



The Town and Country Planning Act 1990
Approval of Full Planning Permission with Conditions
Application Reference Number: PL/2025/05596
Decision Date: 11/09/2026

Applicant:	CP Farming Ltd The Moat House, Malmesbury, England , SN16 0ER
Particulars of Development:	Creation of a wetland including ponds, scrapes and ditches
At:	Land at Stockham Marsh near Foxham, Wiltshire

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:

i) Received 01.07.2025:

Site Plan; WILT18-PAP-P02 pages 1-3

ii) Received 18.07.2025:

Location Plan; WILT18-PAP-P01

Pond layout; WILT18-EB-PLA-Ponds-01

Pond layout; WILT18-EB-PLA-Ponds-02

Pond layout; WILT18-EB-PLA-Ponds-03

Pond layout; WILT18-EB-PLA-Ponds-04

Pond layout; WILT18-EB-PLA-Ponds-05

Pond layout; WILT18-EB-PLA-Ponds-06

Pond layout; WILT18-EB-PLA-Ponds-07

Ponds full plan; WILT18-EB-PLA-Ponds-08

iii) Received 01.08.2025:

Cross Sections; WILT18-EB-PLA-CROSSECTION-PG1

Cross Sections; WILT18-EB-PLA-CROSSECTION-PG2

Cross Sections; WILT18-EB-PLA-CROSSECTION-PG3

Cross Sections; WILT18-EB-PLA-CROSSECTION-PG4

Cross Sections; WILT18-EB-PLA-CROSSECTION-PG5

Cross Sections; WILT18-EB-PLA-CROSSECTION-PG6

Cross Sections; WILT18-EB-PLA-CROSSECTION-PG7

Cross Sections; WILT18-EB-PLA-CROSSECTION-PG8

iv) Received 17.04.2026:

Cross sections; 01 Wilt18 Culvert

Cross sections; 02 Wilt18 Culvert

Bridleway Improvements; Wilt18

Drainage Strategy

v) Received 24.07.2026:

Bridleway Improvements; Wilt18

Bridleway Improvements; WILT18-EB-PLA-Works Specification

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

- 3 The development must be carried out in strict accordance with:

The recommendations within the Preliminary Ecological Assessment WILT18-EB-PEA Issued June 2025

Construction Environmental Management Plan; WILT18-EB-CEMP

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

Informative

- 1
- The applicant should note that it is a criminal offence to obstruct a public right of way under section 137 of the Highways Act 1980 and therefore no materials, plant, temporary structures or excavations of any kind should be deposited / undertaken which obstruct or adversely affect the public right of way BREM9 whilst development takes place, without prior consultation with, and the further permission of, the highways authority at Wiltshire council.
 - Wiltshire Council is the land drainage authority under the Land Drainage Act 1991. Land drainage consent is required if a development proposes to discharge flow into an ordinary watercourse or carry out work within 8m of an ordinary watercourse. An ordinary watercourse is a watercourse that does not form part of a main river. The term watercourse includes all rivers and streams and all ditches, drains, cuts, culverts, dikes, sluices, sewers (other than public sewers within the meaning of the Water Industry Act 1991) and passages, through which water flows. Wiltshire Council's land drainage bylaws can be downloaded [here](#). The land drainage consent application form and guidance notes can be found on our website [here](#).
 - The ponds, ditches and culvert are not directly on-line with the Cade Burns stream therefore impacts to fisheries interests are limited. It is assumed that fish will not be intentionally stocked into these ponds, though fish may naturally find their way into the ponds by the transfer of eggs. There is a risk that if fish are present and water levels recede during dry weather conditions, fish may become stranded and risk dying, therefore the applicant needs to be aware of this risk. The local Environment Agency's Fisheries Team would be happy to provide advice regarding fisheries management aspects of the site if fish are to be stocked to the ponds in the future. If the applicant wants to contact the Fisheries Team, they can do so by Email: sw_nwessexfrb@environment-agency.gov.uk or Tel: 03708 506506.
 - 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.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

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.

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

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.

Before commencing development, you should consider whether a Biodiversity Gain Plan needs to be submitted and approved. Commencing development which is subject to the biodiversity gain condition without an approved Biodiversity Gain Plan could result in enforcement action for breach of planning control.

For further information please refer
to: <https://www.gov.uk/government/collections/biodiversity-net-gain#developer-guidance>

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](#)