

REMOVAL / VARIATION OF A CONDITION CASE OFFICER REPORT

APPLICATION REFERENCE:	PL/2026/02683
APPLICATION TYPE:	Removal / Variation of a condition
SITE ADDRESS:	Bishopstrow House, Boreham, Warminster, BA12 9HH
DEVELOPMENT DESCRIPTION:	Vary Condition 2 on PL/2025/06091 Demolition of existing outdoor pool and associated walls and replacement with new rectangular outdoor pool. Altering and extending hard and soft landscaping and proposing new spa facilities.
RECOMMENDATION:	Approve with Conditions.

PROPOSAL

The proposal seeks planning permission for the variation of condition 02 of past permission reference PL/2025/06091. The changes relate to a variation of plans and the proposed changes to the scheme are as follows:

- (i) The four previously approved dining domes are to be demolished and removed,
- (ii) the spa Pavilion structure has been simplified,
- (iii) the proposed plunge pool will now be a hot tub,
- (iv) a new cabana structure (sauna) is proposed on the edge of the hydrotherapy pool,
- (v) the below ground plant room will be amended
- (vi) two of the removed domes will be replaced with cabana structures,
- (vii) the previously proposed outdoor bar area will not proceed and will be removed, with the previously approved opening within the restaurant on the west elevation having a French door with sidelights and
- (viii) a new outdoor shower is proposed at the hydrotherapy pool area.

SITE DESCRIPTION/CONTEXT

The proposal relates to a large private hotel and spa facility, Bishopstrow House, a grade II listed building set within extensive grounds, within Bishopstrow Conservation Area on the outskirts of Warminster. This proposal falls within the recreational impact zone of the Salisbury Plain Special Protection Area for birds and located within the Hampshire catchment area of the River Avon SAC.

RELEVANT PLANNING HISTORY

Proposal / Summary
PL/2025/06234 & PL/2025/06091 Demolition of existing outdoor pool and associated walls and replacement with new rectangular outdoor pool. Altering and extending hard and soft landscaping and proposing new spa facilities. Approved.

RELEVANT POLICIES AND GUIDANCE

Wiltshire Core Strategy:

Core Policy 2 Delivery Strategy

Core Policy 31 – Spatial Strategy for the Warminster Community Area

Core Policy 50 – Biodiversity and Geodiversity

Core Policy 51 – Landscape

Core Policy 57 - Ensuring High Quality Design and Place Shaping

Core Policy 58 - Ensuring the Conservation of the Historic Environment

Warminster Neighbourhood Plan 2015- 2026 Made November 2016

Planning (Listed Buildings and Conservation Areas) Act 1990

Wiltshire Design Guide: Appendix D – Design Guidance for Householder extensions

The National Planning Policy Framework (NPPF) and Planning Practice Guidance

National Design Guide

Emerging Wiltshire Local Plan:

At Full Council on 19 May 2026, the elected members of Wiltshire Council agreed to withdraw the emerging Wiltshire Local Plan. It will now be subject to a legal process to finalise its withdrawal - which is likely to happen in July or August (2026). The said Plan has no material weight for the purposes of this application.

CONSULTATION RESPONSES

Warminster Town Council: No response received.

Ecology: No objections, subject to conditions.

Conservation Officer: No objections.

REPRESENTATIONS

No comments were received.

PRINCIPLE OF THE PROPOSAL.

The proposed development comprises alterations and extensions to an existing hotel and spa facility set in an established residential curtilage within the settlement boundary of Warminster. The proposed works are wholly within the residential curtilage and as such the principle of development is acceptable subject to the following considerations.

ASSESSMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:

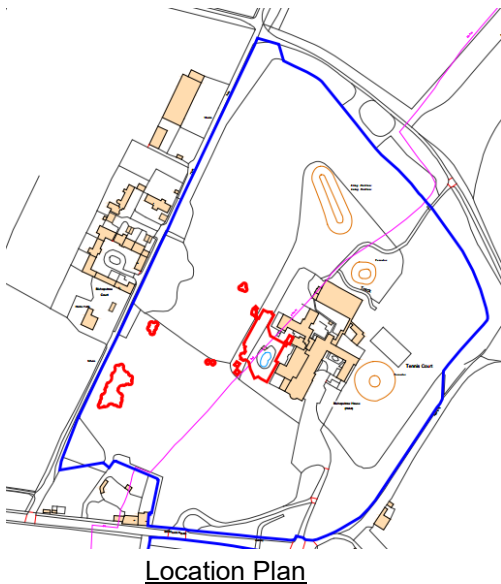
"If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise."

In accordance with this statutory requirement, this application has been assessed against the relevant policies of the Development Plan, including the adopted Wiltshire Core Strategy (2015) and the Neighbourhood Plan for Warminster.

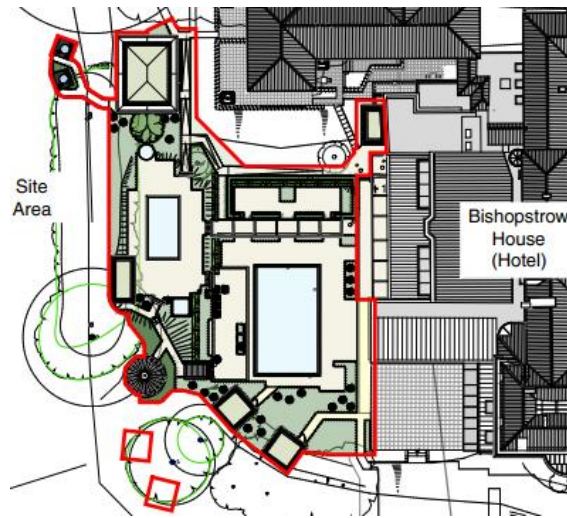
Impact on the setting and significance of the listed building

Core Policy 57 - Ensuring High Quality Design and Place Shaping of the Wiltshire Core Strategy seeks to ensure that all new development is of high design quality, reflecting local context, character, and distinctiveness.

The proposals can be viewed within the plan snippets taken from the submitted plans:



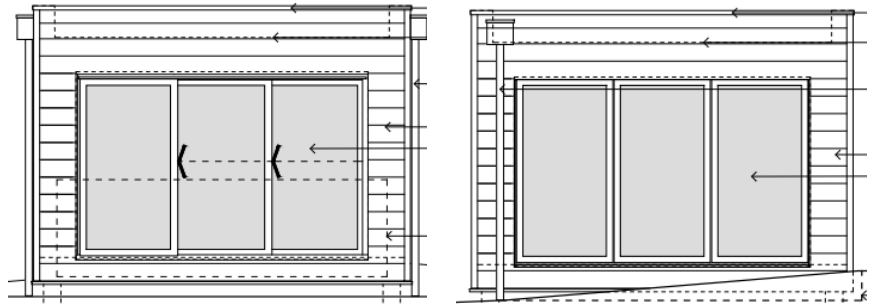
Location Plan



Proposed Site Plan



Image indicating design intent



Proposed elevations of a proposed Cabana

Indicative photograph of proposed Cabana

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

Section 66 requires that special regard be given to the desirability of preserving listed buildings, their settings or any features of special architectural or historic interest which they possess.

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

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

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

The proposed changes to the original plans would be as follows:

(i) The four previously approved dining domes are to be demolished and removed, (ii) the spa pavilion structure has been simplified, (iii) the proposed plunge pool will now be a hot tub, (iv) a new cabana structure (sauna) is proposed on the edge of the hydrotherapy pool, (v) the below ground plant room will have changes made to it, (vi) two of the removed domes will be replaced with cabana structures, (vii) the previously proposed outdoor bar area will not proceed and will be removed, with the previously approved opening within the restaurant on the west elevation being replaced by a French door with sidelights and (viii) a new outdoor shower is proposed at the hydrotherapy pool area.

The official list entry from Historic England states.

BISHOPSTROW WARMINSTER ROAD ST 84 SE (north side) 3/12 Bishopstrow House Hotel, (formerly listed as Bishopstrow House) 11.9.68

GV II

Detached house, now hotel. 1817, by John Pinch the Elder of Bath for William Temple. Limestone ashlar, Welsh slate mansard roof, ashlar stacks with moulded cappings. Regency. Two-storey, 5-windowed symmetrical front: 12-pane sashes. Central porch with 2 fluted Ionic columns and pilasters in antis, double doors with 6 fielded panels, centre bay projects slightly, either side are two sashes. First floor has 5 sashes, moulded stone cornice to blocking course. Four dormers to roof with casements. Left return is garden front with central 3-sash 2-storey bow and one sash either side, cornice and blocking course. Right return is English garden wall bond brick with sashes and casements, attached to right is single-bay late C19 addition, stucco with sashes on three floors.

Rear has round-arched stair window to left, sashes and attached C20 conservatory, range to left is brick with segmental-headed 16-pane sashes. Interior: entrance hall has elliptical-arched openings, good, fluted door and window architraves with panelled reveals and paterae or rosettes, mahogany doors with 6 fielded panels. Open-well stairs with wrought iron balustrade and ramped mahogany handrail, wreathed at bottom, guilloche frieze to stair ceiling with central rosette. Drawing room has marble fireplace surround with Ionic columns, anthemion ceiling frieze with rosette. Attached to right is early C19 L-plan 2-storey stable block in English garden wall bond brick with slate roof. Currently undergoing extensive renovation and conversion to hotel accommodation (April 1985). House built to replace C17 Bishopstrow House to south of road, near The Coach House (q.v.), which was partly destroyed by fire c.1800. The main gardens are still to south of road and connected by the Tunnel (q.v.) under the A36. (VCH. Wiltshire, 1965, p.6).

The Council's conservation officer was consulted on the proposed variation proposals and following the submission of additional details, plans and photographic studies (CGI's) which showed a decrease in the amount of structures and consequently less of an impact on the significance and setting of the host listed building, the Conservation officer confirmed 'We have been provided with two CGIs showing the existing situation with the dining room domes, and the proposed revised scheme with the two 'problematic' (from my perspective) cabanas (one treatment, one food and beverages). On the basis of the proposed amendments ie that they will be set behind the tree line, the glazing will be increased, they will be reduced in height and constructed from natural timber (as advised by the architect in their email), I concur with their assessment that the proposed works would preserve, and possibly enhance, the existing setting of the hotel. As such, the variation would be in accordance with section 66 of the Planning LBCA Act 1990, as well as section 72 of the same act'.



Photograph of the existing pool leisure area with domes in place



Generated photographic image of the pool leisure area.



Outdoor pool context sectional elevation, as existing.



Outdoor pool context sectional elevation, as proposed.

The proposals, by virtue of their scale, design, and use of materials, would preserve the setting of the listed building and would not result in harm to the significance of any heritage assets, and no objections have been raised by the Conservation Officer.

The development is therefore considered to comply with Core Policy 58 of the Wiltshire Core Strategy and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as the relevant provisions of the NPPF.

Amenity

Point vii of Core Policy 57 - Ensuring High Quality Design and Place Shaping of the Wiltshire Core Strategy seeks to ensure that developments do not adversely affect neighbouring properties.

The National Planning Policy Framework (NPPF), particularly Paragraph 135(f), stresses that planning decisions should ensure developments provide a high standard of amenity for existing and future users.

The proposed development has been assessed in terms of its potential impact on the residential amenity of neighbouring properties, with particular regard to loss of light, overshadowing, loss of privacy, and overbearing effects.

Given the nature of the development, set within generous grounds with extended separation distances to any neighbouring occupiers, officers raise no objections in relation to overlooking, overbearing, overshadowing or loss of light to any neighbouring properties.

The proposal therefore accords with Core Policy 57 point vii in respect of safeguarding residential amenity and Appendix D of the Wiltshire Design Guide.

Heritage Impact

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

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

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

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

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



The scale of the development is considered to be commensurate to the size of the application site, with the proposed development set within the built envelope of the application site, that would not be widely visible from the public realm, and the proposal seeks to utilise appropriate materials.

It is therefore considered that that proposed development would not detrimentally impact the wider much valued landscape character of the Conservation Area.

The proposals by virtue of their scale, design, and use of materials, are considered to preserve the character and appearance of the conservation area. The development is therefore considered to comply with Core Policy 58 of the Wiltshire Core Strategy and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as the relevant provisions of the NPPF.

Ecology Impact. The council's ecologist was consulted who responded with comments as follows:

Habitats Regulation Assessment. CP50 requires no net loss of biodiversity on site The application lies within the 6.4km buffer zone of influence of the Salisbury Plain SPA and in light of the HRA for the Wiltshire Core Strategy and the HRA for the Wiltshire Housing Site Allocations Plan it is screened into Appropriate Assessment due to the potential impact of recreational pressure on stone curlew in combination with other plans and projects.

A strategic Appropriate Assessment (AA) has been prepared pertaining to development within the 6.4km zone of influence that could result in a likely significant effect on the SPA as a result of an increase in recreational / visitor pressure. The AA reached a conclusion of no adverse effects on the integrity of the SPA or its qualifying features provided that the council's mitigation strategy continues to be implemented. Annual stone curlew monitoring and protection measures continue to be secured by the Council.

In January 2026 Natural England (NE) confirmed that the 2026 strategic AA for Salisbury Plain SPA continues to be supported by NE.

River Avon Special Area of Conservation (SAC).

The development is located within the catchment of the River Avon SAC and therefore has potential to cause adverse effects alone or in combination with other plans or projects through the discharge of phosphorus in wastewater.

A test of likely significance has been carried out by the relevant Competent Authority (Wiltshire Council) as required by Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended). This concluded that given the scale and nature of the development there is no mechanism for adverse effect. The HRA has concluded that the application is not likely to have significant impacts on the SAC and subsequently the application is screened out of Appropriate Assessment.

River Avon SAC (Proximity Consideration)

The application's blue line boundary lies within 20 m of the River Avon SAC; however, the red line area directly affected by development is located more than 100 m from the SAC. There is therefore no potential for likely significant effects (LSEs), either alone or in combination with other projects, as a result of construction activities.

A test of likely significance has been undertaken by the Competent Authority (Wiltshire Council) under Regulation 63. The assessment concluded that there is no mechanism for adverse effect on the SAC. Accordingly, the HRA determines that the development is not likely to result in significant effects and is screened out of the need for Appropriate Assessment.

Non-Statutory Sites (LWS)

There is a priority habitat woodland and a long-established wood pasture onsite and directly adjacent to site. No tree removal is proposed for this development, and a tree protection plan has been submitted in support of this application (Arboricultural Impact Assessment, Arboricultural Method Statement, Tree Protection Plan. Revision A, 31/07/2024). Precautionary working methods will be secured by condition. An appropriate lighting scheme will be secured by condition to ensure that light spill does not impact adjacent woodland and wood pasture. No change in the shape, size or nature of the development and therefore previous advice applies.

Compliance with CP50

No tree removal is proposed for this development, and a tree protection plan has been submitted in support of this application (Arboricultural Impact Assessment, Arboricultural Method Statement, Tree Protection Plan. Revision A, 31/07/2024). Areas of modified grassland and introduced shrub and developed land will be lost to development. To compensate for this the plan will create replacement introduced shrubs and small urban trees. A BNG metric has been submitted showing that a 10% net gain is achieved through development.

Suitable nesting habitat for birds are compensated/mitigated for through on-site tree and shrub planting. Suitable commuting and foraging opportunities for bats are retained/enhanced through additional tree planting.

Soft landscaping including enhancement planting has been changed with this variation of plans. These appear to be largely similar in scale and type to the original application and are deemed to be acceptable. See BNG comments below.

Protected Habitats and Species

There is a priority habitat woodland and a long-established wood pasture onsite directly adjacent to site. No tree removal is proposed for this development, and a tree protection plan has been submitted in support of this application (Arboricultural Impact Assessment, Arboricultural Method Statement, Tree Protection Plan. Revision A, 31/07/2024). Areas of modified grassland and introduced shrub and

developed land will be lost to development. To compensate for this the plan will create replacement introduced shrubs and small urban trees. A BNG metric has been submitted showing that a 10% net gain is achieved through development.

Bats

Suitable commuting and foraging opportunities for bats are retained or enhanced through additional tree planting. No bat roosts are likely on site. An appropriate lighting scheme will be secured by condition to ensure that light spill does not impact adjacent woodland and wood pasture.

Birds

Suitable nesting habitat for birds are compensated/mitigated for through on-site tree and shrub planting. Some introduced shrub will be cleared on site as part of these works but based on site description and photos this habitat appears to have low suitability for nesting birds. Informative to be added to approval.

Otter and Water Vole

The blue line application boundary falls within 20m of the River Avon SAC but the red line area impacted by the development is more than 150m from the SAC and has no potential to cause likely significant effects on the riparian habitat or species.

Biodiversity Net Gain (BNG) The officer offered comments in regard to BNG

Biodiversity Net Gain

Under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) this application is required to deliver 10% Biodiversity Net Gain (BNG). The Biodiversity Gain Plan condition will automatically apply if approval is forthcoming.

A completed statutory metric calculation confirming the baseline and predicted post-development biodiversity units of Site has been submitted (including the condition assessment sheets and maps).

Information in the completed on-site baseline habitat tabs is accepted as accurate based on the information submitted. The pre-development (baseline) situation is summarised below.

On-site pre-development (baseline) biodiversity value	1.09 Habitat units
	0.00 Hedgerow units
	0.00 Watercourse units
Are there any <u>irreplaceable</u> habitats on-site?	No
Has any habitat <u>degradation</u> of occurred?	Yes (this has been accounted for in the metric)

Two trees have been felled onsite prior to submission; these have been included in the baseline. The baseline has been approved, and the post development plans have been amended. As long as there are no changes to the red line application boundary, and all biodiversity gains remain onsite there is no objection to this proposal. Confirmation of how the development will achieve BNG is a post-determination matter.

Consequently, no objections are raised, and two conditions relating to compliance to submitted documents and the standard lighting condition. Both are considered necessary and relevant to be applied to the final decision notice.

CONCLUSION

The proposed variations are considered to be acceptable in terms of design, scale, and relationship with the surrounding area. They would not result in any unacceptable harm to the character of the locality or result in any unacceptable harm to the amenities of neighbouring occupiers, or the interests of heritage, or ecology.

The proposal is therefore considered to comply with the relevant policies of the Wiltshire Core Strategy, the Wiltshire Local Plan, and the National Planning Policy Framework. As such, the application is recommended for approval, subject to the conditions set out below.

RECOMMENDATION: Planning Permission be GRANTED subject to conditions.