

14th July 2026

Our Ref: SWLC.LPC2065

Development Services – North
Wiltshire Council
Monkton Park
Chippenham
Wiltshire
SN15 1ER



For the attention of Isobella Wise

Dear Ms Wise

Town and Country Planning Act 1990
Erection of two new build dwellings in the alternative to application
PL/2025/01981 (Revised application) –
Nables Farm, Upper Seagry, Chippenham, SN15 5HB

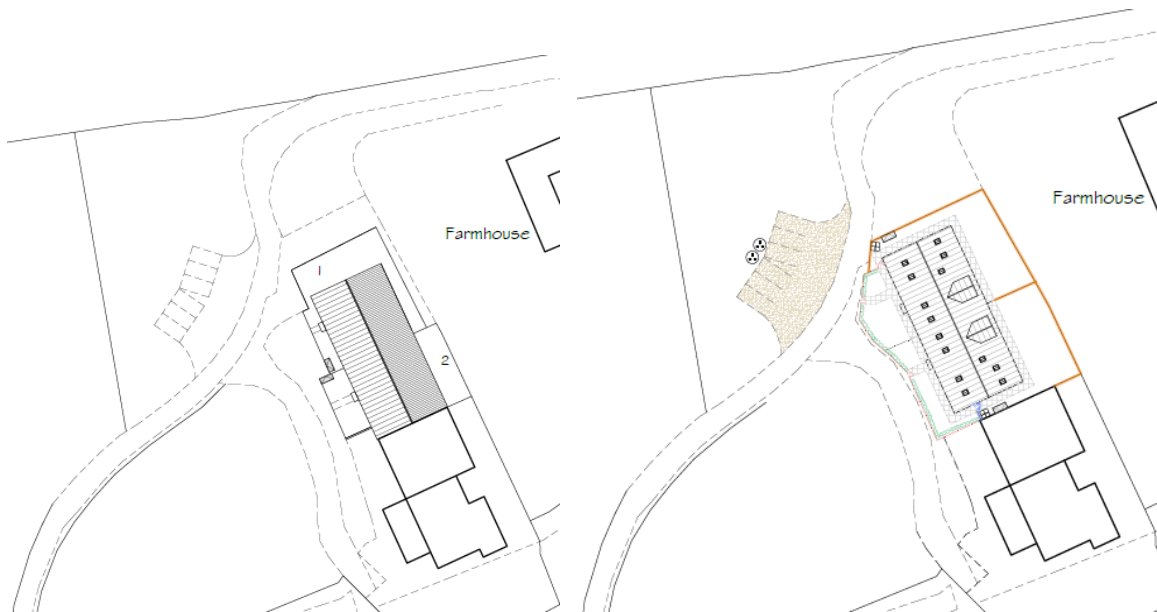
As you will be aware the above proposal was recently resisted by application PL/2026/02585, and you subsequently kindly discussed the scope of changes to overcome the previous objections. Accordingly, I have pleasure to enclose a revised application which fully reflects those key matters discussed.

Specifically, the replacement building's rural characteristics have been made clearer by simplifying the design, echoing a typical contemporary barn conversion with vertical timber boarding (unstained to weather a natural and subtle silver), below a standing seamed zinc sheeted roof. The roof pitch has been increased to reflect a more traditional built form, and in addition to the enhanced aesthetic, maintains the subservience to the adjacent dwelling. The scale of the accommodation proposed has been reduced too, so as to provide .4No bedrooms in each mirrored property.

There is one small dormer for each dwelling, with a hay loft characteristic, positioned on the rear elevation, away from the main public aspect which has an unbroken roof plane above the single storey structure. Additionally, the extent of the curtilage previously proposed has been contracted to the south.

The parking is unchanged from that already sanctioned by application PL/2025/01981, which typically lies outside the Class Q defined curtilage, and the new gardens therefore merely bound the existing western and eastern boundaries on the ground, rather than create an arbitrary limit as determined by the Class Q curtilage size limitation. The site layout plan approved and now proposed (to the right) are shown alongside one another on the following page to help to reinforce the direct comparison and modest/discrete changes.

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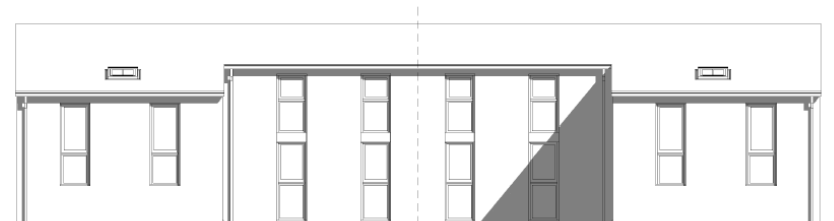
It is not uncommon to revise the permitted curtilage area in respect of such applications, and indeed most rural conversion schemes, approved by a full application introduces an entirely new chapter of use and generally seeks to rely on established features on the ground to service that chapter of use. The enclosed application does the same, and does not, by reason of the intimate relationship of the land in question, encroach into the open countryside. The northern limit is effectively unchanged.

The decision report in respect of application PL/2026/02585 suggests there was some confusion whether it was intended as a conversion or rebuild, although with respect the description of development it clearly refers to the 'erection' of two new dwellings. For the avoidance of doubt though the proposal is intended as a new build scheme, believed to achieve an improved development by comparison with the approved fallback position. It follows therefore by reference to the report's 'Assessment' that there is no reason to provide any 'evidence to indicate that the development would constitute a genuine conversion'.

The report of course highlights that each planning application must be determined on its own merits, however, as the erection of new dwellings in lieu of previously permitted conversions has been previously approved on the same site, and has in fact been commenced, I think it is important to stress how your Council has previously assessed the similar planning balance.

Application PL/2024/00866 was described as 'Erection of five new build dwellings in the alternative to applications PL/2026/07596 and PL/2022/08822 which authorised the conversion of various buildings at Nables Farm, Upper Seagry, Wiltshire, creating five new dwellings.

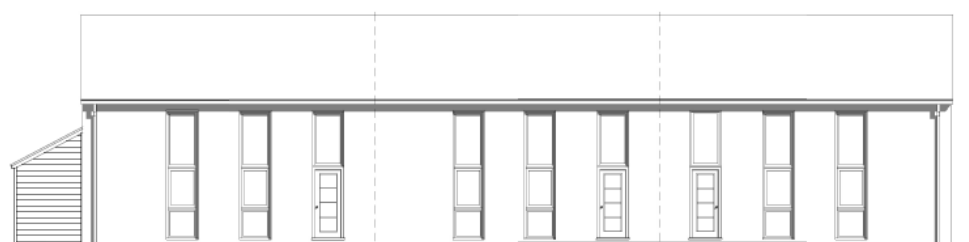
The buildings originally approved to be converted are shown by the photographs inserted on the following page. In contrast, the following plans show the new built housing approved. As you will see the design was substantially changed, along with the siting, mass and height.



"STORAGE BARN" SOUTH ELEVATION



"STORAGE BARN" NORTH ELEVATION



"EGG PACKING BARN" NORTH ELEVATION



"EGG PACKING BARN" SOUTH ELEVATION

The decision report regarding the above application is reproduced in chunks below as it clearly explains the weight to be given to policy as a material consideration. Moreover, the design changes were noted to preserve the character of the 'wider' site and area. The erection of new built dwellings is also said to offer 'increased flexibility' for improved opportunities for a sustainable approach to building design that can at least go some way to reducing the inherent sustainability deficit arising from the rebuild over the lifetime of the resulting building.

Principle:

Planning Policy:

The application site is in the countryside, where development will not normally be permitted other than in accordance with exception policies set out within the development plan. The exceptions, other than any that may come forward through the neighbourhood planning process, are identified at Paragraph 4.25 of the WCS.

In this case, the proposed development would not meet any of the policy exceptions to the general policy of restraint in the countryside and is in conflict with the strategic aims of the development plan set out at Core Policies 1 and 2 of the WCS, as well as the Spatial Strategy for the Chippenham Community Area set out at Core Policy 10.

The proposal is therefore not policy-compliant. Nevertheless, the determination process for planning applications requires the consideration of other material considerations, which may indicate that diverging from the development plan policy would be appropriate. In this case, there are extant grants of Prior Approval for the conversion of each of the affected barns under Part 3, Class Q General Permitted Development ('PD') rights.

Principle of development – the fallback position

The importance of extant Prior Approvals of PD as a fallback position and a material consideration in the planning balance has been the subject of case law (most significantly and relevantly at the Court of Appeal in Mansell v Tonbridge and Malling Borough Council [2017], as well as a number of appeal decisions for similar proposals within Wiltshire. The presence of a fallback position has weight on the basis that it remains achievable and is greater than a theoretical possibility – that is to say, there is a likelihood that the fallback position would be carried out if the prospective application were not approved.

The Council has no reason to consider that the extant Class Q Prior Approvals cannot now be implemented, nor that they would not be if this application were ultimately to be refused. The extant approvals are therefore material considerations to be afforded weight in the decision-making process.

The weight to be attached to a fallback position established by virtue of Class Q in consideration of a proposal to rebuild, rather than convert, the building or buildings is dependent, among other matters, on the degree to which the proposal differs from the extant approval ... the increased flexibility involved in a rebuild can offer improved opportunities for sustainable approaches to building design that can at least go some way to reducing the inherent sustainability deficit arising from the

rebuild over the lifetime of the resulting building. Ultimately, as a result, decisions have tended to reflect that a fallback of this kind is of significant weight if the other impacts associated with the development are broadly the same.

In this instance, the application is proposing the same quantum of dwellings but in a more localised position and of a similar design to the remainder of the site.

Taken as a whole, the proposed development is considered to be supported by the collective fallback position that is to be afforded sufficient weight to overcome the policy objection to development at this site.

The development is therefore acceptable in principle, subject to site-specific matters.

Character & Design:

Core Policy 57 states that new development is expected to create a strong sense of place by drawing on the local context and being complementary to the locality. Residential extensions/alterations such as this are acceptable in principle subject to there being no adverse impacts.

Good design helps to provide a sense of place, creates or reinforces local distinctiveness, and promotes community cohesiveness and social wellbeing; The layout and design of new developments must also be based on a thorough understanding of the site itself and its wider context, and seek to maximise the benefits of the site's characteristics. This will require careful consideration of the site layout. No two sites share the same landscapes, contours, relationship with surrounding buildings, street patterns and features.

New development should integrate into its surroundings whilst seeking to enhance the overall character of the locality; A high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings.

Nables Farm has undergone a vast array of changes over the years and is in itself akin to a hamlet rather than a rural farm ... The proposed plans will now consolidate the 5 dwellings into a single terrace of three and a pair of semi-detached located in an area next to existing converted buildings and demolish 4 agricultural buildings.

Overall it is considered that the proposed dwellings and their locations will create a consolidated development of acceptable designs that better compliments the existing residential dwellings on the site than the fallback position and as such draws on the local scheme. As such it is considered that the proposed works are of an acceptable scale, mass, height and design to preserve the character of the wider site, would not harm the street scene and would not erode the character of the wider area.

The same is true for the enclosed application, as part of the overall mixed built group. It is inherently preferable in terms of the sealed insulation possible to build as a single entity rather than try to retrofit, especially as of course the existing

building was not designed to residential standards. It is proposed to use heat pumps in association with a highly insulated shell as an enhanced construction approach. The option for solar panels is of course also still open when the SAP calculations are completed in connection with the detailed design.

As you will be aware Article 35 to The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires that all reasons for refusal are complete and precise. Accordingly, it is not intended to repeat the overall planning case previously made, however, by reference to the reasons for refusal and your helpful comments, as well as your colleague's recent nearby assessment, I hope you will agree that, without prejudice to the scope of change previously sanctioned in similar circumstances at Nables Farm, that the revised design does not noticeably or unacceptably increase the residential amenity land serving the dwellings, simply defining the logical garden spaces more logically up against the site's existing apparent boundaries. As the site layout comparisons inserted earlier indicate it is not tenable to describe this as 'residential creep'.

The simplified design and materials also more clearly reflect the typical form and character of a contemporary barn conversion, as we discussed, where the only discernible difference is the raised ridge height. That however enhances the traditional built form and remains subservient to the immediate neighbouring dwelling, and the dominant two storey built form allowed across Nables Farm. The overall impact is not therefore materially different sufficiently so as to be harmful contextually and will not damage the immediate and wider built environment and grouping so as to justify refusal.

To complete the assessment, I would of course repeat the presumption in favour of sustainable development and tilted balance previously presented in respect of application PL/2026/02585. I therefore trust that the above comments properly reflect our discussions and the simplified rural character design and contracted garden space suggested. If you have any further questions of course, please do not hesitate to contact me direct.

Yours faithfully

Simon Chambers
Director

Enc.

Cc Mr A Jackson