

Outline planning application for the change of use of land for the siting of up to 38 holiday lodges, including creation of new vehicular access off Spine Road West, extension of existing shared footway and cycleway along the B4696 Spine Road East and associated landscape planting and infrastructure with all matters reserved except the means of access to the site

**Lake 62, Cotswold Water Park, Derryfields, Ashton
Keynes, Wiltshire SN6 6QT**

Planning Statement

Client: Quinque Stella Holdings Ltd

July 2026

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1 INTRODUCTION AND BACKGROUND

- 1.1 This planning statement has been prepared on behalf of our client, Quinque Stella Holdings Ltd (hereby referred to as the ‘applicant’), the owner of the recreational lake located at Lake 62, Cotswold Lakes (CL – formerly known as Cotswold Water Park), Derryfields, Ashton Keynes, Wiltshire SN6 6QT.
- 1.2 The proposed development consists of the change of use of the land to accommodate the sitting of up to 38 holiday lodges, creation of new vehicular access off Spine Road West, extension of existing shared footway and cycleway along the B4696 Spine Road East and provision of associated landscape planting and infrastructure, such as small scale wind turbines provided they are deemed appropriate due to the sensitive nature of the application site. This is an outline planning application with access to, and not within, the site being the only matter that is not reserved.
- 1.3 In early 2021, Natural England (NE) contacted landowners notifying them that they were considering protecting most of the lakes within the CL and designating them as Sites of Special Scientific Interest (SSSI). The designation of the application site as a SSSI was confirmed on 29th September 2021 and it formed part of more than 170 lakes within the CL that were designated on that day.
- 1.4 Notwithstanding this designation, the Chair of Natural England Tony Juniper in a press release dated September 2021 highlighted¹ the significance of enabling and preserving existing lawful recreational activities that have been ongoing in the CL prior to this designation:

“We wish to see this, and all current uses of the water park – wildlife, access, recreation, mining, farming and military – continue and will put in place an agreed framework to enable this to happen.”
- 1.5 It is significant to note that the aforementioned “agreed framework” has not been produced yet; however, it is our understanding that NE is in the process of producing a framework which will be used to assess development proposals of this nature on the CL. This is considered essential to ensure that tourism

¹ <https://www.gov.uk/government/news/cotswold-water-park-confirmed-as-a-site-of-special-scientific-interest>

development on the wider CL area will not be prevented on the future, as it is the main economic factor for the communities living in the surrounding villages.

- 1.6 The recreational value of the application site and CL as a whole is reflected on the latest Impact Report 2024-2025² that was prepared by Cotswold Lakes Trust. The report highlights that:

“The Cotswold Lakes attracts an estimated one million visitors a year from the local area, across the UK and overseas. Visitors are encouraged to access and enjoy our sites for recreational purposes and wellbeing.”

- 1.7 In their latest report³ celebrating their 25 years, the CL Trust together with The Hills Group also highlighted the significance of promoting the educational opportunities and preserving the recreational value of the CL:

“The partnership between the Hills Group and Cotswold Lakes Trust is set to continue into the future, building on the achievements over the last 25 years to restore and create this exceptional leisure amenity and haven for wildlife.

Cotswold Lakes Trust is committed to providing an educational resource, engaging with visitors, the local community, schools and universities to promote a greater understanding and appreciation of the heritage, wildlife and landscape of the Cotswold Water Park. Together we will work to protect this unique natural setting for future generations to enjoy.”

- 1.8 Pre-application advice was previously provided by Wiltshire Council (hereby referred to as the ‘Council’). The advice is summarised in Section 4 of this planning statement, together with the actions arising from the feedback that was provided.
- 1.9 Bluestone Planning has also engaged with key stakeholders and statutory consultees, including Ashton Keynes Parish Council (AKPC), the Environment Agency (EA), Historic England (HE) and Natural England (NE). The feedback received has been used to inform and evolve the proposals, the subject of this planning application.
- 1.10 An Environmental Impact Assessment (EIA) Screening Opinion Request under Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) was submitted to the Council on 28th October 2025. The

² https://cotswoldlakestrust.org/wp-content/uploads/2025/09/2025_Impact-Report_FINAL_lo-rez.pdf

³ https://cotswoldlakestrust.org/wp-content/uploads/2023/03/CLT_Hills_Brochure_FINAL_lo-rez.pdf

Council confirmed on 30th January 2026 that the proposed development does not constitute an EIA development.

- 1.11 The remainder of this statement examines the development proposal in relation to its location, the planning history, the planning policy background, the material planning considerations that are relevant to the determination of this planning application and the weight attributed to each identified benefit and conflict which is set out in the overall planning balance.

2 SITE DESCRIPTION

- 2.1 The application site is a Historic Landfill Site, known also as North End Works to the north west of the Ashton Keynes settlement and lies within the western part of the CL. This is a private lake that is owned by the applicant. There have been various leisure and recreation activities taking place for more than 20 years, including water-skiing, fishing, triathlon events / training and open water swimming.
- 2.2 It comprises the water element which occupies the centre of the application site with dense woodland covering primarily the north and north western area of the application site. The eastern area of the application site is more open in nature and is currently occupied by various lawful shipping containers.
- 2.3 At present, the lake is also used for private fishing. Those fishing also sometimes camp there. Triathlon training happens every Wednesday evening during the summer months and approximately 10 triathlon meetings take place throughout the summer. The organisation known as LPSEVENTS⁴ organises a number of different activities each year, including triathlon, duathlon, aquabike, aquathlon and swimming. As it can be seen from the home page of their website, these events take place regularly between May and September each year.



Figure 1. Aerial photograph of the lake showing the preparation undertaken for future events

- 2.4 The activities set out in the table below have already been pre-booked for 2026:

⁴ <https://lpsevents.co.uk/>

Activity	Dates (2026)
Triathlon, Duathlon, Aquabike, Aquathlon	20 th May, 17 th June, 15 th July, 19 th August
Triathlon, Duathlon, Aquabike, Aquathlon, Swim	23 rd May, 5 th July, 15 th July, 5 th September
Swimming	28 th June
Triathlon – 4 person relay & individual option	6 th September



Figure 2. Example of previously erected structures for leisure and recreational activities

- 2.5 The applicant's family also regularly participates in waterski activities that take place on the lake during the summer. Other activities that are also currently being allowed at the lake include: camping, shooting (both hunting and targets), fishing, BBQs and several bonfire events throughout the year.
- 2.6 The application site is enclosed by a number of tall trees and dense hedging which provide natural screening from the adjacent roads. In addition, the application site is also contained by a 2.4m high security fence with steel gates, which is set slightly in from the edge of the site boundary. These were granted planning permission back in 2022.



Figure 3. Gate and fence approved under planning application ref: PL/2021/04577

- 2.7 Immediately to the east of the lake lies the Aggregate Industries North End Farm Works site. To the west, the application site lies adjacent to a Scheduled Ancient Monument (SAM)⁵. A little further to the west also lies the King's Water development, which comprises land within the CL that benefits from planning permission for approximately 75 private homes. To the south lies the Ashton Keynes settlement, whilst to the north the application site adjoined by agricultural fields and recreational lakes.



Figure 4. Aerial photograph of the lake and its surroundings

- 2.8 Furthermore, the application site is located approximately 4.5km from North Meadow & Clattinger Farm Special Area of Conservation (SAC) and is situated within its Outer Zone of Influence.⁶ Accordingly, and given this development has been confirmed by the Local Planning Authority (LPA) to not trigger the EIA Regulations, a financial obligation will be required to mitigate recreational impacts on the SAC arising from the proposals.
- 2.9 The application site can also currently be accessed from Ashton Road. The closest Public Right of Way (PRoW) (ref: AKEY1A) lies to the south east of the application site and comprises part of an incomplete cycle path that serves the CL.

⁵ <https://historicengland.org.uk/listing/the-list/list-entry/1004691?section=official-list-entry>

⁶ <https://www.cotswold.gov.uk/media/hmvfdoos/north-meadow-sac-mitigation-strategy-final-2023.pdf>

3 PLANNING HISTORY

- 3.1 According to the Wiltshire Council's online planning resource, the planning history for the application site is as follows:

Reference	Description	Status	Date
N/92/02384/F	Change of use to land to golf driving range	Approved	11 th March 1994
N/00/02201/FUL	Erection of 2 No portacabins to form office to be used for purposes ancillary to associated building product manufacturing	Approved	21 st October 2000
N/03/00782/COU	Use of lake for personal and watercraft members club and activity centre	Withdrawn	21 st May 2003
N/03/03088/COU	Use of water of lake 62 for personal watercraft members club	Withdrawn	13 th February 2004
N/06/01730/FUL	Boat house with ancillary accommodation (domestic use only)	Withdrawn	23 rd August 2006
PL/2021/04577	Installation of a 2.4m high security fence within and on the perimeter of the site and the erection of two pairs of gates	Approved	5 th January 2022
PL/2021/06229	Change of use of land to provide two converted shipping container units for tourist accommodation	Refused	17 th August 2022

- 3.2 It is significant to note that the latest planning application was refused on landscape and design grounds only and not on the principle of establishing a tourist accommodation use, which was found to be acceptable by the LPA. Both of these matters relate to technical matters which can be fully addressed at the reserved matters stage.
- 3.3 Further, the Environmental Health Officer at that time also confirmed that a land contamination assessment would not be necessary given the status of the application site as a historic landfill site and additional evidence obtained by the EA which

demonstrated that the application site was likely filled in with inert waste after the historic operations ceased.

- 3.4 As noted above, Bluestone Planning engaged in pre-application discussions with the EA, NE, HE, the Local Highway Authority (LHA), Visit Wiltshire and AKPC. The pre-application discussions and outcomes are set out below.

Visit Wiltshire and Wiltshire's E&R Team

- 3.5 Bluestone Planning contacted the Council's Economy and Regeneration Team to ascertain if there is a tourism need in the area for new holiday accommodation in this location. They confirmed that they would not be in a position to confirm themselves and instead encouraged us to seek the opinion from Visit Wiltshire.
- 3.6 Representatives from Visit Wiltshire highlighted that a demand continuous to exist. Further additional information justifying the proposals can be found at the Tourism Accommodation Report that supports the proposals.

Environment Agency

- 3.7 The EA noted that the application site is located within Flood Zones 2 and 3 and a future planning application we will need to be supported by additional technical studies, such as a Flood Risk Assessment (FRA) or a Drainage Strategy. They did not raise an in-principle objection to the proposals.
- 3.8 A FRA and Drainage Strategy has been submitted with this planning application and demonstrates how the proposed development will be safe from all sources of flooding in perpetuity whilst also preventing an increase in flooding elsewhere, in line with the advice provided by the EA.

Historic England

- 3.9 The HE officer highlighted that subject to the submission of a heritage impact assessment and desk-based archaeological study that demonstrate that there will be no harm to either the setting or significance of the adjoining SAM and any other identified nearby heritage assets, HE would have no objection to the proposals.
- 3.10 The HE officer also noted that the focus on developing primarily the eastern part of the application site, which is further away from the SAM, was welcomed.

Natural England

- 3.11 The pre-application advice received from one of NE's ornithologists confirmed that an alternative scheme of up to 50 holiday homes with a large number of complementary commercial facilities was unlikely to be supported by them due to the harm it would have on local habitats, which would be difficult to mitigate.
- 3.12 The advice received from NE was used to evolve the proposed scheme which is now proposing up to 38 holiday units with very few complementary commercial buildings (maximum 100-150 sqm to take into account environmental sensitivity of the application site) which will be located on areas of the application site devoid of any vegetation. This is considered to be a significant improvement over the previous scheme, which will not result in unacceptable harm to the habitats of the SSSI. This is also evident from NE's latest response in the EIA screening request, where they highlighted that the proposed scheme would be acceptable, subject to the submission of sufficient information demonstrating the potential impacts of this proposal upon the SSSI and proposed mitigation measures.

Ashton Keynes Parish Council

- 3.13 Bluestone Planning attended a PC meeting on 15th November 2023 in order to present the scheme that was available at the time to Parish Councillors and local members of the public, who were attending.
- 3.14 The most relevant matters that were raised during the meeting by either Parish Councillors or members of the public are summarised in the table below. Whilst the scheme that is subject of this planning application is significantly different from what was presented to the PC at the time, the feedback that was received was used to inform the current proposals.

Comments	Response
The Spine Road junction to the south east of the application site is considered to be a "deathtrap" due to the number of accidents that occur in this location regularly. It was noted that the traffic situation in the surrounding area is significantly worse during times when schools are closed or when there are triathlon events in the site. Concerns that	Pre-app discussions were held with the LHA to discuss transport impacts arising from the proposals. The LHA noted that the local highway network would not seemingly be overburdened by the proposals comprising a larger quantum of holiday accommodation units. Therefore, the reduced quantum of holiday units proposed at this stage is considered to not result in an unacceptable impact on highway safety.

the proposed development could exacerbate this issue.	
Concerns about the number of planning applications for tourist accommodation that have been permitted in the last few years and very few of the approved schemes or those that are currently under determination have provided any type of meaningful infrastructure.	The initial aim was to deliver several different types of community facilities, such as a place for a new GP/Blood Donor service, consultation rooms, boat hire office and workshops alongside a bus stop to improve accessibility to and from the application site; however, the concerns raised by NE made it clear to the project team that new facilities would only be acceptable at the eastern side of the application site, where it is currently occupied by a few containers and devoid of important SSSI features. Discussions were also held with the Estates Team of NHS Bath and North East Somerset, Swindon and Wiltshire Integrated Care Board (ICB) to ascertain whether a new GP practice could be provided in this location; however, it was confirmed that there is no requirement for one in this area based on the current population. In addition, the current local practice had no interest in a new building. Consequently, the current proposals seek permission for the creation of flexible commercial uses for the benefit of the prospective occupiers and the local community.
The number of accommodation units (50) proposed at the time was too large and it could be considered that the scheme might end up creating a “mini village”.	The proposed development is for a significantly reduced number of proposed holiday lodges compared to what had initially been considered, which constitutes a significant improvement over the previous scheme and will not create a perception that a new “mini village” is being created.
The proposed new access from Spine Road West could prevent the expansion of the existing cycle way from being completed. The completion of the existing cycle way along Spine Road West should form part of any scheme put forward by	We discussed this idea with the LHA, who rejected it, stating that <i>“cycle connectivity would be desirous to the east as there is an existing shared use path along Spine Road East but currently there would be no advantage in provision of a cycle path to the west of the</i>

the owner of Lake 62.	<i>access as there is no cycle infrastructure to connect with.</i> Consequently, it is proposed to extend the existing cycleway through the application site with the aim to deliver the western cycle expansion in the future, when the opportunity arises.
The possibility of having a footpath and cycle way running adjacent to Ashton Road should also be investigated and included, if it can be achieved.	The proposed development includes several highway improvements which seek to improve pedestrian safety and encourage sustainable travel, as far as it is reasonably practical for a site in this location. These are set out in detail in the Transport Statement, Travel Plan and supporting drawings. Should the LHA consider that additional measures and improvements to the local highway network are required to facilitate the proposed development, these can be secured via a planning condition / S278 agreement and/or a legal obligation, subject to it meeting the relevant tests.

Wiltshire Council – Local Planning Authority

- 3.15 Pre-application advice was also sought from the LPA. The officer appointed to provide pre-application advice highlighted their concerns primarily over the scale and design of the development. It was also recommended that an outline planning application be submitted and other helpful comments in relation to ecology, design and amenity were also provided. The recommendations were used to inform the proposals and develop a scheme that respects the character of the area and its local wildlife.

4 DESCRIPTION OF THE PROPOSALS

- 4.1 An overview of the proposals can be seen in the Proposed Site Plan (ref: CWP-102 Rev 04) that accompanies this application. Layout matters are reserved, and therefore this plan should be treated as indicative.
- 4.2 The proposed development will comprise up to 38 high quality holiday homes which will be located along the eastern, western and southern edges of the lake. These are envisaged to be located primarily on the lake shore, with only a very small part of their frontage being on the lake's water either via stilts or something similar.
- 4.3 The proposed holiday homes will be occupied on a temporary basis, as per the current holiday restrictions that affect other similar tourist facilities in the CL. This can be secured with an appropriately worded condition.
- 4.4 The northern area of the lake will remain unaffected by the proposals, as it will be retained in private use. Although unlikely, the lawful recreational events which already take place here may continue to take place in that part of the lake if the area can meet the needs of event operators. The LPA and LHA can control this with an appropriately worded planning condition. The majority of this area will also be enhanced as part of the proposals to meet the statutory Biodiversity Net Gain (BNG) requirement. Details shall be provided when permission is sought for the discharge of the BNG Condition.
- 4.5 The application site is currently in private use and only accessible to members of the public when various recreational events take place each year. As a result of the proposals, it is considered appropriate and reasonable to open up the application site to the public at all times to meet the objectives of Core Policy 54 of the Wiltshire Core Strategy which seeks to encourage increased public accessibility and enjoyment of the lakes and countryside.
- 4.6 Whilst the opening of the application site to the public on a whole year basis will likely result in some additional recreational pressure to both the lake's habitat and wildlife, this could already happen without the need for express planning permission, given the existing recreational use of the lake. Indeed, it is not uncommon for other lakes in the CL and SSSIs further afield to be open to the public provided that certain controls apply to ensure that the supporting habitat of the SSSI is protected.
- 4.7 It is envisaged that the opening of the site to the public will lead to a number of ecologically-focused recreational opportunities/activities taking place at the lake that will

raise ecological awareness and improve mental health. This initiative would build upon the objectives set out by the key stakeholders of the CL, which seek to enhance the water park for the benefit of both wildlife and people. These could include, but not be limited to:

- Birdwatching;
- Cycling; and
- Organised educational circular walks

4.8 Cooperation between the applicant and Natural England is considered key to ensure that this initiative is achievable and could be delivered without adverse harm to the SSSI's integrity in perpetuity.

4.9 The proposed development also seeks the creation of ancillary commercial floorspace which will enhance the proposed tourist attraction and could also benefit the local community, should the LPA and NE consider it appropriate. These are envisaged to be a small café, wellness centre/gym, a bicycle hire or a similar facility (subject to marketing) and situated in the eastern part of the lake. The applicant is happy to discuss with the LPA about the types of facilities that would be supported and the mechanisms which could be used to secure them.

4.10 Indicative details showing the appearance, size and materials for the proposed holiday homes accompany this application, although these should be treated as solely indicative at this stage due to Appearance and Scale being reserved matters.

4.11 Equally, although Landscape matters are also reserved, an indicative landscaping plan (ref: LAS 93 – 04) accompanies this planning application to demonstrate how the biodiversity of the application site could be enhanced.

4.12 Access is proposed to be taken from the existing access via Ashton Road to the north east and from a new access to the south via Spine Road West. In addition, several measures to promote sustainable modes of transport are also proposed, including the continuation of the existing cycle track along B4696, the creation of a new uncontrolled pedestrian crossing on the B4696 and new pedestrian warning sign to the south.

4.13 Although permission is sought in connection with the accessibility to the application site, it is significant to highlight that access matters in relation to the accessibility within the

application site and the overall positioning and treatment of circulation routes remain a reserved matter.

- 4.14 The protection of the natural environment and the integration of sustainable practices have been prioritised by the design team, and as a consequence the proposed holiday homes will have eco-credentials and several small vertical wind turbines are also envisaged to be installed to enable the generation of clean energy. The energy generated from these, albeit small, will contribute towards reducing the pressure that will be created on the local power grid.
- 4.15 Details of will be provided at the reserved matters stage, albeit their orientation will ensure that there will be no adverse impact on any protected or unprotected flying species.

5 RELEVANT PLANNING POLICY

National Planning Policy Framework (2024)

- 5.1 The Government's policy on planning matters is primarily contained in the National Planning Policy Framework (NPPF) the revised version of which was published in December 2024. It sets out planning policy for managing the impacts of development, including the provision of design considerations. It also contains policies intended to control the effects of development on the environment, amenity and highways matters, and is supported by guidance contained on the Planning Practice Guidance website, a web-based 'living' resource.
- 5.2 The NPPF explains that planning permission should be determined in accordance with the development plan, unless material considerations indicate otherwise' and the NPPF is a material consideration in planning decisions.
- 5.3 The overarching aim of the NPPF is to achieve sustainable development and **Paragraph 8** sets out economic, social and environmental objectives, which constitute sustainable development and should be considered as a whole.
- 5.4 **Paragraph 57** highlights that planning conditions should be kept to a minimum and only be imposed if they are deemed to be necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.
- 5.5 **Paragraph 58** makes clear that planning obligations should only be sought where they are considered to be necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development.
- 5.6 **Paragraph 88** states that a positive approach should be adopted towards development proposals for sustainable rural tourism and leisure schemes, provided that they respect the character of the countryside.
- 5.7 **Paragraphs 96-97** states that the aim of planning decisions should be to achieve healthy, inclusive and safe places and to provide the necessary social, recreational and cultural facilities and services to meet the local needs of a community.
- 5.8 **Paragraph 116** deals with the transport effects of development. It states "*Development should only be prevented or refused on highways grounds if there would be an*

unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.

5.9 **Paragraph 125** highlights that planning policies and decisions should:”

- a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;*
- b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;*

5.10 **Paragraph 129** highlights the importance of supporting development proposals that make efficient use of land and achieve appropriate densities by taking into account:”

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;*
- b) local market conditions and viability;*
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;*
- d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and*
- e) the importance of securing well-designed and beautiful, attractive and healthy places.”*

5.11 **Paragraphs 131-141** deal with good design principles and highlight the significance of creating high quality buildings that help create better (and recently ‘beautiful’) places to live and work.

5.12 **Paragraphs 161-169** outlines the significance of taking into consideration the implications a proposal would have on climate change.

5.13 **Paragraph 168** states that LPAs should recognize that small-scale projects can provide a valuable contribution to cutting greenhouse gas emissions.

5.14 **Paragraph 176** makes clear that planning applications for some minor development and changes of use should not be subject to the sequential or exception tests but nonetheless

should still meet the requirements for site-specific flood risk assessments set out in footnote 60.

5.15 **Paragraph 178** states that the exception test should be informed by a specific flood risk assessment and to show that it has been passed, a development proposal should demonstrate that:”

- a) *the development would provide wider sustainability benefits to the community that outweigh the flood risk; and*
- b) *the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall. “*

5.16 **Paragraph 187** makes clear that planning decisions should aim to enhance the local environment by:”

- a) *protecting and enhancing valued landscapes, sites of biodiversity....*
- d) *minimising impacts on and providing net gains for biodiversity...*
- e) *preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability...”*

5.17 **Paragraph 193a) and 193b)** addresses development proposals impacts on the natural environment, including SSSIs, and highlights that:

“When determining planning applications, local planning authorities should apply the following principles:

- a) *if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
- b) *development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;”*

5.18 **Paragraph 198b)** also adds that planning decisions should ensure that new development:

- a) *“mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life”*

5.19 **Paragraphs 212-221** address proposals affecting heritage assets. They stipulate that new proposals must respect and preserve the local character of the respective area, and where possible enhance the significance of the heritage asset.

Local Planning Policy

5.20 The Development Plan for the area comprises:

- The Wiltshire Core Strategy Development Plan Document – adopted 20 January 2015
- The saved policies of the North Wiltshire Local Plan 2011 – adopted June 2006
- The Ashton Keynes Neighbourhood Plan 2015-2026 – made 31 May 2017

5.21 The relevant Core Strategy policies are considered to be the following:

- **CP39:** Tourist Development
- **CP48:** Supporting Rural Life
- **CP50:** Biodiversity and Geodiversity
- **CP51:** Landscape
- **CP54:** Cotswold Water Park
- **CP55:** Air Quality
- **CP57:** Ensuring High Quality Design and Place Shaping
- **CP58:** Ensuring the Conservation of the Historic Environment
- **CP60:** Sustainable Transport
- **CP67:** Flood Risk

5.22 The relevant saved policies of the North Wiltshire Local Plan 2011 are the following:

- **NE12:** Woodland
- **NE14:** Trees and the control of new development
- **NE18:** Noise and pollution

5.23 The relevant Ashton Keynes Neighbourhood Plan policies include the following:

- **INP1:** Flood risk mitigation in new developments
- **INP2:** Road and Pedestrian Safety
- **ENP1:** Protection of biodiversity and wildlife sites
- **ENP2:** Environmental infrastructure and accessibility
- **ENP3:** Enhancing the landscape character of the Parish and retaining the character of the village including the tranquillity of its setting
- **HCP1:** Local character
- **ECP2:** Use of former Minerals Extraction and Manufacturing Sites
- **ECP3:** Recreation and Tourism

Other supporting documents

5.24 The aforementioned Development Plan Documents are also supported by the following:

- Wiltshire Design Guide – adopted 25 March 2024

Emerging Local Plan

5.25 The emerging Local Plan was withdrawn on 19th May 2026 by elected members at a meeting of full council. Although its draft policies attract no weight in decision-making, some of the technical reports which form part of its evidence base are considered to be of interest.

6 MATERIAL PLANNING CONSIDERATIONS

6.1 The material planning considerations are set out below in separate headings and are considered to be as follows:

- Principle of Development
- Biodiversity
- Landscape
- Archaeology & Heritage
- Air Quality & Odour
- Noise
- Flood Risk & Drainage
- Transport

Principle of Development

6.2 **Core Policy 39** addresses tourist development proposals and sets different requirements depending on whether they are located within or outside Principal Settlements and Market Towns. It also highlights that development located outside Principal Settlements and Market Towns should at least be located in or close to Local Service Centres or Large and Small Villages and meet a list of criteria.

6.3 The application site is considered to be located outside, but adjacent to, a Large Village (Ashton Keynes) as is evident from the designated NP area which shows the extent of the built-up area of the Parish (solid blue line shown on figure 5 below). Therefore, it is considered to comply with the first part of this development plan policy. The LPA also confirmed they agree with this position in their pre-application response.

6.4 Development proposals in such locations are also required to meet five criteria which are set out and addressed each in turn below. The LPA confirmed in their pre-application response that the proposed development meets most of these criteria with the main points of consideration that need addressing in a future planning application being criteria (iii) and (iv); however, all of the criteria are addressed fully below for the sake of completeness. These criteria are:

- There is evidence that the facilities are in conjunction with a particular countryside attraction.*

- ii. *No suitable alternative existing buildings or sites exist which are available for reuse.*
- iii. *The scale, design and use of the proposal is compatible with its wider landscape setting and would not detract from the character or appearance of the landscape or settlement and would not be detrimental to the amenities of residential areas.*
- iv. *The building is served by adequate access and infrastructure.*
- v. *The site has reasonable access to local services and a local employment base.*

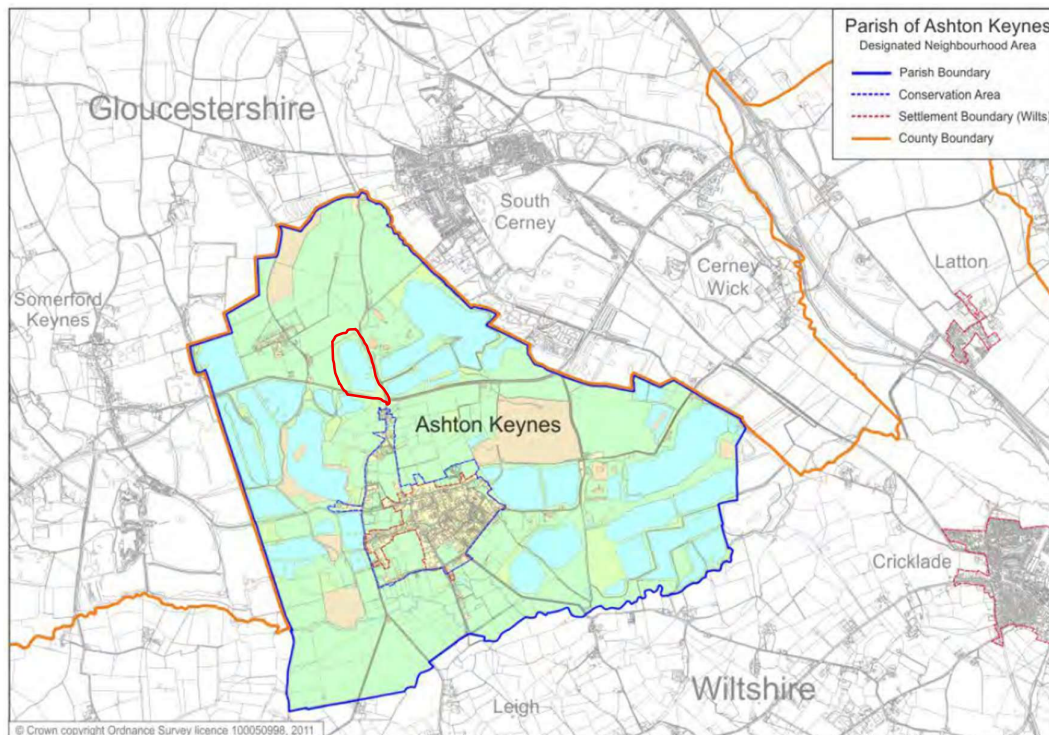


Figure 5. Designated Neighbourhood Plan Area, as shown on page 1 of the 'made' AKNP. Application site edged red.

There is evidence that the facilities are in conjunction with a particular countryside attraction.

6.5 With regards to criterion i), the proposed development plainly would be in conjunction with a particular countryside attraction, namely the CL. It is also considered evident that the proposed development will be no different from other similar developments within the CL. In addition, the proposed cycle way, lakeside amenity buildings which could include information points and provide additional information in respect of Wiltshire Wildlife birdwatching activities, as part of the proposed promotion of the educational function of CL. Accordingly, the proposed development is considered to satisfy the requirements of this criterion. The LPA also noted in their pre-application response that this criterion

No suitable alternative existing buildings or sites exist which are available for reuse.

- 6.6 It is significant to highlight that back in 2022, the LPA confirmed that the siting of two mobile container homes at the application site would comply with the criterion of this policy. In addition, the LPA also did not raise a concern over the proposed development meeting this criterion. Nonetheless, a site search has been carried out to consider whether there are any other alternative suitable sites, buildings or lakes which are available for re-use as the proposed development. The methodology and findings are set out further below.
- 6.7 The site search exercise was underpinned by the tourist accommodation supporting statement which also accompanies this planning application. Given the lack of information provided by the LPA at the pre-application stage in terms of the parameters which should be used to show compliance with this criterion, the tourist accommodation supporting statement is considered the most reasonable and optimal method to identify the primary parameters which could be used to assess how well the proposed development could compete in the local market against other similar existing developments and identify the nature of the alternative sites the proposed development would compete with.
- 6.8 Section 5 of the tourist accommodation supporting statement on page 3 sets out in detail the characteristics that make the application site the most optimal location for this type of development and the unmet need in a niche market that others providers in the area would be unable to meet. This is quoted below for ease of reference:

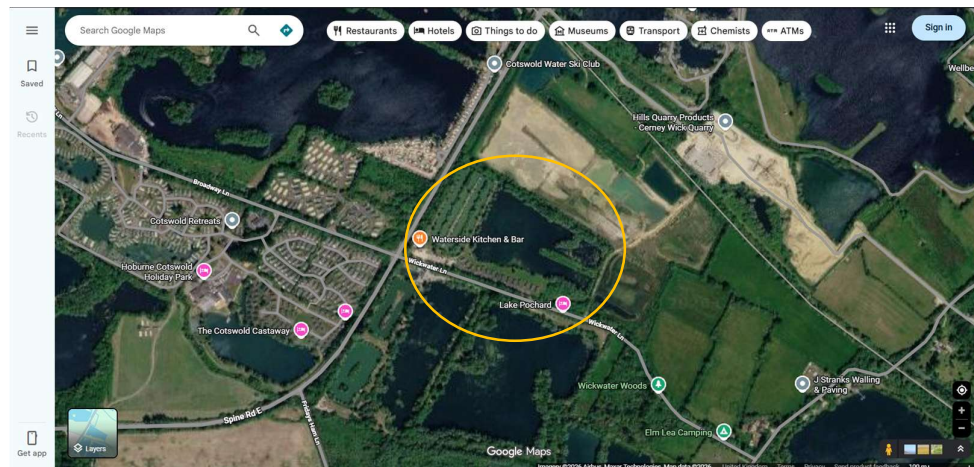
“Lake 62 is not simply another site in the Cotswold Water Park. It is the only site in the western Cotswold Water Park where the landowner holds full ownership of a substantial freshwater lake – 7 hectares, entirely within the application boundary. This private lake is the primary competitive differentiator in the market. Lake access commands a premium of £80 to £150 per night and 8 to 12 occupancy percentage points over non-lakeside equivalents. Private lake exclusivity – no sharing with other guests, other operators, or day visitors – creates a “private estate quality signal” that no existing CWP operator can replicate. The SSSI and National Landscape designations are simultaneously planning constraints and permanent commercial assets: they guarantee the landscape quality that commands premium pricing and ensure no volume competitor can build on adjacent land. The site also fills three specific market gaps identified by Hotel Solutions that currently do not exist anywhere in the CWP: boutique-scale

integrated land and water produce; exclusive private-lake watersports; and authentic nature-led positioning within an SSSI."

6.9 In essence the key takeaways are:

- 1) The proposed development requires a lakeside location to deliver a premium experience which can only be found in the CL. The proposed development seeks to build upon the existing tourism opportunities that occur at the CL and attract existing and new visitors. Therefore, any available lakeside sites outside the CL would have to be discounted.
- 2) The element of exclusivity that the lake currently offers due to being private, will be retained should the LPA and NE agree with opening the whole/part of the lake to the public by providing appropriate measures to preserve the amenity of future occupiers.
- 3) There are no other lakeside locations within or near settlements which are classified higher (i.e. Principal Settlements/Market Towns) in the settlement hierarchy. Whilst an ideal scenario would be to place the proposed development on land located within or adjacent to one of those higher category settlements, as stipulated by **Core Policy 39**, this is not practically possible in this case.
- 4) The concept of the proposed development is to provide a holiday units on the edge of and overlooking a lake, with all the peace, tranquillity and nature. Therefore, any available non-lakeside locations would have to be discounted.
- 5) The majority of the lakes at CL are understood to be in private ownership, which makes the consideration of acquiring land to accommodate the proposed development unviable due to premium land values as a result of their location.
- 6) The proposed development seeks to capitalise on the SSSI designation on the application site by offering significant ecological and educational benefits to both future occupiers and the local community which would improve mental, physical health and overall wellbeing. Therefore, any lakes which are not designated as SSSI would also have to be excluded as they would be unable to offer the same experience to visitors.

- 7) Even if lakes which were not designated as SSSI were to be considered, at the time of writing none was found to be available in the open market.
- 8) Any lakes in the CL which are designated as SSSI, but cannot be lawfully be used for recreational activities would also have to be discounted, as the additional recreational pressure as a result of the proposed development by opening them to the public/occupiers of the proposed holiday accommodation units would likely be severe in planning terms. Therefore, it would not be possible to justify this.
- 9) At the point in time writing this statement, only one other lake is available in the open market. This is Lake Pochard⁷ which is located further to the east of the application site and is currently on the market for £3,000.000. Unfortunately, this location does not meet the requirements of the proposed development as the lake and surrounding land element measures only 11.5 acres in area, which makes it impossible to accommodate the scale of the proposed development. In addition, the land already contains a number of holiday lodges including complementary amenity buildings, which do not align with the general theme of the proposals due to the holiday lodges being further away from the edge of the lake. Therefore, it is not considered to constitute an alternative suitable location for the proposed development.



⁷ https://www.uklandandfarms.co.uk/rural-property-for-sale/south-west/gloucestershire/south_cerne-tr5yramd/



Scandinavian style lakeside lodges to rent in the heart of
the Costwold Lakes

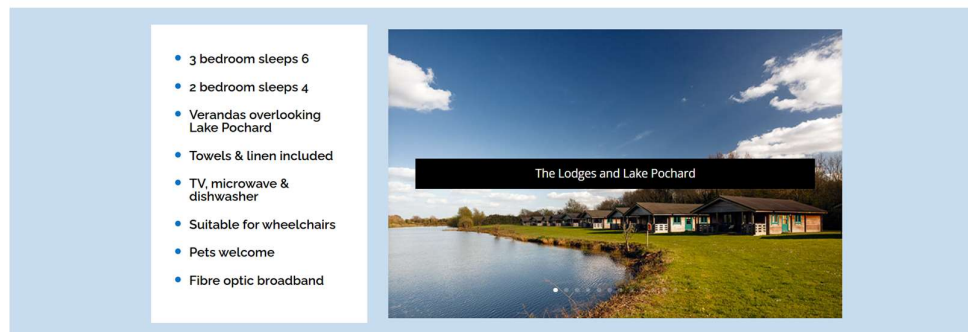


Figure 6: Lake Pochard, Wickwater Lane, South Cerney, Gloucestershire

10) It is also noted that another development proposal for tourism accommodation was recently allowed on appeal (PL/2022/04776) slightly further to the south east of the application site. Nonetheless, that site and approved development are not considered to be comparable with the application site and the proposed development as it was for a different type of development on non-lakeside land outside the SSSI.

11) It is also acknowledged that there is a live application for up to 11 holiday homes (25/03309/OUT) at Lake 10, which is within the Cotswold District area.

Nonetheless, this is also an established holiday destination which also does not provide sufficient area to meet the requirements of the proposed development.

12) Any other nearby lakes in the CL which are currently lawfully used for recreational purposes, including holiday stay, are also considered unsuitable for the proposed development as they are either not available or do not contain sufficient area around the lakes edge to accommodate the proposals.

6.10 Consequently, it is considered that there are no other alternative suitable sites which could be more appropriate for the proposed development.

The scale, design and use of the proposal is compatible with its wider landscape setting and would not detract from the character or appearance of the landscape or settlement and would not be detrimental to the amenities of residential areas.

6.11 The proposed development is outline and matters such as landscape, layout and design are reserved; however, the biodiversity and landscape reports which accompany this planning application demonstrate how the proposals will not have an adverse impact on local landscape character and biodiversity and will overall fit in with the general theme of the CL, which comprise a popular tourist attraction. Accordingly, this criterion is considered to be met.

The building is served by adequate access and infrastructure.

6.12 The application site is served by adequate access and infrastructure, as demonstrated in the accompanying transport assessment. In addition, several additional off-site works are also proposed as part of this planning application which will seek to improve the accessibility of the application site and of the CL as a whole. These include the extension of the existing shared footway / cycleway on the B4696 Spine Road East, the creation of a new uncontrolled pedestrian crossing on the B4696 and new pedestrian warning sign to the south. In addition, the proposed amenity buildings in conjunction with existing services and facilities located within the adjoining settlement are also considered to satisfy the second limb of this criterion which seeks adequate provision of infrastructure. Consequently, this criterion can also be considered to be met.

The site has reasonable access to local services and a local employment base

6.13 Given the application site's proximity to Ashton Keynes, it is also considered that the application site benefits from reasonable access to local services and a local employment base. In addition, the proposed amenity buildings and associated off-site

highway improvements mentioned above will also enhance the overall accessibility of the CL. Therefore, the proposed development is also considered to comply with this criterion.

6.14 **Core Policy 54** controls development proposals for recreational and leisure development in the CL and makes clear that they will only be supported if they meet the following criteria.”

- i. Increase or enhance public accessibility and enjoyment of the lakes and countryside.*
- ii. Contribute towards the local economy in the Cotswold Water Park.*
- iii. Strengthen the local landscape character and engender a sense of place.*
- iv. Contribute towards enhancement of biodiversity within the Cotswold Water Park.*
- v. Retain the character of individual settlements including the tranquillity of their settings.*
- vi. Protect the Cotswold Water Park’s built heritage, and enhance accessibility and interpretation of such features where possible.*
- vii. Demonstrate high levels of sustainability, particularly including sustainable building design, accessibility by sustainable transport modes and sustainable drainage systems.”*

6.15 The LPA in their pre-application response noted that their main concerns were in relation to compliance of the proposed development with criterion iv and v. In turn, the proposed development is considered to be in compliance with each of the above criteria by:

- i. delivering significant highway improvements to a notoriously dangerous junction which will benefit both the local community and visitors of the CL.*
- ii. creating jobs and providing more available spaces for visitors that will boost the local economy, which communities in Ashton Keynes and South Cerney heavily rely on.*
- iii. retaining the local landscape character by seeking to deliver highly efficient holiday units which will fit seamlessly with the lakeside character of the CL, as demonstrated in the submitted landscape assessment.*
- iv. delivering significant ecological enhancements, including a net gain in biodiversity.*
- v. proposing a scheme of modest scale which reflects the scale of other similar types of development in the CL and will be seen as complementary to the main adjoining settlement.*

- vi. respecting the significance and setting of the identified nearby built heritage and archaeological assets, as demonstrated in the accompanying archaeological and heritage reports.
- vii. promoting sustainable modes of transport and proposing the implementation of sustainable urban design systems (SuDS).

6.16 Neighbourhood Plan policy **ECP2** states that development proposals for small recreational development will be supported provided that they comply with the following requirements:”

- a. protect and enhance biodiversity;*
- b. strengthen the Cotswold Water Park’s landscape character and reinforce its sense of place;*
- c. enhance public accessibility and enjoyment of the lakes and countryside;*
- d. do not adversely affect the measures put in place as part of the approved restoration and aftercare schemes (s) associated with former mineral extraction;*
- e. satisfactorily mitigate potential unacceptable adverse impacts on residential amenity; and*
- f. maintain the character of settlements and their settings.”*

6.17 In respect of each criterion:

- a. The accompanying biodiversity reports demonstrate that the proposed development will protect and enhance the local biodiversity.
- b. The proposed ecological enhancements, including new landscaping with further details provided further below and measures to enhance the educational function of the CL will ensure that the character of the CL will be positively affected.
- c. The proposed off-site highway works will improve accessibility to the application site and the overall CL in general.
- d. This is not applicable.
- e. This is not applicable.
- f. The heritage and landscape reports accompanying this planning application demonstrate that the proposed development will not have an adverse harm on the character of either the local landscape or the Ashton Keynes Conservation Area (AKCA).

- 6.18 Neighbourhood Plan policy **ECP3** draws upon criterion iii) of Core Policy 39 and requires development proposals for recreation and Tourism to respect the character of the NP area's built and countryside environment.
- 6.19 As explained earlier above, the proposed development has been carefully considered from an arboricultural, wildlife and landscape point of view to ensure that these important features are retained and incorporated in the proposed scheme in a positive way.
- 6.20 Drawing from all of the above, the proposed development is considered to be in general conformity with development plan policies **CP39**, **CP54**, **ECP2** and **ECP3**. Therefore, the proposed type of development in this location can be considered to be acceptable in-principle.

Biodiversity

- 6.21 **Core Policy 50** states that development proposals should demonstrate how they protect features of nature conservation and incorporate appropriate measures to avoid and reduce disturbance of sensitive wildlife species and habitats for the lifetime of the development. In addition, it addresses potential direct and indirect negative impacts on local sites and explains that development proposals will only be supported if it can be demonstrated that such impacts:
- i. cannot reasonably be avoided*
 - ii. are reduced as far as possible*
 - iii. are outweighed by other planning considerations in the public interest*
 - iv. where appropriate compensation measures can be secured through planning obligations or agreements*
- 6.22 Saved Policy **NE12** highlights that the conservation and enhancement of woodlands will be supported.
- 6.23 Saved Policy **NE14** also states that development proposals which would result in the loss of trees, hedges or other important landscape or ecological features provided that could be successfully incorporated into the design of a development.
- 6.24 Neighbourhood Plan policy **ENP1** adds that development proposals should minimise impacts on biodiversity and provide net gains in biodiversity where possible.
- 6.25 The application site is designated as part of a SSSI, and therefore paragraph 193d is considered of significance, as it makes clear that:

“development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;”

- 6.26 Further, Section 28G of the Wildlife Countryside Act 1981 which sets a duty on local authorities to take reasonable steps to further the conservation and enhancement of the flora, fauna or geological or physiographical features by reason of which the site is of special scientific interest is also noted.
- 6.27 The proposed development is accompanied by a large number of Protected Species Surveys, an Ecological Impact Assessment and an Arboricultural Impact Assessment. These reports seek to record the baseline conditions of the existing habitat, assess the impacts arising from the proposed development and address any adverse impacts on the locally protected habitat by following the established hierarchy (avoid, mitigate, compensate) set out in paragraph 193 of the NPPF.
- 6.28 In respect of trees, the application site comprises a large lake with a significant number of trees within and on its boundary. The proposed development will inevitably result in the loss of a large number of trees, and therefore the significance of retaining as much of the existing features of the application site was key from the inception of this scheme to ensure that there will be no adverse harm to the SSSI.
- 6.29 Accordingly, advice from the project ecologist and arboriculturist was used to inform the submitted scheme. Whilst no permission is sought for the final layout of the proposed development and the proposed site layout that has been submitted is for indicative purposes only, it is considered that the general principles and parameters that were used to develop the proposed scheme are sufficient to provide certainty over the conservation of the SSSI.
- 6.30 Specifically, a draft tree retention/removal plan accompanies this planning application and demonstrates how the proposed development could be accommodated at the application site without impacting on high quality trees and instead be directed to areas which are less treed and are more open in character.

- 6.31 The above principle will result in a scheme that will require the loss of a few low category (age of 24 years or less) trees, which however, will be mitigated by providing supplementary soft landscaping via the planting of new trees on other locations within the application site. This will help with reducing the impact of the development on existing trees and enhancing the visual amenity of the application site.
- 6.32 With regards to **ecology**, it is not disputed that the application site has a high ecological significance. Accordingly, a detailed set of protected species surveys were carried out to establish presence or absence.
- 6.33 The protected species surveys included:
- Bat Activity (Summer/Autumn/Spring)
 - Otter
 - Breeding Bird
 - Wintering Bird
 - Crayfish
 - Reptile
 - Bat Ground Level Tree Assessment
- 6.34 The ecological impact assessment submitted with this application examined the findings and considered the impacts of the proposed development and proposed a number of suitable mitigation measures which, if implemented, will ensure there will be no significant residual impacts arising from the proposals.
- 6.35 Turning to **biodiversity**, a BNG metric and conditions assessment has also been submitted with this planning application. The metric demonstrates that the on-site baseline habitat comprises 158.82 area habitat units and 11.83 hedgerow units. It is envisaged that the baseline units post development would be 145.88 for habitat units and 11.62 for hedgerow units which is translated to net loss of **8.15%** in habitat units and **1.78%** in hedgerow units.
- 6.36 Details of how the mandatory 10% BNG requirement will be achieved will be provided when planning permission is sought for the discharge of the BNG Condition. Notwithstanding this, it is appreciated that the LPA may wish to obtain a greater level of certainty over this element to ensure that the condition would be capable of being discharged in the future. Accordingly, the applicant would like to confirm that:

- the BNG Hierarchy will be considered and strictly adhered to when finalising the landscaping proposals.
- it is expected that the majority, if not all, of the biodiversity enhancements will be completed on-site. The development area includes the northern part of the application site, which will remain undeveloped and will provide an opportunity to deliver considerable BNG enhancements.
- units will be bought from the private market, if the mandatory requirement cannot be met on-site in full.

6.37 The application site is located within the Outer Zone of Influence of North Meadow & Clattinger Farm SAC. In accordance with the North Meadow and Clattinger Farm SAC Interim Recreation Mitigation Strategy 2023 – 2028, a financial contribution of £323 per unit towards mitigation and Strategic Access Management and Monitoring (SAMM) measures shall be provided. This can be secured either via S106 legal agreement or Unilateral Undertaking. The applicant is happy to accommodate the needs of the LPA and discuss about the most preferable solution prior to the determination of the planning application.

6.38 It is significant to note that the LPA confirmed, when they issued their Screening Opinion, that the proposed development does not constitute EIA development. Therefore, they did not consider that the proposals could have a likely significant effect to the SSSI. The ecological impact assessment builds upon the statement of the LPA and provides further evidence through a full suite of detailed protected species surveys and ecological enhancements which also demonstrate that the proposed development is unlikely to have an adverse effect on the SSSI.

6.39 Accordingly, the proposed development does not meet the threshold of paragraph 193b and it is not necessary to consider whether the benefits arising from the proposals are sufficient to outweigh the likely effects to the SSSI. Equally, the statutory duty Section 28G of the Wildlife Countryside Act 1981 is also considered to be discharged.

6.40 Drawing from the above, it is considered that the proposed development will enhance local biodiversity and will conserve the special features of the SSSI, including its habitat which is important for a number of different species of birds. Therefore, the proposals are considered to be in accordance with development plan policies **CP50**, **NE12**, **NE14** and **ENP1**.

6.41 Notwithstanding this, it is acknowledged that either the LPA or NE or both could disagree with this position and consider instead that the proposals will likely have an adverse effect on the SSSI. In that case, the benefits of the development will have to clearly outweigh the identified impacts. The benefits of the development are set out further below in the planning balance at Section 7.

Landscape

6.42 **Core Policy 51** highlights that new development proposals should aim to protect, conserve, and where possible enhance, the local landscape character and provide appropriate mitigation measures by implementing sensitive design techniques and landscape measures.

6.43 Neighbourhood Plan policy **ENP3** states that development proposals should respect the local landscape character and aim to enhance public accessibility, when possible.

6.44 Due to the previous refusal to the two container homes at the application site which was attributed to adverse impacts on the local landscape character of the area and the more recent concerns raised by the LPA in their pre-application response, a Landscape Visual Impact Assessment (LVIA) was prepared and accompanies the proposed development.

6.45 The LVIA highlights that the proposed development would not result in major adverse effects to identified receptors in the medium to long term, provided that a list of mitigation measures set out in the report are implemented. This conclusion is derived from:

- the application site is not located in a prominent location when considering its surroundings;
- the application site is well contained by hedges and trees which naturally prevent views from/to the application site from nearby PRow's and other public vantage points;
- the context of the application site being within the CL which comprise a large number of recreational lakes and holiday accommodation uses;
- the proposed development of formalising the recreational character of the application site and including additional elements to enhance the experience at CL is not considered to be alien when compared with the character of the surrounding area due to the existing lawful activities and history of the CL;
- the proposals aim to retain the majority of the existing scrubs, hedges and trees which are considered to comprise the most valuable features in the surrounding area from a landscape perspective. Indicative landscape planting (subject to

BNG Condition) which accompanies the proposals also demonstrate that a high-quality scheme which would be sensitive to the SSSI could be delivered; and

- the application site is well contained by hedges and trees which naturally prevent views from/to the application site from nearby PRowS and other public vantage points.

6.46 Consequently, the proposed development is considered to result in a high-quality development that respects the local landscape character. Therefore, it can be considered to be in compliance with development plan policies **CP51** and **ENP3**.

Archaeology & Built Heritage

6.47 **Core Policy 58** highlights that development proposals should aim to protect, conserve and where possible enhance the historic environment.

6.48 Neighbourhood Plan policy **HCP1** also adds that development proposals should be sympathetic to nearby designated heritage assets.

6.49 The application site lies adjacent to a SAM and it is also located within the setting of the AKCA approximately 50m south of the site. Consequently, a desk-based assessment and heritage impact assessment has been prepared and accompanies this planning application.

6.50 With regards to **archaeology**, the report concludes that there is no potential for any archaeological remains to survive within the footprint of the lake given the application site's use as a historic landfill site which served as an extraction pit associated with the large-scale extraction at Bradley's Gravel Pit. In addition, the additional landscaping works which were carried out to create the recreational lake back in the 1990s and early 2000s were extensive and in conjunction with the engineering works associated with the creation of the existing path, the potential for any archaeological remains to have survived is considered very low.

6.51 With regards to impacts on **built heritage**, the report highlights that the application site makes a limited contribution to the significance of the SAM and of the AKCA. It concludes that the proposed development will result in no harm to the SAM and no impact on the heritage interest of the AKCA.

6.52 Consequently, the proposed development can be considered to be in general compliance with **Core Policy 58** and **HCP1** as it will result in neutral impacts on the identified nearby designated heritage assets.

Air Quality & Odour

6.53 **Core Policy 55** states that development proposals should ensure that they will protect the public health, environmental quality and amenity of an area and propose appropriate mitigation measures when it is likely that the proposals will decrease the air quality of an area.

6.54 The application site is not located within, or in the vicinity of, an existing Air Quality Management Area (AQMA) or any active air quality management regime such as a Clean Air Zone (CAZ). The nearest AQMA to the site is the King's Hill Road, Swindon AQMA located approximately 14km southeast of the application site in the neighbouring local authority area of Swindon Borough Council (SBC).

6.55 Aggregate Industries North End Works is located approximately 20m east of the application site. Operations including aggregate delivery and transportation, bagging and on-site storage and processing have the potential to give rise to dust emissions.

6.56 An Anaerobic Digester (AD) facility is also currently being proposed to be located 320m north of the application site. Whilst the planning application for that development is still live, its effects have still been considered given it is at an advanced stage and the LPA was minded to grant conditional approval in a Strategic Committee Meeting held on 21st April 2026.

6.57 The proposed development is accompanied by both an air quality assessment and an odour assessment which seek to establish whether the proposed use could be acceptable in this location when considering the potential adverse impacts in relation to air quality arising from the aforementioned establishments.

6.58 With regards to **air quality**, the report highlights that given the nature of the site and of the whole CL as a holiday destination, local road traffic levels in the vicinity of the site are considered to be low. It is therefore expected that road traffic levels will not give rise to elevated pollutant concentrations within the site.

6.59 Regarding the Aggregate Industries North End Works site, Wiltshire Council has confirmed that they had not received any complaints regarding dust emissions associated with its operations. This demonstrates that no existing nuisance has been

- established at existing sensitive uses in the area. Therefore, any impacts on the site as a result of the operations at the North End Works are considered to be at low risk.
- 6.60 Further, the proposed holiday lodges will be positioned further away from Ashton Road, and to the west of the Works, meaning that the prevailing winds will be unlikely to carry dust towards the lodges, and the risk of dust soiling and human health effects within the application site will be minimised. In addition, the proposed development will introduce new boundary planting which will further reduce the potential for dust soiling within the application site. Treelines can act to both block dust emissions by acting as a barrier, in addition to creating localised turbulence to disperse pollutants and dust emissions, reducing concentrations by mixing them with clean air. By providing a visual barrier between the application site and the adjacent North End Works, this can also reduce potential reporting of dust soiling through minimising perception of disamenity by reducing visibility of the dust source.
- 6.61 Notwithstanding the above, it is significantly to note that the individual who has recently acquired the North End Works site is understood to have confirmed that the use of the site will cease in the near future and alternative uses, including residential, will be explored. Although this may not constitute a material planning consideration, it demonstrates that the proposed development is unlikely to be at risk from unacceptable levels of pollutants arising from that site.
- 6.62 Whilst the operational phase of the development is unlikely to cause any significant impacts, it is envisioned that there is potential for the generation of dust and noise during the construction phase. This element could be controlled by the imposition of a planning condition that would require the submission of a Construction Method Statement that would set out noise and dust suppression measures.
- 6.63 Turning to odour, the operations at the AD will also be governed by an Environmental Permit and therefore, any emissions from the stack will be required to discharge at a suitable height and efflux velocity to prevent localised air quality impacts. It is therefore considered that the AD facility will not significantly influence pollutant concentrations within the site.
- 6.64 Consequently, the proposed development is considered to be suitable for the proposed use and at low risk of dust impacts from the North End Works and a negligible risk from dust associated with the proposed anaerobic digestion plant. Therefore, it can be considered to be in general conformity with **Core Policy 55**.

Noise

- 6.65 **Core Policy 57** highlights the significance of creating high quality place design and contributing to creating a strong sense of place and requires new development proposals to ensure that appropriate levels of amenity are achievable within the development itself.
- 6.66 Saved policy **NE18** also makes clear that development proposals will only be permitted if they will not be subject to adverse harm from excessive noise and other sources of pollution.
- 6.67 The proposed development is located adjacent to a relatively busy road and opposite the North End Works, and therefore a noise impact assessment, consisting of a Stage 1 and Stage 2 detailed design process accompanies this planning application to consider potential noise impacts affecting future occupiers. This has assessed the impact of industrial and commercial noise sources in accordance with BS 4142:2014+A1:2019.
- 6.68 This assessment demonstrates that the application site is by nature a location that can be affected by considerable levels of road noise. Accordingly, an acoustic mitigation scheme that will cover the holiday lodges to the eastern part of the site will likely need to be implemented to avoid the low likelihood of any impacts on future occupiers. A scheme for sound insulation of the building envelope has been developed such that internal sound levels within habitable rooms will be at least 5db lower than criteria set out in Professional Practice Guidance on Planning and Noise and BS 8233:2014.
- 6.69 Notwithstanding this, the accompanying report demonstrates that any adverse noise impacts can be effectively mitigated and this element can be controlled via an appropriately worded planning condition at the reserved matters stage, when details of the construction of the materials of the holiday homes will be provided.
- 6.70 Consequently, existing road noise affecting the application is not considered to constitute barrier which could prevent the proposed development. Therefore, the proposals are considered to be in accordance with development plan policies **CP57** and **NE18**.

Flood Risk & Drainage

- 6.71 **Core Policy 67** requires new development proposals be safe from all sources of flooding and while also not increasing the risk of flooding elsewhere.
- 6.72 **Neighbourhood Plan policy INP1** also adds that development proposals should not increase the risk of flooding and use SuDS, where appropriate.

- 6.73 Regarding **flood risk**, the application site lies within Flood Zone 3 and specifically within Flood Zone 3a, as per the latest Strategic Flood Risk Assessment (SFRA) for the now withdrawn Wiltshire Local Plan. Whilst the Local Plan may have been withdrawn, this document is still helpful, as it provides the most recent information in relation to flood risk in the surrounding area.
- 6.74 In accordance with Annex 3: Flood risk vulnerability classification, the proposed development comprises a mix of more and less vulnerable uses. Table 2 of paragraph 079 Reference ID: 7-079-20220825 of the Planning Practice Guidance (PPG) makes clear that the proposed uses are acceptable within Flood Zone 3a; however, the exception test will be required.
- 6.75 **Paragraph 175** of the NPPF highlights that the sequential test will need to be applied for development proposals within areas at risk from flooding to demonstrate that there are no other reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.
- 6.76 The proposed development is accompanied by a site-specific flood risk assessment, flood evacuation management plan (FEMP) and drainage strategy which demonstrate how the proposed development will remain safe from all risks of flooding and will also not increase the risk of flooding in the surrounding area in perpetuity. Specifically, it is proposed:
- that finished floor levels of the holiday lodges are raised above identified flood levels and surrounding ground levels at minimum 500-700mm. This will ensure that the holiday lodges will remain safe from flooding from all tested scenarios.
 - that no floodplain compensation will be required, given that there will be a void beneath the raised holiday lodges which will allow water to pass under and will ensure that no water is displaced.
 - further flood resilience measures can be incorporated into the design at the construction stage to further reduce the risk of flooding.
 - that the accompanying FEMP, which explains the steps and actions to take in case of a flood event, is adopted.
- 6.77 With regards to **drainage**, it is proposed to utilise a cesspit/septic tank together with permeable surfacing due to the ecological significance of the lake and its surroundings. These measures have been deemed to be appropriate and will ensure the application site will remain safe from surface water flooding in perpetuity. An indicative plan is

- appended to the FRA and Drainage report; however, further details will be provided at the reserved matters stage.
- 6.78 It is also significant to note that a similar drainage strategy comprising the utilising of septic tank/cesspit had previously been approved for the refused planning application (PL/2021/06229).
- 6.79 With regards to the applicability of the **sequential test**, it is considered that the site search exercise which was carried out to satisfy the requirement of **Core Policy 39 ii)** demonstrates that the sequential test is passed.
- 6.80 The proposed development requires a lakeside location in the CL. All lakes in the CL are identified by the EA to be in Flood Zone 3. Therefore, it is inevitable for the proposed development to be located within Flood Zone 3. In addition, and as highlighted earlier above, most other surrounding available lakes for this type of development are privately owned and benefit from existing temporary accommodation units and amenity buildings. Therefore, it would be impossible to deliver the proposed scale of development in other available lakeside locations.
- 6.81 Accordingly, it can be considered that there are no other suitable sites in close geographical proximity to the application which are reasonably available and thus sequentially preferably.
- 6.82 Although the design and layout are reserved matters, the submitted indicative layout has taken into account all the risks of flooding and has proposed the majority of the new built development to the east of the site which is located within Flood Zone 1. This choice draws directly upon the general principles of the sequential test.
- 6.83 With regards to the holiday units, these will have to be located on the edge of the lake; however, this is not considered unusual as there are several other lakes in the CL where this already occurs. Subject to appropriate mitigation measures, it is reasonable to consider that future occupiers and visitors will remain safe from all sources of flooding.
- 6.84 Notwithstanding all of the above, the NPPF and PPG makes clear that 'more vulnerable' development proposals in Flood Zone 3a will only be considered acceptable if the **exception test** is also passed. The exception test has two parts. Its first part requires that development proposals would provide wider sustainability benefits to the community that would outweigh flood risk. The second part of the exception test requires that development would be safe from flooding for its lifetime when taking into account of the

vulnerability of its users without increasing flood risk elsewhere and that it would, where possible, reduce flood risk overall.

- 6.85 In respect of the first part of the exception test, the wider sustainability benefits of the proposals are set out in detail on the next section (Conclusions). The significant economic, social and environmental benefits that will be delivered as a result of the proposals are considered sufficient to outweigh the flood risk.
- 6.86 Regarding the second part of the exception test, it is considered that the implementation all of the proposed flood mitigation measures set out in the FRA and drainage report, including the FEMP, will ensure that the proposed development will remain safe from flooding for its lifetime.
- 6.87 Consequently, the proposed development is considered to pass both the sequential and exception test be in compliance with development plan policies **CP67** and **INP1** and the relevant policies and paragraphs of the NPPF and PPG respectively.

Transport

- 6.88 **Core Policy 48** outlines that development proposals should aim to improve accessibility between places, such as providing new cycle routes and signposts.
- 6.89 **Core Policy 60** makes clear that development proposals should aim to reduce reliance on private vehicle and encourage the sustainable, safe and efficient movement of people.
- 6.90 Neighbourhood Plan policy **INP2** also adds that development proposals which will lead to an increase in road and pedestrian safety risk will not be supported.
- 6.91 Neighbourhood Plan policy **ENP2** highlights that development proposals to provide additional cycleways will be supported, especially when these will connect with the Sustrans national cycleway network. In addition, it makes clear that development proposals on any former minerals extraction site should, where possible, aim to improve the accessibility of the area by providing new footpaths, cycleways etc.
- 6.92 This planning application is outline with all matters reserved except the accessibility to the site, and therefore the matters that have been considered include the suitability of the existing and proposed new vehicular access, the impacts of the vehicular trips generated on the local highway network and the overall measures which could be implemented to encourage sustainable movement. These have been fully addressed in

- the Transport Statement and Travel Plan which also accompany this planning application.
- 6.93 With regards to the existing vehicular access into Ashton Road, the visibility splays assessment that has been carried out demonstrates that appropriate visibility splays can be achieved, when considering the national posted speed limit, as long as some of the boundary vegetation is cut further back to improve the existing condition.
- 6.94 With regards to the proposed new vehicular access from Spine Road West, an Automatic Traffic Counter survey was carried out in June 2025 and the results were used to inform its position by establishing appropriate visibility sightlines.
- 6.95 Regarding pedestrian accessibility, several off-site improvements are proposed to encourage both walking and cycling to and from the site which will also benefit the CL and wider area as a whole, as they would improve the road safety in a busy and dangerous junction. These will include the extension of the existing shared footway / cycleway on the B4696 Spine Road East, the creation of a new uncontrolled pedestrian crossing on the B4696 and new pedestrian warning sign to the south. These can be secured with the LHA via a S278 agreement and are considered important to provide a genuine and convenient choice of alternative transport modes.
- 6.96 With regards to trip generated from the proposals, given the concerns of the Parish Council, a worst-case scenario approach was developed when calculating the total vehicular trips associated with both holiday homes and commercial/tourist attraction uses.
- 6.97 In summary, it was determined that the proposals would result in an immaterial increase in vehicle movements during the weekday and weekends. Accordingly, the traffic associated with the development proposal would not have a severe impact on the safety or operation on the local highway network.
- 6.98 Parking is a reserved matter, and therefore the total number of car, cycle, disabled and motorcycle parking spaces will be confirmed at a later stage. Nonetheless, these will adhere to the relevant parking standards.
- 6.99 In respect of internal circulation routes, this is also a reserved matters and further details will be provided later on.

6.100 Last, a Travel Plan has also been submitted and sets out the measures that will be implemented to further reduce reliance on private vehicle, as far as reasonably possible, due to the rural / tourism nature of the application site and wider area, and promote other sustainable modes of transport.

6.101 To conclude, it is considered that when taking the proposed measures all together, the proposed development will have a positive impact on the sustainability of the surrounding area and wider accessibility to this part of the CL for all road users. Consequently, the proposed development is considered to be in accordance with development plan policies **CP48, CP60, INP2, ENP2**.

7 CONCLUSIONS

7.1 Paragraph 2 of the NPPF makes clear that S.38(6) of the Planning and Compulsory Purchase Act 2004 and S.70(2) of the Town and Country Planning Act 1990 requires that applications for planning permission should be determined in accordance with the development plan, unless material considerations indicate otherwise.

7.2 The proposed development has been assessed against the requirements of the planning policies of the development plan, national policy and guidance and the following conclusions can be made.

Heritage Balance

7.3 The proposed development has been determined to give rise to neutral/no harm to the significance and setting of nearby designated heritage assets, such as the AKCA and adjoining SAM. Accordingly, no public benefits are required to be demonstrated to make the proposed development acceptable in planning heritage terms.

Planning Balance

7.4 Paragraphs 8 and 9 of the NPPF makes clear that the planning system has three overarching objectives which development proposals should aim to achieve in order to provide a sustainable form of development that reflects the local character of an area and meets the needs of the local community. In this case, the proposed development will deliver substantial environmental, social and economic benefits. In particular, those benefits are summarised in the table below.

Economic Benefits	Weight
Contribution to meeting a specific identified unmet tourist need (self-catering) in the CL	Significant
Creation of construction jobs	Moderate
New opportunities for employment	Moderate
Increase in the number of visitors & occupiers who will contribute to the local economy by supporting local businesses and services	Moderate
Social Benefits	

Extension to national cycleway along the B4696 Spine Road East to improve accessibility to the CL and promote cycling	Significant
Off-site highways work to improve pedestrian safety and movement on an area around a busy junction that is regarded as very dangerous by locals	Significant
Enhancement to the educational and wildlife function of the CL by opening part of the lake to the public to provide opportunities for both adult and children to learn about the wildlife, heritage and landscape of the CL and improve mental health and well-being	Moderate
Provision of amenity buildings which could fill in gaps in local services and facilities which are currently unavailable in the area for both local and visitors	Moderate
Continuation of a small number of events (i.e. triathlon) in part of the lake	Limited
Environmental Benefits	
Delivery of a measurable BNG on-site which will improve an environmentally protected area and apply on top of the wider ecological enhancements which will be agreed with NE and the Council's ecologist	Significant
Replacement of the majority of relatively environmentally harmful lawful recreational activities (sport events, bonfire, shooting etc) with more environmentally friendly type of tourist development (self-catering)	Moderate
Positive contribution to the local landscape character of the area through the provision of appropriate planting and masterplanning design	Moderate
Retention of the majority of the existing green features on-site, such as trees and hedgerow, and measures to enhance them to create additional suitable habitats for protected species	Moderate
Delivery of energy efficient holiday homes	Limited
Delivery of small-scale renewable energy initiative (vertical wind turbines)	Limited

- 7.5 As evident above, there will be wider sustainability benefits arising from the proposals which clearly outweigh the flood risk. Therefore, the exception test is passed.
- 7.6 In terms of development plan policy compliance, the proposed development is located within an established tourist destination – the CL. Therefore, the principle of development is considered to be acceptable. The accompanying technical reports also demonstrate that the proposed development will not be subject to adverse nuisances, such as noise and air, will respect the character of the CL and will also not have an unacceptable impact on highway safety.
- 7.7 With regards to biodiversity, the information that has been submitted, including the extensive list of protected species surveys, demonstrate that there is a clear and detailed understanding of the ecological value of the application site. The proposed development will result in no loss of functional water habitat and only on some loss of low category trees, which will be replaced on-site on alternative suitable locations. In addition, the application site can currently be lawfully used for a large number of recreational activities which can be reduced/stopped, if the proposed development is approved as there would not be sufficient space left to accommodate those activities. This will most likely have a positive impact on the SSSI by reducing the pressure from the large number of visitors and staff attending and organising the existing lawful activities respectively.
- 7.8 Therefore, it is considered that the proposed development is unlikely to have an adverse effect on the SSSI and result in a degradation to the features which make it significant.
- 7.9 Accordingly, it is considered that there are no adverse effects which could weigh against the proposals.
- 7.10 Should the LPA consider that the proposed development does not pass the sequential test, it is significant to highlight that the High Court judgement in relation to Mead Realisations Limited v SSLUHC [2024] EWHC279 (Admin) (Mead) made clear that a failure of the sequential test cannot be considered to be fatal to a planning application and any such perceived failure should not prevent a decision-maker from the need to weigh this in a planning balance.
- 7.11 Equally, should the LPA disagree with the conclusion on the likely impact on the SSSI, paragraph 193b of the NPPF makes clear that development proposals can still be considered acceptable provided that the benefits clearly outweigh both its likely impact

on the features of the site that make it of special scientific interest, and any broader impacts on the national network of SSSIs.

7.12 In this theoretical case, the adverse effects weighing against the grant of planning permission would be considered to be as follows:

- 1) Failure to pass the sequential test – significant weight. The need to consider the exception test would not be necessary.
- 2) Development resulting in adverse harm to the SSSI – significant weight

7.13 Whether the two items above are considered in isolation or in combination, the benefits that would be delivered by the proposed development are considered sufficient to clearly outweigh any such identified adverse effects. Therefore, in accordance with paragraph 11 of the NPPF, planning permission should still be granted.

7.14 It is anticipated that the applicant will be required to enter into Section a 106 legal agreement with the LPA/Unilateral Undertaking to provide a financial contribution towards mitigating the impacts arising from the proposed development on the North Meadow & Clattinger Farm SAC and a Section 278 legal agreement with the LHA to cover planning obligations and off-site highway works in respect of the continuation of the national cycleway and wider improvements to safety and movement of pedestrians. The applicant is happy to discuss details of these with both the LPA and LHA during the course of this planning application and prior to its determination and will provide heads of terms during the course of the application as the discussions are refined.

7.15 The applicant is also aware that suitably worded planning conditions may need to be attached to any forthcoming decision, provided they meet the relevant NPPF tests and avoid the use of pre-commencement triggers unless fully justified. The applicant is happy to discuss these with the LPA during the processing of this application, should they be deemed necessary.

7.16 Accordingly, it has been demonstrated that the proposed development is acceptable in principle, will improve local traffic conditions and wider accessibility to the application site and the CL, will boost the local economy which significantly relies on tourism and will also improve the quality and conditions of the local environment.

7.17 It is therefore considered that the proposed scheme complies with the relevant development plan policies and national and local policy guidance set out in Section 5 of

this statement. As such, it is requested that the LPA considers this application in a positive light and works proactively with the applicants to facilitate the grant of planning permission.