

APPLICATION FOR FULL-PLANNING PERMISSION

CASE OFFICER REPORT

APPLICATION REFERENCE:	PL/2026/00813
APPLICATION TYPE:	Outline Planning Permission: Some Matters Reserved
SITE ADDRESS:	Rectory Farm Cottages, Jubbs Lane, Ogbourne St George
DEVELOPMENT DESCRIPTION:	Construction of a residential dwelling with associated works – Outline planning application with access matters included
RECOMMENDATION:	Permission subject to Conditions

SITE DESCRIPTION/CONTEXT

The 0.15 hectare site is situated within the built up area of the Small Village of Ogbourne St George, as defined by Wiltshire Core Strategy (WCS) policies CP1 (Settlement Strategy), CP2 (Delivery Strategy) and CP14 (Marlborough Community Area). As can be seen in PLAN A and PHOTO 1 below, it is surrounded on all sides by other residential properties and their associated parking and amenity provision. The site currently consists of a large parking area serving the rear of the properties known as 1 and 2 Rectory Farm Cottages (outlined in blue and therefore within the same ownership), which otherwise also have front gardens, fronting onto a footpath to the north east. The site also includes some of their respective, large, rear gardens. A detached garage and store are situated adjacent to the north western boundary of the site adjacent to the shared boundaries with 14 Jubbs Lane; and Okeburn & 24 Liddards Green. The remainder of the land is laid to gravel. This area is accessed via an existing driveway, which the applicant has confirmed they do not own but have a right of access over (and have served notice on the owner accordingly). This driveway is served from Jubb's Lane to the south east, which is a no through road, as it turns into a public footpath extending north east (Ref: OSTG16), as demarked by a thick purple line on PLAN A below. The access driveway extends between 11 and 12 Jubb's Lane that front onto the lane.



PLAN A – Site Location & Constraints Plan

The site is situated within Flood Zone 1 and is in an area that is at low risk of ground water flooding. The whole site is situated within the North Wessex Downs National Landscape (formerly Area of Outstanding Natural Beauty (AONB)). As can be seen by PLAN A above, none of the properties in the immediate vicinity

of the site are listed (which are otherwise demarked with thick, black cross hatching on the plan); and the site is not situated within the village's Conservation Area (which is identified with a green wash on the above plan).



PHOTO 1 – Site Photographs

PROPOSAL

This application is made in Outline with only the matters of Access; Layout; and Scale to be determined at this stage. The matters of Appearance and Landscape are to be dealt with at the subsequent Reserved Matters stage. The application seeks permission for the demolition of the existing detached garage and

store; and their replacement with a 2 storey, 3 bedroom detached dwelling on a newly created plot of approximately 0.08 hectares in size (not including the access).

The limited information provided at this stage (identified in PLAN B below) confirms that the dwelling will sit fairly centrally within the plot; with a rear garden identified to the north west of the dwelling extending along the whole rear of the house and out by at least 10 metres. To the south western side of the dwelling, 2 on plot, surface parking spaces are identified to serve the 3 bedroom unit, which are to be positioned between the proposed dwelling and the shared boundary with the neighbouring property at 14 Jubb's Lane. The existing properties (1 and 2 Rectory Farm Cottages) are each to have reduced rear gardens and be provided with 2 surface parking spaces in a shared parking area to the north east of the proposed house. Each of these adjacent properties will retain a rear and front garden on plots of 0.07 and 0.08 hectares in size. Access to all 3 properties will continue to utilise the existing access driveway from Jubb's Lane to the south east.



PLAN B – Proposed Site Layout

The application is accompanied by a Planning Statement and a Biodiversity Net Gain (BNG) site metric calculation. Amended plans have been received during the course of the application which have altered the parking arrangements for the 2 existing houses; and improved their turning provision and useability. Clarification regarding site and access ownership has also been sought.

PLANNING HISTORY

K/15299/O	Outline: Residential development of 5 no dwellings (phase 1). Consent – 10.01.1991 (12-16 Jubb's Lane & Lavender House, High Street)
K/15775/O	Outline: Residential development. Consent – 10.01.1991 (8-11 Jubb's Lane)
K/19364/O	Outline: Form new residential development. Consent – 22.10.1992 (8-16 Jubb's Lane & Lavender House, High Street)
K/21188	Erect 9 no. detached dwellings. Permission – 17.03.1994 (8-16 Jubb's Lane & Lavender House, High Street)

POLICIES

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

National Design Guide (January 2021) (NDG)

Kennet District Local Plan policies (Saved by Wiltshire Core Strategy) (KDLP):

None

Wiltshire Core Strategy (WCS):

CP1 (Settlement Strategy)

CP2 (Delivery Strategy)

CP3 (Infrastructure Requirements)

CP14 (Marlborough Community Area)

CP50 (Biodiversity and Geodiversity)

CP51 (Landscape)

CP57 (Ensuring High Quality Design & Space Shaping)

CP60 (Sustainable Transport)

CP61 (Transport & Development)

CP62 (Development Impacts on the Transport Network)

CP64 (Demand Management)

Wiltshire Housing Site Allocations Plan (February 2020) (WHSAP)

Supplementary Planning Documents:

Wiltshire Design Guide (March 2024)

Wiltshire Climate Strategy 2022-2027

Air Quality SPD (July 2025)

North Wessex Downs AONB Management Plan 2019-2024

Wiltshire Local Transport Plan – Car Parking Strategy

Wiltshire Local Plan Review

At a meeting of full council on 19th May 2026 Councillors voted to withdraw the Wiltshire Local Plan review from examination.

ISSUES

The main considerations which are material to the determination of this application are listed below:

- Principle
- Character & Design
- Neighbouring Amenities
- Highway Safety

- Ecology
- CIL/S106

CONSULTATION

Highways – No Objection subject to Conditions

- No details have been included of the number of bedrooms in the existing dwellings, although 2 car parking spaces are proposed for each, this is adequate providing each property has no more than 3 bedrooms, this should be confirmed.
- Two spaces are also proposed for the new dwelling, again this is adequate providing no more than 3 bedrooms are proposed within the dwelling.
- Adequate turning is provided for the new dwelling
- I note the swept path analysis which confirms that multiple shunting manoeuvres are required for the vehicles for the existing dwellings to turn
- Although possible, the applicants may wish to enlarge the space to the rear of the car parking spaces to 6m to enable turning to be easier.
- I recommend more space is allocated to the existing dwellings for turning
- Adequate visibility is achievable from the existing vehicle access.
- The access track to the parking for all 3 properties is approximately 30m in length and should one vehicle want to enter as another is existing, vehicles will have to wait on the highway and although not ideal, Jubbs Lane is a no through road that leads to public footpath OSTG16 and therefore this is accepted.

UPDATE:

- The amended site plan has provided approximately an additional 1.0m for turning and manoeuvring which is welcomed and will make parking and turning much easier for the existing dwellings.
- No details have still been included of the number of bedrooms in the existing/proposed dwellings
- The level of parking is sufficient if all dwellings are 3 bedroom max
- I raise no highway objection to the proposal providing conditions to secure parking and turning are imposed

Ogbourne St George Parish Council – No Comment

REPRESENTATIONS

Letters – 2 letters of Objection received. The following comments made:

- The development will directly overlook the rear of neighbouring properties on Liddiards Green
- Jubbs Lane is on an incline so if a dwelling/garage is built close to 14 Jubb's Lane it will appear taller
- The 2 garages adjacent to 14 Jubb's Lane boundary fence would be significantly higher than the fence (due to the slope of the land), which would badly block light into the kitchen and utility rooms.
- The garage would also be very close to the boundary fence which would require access for maintenance purposes.

ASSESSMENT

Environmental Impact Assessment (EIA) Screening

In accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended), the Local Planning Authority has considered whether the proposed development constitutes EIA development.

No formal screening opinion was requested or issued. However, the Local Planning Authority has considered the scale and nature of the development as part of the application process and is satisfied that it does not constitute EIA development as it does not exceed the relevant thresholds or criteria set out in Schedule 1; or Schedule 2, 10(b) 'Urban Developments' of the EIA Regulations; and it is not likely to have significant effects on the environment by virtue of factors such as its nature, size, or location.

Principle:

At the heart of the NPPF is a presumption in favour of sustainable development (Policy S3). Policy S4 further confirms that *'Development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects'*; and defines settlements as *'...cities, towns, villages and other predominantly built-up areas...This includes areas defined as a settlement in the development plan'* confirming that *'Settlements do not include hamlets and scattered groups of houses located outside predominantly built-up areas, unless specifically defined as a settlement in the development plan'*.

The Adopted WCS seeks to build resilient communities and to support rural areas; but this must not be at the expense of sustainable development principles. The Settlement and Delivery Strategies of the WCS are designed to ensure new development fulfils the fundamental principles of sustainability. This means focusing growth around those settlements with a range of facilities; where local housing, service and employment needs can be met in a sustainable manner. A settlement hierarchy has therefore been identified in the WCS based on the size and function of each settlement within the County, which is the basis for setting out how the Spatial Strategy will deliver the levels of growth required.

WCS policy CP1 (Settlement Strategy) sets out the 'Settlement Strategy' for the County, and identifies four tiers of settlement - Principal Settlements, Market Towns, Local Service Centres, and Large and Small Villages. Only the Principal Settlements, Market Towns, Local Service Centres and Large Villages have defined limits of development/settlement boundaries within which residential development will be accepted. This policy does however also confirm that whilst *'...there is a general presumption against development outside the defined limits of development of the Principal Settlements, Market Towns, Local Service Centres and Large Villages...some very modest development may be appropriate at Small Villages, to respond to local needs and to contribute to the vitality of rural communities'*.

WCS policy CP2 (Delivery Strategy) further sets out the 'Delivery Strategy' for the County. It identifies the scale of growth deemed to be appropriate within each settlement tier, stating that within the limits of development, as defined on the proposals map, there is a presumption in favour of sustainable development at the Principal Settlements, Market Towns, Local Service Centres and Large Villages. It however identifies *'...the level of growth appropriate within the built up area of Small Villages as infill'*; defining infill as *'the filling of a small gap within the village that is only large enough for not more than a few dwellings, generally only one dwelling'*.

In accordance with the above Delivery Strategy, the application site is situated in the Marlborough Community Area. WCS policy CP14 (Marlborough Community Area) confirms that development in the Marlborough Community Area should be in accordance with the Settlement Strategy set out in policy CP1 (Settlement Strategy); and growth in the Marlborough Community Area over the plan period may consist of a range of sites in accordance with policies CP1 (Settlement Strategy) and CP2 (Delivery Strategy). It identifies that over the plan period (2006-2026) approximately 920 houses should be provided in this Community Area, with approximately 240 of these being provided outside of Marlborough itself (i.e. in the other settlements in the community area, including in the Small Villages such as Ogbourne St. George). It also confirms that at the time of the WCS adoption (2015) there was an outstanding 174 of these 920 dwellings still to be built in this community area, with 91 of these to be provided outside of Marlborough.

Within the above policy context, it is therefore considered that the principle of a new dwelling on this site, within a Small Village and on a parcel of land that is surrounded by other residential properties, would constitute infill development and would therefore be acceptable. This in principle acceptability is however subject to the detail. The matters of character of the area; highway safety; and neighbouring amenity, will all therefore all be assessed in more detail below.

Character & Design:

As is set out above, the supporting text to WCS policy CP2 (Delivery Strategy) defines infill development as '*...the filling of a small gap within the village that is only large enough for not more than a few dwellings, generally only one dwelling*'. The policy text then confirms that:

'At the Small Villages development will be limited to infill within the existing built area. Proposals for development at the Small Villages will be supported where they seek to meet housing needs of settlements or provide employment, services and facilities provided that the development:

- i) Respects the existing character and form of the settlement*
- ii) Does not elongate the village or impose development in sensitive landscape areas*
- iii) Does not consolidate an existing sporadic loose knit areas of development related to the settlement.*

In this instance the site is entirely contained by other/existing residential properties and their associated amenity/parking provision. Whilst the majority of the surrounding properties front onto a main road or throughfare in the village, there are existing pockets where houses are set back from the front street scene and are served by a cul de sac (such as 14 & 15 Jubb's Lane to the south west of the site). The existing character is that of a rural, fairly verdant, village with a mix of house types, styles and ages. There is not however any particular uniformity or urban grain.

This site is situated to the rear of a number of the properties fronting onto Jubb's Lane and Liddiard's Green. Only glimpsed views of the site are afforded from the surrounding streets between existing properties; or along the existing access driveway that extends between 11 and 12 Jubb's Lane, as a result of this back land position. The site is therefore fairly discreet in the street scene and makes limited contribution to the character of the area or setting of the National Landscape. It is also noted from both PHOTO 1 and the surrounding site history identified above, that the majority of the immediately adjacent properties are relatively modern, having been allowed in the last 30+ years.

In addition, the site access is already used to service the rear gardens and parking provision of 1 and 2 Rectory Farm Cottages, which otherwise front on to a footpath leading from Jubbs Lane along their north eastern boundaries. These properties currently benefit from relatively large gardens as well as an overly large area of hardstanding/parking area. There is also a detached garage within this area and it is unclear if this is used by the two existing houses or independently. The area is also a little underused.

It is noted that the proposals are submitted in Outline and therefore contain limited detail. However the submitted Planning Statement confirms that both the existing cottages (1 and 2 Rectory Farm Cottages) and the proposed house will have 3 bedrooms each (which has also been reconfirmed by the agent during the course of the application); and the subdivision of the respective plots will result in 3 plots of proximity 0.07/0.08 hectares in size (not including the access driveway). Whilst this will obviously result in smaller plots than the existing arrangement, it is not considered that the resultant plot sizes will be out of keeping with the general varied plot sizes and grain of development in the immediate vicinity of the site and will still provide gardens of at least 10 metres in length for each of the respective properties, which accords with others in the vicinity and the general guidance concerning private amenity space.

Limited information has been provided about the design and appearance of the proposals but the Planning Statement does confirm that the proposed dwelling will be 2 storeys in height; and the submitted site plan identifies it to be positioned fairly centrally, off set from all shared boundaries. The detailed design will also be controlled at the detailed reserved matters stage to ensure that it is appropriate and will be in keeping with the material finishes and vernacular of surrounding development.

Overall, given the limited public visibility of the site; the relatively large area of under used land; and the fact that the site is surrounded by a mix of older and more modern development, it is not considered that the proposed development of this site with a new detached, 2 storey dwelling would result in any adverse implications for the character of the area/National Landscape; and would actually result in a more efficient

use of land. The proposals would also contribute in a small part towards the Council's identified housing shortfall (which currently stands at 2.8 of the required 5 years of required housing land supply). The proposals are therefore considered to be acceptable in this regard.

Neighbouring Amenities:

WCS policy CP57 (Ensuring High Quality Design & Space Shaping) requires that new development should be designed to ensure that the impact on the amenities of existing occupants/neighbours is acceptable and that appropriate levels of amenity are achievable within the development itself. The NPPF further confirms that planning should '*always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings*'. Residential amenity is affected by significant changes to the environment including privacy, outlook, daylight and sunlight, and living areas within private gardens and this therefore needs to be carefully considered accordingly.

Local representation has suggested that the proposed development will result in loss of light and overlooking for the surrounding neighbours and their private gardens. The neighbour's at 14 Jubb Lane to the south in particular are concerned about a garage that they perceive will be positioned immediately adjacent to their boundary and the 'significant' level change that exists between the two plots. However there is no garage identified as part of the proposals. The existing garage is immediately on the shared boundary but situated right in the corner of the plot and is to be demolished. As can be seen in PLAN B above however, the proposals involve a dwelling that is to side onto the existing property at 14 Jubb Lane, but is to be off set from all of its shared site boundaries. Two surface parking spaces are identified between the proposed dwelling and the shared boundary with 14 Jubb Lane but these spaces will not involve any built form/garage or raised height and will actually provide a level of separation between the proposed 2 storey house and this neighbouring garden (of approximately 6 metres). A condition can also be imposed on the decision to restrict any fenestration on this facing wall as part of the detailed design of the new unit, thus limiting any potential opportunity for direct overlooking.

In addition, as can be seen in PLAN A and PHOTO 1 above, the proposed site is to be positioned to the north of the neighbouring plot of 14 Jubb's Lane and an intervening fence and large tree already exist on this site boundary, which already create a level of direct shadow over this neighbouring garden and would serve to provide a soft screening of the proposed development. The suggested level change between plots is also marginal and not enough to need any retaining walls or to exacerbate any particular impact in terms of dominance. Whilst the outlook from this neighbouring property will undoubtedly change as a result of the proposals, a right to a view is not protected by the planning system. The identified relationship is also appropriate and common in such a built up area. Given the orientation of the new house relative to this neighbour; the identified off set from the shared boundary; the existing intervening features; and the potential to limit any fenestration on the facing elevation of the proposed dwelling, it is not therefore considered that the proposed house would result in any significant or unacceptable impact for these adjacent neighbours in terms of dominance, loss of light or overlooking that would warrant a reason for refusal of this scheme; nor that would '*substantially outweigh*' the benefits or presumption in favour of such development set out in the NPPF.

Likewise for the neighbours to the north west and south east; the dwelling is to be positioned at least 10 metres from either shared boundary which is a suitable distance in such a built up area. The neighbouring rear gardens are also of generous length (at least 25 metres in length for the properties fronting on to Liddiards Green; and 12 metres for 11 Jubb Lane), thus providing sufficient back to back distances between plots so as to limit any significant issue in terms of overlooking or loss of privacy in this respect.

In terms of the potential impact for 1 and 2 Rectory Farm Cottages, whilst a substantial part of these cottages' gardens are to be syphoned off to create the site and parking areas; a separation distance of at least 22 metres is still identified between the side elevation of the proposed dwelling and these existing houses. The use of the access driveway to serve an additional dwelling will also result in limited additional impact for 11 or 12 Jubb Lane given that it is already used to serve 1 and 2 Rectory Farm Cottages and a garage and the comings and goings associated with these existing uses.

Overall it is therefore considered that the proposals will not result in any significant implications for the surrounding neighbouring amenities; and a reason for refusal on amenity grounds would not therefore be justified.

Highway Safety:

The proposals are to utilise an existing access driveway which the Highway Authority is satisfied has sufficient visibility. Jubb's Lane is also a relatively quiet, no through lane and therefore, whilst 2 cars will not be able to pass when using the access driveway and this could therefore result in cars waiting on the highway (Jubb's Lane), it is not considered that any potential impact would be unacceptable in highway safety terms.

In addition, the 3 dwellings that are to be served by this access drive are to each have 3 bedrooms; and will each be served by 2 parking spaces, which accords with the Council's adopted parking standards. The level of turning and manoeuvring space has also been altered/clarified during the course of the application and the Highway Authority is now satisfied that there is sufficient parking and turning provision on site to serve the three dwellings. Overall the Highway Authority has therefore raised no objection to the proposals in terms of its implications for highway safety accordingly.

Ecology:

Biodiversity Net Gain:

As of 2nd April 2024 the requirement for Biodiversity Net Gain (BNG) on *all* new sites came into force under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Any small scale (none major)/major scheme will need to demonstrate no net loss and a minimum of 10% net gain in biodiversity on the site, in line with the requirements of the NPPF, WCS policy CP50 (Biodiversity and Geodiversity) and the Environment Act.

The submitted documentation confirms that the proposals will meet the 10% BNG requirement and has provided a plan identifying how this could be achieved on site. However BNG is post determination matter and any scheme will be subject to the statutory condition to ensure 10% BNG is achieved. It is not therefore something that needs to be confirmed or agreed at this stage and the submitted BNG plan has not therefore been assessed. A note will be attached to the decision to highlight this to the applicant.

CIL/S106:

WCS policies CP3 (Infrastructure Requirements) and CP43 (Providing Affordable Housing) require contributions towards affordable housing, education and public open space provision from any net gain in the number of dwellings in the area. However following subsequent ministerial advice and updated NPPF, these policies now only apply to sites of 10 dwellings or more and there is no longer a requirement for such contributions from this proposal involving only 1 new dwelling. The recommendation will not therefore be subject to a Section 106 to secure any contributions or affordable housing.

As of May 2015, Wiltshire Council adopted the Community Infrastructure Levy (CIL). Therefore this proposal may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A note highlighting this requirement to the applicant will therefore be attached to the decision accordingly.

CONCLUSION

The proposed development will result in an efficient use of land that will contribute in a small way towards the Council's identified housing land supply deficit. It will also represent infill within the main built up area of a Small Village; and will not result in any significant implications for surrounding neighbouring amenities, the character of the area/National Landscape; or highway safety. The proposals are recommended for permission accordingly.

RECOMMENDATION:**That Planning Permission be GRANTED subject to the following conditions:**

1. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:

- (a) The external appearance of the development;
- (b) The landscaping of the site;

The development shall be carried out in accordance with the approved details.

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 5 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

3. An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

4. The development hereby permitted shall be carried out in accordance with the following approved plans:

Application Form & Certificate

Ref: Existing Location Plan (Land App, Feb 17, 2026). Received – 17.02.2026

Ref: Proposed Site Plan (Land App, Jul 22, 2026), Received – 22.07.2026

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

5. No development shall continue above slab level on site until the exact details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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, in the interests of visual amenity and the character and appearance of the area.

6. No part of the development hereby permitted shall be first occupied until the turning areas & parking spaces (6) 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 for the life time of the development.

REASON: In the interests of highway safety.

7. The detailed design of the development hereby permitted, which is to be agreed at the reserved matter stage, shall identify a unit with no more than 3 bedrooms only.

REASON: In the interests of highway safety and to ensure that the site can accommodate sufficient parking provision

8. No development hereby permitted shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- means of enclosure;
- car park layouts;
- other vehicle and pedestrian access and circulation areas;
- all hard and soft surfacing materials;

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 ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

9. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the dwelling hereby permitted 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. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development hereby permitted.

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

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, doors or other form of openings, shall be inserted in the south western elevation of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

INFORMATIVES:

- 1) 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. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be

submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website:

www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy.

- 2) Notwithstanding the submitted Biodiversity Gain Plan, 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 listed below 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.