

28th September 2026

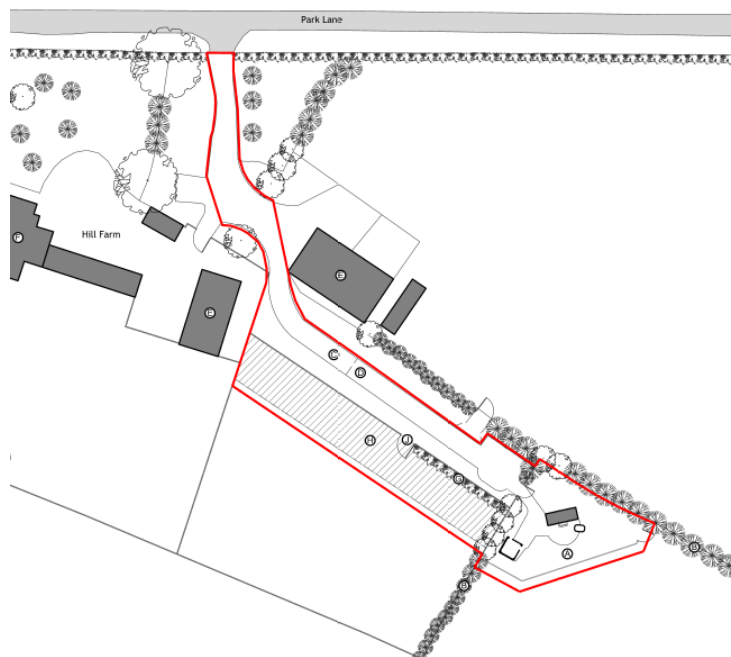
Our Ref: SWLC.LPC6200

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

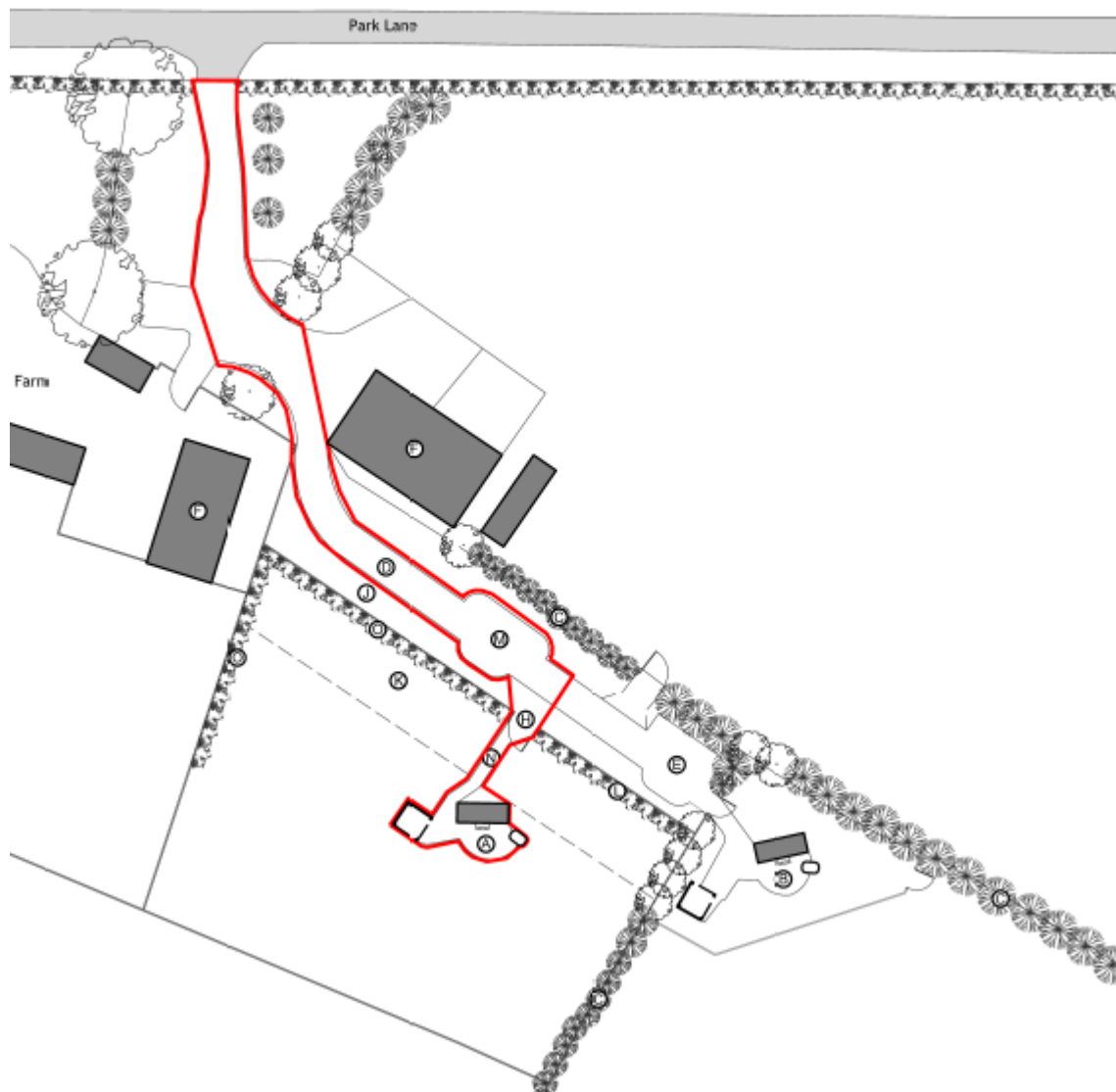
Dear Sir/Madam

Town and Country Planning Act 1990
Provision of shepherd hut for holiday-let use of
Hill Farm, Park Lane, Charlton, Wiltshire, SN16 9DT

As your Council's records will confirm planning permission was recently granted by application PL/2025/08379 in retrospect, for the siting of a shepherd's hut at the above farm for use as holiday accommodation. Details of approved siting are shown below.



It is the purpose of the enclosed application to seek to add a second site for a similar proposal. The new siting is shown on the next page, sharing the same access as the approved hut and positioned to the west. The site set-up is otherwise very similar to the approved arrangement, including a small storage facility and hot tub, and defined with a timber post and rail fence.



Given the similarities and recent assessment of the existing hut I have drawn on the officer's delegated report to outline the similarly acceptable nature of the enclosed application.

It is of course noteworthy that there have been two legislative changes since permission was granted for the existing site too. First, and notwithstanding that that proposal was made in retrospect and consequently should have been exempt from the Biodiversity Net Gain (BNG) regime, the requirements for such has now been relaxed.

Condition No 2 imposed on application PL/2025/08379 regarding a Landscape and Ecological Plan (CEMP) were discharged by PL/2026/03616. The enclosed application site is located south of the agreed BNG planting area and is accessed by a simple path through that swathe of land. The new site area, including the shared access drive has a total area less than 0.2ha (0.064 ha), and is therefore less than the new BNG trigger threshold, and thus no new planting is required. It is understood though that my client is keen to improve the planted setting for both huts, but

additional planting is of course not development and thus falls outside the remit of this application.

The second legislative change is the publication of the new National Planning Policy Framework (NPPF) in August this year. This advice is now said to be of critical importance in the consideration of planning applications

The changes arising thereat, and applicable to the enclosed application indicate a default yes for applications that reflect the presumption in favour of sustainable development (policy S3). In this rural location policy S.5.b provides in principle support for the application development;

- b. Development for rural businesses and services, including tourism, where a location outside settlements is shown to be necessary.

The sub-paragraph is not conflicted by the rest of S5, and the benefits of the proposal would substantially outweigh any adverse effects, as of course evidenced by the recent approval.

Policy E2 is also supportive of the growth of rural business, including farm diversification. As listed at policy E4, in applying E2 to the sustainable growth of business in rural areas, support is expressly provided for, 'rural, leisure and tourism', as development in rural areas that may need to be located outside settlements, in locations not well served by public transport. Encouragement is given to use sites, such as that enclosed, 'that are physically well-related to existing development' and ensure, 'The siting and design of development should be appropriate having regard to the character of its surroundings'.

Planning Assessment

The National Planning Policy Framework (NPPF), and associated Planning Practice Guidance, sets out the Government's planning policies for England and how these are expected to be applied. The NPPF is a critically important material consideration in planning decisions. The policies within the following chapters of the NPPF are relevant to the assessment of the proposed development:-

- Chapter 2 – Achieving Sustainable Development
- Chapter 4 – Decision-making
- Chapter 7 - Building a strong, effective economy
- Chapter 9 – Promoting Sustainable Transport
- Chapter 11 – Making Efficient Use of Land
- Chapter 12 – Achieving Well-designed Places
- Chapter 15 – Conserving and Enhancing the Natural Environment

The NPPF highlights that planning law (section 70 [2] of the Town and Country Planning Act 1990 and section 38 [6] of the Planning and Compulsory Purchase Act 2004) requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise.

The following policies from the WCS are particularly relevant in this case, and as indicated earlier the following planning assessment draws heavily on the directly comparable considerations made on the adjacent site.

Wiltshire Core Strategy

- Core Policy 1 – Settlement Strategy
- Core Policy 2 – Delivery Strategy
- Core Policy 39 – Tourist Development
- Core Policy 50 – Biodiversity and Geodiversity
- Core Policy 51 - Landscape
- Core Policy 57 - Ensuring High-Quality Design and Place Shaping
- Core Policy 60 – Sustainable Transport
- Core Policy 61 – Transport and Development

Key Issues

The main issues that need to be addressed in this case include:

- Whether the development is acceptable in principle
- Whether the scheme constitutes high-quality design and has an acceptable landscape impact (CP57 and CP51)
- Whether the scheme would have an acceptable impact upon the reasonable living conditions of the adjoining occupants (CP 57)
- Whether the proposal would have a negative effect upon highway safety, including if there is sufficient parking for the proposed development (CP 61 and 64)

Principle of Development

The site is located in the countryside, wherein development will not normally be permitted other than in accordance with specified exception policies. The NPPF provides in principle support as already highlighted on page 2. Additionally, one such exception policy is set out at Core Policy 39 of the WCS, which allows for tourist development of an appropriate scale subject to certain criteria set out below, and echoing the officer's recent assessment for the adjacent site;

i. There is evidence that the facilities are in conjunction with a particular countryside attraction.

In this instance the site, whilst located within the open countryside, is within approximately 3.5m of the market town of Malmesbury containing the historic Abbey. It is also closely related to the adjacent approved hut, allowing increased usage and potentially as a shared attraction for small parties/families.

ii. No suitable alternative existing buildings or sites exist which are available for reuse.

In terms of existing buildings, although there are buildings to the north of the site, these are currently already in use. In addition, the proposed shepherd's hut

accommodation is of a more diminutive scale and capable of providing a modest tourist facility at a fraction of the cost of the renovations that would otherwise be necessary. It is therefore maintained that to convert existing buildings is not a practicable option in this case.

iii. The scale, design and use of the proposal is compatible with its wider landscape setting and would not detract from the character or appearance of the landscape or settlement and would not be detrimental to the amenities of residential areas.

The scale of the development involved is minor and will not stand out significantly against the backdrop of development along the lane when viewed from the south, where it effectively infills as part of the overall built grouping. The shepherd's hut is of a rural character and, whilst a more intensive use of the site is likely to fail to conserve landscape quality, given the visual appearance and the intensity of development entailed in a small shepherd's hut. The proposal would not offend the principles of landscape conservation and would accord with Core Policies 57 and 51 of the WCS in this regard.

iv. The building is served by adequate access and infrastructure.

It is acknowledged that the application site is in a rural location and occupiers would depend on private vehicles to access some local facilities. Notwithstanding the above, the development is not considered to be of an intensity that would raise concern in terms of highway safety and there is parking available onsite.

The Councils' Highway Officer was consulted regarding the existing hut and offered no objection to the scheme subject to condition to ensure the shepherds hut remains as tourist accommodation. As such, subject to similar conditions, the works are deemed acceptable in respect of highways safety and access and in accordance with WCS policies CP 60 and CP 61.

v. The site has reasonable access to local services and a local employment base.

The wording of Policy 39 is understood to have been queried at a number of appeals, given that the word 'reasonable' has no definition in the Core Strategy. Given the limited number of occupiers who could attend the site at any one time, the nearby facilities available (previously recorded) and that such development would often be located in rural settings, the locality is not considered sufficiently remote to warrant a refusal of the application alone. The unit will be operated by the owners who live onsite and it is noted that there are similar tourist facilities in the local area operating successfully including Rouselands Farm Campsite approximately 0.6m to the south which benefit from planning permission.

In light of the above, it is maintained that the proposed development is capable of support under Core Policy 39 and the NPPF and is acceptable in principle, subject to consideration of the impacts and site-specific matters.

Impact to Residential Amenity

Core Policy 57 (Point vii) of the WCS requires development to respect the amenity of existing occupants and ensure appropriate amenity levels for future residents.

The National Planning Policy Framework (NPPF), at policy P3 requires development to be appropriate for their location into account, inter alia, living conditions.

The introduction of tourist development in close proximity to existing residential development has the potential to create noise-based nuisance in a manner harmful to the amenity of the residential use. In this case, as required by Core Policy 39, the development is of an appropriate scale, and as such there is no likelihood of the site being a focal point for large groups. In this light and as the applicant lives close at hand there are no significant concerns in respect of noise. Likewise, the development raises no concerns in respect of privacy or overshadowing, and no conflict is therefore found to occur with Core Policy 57.

Design and Impact on the Landscape, Character and Appearance of the Area

Core Policy 57 of the WCS requires high-quality design that enhances local character and responds to the natural, historic, and built environment. Core Policy 51 of the Wiltshire Core Strategy requires development to protect, conserve, and enhance landscape character and quality.

The proposal consists of the siting of the shepherd hut in addition to the small timber structure for storage and a hot tub. It is noted that the farm track access was in situ prior to the siting of the approved neighbouring shepherd hut.

As indicated, by design the shepherd hut is rural in nature and in combination with the timber structure and hot tub was considered relatively low key and of appropriate materials for this rural location. Positioned against the backdrop of the hedge and farmyard beyond, the proposal is similarly not considered unduly prominent, particularly in light of the lack of public vantage point.

The proposal is therefore considered to accord with CP51 and CP57 in this regard.

Highways Impact

Core Policy 57 (xiv) of the Wiltshire Core Strategy seeks to ensure that development must meet the requirements of Core Policy 61. This policy requires proposals to be capable of being served by safe access to the highway network. Core Policy 64 seeks to ensure compliance with parking standards set out in the Local Transport Plan.

As discussed above, the Councils' Highways Officer has been previously consulted and has raised no objection to the existing accommodation. The proposed development would not result in any adverse impact on highway safety. Adequate parking and turning provision will be provided in accordance with Wiltshire's adopted parking standards, and access arrangements are acceptable.

The proposal is therefore considered to comply with Core Policies 57 (xiv), 61 and 64 of the Wiltshire Core Strategy, and the Wiltshire Local Transport Plan.

Ecology Impact

Core Policy 50 of the Wiltshire Core Strategy seeks to protect and enhance biodiversity and geodiversity, including through ensuring that development avoids harm to protected species and habitats. The NPPF at policy N6 we are to support conservation of important habitats, species and sites of geodiversity value.

Section 7A of the TCPA introduces a statutory requirement for most developments to deliver a minimum 10% Biodiversity Net Gain (BNG). The previous application was submitted for retrospective planning permission. As such, the pre-commencement biodiversity gain plan condition (imposed by Section 7A of the TCPA) could not be imposed. This new application falls below the relevant threshold trigger.

Notwithstanding the above, an ecological appraisal is included with the new application and confirms that the application does not impact any important habitats or species etc and arguably, as the planting enhancement previously approved was in excess of CP50, which specifically addresses habitat enhancement and planting, having resulted in a net percentage change of 10.79% and involved a retrospective matter, the enclosed application should be tied to the similarly related area of planting, as a similar benefit of the combined development.

The proposal is therefore considered to comply with CP50 of the WCS and the NPPF.

I trust the above comments, drawing on the adjacent and directly comparable recent assessment, are sufficient to ensure the application's similarly positive decision. However, if there are any questions arising to ensure your support, please do not hesitate to contact me.

Yours faithfully

Simon Chambers
Director

Enc.

Cc Mr J Webb