

TOWN & COUNTRY PLANNING ACT 1990

**THE ANCHORAGE, NABLES FARM AND ASSOCIATED
BUILDINGS, UPPER SEAGRY, CHIPPENHAM, WILTSHIRE,
SN15 5HB**

**CHANGE OF USE OF THE ANCHORAGE FROM
HOLIDAY ACCOMMODATION TO INDEPENDENT
RESIDENTIAL DWELLING**

Prepared by

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Our Reference: SWLC.LPC.2065

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1.0 INTRODUCTION

- 1.1 LPC (Trull) Ltd have been instructed by Mr A Jackson to submit a planning application for the change of use of The Anchorage from holiday accommodation to an independent residential dwelling located at the site known as Nables Farm at Upper Seagry, without limitations.
- 1.2 The Anchorage, together with the wider Nables Farm site, has been subject to an extensive planning history which will be set out in detail within this report. However, this planning application has been prepared in close connection with the previously refused Section 73 application for removal/variation of conditions 3 and 4 of application ref: 18/05603/VAR (ref: PL/2023/06342 dated 13/02/2024) whereby it was considered by the Council that the proposal to remove the holiday occupancy restriction fell outside of what is lawfully possible under Section 73 of the Town and Country Planning Act 1990 due to the relevant planning permission's description of development; and the application failed to include any 'clear evidence' of the impracticality of continued use of the property as a holiday let.
- 1.3 Therefore, in order to place this proposal in context, this new planning application will review the Anchorage's (and wider site's) overall planning history, provide additional evidence to explain the declined attraction and impracticality of the holiday let, and address the planning balance to highlight how the site's location and context will positively contribute to the supply of much needed new houses in Wiltshire, assisting in reducing the need for any new greenfield development.

2.0 SITE DESCRIPTION & CONTEXT

- 2.1 The site, subject to this application is located approximately 1km west of the village of Upper Seagry and 0.8km due north of the M4 motorway which runs east to west. The site is neither in National Landscape or designated protected landscape area, nor is it situated within the Green Belt. Neither the application property nor its immediate context comprises a designated heritage asset and neither is it located within or close to a Conservation Area. The site is not located within a defined settlement boundary and is, therefore, considered to be within the open countryside. However, the wider Nables

Farm holding comprises a substantial mix of residential dwellings, other holiday accommodation and agricultural buildings.

- 2.2 The property itself is a 5 bedroom detached building. Initially built as an Annex to Leafield House which is located to the south, planning permission was granted in May 2017 for use of the building as holiday accommodation (17/00244/FUL) which is its existing lawful use.

PLANNING HISTORY CONTEXT

- 2.3 With regard to the subject site, The Anchorage, the following planning history is of most relevance to this application:

13/03096/FUL – Erection of 2 Bed Bungalow to be used as ancillary to the main dwelling – Allowed at Appeal

17/00244/FUL – Use of Annex/agricultural building as holiday accommodation – Approved with Conditions

18/5603/VAR – Removal of Condition 3 on 17/00244/FUL regarding use of annex as holiday accommodation – Approved August 2018

PL/2023/06342 – Removal of Conditions 3 and 4 of 18/5603/VAR to allow independent residential use without limitations – Refused February 2024

PL/2023/06342

- 2.4 For the avoidance of doubt, the conditions subject to the application for their removal included:

3. 3 The accommodation hereby permitted shall be used to provide holiday accommodation only, which shall not be occupied as permanent accommodation or as a primary place of residence.

REASON: This site is in a position where the local planning authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit an additional unit of permanent residential accommodation.

4 An up to date register of names and main home addresses of all occupiers shall be maintained and shall be made available on request at all reasonable times to the local planning authority.

REASON: This site is in a position where the local planning authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit an additional unit of permanent residential accommodation.

2.5 This application was refused in February 2024 for the following two reasons:

1 The proposed variation of condition 5 of Planning Permission N/05/00558/S73 would result in an unlawful conflict between that condition and the description of development. As it is not possible to vary the description of development using this process, the proposal therefore falls outside of what is lawfully possible in an application made under section 73 of the Town and Country Planning Act 1990 and the local planning authority has no basis on which to issue an unlawful permission in such a manner. (N.B. – We note the LPA has quoted the incorrect application reference and associated condition number within this reason for refusal for this site, albeit its overall meaning is clear)

2 The site is located in open countryside outside of the limits of development defined in the Wiltshire Core Strategy. The proposal would therefore conflict with Core Policies 1, 2 and 10 of the Wiltshire Core Strategy (adopted January 2015) which seeks to ensure that housing developments occupy sustainable locations throughout Wiltshire including the Chippenham Community Area. Furthermore, the proposal would conflict with the criteria set out in Core Policies 48, 51, 57 and 60 of the Wiltshire Core Strategy and with paragraph 55 and of the NPPF for the following reasons:

- the application does not include any ‘clear evidence’ of the impracticality of continued use as a holiday let,*
- local services and facilities could not be easily accessed other than by use of unsustainable modes and patterns of travel,*

2.6 It is also worth noting the following wider planning application history for the Nables Farm site which, as is set out later within this report, impacts the rationale and justification for the proposals subject to this application:

Leaffield House

PL/2022/02508 – Alterations and subdivision to create 2No dwellings –
Approved July 2022

The Tractor Shed (located immediately north of The Anchorage)

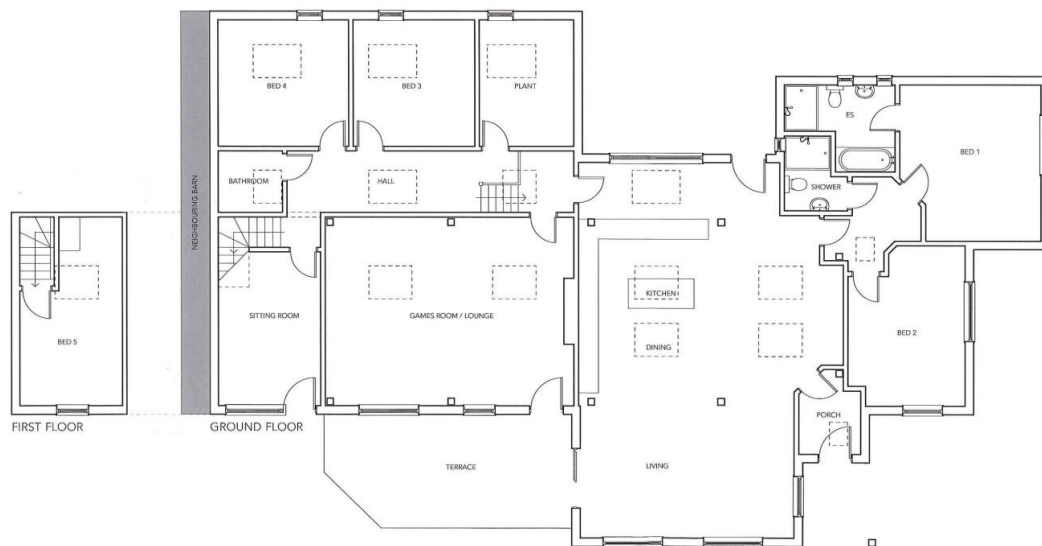
PL/2025/01981 - Town and Country (General Permitted Development)
(England) Order 2015 as amended) Part 3, Class Q Conversion of tractor
shed to create 2 No new dwellings – Granted April 2025

- 2.7 As per the above, it is clear that the wider site's composition has changed significantly over the years, and continues to do so, not least with the introduction of two new private residential dwellings approved immediately to the north of The Anchorage property subject to this application, thereby further increasing the proportion of residential Class C3 units at the site compared to the few now anomalous holiday lets remaining.

3.0 THE PROPOSALS

- 3.1 As concluded by the Council's decision on application ref: PL/2023/06342, The Anchorage's existing lawful use relates to its relevant approved and enacted development of use as holiday accommodation (17/00244/FUL and subsequently 18/5603/VAR), and therefore even if the previously proposed removal of the 'holiday use/occupancy' conditions placed on the permission were considered acceptable, the wording of the relevant permissions' description of development would then not be operative and also require variation (i.e. 'holiday accommodation'). The Council concluded that it is beyond the power conferred by Section 73 applications to be able to vary an approved application's description of development also.
- 3.2 On this basis, and also in response to the Council's second reason for refusal of application ref: PL/2023/06342, this new planning application proposes a change of use of The Anchorage from holiday accommodation to an independent residential dwelling without limitations. Effectively, this planning application proposes independent residential use of The Anchorage without compliance with Conditions 3 & 4 associated with 18/5603/VAR.
- 3.3 No external alterations or other associated works are proposed.

- 3.4 It is worth noting that, with regard to The Anchorage, which comprises a 5 bedroom detached building with large communal rooms initially built before my client's ownership as an Annex to the main dwelling; Leafield House, it had subsequently been used largely as a self-contained and independent residential unit until approved by application 17/00244/FUL for holiday let accommodation. The previous owner clearly didn't design it as a holiday let unit, and it is certainly not typical of a rural 'get away' property.
- 3.5 The site's extensive and recent planning history clearly demonstrates how the vast majority of the wider site has been approved for unrestricted, individual residential use.
- 3.6 The previous approval at The Anchorage, albeit intended to overcome the previous owner's unauthorised actions, was restricted, 'having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area,' which it was said would not permit an additional unit of permanent residential accommodation. This is clearly a site specific assessment of the premise's potential future residential use, as proposed, but again the extensive planning history for the site confirms there is no embargo on the reuse of buildings for 'open' residential purposes, and this report confirms that acceptable residential access and amenity is possible at this location.
- 3.7 A photograph of The Anchorage and an existing floor plan extract are inserted on the following page to complete the contextual assessment and confirm that the proposed new residential use will be instigated without the need for any operational development.



4.0 THE DEVELOPMENT PLAN

- 4.1 Section 38 (6) to the Planning and Compulsory Purchase Act 2004 requires that all planning decisions are made in accordance with the Development Plan unless material considerations indicate otherwise. The main planning policy framework relevant to this proposal is the Wiltshire Core Strategy 2015 (WCS).
- 4.2 The National Planning Policy Framework (NPPF) provides the Government's planning policies for England and explains how they should be applied. It is a material planning consideration.
- 4.3 The following policies from the WCS are believed to be relevant to the application proposals are inserted below.

Wiltshire Core Strategy

Core Policy 1 Settlement Strategy;

Core Policy 2 Delivery Strategy;

Core Policy 10 Spatial Strategy: Chippenham Community Area;

Core Policy 48 Supporting Rural Life;

Core Policy 50 Biodiversity and Geodiversity;

Core Policy 57 Ensuring High Quality Design and Place Shaping;

Core Policy 60 Sustainable Transport,

Core Policy 61 Transport & Development,

Core Policy 62 Development Impacts on the Transport Network.

5.0 PLANNING ASSESSMENT

- 5.1 The main issue is whether the site is an appropriate location for permanent residential dwellings having regard to the WCS and the NPPF. With this in mind, it is considered the key planning issue for the determination of the proposal is the principle of development (as Policy CP48 also covers matters including potential impact on landscape, accessibility and residential amenity).

Principle of Development

- 5.2 In considering the principle of the proposed development, policies CP1, CP2, CP10 and CP48 of the WCS are the key considerations, together with the policies of the NPPF. I will of course review all other material considerations too.
- 5.3 CP1 outlines the settlement strategy which identifies the settlements where sustainable development will take place to improve the lives of all those who live and work in Wiltshire. It is however noted that the application site falls outside the limits of development of the nearest settlement and therefore for the purpose of assessing this proposal falls within the countryside, between the small villages of Upper Seagry and Lower Stanton St Quintin. It is not particularly 'isolated' though in the normal meaning of the term, albeit

paragraph 84 to the NPPF would apply given the rural location. Its relative location is shown below on the map extract.



- 5.4 CP2 of the WCS outlines that there is a presumption in favour of sustainable development at the Principal Settlements, Market Towns, Local Service Centres and Large Villages and development should be restricted to within the limits of development other than in exceptional circumstances.
- 5.5 The ‘exception policies’ referred to in policies CP1 and CP2 are outlined within paragraph 4.25 of the WCS which seek to respond to local circumstances and national policy. The principle of residential development should therefore be considered under the relevant WCS exception policy CP48 ‘Supporting Rural Life’.
- 5.6 Policy CP48 of the WCS explains the approach that will be taken to support rural communities outside of the existing settlement limits/built areas. The policy advises that:

‘Proposals to convert and re-use rural buildings for employment, tourism, cultural and community uses will be supported where they satisfy the following criteria:

I. The building(s) is/are structurally sound and capable of conversion without major rebuilding, and with only necessary extension or modification which preserves the character of the original building.

II. The use would not detract from the character or appearance of the landscape or settlement and would not be detrimental to the amenities of residential areas.

III. The building can be served by adequate access and infrastructure.

IV. The site has reasonable access to local services.

V. The conversion or re-use of a heritage asset would lead to its viable long term safeguarding.

Where there is clear evidence that the above uses are not practical propositions, residential development may be appropriate where it meets the above criteria.

In isolated locations, the re-use of redundant or disused buildings for residential purposes may be permitted where justified by special circumstances, in line with national policy.'

- 5.7 Paragraphs 82-84 of the NPPF, relating to rural housing, are also pertinent to the consideration of comparable rural development. It advises that planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of a number of prescribed circumstances apply. Relevant to the consideration of these applications is item (c) which supports 'the development would re-use redundant or disused buildings and enhance its immediate setting'. Importantly, 'Redundant buildings', for the purposes of this policy, are defined in the WCS glossary as "*rural buildings that are unused because they are no longer needed or suitable for the use they were originally intended or were last used for and not viable for alternative commercial use.*"
- 5.8 Clearly, The Anchorage property has already been assessed as acceptable in regard to Policy CP48 given the reuse of the existing building as a holiday let as previously approved, in accordance with the criteria either set out within the policy.
- 5.9 However, Policy CP48 also allows for the conversion and re-use of redundant rural buildings for residential purposes where there is clear evidence that employment, tourism, cultural or community uses are not practical propositions. Additionally, it should also be stressed that Government's permitted development tolerances nationally, as part of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), at Part 3, support the unrestricted residential reuse of various

buildings, without any spatial distinctions or other ‘evidence’ of practicality, thus recognising the need to boost housing supply and that the reuse of existing buildings goes to the heart of its drive for sustainable development. Latest Government statements have reinforced the desire to focus rural housing away from green field developments.

- 5.10 There are numerous examples within your Council area where rural buildings are converted for unrestricted residential use, without the sequential test at policy CP48 outlined above needing to be vigorously tested. A practical judgement is all that is required to make the necessary ‘practically proposition’ balance, as some judgements are of course very clear. For instance, in the case of a conversion on Stone Lane near Lydiard Millicent, and even closer to the built up limits of Swindon, (LPA ref; 16/09171/FUL) the officer’s decision report stated;

‘In respect of the tourism use this is not necessarily considered incompatible with the surrounding uses however given the lack of surrounding infrastructure and nearby attractions, a tourism use in such a location is not considered to be practicable.’

A more recent decision (PL/2022/08428) at Easterton Sands near Devizes shares much in respect of the benefits in delivering a boost to poorly performing supply of housing and thus practically setting aside any sequentially preferential reuse of the building. In that instance the officer’s report clearly stated the balance of possible policy conflict was tilted by the need for housing and the acceptable impacts of the development.

‘The development of a single dwelling would be of limited benefit in this respect, particularly when noting the locally healthy housing land supply position in the community area. The benefit nonetheless attracts significant weight in the light of the governmental aim to ‘significantly boost the supply of housing’.... The development would also make use of previously developed land, which is supported by Strategic Objective 5 of the Core Strategy, albeit that there is nothing to suggest that the existing use of the site is redundant.’

Most recently I would draw attention to application PL/2025/03543 at the Stables, Thornhill, and where the assessment has been influenced by the need to boost housing supply and the proximity of other residential conversions, directly comparable to this application.

- 5.11 Such a practical judgement is underpinned by the WCS policy considerations for new tourist accommodation. WCS policy CP39 would clearly exclude the land at Nables Farm. It states that, *'If new buildings are required in the countryside for tourist development, these should be directed towards the Local Service Centres and Large and Small Villages.*

In exceptional cases development may be supported away from the Principal Settlements, Market Towns, Local Service Centres and Large and Small Villages where it can be demonstrated that all of the following criteria are met:

- i. 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.*

Extensions to existing facilities should be appropriate in scale to their location and help to ensure the future viability of the business, including farm diversification schemes.

Proposals for camping and touring caravan sites (including extensions) will be supported where they can be accommodated without adverse impact on the character and appearance of the landscape and meet criteria iii to v above.'

- 5.12 The portfolio of properties at Nables Farm, along with the purchase of Leaffield House have been developed as a diversified income stream for the farm. They have not been and are not intended to be sold separately. They provide rental income, in addition of course to providing much needed rental accommodation in this rural area, where such housing tenure is notoriously difficult to find, as a more affordable form of housing allowing people to continue to live locally. There has been a phased investment to develop the site and a substantial commitment is still needed to deliver some of the additional houses already approved, adding further to the local housing supply. Obviously, the cost of living crisis, and associated rise in interest rates has impacted on the servicing of those costs but the viability of managing the 3 existing holiday lets (including The Anchorage) as part of the overall estate is more precarious than simply considering the reduced revenue being experienced against the rising costs. For instance, as previously set out to the Council in previous applications, notwithstanding the disproportionate management time already involved in arranging/booking short stays etc, my client's cleaning contractors are currently unable to find weekend staff, which is now a long term issue, adding extra work for my client, who is still actively involved in the management of the poultry and beef operations on the farm. These problems are expected to be ongoing for some time without an obvious long term solution. The size of the 3 holiday let operations is not sufficient that it warrants employing dedicated staff, but neither is it incidental in the way that many short stay single Airbnb type operations are, merely providing a secondary form of income to a household. On this basis, the existing use of The Anchorage as a holiday let is no longer suitable, practical, financially viable and therefore not needed. It should also be stressed that the nature of the short stay market is focused on weekend get aways and thus the majority of properties available are small and mainly for couples. The 5 bedroomed house is not suitable in these regards. Furthermore there is no 'entertainment' on site for larger parties.
- 5.13 Moving on to look at the use of the buildings for light industrial purposes or for an office use, the wider site is now primarily approved for unrestricted residential use, and in the same way the potential holiday users are not easily

‘integrated’ as part of that community, an alternative employment or commercial use would certainly not be – particularly given the close proximity to the existing dwellings to the south and the recently approved 2No. residential conversions to the north.

- 5.14 Finally, the location of the site in the countryside would not be attractive for cultural or community uses, as there is no obvious community of scale to be served, and the building is probably too small for these types of uses in any event. Of course, any use of the site that generates significantly higher levels of traffic would not be acceptable on highway safety grounds, thereby ruling out a cultural or community use as a practical proposition.
- 5.15 In summary, I believe that as the sites’ uses have evolved and the dominant sanctioned use is now residential, the practical necessity of maintaining the anomalous holiday let uses is far from clear, indeed the only viable and practical proposition, which does not result in a financial loss is as an unrestricted residential use.
- 5.16 The statement above has reiterated that the proposals would satisfy all of the criteria set out in CP48. For these reasons, it is concluded that the reuse of the rural buildings complies with the exceptional circumstances set out in policy CP48 of the WCS. Having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, there is no evidence that the use of The Anchorage should not be permitted as an additional unit of permanent residential accommodation. Parking and access as well as suitable amenity space are all provided for the current visitors and sufficient for a permanent residential use, entirely independent from Leafield House and the new neighbours proposed to the north.
- 5.17 It is therefore clear that in terms of the primary issue in this case it has been shown that the proposed change of use of the site is acceptable in principle and accords with both national and local planning policies. However, if there is any doubt then the planning balance can be shown to fully support the sustainable addition to the sanctioned housing mix on this particular site.

Housing Need and Planning Balance

- 5.18 The NPPF states it is important that a sufficient amount and variety of land can come forward where it is needed to support the Government's objective of significantly boosting the supply of homes" (emphasis added) (paragraph 61). The level of need identified within the development plan should not be seen as an upper limit, and new development that is otherwise sustainable should not automatically be refused, in particular in the context of the Council's housing land supply position.
- 5.19 The Council's most up to date Housing Land Supply Statement (HLSS) (Base date: April 2023 / Published June 2024) details that it has 4.2 years of deliverable housing land supply. The Wiltshire Local Plan (WLP) will identify future levels of need for new homes and employment land over the period 2020-2038, and it has reached the Examination 19 stage. However, the evidence that underpins the draft WLP was prepared in accordance with the now superseded December 2023 version of the NPPF.
- 5.20 The Council has therefore published a Briefing Note (No.24-20) which sets out the implications of the new NPPF and revisions to the standard methodology on its housing land supply position. It explains that due to the change to the standard methodology, which is used to calculate local housing need, the number of homes the Council must plan for on an annual basis has increased from 1,917 to 3,525 (the annual Local Housing Need figure), an increase of 84%.
- 5.21 The Briefing Note explains that "the changes to the NPPF now require Wiltshire to demonstrate a five-year housing land supply, including a 5% buffer, and must apply the revised Local Housing Need for decision-taking immediately". When the revised Local Housing Need figure is considered against the Council's Housing Land Supply figures which can be delivered within five years, it results in **2.03** years' supply.
- 5.22 The Council therefore confirms that the tilted balance should be applied to housing application and highlights that "the magnitude of the shortfall in supply is now substantial and the weight to be given to improving housing supply greater compared to when the council had a more marginal supply"

(emphasis added). The Council also advises within the Briefing Note that the application of the presumption in favour of sustainable development should be considered within the national aim of radically boosting the supply of housing.

- 5.23 In terms of the implications for plan-making, the Council confirms that because the housing requirement in the emerging Local Plan will meet less than 80% of the revised Local Housing Need, the Council will be expected to begin work on a new Local Plan promptly (when the revised plan-making system comes into force in 2025). However, when the new Local Plan is adopted, the five-year Housing Land Supply position will be determined based on the previous Local Housing Need calculation, albeit the updated NPPF requires a 20% buffer to be added, which in essence will require a six-year Housing Land Supply position to be demonstrated.
- 5.24 The Director of Planning clearly advises within the Briefing Note that *“To meet this increased buffer, the council will need to continue to approve planning applications to ensure a sufficient housing land supply can continue to be met at, and beyond, this date”*.
- 5.25 In these circumstances, NPPF paragraph 11d advises that policies which are most important for determining the application (which in this case would include Core Policies 1, 2, 10 and 48) should not be considered up to date. As a result, the presumption in favour of sustainable development as set out at Paragraph 11d of the Framework is engaged, so permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 5.26 It is considered that there would be no adverse impacts associated with the approval of this change of use application that would *significantly and demonstrably outweigh the benefits*. In terms of the benefits, the proposed development would result in the provision of a ‘new’ dwelling that would contribute towards the substantial deficit in the Council's five-year housing land supply, which is a significant benefit.

- 5.27 The proposed development would contribute towards the Government's aim of significantly boosting the supply of homes in suitable locations and it is considered that when considering the overall tilted balance, which includes regard to the key policies for directing development to sustainable locations, making effective use of land, and securing well-designed places, there would be no adverse impacts that stem from the development that would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 5.28 The contribution made by the approval of minor developments and single dwellings throughout the Wiltshire Council area towards addressing housing need (such as this application) should not be underestimated and now has greater importance considering the Council's substantial housing land supply deficit and the Government's objective to radically boost the supply of housing, as identified by the Council within the aforementioned Briefing Note. Windfall housing is of course an anticipated requirement of the overall housing supply position. On this basis we conclude the tilted balance applies in this case and comprises a positive material consideration for this proposal.

Highway safety

- 5.29 No objections have been substantiated to date, indicating that the existing access arrangements are acceptable and safe. Of course, the unit in question already attracts regular vehicle movements, both by the visitors but also those servicing the units. It is worth stressing in this regard that many visitors will have travelled long distances to visit the area as part of a driving tour of possible local attractions during their stay and will be car dependant whilst making whatever day trips are involved for food and entertainment. It would not be tenable to suggest that a more permanent residential use will be any more intensive or unsustainable. There is ample space to park and manoeuvre on site too.
- 5.30 On this basis, the difference in car travel between holiday accommodation and a permanent residence would be inconsequential in respect of environmental impact. Future occupants might nonetheless favour use of private motor vehicles. This could however be the case regardless of the

presence or absence of a tie. There would therefore be little if any overall difference in the level of environmental harm likely to be caused by the use of private motor vehicles by future occupants. Moreover, in either case any alleged environmental harm must also be set against that which has arisen or could arise from travel by holiday makers using the let. This could be substantial taking into account the fact that holiday makers could travel to and from the site from much any part of the world.

- 5.31 Paragraph 115 to the NPPF 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’. No such harm exists in this instance, evidenced by the sanctioned and long term usage.

Design and wider landscape impact

- 5.32 Not only is the application property already in situ there but so are the available amenity spaces and car parking areas and therefore the change in use will not give rise to any externalities not already established, and acceptable to the character and appearance of the area.
- 5.33 Additionally the orientation and spacing between units is sufficiently generous so that the amenities of all neighbouring properties will be maintained, and the use of the associated lands is not discernibly different. As such the proposal will have no impact on design or landscape.

Residential amenity issues

- 5.34 As above, the spacing and physical impacts of the grouping would be unchanged by the unrestricted residential usage of the property, amongst the 17 other residential units and that arrangement of units will maintain the site’s acceptable residential amenity and sense of place.
- 5.35 With regard to The Anchorage, it is arguable that because of its size there is a propensity for it to be booked by party groups and these are potentially more disturbing for the nearest rental properties, and anecdotally potential tenants have been more reluctant to lease the closest houses. Use of The Anchorage by a family unit is likely to be more invested in a more mutually considerate residential environment by comparison with a transitory party

group and therefore the residential amenity of surrounding existing residential properties will most likely be improved as a result of the proposal (noting that permission has recently been granted for conversion of the agricultural building located immediately north of The Anchorage into 2No. residential dwellings also, thereby increasing the surrounding site's 'sensitivity').

6.0 CONCLUSIONS

- 6.1 The existing holiday unit is one of three anomalies as part of the overall residential grouping in my client's control and in isolation is not financially viable to manage and fund, in contrast to the rest of the sanctioned portfolio. Indeed, the site and unit is not an obvious holiday stay destination amongst the sanctioned settled community and the reasons for the conditional limitations are eminently not now true, as the significant majority of the houses are unrestricted dwellings. In addition, by virtue of its size and layout, The Anchorage is often only let by large groups which results in discordant behaviour and use, negatively impacting nearby residential amenity.
- 6.2 Accordingly, not only is this a suitable site for housing in principle, but the titled housing balance, by reference to paragraph 11 to the NPPF, read in conjunction with your Council's own briefing notes intended to mitigate the long term undersupply of housing, means boosting the supply of deliverable housing, only apparently contentious because they are outside a defined settlement boundary, materially weighs in favour of the logical and simple completion of the small housing community evolved at Nables Farm. The supply and mix of rural housing will be increased as a positive per se.
- 6.3 On this basis, we conclude that the proposal accords with the Development Plan and policy at all levels, and should be approved without delay.

DELEGATED REPORT

Application Reference:	PL/2025/04856
Application Type:	Planning Permission
Site Address:	The Anchorage, Nables Farm, Scotland Hill, Upper Seagry, SN15 5HB
Proposal:	Change of Use from Holiday Accommodation to Independent Dwelling
Recommendation:	Planning Permission be GRANTED

PROPOSAL

This scheme is requesting permission for a holiday let to be used as an independent 5 bed dwelling. There's a somewhat convoluted planning history associated with the wider site area; however, the plan provided indicates a unit which combines some of the holiday let unit land and includes part of the attached agricultural site which benefits from an extant prior approval (PA) decision for COU to residential.

No request for permission for operational development is being made, and no trees or hedges are proposed to be removed to aid the COU. An area for waste storage and collection hasn't been specified; surface water will be disposed of via existing watercourse and there will be no changes to how foul sewage will be disposed of. The application form also indicates that the scheme will meet the de minimis exemption for biodiversity net gain (BNG).

SITE DESCRIPTION

Whilst only limited plans have been provided as part of this application, it's clear from review of publicly available information that the habitable space is predominantly on the ground floor of the building with only a bedroom and en suite to the first floor and that land within the red line of the site includes off-street parking and external amenity area.



Figure 1: site photo (sykes cottages)



Figure 2: Indicative floor plan (sykes cottages)

The full site area has been notified within the application form as measuring 0.25Ha; review of the provided site plan, however, suggests that the application area requesting permission for an

independent dwelling (to include land within the curtilage but not to include the shared access track) is closer to 0.14Ha. The access track connects to classified C road 'Scotland Hill' in Upper Seagry, a small village part of the Chippenham Community Area, which benefits from being part of a neighbourhood development plan area but does not have a defined framework boundary.

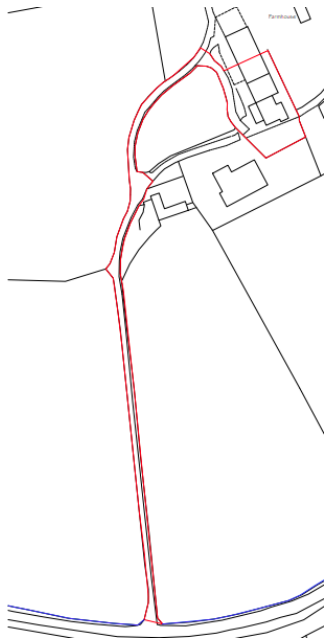


Figure 3: application site (in red) plan



Figure 4: PA site (in red) plan



Figure 5: aerial view (sykes cottages)

The site is not listed, within a conservation area or a protected landscape. There is no current local record of protected species at the site, and the site is located within an area identified as being Flood Zone 1 – at the lowest risk of flooding from rivers/sea.

RELEVANT PLANNING HISTORY

Relevant planning history at the site: (inter alia)

- 16/08358/FUL refused the *erection of two bed bungalow (retrospective)* on 18.11.2016
- 17/00244/FUL approved the *use of annex/agricultural building as holiday accommodation* on 17.05.2017
 - o 18/05603/VAR approved the *removal of condition 3 on 17/00244/FUL regarding use of annex as holiday accommodation* on 03.08.2018
 - PL/2023/06342 refused the *removal of conditions 3 and 4 of 18/05603/VAR* on 13.02.2024
- PL/2025/01981 granted prior approval for *conversion of tractor shed to create 2 No new dwellings* on 23.04.2025

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

- PL/2024/00866 approved the *Erection of five new build dwellings in the alternative to applications PL/2021/07596 and PL/2022/08822 which authorised the conversion of*

various buildings at Nables Farm, Upper Seagry, Wiltshire, creating five new dwellings on
29.08.2024

RELEVANT LEGISLATION, POLICIES AND GUIDANCE

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

Wiltshire Core Strategy (WCS)

- CP1: Settlement Strategy
- CP2: Delivery Strategy
- CP3: Infrastructure Requirements
- CP10: Spatial Strategy for the Chippenham Community Area
- CP41: Sustainable Construction and Low-Carbon Energy
- CP50: Biodiversity and Geodiversity
- CP57: Ensuring High Quality Design and Place Shaping
- CP60: Sustainable Transports
- CP61: Transport and Development
- CP64: Demand Management
- CP67: Flood Risks

Saved Policies of the North Wiltshire Local Plan (NWLP)

- H4: Residential Development in Rural Areas

Seagry Neighbourhood Development Plan (NDP)

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

Wiltshire Local Transport Plan 3 (LTP4)

- Parking standards (LTP3)

The Wiltshire Housing Site Allocations Plan (WHSAP)

Wiltshire Design Guide (WDG)

Waste storage and collection: guidance for developers 2011

Wiltshire Council Level 1 Strategic Flood Risk Assessment (SFRA)

National Planning Policy Framework (NPPF)

Planning Policy Guidance (PPG)

- Technical housing standards

HOUSING LAND SUPPLY

The Councils Housing Land Supply (HLS) Statement (base date: April 2024) was published in June 2025 and covers the HLS for Wiltshire and each Housing Market Area within Wiltshire as set

out in the WCS. The HLS position identified under section 6 of the statement expresses that the current number of years deliverable supply is 2.42 years.

Briefing Note (No. [25 – 04](#)) dated 18.06.2025 reiterates that position and states under section 2.3 that: *The council cannot demonstrate the requisite five-year housing land supply. The current position indicates there is a 2.42 years supply.*

ISSUES

The main issues in the consideration of this application are:

- Principle / Sustainable Development
- Design and Neighbouring Amenity
- Ecology / Biodiversity
- Highways Safety / Access
- Flood Risk / Drainage

CONSULTATION

Seagry Parish Council: No objections subject to conditions

Thank you for the opportunity of commenting on this Full planning application. My Council met last evening and has asked me to forward the following comments to you.

The Council noted that this application is very similar to PL/2023/06343 refused by your own Council on the 13th February 2024.

In response to that application my Council wrote to you on the 13th September 2023 and to be consistent the Council feels that they should reiterate those views.

The applicant suggests that this is a sustainable location and given the existing built infrastructure there would be a positive contribution to the supply of much needed new houses, thus avoiding greenfield development.

As before the Council has some sympathy with the concept of additional residential accommodation within the Parish making use of existing buildings and in this case using buildings that already take the form of a dwelling albeit that there is the holiday-let limitation.

The provision by this means allows for the increase of small-scale housing stock within the Parish that is designated as a small village category in the Local Plan allowing for very limited new development an important policy also within the adopted Seagry Neighbourhood Plan.

The Council has based their consideration on the understanding that the proposal is simply to remove the existing temporary holiday let conditions and allow permanent residential use of the property as it exists. The Council reminds you that the original holiday-let condition identified the reason as being that the site was in a position where the local planning authority, having regard to the reasonable standards of residential amenity, access and planning policies pertaining to the area, would not permit an additional unit of permanent residential accommodation.

With this in mind in determining the application your Council will need to do an about-face in this respect but planning situations change and the Parish Council is willing to support a change in views that might lead to future long-term occupants supporting the whole Seagry community.

In offering this support the Council has a number of concerns that need to be addressed. Firstly, the Council is concerned with the cumulative effect creating a large-scale hamlet of dwellings in this location outside of the natural framework boundary of Upper Seagry.

Secondly that no independent dwelling created should gain permitted development rights.

Finally, there are some local concerns expressed in regards to water supply and foul water drainage dispersal generally in this area. It is to be assumed that water supply to the dwelling is adequate. No doubt Wessex Water will be consulted on this. There have been concerns in regards to foul water effluent polluting local ditches. There needs to be assurance from the Environment Agency that the foul water treatment plant serving the whole built form in the Nables Farm area is fit for purpose.

In closing I confirm that the Council has no objections to the proposals in principle.

The Council trusts that their views will be taken into consideration when the application is determined.

Councils Highways Department: Comment

The site is outside of any development boundary and there are clear policies against development in locations where there is total reliance on private car journeys for all everyday services.

Scotland Hill is lightly trafficked and the access to the site is an existing access to the highway, although visibility 2.4m back from the carriageway edge is less than optimum and likely sub-standard it would be difficult to justify that the small increase in vehicle movements could result in a defensible highway safety refusal reason.

Parking and turning is adequate on-site, therefore I would not recommend a highways refusal on grounds of highway safety or parking shortfall.

The site is considered to be in the open countryside so I will be guided by the LPA on policy.

REPRESENTATIONS

At the time of writing, no public representation has been received.

ASSESSMENT

Principle / Sustainable development

Context

CP1 and CP2 of the WCS relate to the spatial strategy for Wiltshire, setting the policy foundations for sustainable development within the county. CP10 of the WCS expresses that development in the Chippenham Community Area should be in accordance with the Settlement Strategy set out in CP1.

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

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

The site is located outside of any defined settlement limits, in open countryside, and proposes conversion of a barn to a new dwelling and, as such, broadly conflicts with the aims of CP1, CP2 and CP10.

The scheme does not meet any of the exception criteria of the WCS, nor the saved policy H5 of the NWLP.

Notwithstanding the above, the Council have accepted that the requisite housing land supply cannot be demonstrated and as such, for applications including housing provision, the policies which are most important for determining the application should be considered out-of-date.

The NPPF directs, under paragraph 11, that in these circumstances planning permission should be granted unless one or both of the following apply:

- (i) *the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or*
- (ii) *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.*

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

In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply: (a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and (b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement.

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

Paragraph 11d(i)

The site is located within flood zone 1 and has not been identified as being in an area at high risk of surface or ground water flooding. The site is not located within (or in close proximity to) a SSSI, SAC, Ramsar, SPA, SAC or CWS and is not designated as green belt or local green space.

Furthermore, the site is not within a National Landscape or Conservation Area, is not part of a National Park area, or defined as Heritage Coast, irreplaceable habitat, or a designated heritage asset.

Paragraph 11d(ii)

The scheme is not for major development and, notwithstanding the rural location, on this occasion the development would not result in the creation of an isolated home in the countryside.

Consultation with the Councils Highways Team raised concerns regarding the sustainability of the location for 1 no new dwellings but raised no concerns regarding the suitability of the existing access. Further comments on highway's impacts (including parking provisions etc) of the scheme will be made later in this report.

There is no operational development proposed as part of this scheme; however, careful consideration around whether an independent dwelling would negatively impact the prevailing character of the setting needs to be made. Further comment and assessment of design/visual impacts of the scheme will be made later in this report.

Benefits and harm

This scheme relates to housing development and, whilst for one dwelling only and consequently representing only a very minor benefit to the housing supply for Wiltshire, granting permission would result in a net increase to the number of residential units should the development be completed which would consequently bring about some benefit to the housing supply for Wiltshire.

Different to when application PL/2023/06342 was determined, the current HLS position is such that great weight must be attached to the overall benefit that any proposed new dwelling would have on the HLS for Wiltshire.

Potential harm has, however, been identified by virtue of the site being in an unsustainable location and planning balance must be applied to determine whether the scheme is acceptable.

Design / Visual Impacts and Neighbouring Amenity

Policy CP41 of the WCS relates to sustainable construction and low-carbon energy and encourages development including building conversions to incorporate design measures to reduce energy demand.

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

Section 9.2 of the WDG sets expectations around private amenity space, providing the following minimum standards (subject to site specific constraints) for gardens, applicable to houses:

Type of private amenity space	1 storey houses	2 storey houses	3 storey houses
Minimum rear garden area	Equal footprint of dwelling	Equal footprint of dwelling	Equal footprint of dwelling
Minimum length of garden	9m if north facing, 5m otherwise	12m if north facing, 10m otherwise	15m if north facing, 10m otherwise

Technical housing standards deal with internal space within new dwellings. Setting requirements for the Gross Internal floor Area (GIA) of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home. There are set criteria for measuring and the following summarised nationally described space standards are applicable for assessment of the proposed 5-bedroom, 2-storey house:

Bedrooms	Bed spaces	Minimum gross internal floor area	Required built-in storage
5 bed	6 person	110	3.5
5 bed	7 person	119	3.5
5 bed	8 person	128	3.5

The councils SPD on 'waste storage and collection' provides guidance for developers and includes the following summarised points relating to the external storage of waste:

- (5.4.1) Waste storage areas should be appropriate located [...] within the boundary of the property [...] These storage facilities should not obstruct sight lines for pedestrians, drivers and cyclists and should not interfere with pedestrian or vehicular access to buildings.
- (5.4.2) External storage spaces must be on hard standings, and they should be away from windows [...]

- (5.4.3) Rear-garden storage is preferable where possible provided that there is a suitable route to the collection point [...]

Notwithstanding the limited detail provided under this application, reviewing the footprint of the building and comparing it to publicly available information on the holiday let has allowed for assessment of the living conditions which would be achievable at the site. No operational development is being proposed and, based on all information available to me, appropriate levels of private amenity would be achievable and necessary GIA would be more than the minimum required without the need for extensions etc.

Notwithstanding that the site was originally more than one building, the painted sections allow for a cohesive appearance whilst allowing the evolution of the agricultural site to still be respected. Given the rural location, it is important to ensure that this character remains; as such, any permission for the use of the site as an independent dwelling should include the removal of permitted development rights for extensions etc. A removal of permitted development rights for outbuildings and means of enclosure are similarly necessary for the same reason.

No area for waste storage has been identified which is regrettable; however, based on the size of the unit it is considered that such an area would be achievable in line with guidance.

The proposed dwelling is directly adjacent to a building which has a current agricultural use but benefits from prior approval for COU to residential. The permitted neighbouring use as 2 dwellings would be in-keeping with the proposed use of this site as an independent dwelling; however, I have some concerns that, if the neighbouring approval isn't implemented and the agricultural use is continued, an agricultural building directly adjacent to a dwelling could result in odour and/or noise impacts on the occupiers of that dwelling. Conditions requiring receipt of further detail prior to first occupation of the dwelling are necessary in the interest of public amenity.

Biodiversity, Geodiversity and Trees

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

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

Given that the scheme does not include any operational development and is to allow for occupation of the building as an independent dwelling, alone, the applicant has stated that the development is exempt from BNG. There are no ecological concerns relating to the scheme.

Highways Safety / Access

Policy CP61 of the WCS requires new development to be served by safe access to the highway network.

Policy CP64 of the WCS relates to demand management measures which includes car parking management and standards. There is a requirement for a minimum of 8 parking spaces for B8 use where the site is more than 500m².

The site is in open countryside and is not in a location considered to be sustainable insofar as access to services etc. The scheme conflicts with the aims of WCS policies and is contrary to para 115(a) of the NPPF which requires sustainable transport modes to be prioritised. The site will, however, be served by a safe/suitable access and the Council's Highways team has raised no concerns that residential traffic, resulting from the development, onto the C-road would result in a negative impact on the transport network or highway safety.

Whilst not shown on plans, the site can achieve sufficient off-street parking for a 5-bed dwelling, and it can reasonably be conditioned that such parking be provided etc. prior to first occupation. Furthermore, there is sufficient amenity area to allow for cycle storage to be provisioned and, with the inclusion of a condition requiring such details to be approved prior to first occupation, a non-car related transport option can be encouraged/accommodated.

Policy SNP9 of the NDP relates to the provision of electric vehicle (EV) charging for all new houses. The scheme will result in a material COU from holiday let to residential and as such building control regulations associated with charging requirements will likely apply, thereby meeting the aims of SNP9.

Flood Risk / Drainage

Policy CP67 of the WCS relates to flood risk and provides direction for development proposed in flood zones 2 and 3 and includes the requirement for development to reduce the rate of rainwater run-off and to improve rainwater infiltration to soil and ground, unless site or environmental conditions make these measures unsuitable.

The site is on land in flood zone 1, at the lowest risk of flooding and whilst there is known groundwater issues at the site, the development does not include any further hardstanding or any development which may otherwise exacerbate the existing situation.

SUMMARY AND CONCLUSION

The site is in open countryside and not in a sustainable location; as such, there would be adverse impacts of permitting a dwelling in this location given the necessary dependence on private car use. The application is therefore contrary to the aims with CP1, CP2 and CP10 of the WCS and para 115(a) of the NPPF.

No other adverse impacts (which cannot reasonably be conditioned in order to fully mitigate the harm) have been identified as part of assessing this application, however. On this occasion, taking fully into account the tilted balance, the benefit to the HLS for Wiltshire that a single dwelling would bring (whilst understandably only modest) would outweigh the identified harm.

With the inclusion of necessary conditions, the scheme is acceptable on balance.

RECOMMENDATIONS:

That planning permission be GRANTED subject to the following conditions:

- The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan, received 13.08.2025

Proposed Site Plan, received 02.06.2025

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

- The dwelling hereby approved shall not be occupied until details of secure covered cycle parking have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided in accordance with the approved details and made available for use prior to the first occupation of the development hereby permitted and shall be retained for use at all times thereafter.

REASON: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car.

- The dwelling hereby approved shall not be occupied until details of parking for 3 vehicles together with vehicular access thereto has been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided in accordance with the approved details and made available for use prior to the first occupation of the development hereby permitted and shall be retained for use at all times thereafter.

REASON: To ensure that adequate provision is made for parking within the site, in the interests of highway safety.

- The dwelling hereby approved shall not be occupied until a site layout plan showing the distance between the dwelling and potential agricultural odour sources has been submitted to the Local Planning Authority. If the dwelling is identified as being within 400m of intensive livestock operations, an Odour Impact Assessment and measures for reducing odour impacts to occupiers of the dwelling must be submitted to and approved by the Local Planning Authority. Any necessary measures for reducing odour impacts must be provided

in accordance with the approved detail prior to the first occupation of the development hereby permitted and shall be retained thereafter.

REASON: In the interests of the amenities of the area.

- The dwelling hereby approved shall not be occupied until a site layout plan showing the distance between the dwelling and agricultural buildings. If the dwelling is identified as being within 400m of intensive livestock operations, a Noise Impact Assessment, conducted in accordance with BS4142:2014+A1:2019, and necessary mitigation measures (e.g. acoustic glazing, orientation, or separation distance) must be submitted to an approved by the Local Planning Authority. Any necessary measures for reducing odour impacts must be provided in accordance with the approved detail prior to the first occupation of the development hereby permitted and shall be retained thereafter.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

- Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) there shall be no additions to, or extensions or enlargements of any building forming part of the development hereby permitted.

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

- Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order no garages, sheds, greenhouses and other ancillary domestic outbuildings shall be erected anywhere on the site on the approved plans.

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

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

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

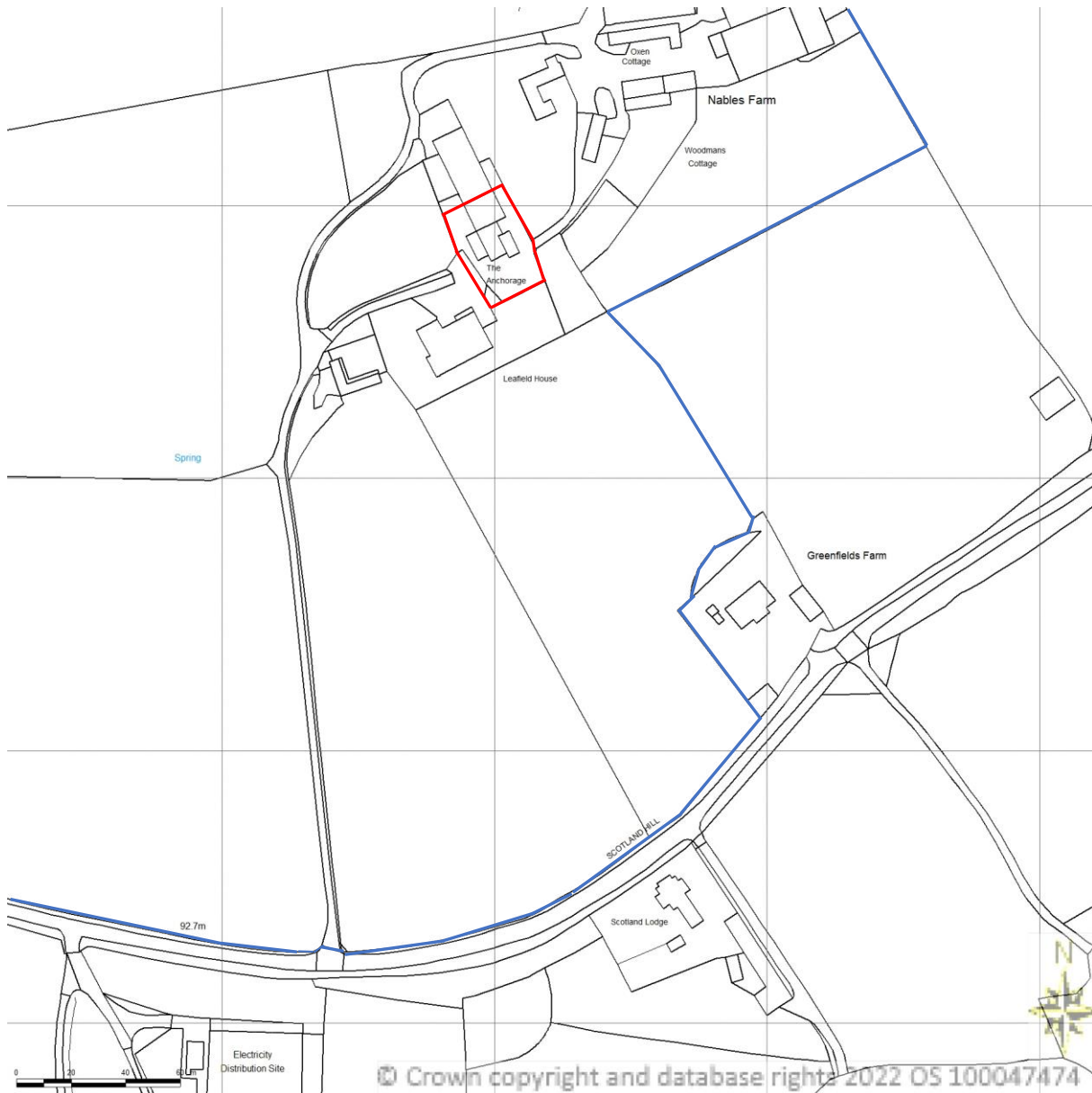
INFORMATIVES TO APPLICANT:

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

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

- Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.
- The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license may be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

SITE LOCATION PLAN
AREA 16 HA
SCALE 1:2500 on A4
CENTRE COORDINATES: 393521, 180273



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