

TROWBRIDGE AND WESTBURY BAT MITIGATION STRATEGY

Recreational Impacts Mitigation Contribution for the GREY HATCHED RECREATIONAL PRESSURE ZONE

AGREEMENT UNDER S.111 of LOCAL GOVERNMENT ACT 1972

Please submit a signed copy of this agreement with your planning application or on request from the Council. Failure to do so could delay the determination of your planning application.

Guidance notes for this agreement are available on the Council's website and should be referred to before completing the form below.

To Development Management
Wiltshire Council
County Hall
Bythesea Road
Trowbridge
Wiltshire
BA14 8 JQ

1. Application Details

Date	2.3.26	
Application reference number: (if known)		PL/2025/08416
Address of property	GREENACE BARN LOWER WESTBURY RD BRATTON BA13 4RH	
Description of development	6 B&O CHALET BUNGALOW	
Full Name(s) of applicant(s) (add contact name if applicant is an organisation)	MARY DAVID POPE	
Correspondence address of applicant	DAN-Y-BRYN UPPER GARSTON LANE BRATTON WESTBURY WILTS BA13 4SN	
Number of new dwellings / residential	1	

units within the grey hatched recreational pressure zone £925 per dwelling/unit	
Recreational Impacts Mitigation Contribution [Number of units x £925] Cost centre – 71025	£925.00
Section 111 Legal Admin Fee Legal Admin Fee £275 (five properties or less) or £375 (between six and ten properties) Cost centre – 90210 7D16	£275.00
Total fee	£1200.00

2. Applicant's agreement

2.1 I hereby acknowledge and agree that:

2.1.1 I will pay the Recreational Impacts Mitigation Contribution towards the delivery of strategic recreational pressure mitigation measures as set out in the *Trowbridge and Westbury Bat Mitigation Strategy* (Wiltshire Council, 9th July 2025) on receipt of the relevant invoice and prior to determination of the Application.

2.1.2 I have read the *Trowbridge and Westbury Bat Mitigation Strategy* (Wiltshire Council, 9th July 2025 as may be amended from time to time) and I am making this payment as contribution to mitigation of the significant effect of the development set out in the Application on the Bath and Bradford-on-Avon Bats Special Area of Conservation and functionally and demographically linked habitats as referred to by the Strategy.

2.1.3 This contribution has been made pursuant to Conservation of Habitats and Species Regulations 2017 (as amended) and Section 111 of the Local Government Act 1972.

2.1.4 I have been informed of the opportunity to complete a unilateral planning obligation in accordance with Section 106 Town and Country Planning Act 1990 to make the Recreational Impacts Mitigation Contribution when development commences, and I have chosen to make the direct payment as an expeditious alternative to relying on such a unilateral planning obligation.

2.2 I understand that:

2.2.1 No refund of this Recreational Impacts Mitigation Contribution will be made unless the Application does not receive approval (whether or not with conditions) or is withdrawn.

2.2.2 In respect of any refund including where the Application is withdrawn, I acknowledge that:

2.2.2.1 The total amount refunded will be the sum of the original Recreational Impacts Mitigation Contribution payment.

2.2.2.2 No interest will accrue to be refunded.

2.2.2.3 No refund will be made until the period for appeal has passed without an appeal being made or an appeal has been dismissed or six months has elapsed since the date of withdrawal

2.2.2.4 If an appeal against refusal is made and is allowed by the Planning Inspectorate no refund will be made.

2.2.3. Refunds will only be made if a request for a refund is received in writing (sent to cilands106@wiltshire.gov.uk) and made within 12 months of the date of determination of the application (but not before the period set out under 2.2.2.3) or within 12 months of the date of any appeal decision, whichever is the later.

2.2.4 If the planning permission is varied by a section 73 application or amended, then the contribution may be used to cover the *Trowbridge and Westbury Bat Mitigation Strategy* (Wiltshire Council, 9th July 2025) contribution due for that application.

3. Wiltshire Council's Agreement

3.1 In consideration of the Applicant's agreement, Wiltshire Council will apply the Recreational Impacts Mitigation Contribution in accordance with the *Trowbridge and Westbury Bat Mitigation Strategy* (Wiltshire Council, 9th July 2025, as may be amended from time to time).

3.2 For the avoidance of doubt, this Agreement does not: (i) constitute advice on the merits of the Application or the viability of the development referred to in the Application, (ii) guarantee that the Application will be successful or that objections or conditions will not be made, or (iii) bind or commit Wiltshire Council in any way in respect of any planning application.

General

This legally binding agreement shall be governed by the laws of England and each party submits to the exclusive jurisdiction of the English courts.

Signature of applicant



--- (digital signature is acceptable)

Application reference number PL/2025/08416

Received on behalf of Wiltshire Council

Teresa Cain, for and on behalf of Perry Holmes, Solicitor to the Council, Wiltshire Council

By (authorised officer)

Of Legal Services (name of department)

on 10 April 2026 (date)

This receipt signifies the agreement on behalf of Wiltshire Council to this s.111 Agreement.

A copy signed by both the applicant and on behalf of the Council will be sent to the applicant. Please retain the copy for your records as it is an important legal document.
Version 06/06/23