

APPLICATION FOR FULL-PLANNING PERMISSION CASE OFFICER REPORT

APPLICATION REFERENCE:	PL/2026/04615
APPLICATION TYPE:	Full planning permission
SITE ADDRESS:	West Office, Smiths Barn, West Street, Aldbourne, Marlborough, SN8 2BS
DESCRIPTION:	Change of use of part of the first floor of the building from office/storage (Use Class B1/B8) to daycare nursery (Use Class E)
RECOMMENDATION:	APPROVE WITH CONDITIONS

PROPOSAL

The description of development was amended on 7 September 2026 with the agreement of the applicant. The amendment was minor and made for the purposes of for precision. As it did not give rise to any material change to the proposal or alter its planning impacts, it was not considered necessary to undertake further consultation.

The application seeks planning permission for the change of use of part of the first floor of the building from office/storage (Use Class B1/B8) to a daycare nurse (Use Class E). No operational development is proposed.

SITE DESCRIPTION

The application site relates to Smiths Barn, a circa 2002 building and associated land. The ground floor is occupied as a daycare nursery (Use Class E(f)). The first floor comprises two separate office/storage (Class E [former B1] or B8) units occupied by independent businesses, known as East Office and West Office respectively and the latter to which this application relates. Surrounding the building is a shared parking area serving the nursery and office units providing spaces for staff and visitors, including two spaces allocated to the West Office. To the rear of the building is an outdoor play area associated with the existing nursery.

The exterior of Smiths Barn adopts a vernacular barn form and appearance, with its brick and rubblestone walls, timber cladding, a hipped slate roof, with glazed central 'midstrey' and timber fenestration and rooflights. The associated car parking spaces, access and play area are surfaced with hardstanding. The setting is characterised by a combination of the vernacular buildings and boundary walls, foliage and landscape views of the village street scene.

The site lies outside the settlement boundary of Aldbourne. Relevant designations and constraints include the Aldbourne Conservation Area, and nearby Grade II listed buildings, the North Wessex Downs National Landscape (formerly and legally an Area of Outstanding Natural Beauty (AONB)), and access via a B-classified highway, Flood Zone 1 and some surface water flood risk towards northern boundary (follows the highway), priority habitat contiguous with southern boundary of the site.

PLANNING HISTORY

K/54741/F - Change of use of first floor from staff accommodation to office/storage use (Class B1/B8). Formation of enlarged car parking area. (APPROVED WITH CONDITIONS 26/09/2006).

K/45763 - The change of use of part of the building to staff accommodation (APPROVED WITH CONDITIONS 01/08/2003).

K/43406 - Demolition of remainder of collapsed barn and construction of a Day Care Nursery, including staff accommodation with associated external works and improvements to road access (APPROVED WITH CONDITIONS 08/07/2002).

RELEVANT POLICIES AND GUIDANCE

Wiltshire Core Strategy (WCS):

- Core Policy 1: Settlement Strategy (CP1)
- Core Policy 2: Delivery Strategy (CP2)
- Core Policy 3: Infrastructure Requirements (CP3)
- Core Policy 14: Spatial Strategy for the Marlborough Community Area (CP14)
- Core Policy 34: Additional Employment Land (CP34)
- Core Policy 35: Existing Employment Land (CP35)
- Core Policy 48: Supporting Rural Life (CP48)
- Core Policy 51: Landscape (CP51)
- Core Policy 57: Ensuring High Quality Design and Place Shaping (CP57)
- Core Policy 58: Ensuring the Conservation of the Historic Environment (CP58)
- Core Policy 60: Sustainable Transport (CP60)
- Core Policy 61: Transport & Development (CP61)
- Core Policy 62: Development Impacts on the Transport Network (CP62)
- Core Policy 63: Transport Strategies (CP63)
- Core Policy 64: Demand Management (CP64)
- Core Policy 67: Flood Risk (CP67)

Saved policies of the Kennet Local Plan 2011 (KLP)

Aldbourn Neighbourhood Development Plan – Part A - Made 2023

- Policy 5: Reducing Flood Risk
- Policy 8: High Quality Design
- Policy 9: Design in the Conservation Area
- Policy 10: Overall Heritage
- Policy 17: Biodiversity
- Policy 21: Community Facilities
- Policy 22: Retaining Employment

- Policy 23: New Employment
- Policy 24: Loss of Parking
- Policy 25: Parking Provisions

Aldbourn Neighbourhood Development Plan – Part B: Aldbourn Parish Community Character and Design Statement– Made 2023

Wiltshire Design Guide SPD – March 2024 (WDG)

North Wessex Downs Management Plan 2025-2030

Aldbourn Conservation Area Statement – June 2003

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide (NDG)

Historic England Guidance:

- Managing Significance in Decision-Taking in the Historic Environment. Historic Environment Good Practice Advice in Planning: 2 (GPA2)
- The Setting of Heritage Assets. Historic Environment Good Practice Advice in Planning: 3 (2nd Edition) (GPA3)
- Making Changes to Heritage Assets. Historic England Advice Note 2. (HEAN2)
- Statements of Heritage Significance: Analysing Significance in Heritage Assets Historic England Advice Note 12 (HEAN12)

CONSULTATION RESPONSES

The following consultees were invited to comment on the application:

Aldbourn Parish Council – No objection (11/08/2026).

Wiltshire Council's Highways Team – No objection, that the nursery use is already established within the site and that the proposed changes are not likely to lead to a significant detrimental change to the users of the highway (02/09/2026).

Wiltshire Council's Conservation Team – Comment, that the site is a modern building that replaced an historic barn, is not a listed building nor curtilage listed, that it could be within the historic curtilage (setting) of the listed building Westfield Farmhouse and it is within the Aldbourn Conservation Area. They advise the change of use does not raise concerns as there would be no external changes proposed, and therefore that there will be no changes to the visual character and appearance of the conservation area or setting of the adjacent listed building (05/08/2026).

REPRESENTATIONS

Immediate neighbouring dwellings were notified of the application, and a site notice was displayed on 10 August 2026. No letters of representation by members of the public have been received.

ASSESSMENT

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications be made in accordance with the development plan unless material considerations indicate otherwise.

Principle of Development

The application site is located in Aldbourne Parish and, therefore, Core Policies 1, 2 and 14 of the Wiltshire Core Strategy (WCS) are relevant for setting out the spatial strategy for this area.

CP1 sets out a hierarchical spatial strategy for sustainable development across Wiltshire, focusing on principal settlements, then market towns, then local service centres, then large villages and, finally, small villages. The first four of these settlement categories have defined settlement boundaries.

CP2 sets out a delivery strategy and states that, unless permitted by other policies within the WCS, as set out in paragraph 4.25, development will not be permitted outside the limits of development defined by the settlement boundaries.

CP14 identifies the settlements which comprise the Marlborough Community Area, where Aldbourne is designated as a large village for the purposes of CP1 and CP2 conferring it a settlement boundary.

Smiths Barn lies approx. 100m outside the settlement boundary of Aldbourne and is therefore in open countryside where development is strictly controlled.

The ground floor of the building is currently used as a children's daycare nursery (Use Class E(f)). The first floor was originally staff accommodation; however, planning permission was granted in 2006 for its change of use to office (then Use Class B1) and storage (Use Classes B8), and it has since been used for those purposes. These first-floor offices are understood to be occupied by two businesses separate from the nursery.

The proposed development would facilitate the expansion of the existing day nursery through the change of use of one of the first-floor office units, West Office, representing approximately half of the building's first-floor floorspace. This would result in the loss

of the existing office accommodation (formerly within Class B1, now Class E(g)) and its replacement with additional floorspace associated with the nursery use (Class E(f)).

The development would not attract support from CP48 as it does not involve conversion and reuse of a rural building, community ownership nor provision of a shop. CP49 seeks to protect rural services and community facilities at Local Service Centres, Large Villages and Small Villages or any smaller settlement not defined in the settlement hierarchy.

Policy 21 of the Aldbourne Neighbourhood Plan (ANP) seeks to protect community facilities, identifying the daycare nursery at Smiths Barn as one such facility. Policy 22 seeks to retain existing employment uses, while Policy 23 supports new employment uses subject to assessment of its impact and alignment with broader policy objectives.

Although the development would result in the loss of the specific commercial uses, the resultant uses would remain within the broader commercial framework of Class E (commercial) and would support the continued operation and expansion of an established and valued community facility. Whilst modest in scale, the application confirms the proposal would facilitate the creation of one additional full-time position. Although the site is outside of a settlement boundary and does not attract support from any specific exception policy, it relates to the change of use of part of a building to enable the expansion of an established use operating within the same building. As such, it is not considered to represent an isolated or unrelated form of development in the countryside.

The development would not undermine the spatial strategy comprising CP1, CP2 and CP14 of the WCS nor the aims of CP49. Furthermore, it would not conflict with the aims of Policy 21, 22 or 23 of the ANP which seek to protect and promote community facilities and employment uses.

S3 of the NPPF sets out a presumption in favour of sustainable development. Outside of settlements, this means development proposals that accord with both an up-to-date development plan and the National Decision-Making Policies (NDMPs) should be approved without delay.

S5 of the NPPF advises that only certain forms of development, as defined in S5(1)(a) to (j), should be approved outside of settlements unless the benefits of doing so would be substantially outweighed by the adverse effects.

S5(1)(c) supports, in principle, the reuse of an existing building outside a settlement, provided that the existing building is of permanent and substantial construction and is lawful in planning terms.

The existing building is of permanent and substantial construction and there is no reason to doubt its lawfulness in planning terms. The proposed development would therefore attract support from S5(1)(c) in respect of its location.

For the above reasons, the development would be acceptable as a matter of principle subject to assessment of its related impacts, compliance with the other policies of the development plan taken as a whole, and other material considerations.

Design and local character and appearance, with particular regard to heritage assets and the National Landscape

Core Policy 51, 57 and 58 of the WCS together seek to ensure all new development, including changes of use of existing buildings, to meet a high standard of design that contributes to the character of Wiltshire. Among other things, this can be achieved by responding positively to the features of the site itself, its landscape or townscape setting, and the value of the natural and historic environment by retaining natural and landscape features, conserving the special qualities of valued landscapes, and by being sympathetic to and conserving heritage assets in a manner appropriate to their significance.

Policy 8 of the ANP seeks to ensure high-quality buildings and places, including by ensuring development proposals respond positively to local character and relevant design guidance. Policy 9 seeks to ensure the design of developments in the Aldbourne Conservation Area responds to its significance and character and appearance. Policy 10 similarly seeks to ensure developments respect the history and heritage of the parish.

Smiths Barn is understood to be a modern building, built in a vernacular style, having replaced an earlier agricultural building on the site.

It lies within the Aldbourne Conservation Area (ACA) where it is a duty under S72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the “PLBCA”) to pay special attention to the desirability of preserving or enhancing its character or appearance.

The character and appearance of ACA can primarily be discerned from the combination of its listed buildings, its significant unlisted buildings and walls, its significant foliage and green spaces, and its landscape setting.

The site also has some inter- and co-visibility with nearby Grade II listed buildings, the closest being Westfield Farmhouse [NHLE: 1365453] and then Granary West of Corr's Barn, Rose Cottage [1200514], Forge Row [1365456] and Granary West of Drive Access to Nos 22-26 [1200532]. The significance and special interest of the listed

buildings derive primarily from their architectural and historic interest, and the contribution made by their setting.

S66 of the PLBCA makes it a duty to have special regard to the desirability of preserving the building and its setting and any features of special architectural or historic interest that it possesses.

The proposed development would be a material change of use to a use already found within the site and involves no extensions or alterations to the building.

Wiltshire Council's Conservation Officer (WCCO) suggests Smiths Barn could be within the historic curtilage of the listed building known as Westfield Farmhouse. However, the WCCO raises no objection due to no visual change. Although the development would intensify the use to a degree, the use already exists and the effect of the proposed additional use of buildings would not be to the detriment of the significance of the heritage assets.

Having regard to the nature of the development, and the separation distance and intervening features between the site and listing buildings, it would not adversely affect the ability to experience or appreciate the significance of the listed buildings, thereby preserving their setting and to which special regard has been had. It would also not harm the character or appearance of the ACA in which it is located and to which special attention has been paid to its preservation.

The site is also within the North Wessex Downs National Landscape (NL), however, the nature of the development and its localised impact would ensure it does not materially harm the special qualities of the NL nor conflict with the duty to seek to further the purpose of conserving and enhancing its natural beauty under S85 of the Countryside and Rights of Way Act 2000 (as amended).

Residential amenity

Core Policy 57 (vii) of the WCS seeks to ensure that the design of new development has regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants and that appropriate levels of amenity are achievable within the development itself.

Appendix D of the WDG expects a well-designed householder development to respect neighbouring properties by advising, amongst other things, that they should not be unduly overbearing or unduly obtrusive, and that windows should not directly overlook neighbouring properties.

DP3 and 4 of the NPPF sets out principles for achieving well-designed places, including liveability by ensuring their function well over the lifetime of the development.

P3 advises that developments should be appropriate for their location taking into account likely effects on living conditions from air, noise and light pollution, among other things.

Smiths Barn presently contains a nursery at ground floor, with the first floor containing two offices occupied by separate businesses. The westernmost office is the subject of the development and would be used as additional floorspace for the ground-floor nursery.

Within proximity of the site are a handful of residential dwellinghouses, the closest being 41 West Street to north, Westcot and Westfield Farmhouse to east (partly a guesthouse), and Manor Farm 43 West Street to west.

As there would be no physical alteration to the building, there would be no material effect on the light or outlook afforded to occupants of nearby residential land and buildings. Similarly, neighbouring occupants' perceptions of the building would not be materially affected nor are additional openings created, thereby ensuring no change in the existing baseline of overlooking or overbearing.

The main effect is likely to arise from the intensification of the existing nursery use and associated potential increases in noise. The existing nursery has capacity for 39 children, and the additional floor space is expected to provide additional capacity for up to 16 children and two members of staff.

The nearest noise-sensitive receptor is 41 West Street, approx. 16m from the building to its nearest window. As the nursery use is existing, there is an existing baseline of associated noise. Nurseries typically do not operate during critical hours, such as evenings, when noise disturbances are likely to be a nuisance for nearby residences.

It is not considered proportionate in this case to request further information in respect of noise because, despite the proximity, the additional capacity is not considered to be of a magnitude, individually or cumulatively, that is likely to cause significant adverse effects for occupants of nearby residential dwellings. Furthermore, separate legislation controls, which enable local authorities to investigate and ameliorate nuisance noise from premises, would be capable of mitigating unacceptable effects in the longer term.

For the reasons given, the development would not cause unacceptable harm to the living conditions enjoyed by occupants of the site itself or neighbouring land, subject to such necessary conditions as would meet the relevant tests. Furthermore, it would satisfy the expectations of adopted design guidance and the aims of CP57 (vii) of the WCS.

The development plan remains broadly aligned with the national guidance at DP3 and 4 and P3 of the NPPF, in so far as they are relevant to design and living conditions, which would not therefore lead to different conclusion.

Access and highway matters

The site is accessed directly from a B classified highway (B4192) subject to 30mph and, within the site curtilage, there is car parking. Two parking spaces are allocated to the West Office, as existing, while six visitor parking spaces are found to front of the site. Most visitors to the nursery stop only to drop off and collect their children.

The south side of the B4192 has a partially lit pavement which connects the site to the centre of Aldbourne. It is therefore a reasonable assumption that journeys made by local residents can be made on foot.

Wiltshire Council's Highways Team (WCHT) consider that the development would be unlikely to lead to a significant detrimental change to the users of the highway, particularly as the proposed use already exists within the site, and they therefore raise no objection.

There is no reason to disagree with the conclusions of the WCHT. Whilst the proposal would facilitate an expansion of the nursery, it is not considered that the resultant increase in visitor movements would be of a scale that would give rise to an unacceptable impact on the local highway network. Accordingly, the development would not result in unacceptable harm to highway safety and would not conflict with the objectives of the development plan in promoting sustainable patterns of movement.

For the reasons given, the development would not conflict with Policy 24 and 25 of the ANP nor CP57(xiv), CP60, CP61, CP62 or CP64 of the WCS, which together seek to promote sustainable patterns of movement and safeguard the safety of the highway network and its users by, among other things, managing demands on the network.

The development plan remains broadly aligned with the national guidance at TR3, 4 and 6 of the NPPF in so far as these relate to sustainable transport, access, parking and highway safety. Material considerations would not, therefore, lead to different conclusion.

Flood risk

The application site is wholly within Flood Zone 1, and it appears that the northern part of the site only (around the access) is at risk of surface water flooding in a 1 in 1000 event¹. The application is not supported by a site-specific Flood Risk Assessment.

The development would not create any additional impermeable area, but the change of use of the building from office/storage (less vulnerable) to a nursery (more vulnerable) would increase the vulnerability classification to a degree – ‘to a degree’ because the ground floor is already a nursery.

Notwithstanding the above, the existing building will already have suitable drainage measures in place. Furthermore, the proposed use would be above ground floor level. The change of use would also occur within the parts of the site at lowest risk from flooding.

Although no FRA is provided, there is considered to be sufficient information for the Local Planning Authority to take a proportionate approach to their decision-making and conclude that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development without increasing flood risk elsewhere.

For these reasons, the development would not materially increase the vulnerability of the site or the risk of flooding locally. It would not conflict with Policy 5 of the ANP, CP67 of the WCS nor the provisions of F4, 5, 7 and 8 of the NPPF.

Ecological matters, including Biodiversity Net Gain (BNG)

The application form submitted states the proposal benefits from the “retrospective application” exemption from the requirement to deliver 10% BNG, introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021), however, their application form also states the change of use has not commenced.

In any case, the development is a material change of use that would not impact on any habitat. Accordingly, it falls below the threshold for BNG to apply and qualifies for the de minimis exemption. The decision notice shall include the relevant informative note.

Moreover, notwithstanding nearby priority habitat, the material change of use would not involve any operations that would impact on any habitat. The Local Planning Authority can be reasonably certain protected species would not be adversely affected by the development.

¹ Based on the Flood Map for Planning

For these reasons, the development would not conflict with Policy 17 of the ANP, CP50 of the WCS nor N2 of the NPPF which together seek to ensure the conservation of the natural environment, including local biodiversity, habitat and species.

PLANNING BALANCE AND CONCLUSION

The development would have acceptable effects in respect of matters of acknowledged importance to the public interest, subject to the recommended conditions. Furthermore, it would not conflict with the development plan, and other material considerations do not indicate that a decision should be made other than in accordance with the development plan. The statutory requirements have therefore been fulfilled, and the application should be supported.

RECOMMENDATION

That planning permission be GRANTED subject to the following conditions:

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 and documents:

Location Plan. Received 22 July 2026.

Site plan. Received 22 July 2026.

Floor plan first floor. Received 22 July 2026.

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

Informatives to Applicant:

1. 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.