

## **CASE OFFICER'S REPORT**

**Application Reference:** PL/2023/10595  
**Site:** Renshaw Barns, Building 1, Netton, SP4 6FA  
**Date site notice posted:** 19.02.2024  
**Publicity Expired:** 12.03.2024  
**Target Date:** 07.05.2024

### **SITE DESCRIPTION:**

The site is situated in the countryside approximately 250 metres to the east of the small hamlet of Upper Woodford; 200 metres to the north west of the small hamlet of Netton; and 1.5 kilometres to the south of the Small Village of Great Durnford, as defined by Wiltshire Core Strategy (WCS) policies CP1 (Settlement Strategy), CP2 (Delivery Strategy) and CP4 (Amesbury Community Area). It is situated in a Special Landscape Area, as defined by saved Salisbury District Local Plan (SDLP) policy C6. The nearest residential property, Cabbage Cottage, is a Grade II listed building, but is over 100 metres to the east of the site. Whilst the site is not in the immediate vicinity of any rivers; is within Flood Zone 1; and is in an area that is at low risk of ground water flooding, it is situated within the catchment of the River Avon Special Area for Conservation (SAC)

As can be seen in PLAN A below, this site forms part of a wider courtyard of offices that appear to have originally formed an agricultural farmyard. The courtyard is made up of a total of 3, extended buildings. This application concerns Building 1, which is situated on the northern edge of the existing yard. Building 1 is predominantly a single storey, 'T' shaped building which has a 1.5 storey addition extending out centrally, southwards. It consists of 396 square metres of floor space. Until recently this building was in use as an office (formerly Use Class B1, but now Use Class E(g)) by Renshaw UK Ltd (at first floor) and Novum Law Solicitors (at ground floor). The supporting documentation suggests that the building is now vacant and that the 2 previous uses moved out in May 2023 and August 2023, respectively.



The wider site is accessed from 2 access points off Salterton Hill, which defines the northern boundary of the site. An internal road leads from one of the accesses to the other access around Building 1 and also serves Building 3 (which is also a vacant office building that is being considered for a residential use under a separate application: PL/2023/10467). Building 2 in the north eastern corner is currently still in use as offices. The site includes an area of hard standing that wraps around the southern elevation of Building 1. The site is otherwise surrounded by fields/open countryside. The wider courtyard is defined by a mix of cob, brick and railing boundaries.

#### **PROPOSAL:**

This is a prior notification application proposing the change of use of the existing office building known as Building 1, from offices (Use Class E(g)) into a single residential unit (Use Class C3). The application is put forward in line with the provisions of Class MA of Part 3 of Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO), which allows the change of use of commercial, business and service uses to dwellinghouses. The Class MA process has recently been changed and relaxed even further. However as this application was submitted before the new changes came in to force, it has been assessed on the Class MA allowances that were in force at the time of submission.

The plans identify that the new residential use will be laid out with 2 bedrooms, a kitchen diner, snug, living room, study, utility room at ground floor; with a further 3 bedrooms and bathroom facilities at first floor. A total of 3 parking spaces are identified which are to be provided on the existing hard standing area on the western part of the site. A garden area is identified on the eastern half of the site bounded by the access road serving the whole courtyard. No external alterations are proposed to the building.

A Planning Statement accompanies the application, setting out how it is believed that the proposals comply with the criteria in Class MA of the GPDO. During the course of the application the Planning Statement has been corrected to properly identify the buildings in this courtyard. The redline has also been changed to identify the intended curtilage and parking provision to serve the new residential unit; proposed elevations have been submitted; and dimensions have also been identified on the plans as required by Class W. A restart and reconsultation has occurred, as necessary.

#### **RELEVANT PLANNING HISTORY:**

|               |                                                                                                                          |
|---------------|--------------------------------------------------------------------------------------------------------------------------|
| S/2001/0019   | Conversion of existing agricultural buildings to offices storage and workshop. Permission – 09.04.2001                   |
| S/2002/0746   | Revision and alteration of existing approved scheme S/2001/0019 including submission of details. Permission – 24.06.2002 |
| PL/2023/10467 | Prior Approval Part 3, Class MA - Change of Use of a commercial unit to residential use (Building 3). Pending            |

#### **POLICIES:**

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Town & Country Planning (Permitted Development) (England) Order 2015 (as Amended) (GPDO)

#### **PRIOR NOTIFICATION PROCESS:**

Permitted development rights are a national grant of planning permission which allow certain building works and changes of use to be carried out without having to make a planning application. Permitted development rights are subject to conditions and limitations. In some cases the permitted development right will require the Local Planning Authority to approve certain matters (a process generally referred to as 'prior approval').

Class MA of Part 3 of Schedule 2 to the GPDO permits the change of use of a building and any land within its curtilage from a use falling within Use Class E (commercial, business and service) of Schedule 2 to the Use Classes Order, to a use falling within Use Class C3 (dwellinghouses) of Schedule 1 of the Order. As is stated above, this application thus seeks the change of use of the former offices (Use Class E) into a 5 bed, dwelling (Use Class C3) and the application for prior approval has been submitted on that basis to be considered against the provisions of Class MA of the GPDO.

In accordance with Class MA condition MA.2, before beginning the development the applicant is required to apply to the Local Planning Authority for a determination as to whether the prior approval of the authority will be required as to:

- (a) Transport impacts of the development, particularly to ensure safe site access;
- (b) contamination risks in relation to the building;
- (c) flooding risks in relation to the building;
- (d) impacts of noise from commercial premises on the intended occupiers of the development;
- (e) where—
  - (i) the building is located in a conservation area, and
  - (ii) the development involves a change of use of the whole or part of the ground floor, the impact of that change of use on the character or sustainability of the conservation area;
- (f) the provision of adequate natural light in all habitable rooms of the dwellinghouses;
- (g) the impact on intended occupiers of the development of the introduction of residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses; and
- (h) where the development involves the loss of services provided by—
  - (i) a registered nursery, or
  - (ii) a health centre maintained under section 2 or 3 of the National Health Service Act 2006<sup>57</sup>, the impact on the local provision of the type of services lost; and
- (i) where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building.

The provisions of Paragraph W of Part 3 of the GPDO are also relevant to this process as it sets out the requirements for the submission and the procedure for applying for prior approval. It states that the Local Planning Authority must have regard to the National Planning Policy Framework in so far as it is relevant to the subject matter of the prior approval, although there is no requirement to have regard to the development plan in the consideration of such an application.

## **REPRESENTATIONS:**

### **Highways – No Objection**

- The site is located between Netton and Upper Woodford off the classified C292.
- The development site is outside of any development boundary and therefore I will be guided by you as to whether you consider the proposal to be contrary to policies CP57 (xiv), CP60(i) and CP61 of the Wiltshire Core Strategy and the NPPF 2021 paras 104, 105, 110-112 which seek to reduce the need to travel particularly by private car, and support and encourage sustainable, safe and efficient movement of people and goods.
- With regards to the access, the proposal will utilise an existing in and out arrangement through the site.
- Visibility to the West is adequate and to the East falls short of that recommended within DMRB, however the site has an existing use and it is considered that the proposed use would generate less vehicle movements than could be associated with the existing use.
- Therefore should you be minded to support the development, I wish to raise no highway objection provide conditions are imposed to secure the identified parking.

**Public Protection – No Objection subject to Conditions**

- A condition should be attached in relation to contaminated land.

**Durnford Parish Council – No comments received**

**Letters – 1 letter of objection received. The following comments made:**

- This application fails to meet Wiltshire planning core policy.
- Outside Durnford parish development plans .
- Fails to meet highways standards entry/exit on to an unrestricted highway 60mph
- Very small site for the proposed domestic development.

**ISSUES:**

The main considerations which are material to the determination of this application are listed below:

- Whether the proposal constitutes permitted development
- Whether the prior approval of the Local Planning Authority is required

If the proposals are considered to satisfy the provisions of Class MA, this effectively confirms that the proposed conversion of this redundant office into a residential unit is permitted development and does not need planning permission. The principle of the proposed change of use is therefore established. The Local Planning Authority can only consider the acceptability of the detailed scheme against the very limited criteria set out in the Class (above).

**PLANNING ASSESSMENT:**

As is identified above, Class MA of the GPDO confirms that '*Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) of Schedule 2 to the Use Classes Order to a use falling within Class C3 (dwellinghouses) of Schedule 1 to that Order*', is permitted development. Whilst currently vacant, the supporting documentation confirms that the existing building's last use was as offices and this part of the GPDO is therefore applicable to its proposed conversion into a residential unit.

There are also a number of caveats to this general acceptability set out in paragraphs MA.1, MA.2 and MA.3 of this Class. These will also therefore be assessed in more detail below.

**Paragraph MA.1 Permitted Development Criteria:**

Paragraph MA.1 of this Class confirms that Development is not permitted by Class MA unless the following criteria are met.

- (a) *the building has been vacant for a continuous period of at least 3 months immediately prior to the date of the application for prior approval;***

As is identified above, the supporting documentation confirms that the last users of the offices vacated the building in May and August 2023 and that the offices have been vacant ever since. The building has therefore been vacant for a continuous period of at least 3 months prior to the submission of this application and thus this criterion is satisfied.

- (b) *the use of the building fell within one or more of the classes specified in subparagraph (2) for a continuous period of at least 2 years prior to the date of the application for prior approval;***

Subparagraph (2) confirms the classes mentioned in sub-paragraph (1)(b) are -

- (a) *the following classes of the Schedule as it had effect before 1st September 2020—***
- (i) *Class A1 (shops);***
  - (ii) *Class A2 (financial and professional services);***

- (iii) ***Class A3 (food and drink);***
- (iv) ***Class B1 (business);***
- (v) ***Class D1(a) (non-residential institutions – medical or health services);***
- (vi) ***Class D1(b) (non-residential institutions – crèche, day nursery or day centre);***
- (vii) ***Class D2(e) (assembly and leisure – indoor and outdoor sports), other than use as an indoor swimming pool or skating rink);***
- (b) ***on or after 1st September 2020, Class E (commercial, business and service) of Schedule 2)***

The supporting documentation confirms that the building was used as office space (formerly Use Class B1) by Renshaw UK Ltd (at first floor) and Novum Law Solicitors (at ground floor). The former used the offices between 2001 and 31<sup>st</sup> May 2023; whilst the latter used the offices between July 2014 and 31<sup>st</sup> August 2023. The proposals therefore satisfy the requirements of this criterion.

- (c) ***if the cumulative floor space of the existing building changing use under Class MA exceeds 1,500 square metres;***

The current office space that is the subject of this prior approval application consists of 396 square metres of floor space. This is well within this footprint allowances set out in this criterion.

- (d) ***if land covered by, or within the curtilage of, the building—***
- (i) ***is or forms part of a site of special scientific interest;***
  - (ii) ***is or forms part of a listed building or land within its curtilage;***
  - (iii) ***is or forms part of a scheduled monument or land within its curtilage;***
  - (iv) ***is or forms part of a safety hazard area; or***
  - (v) ***is or forms part of a military explosives storage area;***

The site does not form part of a Site of Special Scientific Interest (SSSI). The building is not listed and does not sit within the curtilage of a listed building. The site is not a scheduled ancient monument (SAM) or with the curtilage of a SAM. The site is not within a safety hazard area and does not form part of a military explosive storage area. The proposals therefore comply with the restrictions set out in this criterion.

- (e) ***if the building is within—***
- (i) ***an area of outstanding natural beauty;***
  - (ii) ***an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981;***
  - (iii) ***the Broads;***
  - (iv) ***a National Park; or***
  - (v) ***a World Heritage Site;***

The site and building that is the subject of this application are not in an Area of Outstanding Natural Beauty (AONB); are not in an area specified by the Secretary of State as part of the Wildlife & Countryside Act 1981; and are not in the Broads; a national park; or World Heritage Site (WHS). The proposals therefore also comply with the restrictions set out in this criterion.

- (f) ***if the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained; or***

The supporting documentation has confirmed that the site is not occupied under an agricultural tenancy and therefore the proposals satisfy this criterion.

- (g) ***before 1 August 2022, if—***
- (i) ***the proposed development is of a description falling within Class O of this Part as that Class had effect immediately before 1st August 2021; and***
  - (ii) ***the development would not have been permitted under Class O immediately before 1st August 2021 by virtue of the operation of a direction under article 4(1) of this Order which has not since been cancelled in accordance with the provisions of Schedule 3.***

No applications under Class O of the GPDO have ever been submitted for this site/building and no Article 4 directive has been issued that concerns this site or building. This criterion is also therefore satisfied.

The proposals therefore satisfy the permitted development criteria and can benefit from the provisions of this Class.

**Paragraph MA.2 Prior Approval criteria:**

Paragraph MA.2 of the Class confirms that before any such development occurs the developer must apply to the Local Planning Authority for a determination as to the potential impacts of the development on transport; contamination; flooding; noise; and conservation areas. It also confirms that such development must be assessed with regard the amount of natural light that is afforded to the new unit/s; any potential conflict between uses if the new residential development is to be introduced into a wider industrial site; if the proposals involve the loss of important services; and whether it meets fire safety requirements. This paragraph also confirms that such a prior notification application must not be submitted prior to 1<sup>st</sup> August 2021 and states that Class W of the GPDO is relevant to the Local Planning Authority's prior approval considerations.

Paragraph MA.2 confirms that any such successful prior notification development must be completed within a period of 3 years starting with the prior approval date; and that any building permitted to be used as a dwellinghouse under this Class must remain in use as a dwellinghouse within the meaning of Class C3 of Schedule 1 to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the use as a dwellinghouse.

Paragraph MA.3 provides interpretations of fire safety for the MA.2 assessment.

In considering whether prior approval is required, the Local Planning Authority must have regard as to whether the development would result in an adverse impact for the following matters:

**(a) *transport impacts of the development, particularly to ensure safe site access:***

As is identified above, the site is situated in the countryside, well away from any defined settlement and is thus in an unsustainable location. However as is also identified above, the Development Plan policies are not relevant to the determination of this application and it is clear that this Class adds a presumption that the change of use from vacant offices, regardless of their location, into a residential use is permitted development subject to the detail. The fact that the existing office is in a countryside location is not therefore relevant to the acceptability (or not) of this proposal. In any event the only reason that an office exists in this location is because it involved a conversion of a former agricultural building that was suitable and capable of conversion. This in itself is a sustainable reuse of a building and was thus found to be acceptable even in this location.

The proposed access to the site off Salterton Hill remains unchanged and the parking area to the side of the building has sufficient space to provide 3 onsite parking spaces to serve the site. The Highway Authority has also confirmed that whilst the existing access does not have sufficient visibility in an easterly direction, given that the level of traffic generated by the new use is likely to be less than that generated by the former uses, it is not considered that the continued use of the

existing access for this new purpose will result in any additional impact in terms of highway safety. The level of parking proposed is also sufficient to serve the intended use and meets the Council's adopted parking standards for the size of house proposed. No objections have therefore been raised in this regard accordingly and it is not considered that the prior approval of the Local Planning Authority is required in respect of potential transport impacts.

**(b) *contamination risks in relation to the building:***

Given the nature of the former use it is not considered that the change of use of the existing office space and part of the wider courtyard to a dwelling with associated curtilage will result in any implications for contamination and there are no known contamination risks associated with the building. No objections have therefore been raised in this regard and it is not considered that the prior approval of the Local Planning Authority is required in respect of potential contamination risks. A condition is however to be attached to the decision regarding what is required should unexpected contamination be found during the course of the construction phase.

**(c) *flooding risks in relation to the building:***

As has been identified above, the site itself is situated wholly in Flood Zone 1 and in an area that is at low risk of ground water flooding. The site is also under 1 hectare in size. The proposals also involve a straight conversion of the building with no extensions/alterations identified. It is therefore considered that the prior approval of the Local Planning Authority is not required in respect of potential flooding risks.

**(d) *impacts of noise from commercial premises on the intended occupiers of the development;***

The proposals involve the conversion of one of three buildings within this courtyard for residential purposes. Building 3 is currently vacant and is also being considered for residential use under separate measure (under ref: PL/2023/10467). Building 2 is still in use as offices (Use Class E(g)) but such a use is considered to be a compatible use for a residential area. It is not therefore considered that the proposals will result in or be adversely affected by any particular noise issue from the adjacent/retained offices in this shared courtyard. It is therefore considered that the prior approval of the Local Planning Authority is not required in respect of potential noise impacts.

**(e) *where—***

- (i) *the building is located in a conservation area, and***
- (ii) *the development involves a change of use of the whole or part of the ground floor, the impact of that change of use on the character or sustainability of the conservation area;***

The site is not situated in a conservation area and as such this criterion is not considered to be applicable to the consideration of this scheme.

**(f) *the provision of adequate natural light in all habitable rooms of the dwellinghouses;***

As can be seen in PLAN B and the pictures in PHOTO A below, the existing building benefits from fenestration on all elevations at both ground and first floor. The internal layout identified shows all habitable rooms will be served by at least 1 window or rooflight and therefore all habitable rooms will have adequate natural light and satisfy this criterion. It is therefore considered that the prior approval of the Local Planning Authority is not required in respect of any issue in terms of natural light provision.



**PLAN B – Proposed Floor Plan**



**PHOTO A – Elevations of Building 1**

- (g) the impact on intended occupiers of the development of the introduction of residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses; and**

As is identified above, the site is situated in the countryside in an established but small scale courtyard of offices. The existing courtyard is not designated as an important employment area in the WCS and the only occupied building is in a E(g) use which is compatible with a residential use. This criterion is therefore met and it is not considered that the prior approval of the Local Planning Authority is required in respect of the protection of important employment sites..

- (h) where the development involves the loss of services provided by—**  
**(i) a registered nursery, or**  
**(ii) a health centre maintained under section 2 or 3 of the National Health Service Act 200657 , the impact on the local provision of the type of services lost; and**

As is identified above, this site was last used for offices in 2023. The current site is vacant. The proposals will not thus result in the loss of nursery or health care services.

- (i) ***where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building.***

The proposed change of use is not likely to result in an additional fire safety impact for the future occupants of the building.

**Other Matters:**

The procedural notes for permitted development, in clause 3 of the GPDO raises a few other matters that are also relevant to this prior notification application:

- (1) Subject to the provisions of this Order and regulations 75 to 78 of the Conservation of Habitats and Species Regulations 2017 (general development orders), planning permission is hereby granted for the classes of development described as permitted development in Schedule 2.**

As is identified above, this site falls within the catchment of the River Avon SAC and thus has potential to cause adverse effects, alone or in combination with other developments, through discharge of phosphorus in wastewater. The site is also within the recreational buffer of the New Forest SAC, SPA and RAMSAR sites and thus the creation of a new household in this area has potential to increase pressure on these designations. The provisions of the Conservation of Habitats and Species Regulations 2017 (as amended) (Habitat Regulations) are therefore relevant to the development, regardless of the outcome of this application.

However as is identified above, the matters of ecology and protected species are not issues that are identified in the Class MA criteria for consideration as part of the prior notification process. It is also not appropriate to insist that the applicant instead applies for planning permission on this matter.

However this part of the overall GPDO makes it clear that permitted development rights do not override the requirements of the Conservation of Habitats and Species Regulations (the Habitats Regs) and that Regulations 75-78 still apply. The Habitats Regs address the requirements for protecting sites that are internationally important for threatened habitats and species (for example, as is relevant in this instance, SACs and SPAs (often referred to as European Sites). This includes a requirement for assessment of 'plans and projects' by 'the competent authority' (e.g., the local planning authority) which are likely to have a significant effect on the sites.

Regulation 75 of the Habitats Regs states that it is a condition of any planning permission granted by the GPDO made on or after 30 November 2017 for development which is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and which is not directly connected with or necessary to the management of the site, must not be begun until the developer has received written notification of the approval of the local planning authority under Regulation 77. Essentially the purpose of Regulation 75 is to, therefore, ensure that, when necessary, permitted development is subject to Appropriate Assessment in the same way as development requiring a planning application.

Regulation 77 sets out the process for applying for the written approval of the local planning authority as to whether the development is likely to have an adverse effect upon the integrity of a European Site. It states that an application to the local planning authority for approval, must be made with a relevant fee paid. This process is outside of the Class MA considerations and is undertaken separately to the Class MA Prior Notification Procedure.

This part of the GPDO however confirms that the approved permitted development cannot be lawfully commenced until the application under Regulation 77 of the Habitats Regs has been made and approved by the local planning authority. Therefore, and although a Prior Notification application can be approved without the Appropriate Assessment taking place, the commencement of the development cannot lawfully happen until the separate application under Regulation 77 is approved. An informative will therefore be attached to the decision to draw this requirement to the applicant's attention.

**(9A) Schedule 2 does not grant permission for, or authorise any development of, any new dwellinghouse—**

- (a) where the gross internal floor area is less than 37 square metres in size; or**
- (b) that does not comply with the nationally described space standard issued by the 35 S.I. 2010/490. Commented [S19]: Replaced by 2017 No. 1012 (Page 12 of 266) Department for Communities and Local Government on 27th March 201536 .**

**(9B) The reference in paragraph (9A) to the nationally described space standard is to that standard read together with the notes dated 19th May 2016 which apply to it.**

In this instance, the existing building is to be converted into a 5 bedroom dwelling. All bedrooms are shown to be double bedrooms and so the dwelling is identified as a 5 bed, 10 person unit. The dwelling is to measure approximately 396 square metres in footprint. The National Described Space Standards (NDSS) require 5 bed, 8 person, two storey dwellings to have at least 128 square metres of floor space. This appears to go up by approximately 10 square metres per additional person and so there is a requirement for at least 148 square metres to be provided in this unit. The proposals therefore meet the size standards for such a size of unit and are acceptable in this regard.

#### **CONCLUSION:**

The proposed development is considered to comply with all of the criteria set out in paragraph MA.1 of Class MA of the GPDO, thereby making it development that *could* benefit from this permitted development provision. Furthermore it is considered that subject to conditions, the proposals will also satisfy the requirements of Class MA, paragraphs MA.2 and MA.3; and Clause 3 – Permitted Development of the GPDO, thereby confirming that prior approval of the Local Planning Authority is not required for the proposed works.

#### **RECOMMENDATION:**

Prior Approval Not Required subject to Conditions

- 1) The scheme hereby assessed must be completed in full within a period of 3 years starting with the date of this prior approval

REASON: To comply with the provisions of Condition 5 of MA.2 of Class MA of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended)

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:

Plan Ref: Building 1 Location Plan. Received – 07.12.2023

Plan Ref: 0344 D 05 Rev P1 – General Arrangement West & East Building 1 Elevations/Sections As Proposed. Received – 12.03.2024

Plan Ref: 0344 D 06 Rev P1 – General Arrangement Long North Elevation/Section As Proposed. Received – 12.03.2024

Plan Ref: 0344 D 10 Rev P1 – General Arrangement Ground Floor Plan Building 1 As Proposed. Received – 09.02.2024

Plan Ref: 0344 D 11 Rev P1 – General Arrangement First Floor Building 1 Plan As Proposed. Received – 09.02.2024

Plan Ref: 0344 D 12 Rev P1 – General Arrangement Roof Plan Building 1 As Proposed. Received – 07.12.2023

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

- 3) No part of the development hereby permitted shall be first occupied until the 3 parking spaces have been completed in accordance with the details shown on the approved plans (0344 D 10 Rev P1). The areas shall always be maintained for those purposes thereafter and maintained free from the storage of materials.

REASON: In the interests of highway safety.

- 4) In the event that contamination is found at any time when carrying out the approved development, which was not previously identified, all work should cease and it should be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment should be undertaken and where remediation is necessary, a remediation scheme should be prepared and submitted to and approved in writing by the Local Planning Authority. The development shall recommence in accordance with the agreed details.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

## INFORMATIVES

- 1) The applicant is reminded that the development hereby agreed is subject to a number of conditions regarding commencement; any subsequent operational development; and future uses, as set out in the supporting paragraphs of Class MA and W of Part 3 of Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (As amended).
- 2) The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website [www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy](http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy)
- 3) The Applicant is reminded that the site is situated within the catchment of the River Avon Special Area for Conservation and Salisbury Plain Special Protection Area and has potential to have an adverse effect upon the integrity of these European sites. This means that the development

hereby assessed as being permitted development cannot be lawfully commenced until the local planning authority, along with the appropriate nature conservation body, has made an Appropriate Assessment of the implications for the European site(s) under the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (Habitat Regulations) and has confirmed that the proposals will not adversely affect the integrity of the site(s). It is therefore advised that the Applicant should consult with Natural England about the scheme and following their agreement, submit an application under Regulation 77 of the Habitat Regulations to the local planning authority for consideration and approval.