public engagement.
- 8.2. The presence of extensive dark skies is a relevant planning consideration. The North Wessex Downs National Landscape has published guidance aimed at minimising light pollution and preserving the area's dark skies.
- 8.3. The Applicant's documentation does not adequately address the practical implications of introducing a permanent dwelling in this location. The Application does not sufficiently set out the anticipated provision for mains drainage, power, gas, telecomms and other infrastructure. The absence of existing sewage connection would likely give rise to the need for a packaged treatment plant.
- 8.4. These issues are relevant both to sustainability and to landscape impact. A new dwelling in this location is likely to require additional infrastructure, external plant,

lighting, drainage arrangements, utility connections and operational paraphernalia which would compound the harm to the rural landscape.

- 8.5. The proposed dwelling would introduce external lighting, domestic windows, parking activity, headlights, servicing and general domestic activity into a dark rural location. In particular, the volume of car parking that has been requested and the claim that the barns will require 24-hour monitoring (notwithstanding that we do not consider this to be the case).
- 8.6. That would be harmful to the tranquillity and character of the National Landscape and to neighbouring residential amenity.

9. Residential Amenity

- 9.1. Our clients already experience odour, flies and other unneighbourly effects from the cattle use. The cows have brought flies, that smell can be offensive when the prevailing winds are still, and that our clients have had to close windows and avoid outdoor use of their garden at these times. There is a legitimate concern that permitting a permanent dwelling and associated office accommodation will permit significant intensification of the cattle operation at this sensitive location, with further effects on neighbouring amenity.
- 9.2. The Parish Council has consistently objected to cattle operations being located within 400m of existing residential properties and considers that the Council's previous decision to permit cattle accommodation at this location has directly led to the current proposal for a permanent rural worker's dwelling. The present application therefore illustrates the very cumulative development concerns previously raised by the Parish Council

10. Planning Inspectorate Decisions

- 10.1. The concerns set out above are consistent with recent appeal decisions in Wiltshire relating to rural worker dwellings and isolated residential development in the countryside.
- 10.2. In Top Field Farm, Baydon (APP/Y3940/W/16/3165289), the Inspector dismissed an appeal because the critical issue was whether the agricultural enterprise genuinely justified a permanent dwelling in the countryside, emphasising that Core Policy 48 reflects the policy objective of avoiding isolated homes unless there are compelling special circumstances. The Inspector accepted that some agricultural activity existed but nevertheless concluded that the evidence did not justify a permanent dwelling.
- 10.3. The Applicant has not submitted any supporting evidence to demonstrate the agricultural enterprise at the Site or the need for a permanent dwelling in the open countryside.
- 10.4. Waterhay Barn, Leigh (APP/Y3940/W/24/3342862), the Inspector dismissed an appeal for a new dwelling on a rural barn site, finding that:

The site is clearly in open countryside which is subject to policies of restraint in respect of the type of development proposed, and its character would be harmed.
- 10.5. Similarly with the Site, the location of the appeal site was deemed to be physically remote from settlements and in an agricultural setting such that the principle of a new dwelling balances against the degree of conflict with the development plan policies.

11. Planning Conditions

11.1. Our clients' primary position is that planning permission should be refused. In accordance with section 38(6) Planning and Compulsory Purchase Act 2004 the proposed development conflicts with the development plan, and the Applicant has not demonstrated that "material considerations indicate otherwise". However, if the Council is minded to grant permission, any permission must be subject to robust controls by condition and, where necessary, a section 106 agreement to prevent the permission being used as a foothold for further residential or quasi-commercial development.

11.2. At a minimum, the following controls should be imposed:

11.2.1. Agricultural occupancy restriction

The dwelling must only be occupied by a person employed full-time at the calf-rearing / bovine isolation unit with their dependents tied specifically to the agricultural use of the barns at Land North of Forest Road, not merely to the wider farm business generally.

11.2.2. Cessation trigger

If the barns cease to be used for the calf-rearing / TB isolation use, or if that use no longer requires an on-site presence, occupation of the dwelling should cease unless otherwise approved by the Council.

11.2.3. No separate disposal

The dwelling should not be sold, leased or otherwise disposed of separately from the agricultural land and barns it is said to serve.

11.2.4. Removal of permitted development rights

All permitted development rights under Schedule 2, Part 1 of the GPDO should be removed.

11.2.5. Restriction on office/meeting room use

The farm office and meeting room should be used only for purposes directly ancillary to the Forest Road agricultural operation and should not be used for general commercial meetings, farm retail, events, training, hospitality, or other business uses generating additional traffic.

11.2.6. No further agricultural buildings without express permission

Given the incremental development history, permitted development rights for further agricultural buildings within the relevant holding / site should be removed so far as legally possible, or otherwise controlled by agreement.

12. Process

12.1. Our clients are concerned that the Application material refers to neighbour consultation, but they have not been consulted by the Applicant. Bank Cottage is located less than 200m to the south of the barns recently built on the Site, and occupies an elevated position above Forest Road, from which there are clear views towards the existing barns and the proposed dwelling site.

12.2. Our clients purchased Bank Cottage in 2012 specifically because of its open outlook across unspoilt countryside and woodland. At that time, the Site comprised agricultural fields with no built development. Since 2017, however, the Site has been subject to

incremental development, including the construction of the barns and the subsequent introduction of livestock use.

12.3. Our clients state that there has been a lack of consultation and that the planning application refers to neighbours having been consulted, whereas our clients state that they have not been consulted at all.

12.4. The Council should not attach positive weight to any suggestion of neighbour engagement unless it is supported by clear evidence of who was consulted, when, how, and what response was received.

12.5. In accordance with Wiltshire Council's Constitution, Part 3 Responsibility for Functions and Schemes of Delegation, this Application should not be determined under delegated powers.

12.6. We understand that the Parish Council have raised serious objections to this development, which raises significant and controversial issues relating to the claimed agricultural need under Core Policy 48, the impact of a substantial new dwelling within the North Wessex Downs National Landscape, highway safety concerns associated with the Forest Road access, and the cumulative effects of the progressive development of what was previously an open agricultural field.

12.7. The Council's Constitution expressly recognises that applications may be referred to Planning Committee where a Division Member submits a call-in request identifying material planning considerations or where the Corporate Director, Place considers it inappropriate for officers to exercise delegated powers having regard to public representations and consultee responses. Given the Parish Council's objection, the substantial local concern generated by the proposal and the important policy issues raised, this Application ought properly to be determined by the relevant Area Planning Committee rather than by officers under delegated powers. Our clients respectfully request that the Application be reported to committee and that they be afforded the opportunity to address Members in accordance with the Council's public participation procedures.

13. Conclusion

13.1. For the reasons set out above the proposal would result in an unjustified new dwelling in the open countryside, causing harm to the character of the North Wessex Downs National Landscape.

13.2. If the Council is nevertheless minded to grant permission, it should be subject to stringent planning conditions and a section 106 agreement permanently linking the dwelling to the agricultural use it is said to serve.

Yours Sincerely,

Shoosmiths LLP

Jennifer Eng
Principal Associate
Shoosmiths LLP

