

## PRIOR APPROVAL APPLICATION: CHANGE OF USE UNDER CLASS MA

|                                 |                                                               |
|---------------------------------|---------------------------------------------------------------|
| <b>APPLICATION REFERENCE:</b>   | PL/2026/04632                                                 |
| <b>APPLICATION TYPE:</b>        | Prior Approval: Change of Use Class MA                        |
| <b>SITE ADDRESS:</b>            | 2 Market Place, Chippenham, Wiltshire, SN15 3HE               |
| <b>DEVELOPMENT DESCRIPTION:</b> | Change of Use of Ground Floor From Class E to Residential Use |
| <b>RECOMMENDATION:</b>          | Prior Approval Required and should be REFUSED                 |

### PROPOSAL

Under the provisions of condition MA.2 (2) attached to Schedule 2, Part 3, Class MA of the General Permitted Development Order (GPDO), the developer has applied to the Local Planning Authority (LPA) on 21.07.2026 with a request to determine whether a change of use (COU) from Commercial, Business and Service (Use Class E) to 3no residential units will require the LPAs prior approval (PA). Sufficient information was provided to enable the application to be validated on 21.07.2026.

All detail provided with the application submission indicates that the application site will be used as 3 residential units. As Class MA relates to a COU only, the elevation plans show no further alterations to the existing appearance of the building beyond those separately granted planning permission (PP) under planning application PL/2025/09951.

### THE SITE

The application site is the ground floor of a stone built 2.5 storey building known as '2 Market Place' in Chippenham, a principal settlement which benefits from a made neighbourhood development plan (NDP). 2 Market Place was most recently occupied by HSBC and has a lawful planning use of commercial, business and service (Class E). At the time of writing there is no article 4 direction, or other removal of permitted development rights, affecting the site.

The site is wholly within the Chippenham Conservation Area (CA) and whilst it is not listed, neighbouring 'the old bakehouse to rear of number 3' is Grade II listed and there are other designated heritage assets near the site.



Figure 1: Map view of site (in red)



Figure 2: Aerial view (2024) of site (in red)

There is some existing off-street parking to the rear (west) of the building, accessed via a public carpark connected to unclassified 'Gladstone Road'. There is pedestrian access via a pavement adjacent to classified c-road 'Market Place' off of classified c-road 'High Street'. The site is highly visible from all these publicly accessible locations.

The site does not form part of a scheduled monument (or land within its curtilage), is not within a site of special scientific interest (SSSI) and is not part of a safety hazard area or part of a military explosives storage area.

The site, and wider area, are identified by the Environment Agency as being in Flood Zone 1, the lowest risk of flooding from rivers or seas, and is not identified as being at high risk of flooding from groundwater or surface water sources.

The site has not been identified as being occupied under an agricultural tenancy and has not been used as a registered nursery or health centre. The LPA do not consider the wider site area to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses. There is no record of contaminated land affecting the site.

## **RELEVANT PLANNING HISTORY (inter alia)**

### Relevant to the site and scheme:

- PL/2026/00068 *application for prior approval for the change of use of first floor from class e to residential use* was granted prior approval on 17.02.2026
- PL/2025/09951 requesting *Alterations to the ground floor frontage, removal of redundant banking features, replacement of windows, alterations to the former bank vault, reinstatement of the rear of the existing building at ground floor and creation of a small rear courtyard, together with associated works* was granted planning permission on 27.04.2026
- PL/2025/06982 granted prior approval for the [...] *Change of Use of the Commercial Second and Third Floors to Residential Use (to provide 4 Units) and Access via First Floor* on 26.11.2025
- PL/2023/00444 granted permission for the *Vacation of premises and externally removal of external ATM, signage and CCTV. Internally removal of componentry, equipment and marketing* on 20.02.2023

### Relevant planning history near the site:

1 Market Place: (excluding ground floor, within CA, directly north)

- PL/2023/02655 approved an *Application for prior approval for the proposed change of use of a commercial building to residential use (comprising 7 residential units)* on 05.06.2023

13-14 High Street: (excluding ground floor, within CA, less than 50m north-west)

- PL/2026/02881 *First floor conversion to a 3 bedroom apartment* was granted prior approval on 30.06.2026

49 Market Place: (excluding ground floor, within CA, less than 50m north).

- PL/2025/03775 approved *Proposed change of use of two upper floors (first floor and second floor) from commercial banking use to 2 self contained apartments including associated internal alterations* on 16.06.2025

St Pauls House, 1 Marshfield Road: (including ground floor, within CA, approx. 500m north-west)

- PL/2025/01319 approved *Change of use of existing vacant commercial building (Use Class E) to create 24 residential dwellings* on 01.04.2025

Officer Comment:

The LPA has had particular regard to the scheme granted PA under PL/2025/01319 given that the COU included the ground floor of the unit. It is, however, recognised that each application must be assessed on its own merits having regard to the specific characteristics of the building and its surroundings.

In this case, given the differing scale of development, different relationship with the surrounding town centre uses, and distinctly different CA character areas within which the respective sites are located, the LPA affords the PA under PL/2025/01319 limited weight in the assessment of this proposal.

## **POLICY CONTEXT AND GUIDANCE**

### General Permitted Development Order (GPDO)

- Schedule 2, Part 3, Class MA: Commercial, Business and Service Uses to Dwellinghouse

### National Planning Policy Framework (NPPF)

- TC2: Development in town centres
- HE4: Securing the conservation of heritage assets
- HE9: Conservation areas

### Wiltshire Core Strategy (WCS)

- CP9: Chippenham Central Areas of Opportunity
- CP58: Ensuring Conservation of the Historic Environment

### Chippenham Neighbourhood Development Plan (NDP)

- TC4: Development within Chippenham Conservation Area

### Wiltshire Local Transport Plan (LTP4)

- Car Parking Strategy (LTP3)

### Chippenham Conservation Area Character Appraisal (2023)

- Area 14: Market Place

### Chippenham Conservation Area Management Plan (2010)

- Part 2: Conservation Area Management

### Planning Policy Guidance (PPG)

- Technical housing standards (NDSS)

Site layout planning for daylight and sunlight: a guide to good practice (BRE, 2022)

### The Town and Country Planning (Use Classes) Order 1987

- Schedule 1

### Planning (Listed Buildings and Conservation Areas) Act 1990

- Section 72: General duty as respects conservation areas in exercise of planning functions

## ISSUES

Permitted Development (PD)  
Prior Approval (PA)

## CONSULTATION AND REPRESENTATIONS

### Chippenham Town Council: Objection

*No allocated parking provision is proposed. However, the transport impacts are not considered significant given the sustainable town centre location, proposed provision of a cycle store, and recent prior approval of six flats at the property on the basis of zero parking provision. A cycle store is indicated on the block plan but it is not clear how many cycles this could accommodate and would need to be conditioned to ensure that full details of the secure cycle store to accommodate nine bicycles is submitted.*

*The proposal is considered to have no adverse impacts in relation to contamination risk, flooding risk, noise for occupiers or provision of adequate natural light to habitable rooms.*

*Whilst consent has been granted for flats in this building, and other commercial buildings in the town centre, this is the first application that the Town Council are aware of in Chippenham which proposes entirely removing a ground floor commercial use in the high street. Approval of such would set a dangerous precedent for similar such applications and would erode the vitality and viability of Chippenham town centre, which like many other town centres is currently under pressure from a combination of different factors. Whilst conversion of ground floor commercial uses to residential uses may be acceptable at the peripheries of the town centre, it would not be acceptable in this location where it is important to retain a geographically tight, and therefore strong and sustainable, commercial core.*

*The building was specifically designed to be for commercial use, being purpose built as a banking hall in 1893. It is located at the heart of Chippenham Conservation Area in a prominent high street location. The Chippenham Conservation Area Character Appraisal (2024) identifies the building as having 'an imposing ionic classical ground floor frontage befitting a bank and is a key positive feature of the space.' (p. 140) It is identified as a 'Building of Good Townscape Merit' and Wiltshire Council confirmed it as a 'non-designated heritage asset' when assessing PL/2025/09951. In terms of the impact of the proposal on the character or sustainability of the Conservation Area, the character of the 'Market Place' (the character area which it just falls into) is described on p. 139 of the Appraisal: 'The area reads as a series of connected spaces with the ground floor uses primarily retail in character. The harm to the viability and vitality of the high street as a result of loss of ground floor commercial units in the 'Market Place' character area is specifically noted in the Appraisal in the last paragraph on p. 139. Further evidence that the building is integral to the retail character and appearance of the high street shopping area, and therefore the character of this part of the Conservation Area, is that it was specifically included within the Town Centre Primary Frontage of Policy R1 of the North Wiltshire Local Plan (saved policy) and was proposed to remain in the 'Primary Shopping Area' within the now withdrawn Wiltshire Local Plan Review. The proposed loss of a ground floor commercial use in this building, including decreased activity from comings and goings to the building, and 'privatisation' of a publicly accessible commercial building, would have an adverse impact on the retail character and sustainability of this part of the Conservation Area, and the Town Council strongly objects on this basis.*

*It is disagreed with the Applicant in their Planning Statement that the ground floor front elevation 'represents a dead frontage as the views are obscured into the building by elevated stone cills and does not promote any visual engagement with the street scene' and that 'the design of the shopfront has a commercial disadvantage when compared with neighbouring premises insofar as it is not an active frontage'. The existing front windows are a prominent feature of the building given their height, and the Applicant's intention to lower the window cills to head height (as recently approved) would increase the activeness of the frontage were it to remain in commercial use, with visibility through the windows. On the other hand, conversion to residential use would make for a less active frontage once blinds/curtains are attached to the inside of these windows. Whilst the ground floor may not be attractive to banking facilities anymore or standard retail shops, there are other Class E uses, which may not require standard shopfronts, such as cafes and restaurants or offices, which would benefit from large windows and the historic ambience of this building. There is no evidence that the ground floor would become long term vacant. Other former banks have been converted to different Class E uses. For example, Lloyds Bank in Corsham has been converted to a brasserie and bar, Lloyds Bank in Malmesbury to a restaurant, and Barclays Bank in Westbury to a banking hub.*

Councils Conservation Officer: Objection

*The former HSBC branch at 2 Market Place, Chippenham (SN15 3HE). Is an imposing, multi-story commercial building located in a prominent position at the heart of the town's historic conservation area. The site has an series of stone archs that form the ground floor shop front the site is considered to contribute positively to the character and appearance of the conservation area.*

*Given the attractive composition of the main elevation of the building and its high quality materials the site is considered to be a non-designated heritage asset.*

*The Conservation Area Appraisal cites the local character of the area as a busy series of retail frontages facing on the marketplace and the Butter Cross.*

*Given the attractive composition of the main elevation of the building and its high quality materials the site is considered to be a non-designated heritage asset.*

*In this case the works proposed appear to relate to the interior of the building rather than the amendment of the building's main frontage thus the proposal would not affect the appearance of the building or its visual contribution to the Conservation Area or the setting of the listed Butter Cross.*

*Policy H4 of the NPPF is a material consideration in this case as the interpretation of National Policy.*

*Considering the scope of impacts (HE4.1a), new uses should be consistent with the conservation of heritage assets and their contribution to local character and distinctiveness.*

*Policy HE5 of the NPPF advises that justification is required in the case of perceived change to heritage assets and their setting; in this case, the changes to the use of the building will affect local character and distinctiveness. On the basis of the submitted information, I am not convinced that sufficient evidence has been provided to offset the loss of local character. Given that residential character at ground floor level is not characteristic of the Market Place. Historically, residential use is limited to the upper floors of buildings and secondary frontages.*

*Policy HE6 of the NPPF is relevant in reference to the impacts of the proposal on the Character of the Conservation Area, the harm being limited to the loss of the retail unit and the associated loss of local character described in the Conservation Area Appraisal. This harm is less than substantial but nonetheless still requires justification which at present is lacking. The steps outlined in section 5 of Policy HE6 have not been fully addressed.*

*Policy HE7 of the NPPF is relevant as the site is a non-designated Heritage Asset, in particular para 2 as there is harm to the significance of the designated heritage asset and insufficient evidence has been provided to demonstrate that the benefits will outweigh the degree of harm caused on this occasion.*

Councils Highways Team: Further information required

*I am aware that the first, second and third floors have also have planning applications approved for change of use to residential.*

*A discharge of condition application is still pending for the cycle parking for the first floor and I am conscious that there must be adequate cycle parking provision for each apartment on each floor and these must be provided at 1 space per bedroom, including studies that could be used as bedrooms.*

*I am content that a car free development is acceptable in this location due to its central location, however, adequate cycle parking must be provided.*

*Therefore, to prevent a highway objection, please can I be provided with details (preferable drawings) of the number of bedrooms (including study's) in all 9 apartments and the cycle storage facilities for all the apartments.*

Councils Public Protection Team: Further information required

*We note there is a cafe adjoining the proposed development, please can the applicant provide further information confirming that the existing commercial property will not impact their proposed development from noise and odour. We note information provided in the noise report which related to the upper floors, however, the ground floor will adjoin the commercial property and therefore, as the agent of change, further confirmation on this point is required.*

Public Representations:

A site notice was erected near the site on 23.07.2026

At the time of writing 1 public representation of objection has been received raising the following summarised concerns:

- Loss of commercial unit within the town centre would harm the vitality, viability and attractiveness
- Disagreement with the applicant's assertion that the frontage represents a 'dead frontage'
- The site remains capable of supporting a range of Class E uses and the submission does not justify the COU
- Any PA granted for the ground floor could set a precedent

Officer Comment:

Following receipt and review of the consultation responses and public representation, the applicant submitted an addendum to the planning statement (letter prepared by RAW planning, dated 28.08.2026). The contents of that correspondence has been fully considered by the LPA as part of the assessment of this application; however, the applicant declined to agree an extension to the determination date to allow for re-consultation to be carried out and, consequently, given the statutory timeframe applicable to PA applications no revised representations responding to the detail has been possible to request prior to determination.

## ASSESSMENT

### Permitted Development

#### Context

Under the provisions of Schedule 2, Part 3, Class MA of the GPDO, *development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) of Schedule 2 to the Use Classes Order to a use falling within Class C3 (dwellinghouses) of Schedule 1 to that Order*, is permitted development.

There are limitations to Part 3, Class MA permitted development which are outlined as 'development not permitted' under section MA.1 and there are set conditions associated with that permitted development which are listed under section MA.2 of the same part.

For purposes of transparency, following initial checks made when reviewing the notified scheme (under the "proposal" section of this report) at the notified location (under "the site" section of this report), current GPDO parts which are relevant for further PD assessment have been summarised below.

|                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                           |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| The development must consist of the change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) of Schedule 2 to the Use Classes Order to a use falling within Class C3 (dwellinghouses) of Schedule 1 to that Order. |                                                                                                                                                                                                                                                                                                           |
| <b>Limitations</b>                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                           |
| MA.1 (b)                                                                                                                                                                                                                                                                                     | The use of the building must have been used for one of the applicable classes - namely: Classes A1, A2, A3, B1, D1(a), D1(b), D2(e) (which had effect before 01.09.2020) and/or Class E (on or after 01.09.2022) – for a continuous period of at least two years prior to the date of the PA application. |
| <b>Conditions</b>                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                           |
| MA.2(2)                                                                                                                                                                                                                                                                                      | Before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required.                                                                                                                        |
| MA.2(4)                                                                                                                                                                                                                                                                                      | All relevant provisions of paragraph W must be complied with                                                                                                                                                                                                                                              |
| MA.2(5)                                                                                                                                                                                                                                                                                      | Development must be completed within a period of 3 years starting with the PA date                                                                                                                                                                                                                        |
| MA.2(6)                                                                                                                                                                                                                                                                                      | Where permission is granted by virtue of Class MA, the dwellinghouse must remain in use as a dwellinghouse and for no other purposes, except to the extent that the other purpose is ancillary to the use as a dwellinghouse.                                                                             |
| <b>Paragraph W (procedure for applications for prior approval under Part 3)</b>                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                           |
| W.(2)                                                                                                                                                                                                                                                                                        | The application must be accompanied by -<br>(a) a written description of the proposed development                                                                                                                                                                                                         |

|        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        | <p>(b) a plan indicating the site and showing the proposed development</p> <p>(ba) a statement specifying the net increase in dwellinghouses proposed</p> <p>(bc) a floor plan indicating the total floor space (in square metres), dimensions and proposed use of each room, the position and dimensions of windows, doors and walls, and the elevations of the dwellinghouse(s).</p> <p>(c) the developer's contact address</p> <p>(d) the developer's email address if the developer is content to receive communications electronically.</p> <p>together with any fee required to be paid.</p> |
| W.(2A) | Where the application relates to the PA as to adequate natural light, the LPA must refuse PA if adequate natural light is not provided in all habitable rooms of the dwellinghouse.                                                                                                                                                                                                                                                                                                                                                                                                                |
| W.(3)  | <p>The LPA may refuse an application where, in their opinion –</p> <p>(a) the development does not comply with, or</p> <p>(b) the development has provided insufficient information to enable the authority to establish whether the development complies with, any conditions (with set exceptions), limitations or restrictions which are applicable to the development.</p>                                                                                                                                                                                                                     |
| W.(10) | <p>The LPA must, when determining an application</p> <p>(a) take into account representations made as a result of consultation;</p> <p>(b) have regard to the NPPF so far as relevant to the PA matters, as if the application were a planning application.</p>                                                                                                                                                                                                                                                                                                                                    |
| W.(11) | <p>Development must not begin before –</p> <p>(a) the receipt by the applicant from the LPA of a written notice that PA is not required;</p> <p>(b) the receipt by the applicant from the LPA of a written notice that PA is given;</p> <p>(c) the expiry of 56 days following the date on which the PA application was received by the LPA without the authority notifying the applicant whether PA is given or refused.</p>                                                                                                                                                                      |
| W.(12) | <p>The development must be carried out-</p> <p>(a) where PA is required, in accordance with details approved by the LPA</p> <p>(b) where PA is not required, or where W(11)(c) applied, in accordance with the details provided.</p> <p>Unless the LPA and the developer agree otherwise in writing.</p>                                                                                                                                                                                                                                                                                           |
| W.(13) | The LPA may grant PA unconditional or subject to conditions reasonably related to the subject matter of the PA.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

## Assessment

The scheme proposes a change of use from Class E to C3.

The LPA has no evidence to suggest that the COU to C3 has already commenced, and sufficient detail (including receipt of the necessary fee) has been provided by the developer (care of the agent) to allow the LPA to carry out PA assessment.

Based on all detail available, the LPA is satisfied that the scheme is PD under the provisions of Schedule 2, Part 3, Class MA; the scheme requires the PA of the LPA on matters prescribed by Class MA and paragraph W.

## **Prior Approval**

### **Context**

When considering whether to grant PA the LPA is limited to assessing set subject matters. Based on review of the scheme and site the subject matters to form part of PA assessment on this occasion are:

- (a) transport impacts of the development, particularly to ensure safe site access;
- (d) impacts of noise from commercial premises on the intended occupiers of the development;
- (e) where -
  - (i) the building is located in a conservation area, and
  - (ii) the development involves a change of use of the whole or part of the ground floor,the impact of that change of use on the character or sustainability of the conservation area
- (f) the provision of adequate natural light in all habitable rooms of the dwellinghouses

The LPA must, when determining an application, take into account representations made as a result of consultation and have regard to the NPPF so far as relevant to the PA matters, as if the application were a planning application.

Policy TC2 of the NPPF identifies the importance of maintaining the vitality and viability of town centres, whilst HE4 and HE9 seek to ensure that the new uses are consistent with the conservation of heritage assets and the preservation of the special interest of CAs.

In undertaking the assessment pursuant to paragraph MA.2(1)(e), the LPA has had regard to the statutory duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the CA.

### **Assessment**

#### **Transport Impacts**

No new access to the highway is proposed and, taking into consideration the potential traffic generation that could be resultant from the existing Class E use, the proposed C3 use for 3-no-1-bed units will not likely result in a material increase to the level of traffic generated, or material change to the type of vehicular movements in the vicinity of the site. The location of the site is such that there exists other transport modes to the private car.

Consultation with the Councils Highways Team has been carried out and resulted in confirmation that car-free residential development in this highly sustainable town centre location would be acceptable; however, their representation was made with the understanding that adequate cycle parking would need to be accommodated for all existing and proposed residential units within the wider building.

The provided block plan identifies a cycle store within the rear courtyard area, and the applicant has confirmed that secure cycle parking facilities are intended to serve the full site. Whilst full details of the cycle parking provision have not been submitted as part of this PA application, the LPA is satisfied that sufficient space exists within the site to accommodate secure cycle storage and that a suitably worded condition requiring the submission and implementation of a cycle parking scheme prior to first occupation could reasonably be imposed, should PA be granted.

#### **Noise Impacts**

Whilst there are some residential units above ground floor in the wider setting, units in proximity to the site are predominantly non-domestic. The proposed development would introduce new residential receptors at ground-floor level within a mixed-use area with active commercial premises and as such consultation with the Councils Public Protection Team has been carried out for their specialist guidance on noise impacts.

The consultation response notes that a café adjoins the application site and raises concerns that the supporting detail provided primarily relates to the previously approved upper-floor residential accommodation. Their representation indicates a requirement for further information to demonstrate that future occupiers would not experience unacceptable impacts arising from noise and odour associated with the adjoining commercial premises.

In response to the comments, the applicant submitted written confirmation that the café operates during daytime hours only, does not benefit from late-evening opening, and that the proposed dwellings would be separated from neighbouring uses by substantial existing masonry walls. The applicant further notes that there is no evidence to suggest that neighbouring commercial uses give rise to unacceptable noise impacts.

On this occasion, in the absence of contrary evidence, the LPA is satisfied, on balance, that future occupiers would not be subjected to conditions that are so objectionable that PA should be refused on grounds of noise impacts. It is considered that mitigation measures, such as insulation etc, could be secured through condition prior to occupation; furthermore, an informative could be included to explain that any potential mitigation which requires external operational development to be carried out will need to seek separate consent, prior to such works commencing.

#### The character or sustainability of the conservation area

The application site lies wholly within the Chippenham CA and occupies a prominent position within Market Place at the heart of the town centre. The building is identified within the Chippenham CA character appraisal as a *building of good townscape merit* and is also recognised as a non-designated heritage asset (NDHA). The appraisal identifies the building's imposing classical ground-floor frontage as a key positive feature of the space and notes that the Market Place character area is experienced as a series of connected public spaces with ground-floor uses predominantly commercial. The LPA considers that these characteristics form an important component of the areas special architectural and historic interest.

It is recognised that residential use has previously been approved on the upper floors of this building and elsewhere within Chippenham town centre; however, the current proposal differs materially from those approvals in that it would result in the complete loss of the ground-floor commercial use.

In assessing character, the LPA has had regard not only to the physical appearance of the building but also the activities, functions and land uses which contribute to the significance, character and experience of the CA. The Market Place character area derives much of its special interest from the concentration of commercial units, active frontages and regular pedestrian activities associated with the town centre location; those characteristics contribute to both the areas appearance and the continued vitality and sustainability.

Although the proposed COU would not physically alter the existing frontage of the building, the character of the building would nonetheless materially and fundamentally change. Commercial premises typically generate activity throughout the day through customer visits, staff movements, and general interaction with the public realm; residential use, in contrast, is inherently private in nature and would not contribute to the public activity of commercial function of Market Place to the

same extent. Moreover, whilst not a substantive issue on its own, the LPA notes that one of the proposed bedrooms would directly front Market Place which, in the interest of privacy, would likely result in the need for blinds or curtains on at least part of the primary elevation which could clutter the frontage and would inevitably reduce the degree of public engagement with the historic building. The LPA considers that the COU of the ground floor would weaken the commercial character of the setting and would diminish the contribution that this prominent ground-floor unit makes to the character and function of this part of the CA.

Objections have been received from the Town Council and Wiltshire Councils Conservation Team; both representations identifying the importance of retaining active commercial uses at ground-floor level within this part of the town centre and both raising concerns that the loss of the unit would erode the commercial character and sustainability of the area. The Conservation Officer further notes that ground-floor residential use is not characteristic of this part of the CA, where residential accommodation is historically and typically confined to upper floors and secondary frontages.

The applicant contends that the unit represents a relatively inactive commercial frontage and that the characteristics of the building place it at a commercial disadvantage; whilst those comments are acknowledged, the LPA consider that insufficient evidence has been provided to demonstrate that continued Class E occupation is no longer a realistic prospect and the LPA considers the building to possess a prominent frontage with significant architectural interest. It is also considered noteworthy that there are other examples, both locally and further afield, of former banking premises being successfully repurposed for alternative commercial, business and service uses. Overall, taking into account all information available, the LPA is not persuaded that the proposed loss of a prominent Class E use within this retail area of the historic town centre would have no harmful impact on the character or sustainability of the CA.

Having regard to the statutory duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the detail within the Chippenham CA character appraisal, the comments received from the Councils Conservation Officer and Chippenham Town Council, and the relevant policies of the NPPF the proposal would fail to preserve or enhance the character and appearance of the CA and the loss of the ground-floor Class E use would undermine the sustainability of the Market Place character by reducing the concentration of active commercial uses which contributes to the CAs vitality, viability and historic function.

#### Natural Light to Habitable Rooms

The ground floor of the building benefits from large windows to the front (north) and rear (south) elevations and the proposed floorplan indicates the intention to position habitable rooms in such a way that they will benefit from the natural light that these windows afford. The submitted 'internal natural light report' corroborates this observation by concluding that all habitable rooms would satisfy the relevant BRE daylight guidelines.

Overall, detail provided indicates that there would not be a need for operational development to be carried out to ensure that the proposed residential unit is adequately lit; there are no concerns on grounds of daylight / sunlight provisions to the proposed unit.

#### **SUMMARY AND CONCLUSION:**

The application has been made to determine whether the LPAs PA is required for a COU from Class E to residential (C3) to the ground floor of 2 Market Place, Chippenham.

The notified COU meets all requirements to be Part 3, Class MA permitted development, and the scheme requires the PA of the Local Planning Authority on transport impacts, noise from commercial premises, impact on the character or sustainability of the conservation area, and adequate natural light.

The proposal would not give rise to a material increase in traffic generation when compared to the lawful class E use and adequate provision can be secured for sustainable transport modes via a condition requiring cycle parking. Furthermore, the proposed unit would benefit from adequate levels of natural light to all habitable rooms without any requirement for separate consent for operational development.

Whilst concerns have been raised by the Councils Public Protection team regarding the potential for noise arising from future Class E uses, there is no evidence to indicate that the existing use would be objectionable in principle and it is considered that measures could be secured through the imposition of a condition requiring the submission and implementation of a noise mitigation scheme prior to first occupation.

However, the site occupies a prominent position within the Chippenham CA and the proposed loss of ground-floor Class E use would materially alter the role and function of the building within the Market Place Character area. Taking into account the statutory duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Chippenham Conservation Area Character Appraisal, consultation response and the relevant provisions of the NPPF, the LPA consider that the proposal would result in an unacceptable impact on both the character and sustainability of the CA.

**RECOMMENDATION: Prior Approval is REQUIRED and should be REFUSED for the following reason:**

1. The application site occupies a prominent position within the Chippenham Conservation Area. The Chippenham Conservation Area character appraisal identifies the area as being characterised by predominantly ground-floor commercial units and identifies the application building as a positive contributor to the townscape.

The proposed change of use would result in residential development at ground-floor level, which is not a characteristic form of development for this part of the Conservation Area. The proposed ground-floor residential change of use in this prominent position within the street scene would be incongruous and would fail to preserve or enhance the appearance of the Chippenham Conservation Area, thereby negatively impacting the character.

Having paid special attention to the duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Local Planning Authority considers the scheme to be contrary to the objectives of national decision-making policies HE4, HE6, and HE9 of the National Planning Policy Framework. Prior approval is therefore refused under paragraph MA.2(1)(e) of Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015.

2. The proposed change of use would result in the permanent loss of the whole ground floor Class E use of a building occupying a prominent position in Chippenham town centre. Insufficient evidence has been provided to demonstrate that continued commercial occupation of the ground floor is no longer a realistic prospect.

The Local Planning Authority considers that the loss of ground-floor commercial use would erode the concentration of active commercial uses in this part of the Chippenham Conservation Area, which contribute to the viability and sustainability of the Conservation Area as a whole.

The Local Planning Authority considers the scheme to be contrary to the objectives of national decision-making policies HE4, HE6 and TC2 of the National Planning Policy Framework. Prior approval is therefore refused under paragraph MA.2(1)(e) of Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015.

## **INFORMATIVES TO APPLICANT:**

- For the avoidance of doubt, the following plans and documents were considered in reaching this decision:

Application form, signed and dated 21.07.2026

Planning statement, prepared by RAW planning, R25-108

Planning statement addendum, prepared by RAW planning, dated 28.08.2026

Internal natural light report ground floor only, prepared by DRP, dated 13.07.2026

Site location and block plan, AA/25/23/50, dated July 25

Proposed ground floor plan, AA/25/23/51, dated July 25

Proposed elevations, AA/25/23/53, dated July 25

Proposed elevation sections, AA/25/23/54, dated July 25