



The Town and Country Planning Act 1990
Approval of Full Planning Permission with Conditions
Application Reference Number: PL/2026/00838
Decision Date: 02/07/2026

Applicant:	Mr M Pockett Cherry Tree House , 46 Malmesbury Road, Leigh, Wiltshire, SN6 6RH
Particulars of Development:	Construction of an Agricultural Building, relocation of an existing building, construction of an additional stable and menage and creation of hardstanding
At:	46 Malmesbury Road, Leigh, Swindon, SN6 6RH

In pursuance of its powers under the above Act, the Council hereby **GRANT PLANNING PERMISSION** for the above development to be carried out in accordance with the application and plans submitted (listed below).

In accordance with paragraph 39 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

Subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:
 - Location Plan received 6th February 2026
 - Proposed Block Plan received 6th February 2026
 - Proposed Menage - Elevations received 6th February 2026
 - Proposed Menage - Floor Plan received 6th February 2026
 - Proposed Stables - Elevations and Floor Plans received 6th February 2026
 - Drainage Strategy ref 90854R1 received 10th April 2026
 - Menage Cross Section 27.04.26 received 27th April 2026

- Drainage Plan ref 90854R1 received 27th April 2026

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

- 3** No development shall commence until details of a surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Lead Local Flood Authority.

The scheme shall include:

Results of infiltration testing undertaken in accordance with BRE Digest 365, or (where infiltration drainage is not proposed) percolation testing in accordance with Building Regulations, to inform the drainage design;

Confirmation of the proposed means of discharge, including evidence of a suitable outfall;

Details demonstrating application of the surface water drainage hierarchy, including the incorporation of rainwater harvesting/reuse measures for the proposed agricultural building, relocated building, and additional stable, unless otherwise agreed in writing;

Details of on-site storage and flow control to ensure no increased risk of flooding elsewhere;

Basic design details of the drainage system, including layout;

A scheme for the future management and maintenance of the drainage system.

The drainage scheme shall be implemented as approved prior to the first use of the development and thereafter maintained in accordance with the approved details.

REASON: To ensure satisfactory and sustainable drainage, including the use of water reuse measures in accordance with the SuDS hierarchy, and to avoid increased flood risk in accordance with Core Policy 67 of the Wiltshire Core Strategy and the National Planning Policy Framework.

- 4** The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the existing buildings and those set out in the approved plans and documents.

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

- 5** Prior to the first use of the development hereby approved, details of biodiversity enhancement measures in the form of bat and bird boxes to be installed on the agricultural building, relocated building, and additional stable shall be submitted to and approved in writing by the Local Planning Authority.

The details shall include the number, type, and location of boxes to be installed. The approved measures shall be implemented in full prior to first use of the development and thereafter retained and maintained for the lifetime of the development.

REASON: To provide biodiversity enhancements in accordance with Core Policy 50 of the Wiltshire Core Strategy and the National Planning Policy Framework.

- 6** No external Floodlighting shall be installed on the ménage hereby approved unless and until a detailed lighting scheme has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include:

- The number, type, position, height, and orientation of all lighting fixtures;
- Details of luminance levels and hours of operation;
- Measures to minimise light spill, glare, and sky glow, including shielding and directional fittings.

The approved lighting scheme shall be implemented in full prior to the first use of the lighting and shall thereafter be retained and operated in accordance with the approved details.

REASON: To protect the character of the rural area, residential amenity, and biodiversity from light pollution in accordance with Core Policies 50 and 57 of the Wiltshire Core Strategy and the National Planning Policy Framework.

- 7** No additional external lighting shall be installed on the site other than that approved under the ménage lighting scheme condition unless details of such lighting have first been submitted to and approved in writing by the Local Planning Authority.

Any approved lighting shall be installed and thereafter operated in accordance with the approved details.

REASON: To protect the character of the rural area, residential amenity, and biodiversity from light pollution in accordance with Core Policies 50 and 57 of the Wiltshire Core Strategy and the National Planning Policy Framework.

Informative

- 1** Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.
- 2** 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.
- The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Wiltshire Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. For further information on exempt developments please refer to:

<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>

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

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

Nic Thomas - Director of Planning, Economy and Climate

NOTES

- 1 **Other Necessary Consents.** This document only conveys permission for the proposed development under Part III of the Town and Country Planning Act 1990 and the applicant must also comply with all the byelaws, regulations and statutory provisions in force in the area and secure such other approvals and permissions as may be necessary under other parts of the Town and Country Planning Act 1990 or other legislation.
 - 1.1 the need in appropriate cases to obtain approval under Building Regulations. **(The Building Regulations may be applicable to this proposal. Please contact the Council's Building Control team before considering work on site);**
 - 1.2 the need to obtain an appropriate order if the proposal involves the stopping up or diversion of a public right of way or other highway (including highway verge);
 - 1.3 the need to obtain a separate "Listed Building Consent" to the demolition, alteration or extension of any listed building of architectural or historic interest;
 - 1.4 the need to make any appropriate arrangements under the Highways Act 1980, in respect of any works within the limits of a highway. The address of the Highway Authority is County Hall, Trowbridge, BA14 8JD (It is the responsibility of the applicant to ascertain whether the proposed development affects any listed building or public right of way / other highway, including highway verge).
- 2 **Appeals.** If the applicant is aggrieved by the decision of the local planning authority to grant permission subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of this decision. (Information and forms relating to the appeals process can be found at the Planning Portal - <http://www.planningportal.gov.uk/planning/appeals>).
- 3 **Climate Change.** Wiltshire Council acknowledges the climate emergency and is seeking to make the county carbon neutral. You are encouraged to include energy efficiency that exceeds building regulations and to meet residual energy demand through renewable energy and low-carbon technologies, including high levels of electric vehicle charging points. The developer is encouraged to contact the climate team to discuss this further. climate@wiltshire.gov.uk
- 4 **CIL.** 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. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website [Community Infrastructure Levy \(CIL\) - Wiltshire Council](#)