



The Town and Country Planning Act 1990
Approval of Full Planning Permission with Conditions
Application Reference Number: PL/2026/00323
Decision Date: 11/08/2026

Applicant:	Mr Guy Shepherd The Old Forge, 73-75 High Street, Burbage, Wiltshire, United Kingdom, SN8 3AA
Particulars of Development:	Change of use application to reinstate number 73 to commercial use as a jewellery shop, art gallery and event space from residential. No physical alterations are proposed anywhere.
At:	73-75 High Street, Burbage, Marlborough, SN8 3AA

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: 27/04/2026.

Parking Plan. Received: 09/07/2026.

Use and Events Description. Received: 11/05/2026.

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

- 3** The premises shall not be open to customers, visitors, attendees or participants associated with the approved use outside the following hours:

- 10:00 to 22:00 Mondays to Saturdays; and
- No opening on Sundays or Bank Holidays.

The use hereby permitted shall not operate outside these hours unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of safeguarding the amenities of neighbouring residential occupiers in accordance with Core Policy 57 of the Wiltshire Core Strategy.

- 4** The premises shall be used only for the purposes of a jewellery shop, art gallery, workshops, exhibitions, meetings, clubs and associated community events as described within the approved Use and Events Description document. No other use shall be carried out without the prior written approval of the Local Planning Authority.

REASON: In the interests of residential amenity, highway safety and in order that the Local Planning Authority may retain control over the nature and scale of the approved use.

- 5** The use hereby permitted shall be confined to the building known as The Smithy as identified within the approved red line application site shown on the Location Plan received on 27/04/2026 and shall not extend to the dwellinghouse, Bothy, garden, courtyard, yurt, external amenity areas or any other part of the wider property without the prior written consent of the Local Planning Authority.

REASON: In the interests of residential amenity and for the avoidance of doubt.

- 6** No amplified music, loudspeakers or public address systems shall be used externally in connection with the approved use.

REASON: In the interests of residential amenity.

- 7** No part of the development hereby permitted shall be first brought into use until the access and parking spaces [9] have been completed in accordance with the details

shown on the approved plans. The areas shall always be maintained for those purposes thereafter and maintained free from the storage of materials.

REASON: In the interests of highway safety.

- 8 Prior to the first use of the development, the visibility splays shown on the Site Plan hereby approved shall be provided in full. Thereafter, the south-east visibility splay shown shall be permanently maintained free from any obstruction exceeding 900mm in height above the level of the adjoining carriageway.

Reason: In the interests of highway safety.

- 9 The widening of the existing access from Smithys Lane shall be carried out only in accordance with the approved plans. Other than the approved widening, the existing banks and hedgerow adjacent to the access shall be retained. The access shall thereafter be maintained in a manner that retains the informal character of the existing bank and shall not be altered through the introduction of walls, kerbs, engineered edging, visibility splays or other urbanising features unless otherwise approved in writing by the Local Planning Authority.

REASON: To preserve the character and appearance of the Burbage Conservation Area and the setting of the Grade II listed building in accordance with Core Policy 58 of the Wiltshire Core Strategy and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Informative

- 10 The applicant is reminded that the building is Grade II listed. Any alterations affecting the character of the listed building as a building of special architectural or historic interest may require Listed Building Consent in addition to any planning permission.

Informative

- 11 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. 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 not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements is considered to apply.

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](#)