

APPLICATION FOR FULL PLANNING PERMISSION

CASE OFFICER REPORT

APPLICATION REFERENCE:	PL/2026/04406
APPLICATION TYPE:	Full Planning Permission
SITE ADDRESS:	Nables Farm, Upper Seagry, Chippenham, SN15 5HB
DEVELOPMENT DESCRIPTION:	Erection of two new build dwellings in the alternative to Application PL/2025/01981.
RECOMMENDATION:	Planning Permission be GRANTED

PROPOSAL

Following the granting of prior approval (PA) on 23.04.2025 under application PL/2025/01981 for 2no dwellings, and the subsequent refusal of PL/2026/02585, this scheme is again requesting planning permission for two new build dwellings.

This submission is different from the refused scheme in the following ways:

- Clear acknowledgement that the scheme is for a rebuild rather than conversion
- Simplified design to resemble a barn conversion
 - o Vertical timber boarding
 - o Standing seam zinc roof
 - o Roof pitch increase and reduction in dormers



Figure 1: Proposed elevations

In addition, since the determination of PL/2026/02585 there has been a change to the National Planning Policy Framework (NPPF) which has introduced explicit national decision-making policies. Further comment will be made under the 'principle/sustainable development' section of this report and full assessment of whether the amended scheme appropriately responds to refusal reasons 2 and 3 will be made under the 'design and neighbouring amenity' section of this report.

SITE DESCRIPTION

The application site is in open countryside and comprises part of a single storey agricultural building in Upper Seagry, a small village in the Chippenham Community Area. Upper Seagry does not benefit from a defined framework boundary, the nearest defined settlement is Sutton Benger which is more than 1.5km south-east; however, the site is part of an area with a made neighbourhood development plan (NDP).

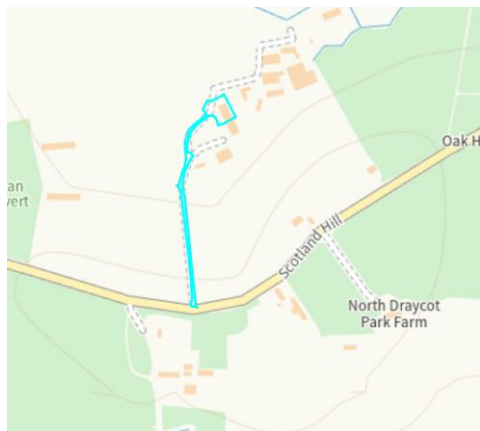


Figure 2: Map view of site (blue)



Figure 3: Aerial view (2024) of site (blue)

The building can be accessed via a private track which is connected (at the southern end) to classified C-road 'Scotland Hill'. There are no Public Rights of Way (PRoW) which cross, or run adjacent to, the site. 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, the lowest risk of flooding from rivers/sea.

RELEVANT PLANNING HISTORY

Relevant to the site:

- 16/08484/PNCOU: *Notification for Prior Approval - Conversion of Existing Building (Units 3, 4 and 5) Falling within Class B8, for Use as 1 No. Dwelling (Class C3) Pursuant to Class P* was refused under delegated powers on 21.10.2016
- 17/03098/FUL approved the: *Retention of mobile chicken house (1) in association with upgraded track way* on 22.05.2017
- 17/03100/FUL approved the: *Retention of mobile chicken house (2) in association with upgraded track way* on 22.05.2017
- 17/03101/FUL approved the: *Retention of mobile chicken house (3) in association with upgraded track way* on 22.05.2017
- 17/03127/FUL approved the: *Retention of mobile chicken house (4) in association with upgraded track way* on 22.05.2017
- PL/2025/01981 granted prior approval for [...] *Conversion of tractor shed to create 2 No new dwellings* on 23.04.2025
- PL/2026/02585 *Erection of two new build dwellings in the alternative to Application PL/2025/01981* was refused on 12.06.2026

Recent, relevant planning history near the site:

Nables Farm (inter alia) :

- PL/2022/08822 a *Notification for Prior Approval under Class Q Conversion of 2no Farm Buildings to Create 4no. Dwellings* was granted prior approval on 02.02.2023
- PL/2021/07596 a *Prior Notification under Class Q for a Change of Use of Existing Agricultural Building to a Dwelling house with Associated Building Works* was granted prior approval on 23.09.2021
 - o PL/2024/0216 a *renewal of Approved Application PL/2021/07596 - Prior Approval under Class Q for a Change of Use of Existing Agricultural Building to a Dwelling house with Associated Building Operations* was granted prior approval on 24.04.2024
- PL/2024/00866 permitted 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
 - o PL/2024/11306 granted the *Discharge of conditions 4 (Details of secure covered cycle parking), 6 (Construction Environmental Management Plan (CEMP) and 8 (Ecological Mitigation and Enhancement Plan) relating to application PL/2024/00866* on 02.04.2025

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
- CP10: Spatial Strategy for the Chippenham Community Area
- CP41: Sustainable Construction and Low-Carbon Energy
- CP48: Supporting Rural Life
- CP50: Biodiversity and Geodiversity
- CP51: Landscape
- CP57: Ensuring High Quality Design and Place Shaping
- 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
- NE14: Trees, Site Features and the Control of Development

Wiltshire Local Transport Plan 3 (LTP4)

- Parking and Cycle 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

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 representation received

Councils Highways Team: No objection

REPRESENTATIONS

At the time of writing no public representations have 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 2 new dwellings and, as such, broadly conflicts with the aims of CP1, CP2 and CP10.

For conversion to residential purposes to meet the aims of CP48, set criteria must be satisfied, which includes adherence with the following summarised points, and clear evidence that employment, tourism, cultural and community uses are not practical propositions.

- i) the building must be structurally sound and capable of conversion without major rebuilding*
- ii) the use cannot detract from the character or appearance of the landscape or settlement, nor be detrimental to the amenities of residential areas*
- iii) there must be adequate access and infrastructure to serve the site*
- iv) there must be reasonable access to local services*

The NPPF directs, under Policy S3 that *development proposals should apply a presumption in favour of sustainable development.*

Policy S5 directs that *only certain forms of development should be approved outside settlements.*

S5(1)(c) supports the reuse, extension, alteration or replacement of an existing building, provided that the existing building is of permanent and substantial construction, is lawful in planning terms, and any extension or alteration will not result in a disproportionate increase in size compared to the existing building²⁵. In the case of proposals for a replacement building, it should be for the same use and not disproportionately larger than the one it replaces;

S5(1)(j) supports development which would address an evidenced unmet need where the development would:

- (i) be physically well-related to an existing settlement [...] and be of a scale which can be accommodated taking into account the existing or proposed infrastructure;*
or
- (ii) Comprise major development for freight and logistics purposes [...]*

S5(2) directs that in circumstances in which the benefits of approving development proposals are likely to be substantially outweighed by adverse effects include, but are not restricted to, situations where the development proposals would fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances.

S5(3) directs that *development proposals comprising isolated homes, which are those lying outside settlements or groups of houses, should not be approved other than in accordance with HO11*

Policy HO11 directs that *development proposals for isolated homes in the countryside should only be supported where one or more of the following circumstances apply:*

- (a) There is an essential need for a rural worker [...]*
- (b) The development would be appropriate enabling development to secure the future of heritage assets [...]*
- (c) The development would reuse a redundant or disused building and enhance its immediate setting [...]*
- (d) The development would involve the subdivision of an existing residential building; or*
- (e) The design is of exceptional quality [...]*

The Councils Housing Land Supply (HLS) Statement (base date: April 2025) covers the HLS for Wiltshire and each Housing Market Area within Wiltshire as set out in the WCS. Briefing Note No. 26-07 (dated 05.06.2026), under section 2.2 indicates that there is a 2.8 years supply.

Policy HO7 expresses how substantial weight should be given to the benefits of providing homes which will contribute towards meeting the evidenced accommodation needs of the community.

Assessment

As with the refused scheme, there is a legitimate fallback position for some residential development in this countryside setting, by virtue of the granted PA.

The PA granted at the site relates explicitly to a conversion which is fundamentally different to the scheme as proposed under this application and, as such, does not meet the exception criteria established by CP48 and is consequently contrary to the aims of CP1, CP2, and CP10 of the WCS; however, that there is a legitimate fallback position remains a material planning matter insofar as establishing the weight to be given to the HLS benefit of the scheme.

The HLS position engaged the former 'tilted balance' approach under paragraph 11 of the previous version of the NPPF; whilst this approach has not been carried forwards to the current NPPF, in accordance with NPPF Policy HO7, substantial weight should be given to the benefits of providing homes which will contribute towards meeting the evidenced accommodation needs of the community.

For the avoidance of doubt, the scheme is not considered to fall within the scope of NPPF Policy S5(1)(j) and, given that the PA scheme has not been implemented, the existing lawful use of the site and buildings remains agricultural at the time of writing; as such, the proposal would not fall within the scope of NPPF Policy S5(1)(c), given that the exception criteria requires the replacement building to be for the same use as the building it replaced.

Moreover, it is important to note that, even where exception criteria can be demonstrated as having been met, Policy S5 does not create an automatic presumption in favour of housing

development outside of settlements given that there remains a need, under S5(1), for consideration around whether *the benefits of [approving development outside of settlements] would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in [the NPPF 2026]*.

Given that the scheme granted PA is both practical and viable, the HLS benefit associated with residential development would be achievable without any requirement to grant permission. As with the refused scheme, and at the time of writing, the HLS benefit for 2no dwellings would be afforded lesser weight in the planning balance than if there were no deliverable residential fallback for the same number of dwellings. That there is a deliverable residential fallback position is a material planning matter that should be taken into consideration within the planning balance, however.

Assessment of whether the benefits would be substantially outweighed by any adverse effect is made within the body of this report.

Design and Neighbouring Amenity

Context

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.

CP57 of the WCS and SNP5 of the NDP requires development to achieve a high standard of design and to be positively designed to conserve the specific context and overall qualities of Upper and Lower Seagry, CP51 of the WCS further requires development to protect and conserve landscape character.

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 2no. 4-bedroom, 2-storey houses:

Bedrooms	Bed spaces	Minimum gross internal floor area	Required built-in storage
4 bed	5 person	97	3.0
4 bed	6 person	106	3.0
4 bed	7 person	115	3.0
4 bed	8 person	124	3.0

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:

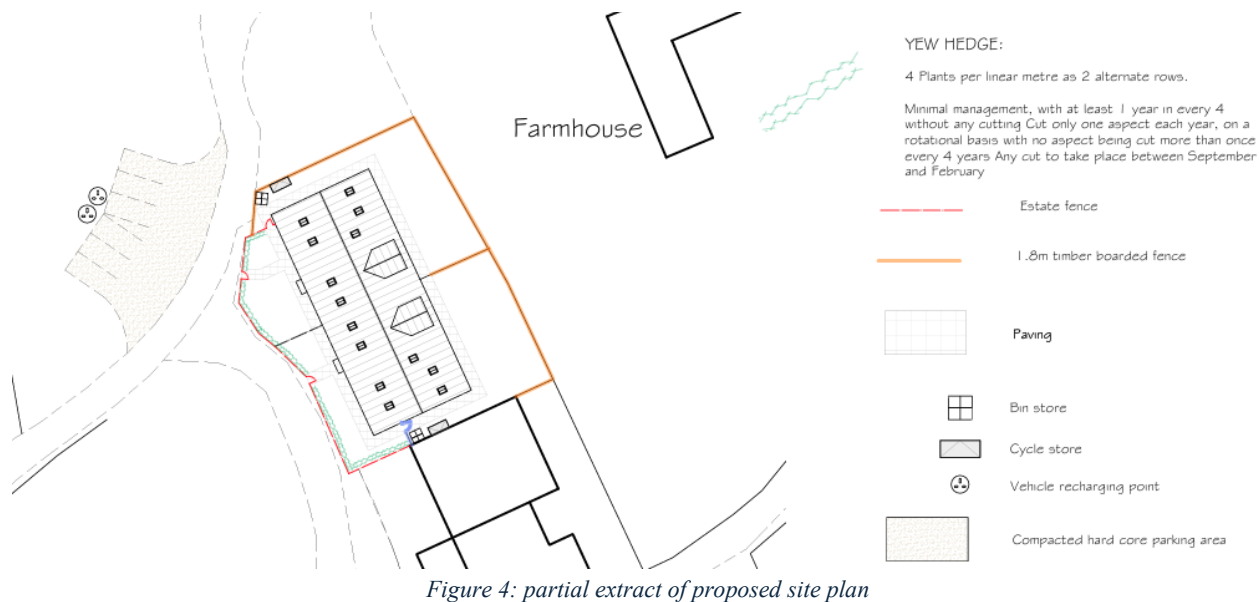
- (5.4.1) Waste storage areas should be appropriately located [...] within the boundary of the property [...] These storage facilities should not obstruct sight lines for pedestrians, drivers and cyclists and should not interfere with pedestrian or vehicular access to buildings.
- (5.4.2) External storage 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 [...]

Assessment

The application site is in open countryside, outside of a defined framework boundary, forming part of a cluster of buildings which have incrementally been converted to residential use over the years. The existing building is a utilitarian agricultural structure which has a simple form and proportions; the PA assessment of design and external appearance was made with the understanding that the building would retain its basic agricultural form and character.

The proposal seeks full planning permission for the erection of two new dwellings in lieu of the approved PA conversion. The footprint broadly reflects the existing building; however, the proposed design introduces a materially different form and appearance and more clearly domestic design. Notwithstanding that the scheme would still likely read as a new build, the materials palette proposed is a significant improvement from the refused scheme, as is the reduction in dormer openings and, overall, the revised design is considered to reflect the sites rural character and demonstrates a high-standard of design.

The residential curtilage would remain larger than the PA fallback position and the proposed site plan indicates that the rear (north-east) garden would be bounded by 1.8m timber boarded fence and the front (west) area would be bounded by an estate fence. The timber boarded fence is acceptable in the proposed locations and, whilst limited detail has been provided regarding the height of the estate fence, an estate fence with the proposed yew hedge planting is considered appropriate for the rural setting. To enable the Local Planning Authority to consider individually whether planning permission should be granted for any changes to the boundary treatments, in the interests of visual amenity, a condition would be applied to any permission granted removing permitted development rights for fences etc.



Given that the proposed design would only be acceptable in this rural location by virtue of the simplified and improved design and materials palette, conditions removing permitted development rights for alterations/extensions, dormers/rooflights, and garages/outbuildings are similarly necessary.

The proposed plans indicate that there would be a vehicle charging point provided to serve each dwelling, along with an area for cycle parking and bin store within each proposed residential curtilage. Furthermore, the floorplans provided demonstrate that minimum GIA for 4-bedroom, 2-storey dwellings would be achievable and that there would be no windows to the south-east elevation of the dwelling adjacent to the neighbouring (currently attached) residential site. Plans assessed under PL/2025/04856 associated with that neighbouring site also indicate that there are no existing windows to the side elevation facing the proposed dwellings.



Figure 5: proposed ground floor plan

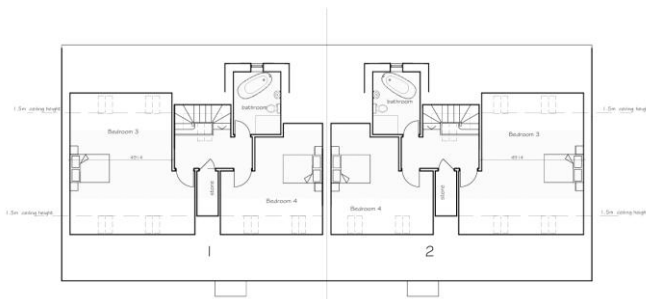


Figure 6: proposed first floor plan

Taking everything into account, the revised proposal is considered to satisfactorily respect the character and appearance of the area, would not result in unacceptable amenity to future occupiers, or an unacceptable impact on neighbouring amenity when compared with existing levels, and is considered to accord with the broad aims of CP41 and CP57 of the WCS.

Ecology / Biodiversity

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.

The application site is not subject to ecological designations, and, at the time of writing, there are no records of protected species at the site. Therefore, whilst there has been limited ecological information submitted, no evidence has been identified to suggest that significant ecological harm would arise, should planning permission be granted.

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.

The scheme proposes parking and cycle storage and will utilise an existing access. The Councils Highways team were consulted and raise no objection.

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 fluvial flooding and is not at high risk of flooding from surface or groundwater sources. Given that the development does not include significant changes to the level of impermeable area at the site, it is not considered that granting planning permission will result in an increased flood risk at, or adjacent to, the site.

SUMMARY AND PLANNING BALANCE

The application has been submitted following the grant of PA for 2no. dwellings; consequently, there is a fall-back position for conversion to residential use at the site. The scheme proposes redevelopment of the site in lieu of the consented conversion and is requesting an increased residential amenity land to serve the dwellings. This scheme has been put forwards to address the reasons for refusal under previous application PL/2026/02585.

This revised scheme still conflicts with the spatial strategy set out in CP1, CP2, and CP10 of the WCS by virtue of not meeting the exception criteria of CP48 and does not explicitly meet any of the exception criteria of NPPF S5(1); that there is a realistic prospect of the building being lawfully converted to residential use is a material consideration in favour of the proposal, however.

NPPF Policy HO7 requires substantial weight to be given to the provision of homes which contribute towards the HLS shortfall. Albeit in a somewhat diluted capacity by virtue of the fall-back scheme also contributing to the HLS to the same degree and the delivery of housing on the site is not dependent on the grant of planning permission for the scheme proposed under this application, weight should still be given to the housing delivery benefits of the proposal.

Furthermore, it is acknowledged that there would likely be some limited localised economic benefit arising during the construction phase of the development, and it is anticipated that there would be some ongoing economic benefit when the dwellings are occupied by virtue of receipt of council tax etc.

The proposal for 2no dwellings in this rural location undermines the established spatial strategy of directing new housing to sustainable locations; however, different to the refused scheme, the new-build dwellings proposed under this application have been designed to retain some of the agricultural character of the existing building and is acceptably in keeping with the character and appearance of the site and its rural setting.

In the absence of any significant adverse impacts relating to design, landscape, amenity, ecology, highways or flood risk, on this occasion, the identified harm associated with the conflict with the WCS spatial strategy does not substantially outweigh the benefits of the proposal. Subject to the imposition of conditions that would protect visual amenity throughout the operational phase of the development, the scheme is recommended for approval.

RECOMMENDATIONS:

That planning permission be GRANTED subject to the following 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, received on 15.07.2026:

Location Plan, LPC 2065 EX 409
Proposed Site Plan, LPC 2065 PR 410 A
Proposed Ground Floor Plan, LPC 2065 PR 411 A
Proposed First Floor Plan, LPC 2065 PR 412 A
Proposed West & North Elevations, LPC 2065 PR 413 A

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

3. a) Prior to the first occupation of the dwelling, the external walls of the development hereby permitted shall be finished in vertical timber boarding and the roof shall be finished in standing seam zinc as described within the covering letter (referenced SWLC.LPC2065) prepared by LPC, dated 14.07.2026
b) The timber boarding shall remain unstained and untreated to weather naturally

REASON: In the interests of visual amenity and appearance of the area.

4. a) The dwelling hereby approved shall not be occupied until the approved vehicle and cycle parking has been provided in accordance with the approved details and made available for use prior to the first occupation of the development hereby permitted
b) The approved parking shall be retained for that use at all times thereafter, free from obstruction

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

5. 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.

6. 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.

7. 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 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.