

**APPLICATION FOR FULL-PLANNING PERMISSION
(MINOR DEVELOPMENT)
CASE OFFICER REPORT**

APPLICATION REFERENCE:	PL/2026/03025
APPLICATION TYPE:	Full planning permission
SITE ADDRESS:	49 Market Place, Chippenham, SN15 3HU
DEVELOPMENT DESCRIPTION:	Proposed partial change of use of ground floor of existing commercial floorspace, (Class E) to a domestic apartment, (Class C3). Some commercial floor space is to be retained as Class E.
RECOMMENDATION:	Approve with Conditions

1 SITE DESCRIPTION/CONTEXT

49 Market Place is a three-storey, mid-terraced building, located within the town centre of Chippenham. It is currently unoccupied but was until recently utilised for commercial purposes (Use Class E).

In June 2025 a prior approval application was approved for the change of use of two of the upper floors from commercial banking to 2 no self-contained apartments.

The site is situated within the Chippenham Conservation Area, and both neighbouring terraced buildings 48 and 50 Market Place are each in Grade II listed. The site is situated within the Town Centre Primary Frontage.

2 PROPOSAL

The application is for the partial change of use of the ground floor of an existing commercial use to form a residential apartment at 49 Market Place, Chippenham. An element of the commercial floorspace on the ground floor is to be retained as Class E (73sqm) and the residential unit to the rear is of some 75sqm.

This is a revised proposal from a previously refused application (PL/2025/05719), as detailed below.

3 PLANNING HISTORY

The following planning applications are those considered to be of most relevance to this application:

Proposal / Summary
PL/2025/05719 - Full planning permission Decision - Refuse Date: 22/10/2025 – Proposed partial change of use of ground floor of existing commercial floorspace, (Class E) to a domestic apartment, (Class C3). Some commercial floor space is to be retained as Class E.

PL/2026/01822 - Full planning permission Decision - Approve with Conditions Date: 7/5/2026 – Alterations to, and replacement of shopfront.
PL/2025/03775 - Prior approval part 3 Class G - COU from Use Class E, Betting Office or Pay Day Loan Shop to a mixed use including up to 2 Flats Decision - Prior Approval Granted with Conditions Date: 16/6/2025 – 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
PL/2025/03565 - Prior Approval Part 3, Class MA: Commercial, business and service uses to dwellinghouses Decision - Withdrawn by Applicant Date: 11/4/2025 – Proposed change of use of the two upper floors, (first floor and second floor) from commercial banking use to 2no. self-contained domestic apartments, including associated internal alterations.

The relevance of the planning history to this application is considered further below.

4 RELEVANT LEGISLATION, POLICIES AND GUIDANCE

4.1.1 Statutory Legislation:

4.1.2 National Planning Policy:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

4.1.3 Development Plan:

The development plan for Wiltshire comprises the *Wiltshire Core Strategy (WCS)* (*adopted January 2015*) and any made neighbourhood plans, which remains the principal statutory planning document guiding development across the county. In line with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise.

Though the development plan is considered as a whole, those parts deemed to be particularly relevant to this application are listed below:

The adopted *Wiltshire Core Strategy (WCS)*, with particular regard to:

- Core Policy 1 Settlement Strategy;
- Core Policy 2 Delivery Strategy;
- Core Policy 10 Spatial Strategy for the Chippenham Community Area
- Core Policy 57 Ensuring High Quality Design and Place Shaping;
- Core Policy 58 Ensuring the Conservation of the Historic Environment;
- Core Policy 60 Sustainable Transport;
- Core Policy 61 Transport & Development;
- Core Policy 64 Demand Management

4.1.4 Chippenham Neighbourhood Plan 2024 ('CNP'):

- Policy H2 – Housing Design
- Policy TC4 – Development within Chippenham Conservation Area

4.1.5 North Wiltshire Local Plan 2011 (Saved Policies)

- R1 Town Centre Primary Frontage Areas

4.1.1 Other Relevant Policies and Documents

- National Planning Policy Framework (NPPF)
- Chippenham One Plan
- Chippenham River Avon Project Masterplan
- Emery Gate Redevelopment
- Wiltshire Design Guide (adopted April 2024)
- National Design Guide

5 ISSUES

The main issues that need to be addressed in this case include:

- Whether the development is acceptable in principle (CP 1 and 2)
- Whether the scheme constitutes high quality design / heritage impacts (CP 57 and 58)
- Whether the scheme would preserve or enhance the historic environment (CP 58)
- Whether the scheme would have an acceptable impact upon the reasonable living conditions of the adjoining occupants (CP 57)
- Whether the proposal would have a negative effect upon highway safety, including if there is sufficient parking for the proposed development (CP 61 and 64)
- Waste and refuse management (CP 57)

6 CONSULTATION RESPONSES

The views of consultees are material considerations in the determination of the application. However, the decision-maker must exercise their own planning judgement. Where consultees raise concerns or recommend conditions, these have been considered and are addressed within the assessment section of this report.

WC Highways: No objection

WC Conservation: No comment

WC Public Protection: No comment (at point of determination)

WC Waste & Refuse: No comment (at point of determination)

WC Economic Development: No objection

Parish/Town Council: Objection (precedent / impact on town centre vitality and viability / precedent / waste)

The consultee responses have been carefully considered. Whilst significant weight is afforded to specialist technical advice, the decision remains a matter for the Local Planning Authority and the officer assessment below reaches an independent planning judgement on the issues raised.

7 REPRESENTATIONS

In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), the application was publicised by way of:

- Neighbour notification letters sent to adjoining and nearby properties;
- A site notice displayed near the site;
- An advertisement placed in the local press.

These methods were used to inform interested parties and provide a period of 21 days for comments to be submitted.

Below is a summary of the representations received during the consultation period. Only material planning considerations have been taken into account in the assessment of this application. Non-material issues, such as property values or private legal disputes, cannot be considered in the determination process.

Each material planning issue raised is addressed within the assessment below.

7.1.1 Letters of Objection

Total letters of objection received: 0

7.1.2 Letters of Support

Total letters of support received: 0

8 ASSESSMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:

"If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise."

In accordance with this statutory requirement, this application has been assessed against the relevant policies of the Development Plan, including the Wiltshire Core Strategy (2015) and,

where applicable, any made Neighbourhood Plans. Consideration has also been given to the policies of the NPPF (NPPF) as a material consideration in the assessment.

The assessment below considers each of the main issues identified above. Each topic is assessed in turn with reference to the relevant policy context, the evidence submitted, consultee responses, and all other material considerations, before a conclusion is reached.

8.1 Principle of Development

8.1.1 Policy Context

Core Policies 1 and 2 of the Wiltshire Core Strategy establish the overarching spatial strategy for Wiltshire and provide the primary Development Plan framework for determining whether development is appropriately located. Together, these policies seek to direct growth towards the most sustainable locations whilst protecting the intrinsic character and beauty of the countryside. The strategy prioritises development within Principal Settlements, Market Towns, Local Service Centres and larger villages, whilst development in the countryside will only be supported where it accords with specific development plan policies or where material considerations indicate otherwise.

The NPPF also contains national policies relating to the location of development. Policies S3-S5 distinguish between development within settlements and development in the countryside, support sustainable patterns of growth, and require decisions to have regard to the role and function of settlements, accessibility to services and facilities, and other site-specific considerations.

The principle of development should be assessed having regard to the Development Plan as a whole, the NPPF and all other material considerations. The weight afforded to individual policies will depend upon the nature, scale and location of the development proposed.

8.1.2 Planning History

The planning history of the site has been reviewed.

Previous application PL/2025/05719, which presented a substantially similar scheme as this application, was refused on 22/10/2025 for 2no. reasons, as follows:

1. *“The proposed part conversion of the ground floor commercial unit to residential use would significantly reduce the available commercial floorspace of the unit, located within the Primary Frontage Area of Chippenham Town Centre. This reduction raises significant concerns about the long-term viability of the unit and potential for vacancy, which could undermine the vitality and viability of the town centre. In the absence of evidence demonstrating otherwise, the proposal is contrary to saved Policy R1 of the North Wiltshire Local Plan (June 2006) and is unacceptable in principle.*
2. *Insufficient information has been provided regarding the arrangements for waste storage and collection for the retained commercial unit. In the absence of a clear strategy, the proposal risks causing obstruction, visual harm and operational issues,*

contrary to policies CP57, CP58 and CP61 of the WCS (Jan 2015) and Policy TC4 of the CNP (May 2024)."

This application submission is accompanied by a Design & Access Statement which seeks to demonstrate how these previous reasons for refusal have been addressed, the relevant issues are considered below.

8.1.3 Assessment

The previous application did not address saved Policy R1 (NWLP); but this application is supported by a Chartered Surveyor¹ Statement which suggests that smaller size self-contained shops have been taken recently in the town centre, which: *"... do not require a large floorplate store and require minimal storage space ... [and] ... usually seek no more than a maximum of 750 - 800 sq.ft. in total, comprising mainly display and sales space with a small ancillary area for staff welfare facilities to include a single toilet."*

However, whilst it may be the case that there is current demand for smaller units, no evidence of any prospective tenant which might accommodate this reduced space has been submitted with the application. The justification Statement does not provide any wider assessment of commercial demand and the range of unit sizes on offer in the town centre.

However, the response from the Economic Development Officer maintains that with the retention of the active commercial frontage; the demonstration of investment in that element of the site (as per recent planning permission PL/2026/01822 for alterations / replacement of the shopfront); and the confirmation that a smaller unit may be more commercially attractive, then the loss may on balance be justified. The submission material also references the unit at no.1 Market Place, where the commercial floorspace has been similarly split and an occupier has come forward for that commercial element, which had a retained commercial floorspace of some 39.7sqm.

Whilst acknowledging that other units within the town centre have been similarly converted at ground floor level, the Town Council has set out its concern that a continual erosion of larger units at ground floor level will, over time, compromise the retail offer and result in a town centre with a disproportionate offer of small units and lack of larger units. In turn, their view is that this will undermine the vitality and viability of the town centre, on the basis that once ground floor commercial space is converted to residential use this is in perpetuity. It is noted in this context that the two upper floors, which were also previously in retail use have been granted permission for conversion to residential use, thus already having reduced the quantum of retail floorspace at this unit.

It is acknowledged that the most recent use of the building was as a branch of the Halifax. This is a Class E use which was created in 2020 and brought together former A1, A2, A3 and B1 uses to reflect the need for greater flexibility in uses within town centres. The lawful use is currently Class E(c)(i); which would previously of been an A2 financial and professional service when the NWLP was written. This is a material consideration when considering saved Policy

¹ Huw Thomas, Loveday, Chartered Surveyors and Property Consultants (10 April 2026)

R1 because the policy is aged and doesn't reflect the use class system that has been relevant since the 2020 changes.

Furthermore, it is assessed that R1 technically doesn't relate to proposals for residential change of use in town centres; and the lawful use of the site doesn't align with traditional retail either as relevant under Policy R1(iii).

Moreover, so far as relevant to tests at R(i) regarding the vitality and viability of the town centre this proposal relates to a partial loss of Class E use and replacement with a dwelling to the rear of the site only. A Class E use will be retained to the site frontage and the applicant has presented a justification that a smaller unit may potentially provide an end user. It may even be a use that aligns better with traditional retail than the previous financial use. This may support the town centre's vitality and viability.

Since the previous decision a new NPPF has been published and needs to be given critical weight.

Policy TC2 of the NPPF sets out that in considering proposal for development in town centres, substantial weight should be given to the benefits of supporting the overall vitality and viability of the centre, including where this can be achieved through diversification of uses, intensification and provision of residential accommodation (provided this would not conflict with the policies in the development plan for specific locations).

The proposals would retain a street facing Class E use whilst providing a residential unit in an accessible location that would help meet the demonstrable housing needs of the area. The unit would be of a size that is comparable to other units within the town centre and the application has now been submitted with supporting evidence to justify the scheme. The proposal is considered to comply with TC2 and strike a balance between the unjustified total loss of commercial street activity, maintaining vitality and viability and providing residential accommodation in accessible location.

8.1.4 Neighbourhood Plan

The site lies within the area covered by the Chippenham Neighbourhood Plan 2024 ('CNP'). The following neighbourhood plan policies are relevant to the principle of development:

- Policy H2 – Housing Design
- Policy TC4 – Development within Chippenham Conservation Area

Given that the application does not propose any external alterations or changes, it is not considered to conflict with Policy TC4. The CNP states at Paragraph 8.6 that: *“Key to the town centre remaining vibrant will be the encouragement of residential uses in the right location, for instance flats above commercial premises and/or residential uses located outside of the retail core.”* By retaining a Class E use to the frontage the proposal complies with the aims of this policy.

Therefore, whilst there is no definitive policy conflict, the proposal is considered to comply with the aims and objectives of the CNP. This attracts moderate weight in the assessment of the principle of development and overall planning balance.

8.1.5 Conclusion

The proposal does not conflict with the Development Plan and National Planning Policy Framework when read as a whole. It is considered that the previous reasons for refusal have been adequately addressed in terms of the principle of the development.

8.2 Design and Impact on the Character and Appearance of the Area

8.2.1 Policy Context

Core Policy 57 of the Wiltshire Core Strategy requires development to achieve a high standard of design that responds positively to local character, context and distinctiveness.

Policies DP1-DP4 of the NPPF seek to ensure that development is well-designed, visually attractive, sustainable and responsive to its surroundings. Development should contribute positively to local character, create high quality places and support healthy and inclusive communities.

The Wiltshire Design Guide provides further guidance on achieving high quality, context-led design and should be taken into account where relevant.

8.2.2 Assessment and Conclusion

In assessing this aspect of the proposal, regard has been had to the site context, the details of the proposed development, the relevant development plan policies, and all other material considerations. In this instance the proposal will not alter the appearance of the building from the public realm and there are no design issues arising.

Having regard to the above, it is considered that the application does not conflict with Core Policy 57 (WCS) or Section 14 of the NPPF (DP1 – DP4).

8.3 Impact on Heritage Assets

8.3.1 Policy Context

From the point of view of the historic environment, the main statutory duties are set out within the Planning (Listed Buildings and Conservation Areas) Act 1990.

Section 66(1) requires special regard to be given to the desirability of preserving listed buildings, their settings and any features of special architectural or historic interest which they possess.

Section 72(1) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

Core Policy 58 of the Wiltshire Core Strategy seeks to conserve and, where appropriate, enhance the significance of designated and non-designated heritage assets and their settings. Core Policy 57 requires development to respond positively to local character and historic context through high quality design.

Policies HE4-HE10 of the NPPF recognise heritage assets as an irreplaceable resource and require proposals affecting heritage assets to be assessed having regard to their significance and the contribution made by their setting.

8.3.2 Assessment

In assessing this aspect of the proposal, regard has been had to the site context, the details of the proposed development, the relevant development plan policies, and all other material considerations. The key considerations are set out below.

The site lies within the Chippenham Conservation Area, and the adjoining neighbouring terraced buildings 48 and 50 Market Place are Grade II listed. There are other listed buildings in the wider area.

No elevations have been provided, the only external alteration relates to the creation of a new opening in the rear wall. The DAS refers to the installation of secondary or double glazing to all existing windows. The only window openings are to the rear of the building (the proposed residential element) and are not visible from the public realm.

Given that the proposal involves a change of use and internal works only, it is not considered that any harm is caused to designated heritage assets or the character and appearance of the surrounding area. There would be negligible impact to the Conservation Area and setting of listed buildings as a result. These proposals are considered to accord with policies CP57 and CP58 of the WCS and Policies H2 and TC4 of the CNP.

The current proposal provides a garden to the residential use which would provide suitable waste storage space too given that it has “gate to rear (right of access)”. The commercial unit has a dedicated waste and recycling area located internally. It is essential that refuse associated with the commercial unit is not stored on the High Street frontage. Such an arrangement would fail to preserve the special character of the Chippenham Conservation Area. Further consideration of this issue is set out in the Waste Management section below. In accordance with the heritage policies of the NPPF, any harm to the significance of a heritage asset must be clearly identified and assessed. Where harm is identified, it should be categorised having regard to the relevant heritage policies and weighed against any public benefits arising from the proposal.

8.3.3 Conclusion

Having regard to the above, it is considered that there is no heritage harm arising from the application and there is thus no conflict with Core Policies 57 and 58 (WCS), TC4 (CNP), and section 20 of the NPPF.

8.4 Amenity

8.4.1 Policy Context

The National Planning Policy Framework (NPPF), stresses (L2(1)(d)(ii) and P3) that planning decisions should ensure developments provide a high standard of amenity for existing and future users.

Point vii of Core Policy 57 of the Wiltshire Core Strategy requires new development to have regard to the compatibility of adjoining buildings and uses, regard to the impact on the amenities of existing occupants, and ensure that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing, vibration, and pollution (e.g. light intrusion, noise, smoke, fumes, effluent, waste or litter).

These policies guide the assessment of amenity impacts. The below matters have been assessed having regard to the specific site context and layout of the proposal.

8.4.2 Assessment

The proposal comprises a new 75m² flat which meets the minimum national space standards. The unit would benefit from natural light through windows to the living/kitchen space and the bedroom. There would be no windows to the bathroom, but this is acceptable but requires suitable ventilation at building regulations stage. The flat would have a rear enclosed court yard garden.

The proposed flat would be accessed from the high street, and is surrounded by a number of commercial uses and some residential use, notably on the upper floors. For the previously refused application the Council's Public Protection Officer noted that sound insulation was referenced in the submitted DAS but that no formal assessment, and any associated necessary mitigation measures, had been submitted. The Officer Report for that application concluded however that as the building is not listed, suitable noise insulation would be achievable within the building, that detail could be subject to further information which could be secured by condition.

The proposal is not considered to cause harm to any adjoining occupiers in terms of loss of light, privacy or being overbearing given this is a change of use to residential use.

Subject to condition requiring further information on suitable noise insulation, the proposal is considered to be acceptable in amenity terms and comply with CP57 (WCS) and the NPPF.

8.5 Highways Impacts and Parking

8.5.1 Policy Context

Policies TR3-TR8 of the NPPF seek to ensure that development is supported by safe, suitable and sustainable transport arrangements. Development should provide appropriate access, promote sustainable travel choices where possible and avoid unacceptable impacts on highway safety and the operation of the transport network.

Core Policies 60-64 of the Wiltshire Core Strategy require development to provide safe access, promote sustainable transport, minimise transport impacts and provide appropriate parking arrangements.

Where relevant, regard should also be had to the Wiltshire Local Transport Plan, the Council's parking standards and any applicable Local Cycling and Walking Infrastructure Plans (LCWIPs).

8.5.2 Assessment

No parking is proposed as part of the application. However, given the town centre location, the Council's Highway Engineer has raised no objection (mirroring their response on the previously refused application), noting that a small car free development is acceptable provided that cycle parking is secured.

The proposal would have good access to a significant range of services and facilities including walking distance to the town bus station and a slightly further walk to the train station. The site is highly accessible. The current proposal provides a garden to the residential use which would provide suitable bike storage space too given that it has "gate to rear (right of access)".

8.5.3 Conclusion

Overall, subject to appropriate conditions, the scheme is considered compliant with CP60, CP61 and CP64 of the WCS, Section 15 of the NPPF, and does not pose any significant highways safety concerns.

8.6 Waste and Refuse Management

8.6.1 Policy Context

Core Policies 57 and 58 (WCS) and Policy TC4 (CNP) seek to ensure that the visual amenity and streetscene is of suitably high quality, particularly in designated Conservation Areas. Policies DP1 – DP4 of the NPPF seek to ensure that development is well-designed, visually attractive, sustainable and responsive to its surroundings.

The Wiltshire Design Guide provides further guidance on achieving high quality, context-led design and should be taken into account where relevant. Paragraph 4.5.14 of this states that: *"Waste and recycling storage should not be located at the front of a property unless it is designed to be discretely enclosed and complement the appearance of the building, e.g. recessed storage areas integrated with an attractive entrance or porch detail."*

8.6.2 Assessment

Both the Town Council and Highway Engineer agree that commercial waste bins should not be permanently stored within the public highway on the High Street. The Council's Waste Team were consulted but no comments have been received.

Unlike the previously refused application, this revised application shows a dedicated area for waste and refuse storage within the commercial unit. This facility appears to be of adequate size and commensurate with the unit for which it serves. Whilst it is not ideal that this will need to be taken internally through the commercial unit for collection on designated days, it would not be unacceptable in principle, with the proviso that any external storage is generally restricted by way of Condition.

For the residential unit, a new opening is shown proposed to the rear of the curtilage space (it is noted from a site visit that the opening has already been created) to allow bins to be taken for collection from Chapel Lane.

8.6.3 Conclusion

Overall, subject to appropriate conditions to ensure any containers are not stored externally (other than for collection), the scheme is considered compliant with Core Policies 57, 60 and 61 (WCS) and Section 14 of the NPPF.

It is considered that the previous reasons for refusal have been adequately addressed in terms of waste provision and residual concern can be addressed by condition.

9 Public Sector Equality Duty (PSED)

In reaching this decision, due regard has been had to the Public Sector Equality Duty under Section 149 of the Equality Act 2010. This requires the Local Planning Authority to have regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between persons who share a protected characteristic and those who do not.

The Local Planning Authority is satisfied that the proposal would not result in any unlawful discrimination and that any impacts on protected groups have been appropriately considered as part of this assessment.

10 PLANNING BALANCE AND CONCLUSION

10.1 Policy Context

In reaching a decision, all identified harms and benefits must be weighed in the overall planning balance, having regard to Section 38(6) of the Planning and Compulsory Purchase Act 2004, the provisions of the Development Plan and the NPPF.

The NPPF contains a presumption in favour of sustainable development. Applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

The weight to be afforded to any identified benefits must be considered alongside all other material considerations, including whether the proposal accords with the Development Plan and whether any other policies of the NPPF indicate that development should be refused or that substantial weight should be attributed to identified harms.

The proposal conflicts with the Development Plan when read as a whole. Accordingly, the statutory duty under Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning permission be refused unless material considerations indicate otherwise.

10.2 The Balance

The principle of development has been assessed elsewhere within this report having regard to the Development Plan, the National Planning Policy Framework and all other material considerations.

For clarity, the principal harms and benefits identified through that assessment are summarised below and weighed against one another in the overall planning balance.

The assessment has considered the principal planning issues arising from the development, including the principle of development, design and heritage considerations, amenity and highways. The adverse impacts of waste storage and noise have been adequately addressed by way of Conditions. Whilst the proposal gives rise to some adverse impacts, these are considered to be limited in extent and attract no more than limited weight in the planning balance. The issue of precedent is not expressly an issue, with other referenced cases of residential use being introduced at ground floor level (not to a frontage) within the town centre.

The proposal would deliver benefits including the contribution (albeit limited) to housing land supply shortfall and ensures this currently vacant building is returned to at least partial use; these attract positive weight in the planning balance.

10.3 Conclusion

The proposed development is considered acceptable in planning terms. Having regard to the Development Plan, the NPPF and all other material considerations, the proposal is considered to conflict with the Development Plan, but be acceptable for the reasons set out above.

Accordingly, planning permission should be granted.

RECOMMENDATION:

That Planning Permission be GRANTED, subject to conditions:

All conditions imposed have been assessed against the tests set out in Policy DM6 of the NPPF and are considered to be necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects.

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

24092-100: Location and Block Plan

24092-107-A: Existing and Proposed Floor Plans

(received 11/05/2026 unless otherwise specified)

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

3. No part of the commercial development shall be brought into use, or the dwelling occupied, until an acoustic report and mitigation strategy has been submitted to and approved by the Local Planning Authority. This shall include an approach consistent with the mitigation strategy set out in the submitted Design & Access Statement. The development shall be carried out in strict accordance with the final approved acoustic report and mitigation strategy. The sound insulation measures shall be retained and suitably maintained thereafter for the lifetime of the development.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

4. The dwelling hereby approved shall not be occupied until details of secure covered cycle parking have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided in accordance with the approved details and made available for use prior to the first occupation of the development hereby permitted and shall be always retained for use thereafter.

REASON: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car.

5. No part of the commercial development shall be brought into use, or the dwelling occupied, until a scheme for the storage of waste and recycling for the hereby approved dwelling and retained commercial floorspace has been submitted to and approved in writing by the Local Planning Authority. This shall include details of the location of storage and measures to ensure that no waste or receptacles associated with either use are left outside the building on the frontage of the site, Market Place except on collection days.

REASON: In the interests of the character and appearance of the conservation area and the wider amenities of the area.

INFORMATIVES

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (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 not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements is considered to apply.