Wiltshire Council

The Town and Country Planning Act 1990

Approval of Variation of Conditions

Application Reference Number: PL/2023/02772

Decision Date: 12 May 2023

Applicant:	Mr & Mrs M Goodenough 41 Marsh Road, Hilperton, Trowbridge , Wiltshire, BA147PR
Particulars of Development:	Variation of condition 2 of PL/2021/11714 - to amend the design of the approved dwelling.
At:	West Winds, 72 Netherstreet, Bromham, Wiltshire, SN15 2DP

In pursuance of its powers under the above Act, the Council hereby **GRANT PLANNING PERMISSION** for variation or non-compliance with a condition or conditions imposed on an earlier permission in accordance with the application and plans submitted by you.

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 compliance with the following conditions:

Conditions: (10)

1 The development hereby permitted shall be begun on or before 30 March 2025.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Application Form, Design and Access Statement and Drawing Refs. 22-086/LP1 Location Plan, 22-086/SP1 Proposed Site Plan, 22-086/1 Proposed Plans (Floor Plans), 22-086/2 Proposed Plans (Elevations), 22-086/SS1 Proposed Street Scene and Site Section and 22-086/G1 Proposed Garage.

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

3 i) No development (including works of demolition) shall commence until a Construction Management Plan has been submitted to and approved in writing by the local planning authority.

ii) The plan shall include details of the measures that will be taken to reduce and manage the emission of noise, vibration and dust during the construction phase of the development.

iii) It shall include details of the following:

a) arrangements for lorries delivering to and collecting from the site,

b) hours of working (including deliveries and collection of demolition waste),

c) the loading and unloading of equipment and materials, and

d) provision on the site for storage of materials and parking of construction staff and contractor vehicles.

iv) The demolition and construction work will be carried out fully in accordance with the so-approved Construction Management Plan at all times.

REASON: In the interests of neighbouring amenities and highway safety.

4 i) Demolition works shall be carried out in full accordance with recommendations of Section 5 of the approved Protected Species Survey report (21 Apr 2021).

ii) The dwelling shall not be first occupied until bat roosting and bird nesting facilities have been incorporated in the development in accordance with details first to have been submitted to and approved in writing by the local planning authority; such details to be in accordance with the recommendations of the approved Protected Species Survey report (21 Apr 2021).

REASON: In the interests of biodiversity.

5 i) No development of the dwelling above ground floor slab level shall commence until full details of the materials and finishes to be used for the external walls and roofs have been submitted to and approved in writing by the local planning authority.

ii) The development shall not be carried out other than in full accordance with the so-approved details.

REASON: In the interests of visual amenity and the character and appearance of the area.

6 i) Prior to commencement of construction of the new dwelling there shall have been submitted to and approved in writing by the local planning authority full details of a surface water drainage scheme and maintenance requirements to be implemented on the site in respect of all buildings and new or replacement areas of hard standing.

ii) There shall be no occupation of the development until the so-approved drainage scheme has been implemented in full.

iii) The drainage scheme shall thereafter be maintained in accordance with approved details.

REASON: In the interests of controlling flood risk and highway safety.

INFORMATIVE

For the suggested soakaways, the information to be submitted under this condition must include:

- Ground investigations and infiltration testing in line with the requirements of the BRE Digest 365 and undertaken by a competent contractor are required to assess the feasibility of the proposed surface water drainage strategy.

- Sizing calculations, construction details and a maintenance plan.

8 i) The development hereby permitted shall not be first brought into use until the area between the nearside carriageway edge and a line drawn 2.4m parallel thereto over the entire site frontage has been cleared of any obstruction to visibility at and above a height of 600mm above the nearside carriageway level.

ii) The above frontage visibility margin shall be maintained as such at all times thereafter.

REASON: In the interests of highway safety.

9 i) The development hereby permitted shall not be first occupied until the first 5m of the access, measured from the edge of the carriageway and/or whole of the parking area, has been consolidated and surfaced (not loose stone or gravel).

ii) The access shall be maintained as such thereafter.

REASON: In the interests of highway safety

INFORMATIVE

The surfacing of the access must be in accordance with the details of hard landscaping and surface water drainage to be approved under the conditions above.

10 Prior to first occupation of the dwelling hereby permitted, or within 3 months of the substantial completion of the development (whichever is the sooner) all the existing buildings on site shall have been permanently demolished and removed from the site, the neighbouring site and other land shown on the approved drawings as being within the applicants' control.

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

11 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), no window, dormer window or roof light shall be inserted above ground floor ceiling level in the south elevation of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

Informatives: (1)

12 The application involves an extension to the existing/creation of a new vehicle access/dropped kerb. 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 the Wiltshire Council 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