

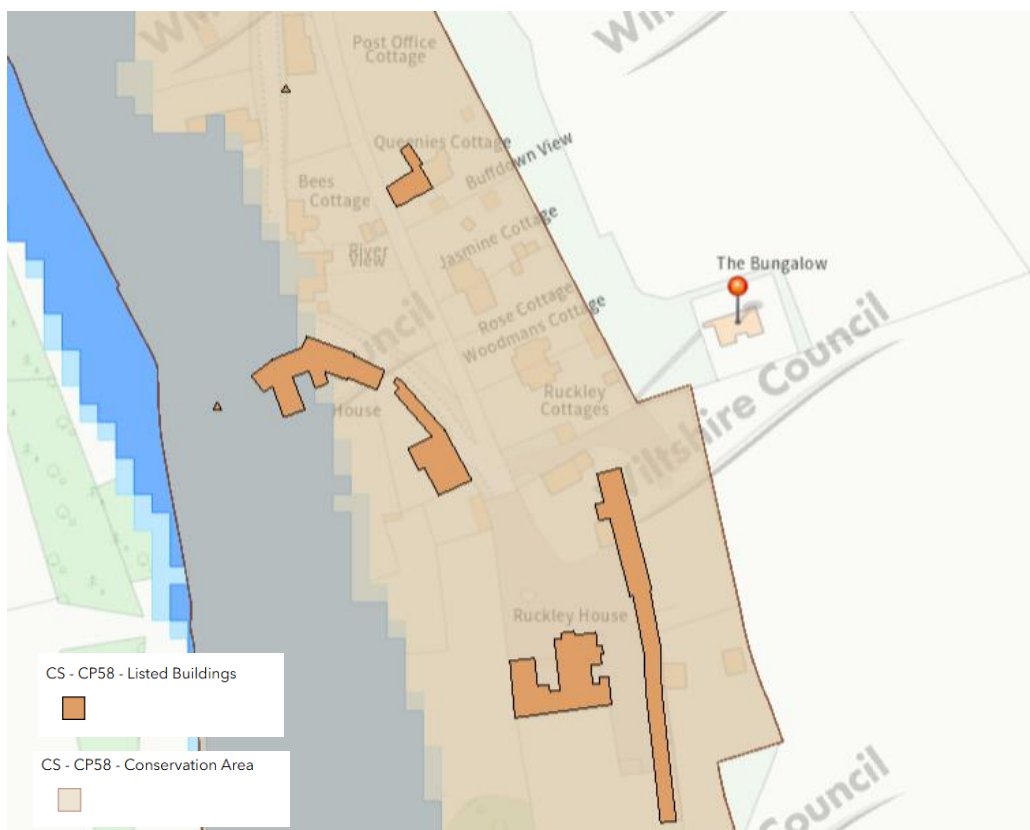
PLANNING APPRAISAL & OPTIONS NOTE

Proposed Development Potential – Replacement Dwelling

The Bungalow, Easton Grey, Malmesbury, Wiltshire, SN16 0PL

Site Description and Constraints

The Bungalow lies on the eastern side of Easton Grey approximately 4 Km west of the market town of Malmesbury. The property is washed over by the Cotswolds National Landscape but is not covered by any other landscape or ecological designations. The property as shown below lies outside the Easton Grey Conservation Area, although within its setting, and is not a designated heritage asset.



Wiltshire Local Plan Policies Map

Development Potential

The age of the property is unclear and a review of the Council's online records does not reveal any historic planning applications. It is therefore understood that the property retains its 'permitted development rights' and therefore there are a range of extensions and alterations that could be made without the need to obtain planning permission. There are also larger extensions that could be added with the benefit of planning permission. However, it is understood that the dwelling is in a dated and

poor state of repair therefore a replacement dwelling would be the best option. A replacement dwelling could be achievable as set out within the following sections.

Planning Policy Context

The National Planning Policy Framework (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 development plan relevant to the proposed development includes the Wiltshire Core Strategy (WCS) (adopted January 2015), which includes saved policies from the former North Wiltshire Local Plan (NWLP) 2011. The development plan must be read as a whole but the key policies relevant to the assessment of the proposed replacement dwelling include-

- WCS Core Policy 1: Settlement Strategy
- WCS Core Policy 2: Delivery Strategy
- WCS Core Policy 13: Spatial Strategy: Malmesbury Community Area
- WCS Core Policy 57: Ensuring High Quality Design
- NWLP Policy H4: Residential Development on the Open Countryside.

The Spatial Strategy of the Local Plan (Core Policies 1 and 2) outlines a presumption in favour of sustainable development within the Principal Settlements, Market Towns, Local Service Centres and Large Villages and development should be restricted to within the Limits of Development other than in exceptional circumstances as set out within the relevant core policies contained within the plan, i.e. the 'exception policies'. However, saved Policy H4 of the former NWLP provides support for the replacement of existing dwellings in the countryside, subject to the residential rights not being abandoned and replacement dwelling being of a similar size and scale to the existing dwelling within the same curtilage.

The Local Plan is however now out of date and has been under review for a significant period of time, resulting in the production of the draft Wiltshire Local Plan (WLP) which was submitted to the Secretary of State for Housing Communities and Local Government for independent examination on 28 November 2024. The draft WLP recommended that saved Policy H4 be deleted and replaced with WLP Policy 82 'Housing in the Countryside'. Appendix A 'Schedule of Policies' of the draft WLP noted that "The merits of any proposal for the provision of new residential development in the open countryside can be assessed against the new housing in the countryside policy, supported by national planning policy (National Planning Policy Framework para 80). Other policies relating to securing high quality design and protecting and enhancing the character of the historic and natural environment provide a basis for assessing the detail of such proposals".

Draft Policy 82 of the WLP specifically notes that the replacement or subdivision of an existing residential dwelling within the countryside is acceptable, "provided that the scale and design of the development is appropriate, having regard to the local landscape and design context".

The Planning Inspectorate wrote to the Council on the 27 February 2026 advising that the Council should either (i) withdraw the Local Plan from examination or (ii) request that the Inspectors draft a final report (which would recommend non-adoption). While the Council has now chosen to withdraw the WLP from the examination process and will not therefore have an up-to-date Local Plan for years to come, the work undertaken provides clarity and its up-to-date position on the assessment of replacement dwelling proposals. It is clear that there is a departure from the need for a replacement dwelling to be of a similar size and scale to the existing dwelling, towards the consideration of individual site circumstances and its design context which allows greater scope for larger replacement dwellings.

Local Examples & Precedent

Notwithstanding the planning policy review outlined above which is within a state of flux, the Council and Planning Inspectorate has allowed replacement dwellings of a much larger scale than the original dwellings under the current planning policy context. It is of great significance that the Planning Inspectorate has found Policy H4 of the former NWLP, and the equivalent replacement dwelling policy in the other three former District Plans, to be out-of-date and thus holds limited weight.

One good example which had similar site constraints, being located within a National Landscape and setting of a Conservation Area, is an application (reference 19/06565/FUL) for a replacement dwelling at Thicket Cottage, Malthouse Lane, Upper Chute, SP11 9EG. The Council refused planning permission due to the “large scale and grand and imposing design” of the replacement dwelling which was considered to be “an inappropriately sized development” in the National Landscape. However, as part of the subsequent appeal (reference 3239783, dated 22 February 2020), the Planning Inspectorate found there would be a neutral impact on the landscape character of the area, appearance of the locality, and the scenic beauty of the National Landscape. Furthermore, while there would be “technical conflict” with the local replacement dwelling policy (HC25 of the former Kennet Local Plan) because of the scale of the dwelling no harm would arise from it. As such, it was concluded there would be no conflict with the development plan when considered as a whole.

The Planning Inspectorate reached the same conclusion in relation to Policy H4 of the NWLP when considering a later proposal at appeal (reference 3261179, dated 15 March 2021) for a replacement dwelling at Brockhurst Farm Stables, Greenhill, Royal Wootton Bassett, Wiltshire SN4 8EH. The policy conflict, due to the larger scale of the replacement dwelling, was given reduced weight because of its inconsistency with the NPPF. The key aspect of the assessment was how the proposed development impacts upon the intrinsic beauty and character of the countryside.

The Council went on to quote the comments from the Inspector on the above appeal during its assessment of a replacement dwelling application at Meadowside, Tetbury Road, Sherston, Malmesbury, SN16 0LU. The Council confirmed that Policy H4 has reduced weight within the decision making process and should not prevent larger replacement dwellings:

“Having regard to the ‘similar size and scale’ test, the proposed development is obviously larger than the existing dwelling. An inspector’s decision on appeal noted that reduced weight may be applicable to Policy H4 because of its restrictive nature and it not being entirely consistent with the NPPF. The inspector nevertheless concluded that its overall aim ‘to protect the intrinsic character and beauty of the countryside’ is an aim shared with the Framework.

On that basis, it would be improper to resist the proposed development just because it is not of a similar size and scale to the existing dwelling. Instead, a judgement should be made based on matters of fact and degree, having regard to the degree of change (and any resultant harm) arising from the replacement dwelling, also bearing in mind the recent planning history.”

Summary

The national and local planning policy context provides support, in principle, for the replacement of existing dwellings. It is clear therefore that The Bungalow at Easton Grey could be demolished and replaced, provided its residential rights remain intact.

The examples mentioned above demonstrate that the current planning policy context allows, in principle, any proposal for a replacement dwelling to be larger than the original dwelling. The key factors which determine the acceptability of any proposal will be the overall design quality of the proposed new dwelling and whether it assimilates well within its setting without harm to the surrounding natural and historic environments.

Any future application for the replacement of The Bungalow could be supported by a proportionate Landscape and Visual Impact Assessment and Heritage Impact Assessment to demonstrate no harm to the Cotswolds National Landscape or the Easton Grey Conservation Area. The access arrangements and impact on neighbour amenity will be other key material planning considerations if the height or footprint of the replacement dwelling is larger than the original. These are all matters that can however be adequately addressed through a careful design process to secure the redevelopment of the property through the construction of a larger and more environmentally efficient dwelling on the plot.

Simon Chambers B.Sc (Hons) MA MRTPI
Director

LPC (Trull) Ltd
Trull
Tetbury
Gloucestershire
GL8 8SQ

19.05.2026