Wiltshire Council

The Town and Country Planning Act 1990

Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2022/07937

Decision Date: 24 March 2023

Applicant:	Ben Marshall Woolley & Wallis, Minster House, The Commons, SHAFTESBURY, SP7 8JU
Particulars of Development:	Conversion of two barns into two dwellings and the replacement of a modern barn into a single dwelling.
At:	West Swainsford Farm, Woodlands Road, Mere, Warminster, Wilts, BA12 6JT

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 paragraph 38 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:

Conditions: (11)

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:

DWG No: 01 Rev B Site Location Plan Date Received 15.11.22
DWG No: 02 Rev A Existing Site Layout Plan Date Received 15.11.22
DWG No: 03 Rev D Proposed Site Layout/Parking Plan Date Received 15.11.22
DWG No: 07 Rev B Existing and Proposed Elevations of Building E with Ecological Mitigation Date Received 16.03.23
DWG No: 08 Rev B Existing and Proposed Elevations of Building D with Ecological Mitigation Date Received 16.03.23
DWG No: 10 Rev B Existing Elevations of Building H and Proposed Elevations of New Dwellinghouse Date Received 15.11.22
DWG No: 05 Rev D Proposed Ground Floor Plans Date Received 15.11.22

DWG No: 06 Rev D Proposed First Floor Plans Date Received 15.11.22

REASON: For the avoidance of doubt, in the interests of proper planning and for the protection, mitigation and enhancement of biodiversity.

3 No works above DPC ground floor level of the development hereby permitted shall commence until details of the external materials for the erection of the new dwellinghouse that shall include the brick, render finish, cladding, roof material, chimney, windows, rainwater goods and doors have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of amenity and the character/wider landscape of the area.

4 No works above DPC ground floor level of the development hereby permitted shall commence until details of the external materials for the conversion of buildings D and E that shall include the brick, cladding (for building D), roof material, windows, doors, glazing, rainwater goods and doors have been submitted to an approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of amenity and the character/wider landscape of the area.

5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions/extensions or external alterations to any building/approved dwellinghouse forming part of the development hereby permitted other than as approved as part of a formal planning application by the Local Planning Authority.

REASON: In the interests of the amenity of the area and the character of the wider area.

6 No part of the development hereby permitted shall be occupied until the turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall always be maintained for those purposes thereafter.

REASON: In the interests of highway safety.

7 No development shall commence on site including the clearance of any vegetation until a Landscape and Ecology Management Plan (LEMP) suitable to the scale of the development shall be submitted to and approved in writing by the Local Planning Authority.

The LEMP will include long term objectives and targets, management responsibilities and maintenance schedules for each ecological feature within the development.

The LEMP shall include but not be limited to the species list of the hedgerow to be planted and the seed mix to be used for the creation of the wildflower meadow. The LEMP shall be implemented in full and for the lifetime of the development in accordance with the approved details.

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

8 Bat roosts and bat access points will be incorporated into the development in accordance with the approved plans or as otherwise specified in a relevant European Protected Species License superseding this permission. The installation of the bat roosts and access features will be supervised by a professional ecologist and shall be maintained and made available for bats for the lifetime of the development.

REASON: To mitigate for impacts to bats arising from the development.

9 No new external artificial lighting shall be installed at the site unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of conserving biodiversity

10 No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:

(i) location and current canopy spread of all existing trees and hedgerows on the land;
(ii) full details of any to be retained, together with measures for their protection in the course of development;
(iii) a detailed planting specification showing all hedgerow/plant species, supply and planting sizes and planting densities to include the wildflower meadow;
(iv) means of enclosure including details of all new fencing and gates;
(v) all hard and soft surfacing materials;
(vi) minor artefacts and structures to include refuse storage units.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development.

11 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the dwelling or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees, hedgerow or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

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

Informatives: (5)

1 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. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been

submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy

2 The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

3 The buildings on site are used by bats for roosting. Under the Conservation of Habitats and Species Regulations 2017, it is an offence to harm or disturb bats or damage or destroy their roosts. Planning permission for development does not provide a defence against prosecution under this legislation. The applicant is advised that a European Protected Species Licence will be required before any work is undertaken to implement this planning permission. Future conversion of the roof space to living accommodation or replacing the roof could also breach this legislation and advice should be obtained from a professional bat ecologist before proceeding with work of this nature.

4 The habitat within the proposed development site and the surrounding area is suitable for roosting, foraging and commuting bats. An increase in the artificial lux levels can deter bats which could result in roost abandonment and/or the severance of key foraging areas. This will likely result in a significant negative impact upon the health of bat populations across the region. Artificial light at night can have a substantial adverse effect on biodiversity. Any new lighting should be for the purposes for safe access and security and be in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication GN01:2021, ‘Guidance for the Reduction of Obtrusive Light’ (ILP, 2021), and Guidance note GN08-18 “Bats and artificial lighting in the UK”, issued by the Bat Conservation Trust and Institution of Lighting Professionals.

5 The application involves alterations to the existing vehicle accesses. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be required from Wiltshire’s Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact our Vehicle Crossing Team on vehicleaccess@wiltshire.gov.uk and/or 01225 713352 or visit their website at http://wiltshire.gov.uk/highways-streets to make an application.

Parvis Khansari **- Corporate Director, Place**

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