

PlanningAppeals

From: PlanningAppeals
Sent: 06 October 2026 11:26
To: 'West-1'
Cc: eleanor@atlasplanninggroup.co.uk
Subject: RE: Appeal 6009225 Land at Elms Farm, Elms Cross, BA15 2AL PL/2025/08747

Dear Jasmine,

Please see below the LPA comments as requested. The appellant is copied in as instructed.

The Council's position is that a planning condition would not provide a sufficiently robust mechanism to secure the delivery of the development as a self-build dwelling. Whilst a condition could require the dwelling to be constructed in accordance with the statutory definition of self-build and custom build, such a condition would rely heavily on the submission of evidence from the developer. In the absence of a legal agreement, the Council does not consider there to be a robust legal mechanism for securing compliance with the self-build requirements and demonstrating that the exemption criteria have been satisfied.

The Council therefore considers that a planning obligation would provide a more effective and enforceable mechanism for securing the self-build nature of the development. Without such a mechanism, there is a risk that the development could proceed as an unrestricted market dwelling, thereby undermining the basis upon which the self-build exemption from Biodiversity Net Gain requirements would be claimed.

Accordingly, the Council has concerns that a planning condition alone would not provide sufficient certainty that the development would meet the definition of self-build, or that the exemption from Biodiversity Net Gain requirements would be appropriately secured.

Thank you

Kind regards,
Leonardo Guerra
Appeal Team

Wiltshire Council

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From: West-1 <west1@planninginspectorate.gov.uk>
Sent: 05 October 2026 16:03
To: eleanor@atlasplanninggroup.co.uk; PlanningAppeals <PlanningAppeals@wiltshire.gov.uk>
Subject: Appeal 6009225 Land at Elms Farm, Elms Cross, BA15 2AL PL/2025/08747
Importance: High

Good afternoon,

I refer to the above appeal, the Inspector notes that, as a self-build dwelling, the proposal would not be subject to the Biodiversity Net Gain condition. The Inspector seeks your views on the efficacy of a planning condition to secure that the proposed dwelling would meet the definition of self-build. Any comments should be made no later than close of business on 7 October.

Comments should be solely on this matter. You should also copy your response direct to the other main appeal party for information purposes only, and your reply to me should indicate that you have done so.



Jasmine Rogers She/Her
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