

DELEGATED REPORT

|                        |                                                      |
|------------------------|------------------------------------------------------|
| Application Reference: | PL/2026/01781                                        |
| Application Type:      | Full planning permission                             |
| Site Address:          | Land at Burton, Mere, Warminster, Wiltshire BA12 6BR |
| Proposal:              | Convert barn to single dwelling and workshop.        |
| Recommendation:        | Planning Permission be Granted                       |

PROPOSAL

The applicant is seeking full planning permission to convert an existing agricultural barn to form a single dwelling and workshop. The existing barn is subject to an extant Class Q consent (**PL/2025/09388**) to change its use to 3 dwellinghouses, with associated operational development.

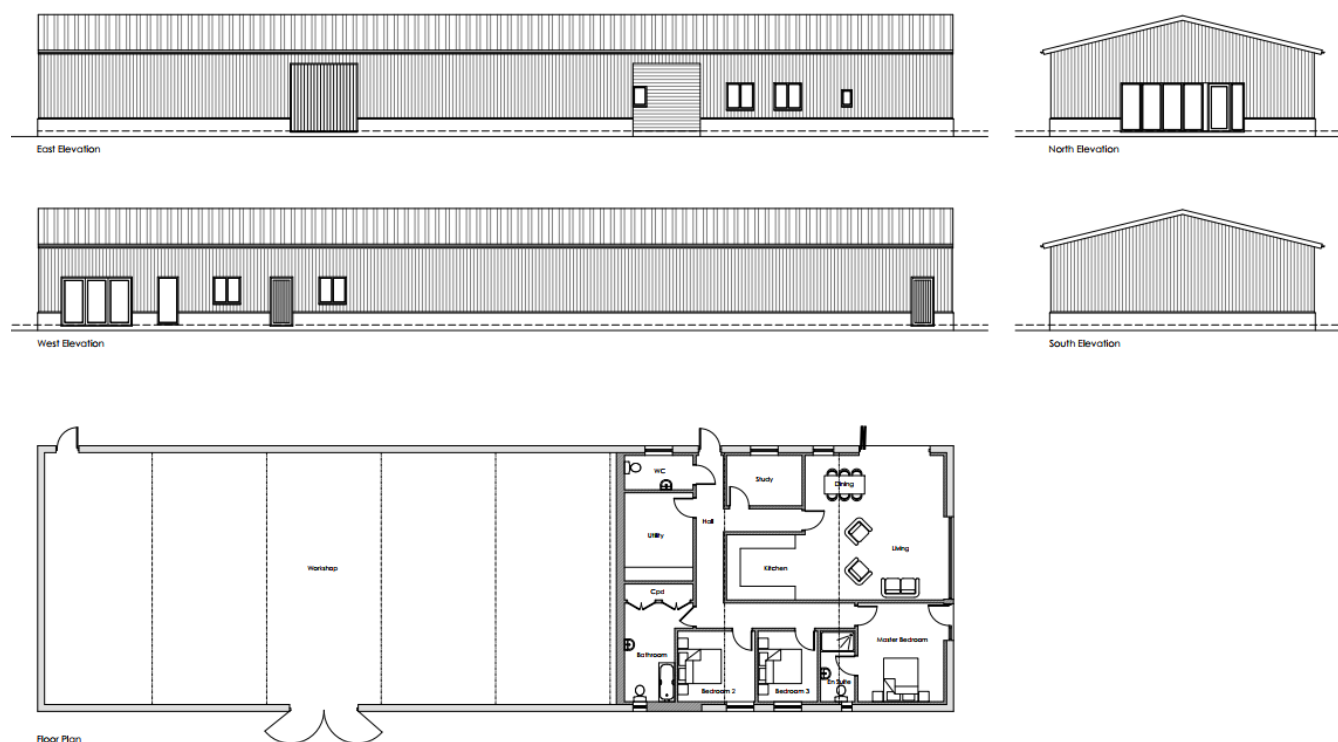
Location of Barn and Class Q curtilage as approved



Class Q dwelling conversion - approved elevations and floorplans for 3 units



## Proposed elevations and floorplan for new single dwelling and workshop



## SITE DESCRIPTION AND CONSTRAINTS

The barn, which is situated to the south of Burton, was granted full planning permission for agricultural purposes in June 2019 under 19/03927/FUL, subject to conditions.

The council's database relating to its strategic flood risk assessment (SFRA) suggests the site could be at high risk of groundwater flooding. The application is accompanied by a Flood Risk Assessment undertaken by consulting engineers – Calibro Consulting and it demonstrates the proposed house and workshop would not be at risk of groundwater flooding. The site is subject to the following constraints:

- Special Landscape Area
- River Stour catchment
- Class 4\* (known as unclassified) adopted highway and MERE 24 public footpath

Official Road types section states: *“Unclassified road – fourth and lowest class of classified road in the classification system.”*



## POLICIES:

**Mere Neighbourhood Plan – designated area**

**National Planning Policy Framework (NPPF 2024) Planning Practice Guidance (PPG)**

## **Wiltshire Core Strategy 2015**

CP1: Settlement Strategy

CP2: Delivery Strategy

CP17: Mere Community Area Strategy

CP48: Supporting Rural Life

CP50: Biodiversity and Geodiversity

CP51: Landscape

CP57: Ensuring High Quality Design & Space Shaping

CP61: Transport & Development

CP62: Development Impacts on the Transport Network

CP67: Flood Risk

*Saved Salisbury District Local Plan policies in Annex D of WCS:*

C6 - Special Landscape Area

H30 – Replacement of Dwellings in the Countryside

## **Supplementary Planning Documents:**

- Level 1 Strategic Flood Risk Assessment updated 2024
- Wiltshire Design Guide
- Creating Places Design Guide SPG (April 2006)
- Achieving Sustainable Development SPG (April 2005)
- Wiltshire Local Transport Plan – Car Parking Strategy

## **PLANNING HISTORY:**

**19/03927/FUL Erect agricultural building for the storage of machinery, equipment, materials and fodder AC** including:

*3. The agricultural barn building hereby approved shall be used for agricultural storage purposes. It shall be constructed in accordance with the materials in the Planning Statement hereby approved (block plinth wall, timber cladding, timber doors and dark green coloured sheeting for the roof).*

*Reason: For the avoidance of doubt and in the interests of landscape, visual and neighbouring amenities.*

**PL/2025/06806** Application for prior approval under Class Q of the GPDO 2015 (as amended), for change of use of agricultural building into 3 no. dwellinghouses (Class C3) with associated operational development. **Refused**

**PL/2025/09388** Application for prior approval under Class Q of the GPDO 2015 (as amended), for change of use of agricultural building into 3 no. dwellinghouses (Class C3) with associated operational development. **AC**

## **CONSULTATIONS**

**Drainage - No objection subject to surface water strategy condition.** *The FRA (Calibro Consulting) demonstrates the building is not at risk of groundwater flooding and appropriate mitigation can be incorporated*

**Highways – no objection subject to condition**

**Mere Town Council – Support subject to conditions:**

*The Town Council agreed to support the proposal only if the following restrictions, as suggested by the applicant in their planning statement, can be added as planning conditions.*

- *to restrict operation of the workshop to a person(s) living in the adjacent dwelling.*
- *the use of the workshop is restricted to the repair/restoration of classic cars/vehicles (with this being defined as vehicles manufactured pre-2000) only.*

- *the total number of vehicles to be stored or worked upon in the building not to exceed 6 at any one time.*
- *No external storage of vehicles or parts other than the operator's private vehicles or vehicles used by customers visiting or delivering/collecting their car prior to or after restoration/repair*
- *Workshop to be insulated to ensure no noise escape*
- *No paint spraying*
- *Details of foul and surface water drainage to be agreed (as imposed on the Class Q approval)*
- *The access road to be improved to the stated specification (as imposed upon the Class Q approval)*

**REPRESENTATIONS: None received**

## **MAIN PLANNING ISSUES:**

1. Principle of development
2. Scale, design and impact on the character of the Special Landscape Area
3. Drainage, Flood Risk and Sequential Test
4. Neighbouring and future amenities
5. Highway safety
6. Ecology and BNG
7. CIL
8. Conclusions and planning balance

## **PLANNING ASSESSMENT:**

### **Principle of development**

#### **i) Wiltshire Core Strategy Policy Principles – Settlement and Delivery Strategies**

The site is situated in the countryside outside any settlement boundary, as defined by WCS policies CP1 (Settlement Strategy), CP2 (Delivery Strategy) and CP17 (Mere Community Area) and is some distance from any local services or facilities. No pavements or lit paths to any settlement exist from the site and only limited bus services exist in the vicinity. It is therefore clear that any future occupier of this building will be reliant on the private car to access the site and local services. It is therefore considered to be in an unsustainable location where there is a general presumption against new development, particularly of a residential nature. The proposals are therefore contrary to WCS policies CP1, CP2, CP60 (Sustainable Transport) and CP61 (Transport & Development).

#### **ii) Fallback created by **PL/2025/09388** - Class Q Prior Approval for the Barn to be converted to 3 dwellings**

This application involves an existing barn building benefitting from Class Q consent for conversion to 3 dwellings. The nature of the proposal (replacing a barn with permission for conversion to residential use under Class Q with a full planning permission to convert the barn to one dwelling with a workshop) and the issue of fallback has been well established in case law. In recent appeal decisions, Planning Inspectors have confirmed that in such instances, the potential harm in terms of a policy conflict with policies such as WCS CP1 (Settlement Strategy) and CP2 would be reduced by the fact that permission for a dwelling on the site of the barn already exists and therefore any harm in this regard would be the same as if the barn were converted. Therefore, where there is also a “greater than theoretical possibility” that the fallback position would be implemented, such a fallback position is given significant weight and Inspectors are only assessing if the proposed replacement dwelling would result in any significant impacts over and above the permitted schemes.

The extant Class Q permission involving the conversion of the barn for 3 dwellings is therefore a material consideration and fallback position for the current proposal.

#### **iii) Saved Policy H30 for replacement dwellings**

If it can be demonstrated that a legitimate residential use of this site exists as a fallback position, the relevant policy in this instance, despite the Class Q permission not having been implemented, is Saved SDLP policy H30 for replacement dwellings. Saved Policy H30 confirms that the replacement of an existing dwelling will only be permitted where the following criteria is met:

- (i) *the proposed replacement dwelling is not significantly larger and has no greater impact than the existing dwelling;*
- (ii) *the design of the new dwelling is of a high standard and is appropriate to the rural surroundings;*
- (iii) *the siting of the replacement dwelling is closely related to that of the existing;*
- (iv) *current parking and access standards can be met; and*
- (v) *the existing dwelling has not been abandoned.*

The supporting text for the policy also states that ‘A replacement dwelling should not be significantly larger than the one being replaced in order to maintain the overall character of the countryside. The fact that a house on a particular site would be unobtrusive is not considered sufficient justification for a substantial increase in size, as the cumulative impact of proposals, if not carefully controlled, would lead to the long-term erosion of the character of the District’s countryside’ and further confirms that ‘the dwelling should be designed to a high standard appropriate to its rural surroundings’.

How the proposals satisfy these criteria will be assessed in more detail below, but it is clear that the principle of the replacement of an existing building/residential use on this site could be considered under Policy H30, despite the building not having been converted yet for 3 units and despite its position in an unsustainable countryside location.

#### iv) 5 yr Housing Land Supply

The Council have published the 2024 Housing Land Supply Statement (base date April 2024). It can be found on the Monitoring & Evidence (Planning Policy) area of the website (under the section ‘Housing Land Supply Statement and Annual Monitoring Report’). It is formed of two documents – the main HLSS, and a separate document (Appendix 2) which is a long data table of all small sites with planning permission. <http://www.wiltshire.gov.uk/planning-policy-monitoring-evidence>

This Statement now forms the basis for the Council’s housing land supply position for decision-taking purposes.

- This is the first Housing Land Supply Statement to be released since the December 2024 changes to the NPPF. These changes required councils to now demonstrate a five-year housing land supply in all circumstances, have reintroduced the need to include a buffer on the housing requirement, and introduced a revised method for calculating the Local Housing Need.
- The housing land supply position for Wiltshire is **2.42 years**. This is below the five-year housing land supply required by the NPPF. This indicates that the presumption in favour of sustainable development (“tilted balance”) applies in decision-taking of planning applications and appeals.
- The latest Housing Delivery Test results (which measure housing delivery over the past three years) shows that the Council have performed well in the level of housing delivery in Wiltshire. The latest results indicate that the Council have achieved **135%** of its housing requirement in the past three-year period – this requires that only a 5% buffer should be added to the housing requirement in the calculation.
- The housing land supply position used in the operation of NPPF 78 is calculated at a unitary authority level. However, the Statement also includes details of housing delivery and supply assessed against the indicative housing requirements set out in the adopted Wiltshire Core Strategy (WCS). These are shown for context and provide more localised evidence of delivery and supply which can also be used in the decision-taking exercise.
- The housing land supply is made up of qualifying permissions and resolutions to grant, and allocations from saved district Local Plans, Wiltshire Core Strategy, Chippenham Site Allocations Plan, Wiltshire Housing Site Allocations Plan, and made Neighbourhood Plans.

In the absence of a 5 yr supply, the tilted balance envisaged by Para 11 of the NPPF would therefore apply to the site. Significant weight may be attached to the shortfall in the planning balance.

v) Core Policy 48 - Conversion and re-use of rural buildings

The policy seeks to support conversions of existing rural buildings for employment, tourism, cultural and community uses. Residential use may also be considered. The application building is structurally sound, has consent under Class Q for full residential conversion and now seeks conversion to a mixed residential and employment use, and so the proposal meets the general aims of this policy, in broad conformity with the NPPF para 84.

vi) Sequential Test

The site is identified as being at risk of ground water in the updated Level 1 SFRA. Para 027 of the PPG states (officer bold):

**How should the sequential test be applied to planning applications?**

See advice on the [sequential approach to development and the aim of the sequential test](#).

*The sequential test should be applied to 'Major' and 'Non-major' development proposed in areas at risk of flooding, as set out in paragraphs 173 to 174 of the National Planning Policy Framework.*

*Paragraphs 175, 176 and 180 set out exemptions from the sequential test.*

*175. The sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk).*

*176. Applications for some minor development and **changes of use**<sup>62</sup> should also not be subject to the sequential test, nor the exception test set out below, but should still meet the requirements for site-specific flood risk assessments set out in footnote 63.*

Therefore, as this application is for a change of use, the sequential test need not be applied. However, a site specific FRA has been submitted and considered by the drainage team. The drainage team has also confirmed that, "*The FRA (Calibro Consulting) demonstrates the building is not at risk of groundwater flooding and appropriate mitigation can be incorporated.*"

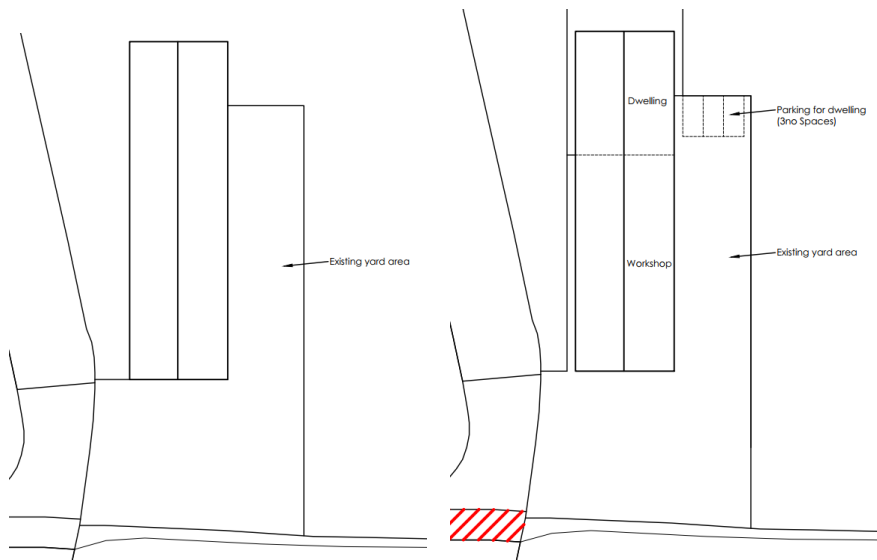
vii) Landscape character

In addition to the policy principle considerations set out above, it is also necessary to assess the implications of the proposals in detailed terms. The implications of the development for the character of the area, future amenities and flood risk will therefore be considered in more detail below.

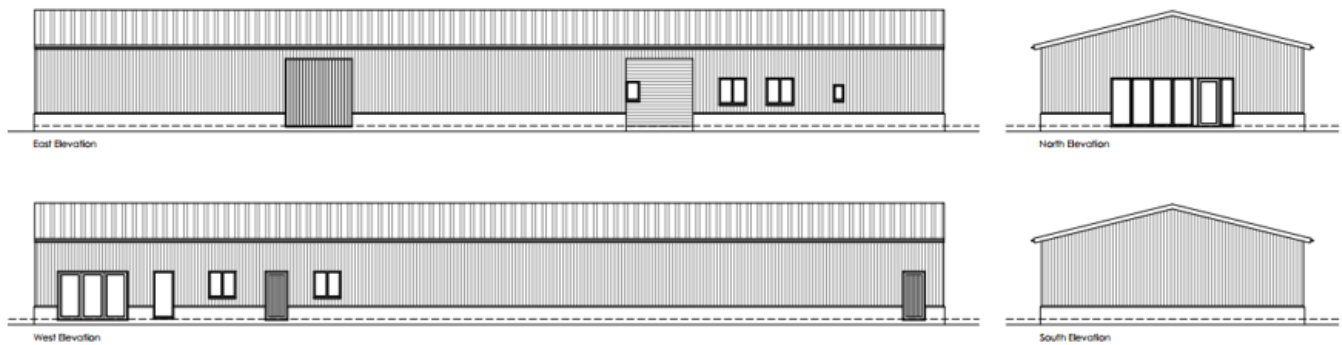
## **2. Scale, design and impact on the character of the Special Landscape Area**

CP57, CP51 and saved Policy C6 are applicable to the proposal which lies within the countryside of the Special Landscape Area.

The existing site for the barn subject to Class Q currently has an open, agricultural character, sited within an agricultural field. The Class Q barn is utilitarian in appearance and provided with an existing area of hardstanding forming a yard. There are no proposals to significantly change this arrangement:

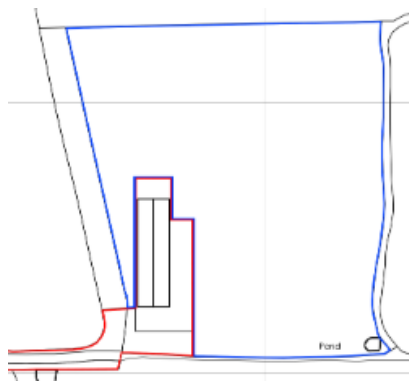


The proposed amendments to the existing elevations to create one unit plus the workshop are also relatively modest, with fewer physical changes than were required to create 3 units in the conversion.



The building would retain its existing agricultural character and there are no significant external alterations proposed. Therefore, there is no design or landscape impact objection, and the development itself is unlikely to represent a new incursion into the undeveloped countryside of the SLA. The existing open landscape character surrounding the building is unlikely to be detrimentally affected, in compliance with saved Policy C6.

In addition, the 'site' plan is shown tightly around the existing building and hardstanding (due to Part X of Class Q). The proposed plans also show a small area to the south side of the barn building up to the boundary for garden provision to serve the new residential use. As is shown by the plan below, the proposed 'residential curtilage' is modest and would not therefore significantly alter or domesticate the agricultural site, especially when seen from the public domain.



The proposals are therefore considered to be in general accordance with the provisions of the NPPF and WCS policies Saved Policy C6 (Special Landscape Area), CP17 (Mere Community Area and saved Policy H30 (Replacement Dwellings). This conclusion weighs positively in the planning balance, considered below, given the overall policy conflict with CP1 and CP2.

### 3. Drainage and Flood Risk

The site for the new dwelling is identified in the Council's revised Level 1 SFRA as being at risk from groundwater flooding. A site specific flood risk assessment has been considered by the Council as Lead Local Flooding Authority. The Council's drainage team has confirmed that *"The site is located within Flood Zone 1. With respect to surface water run-off/flooding, whilst a small area to the west of the site is identified as being at possible risk in an extreme event, this is outside the application site, beyond the dwellings and garden areas. The FRA (Calibro Consulting) demonstrates the building is not at risk of groundwater flooding and appropriate mitigation can be incorporated.* No objection is raised subject to provision of a surface water strategy.

A package treatment plant is required for the development and this has been shown on a separate plan on land within the red line. The outfall is to a ditch. This already exists, as a toilet was installed in the barn – with it being at some distance from the main farm. The applicant considers that it meets the EA general binding rules, so no permit is needed. The provision of a PTP is acceptable under the guidance in the PPG para 020, which sets out a sequential approach to non mains drainage where connection to the existing mains is not feasible.

Therefore, there is no drainage objection to the proposals and any foul and surface water matters including flood resilience measures can be dealt with by conditions in accordance with the national guidance.

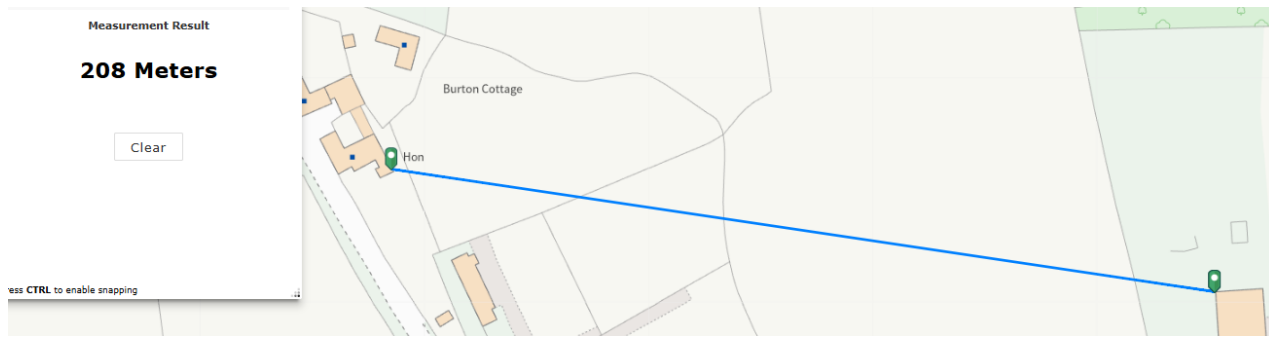
### 4. Neighbouring and Future Amenities

WCS Policy CP57 (Ensuring High Quality Design & Space Shaping) seeks to ensure that the impact of development on the amenities of existing occupants/neighbours is acceptable and ensure that appropriate levels of amenity are achievable within the development itself. The NPPF includes that planning should *'always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.* Residential amenity is affected by significant changes to the environment including privacy, outlook, daylight and sunlight, and living areas within private gardens and this therefore needs to be carefully considered accordingly.

The applicant stated:

*In terms of potential impact on residential amenity (of nearby houses), any noise generated is likely to be contained within the building and no greater than associated with the comings and goings of agricultural equipment, e.g. loading/unloading of fertilizer etc. As suggested above, if considered necessary, it would be possible to provide insulation to the interior of the workshop guaranteeing there would be no noise heard from the nearest properties which are more than 100m away from the site.*

The PC's comments are noted regarding suggested amenity-related conditions. No third party comments have been received and neighbouring properties are considered to be sufficiently separated from the development by about 200m not to be adversely affected in terms of amenity. No objection is raised in this regard, given the agricultural fallback position that the building currently has and the activities this could entail. As a precaution, a condition would be applied to ensure that all work takes place inside the building and that the occupants of the workshop are also the inhabitants of the dwelling. Insulation condition wording has also been suggested by the applicant.



CP57 also seeks to ensure that development will make a positive contribution to the character of Wiltshire through:

*vii. having regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing, vibration, and pollution (e.g. light intrusion, noise, smoke, fumes, effluent, waste or litter)*

The public protection officer has previously considered the suitability of the building for residential conversion and commented:

Noise:

*I recommend that if you are minded to approve this application, the following condition is attached:*

*No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.*

*Reason: Core policy 57, Ensuring high design and place shaping such that appropriate levels of amenity are achievable.*

*It is also worth noting that if this application is approved, future occupants may be subject to occasional noise from the agricultural activities in the nearby fields. Although these issues are likely to be so significant so as to justify the refusal of the application, all parties should be aware of the potential for residual impact on residential amenity.*

Contaminated land:

*I understand that the agricultural building subject to this application has previously been used for the storage of fodder, fertiliser, and machinery. While the risk of contamination within the building itself is considered low, it is possible that the surrounding land may be contaminated due to historic agricultural use. In light of this, I recommend that the unexpected land contamination condition is also attached.*

No objection is raised on amenity grounds subject to conditions and the proposal would satisfy CP57 as appropriate levels of amenity are achievable.

## 5. Highway Safety

CP57, 60 and 61 are relevant to the proposal. The applicant stated:

*With the vehicles to be repaired/restored being classic cars, these will be delivered to site or returned to the owner using the operator's vehicle (car and trailer). Occasionally, drop off or collection will be by the customer. Because the number of vehicles being repaired at any one time will be low, customer visits are anticipated to be no more than 2 per week i.e. 4 movements per week which equates to 0.57 traffic movements per day. Vehicles associated with the delivery of parts will not exceed 1 small van per day. The proposed level of use (with the operator living on site) is unlikely to exceed 10 traffic movements per day as detailed above.*

The sustainability of the site is in question as it is situated outside any defined settlement and is some distance from any local services. There are no facilities within easy walking distance of the site

and little opportunity to travel by means other than the private car. This matter would be overridden if the provisions of Saved SDLP policy H30 were to be satisfied because the replacement of an existing dwelling is unlikely to result in any new additional harm in terms of the sustainability and location of the site. It is further noted that this scheme seeks to provide one dwelling, whereas the fallback position provided by the Class Q consent would provide 3 dwellings. The proposed scheme therefore represents an improvement in sustainability terms compared to the fallback scheme. The mixed use proposal for an existing agricultural building conversion is also in broad compliance with CP48 and NPPF para 84.

The highways officer commented:

*I note the proposed conversion of the existing agricultural barn to a single three bedroom dwelling and a workshop for the restoration of classic cars. I also note that the same building has recently been subject to approval under PL/2025/09388 for the conversion of the same building into three separate residential units.*

*I understand that the workshop would be linked to the adjacent dwelling and would not be operated separately. I also understand that the proposed workshop use would not be comparable to a usual car repair workshop and that the overall traffic movements associated would thus be significantly less. On this basis and subject to sufficient Conditions restricted the use in-line with these statements, I am of the view that the overall track impact would likely be lower than that of the extant permission for three dwellings.*

*Notwithstanding this, the applicant maintains the commitment to repair the surface of the access track, inline with that previously agreed under PL/2025/09388. Therefore, I recommend that no Highway objection is raised, subject to the following conditions and informative being attached to any consent granted.*

No objection is therefore raised on highway safety grounds or locational sustainability grounds.

## **6. Ecology and BNG**

The application is not accompanied by any ecological report for the barn, given that the prior approval process in the GPDO did not require this information to be submitted for changes of use applications. However, this application also seeks conversion of the existing barn and the potential impact of demolition on protected species must be considered under CP50.

The existing building is an open plan, single storey building with a single skin. There is only a very low risk that protected species would be present in this type of building and as the building is sited next to hardstanding, there is unlikely to be any notable habitat for nesting birds or commuting bats immediately beside the building that could be affected by the conversion. Under these circumstances, it is not reasonable to ask the applicant for an ecological survey. An informative can be added to any permission to remind the applicant of their legal duties of protection under the Wildlife and Countryside Act.

A scheme of biodiversity enhancements such as bat tiles, swift bricks and bird boxes would normally be secured by condition if the application is recommended for approval, to comply with CP50, but as there are only very minimal external elevation changes, and given the metal clad surfaces, this would not appear to be reasonable or practical.

From 12 February 2024 Biodiversity Net Gain (BNG) became mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). The LPA considers that the development would be exempt, as less than 25sqm of habitat would be affected by the development including the hardstanding, which already exists.

The development is therefore acceptable and unlikely to harm protected species or any net loss of habitats in accordance with CP50.

## 7. CIL

As of May 2015, Wiltshire Council adopted the Community Infrastructure Levy (CIL). Therefore, this proposal may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If this application were heading for permission, a note highlighting this requirement to the applicant would be attached to the decision.

### CONCLUSION AND PLANNING BALANCE

Wiltshire can demonstrate 2.42 years of housing land supply and paragraph 11 of the National Planning Policy Framework 2024 sets out that decisions should apply a presumption in favour of sustainable development and that under criterion d) where the policies which are most important for determining the application are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. Areas at risk of flooding are footnote 7 sites of particular importance. The tilted balance would not normally apply where harm is identified to such sites.

The proposed development seeks to convert an existing barn (with approval for conversion to 3 residential units under Class Q) to provide one unit with an adjoining workshop as part of the conversion. It is considered that the site, being outside of any settlement boundary and therefore not being fully compliant with the settlement policies of the Development Plan, is of limited harm as Wiltshire does not have a 5 yr housing land supply and there is an extant permission for 3 units secured under a Class Q prior approval. CP48 is also a relevant material consideration for the mixed use conversion. Significant weight can be afforded to the housing land supply deficit and the tilted balance is engaged under para 11 of the NPPF.

The proposed appearance of the converted barn would be comparable with the existing elevations. Any domestic encroachment of the residential curtilage into the countryside would be very limited and confined to the existing hardstanding and a small garden space. The impact on the Special Landscape Area and localised views would be acceptable. This is positive in the planning balance.

Furthermore, the proposal would introduce a new dwelling and workshop on a site that is shown not to be at risk from groundwater flooding. LLFA has raised no objection to the scheme on flood risk grounds.

In terms of biodiversity net gain, no proposals are included and the development would be exempt under the current provisions as less than 25sqm of any habitat would be affected.

Amenity impacts are considered to be acceptable, as the applicant has suggested conditions to satisfy the requirements of the PC and highways officer to minimise noise and activity. The workshop can be tied to the occupants of the house and insulated against noise. This is neutral in the planning balance.

The proposal would have certain social benefits, through providing a house and attached workshop in a location which is not a long distance from Mere by car. There would also be the economic benefits, such as through the construction process and also from future occupiers supporting the local economy. These would be modest benefits on the basis that only one dwelling is proposed.

Overall, officers consider that any harms to the rural character and appearance identified would be modest and when assessed against the policies in the Framework taken as a whole, any adverse impacts would not significantly and demonstrably outweigh the benefits. Therefore, the 'tilted balance' under paragraph 11 of the Framework is engaged due to there not being a sufficient housing land supply in Wiltshire, and the proposal should be approved.

**RECOMMENDATION: APPROVE subject to the following conditions:**

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.

The development hereby permitted shall be carried out in accordance with the following approved plans and documents listed in schedule:

Location Plan ref 25038-12 dated 11/3/26  
Proposed Block Plan ref 25038-11 dated 11/3/26  
Proposed Plans and Elevations ref 25038-10 dated 11/3/26  
Specification of Repairs to track received 17 March 2026  
Planning Statement and Supporting Letter dated 16/3/26  
Flood Risk Assessment ref 25-249-60 rev 01 dated 28/7/25  
Package Treatment Plant plan ref 25038-14A dated 11/3/26

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

The materials to be used in the construction of the external surfaces of the barn conversion works hereby permitted shall match in material, colour and texture those used in the existing building.

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

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification) no dormer windows shall be inserted in the roof slopes of the dwelling hereby approved. There shall be no extensions to the dwelling hereby approved and no erection of any additional outbuildings within the curtilage.

The approved domestic curtilage is defined on the Location Plan ref 25038-12 dated 11/3/26 for the avoidance of doubt.

REASON: In the interests of the visual appearance of the rural building and the countryside setting for the development.

No conversion works shall commence on site until a Surface Water Drainage Strategy has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the strategy before the dwelling hereby approved is occupied.

The dwelling shall not be occupied until it is connected to the package treatment plant hereby approved.

Reason: To ensure that the residential development can be adequately drained.

The dwelling on the development shall not be occupied until the proposed works to the access track, including at the junction with Southbrook and the formalised passing place on the track, have been completed in accordance with the details submitted in the "Specification for resurfacing total track with tarmac in connection with conversion of barn at Burton (Extent of works shown on Brimble Lea drawing 250382-11)" hereby approved.

The works shall be completed to the written satisfaction of the Local Planning Authority.

REASON: In the interests of highway safety.

No highway construction or building conversion works hereby approved shall take place on Sundays or Public Holidays or outside the hours of 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

Reason: Core policy 57, Ensuring high design and place shaping such that appropriate levels of amenity are achievable.

In the event that contamination is found at any time when carrying out the approved development, the Local Planning Authority shall be notified immediately. Development shall cease in the affected area and a written method statement detailing the nature of the contamination and the proposed remediation measures shall be submitted to and approved in writing by the Local Planning Authority. The remediation measures shall be carried out in accordance with the approved details. Following completion of the remediation, a verification report confirming that the site is suitable for its permitted use shall be submitted to and approved in writing by the Local Planning Authority before development recommences in the affected area.

Reason: To ensure compliance with Core Policy 56 and to reduce the risks associated with land contamination.

The workshop hereby approved shall only be operated only by the occupant(s) of the adjoining dwelling for the lifetime of the development, and it shall not be occupied, sold or let separately from the dwelling.

REASON: In the interests of highway safety and neighbouring amenity.

The workshop hereby approved shall be used for the repair/restoration of classic cars /vehicles only and no more than 6 vehicles shall be stored or worked upon within the building at any one time) and for no other purpose (including any other purpose in Class B2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

No commercial processes, plant or machinery shall be carried out/installed outside any building on the site.

REASON: In the interests of highway safety and the appearance of the site and the amenities of the area. The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use having regard to the circumstances of the case.

The workshop hereby approved shall not be used or occupied until a scheme of noise insulation has been installed in accordance with details to be submitted to and approved in writing by the Local Planning Authority, prior to installation. The approved scheme of insulation shall be maintained as such thereafter for the lifetime of the workshop development.

Reason: In the interests of neighbouring amenities

#### **Informatives:**

**S278:** The applicant is made aware that the proposed access track works will require the applicant to enter into a Mini S.278 Highways Work Permit.

#### **BNG not required:**

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and

(b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Wiltshire Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. Based on the information available this permission is considered to be one which **will not require** the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements are considered to apply.

### **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

**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. Should you require further information or to download the CIL forms please refer to the Council's Website

[www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy](http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy)