

APPLICATION FOR FULL PLANNING PERMISSION

DELEGATED REPORT

APPLICATION REFERENCE:	PL/2026/01352
APPLICATION TYPE:	Full planning permission
SITE ADDRESS:	Elmsleigh, Pettridge Lane, Mere, Warminster, BA12 6DG
DEVELOPMENT DESCRIPTION:	Demolish outbuildings and lean-to, form new vehicular access and erect two storey dwelling
RECOMMENDATION:	That Planning Permission be GRANTED

PROPOSAL

Full planning permission is sought for the subdivision of the existing garden land located east of Elmsleigh, Pettridge Lane to facilitate the erection of one 3 bedroom detached dwelling.

The application site extends to approximately 650 square meters and currently forms part of the domestic curtilage of Elmsleigh. The site consists of various outbuildings which are proposed to be demolished to accommodate the proposal. The proposal would result in the creation of an additional residential plot within Mere's settlement boundary with Elmsleigh retaining a reduced garden area.

The proposed dwelling's access is proposed to be from the existing access to the site, with Elmsleigh proposed to use a new access from the highway.

SITE DESCRIPTION/CONTEXT

The application site comprises garden land located to the east of Elmsleigh, a two-storey detached dwelling. The land is in residential use and consists of outbuildings associated with Elmsleigh. Access to Elmsleigh is through a gated front driveway sloping up from the highway. Pettridge lane comprises dwellings with mixed characteristics.

The site is located within the settlement boundary of Mere which is categorised as a Local Service Centre by the Wiltshire Core Strategy. The site is located on Flood Zone 1, with no risk to groundwater or surface area flooding as per the data on the SFRA. The application site lies outside the conservation area of Mere and is an unlisted dwelling that is believed to be built in the Victorian period.

The site is bordered by detached residential dwellings on the north, east, and southeast and by the highway on the southwest.

PLANNING HISTORY

An application with reference: PL/2025/08412 for similar development was submitted and subsequently withdrawn. This current application proposes a revised scheme which will be discussed below.

Development Plan:

The development plan for Wiltshire comprises the *Wiltshire Core Strategy (WCS)* (adopted January 2015) and any made neighbourhood plans, which remains the principal statutory planning document guiding development across the county. In line with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise.

Though the development plan is considered as a whole, those parts deemed to be particularly relevant to this application are listed below:

The adopted *Wiltshire Core Strategy (WCS)*, with particular regard to:

- Core Policy 1 Settlement Strategy;
- Core Policy 2 Delivery Strategy;
- Core Policy 3 Infrastructure Requirements;
- CP17 Spatial Strategy: Mere Community Area
- Core Policy 45 Meeting Wiltshire's Housing Needs;
- Core Policy 50 Biodiversity and Geodiversity;
- Core Policy 51 Landscape
- Core Policy 52 Green Infrastructure
- Core Policy 57 Ensuring High Quality Design and Place Shaping;
- Core Policy 58 Ensuring the Conservation of the Historic Environment;
- Core Policy 60 Sustainable Transport;
- Core Policy 61 Transport & Development;
- Core Policy 64 Demand Management
- Core Policy 67 Flood Risk.

Draft Wiltshire Local Plan Policies

- Policy 1: Settlement Strategy
- Policy 2: Delivery Strategy
- Policies 42: Salisbury Rural Area Strategy
- Policies 76 – 84: Social, housing, community, public open space and wellbeing
- Policies 85 – 101: Sustainability, ecology, water and landscape, heritage, air quality

The above are currently the strategic policies within the emerging Local Plan. The Wiltshire Local Plan review is advancing through its preparatory stages and is currently being examined. In accordance with the advice set out in paragraph 49 of the NPPF, the emerging Plan is capable of carrying weight in decision-making

Supplementary Planning Documents and other Guidance:

- Wiltshire Design Guide (adopted April 2024)
- Wiltshire Local Transport Plan 2011-2026, adopted 2015 - including the Car Parking Strategy and Cycling Strategy, adopted 2015

CONSULTATION RESPONSES

Mere Town Council: None received.

Highways: No Objection – subject to conditions:

I note the proposed new dwelling located within the existing residential curtilage of Elmsleigh. The new dwelling will utilise the existing vehicular access from Pettridge Lane, with the existing dwelling using a newly formed access, also from Pettridge Lane, further South within the property frontage. This submission is a resubmission of the previously Withdrawn PL/2025/08412, with the access and parking matters unaltered from the previous submission.

As a result, I adhere to my previous recommendation for PL/2025/08412, that no Highway objection is raised, subject to the following conditions and informatives being attached to any permission granted.

Ecology: No Objection – subject to conditions.

REPRESENTATIONS

Two neighbour comments have been received.

One neighbour raised concerns relating to highway safety and access with regards to the wider area, the neighbour highlights concerns regarding the limited width of Pettridge Lane and the ability for vehicles, including larger vehicles, to pass safely. Reference is made to the cumulative impact of traffic from surrounding residential development and to previous refusals in the area which cited highway access and capacity constraints.

The second neighbour has objected to the second access point to the application site. Their comments note: *Pettridge Lane has a very heavy traffic burden (which will only increase as further building is planned below Edge Bridge) The road is particularly narrow at this point with a very narrow footpath. This is dangerous for both drivers and pedestrians. No two large vehicles can pass without being forced on to the pavement or onto private land. Vehicles accessing to the road on either side at this point have extreme difficulty due to lack of visibility from either direction and a further driveway would only add to the danger. The second dwelling should share the exit already there.*

ISSUES

The main issues that need to be addressed in this case include:

- Whether the development is acceptable in principle (CP 1 and 2)
- Whether the scheme constitutes high quality design (CP 57)
- Whether the scheme would have an acceptable impact upon the reasonable living conditions of the adjoining occupants (CP 57)
- Whether the proposal would have a negative effect upon highway safety, including if there is sufficient parking for the proposed development (CP 61 and 64)
- Whether the site can be adequately drained without increasing flood risk elsewhere (CP 67)
- Whether there would be any harmful impacts upon protected species or priority habitats (CP 50)

ASSESSMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:

"If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise."

In accordance with this statutory requirement, this application has been assessed against the relevant policies of the Development Plan, including the adopted Wiltshire Core Strategy (2015) and, where applicable, any made Neighbourhood Plans.

Principle of Development

Policy Context

Core Policy 1: Settlement Strategy of the WCS establishes a hierarchy of settlements to guide where development should be focused. The policy prioritises growth in:

- Principal Settlements (e.g., Salisbury, Chippenham, Trowbridge) – main focus for strategic growth.
- Market Towns – support local services and employment; suitable for sustainable development.
- Local Service Centres – smaller towns and villages with a range of services; limited development supported.
- Large and Small Villages – development should be limited and respond to local needs.
- Outside the defined settlements – development is strictly controlled and generally not supported unless exceptional circumstances apply. .

Core Policy 2: Delivery Strategy of the WCS sets out how development will be distributed and delivered across Wiltshire. The policy emphasises:

- Sustainable patterns of growth, reducing the need to travel and supporting local services.
- Development should be plan-led, aligning with the settlement strategy and supported by infrastructure.
- Windfall development (not allocated in plans) must still comply with the principles of sustainable development.
- Development outside settlement boundaries is generally not permitted, unless it meets specific policy exceptions (as set out in paragraph 4.25 of the WCS).

Together, CP1 and CP2 ensure that new development is strategically located, sustainable, and supports the character and function of Wiltshire's communities.

Assessment

The application site is located within the defined settlement boundary of Mere, which is identified as a Local Service Centre under Core Policy 1 of the Wiltshire Core Strategy (WCS). As such, the settlement is considered an appropriate location for limited residential growth that supports local services and facilities. In accordance with Core Policy 2, the proposal represents a small-scale windfall development within an established residential area and makes efficient use of previously developed residential garden land in a sustainable location, thereby reducing the need to travel and supporting the vitality of the town. The proposal does not result in development beyond the settlement boundary and therefore avoids any encroachment into the open countryside, consistent with the spatial strategy of the WCS.

In addition, the proposed single dwelling aligns with relevant National Planning Policy Framework objectives by contributing to housing supply through the effective use of small sites in sustainable locations, whilst promoting well-designed places and responding appropriately to its local context. Taken together, the proposal accords with the strategic and local planning policy framework, and the principle of residential development on this site is therefore acceptable, subject to detailed assessment of design, and technical matters.

Conclusion

Having regard to the site's location within the Mere settlement boundary, its classification as a Local Service Centre, and the relevant provisions of the Wiltshire Core Strategy and the NPPF, officers consider that the principle of residential development on this site is acceptable.

5 Year Housing Land Supply

The Wiltshire Housing Land Supply Statement (June 2025) provides the latest position on the Council's ability to demonstrate a five-year supply of deliverable housing land, which is a material consideration in the determination of planning applications.

The National Planning Policy Framework was revised in December 2024. This has reintroduced the requirement to meet five years' worth of deliverable sites and a buffer to be applied to the five-year housing requirement in all circumstances and has revised the Local Housing Need calculation to establish the five-year housing requirement. These factors have resulted in a substantial increase in the five-year housing requirement to be met from the previous calculation. When this is assessed against the housing land supply which can be delivered within five years, the recalculation shows a significant reduction in the number of years supply. The resulting position shows that the Council can currently demonstrate a 2.42 years housing land supply of housing at a unitary authority level. This is considered to be a substantial shortfall.

As set out within the NPPF the presumption in favour of sustainable development (the 'tilted balance') set out in paragraph 11d)ii. is engaged whereby permission should be granted for new housing unless any adverse impacts of doing so would "significantly and demonstrably outweigh the benefits" or the 'protection policies' detailed in Footnote 7 of the Framework apply.

The implications of the current housing land supply position, and in particular the weight to be attributed to the development plan policies, must be taken into account when determining applications for new housing. The policies in the Framework that protect assets of particular importance provide a clear reason for refusing the proposal in this case. As a result, the tilted balance of Framework paragraph 11(d) is engaged. However, the presumption in favour of sustainable development—outlined in paragraph 11 of the NPPF—must be applied with particular regard to the key policies referenced in footnote 9, which include those relating to designated sites, heritage assets, and areas at risk of flooding. These policies serve as a critical safeguard to ensure that housing proposals are thoroughly assessed against environmental and strategic constraints.

In this context given the site and detail set out above, the principle of delivering housing in this location can be supported, subject to the site demonstrating its capacity to deliver a suitable and policy-compliant scheme.

Design and Impact on the Character and Appearance of the Area

Policy Context

Core Policy 57 of the WCS requires high-quality design that:

- Enhances local character.
- Responds to the natural, historic, and built environment.
- Retains important features (e.g., trees, hedges).
- Supports sustainable construction and compatibility with surrounding uses.
- Creates safe, legible, and accessible spaces.

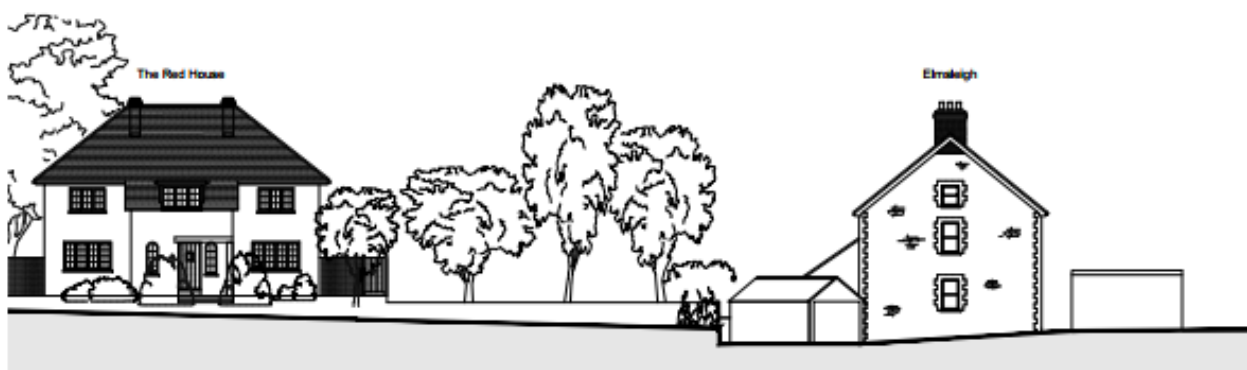
Section 12 of the NPPF emphasises design that is:

- Visually attractive.
- Functionally effective.
- Contributes to the quality of the built environment.

The Wiltshire Design Guide encourages sensitivity to local character, materials, and architectural styles and supports modern living standards while maintaining aesthetic and functional quality.

Building for a Healthy Life Framework promotes healthy, inclusive, and sustainable places. The document encourages:

- Walkability.
- Access to green space.
- Active design principles for well-being.



Existing Section B-B
Scale 1:200

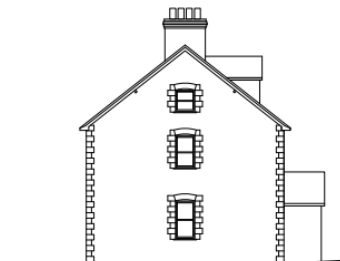
Assessment

The application site is located within an established residential area surrounded by a varied mix of development including modern two-storey dwellings, bungalows and traditional housing forms. This hinterland character is informal and diverse, with no single prevailing architectural style, and is characterised by varied plot sizes and a mixture of building heights.

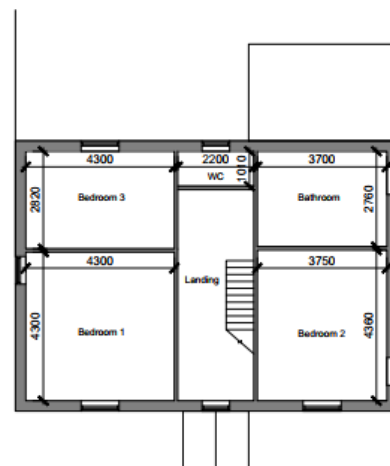
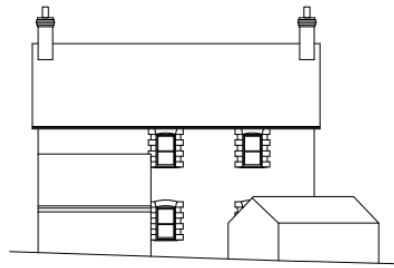
The existing dwelling located on the application site is set forward and lies closer to the highway when compared to adjacent dwellings being set back from the highway. The front elevation of the existing dwelling faces to the east side of the plot rather than the principal entrance elevation facing the street. The application site consists of a modern concrete single bay garage diagonally parallel to the host dwelling, a small single storey rear lean to connected to the host dwelling, and single storey corrugated iron and timber sheds and a glass greenhouse to the rear of the host dwelling. To facilitate the erection of the proposed dwelling, these outbuildings and the garage are proposed to be demolished.



Existing East Elevation
Scale 1:100



Existing West Elevation
Scale 1:100



The proposed dwelling as part of this application is proposed to be located to the rear of the existing dwelling and is in line with set back of the neighbouring dwellings. During the process of the application, the agent has asked to consider proposing the new dwelling to the east (side) of the host dwelling rather than to the northeast (rear) of the host dwelling. However, this was not considered as a viable option and has not been proposed.

Nonetheless, the initial scheme proposed massing with gables of different widths and eaves heights, different window sizes and varying materials. While the surrounding area has a mix of characteristics and materials it was considered that the proposed dwelling's design and massing was not in keeping with the existing dwelling. In addition to this, the neighbouring plot of land, The Red House on the north, received planning permission for two infill dwellings. Consideration of the location of the extant new dwelling was required from the agents as part of the revised scheme. The section below shows The Red House and the approved infill dwelling in red on the left hand side. The existing dwelling, Elmsleigh is shown on the right in grey with the proposed new dwelling in red behind this. The application site and the existing dwelling sits at a lower level when compared to the neighbouring dwelling. The proposed dwelling's eaves and ridge height has been designed to match the host dwelling to retain the existing context.

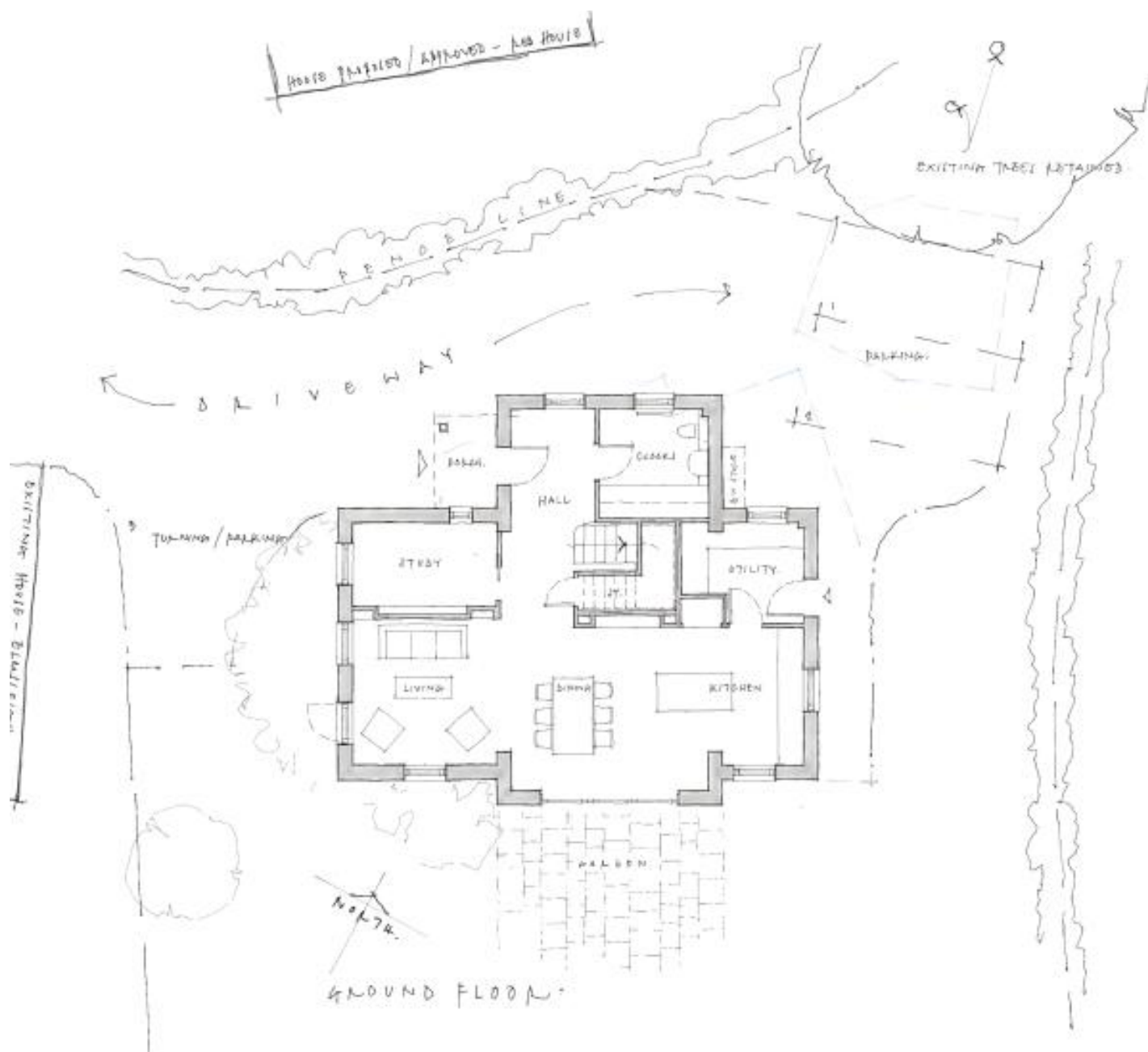
The revised proposal as part of this application has been amended to address these concerns by simplifying the widths and gable sizes, proposing matching eaves heights, simplifying the size and proportion of the windows, and by using materials more in keeping with the host dwelling and other dwellings in the area. Amendments to the massing, detailing and materials have improved the scheme's setting within the plot and with the surrounding area. The use of natural stone, slate roofing and simplified window proportions further embeds the development within its context and given its location away from the public realm and amongst varying characteristics of residential buildings, the revised scheme is considered to preserve the character and appearance of the local area without causing harm.

The development is considered to comply with the principles of the Wiltshire Design Guide and Building for a Healthy Life, through the efficient use of land, provision of private amenity space, safe access arrangements and an appropriate relationship with neighbouring properties.

The application site is located within the settlement boundary of Mere and benefits from a highly sustainable location within walking distance of shops, services, public transport and community facilities. The delivery of a dwelling in this location is also consistent with the Building for a Healthy Life framework, promoting inclusive and accessible design, supporting active lifestyles and long-term wellbeing through step-free accommodation, private amenity space and safe, walkable access to local amenities.

Conclusion

Having regard to the revised scheme, it is determined that the proposal accords with Core Policy 57 of the Wiltshire Core Strategy, along with other relevant development plan policies and the National Planning Policy Framework and would preserve the character and appearance of the area, resulting in no perceived harm in design or townscape terms.



Amenity

Point vii of Core Policy 57 - Ensuring High Quality Design and Place Shaping of the Wiltshire Core Strategy seeks to ensure that developments do not adversely affect neighbouring properties.

The National Planning Policy Framework (NPPF), particularly Paragraph 135(f), stresses that planning decisions should ensure developments provide a high standard of amenity for existing and future users.

The proposed development has been assessed in terms of its potential impact on the residential amenity of neighbouring properties, with particular regard to loss of light, overshadowing, loss of privacy, and overbearing effects.

The proposal has been assessed with regard to its backland location and its relationship with surrounding residential properties.

Southwest: The proposed dwelling is positioned approximately 7.5 metres from the adjoining retained dwelling on the southwest. The side elevation of the retained dwelling (Elmsleigh) which faces the southwest of the proposed dwelling has windows along this gable end. The windows on the first floor is a bathroom window and a secondary window to a bedroom. The windows of Elmsleigh have been conditioned to be obscure glazed as part of this application to ensure no undue overlooking between the two properties.





NORTH - WEST:

Northwest: An approved extant dwelling is located approximately 7.5 metres from the proposed dwelling. The new two storey dwelling to the north has a ground floor window with no other windows on this elevation. The proposed dwelling has 1 first floor window facing the neighbouring dwelling, however, as the neighbouring dwelling does not have windows on the first floor, it is not considered that any overlooking will occur between these two dwellings.



Northeast: The proposed dwelling and the neighbouring dwelling on the northeast, Elmwood House are approximately 40 metres from each other. This distance allows for enough separation to allow for residential amenity to be retained.

Southeast: On the southeast an existing dwelling, Kildare lies approximately 19 metres from the proposed new dwelling. The elevation which faces the proposed dwelling has 1 existing obscure glazed window. It is not considered that the proposed dwelling has undue overlooking to this neighbouring dwelling.



In terms of living conditions for future occupiers and the retained dwelling, the scheme would provide adequate private garden space for both dwelling consistent with the Wiltshire Design Guide, allowing sufficient external amenity space to support day-to-day living and wellbeing. The internal layout and floorspace also meet minimum design standards, and overall the proposal would not result in harm to neighbouring amenity nor create unacceptable living conditions for future residents. The existing dwelling would retain adequate private amenity space.

The proposal is also consistent with Section 12 of the National Planning Policy Framework, which seeks well-designed places that are visually attractive, functional and add positively to the quality of the built environment; accordingly, the scheme is considered to accord with both CP57 and the NPPF in amenity and design terms.



Highways Impact

Core Policy 57 (xiv) of the Wiltshire Core Strategy seeks to ensure that development must meet the requirements of Core Policy 61. This policy requires proposals to be capable of being served by safe access to the highway network. Core Policy 64 seeks to ensure compliance with parking standards set out in the Local Transport Plan.

The National Planning Policy Framework (NPPF), particularly Paragraph 115 and 116, requires that development proposals do not have an unacceptable impact on highway safety and that safe and suitable access to the site can be achieved for all users.

This application proposes to create a new access to the retained dwelling leading to a driveway with 3 car parking spaces and a turning area. The existing opening is proposed to be used by the proposed dwelling leading to parking spaces and a turning space. All vehicles are proposed to ingress and egress the site in forward gear. The proposed access to the proposed dwelling would drive past the side elevation of the existing retained dwelling. While this is not normally acceptable, in this case, there are no other options for access to the proposed dwelling. The LPA's highways officer has no objection to the proposed development subject to conditions and informative attached to the recommendation. While the neighbouring dwellings have raised their concerns on highways implications from the development, this development is for the creation of a single dwelling only. Additionally, the LPA's highways officer has not raised concerns on this. The proposal is therefore considered to comply with

Core Policies 57 (xiv), 61 and 64 of the Wiltshire Core Strategy, the NPPF, and the Wiltshire Local Transport Plan.

Ecology Impact

Core Policy 50 of the Wiltshire Core Strategy seeks to protect and enhance biodiversity and geodiversity, including through ensuring that development avoids harm to protected species and habitats.

The National Planning Policy Framework (NPPF), in Paragraphs 193, requires that development minimises impacts on and provides net gains for biodiversity, including ensuring mitigation is secured where harm cannot be avoided.

The application site is not subject to any statutory or non-statutory ecological designations.

Protected species

During the preliminary roost assessment, ~20 bat droppings were identified and later confirmed via DNA analysis as belonging to Brown Long-eared Bats. This evidence was noted from the lower roof void (of the lean-to) which is proposed to be removed. Subsequently, three emergence surveys were undertaken between May-August 2025, though no bats were recorded emerging from the building.

Under the Conservation of Species and Habitat Regulations 2017, it is an offence to harm or disturb bats or damage or destroy their roosts. Planning permission for development does not provide a defence against prosecution under this legislation. The applicant is advised that a mitigation licence will be required before any work is undertaken to implement this planning permission. The ecology survey report recommends the addition of at least two bat boxes and access tiles, as well as supervised roof dismantling, appropriate lighting and roof materials.

Compliance with these recommendations should be secured via a condition.

The report also details precautionary measures for hedgerow, badgers and hedgehogs, which should be adhered to. In line with the NPPF and with CP50, applications must ensure that no net loss of functional habitat for the benefit of wildlife in the local area will occur as a result of the proposed development. In addition, gains for biodiversity, relevant to local habitats and wildlife populations, should form part of the proposed development. The report's recommendations of a hedgehog nest box and additional bat box are welcomed. **Details of these enhancements (finalised locations and specifications) should be shown on plans and secured via a condition.**

Biodiversity Net Gain

Under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) this application is required to deliver 10% Biodiversity Net Gain (BNG). The Biodiversity Gain Plan condition will automatically apply if approval is forthcoming. A statutory metric calculation and maps (*B Ecological Impact Assessment, Abbas Ecology, October 2025; Statutory Biodiversity Metric, Caitlin O'Reilly, October 2025*) detailing the

baseline and predicted post-development biodiversity units of the site have been submitted and reports the following values:

Confirmation of how the development will achieve BNG is a post-determination matter, however, consideration should be given to how any proposed BNG will be secured.

The submitted metric indicates 0.25 biodiversity units or less will be required to meet the 10% BNG requirement and that on-site BNG is not achievable. In these circumstances, statutory credits can be bought without providing evidence that insufficient off-site options are available in England. For further information, please refer to guidance on Statutory Biodiversity Credits on the GOV.UK website (<https://www.gov.uk/guidance/statutory-biodiversity-credits>) under 'How to prove statutory credits are needed'.

CONCLUSION

The proposed development is considered to be acceptable in terms of its design, scale, and relationship with the surrounding area. It would not result in any unacceptable harm to the character of the locality, the amenities of neighbouring occupiers, or the interests of highway safety, and ecology.

The proposal is therefore considered to comply with the relevant policies of the Wiltshire Core Strategy, the Wiltshire Local Plan, and the National Planning Policy Framework. As such, the application is recommended for approval, subject to the conditions set out below.

RECOMMENDATION: That Planning Permission be GRANTED subject to conditions.

1.The development hereby permitted shall begin 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:

Location Plan Drawing No.5233 S01 Received: 26 Feb 2026

Existing and Proposed Site Sections AA Drawing No. 5233 P06 A Received: 05 March 2026

Existing and Proposed Site Sections BB and Existing Block Plan Drawing No. 5233 P07 Received: 05 March 2026

Proposed Block Plan Drawing No. 5233 P09C Received: 26 Feb 2026

Proposed Floor Plans Drawing No. 5233 P10 Received: 26 Feb 2026

Proposed Elevations - South West and North West Drawing No. 5233 P11 Received: 05 March 2026

Proposed Elevations - South East and North East Drawing No. 5233 P12 Received: 05 March 2026

Design and Access Statement Drawing No. Received: 26 Feb 2026

Ecological Impact Assessment Received: 26 Feb 2026

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

3. Materials to be used in the construction of the works hereby permitted shall be as stated on the application form and in the submitted documents.

REASON: In the interests of visual amenity and the character and appearance of the area.

4. Before the development hereby permitted is first brought into use, the existing first floor windows on the northeast elevation of the existing house, known as Elmsleigh, shall be glazed with obscure glass only [to an obscurity level of no less than level 5] and the windows shall be maintained with obscure glazing for the lifetime of the development.

REASON: In the interests of residential amenity and privacy.

5. No part of the development hereby permitted shall be occupied until the new access, turning area & parking spaces [3] for the existing dwelling have been completed in accordance with the details shown on the approved plans. The areas shall always be maintained for those purposes thereafter

Reason: In the interests of highway safety.

6. The development hereby permitted shall not be first 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.

Reason: In the interests of highway safety.

7. Notwithstanding the submitted details, the proposed development shall not be occupied until means/works have been implemented to avoid private water from entering the highway.

Reason: To ensure that the highway is not inundated with private water.

8. No part of the development 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 600mm above the nearside carriageway level. The visibility splays shall always be maintained free of obstruction thereafter.

Reason: In the interests of highway safety.

9. The gradient of the access way shall not at any point be no steeper than 1m in 12 metres from its junction with the public highway.

Reason: In the interests of highway safety.

10. Any gates shall be set back 4.5 metres from the edge of the carriageway, such gates to open inwards only.

Reason: In the interests of highway safety.

11. The development will be carried out in strict accordance with the following document:

- Sections 6-8 of Ecological Impact Assessment, Abbas Ecology, October 2025

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

12. Prior to the commencement of any works, including vegetation removal and demolition, details of the number, design and locations of ecological enhancements shall be submitted to the local authority for approval. Development shall be carried out in strict accordance with the approved enhancement plan.

REASON: To provide mitigation/enhancement for biodiversity.

INFORMATIVES

1. The applicant is advised of the potential need to submit plans, sections and specifications of any proposed retaining wall for the approval of the Highway Authority in accordance with Section 167 of the Highways Act 1980.

(For information, this relates to retaining walls which are wholly or partly within 4 yards (3.65metres) of a street and which is at any point of a greater height than 4'6"(1.40 metres) above the level of the ground at the boundary of the street nearest that point.)

2. The developer/applicant will be expected to enter into a S278/S38 Agreement with the Highway Authority for the proposed access works and the widening of the footway before commencement of works hereby approved.

3. The house at Elmsleigh is used as a bat roost. Under the Conservation of Habitats and Species Regulations 2017 (as amended), it is an offence to harm or disturb bats or damage or destroy their roosts. Planning permission for development does not provide a defence against prosecution under this legislation. The applicant is advised that a mitigation licence will be required before any work is undertaken to implement this planning permission. Future works to the roof space or replacing the roof could also breach this legislation and advice should be obtained from a professional bat ecologist before proceeding with work of this nature.

4. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (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 not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements is considered to apply.