

The Town and Country Planning Act 1990
Approval of Full Planning Permission with Conditions
Application Reference Number: PL/2026/01927
Decision Date: 14/08/2026

Applicant:	Mr Paul Martin The Grange, Gaters Lane, Winterbourne Dauntsey, Salisbury, SP4 6ER
Particulars of Development:	Construction of Habitat Pond
At:	The Grange, Gaters Lane, Winterbourne Dauntsey, Salisbury, SP4 6ER

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:

Application Form received 23/03/2026

Site Plan Drg no W21-002-007 Rev P2 received 08/04/2026

Proposed block plan Drg no W21-002-008 Rev P2 received 08/04/2026

Proposed Cross Sections Drg no D-D & E-E DWG: W21-002-005 Rev P1

Arboricultural report received 23/03/2026

Tree Constraints Plan Drg no DSE-681-26-AR-V1-XX-TCP-T102 Rev A received 23/03/2026

Flood risk assessment received 23/03/2026

Proposed Habitat Pond Drg no W21-002-006 Rev P2 received 23/03/2026

Aquatic Planting Plan Drg no W21-002-009 Rev P1 received 23/03/2026

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

- 3** No development shall commence within the area indicated by application PL/2026/01927 until:

a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved in writing by the Local Planning Authority; and

b) The approved programme of archaeological work has been carried out in accordance with the approved details.

REASON: To enable the recording of any matters of archaeological interest.

- 4** No demolition, site clearance or development shall commence on site, and; no equipment, machinery or materials shall be brought on to site for the purpose of development, until a Tree Protection Plan showing the exact position of each tree/s and their protective fencing in accordance with British Standard 5837: 2012: "Trees

in Relation to Design, Demolition and Construction - Recommendations"; has been submitted to and approved in writing by the Local Planning Authority, and;

The protective fencing shall be erected in accordance with the approved details. The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations.

No retained tree/s shall be cut down, uprooted or destroyed, nor shall any retained tree/s be topped or lopped other than in accordance with the approved plans and particulars. Any topping or lopping approval shall be carried out in accordance British Standard 3998: 2010 "Tree Work – Recommendations" or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practise.

If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place, at a size and species and planted at such time, that must be agreed in writing with the Local Planning Authority.

No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained trees or hedgerows or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be retained on the site or adjoining land.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs above shall

have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity and biodiversity.

- 5 No development shall commence on site (including vegetation clearance, groundworks or demolition) until a Construction Protection Plan has been submitted to and approved in writing by the Local Planning Authority. The

Construction Protection Plan shall demonstrate how the River Bourne, the adjacent ditch, retained trees, scrub and other retained habitats will be protected during the construction phase, in accordance with the mitigation and protection measures set out within the Hydrogeological and Hydrological Desk Study (H2O Geo, 2021) and Sections 17 of the Extended Phase 1 Ecological Assessment (Phillips Ecology, 2026).

The development shall be carried out in strict accordance with the approved Construction Protection Plan.

REASON: To ensure the development avoids causing harm to the adjacent ecological receptors.

- 6** The development will be carried out in strict accordance with the following documents:

- Section 17 'Mitigation Recommendations' and Section 18 'Enhancements' of the Extended Phase 1 Ecological Assessment (Phillips Ecology, March 2026).
- Section 4 Hydrological Conceptual Site Model of the Hydrogeological and Hydrological Desk Study for a Habitat Pond. Version 1.1 (H2O Geo, 21 December 2021).

REASON: For the avoidance of doubt and for the protection, mitigation and enhancement of biodiversity.

- 7** No external light fixture or fitting will be installed within the application site unless details of existing and proposed new lighting have been submitted to and approved by the Local Planning Authority in writing. The submitted details will demonstrate how the proposed lighting will impact on bat habitat compared to the existing situation.

The plans will be in accordance with the appropriate Environmental Zone standards set out by the Institution of Lighting Professionals (ILP) Guidance Notes on the Avoidance of Obtrusive Light (GN 01/2021) and Guidance note GN08/23 "Bats and artificial lighting at night", issued by the Bat Conservation Trust and Institution of Lighting Professionals.

REASON: To avoid illumination of habitat used by wildlife.

- 8 The development hereby approved, shall be carried out in accordance with the submitted Flood Risk Assessment (ref. 2215110/FRA/MN/RS/01 dated April 2022, Lanmor Consulting) including the provision of compensatory storage/flood storage volumes as show on the plans in Appendix C.

These mitigation measures shall be fully implemented prior to any loss of floodplain and subsequently maintained thereafter throughout the lifetime of the development.

Reason: To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided

- 9 All soft landscaping comprised in the approved plans shall be carried out in the first planting and seeding season following the completion of the development. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features

Informative

- 1 BNG required - 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.

Informative

- 2** The applicant should note that the archaeological work is not a 'watching brief'. The initial site strip, which would have been to be undertaken as part of the development anyway, will be an archaeological exercise and that there will need to be a hiatus between the initial site strip and the excavation of the pond to enable the appropriate investigation and recording of any remains. The duration of the hiatus will depend on the presence and complexity of any remains identified. The applicant should also therefore note that, until the site has been stripped, the resources and timescales required to achieve satisfactorily the programme of archaeological work will not be known.

The work is to be carried out following the standards and guidelines as set out by the Chartered Institute for Archaeologists (CIfA) as well as those set out in the document 'Standards and Guidance for Archaeological Assessment and Fieldwork

in Wiltshire and Swindon Borough', issued by WCAS. The costs of this work are to be borne by the applicant.

Informative

3 The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any of the following activities:

- erecting any temporary or permanent structure in, over or under a main river, such as a culvert, outfall, weir, dam, pipe crossing, erosion protection, scaffolding or bridge
- altering, repairing or maintaining any temporary or permanent structure in, over or under a main river, where the work could affect the flow of water in the river or affect any drainage work
- building or altering any permanent or temporary structure designed to contain or divert flood waters from a main river
- dredging, raising or removing any material from a main river, including when you are intending to improve flow in the river or use the materials removed
- diverting or impounding the flow of water or changing the level of water in a main river
- quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- any activity within 8 metres of the bank of a main river, or 16 metres if it is a tidal main river
- any activity within 8 metres of any flood defence structure or culvert on a main river, or 16 metres on a tidal river
- any activity within 16 metres of a sea defence structure
- activities carried out on the floodplain of a main river, more than 8 metres from the river bank, culvert or flood defence structure (or 16 metres if it is a tidal main river), if you do not have planning permission (you do not need permission to build agricultural hay stacks, straw stacks or manure clamps in these places).

For further guidance please visit Flood risk activities: environmental permits - GOV.UK or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Informative

- 4** Please note that once the site is cleared of vegetation and excavation begins, any rainfall could lead to large amounts of sediment entering the River Bourne channel. Assurance is needed that this would be managed appropriately.

Informative

- 5** If fish were to be introduced a Keeping and Introduction of Fish (KIF) permit would need to be applied for, due to the small section of the pond which falls within a floodplain, it would limit the species of fish that would be allowed to be stocked into the pond. This may be different if we were satisfied that the pond was fully enclosed and the escape of fish, even during times of flooding, was non-existent.

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](#)