

PLANNING, DESIGN & ACCESS STATEMENT

ERECTION OF WORKSHOP BUILDING TO SUPPORT THE EXISTING AGRICULTURAL AND LAND MANAGEMENT MACHINERY DEALERSHIP AT TAG KEMBLE, LOWER ODD BUSINESS PARK, CRUDWELL, KEMBLE, SN16 9SN



ON BEHALF OF TALLIS AMOS GROUP LTD

**TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING AND COMPULSORY PURCHASE ACT 2004**

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Appendices

Appendix 1 - Copy of Appeal Decision ref: APP/Y3940/W/25/3373619 (March 2026)

1. INTRODUCTION

- 1.1 This Planning, Design and Access Statement has been prepared by RAW Planning Ltd on behalf of Tallis Amos Group (“the Applicant”) in support of a full planning application relating to land at TAG Kemble, Lower Odd Business Park, Crudwell, Kemble, SN16 9SN (“the Application Site”).
- 1.2 The site benefits from planning permission granted under ref: 19/05387/FUL for the development of a tractor and agricultural machinery dealership, workshop and associated parking together with additional car parking provision for the adjacent industrial estate. That consent established the principle of a specialist rural-serving machinery business operating from this location and has since been implemented, with the site now functioning as an established commercial premises.
- 1.3 Since becoming operational, the Kemble facility has proved successful and now serves a wide catchment across North Wiltshire, Gloucestershire and surrounding rural areas. The business provides machinery sales, servicing, repairs, parts supply and aftercare for agricultural equipment, turf machinery and wider land management operations. As the business has expanded, the existing workshop and yard areas have come under increasing pressure, with limited internal capacity, external storage demands and reduced operational flexibility.
- 1.4 In response to those business needs, full planning permission is sought for the erection of an additional workshop building to support the existing operation. The proposal would make more effective use of land already forming part of the wider commercial holding, including an area previously approved for additional parking that was never implemented for that purpose.
- 1.5 This Planning Statement explains the site context, development proposals and relevant planning policy framework, and sets out the reasons why the proposed development should be supported. It should be read alongside the accompanying Explanation of Need Statement prepared by Kernon Countryside Consultants.
- 1.6 Section 2 describes the application site and the surrounding area. Section 3 outlines the business background and operational need. Section 4 sets out the details of the development proposals. Section 5 identifies the relevant planning policy framework. Section 6 provides a reasoned assessment of the proposal. Section 7 contains a summary and conclusions.

2. THE APPLICATION SITE AND SURROUNDINGS

- 2.1 The application site is located approximately 3km to the south west of Kemble, on the northern side of Culkerton Road. The site lies between Lower Odd Farm to the west and Lower Odd/Kemble Business Park to the east and therefore sits within an established cluster of commercial and agricultural development. This includes modern business units, workshop and storage buildings, agricultural structures, surfaced yards and associated infrastructure. The wider area is rural in nature, characterised by agricultural land, dispersed farmsteads and countryside roads connecting nearby settlements.



Figure 1: Aerial image of application site

- 2.2 The application site itself forms part of the Tallis Amos Group premises, which operate as a regional base for the sale, servicing and repair of agricultural machinery together with associated land management equipment. The main building located centrally within the site is a modern commercial structure accommodating workshop space, parts storage, offices and an ancillary trade counter required to support the day-to-day operation of the business.
- 2.3 The surrounding yard areas are actively used for machinery display, customer and staff parking, loading and unloading, servicing activity, vehicle circulation and general operational purposes. Agricultural machinery, trailers, turf equipment and service vehicles are regularly present on site as part of the established use.



Figure 2: Existing dealership/workshop building

- 2.4 To the east of the main building (where the proposed workshop building would be located) is a further area of hardstanding enclosed within the wider commercial holding. This land is currently used for open storage, ancillary parking and general operational purposes associated with the existing business. It lies between the Tallis Amos Group premises and neighbouring industrial units and is therefore visually and functionally integrated with the wider site.



Figure 3: Land east of the application site where new building is proposed

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- 2.5 The site is accessed directly from Culkerton Road via a vehicular entrance serving the Tallis Amos Group premises. The adjoining industrial unit and neighbouring farm are served separately via their own independent access arrangements and cannot be accessed through the application site.
- 2.6 In planning terms, the site lies outside any defined settlement boundary and within the open countryside. It is not located within a conservation area and there are no listed buildings in the immediate vicinity that would be affected by the proposals. The site lies within Flood Zone 1, being land at the lowest probability of flooding, and there are no statutory ecological or landscape designations affecting the site.

3. BACKGROUND AND OPERATIONAL NEED

- 3.1 The existing Tallis Amos Group premises were authorised under a 2019 planning permission (ref: 19/05387/FUL) for the 'development of a tractor and agricultural machinery dealership, workshop and associated parking together with 82 car parking spaces for those working at the existing industrial estate'. That permission established the principle of a specialist machinery business operating from this location, and the approved dealership building has since been delivered and brought into successful use.
- 3.2 As part of the earlier permission, land to the east of the main building was identified for overspill parking associated with the neighbouring business park. In practice, that element of the consent was never implemented, with a combination of land ownership constraints, changing occupier requirements and altered working practices following the COVID-19 pandemic substantially reducing demand for the previously envisaged parking provision. As a consequence, the land has instead become integrated into the wider Tallis Amos Group operational area and is currently used for ancillary parking, open storage and general day-to-day business purposes.
- 3.3 Since opening, the Kemble premises have become a successful regional base serving the agricultural and wider land-based economy, supporting machinery sales, servicing, repairs, parts supply and aftercare across a broad rural catchment. As the business has grown, demand for workshop capacity, machinery preparation, repairs and storage has increased accordingly, with the existing facility now operating under sustained pressure.
- 3.4 Modern agricultural and commercial land management machinery varies significantly in size, type and servicing requirements. Attempting to accommodate all activities within a single building reduces operational flexibility and constrains the efficient use of servicing bays. It has also resulted in parts, components and certain machinery being stored externally due to limited available internal capacity, including high-value stock and newly supplied customer equipment awaiting collection or preparation. Whilst manageable in the short term, external storage of such items leaves them exposed to the weather, can adversely affect presentation and condition over time, and presents avoidable security and asset management concerns for the business.
- 3.5 The proposed development therefore represents a practical and justified solution. It would provide additional covered floorspace, improve workflow, reduce pressure on the existing building and support the continued effective operation of an established rural business from its existing authorised base. Whilst the principal benefit of the proposal is improved efficiency and resilience, the additional accommodation may also support modest future employment growth as the business continues to develop.

4. THE APPLICATION PROPOSALS

- 4.1 Full planning permission is sought for the erection of an additional workshop building within the eastern part of the existing Tallis Amos Group site, together with associated minor amendments to the approved site layout.
- 4.2 The proposed building would be located on the existing hardstanding to the east of the main dealership building, within the operational yard area. This is the most logical location for expansion, allowing the additional accommodation to function directly alongside the existing workshop whilst remaining contained within the wider commercial holding.

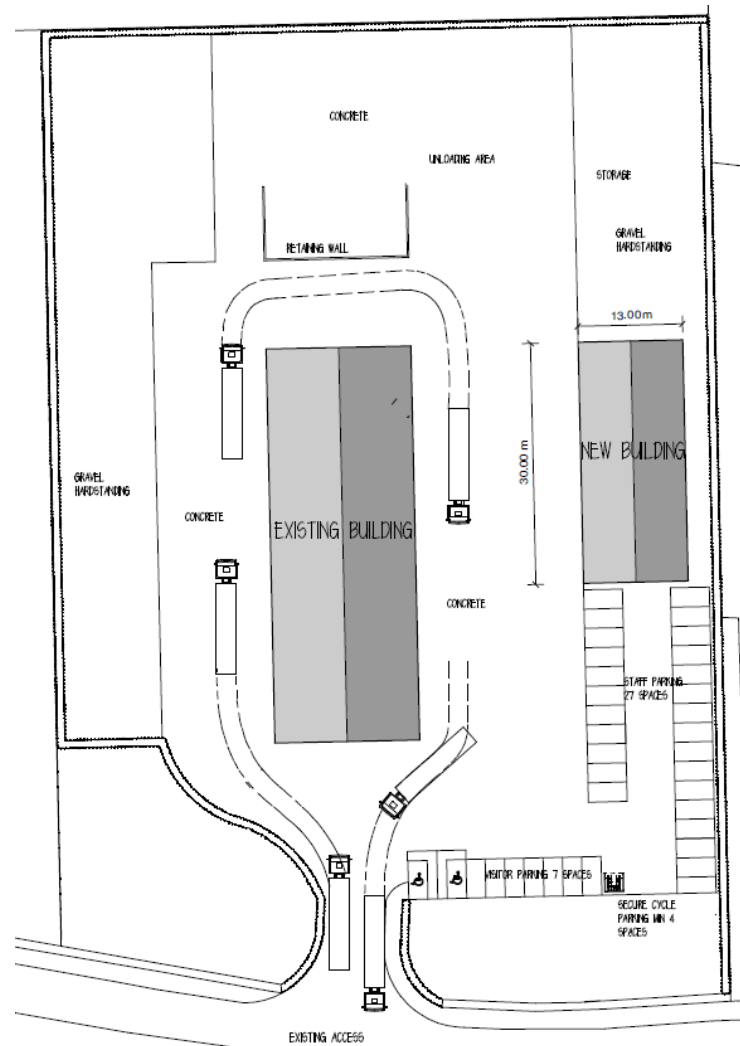
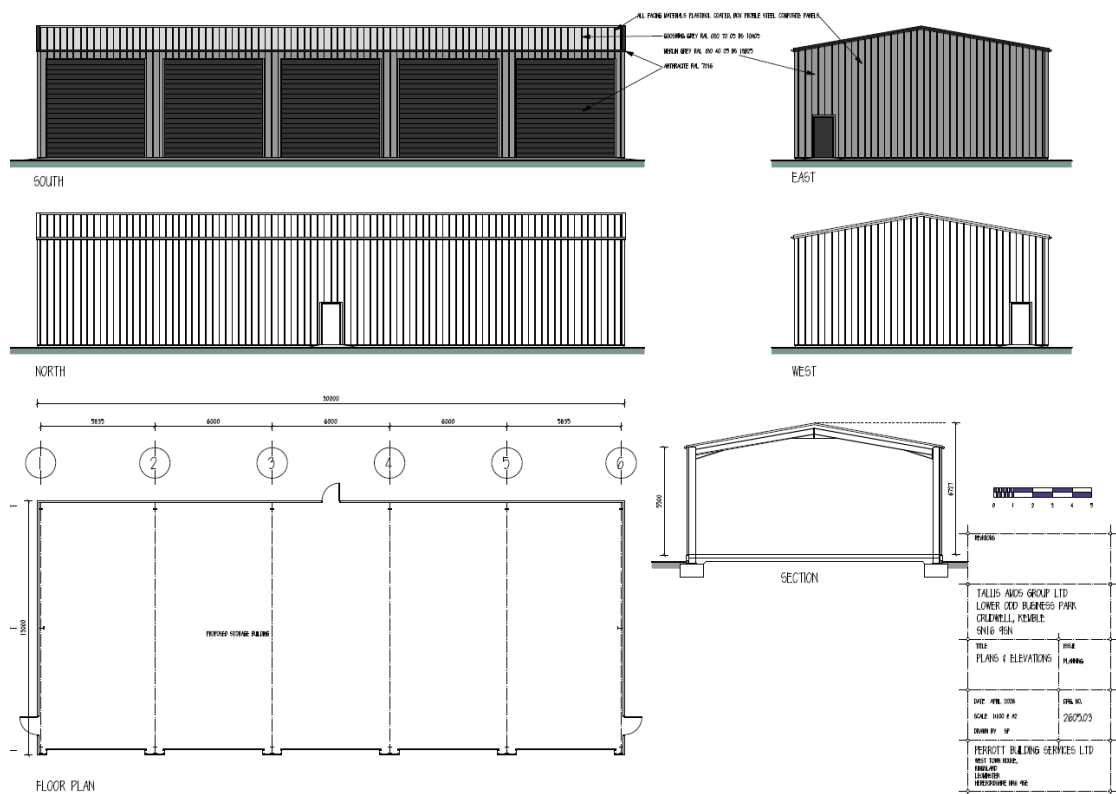


Figure 4: Proposed Site Layout Plan

- 4.3 The additional building would serve two principal functions. Firstly, it would provide dedicated workshop accommodation for smaller machinery, turf equipment and ancillary items, allowing such work to be separated from larger agricultural servicing operations within the main workshop. Secondly, it would provide enclosed storage space for parts, components and equipment presently stored

externally due to lack of available capacity. By relocating these activities, capacity would be released within the existing workshop, enabling servicing bays to be used more effectively for larger machinery and improving the overall workflow of the site. The proposed use falls comfortably within the established Tallis Amos Group operation already authorised at the site and aligns with the uses permitted under Condition 14 of planning permission ref: 19/05387/FUL. As such, the proposal does not introduce a materially different commercial activity but instead provides additional accommodation to support the existing lawful use.

- 4.4 The building would have an approximate footprint of 13 metres by 30 metres and would be materially smaller than the existing main building on site, which measures approximately 18 metres by 49 metres. In height terms, the proposed workshop would have an eaves height of approximately 5.5 metres and ridge height of approximately 6.7 metres, compared with the existing building at approximately 6 metres to eaves and 7.6 metres to ridge. The additional structure would therefore remain clearly subordinate to the principal building.



- 4.5 In design terms, the building adopts a simple and functional appearance with profiled cladding and roller shutter access doors, reflecting the utilitarian character of the existing Tallis Amos Group premises and surrounding business park. Its scale and form have been carefully considered to meet operational requirements without appearing excessive and, when viewed alongside neighbouring

commercial buildings, it would read as a natural component of the wider employment cluster rather than isolated encroachment into the open countryside.

- 4.6 The layout has been arranged so that the space between the existing and proposed buildings continues to provide manoeuvring, servicing and circulation space, ensuring the efficient movement of tractors, trailers, delivery vehicles and service traffic around the site. The number of staff and visitor parking spaces would remain consistent with the level previously approved, albeit re-organised within the site to reflect the revised layout rather than resulting in any loss of parking provision. Access arrangements remain unchanged, with the site continuing to be served from the entrance onto Culkerton Road.

5. RELEVANT PLANNING POLICIES

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) is considered to be a material consideration which attracts significant weight.
- 5.2 This section refers to relevant national planning policy and guidance as well as Development Plan policies that provide the planning policy framework for this application that should be considered. It deals with the following layers of policy and guidance:
- National Planning Policy Framework (NPPF); and
 - The Development Plan (including Neighbourhood Plans).

National Planning Policy Framework (NPPF)

- 5.3 The NPPF outlines national guidance and the Government's policies on the many different aspects of planning. The latest version of the NPPF was published in December 2024.
- 5.4 Paragraph 2 explains that planning law requires applications for planning permission to be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 5.5 Paragraph 11(c) sets out a presumption in favour of sustainable development and states that for decision making this means approving development proposals that accord with an up-to-date development plan without delay.
- 5.6 Paragraph 85 states that significant weight should be placed on the need to support economic growth and planning policies should support economic growth by creating conditions for businesses to invest, expand, and adapt. These policies should focus on both local business needs and broader development opportunities, leveraging each area's strengths, addressing weaknesses, and preparing for future challenges. Special emphasis is placed on innovation and areas with high productivity, enabling them to capitalise on their potential.
- 5.7 Paragraph 88 provides specific support for the rural economy stating that planning policies and decision taking should enable (a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings; (b) the development and diversification of agricultural and other land-based rural businesses and (c) sustainable rural tourism and leisure developments which respect the character of the countryside.

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- 5.8 Paragraph 89 states that planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable. The use of previously developed land should be encouraged where suitable opportunities exist.
- 5.9 Paragraph 116 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.10 Section 12 is entitled “Achieving well-designed places”. Paragraph 131 explains that good design is a key aspect of sustainable development. Paragraph 135 sets out that planning policies and decisions should ensure that developments will add to the overall quality of their area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting. It further states that planning decisions should ensure that developments create places that are safe, inclusive and accessible with a high standard of amenity of existing and future users.

The Development Plan

- 5.11 The development plan covering the application site comprises the Wiltshire Core Strategy (WCS) which was adopted in January 2015. The most relevant policies in the consideration of this application are as follows:
- 5.12 **Core Policy 34 (Additional Employment Land)** is primarily concerned with the delivery of additional employment land in Principal Settlements, Market Towns and Local Service Centres. Outside the Principal Settlements, Market Towns and Local Service Centres the Policy states that developments will be supported that:
- i. Are adjacent to these settlements and seek to retain or expand businesses currently located within or adjacent to the settlements; or
 - ii. Support sustainable farming and food production through allowing development required to adapt to modern agricultural practices and diversification; or
 - iii. Are for new and existing rural based businesses within or adjacent to Large and Small Villages; or

- iv. Are considered essential to the wider strategic interest of the economic development of Wiltshire, as determined by the Council.

Where they:

- a) Meet sustainable development objectives as set out in the policies of this Core Strategy
- b) Are consistent in scale with their location, do not adversely affect nearby buildings and the surrounding area or detract from residential amenity and
- c) Are supported by evidence that they are required to benefit the local economic and social needs and
- d) Would not undermine the delivery of strategic employment allocations and
- e) Are supported by adequate infrastructure.

- 5.13 **Core Policy 50 (Biodiversity and geodiversity)** states that developments should attempt to conserve and preserve sites for their ecological value, as part of this the policy expects there should be no net loss of biodiversity value.
- 5.14 **Core Policy 51 (Landscape)** requires development to protect, conserve and where possible enhance landscape character and to not have a harmful impact upon landscape character with any negative impacts mitigated as far as possible through sensitive design and landscape measures.
- 5.15 **Core Policy 57 (Ensuring High Quality Design and Place Shaping)** requires a high standard of design in all new developments with development expected to create a strong sense of place through drawing on the local context and being complementary to the locality.
- 5.16 **Core Policy 61 (Transport and new development)** requires development to provide safe and suitable access arrangements, avoid unacceptable impacts on highway safety and the wider transport network, and ensure appropriate parking provision in accordance with adopted standards. Proposals should facilitate safe vehicular and pedestrian movement, integrate with existing transport infrastructure and avoid creating severe residual transport impacts.

6. PLANNING ASSESSMENT

The Principle of Development

- 6.1 The key policy consideration in respect of the principle of development is Core Policy 34 of the WCS. Whilst the site lies outside the main settlement hierarchy, the policy supports employment development in rural areas where proposals support sustainable farming and food production (criteria ii), or are considered essential to the wider strategic interest of the economic development of Wiltshire (criteria iv), subject to compliance with the detailed criteria relating to sustainable development objectives, scale, impacts, evidence of need and infrastructure. The application proposals involve the extension of a tractor and agricultural machinery business and as such the proposals relate to the wider farming and food production in accordance with criteria (ii) of Core Policy 34.
- 6.2 Notwithstanding this, at a national level, paragraph 88 of the NPPF states that planning decisions should enable the sustainable growth and expansion of all types of business in rural areas, including through well-designed new buildings, together with the development and diversification of agricultural and other land-based rural businesses. Paragraph 89 further recognises that business needs in rural areas may need to be accommodated beyond existing settlements, provided development is sensitive to its surroundings, does not create unacceptable highway impacts and takes opportunities to make locations more sustainable. The use of previously developed land is also encouraged where suitable opportunities exist.
- 6.3 There has been a recent appeal decision (LPA ref: PL/2025/02105 and PINS ref: APP/Y3940/W/25/3373619) in which the Inspector concluded that Core Policy 34 adopts a far more restrictive approach to commercial development in the countryside than NPPF paragraphs 88 and 89 which was published after the adoption of the Wiltshire Core Strategy (even in its original format in the July 2018 NPPF). A copy of the appeal decision is attached at Appendix 1.
- 6.4 The Inspector in that decision (which involved a new warehouse building for an existing tenant at Chelworth Industrial Estate, Cricklade) found that Core Policy 34 *“acts to constrain economic development at a time when, as indicated by the Wiltshire Employment Land Review Update, demand for new employment sites in rural areas is not being met by existing allocations or policies”*. The decision continues to state *“based on the evidence before me, including the age and acknowledged failures of the policies in question, as too their inconsistency with the Framework, they are out of date. This both limits the weight I can attach to conflicts with them and engages paragraph 11 of the Framework; a matter I shall return to below”* (paragraph 12). The Inspector continues to state that in broader terms, the objective of achieving a sustainable distribution of development by actively managing patterns of growth remains one consistent with the Framework and so does recognition of the intrinsic character

and beauty of the countryside. Within this context the Inspector states that it is necessary to establish whether development within the location proposed would result in any unacceptable harm.

- 6.5 The appeal decision is directly relevant to the application proposals by virtue of the proposals involving a new commercial building within an existing employment area in the countryside. Whilst the proposed building is considered to comply with criteria (ii) of Core Policy 34 the appeal decision highlights the weight to also be attached to the NPPF and its support for rural economic development.
- 6.6 The following paragraphs of Section 6 of this Statement set out how the proposals comply with criteria (a) – (e) of Core Policy 34 together with how the proposals would not result in any unacceptable harm (with reference to NPPF paragraph 11 and the aforementioned appeal decision).
- 6.7 This application is also supported by an accompanying Explanation of Need Statement prepared by Tony Kernon of Kernon Countryside Consultants. That report provides detailed evidence regarding the existing operation of the Kemble premises, the historic non-implementation of the previously approved overspill parking area, existing space constraints within the workshop and yard, and the operational justification for the proposed additional building.

Expansion of an Existing Rural Business

- 6.8 Tallis Amos Group is a long-established regional machinery dealer and engineering business operating from multiple depots, including the Kemble site, which operates as an authorised John Deere dealership and service centre. The business serves the agricultural and wider land-based economy through machinery sales, servicing, repairs, parts supply and technical support.
- 6.9 The Kemble premises are intrinsically linked to the needs of the surrounding agricultural and land-based economy, serving farms, agricultural contractors, landed estates, grounds maintenance operators and other rural enterprises across a wide catchment. This functional relationship is directly relevant to Core Policy 34 (ii), which supports development assisting sustainable farming and adaptation to modern agricultural practices. The scale of the operation, its regional customer base and its role in supporting productive rural sectors also materially align with the wider economic objectives reflected in Core Policy 34 (iv). The rural location is also appropriate in operational terms, given the scale of machinery, trailers and service vehicles regularly accessing the site, many of which are better suited to a countryside location with direct access to the local road network than constrained town centre or settlement environments.
- 6.10 Since the original permission was implemented, the site has become a successful and well-used regional base. Demand for workshop capacity, machinery servicing, repairs, preparation space and parts storage has increased, with the existing building now operating under sustained pressure. Tony Kernon's

accompanying operational report explains that multiple machinery types, servicing functions and storage demands are now competing for limited floorspace. The report is supported by photographic evidence demonstrating the cramped internal workshop layout, pressure on external yard areas and the extent to which parts, machinery and equipment are presently required to be stored outside.

- 6.11 The report further confirms that parts, components and machinery are presently required to be stored externally due to insufficient covered space, including high-value stock and newly supplied customer equipment awaiting collection or preparation. This exposes assets to the weather, creates avoidable security and management concerns, and does not represent an efficient or sustainable long-term operating arrangement.
- 6.12 The site already benefits from planning permission for a substantial machinery dealership and workshop use, such that the principle of Tallis Amos Group operating from this location has been firmly established. The present application is therefore not whether such a business should be located here, but whether a modest and logical expansion of that authorised operation should be supported. In that regard, the proposal remains wholly ancillary to the existing operation. It does not introduce a separate commercial planning unit, nor a materially different activity, but instead provides additional floorspace to support the existing business.
- 6.13 The proposed building would directly address those constraints by creating a dedicated workshop area for smaller machinery and turf equipment, whilst also providing enclosed storage for parts and equipment currently stored outside. In turn, this would release capacity within the main workshop for larger agricultural machinery, improve workflow, reduce congestion within the yard and allow the business to operate more efficiently. The proposed functions also fall comfortably within the scope of the uses authorised under Condition 14 of planning permission ref: 19/05387/FUL.
- 6.14 The scale and siting of the building reinforce that conclusion. It would be positioned on existing hardstanding within the operational yard, directly adjacent to the main building. The structure is materially smaller than the existing premises in both footprint and height, and would read as a natural extension of the commercial complex rather than encroachment into the open countryside.

Design and Landscape Impact

- 6.15 Core Policy 51 of the WCS seeks to protect, conserve and where possible enhance landscape character, requiring development proposals to avoid harmful impacts and to mitigate any adverse effects through sensitive siting, layout and design. Core Policy 57 requires a high standard of design that responds positively to local context, reinforces local distinctiveness and is complementary to its surroundings.

- 6.16 The application site forms part of a cluster of commercial and agricultural development comprising the Tallis Amos Group premises, neighbouring business units, agricultural buildings and associated surfaced yards. The proposed building would occupy existing hardstanding within this developed setting, between established buildings and would therefore be viewed in the context of an existing employment area, rather than extending built form into undeveloped land or resulting in encroachment into the open countryside.
- 6.17 In design terms, the building adopts a simple portal frame construction with profiled cladding and roller shutter openings, reflecting the utilitarian character of the existing Tallis Amos Group premises and surrounding commercial units. This is an entirely appropriate design response within a working yard environment. The scale of the building is also modest in context. At approximately 13 metres by 30 metres, it would be materially smaller than the existing building (approximately 18 metres by 49 metres). Likewise, the proposed eaves and ridge heights of approximately 5.5 metres and 6.7 metres respectively would remain lower than the existing building, which measures approximately 6 metres to eaves and 7.6 metres to ridge. The structure would therefore appear clearly subordinate to the main workshop and read as ancillary development within the wider group of buildings.
- 6.18 Overall, the proposal represents a well contained and appropriately designed addition to an existing commercial site. It would preserve the character of the area, avoid harmful landscape impacts and accords with Core Policies 51 and 57 of the WCS.

Highway Impact

- 6.19 Core Policy 61 of the WCS requires safe and suitable access arrangements, appropriate parking provision and development that does not give rise to unacceptable highway impacts. Paragraph 116 of the NPPF states that development should only be refused on highways grounds where there would be an unacceptable impact on highway safety, or where the residual cumulative impacts on the road network would be severe.
- 6.20 The proposal relates to the expansion of an existing authorised business where the primary need is for additional workshop and storage space, rather than any material increase in staffing levels or customer activity. As such, no significant increase in traffic movements is anticipated.
- 6.21 Access arrangements would remain unchanged, with the site continuing to be served from the existing entrance onto Culkerton Road. Staff and visitor parking provision would remain within the site, with spaces reconfigured as part of the revised layout rather than reduced. The scheme also includes 2 disabled parking spaces and 4 secure covered cycle spaces.

Parking Demand

- 6.22 Planning permission ref: 19/05387/FUL included an area of land to the east of the dealership building identified for additional parking associated with the neighbouring business park. That arrangement reflected the circumstances and anticipated operational requirements at the time the application was considered in 2019. The overspill parking provision has however never been implemented and the land did not come forward for the purpose originally envisaged. Since the 2019 permission was granted, working patterns have changed markedly, particularly following the Covid-19 pandemic, with a substantial increase in home-working and hybrid-working arrangements across many commercial sectors. That shift is widely recognised to have reduced parking demand in many office and industrial contexts.
- 6.23 The original parking justification was influenced in part by vehicles being parked on highway verges along Culkerton Road. That situation no longer arises and there has been no requirement for the overspill car parking since it was approved in September 2019 shortly before the Covid pandemic, providing practical evidence that there is no ongoing overspill parking shortfall requiring retention of the unimplemented area. It is also material that the Officer's report for planning permission ref: 19/05387/FUL attached only limited weight to the proposed overspill parking provision, questioning whether any enduring need for the additional spaces had been robustly demonstrated and noting that parking demand could potentially be managed through more efficient use of existing hardstanding and alternative operational measures. The report further concluded that the associated parking benefits carried only limited weight in the overall planning balance.
- 6.24 In these circumstances, the planning system should respond to current operational realities rather than preserve an unused historic arrangement where the original need has not materialised. It is therefore entirely reasonable for land within an established commercial holding to be re-purposed for a more productive and policy compliant employment use.
- 6.25 Furthermore, the proposed layout retains staff and visitor parking for Tallis Amos Group. The previously approved number of parking spaces for Tallis Amos Group remains available, albeit reconfigured to reflect the proposed building footprint and improved circulation arrangements. There is therefore no material loss of parking capacity associated with the existing use.
- 6.26 In these circumstances, the absence of any historic implementation of the overspill parking area, coupled with changed commercial conditions and continued on-site parking provision for the Applicant, weighs materially in favour of allowing the land to be used for an expanded business function that delivers ongoing economic value.

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- 6.27 The proposal would therefore retain suitable access and parking arrangements and give rise to no unacceptable highway or transport impacts. Accordingly, the development accords with Core Policy 61 of the WCS and the NPPF.

Ecological Impact

- 6.28 Core Policy 50 of the WCS seeks to protect and enhance biodiversity interests, requiring development to avoid adverse ecological impacts and secure no net loss of biodiversity value where possible.
- 6.29 The proposed development would be undertaken on existing hardstanding within an established commercial yard. The site is already in active operational use and does not comprise habitat of recognised ecological value. Accordingly, no material impacts upon habitats, ecological features or protected species are anticipated.
- 6.30 In Biodiversity Net Gain (BNG) terms, the development relates to land which is sealed hardstanding and of negligible habitat value. As such, the proposal is considered to fall within the relevant de minimis exemption and mandatory BNG requirements do not apply.

Drainage

- 6.31 The application site is already laid to hardstanding and as such the proposals will not result in the loss of impermeable surface. It is proposed that the new building connects into the recently constructed surface water drainage system and that details are required by way of condition.

7. SUMMARY AND CONCLUSION

- 7.1 Full planning permission is sought for the erection of an additional workshop building at TAG Kemble, together with associated minor amendments to the approved site layout.
- 7.2 This Planning Statement, read alongside the accompanying Explanation of Need Statement prepared by Kernon Countryside Consultants, provides robust evidence of the operational need for the proposal and the justification for additional floorspace at the site. It also explains why the area previously approved for ancillary parking was never implemented for that purpose and can now be utilised more effectively in support of the established business. The development would enable the business to respond to genuine space constraints within its existing authorised premises through the more efficient use of land already forming part of the wider commercial unit.
- 7.3 The proposal is considered to accord with Core Policy 34 of the WCS, in that it supports a business serving the agricultural and wider land-based economy, facilitates continued investment in infrastructure required to support modern agricultural practices, and represents a proportionate expansion of an existing business. The proposal also satisfies the detailed criteria of the policy in respect of scale, impacts, evidence of need and infrastructure.
- 7.4 Furthermore, the development also aligns with the NPPF, in particular the clear support within paragraphs 88 and 89 for the sustainable growth and expansion of rural businesses, including through well-designed new buildings and the effective use of previously developed land. The significant weight to be applied to the NPPF in the decision making process for new commercial development in the countryside is also highlighted in the Appeal decision attached at Appendix 1.
- 7.5 No unacceptable impacts would arise in respect of landscape character, highway safety, parking provision or ecology.
- 7.6 Overall, the proposal accords with the Development Plan when read as a whole and is strongly supported by the NPPF. It represents sustainable development that would support the continued growth of a rural enterprise, and planning permission should therefore be granted without delay.

**Appendix 1 - Appendix 1 - Copy of Appeal Decision ref:
APP/Y3940/W/25/3373619 (March 2026)**



Appeal Decision

Site visit made on 16 March 2026

by **Benjamin Webb BA(Hons) MA MA MSc PGDip(UD) MRTPI IHBC**

an Inspector appointed by the Secretary of State

Decision date: 27 March 2026

Appeal Ref: APP/Y3940/W/25/3373619

Unit A, Chelworth Industrial Estate, Cricklade, Swindon, Wiltshire SN6 6HE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by SW Group Logistics against the decision of Wiltshire Council ('the Council').
 - The application reference is PL/2025/02105.
 - The development proposed is the erection of a new warehouse building and associated works.
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Decision

1. The appeal is allowed, and planning permission is granted for the erection of a new warehouse building and associated works, at Unit A, Chelworth Industrial Estate, Cricklade, Swindon, Wiltshire SN6 6HE in accordance with the terms of the application, reference PL/2025/02105, subject to the conditions set out in the schedule at the end of this decision.

Preliminary Matters

2. I have modified the description of development in the banner heading and my decision above, removing unnecessary reference to the site's location. As the site address is variously given as either Braydon Lane or Chelworth Road, I have also omitted reference to either in order to avoid confusion. I am satisfied that the address remains suitably precise.
3. For further avoidance of doubt, whilst the address is correctly given as Chelworth Industrial Estate, the development plan places this within the defined Chelworth Commercial Area. I have referred to the latter in my consideration of policy below.
4. Planning permission was partly refused on grounds that insufficient information had been provided to determine the noise impacts of the development on residential amenity. A noise impact assessment was then submitted as part of the appeal. As the Council has confirmed that this addresses its concerns, I shall consider the matter no further within this Decision.
5. An application for costs was made by SW Group Logistics against Wiltshire Council. This application is the subject of a separate Decision.

Main Issue

6. The main issue is whether the site would be an appropriate location for the proposed development having regard to the development plan and other material considerations.

Reasons

(a) Policy background

7. Core Policy 1 of the Wiltshire Core Strategy 2015 (the Core Strategy) sets out the Council's spatial strategy. This defines a hierarchy of settlements, across which Core Policy 2 seeks to achieve a sustainable distribution of development. This strategy is assisted by the definition of settlement boundaries, outside of which Core Policy 2 states that development will not be permitted. Core Policy 19 of the Core Strategy more specifically sets out the strategy applicable to the Cricklade Community Area, which generally aligns with the Core Policies 1 and 2.
8. Development outside settlement boundaries, and thus within the countryside for the purposes of the development plan, is permissible subject to exceptions set out within a number of policies. The most relevant is Core Policy 34, which allows for employment development adjacent to defined settlements. Though the site is located near to Cricklade, a defined Local Service Centre, it cannot be considered to lie 'adjacent'. Nor would the development comply with any of the other exceptions set out within the policy.
9. Policy B5 of the Cricklade Neighbourhood Plan 2018 (the NP) further states that proposals to extend uses in the Chelworth Commercial Area into the surrounding countryside will not be supported. As the site is largely located outside, the development would conflict with both this and the above policies.

(b) Policy Discussion

10. The National Planning Policy Framework (the Framework) states that significant weight should be placed on the need to support economic growth and productivity. Paragraph 88 of the Framework further states that planning policies and decisions should enable the sustainable growth and expansion of all types of businesses in rural areas. Importantly, paragraph 89 of the Framework goes on to add that planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may need to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport.
11. What is now paragraph 89 originated within the July 2018 version of the Framework. This was published after the adoption of the Core Strategy and NP. By seeking to prohibit the expansion of businesses at Chelworth Commercial Area, Policy B5 of the NP adopts a far more restrictive approach than is currently set out within the Framework. So too does Core Policy 34, given that it limits consideration of proposals for additional employment land to sites adjacent to settlements.
12. The above policies furthermore act to constrain economic development at a time when, as indicated by the Wiltshire Employment Land Review Update, demand for new employment sites in rural areas is not being met by existing allocations or policies. Based on the evidence before me, including the age and acknowledged failures of the policies in question, as too their inconsistency with the Framework, they are out of date. This both limits the weight I can attach to conflicts with them and engages paragraph 11 of the Framework; a matter I shall return to below.
13. In broader terms, the objective of achieving a sustainable distribution of development by actively managing patterns of growth remains one consistent with the Framework. So too does recognition of the intrinsic character and beauty of the

countryside. Within this context it remains necessary to establish whether development within the location proposed would result in any unacceptable harm.

(c) *Harm*

14. The Council's refusal of planning permission on grounds of the site's location was made 'in principle'. How policy conflict would translate into real world harm both was not and has not been explained. Though the Council's officer assessment provided an extract of the supporting text of Policy B5 of the NP, which states that the location of Chelworth Commercial Area is 'inherently unsustainable', no specific concerns were identified. Nor was any issue identified in relation to delivery of the Council's broader economic or spatial strategy. The assessment otherwise indicated the scheme's acceptability in relation to the character of the countryside and landscape. In effect the only 'harm' the Council identified was offence to the words and diagrams which make up the locational policies in question.
15. Locational sustainability was nonetheless considered in detail within a 2025 appeal decision relating to a proposed warehouse at nearby 'Land off Braydon Road'. The Inspector in that case found that the location could not be considered sustainable in transport terms. This was due to a lack of suitable walking and public transport routes, albeit the possibility of cycling from Cricklade was considered realistic.
16. I do not have full details of that case. However, it is apparent that significant differences exist between the two appeal schemes. Whereas the proposed building would provide 3,300m² (c.35,521ft²) of warehouse space with 175m² (c.1,884ft²) of office space, that proposed in 2025 would have provided up to 20,000m² (c.215,278ft²). If floorspace can be held to correlate with levels of employment, it is reasonable to infer that the impacts of travel would vary proportionally. Accordingly, the impacts of the 2025 scheme would be far greater than that currently proposed. Furthermore, whereas the evidence before me indicates that the 2025 scheme would not have met any specific local business need, the proposed warehouse would allow the expansion of a business already well established at the location. It appears therefore that unlike the proposed warehouse, the 2025 scheme would not have been a type of development envisaged by paragraph 89 of the Framework.
17. Opportunities to maximise sustainable transport solutions vary between urban and rural areas. Within this context, and as set out above, paragraph 89 accepts that sites to meet local business and community needs in rural areas may not be well served by public transport. It stands to reason that even if well connected, sites 'beyond existing settlements' are also less likely to favour walking than sites within. Cycling would however provide employees with genuine choice, whether or not it would be preferred over the use of private motor vehicles.
18. Paragraph 89 goes on to state that amongst other things it is important to ensure that development exploits any opportunities to make the location more sustainable. That is not to say that such opportunities necessarily exist. In this case I am satisfied that the provision of cycle parking would facilitate cycling, and that both this and measures such as car sharing might be further encouraged by implementation of a proposed Travel Plan.
19. Thus, whilst I acknowledge the findings of the Inspector in the 2025 appeal, they do not lead me to reach the same conclusion. The sustainability of the location in transport terms is clearly limited. However, my findings above indicate that in the current case this would not result in any unacceptable harm.

20. Insofar as paragraph 89 of the Framework additionally states that it is important to ensure that development does not have an unacceptable impact on local roads, local concerns have been raised in relation to HGV movements through Cricklade. These concerns form part of the background of Policy B5 of the NP. It is however notable that they were not a matter of concern to the Inspector in the 2025 appeal despite the far larger scale of that scheme. To the extent that it can be secured, a proposed HGV routing strategy avoiding Cricklade would nonetheless help to address local concerns. No other likely impacts on local roads have been identified.
21. Lastly, paragraph 89 states that it will be important to ensure that development is sensitive to its surroundings. This is a consideration relevant to the site's countryside location, and a matter in relation to which, as noted above, the Council has raised no objection. Though interested parties have objected on grounds of harm to rural landscape character, no further explanation has been provided. Indeed, the only detailed evidence set before me is the appellant's Landscape and Visual Appraisal Statement which asserts the scheme's acceptability.
22. Part of the site is already developed, and much of the remainder was historically occupied by farm buildings, a few remnants of which remain. Most of the land is covered by grass and scrubby vegetation and is of limited value in landscape terms. The warehouse itself would have a close physical and visual relationship with similar existing buildings. It would be sensitively coloured, drawing some inspiration from the adjacent former airfield. Its surroundings would be carefully landscaped. As such, the proposed warehouse would not appear obtrusive, and its surroundings would be enhanced. The development would therefore have no unacceptable effect on the character of the countryside or rural landscape.

(d) Conclusion

23. The location of the proposed development would conflict with the development plan. However, the policies with which conflict would arise are unduly restrictive and out of date. Whilst no unacceptable harm would in any case arise from such conflict, the scheme would help to sensitively meet a local business need and deliver economic growth. In these regards it draws support from national policy. Placing significantly greater weight on these considerations than I do the scheme's conflict with the development plan, I conclude that the site would be an appropriate location for the proposed development.

Other Matters

(a) Scheduled Ancient Monument

24. The site lies immediately towards the north of a moated site with surrounding earthwork enclosure which is designated as a scheduled ancient monument (SAM). Insofar as it is relevant to the appeal, the significance of the SAM lies in its physical remains, and the evidence this provides of the presence of a medieval stronghold. Given that a relationship seems likely to have existed between this stronghold and the surrounding open/agricultural landscape, the latter has the potential to contribute both to the significance of the SAM, and to its appreciation.
25. The SAM is heavily overgrown, limiting its visibility from outside the scheduled area. The surrounding landscape has also undergone significant change since the medieval period, including past modification to serve as an airfield. That within the site itself has passed through a number of phases, including, as noted above,

construction and then demolition of a farmstead. The site therefore provides little sense of historic context, and beyond the buffer it currently provides, contributes very little to appreciation of the significance of the SAM.

26. The proposed warehouse would have a strong physical and visual presence viewed relative to the SAM. It would share this in common with existing warehouses nearby. Insofar as the proposed warehouse would however stand closer, the SAM would remain well buffered by open space. For this and the above reasons the development would not detract from either the significance of the SAM or its appreciation. The significance of the SAM would therefore be conserved.

(b) Habitats sites

27. The site is located within the zone of influence of the North Meadow and Clattinger Farm Special Area of Conservation (the SAC), which is designated in relation to the lowland meadow and flora it contains. Insofar as the SAC has been identified as vulnerable to recreational pressure, the development is not a type likely to generate visits to the SAC. For this reason and given that no likely construction related impacts have been identified, potentially significant effects on the integrity of the SAC can be excluded.

(c) Protected species

28. Ponds on site have been identified as hosting great crested newts (GCN), and common lizards and slow worms have been identified elsewhere. The ponds would be retained as part of the development, but there would be some loss of potential terrestrial habitat for both GCN and reptiles. Given the potential impact on GCN it is likely that a licence would be required from Natural England.
29. The appellant's Ecological Impact Assessment (EIA) contains an outline mitigation strategy and method statement, full details of which could be secured within a Construction Ecological Management Plan. Long-term enhancement and management could be secured through a Landscape and Ecological Management Plan. Within this context the EIA notes the declining quality of the overall habitat within the site, and the scope for habitat loss to be balanced if not outweighed by habitat enhancement and management within retained open space. Such enhancement delivered as part of a mitigation strategy would necessarily be distinct from and in addition to any broader biodiversity net gain.
30. The effects of the development on protected species could thus be made acceptable. Having had regard to my duties under Regulations 9(1) and 9(3) of The Conservation of Habitats and Species Regulations 2017, I therefore have no reason to doubt that a licence in respect of GCN would be granted.

(d) Planning obligation

31. The appellant has provided a Unilateral Undertaking (UU) and Section 106 (S106) each of which secures the same travel plan monitoring fee. The travel plan in question is not however secured as a planning obligation but is the subject of a proposed condition. The Planning Practice Guidance states that Authorities can charge a monitoring fee through section 106 planning obligations to cover the cost of monitoring and reporting on delivery of that section 106 obligation. It does not state that fees can be secured as standalone planning obligation for the purpose of monitoring conditions.

32. The Council appears to envisage that the required travel plan would be a revision of an existing plan applicable to other parts of the appellant's operation. However, this cannot be properly secured by condition given the existing plan's lack of relationship with the proposed development. For the same reason, even if scope existed, a fee could not be secured to monitor the implementation of such a plan.
33. Given the above and given that I have been provided with no indication of how the requested fee has been calculated, I find that the obligation within both the UU and S106 fails the tests set out in Regulation 122 of the CIL Regulations 2010 (as amended), and paragraph 58 of the Framework. It cannot therefore be taken into account. This finding has no bearing on the overall acceptability of the scheme.

(e) *'Tilted balance'*

34. My findings above confirm the appellant's view that the so called 'tilted balance' set out within paragraph 11 of the Framework is engaged. However, given that I have already established the appropriateness of the development this is not a matter which is determinative. It stands to reason that in the absence of any unacceptable harm the adverse impacts of granting permission would not significantly and demonstrably outweigh the benefits. This finding therefore simply serves as an additional indication of the scheme's acceptability, further reinforcing my conclusion on the main issue above.

Conditions

35. Conditions (1) and (2) set the timescales for commencement of the development and identify the approved plans for sake of certainty.
36. Condition (3) secures the archaeological investigation of the site given its identified potential. A pre-commencement condition is required given the likelihood that construction of the warehouse would otherwise destroy the deposits in question.
37. Condition (4) secures provision of a Construction Ecological Management Plan or CEMP required to help ensure that the construction process does not have any adverse effect on protected species, other wildlife and trees. A pre-commencement condition is required given that management measures will need to be implemented from the outset. I have not included suggested matters concerned with traffic management as they are not relevant. Whilst the option exists to impose a separate condition, the context does not appear to justify it.
38. Condition (5) secures a scheme of surface water drainage required in order to ensure proper drainage of the site. A pre-commencement condition is required given that drainage works are likely to form part of the initial phase of construction.
39. Condition (6) secures provision of a Habitat Management and Monitoring Plan. This is required in conjunction with the Biodiversity Gain Plan (BGP), to be similarly approved pre-commencement, and given the significant gains proposed. The condition secures those gains over the required period. A separate condition securing the BGP is not required. This is because 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.

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

40. Condition (7) restricts the hours during which construction and use of the warehouse may take place in the interests of safeguarding amenity. I have modified the suggested hours of use so that they align with those identified within the submitted noise impact assessment. These hours are otherwise the normal operating hours of the appellant's existing warehouses. Activity outside this period would therefore potentially be noticeable. It is logical for construction activity to be also restricted to the same hours.
41. Condition (8) secures implementation of the approved landscaping strategy and enhancements required to mitigate the scheme's effects on protected species.
42. Condition (9) secures provision of a Landscape Ecological Management Plan which is required to ensure the long-term management and proper function of measures provided to mitigate the scheme's effects on protected species.
43. Condition (10) secures a scheme of bat sensitive lighting required to minimise the scheme's impact on bats.
44. Condition (11) secures provision of an HGV routing strategy for purposes of helping to avoid additional journeys through Cricklade. The condition can only apply to HGV journeys which arise as a direct result of the development, and to the extent that measures can be taken to influence off-site vehicle movements as part of its operation. I note that the possibility of a planning obligation covering the matter was previously considered. That would have been similarly limited. There is nothing to prevent the appellant voluntarily implementing a broader strategy.
45. Condition (12) secures the provision of travel plan in the interests of promoting sustainable modes of travel. Again, the condition applies only in relation to those directly employed as a result of the development.
46. Condition (13) secures the provision of parking spaces and cycle racks, helping to ensure that the development caters for related demand and supports cycling.
47. Condition (14) restricts the uses to which the warehouse can be put. This reflects the fact that its acceptability has been established on the basis of those uses.

Conclusion

48. For the reasons set out above I find that material considerations indicate that the development would be acceptable despite its conflict with the development plan. I therefore conclude that the appeal should be allowed.

Benjamin Webb

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - TA-23-80-100 P06 - Proposed Site Layout.
 - TA-23-80-111 P06 - Proposed Floor Plan.
 - TA-23-80-140 P06 - Proposed Elevations.
 - 3509-TLP-XX-XX_DR-L-10001-P01 - Landscape Strategy Plan.
- 3) The development hereby permitted shall not commence until a written scheme of archaeological investigation (WSI), which shall make timetabled provision for excavation and post-excavation analysis, publishing and archiving, shall be submitted to and approved by the Local Planning Authority. The approved WSI shall then be implemented as approved.
- 4) The development hereby permitted shall not commence until a Construction Ecological Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall be prepared in accordance with BS 42020:2013 ('Biodiversity – Code of practice for planning and development'), or any superseding British Standard, the Ecological Impact Assessment dated October 2024, and the Arboricultural Impact Assessment/Arboricultural Method Statement/Tree Protection Plan Revision C. The CEMP shall include:
 - a) a risk assessment of potentially damaging construction activities;
 - b) identification of biodiversity protection zones;
 - c) mitigation method statements;
 - d) protected species licensing conditions/requirements;
 - e) practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction;
 - f) the location and timing of sensitive works to avoid harm to biodiversity features, including protective fences, exclusion barriers and warning signs;
 - g) the times during construction when specialist ecologists need to be present on site to monitor works to ensure compliance with the CEMP, and the actions that will be undertaken;
 - h) responsible persons and lines of communication; and
 - i) the role and responsibilities on site of an ecological clerk of works or similarly competent person.Construction of the development shall then proceed in accordance with the approved CEMP.
- 5) The development hereby permitted shall not commence until a detailed surface water drainage scheme which shall include the results of ground investigations, supporting design drawings, specifications, and a timetable for implementation has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall then be implemented as approved.

- 6) The development hereby permitted shall not commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan (BGP) has been submitted to, and approved in writing by, the Local Planning Authority. The HMMP shall include:
- a) a non-technical summary;
 - b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
 - c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved BGP;
 - d) the management measures to maintain habitat in accordance with the approved BGP for a period of 30 years from the completion of development; and
 - e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.

The created and/or enhanced habitat specified in the approved HMMP shall be managed, maintained and monitored in accordance with the approved HMMP.

- 7) Construction and subsequent use of the warehouse hereby permitted shall take place only between the hours of 07:00 to 19:30 Monday to Saturday, and not at any time on Sundays and Bank or Public Holidays.
- 8) Construction of the development hereby permitted shall not commence above slab level until a timetabled implementation programme covering: (a) the landscaping strategy shown on the approved plans, and (b) enhancements required to mitigate the scheme's effect on protected species outlined within the Ecological Impact Assessment dated October 2024; has been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved implementation programme.
- 9) Construction of the development hereby permitted shall not commence above slab level until until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall be prepared in accordance with BS 42020:2013 ('Biodiversity – Code of practice for planning and development'), or any superseding British Standard, and the Ecological Impact Assessment dated October 2024. It shall contain the following details:
- a) a description and evaluation of features to be managed;
 - b) ecological trends and constraints on site that might influence management;
 - c) aims and objectives of management;
 - d) appropriate management options for achieving aims and objectives;
 - e) prescriptions for management actions;
 - f) a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
 - g) ongoing monitoring mechanisms;
 - h) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme; and
 - i) identification of the body or organisation responsible for implementation of the LEMP.

The development shall then be implemented and thereafter managed in accordance with the approved LEMP.

- 10) Construction of the development hereby permitted shall not proceed above slab level until a scheme of bat sensitive external lighting prepared in accordance with Guidance Note GN08/23 Bats and Artificial Lighting at Night, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the way in which the lighting will be operated. External lighting shall then be installed and thereafter operated in accordance with the approved scheme.
- 11) The warehouse hereby permitted shall not be brought into use until a Heavy Goods Vehicle Routing Strategy has been submitted to and approved in writing by the Local Planning Authority. This will be based on that contained within the Transport Statement dated November 2024, and will set out measures to be taken to encourage/direct drivers of HGVs utilising the development to avoid of Cricklade town centre. The strategy shall then be implemented as approved.
- 12) The warehouse hereby permitted shall not be brought into use until a Travel Plan outlining measures to be taken to encourage and facilitate sustainable modes of travel by employees has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall then be implemented as approved.
- 13) The warehouse hereby permitted shall not be brought into use until the parking spaces and cycle racks shown on the approved plans have been provided and made available for the parking of vehicles and cycles. They shall thereafter be retained and kept available for such use.
- 14) The warehouse hereby permitted shall not be used for any purpose other than purposes falling within Classes B2, B8 and E(g) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to those Classes in any statutory instrument revoking and re-enacting that Order with or without modification).

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