

Development Management
Wiltshire Council
Bourne Hill
Salisbury
SP1 3UZ
developmentmanagement@wiltshire.gov.uk
By email only

26th January 2026

Dear Sir / Madam,

Regulation 77 of the Conservation of Habitats and Species Regulations (2017)

Barn at Forwynds, Tytherley Road, Winterslow, SP5 1PZ

We write to make an application under Section 77 of the Conservation of Habitats and Species Regulations (2017) in relation to a development at Agricultural Building to rear of Forwynds, Tytherley Road, SP5 1PZ.

The development this application relates to is for:

- Prior Approval for the change of use and conversion of agricultural building to 1 x dwelling under Part 3, Schedule 2, Class Q of the GPDO (2015) (as amended), granted on 22nd January 2026 (LPA Ref: PL/2025/08124 - Decision Notice at **Appendix A**)

The Solent Special Area of Conservation (SAC) Catchment

This development falls within the catchment of the River Test and has potential to cause adverse effects alone or in combination with other developments through discharge of nitrogen in wastewater.

The applicant proposes to install a HydroClear PTP at the site (PTP performance details at **Appendix B**). A nutrient budget has been submitted with this application (**Appendix C**), using the specific PTP values and the Solent Marine Sites Neutrality Calculator. Due to the existing use of the land for the keeping and breeding of poultry, the nutrient calculator shows that there will be an overall nutrient benefit with a net reduction in the nitrogen load to mitigate.

Mottisfont Bat Special Area for Conservation (SAC)

The site lies within 7.5 kilometres of the Mottisfont Bat Special Area for Conservation and is adjacent to a known bat roost. A Bat Report was produced by Pro Vision in September 2025 and accompanies this application.

The phase two surveys confirmed that no bats were recorded emerging from the application building. Whilst the shed located adjacent to the site has been identified as a day roost for common pipistrelle, this building is not subject of the current application. Any works to this building would require further surveys and a Natural England EPSM licence.

Precautionary avoidance measures have been recommended to ensure that internal and external lighting will not disturb foraging and commuting bats.

Conclusions

Given the above, the LPA can be certain that the development will not result in harm to the integrity of the protected sites and the application can be approved.

Should you require any further information to make your determination, please do not hesitate to contact me.

Yours faithfully

Oscar Heasman BA (Hons) MSc MRTPI

Planner

01722 638 008

oscar@atlasplanninggroup.co.uk

Enc:

Appendix A - Decision Notice PL/2025/08124

Appendix B - HydroClear PTP Performance Certificate

Appendix C - The Solent Nutrient Neutrality Calculator

Appendix D - Bat Report (Pro Vision September 2025)





**The Town and Country Planning (General Permitted Development)
(England) Order 2015 (as amended)**

**Prior Approval Granted – Part 3, Class Q: Agricultural buildings to
dwellinghouses**

Application Reference Number: PL/2025/08124

Decision Date: 22/01/2026

Applicant:	Mr Gamet C/O Agent - Atlas Planning Group, Bodenham House Barn, Bodenham, Salisbury, Wiltshire, SP5 4EN
Particulars of Development:	It is proposed that the agricultural building is converted to a single Use Class C3 dwellinghouse under Schedule 2, Part 3, Class Q of the General Permitted Development Order 2015 (as amended)
At:	BARN AT FORWYNDS, TYTHERLEY ROAD, WINTERSLOW, SP5 1PZ

I refer to your application for a determination as to whether the prior approval of the local planning authority will be required for this development. The local planning authority has determined in this case that the proposals satisfy all of the criteria listed in Class Q of Part 3 of Schedule 2 of the Town & Country Planning (General Permitted Development)(England) Order 2015 (as amended) and they do therefore constitute permitted development.

It is also considered that the **Prior Approval Is GRANTED** subject to the following 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 and must comply with all other conditions set out in Paragraph Q.2 of Class Q of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended)

REASON: To comply with the provisions of Condition 3 of Q.2 of Class Q 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:

Ref: 0996/Ex/01 Rev A – Existing Location Plan & Site Plan. Received – 05.11.2025

Ref: 0996/Pr/01 Rev C – Proposed Plan & Elevations. Received – 03.11.2025

Ref: 20251a Rev A – Visibility Splay. Received – 09.01.2026

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 turning area & parking spaces [1] have been completed in accordance with the details shown on the approved plans. 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 No part of the development hereby permitted shall be occupied until the first 5m of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter for the lifetime of the development.

REASON: In the interests of highway safety.

- 5 The existing access track serving the site shall remain ungated.

REASON: In the interests of highway safety.

- 6 No part of the development hereby permitted shall be occupied, until the visibility splays shown on the approved plans have been provided with no obstruction to visibility at or above a height of 900mm above the nearside carriageway level. The visibility splays shall always be maintained free of obstruction thereafter for the lifetime of the development.

REASON: In the interests of highway safety.

- 7 The former agricultural use of the site/building may have given rise to potential sources of land contamination e.g. fuel oil, vehicles, asbestos, pesticides or herbicides. In the event that contamination is encountered at any time when carrying out the development hereby permitted, the Local Planning Authority must be advised of the steps that will be taken by an appropriate contractor to deal with contamination and provided with a written remedial statement to be followed by a written verification report that confirms what works have been undertaken to render the development suitable for use. Such works shall be carried out before the development is occupied.

REASON: In the interests of Wiltshire Core Strategy policy CP56 (Contaminated Land), to reduce the risks associated with land contamination.

Informative

- 1 The Applicant is reminded that the site is situated within the catchment of the River Test, which drains into the Solent and is protected by a number of international designations; it is also within 13.8 kilometres of the New Forest protected sites; within 7.5 kilometres of the Mottisfont Bat Special Area for Conservation; and is adjacent to a known bat roost. The proposals therefore have potential to have an adverse effect upon the integrity of these International and European important designations and protected species. 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 identified designations 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.

Informative

- 2** The applicant should note that in order to access the site with a mechanically propelled vehicle (MPV), they will require a private right of vehicular access over the adjacent public right of way. Without this private right they would be committing an offence under Section 34 of the Road Traffic Act 1988. The granting of planning permission does not give the applicant or householder a vehicular right of access over the footpath. The applicant is advised to take legal advice to ensure they have a right of access.

Informative

- 3** The applicant should note that no construction / demolition vehicle access may be taken along footpath WSLO70 without prior consultation with the Rights of way Countryside Access Officer (CAO). Where appropriate any safety/mitigation/reinstatement measures must be approved by the CAO. It is an offence under section 131A of the Highways Act 1980 to disturb the surface of a public right of way without lawful authority to do so. The Highway Authority have the power to take enforcement action as necessary.

Informative

- 4** The applicant should note that it is a criminal offence to obstruct a public right of way under section 137 of the Highways Act 1980 and therefore no materials, plant, temporary structures or excavations of any kind should be deposited / undertaken which obstruct or adversely affect the public right of way WSLO70 whilst development takes place, without prior consultation with, and the further permission of, the highways authority at Wiltshire council.

Informative

- 5** The applicant should note that no gates or stiles should be erected across the public right of way without prior consultation and approval from the Countryside Access Officer (contact: rightsofway@wiltshire.gov.uk). Unauthorised structures across a right of way are an obstruction and gates may only be authorised for the control of stock under section 147 of the Highways Act 1980.

Nic Thomas- Director of Planning, Economy and Regeneration

B

TREATMENT PERFORMANCE RESULTS

Clarehill Plastics Ltd.

21 Clarehill Road, BT670PB, Moira, County Armagh, Great Britain

EN 12566-3

Results corresponding to EN 12566-3 and S.R. 66

PIA-SR66-1603-1039

HydroClear

Biological aerated moving media process

Nominal organic daily load	0.38 kg/d		
Nominal hydraulic daily load	1.20 m ³ /d		
Material	Polyethylene		
Watertightness	Pass		
Structural behaviour (Pit Test)	Pass (also wet conditions)		
Durability	Pass		
Treatment efficiency (nominal sequences)		Efficiency	Effluent
	COD	91.2 %	59 mg/l
	BOD ₅	96.6 %	11 mg/l
	NH ₄ -N	85.8 %	4.5 mg/l
	SS	94.7 %	19 mg/l
Number of desludging	Not more than once		
Electrical consumption	1.8 kWh/d		

Performance tested by:

PIA – Prüfinstitut für Abwassertechnik GmbH

(PIA GmbH)

Hergenrather Weg 30

52074 Aachen, Germany

This document replaces neither the declaration of performance nor the CE marking.



Notified Body
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ISO 9001:2008



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Prüfinstitut für Abwassertechnik GmbH
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Elmar Lancé

July 2016