

Appeal 6012702

Interested party comments

Appeal type	Planning
Appeal procedure	Written
Appeal site	Farfield Lane, Cricklade, SN6 6HZ
Appellant contact details	Stuart Emms [REDACTED]
Local planning authority	Wiltshire
Application number	PL/2026/00450

Interested party 1

Comments

At its meeting on 22 July 2026 members of the Planning Conservation and Transport Committee of Cricklade Town Council (CTC) voted unanimously to continue to object to this planning application PL/2026/00450 and to reinforce the grounds for that objection as a further submission to the Appeal Inspectorate reference 6012702 by reference primarily to its minuted comments to the previous application PL/2025/07942 which are attached here.

CTC noted the attempt by the Appellant to make the case that he has deemed consent under Class Q of the GDPO, but considered still that the requirements of Class Q were not satisfied. CTC continued to believe that its stated ground for non-compliance (breach of Q1(g)) was valid, and further noted that the LPA had reached the same conclusion of non-compliance with Class Q but on different grounds.

Accordingly CTC considered that the full planning application made here, ostensibly for a minor external alteration, was in fact to legitimise the conversion of the existing building into a dwelling without the fallback position of deemed consent under Class Q claimed by the Appellant.

CTC therefore continued to rely on the provisions of its Neighbourhood Plan and Policy H2 which would not support such a dwelling being built at such an isolated location in the open countryside, specifically creating incremental coalescence between the Cricklade and Swindon settlements, and noting also wider planning policy support for this position given in the LPA's Officer Report.

Members' attention was again specifically brought to the response from [REDACTED] a neighbouring farmer, to the original full planning application 19/11916 regarding the size and location of this

building given its intended use for the acreage of land available to the Appellant for its then proposed smallholding, and questioning then whether such a conversion application as we have here may be made in future. CTC continues to believe this historic submission provides helpful and informative background and so draws it to the attention of the Inspector.

With regard to the “tilted balance” in favour of this development in the context of Wiltshire’s 5-year housing supply, CTC noted within its parish there are five planning applications in process for a total of over 500 new homes to be built on land immediately adjacent to the existing built up area of the town. One of these (for 140 homes) has been granted outline permission on appeal, three are awaiting a decision and one was only recently (last week) rejected by Wiltshire Councillors; clearly we are not in a position to know whether an appeal against this refusal will be lodged.

Whilst to date CTC has objected to all of these applications, it was noted that they make a far more substantial contribution to the Wiltshire housing supply deficit and are all in far more logical locations for truly sustainable additional residential development within the parish.

Accordingly, although it is acknowledged that the “tilted balance” argument adds greater weight to a decision to grant the appeal here, it does not automatically mean permission should be granted where greater planning harm may be evidenced to result. For the reasons given by the LPA in its report CTC believes the creation of a single isolated domestic residence in the middle of otherwise open countryside does not make such a significant contribution towards the housing supply deficit that it outweighs the planning harm which would be created.

CTC therefore requests the Inspector to dismiss this appeal. [REDACTED]

Supporting documents

[Headed Paper - CTC comment submission to Appeal ref 6012702.doc \(/published-document/148374e4-e5b6-4846-96c9-1bd8b1dc5b7c\)](#)

[Supporting Doc for Appeal 6012702-from \[REDACTED\].doc \(/published-document/ec722cb5-4790-4e7b-bd9e-706a8c88bdbb\)](#)

[Supporting Doc for Appeal 6012702-CTC Comment- PL2025-07492.pdf \(/published-document/17c12258-4259-45c8-b020-986259b79c01\)](#)

	Online Comments
Application No:	19/11916/FUL
	The applicant states the building is required for the purposes of storing hay in relation to their smallholding activity of rearing sheep. The building proposed is to store a crop of hay (576 small bales) from the land and the building volume is 529.2m³ to eaves height. The bales are flat 8 sized bales with a volume of approximately .12m³ each. Therefore the storage volume required for the crop is 69.12m³. The building proposed is more than 7 times larger than is required based on the 2019 crop size and is therefore disproportionally large for the proposed use. The applicant states the 2019 crop was harvested from 85% of the 4 acre paddock i.e. 3.4 acres yielded 576 bales. No sheep were on the land in that year. Now, with the presence of a flock of sheep, assuming a final stocking density of 6 sheep per acre grazing all year round, the hay crop will be significantly smaller. There are currently 3 sheep present on the land. There are also two ponies on the land along with 2 timber stables and a domestic shed, presumably for the storage of items associated with the ponies. Best practice guidance states the general rule is to allow at least one and a half acres of grazing for the first horse and one acre for each horse or pony after that. Provision also needs to be made for every part of the pasture to be rested for at least six weeks, twice a year. These are native breed, older ponies and would arguably require less grazing but, in order to give the land rest, as is good practice, and seeing as the ponies are grazing the land all year round, 2 acres for the 2 ponies would probably be considered the correct amount of land. I am sure the Planning Officer has made the applicant aware that the keeping of ponies for pleasure is not agricultural activity and therefore the change in use of the land should be address as the ponies, their shelter and their hay consumption all have a bearing on the proposed smallholding size and building. So, allowing 2 acres for the ponies, it leaves 2 acres for the smallholding business. Assuming again a final stocking density of 6 sheep per acre, overlooking the area lost due to proposed hardstanding track, existing pony buildings and proposed steel portal building, the smallholding could consist of up to 12 sheep. Even 12 sheep would likely cost far more to keep than they would earn after insurance, wages, vets bills, hard feeds and supplements, tuppings, medication, shearing, haulage and slaughter costs etc. and of course, with the land stocked at this capacity, there is no land left to make any hay to store; the sole purpose stated for the need for this building. The applicant says they are in discussion with local farmers to rent a further 15+acres of land. After my own enquiries with all the immediately adjacent landowners and farmers, none have been approached or know of anyone who has. It would also be of note to say where land has been rented out locally, it has been with restrictions, as is obvious from a site visit, livestock are never put out on this land in the winter months (average Oct/Nov – April/May) due to the very wet/poor draining nature of the land which will only worsen in the coming years due to climate change. The applicant seeks more land to rent presumably to raise more sheep to improve the turnover of the business. Even if they had gained a tenancy, grazing all year on rented land with these restrictions would mean overstocking of their own 2 acres in winter months. Assuming they want any living from the smallholding and can gain a further 15 acres to rent, they might expect a density of 6 sheep per acre on this land too. So 6 per acre on 15 acres being fed hay with the ponies all on an average 2kg of hay per day as is recommended and to allow some waste when being fed outside, the 2019 yield would only last 2 months of the minimum 4 month winter. In addition, knowing farmers with 300+ ewes having to supplement an income with large

beef herds, I still do not think break even would be achieved on such a small flock even with rented land available, (rent also being an additional cost). The smallholding is wholly unsustainable at that rate and hay in subsequent years would have to be bought in. From personal experience (40 years in the area) flooding is more frequent and prolonged as the years have progressed. Even extensive drainage of neighbouring pasture and tree planting has done little to improve the waterlogging due to the underlying geology and the increasingly wetter winter months due to global changes. It would be foolish to start a small holding business with only 2 acres of owned and available land (the other 2 acres needed to feed the ponies) gambling other land might be available without even making enquires to adjacent land owners. Furthermore both sheep and ponies are prone to foot rot when on wet land. Sheep on wet ground must be stocked at lower density and moved frequently to avoid welfare issues. I would go as far as to say it is extremely unkind to try and keep any livestock, particularly sheep on this type of land year round. It demonstrates a lack of knowledge for the requirements of the animals and a poor understanding of the land type they have purchased. The ground is only suitable for seasonal grazing as proved by the adjacent farming families that have worked this land for many generations who never have any livestock out in winter. The ponies, I am pleased to see, have been taken off the ground in the last couple of weeks, I hope in order to give them better living conditions rather than moved to coincide with a Planning site visit where their presence may otherwise be detrimental to the current application. Unfortunately, I note the 3 sheep on site have not been afforded the same level of thought.

With respect to the smallholding business proposed I hope the applicant is aware of what constitutes agriculture in relation to earnings as stated in the Planning Act. From my knowledge of the Act and my limited knowledge of Mrs Emms' business, I would not consider her income to be from agriculture as acknowledged by the Act. I urge the Officer to make enquiries, if he has not already done so, as this is very relevant to the final activities of the site and proposed building. For the reason of need to have this building, a real and sustainable agriculture venture needs to be proven. If all other income is not from agriculture then this 4 acre plot needs to sustain the need for this building alone. The fear is that the small holding business based on sheep on the land available is unsustainable and unprofitable. The addition of a building on the land will not improve the small holding profitability only add value to the land for resale. If a building were to be erected will there be enough money to complete it? Will there be sufficient funds from the small holding business to maintain the building in the future so it does not fall into disrepair? The land is highly likely not to support a profit from the activities proposed. Will there be a subsequent change of use application or diversification proposal perhaps through permitted development that sees adaptation of the vernacular of the building and change of use outside of the control of the Local Authority? The building is accessed via Farfield Lane, this is a private road with bridleway access. With the open countryside location and restricted access, alternative uses would be difficult to accommodate.

The siting of the building in the plot is inefficient for the proposed use. It is a reasonable distance into the plot and the trackway and building occupy the first acre of the total area. This was stated to have been done to allow access for large agricultural machinery. The first paddock would be totally unusable for large farm machinery because it is far too small for turning particularly for modern baling. I also note the tree planting started on site and proposed as stated in the Applicant's supporting statement. Trees would be impossible to manoeuvre around for standard modern farm machinery and the trees themselves would need significant protection from their grazing ponies and sheep i.e. yet more land from this already very small smallholding out of practical use. The paddock sizes are only suitable for a hobbyist and are simply too small with significant waste along boundaries due to tight turning areas. This again shows a lack of

	knowledge of agricultural practice and puts further question over the real intention of this proposal. There are no buildings of this style and design on this southern side of the lane. As previously stated, no development has ever been allowed on the southern side of Farfield Lane and previous agricultural applications have been refused for similar proposals. The building scale is far too large for its intended use. The eaves height is too dominant on the landscape and the presence of any building in this location is out of keeping with the surrounding landscape and affects the setting of the bridleway (Farfield Lane) and footpath from Oxhouse Farm. Buildings of the size, scale and design are not found in isolation as is proposed in this setting. The buildings of similar design and style are grouped in farmyard locations and or next to homesteads and are not isolated in the landscape. Furthermore they have been consented to under the Agricultural Notification scheme not Full Planning applications so, if farming were to cease, the buildings would be removed. To permit a building such as this under Full Plans comes with great responsibility to the continued rural character of the landscape in the area. It cannot be removed when farming practice ceases like the Agricultural Notification scheme affords. The building must be proven to be essential to a viable agricultural business and I do not believe this can be demonstrated on the limited land securely available and with its inherent waterlogging characteristics. There are several farms within half a mile of the site all with buildings but again none of the owners have told me they have been approached. With a new business such as this it would be more cost effective and less of a risk to actively check what the local availability and cost would be first prior to making a substantial investment into a new business venture of many thousands of pounds if it has no sound business model. Surely it would be more prudent to rent for the first few years to ensure the business is viable first, saving a great deal of cost to the applicants and undue discomfort to their animals.
Name:	
Address:	
Date:	27 January 2020



Cricklade Town Council

First Town on the Thames

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Cricklade Town Council's Planning, Conservation and Transport Committee 20TH October 2025

PL/2025/07492

Site: **Land south of Farfield Lane, Cricklade, SN6 6HZ**

Proposal: Prior approval Part 3 Class Q: Agricultural buildings to dwelling houses

Applicant: Mr S. Emms

Closing Date: extension granted to 21/10/25

Class Q is a scheme introduced with the objective of enabling redundant agricultural buildings to be converted into residential use even if they were in locations that would not but suitable for new-build housing. Applicants could request prior approval of their redevelopment scheme to reduce the administrative burdens of seeking full planning permission.

When originally legislated, the scheme only applied to buildings in agricultural use prior to 2013. However, the legislation was amended in 2024 enabling more recent buildings to be brought within the scope.

The site on the south side of Farfield Lane is approximately 4 acres in extent.



The barn is 14m x 9m and 4.2m high to the eaves



It can be seen that the barn is in a very good condition. The reason being that it was constructed as recently as early 2022. It was granted planning consent on 1st April 2020 under WC planning reference 19/11916. A prior application 19/06952 was withdrawn. CTC objected to the application noting the undesirable precedent of a building on the south side of Farfield Lane and questioning the deliverability of the smallholding business plan. Similar detailed comments were made by a neighbouring farmer, who with another neighbour commented that the size of the barn was not in keeping with its intended use.

The documentation filed at that time indicated the applicant had purchased the land in August 2018 to operate a smallholding. The intention was to rent a further 15+ acres from local farmers for further grazing and hay production although it is not known if this last step took place.

The new barn was constructed for the storage of hay, straw, animal feed and agricultural machinery. The Planning Officer's report in 2019 considered the building only a little oversized given the description of the intended land use and machinery to be stored.

Conversion is being sought under class Q of the General Planning Development Order (GDPO) which grants permitted development in certain circumstances. Conversion is stated to be sought in order to care for the increasing number of sheep stated to be on site. It is not stated where the necessary hay and machinery are to be stored, nor where care during lambing can be provided, if this application is approved.

The applicant has submitted a Structural Engineers report demonstrating that the barn can be adapted to residential use - changes such as inserting windows are permissible under the scheme.

The following quote is from General Permitted Development Order (GPDO):

***Q1.** Development is not permitted by Class Q if—*

(g) development under Class A(a) or Class B(a) of Part 6 of this Schedule (agricultural buildings and operations) has been carried out on the established agricultural unit during the period which is 10 years before the date development under Class Q begins,

Part 6

***B.** The carrying out on agricultural land comprised in an agricultural unit, of not less than 0.4 but less than 5 hectares in area, of development consisting of—*

(a) the extension or alteration of an agricultural building;

Because they have not complied with the original planning they have altered an agricultural building. They are entitled to do this under the permitted development rights but they have therefore have invoked B(a) of Part 6. Contrary to the assertion of the applicant this application breaches Q1(g) and they therefore have to wait 10 years i.e. until 2032 before permission to convert is obtainable under Class Q.

Further it is clear that the operation carried out is more in the way and scale of a hobby rather than with any commercial objective. The construction of the barn appears a speculative investment with the aim of achieving residential use of a site that would otherwise be unlikely to gain consent through a full planning application. Such a potential outcome was predicted in the comment lodged by application 11/11916 referred to above.

The Officer's Report for the 2019 application states that the Cricklade Neighbourhood Plan is silent on the design of agricultural buildings. Policy H1 C states that outside the settlement boundary development will in general not be supported unless specifically allowed by policies in the development plan. Policy H2: Visual Separation of Settlements states that development will not be supported where it would reduce the visual and physical separation between Cricklade and surrounding settlements in general and between Cricklade and the strategic housing development at Tadpole Farm in Swindon in particular. The location of this proposal is in sight of Tadpole Farm and is in direct contravention of this policy, creating incremental urbanisation of the separation.

Members VOTED Unanimously to OBJECT on the grounds that the application does not comply with GPDO Q1(g) and Policy H2 of the Cricklade Neighbourhood Plan.