

PRIOR APPROVAL APPLICATION: CHANGE OF USE UNDER CLASS Q

APPLICATION REFERENCE:	PL/2026/03149
APPLICATION TYPE:	Prior Approval: Change of Use Class Q
SITE ADDRESS:	Highway Farm, Highway, Hilmarton, Wiltshire, SN11 8SR
DEVELOPMENT DESCRIPTION:	Conversion of the agricultural building into one single storey dwelling
RECOMMENDATION:	Prior Approval Required and should be GRANTED

PROPOSAL

Under the provisions of condition Q.2 attached to Schedule 2, Part 3, Class Q of the General Permitted Development Order (GPDO), the developer has applied to the Local Planning Authority (LPA) on 26.05.2026 with a request to determine whether a change of use (COU) from agricultural to 1no residential units will require the LPAs prior approval (PA).

The detail provided indicates that the change of use is for the whole agricultural building and is intended to provision of 1no dwelling. No extension to the existing agricultural building is proposed.

THE SITE

The application site is a single-storey building associated with Highway Farm in Hilmarton, a small village part of the Calne community area, which benefits from existing vehicular access from classified B4069 'Main Road'.



Figure 1: Map view of site (blue)



Figure 2: Aerial view with listed building shown (orange)

The site is in open countryside, approximately 4km northeast of the framework boundary for the Calne and outside of an area with a made neighbourhood development plan (NDP). Whilst there are Public Rights of Way (PRoW) which connect to the access road, no PRoW enters, or is within 50m of, the application site.

There is a somewhat complex planning history associated with the wider agricultural unit, which is partially covered in the next section of this report; of particular relevance, however, is that all of the site is currently understood to have an existing agricultural planning use and, different from the application made in 2025, the site does not include land which was disconnected from the agricultural unit for a period of time whilst permitted glamping activities were carried.

The provided application form indicates that the site is not currently occupied under any agricultural tenancy agreements or that any have been terminated in the year before the development is proposed to be carried out. The provided supporting statement further indicates that the farm, which the building currently serves, comprises approximately 120 Acres of pasture and the building is used for agricultural storage.

Whilst the edge of the North Wessex Downs National Landscape (NL) is less than 100m to the east of the building, the site is not itself on article 2(3) land as specified under Part 1 of the GPDO and does not form part of a site of special scientific interest (SSSI), a safety hazard area or a military explosives storage area. Furthermore, the site is not (and does not contain) a scheduled monument, nor is it a listed building.

From review of planning history, it does not appear that permitted development rights have been removed at the site, or that there has been any previous development under Part 3 Class Q or Part 6 of the GPDO carried out within the wider site. The site can be accessed via a private track which is connected (at the east) to unclassified road 'Highway Common'.

The site is located within an area identified as being Flood Zone 1, the lowest risk of flooding from rivers and sea and is not at high risk of flooding from groundwater or surface water. There is, however, a large pond within 50m of the site and the wider area is broadly classed as being an 'amber zone' for great crested newts (GCN).

RELEVANT PLANNING HISTORY (inter alia)

Relevant to the site and scheme:

- PL/2025/04326 *Prior Approval of Proposed Change of Use of Agricultural Building to a single Dwellinghouse (Use Class C3) and for Associated Operational Development (Class Q a & b)* was withdrawn prior to refusal on 10.07.2025
- 19/00039/FUL granted permission for *Retrospective Change of Use of Land to Glamping Site and Petting Farm with Associated Development and Car Parking Areas, Retrospective Change of Use of Former Agricultural Building to Mixed Use (first floor space to be used for various leisure activities - ground floor to provide ancillary campsite facilities and office space), Retrospective Change of Use of Potters Wood to allow Forest Schools and construction of 'treebog' composting toilet* on 29.10.2019
 - o 20/02836/DOC partially discharged condition 5 of application 19/00039/FUL relating to a campsite management plan on 01.07.2020
 - o PL/2021/04382 refused the *Variation of Condition 6 of 19/00039/FUL Relating to Landscaping and an Extension in Time* on 02.07.2021



Figure 3: site (red) in context with 19/00039/FUL site (blue)

2. This permission shall expire 2 years from the date of this permission and the use hereby approved shall permanently cease by that date. All glamping units, structures and buildings identified on the 'Site Plan and Parking Overview' drawing received 18 July 2019 shall be removed from the site within 2 months of camping/glamping uses ceasing within the site and the land shall thereafter be restored to agricultural use in accordance with a scheme submitted to and approved in writing by the Local Planning Authority beforehand.

REASON: to ensure that the Local Planning Authority has a period of time in which to assess the effectiveness of the conditions to ensure that the development, when adequately controlled, has an acceptable impact on highways safety, neighbouring amenity, as well as character and appearance of the locality.

Figure 4: condition 2 of 19/00039/FUL

- PL/2021/11479 granted a *temporary change of use of land and buildings from agriculture to glamping site and ancillary uses* on 11.05.2022 for a period of 2 years

Application Reference Number: PL/2021/11479

Decision Date: 11 May 2022

Applicant: Viscount Jeremy Sidmouth
The Barnyard, Highway, Hilmarton, Calne, SN11 8SR

Particulars of Development: Temporary change of use of land and buildings from agriculture to glamping site and ancillary uses

At: THE BARNYARD, HIGHWAY, HILMARTON, CALNE, SN11 8SR

In pursuance of its powers under the above Act, the Council hereby **GRANT PLANNING PERMISSION** for the above development to be carried out in accordance with the application and plans submitted (listed below).

In accordance with paragraph 38 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

Subject to the following conditions:

Conditions: (14)

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

CMP_2255_D Campsite Management Plan
(received 30 March 2022)

LDC.2255C 02 B Site Plan
LDC.2255C 03 Landscaping Plan

(Received 7 March 2022)

LDC.2255C 01A Location Plan
(received 21 December 2021)

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

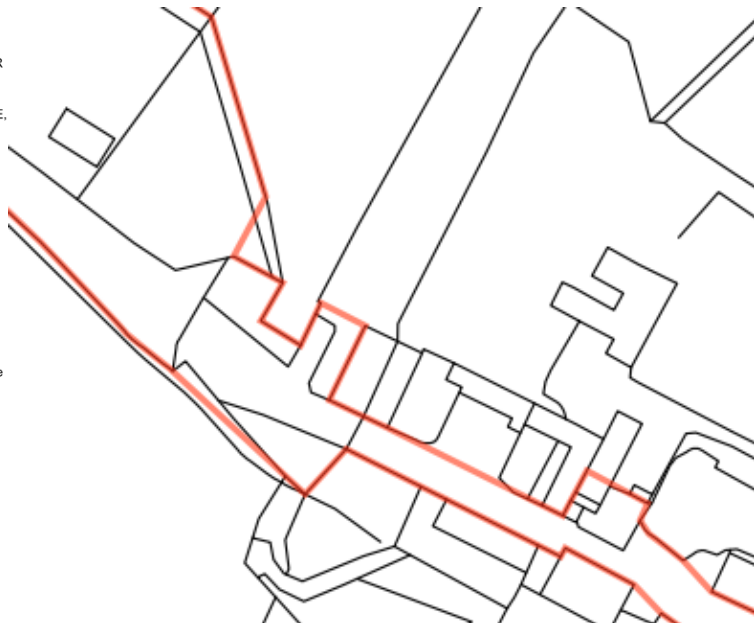


Figure 5: approved plans for PL/2021/11479 Figure 6: partial extract of LDC.2255C 01A approved under PL/2021/11479

Recent, relevant planning history near the site:

Land and buildings at Highway Manor:

- PL/2021/04125 refused the granting of a lawful development certificate (existing use) to prove *Use of land for the purposes of agriculture, together with educational/therapy sessions by prior arrangement* on 08.12.2021
 - o Appeal APP/Y3940/X/21/3289799 was dismissed

- PL/2022/03904 approved the *use of land for agricultural and animal therapy* on 27.09.2022
 - o PL/2023/04267 granted a non-material amendment (NMA) relating to *PL/2022/03904 - (Use of land for agricultural and animal therapy) Condition number 2 - currently allows pre booked therapy sessions for individuals or groups not exceeding 6 people seeking amendment - allows pre booked therapy sessions for individuals or groups not exceeding 10 people* on 17.07.2023

POLICY CONTEXT

General Permitted Development Order (GPDO)

- Schedule 2, Part 3, Class Q: Buildings on agricultural units and former agricultural buildings to dwellinghouses
- Article 2: Interpretation

The Town and Country Planning (General Permitted Development etc) (England)(Amendment) Order 2024

- Article 3: Amendments of Class Q of Part 3
- Article 10: Transitional Provision

The Town and Country Planning (Use Classes) Order 1987

- Schedule 1

National Planning Policy Framework (NPPF) Planning Policy Guidance (PPG)

Technical housing standards

Wiltshire Local Transport Plan (LTP4)

- Car Parking Strategy from LTP3

Wiltshire Design Guide

RELEVANT INTERPRETATIONS AND GUIDANCE

Town and Country Planning Act 1990 (TCPA)

Section 336: Interpretation

S336 of the TCPA provides the following interpretation relevant to this application:

- “agriculture” includes horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes, and “agricultural” shall be construed accordingly;

Agriculture Act 1947

Section 109: Interpretation

S109 of the Agriculture Act 1947 provides the following interpretation relevant to this application:

- In this Act the expression “agricultural unit” means land which is occupied as a unit for agricultural purposes, including—
 - (a) any dwelling-house or other building occupied by the same person for the purpose of farming the land, and
 - (b) any other land falling within the definition in this Act of the expression “agricultural land” which is in the occupation of the same person, being land as to which the Minister is satisfied that having regard to the character and situation thereof and other relevant circumstances it ought in the interests of full and efficient production to be farmed in conjunction with the agricultural unit, and directs accordingly:

Provided that the Minister shall not give a direction under this subsection as respects any land unless it is for the time being not in use for any purpose which appears to him to be substantial having regard to the use to which it might be put for agriculture.

ISSUES

Permitted Development (PD)

Prior Approval (PA)

CONSULTATION

Hilmarton Parish Council: No representation at the time of writing.

Councils Ecology Team: Comment

There is a low risk that bats may occur at the development site. Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected all times by the Conservation of Habitats and Species 2017 (as amended) even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or the applicant is advised to follow the advice of a professional ecologist or to contact Natural England's Batline through the internet.

There is a residual risk that great crested newts / reptiles could occur on the application site. These species are legally protected and planning permission does not provide a defence against prosecution. In order to minimise the risk of these species occurring on the site, the developer is advised to clear vegetation during the winter, remove all waste

arising from such clearance and maintain vegetation as short as possible in line with the recommendations made in (insert details of ecological report). If these species are found during the works, the applicant is advised to stop work and follow advice from an independent ecologist.

Councils Highways Team: Comment

If a new built dwelling were to be proposed in this location it would meet with an objection on the grounds that it would be against policy 61 and contrary to NPPF guidance against development in the open countryside.

I note previous permissions at this location also utilise what would be considered a private access for this dwelling so there would be an increase in movements at the shared access with conflicting domestic/commercial and tourism activity

The proposed change of use of an agricultural building to a Class C3 dwelling in the open countryside has been reviewed with consideration to the National Planning Policy Framework (NPPF) and Wiltshire Core Policies.

National Planning Policy Framework (NPPF):

Paragraph 79 of the NPPF supports sustainable development in rural areas by promoting housing that enhances or maintains the vitality of rural communities. It allows for the conversion of existing buildings, including agricultural buildings, to residential use under certain conditions 1.

Paragraph 108 emphasizes the need for safe and suitable access to the site for all users. It is essential that the proposed development does not result in an unacceptable impact on highway safety or severe cumulative impacts on the road network 1.

Wiltshire Core Policies:

Core Policy 48 of the Wiltshire Core Strategy supports the conversion and re-use of rural buildings for residential use, provided they meet specific criteria. These include ensuring the building is structurally sound and capable of conversion without major rebuilding, and that the conversion does not detract from the character or appearance of the landscape 2. Core Policy 60 focuses on the need for sustainable transport and reducing the need to travel by car. The proposed development should demonstrate that it can be accessed by sustainable modes of transport and does not lead to increased traffic congestion 3.

Highway Considerations:

Access and Safety: The existing access to the site has been assessed to ensure it is safe and suitable for the increased residential use. Access is deemed adequate and no conditions are required relating to access or visibility.

Traffic Impact: An assessment of the potential traffic generation from the new dwelling is expected to be low and not a cause for highway safety concerns.

Sustainable Transport: The proposal should include measures to promote sustainable transport options, such as walking, cycling, and public transport. This aligns with Core Policy 60's emphasis on reducing reliance on private cars.

Parking Provision: Adequate on-site parking should be provided to meet the needs of the

new dwelling, in line with local parking standards.

I shall be guided by LPA on the principle of his dwelling.

Councils Public Protection Team: Comment

No adverse comments.

Advisory: If asbestos containing materials are present on the barn (e.g. the roof and side panels or any lagged pipes), please ensure that these are handled and disposed of appropriately in line with HSE guidance.

REPRESENTATIONS

At the time of writing, no public representations have been received.

ASSESSMENT

Permitted Development

Under the provisions of Schedule 2, Part 3, Class Q of the GPDO, *development consisting of:*

(a) a change of use of—

(i) a building that is part of an established agricultural unit and any land within that building's curtilage, or

(ii) a former agricultural building that was (but is no longer) part of an established agricultural unit and any land within that building's curtilage,

to a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order,

(b) development referred to in sub-paragraph (a) together with the extension of the building referred to in sub-paragraph (a), or

(c) development referred to in sub-paragraph (a) together with building operations reasonably necessary to convert the building referred to in sub-paragraph (a) to a use falling within Class C3 (dwellinghouses) of that Schedule or to extend that building.

is permitted development.

There are limitations to Part 3, Class Q permitted development which are outlined as 'development not permitted' under section Q1 and there are set conditions associated with that permitted development which are listed under section Q2 of the same part.

For purposes of transparency, taking into account the site context, GPDO parts which have been further assessed are summarised below.

Limitations	
Q1(a)	In the case of a site that is part of an established agricultural unit, the site must have been part of the established agricultural unit— (i) on 24th July 2023, or (ii) where the site became part of the established agricultural unit after 24th July 2023, for a period of at least 10 years before the date development under Class Q begins.
Q1(c)	The floor space of any dwellinghouse developed under Class Q having a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order cannot exceed 150 square metres.
Q1(h)	The development cannot result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point, other than— (ii) protrusions of up to 0.2 metres to accommodate building operations allowed by paragraph Q.1(j)(i),
Q1(j)	The development under Class Q(c) cannot consist of building operations other than— (i) the installation or replacement of— (aa) windows, doors, roofs, or exterior walls, or (bb) water, drainage, electricity, gas or other services, to the extent reasonably necessary for the building to function as a dwellinghouse, and (ii) partial demolition to the extent reasonably necessary to carry out building operations allowed by paragraph Q.1(j)(i)
Q1(o)	The existing building, excluding any proposed extension under Class Q(b) but including any proposed building operations under Class Q(c), must be capable of complying with the nationally described space standard issued by the Department for Communities and Local Government on 27th March 2015 as read with the notes dated 19th May 2016 which apply to it.
Q1(p)	The building must have suitable existing access to a public highway.

The provided planning statement (prepared by Carter Jones, dated May 2026) indicates that the building is used for agricultural storage.

Agricultural activities were observed during a site visit carried out on 03.06.2026 and the LPA has no evidence to contradict the applicant's statement on the current use of the buildings at (and in proximity to) the site. It is considered likely that the site is currently part of an established agricultural unit and, different from the previous scheme submitted in 2025, the application site excludes any area which only reverted back to agricultural use on 11.05.2024; as such the full site appears to have been part of an established agricultural unit for the requisite time.

The application has been submitted with proposed floorplans, elevations and a structural appraisal report (prepared by croft surveyors, dated 11.05.2026); the former indicates that the total residential floorspace to be created by the scheme would not exceed the 150m² permissible and that the building would be capable of complying with the nationally described space

standards; the latter evidences that the building is capable of conversion without significant rebuilding tantamount to a rebuild; and, the elevation plans indicate compliance with Q1(h). The structural report concludes that the main elements of the building are *'fundamentally in sound order, with respect to the structural safety, strength and stability of the building'*.

Overall, based on review of all information available, the scheme is PD under the provisions of Part 3, Class Q and PA is required.

Prior Approval

When considering whether to grant PA the LPA is limited to assessing the following set subject matters under Part 3, Class Q:

- (a) transport and highways impacts of the development,
- (b) noise impacts of the development,
- (c) contamination risks on the site,
- (d) flooding risks on the site,
- (e) whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order,
- (f) the design or external appearance of the building, and
- (g) the provision of adequate natural light in all habitable rooms of the dwellinghouses,

The procedure for applications for prior approval under Part 3 directs under paragraph W (3) that *the local planning authority may refuse an application where, in the opinion of the authority—*

- (a) the proposed development does not comply with, or*
 - (b) the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with,*
- any conditions, [...] limitations or restrictions specified in this Part as being applicable to the development in question.*

Transport and highways impacts

No new access to the highway is proposed and, taking into consideration the potential traffic generation that could be resultant from the existing agricultural use, the proposed C3 use for 1no 3bed unit will not likely result in a material increase to the level of traffic generated. The location of the site is such that, other than the private car, transport modes would be limited, however.

Consultation with the Councils Highways Team has been carried out and resulted in no objection or any explicit recommendation for conditions; however, they do comment on a requirement for suitable on-site parking to be provided. Given that the application site (red line) is limited to the proposed dwelling and a small courtyard garden, on-site parking would not be possible to secure; however, the provided location plan, site plan and ground floor plans clearly identify that there would be sufficient space for car parking adjacent to the proposed dwelling on land within the applicants ownership, and that there could be secure cycle storage located in a similar position.

A condition requiring the provision of off-street car and cycle parking on land edged in green shown on drawing 455.P.010 (rev P3) to be provided prior to the first occupation of the dwelling (and retention thereafter) is necessary in the interest of highway safety.

Noise impacts and contamination risks

Consultation with the Councils Public Protection team has been carried out for their specialist guidance on noise and contamination. Their representation resulted in no adverse comments being raised but a recommendation for an informative to be included advising on the applicants' responsibilities should asbestos containing materials be found.

Flood risks

The site is located within an area identified as being Flood Zone 1, the lowest risk of flooding from rivers and sea and is not at high risk of flooding from groundwater or surface water.

Siting and location

The application site is in close proximity to buildings used to house animals and external storage of equestrian bedding and waste was observed during the site visit on the area shown as intended as parking to serve the dwelling; however, no intensive livestock operation was observed immediately adjacent to the proposed dwelling and the proposed garden would provide some degree of separation between the yard buildings and the habitable rooms.



Figure 7: partial extract of proposed site plan



Figure 8: 2no officer site photos (2026)

On this occasion, whilst future occupiers may experience some noise or odour impacts associated with the agricultural setting, these would be characteristic of the rural countryside setting. The extent of land proposed for change of use is tight around the building and proposed gardens to such a degree that there would be sufficient area of separation between the residential site and land used for ongoing farming activities; as such, the scheme would not warrant refusal of PA on grounds that the siting of the building is impractical or undesirable. It is, however, noted that any

potential extension of the building or further encroachment into the farm setting may be assessed differently should any future planning application for extensions or amendments be made.

Design and external appearance and natural light

The scheme has been designed to work with the required maximum internal floor space allowable under this part of the GPDO and as such proposes a u-shaped living arrangement with a partially enclosed courtyard garden to the west. The courtyard garden would be within the envelope of the existing building, working with the existing agricultural frame, but would be distinctly and functionally separated from the proposed habitable areas by new external walls and glazing being installed.

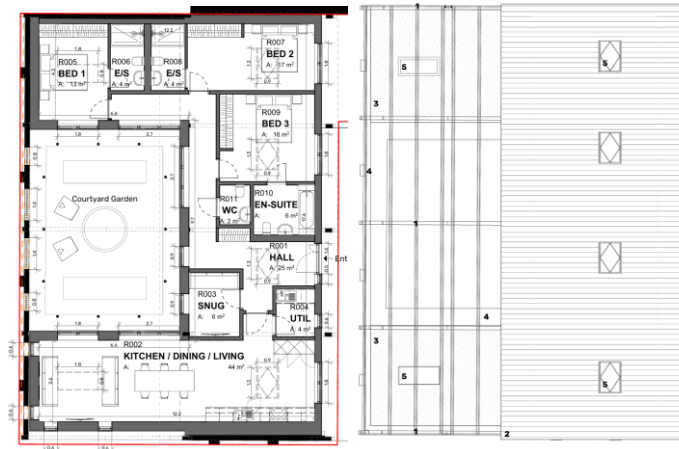


Figure 9: proposed floorplan

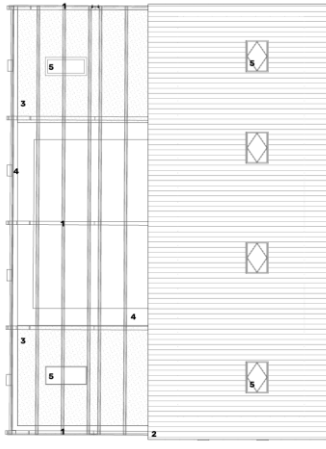


Figure 10: proposed roof plan



Figure 11: 2no officer photos (2026)

The courtyard garden would be partially enclosed so as to work with the existing envelope of the building, and would retain the concrete roof frame atop, but would remain open to the sky and would not include glazed details to the northwest elevation. These design choices, whilst somewhat unconventional for a dwelling, achieves a design that meets the limitations of Q.1(c) and clearly retains the agricultural character of the building whilst providing private amenity space and adequate provision of natural light to habitable rooms for future occupiers.

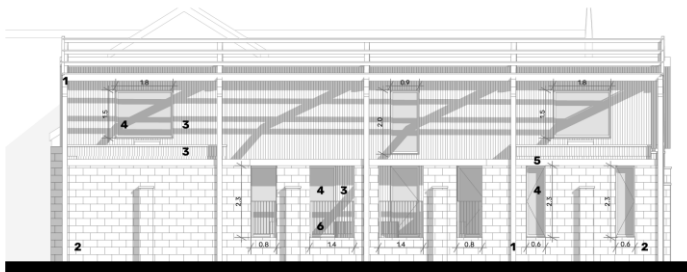


Figure 12: proposed northwest elevation

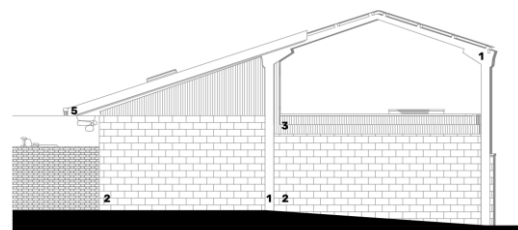


Figure 13: proposed northeast elevation

The level of fenestration proposed (including rooflights) is considerably more than the current openings on the building; however, given that the overall character of the building would remain functionally agricultural in appearance, the level of new openings would not be unacceptable on grounds of visual impact and the scheme would appropriately and acceptably integrate with the character of the setting. Importantly, the proposed level of operational development is limited to

the extent reasonably necessary for the building to function as a dwellinghouse without exceeding the maximum permissible floor space of 150m².

Other matters

In addition to PA matters discussed above, the LPA is required to consider its duties in relation to protected species and habitats. The application has been submitted with a preliminary bat roost assessment and Great Crested Newt (GCN) assessment.

The survey found no evidence of bats, no potential bat roost features within the building, storage container or adjacent trees, and concluded that the site has negligible suitability for roosting bats, with no further bat surveys considered necessary. The assessment identified two ponds within 500m of the site but concluded, following a Natural England Rapid Risk Assessment, that the proposed development is highly unlikely to result in an offence in respect of GCNs.

The Councils ecology team were consulted and has advised that there remains a low residual risk that there could be bats, GCNs, and/or reptiles at the site; however, the LPA is satisfied that sufficient information has been provided to assess the likely ecological impacts and that development would not result in an adverse effect on protected species subject to the applicant adhering to the recommended precautionary measures and relevant legislation.

CONCLUSION:

Different from the withdrawn 2025 scheme, the notified development is permitted development under Class Q of Part 3, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015. Prior approval is required and should be granted subject to conditions.

RECOMMENDATION: Prior Approval is required and should be GRANTED subject to the following condition(s):

1. The development for which prior approval is hereby granted shall be carried out in accordance with the following approved plans:

(i) received on 15.05.2026

Location plan, 455.S.001 Rev P3
Existing site plan, 455.S.010 Rev P3
Proposed roof plan, 455.P.111 Rev P3

(ii) received on 26.05.2026

Proposed Ground Floor Plan as proposed, 455.P.110 Rev P4
Sections A B as proposed, 455.P.200 Rev P4
Sections C D as proposed, 455.P.201 Rev P4

Elevations North/South as proposed, 455.P.300 Rev P4

Elevations East/West as proposed, 455.P.301 Rev P4

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

2. The development for which prior approval is hereby granted shall be carried out in strict accordance with the mitigation measures outlined under section 5.1 of the preliminary bat roost assessment & nesting bird survey report (prepared by smart ecology, dated 28.04.2026) and the proposed reasonable avoidance measures outlined in Great Crested Newt Assessment (prepared by smart ecology, dated 28.04.2026).

REASON: In the interest of protecting biodiversity and nature habitats.

3. (a) The dwelling shall not be occupied until a minimum of two car parking spaces, and the provision of secure cycle parking has been made available within the land edged in red or green on drawing 455.P.010 Rev P3
(b) the car and cycle parking shall remain unobstructed and retained for those purposes thereafter.

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

INFORMATIVES TO APPLICANT:

- If asbestos containing materials are present on the barn (e.g. the roof and side panels or any lagged pipes), please ensure that these are handled and disposed of appropriately in line with HSE guidance.
- Under Schedule 2, Part 3, Class Q, Condition Q2(4) Development under Class Q is permitted subject to the condition that development under Class Q(a), and under Class Q(b) or (c), if any, must be completed within a period of 3 years starting with the prior approval date.
- Under Schedule 2, Part 1, Class A, the enlargement, improvement or other alteration of a dwellinghouse is not permitted where permission has been granted only by virtue of Class G, M, MA, N, P, PA, or Q of Part 3
- Under Schedule 2, Part 1, Class E, buildings etc incidental to the enjoyment of a dwellinghouse is not permitted where permission has been granted only by virtue of Class G, M, MA, N, P, PA, or Q of Part 3