



The Town and Country Planning Act 1990
Approval of Full Planning Permission with Conditions
Application Reference Number: PL/2025/04603
Decision Date: 30/01/2026

Applicant:	Brambles Outdoor Nursery Group Kennels, Battlesbury Road, Warminster, Wilts, UK, BA12 0DL
Particulars of Development:	Change of use of land from kennels (sui generis) to nursery (Class E) and associated development.
At:	Kennels, Battlesbury Road, Warminster, BA12 0DL

In pursuance of its powers under the above Act, the Council hereby **GRANT PLANNING PERMISSION** for the above development to be carried out in accordance with the application and plans submitted (listed below).

In accordance with paragraph 39 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

Subject to the following conditions:

- 1** The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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

Proposed Elevations PTAD/140325/03 (21 May 2025)
Proposed Drainage Plan PTAS/140325/05 (21 May 2025)
Proposed Floor & Roof Plans PTAD/140325/05 (21 May 2025)
Proposed Parking and Landscape Plan PTAD/140325/06 (21 May 2025)
Location Plan PTAS/140325/01 (21 May 2025)
Arboricultural Report (21 May 2025)
Planning Statement (21 May 2025)
Bat & Reptile Survey (24 September 2025)

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

- 3 The development will be carried out in strict accordance with Section 5.2 (precautionary mitigation for bats) and Section 4.3 (reptile mitigation) of the Bat and Reptile Survey, Aluco Ecology, (24 September 2025)

REASON: For the avoidance of doubt and for the protection, mitigation and enhancement of biodiversity.

- 4 Prior to the nursery being brought into use, details of the number, design and locations of ecological enhancements – such as reptile hibernacula and roosting opportunities for bats – shall be submitted to and approved in writing by the local authority. The approved details shall be fully implemented before the nursery is first brought into use/occupied.

REASON: To provide mitigation/enhancement for biodiversity.

- 5 Before any external groundworks commence or before first occupation of the nursery use (whichever is sooner), a Drainage Verification and Actions Plan identifying the existing surface water and foul drainage arrangements serving the site, including: locations of pipes, chambers and outfalls; whether surface water infiltrates on site or discharges to the public system; and the condition of principal components following a proportionate CCTV/condition survey shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include:

a) Exceedance & Management:

An exceedance route plan showing how overland flows would be directed within the site in the event of blockage, surcharge or intense rainfall, demonstrating that flood risk to buildings and users is not increased.

b) Actions (if required):

Where there are identified defects or where the existing arrangement is unsuitable (including due to groundwater interaction), include only those proportionate remedial or betterment measures necessary to ensure the development does not increase flood risk on or off-site (e.g. repair of pipework, replacement of an ineffective soakaway with an appropriate alternative, minor flow control, or local re-grading to maintain exceedance routing).

c) Maintenance:

Provide a concise maintenance schedule for any retained or remedial drainage features, identifying the responsible party for the lifetime of the development.

The development shall be carried out and thereafter operated in accordance with the approved details.

REASON: To ensure surface water and foul drainage are correctly identified, serviceable and managed so that flood risk is not increased on- or off-site, having regard to the site's groundwater flood risk screening and the absence of new impermeable area.

- 6 The use of the nursery shall not commence until written confirmation has been submitted to and approved in writing by the Local Planning Authority that the foul water connection(s) from the site to the public sewer are acceptable to the sewerage undertaker (Wessex Water), including any requirements for connection method and capacity.

REASON: To ensure adequate foul drainage capacity is available and to prevent sewer surcharge and related flood risk prior to the site becoming operational.

- 7 No external light fixture or fitting will be installed within the application site unless details of existing and proposed new lighting have been submitted to and approved by the Local Planning Authority in writing. The submitted details will demonstrate how the proposed lighting will impact on bat habitat compared to the existing situation. The plans will be in accordance with the appropriate Environmental Zone standards set out by the Institution of Lighting Professionals (ILP) Guidance Notes on the Avoidance of Obtrusive Light (GN 01/2021) and Guidance note GN08/23 "Bats and artificial lighting at night", issued by the Bat Conservation Trust and Institution of Lighting Professionals.

REASON: To avoid illumination of wildlife-sensitive habitats, including habitat used by bats.

Informative

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Wiltshire Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. For further information on exempt developments please refer to:

<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

Nic Thomas - Director of Planning, Economy and Regeneration

NOTES

- 1 **Other Necessary Consents.** This document only conveys permission for the proposed development under Part III of the Town and Country Planning Act 1990 and the applicant must also comply with all the byelaws, regulations and statutory provisions in force in the area and secure such other approvals and permissions as may be necessary under other parts of the Town and Country Planning Act 1990 or other legislation.
 - 1.1 the need in appropriate cases to obtain approval under Building Regulations. **(The Building Regulations may be applicable to this proposal. Please contact the Council's Building Control team before considering work on site);**
 - 1.2 the need to obtain an appropriate order if the proposal involves the stopping up or diversion of a public right of way or other highway (including highway verge);
 - 1.3 the need to obtain a separate "Listed Building Consent" to the demolition, alteration or extension of any listed building of architectural or historic interest;
 - 1.4 the need to make any appropriate arrangements under the Highways Act 1980, in respect of any works within the limits of a highway. The address of the Highway Authority is County Hall, Trowbridge, BA14 8JD (It is the responsibility of the applicant to ascertain whether the proposed development affects any listed building or public right of way / other highway, including highway verge).
- 2 **Appeals.** If the applicant is aggrieved by the decision of the local planning authority to grant permission subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of this decision. (Information and forms relating to the appeals process can be found at the Planning Portal - <http://www.planningportal.gov.uk/planning/appeals>).
- 3 **Climate Change.** Wiltshire Council acknowledges the climate emergency and is seeking to make the county carbon neutral. You are encouraged to include energy efficiency that exceeds building regulations and to meet residual energy demand through renewable energy and low-carbon technologies, including high levels of electric vehicle charging points. The developer is encouraged to contact the climate team to discuss this further. climate@wiltshire.gov.uk
- 4 **CIL.** 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. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website [Community Infrastructure Levy \(CIL\) - Wiltshire Council](#)