

APPLICATION FOR PRIOR APPROVAL

CASE OFFICER REPORT

APPLICATION REFERENCE:	PL/2026/03833
APPLICATION TYPE:	Prior Approval Part 3, Class MA: Commercial, business and service uses to dwellinghouses
SITE ADDRESS:	66 MARKET PLACE, CHIPPENHAM, SN15 3JA
DEVELOPMENT DESCRIPTION:	Schedule 2, Part 3, Class MA of the General Permitted Development Order - Application for Prior Approval for the Change of Use of the Commercial First and Second Floors to Residential Use (to provide 8 Units)
RECOMMENDATION:	That Prior Approval is GRANTED

PROPOSAL

This application seeks prior approval under Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the change of use of an existing Commercial First and Second Floors to Residential Use (to provide 8 Units).

The proposal would convert the first and second floors of the former Barclays Bank building (66 Market Place), creating eight self-contained apartments comprising of six one-bedroom flats and two two-bedroom flats. Four flats would be located on each floor, with a total combined residential floorspace of approximately 375m². The proposal includes associated cycle storage within the existing basement accessed via the creation of a staircase and a cycle wheel rail, with part of the basement being retained for Class E use. The ground floor access would be taken from the front of the building off Market Place.

No alterations are proposed to the ground floor commercial unit, which would remain in Class E use, and the external appearance of the building would also be retained.

SITE DESCRIPTION/CONTEXT

The application site comprises the upper floors and part of the basement of 66 Market Place, Chippenham, a prominent three-storey commercial building located within Chippenham town centre Conservation Area, and there are a number of Heritage assets to the rear off the Shambles and opposite the site off Market Place. The property occupies a central position within the Market Place and was formerly occupied by Barclays Bank before the branch closed in June 2023. The building was used by Wiltshire Police as office accommodation until October 2025. The building is currently in Class E use and is surrounded by a mixture of retail, commercial, leisure and residential uses. The site is within a short walking distance to local retail and leisure services, public open space, public transport facilities and public car parks, with Chippenham bus station and railway station located within walking distance.

RELEVANT PLANNING HISTORY

Proposal / Summary

N/85/00782/F - Historic apps 1974 to 1983 Decision - Refuse Date: 10/6/1985 – Alteration to bank frontage
N/87/02173/FUL - Full planning permission Decision - Approve with Conditions Date: 22/10/1987 – ERECTION OF SMALL SATELLITE ANTENNA
N/03/02134/FUL - Full planning permission Decision - Refused Date: 30/9/2003 – ACCESS RAMP
N/05/02827/FUL - Full planning permission Decision - Approve with Conditions Date: 12/12/2005 – Alteration to Shopfront to Provide a New Accessible Entrance and Associated Alterations to the Footway
N/08/01302/FUL - Full planning permission Decision - Approve with Conditions Date: 16/7/2008 – Installation of New Shop Front Including New Entrance Door and Stone Wall

RELEVANT LEGISLATION, POLICY AND GUIDANCE

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Schedule 2, Part 3, Class MA

Class MA permits a change of use from Class E to Class C3 residential use but does not permit operational development. The assessment is therefore limited to the proposed change of use and the prior approval matters prescribed by the General Permitted Development Order. Any external alterations, including the insertion, enlargement or repositioning of windows and doors, alterations to elevations, extensions or other building operations, fall outside the scope of Class MA and would require separate planning permission.

National Planning Policy Framework 2024

Wiltshire Core Strategy

Chippenham Neighbourhood Plan

CONSULTATIONS

WC Highways: No Objection

Comments Advised: that the proposal would be a car-free development, but that the site is located close to the bus station and within walking distance of the railway station. The proposed cycle storage in the basement was considered acceptable, with the addition of a cycle rail to assist access to the lower ground floor. An informative was also recommended regarding the need to liaise with the Highway Authority over any temporary traffic management measures required during construction.

WC Public Protection: Comment

Comments advised: that the ground floor and basement commercial space is currently vacant and that the future Class E use is unknown. The submitted acoustic report identifies mitigation measures, which are considered acceptable. Its recommended that a condition be imposed requiring the approved sound insulation and window specifications to be implemented prior to occupation, together with the submission of a post-completion report demonstrating the mitigation has been installed.

Chippenham Town Council No Objection

Comments advised: that no parking is proposed but considered the transport impacts acceptable in view of the town centre location, cycle storage provision and similar nearby approvals. It recommended securing a cycle wheel rail for the basement cycle store. The submitted noise assessment was accepted, subject to the identified mitigation measures. The Town Council also queried the provision of natural light to the kitchen area of Flat 3, which does not have a window.

REPRESENTATIONS

In accordance with the requirements of the Paragraph W of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) which sets out the procedural requirements for prior approval applications under Class MA. The application was publicised by way of:

- A site notice displayed near the site;
- Neighbour letters

Below is a summary of the representations received during the 21 day consultation period. Only material planning considerations have been taken into account in the assessment of this application. Non-material issues, such as property values or private legal disputes, cannot be considered in the determination process.

No public representations were received in response to this application.

ASSESSMENT

This application seeks prior approval under Class MA, which allows for the change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) to a use falling within Class C3 (dwellinghouses).

The Commercial, Business and Service use class (E) includes a broad and diverse range of uses which principally serve the needs of visiting members of the public and/ or are suitable for a town centre area. The class includes shops, financial and professional services, restaurant and cafes and business use classes, and uses such as nurseries, health centres and gyms.

Does the Proposal Qualify as Permitted Development?

Development under Class MA is subject to a number of conditions and limitations. Development is not permitted by this Class if any of the specified restrictions apply. These are set out within Appendix 1. Subject to compliance with these criteria and any limitations or conditions specified within the Order, the proposed development may be considered permitted development.

Class MA applies where a building has been in a qualifying use for a continuous period of at least two years immediately prior to the date of the application. The application form confirms that the applicant considers this requirement to be met.

The supporting detail submitted sets out that the building was occupied by Barclays Bank until 2023 and was subsequently occupied by Wiltshire Police until 31 October 2025. It is accepted that the uses fall within those specified under Class E. The statement concludes that the building "has been in use for a continuous period of at least 2 years prior to the date of this application by a use specified in sub-paragraph (2) of Paragraph MA.1. None of the disqualifying criteria under MA.1 are found to apply in this case.

Is Prior Approval Required?

Where a proposal complies with all the provisions limitations set out under Class MA of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), the developer must apply to the Local Planning Authority (LPA) for a determination as to whether prior approval is required for the specified impacts and, if so, whether it should be granted.

In respect of this proposal, the following considerations must be assessed as part of the prior approval process as set out by MA.2.(2):

Before beginning development under Class MA, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

- (a) transport impacts of the development, particularly to ensure safe site access;
- (b) contamination risks in relation to the building;
- (c) flooding risks in relation to the building;
- (d) impacts of noise from commercial premises on the intended occupiers of the development;
- (e) where—
 - (i) the building is located in a conservation area, and
 - (ii) the development involves a change of use of the whole or part of the ground floor, the impact of that change of use on the character or sustainability of the conservation area;
- (f) the provision of adequate natural light in all habitable rooms of the dwellinghouses;
- (g) the impact on intended occupiers of the development of the introduction of residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses; and
- (h) where the development involves the loss of services provided by—
 - (i) a registered nursery, or
 - (ii) a health centre maintained under section 2 or 3 of the National Health Service Act 2006, the impact on the local provision of the type of services lost; and
- (i) where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building.

In addition Paragraph W sets out a number of requirements for both the developer (in terms of the application submission) and the LPA (relating to consultations and advertisement of the application). Para. W(10) states that:

The local planning authority must, when determining an application—

- (a) take into account any representations made to them as a result of any consultation under subparagraphs (5) or (6) and any notice given under sub-paragraph (8);

- (b) have regard to the National Planning Policy Framework, so far as relevant to the subject matter of the prior approval, as if the application were a planning application; and
- (c) in relation to the contamination risks on the site—
 - (i) determine whether, as a result of the proposed change of use, taking into account any proposed mitigation, the site will be contaminated land as described in Part 2A of the Environmental Protection Act 1990, and in doing so have regard to the Contaminated Land Statutory Guidance issued by the Secretary of State for the Environment, Food and Rural Affairs in April 2012, and
 - (ii) if they determine that the site will be contaminated land, refuse to give prior approval.

Para. W(13) allows LPAs to grant prior approval unconditionally or subject to conditions reasonably related to the subject matter of the prior approval.

(a) transport impacts of the development

Policy Context

Paragraph 115 of the National Planning Policy Framework (NPPF) emphasises the importance of promoting sustainable transport modes, ensuring safe and suitable access for all users, and designing development in accordance with national guidance. It also requires that any significant impacts on the transport network—whether in terms of capacity, congestion, or highway safety—can be mitigated in a cost-effective manner.

Paragraph 116 of the NPPF further clarifies 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, following mitigation, would be severe.

At the local level, Core Policy 60 of the Wiltshire Core Strategy seeks to reduce the need to travel and promote sustainable transport choices, whilst Core Policy 61 requires development to be located and designed to reduce the need to travel by private car and encourage the use of sustainable modes of transport.

Assessment

The application site occupies a highly sustainable central town centre location within Market Place, Chippenham. The site is less than 100m from the bus station and within a 10-minute walk of Chippenham railway station, providing access to public transport services. The proposal comprises the conversion of the upper floors of an existing building to provide eight residential units and does not seek to alter the existing access arrangements.

There is no on-site parking is proposed. The Highway Officer in their comments note that the development would represent a car-free scheme but they raise no highway objection given the site's sustainable location and accessibility to public transport. Whilst the cycle storage proposed within the lower ground floor is acknowledged to be less than ideal, the officer considers that the provision of a cycle rail to assist movement of cycles to the basement would allow the space to function as an adequate cycle storage facility. The Highway Officer therefore raises no objection to the proposal.

The proposal would make use of an existing building in a highly accessible town centre location where future occupiers would have convenient access to shops, services and public transport

without reliance on the private car. The proposal is therefore considered consistent with the sustainable transport objectives of the NPPF, Wiltshire Core Strategy Core Policies 60 and 61, and the transport objectives of the Chippenham Neighbourhood Plan.

Conclusion

Having regard to the site's sustainable location, proximity to public transport and the absence of any highway objection, the proposal is not considered to give rise to unacceptable transport impacts or highway safety concerns. Subject to a condition securing the cycle storage arrangement, the requirements of Paragraph MA.2(2)(a) are satisfied.

(b) contamination risks in relation to the building;

Policy Context

Paragraph 196 of the National Planning Policy Framework (NPPF) sets out the expectations for planning decisions in relation to land quality and safety. It states that:

- a) Sites must be suitable for their proposed use, taking into account ground conditions and any risks arising from land instability or contamination. This includes risks from natural hazards or former activities such as mining, and any proposed mitigation measures, including land remediation and its potential environmental impacts.
- b) Following any necessary remediation, land should not be capable of being determined as contaminated under Part IIA of the Environmental Protection Act 1990.
- c) Adequate site investigation information, prepared by a competent person, must be available to inform the assessment of these risks.

In the context of this proposal, the Local Planning Authority must be satisfied that the site is not subject to contamination or instability that would render it unsuitable for the proposed use, and that any necessary investigations or mitigation measures have been appropriately considered

Assessment

The application relates to the change of use of the existing first and second floors of a building currently falling within Class E use. The Planning Statement advises that the building was formerly occupied by Barclays Bank and, more recently, by Wiltshire Police as office accommodation. No evidence has been submitted to suggest that the site has been subject to uses that would give rise to significant contamination risks.

The applicant advises that there are no known contamination risks associated with the building and no consultees have raised concerns regarding land contamination. The proposal does not involve any significant groundworks or redevelopment of the site, but rather the conversion of existing upper floor accommodation within an established town centre building.

Having regard to the information submitted and the nature of the building's previous uses, the building has historically been occupied for banking and office purposes and there is no evidence of contaminative land uses having taken place on the site. No concerns have been raised by consultees and the proposal relates to the conversion of an existing building with minimal ground disturbance. On this basis there is no reasonable basis to conclude that contamination risks exist.

Conclusion

Based on the submitted information and in the absence of any evidence of contamination risk, the proposal is considered acceptable in respect of contamination. The requirements of Paragraph MA.2(2)(b) are therefore satisfied.

(c) flooding risks in relation to the building;

Policy Context

The NPPF makes clear that inappropriate development in areas at risk of flooding should be avoided by steering development towards areas with the lowest risk, whether that risk is current or future. Where development is necessary in areas at risk, it must be demonstrated that the development can be made safe for its lifetime without increasing flood risk elsewhere.

Core Policy 67 (Flood Risk) of the Wiltshire Core Strategy seeks to ensure that development is directed to areas at the lowest risk of flooding and that it does not increase flood risk elsewhere.

Assessment

The application site is located within Chippenham town centre and relates to the conversion of the existing first and second floors of the building from Class E to residential use. The Planning Statement confirms that the site is located within Flood Zone 1, which is defined as land having the lowest probability of flooding.

The proposal does not involve any extension to the building footprint or operational development that would increase flood risk elsewhere. The development comprises the conversion of existing upper floor accommodation and would not affect existing drainage arrangements or flood storage capacity. Furthermore, the proposed residential accommodation would be located on the first and second floors of the building.

No representations have been received from consultees raising concerns regarding flood risk and, given the site's location within Flood Zone 1, there is no requirement for a site-specific Flood Risk Assessment as part of this prior approval application.

Conclusion

The site is located within Flood Zone 1 and there is no evidence that the proposed development would be at risk of flooding from other sources or that it would increase flood risk elsewhere. Accordingly, the proposal is acceptable in respect of flooding risks and satisfies the requirements of Paragraph MA.2(2)(c) of Class MA.

(d) impacts of noise from commercial premises on the intended occupiers of the development;

Policy Context

Paragraph 187(e) of the National Planning Policy Framework (NPPF) requires that planning decisions contribute to and enhance the natural and local environment by ensuring that new and existing development does not contribute to, or is not exposed to, unacceptable levels of noise pollution. This includes preventing development from being put at risk or adversely affected by such impacts.

Further to this, Paragraph 198(a) advises that new development should be appropriate for its location, taking into account the likely effects, including cumulative impacts, of pollution on health, living conditions, and the natural environment. It emphasises the need to mitigate potential adverse impacts arising from noise and to avoid noise that could result in significant harm to health or quality of life.

At the local level, Core Policy 57 of the Wiltshire Core Strategy seeks to ensure a high standard of amenity for existing and future occupants and requires that noise impacts are appropriately mitigated. Chippenham NP Policy H2 requires all residential development in Chippenham to be designed in accordance with the Chippenham Design Guide. The Guide includes a number of principles relating to building design which seek to achieve comfortable homes.

Assessment

The application site is located within a mixed commercial town centre environment. The proposed flats would be situated above existing commercial premises, including a ground floor betting shop, while the lower ground floor Class E unit is currently vacant and could accommodate a range of commercial, business and service uses in the future. Surrounding properties are also predominantly commercial in nature, with No. 67 Market Place comprising a betting shop and offices above, No 65 Market Place (Ground Floor) a Betting shop and No. 64 Market Place occupied by an estate agent with commercial office accommodation on the upper floors. The museum is located to the rear of the site and is separated from the building by an alleyway.

It is also relevant that Market Place is predominantly a pedestrianised environment, with restrictions on vehicle access and deliveries at certain times, which limits traffic movements immediately outside the building. The museum and rear elevation are separated from activity within Market Place and the highway movements associated with the Causeway. Accordingly, the primary noise sources considered within the assessment relate to surrounding commercial uses and associated servicing activity rather than general passing traffic.

The application is accompanied by a Noise Impact Assessment (Ref. 11707/FD) which considers noise arising from surrounding commercial premises and the retained commercial accommodation within the building. The assessment concludes that, subject to the installation of enhanced glazing/secondary glazing and suitable sound insulation between the commercial and residential elements, acceptable internal noise levels can be achieved in accordance with BS8233:2014. The report also concludes that future occupiers can be adequately protected from noise associated with both neighbouring commercial premises and potential future Class E uses within the vacant commercial unit and traffic noise levels.

Public Protection has reviewed the submitted assessment and raises no objection. Given that the lower ground floor commercial unit could be occupied by a variety of Class E uses in the future, Public Protection supports the recommended mitigation measures and advises that these should be secured by condition. Accordingly, a condition is recommended requiring the approved acoustic mitigation measures, including sound insulation and window specifications, to be installed prior to first occupation. The condition will also require post-completion testing and certification by a suitably qualified acoustic professional to demonstrate that the mitigation has been satisfactorily implemented before the residential units are occupied. Subject to securing condition requiring the

installation, testing and certification of the acoustic mitigation measures prior to first occupation, the proposal would provide an acceptable standard of residential amenity for future occupiers.

Conclusion

Having regard to the findings of the Noise Impact Assessment and the comments of Public Protection, it is considered that, subject to the recommended condition, the proposal would provide an acceptable living environment for future occupiers and satisfies the requirements of Paragraph MA.2(2)(d).

(e) where—

- (i) the building is located in a conservation area, and**
- (ii) the development involves a change of use of the whole or part of the ground floor, the impact of that change of use on the character or sustainability of the conservation area;**

Policy Context

NPPF sets out at chapter 16 how to address matters around conserving and enhancing the historic environment as a response to the statutory duties under Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 around preserving and enhancing the character and appearance of conservation areas and the settings and the settings of listed buildings.

At the local level, Core Policy 58 of the Wiltshire Core Strategy seeks to protect, conserve and where possible enhance the historic environment, including designated heritage assets and their settings. Policy TC4 of the Chippenham Neighbourhood Plan similarly seeks to ensure that development preserves or enhances the significance, character and appearance of the Chippenham Conservation Area.

Assessment

The application site is located within the Chippenham Conservation Area. However, the prior approval matter set out under Paragraph MA.2(2)(e) only applies where the proposal involves a change of use of the whole or part of the ground floor.

In this case, no change of use is proposed to the ground floor commercial accommodation, which will remain in commercial use. There are also no alterations proposed to the shopfront, building elevations or external appearance of the property. Existing commercial access arrangements are retained and there is no loss of commercial frontage or commercial floorspace at ground floor level.

Whilst a small part of the lower ground floor is proposed to be utilised for cycle storage associated with the residential accommodation, this would be accommodated internally using existing access arrangements and would not result in any external alterations to the building. The provision of cycle storage would support sustainable transport choices for future occupiers and would not affect the character, appearance or sustainability of the Conservation Area.

Given that no ground floor change of use is proposed and no external alterations are planned, the proposal would preserve the existing character and appearance of the Conservation Area.

Conclusion

The site is located within the Chippenham Conservation Area; however, as the proposal does not involve the change of use of any part of the ground floor and would not alter the external appearance of the building, there would be no impact on the character or sustainability of the Conservation Area. Accordingly, Paragraph MA.2(2)(e) is not engaged in this instance.

(f) the provision of adequate natural light in all habitable rooms of the dwellinghouses;

Policy Context

The NPPF does not set numerical standards or methodologies for daylight or sunlight. It is intentionally high-level policy and leaves detailed assessment methods to other guidance (e.g. BRE guidance).

Paragraph 130 sets out the need to make an efficient use of land balanced with design considerations. When considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

At the local level, Core Policy 57 of the Wiltshire Core Strategy seeks to secure a high standard of design and residential amenity for existing and future occupants. However, it is noted that the scope of assessment under Class MA is limited to whether adequate natural light is provided to all habitable rooms.

Assessment

The application is accompanied by an Internal Natural Light Report prepared by DPR Chartered Surveyors (March 2026), which assesses daylight provision to the proposed residential accommodation using the methodology set out within the BRE Guide *Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice* (2022 edition).

The report confirms that a total of 18 habitable rooms across the proposed 8 flats were assessed. The assessment considered all living rooms, bedrooms and living/kitchen/dining areas within the development. The submitted floor plans demonstrate that all habitable rooms are served by external windows with either an outlook towards Market Place or the rear of the building. The kitchens within the open-plan living spaces were assessed as part of those habitable rooms.

The results demonstrate that all 18 habitable rooms meet the relevant BRE daylight guidelines, with 100% compliance achieved across the development. The report concludes that adequate natural light will be provided to all habitable rooms within the proposed dwellings.

Whilst a query was raised regarding the kitchen area within Flat 3, the submitted daylight assessment includes the living/kitchen/dining room serving that flat and confirms that it satisfies the relevant daylight criteria. Accordingly, the submitted evidence demonstrates that adequate natural light would be available to all habitable rooms with no comments from Public Protection.

Conclusion

The submitted Internal Natural Light Report demonstrates that all 18 habitable rooms within the proposed development achieve the relevant BRE daylight standards and that adequate natural light

would be provided to future occupiers. The proposal therefore satisfies the requirements of Paragraph MA.2(2)(f).

(g) the impact on intended occupiers of the development of the introduction of residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses;

Policy Context

Paragraph 187(e) of the National Planning Policy Framework (NPPF) requires that planning decisions contribute to and enhance the natural and local environment by ensuring that new and existing development does not contribute to, or is not exposed to, unacceptable levels of noise pollution. This includes preventing development from being put at risk or adversely affected by such impacts.

Further to this, Paragraph 198(a) advises that new development should be appropriate for its location, taking into account the likely effects, including cumulative impacts, of pollution on health, living conditions, and the natural environment. It emphasises the need to mitigate potential adverse impacts arising from noise and to avoid noise that could result in significant harm to health or quality of life.

In the context of this proposal, the key consideration is whether the development would impact on intended occupiers of the development through the introduction of residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses.

Assessment

The application site is located within Chippenham town centre and forms part of a mixed-use commercial area characterised by retail, office, service and leisure uses. The surrounding area contains a range of town centre commercial premises and community uses and is not identified as an area important for general or heavy industry, waste management, storage and distribution uses. The site is not occupied by, nor situated in proximity to, such activities.

Public Protection reviewed the application and raised no concerns regarding the introduction of residential use within the area. Whilst noting that the lower ground floor commercial unit remains vacant and could accommodate a range of future Class E uses, no objection was raised subject to securing the recommended acoustic mitigation measures. The submitted Noise Impact Assessment demonstrates that acceptable living conditions can be achieved for future occupiers through the implementation of appropriate sound insulation and glazing measures.

Given the site's town centre location and the absence of industrial, waste management, storage or distribution activities in the vicinity, there is no evidence that future occupiers would be adversely affected by the uses identified within Paragraph MA.2(2)(g). Any impacts arising from neighbouring commercial premises have been considered separately under Paragraph MA.2(2)(d).

Conclusion

The site is not located within an area that the Local Planning Authority considers important for general or heavy industry, waste management, storage and distribution uses. Accordingly, the

proposal would not result in unacceptable impacts on future occupiers in this regard and satisfies the requirements of Paragraph MA.2(2)(g).

(h) where the development involves the loss of services provided by—

(i) a registered nursery, or

(ii) a health centre maintained under section 2 or 3 of the National Health Service Act 2006, the impact on the local provision of the type of services lost; and

Assessment

The application relates to the change of use of the upper floors of an existing Class E building to residential use. The building was most recently occupied by Wiltshire Police as office accommodation, having previously been occupied by Barclays Bank. The proposal does not involve the loss of a registered nursery or a health centre maintained under Section 2 or 3 of the National Health Service Act 2006.

As no such services are currently provided from the premises, there would be no impact on the local provision of nursery or healthcare facilities arising from the proposed development.

Conclusion

The proposal would not result in the loss of a registered nursery or health centre and therefore raises no concerns under Paragraph MA.2(2)(h). The requirements of this criterion are satisfied.

(i) where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building.

Assessment

Paragraph MA.2(2)(i) only applies where the development meets the "fire risk condition" set out in Class MA. This applies where the development would create two or more dwellinghouses and the building is either 18 metres or more in height or contains seven or more storeys.

Whilst the proposal would provide eight residential units, the submitted Planning Statement and Plans confirm that the building is below the 18 metre height threshold and does not contain seven or more storeys. Accordingly, the development does not meet the fire risk condition and fire safety impacts are not a matter requiring prior approval under Class MA.

Conclusion

The proposed development does not meet the fire risk condition set out within Class MA, as the building is neither 18 metres or more in height nor seven or more storeys. Fire safety impacts are therefore not a matter for consideration under this prior approval application, and the requirements of Paragraph MA.2(2)(i) do not apply.

CONCLUSION

In assessing the application against the prior approval matters set out under Paragraph MA.2(2), it is concluded that the proposal would not give rise to unacceptable impacts in respect of

contamination risk, flood risk, the character and sustainability of the Conservation Area, the introduction of residential use within an area important for industrial or storage and distribution uses, the loss of nursery or healthcare services, or fire safety considerations. Prior approval was required in respect of transport impacts, impacts of noise from commercial premises on the intended occupiers of the development, and the provision of adequate natural light within the proposed dwellings. Having regard to the submitted evidence, consultation responses and proposed mitigation measures, these matters have been satisfactorily addressed. Subject to conditions securing the provision and retention of cycle storage facilities and the implementation, testing and certification of the approved acoustic mitigation measures, the proposal is considered acceptable in respect of all relevant prior approval considerations.

The proposed development has been assessed against the provisions, limitations, and conditions set out in Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the change of use of an existing Commercial First and Second Floors to Residential Use (to provide 8 Units). Based on the submitted plans, supporting documentation, and the findings of this report, it is concluded that the proposal does comply with the criteria for permitted development and Prior Approval under Class MA, and the Prior Approval is required and Granted subject to conditions

RECOMMENDATION

That PRIOR APPROVAL GRANTED subject to conditions

CONDITIONS

1. The development hereby permitted shall be carried out in accordance with the following approved plans and documents: Received 12th June 2026

LOCATION AND SITE PLAN Ref AA/25/30/01

PROPOSED ELEVATIONS Ref AA/25/30/14

PROPOSED GROUND AND BASEMENT FLOOR PLANS ref AA/25/30/12

PROPOSED FIRST AND SECOND FLOOR PLANS Ref AA/25/30/13

Internal Natural Light Report prepared by DPR Chartered Surveyors (March 2026)

Noise Impact Assessment Ref. 11707/FD By Acoustic Consultants Ltd

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

2. No residential unit shall be occupied until the sound insulation measures and window specifications identified within Sections 6 and 7 of the Acoustic Consultants Ltd report (Ref: 11707/FD) have been fully implemented. The approved mitigation measures shall be retained and maintained thereafter for the lifetime of the development.

REASON: To ensure that future occupiers are provided with an acceptable standard of residential amenity, having regard to noise from surrounding commercial premises.

3. No residential unit shall be occupied until the cycle storage facilities, including the cycle wheel rail to facilitate access to the basement storage area has been made available for use in

accordance with the approved plans. The cycle storage facilities and cycle track shall always be maintained and retained for the storage of cycles for the duration of the development.

REASON: To ensure the provision of adequate and accessible cycle parking facilities and to promote sustainable modes of transport.

INFORMATIVE

Class MA permits a change of use from Class E to Class C3 residential use but does not permit operational development. The assessment is therefore limited to the proposed change of use and the prior approval matters prescribed by the General Permitted Development Order. Any external alterations, including the insertion, enlargement or repositioning of windows and doors, alterations to elevations, extensions or other building operations, fall outside the scope of Class MA and would require separate planning permission.

INFORMATIVE

The development hereby approved, and any associated deliveries or works affecting the public highway, may affect the operation of the highway network during construction. The applicant is advised to contact the Highway Authority's Highway Management Team at streetworks@wiltshire.gov.uk prior to commencing works to discuss any temporary traffic management measures that may be required, including footway or carriageway closures or restrictions.

INFORMATIVE

The applicant is advised that if, during the course of development, any contamination is found which has not previously been identified, all works in the affected area shall cease immediately and the Local Planning Authority shall be notified without delay. A suitably qualified contaminated land specialist shall be engaged to investigate the nature and extent of the contamination and submit a remediation strategy to the Local Planning Authority for approval. Any necessary remediation shall be completed in accordance with the approved strategy before development recommences in the affected area. To ensure that any unsuspected contamination encountered during the development is appropriately investigated and remediated in the interests of human health, controlled waters, property, and the wider environment.

