

ADDENDUM DELEGATED REPORT FOLLOWING COMMITTEE RESOLUTION

APPLICATION REFERENCE:	PL/2025/06615
APPLICATION TYPE:	Full Planning Permission
SITE ADDRESS:	Building at Seagry House, Off Henn Lane and Startley Road, Upper Seagry, Chippenham, SN15 5HD
DEVELOPMENT DESCRIPTION:	Erection of building comprising 4No. flexible B8 storage and distribution and/or Class E(g) Commercial, Business and Service units and erection of building for mixed agricultural and equestrian workshop, storage and estate office and stables, all following demolition of existing B8 storage building and site remediation, together with associated parking, servicing, drainage, infrastructure, biodiversity net gain and landscaping and alterations to existing vehicular access
RECOMMENDATION:	That Planning Permission be GRANTED

NPPF UPDATE

Since the resolution of the Northern Area Planning Committee of 13th May, the revised National Planning Policy Framework (August 2026) has come into force. The revised Framework introduces a comprehensive suite of National Decision-Making Policies (NDMPs) which are now material considerations in the determination of planning applications. The Framework confirms that these policies apply to decision-making from the date of publication.

Officers have reviewed the implications of the updated Framework in respect of this application. Having undertaken that review, it is not considered that the substantive planning assessment, conclusions or recommendation previously presented to Members are altered by the introduction of the revised Framework. The proposal remains acceptable for the reasons set out within the Committee report and the resolution of the Northern Area Planning Committee. Officers are satisfied that the amended conditions of this report remain compliant with Policy DM6 of the revised National Planning Policy Framework relating to the use of planning conditions.

Where appropriate, the reasons attached to the proposed planning conditions have been updated to reflect the relevant National Decision-Making Policies contained within the 2026 Framework, replacing references to superseded paragraph numbering within previous iterations of national policy. These amendments are consequential and do not alter the intent, purpose or effect of the proposed conditions.

BACKGROUND

At its meeting of the Northern Area Planning Committee on 13th May, the Committee resolved:

To delegate to officers to explore with the applicant the use of additional conditions to control:

- Hours of operation of buildings and uses, with the B8 use being significantly shorter than that of the Class E use;*
- Types of vehicles able to access the site, expressly prohibiting HGVs; and*
- The use of the access from Henn Lane limited to emergency purposes only.*

Upon satisfactory agreement of conditions, to discuss with the Division Member, the Parish Council and objectors.

In the event satisfactory resolution of the above matters, planning permission be granted subject to the updated set of conditions.

The purpose of this report is to record the consultation undertaken following that resolution, to assess the representations received, and to determine whether any further amendments to the proposed conditions are necessary.

CONSULTATION UNDERTAKEN

Following the Committee resolution, discussions were undertaken with the applicant regarding the three matters identified by Members. Revised draft conditions were agreed in principle and provided to:

Councillor Greenman as Division Member;
Seagry Parish Council;
Mr Andrew Scott; and
Mr Alan Bentley,

being the two objectors who addressed the Committee meeting and whose representations specifically addressed the matters raised during the debate.

Comments were subsequently received from all parties.

A number of representations also raised matters beyond the scope of the Committee resolution. Whilst these additional points have been reviewed, the primary focus of this report is upon the matters identified by Members when resolving to delegate authority to officers.

The purpose of the consultation exercise was to assist officers in determining whether any amendments to the proposed conditions were necessary and appropriate. The Committee resolution did not require suggested amendments made by consultees to be incorporated automatically, and each suggestion has been considered on its individual planning merits having regard to the relevant tests for planning conditions.

MATTERS WITHIN THE SCOPE OF THE RESOLUTION

Hours of operation

Representations were received from the Parish Council, Mr Scott and Mr Bentley seeking further restrictions upon operating hours, including requests that:

Class E(g) uses should be subject to the same restrictions as Class B8 uses; weekend operation should be further restricted; estate management activities should be subject to equivalent restrictions.

Officers have considered these comments carefully.

The Committee resolution specifically contemplated a distinction between the operation of the B8 and Class E(g) elements of the proposal. However, following consultation responses received, discussions were undertaken with the applicant and amended operating hours have been agreed for the Class E(g) element of the development.

Officers do not consider it necessary or reasonable to impose equivalent restrictions upon agricultural and estate management activities associated with Block A. Such activities form part of the approved development and no evidence has been presented demonstrating that additional restrictions are necessary to make the development acceptable in planning terms.

The amended conditions are therefore considered to appropriately address the concerns expressed by Members whilst remaining reasonable and enforceable.

Vehicle restrictions

Representations were received requesting the removal of the agricultural vehicle exemption from the proposed HGV restriction.

Officers do not support that amendment.

The approved scheme incorporates agricultural and estate management functions, including facilities specifically intended for agricultural vehicles. Furthermore, the site benefits from an established agricultural access, and agricultural use forms part of the approved proposal. Removal of the exemption would therefore substantially restrict activities that form part of the approved development and would not be considered reasonable.

Officers are satisfied that the amended condition appropriately restricts commercial HGV traffic associated with the development whilst allowing legitimate agricultural activity connected with the operation of the Seagry Estate.

Henn Lane emergency access

Representations were received regarding the operation and wording of the proposed Henn Lane condition.

In response to those comments, amendments have been incorporated to:

clarify that the route is intended principally for emergency egress; allow access by emergency vehicles where necessary; require details of signage associated with the access management strategy; and strengthen the mechanism by which access restrictions are to be managed.

Officers remain satisfied that the condition appropriately reflects the Committee's intention that Henn Lane should not operate as a routine access serving the development.

Additional Matters Raised Outside the Scope of the Resolution

A number of additional issues have been raised by objectors and other interested parties, including:

Flood risk and the Sequential Test;
Surface water drainage;
Noise and operational activity;
Site contamination and asbestos;
Lighting;
Tree protection;
Residential amenity;
Covenants affecting the land; and
Sewerage infrastructure.

These matters were either considered in detail through the officer assessment of the planning application, informed by consultation responses from relevant technical consultees, or do not constitute material planning considerations.

In particular, officers note that the objectors continue to maintain their disagreement with the conclusions reached in relation to flood risk and the Sequential Test. Those matters were addressed fully within the Committee report and supporting assessment and do not form part of the matters delegated to officers following the Committee resolution. Officers therefore do not consider it necessary or appropriate to revisit those issues within this addendum, noting that they formed part of the original assessment presented to Members prior to the Committee resolution.

Having reviewed all further representations received, officers do not consider that any of the additional comments identify new material considerations that would justify further amendments to the proposed conditions or alter the recommendation previously presented to Members.

CONCLUSION

The Committee resolved to delegate authority to officers to explore additional planning controls relating to:

hours of operation; restrictions on heavy goods vehicles; and use of the Henn Lane access.

Consultation has subsequently been undertaken with the applicant, the Division Member, Seagry Parish Council and the objectors who addressed the Committee in accordance with officers' interpretation of the resolution. Comments received have been carefully reviewed and additional amendments have been incorporated where considered necessary, reasonable and consistent with the objectives of the Committee resolution.

Officers are satisfied that the amended conditions now provide an appropriate and proportionate framework for controlling operation of the development whilst remaining compliant with the relevant policy tests for planning conditions.

Whilst objections to the principle of development remain and a number of wider issues have been raised, no new material consideration has been identified that would justify departing from the Committee's previously expressed intention to grant planning permission subject to satisfactory agreement of conditions.

Accordingly, officers conclude that the matters identified by Members within the Committee resolution have been satisfactorily addressed and that planning permission should now be granted subject to the amended schedule of conditions. The applicant has confirmed acceptance of the amended condition wording following the post-resolution consultation process.

RECOMMENDATION: The planning permission be GRANTED in accordance the resolution of the Northern Area Planning Committee and subject to the following updated 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:

Flood Risk Assessment and Drainage Strategy Addendum 24013 (24 October 2025)
Flood Risk Assessment and Drainage Strategy Addendum 24013 (18 November 2025)
Flood Risk Assessment and Drainage Strategy (8 August 2025)
Flood Risk Assessment Addendum 3 Version 2 (23 February 2026)
Drainage Strategy 23075-PDL-01 Rev F (19 February 2026)
SuDs Sections 23075-PDL-02 Rev C (19 February 2026)

Block B – Roof Plans 2386-036C (3 October 2025)
Block B – Floor Plans 2386-035C (3 October 2025)
Block B East and West Elevations 2386-045C (3 October 2025)
Block B North and South Elevations 2386-046C (3 October 2025)

Proposed Block A East and West Elevations 2386-040A (8 August 2025)
Proposed Block A Roof Plan 2386-032A (8 August 2025)
Proposed Block A North and South Elevations 2386-041A (8 August 2025)
Proposed Block A Ground Floor Plan 2386-030C (8 August 2025)
Proposed Block A First Floor Plan 2386-031C (8 August 2025)
Proposed Block A Parking and Stable Elevations East and West 2386-042A (8 August 2025)
Proposed Block A Parking and Stable Elevations North and South 2386-043A (8 August 2025)

Site Sections 2386-050B (3 October 2025)
Whole Site Plan Proposed 2386-020Q (3 October 2025)
Proposed Soft Landscaping PRI124552 11 (8 August 2025)
Proposed Hard Landscaping PRI24552 12 (8 August 2025)
Site Plan Proposed 2386-021J (3 October 2025)
Location Plan 2386-001B (8 August 2025)
Proposed Bin Store 2386-060 (8 August 2025)
Soft Landscape Specification (8 August 2025)
Boundary Details 2386-061 (8 August 2025)

Sustainable Energy Strategy (8 August 2025)
Prelim Access Layout 23075-PHL-01 Rev D (3 October 2025)
Swept Path Analysis – Rigid HGV 23075-SPA-01 Rev C (3 October 2025)
Swept Path Analysis (Stable Courtyard Access) 23075-SPA-02 Rev C (3 October 2025)

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

3. The development will be carried out in strict accordance with the following documents:

Arboricultural Report Rev A (30 October 2025)
Tree Protection Plan 251022-SH-Comm-TPP Rev A (30 October 2025)

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

4. The development will be carried out in strict accordance with the following documents:

Sections 7, 8, and Appendices 7 and 8 of the Ecological Impact Assessment (EclA). 24 July 2025. ACD Environmental. Doc File Ref. PRI24552_EclA. Rev. A; Certificate. 10 July 2025. Natural England. Enquiry No. DLL-ENQ-WILT-00127; Soft Landscape Specification. July 2025. ACD Environmental. Doc File Ref. PRI24552 Spec; Soft Landscape Proposals. July 2025. ACD Environmental. Drawing No. PRI24552 11; Hard Landscape Proposals. July 2025. ACD Environmental. Drawing No. PRI24552 12; Arboricultural Impact Assessment, Arboricultural Method Statement, Tree Protection Plan. 30 October 2025. Hillside Tree Ltd. Rev A;

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

5. No development shall commence (including any works of demolition) until a Construction Traffic and Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include, as a minimum:

- a) Routing plan for construction traffic;
- b) Traffic Management Plan (including signage drawings);
- c) Number, frequency, and size of delivery vehicles;
- d) Staff and visitor vehicle movements and parking arrangements;
- e) Details of any temporary or permanent Traffic Regulation Orders;
- f) Phasing plan for construction activities;
- g) Swept path analysis for the largest construction vehicle;
- h) Hours of construction, including deliveries;
- i) Measures to control the emission of dust and dirt during construction;

The development shall thereafter be carried out in full accordance with the approved Plan unless otherwise agreed in writing by the Local Planning Authority.

REASON: To minimise detrimental effects on neighbouring amenity and the local environment, reduce risks of pollution, and ensure highway safety during the construction phase.

6. No development shall commence on site (including any vegetation removal or works to existing structures), until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The Construction Method Statement shall include all precautionary measures to be implemented during the construction period, for the protection of sensitive habitats and species known to be present within or adjacent the site, with particular reference to:

- Bat Species
- Nesting Birds
- Great Crested Newts
- Reptiles
- Badgers
- Priority Habitat Deciduous Woodland

The development shall be carried out in strict accordance with the approved Construction Method Statement.

REASON: To ensure adequate protection, mitigation and compensation for protected species and priority habitats throughout the construction period.

7. Prior to the start of construction, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP will include long term objectives and targets, management responsibilities and maintenance schedules for each ecological feature within the development, together with a mechanism for monitoring success of the management prescriptions, incorporating review and necessary adaptive management in order to attain targets. The LEMP shall be implemented in full and for the lifetime of the development in accordance with the approved details.

REASON: To ensure the long-term management of landscape and ecological features retained and created by the development, for the benefit of visual amenity and biodiversity for the lifetime of the scheme.

8. Prior to commencement of development, a lighting plan that includes a Lux Plot, shall be submitted to the LPA for approval. The plan will demonstrate that bat habitat (trees, scrub and hedgerows) on the perimeter of the site will remain below 0.5 lux. All lighting provided on site shall be in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication GN01:2021, 'Guidance for the Reduction of Obtrusive Light' (ILP, 2021), and Guidance note GN08/23 "Bats and artificial lighting at night", issued by the Bat Conservation Trust and Institution of Lighting Professionals.

REASON: In the interests of the amenities of the area and to minimize impacts on biodiversity caused by light spillage to areas above and outside the development site.

9. No access to the application site shall be gained from Henn Lane except for the purposes of exiting the site in an emergency in the event of flooding, or by emergency vehicles. To that end, no development shall commence, including any site preparation, groundworks or demolition, until an Emergency Access and Henn Lane Access Management Strategy has been submitted to and approved in writing by the Local Planning Authority. The Strategy shall be prepared in consultation with the Local Highway Authority and shall include, as a minimum:
- a) A detailed plan and specification showing the measures to restrict vehicular access via the Henn Lane entrance, ensuring that the Henn Lane access cannot be used for daily, routine or operational ingress or egress associated with the development;
 - b) Clear identification of the circumstances in which the Henn Lane access may be used, limited strictly to emergency situations where the primary Startley Road access is temporarily unavailable owing to surface-water flood conditions or other events that prevent safe use of the principal access, having regard to the requirements of paragraphs 116 and 181 of the National Planning Policy Framework concerning safe access during flood events;
 - c) Procedures for unlocking, temporary opening and controlled use of the Henn Lane access during such emergency events, including details of the responsible persons, notification arrangements, and a record-keeping process;
 - d) Details of the physical or operational measures to reinstate the restricted status of the Henn Lane access immediately following any emergency use; and
 - e) A programme for the installation, maintenance and retention of all control measures for the lifetime of the development.
 - f) Submission of details of all signage to be erected at the site and surroundings in connection with the compliance with this condition.

The approved Strategy shall be fully implemented prior to first use of the development and shall be adhered to at all times thereafter, unless a variation is first submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the Henn Lane access is not used as a primary or routine access/egress point, as the Local Highway Authority considers Henn Lane unsuitable for daily traffic associated with the development, and to ensure safe and appropriate access arrangements in accordance with Core Policies 60, 61 and 62 of the Wiltshire Core Strategy and Policies TR3 and F7 of the National Planning Policy Framework, which require development to achieve safe access during flood conditions. To also ensure that all new signage to be erected is of a design and appearance that is of a suitable quality in the locality, thereby complying to Core Policy 57 of the Wiltshire Core Strategy.

10. No development shall commence, including any site preparation, groundworks or demolition, until full and detailed design information for the proposed rainwater harvesting system has been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:
- a) A full hydraulic design demonstrating the performance of the rainwater harvesting system for all relevant design storm events and showing how the system integrates with the wider surface-water drainage strategy;
 - b) Detailed engineering drawings and specifications for all system components, including storage tanks, filtration units, conveyance pipework and any flow-control or pumping arrangements;
 - c) Confirmation of proposed tank volumes, storage capacity calculations, inflow and outflow rates, and allowances for exceedance or emergency discharge; and
 - d) Details of all by-pass or overflow arrangements, including how exceedance flows will be safely routed without increasing flood risk on- or off-site.

The development shall thereafter be carried out in complete accordance with the approved details prior to first occupation and the rainwater harvesting system shall be retained and maintained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the design and hydraulic performance of the rainwater harvesting system are appropriate and fully integrated into the site-wide drainage strategy, in the interests of managing surface-water flood risk in accordance with Core Policy 67 of the Wiltshire Core Strategy and Chapter 18 of the National Planning Policy Framework.

11. No development, other than demolition and remediation set out in the 'Phase 1 and 2 Desk Study & Ground Investigation (8 August 2025)', shall commence on site until the approved remediation has been completed.

The Local Planning Authority must be given at least two weeks written notification of commencement of the demolition and remediation works and the demolition and remediation works must be carried out in accordance with the details hereby approved.

Reporting of Unexpected Contamination:

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it should be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment should be undertaken and where remediation is

necessary, a remediation scheme should be prepared and submitted to and approved in writing by the Local Planning Authority.

Verification of remedial works:

Following completion of measures identified in the approved remediation scheme a verification report must be produced. The report should demonstrate the effectiveness of the remedial works. The verification report should be submitted to and approved in writing of the Local Planning Authority.

Long Term Monitoring and Maintenance:

If a monitoring and maintenance scheme is required as part of the approved remediation scheme, reports must be prepared and submitted to the Local Planning Authority for approval at the relevant stages in the development process as approved by the Local Planning Authority in the scheme approved until all the remediation objectives in that scheme have been achieved.

REASON: To ensure that risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, in accordance with Core Policy 56 of the Wiltshire Core Strategy and the Environment Agency's Land Contamination Risk Management (LCRM) guidance.

12. No part of the development shall be first brought into use until details of the cycle parking facilities shown opposite the west elevation of Block A have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include the design, type of stands or racks, method of security, and means of enclosure or weather protection. The approved cycle parking shall be fully installed prior to first use of the development and thereafter retained and maintained for the lifetime of the development.

REASON: To ensure the provision of secure, covered and accessible cycle parking in the interests of promoting sustainable travel, in accordance with Core Policies 60, 61 and 62 of the Wiltshire Core Strategy and the National Planning Policy Framework.

13. No later than 3 months following completion of the SuDS infrastructure and any associated watercourse or ditch modifications, and in any event prior to the first occupation of any dwelling (or first use of the development, whichever is sooner), the developer shall submit to and obtain written approval from the Local Planning Authority, in consultation with the Lead Local Flood Authority, the following as-built information:
 - a) As-built SuDS construction drawings, including all attenuation basins, flow controls, pipe networks, swales, inlets/outlets, exceedance routing and all constructed drainage assets.
 - b) As-built plans of all watercourse, ditch or land-drain modifications, including dimensions, levels, cross-sections, long-sections and construction details.
 - c) All as-built SuDS and watercourse/ditch drawings shall be provided in AutoCAD (DWG) format, fully georeferenced to OS National Grid; and PDF format for record purposes.
 - d) A full drainage asset schedule including dimensions, levels, materials, and long-term maintenance responsibilities.
 - e) An updated SuDS Maintenance Plan reflecting the final as-built arrangement.

The approved as-built drawings and documentation shall thereafter form the definitive drainage record for the development and must be complied with for the lifetime of the drainage system.

REASON: To ensure the constructed drainage system and watercourse/ditch modifications accord with the approved design, to maintain accurate LLFA drainage records, and to ensure the development does not increase flood risk on- or off-site, in accordance with the NPPF and Wiltshire Council SuDS guidance.

14. There shall be no burning undertaken on site at any time.

REASON: To protect the amenity of the area and to prevent air pollution, in accordance with Core Policy 57 and the NPPF.

15. The rating level (L_{Ar},Tr) of noise from any external plant, machinery or equipment installed as part of the development shall not exceed 41 dB L_{Ar},Tr at the boundary of the nearest residential property. Compliance with this limit shall be assessed using the methods and definitions set out in BS 4142:2014+A1:2019.

REASON: To protect the amenity of nearby residents in accordance with Core Policy 57 of the Wiltshire Core Strategy and the National Planning Policy Framework.

16. No part of the development hereby permitted shall be first brought into use until the access (including associated drainage works), internal access road, turning areas and the vehicle parking, and cycle parking facilities serving that part of the development have been completed in accordance with the details shown on the approved plans and made available for use. These areas and facilities shall be retained and maintained for their respective purposes in accordance with the approved details at all times thereafter.

REASON: To ensure satisfactory facilities for vehicles and cycles are provided in the interests of highway safety and to encourage travel by means other than the private car.

17. No part of the development shall be first brought into use until the visibility splays shown on the approved plans have been provided with no obstruction to visibility at or above a height of 600mm above the nearside carriageway level. The visibility splays shall always be maintained free of obstruction thereafter.

REASON: In the interests of highway safety

18. The Class E(g) uses within Block B shall only operate between the following hours:

- 08:00–18:00 Monday to Friday
- 08:00–13:00 Saturdays
- 09:00–13:00 Sundays and Bank Holidays

No operations, including deliveries, collections, loading or unloading associated with the Class E(g) uses, shall take place outside of these hours.

REASON: To safeguard the amenity of nearby residential occupiers by limiting noise and activity during sensitive hours, in accordance with Core Policy 57 of the Wiltshire Core Strategy and the National Planning Policy Framework.

19. The Class B8 (Storage and Distribution) uses within Block B shall only take place between the following hours:
- 08:00 and 18:00 Monday to Friday
 - No operations, deliveries, collections, loading or unloading or any other activities shall take place on Saturdays, Sundays or Public Holidays

No operations associated with the Class B8 use, including deliveries, collections, loading or unloading, shall take place outside of these hours.

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

20. With the exception of agricultural vehicles required for the operation of the Seagry Estate, at no time shall any HGVs or any vehicles exceeding 3.5 tonnes gross vehicle weight access to, egress from, or be used in connection with the use or activity associated with the development at the site.

REASON: In the interests of highway safety and to protect the amenities of neighbouring residential properties, in accordance with Core Policies 57 and 60 of the Wiltshire Core Strategy.

21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any Order revoking and re enacting that Order with or without modification, the buildings hereby permitted shall be used only for purposes falling within Class E(g), Class B8, and activities directly associated with the management and operation of the Seagry Estate. No change of use permitted by Class G, Class MA, or any other provision of Part 3 of Schedule 2 to the Order shall be undertaken. Furthermore, no extensions, external alterations or other operational development permitted under Part 7 of Schedule 2 shall be carried out unless express planning permission has first been obtained from the Local Planning Authority.

REASON: To ensure that the use and scale of the development remain compatible with the character of this edge of village location, to safeguard the amenities of neighbouring occupiers, and to retain appropriate planning control over future alterations or changes of use, in accordance with Core Policies 34, 51 and 57 of the Wiltshire Core Strategy and the National Planning Policy Framework.

INFORMATIVES

Bat Species

The roof space of (Building at Seagry House, Off Henn Lane and Startley Road, Upper Seagry, Chippenham, SN15 5HD) is used as a bat roost. Under the Conservation of Habitats and Species Regulations 2017 (as amended), it is an offence to harm or disturb bats or damage or destroy their roosts. Planning permission for development does not provide a defence against prosecution under this legislation. The applicant is advised that a European Protected Species Licence will be required before any work is undertaken to implement this planning permission. Future conversion of the roof space to living accommodation or replacing the roof could also breach this legislation and advice should be obtained from a professional bat ecologist before proceeding with work of this nature.

Great Crested Newts (GCN)

The scheme will be operating under a District Level Licence (DLL) for Great Crested Newts. Great Crested Newts are protected under Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). Planning permission for development does not provide a defence against prosecution under this legislation.

Works to the Public Highway

The developer/applicant will be expected to enter into a S278 Agreement with the Highway Authority for the access works before commencement of works hereby approved.

BNG Informative

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.