

APPLICATION FOR FULL-PLANNING PERMISSION

CASE OFFICER REPORT

APPLICATION REFERENCE:	PL/2026/01491
APPLICATION TYPE:	Full Planning Permission
SITE ADDRESS:	Service Station, Leigh Delamere Motorway Services Eastbound, Leigh Delamere, SN14 6LB
DEVELOPMENT DESCRIPTION:	Reconfiguration of eastern car and HGV parks and circulation routes, associated road markings, resurfacing existing tarmac, installation of electric vehicle charging points, canopies, and associated charging infrastructure including Battery Energy Storage System, and associated works
RECOMMENDATION:	Granted with conditions

SITE DESCRIPTION/CONTEXT

The application site comprises part of an existing motorway service station located on the eastbound side of the M4, approximately 1.8km to the west of Junction 17 (Chippenham/Malmesbury). The small rural village of Leigh Delamere is located approximately 400-725m to the northwest of the site.

The wider site comprises a western car parking area, central service station building with hotel to the north, an eastern HGV and overflow car parking area and petrol station within the southeastern area, adjacent to the site exit. There are areas of woodland and tree planting within and adjacent to the site. Including priority habitat (deciduous woodland) to the northwest of the main customer car park, wrapping rapid to the north of the wider site.

The Application site comprises the HGV and overflow car parking area with central tree lined picnic/amenity space to the east of the central building.

The Site is not covered by any statutory planning designations, nor is it located within Flood Zones 2 or 3. Records available to the LPA confirm there are some localised areas of higher risk surface water flooding within the wider service station but not within the red line application site.

PROPOSAL

The application seeks full planning permission for the reconfiguration of the eastern car parking and HGV parking areas to enable provision of electric vehicle (EV) charging with supporting battery energy storage system (BESS) along the northern edge of the existing eastern car parking area (18 spaces total). The remainder of the eastern car parking area will be rearranged to provide additional parking spaces (plus 45 spaces), including dedicated disabled spaces (8 spaces retained). The central picnic/green space area will be retained and the HGV parking (to the south of the green space) will be rearranged to increase the demarked HGV parking areas (plus 22 spaces).

PLANNING HISTORY

Planning Reference	Proposal / Summary	Decision
13/05280/FUL	Installation of 1 Electric Vehicle Charging Point in Main Car Park	Approved with conditions

RELEVANT LEGISLATION, POLICIES AND GUIDANCE

Statutory Legislation:

- Town and Country Planning 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 9 Chippenham Area Strategy;
- Core Policy 41 Sustainable Construction and Low-Carbon Energy;
- Core Policy 50 Biodiversity and Geodiversity;
- Core Policy 51 Landscape;
- Core Policy 52 Green Infrastructure;
- Core Policy 55 Air Quality;
- Core Policy 56 Contaminated Land;
- Core Policy 57 Ensuring High Quality Design and Place Shaping;
- Core Policy 60 Sustainable Transport;
- Core Policy 61 Transport & Development;
- Core Policy 62 Development Impacts on the Transport Network;
- Core Policy 64 Demand Management;
- Core Policy 67 Flood Risk.

Supplementary Planning Documents and other Guidance:

- Wiltshire Design Guide (adopted April 2024)
- Wiltshire Local Transport Plan 3 2011-2026, adopted 2015 - including the Car Parking Strategy and Cycling Strategy, adopted 2015
- 2020)
- Air Quality SPD (July 2023).

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.

Neighbourhood Plan:

The Parish of Grittleton are currently not preparing a neighbourhood plan.

ISSUES

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

- Whether the development is acceptable in principle;
- Design and landscape impacts;
- Whether the proposal would have a negative effect upon highway safety;
- Whether there would be any harmful impacts upon protected species or priority habitats.

CONSULTATION RESPONSES

Grittleton Parish Council: No objection with comment

As the application includes a Battery Energy Storage System (BESS) Dorset and Wiltshire Fire & Rescue Services and the Environment Agency should be consulted. National Highways should also be consulted.

National Highways: No objection

NO objection is made, but the standard advised is given and recommended to be taken into consideration.

WC Highways: No objection

Advise that National Highways should be consulted, but no concerns with regard to the local highway network.

WC Public Protection: No objection subject to conditions

Request a construction hours condition (works between 08:00 and 18:00).

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.

No responses to the public consultation were received.

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

Assessment

The WCS is silent on the matter of development specifically at motorway service stations, that in their nature as mixed-use commercial sites (generally located within open countryside) are at odds with the spatial strategy of the WCS.

However, the site is in use and the proposal does not change the use of the land within the development site area. The parking uses would remain. As such, the development is predominantly assessed against other impacts (landscape, highways, amenities etc.).

Design and Impact on the Character and Appearance of the Site and Landscape

Policy Context

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.

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.

Assessment

The redevelopment of the existing car and HGV parking areas would not substantially change the character of the site over and above its existing appearance. The EV charging infrastructure (including protective fencing/barriers) is all significantly lower in height than the nearby mature trees and adjacent buildings. The development would also be set within the context of a functional motorway service station, that features various examples of utilitarian plant/installations across the site.

Conclusion

No impact on the character and appearance of the site or its setting within the local landscape would occur, over and above the existing situation. No conflict with the aims of CP51 or CP57 is identified.

Amenity

Policy Context

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.

Once operational, the development is not expected to create any increased adverse impacts to the amenities of the area over and above the existing situation. The BESS units would include cooling fans but the submitted specifications confirm noise output would be relative low, particularly given the context of a motorway service station that operates 24hrs a day.

The LPA considers the major potential impact to neighbouring residential amenities would be noise generated during the construction phase. However given that the closest residential properties (at Leigh Delamere village to the northwest) are located approximately 400m from the service station's western car park (550m from the development site) and screened by a dense area of woodland it is not expected that any affect on neighbouring amenities would occur. The motorway itself is also a significant noise generating infrastructure

WC Public Protection has requested a construction hours condition. Given the above assessment it is not considered to be reasonable or necessary to seek to impose limitations on the construction of the development. The Applicant is reasonably likely to be required to manage noise during the construction phase to ensure that customers of the on-site hotel are

not exposed to high levels of noise during unsociable hours. However, no planning control is justified.

Conclusion

The LPA is satisfied that no conflict with the aims of CP57 would arise.

Highways Impacts and Parking

Policy Context

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.

Proposals must also ensure safe access for refuse collection vehicles and comply with the Wiltshire Council Waste Storage and Collection SPD (2017).

Where necessary, Transport Assessments or Statements should be submitted to evaluate impacts and identify mitigation. Planning conditions or legal agreements may be used to secure off-site improvements, travel plans, or contributions to sustainable transport infrastructure.

Assessment

The Application site is part of an existing motorway service station. The proposal would not change the use of the land but would deliver additional car and HGV parking and additional EV charging infrastructure. National Highways have offered no objection, advising that the Applicant should be satisfied that the reconfigured parking areas allow sufficient space for manoeuvring, particularly within the HGV parking areas. However, as the access and egress slip roads from the service station would not be altered it is not expected the changes to the internal site arrangements would give rise to any adverse impacts on the national highway network.

Similarly, the local highway authority (LHA) considers there would be no impact on the local highway network.

Conclusion

The proposal would provide improved facilities and EV charging infrastructure at an existing motorway service station. No harm to the national or local highway network would be caused over and above that of the existing use.

Ecology and Biodiversity

Policy Context

The ecological impact of development is a key planning consideration, especially for larger schemes. Proposals must assess and address potential effects on:

- Protected species
- Priority habitats
- Ecological networks
- Green and blue infrastructure

Core Policy 50 of the Wiltshire Core Strategy requires development to:

- Avoid harm to ecological assets.
- Support habitat restoration and connectivity.
- Integrate biodiversity into site design.

The Green & Blue Infrastructure Strategy (2022–2030) promotes nature recovery, ecosystem services, and habitat connectivity through development.

Unless exempt, Schedule 7A of the TCPA requires that all new development delivers a minimum of 10% Biodiversity Net Gain (BNG), demonstrated via:

- Biodiversity Metric calculations;
- Ecological assessments (e.g. PEAs, Phase 1 surveys, protected species surveys).

Assessment

The development site areas is entirely hard-surfaced. The proposal involves only the reconfiguration of the parking spaces and EV infrastructure within the existing parking areas. The trees located adjacent to the parking areas and (of most importance) the priority habitat to the north would be unaffected.

As a result of the proposal not impacting upon any natural habitat, the development is accepted as being exemption from the provisions of Schedule 7A of the TCPA and it is not required to deliver 10% BNG.

Conclusion

The development would not result in a net loss to biodiversity and is exempt from the statutory BNG provision.

Flood Risk and Drainage

Policy Context

Core Policy 67 of the Wiltshire Core Strategy and NPPF paragraphs 170–182 require:

- Avoidance of increased flood risk.
- Use of appropriate mitigation measures.
- Application of the sequential and exception tests for developments in Flood Zones 2 or 3.

Sustainable Drainage Systems (SuDS) are required for all major developments and must:

- Manage runoff near its source.
- Improve water quality.
- Support biodiversity and amenity.
- Be integrated into the site layout and green infrastructure.

Assessment

The proposal does not involve the creation of additional hard-surfacing nor is it proposed to alter the site drainage. As such, the LPA is satisfied the development would have no impact on flood risk at the site or to adjacent land.

Conclusion

The development does not give rise to any impacts on the site drainage or flood risk over and above the existing situation and further planning control is unnecessary.

Environmental Considerations (Noise, Air Quality, Contaminated Land, etc.)

Policy Context

Core Policies 55 and 56 of the Wiltshire Core Strategy require:

- Development proposals to avoid unacceptable environmental impacts.
- To provide appropriate mitigation where risks are identified.

The NPPF and Planning Practice Guidance (PPG) reinforce this by stating that proposals should:

- Prevent development that contributes to or is exposed to unacceptable pollution.
- Ensure developer responsibility for safe development on contaminated land.

Wiltshire Council's Air Quality SPD (2023) provides detailed guidance, especially near Air Quality Management Areas (AQMAs) and encourages mitigation such as:

- EV charging infrastructure
- Green buffers
- Sustainable transport options

Assessment

Firstly, there is no evidence to suggest that any contaminated land would be encountered during the car park reconfiguration works. The development site area excludes the petrol station and fuel storage areas. Relating only to existing hard-surfaced parking areas.

In terms of Air quality, the motorway is known as a source of poor air quality and to an extent, this is an existing problem that is unable to be addressed by the current proposal. However, the provision of additional EV infrastructure will positively contribute towards the Gov't's aims to shift away from fossil fuel powered transport. Whilst this development may only contribute to a small amount of support for EV usage, it is nonetheless considered to be a benefit that is given moderate positive weight.

Matters relating to noise are addressed above with regards to CP57. The operation of the development is not considered to give rise to any increased noise over and above the existing use of the site.

Conclusion

The development would provide additional EV infrastructure that would contribute to the Gov't's intended shift towards low carbon modes of transport. No adverse impacts have been identified and the proposal is considered to comply with the aims of Core Policies 55 and 56.

Other Issues

The Parish Council has requested that Dorset and Wiltshire Fire and Rescue and the Environment Agency are consulted as the scheme includes an element of BESS. The LPA has reviewed the consultation requirements relating to BESS installations and is satisfied that, due to the small-scale of the proposed BESS installation and in terms of planning requirements, no formal consultation is required. This does not prevent the Applicant from their duties to comply with building regulations or any other environmental regulations that may require correspondence with other regulatory authorities.

PLANNING BALANCE AND CONCLUSION

At the heart of the NPPF there is a presumption in favour of sustainable development requiring local planning authorities to approve development proposals that accord with an up-to-date development plan without delay. In this case, the site has an existing use that would be improved by the development. No adverse impacts have been identified and the proposals are considered to comply with the relevant development plan policies.

RECOMMENDATION:

That Planning Permission be GRANTED, subject to conditions:

1. Time Limit

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. Approved plans

The development shall be implemented in accordance with the following approved plans and documents:

- LEIGHEB_0100_001 – Site Location Plan;
- LEIGHEB_0100_003A – General Arrangement;
- PowerShaper XLP – Technical Specifications;
- PixiiBox 48/3300 – Technical Specifications;
- Pixii PowerBase XLP – Technical Specifications;
- ABB E-mobility – A400 Data Sheet V2-2.

REASON: To define the planning permission and in the interests of proper planning.

3. Construction

No construction or demolition works shall take place outside the following hours:

- 08:00 to 18:00 Monday to Friday
- 08:00 to 13:00 on Saturdays
- No work shall take place on Sundays or Bank Holidays

For the purposes of this condition, “construction works” includes site clearance, demolition, groundworks, deliveries, and the operation of plant and machinery.

REASON: In the interests of the amenities of nearby occupiers and to minimise noise and disturbance, in accordance with the relevant policies of the Development Plan.

INFORMATIVE NOTES

General Notes

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required, it will be necessary for the applicant to obtain the landowner’s consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

Protected Species

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 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.

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>