

The Town and Country Planning Act 1990
Approval of Full Planning Permission with Conditions
Application Reference Number: PL/2026/00044
Decision Date: 20/08/2026

Applicant:	Emma Muir Ham Cross Farm, Lower Chicksgrove, Tisbury Wiltshire SP3 6ND
Particulars of Development:	Creation of a new lake, wetland and associated earthworks
At:	Ham Cross Farm, Chicksgrove Road, Tisbury, Salisbury, SP3 6ND

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 policy DM3 (1)(a) 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 listed in the schedule:

Location Plan ref PP-14331866v1

Proposed Site Plan with Earthworks and Sections ref MWE_24117_HCF_PROP-PLAN_SECTIONS-02-11.25-P01

Planting Plan ref MWE_24194_HCF_L-SCAPE&PLNTING-PLAN_07_06.26

Pond Overflow, Swale & Bridleway Crossing Detail ref
MWE_24194_HCF_PO_SW&BR_X_03_06.26-P03

Wetland Design ref 24194-Wetland Design

LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN Ref 24194 Dated June
2026

Preliminary Ecological Appraisal ref 24194 -00 dated 11/2025

Flood Risk Assessment ref MWE-24194-FRA-V1 dated 24/3/26

Design and Access Statement ref MWE-24194-DAAS-V1

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

- 3** Notwithstanding the approved plan and section details, no work shall commence on the construction of the culvert until details (including a cross section) of the structure have been submitted to and agreed in writing by the Local Planning Authority. The details shall demonstrate:

- the structure can withstand 5kN/m²
- any parapets shall be at least 1.8m high

Ownership of the structures and ongoing maintenance shall be secured by a Section 278 Agreement with the Council including a Section 50 license.

Reason: To ensure the integrity, safety and future maintenance of the culvert in the interests of securing the integrity of the bridleway running above the culvert.

- 4** All soft landscaping comprised in the approved details of landscaping (including the Planting Plan (ref MWE_24194_HCF_L-SCAPE&PLNTING-PLAN_07_06.26)) shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; 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.

- 5** Notwithstanding the approved plans and section details, a minimum 4 metre width shall be maintained at all times for any enclosed section of the bridleway, including

between the proposed bunds and any new planting, to allow for overgrowth by the proposed hedges on the new bunding.

Reason: To ensure a minimum 4 metre width is maintained at all times for any enclosed section of the bridleway.

- 6 The development shall be carried out in strict accordance with the recommendations and measures contained within the following documents:

- Proposed Lake, Wetland & Associated Earthworks, Miles Water Engineering, November

2025

- Biodiversity Net Gain Assessment, Arbtech, March 2026

- Statutory Biodiversity Metric, Georgina Rennie, March 2026

- Landscape and Ecological Management Plan, Miles Water Engineering, June 2026

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

- 7 No excavation for the water features (proposed lake, bioswale, and wetland) hereby approved shall commence until the following has been submitted to and approved in writing by the Local Planning Authority:

a. A Surface Water Drainage Strategy (complying with Wiltshire Council requirements, NPPF, PPG and the National Standards for SuDS)

b. An Operation and Maintenance Plan, with details of the implementation, maintenance and management of the sustainable drainage scheme detailing how the proposed lake, bioswale, and wetland will be maintained and managed after completion.

c. A Construction Management Plan, detailing measures to be taken during construction to control pollution to existing watercourses and groundwater.

The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: To ensure that the site can be adequately drained and to prevent pollution during construction.

- 8 There shall be no installation of any artificial lighting within the red line of the application site.

REASON: In the interests of the amenity of the National Landscape and Dark Skies Reserve and in the interests of bat species within the Chilmark Quarries bat SAC.

Informatives

Biodiversity Net Gain

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. 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.

Rights of Way - bridleway SMAN 27

Please be advised that nothing in this permission shall authorise the diversion, obstruction, or stopping up of any right of way that crosses the site and access to the bridleway shall be maintained at all times.

The applicant should note that no gates, fences or stiles should be erected across the public right of way without prior consultation and approval from the Countryside Access Officer (contact rightsofway@wiltshire.gov.uk). Unauthorised structures across a right of way are an obstruction and gates may only be authorised for the control of stock under section 147 of the Highways Act 1980.

Network Rail

Works on this land should be undertaken following engagement with Network Rail Asset Protection to determine the interface with Network Rail assets, buried or otherwise. Initially the outside party should contact ASPRO Network Rail Implementation.

Drainage

In order to discharge the drainage condition, the following additional information must be provided:

- A pre and post development exceedance plan showing overland exceedance routes that minimise the risk of people and property.
- Cross section drawings of all proposed attenuation or conveyance SuDS features (including the bioswale and wetland), and detailed drawings of any drainage features (including spillway and the bridleway culvert arrangement).
- All SuDS should be designed in accordance with the CIRIA SuDS Manual C753.
- There must be no interruption to the existing surface water and/or land drainage arrangements of the surrounding land as a result of the operations on the site. Provisions must be made to ensure that all existing drainage systems continue to operate effectively.

Wildlife

All British birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 while birds are nesting, building nests and sitting on eggs. The applicant is advised to check any structure or vegetation capable of supporting breeding birds and delay removing or altering such features until after young birds have fledged. Damage to extensive areas that could contain nests/breeding birds should be undertaken outside the breeding season. This season is usually taken to be the period between 1st March and 31st August but some species are known to breed outside these limits

Nic Thomas - Director of Planning, Economy and Climate

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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](#)