

APPLICATION FOR HOUSEHOLDER PLANNING PERMISSION DELEGATED REPORT

APPLICATION REFERENCE:	PL/2026/03288 & PL/2026/03541
APPLICATION TYPE:	Householder Planning Permission & Listed Building Consent
SITE ADDRESS:	Chink Farmhouse, Cresswell Lane, Lea, Malmesbury, SN16 9PE
DEVELOPMENT DESCRIPTION:	Replacement of septic tank and instillation of new rainwater downpipe
RECOMMENDATION:	That Planning Permission and Listed Building Consent be GRANTED

PROPOSAL & SITE DESCRIPTION

The application seeks planning permission and listed building consent for the replacement of a septic tank with a new wastewater treatment plant and the installation of a new rainwater downpipe at Chink Farmhouse, Cresswell Lane, Lea.

Chink Farmhouse is a Grade II listed building, described in the list entry as:

“Farmhouse. Early C19. Coursed rubble with flush rusticated dressed stone quoins, blocked stone dressings to windows and hipped Welsh slate roof with central ridge rebuilt stone stacks. Rectangular plan with 2-storey, 3-window south front. Windows are 16-pane sashes except central upper window which is of 12 panes. Central doorway with flat stone hood on brackets and 6-panel door with the top 2 panels glazed.”

The property is a historic farmhouse set within the countryside. The existing septic tank is no longer fit for purpose and requires replacement. The current arrangement also allows surface water to enter the foul drainage system, which does not accord with modern drainage practices. The proposal therefore includes the installation of an additional downpipe to enable separation of rainwater and foul drainage.

The proposed wastewater treatment plant would be installed adjacent to the existing septic tank. The new installation would be located below ground, with only a manhole visible above ground level. The existing septic tank would be decommissioned and retained in situ to avoid extensive excavation works and potential harm to established hedgerow.

The application site is subject to the following planning policy constraints:

- Application building - Grade II listed
- Barn to north of Chink Farmhouse - Grade II listed

The site lies within Flood Zone 1, where there is a low risk of river or sea flooding. The proposed development constitutes minor operational works associated with the continued use and maintenance of the existing dwelling and is not considered to raise any flooding concerns. Whilst there are some surface water drainage constraints within the wider area, there are no

surface water or groundwater drainage issues affecting the area subject to the application's proposals.

PLANNING HISTORY

Proposal / Summary
N/08/01356/LBC - Listed building consent Decision - Approve with Conditions Date: 24/7/2008 – To Replace Brick Flooring in Porch of Property with Flagstones. To Replace Softwood Floorboards in Sitting Room with Oak Boards & Install Under Floor Heating. To Replace Concrete & Lino Flooring in Kitchen with Flagstones
N/07/00978/FUL - Full planning permission Decision - Approve with Conditions Date: 10/7/2007 – Part Demolition & Re-Erection of Stone Boundary Wall
N/07/00979/LBC - Listed building consent Decision - Approve with Conditions Date: 10/7/2007 – Internal & External Alterations, Part Demolition & Re-Erection of Stone Boundary Wall
PL/2022/04296 - Listed building consent Decision - Approve with Conditions Date: 12/8/2022 – Re-pointing the Grade II Farmhouse (excluding the south facing / front elevation).
PL/2022/06457 - Approval of details reserved by a condition Decision - Approve Date: 4/10/2022 – Discharge of Conditions 2 & 3 of planning application PL/2022/04296 (Re-pointing the Grade II Farmhouse (excluding the south facing / front elevation)
PL/2023/09286 - Listed building consent (Alt/Ext) Decision - Approve Date: 14/12/2023 – Replace existing pvc/ aluminium guttering and down pipes (where necessary) with black finished cast iron. Install one new downpipe and hopper. Existing rainwater hoppers to remain.

RELEVANT POLICIES AND GUIDANCE

Wiltshire Core Strategy:

- Core Policy 57 Ensuring High Quality Design and Place Shaping
- Core Policy 58: Ensuring the Conservation of the Historic Environment
- Core Policy 68: Water Resources

Wiltshire Design Guide: Appendix D – Design Guidance for Householder extensions

National Planning Policy Framework August 2026

CONSULTATION RESPONSES

Lea, Garsdon & Garsdon Parish Council: Support

Conservation Officer: No objection

National Policy and guidance: From the point of view of the historic environment the main statutory tests are set out within the Planning (Listed Building and Conservation Areas) Act 1990. Sections 16 (LBC) and 66 (PP) require that **special regard** be given to the desirability of preserving or enhancing listed buildings, their settings or any features of special architectural or historic interest which they possess.

The NPPF outlines government policy, including its policy in respect of the historic environment. Section 16 of the NPPF 'Conserving and enhancing the historic environment' sets out the Government's high-level policies concerning heritage and sustainable development. Paragraphs 214-16 of the NPPF require a balanced approach with any harm which would be caused being weighed against the potential public benefits which might be achieved. Paragraph 210 requires local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and of new development making a positive contribution to local character and distinctiveness.

National Planning Practice Guidance provides guidance on interpreting the NPPF.

Historic England Advice Note 2 – Making changes to Heritage Assets illustrates the application of policies set out in the NPPF in determining applications for PP and LBC.

Historic England's "Conservation Principles" provides policy and guidance for the "sustainable management of the historic environment". Additional guidance is also contained within their publications:

- Historic Environment Good Practice Planning Advice Note 2 – Managing Significance in Decision Taking in the Historic Environment (2015)
- Historic Environment Good Practice Planning Advice Note 3 – The Setting of Heritage Assets (2nd edition)

The following points are taken from the Historic England document "The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning 3" (HE GPA3) that are considered to be particularly relevant:

HE GPA3 Part 1:

"The NPPF makes it clear that the setting of a heritage asset is the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset."

"The extent and importance of setting is often expressed by reference to visual considerations. ...views of or from an asset will play an important part..."

"While setting can be mapped in the context of an individual application or proposal, it cannot be definitively and permanently described for all time as a spatially bounded area or as lying within a set distance of a heritage asset. This is because the surroundings of a heritage asset will change over time."

"The importance lies in what the setting contributes to the significance of the heritage asset or to the ability to appreciate that significance."

Other HE publications

HE GPAs and HEANs [The Planning System | Historic England](#)

Local Policy: The Council's Core Strategy Policy CP58 'Ensuring the conservation of the historic environment' requires that "designated heritage assets and their settings will be conserved, and where appropriate enhanced, in a manner appropriate to their significance."

Proposal: The proposed scheme looks to replace the existing septic tank. As part of these works, it is proposed to alter the existing discharge of rainwater goods which will go to an existing soakaway rather than discharge into the septic tank, which requires an additional downpipe and hopper to discharge the rainwater from the single storey section to the north elevation.

Relevant planning history: NA

Issues: impact on the listed building, impact on the setting of neighbouring listed buildings.

Information considered/provided: Paragraph 207 requires that applicants describe the significance of any heritage assets affected, including any contribution made by their setting. This should include sufficient information to provide a clear understanding of the significance of the heritage asset and its setting and the potential impact of any proposals on that significance.

In this case, the applications are accompanied by a “Heritage/ Design and Access Statement” which provides sufficient information to understand the impact of the proposals and is proportionate to their scope. The requirements of the NPPF are therefore met in this respect.

However, paragraph 208 also provides for the local planning authority to make its own assessment of impact and the following heritage recommendations are offered on this basis.

Significance of assets and contribution of setting: The NPPF defines significance as the “value of a heritage asset to this and future generations because of its heritage interest. The interest may be **archaeological, architectural, artistic or historic**. Significance derives not only from a heritage asset’s physical presence, but also from its setting.” Historic England assesses significance in a similar manner, referring to evidential, historic, aesthetic and communal values of a place.

The interest may be architectural, or historic as set out in the Town and Country Planning (Listed Building and Conservation Areas) Act 1990 S 1.

In this case the significance of the building lies largely with its historic fabric and vernacular design, and its relationship with the historic farmstead (now converted).

Assessment: The proposed scheme is formed of two parts, the replacement of the existing septic tank, and the additional down pipe and hopper to discharge the rainwater from the single storey roof to the north elevation into an existing soak away.

Septic Tank

The submitted application advises that the existing septic tank is no longer fit for purpose, and new water treatment plant is required which will be placed adjacent to the existing (to protect a hedge) within the garden. Septic tanks are acknowledged to have a limited life, and therefore the principle of the replacement is acceptable.

Additional Downpipe

In recent years the legislation and guidance on the disposal of wastewater and rainwater have altered, and where historically they could be discharged together, it is now considered good practice to discharge separately. To allow this to occur at the property, an additional cast iron downpipe and hopper needs to be installed to take the rainwater from part of the roof covering to the north elevation to an existing surface water drain within the courtyard. The proposed works are acceptable as the intervention is minimal and on a rear elevation.

Summary & conclusion: The NPPF confirms that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). It makes clear that any harm to a designated heritage asset requires clear and convincing justification.

The impact of the proposals on heritage assets will be neutral as it allows the property to be continued to be occupied as a dwelling. On this basis no specific justification is required

however it is considered the works will assist in securing the future use of a heritage asset in support of its long-term conservation. The requirements of current conservation legislation, policy or guidance are considered to be met and there is therefore no objection to the approval of the application.

REPRESENTATIONS

No comments were received.

ASSESSMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:

"If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise."

In accordance with this statutory requirement, this application has been assessed against the relevant policies of the Development Plan, including the adopted Wiltshire Core Strategy (2015) and, where applicable, any made Neighbourhood Plans.

Heritage Impact and Design

From the point of view of the historic environment the main statutory tests are set out within the Planning (Listed Building and Conservation Areas) Act 1990.

Section 66 requires that special regard be given to the desirability of preserving listed buildings, their settings or any features of special architectural or historic interest which they possess.

The Council's Core Strategy Policy CP58 'Ensuring the conservation of the historic environment' requires that designated and non-designated heritage assets and their settings will be conserved, and where appropriate enhanced, in a manner appropriate to their significance and encourages proposals which improve the condition of heritage assets at risk.

The Council's Core Strategy CP 57: Ensuring high quality design requires a high quality of design in all new developments. The policy requires applicants to "demonstrate how the proposal will make a positive contribution to the character of Wiltshire through (amongst other things) responding to the value of the natural and historic environment and being sympathetic to and conserving historic buildings and landscapes. Development is required to respond positively to the existing in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting.

Whilst the conservation officer's comments were made in light of an earlier version of the National Planning Policy Framework, the application has been assessed against the updated version of August 2026. Whilst there are some differences the differences are not significant in the context of the development proposals here, especially noting that the technical heritage

expert has not identified any harm to the significance of heritage assets. Weight is therefore still attached to the expert advice received.

The NPPF heritage policies (HE4 - HE10) recognise heritage assets as an irreplaceable resource that should be conserved in a manner appropriate to their significance. Development proposals affecting heritage assets should be accompanied by sufficient information to understand the significance of the asset, including the contribution made by its setting, and the potential effect of the proposal on that significance.

When determining applications affecting designated heritage assets, substantial weight should be given to their conservation, with the weight increasing according to the importance of the asset affected. Any harm to, or loss of, the significance of a designated heritage asset must have a clear and convincing justification.

Where a proposal would affect the significance of a heritage asset, the effect should be identified and assessed, having regard to whether it would result in a positive effect, no effect, harm, substantial harm, or total loss of significance. Harm to heritage assets should be weighed against the public benefits of the proposal in accordance with the relevant heritage policies of the Framework.

The Planning Practice Guidance provides further guidance on the interpretation and application of national heritage policy.

The application seeks consent for the replacement and decommissioning of the existing septic tank and installation of a new wastewater treatment plant. The treatment plant would be located adjacent to the existing septic tank and the majority of works will be underground. The only visible element of the works would be a new manhole. The existing manhole for the current septic tank will be retained, but the flows will be diverted to the new tank. The existing septic tank will be retained as it would require significant excavation and potential loss of a hedgerow.

The new manhole will be close to the existing manhole and would not appear prominent within the setting of the listed building. It is acknowledged that septic tanks have a limited lifespan and require periodic replacement. The principle of upgrading the wastewater treatment infrastructure is therefore acceptable.

The proposal also includes alterations to the property's drainage arrangements to separate foul and surface water systems. At present, part of the building's rainwater drains into the foul drainage network. To address this, a new pipe is required on the northern elevation of the house within the courtyard garden. Rainwater would be directed via an existing channel into a surface water drain leading and natural soakaway. The proposed downpipe would comprise a 75mm cast-iron pipe painted black, and it will be capped with a hopper. Either the existing hopper on the adjacent pipe will be reused, or if not possible, a matching replacement would be installed.

The proposed downpipe is only single-storey in height and the style of the pipe is in keeping with the existing drainage features on the building. The existing floating gutter will be removed.

The separation of foul and surface water drainage accords with current best practice. The additional downpipe and hopper are necessary to facilitate this improvement and are considered to be appropriately designed and discreetly located on a secondary elevation. Consequently, the proposed intervention is minimal and would preserve both the special interest of the listed building and its setting.

The Conservation Officer concludes that the proposals would result in a neutral impact on the significance of the heritage asset. The works are modest and would provide a functional upgrade that will support the continued occupation and maintenance of the property as a dwelling, thereby contributing to its ongoing conservation. As no harm to the significance of the building has been identified, no heritage balancing exercise is required.

The development is therefore considered to comply with Core Policies 57 and 58 of the Wiltshire Core Strategy and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as the relevant policies of the NPPF.

For the avoidance of doubt, the application proposals would have no impact on the setting of the barn (Grade II listed building) to the north of the application site.

Amenity

Point vii of Core Policy 57 - Ensuring High Quality Design and Place Shaping of the Wiltshire Core Strategy seeks to ensure that developments do not adversely affect neighbouring properties.

Given the minor nature of the works, there would be no harm to the residential amenity of neighbouring properties, with regard to loss of light, overshadowing, loss of privacy, and overbearing effects.

The proposal therefore accords with Core Policy 57 point vii in respect of safeguarding residential amenity and Appendix D of the Wiltshire Design Guide.

Biodiversity Net Gain

Householder planning applications are exempt from the requirement to deliver Biodiversity Net Gain under Schedule 7A, Section 4(2)(a) of the Town and Country Planning Act 1990, as inserted by the Environment Act 2021.

Natural Environment

The proposals are intended to have a positive impact on the natural environment by reducing clean surface water within the foul system and by providing a new and updated system rather than retaining the existing system that might be more liable to failure and the creation of pollution.

CONCLUSION

The proposed development is considered to be acceptable in terms of heritage, design, and it would not result in any unacceptable harm to the amenities of neighbouring occupiers. The

aim of the proposals is to have a positive impact on the natural environment and avoid pollution.

The proposal is therefore considered to comply with the relevant policies of the Wiltshire Core Strategy, the National Planning Policy Framework and all other relevant material considerations. As such, the application is recommended for approval, subject to conditions.

RECOMMENDATION: That Planning Permission be GRANTED subject to conditions.

1. 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.

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

Location Plan 23024/01 A
Proposed Block Plan 23024/2 A
Patio Layout Plan 23024/3 A
Proposed Elevations 23024/04 A

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

Private Property Rights

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 with regard to the requirements of the Party Wall Act 1996.

BNG

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Wiltshire Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. For further information on exempt developments please refer to:

<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements is considered to apply.

RECOMMENDATION: That Listed Building Consent be GRANTED subject to the following conditions:

1. The works for which Listed Building Consent is hereby granted shall be begun before the expiration of three years from the date of this consent.

REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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

Location Plan 23024/01 A
Proposed Block Plan 23024/2 A
Patio Layout Plan 23024/3 A
Proposed Elevations 23024/04 A

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