

APPLICATION FOR FULL-PLANNING PERMISSION CASE OFFICER REPORT

APPLICATION REFERENCE:	PL/2026/00103
APPLICATION TYPE:	Full planning permission
SITE ADDRESS:	7 The Square, Ramsbury, Wiltshire, SN8 2PE
DEVELOPMENT DESCRIPTION:	Change of use from Class E to a single dwellinghouse and insertion of dormer window, replacement of shop front joinery, replacement of asbestos slates with natural slate and creation of a new door opening from the High Street
RECOMMENDATION:	Approve with Conditions

SITE DESCRIPTION/CONTEXT

The application site is a disused former retail unit, currently use Class E, located within the larger village of Ramsbury as defined by Wiltshire Core Strategy (WCS) Core Policies 1 (Settlement Strategy), 2 (Delivery Strategy) and 14 (Spatial Strategy for the Marlborough Community Area).

The site is located at the heart of the village and is located within the designated conservation area. Within the vicinity of the site, but not adjacent or opposite, are various listed buildings. Consequently, the site is surrounded on all sides by pre-existing built form made up of various commercial and residential units, some of which have been subject to alterations and/or extensions over time.

The site is also located within North Wessex Downs National Landscape (NL), formerly Area of Outstanding Natural Beauty (AONB).

PROPOSAL

This is a full planning application proposing the change of use from business Use Class E to C3 residential. The proposals include the addition of an elongated dormer window to the rear roof slope creating a two-bedroom dwelling, plus all associated works. The proposal is principally a resubmission of a lapsed approval under application 16/06315/FUL – conversion from A2 to C3 and a very similar application in 2024, which is still extant, PL/2024/08967.

The current proposal omits the front elevation roof lights fronting onto the highway, but has reverted to the original scheme from 2024, which includes the long dormer to the rear roof slope.

PLANNING HISTORY

Proposal / Summary
16/06315/FUL - Change of use from Class A2 to Class C3 – Approved subject to conditions - 22nd August 2016, lapsed 22nd August 2019
17/02325/FUL - Full planning permission Decision - Approve with Conditions Date: 7/6/2017 – Proposed single storey extension to the rear of the property to provide additional office space.

PL/2024/08967 - Full planning permission Decision - Approve with Conditions Date: 13/3/2025 – Change of use from Class E to a single residential dwelling with the insertion of rooflights to the front elevation and a dormer window to the rear.
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PL/2026/00597 – Retrospective change of use from office to dwellinghouse. (Class E to Residential). No changes externally – minor revisions internally Approved with Conditions
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There is a significant level of planning history on the site and on adjoining and adjacent sites, but the most recent and relevant are listed above.

RELEVANT LEGISLATION, POLICIES AND GUIDANCE

Statutory Legislation:

- Town and Country Planning Act. 1990 (as amended);
- Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

National Planning Policy:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- National Design Guide

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;
- Core Policy 14 Spatial Strategy for the Marlborough Community Area
- Core Policy 35 Existing Employment Land
- Core Policy 50 Biodiversity and Geodiversity;
- 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 62 Development Impacts on the Transport Network;
- Core Policy 63 Transport Strategies
- Core Policy 64 Demand Management

Draft Wiltshire Local Plan

The examination of the emerging Wiltshire Local Plan has been paused and the weight to be afforded to any part of the emerging plan can be no more than very limited. A decision on how to proceed will be made by the Council in May 2026.

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
- Wiltshire Local Cycling and Walking Infrastructure Plan (LCWIP)
 - Active travel infrastructure design standards 2022
 - Active travel parking standards and design guide 2022
- North Wessex Downs National Landscape Management Plan. 2025-2030
- Nationally Described Space Standards. March 2015

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 would have an acceptable impact upon the reasonable living conditions of the adjoining occupants (CP 57)
- Whether the scheme would preserve or enhance the historic environment (CP 58)
- Whether the scheme would have an acceptable landscape impact (CP 51)
- 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 there would be any harmful impacts upon protected species or priority habitats (CP 50)

CONSULTATION RESPONSES

Ramsbury and Axford PC: No Objection

WC Highways: No objection

WC Public Protection: No Objection

WC Ecology: No Objection

WC Conservation: Comment

The design of the box dormer could be amended to reflect the dormers on the neighbouring building which would be more sympathetic to the character and appearance of the conservation area.

REPRESENTATIONS

In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), the application was publicised by way of:

- Neighbour notification letters sent to adjoining and nearby properties;
- A site notice displayed near the site;

These methods were used to inform interested parties and provide a period of 21 days for comments to be submitted.

Below is a summary of the representations received during the consultation period. Only material planning considerations have been taken into account in the assessment of this application. Non-material issues, such as property values or private legal disputes, cannot be considered in the determination process.

1 Letter of Comment Received

Main reason for comment

- The proposed fence cuts across a right of way to adjacent properties

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 Wiltshire Core Strategy (2015) and, where applicable, any made Neighbourhood Plans. Consideration has also been given to the policies of the National Planning Policy Framework (NPPF) as a material consideration in the assessment.

Principle of Development

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.

It is noted that the site benefits from an extant permission for the same development in terms of the Change of Use to C3; and very similar development in terms of the physical changes to the building. The extant permission is accepted by the LPA as a realistic and implementable fall-back position. This has significant weight in the consideration of the principle of the development.

In addition, there are no significant updates or changes to local or national planning policy or legislation in the intervening period since that approval, it is considered that the principle of development 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.

The absence of a five-year housing land supply is a material consideration in the determination of this application. In accordance with Paragraphs 78 and 11(d) of the National Planning Policy Framework (NPPF), for applications involving the provision of housing, where there is a shortfall in the supply of deliverable housing sites, the most important policies for determining the application should be considered out of date. The current housing land supply shortfall is a factor that must be considered in the planning balance and in this case, as a five-year housing land supply cannot be demonstrated, the weight that can be applied to the most important policies for determining this application should be assessed and altered in the light

of the shortage in housing land supply. The proposal must be assessed against the national policy context of the need to boost housing supply and the benefits of delivering new homes whilst having particular regard to the key policies set out in paragraph 11(d)(ii) and Footnote 9 of the NPPF.

It was previously considered the loss of the use Class E unit would not be harmful to the vitality and viability of the rural community in and around Ramsbury and that bringing the unit back into occupation would provide some economic benefits over and above that of a continually vacant, unmaintained unit. The NPPF tilt towards support for new housing also reduces weight the LPA considers can be given to the protection of the commercial unit and therefore the principle of the development is considered acceptable.

However, whilst the principle may still be acceptable, this is subject to the now revised details of the built form and their implication on the character of the area and neighbouring amenities. These will, therefore, be addressed in more detail below.

Design and Impact on the Character and Appearance of the Area

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.

The current proposal has been amended from that previously approved by way of the rear dormer arrangement and design and the insertion of a new door on the front elevation in place of an existing window. It is also proposed to replace the original shop front with like for like timber framed units but include thermally efficient, double glazed units. The location of the new entrance door and its timber construction is considered acceptable and would blend into the street scene in this location. The replacement glazing is also considered acceptable.

In relation to the proposed dormer, it is noted that the preceding scheme proposed this particular design of catslide roof dormer and that it was subsequently amended to the individual dormers approved within the 2024 scheme, as a result of comments received from the Council's Conservation Officer.

However, within this current submission, the applicant has submitted detailed drawings with references to the technical housing standards of the Nationally Described Space Standards. This document is clear and precise in stating that a twin room should have a minimum floor area of 11.5m and that any area of those rooms with a head height of less than 1.5m is not counted in the gross internal area unless used solely for storage.

Measurements undertaken by the Case Officer can confirm that the approved scheme would not meet the criterion of the housing standards.

As such it is considered that for the first floor to be utilized for suitable and appropriate residential accommodation then the dormer window as now proposed is a viable solution.

As opined in the preceding application, this element of the scheme would have very limited to no views from the public realm and is only clearly visible from the private gardens directly adjacent to the site.

The other elements of the scheme, in terms of the upgraded rear extension were previously considered acceptable. Therefore, whilst not considered the most elegant solution, the dormer window would provide for an effective solution for providing a larger internal living space over and above the first-floor accommodation already granted permission.

As such, it is considered that, subject to appropriate conditions that the development is undertaken in accordance with the submitted plans, the scheme can be supported.

Impact on Heritage Assets

From the point of view of the historic environment the main statutory tests are set out within the Planning (Listed Building and Conservation Areas) Act 1990.

Section 72(1) of the Act requires the Council to pay special attention to the desirability of preserving or enhancing the character or appearance of designated Conservation Areas.

The NPPF outlines government policy for planning. Chapter 16 of the NPPF 'Conserving and enhancing the historic environment' sets out the Government's high-level policies concerning heritage and sustainable development. In particular:

Paragraph 208 requires LPAs should "avoid or minimise any conflict" between the heritage asset's conservation (which includes achieving its optimum viable use) and any aspect of a proposal.

Paragraph 210 requires local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable new uses and of new development making a positive contribution to local character and distinctiveness.

Paragraphs 212 requires “great weight” to be given to an asset’s conservation “irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”

Paragraph 213 advises that harm to the significance of a designated heritage asset should require “clear and convincing justification”.

Paragraphs 213-215(214-216) require a balanced approach with any harm which would be caused being weighed against the potential public benefits which might be achieved.

Paragraph 220 advises that not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm or less than substantial harm as appropriate.

The Planning Practice Guidance provides guidance on interpreting the NPPF.

The Council’s Core Strategy Policy CP58 ‘Ensuring the conservation of the historic environment’ requires that designated and non-designated heritage assets and their settings will be conserved, and where appropriate enhanced, in a manner appropriate to their significance and encourages proposals which improve the condition of heritage assets at risk.

The Council’s Core Strategy CP 57: Ensuring high quality design requires a high quality of design in all new developments. The policy requires applicants to “demonstrate how the proposal will make a positive contribution to the character of Wiltshire through (amongst other things) responding to the value of the natural and historic environment and being sympathetic to and conserving historic buildings and landscapes. Development is required to respond positively to the existing in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting.

It is noted that the Council’s Conservation Officer has, once again, raised concerns in relation to the elongated dormer window and that it could be amended to reflect the dormers on the neighbouring building which are considered more sympathetic to the character and appearance of the conservation area. It is also considered that the dormer would give the appearance of the extra storey on top of the building.

However, that consultee does recognise that the proposal would create an enhance internal layout to create open plan living at ground floor level and two bedrooms on the first floor. It is also opined in that response that the rear elevation is well-contained and there are no views afforded within the conservation area.

Whilst the concerns of the Conservation Officer are noted, this must be balanced with the design of the extant permission and its ability to be brought forward as a viable dwelling, the requirements of the Nationally Design Space Standards (NDSS) and that the housing land supply for residential dwellings in Wiltshire has a significant shortfall.

It must be considered that the addition of a two bedroom dwelling within a village must be considered as a public benefit and given significant weight. It is also considered that converting a vacant commercial building, which given the housing shortage, would not remain vacant and would secure an optimum viable use of the building. The previous consent, that could be implemented. Would provide a substandard living space within the first-floor accommodation. The scheme, as it is now proposed, would ensure that NDSS internal space standards can be met. Therefore, the internal living space is improved over and above that of the fall-back scheme, which is also accepted as a benefit of the revised design.

It is also noted that harm to the conservation area identified by the Conservation Officer relates to the rear dormer only which is mostly hidden from the public realm. Whilst it is acknowledged that private views from within a conservation area should be considered, it is noted that in this case, that dwellings adjacent to the application site, and visible from the rear of the application site, already feature modern dormer windows and a mixture of modern materials.

Therefore, as per paragraph 215 of the NPPF this harm has to be weighed against public benefits, primarily in this case the addition of housing in a sustainable location, where there is an established need, whilst causing no harm to the street scene or the public realm alongside improved internal living standards. Given the context of the built form and the level of less than substantial harm caused by the addition of the rear dormer to the application site, which is considered to be at the lower end of the spectrum the public benefits are considered to outweigh the harm.

Additional economic benefits linked to the construction of the development, bringing a vacant unit back into active use and providing some support to the viability of nearby businesses also weigh in favour.

It is considered that the public benefits outweigh this less than substantial harm. Overall, it is therefore considered that the limited visual alterations to the building would have no harm to the street scene and the harm identified would be outweighed by public benefit.

Amenity

Core Policy 57 (Point vii) of the Wiltshire Core Strategy requires development to respect the amenity of existing occupants and ensure appropriate amenity levels for future residents.

The National Planning Policy Framework (NPPF), particularly Paragraph 135, reinforces the need for development to provide a high standard of amenity for both existing and future users.

These policies guide the assessment of amenity impacts, which will be considered in detail under the below headings.

There is an existing and established interrelationship between the dwellings and buildings in the immediate area and it is considered that the proposal would not have a tangibly detrimental effect upon the status quo and result in significant increase in noise, disturbance or overlooking above that which can already take place. It is, therefore, considered that the proposals would not cause a level of harm to warrant a refusal of planning in this regard.

It is noted that a letter of representation has made comment with regard to a boundary fence and its potential for blocking a private right of access. However, in this instance, any rights for access across the land are a private matter between the respective landowners and not for consideration within this submission.

In terms of the amenities of future occupiers, the fall-back scheme with two smaller rear dormers would have failed to provide internal living space to meet the NDSS. Section 9 of the Wiltshire Design Guide aims to ensure that all new dwellings meet the NDSS for internal living spaces. This is not always possible due to existing constraints, particularly when converting an existing building. However, in this case, the revised rear dormer design will enable the first-floor accommodation to better comply with the NDSS, so providing improved living standards over and above that of the fall-back permission. As stated above, this is considered to be a benefit of the scheme.

Highways Impacts and Parking

Transport implications are a key factor in assessing planning applications, especially for larger developments. Proposals must demonstrate:

- Safe and suitable access for all users, including pedestrians, cyclists, and those with mobility impairments.
- No severe residual impacts on the surrounding highway network.
- Promotion of sustainable travel, reducing reliance on private vehicles.
- Adequate parking and cycle provision, in line with adopted standards.
- Protection and enhancement of public rights of way and active travel routes.

Relevant policies include Core Policies 60–64 of the Wiltshire Core Strategy, supported by the Wiltshire Local Transport Plan, Car Parking Strategy, and Cycling Strategy. The Local Cycling and Walking Infrastructure Plan (LCWIP) and LTN 1/20 (DfT) provide further design guidance for active travel infrastructure.

As stated within the adopted Wiltshire Parking Strategy, the proposal should provide two off-road parking spaces, however, as per the comments of the highways officer, there is freely available street parking to the fore of the building and the current business use would have a greater impact on the highway with more vehicle movements. It is therefore considered that the deviation from this principle is considered acceptable in this instance and no objection has been offered.

Ecology and Biodiversity

Biodiversity net gain is a mandatory requirement under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to a pre-commencement condition that the development delivers at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat.

There are statutory exemptions 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>

In line with NPPF and with CP50, applications that do not fall into the category where BNG is required, must still 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, it is expected that gains for biodiversity, relevant to local habitats and wildlife populations will form part of the proposed development.

In this instance, the application is considered to fall within the “de minimus” exception to Biodiversity Net Gain but the onus is on the applicants/developers to confirm their compliance with this legislation outside of planning as the legislation is deemed, regardless of any permissions granted. The site is also considered to comply with CP50 of the WCS as the very limited development of the site is not considered to remove any ecological features resulting in no net loss

Nevertheless, it is considered prudent to append the submitted Preliminary Roost Assessment and its recommendations to any grant of permission and the Informative as request by the Council’s Ecologist, to advise the applicant as to their legal duties in relation to habitats and protected species.

Landscape and Visual Impact

Core Policy 51 of the Wiltshire Core Strategy requires development to:

- Protect, conserve, and enhance landscape character and quality.
- Respect local distinctiveness, key views, and visual receptors.
- Give particular weight to impacts on National Landscapes (formerly AONBs) and locally valued landscapes.

The Wiltshire Design Guide SPD (2024) promotes a context-led approach, encouraging integration with natural features and settlement patterns while avoiding visual intrusion.

The NPPF emphasises the need to protect and enhance valued landscapes, particularly those with scenic, historic, or ecological significance. Planning decisions should:

- Recognise the intrinsic character and beauty of the countryside.
- Safeguard key views, local distinctiveness, and landscape settings.
- Ensure development is well-integrated into its surroundings and avoids visual intrusion, especially in sensitive or designated areas.

Landscape impact must be considered alongside biodiversity, heritage, and green infrastructure objectives, with mitigation measures encouraged where harm cannot be avoided.

Paragraph 189 of the NPPF requires that great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes which have the highest status of protection in relation to these issues.

Under Section 245 of the Levelling-up and Regeneration Act 2023, LPAs must now “seek to further” the statutory purposes of National Landscapes (formerly Areas of Outstanding Natural Beauty), replacing the previous duty to merely “have regard to” them.

This is an active duty, requiring authorities to take reasonable and proportionate steps to support the conservation and enhancement of the natural beauty, special qualities, and key characteristics of these designated areas when exercising any function that affects them.

Whilst it is recognised that Ramsbury is entirely washed over by the North Wessex Downs National Landscape, this site is set firmly within the centre of the village and its built form. With no increase in ridge height, or other clearly discernible changes to the overall design when viewed from the public realm, the proposal is considered to accord with the local and national requirements in this instance.

CONCLUSION

It is, therefore, concluded that the proposed change of use from the commercial to residential use of the site, as per the plans submitted, would be of an acceptable scale, mass and design to maintain the character of the street scene. Whilst a less than substantial level of harm has been found affecting the designated conservation area, as required by all relevant policies, it is concluded that on balance the harm is outweighed by the benefits of the proposal of providing a functional two-bedroom dwelling, with a design that is an improvement on the fall-back permission, within the settlement of Ramsbury.

The proposal would therefore accord with the aims and objectives of the Wiltshire Core Strategy and the relevant planning policy advice of the National Planning Policy Framework and is recommended that planning permission be granted for the proposal.

RECOMMENDATION:

That Planning Permission be GRANTED, subject to 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, all submitted on 07 January 2026

- Application Form & Certificate
- Planning and Design and Access Statement
- L-000: Location Plan
- Survey Drawings
- PL2-001 Proposed Site Plan
- PL2-101 Proposed Ground Floor Plan
- PL2-102 Proposed First Floor Plan
- PL2-103 Proposed Roof Plan
- PL2-104 Bedroom Comparison Size
- PL2-201 Proposed Elevations

- PL2-301 Proposed West Sectional Elevations
- PL2-401 Proposed Joinery details
- Preliminary Roost Assessment. Arbtech Consulting Ltd

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

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as stated on the approved plans and application form.

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

Informatives

The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Conservation of Habitats and Species Regulations 2017 (as amended) it is an offence to disturb or harm any protected species including for example, breeding birds, bats and reptiles. The protection offered to some species such as bats, extends beyond the individual animals to the places they use for shelter or resting. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

Community Infrastructure Levy

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 <https://www.wiltshire.gov.uk/dmcommunityinfrastructurelevy> .

Biodiversity Net Gain

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.

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.

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

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.

In this case, a Biodiversity Gain Plan is NOT required to be submitted as the development complies with one or more of the exemptions.

For further information please refer to:

<https://www.gov.uk/government/collections/biodiversity-net-gain#developer-guidance>