



**The Town and Country Planning (General Permitted Development)
(England) Order 2015 (as amended)**

**Prior Approval Part 3, Class MA: Commercial, business and service
uses to dwellinghouses - Prior Approval Granted**

Application Reference Number: PL/2026/04248

Decision Date: 21/09/2026

Applicant:	Tessa Hampden The Lodge Restaurant Henfords Marsh Warminster Wiltshire BA12 9PA
Particulars of Development:	Application for prior approval for the proposed change of use of a commercial building (Class E) to a single dwellinghouse (Class C3) under Class MA of Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
At:	The Lodge Restaurant, Henfords Marsh, Warminster, BA12 9PA

The local planning authority has determined in this case that its prior approval will be required and that this prior approval is **GRANTED** subject to the conditions as set out in The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Informative

- 1 Development under Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) is granted subject to the provisions of Regulations 75–78 of the Conservation of Habitats and Species Regulations 2017 (as amended). These Regulations provide that development which is likely to have a significant effect on a European site must not be begun unless the local planning authority has given written approval under Regulation 77, following an appropriate assessment where required.

The Applicant is advised that the application site is located within proximity of a European site, where development may have the potential to result in a likely

significant effect on the integrity of that site, either alone or in combination with other plans or projects.

Although the development has been assessed as permitted development under Class MA of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), it remains subject to the provisions of the Conservation of Habitats and Species Regulations 2017 (as amended). In particular:

Regulation 75 provides that development which is likely to have a significant effect on a European site must not be begun unless the local planning authority has given written approval. Regulation 76 enables an applicant to seek advice from the appropriate nature conservation body (Natural England) on whether a proposal may have a significant effect on a European site. This step is optional but may assist in clarifying whether approval under Regulation 77 is required. Regulation 77 requires an applicant to apply to the local planning authority for written approval before commencing development, including details of the proposed development and any advice received from Natural England. Where necessary, this will involve the local planning authority undertaking an Appropriate Assessment.

Accordingly, the development hereby approved must not be commenced unless and until any necessary written approval under Regulation 77 of the Habitats Regulations has been obtained. Further information on Regulations 75, 76 and 77 and the associated process is available on the Council's website:

<https://www.wiltshire.gov.uk/article/14941/Regulations-75-76-and-77-of-the-Conservation-of-Habitats-and-Species-Regulations-2017>

Nic Thomas - Director of Planning, Economy and Climate

